



ORDINARY MEETING OF COUNCIL

MINUTES

8 FEBRUARY 2017



**ORDINARY COUNCIL
MEETING MINUTES
8 FEBRUARY 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
- Stephen Hart, Manager Executive Business Services
- Trevor Boheim, Manager Planning & Environment
- Rick Machin, Manager Communications, Marketing & Engagement (part of meeting)
- Caitlan Natalier, Legal Services Coordinator (part of meeting)
- Kaleece Done, Graduate Planning Officer (part of meeting)
- Nicholas Cooper, Coordinator Development Assessment (part of meeting)
- Richard Collins, Coordinator Environmental Planning (part of meeting)
- Susan Boland, Council Business Support Officer



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1.0 MEETING OPENED

The meeting commenced at 10.01 am

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

Cr McDonald was not present at the commencement of the meeting.

2.0 LEAVE OF ABSENCE

No Leave Of Absence

Cr McDonald arrived at the meeting, the time being 10.04 am.

3.0 CONDOLENCES/GET WELL WISHES

3.1 Condolences/Get Well Wishes

Date: 31 January 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: 16-20/0348

CARRIED

7/0



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7.0 BUSINESS ARISING FROM MINUTES

No Business Arising from Minutes

8.0 COMMITTEE REPORTS

No Receival of Committee Reports as Minutes

9.0 DEPUTATIONS/PRESENTATIONS

9.1 Aurecon Presentation

Date: 30 January 2017

Author: Kaleece Done, Graduate Planning Officer

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

RESOLUTION

At 10.15 am, a representative of Ericcson addressed Council regarding MCU2016/0043 – NBN Facility at Nandine Road, Lockyer Waters.



10.1 Councillor Portfolio Updates

Officer's Recommendation:
THAT Council receive and note the Councillor Portfolio Update report.

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- Meeting with community member re CRM's and a planning issue
- Meeting with community member re a rating issue
- Attend the community consultation re Laidley Flood Mitigation
- Attend the Laidley Rec Reserve meeting
- Meeting with Manager Regional Development
- Meeting with events, comms and tourism staff
- Meet with local art identity
- Meet with Lockyer Toowoomba Go Kart Club
- Meeting re Plainland Crossing development
- Media conference re regional hospital
- Meeting with Laidley Community Centre and Dept.
- Open the Rooms Motel
- Attend the dive in movie at Laidley
- Attend the new motel post public viewing
- Attend the multi faith service at the LV art gallery
- Attend Baptist church, Laidley
- Attend Industry Tour
- Meeting with portfolio councillor and road safety issues
- Meeting re Australia Day setup / event
- Attend meet and greet at Gatton Work for the Dole
- Attend meeting re young people and education
- Meeting with Environment Team, community member and moving forward with the Lockyer Catchment Action Plan
- Conduct Australia Day ceremony
- Conduct Australian Citizenship Ceremony
- Attend the Lockyer Valley Aquatic Centre swim competition
- Attend Forest Hill fundraiser for RDA
- Attend Faith Lutheran College Opening Ceremony
- Attend Laidley Uniting Church
- Attend Planning issue matter
- Meeting re IWD
- Attend Gatton revitalisation meeting
- Attend a media conference
- Attend Lockyer Youth Agency meeting
- Attend a visit to UQ and the Hidden Vale and UQ Wildlife Centre

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

- Annual leave up until the 15th January
- Meet with a farmer regarding flood issues
- Attended flood mitigation community consultation
- Attend Laidley Rec reserve meeting
- Attend Council meeting
- Attend the opening of Rooms motel
- Meet with resident regarding water issues
- Rugby Farms, Quilipac, Anuha industry tour.

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- Attend Australia Day Awards ceremony
- Attend Gatton revitalisation Project meeting.

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

- 17/1 - Laidley Flood Mitigation Community Consultation
- 18/1 - Council Meeting
- 24/1 - Industry Tour to various businesses
- 25/1 - Meeting at Murphy's Creek Escape
- 26/1 - Australia Day Awards
- 31/1 - Gatton Revitalisation Project Committee Meeting

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

- 9 December 2016 – Attended with the Senior Environmental Planner the COMSEQ Waterways and Environment Committee meeting. Key points include:
 - COMSEQ has drafted a letter for Lord Mayor Quirk to send to all other SEQ mayors, asking for financial contributions to start implementing the Catchment Action Plans.
 - COMSEQ is supporting the establishment of a Centre for Recycling of Organic Waste and Nutrients at UQ Gatton.
 - DTMR have progressed the research into tyre crumb usage in roads, and are now asking Councils for expressions of interest for participation in testing.
 - The Queensland government is proposing to introduce the ban of single use plastic bags in 2018, in conjunction with the Container Deposit Scheme.
 - The House of Representatives Standing Committee of the Environment and Energy is holding an inquiry into the impact of nationally protected flying foxes on the community. The Committee is expected to report on inquiry findings early 2017.
 - DEHP is developing a new policy and adaptation strategy for climate change.
- 14 December 2016 – A representative from the Darling Downs-Moreton Rabbit Board (DDMRB) joined the Mayor at a media event before delivering a presentation to the Council meeting. The officer from DDMRB advised the Councillors that it was possible to eradicate rabbits from the Lockyer valley but it was important to act quickly and effectively in very specific areas where the rabbits are breeding. He recommended that as many 2000 properties will need to be surveyed early in the New Year and Council's support would be invaluable.
- 15 December 2016 - The Coordinator Environmental Planning met with The Bushfire Safety Officer, Queensland Fire and Emergency Services to discuss the development of a 'cool burn' plan for the Lockyer Valley LGA. A meeting will be held in the New Year to provide nominations of Council properties requiring fire hazard mitigation in the West Moreton region.
- 15 December 2016 - The Coordinator Environmental Planning and Senior Environmental Planner met with representatives from DEHP to discuss the State's

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current review of SEQ water quality objectives. The review focusses on establishing realistic (ie achievable) water quality objectives using the current context of the landscape.

- 15 December 2016 - The Senior Environmental Planner met with representatives from Seqwater and Healthy Waterways and Catchments to discuss progress on the collaborative project to understand the rights and responsibilities of landholders adjacent to creek reserves. This project is an action in the Lockyer Catchment Action Plan.
- 16 December 2016 - The Coordinator Environmental Planning met with delegates from the second national flying-fox forum to discuss progress on the development of a National Flying-fox Strategy (NFFS). He was able to inform the meeting that a motion had been passed at the LGAQ conference requesting greater intervention by the State and consideration of a NFFS by the Australian government.
- 9 January 2017 - The Coordinator Environmental Planning worked with a contractor to burn 60 round bales of hay that had been previously seized as containing a restricted matter (giant rat's tail grass) under the Biosecurity Act 2014 at Summerholm.
- 10 January 2017 - A submission on the Agriculture & Environment Committee of the Queensland Parliament inquiry into invasive weeds was forwarded to LGAQ for inclusion in their consolidated submission.
- 16 January 2017 - A submission from Council was provided to the Agriculture & Environment Committee of the Queensland Parliament inquiry into invasive weeds.
- 23 January 2017 - The Queensland Government advised that the NWIDF grant deed (for the pre-feasibility study into additional water supplies for irrigation) has been executed. The project scope has been issued to four consultants, with a request to quote, and it is anticipated that a consultant will be appointed early February.
- 23 January 2017 - The Coordinator Environmental Planning attended the Catchment Action Plan Working Group meeting at the COMSEQ offices to review the draft Extent of Willingness to Pay project being undertaken by Griffith University. The project is at the request of the Resilient Rivers Taskforce. A number of issues were raised and these will be addressed before the completion of the final report.
- 24 January 2017 - The Coordinator Environmental Planning attended the Regional Pest Management Sub-Committee at the COMSEQ offices. The meeting focussed on the prioritisation of project proposals to be funded by local government precepts to the State government.
- 25 January 2017 - The Coordinator Environmental Planning and Senior Environmental Planner met with a teacher at the Faith Lutheran College to further discuss a joint project between the school and the Council to fulfil an outcome in the Lockyer Catchment Action Plan.

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

December

- Forest Hill Festivities
- Crime Stoppers meeting
- Withcott Lions Club function
- Porters Hotel function
- Spring Bluff meeting
- Meeting with Placid Hills resident regarding land development/parks

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- Lake Apex Advisory meeting
- Tourism Guide launch
- Work on Crime Stoppers stand at Gatton Christmas Carnival
- Council meeting
- Depot staff Xmas function
- Mayoral Xmas Carols
- Xmas Carols Spring Buff
- Council of Mayors Infrastructure & Planning meeting
- Xmas Lights fundraiser Withcott
- Hatton Vale State School Awards Ceremony
- Lockyer Valley Rabbit Group meeting
- Meeting regarding visibility issues at Rockmount
- Visitor Information Centre Volunteers Christmas Party
- Lockyer Darts Presentation evening
- Toowoomba District Disaster Management meeting
- Community Plan Reference Group
- Traffic Safety meeting
- Lockyer Valley Traffic Safety Working Group
- Biosecurity/Disaster Intelligence Workshop
- Regional Development Australia
- Lockyer Valley Local District Disaster Management Group Exercise
- Helidon State School graduation
- Meeting with residents regarding development approval
- Strategic Planning meeting State Government regarding SEQ Regional Plan and Warrego Highway
- Lockyer Ladies B&B meeting

January

- Meeting with resident regarding future access to property as well as submission to SEQ Regional Plan
- Meeting with residents in Kensington Grove regarding drainage/flooding issues
- Breakfast meeting with QFES Commissioner & staff
- Meeting with Executive Manager Infrastructure Works and Services and other officers regarding Laidley Flood Mitigation
- Community Consultation re Laidley Flood Mitigation project
- Withcott Soccer Club meeting
- Council meeting
- Onsite meeting with Iredale resident and Executive Manager Infrastructure Works & Services regarding access/road issues
- Meeting with Laidley Community Centre regarding parking
- Official opening new Motel Gatton
- Industry site tour
- Meeting with resident regarding Berlin Road issues
- Onsite meeting at Murphys Creek Escape
- Australia Day celebrations & Citizenship Gatton
- Australia Day activities Withcott Hotel
- Combined RRTG meeting Toowoomba
- Funeral in Toowoomba - Mr Bert Miles 25th Battalion

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- Portfolio meeting
- Onsite meeting with resident regarding Helidon Community shed
- Meeting regarding International Women's Day
- Gatton Revitalisation meeting
- Meeting with resident regarding land issues in Lefthand Branch Road
- Meeting with Porters Hotel regarding road/parking/development issues
- Meeting with Inland Rail

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

- Jan 16 - Meeting regarding SEQC flood impact study
- Jan 17 Laidley flood mitigation community consultation meeting
- Jan 18 Council meeting
- Jan 20 Official opening of the new motel
- Jan 20 Gatton historical society meeting
- Jan 24 Industry tours of the region
- Jan 26 Lockyer Valley Australia Day awards
- Jan 30 Residents funeral
- Jan 31 Meeting regarding International Women's Day
- Revitalisation project committee meeting

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

Community Development Portfolio for December and January.

- Attended the International Interfaith Conference in Toowoomba on the 1st and 2nd of December.
- Attended the volunteers Christmas party at Upper Flagstone.
- Attended the Federal member for Wright's Christmas party.
- Forest Hill community committee meeting.
- Bio Security QLD/Disaster Intelligence Presentation.
- Attended the Lockyer Better Business meeting.
- Attended the Lockyer Valley Rural Fire Brigade (Laidley) group meeting.
- Meeting with the Mayor, Councillors, CEO, regarding the Queensland Transport Museum.
- Meeting with a local resident over the issue of the leasing of a council bore.
- Meeting with the Mayor, Councillors, CEO, Manager Planning & Environment and residents with regard to the SEQ regional plan.
- Meeting with the Mayor, Councillors, CEO, Manager Regional Development, Legal Services Coordinator and Manager Planning & Environment with regard to the Backpackers accommodation.
- Attended the Lockyer Valley SES 2016 Presentation Evening at the Forest Hill School of Arts.
- Attended the Forest Hill Community Christmas Carnival.
- Laidley Better Business AGM - informal discussion only as no quorum.

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- Attended the Christmas drinks invitation from Plainland Hotel.
 - Meeting with Cr's Cook and Wilson and Council Officers with regard to Community assistance.
 - Attended the opening of 'Davson Creation' at the Lockyer Valley art gallery.
 - Attended the Gatton Christmas Carnival.
 - Visited Neilson's Place for the 1st anniversary celebrations for the first occupants.

 - Meeting regarding six mile creek retreat.
 - Attended the Launch of the Tourism Guide at the Lockyer Valley Cultural Centre.
 - Attended the 'depot staff' Christmas party.
 - Meeting with local resident with regard to boundary fence issues.
 - Laidley Spring Festival budget discussions with Event & Marketing Officer and Manager Marketing, Communication & Engagement.
 - Meeting with local residents with regard to road safety issue and drainage problem.
 - Laidley spring festival planning meeting at Neilsen's place.
 - Represented the Mayor at the QLD Caravan club rally at the Laidley Show Grounds.
 - Travelled to Brisbane with the Mayor to meet with Queensland Health representatives with regard to putting a regional hospital in the Lockyer Valley. The discussion was very positive, and the timing could not have been better as they are beginning a new 15 year plan for the Ipswich and West Moreton region.
 - Attended Council meetings and workshops.



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3. Report

Council pays a conference levy in conjunction with its membership subscription and this entitles Council to be represented at conference by two (2) delegates. Additional attendees as observers are at Council's discretion.

4. Policy and Legal Implications

There are no direct legal implications associated with the report.

5. Financial and Resource Implications

Council's annual subscription to the LGAQ provides for attendance of 2 Council delegates, additional attendees are at Council's discretion.

There is an approved budget allocation for the attendance of Councillors and the Chief Executive Officer to the LGAQ Annual Conference.

6. Delegations/Authorisations

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

7. Communication

The matters arising from this report that require further communication and engagement will be addressed through existing channels

8. Conclusion

The adoption of the recommendation will enable Council to comply with the early bird registration of Council's delegates for the 121st LGAQ Annual Conference.

9. Action/s

That the Chief Executive Officer finalise and register Council's delegates for the 121st LGAQ Annual Conference.



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10.3 Request for Support to Proposed Change of Laidley/Summerholm Locality Boundary - Lot 4 on CH311929

Date: 30 January 2017
Author: Caitlan Natalier, Solicitor/Legal Services Coordinator
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this Report is to consider a request from the owner of 45A Mountain Road, Laidley for support of his proposed application to the Department of Natural Resources and Mines to change the locality boundary between Laidley and Summerholm so that the whole of his property and its access is situated within the locality of Laidley.

Officer's Recommendation:

THAT with respect to the request from the owner of 45A Mountain Road, Laidley dated 7 December 2016 for Council support to his proposal to change the Laidley/Summerholm locality boundary as it relates to his property, Council resolves to authorise the Chief Executive Officer to issue a letter of support to the owner for the following reasons:

- (a) 45A Mountain Road and the property through which it gains access, ie. 47 Mountain Road, have similar functional uses.**
- (b) 45A Mountain Road is the only property in close proximity to the adjoining residential subdivision and 47 Mountain Road, which has a mailbox, street and postal address situated in the Laidley locality whilst the property is located within the Summerholm locality.**
- (c) The proposal will remove the confusion experienced by the owner, service providers and emergency services when attempting to locate or service the property.**
- (d) No other properties will be impacted if the owner's locality boundary change proposal is successful.**

RESOLUTION

THAT with respect to the request from the owner of 45A Mountain Road, Laidley dated 7 December 2016 for Council support to his proposal to change the Laidley/Summerholm locality boundary as it relates to his property, Council resolve to authorise the Chief Executive Officer to issue a letter of support to the owner for the following reasons:

- (a) 45A Mountain Road and the property through which it gains access, ie. 47 Mountain Road, have similar functional uses.**
- (b) 45A Mountain Road is the only property in close proximity to the adjoining residential subdivision and 47 Mountain Road, which has a mailbox, street and postal address situated in the Laidley locality whilst the property is located**

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within the Summerholm locality.

- (c) The proposal will remove the confusion experienced by the owner, service providers and emergency services when attempting to locate or service the property.
- (d) No other properties will be impacted if the owner's locality boundary change proposal is successful.

Moved By: Cr McDonald

Seconded By: Cr Wilson

Resolution Number: 16-20/0352

CARRIED

7/0

Report

1. Introduction

The purpose of this Report is to consider a request from the owner of 45A Mountain Road, Laidley (**Property**) for support for his proposal to change the Laidley/Summerholm locality boundary so that the whole of his property and its access is situated within the locality of Laidley.

2. Background

On 7 December 2016, the owner made a formal written request to Council for support of his proposed locality boundary change. The owner has indicated that the fact that his property is currently located in Summerholm but has street access and a postal address within Laidley causes some confusion. This also causes some issues when accessing online addressing services that need to locate his property ie. NBN location finder.

The locality boundary change that the owner is proposing will result in his property being located within the Laidley locality so that it is consistent with his property address. No other properties will be impacted by the proposed change.

3. Report

The Aerial Plan **attached** to this Report shows the Property, its access via two registered easements through 47 Mountain Road, the current Laidley/Summerholm locality boundary and the owner's proposed change to the locality boundary.

The Property is occupied by a relative of the owner whose address is listed in Council's databases as 45A Mountain Road, Laidley. This is the address used by the owner and the occupier.

Alternately, Council GIS and Rates records list the property address at 45A Mountain Road, Summerholm. This is also the address that results when searching for the property using Google Earth and the NBN location finder.

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When reviewing GIS records it is noted that the Property is in close proximity to a residential subdivision and has a similar use to the adjoining 47 Mountain Road through which it gains easement access. The only difference appears to be that the Property has a different zoning. The residential subdivision and 47 Mountain Road are zoned as Rural Uplands within the Laidley locality, and the Property and those properties to its east are zoned as Rural Landscape and Rural Uplands within the Summerholm locality.

The different zoning may partly explain why the locality boundary is situated in its current location however, the Manager Planning and Environment has confirmed that this does not create an issue if the locality boundary is changed.

The Recommendation made in this Report to support the owner's locality boundary change proposal is considered appropriate for the following reasons:

1. The Property and the adjoining property through which it gains access, ie. 47 Mountain Road, have similar functional uses.
2. The Property is the only property in close proximity to the residential subdivision and 47 Mountain Road, which has a mailbox, street and postal address situated in the Laidley locality but the property itself is situated in the Summerholm locality.
3. The proposal will remove the confusion experienced by the owner and service providers (including emergency services) when attempting to locate or service the property.
4. No other properties will be impacted if the owner's locality boundary change proposal is successful.

It is anticipated that the implications for Council as a result of the locality boundary change proposal will be limited to changing the address and locality records for the Property in corporate databases.

4. Policy and Legal Implications

Generally, the Department of Natural Resources and Mines requires locality boundaries to:

- (a) align to property (cadastral) boundaries or easily distinguishable community or physical boundaries.
- (b) be positioned to include areas of similar character and similar functional relationships in the same locality wherever possible.
- (c) not segment land parcels or adjacent properties in common ownership.
- (d) not segment roads into different localities except where it is unavailable for very long roads.

The owner is of the view that the current boundary division of his property and its easement access between the localities conflicts with item (c) above and his proposal will better align with the locality boundary principles set by the Department of Natural Resources and Mines.

If Council accepts the Recommendation made, the owner will be responsible for formally lodging his proposal with the Department of Natural Resources and Mines. A plan will be prepared to clearly define the proposed locality boundaries, which will then be published for public consultation. The decision made on the proposal will be independent of Council and will take into account any public comments received.

No legal or policy implications for Council have been identified.

5. Financial and Resource Implications

If the owner is successful in applying for the locality boundary to be changed, Council will need to update its GIS records and the Land Record for the Property maintained by Rates.

No other financial and resource implications for Council have been identified.

6. Delegations/Authorisations

If the Recommendation in this Report is accepted, the Chief Executive Officer shall be authorised to issue a letter of support to the owner in accordance with Council's resolution.

7. Communication and Engagement

The Infrastructure Works and Services, Planning and Environment Services, GIS and Rates teams have all been given an opportunity to review and comment on this Report and the owner's proposed locality boundary change. No issues have been identified by any of these teams with the proposed locality boundary change.

The Chief Executive Officer and the Legal Services Team shall be responsible for engaging with the owner and the Department of Natural Resources and Mines as required.

8. Conclusion

If the Recommendation made in this Report is accepted, Council can accede to the owner's request for support of the locality boundary change proposal, which, if successful, will resolve the confusion and difficulties experienced by the owner and service providers to the property.

9. Action/s

1. Issue letter of support to owner advising of Council's resolution.

Attachments

1 [View](#) Aerial Plan 1 Page



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10.4 Land Disposal of Mount Sylvia Road, Mount Sylvia - Lot 3 on RP58306

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

Summary:

The purpose of this Report is to enable Council to consider a request by an adjoining landowner to purchase Lot 3 on RP 58306 situated at Mount Sylvia Road, Mount Sylvia and to apply the exception from public tendering in Section 236(1)(c)(iv) of the *Local Government Regulation 2012*.

Officer's Recommendation:

THAT with respect to the proposed disposal of Lot 3 on RP 58306, Council resolves to:-

- a) apply the exception from tendering in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* on the basis that:-**
 - (i) the land is not suitable to be offered for sale by public tender as it is severely flood affected and was acquired by Council as part of the Grantham land swap program;**
 - (ii) it is in the public interest to dispose of the land only to an adjoining land owner as it is at high risk of future flooding and should not be built on; and**
 - (iii) it is proposed that a covenant will be registered over the land and any adjoining land owned by the person who acquires it so that it shall always remain in the same ownership;**
- b) contact all adjoining land owners to determine whether they have any interest in purchasing the land, and if more than one, invite closed tenders from the interested adjoining land owners; and**
- c) authorise the Chief Executive Officer to negotiate and finalise the contract of sale to the successful adjoining landowner.**

RESOLUTION

THAT with respect to the proposed disposal of Lot 3 on RP 58306, Council resolve to:-

- a) apply the exception from tendering in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* on the basis that:-**
 - (i) the land is not suitable to be offered for sale by public tender as it is severely flood affected and was acquired by Council as part of the Grantham land swap program;**
 - (ii) it is in the public interest to dispose of the land only to an adjoining land owner as it is at high risk of future flooding and should not be built on; and**
 - (iii) it is proposed that a covenant will be registered over the land and any adjoining land owned by the person who acquires it so that it shall always remain in the same ownership;**
- b) contact all adjoining land owners to determine whether they have any interest in**

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- purchasing the land, and if more than one, invite closed tenders from the interested adjoining land owners; and
- c) authorise the Chief Executive Officer to negotiate and finalise the contract of sale to the successful adjoining landowner.

Moved By: Cr Holstein

Seconded By: Cr McDonald

Resolution Number: 16-20/0353

CARRIED

7/0

Report

1. Introduction

The purpose of this Report is to enable Council to consider a request by an adjoining land owner to purchase Lot 3 on RP 58306 (Land) situated at Mount Sylvia Road, Mount Sylvia and to apply the exception from public tendering in Section 236(1)(c)(iv) of the *Local Government Regulation 2012*.

2. Background

In late 2016 Council was approached by an adjoining landowner of the Land seeking Council's advice as to whether or not they would be prepared to sell the Land.

The Land is severely flood affected and was acquired by Council as part of the Grantham Land Swap Program.

3. Report

The Land was acquired by Council as part of the Land Swap Program following the 2011 and 2013 flood events and is severely eroded and at high risk of future flood damage. It is freehold land comprising approximately 2.1 hectares and is zoned for Rural Agricultural uses.

An Aerial Plan showing the location and extent to which the land was impacted by the 2013 flood is **attached** to this Report.

In late 2016, Council was contacted by the owner of Lot 2 on CC1417 (on the opposite side of Mount Sylvia Road) who expressed interest in acquiring the Land to be used in conjunction with his agricultural property. While almost half of the Land has eroded and is of no value, there is a bore located on the Land that is of value to the landowner. Notwithstanding that, Mount Sylvia Road separates the Land from Lot 2 on CC1417, for the purposes of land dealings these properties are considered to be adjoining properties.

The Land is of little value to Council and it is in the public interest to dispose of the Land so that Council is not required to maintain it. It is not considered to be of any interest or value to anyone besides one of the adjoining landowners, as it is at high risk of future flooding and planning or building approval for a future residence is unlikely to be given due to the risk to life.

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It would be appropriate for the Land to be the subject of a covenant so that whichever adjoining landowner acquires it, it is always to remain in the same ownership as that owner's adjoining land. This will prevent it being disposed of separately to a third party who may wish to acquire it for the purpose of building a residence (although unlikely).

As the only practical use of the Land is in conjunction with one of the adjoining agricultural properties, and interest has been expressed by one of the adjoining landowners, the purpose of this Report is to consider applying the exception from tendering in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* (disposal to an adjoining landowner) to enable disposal to occur.

If the Recommendation made in this Report is accepted, Council will need to consult with all three adjoining landowners to determine whether there is any other interest in buying and using the Land. If so, it would be appropriate for a closed tender process to be undertaken inviting offers from all interested adjoining landowners.

4. Policy and Legal Implications

The disposal of the Land as recommended will align with the objective of Council's Land Rationalisation Project, which is the disposal of excess land held by Council.

Council can apply the exception from tendering in Section 236(1)(c)(iv) of the *Local Government Regulation 2012* and dispose of the land 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.

The Land will need to be disposed of for a price equal to, or more than, the market value of the land.

If Council is required to undertake a closed tender process, Council will be required to accept the tender most advantageous to it and the closed tender process should result in competitive bids being received.

5. Financial and Resource Implications

Sale of the Land will enable Council to obtain a financial return for the Land and avoid ongoing financial and resource implications involved in maintaining the Land.

It is proposed that the purchaser will be required to pay all expenses associated with the purchase of the Land, however Council will incur valuation costs, which are anticipated to be in the vicinity of \$1,100.00 to \$3,300.00.

The Property Officer will be responsible for preparation of any tender documents and contract of sale required to give effect to the Recommendation. If a closed tender process is undertaken, no advertising costs will be incurred.

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6. Delegations/Authorisations

The Chief Executive Officer be authorised to do all things necessary to give effect to Council's resolution.

7. Communication and Engagement

The Chief Executive Officer, through the Legal Services Team, will be responsible for communicating with the relevant parties in respect of this matter.

8. Conclusion

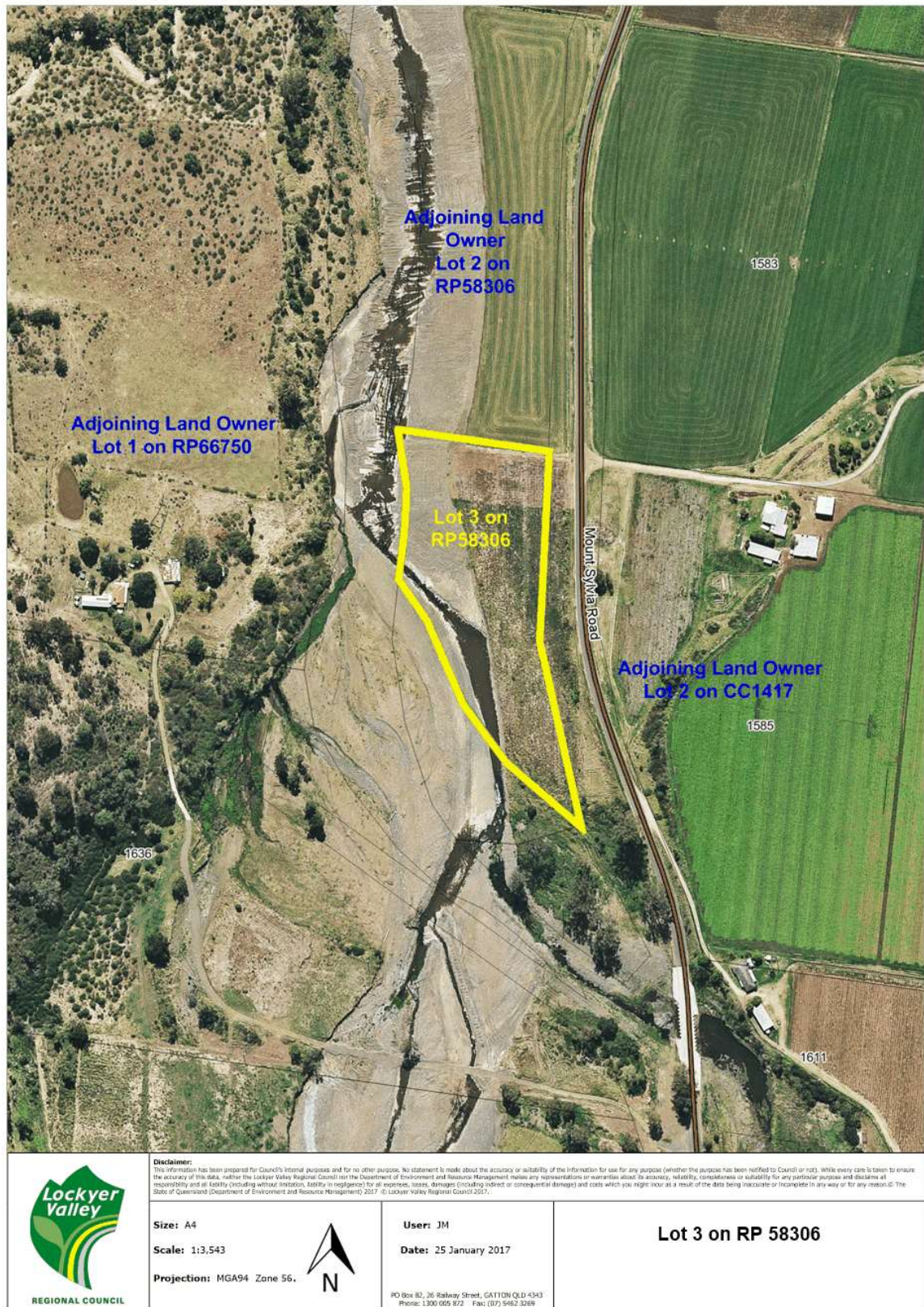
The Recommendation made in this Report will enable Council to ultimately dispose of land that is of no use or benefit to Council while providing adjoining landowners an opportunity to submit an offer to purchase the Land.

9. Action/s

1. Write to adjoining landowners of the Land seeking their interest in purchasing the Land;
2. Either prepare tender specifications and invite tenders from adjoining land owners, or if no interest from other adjoining land owners, discuss Contract terms with interested adjoining land owner;
3. Assess Tenders and/or prepare Contract of Sale;
4. Finalise Contract of Sale.

Attachments

1 [View](#) Map 1 Page





2016 Regional Flavours Post Event Report

Report

1. Introduction

Council partnered with Brisbane Marketing to gain greater exposure through a dedicated precinct area at Regional Flavours and additional marketing benefits. Our Food Ambassador, Alastair McLeod, performed a number of times on two stages at the event.

Council was also given the opportunity to participate in a media familiarisation tour for Regional Flavours 2016. This free event took place in mid-May with an entire day devoted to the Lockyer Valley. This was the first time a region was offered this opportunity with Alastair acting as an unofficial host promoting the region to bloggers and traditional media.

An additional bolt-on event was added to the Regional Flavours calendar. Food for Thought was an industry-focussed event that offered participants the opportunity to discuss food tourism in South East Queensland and included panel members from Tourism Australia, Brisbane Marketing and EarthCheck, as well as our Lockyer Valley Food Ambassador.

Unfortunately, inclement weather effected Saturday's attendance figures but it was encouraging to see visitors brave the elements to engage with Lockyer Valley's food offerings.

2. Background

Regional Flavours is an annual food festival held by Brisbane Marketing in the South Bank Parklands. It provides Council with an opportunity to promote the region and its food offerings to food enthusiasts from South East Queensland and beyond.

This year Regional Flavours provided a valuable platform within Brisbane City to promote the Lockyer Valley to the drive tourism market, positioning the region as a weekend destination while highlighting the quality products the region produces via:

- media famil
- an industry event – Food for Thought
- stalls
- media
- marketing
- cooking demonstrations.

Our relationship with the event organisers allows Council to leverage our attendance through additional marketing exposure in publications such as the Courier Mail, branding on high exposure outdoor signage, being a part of high profile celebrity chef demonstrations in front of huge audiences, and having the Picnic Patch used for photo shoots for celebrity chefs.

Council, and the food producers who attend with us, have opportunities to capitalise on Regional Flavours coverage by leveraging off of it with traditional and social media.

3. Report

At Regional Flavours 2016, Council continued to partner with Brisbane Marketing to leverage the region's exposure prior to and over the event period.

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The partnership also gave us access to a wealth of branding opportunities including the distribution of marketing material at cooking demonstrations, message integration on stage, advertising in the event program, advertising in the Courier Mail feature, branding exposure through city billboards and event signage, substantial coverage on the event website, e-newsletters and in social media. This exposure continues to be over and above the region's previous presence as a stallholder.

The Lockyer Valley Picnic Patch included picnic-styled seating, a pop-up food stall catered by AlFreshCo (Alastair McLeod's catering company) at which Alastair appeared when not on stage, space for our stallholders as well as promotional space for tourism marketing and the fruiterer's truck.

The Picnic Patch is delivered to us in a turnkey state, ready for occupation.

The Picnic Patch pop-up stall menu featured pumpkin and coconut soup with burnt honey, and Colours of the Lockyer paella. This menu included ingredients from all Picnic Patch stallholders, which was detailed on blackboards built into the design of the pop-up.

Picnic Patch stallholders included:

- Bauer's Organic Farm
- Dunlop's Apiaries
- Emmos Fine Foods
- Mormor Food
- Schulte's
- Seatonfire Chilli Chocolate
- UB's Farm at Helidon.

Alastair McLeod, Lockyer Valley Food Ambassador, ran cooking demonstrations at The Hunting Club and Queensland Taste Stage, promoting the Lockyer Valley region and utilising our produce. His beetroot dish was used for additional Regional Flavours promotion in the media prior to the event.

Through our partnership, the region was also given the opportunity for a representative to go on stage during Maggie Beer's performance and talk about a specific product from the Lockyer Valley (that was being used in her recipe). Rob Bauer spoke about Australian garlic, and how fertile the Lockyer Valley is. His banter with Miguel Maestre and Maggie Beer was received very positively and included a loud roar from the audience when he first mentioned the Lockyer Valley.

A number of other celebrity chef cooking demonstrations also included Lockyer Valley produce. This was purchased by the event organisers, via Caxton Street Catering.

Promotional material distribution

Promotional activity on the stand this year consisted of distribution of:

- tourism guides
- Australia's salad bowl flyers
- event calendars
- Laidley Spring Festival brochures
- recipe cards

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- key tourism product brochures
- seedsticks
- activity books and colouring pencils
- Fergie tractor money box sheets
- Fergie tractor tattoos.

A flyer was developed to promote the region and stallholders. This was available in the Picnic Patch and was also dropped on each seat at Alastair McLeod's cooking demonstrations at The Queensland Taste Stage and The Hunting Club. Recipe cards for Alastair's recipes in those two venues, and at the pop up in the Picnic Patch were also produced and were extremely popular.

Promotional activities at Regional Flavours

The fruiterer's truck made a very popular appearance in the Picnic Patch, as did Alastair McLeod. Alastair had designed his menu to allow for some of the drama of cooking paella to attract spectators.

Competitions

Brisbane Marketing staged their primary competition for Regional Flavours – Win a Luxury Escape to the Lockyer Valley. Lockyer Valley's Branell Homestead contributed the accommodation portion of the prize (one night for four people) with Brisbane Marketing providing the remainder of the prize. The competition was run online and included promotion in the festival's guide, on their website and in an AvantCard promotion that featured a photo of Branell Homestead on the front. To be eligible to go into the draw, entrants had to complete an online form. A total of 1336 entries were received. Council and Branell Homestead received a copy of the entrant database per our arrangements.

- The prize had a total value of \$1000, and included:
- one night's accommodation (with breakfast) for four people
- dinner for four to the value of \$300
- an indulgent hamper feature local food and wine.

Lockyer Valley took the opportunity to run an additional competition with prizes contributed by local tourism operators and food producers – the Win a Fabulous Family Farmstay in the Lockyer Valley competition. The competition was run online with Brisbane Marketing providing all online support and delivering both the details of the winner and a copy of the entrant database to use, for use by all those who contributed. To be eligible to go into the draw, entrants completed an online form. A total of 770 entries were received.

IPads were taken to the Visit the Lockyer Valley stand to allow visitors to enter the competition within the Picnic Patch if they did not have their own device.

The prize had a total value of \$1185, and included:

- two night's accommodation in the weekender farmhouse at Fordsdale Farmstay with the option of a half-price trail ride
- Sunday Buffet Breakfast on the Lake at the Staging Post Café for the whole family (two adults and up to four children)

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- a personalized family farm tour at Bauer's Organic Farm
- annual family membership to the Queensland Transport Museum (two adults and up to four children)
- a Lockyer Valley hamper including product/vouchers from Dunlop Apiary, Emmo's Fine Foods, Mormor Food, Seatonfire Chilli Chocolate, Schulte's and more
- a Lockyer Valley BBQ set.



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Event results

- 82,000 attendees (32,000 Saturday and 50,000 Sunday)
- Retention of the coveted foodie psychographic
- 84% of attendees were local (including Greater Brisbane) and 16% were visiting from intrastate, interstate and overseas
- 98% audience recommendation rating for the event
- 95% audience satisfaction rating for the event
- performance venues all at capacity
- Brisbane Marketing extremely impressed with the engagement and delivery of product and experience from Lockyer Valley for both the famill and the event
- promotional and media reach included:
 - local print (The Courier Mail, Sunday Mail, Brisbane News – four weeks)
 - national print (Delicious, Australian Country Style, Voyeur, Australian Traveller – 16 weeks)
 - national TVC (Foxtel's LifeStyle Food – six weeks)
 - local TVC (Network 10 – four weeks)
 - South East Queensland and Eastern Seaboard ambient media (AvantCard – six weeks)
 - local and Greater Brisbane outdoor media (goa digital billboards, Sky boards – four weeks)
- 24% increase to web traffic from 2015 event
- 6119 new Facebook followers
- 120 new Twitter followers
- 4021 new Instagram followers
- 38,249 likes on Instagram
- 632 comments on Instagram
- 1064 photos using #regionalfavours captured in the lead up to and during event with a reach of approximately 3 million
- approximately 53,000 likes on posts

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- 1538 comments on posts
- TOTAL CUMULATIVE REACH OF 15,962,549
- ASR \$2,026,466
- 225+ mainstream items across 77 outlets
- 230+ dedicated social media posts.

Lockyer Valley results

- 500 cups of pumpkin and coconut soup with burnt honey sold
- One Pokemon in the paella pan
- Reach – 1,150,629
- ASR - \$121,987
- Items – 28
- 3 day Brisbane and Lockyer Valley famil for interstate and local media
- Unique experience, supported by partners
- Food producers covered 50% of their site fees
- Additional food producers have indicated their interest in participating in Regional Flavours next year
- The famil resulted in a lot of social media for Lockyer Valley, this continued throughout the festival and has now resulted in relationships being formed between the bloggers and some of our producers and tourism operators
- Numerous photos taken of the Picnic Patch and shared across social media platforms.

Tourism operator, food producer and local business involvement

Council was supported by tourism operators, food producers and other local businesses. The services of a number of local businesses were also engaged for key requirements. This collaboration and support from businesses was integral to the successes achieved. The following businesses were involved in the promotion:

- **9Dorf Farms** – product purchased for Picnic Patch menu
- **Bauer's Organic Farm** – participated in the media famil, contributed a personalized farm tour for the Fabulous Family Farmstay in the Lockyer Valley competition, represented Lockyer Valley onstage with Maggie Beer and Miguel Maestre, product purchased for Picnic Patch menu, participated in event media, and were stallholders at Regional Flavours
- **Boko's Fruit Mart** - product purchased for media famil
- **Branell Homestead**– participated in the media famil (provided all accommodation and breakfast free of charge and linen cloths for long table lunch), volunteered to assist on the Visit the Lockyer Valley stand one day, contributed accommodation for the Win a Luxury Escape to the Lockyer Valley competition
- **Dunlop Apiary** – participated in and provided gift product for the media famil, contributed product for the Fabulous Family Farmstay in the Lockyer Valley competition, product purchased for Picnic Patch menu, and were stallholders at Regional Flavours
- **Emmo's Fine Foods** - provided product for the media famil, contributed product for the Fabulous Family Farmstay in the Lockyer Valley competition, product purchased for Picnic Patch menu, and were stallholders at Regional Flavours
- **Fordsdale Farmstay** – contributed accommodation for the Win a Fabulous Family Farmstay competition

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- **Forest Hill Farm Stall** – participated and provided product for the media famil, product purchased for media famil, engaged to supply vegetables for the fruiterer's truck display
- **Gatton Bakehouse** – product purchased for media famil
- **Ghost Gully** – product purchased for Picnic Patch menu
- **Holmwood Produce Lavender Farm** – participated in the media famil
- **King Crust Bakery** – product purchased for media famil
- **McCraws Transport** – engaged to transport all equipment to and from Regional Flavours, and assist with packing of materials transported.
- **Mormor Food** - provided gift product for the media famil, contributed product for the Fabulous Family Farmstay in the Lockyer Valley competition, product purchased for Picnic Patch menu, participated in event media, and were stallholders at Regional Flavours
- **Preston Peak** – product purchased at wholesale price for media famil and media famil gifts
- **Queensland Transport Museum** - provided product for the Win a Fabulous Family Farmstay competition
- **Schultes** – participated in and provided product and reduced cost gift product for the media famil, contributed product for the Fabulous Family Farmstay in the Lockyer Valley competition, product purchased for Picnic Patch menu, and were stallholders at Regional Flavours
- **Seatonfire Chilli Chocolate** – provided gift product for the media famil, contributed product for the Fabulous Family Farmstay in the Lockyer Valley competition, product purchased for Picnic Patch menu, participated in event media, and were stallholders at Regional Flavours
- **Staging Post Café** – provided product for the Win a Fabulous Family Farmstay competition
- **Spring Creek Orchard** – provided product for Visit the Lockyer Valley stand
- **Super IGA Gatton** – product purchased for media famil
- **The Big Orange** - product purchased for media famil
- **UB's Farm at Helidon** - provided product for the media famil, were engaged by Brisbane Marketing to provide plants to dress the Picnic Patch, product provided for Picnic Patch menu, and were stallholders at Regional Flavours

4. Policy and legal implications

This report and recommendations align with Council's Operational Plan and Food and Tourism Strategies.

5. Financial and resource implications

The 2016 Regional Flavours event was delivered within budget, with additional costs for the famil coming from the tourism and marketing budget.

The stand was manned by staff from the MC&E team and the Executive Office, with the majority of staffing resources from MC&E. The Regional Development Manager attended both the industry forum and the official launch of Regional Flavours.

Tourism operators and producers contributed more than \$6500 of product for our Regional Flavours famil and prizes. The also contributed their time to ensure successful outcomes.

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6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report. The Chief Executive Officer will manage the requirements in line with existing delegations.

7. Communication and engagement

Attendance at this event was supported through additional marketing, media and social media coverage. A partnership with Brisbane Marketing generated substantial coverage and exposure. See attachments for marketing and media examples.

8. Conclusion

The recommendations of this report will allow Council to continue delivery of the Food Strategy and Tourism Destination Plan, previously adopted by Council. They will also contribute to achievement of the Operational Plan and Council's Corporate Values.

9. Action/s

The next step will be to renew the partnership arrangement with Brisbane Marketing for Regional Flavours, and continue to leverage the Lockyer Valley's position as a tourism and food destination. Adequate resources should be allocated to plan and manage the event.



2. Background

The Brisbane EKKA provides Council with the platform to promote the Lockyer Valley as a perfect drive tourism market given its close proximity to Brisbane to a crowd of approximately 400,000 people.

Brisbane EKKA gives Council the opportunity to target the drive tourism market, focusing on attracting people who live in close proximity to Brisbane. The event also gives the region's tourism operators and food producers a valuable platform to promote their business via a regional presence. Those who staff the stand have the additional opportunity to access new business contacts.

Performance indicators used to measure the success of our activities and promotion at Brisbane EKKA 2016 were:

- brochure distribution
- recognition of the Lockyer Valley brand
- new business leads and connections
- promotional product distribution
- competition entries.

3. Report

This year's Brisbane EKKA was held from Friday 5 to Sunday 14 August. Attendance at the show increased slightly from 2015 but remained around the 400,000 point.

Located in the Agricultural Hall, Council's 12 x 3 metre space allowed us to reuse our Gold award-winning stand from the Sydney Royal Easter Show. The stand design included displays of fresh produce, a large reception counter, a new competition box, fruiterer's truck full of vegetables as well as large image walls depicting agricultural scenes and a flat screen television that was used to play promotional videos for the duration of EKKA.

The stand was co-located with Scenic Rim and Logan, creating a regional presence and experience for attendees with staff at all three sites cross-promoting each other. This collaboration benefited all three councils while still maintaining each destination's identity, which further promoted the concept of regional experiences for the drive market.

At the end of Brisbane EKKA, the remaining produce was given to OzHarvest, to help support vulnerable and at-risk South East Queenslanders.

Tourism guide and promotional material distribution

Promotional activity on the stand this year consisted of distribution of:

- tourism guides
- Australia's salad bowl flyers
- event calendars
- Laidley Spring Festival brochures
- recipe cards
- key tourism product brochures
- seed sticks – lettuce, spring onion and kale

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- activity books and colouring pencils
- colouring in sheets
- Fergie tractor money box sheets
- Fergie tractor tattoos.

Throughout the event approximately one thousand tourism guides were taken by visitors to the with Council staff interacting with thousands of visitors handing out seed sticks, recipe cards, children's activity books and encouraging people to take farm selfies and tag in the Lockyer Valley.

The What's On in the Lockyer Valley brochure was popular, especially as it also included a listing of Lockyer Valley markets.

Promotional activities at Brisbane EKKA

Visitors to the stand were encouraged to take a 'farm selfie' with the truck. A tub of dress-up props were provided and were greatly enjoyed by the young and young-at-heart.

In consultation with Lockyer Valley Regional Council, Scenic Rim Shire Council and Logan City Council, RNA staff developed complementary activities for the precinct that included:

- The Learning Trail – a booklet that included themed information, questions and a passport stamp page. Lockyer Valley appeared in this booklet. Approximately 8000 copies of the booklet were collected by attendees.
- Little Farmers Patch – an activity where potatoes, parsnips, carrots and sweet potatoes were "planted" into raised garden beds for children to dig up. Lockyer Valley sponsored this activity by way of providing vegetables for it. The Little Farmers Patch was promoted in Brisbane EKKA's media kit, EKKA excursion planner and the Courier Mail show guide. Participant numbers were not formally recorded however, estimates suggest well over 3000 children were engaged in this activity. Signage at the activity credited Lockyer Valley for the contribution.
- Get Kids Cooking classes – an activity where kids learn to cook with fresh ingredients.
- John Deere mini tractor racing – an activity with a course set up for younger children to ride on John Deere tractor tricycles.

Lockyer Valley also had an on-stand competition and participated in The Great Outback Adventure competition.

Competitions

A 'Win a Getaway in the Lockyer Valley' competition was part of our stand at Brisbane EKKA. A total of 880 entries received.

The prize had a total value of over \$600, and included:

- one night's accommodation (use of entire house) at #15 B&B, valued at \$295
- \$150 of vouchers for Eagle Rock Café
- a personalized farm tour at 9Dorf Farms
- family annual pass to the Queensland Transport Museum valued at \$70
- a \$30 voucher for Annie's Place Coffee Shop at Das Neumann Haus.

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Lockyer Valley was also offered the opportunity to be part of The Great Outback Adventure competition. The aim of this competition was to engage attendees with various displays in the Agricultural Hall and increase interest in regional Queensland. To be eligible to go into the draw, entrants had to have their adventure card stamped by a number of stands in the precinct, complete their details and put the completed card into the entry box.

The Lockyer Valley portion of the prize was a collaborative 2017 Gatton Cup experience for four adults that included:

- entry, form guides, two course meal and beverage pack for four adults, from the Lockyer Race Club
- one night's accommodation for four adults (two rooms) at Porters Plainland B&B
- breakfast for four adults at Porters Plainland Tavern.

New connections

Several new contacts were made on the stand. This included an inbound tour operator who was very interested to hear when the new motel would be opening.

Product samples and sales

This year four local producers joined us at the EKKA to give out samples and/or sell product:

- Schultes (sample and sale)
- Spring Creek Orchard (sale)
- Emmo's Fine Foods (sample)
- Gecko Grove (sample and sale).

Tourism operator, food producer and local business involvement

Council was supported by tourism operators, food producers and other local businesses. The services of a number of local businesses were also engaged for key requirements. This collaboration and support from businesses was integral to the successes achieved. The following businesses were involved in the promotion:

- **#15 B&B** – contributed a night's accommodation of the whole property for our competition prize and volunteered to assist on the stand
- **9Dorf Farms** – contributed a personalized farm tour for our competition prize
- **Annie's Place Coffee Shop** – contributed a \$30 voucher for our competition prize
- **Bauers Organic Farm** – volunteered to assist on the stand
- **Bokos Fruit Mart** – engaged to supply vegetables for re-stock of the stand
- **Branell Homestead/ Lockyer Valley Tourism Association** – volunteered to assist on the stand
- **Eagle Rock Cafe** – contributed \$150 in vouchers for our competition prize
- **Emmo's Fine Foods** – volunteered to assist on the stand and did product tastings
- **Esk Road Vege Stall** – engaged to supply vegetables for the stand
- **Gecko Grove** – volunteered to assist on the stand and did product tastings and sales
- **Kalfresh at Tenthill** – contributed carrots for the Little Farmers Patch
- **Lockyer Race Club** – contributed a Gatton Cup pack for four people to The Great Outback Adventure prize
- **McCraws Transport** – engaged to transport all equipment to and from the EKKA, and assist with packing of materials transported.
- **Porters Plainland B&B** – contributed a night's accommodation for four people to The Great Outback Adventure prize

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- **Porters Plainland Hotel** – contributed breakfast for four people to The Great Outback Adventure prize
- **Schultes** – volunteered to assist on the stand and did product tastings and sales
- **Spring Creek Orchards** – volunteered to assist on the stand and did product sales
- **Stockton Rise** – volunteered to assist on the stand
- **Windolf Farms** – contributed potatoes and parsnips for the Little Farmers Patch.

Lockyer Valley media coverage

In the lead up to Brisbane EKKA, Council promoted the Lockyer Valley stand in Valley Voice for one week.

Cr McLean was interviewed by ABC Radio on the stand during one of her shifts.

Council was also able to benefit from having its camera on site on the final Friday of EKKA, with both WIN Television and Seven Toowoomba running stories with the footage taken.

Numerous posts were made on the Lockyer Valley tourism Facebook and Instagram pages in the lead up to and during Brisbane EKKA.



4. Policy and legal implications

This report and recommendations align with Council's Operational Plan and Food and Tourism Strategies.

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5. Financial and resource implications

The operational delivery of the stand at the Brisbane EKKA has slightly exceeded the allocated budget of \$27,375 although the total tourism budget will come in on target. A breakdown of fees and charges including site fees, staff costs and stand construction is available on request.

Efforts to minimise expenditure were made in relation to finding efficiencies with logistics and staffing as well as support from tourism operators, producers, managers and executive managers working on the stand over weekends and public holidays to minimise wages and penalty rates.

Tourism operators and producers provided more than 70 hours of labour support at Brisbane EKKA, at no cost to Council and covered their own travel costs.

Councillors also contributed more than 45 hours of labour support at Brisbane EKKA.

Tourism operators supplied prizes for our stand competition, and for the Great Outback Adventure competition, which was a cost saving to Council.

Lockyer Valley growers supplied produce for the Little Farmers Patch activity, which was also a cost saving to council.

6. Delegations/Authorisations

No further delegations are required to manage the issues raised in this report. The Chief Executive Officer will manage the requirements in line with existing delegations.

7. Communication and engagement

Further details and results will be distributed as they arise.

8. Conclusion

The Brisbane EKKA gives Council the opportunity to target the drive market for tourism in a mass market context. EKKA attendees eagerly sought out and received tourism guides, brochures and promotional products that were easily identified as Lockyer Valley.

Thousands of attendees stopped to talk with tourism operators, producers and staff on the stand, sharing their memories of similar old trucks, snapping photos, commenting on the produce and generally engaging in discussion on the Lockyer Valley and their past and future visits.

Business leads and connections are being and will continue to be pursued.

9. Action/s

The next step will be to confirm the future booking of Lockyer Valley's site at Brisbane EKKA 2017 and continue to leverage the Lockyer Valley's position as a tourism and food destination.



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Report

1. Introduction

The Lake Apex Community Advisory Committee has been concerned for some time about the level of turbidity in Lake Freeman. This report suggests that a consultant should be engaged to determine the cause of the turbidity and prepare a report to include recommendations on actions to address, where applicable, water quality in Lake Freeman.

2. Background

Concern about the turbidity of Lake Freeman has been ongoing for many years. A report was prepared by the Gatton Shire Council in 2007, which indicated that runoff of storm water from the Koala Park development was the cause of sedimentation and elevated turbidity.

The Lake Apex Community Advisory Committee (LACAC) has continued to raise their concerns on this matter at subsequent Committee meetings. In response, Trevor Boheim Manager Planning & Environment presented a report to LACAC on 24 August 2016 entitled *Management of Stormwater Runoff into Lake Freeman and Long-Term Protection of Lake Apex Parklands*.

This report was debated at the LACAC meeting on 27 September 2016 and a resolution was passed 'THAT Council investigate the turbidity treatment options of the water in Lake Freeman'.

3. Report

Prior to the formulation of recommendations for treatment options to address the turbidity of Lake Freeman it is important to establish the most likely cause of the problem. Recognising that the report by the Gatton Shire Council was prepared ten years ago and the environment of the catchment has changed considerably over that time it would be necessary to engage a suitably qualified consultant to undertake an assessment.

Discussion with consultants has indicated that an assessment would entail the following steps:

1. Desk-top consideration of the environment, land uses, topography and soil and geology type of the Lake's catchment.
2. Onsite validation of the desk-top analysis and visual assessment of contributing or mitigating factors including obvious erosion, run-off pathways, treatment trains or growth and condition of macrophytes.
3. Water sampling across the Lake and at various depths to determine nutrient levels, presence of algae and diatoms, presence of fish including carp.
4. Depth testing of the Lake to understand temperature distribution and stratification.
5. Laboratory testing of samples.
6. Preparation of draft and final reports to include treatment recommendations where applicable.

While Lake Freeman has been the main concern of the committee it is considered that the assessment should also consider the adjoining Lake Apex.

An assessment of this kind may cost in the proximity of \$5000.00

4. Policy and Legal Implications

There is no apparent policy or legal implications associated with undertaking a water quality assessment of Lake Freeman.

5. Financial and Resource Implications

An amount of \$5000.00 should be allocated to engage a consultant and provide additional resources as required. A Council officer will also be required to develop the project brief, liaise with the consultant and administer the project.

6. Delegations/Authorisations

No delegations or authorisations are required to undertake an assessment of the water quality of Lake Freeman.

7. Communication and Engagement

- LACAC continues to provide feedback and advice to Council on the management of the Lake Apex Parklands that include Lake Freeman.
- The water quality assessment will determine the cause of the turbidity and make recommendations, where applicable, on treatment methods.
- The preparation of a report on the assessment will be provided to LACAC who will advise Council on their preferred approach to managing water quality to maintain and enhance amenity and natural values.

8. Conclusion

It should be concluded that a suitably qualified consultant should be engaged to undertake a water quality assessment of Lake Freeman and prepare a report to include recommendations managing water quality.

9. Action/s

- Identify budget to fund the project
- Develop a project brief
- Oversee and administer the project to be undertaken by a consultant
- Review and approve the consultant's report
- Provide the report to LACAC.



Request for Modification of Local Government Agreement for Lots 1 & 4 SP215171 and Lot 2 RP896657, East Haldon Road, East Haldon

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

A request has been received to amend an Agreement attached to Lots 1 & 4 SP215171 and Lot 2 RP896657, which prevents the lots being disposed of separately. The request has been assessed and it is considered appropriate that it be agreed to.

1. THAT Council resolves to agree to the amendment of the Agreement dated 25 October 1996 and attached to Lots 1 & 4 SP215171 and Lot 2 RP896657 by the removal of Lot 4 SP215171 from the Agreement.

THAT Council resolve to agree to the amendment of the Agreement dated 25 October 1996 and attached to Lots 1 & 4 SP215171 and Lot 2 RP896657 by the removal of Lot 4 SP215171 from the Agreement.

Moved By: Cr McDonald Seconded By: Cr Hagan
Resolution Number: 16-20/0357

7/0

A request has been received to amend an Agreement attached to the titles of Lots 1 & 4 SP215171 and Lot 2 RP896657 located at East Haldon Road, East Haldon

The Registered Plans for Lots 1 & 4 SP215171 and Lot 2 RP896657 all contain the following notation:

“GATTON SHIRE COUNCIL certifies that all the requirements of this Council, the Local Government Act 1993, the Local Government (Planning and Environment) Act 1990 and all Local Laws have been complied with and approves this plan of Subdivision, SUBJECT

**ORDINARY COUNCIL
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TO REGISTRATION OF THE AGREEMENT DATED 24 OCTOBER 1996 BETWEEN THE REGISTERED PROPRIETOR AND THE COUNCIL PURSUANT TO SECTION 5.8(3) OF THE LOCAL GOVERNMENT (PLANNING AND ENVIRONMENT) ACT PREVENTING SEPARATE DISPOSAL OF LOT 2 RP 896657, LOT 1 RP 215171 & LOT 4 RP215171"

The effect of this notation on the Registered Plans and the Agreement is that despite Lots 1 & 4 SP215171 and Lot 2 RP896657 being three separately titled lots they cannot be sold separately and can only be sold together. A copy of the Agreement dated 24 October 1996 is provided as Attachment 1.

The relevant provisions of the *Local Government (Planning and Environment) Act 1990* that resulted in the 1996 Agreement are s.5.8(3) and as follows:

"Subject to subsection (3A) and notwithstanding any planning scheme provision or local law (whether made before or after the commencement of this Act) which specifies a minimum area for an allotment in a subdivision of land, it is lawful for a local government to approve an application for the subdivision of land which provides for an allotment having an area less than the minimum prescribed in that planning scheme provision or local law where—

- (a) the land to be subdivided is or will be intersected by a river, creek, stream or road (whether constructed or not) or an allotment created for the provision of public utility services; and*
- (b) the owner of the land, the subject of the application, and the local government have entered into an agreement that any proposed allotment which has an area less than the minimum specified area be incapable of separate disposition but that the ownership of the proposed allotment be held in common with another allotment in the proposal plan which would have been contiguous to the proposed allotment if it were not separated in the manner referred to in paragraph (a)."*

The reason an Agreement was entered into at the time the subdivision was approved in 1996 was that the lots created at that time were below the minimum size permitted by the planning scheme and s.5.8(3) of the *Local Government (Planning and Environment) Act 1990* provided that an Agreement of this nature was necessary for the subdivision to be lawful.

3 Report

The three lots that are subject of the Agreement are indicated on the aerial image below and comprise:

- Lot 1 RP215171 – 1 202 m²;
- Lot 4 RP215171 – 10.9273 ha; and
- Lot 2 RP896657 – 25.7475 ha.

**ORDINARY COUNCIL
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Location and extent of Lots 1 & 4 SP215171 and Lot 2 RP896657

The land is zoned Rural Agricultural, Rural General and Rural Uplands by the Gatton Shire Planning Scheme. The planning scheme provides that the minimum lot size for land in these zones is 100 ha. All three lots are currently below the minimum lot size for the zones in which they are located.

In relation to the requirements of the State Planning Regulatory Provisions of the SEQ Regional Plan if the land was to comprise one single lot today it would be capable of being subdivided into two separate lots as a result of being able to satisfy Table 3A, Column 1, Item (6) which provides:

The subdivision divides one lot into two where—

- (a) the existing lot is severed by a road that was gazetted before 2 March 2006; and*
- (b) the resulting lot boundaries use the road as the boundary of division.*

The practice of Council in the past has been to approve applications for the subdivision of land in the Rural Agricultural, Rural General and Rural Uplands zones where the requirements of Table 3A, Column 1, Item (6) are met.

Given that, Lot 2 RP896657 and Lot 4 SP215171 are two separate lots it is considered that it would be appropriate to agree to an amendment of the Agreement to allow these two lots to be disposed of separately. In respect of Lot 1 SP215171, as a result of its shape, small size (1 202m²) and its location between the road reserve and the creek (refer below), and the resultant land management problems that may arise if it was separately owned, it is considered that the requirements of the agreement that it not be disposed of separately from Lot 2 RP896657 be retained.



Location and extent of Lot 1 SP215171

4. Policy and Legal Implications

The amendment of the Agreement to allow Lot 4 SP215171 to be disposed of separately from Lot 2 RP896657 is consistent with the current approach of Council where a lot is severed by a road and so can be subdivided under Table 3A, Column 1, Item (6) of the State Planning Regulatory Provisions of SEQ Regional Plan.

5. Financial and Resource Implications

There are no financial or resource implications arising from this report.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from this report.

7. Communication and Engagement

There are no implications for communications or engagement arising from this report.

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8. Conclusion

The legislation has changed since the Agreement was entered into and the creation of Lot 4 SP215171 and Lot 2 RP896657 as two lots able to be disposed of separately would be supported today. Lot 1 SP215171 should however remain linked to Lot 2 RP896657 as its size, shape and location mean there is risk of detriment to Council should it exist as a lot that can sold separately.

9. Action/s

That Council resolves in accordance with the Officers Recommendation.

Attachments

1 [View](#) Agreement 10 Pages

701882436 V0 REGISTERED Recorded Date 25/03/1997 13:20 Page 1 of 10

Legal No - LVA-032-(3663-1)



FORM 14 - GENERAL REQUEST

Version 2

Land Title Act 1994 and Land Act 1962



701882436

\$87.00

25/03/1997 13:20

TA 402

LOC GOVT AGR

Queensland Land Registry

Stamp Duty Imprint



ATTN: TRACEY

9/8/97

1. Nature of Request

Request to Register Agreement

Lodger Name, address & phone number LODGER CODE

EILEEN PRIOR
MS 149
GATTON 4343
0754 629126

2. Description of Lot

County

Parish

Title Reference

Lot 1 in RP215171 / Churchill
Lot 4 on RP215171 / Churchill
Lot 2 on RP896657 / Churchill

East Haldon
East Haldon
East Haldon

17086029

17086032

50168946

3. Registered Proprietor / Crown Lessee

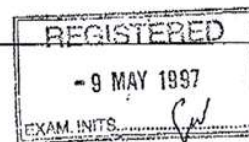
BARRIE PRIOR
EILEEN ANNE PRIOR

4. Interest

Fco Simple

5. Applicant

BARRIE PRIOR
EILEEN ANNE PRIOR



6. Request

I hereby request that: The attached agreement be registered under
Section 5.8(3) of the Local Government (Planning and
Environment) Act

7. Execution by Applicant

Execution Date

15/3/97

Applicant's or Solicitor's Signature

[Signature]
+ Eileen Anne Prior
To sign please

Note: A solicitor is required to print full name if signing on behalf of the applicant

FORM 18 - GENERAL CONSENT
Version 3
Land Title Act 1994 and Land Act 1994

Queensland Land Registry

1. Description of Lot	County	Parish	Title Reference
Lot 1 on RP215171	Churchill	East Haldon	17086029
Lot 4 on RP215171	Churchill	East Haldon	17086032
Lot 2 on RP896657	Churchill	East Haldon	New deed to issue (50062527)

2. Instrument being consented to

Instrument type Request to Register Agreement

Dated 15.3.97

Names of Parties

BARRIE PRIOR
EILEEN ANNE PRIOR

3. Instrument under which consent required

Dealing Type Mortgage

Dealing No K 698834 W

Name of consenting party NATIONAL AUSTRALIA BANK LIMITED ✓

4. Execution by consenting party

The party identified in item 3 consents to the registration of the instrument identified in item 2.

Witnessing Officer Matthew Noel Kogler signature 24/3/97 Execution Date

C. Dec 6707 full name qualification

Consenting Party's Signature

NATIONAL AUSTRALIA BANK LIMITED BY ITS
ATTORNEY UNDER POWER OF ATTORNEY
NO. K518743M
MANAGER AT GATTON BRANCH

as per schedule 1 of Land Title Act 1994 (eg Legal Practitioner, JP, C. Dec)

No. 4464 P. 2/10 Taylor Byrne Toowoomba 8. Apr. 2010 12:10

DATED the 25 day of October, 1996.

BETWEEN:

COUNCIL OF THE SHIRE OF GATTON

AND:

BARRIE PRIOR and EILEEN ANNE PRIOR

AGREEMENT

**KING &
COMPANY**
— SOLICITORS —

Level 7
Quay Central
95 North Quay
Brisbane 4000
(07) 3 236 1199
TFC:DB:AA7801
GSCPRI01.AGR
23 February, 1996

THIS AGREEMENT is made the day of 199 .

BETWEEN: COUNCIL OF THE SHIRE OF GATTON
(hereinafter referred to as "the Council") of Railway
Street, Gatton in the State of Queensland

AND: BARRIE PRIOR AND EILEEN ANNE PRIOR
(hereinafter referred to as "the Priors") of Mail
Service 149, Gatton in the State of Queensland.

WHEREAS:

- A. The Priors are the registered proprietors of the allotments described in the First Schedule (hereinafter referred to as "the allotments").
- B. The allotments are subject of an agreement with the Council (registered at the Department of Lands, Division of Titles under Dealing No. 700444289) (hereinafter referred to as "the registered agreement") whereunder the Priors agree not to dispose of any of the allotments separately but to maintain the allotments in the same ownership.
- C. The Priors propose to subdivide one of the allotments, namely Lot 4 on RP857956, in accordance with proposal plan 896657 (hereafter referred to as "the plan of subdivision"). A copy of the plan of subdivision comprises the Second Schedule.
- D. To enable registration of the plan of subdivision, registration of the registered agreement must be cancelled by the Department of Lands, Division of Titles.
- E. Following registration of the plan of subdivision the Council requires:-
 - (1) one of the parcels of land created by the plan of subdivision, namely Lot 2 on Plan 896657; and
 - (2) two of the allotments, namely Lot 1 on RP215171 and Lot 4 on RP215171to remain in the same ownership pursuant to section 5.8(3) of the Local Government (Planning and Environment) Act.
- F. The Council has agreed to approve the plan of subdivision subject to the Priors agreeing to enter in to an Agreement pursuant to Section 5.8(3) of the Local Government (Planning and

No. 4464 P. 4/10

8 Apr. 2010 12:10 Taylor Byrne Townshend

Environment) Act whereby the Priors will not separately transfer, assign or otherwise dispose of Lot 2 on Plan 896657, Lot 1 on RP215171 and Lot 4 on RP215171.

NOW THIS AGREEMENT WITNESSES

1. The Council shall, subject to compliance by the Priors with all the relevant provisions of the Local Government (Planning and Environment) Act, and the Council's Local Laws relating to subdivision of land (other than those provisions relating to the minimum areas for allotments) approve the plan of subdivision.
2. The Priors covenant and agree with the Council that, following registration of the plan of subdivision, the allotments referred to in the Third Schedule shall not be capable of separate disposition and that those allotments shall be held at all times in the same ownership. *
3. The Priors warrant that they have not separately transferred, assigned or otherwise disposed of any of the allotments referred to in the First or Third Schedules and covenant and agree that they will not transfer, assign, mortgage or otherwise encumber or dispose of any of the allotments in the Third Schedule separately from the other or others of them.
4. The Council shall only produce and lodge for registration at the Department of Lands, Division of Titles the documentation required to effect cancellation of the registered agreement on the basis that such documentation is produced and lodged in conjunction with all other documentation required to be registered to give effect to this Agreement.
5. The Council and the Priors shall otherwise respectively sign all such other documents and other deeds and do all such other acts as are reasonably required by the other or others of them to give effect to this Agreement and to obtain registration of this Agreement in accordance with Section 5.8(3) of the Local Government (Planning and Environment) Act, 1990 (as amended).
6. The Priors shall pay promptly all legal costs, calculated on a Solicitor and own client basis, and all other charges and expenses incurred by the Council in and incidental to the negotiation, preparation, execution, stamping and registration of this agreement and all other documents necessary to give effect to this agreement.

FIRST SCHEDULE

Title Reference	County	Parish	Description
17086029	Churchill	East Haldon	Lot 1 on RP 215171
17086032	Churchill	East Haldon	Lot 4 on RP 215171
50062827	Churchill	East Haldon	Lot 4 on RP 857956

No. 4464 P. 6/10

8. Apr. 2010 12:11 Taylor Byrne Townshiba

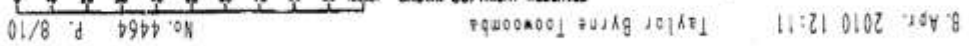
SECOND SCHEDULE

Plan of Subdivision
(Plan No. 896657)

No. 4464 P. 7/10

Taylor Byrne Toowoomba

8. Apr. 2010 12:11



THIRD SCHEDULE

Title Reference	County	Parish	Description
17086029	Churchill	East Haldon	Lot 1 on RP 215171
17086032	Churchill	East Haldon	Lot 4 on RP 215171
Deed to issue	Churchill	East Haldon	Lot 2 on RP 896657

8. Apr. 2010 12:12 Taylor Byrne Toowoomba No. 4464 P. 9/10

IN WITNESS WHEREOF the parties hereto have hereunto set their
hands and seals the day and year first hereinbefore written.

SIGNED SEALED AND DELIVERED
by the said BARRIE PRIOR in
the presence of:

} *Barrie Prior*

[Signature]
A Justice of the Peace/Solicitor

SIGNED SEALED AND DELIVERED
by the said EILEEN ANNE PRIOR
in the presence of:

} *Eileen Anne Prior*

[Signature]
A Justice of the Peace/Solicitor

THE CORPORATE SEAL of COUNCIL
OF THE SHIRE OF GATTON was hereunto
affixed on the 25 day of *October*
199*8* under the hands of BERNARD
CURTIS SUTTON the ~~Chairman and~~ Mayor and
~~ESTER SCHUMACHER the Shire Clerk~~
and in the presence of PHILLIP GLEN BAMBRICK
the Acting Chief Executive Officer and in
the presence of



A Justice of the Peace/Solicitor



8. Apr. 2010 12:12 Taylor Byrne Townsends No. 4464 2. 10/10

**ORDINARY COUNCIL
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- 11.3** Request for Negotiated Decision for Development Permit for Material Change of Use for Caravan Park (MCU2015/0028) on Lots 1 & 3 RP96795 and Lot 23 RP901411 located at 7828 Warrego Highway, Helidon Spa

Date: 01 February 2017
Author: Trevor Boheim, Manager Planning and Environment
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

Summary:

The request has been assessed in accordance with the requirements of the *Sustainable Planning Act 2009* and is recommended that Council agree to amend a limited number of changes to conditions sought and not agree to the majority of the requested amendments as set out in the Officer's Recommendation.

Officer's Recommendation:

THAT the request for a Negotiated Decision for Development Permit for Material Change of Use for Caravan Park (MCU2015/0028) on Lots 1 & 3 RP96795 and Lot 23 RP901411 located at 7828 Warrego Highway, Helidon Spa, be agreed to in part by the amendment of the following conditions:

- 1. Condition 2 be amended to read:**

The following sites shall be used for short-term occupancy only: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 28, 29, 31, 32, 33, 34, 36, 47, 49, 52, 54, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84.

- 2. Condition 3 be amended to read:**

Only the following sites shall be used for long-term occupancy: 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 50, 51, 53, 55, 56, 57, 58, 59, 60, 61, 62 and 63.

- 3. Condition 5 be amended to read:**

Infrastructure charges shall be paid in accordance with Council's Adopted Infrastructure Charges Resolution and as indicated the Infrastructure Charges Notice issued by Council. This condition shall be met prior to the use or occupation of any element of the development to which the infrastructure charge applies or in the case of elements used or occupied on the day this development approval comes into effect within 20 business days of the day this development approval comes into effect.

- 4. Condition 7 be amended to read:**

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No on-site works requiring operational work approval shall commence until approval for operational works has been obtained from Council. This condition shall be met at all times.

5. Condition 16 be amended to read:

The quality of drinking water supplied to all habitable buildings and the Coffee Shop & Reception building shall comply with Australian Drinking Water Guidelines at all times.

6. Condition 19 be amended to read:

The land shall be serviced with a water supply capable of meeting fire-fighting purposes comprising:

- (a) An on-site hydrant system incorporating pillar hydrants compliant with AS2419.1 (with bollard protection if located within one metre of the roadway) shall be installed throughout the area shown on Drawing number HRP070073-SK04, Revision B, dated 26.08.2015 as being occupied or proposed to be occupied by buildings; and**
- (b) A minimum flow of 10 litres per second at 200kpa during flow measured at all hydrants; or**
- (c) Sufficient on-site storage of water of a suitable quality at all times to meet the needs of fire-fighting as determined by the nature and scale of the development. Note: Queensland Fire and Emergency Services will be able to assist in determining what constitutes water of a suitable quality and the quantity of water that will need to be provided for fire-fighting purposes.**

This condition shall be met within 3 calendar months of the date this development approval comes into effect and thereafter at all times.

7. Condition 21 be amended to read:

All internal roadways as indicated on marked up Drawing number 4258-05-09 Prop 11B, dated 21-08-12 (two plans) shall be constructed repaired, widened or extended as required to have with a minimum pavement width of 5.5 metres and shall be of an asphalt surface with concrete kerbs on both sides. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times. Note: Kerbing of the type installed in the two westernmost internal roadways is an acceptable kerbing type.

8. Condition 25 be deleted.



The developer shall be responsible for obtaining approval and bearing all costs associated with registering in favour of Council all necessary stormwater drainage easements within and external to the subject land in order for drainage paths to reach a satisfactory point of legal discharge.

This approval and the conditions attached to the approval have been specifically constructed to recognise the application for material change of use is one which seeks to regularise an existing development undertaken contrary to existing development approvals and that a number of the aspects of the this development have been approved only on the basis of compliance with the conditions of the approval within the timeframes specified.

THAT Council resolve to defer consideration of Item 11.3, “Request for Negotiated Decision for Development Permit for Material Change of Use for Caravan Park (MCU2015/0028) on Lots 1 & 3 RP96795 and Lot 23 RP901411 located at 7828 Warrego Highway, Helidon Spa”, at the request of the applicant, until a future meeting of Council.

Moved By: Cr McDonald Seconded By: Cr Wilson
Resolution Number: 16-20/0358

CARRIED
7/0

A request for a Negotiated Decision pursuant to s.361(1)(a) of the Sustainable Planning Act 2009 was received on 29 September 2016. The request has been assessed and it has been determined that only a limited number of the requested amendments to conditions should be agreed to. The assessment of the request is provided in the body of this report.

At its Ordinary Meeting of 24 August 2016 Council approved a Development Permit for Material Change of Use for Caravan Park (MCU2015/0028) on Lots 1 & 3 RP96795 and Lot 23 RP901411 located at 7828 Warrego Highway, Helidon Spa. The report, which detailed the assessment of the application, is contained in the minutes for the 24 August 2016 Ordinary Meeting of Council.

3.0 Assessment

The request of 29 September 2016 is provided as Attachment 1. The assessment follows the order of the requested amendments as set out in the request of 29 September 2016.

3.1 Requested Changes to conditions of Development Approval

The request for a negotiated decision sought changes to 51 of the 63 conditions attached to the Development Permit. The following assessment provides the wording of the condition as it currently stands, the request as set out in the request of 29 September 2016, the rationale provided by the applicant for the request, the assessment of the request and the recommended changes to the conditions if any.

Condition 2

"The following sites shall be used for short-term occupancy only: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 28, 29, 31, 32, 33, 34, 36, 46, 47, 49, 52, 54, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84."

The request is as follows:

Remove one site so as to permit use of 40 sites for long term accommodation. One of the following sites is considered appropriate for this purpose: 46, 47, 52, 54 or 64.

The rationale provided in support of the request is as follows:

Development approval DA5525 (24 September 2008) provides for use of 40 sites for long term accommodation. The former Office of Urban Management (OUM) has recognised this in the following terms: "...the proposal is essentially recognising an existing use." (OUM letter, 14 February 2008 – see Attachment 2). Zaczane wishes to retain this existing land use entitlement.

It is considered that the exclusion of Site 46, which at 210m² is only marginally smaller than the 225m² threshold should be supported. Sites 47, 52, 54 and 64 are 201m², 200m², 170m² and 200m² respectively. The condition should be amended to:

"The following sites shall be used for short-term occupancy only: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 28, 29, 31, 32, 33, 34, 36, 47, 49, 52, 54, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83 and 84."

Condition 3

"Only the following sites shall be used for long-term occupancy: 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 48, 50, 51, 53, 55, 56, 57, 58, 59, 60, 61, 62 and 63."

The request is as follows:

Add one additional site to permit use of 40 sites for long term accommodation. One of the following sites is considered appropriate for this purpose: 46, 47, 52, 54 or 64.

The rationale provided in support of the request is as follows:

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Development approval DA5525 (24 September 2008) provides for use of 40 sites for long term accommodation. The former Office of Urban Management (OUM) has recognised this in the following terms: "...the proposal is essentially recognising an existing use." (OUM letter, 14 February 2008 – see Attachment 2). Zaczane wishes to retain this existing land use entitlement. Condition 3 nominates 39 sites only.

It is considered that the inclusion of Site 46, which at 210m² is only marginally smaller than the 225m² threshold should be supported. Sites 47, 52, 54 and 64 are 201m², 200m², 170m² and 200m² respectively. The condition should be amended to:

"Only the following sites shall be used for long-term occupancy: 10, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 50, 51, 53, 55, 56, 57, 58, 59, 60, 61, 62 and 63."

Condition 6

"Infrastructure charges shall be paid in accordance with Council's Adopted Infrastructure Charges Resolution and as indicated the Infrastructure Charges Notice issued by Council. This condition shall be met prior to the use or occupation of any element of the development to which the infrastructure charge applies."

The request is as follows:

Delete condition or Delete words: "This condition shall be met prior to the use or occupation of any element of the development to which the infrastructure charge applies".

The rationale provided in support of the request is as follows:

Levying of infrastructure charges and the issuing of an infrastructure charges notice is governed by the SPA, s635 and does not need to be a condition of development approval. The caravan park is a current operation providing essential accommodation services. It is not reasonable or appropriate to require the vacation of the caravan park pending payment of infrastructure charges or compliance with other approval conditions.

The practice of the Lockyer Valley Regional Council has always been to include a condition requiring the payment of infrastructure charges and specifying the timing for payment. As the facility includes a mix of both approved and unapproved development the condition was worded to recognise this in respect of timing of payment. There was no intention that the caravan park be vacated pending payment of infrastructure charges and the condition can be amended to reflect the fact that some elements of the facility will be in use and occupied when the approval comes into effect and provide a reasonable time to pay infrastructure charges for these elements. The condition should be retained but amended to:

"Infrastructure charges shall be paid in accordance with Council's Adopted Infrastructure Charges Resolution and as indicated the Infrastructure Charges Notice issued by Council. This condition shall be met prior to the use or occupation of any element of the development to which the infrastructure charge applies or in the case of elements used or occupied on the within day this development approval comes into effect within 20 business days of the day this development approval comes into effect."

**ORDINARY COUNCIL
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Condition 7

"No on-site works shall commence until approval for operational works has been obtained from Council. This condition shall be met at all times."

The request is as follows:

Add the words "requiring operational work approval" before the words "shall commence".

The rationale provided in support of the request is as follows:

Not all works that may be undertaken on site require operational work approval.

Council does not in practice require operational works approval for works that do not require approval however the suggested words can be included to clarify this is the case. The condition should be amended to:

"No on-site works requiring operational work approval shall commence until approval for operational works has been obtained from Council. This condition shall be met at all times."

Condition 11

"All buildings on the land that are to be used for habitable purposes must:

(a) have both:

(i) a building works approval; and

(ii) a building classification that allows occupation for habitable purposes; and

(b) be connected to a potable water supply and sewerage system that has been:

(i) installed by a licensed plumber; and

(ii) approved by Council.

This condition must be complied with within 20 business days of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 20 business day time period is highly unreasonable and cannot realistically be met. Time is required to organise, obtain and implement approvals and arrange and undertake works. This requested change is common to a number of conditions below. Zaczane is prepared to convert the dual-occupancy cabins to single occupancy use.

This condition was included with the intention of bringing to a quick end the ongoing occupation of buildings that do not have building works approval and have no building classification. Ensuring all occupied buildings have building approval and are connected to a potable water supply and sewerage



ORDINARY COUNCIL MEETING MINUTES 8 FEBRUARY 2017

system that has been installed by a licensed plumber and approved by Council is not a new requirement that arises only now out of this approval but is a requirement that should have been met before the buildings were first occupied. The inclusion of this condition in the 30 August 2016 Development Permit and the longstanding requirement under State legislation to have appropriate building approvals and plumbing and drainage approvals in place before premises are occupied means the applicant has had substantial notice that this needs to be done. It is considered that the condition should not be changed.

Condition 12

"All buildings on the land that:

- (a) have the appearance of a habitable building; and*
 - (b) are unable to comply with the requirements of Condition 11 within 20 business days of the date this development approval comes into effect,*
must,
 - (c) be secured to prevent access by persons other than the operators of the premises; and*
 - (d) shall have affixed to all doors a notice that clearly indicates that the building is not to be used for habitable purposes and the reasons why it cannot be used for habitable purposes.*
- This condition must be complied with within 20 business days of the date this development approval comes into effect and thereafter at all times."*

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

This condition is excessive and unreasonable.

This condition was included with the intention of bringing to a quick end the ongoing occupation of buildings that do not have building works approval and have no building classification. Ensuring all occupied buildings have building approval and are connected to a potable water supply and sewerage system that has been installed by a licensed plumber and approved by Council is not a new requirement that arises only now out of this approval but is a requirement that should have been met before the buildings were first occupied. The inclusion of this condition in the 30 August 2016 Development Permit and the longstanding requirement under State legislation to have appropriate building approvals and plumbing and drainage approvals in place before premises are occupied means the applicant has had substantial notice that this needs to be done. It is considered that the condition should not be deleted.

Condition 13

"All buildings on the land that are unable to be used for habitable purposes because of an inability to comply with Condition 11, and which have the appearance of a habitable building must be removed from the land. This condition must be complied with within 6 calendar months of the date this development approval comes into effect."

The request is as follows:

Delete condition.

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The rationale provided in support of the request is as follows:

There is no reason to think that buildings can't be brought into compliance with condition 11. Any building that can't be brought into compliance may have an alternative non-habitable functional value for caravan park operations or occupants (e.g. storage).

Council officers do not share the optimistic view that all of the buildings used for occupation will be able to be approved as buildings suitable for habitation. The purpose of the condition is to ensure that cabins on the land that cannot be given building approval are not retained on the land and so be at risk of being occupied. The current operator has demonstrated by his actions that he has no qualms about allowing the occupation of cabins that do not have building and plumbing and drainage approval. If buildings shown on the approved plans as cabins are unable to be used for habitation and are to instead be used for storage this will need to be addressed by lodging a request for a permissible change of the development approval and obtaining building approvals with appropriate classifications. It is considered that the condition should not be deleted.

Condition 14

"Clothes lines shall be provided for all sites. This condition must be complied with within 20 business days of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The caravan park already has sufficient clothes lines.

Council officers do not recall there being many clothes lines and it is considered not an unreasonable requirement that each cabin have a small clothes line for use by the occupants. It is considered that the condition should not be deleted.

Condition 15

"All plumbing and drainage works on the land that have not been installed by a licensed plumber and approved by Council must be:

- (a) decommissioned within 20 business days of the date this development approval comes into effect; and*
- (b) where practicable removed from the land within 6 calendar months of the date this development approval comes into effect."*

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to complete approved works and decommission and remove unapproved material (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

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The 20 business day time period is highly unreasonable and cannot realistically be met.

This condition was included with the intention of ensuring the facility was serviced by plumbing and drainage installed by a licensed plumber and approved by Council as soon as possible. Ensuring all plumbing and drainage works have been installed by a licensed plumber and approved by Council is not a new requirement that arises only now out of this approval but is a requirement that should have been met before when the plumbing and drainage works were undertaken. The inclusion of this condition in the 30 August 2016 Development Permit and the longstanding requirement under State legislation to have appropriate plumbing and drainage approvals in place for all plumbing and drainage works means the applicant has had substantial notice that this needs to be done. It is considered that the condition should not be changed.

Condition 16

“The quality of drinking water supplied to all habitable buildings and the Coffee Shop & Reception building shall comply with Australian Drinking Water Guidelines as all times.”

The request is as follows:

Correct the phrase “as all times” to “at all times”.

The rationale provided in support of the request is as follows:

Typographical error.

The condition should be amended to correct the typographical error:

“The quality of drinking water supplied to all habitable buildings and the Coffee Shop & Reception building shall comply with Australian Drinking Water Guidelines at all times.”

Condition 17

“All habitable buildings and the Coffee Shop & Reception building must be connected to a drinking water supply system that has been installed by a licensed plumber and approved by Council. This condition must be complied with within 20 business days of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 20 business day time period is highly unreasonable and cannot realistically be met.

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This condition was included with the intention of ensuring the drinking water supply was installed by a licensed plumber and approved by Council as soon as possible. Ensuring all water supply works have been installed by a licensed plumber and approved by Council is not a new requirement that arises only now out of this approval but is a requirement that should have been met before when these works were undertaken. The inclusion of this condition in the 30 August 2016 Development Permit and the longstanding requirement under State legislation to have an appropriate and fully approved water supply in place for all plumbing and drainage works means the applicant has had substantial notice that this needs to be done. It is considered that the condition should not be changed.

Condition 18

“Where existing rainwater tanks are to be utilised as drinking water supply:

- (a) those tanks must first be drained and treated to ensure that they are fit for the purpose of holding a drinking water supply, within 20 business days of the date this development approval comes into effect; and*
- (b) evidence of the treatment of tanks under Condition 15(a) must be provided to Council within 30 business days of the date this development approval comes into effect; and*
- (c) thereafter, at all times those tanks must only be filled or topped up with treated drinking water that complies with Australian Drinking Water Guidelines.”*

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

This condition is not required as the matter is covered by condition 16.

It is not agreed that the matter is adequately covered by Condition 16 as this does not address the fact that existing rainwater tanks used for drinking water supply have potentially been contaminated by being filled from sources that do not meet Australian Drinking Water Guidelines. The condition has been included to ensure that measures are taken to ensure any water currently in existing rainwater tanks used for drinking water supply must be treated and rendered suitable for holding a drinking water supply. It is considered that the condition should not be deleted.

Condition 19

“The land shall be serviced with a water supply capable of meeting fire-fighting purposes comprising:

- (a) An on-site hydrant system incorporating pillar hydrants compliant with AS2419.1 (with bollard protection if located within one metre of the roadway) shall be installed throughout the area shown on Drawing number HRP070073-SK04, Revision B, dated 26.08.2015 as being occupied or proposed to be occupied by buildings; and*
 - (b) A minimum flow of 10 litres per second at 200kpa during flow measured at all hydrants.*
- This condition shall be met within 3 calendar months of the date this development approval comes into effect and thereafter at all times.”*

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

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This condition is not required. The site is not connected to a reticulated urban water supply. Zaczane advises that the local fire brigade's action plan is to draw water from the on-site lake/dam.

Queensland Fire and Emergency Services have advised through the State Agency Working Group meetings that they will not draw water from the on-site lake/dam for fire-fighting purposes due to its contamination. It is recognised that the property is not provided with an urban water supply and so the condition should be amended to:

"The land shall be serviced with a water supply capable of meeting fire-fighting purposes comprising:
(a) *An on-site hydrant system incorporating pillar hydrants compliant with AS2419.1 (with bollard protection if located within one metre of the roadway) shall be installed throughout the area shown on Drawing number HRP070073-SK04, Revision B, dated 26.08.2015 as being occupied or proposed to be occupied by buildings; and*
(b) *A minimum flow of 10 litres per second at 200kpa during flow measured at all hydrants; or*
(c) *Sufficient on-site storage of water of a suitable quality at all times to meet the needs of fire-fighting as determined by the nature and scale of the development. Note: Queensland Fire and Emergency Services will be able to assist in determining what constitutes water of a suitable quality and the quantity of water that will need to be provided for fire-fighting purposes.*
This condition shall be met within 3 calendar months of the date this development approval comes into effect and thereafter at all times."

Condition 20

"The layout of the internal roadways and lots shall be adjusted to ensure that a fire appliance vehicle can negotiate the internal roadways in accordance with Drawing number HRP070073-SK01, Revision D, dated 10.12.2015 and Drawing number HRP070073-SK05, Revision E, dated 14.12.2015. This condition shall be met within 3 calendar months of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 3 month time period is highly unreasonable and cannot realistically be met.

This condition was included to ensuring changes are made to the internal road layout to ensure fire-fighting appliances can negotiate the internal roads as soon as possible. The inclusion of this condition in the 30 August 2016 Development Permit means the applicant has had substantial notice that this needs to be done. It is considered that the condition should not be changed.

Condition 21

"All internal roadways as indicated on marked up Drawing number 4258-05-09 Prop 11B, dated 21-08-12 (two plans) shall be constructed with a minimum pavement width of 5.5 metres and shall be of

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an asphalt surface with concrete barrier kerbs on both sides. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

1. Replace the words "...constructed with..." in the second line of the condition with the words "...repaired, widened or extended as required to have...".
2. After the words "...concrete barrier kerbs on both sides" in the third and fourth lines, add the following statement (or similar wording to this effect): "Note: Kerbing of the type installed in the two westernmost internal roadways is an acceptable kerbing type".
3. Change the time periods for action to:
 - 12 months to apply for relevant approvals (from the date this development approval takes effect); and
 - 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

1. The requested change recognises that some of the roadways are already constructed to a satisfactory standard. The current wording of the condition suggests that all roads need to be reconstructed anew, which is unnecessary and would be an unreasonable requirement.
2. Zaczone's experience is that kerbing of the type referred to in the requested change is more effective for controlling vehicle movements and water runoff than the roll-over kerb and channel installed in the two eastern-most roadways. The proposed kerbing type is suitable for internal driveways for an existing caravan park of this function, size and location.
3. The 6 month time period is unreasonable and cannot realistically be met, in particular given operational work approval requirements (condition 24). The time period for conditions 20 and 21 is inconsistent.

The changes requested as points 1 and 2 can be supported. The request for the time period to be extended is not supported as it is noted that the inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. The condition should be amended to:

"All internal roadways as indicated on marked up Drawing number 4258-05-09 Prop 11B, dated 21-08-12 (two plans) shall be constructed repaired, widened or extended as required to have with a minimum pavement width of 5.5 metres and shall be of an asphalt surface with concrete kerbs on both sides. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times. Note: Kerbing of the type installed in the two westernmost internal roadways is an acceptable kerbing type."



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Condition 22

“Sealed car parking bays for occupants and visitors shall be provided generally as indicated on Drawing number 4258-05-09 Prop 11B, dated 21-08-12 (two plans). This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 6 month time period is unreasonable and cannot realistically be met, in particular given operational work approval requirements (condition 24). The time period for conditions 20 and 21 is inconsistent.

The time period of six months is not unreasonable. The inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. It is considered that the condition should not be changed.

Condition 25

“Pathways shall be provided along the sides of all internal roads that have sites situated on one side only or on no sides.”

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirement is excessive for a caravan park of this function and size.

It is agreed that pedestrian pathways will not be necessary given the low-speed environment and so the condition can be deleted.

Condition 26

“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 1% AEP. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

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Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location. The existing drainage arrangements function satisfactorily. Condition 30 is adequate. The accommodation areas of the caravan park did not flood in 2011 or 2012.

There is no system of stormwater drainage in those parts of the caravan park that have been developed contrary to the existing development approvals. It is not agreed that the existing drainage arrangements function satisfactorily and the fact that accommodation areas did not flood in 2011 or 2012 does not mean appropriate stormwater drainage should not be provided. It is considered that the condition should not be deleted.

Condition 27

“Provide a stormwater quality treatment facility for the proposed development in accordance with the requirements of State Planning Policy 2014 and South East Queensland Technical Design Guidelines for Water Sensitive Urban Design prior to discharge to downstream receiving areas. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location. The existing drainage arrangements function satisfactorily. Condition 30 is adequate. The accommodation areas of the caravan park did not flood in 2011 or 2012.

There is no system of stormwater drainage and there are no stormwater quality measures in place to ensure the water quality of the on-site lakes/dams are not contaminated by stormwater flows from the caravan park. It is not agreed that the existing drainage arrangements function satisfactorily and the fact that accommodation areas did not flood in 2011 or 2012 does not mean appropriate stormwater drainage should not be provided. It is considered that the condition should not be deleted.

Condition 28

“An operational works approval shall be obtained for the system of stormwater drainage 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.”

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

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The requirements are excessive for an existing caravan park of this function, size and non-urban location. The existing drainage arrangements function satisfactorily. Condition 30 is adequate. The accommodation areas of the caravan park did not flood in 2011 or 2012.

As it is not agreed that Condition 26 and 27 can be deleted, this condition will need to be retained as an Operational Works approval will be required to construct the necessary stormwater infrastructure. It is considered that the condition should not be deleted.

Condition 29

"The developer shall be responsible for obtaining approval and bearing all costs associated with registering in favour of Council all necessary stormwater drainage easements within to the subject land in order for drainage paths to reach a satisfactory point of legal discharge."

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location. The existing drainage arrangements function satisfactorily. Condition 30 is adequate. The accommodation areas of the caravan park did not flood in 2011 or 2012.

In the absence of a stormwater management strategy it cannot be determined with confidence that stormwater drainage easements will not be required in order for drainage paths to reach a satisfactory point of legal discharge. The wording of the condition could be more precise and so it should be changed to:

"The developer shall be responsible for obtaining approval and bearing all costs associated with registering in favour of Council all necessary stormwater drainage easements within and external to the subject land in order for drainage paths to reach a satisfactory point of legal discharge."

Condition 31

"Landscaping shall be provided throughout the caravan park development in accordance with the requirements of the Landscaping Code and contained in the Gatton Shire Planning Scheme, relevant Local Laws and the following:

- (a) Details of proposed landscaping works including plan and schedules of proposed plant species;*
- (b) Maintenance of 'lines of sight' for vehicles entering and exiting the proposed development;*
- (c) For all trees to be installed with appropriate root barrier and deflector devices and sub soil drainage;*
- (d) That all landscaping has edging with suitable longevity, (treated soft and hard wood is not acceptable);*
- (e) That all street trees must have edging with suitable longevity, (treated soft and hard wood is not acceptable); and*
- (f) That no plants within the Queensland Herbarium's 200 most invasive weeds list are to be utilised within any landscaping works.*

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This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirement is excessive for an existing caravan park of this function, size and non-urban location. A less formalised landscaping treatment as currently in place is appropriate in these circumstances.

It is not agreed that it is unreasonable that a caravan park be provided with appropriate landscaping. The standard of landscaping in those parts of the park that were developed contrary to the existing development approvals is poor to non-existent. It is considered that the condition should not be deleted.

Condition 32

"An operational works approval shall be obtained for the landscaping works in accordance with Planning Scheme Policy No.11 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."

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirement is excessive for an existing caravan park of this function, size and non-urban location. A less formalised landscaping treatment as currently in place is appropriate in these circumstances.

As it is not agreed that Condition 32 can be deleted, this condition will need to be retained as an Operational Works approval will be required to assess and approve the proposed landscaping and to provide a reference to ensure the landscaping is appropriately maintained.

Condition 33

"Construct a sealed roadway to a Rural Road standard together with any necessary drainage infrastructure from the Warrego Highway to the entrance to the development. This condition shall be met within 6 calendar months of the date this development approval comes into effect."

The request is as follows:

Amend condition to state that:

- an amount equivalent to the total infrastructure charge for this development shall be applied by the Council towards the cost of the external roadworks; and

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- no additional cost or requirement shall be imposed on the development in relation to external roadworks, beyond payment of the infrastructure charge.

The rationale provided in support of the request is as follows:

Zaczane is prepared to accept this condition provided that it is offset against the infrastructure contribution for the development. This is addressed further in the representations on the infrastructure charges notice.

An offset of the cost of external roadworks against infrastructure charges is available under Adopted Infrastructure Charges Resolution No.1 where the works are on a road that forms part of the trunk road network. In this instance the road where works are required is not trunk infrastructure and provides access to only nine properties (refer aerial image below), these being:

- two single detached residences (Lot 1 RP188973 and Lot 21 SP184593);
- the Zaczane development (Lot 23 RP901411 and Lots 1 & 3 RP96795);
- two vacant rural properties (Lot 60 CH31894 and Lot 20 SP184593); and
- two small land parcels between the road and the Warrego Highway utilised for advertising signage (Lot 1 CC1543 and Lot 3 RP135249).



Of the above properties, even when allowance is made for matters such as the level of car ownership and the provision of a courtesy bus (refer applicant's representations in support of changes to infrastructure charges provided in Attachment 1 and addressed in further detail section 3.2 of the report below) the bulk of the traffic using the road is associated with the Zaczane development.

It is therefore considered that the condition should not be amended.

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Condition 34

“An operational works approval shall be obtained for the roadworks and any necessary drainage infrastructure shall be obtained 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.”

The request is as follows:

Amend condition to state that:

- an amount equivalent to the total infrastructure charge for this development shall be applied by the Council towards the cost of the external roadworks; and
- no additional cost or requirement shall be imposed on the development in relation to external roadworks, beyond payment of the infrastructure charge.

The rationale provided in support of the request is as follows:

Zaczane is prepared to accept this condition provided that it is offset against the infrastructure contribution for the development. This is addressed further in the representations on the infrastructure charge notice.

An assessment of the request to amend Condition 34 is provided above in the assessment of the request to amend Condition 33. It is considered that the condition should not be amended.

Condition 35

“All ‘Regulated Devices’, ‘Pumps’, ‘Air-conditioning equipment’ and ‘Refrigeration equipment’ as defined by the Environmental Protection Act 1994 must be designed, installed, operated and maintained in order to comply with the noise standards as specified within the Environmental Protection Act 1994 and Environmental Protection (Noise) Policy 2008. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location.

The requirement that equipment that can generate noise that could impact on the amenity of residents of the caravan park is designed, installed, operated and maintained in order to comply with the noise standards is reasonable. It is considered that the condition should not be deleted.

Condition 36

“All plant and equipment does not result in a level greater than LA90 39 dB(A) when measured at 4m from the most exposed façade of the nearest residential uses. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”



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The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location.

The requirement that plant and equipment that can generate noise that could impact on the amenity of residents of the caravan park complies with the noise standards is reasonable. It is considered that the condition should not be deleted.

Condition 37

"The contribution from all varying noise sources associated with the development during night-time hours (10pm-7am) does not exceed a level of L_{MAX} 50 dB(A), adjusted for tonality and impulsiveness, when measured at 4m from the most exposed façade of the nearest residential uses. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location.

The requirement that plant and equipment that can generate noise that could impact on the amenity of residents of the caravan park complies with the noise standards is reasonable. It is considered that the condition should not be deleted.

Condition 38

"All mechanical plant and equipment, including but not limited to, air conditioning/refrigeration plant and ventilation exhausts/extracts shall be screened/shielded. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location.

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The requirement that plant and equipment that can generate noise that could impact on the amenity of residents of the caravan park complies with the noise standards is reasonable. It is considered that the condition should not be deleted.

Condition 39

“The provision of security and flood lighting shall be designed, constructed, located and maintained in accordance with Australian Standard 4282 – 1997 (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the occupants of nearby properties or passing traffic. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

The requirements are excessive for an existing caravan park of this function, size and non-urban location.

The requirement security and flood lighting does not cause nuisance to the occupants of nearby properties or passing traffic is reasonable. It is considered that the condition should not be deleted.

Condition 40

“A suitable number and type of waste and recycling container/s shall be provided and serviced not less than once per week or as approved by Council. All waste and recycling services must take into consideration the Queensland Waste Strategy particularly the objectives, principles and waste hierarchy and Council’s Waste Reduction and Recycling Plan. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 6 month time period is unreasonable and cannot realistically be met, given the range of other conditions requiring attention.

The time period of six months is not unreasonable. The inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. It is considered that the condition should not be changed.



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Condition 42

“Putrescible waste must be collected at least every seven days and disposed of at an approved/authorised disposal site. This condition shall be met at all times.”

The request is as follows:

Delete condition.

The rationale provided in support of the request is as follows:

This condition is not required as the matter is covered by condition 40.

The condition specifically deals with putrescible waste. It is considered that the condition should not be deleted.

Condition 44

“Provide a system of internal lighting along the length of all internal roads and pathways and in all communal areas of the property in accordance with AS 1158.3.1 or its equivalent. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 6 month time period is unreasonable and cannot realistically be met, given the range of other conditions requiring attention.

The time period of six months is not unreasonable. The inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. It is considered that the condition should not be changed.

Condition 46

“Recreational facilities shall be provided in accordance with relevant Local Laws and shall include as a minimum:

- (a) a children’s playground that is protected from the weather;*
 - (b) facilities for active outdoor recreation such as a half-size basketball court or volleyball court;*
 - and*
 - (c) a building with a gross floor area of no less than 200m² for communal or recreational activities.*
- This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times.”*

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The request is as follows:

For (a) and (b) change the time periods for action to 12 months (from the date this development approval takes effect). Delete the requirement to provide (c).

The rationale provided in support of the request is as follows:

The 6 month time period is unreasonable and cannot realistically be met, given the range of other conditions requiring attention. The requirement to provide a building with a gross floor area of no less than 200m² for communal or recreational activities is excessive for an existing caravan park of this function, size and location.

The time period of six months is not unreasonable. The inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. The requirement to provide a building with a gross floor area of no less than 200m² for communal or recreational activities is not unreasonable given the number of persons residing at the property and the lack of nearby facilities. It is considered that the condition should not be changed.

Condition 47

"The existing amenities building located between sites 43 & 49 and 44 & 48 must be rendered serviceable and provided with an adequate number of washing machines and clothes dryers for the use of residents of the park to undertake laundry activities and to meet the requirements of all relevant Local Laws. This condition shall be met within 6 calendar months of the date this development approval comes into effect and thereafter at all times."

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 6 month time period is unreasonable and cannot realistically be met, given the range of other conditions requiring attention.

The time period of six months is not unreasonable. The inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. It is considered that the condition should not be changed.

Condition 48

"Certification from a suitably qualified person shall be provided to Council verifying that all existing electricity works within the property comply with all relevant requirements and standards. This condition shall be met within 20 business days of the date this development approval comes into

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effect and a copy of this certification shall be provided to Council within 30 business days of the date this development approval comes into effect.”

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 6 month time period is unreasonable and cannot realistically be met, given the range of other conditions requiring attention.

The time period of 30 business days is not unreasonable given the implications for safety of the residents of the park. The inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. It is considered that the condition should not be changed.

Condition 49

“Certification from a suitably qualified person shall be provided to Council verifying that all existing gas fittings within the property comply with all relevant requirements and standards. This condition shall be met within 20 business days of the date this development approval comes into effect and a copy of this certification shall be provided to Council within 30 business days of the date this development approval comes into effect.”

The request is as follows:

Change the time periods for action to:

- 12 months to apply for relevant approvals (from the date this development approval takes effect); and
- 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given).

The rationale provided in support of the request is as follows:

The 6 month time period is unreasonable and cannot realistically be met, given the range of other conditions requiring attention.

The time period of 30 business days is not unreasonable given the implications for safety of the residents of the park. The inclusion of this condition in the 30 August 2016 Development Permit has provided additional notice of the need to undertake these works. It is considered that the condition should not be changed.



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Condition 50

“Submit operational works 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) All drawings must be checked, approved and signed by a current RPEQ with their registration number;*
- (b) Two full sets of the engineering drawings in A3 size; and*
- (c) Calculations supporting stormwater management proposals (quantity and quality) are to be included.”*

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council’s practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 51

“All road works shall be designed and constructed:

- (a) In general compliance with the Gatton Shire Planning Scheme, Austroads publications and Institute of Public Works Engineering Association Queensland Standard Drawings; and*
- (b) To ensure the speed environment, geometry, sight distances, carriageway widths, lighting, bus stops, vehicle movements, on street parking other physical attributes are consistent with the function and role of the road or street in the transport network.”*

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council’s practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 52

“All driveways, car parking spaces and manoeuvring areas must be imperviously sealed and line marked in accordance with the requirements of Australian Standard AS2890 – Parking facilities.”



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The request is as follows:

Items 50 – 63 should be identified as 'Advice Notes' and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 53

"All traffic signs and delineation shall be designed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD)."

The request is as follows:

Items 50 – 63 should be identified as 'Advice Notes' and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 54

"All works on or near traffic shall be signed as per MUTCD Part 3 - Works on Roads. A traffic management plan shall be submitted to Council for approval prior to any works being undertaken."

The request is as follows:

Items 50 – 63 should be identified as 'Advice Notes' and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

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Condition 55

“All above and below ground services potentially affected by the proposed works shall have alignment and level determined prior to any detailed design work or construction works being undertaken. Any conflicts associated with proposed and existing services shall be forwarded to the appropriate controlling authority by the developer for decision.”

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council’s practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 56

“All silt management facilities including diversion drains, sediment basins and energy dissipation structures as necessary shall be designed, constructed and maintained in accordance with ‘Best Practice Erosion and Sediment Control’ published by International Erosion Control Association Australasia.”

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council’s practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 57

“Should the road and/or the drainage network require cleaning up due to erosion and/or sediment from the development, then such works shall be at the expense of the developer. Such works shall be undertaken immediately where there is potential hazard to pedestrians and/ or passing traffic.”

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

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These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 58

"On completion of the works a certificate must be submitted to Council by a RPEQ certifying that the works have been constructed in accordance with Council's construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification. This condition is required to be met prior to acceptance of works as on maintenance."

The request is as follows:

Items 50 – 63 should be identified as 'Advice Notes' and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 59

"Submit satisfactory evidence to Council of construction costs associated with the provision of municipal infrastructure subject to an 'on maintenance' defect liability period for approval as a basis for determining the necessary security bonds. This condition is required to be met prior to acceptance of works as on maintenance."

The request is as follows:

Items 50 – 63 should be identified as 'Advice Notes' and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.



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Condition 60

“Payment of security bonds to be held by Council for the duration of the defect liability period must be paid prior to acceptance of works as 'on maintenance'. This condition is required to be met prior to acceptance of works as on maintenance.”

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council’s practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Conditions 61

“Municipal works must be accepted on maintenance prior to commencement of use. A maintenance bond equal to 5% of the construction cost (minimum of \$1,000.00) will be retained by Council for a minimum period of twelve months, or until such time as the works are accepted off maintenance by Council.”

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council’s practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 62

“For designs prepared by a private consultant, a Design Checking Fee (approval of engineering drawings) based on Council’s estimated cost of the works shall be payable. The fee is to be paid prior to design approval being given. Refer to Lockyer Valley Regional Council current Fees and Charges for calculation of the fee.”

The request is as follows:

Items 50 – 63 should be identified as ‘Advice Notes’ and not conditions of development approval.

The rationale provided in support of the request is as follows:

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These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Condition 63

"Should any works associated with the development be carried out by agencies other than Council an Inspection Fee based on Council's estimated cost of the municipal works shall be payable. This fee is valid for six months from the date of this approval. Refer to Lockyer Valley Regional Council current Fees and Charges for calculation."

The request is as follows:

Items 50 – 63 should be identified as 'Advice Notes' and not conditions of development approval.

The rationale provided in support of the request is as follows:

These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.

Council's practice with is to include conditions of this nature in approvals for material change of use and reconfiguring a lot and not to provide these as Advice Notes. It is considered that the condition should not be changed.

Advice Note 1

"This approval and the conditions attached to the approval have been specifically constructed to recognise the application for material change of use is one which seeks to regularise an unlawful development and that a number of the aspects of the unlawful development are approved only on the basis of compliance with the conditions of the approval within the timeframes specified."

The request is as follows:

Reword the advice to read "This approval and the conditions attached to the approval have been specifically constructed to recognise the application for material change of use is one which seeks to regularise existing development"..

The rationale provided in support of the request is as follows:

Zaczane does not accept that the Helidon Spa Caravan Park is an unlawful development. Development approvals exist for 84 sites (40 which are approved for long-term accommodation) and a catering shop.

It is agreed that some elements of the development have been undertaken in accordance with existing development approvals and so the Advice Note should be amended to read:

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"This approval and the conditions attached to the approval have been specifically constructed to recognise the application for material change of use is one which seeks to regularise an existing development undertaken contrary to existing development approvals and that a number of the aspects of the this development have been approved only on the basis of compliance with the conditions of the approval within the timeframes specified."

3.2 Requested Changes to Infrastructure Charges Notice

The assessment of infrastructure charges provided in the report to the 24 August 2016 Ordinary Meeting of Council was as follows:

Council's Adopted Infrastructure Charges Resolution No.1 provides that infrastructure charges for the development are applicable as follows:

- Short Term Non-Permanent Accommodation Charge Category
- LVRC Charge \$5,400.00 per caravan site

The resolution provides in s.16(3) that a demand credit reduces the amount of the charge that is payable by applying a credit for an existing use that:

- *is lawful and already taking place on the premises; or*
- *is a previous use that was lawful at the time it was carried out on the property and is no longer taking place on the premises.*

As the demand credit is only applicable for the lawful use of the property, a credit will only be given for those lots or cabins that are currently lawful. As indicated in the aerial image above, only 17 of the lots are consistent with the current development approvals and so a credit is only available for 17 sites. As the application seeks an approval for 84 sites, infrastructure charges are payable for 67 sites.

LOCKYER VALLEY REGIONAL COUNCIL CHARGES				
Charge Type	Description	Units	Rate	TOTAL
PROPOSED DEMAND		site	\$/site	
Charge	Short Term Non-Permanent Accommodation	84	\$5,400.00	\$453,600.00
TOTAL PROPOSED DEMAND				\$453,600.00
EXISTING DEMAND		site	\$/site	
Credit	Short Term Non-Permanent Accommodation	17	\$5,400.00	\$91,800.00
TOTAL EXISTING DEMAND CREDIT				\$91,800.00
TOTAL PAYABLE				\$361,800.00

The development will be able to benefit from the discounts provided in the Development Incentives – Infrastructure Charges Policy. Under this policy a discount of 50% is applicable for Council infrastructure charges so the amount payable is reduced from \$361,800.00 to \$180,900.00.

The request and the rationale provided for the request is as follows:

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The infrastructure charges notice given with the decision notice identifies the proposed demand as 84 units and provides a credit for 17 units at a rate of \$5,400.00/site. A discount of 50% is available under Council policy so that the amount payable is reduced from \$361,800.00 to \$180,900.00.

By way of explanation of the infrastructure charges notice, the town planning report presented to the Council states that:

“As the demand credit is only applicable for the lawful use of the property, a credit will only be given for those lots or cabins that are currently lawful. As indicated in the aerial image above, only 17 of the lots are consistent with the current development approvals and so a credit is only available for 17 sites. As the application seeks an approval for 84 sites, infrastructure charges are payable for 67 sites” (Ordinary Council Meeting Minutes 24 August 2016, item 11.3, page 105).

The above statement referring to 17 sites is inconsistent with prior approvals for 84 sites on the land, under development approvals DA3851 (17 March 2006) for 40 sites and DA4563 (31 March 2010) for 44 sites. Subsequent approval DA5525 (24 September 2008) confirmed use of 40 sites for long-term accommodation. The former Office of Urban Management (OUM) was a referral agency for DA5525. By letter dated 14 February 2008 the OUM advised the former Gatton Shire Council that:

“... However, in light of the evidence presented in the planning report for the application and recent meeting with the applicant, the OUM considers the proposal is essentially recognising an existing use. Accordingly, the OUM wishes to advise it has no concerns with the proposal as it will not materially impact on the intent of the RLRPA (author’s note: the Regional Landscape and Rural Production Area of the South East Queensland Regional Plan).”

A copy of the OUM letter was provided with the development application and a copy is again attached hereto as Attachment 2 [Note – in this report this is included in Attachment 1.]

Accordingly, the situation may be summarised as follows:

- There are 84 sites on the land. Zaczane is prepared to utilise the 84 sites for 84 self-contained accommodation units;
- There are existing development approvals for 84 sites on the land; and
- In early 2008 the 40 long-term accommodation sites were recognised by the State government as an existing use and subsequently development approval for such use was confirmed by the former Gatton Shire Council in DA5525;

Any non-compliance by the existing facilities on the land with the conditions of the previous approvals is not a reasonable basis to conclude that only 17 of the sites are ‘lawful’, particularly when the development application in question was made for the specific purpose of clarifying and consolidating the approvals for the existing development.

Having regard to the above points, it may be argued that no infrastructure charge should be levied on the current development approval. However it is acknowledged that development contributions totalling \$123,110.00 were imposed on DA5525 but remain unpaid to date. Therefore it is proposed and requested that any infrastructure charge should allow a credit for at least the 40 sites recognised as being an existing use before 2008. In this case, the infrastructure charge levied on no more than 44 sites at a rate of \$5,400.00/site would represent a maximum infrastructure charge of \$237,600.00, with the available 50% discount reducing the amount payable to \$118,800.00.

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It is further proposed and requested that condition 33 of the decision notice (for external roadworks – sealed rural road from Warrego Highway to the site) be amended to state that:

- an amount equivalent to the total infrastructure charge for this development shall be applied by the Council towards the cost of the external roadworks; and
- no additional cost or requirement shall be imposed on the development in relation to external roadworks, beyond payment of the infrastructure charge.

Additional Considerations

- The following points, previously made in the development application, are submitted in support of a concessionary approach being taken by the Council on the matter of infrastructure charges and other external works requirements:
- As noted above, the Helidon Spa Caravan Park provides an important community function by providing affordable accommodation for disadvantaged people;
- Levels of vehicle ownership among occupants are very low, so that traffic generated by the development and demand on the local road network can be expected to be correspondingly low. A survey of cars present at the caravan park, undertaken by the operator between Wednesday 19 August and Sunday 23 August 2015, provided the following results:
 - 19/08/2015, Wednesday 8pm: 17 cars;
 - 20/08/2015, Thursday 8pm: 21 cars;
 - 21/08/2015, Friday 8pm: 23 cars;
 - 22/08/2015, Saturday 8pm: 25 cars;
 - 23/08/2015, Sunday 8pm: 18 cars.
- The caravan park also operates a courtesy bus service to Toowoomba daily five days per week (Monday to Friday);
- Also relevant to the demand on the local road network, the site takes access from the State controlled road network via a short service road and does not have a point of access that channels traffic to or from the site through the local road network;
- The caravan park has a substantial area of open space on-site and provides recreation facilities for occupants, including a swimming pool and barbeque facilities. A proportion of occupants' passive and active recreation needs are therefore met within the development. Additional on-site recreation facilities will be provided in accordance with condition 46 of the decision notice (although Attachment 1 seeks to remove the requirement for a communal building from that condition);
- For completeness, it is noted that the caravan park is self-sufficient in terms of water supply and sewage treatment infrastructure (acknowledging that infrastructure charges have not been levied for these items).

It is not agreed that the Infrastructure Charges Notice be amended as requested. The development permit approved by Council on 24 August 2016 provided a means to regularise the development that occurred in a manner that was inconsistent with earlier approvals, particularly DA5525. To recognise as a credit the development approved by an earlier approval where the development has not been undertaken in accordance with that approval and where infrastructure charges levied under that approval have not been paid is not something that can be agreed to.

In relation to the offer that Zaczane is prepared to convert the 50 dual occupancy cabins as single occupancy cabins this will not alter the amount of the infrastructure charges levied as the charges are levied under Council's Adopted Infrastructure Charges Resolution No.1 on a per site basis and so the charge is the same irrespective of whether the site contains a single or dual occupancy cabin.

4. Policy and Legal Implications

It is likely that the owner/operator of the premises will not comply with the conditions attached to the approval and so Council will need to initiate fresh compliance action, which may ultimately be dealt with in the Planning and Environment Court. There is also a likelihood that the owner/operator of the premises may lodge an appeal in the Planning and Environment Court against the conditions attached by Council to the approval.

5. Financial and Resource Implications

Council has incurred costs in compliance action and in response to legal action taken against Council and Council Officers by the owner/operator of the premises. It is likely that the owner/operator of the premises will not comply with the conditions attached to the approval and so Council will need to initiate fresh compliance action, which will have financial, and resource implications. There is also a likelihood that the owner/operator of the premises may lodge an appeal in the Planning and Environment Court against the conditions attached by Council to the approval and this will have financial and resource implications for Council.

6. Delegations/Authorisations

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

7. Communication and Engagement

The decision of Council will be formally communicated to the applicant and the submitter in accordance with the requirements of the *Sustainable Planning Act 2009*.

8. Conclusion

It is recommended that the request for a negotiated decision be agreed to in part by the amendment of Conditions 2, 3 5, 7, 16, 19, 21 and 29, the deletion of Condition 25 and the amendment of Advice Note 1. It is not recommended that the Infrastructure Charges Notice be amended.

9. Action/s

That the request for a negotiated decision be agreed to in part in accordance with the Officer's Recommendation.

Attachments

1 [View](#) Attach 1 15 Pages



Our Ref: HRP070073.2015DA.Representations.001.docx
Contact: John Van As, David Perkins

26 September 2016

Chief Executive Officer
Lockyer Valley Regional Council
PO Box 82
GATTON Qld 4343

By e-mail: mailbox@lvrc.qld.gov.au

Attention: Mr Trevor Boheim, Manager Planning & Environment

Dear Mr Boheim

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**MCU2015/0028 - DEVELOPMENT PERMIT MCU FOR CARAVAN PARK – LOTS 1 & 3
RP96795 AND LOT 23 RP901411 – 7828 WARREGO HIGHWAY, HELIDON SPA –
REPRESENTATIONS ABOUT DECISION - SPA, S361**

We refer to the Lockyer Valley Regional Council's decision notice dated 30 August 2016 approving the above development application and our letter dated 14 September 2016 on behalf of the applicant, Zaczane Holdings Pty Ltd (Zaczane), suspending the applicant's appeal period under section 366(1) of the *Sustainable Planning Act 2009* (SPA).

This correspondence contains the applicant's representations about the Council's decision notice, under SPA, s361(1)(a). This correspondence also contains the applicant's representations about the infrastructure charges notice given with the decision notice, under SPA, s641.

Preliminary Comments

Zaczane is taken aback by the nature and extent of works, the quantum of the infrastructure charge and the unreasonably short timeframes required by the development approval. Zaczane was of the understanding that the development application was required to be made as part of a process to resolve a dispute between itself and the Council about a number of aspects of the development and operation of the Helidon Spa Caravan Park (the caravan park). The letter dated 19 August 2015 from the Council's lawyers, Corrs Chambers Westgarth, to Zaczane's lawyers, Aden Lawyers, identified that Zaczane needed to take the following steps in order to obtain a Local Law Permit to operate the caravan park:

- "(a) your client applies for and obtains a new development permit for a material change of use over all of the site (MCU Approval);*
- (b) your client takes all necessary steps to bring its use of the premises into compliance with the MCU Approval;*
- (c) your client undertakes further works as necessary to enable it to obtain outstanding building and plumbing approvals and certifications (which may include, for example, works relating to electricity installations); and*
- (d) your client applies for and obtains outstanding building and plumbing approvals and certifications".*

The development application made in September 2015 represented the action required under step (a) above. Zaczane notes that a decision on the application was not made until late August

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United Kingdom • United States • Operations in 85 countries

2016 (the decision notice is dated 30 August 2016) despite the Council's decision period for the application ending on or about 01 April 2015 and no notice or request to extend the decision period having been made under the relevant provisions of the SPA.

The letter dated 19 August 2015 also reiterated that the following matters, while not exhaustive, were of particular concern to the Council in relation to compliance with the Gatton Planning Scheme 2007 (the planning scheme):

- (i) the separation distance provided between all structures and between structures and lot boundaries is compliant with all relevant building legislation;*
- (ii) all elements of the system of internal roadways, including intersections and bends, can accommodate the swept path movement of a fire appliance;*
- (iii) the main circulation road has a minimum roadway width of 10m and a minimum paved carriageway width of 7.5m;*
- (iv) all other internal roadways have a minimum roadway width of 7m and a minimum paved carriageway width of 5.5m;*
- (v) a 3m landscaped buffer exclusive of all lots is provided along the southern boundary of the site;*
- (vi) all sites used for short term residency shall be no smaller than 90m² and shall have a width of no less than 9m;*
- (vii) all sites used for long term residency shall be no smaller than 225m² and shall have a width of no less than 15m;*
- (viii) permanent structures shall be set back at least 2m from front lot boundaries and at least 1.5m from side lot boundaries; and*
- (ix) car parking is provided at the rate of 1space for each site, plus 1car washing bay for each 10 sites.*

The application material, together with the additional material provided in response to the Council's information request about fire appliance access, demonstrated that these requirements can be met or that satisfactory alternative solutions are in place or available. In some cases, a reasonable exercise of Council's approval conditioning power can also deal with these matters.

However, the decision notice goes a long way beyond the above key matters to raise a large number of new matters and impose substantial additional requirements and costs on the development. These additional matters are detailed later in these representations. The effect of these additional matters is to throw practical and financial obstacles in the path of Zaczane being able to direct its limited resources to resolving the key matters previously at the centre of the dispute between the parties. Instead of seizing the opportunity to resolve the dispute, to the ultimate benefit of the Council organisation, the ratepayers, Zaczane and the occupants of the caravan park, the Council's decision notice prolongs and widens the dispute.

In this regard, it is relevant that the caravan park is not a fresh development proposal – instead it is a facility that has been in operation for decades, with all that entails for design, layout and standards of access, infrastructure, facilities and place in the market. As pointed out in the development application, the caravan park operates to provide low cost accommodation for disadvantaged people with few other options, or for travellers, transient workers and others with a need for short term accommodation on a limited budget. The caravan park presently provides this service and the current clientele depends on this service continuing while the matters in dispute are addressed.

The development application sought to commence a path to rectify identified problems and provide basic health, safety and amenity upgrades for the caravan park. The application does not seek to re-establish the caravan park as a destination resort for middle class retirement living or holiday making. The imposition of infrastructure charges threatens the viability of the caravan park and would put at risk its ability to continue to provide this important community function – thereby displacing current and future occupants, increasing levels of housing stress in the Lockyer

Valley region (and the wider region from Caboolture to the Gold Coast) and creating greater pressure on other, limited low cost accommodation providers.

Reduction in Accommodation Unit Numbers

If it would be of assistance in reaching agreement on the changes requested herein, Zaczane is prepared to reduce the operating size of the caravan park by converting the 50 dual occupancy cabins to single occupancy cabins, with the effect of reducing total accommodation unit numbers from 109 self-contained accommodation units to 84 self-contained accommodation units.

Requested Changes to conditions of Development Approval

The table in **Attachment 1** summarises the decision notice by identifying each condition by number with a summary of the content of the condition. The table also identifies the requested changes to the conditions and specific comments or grounds supporting the requested changes.

Requested Changes to Infrastructure Charges Notice

It is requested that the infrastructure charge for this development be re-considered and a new infrastructure charges notice (replacement notice) be given in accordance with SPA, s643.

The infrastructure charges notice given with the decision notice identifies the proposed demand as 84 units and provides a credit for 17 units at a rate of \$5,400.00/site. A discount of 50% is available under Council policy so that the amount payable is reduced from \$361,800.00 to \$180,900.00.

By way of explanation of the infrastructure charges notice, the town planning report presented to the Council states that:

"As the demand credit is only applicable for the lawful use of the property, a credit will only be given for those lots or cabins that are currently lawful. As indicated in the aerial image above, only 17 of the lots are consistent with the current development approvals and so a credit is only available for 17 sites. As the application seeks an approval for 84 sites, infrastructure charges are payable for 67 sites" (Ordinary Council Meeting Minutes 24 August 2016, item 11.3, page 105).

The above statement referring to 17 sites is inconsistent with prior approvals for 84 sites on the land, under development approvals DA3851 (17 March 2006) for 40 sites and DA4563 (31 March 2010) for 44 sites. Subsequent approval DA5525 (24 September 2008) confirmed use of 40 sites for long-term accommodation. The former Office of Urban Management (OUM) was a referral agency for DA5525. By letter dated 14 February 2008 the OUM advised the former Gatton Shire Council that:

"... However, in light of the evidence presented in the planning report for the application and recent meeting with the applicant, the OUM considers the proposal is essentially recognising an existing use. Accordingly, the OUM wishes to advise it has no concerns with the proposal as it will not materially impact on the intent of the RLRPA (author's note: the Regional Landscape and Rural Production Area of the South East Queensland Regional Plan)."

A copy of the OUM letter was provided with the development application and a copy is again attached hereto as **Attachment 2**.

Accordingly, the situation may be summarised as follows:

- There are 84 sites on the land. Zaczane is prepared to utilise the 84 sites for 84 self-contained accommodation units;
- There are existing development approvals for 84 sites on the land; and

- In early 2008 the 40 long-term accommodation sites were recognised by the State government as an existing use and subsequently development approval for such use was confirmed by the former Gatton Shire Council in DA5525;

Any non-compliance by the existing facilities on the land with the conditions of the previous approvals is not a reasonable basis to conclude that only 17 of the sites are 'lawful', particularly when the development application in question was made for the specific purpose of clarifying and consolidating the approvals for the existing development.

Having regard to the above points, it may be argued that **no** infrastructure charge should be levied on the current development approval. However it is acknowledged that development contributions totalling \$123,110.00 were imposed on DA5525 but remain unpaid to date. Therefore it is proposed and requested that any infrastructure charge should allow a credit for at least the 40 sites recognised as being an existing use before 2008. In this case, the infrastructure charge levied on no more than 44 sites at a rate of \$5,400.00/site would represent a maximum infrastructure charge of \$237,600.00, with the available 50% discount reducing the amount payable to \$118,800.00.

It is further proposed and requested that condition 33 of the decision notice (for external roadworks – sealed rural road from Warrego Highway to the site) be amended to state that:

- an amount equivalent to the total infrastructure charge for this development shall be applied by the Council towards the cost of the external roadworks; and
- no additional cost or requirement shall be imposed on the development in relation to external roadworks, beyond payment of the infrastructure charge.

Additional Considerations

The following points, previously made in the development application, are submitted in support of a concessionary approach being taken by the Council on the matter of infrastructure charges and other external works requirements:

- As noted above, the Helidon Spa Caravan Park provides an important community function by providing affordable accommodation for disadvantaged people;
- Levels of vehicle ownership among occupants are very low, so that traffic generated by the development and demand on the local road network can be expected to be correspondingly low. A survey of cars present at the caravan park, undertaken by the operator between Wednesday 19 August and Sunday 23 August 2015, provided the following results:
 - 19/08/2015, Wednesday 8pm: 17 cars;
 - 20/08/2015, Thursday 8pm: 21 cars;
 - 21/08/2015, Friday 8pm: 23 cars;
 - 22/08/2015, Saturday 8pm: 25 cars;
 - 23/08/2015, Sunday 8pm: 18 cars.

The caravan park also operates a courtesy bus service to Toowoomba daily five days per week (Monday to Friday);

- Also relevant to the demand on the local road network, the site takes access from the State controlled road network via a short service road and does not have a point of access that channels traffic to or from the site through the local road network;
- The caravan park has a substantial area of open space on-site and provides recreation facilities for occupants, including a swimming pool and barbeque facilities. A proportion

of occupants' passive and active recreation needs are therefore met within the development. Additional on-site recreation facilities will be provided in accordance with condition 46 of the decision notice (although **Attachment 1** seeks to remove the requirement for a communal building from that condition);

- For completeness, it is noted that the caravan park is self-sufficient in terms of water supply and sewage treatment infrastructure (acknowledging that infrastructure charges have not been levied for these items).

Zaczane anticipates that the Council will carefully consider the matters raised in this correspondence and looks forward to receiving a negotiated decision notice and replacement infrastructure charges notice consistent with these representations. Please contact the writer or John Van As on telephone (07) 3369 9822 if you have any questions or require further information.

Yours faithfully



David Perkins
Senior Principal
for Cardno HRP

Attachment 1 – Requested Changes to Conditions
Attachment 2 – OUM Letter 14 February 2008

ATTACHMENT 1 – REQUESTED CHANGES TO CONDITIONS

HELIDON SPA CARAVAN PARK DECISION NOTICE DATED 30 AUGUST 2016 - MCU2015/0028
REQUESTED CHANGES TO CONDITIONS

Condition	Summary	Requested Change	Commentary
1	Development to be undertaken generally in accordance with plans		Accept.
2	Identifies short term only sites	Remove one site so as to permit use of 40 sites for long term accommodation. One of the following sites is considered appropriate for this purpose: 46, 47, 52, 54 or 64.	Development approval DA5525 (24 September 2008) provides for use of 40 sites for long term accommodation. The former Office of Urban Management (OUM) has recognised this in the following terms: "...the proposal is essentially recognising an existing use" (OUM letter, 14 February 2008 – see Attachment 2). Zaczane wishes to retain this existing land use entitlement.
3	Identifies long term sites	Add one additional site to permit use of 40 sites for long term accommodation. One of the following sites is considered appropriate for this purpose: 46, 47, 52, 54 or 64.	" Condition 3 nominates 39 sites only.
4	Relevant period 4 years		Accept.
5	Comply with concurrence agency response		Accept.
6	Pay infrastructure charges in accordance with Infrastructure Charges Notice	Delete condition.	Levying of infrastructure charges and the issuing of an infrastructure charges notice is governed by the SPA, s635 and does not need to be a condition of development approval.
		OR	
		Delete words: "This condition shall be met prior to the use or occupation of any element of the development to which the infrastructure charge applies".	The caravan park is a current operation providing essential accommodation services. It is not reasonable or appropriate to require the vacation of the caravan park pending payment of infrastructure charges or compliance with other approval conditions.
7	Obtain operational works (OW) approval before on-site works	Add the words "requiring operational work approval" before the words "shall commence".	Not all works that may be undertaken on site require operational work approval.
8	Works at no cost to Council		Accept.
9	Replace damage infrastructure		Accept.
10	Service alterations at no cost to Council		Accept.
Existing Buildings and Structures			
11	(a) Building approvals; and (b) Water and sewer connections for cabins (within 20 business days (bd))	Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given). 	The 20 business day time period is highly unreasonable and can not realistically be met. Time is required to organise, obtain and implement approvals and arrange and undertake works. This requested change is common to a number of conditions below. Zaczane is prepared to convert

Condition	Summary	Requested Change	Commentary
12	Secure cabins to prevent access if 11 cannot be complied with (within 20bd)	Delete condition.	the dual-occupancy cabins to single occupancy use. This condition is excessive and unreasonable.
13	Remove buildings that can't comply with 11 (within 6 months)	Delete condition.	There is no reason to think that buildings can't be brought into compliance with condition 11. Any building that can't be brought into compliance may have an alternative non-habitable functional value for caravan park operations or occupants (e.g. storage).
14	Clothes lines to all sites (within 20bd)	<ul style="list-style-type: none"> Delete condition. 	The caravan park already has sufficient clothes lines
Existing Plumbing and Drainage Works			
15	Unapproved plumbing and drainage decommissioned (within 20bd and removed in 6 months)	<ul style="list-style-type: none"> Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to complete approved works and decommission and remove unapproved material (from the date the relevant approval is given). 	The 20 business day time period is highly unreasonable and can not realistically be met.
Potable Water Supply			
16	Drinking water quality to Australian Drinking Water Guidelines	Correct the phrase "as all times" to "at all times".	Typographical error.
17	Drinking water supply installed by licensed plumber & approved by Council (within 20bd)	<ul style="list-style-type: none"> Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given) 	The 20 business day time period is highly unreasonable and can not realistically be met.
18	Drain and treat water tanks (20bd to action, supply evidence within 30bd)	Delete condition.	This condition is not required as the matter is covered by condition 16.
Fire Fighting Capacity and Fire Appliance Access			
19	Fire fighting hydrants and flow rate (within 3 months)	Delete condition.	This condition is not required. The site is not connected to a reticulated urban water supply. Zaczane advises that the local fire brigade's action plan is to draw water from the on-site lake/dam. The 3 month time period is highly unreasonable and can not realistically be met.
20	Adjust internal road layout per approved drawings for fire appliance access (within 3 months)	<ul style="list-style-type: none"> Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given) 	

Condition	Summary	Requested Change	Commentary
21	Internal Roadways and Vehicle Parking Construct internal roadways (5.5m asphalt surface + concrete kerbs) (6 months)	Replace the words "...constructed with..." in the second line of the condition with the words "...repaired, widened or extended as required to have..."	The requested change recognises that some of the roadways are already constructed to a satisfactory standard. The current wording of the condition suggests that all roads need to be reconstructed anew, which is unnecessary and would be an unreasonable requirement.
22	Sealed car parking bays per approved drawings (6 months)	<p>After the words "...concrete barrier kerbs on both sides" in the third and fourth lines, add the following statement (or similar wording to this effect): "Note: Kerbing of the type installed in the two western-most internal roadways is an acceptable kerbing type".</p> <p>Change the time periods for action to:</p> <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given). 	Zacane's experience is that kerbing of the type referred to in the requested change is more effective for controlling vehicle movements and water runoff than the roll-over kerb and channel installed in the two eastern-most roadways. The proposed kerbing type is suitable for internal driveways for an existing caravan park of this function, size and location.
23	Car parking dimensions per AS2890.1	Change the time periods for action to:	The 6 month time period is unreasonable and can not realistically be met, in particular given operational work approval requirements (condition 24). The time period for conditions 20 and 21 is inconsistent.
24	OV approval prior to roadway and car park works		Accept.
25	Pedestrian Pathways Pathways beside roadways with sides on one side or no sides	Delete condition.	The requirement is excessive for a caravan park of this function and size.
26	Stormwater Drainage Internal and external stormwater drainage for 1% AEP event (within 6 months)	Delete conditions 26 – 29.	The requirements are excessive for an existing caravan park of this function, size and non-urban location. The existing drainage arrangements function satisfactorily. Condition 30 is adequate. The accommodation areas of the caravan park did not flood in 2011 or 2012.
27	Stormwater quality treatment (within 6 months)	"	"
28	OV approval prior to drainage works	"	"
29	Drainage easements to point of lawful discharge	"	"

Condition	Summary	Requested Change	Commentary
30	No ponding or redirection of stormwater to adjoining land		Accept.
Landscaping			
31	Landscaping in accordance with Landscaping Code (within 6 months)	Delete conditions 31 & 32.	The requirement is excessive for an existing caravan park of this function, size and non-urban location. A less formalised landscaping treatment as currently in place is appropriate in these circumstances.
32	OW approval prior to landscaping work	"	"
External Roadworks			
33	Sealed Rural Road from Warrego Hwy to site entrance (within 6 months)	<ul style="list-style-type: none"> Amend condition to state that: <ul style="list-style-type: none"> an amount equivalent to the total infrastructure charge for this development shall be applied by the Council towards the cost of the external roadworks; and no additional cost or requirement shall be imposed on the development in relation to external roadworks, beyond payment of the infrastructure charge. 	Zaccane is prepared to accept this condition provided that it is offset against the infrastructure contribution for the development. This is addressed further in the representations on the infrastructure charge notice.
		<ul style="list-style-type: none"> Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given). 	The 6 month time period is unreasonable and can not realistically be met, in particular given operational work approval requirements (condition 34)
34	OW approval prior to roadworks	"	"
Environmental Health			
35	Air conditioning etc in accordance with EPA and EP(Noise)P (within 6 months)	Delete conditions 35 - 39	The requirements are excessive for an existing caravan park of this function, size and non-urban location.
36	Plant & equipment noise limit compliance (within 6 months)	"	"
37	General all-sources noise limit compliance (within 6 months)	"	"
38	All mechanical equipment screened/shielded (within 6 months)	"	"
39	Security/flood lighting to meet AS4282 (within 6 months)	"	"
40	Waste and recycling facilities provided and serviced weekly or as approved by Council (within 6 months)	<ul style="list-style-type: none"> Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 	The 6 month time period is unreasonable and can not realistically be met, given the range of other conditions requiring attention.

Condition	Summary	Requested Change	Commentary
41	Waste and recycling collected and stored in designated, impervious, enclosed location	<ul style="list-style-type: none"> 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given). 	Accept
42	Putrescible waste collected weekly	Delete condition.	This condition is not required as the matter is covered by condition 40.
43	Waster and recycle containers maintained and lidded		Accept.
Lighting			
44	Internal lighting per AS1158 (within 6 months)	Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given). 	The 6 month time period is unreasonable and can not realistically be met, in particular given operational work approval requirements (condition 45).
45	OW approval prior to lighting work		..
Recreation Facilities			
46	Provide (within 6 months):	Change the time periods for action to 12 months (from the date this development approval takes effect).	The 6 month time period is unreasonable and can not realistically be met, given the range of other conditions requiring attention.
	(a) weather protected children's playground; (b) half-size basketball or volleyball court (c) 200m ² communal building	Delete condition.	Accept. The requirement is excessive for an existing caravan park of this function, size and location.
Amenities Building			
47	Make serviceable and provide washing machines and dryers (within 6 months)	Change the time periods for action to 12 months (from the date this development approval takes effect).	The 6 month time period is unreasonable and can not realistically be met, given the range of other conditions requiring attention.
Existing Electricity Supply Works			
48	Certification of compliance with standards (20bd to action, supply evidence within 30bd)	Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 12 months to implement the relevant approvals and complete the works (from the date the relevant approval is given). 	The 6 month time period is unreasonable and can not realistically be met, given the range of other conditions requiring attention.
Existing Gas Supply Works			
49	Certification of compliance with standards (20bd to action, supply evidence within 30bd)	Change the time periods for action to: <ul style="list-style-type: none"> 12 months to apply for relevant approvals (from the date this development approval takes effect); and 	The 6 month time period is unreasonable and can not realistically be met, given the range of other conditions requiring attention.

Condition	Summary	Requested Change	Commentary
Requirements for Operational/Work (OW) Applications			
Note	Conditions 49-62 shall be met in OW applications	Should refer to 50 - 63	Typographical error
		Items 50 – 63 should be identified as 'Advice Notes' and not conditions of development approval.	These matters concern documentation and procedural requirements for separate applications and are not conditions that apply to development.
		Add the following statement to the note: "Except where it is agreed with the Council prior to lodgement that a particular requirement is not justified by the type, scale or other circumstances of the works involved".	The requirements in Items 50 – 63 are not all relevant or necessary in all circumstances.
50	Submit operational works documentation - detailed plans, drawings and calculations, etc	"	"
51	Roadworks in accordance with various applicable standards, etc	"	"
52	Driveways etc sealed and line marked per AS2890	"	"
53	Traffic signage per MUTCD	"	"
54	Works near traffic signed per MUTCD. Traffic management plan submitted for approval prior to works.	"	"
55	Existing above and below ground services alignment and level checked prior to design or works	"	"
56	Silt management facilities in accordance with best practice	"	"
57	Clean up road and drainage network at developer's expense	"	"
58	RPEQ certification at completion of works	"	"
59	Evidence of municipal works value for maintenance bonding	"	"
60	Security bonding prior to works accepted 'on maintenance'	"	"
61	Municipal works accepted 'on maintenance' prior to commencement of use (5% bond)	"	"
62	Approval of engineering drawings design checking fee payable	"	"
63	Inspection fee payable for works not done by Council	"	"
Advice			
1	Approval is to regularise unlawful development – approval requires compliance within timeframes specified	Reword the advice to read "This approval and the conditions attached to the approval have been specifically constructed to recognise the application	Zaccane does not accept that the Helidon Spa Caravan Park is an unlawful development. Development approvals exist for 84 sites (40 which

Condition	Summary	Requested Change	Commentary
		for material change of use is one which seeks to regularise existing development".	are approved for long-term accommodation) and a catering shop.
2	Local law permit to operate caravan park required		Noted.
3	Application to QUU if water supply connection proposed		"
4	Aboriginal cultural heritage duty of care		"
5	Fire ant control		"
6	Hours of construction per State laws and policies		"
7	Construction noise or air pollution per State laws and policies		"
8	Building waste management measures		"

ATTACHMENT 2 – OUM LETTER 14 FEBRUARY 2008

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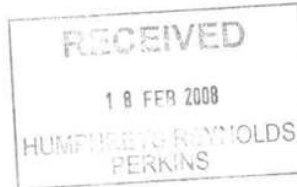


**Queensland
Government**

Our Reference: T4136
Council Reference: DA5525
Enquiries: David Heyden
E-mail address: david.heyden@oum.qld.gov.au

14 February 2008

Tracy Ryan
Gatton Shire Council
PO Box 82
GATTON QLD 4343



Department of
Infrastructure and Planning

Dear Tracy

**APPLICATION FOR MATERIAL CHANGE OF USE FOR RESIDENTIAL DEVELOPMENT AT 7828
WARREGO HIGHWAY, HELIDON**

The Office of Urban Management (OUM), as a concurrence agency, received the above development application on 11 December 2007. On 20 December 2007, the information request period was extended by a further 10 business days without the applicant's agreement, pursuant to section 3.3.6(6) of the *Integrated Planning Act 1997* (IPA). However, following a meeting with the applicant on 8 January 2008, outstanding matters were resolved and a request for further information was not considered necessary. Accordingly, the following information is provided outlining the OUM's position on the proposal.

The subject site is within the Regional Landscape and Rural Production Area (RLRPA) under the *South East Queensland Regional Plan 2005-2026 Amendment 1* (SEQ Regional Plan).

Gatton Shire Council, as assessment manager, has made the determination a material change of use application is required under the IPA. Accordingly, the OUM was triggered as a concurrence agency under section 2.4(1) of the regulatory provisions of the SEQ Regional Plan.

However, in light of the evidence presented in the planning report for the application and recent meeting with the applicant, the OUM considers the proposal is essentially recognising an existing use. Accordingly, the OUM wishes to advise it has no concerns with the proposal as it will not materially impact on the intent of the RLRPA.

For further information or assistance on the OUM's comments in regard to the application, please contact David Heyden by telephone on 3247 5413.

Yours sincerely

David Rowland
Principal Planner
Office of Urban Management

c.c. Mr David Perkins, Humphreys Reynolds Perkins

ABN 25 166 523 889

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8 FEBRUARY 2017**

- 11.4** **Application for Development Permit for Material Change of Use for Outdoor Entertainment (Outdoor Education Facility) on Lots 1, 2 & 3 SP256663 located at 124 & 142 Twidales Road, Helidon Spa**

Date: 01 February 2017
Author: Trevor Boheim, Manager Planning and Environment
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* (SPA) and is recommended for approval subject to the conditions stated in the Officer's Recommendation.

Officer's Recommendation:

THAT the Application for Development Permit for Material Change of Use for Outdoor Entertainment (Outdoor Education Facility) on Lots 1, 2 & 3 SP256663 located at 124 & 142 Twidales Road, Helidon Spa be approved subject to the following conditions which shall be met prior to the commencement of the use unless otherwise indicated:

- 1. The development shall be undertaken generally in accordance with the following plans prepared by Eco Blueprints and referenced as Emu Gully Adventure Education Group Inc.:**
 - (a) Drawing number 2015-33, Drawing No. 1, Issue C, dated 21 July 2016;**
 - (b) Drawing number 2015-33, Drawing No. 2, Issue C;**
 - (c) Drawing number 2015-33, Drawing No. 3, Issue C; and**
 - (d) Drawing number 2015-33, Drawing No. 4, Issue C.**
- 2. The Relevant Period for this Development Permit is four (4) years.**
- 3. The on-site accommodation approved by this development permit is only to be used in conjunction with the use of the property as an Outdoor Education Facility and is not to be used to provide accommodation to the public in the manner of a camping ground or caravan park.**
- 4. 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.**
- 5. Provide all necessary internal and external stormwater drainage to service the**

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development. Such drainage works must be designed and constructed to ensure that there are no impacts on adjoining or downstream properties.

6. All internal roads, driveways, access, manoeuvring areas and designated parking areas shall be constructed and maintained to a minimum gravel road base standard.
7. Provide a stormwater quality treatment facility for the proposed development in accordance with the requirements of State Planning Policy 2014 and South East Queensland Technical Design Guidelines for Water Sensitive Urban Design prior to discharge to downstream receiving areas.
8. No ponding or redirection of stormwater shall occur onto adjoining land.
9. All wastewater shall be treated by an on-site wastewater treatment plant with capacity to treat the load imposed by the use of the facility by the number of persons permitted to be accommodated by this approval.
10. All 'Regulated Devices', 'Pumps', 'Air-conditioning equipment' and 'Refrigeration equipment' as defined by the Environmental Protection Act 1994 must be designed, installed, operated and maintained in order to comply with the noise standards as specified within the Environmental Protection Act 1994 and Environmental Protection (Noise) Policy 2008.
11. All plant and equipment does not result in a level greater than L_{A90} 39 dB(A) when measured at 4m from the most exposed façade of the nearest residential uses.
12. The contribution from all varying noise sources associated with the 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 4m from the most exposed façade of the nearest residential uses.
13. All mechanical plant and equipment, including but not limited to, air conditioning/refrigeration plant and ventilation exhausts/extracts shall be screened/shielded
14. The provision of security and flood lighting shall be designed, constructed, located and maintained in accordance with Australian Standard 4282 – 1997 (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the occupants of nearby properties or passing traffic.
15. A suitable number and type of waste and recycling container/s shall be provided and serviced not less than once per week or as approved by Council. All waste and recycling services must take into consideration the Queensland Waste Strategy particularly the objectives, principles and waste hierarchy and Council's Waste Reduction and Recycling Plan.

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16. Waste and recyclable materials produced on site shall be collected into designated bins and stored in a location that ensures:
 - (a) All waste and recyclable material containers stand on an imperviously paved area; and
 - (b) There is a suitable form of enclosure to conceal and secure the waste and recyclable material disposal area.
17. Putrescible waste must be collected at least every seven days and disposed of at an approved/authorised disposal site.
18. Waste & Recycle containers are to be kept in a clean state and in good repair. Waste containers are to be provided with a tight fitting lid assembly designed to prevent ingress of pests and water.
19. A Caravan Park permit under Subordinate Local Law No.1.8 shall be obtained for the accommodation aspects of the development.

ADVICE

1. 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.
2. 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.

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.

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.

3. 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.
4. 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

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work.

RESOLUTION

THAT the Application for Development Permit for Material Change of Use for Outdoor Entertainment (Outdoor Education Facility) on Lots 1, 2 & 3 SP256663 located at 124 & 142 Twidales Road, Helidon Spa be approved subject to the following conditions which shall be met prior to the commencement of the use unless otherwise indicated:

- 1. The development shall be undertaken generally in accordance with the following plans prepared by Eco Blueprints and referenced as Emu Gully Adventure Education Group Inc.:**
 - (a) Drawing number 2015-33, Drawing No. 1, Issue C, dated 21 July 2016;**
 - (b) Drawing number 2015-33, Drawing No. 2, Issue C;**
 - (c) Drawing number 2015-33, Drawing No. 3, Issue C; and**
 - (d) Drawing number 2015-33, Drawing No. 4, Issue C.**
- 2. The Relevant Period for this Development Permit is four (4) years.**
- 3. The on-site accommodation approved by this development permit is only to be used in conjunction with the use of the property as an Outdoor Education Facility and is not to be used to provide accommodation to the public in the manner of a camping ground or caravan park.**
- 4. 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.**
- 5. Provide all necessary internal and external stormwater drainage to service the development. Such drainage works must be designed and constructed to ensure that there are no impacts on adjoining or downstream properties.**
- 6. All internal roads, driveways, access, manoeuvring areas and designated parking areas shall be constructed and maintained to a minimum gravel road base standard.**
- 7. Provide a stormwater quality treatment facility for the proposed development in accordance with the requirements of State Planning Policy 2014 and South East Queensland Technical Design Guidelines for Water Sensitive Urban Design prior to discharge to downstream receiving areas.**

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- 8. No ponding or redirection of stormwater shall occur onto adjoining land.**
- 9. All wastewater shall be treated by an on-site wastewater treatment plant with capacity to treat the load imposed by the use of the facility by the number of persons permitted to be accommodated by this approval.**
- 10. All 'Regulated Devices', 'Pumps', 'Air-conditioning equipment' and 'Refrigeration equipment' as defined by the Environmental Protection Act 1994 must be designed, installed, operated and maintained in order to comply with the noise standards as specified within the Environmental Protection Act 1994 and Environmental Protection (Noise) Policy 2008.**
- 11. All plant and equipment does not result in a level greater than L_{A90} 39 dB(A) when measured at 4m from the most exposed façade of the nearest residential uses.**
- 12. The contribution from all varying noise sources associated with the 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 4m from the most exposed façade of the nearest residential uses.**
- 13. All mechanical plant and equipment, including but not limited to, air conditioning/refrigeration plant and ventilation exhausts/extracts shall be screened/shielded**
- 14. The provision of security and flood lighting shall be designed, constructed, located and maintained in accordance with Australian Standard 4282 – 1997 (Control of the obtrusive effects of outdoor lighting) and so as not to cause nuisance to the occupants of nearby properties or passing traffic.**
- 15. A suitable number and type of waste and recycling container/s shall be provided and serviced not less than once per week or as approved by Council. All waste and recycling services must take into consideration the Queensland Waste Strategy particularly the objectives, principles and waste hierarchy and Council's Waste Reduction and Recycling Plan.**
- 16. Waste and recyclable materials produced on site shall be collected into designated bins and stored in a location that ensures:**
 - (a) All waste and recyclable material containers stand on an imperviously paved area; and**
 - (b) There is a suitable form of enclosure to conceal and secure the waste and recyclable material disposal area.**
- 17. Putrescible waste must be collected at least every seven days and disposed of at**



- 18. Waste & Recycle containers are to be kept in a clean state and in good repair. Waste containers are to be provided with a tight fitting lid assembly designed to prevent ingress of pests and water.**
- 19. A Caravan Park permit under Subordinate Local Law No.1.8 shall be obtained for the accommodation aspects of the development.**

1. 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.
2. 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.

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.

- Moved By:** Cr Holstein **Seconded By:** Cr McLean
Resolution Number: 16-20/0359

7/0

Report

1. Introduction

The application, which was lodged on 6 March 2015, seeks Material Change of Use approval for Outdoor Entertainment (Outdoor Education Facility) for the property currently occupied by the Emu Gully Adventure Education Group Inc.

2. Background

The land has been progressively developed since 1996 and some of this has occurred without development approval. The purpose of the application is to regularise existing facilities and activities that do not have development approval and to provide for the future growth of the facility. It should be noted that the application has not arisen as a result of compliance action by Council and has instead been lodged as a result of the operators identifying the need to regularise development that has occurred over time without development approval and to secure approval for future growth of the facility.

A review of previous development approvals on the land has been undertaken and these are detailed below:

C3 – Consent Approval for Caretakers Residence

The application was approved by Council 19 July 1995. The approved plans comprise a floor plan for a three-bedroom residence and a site plan showing the location of the proposed Caretakers Residence, in the north-western corner of Lot 1 SP256663 10m from its northern boundary and 75m from its eastern boundary. A review of aerial photography for the site indicates that a residence has never been constructed in the location approved by C3.

C438 – Consent Approval for Adventure Education & Educational Farm Tours

The application was approved on 18 March 1998. It approves ropes courses, abseiling, and climbing, water-based activities on the dam, water slide adjacent to creek, skirmish, flying fox, rope swing, horse riding, mountain bike riding, 4WD activities, hiking, volleyball and a go-kart track. The approved plans show the location of the ropes course, paintball fields, go-kart track, covered shelter, tack & equipment barn, relocatable toilets, abseiling tower and an old house used for storage. On 19 August 1998 changes were made to the conditions of approval.

DA103 – Extension to Outdoor Education & Adventure Centre

A copy of this approval has not been able to be located. Based on related documents that have been located it apparently approves an activity shed, a storage shed, a toilet block and something to do with catering.

DA303 – Extensions to Outdoor Education & Adventure Centre

A copy of this approval has not been able to be located. Based on related documents that have been located it apparently approves accommodation buildings, toilet facilities, kitchen/dining facilities, a storage area a conference rooms.

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DA4115 – MCU for Extension to Adventure Education Centre (MCU0869)

This application was approved on 29 May 2006. It approved a kitchen and dining room in a single H shaped structure and a lecture room to its north. A review of aerial photography indicates that these buildings have been developed on the site.

DA6486 - MCU Extension to Existing Adventure Education Facility & Boundary Realignment

This application was approved on 21 December 2009. It approves a museum building and an adjacent car parking area located in the south-eastern corner of what is now Lot 2 SP256663. The proposed boundary realignment was approved. A review of aerial photography indicates that the museum and car parking area have not been developed. A review of the current lots confirms that the boundary realignment was acted upon and that the existing lots reflect those approve by DA6486.

3.0 Assessment

3.1 Subject Land

The subject land comprises three lots located at the southern end of Twidales Road, Helidon Spa, these being Lot 1 SP256663 (16.82ha), Lot 2 SP256663 (7.842ha) and Lot 3 SP256663 (51.54ha). The location and extent of the land subject of the application is shown in the aerial image provided below.



3.2 Proposed Development

The application seeks Material Change of Use approval for Material Change of Use approval for Outdoor Entertainment (Outdoor Education Facility).

The application lodged on 6 March 2015 sought approval in three stages, which are described in the planning report supporting the application as follows:

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Stage 1 involves the development of an Adventure Camping Area and Intern Accommodation. The Adventure Camping Area includes permanent tent camping areas with each including a hexamine stove cooking area and being suitable to cater for a total of twenty - five (25) persons.

Accordingly, the Adventure Camping Area will cater for a total of 200 persons at any one time. The camping area will also incorporate a large tarpaulin covered meeting area, ablutions, showers and sink washing area which a gas fired hot water system. Accommodation for teachers will also be provided within a long portable cabin with bunk bed facilities and an ensuite for each side.

Intern accommodation is also proposed as part of Stage 1 and will involve three (3) x two (2) person cabins with ensuites. A new ablution block and additional small ensuited cabin have also been incorporated in to Stage 1.

It is noted that the above program, activities and buildings as identified in Stage 1 above already exist on the development site, and serve to meet the current demand for the development.

Stage 2 will involve the development of an ANZAC Spirit Program, which will utilise tent accommodation for participants and cater for a total of one hundred and twenty (120) persons. An ablutions block will be provided and will include showers, toilets, urinals, and a disabled toilet and shower facility. One (1) cabin with an ensuite will be provided for group staff and will cater for six (6) - twelve (12) persons.

The accommodation and ablutions associated with Stage 2 will be connected to the current on-site sewerage treatment plant. Stage 2 will also involve the establishment of the activity areas associated with the ANZAC Spirit Program. It is noted that these activity areas will reduce the total activity areas, which are currently utilised by the Adventure Camping Program.

Stage 3 will involve the development of a new administration building which will include an office, administration area and staff room. The building will incorporate an open plan office with a front reception, offices, an archive/uniform room, and a staff/meeting/board room, which will cater for up to thirty (30) persons. A large undercover activity area will also be developed as part of this stage. A conceptual layout of the proposed development is illustrated on the Site Plans attached as Appendix B.

A copy of the "Site Plans" referred to in the above description of the proposal is provided as Attachment 1.

Concerns were raised with the applicant's consultant on 2 October 2015 that the material submitted with the application falls far short of what is necessary to enable a development permit to be issued and that in particular the annotated google images were not suitable as plans that could form part of approved plans to be attached to a development approval. Further advice was provided to the applicant's consultant in November 2015 as to what plans would be required to be provided.

On 2 June 2016 the applicant's consultant advised that the necessary plans were being prepared and that it was also intended to amend the proposal and that this was considered to

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constitute a minor change to the application. The proposed changes to the application were described as follows:

We are now seeking to integrate four (4) stages to allow the accommodation (for up to 100 students) to be completed in Stage 4 of the development as opposed to Stage 2. The activity areas that were proposed in Stage 2 will remain unchanged, as part of Stage 2, and the accommodation component will simply be relocated to Stage 4. Stage 1 and 3 will remain unchanged and as originally proposed.

At this stage, Emu Gully are not sure if they will proceed with the additional accommodation and relocating this component to Stage 4 of the development will give them greater flexibility in the future. This will allow them to complete the other stages of the development in sequence with the option of completing the accommodation at the end of the development at Stage 4 if they are in a position to do so at that time.

Confirmation was provided to the applicant on 28 June 2016 that the change as described above is a minor change.

A set of plans that are suitable for attachment to a development approval and which reflect the changes described on 2 June 2016 were provided to Council on 29 August 2016, almost 11 months after the need for suitable plans had been raised. A copy of these plans is provided as Attachment 2.

The proposed development, as set out in the plans provided on 29 August 2016, comprises the following elements:

Stage 1

- Accommodation for up to 170 persons in the following:
 - Beersheba Barracks 1 & 2 - Accommodation Cabin
 - Fromelles Barracks No 2 - Accommodation Cabin
 - Long Tan Cabin - Accommodation Cabin
 - Elands River Cabin - Accommodation Cabin
 - Kokoda Cabin - Accommodation Cabin
 - Milne Bay Barracks - Accommodation Cabin
 - Gallipoli Barracks - Accommodation Cabin
 - Kapyong Cabin - Accommodation Cabin
 - Accommodation Tent
 - Accommodation Tent
- Adventure Camping Camp Site (capacity of 200 persons) and including:
 - Shipping storage container
 - Shipping storage container
 - Communal Meeting Area
 - Accommodation Cabin
 - Female Showers
 - Female Bush Toilet x 5
 - Male Showers
 - Male Urinals

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- Male Bush Toilets x 4
- Supporting facilities comprising:
 - Mess
 - Mess hall -kitchen/dining
 - Media Room
 - Drill Hall
 - Ablution Block 1
 - Ablution Block 2
 - Ablution Block 3
 - Open Shed
 - Barn
 - 'Grey' shed
 - Shed
 - Workshop
 - Carport
 - Office/Admin
 - Dwelling
 - Aircraft Hanger 1
 - Aircraft Hanger 2
- Activity areas comprising:
 - Night Walk & Malayan Campaign Activity Area
 - Mekong Delta
 - Activity Area 1

Stage 2

- Activity areas comprising:
 - ANZAC Spirit Activity Area
 - Anzac Spirit Activity Area (or additional land for STP)
 - Sister ANZAC Core Activity Area

Stage 3

- Proposed Admin Block & Staff Room (Stage 3)
- Proposed Undercover Area to replace existing cottage
- Proposed Undercover Area
- Alternative site for Undercover Area (Stage 3)

Stage 4

- ANZAC Spirit Accommodation Area comprising:
 - Tent accommodation for 120 persons
 - Cabin with ensuite (6-12 staff accommodation)
 - Ablutions Block

The total capacity of the accommodation provided is in the order of 490 persons.

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Of the above elements, all of the accommodation (370 persons) and all of the supporting facilities comprising Stage 1 are already in existence and in use as are the three activity areas. Based on the review of earlier approvals it is likely that with the exception of the Adventure Camping Camp Site, all of the development comprising Stage 1 was approved by C438, DA103, DA303 and DA4115. The inclusion of these elements in this application, will when the application is approved, put it beyond doubt that these components have development approval.

Additional relevant information about the operation of the facility that is not contained in the planning report submitted with the application was provided by the CEO of the Emu Gully Adventure Education Group Inc. on 31 January 2017. In particular the CEO was able to advise that:

- The number of persons visiting the facility each year is approximately 15,000.
- The majority of attendees are school groups although there is also use of the facility by both corporate and sporting groups.
- Most school groups stay for 3 to 5 days.
- About 260 school groups visit the facility each year.
- There are between 4 and 8 school groups on the property at any one time.
- The vast majority of school groups (>99%) travel to and from the property by coaches. The only exception is attendees from local schools who are dropped off and picked up by their parents.
- There are presently about 30 staff working at the facility.
- The total number of attendees at the facility at any one time is in the order of 350 persons and the proposed capacity of the facility in terms of camp sites exceeds the practical ability to provide effective educational and leadership experiences.
- The facility is not open to individuals for camping as would occur in a camping ground or caravan park.

The total capacity of the accommodation provided is in the order of 490 persons, although as indicated above the number of persons on site at any one time is in the order of 350 persons.

3.3 Assessment – Legislative Requirements

The application required to be assessed and determined under SPA. The subject land is included in the Rural General and Rural Agricultural zones. In accordance with the SPA and the *Gatton Shire Council Planning Scheme 2007*, a development application for Material Change of Use for Outdoor Entertainment (Outdoor Education Facility) requires impact assessment.

3.4 Referral Agencies

As required by the *Sustainable Planning Regulation 2009* the application was referred by the applicant to the State Assessment and Referral Agency (SARA) as a result of the land having a frontage to a State Controlled Road. The application was referred to SARA and SARA provided its response on 6 May 2015, which indicated that it has no requirements.

3.5 Public Notification

The application was publically notified from 30 April 2015 to 22 May 2015. No properly made submissions were received during the public notification period.

3.6 Assessment – Gatton Shire Council Planning Scheme 2007

The application seeks approval for Outdoor Entertainment (Outdoor Education Facility). As an impact assessable development, assessment of the application is against the planning scheme as a whole.

Desired Environmental Outcomes

Environment

- (a) Gatton Shire's 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 minimised.*

The development does not impact adversely on the natural environment, waste is effectively managed, sustainable use of land is achieved and the land is not susceptible to land degradation, including erosion, landslip and contamination. The development is therefore consistent with this DEO.

Character and Landscape Quality

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

The development does not compromise the protection of rural character, significant natural features, cultural heritage or landscape values and so satisfies this DEO.

Settlement Pattern, Amenity and Safety

- (f) The town of Gatton retains its role as the primary centre in the Shire for retail services, employment opportunities and higher order community services and facilities, with Helidon, Withcott and Grantham serving as secondary centres.*
- (g) Urban and rural residential development in Gatton Shire occurs in discrete centres or localities that provide a sense of place and community identity, and possess a high level of safety, convenience and amenity for residents.*
- (h) Housing options to meet the needs of community members throughout life are encouraged.*
- (i) Planning and design takes into account the potential adverse effects from natural hazards such as bushfire, landslip or flooding.*

The development does not impact on the hierarchy of centres, the safety and amenity of residents, diminish housing options or not have appropriate regard for natural hazards and so is consistent this DEO.

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Access to Services, Facilities and Employment Opportunities

- (j) *Convenient and efficient access to services, facilities and employment opportunities is promoted.*

The development provides both an additional community service and employment opportunities for about 30 persons and so is consistent with this DEO.

Cultural Heritage

- (k) *Gatton Shire's areas or places of cultural heritage significance such as those of indigenous cultural significance, or aesthetic, architectural, historical, scientific, social or technological significant, to the present generation of future generations are managed and their ongoing significance for the community is maintained or enhanced.*

The development does not adversely impact areas of places of cultural heritage significance and so is consistent with this DEO.

Economic Development and Natural Resource Management

- (l) *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.*
- (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 development is not inconsistent with this DEO.

Rural General Zone

The overall outcomes sought for the Rural General zone are the following-

- (a) *The zone is to provide for agricultural production, other rural activities and the maintenance of the Shire's landscape quality that is important to the overall character of the Shire.*
- (b) *Closer settlement, particularly urban and rural residential development, is not consistent with the zone, in accordance with the SEQ Regional Plan.*

The development is not inconsistent with the either of the above overall outcomes.

The specific outcomes sought for the Rural General zone are the following:

- (a) *Downstream water quality is protected from impacts resulting from the development.*
- (b) *New uses and works associated with new development are located, designed and managed to minimise adverse effects on environmental values.*
- (c) *Access arrangements required to service new development are designed to accommodate the type and volume of traffic likely to be generated.*
- (d) *Development achieves effective separation or buffering from existing incompatible uses or those that may establish in the future.*

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- (e) *Rural service industries may be appropriate where complying with the purpose of the code.*
- (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 environmental and landscape features;*
 - (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 systems and electricity supply adequate for all on-site purposes.*
- (g) *Extractive industry uses occur within this zone where it is demonstrated that:*
 - (i) *the resource is of sufficient size and of an acceptable quality to provide a sustainable and economically viable operation;*
 - (ii) *there is a community need for the product;*
 - (iii) *environmental impacts are within sustainable levels; and*
 - (iv) *the likely transportation routes are constructed to an standard sufficient to accommodate haulage vehicles, having regard to the safety of other road users and the physical impact on the roads.*
- (h) *Intensive animal industries may be appropriate in this zone. Such uses will be sufficiently separated and buffered from the Shire's towns, villages and rural residential communities so that there will be no adverse impact on the amenity of these areas. Any expansion or intensification of any existing intensive animal industry use which has existing adverse impacts from odour, noise, traffic other impacts on a settlement within the Shire is inconsistent with this zone.*
- (i) *Industrial development relating to explosives manufacture is not located within 2 kilometres of the town of Helidon for safety reasons.*
- (j) *Development is restricted in the Tenthill historic subdivision area due to servicing constraints.*
- (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 development is not inconsistent with the any of the above specific outcomes and in particular advances the achievement of specific outcome (f).

Rural Agricultural Zone

The overall outcomes sought for the Rural General zone are the following-

- (a) *Good quality agricultural land is preserved for sustainable agricultural purposes.*

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- (b) *The ongoing use of good quality agricultural land for agricultural purposes is not prevented or constrained by:*
- (i) use of the land for other purposes;*
 - (ii) non-rural development on nearby land which restricts agricultural practices;*
 - (iii) fragmentation of holdings as a result of reconfiguration; and*
 - (iv) land degradation resulting from development.*

The development is not located on good quality agricultural land and so is not inconsistent with the above overall outcomes.

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 downstream 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.*
- (b) *Intensive animal industries are inconsistent with the overall outcomes of the zone particularly where they may impact on a settlement within the Shire as a result of odours, noise or other impacts.*
- (c) *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 development is not inconsistent with the above specific outcomes.

Rural Development Zone

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 takes account of the on-site topography and drainage, existing vegetation and does not adjoin land likely to be used for residential, rural residential or other sensitive purposes and so is consistent with the above specific outcomes.

Services and Infrastructure Code

P1. An adequate, safe and reliable supply of potable and general use water is provided for each premises including, where available, connection to an approved reticulated system.

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P2. Treatment and disposal of effluent is provided for on-site to minimise impacts on waterways and wetlands and does not:

- (a) increase any adverse ecological impacts, particularly on any nearby sensitive receiving environments, as a result of the system or increasing the cumulative effect of systems in the locality;*
- (b) increase any health risks during a system failure;*
- (c) deteriorate the water quality of existing and/or proposed water supplies ;*
- (d) limit the sustainable disposal of domestic effluent.*

P3. New premises have electricity supply.

P4. On-site drainage does not adversely affect adjoining land or the downstream stormwater system.

P5. Security of tenure is obtained for rights to convey and/or discharge stormwater associated with the new development or use.

P6. Construction work associated with new development does not result in cost or work required by the service provider.

P7. Premises provide for:

- (a) a vehicle crossing or crossings, from the carriageway to the frontage of the land, constructed and finished to standards sufficient to accommodate expected vehicle use;*
- (b) footpath formation which matches acceptable adjoining conditions or is*
- (c) in keeping with the required profile for roads in the locality;*
- (d) pedestrian pavement where warranted by expected pedestrian use;*
- (e) appropriate kerb and channelling other than along rural roads;*
- (f) construction and pavement of road as required to meet design and treatment (standards appropriate to the locality; and*
- (g) construction work associated with new development does not result in cost or work required by the service provider.*

P8. For a use located in area requiring access from an unpaved road, and which generates high volumes of traffic or significant heavy vehicle traffic, paved road access is provided between the site and a suitably constructed part of the existing road network.

P9. Development must include water sensitive urban design measures to integrate water supply, wastewater and stormwater and thus ensure protection of the water cycle by minimising wastewater production; minimising impacts on the water cycle, protecting waterway health by improving stormwater quality and reducing site run-off incorporating water reuse infrastructure to maximise recycling opportunities; and use of alternative water sources.

The development is provided with all necessary services and so it is not inconsistent with the above specific outcomes.

Vehicle Access, Parking and On-site Movement Code

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

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- (a) the size of the parking area;*
- (b) the amount and type of vehicle traffic;*
- (c) the type of use (eg. 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:

- (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 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

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) Caravan park (reception area);*
- (b) Catering shop (with drive-through facilities);*
- (c) Educational establishment;*
- (d) Health care premises;*
- (e) Hotel (with drive-through facilities);*
- (f) Motel (reception area);*
- (g) Off-street car park (with entry/exit control facilities);*
- (h) Service station;*
- (i) Shopping centre;*
- (j) Transport terminal,*
- (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 development access driveways, manoeuvring areas, loading/unloading and parking areas are appropriately designed, constructed and maintained and so the development is consistent with the above specific outcomes.

3.6 Assessment – Adopted Infrastructure Charges Resolution

Council's Adopted Infrastructure Charges Resolution No.1 provides Outdoor Entertainment is one of a number of uses that are classified as Specialist Uses for which no charge amounts are specified and so assessment is to be made on an individual basis.

Given that the development will not impose any impacts on Council's trunk road, trunk stormwater or trunk open space networks it is considered that there is no basis upon which to levy an infrastructure charge.

3.7 Assessment – Engineering and Infrastructure Matters

Water and Wastewater

The land is not serviced by the QUU water and wastewater networks. Wastewater will need to be treated by an on-site wastewater treatment plant of an appropriate capacity.

External Roadworks

Twidales Road is, with the exception of the section adjacent to the Warrego Highway which is subject of works for the Toowoomba Second Range Crossing, presently constructed as a two-lane sealed road. This is an appropriate standard for the type and level of traffic generated by the development and so no upgrading of external roads is necessary.

Internal Works

The internal roadways, car parking areas and manoeuvring areas are constructed to a gravel standard and Council's Technical Officer Development Assessment has advised that no upgrading is required.

Stormwater Management

The development is located on both sides of a creek and stormwater runoff from impervious areas (predominantly the structures on the land) drains towards this creek. No stormwater management plan was submitted with the application detailing how stormwater is to be managed. There was no evidence during the site inspection that the stormwater drainage was not performing adequately.

3.8 Other Matters

A Caravan Park permit under Subordinate Local Law No.1.8 will be required for the accommodation aspects of the development. A condition to this effect has been included in the Officers Recommendation.

4. Policy and Legal Implications

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

5. Financial and Resource Implications

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

6. Delegations/Authorisations

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

7. Communication and Engagement

The decision of Council will be formally communicated to the applicant in accordance with the requirements of the *Sustainable Planning Act 2009*.

8. Conclusion

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

9. Action/s

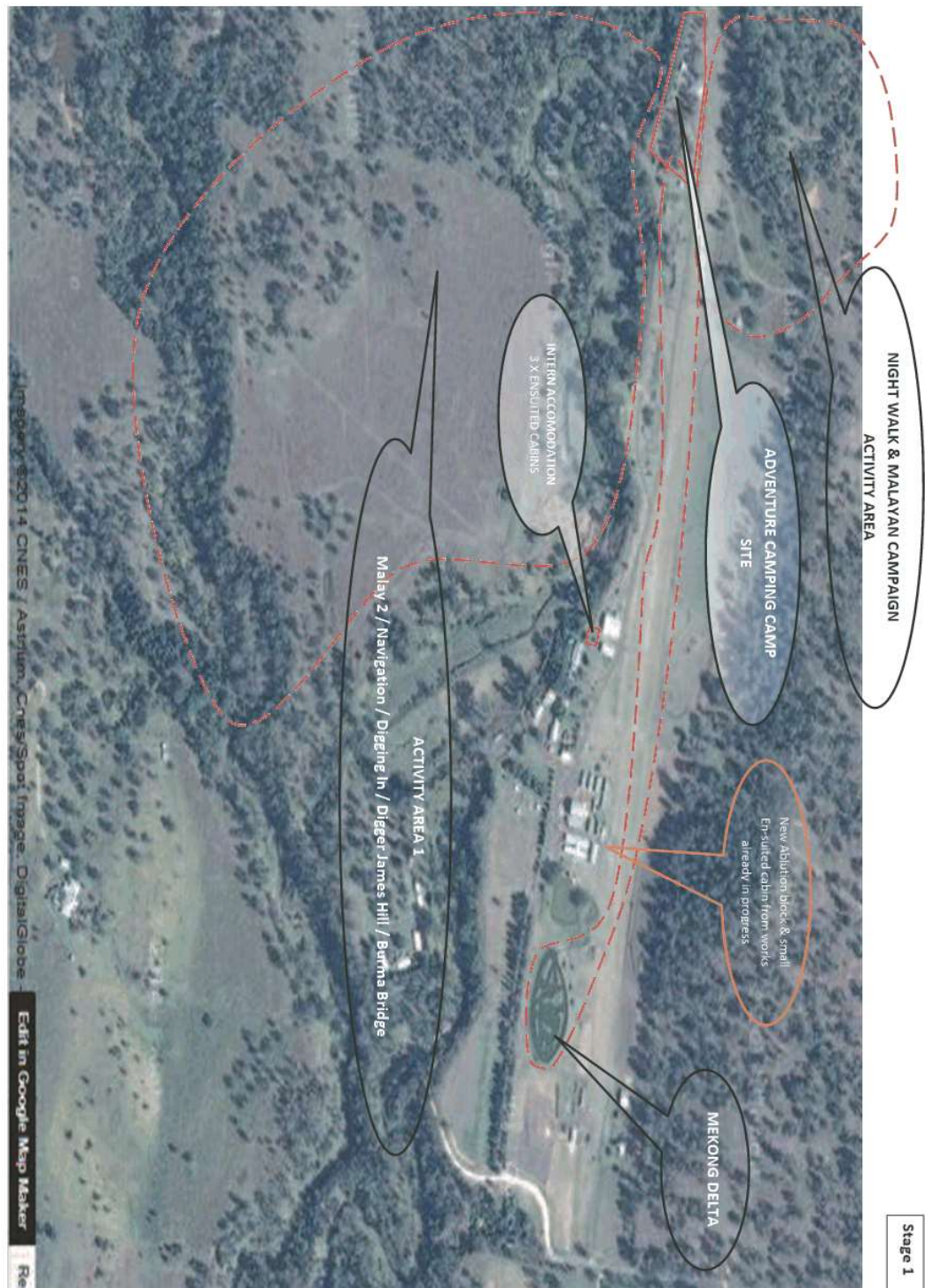
That the application be approved subject to the conditions provided in the Officer's Recommendation.

Attachments

1. Site Plans provided on 29 August 2016.

Attachments

- 1 [View](#) Attach 1 3 Pages
2 [View](#) Attach 2 4 Pages

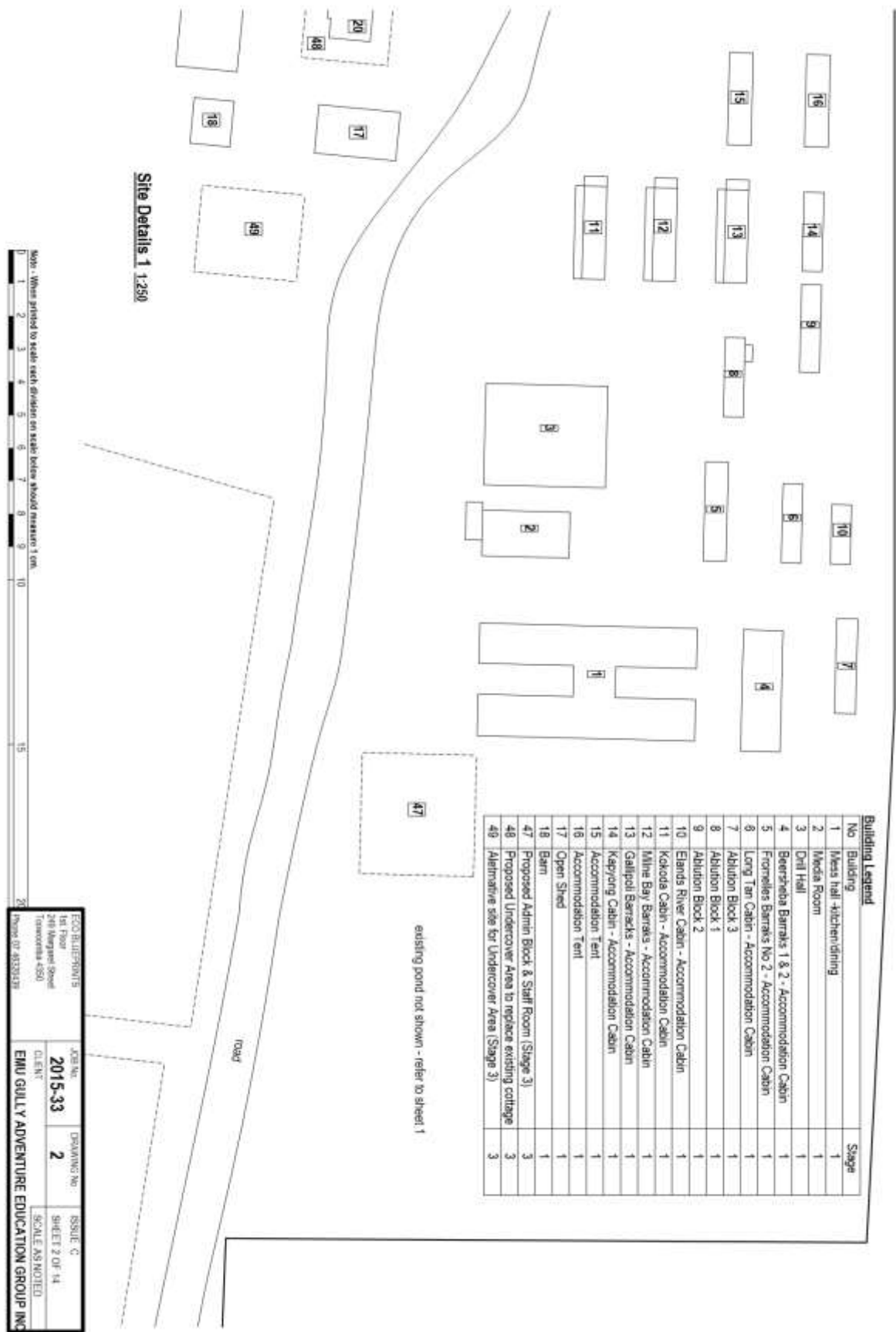




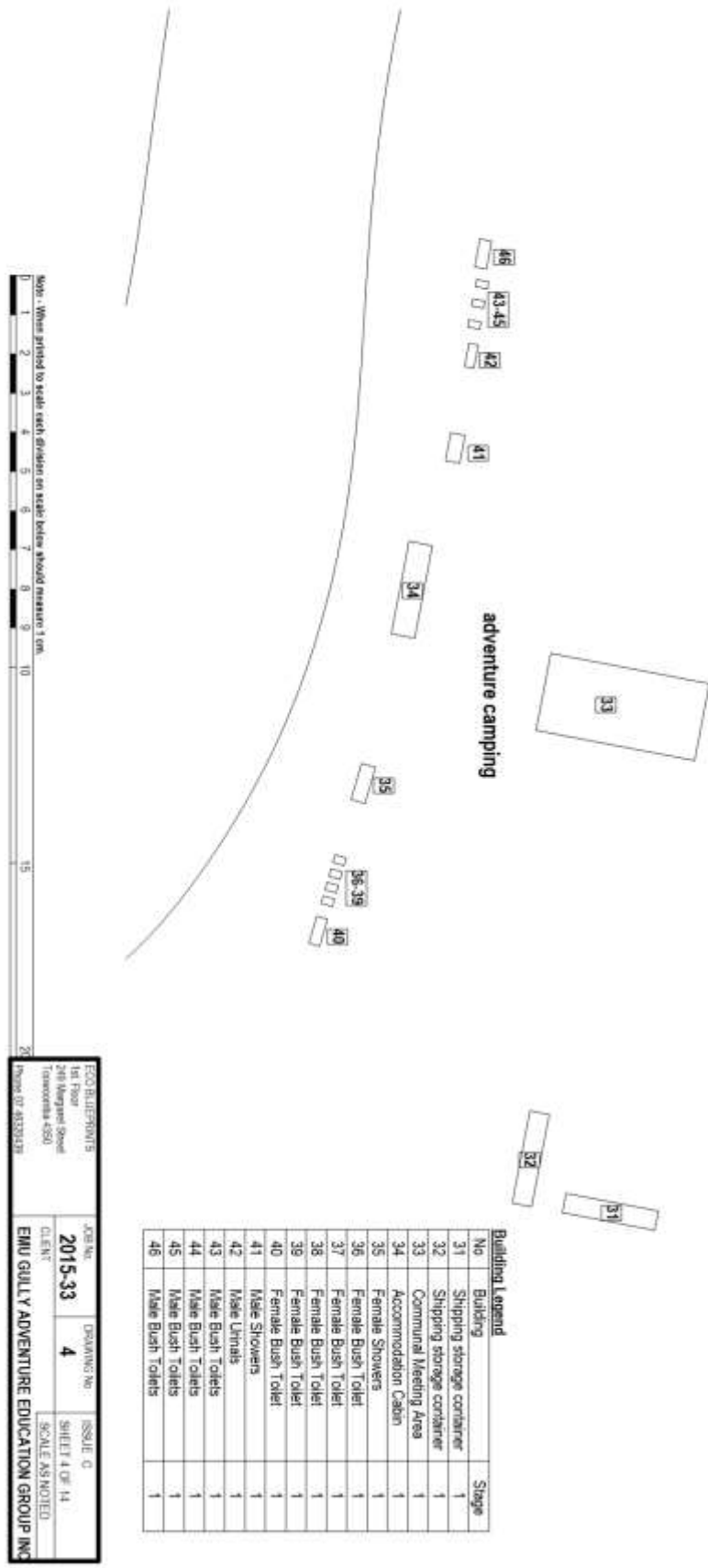
Stage 2











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- 11.5** **Application for Development Permit for Material Change of Use of Premises for Undefined Use for NBN (Telecommunications Facility), on land described as Lot 1 CA31747, located at Nandine Road, Lockyer Waters**

Date: 01 February 2017
Author: Kaleece Done, Graduate Planning Officer
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

Summary:

The application seeks development approval to locate a 40m monopole on a rural property in Lockyer Waters so as to provide NBN service to residents of Churchable, Lockyer Waters and Spring Creek. The proposed location of the facility has been amended to address concerns raised by local residents. The application has been assessed in accordance with the requirements of the *Sustainable Planning Act 2009* (SPA) 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 Undefined Use for NBN (Telecommunications Facility), on land described as Lot 1 CA 31747, located at Nandine Road, Lockyer Waters, be approved and subject to the following conditions:

- 1. Undertake the development in accordance with the approved plans and documents referred to below:**
 - a. Overall Site Plan, Drawing No.4FVL-51-01-CHUR-C2, Revision 02, Lot 1 CA31747 - Nandine Road, Lockyer Waters, prepared by Aurecon Australia Pty Ltd, dated 12 October 2016;**
 - b. Site Setout Plan, Drawing No.4FVL-51-01-CHUR-C3, Revision 02, Lot 1 CA31747 - Nandine Road, Lockyer Waters, prepared by Aurecon Australia Pty Ltd, dated 12 October 2016;**
 - c. Site Elevation and Details, Drawing No.4FVL-51-01-CHUR-C4, Revision 02, Lot 1 CA31747 - Nandine Road, Lockyer Waters, prepared by Aurecon Australia Pty Ltd, dated 12 October 2016;**
 - d. NBN Antenna Configuration & Setout Plan, Drawing No.4FVL-51-01-CHUR-A1, Revision 02, Lot 1 CA31747 - Nandine Road, Lockyer Waters, prepared by Aurecon Australia Pty Ltd, dated 12 October 2016.**
- 2. Maintain the approved development (including landscaping, parking, access driveways) in accordance with the approved drawings(s) and/or documents, and any relevant Council or other approval required by the conditions.**

Use Appearance

- 3. Where the proposed tower and equipment boxes are constructed of metal they are**

**ORDINARY COUNCIL
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to be painted with a matte colour that blends suitably with the surrounding environment.

Access

4. Existing vehicular access is to be used for the proposed development.
5. Any alterations, which are necessary, or damage which is incurred as a result of the proposed development, either to footpaths abutting the subject land or to any services on the road reserve, shall be carried out or repaired at the developer's expense and with the approvals of the relevant authority (being Council or other asset owner).

Public Utilities

6. All above and below ground services potentially affected by the development works must have alignment and level determined prior to any detailed design work or construction works being undertaken. Any conflicts associated with proposed and existing services must be forwarded to the appropriate controlling authority.

Waste Disposal During Construction

7. Provision of suitable waste removal services and suitable number and type of waste containers, in accordance with 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.
8. All wastes collected 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.

Engineering & Construction

9. Construction activities shall not occur outside the hours of 6:30am to 6:30pm, Monday to Saturday.
10. The developer will be responsible for any costs from repairs due to damage caused to Council assets as a result of proposed works undertaken. Where pedestrian and vehicular traffic safety is exposed to hazards created from damage, the damage shall be repaired immediately upon associated works being

**ORDINARY COUNCIL
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completed.

11. No ponding or redirection of stormwater shall occur onto Main Green Swamp Road.

Erosion & Sediment Control

12. Erosion and sediment control measures must be implemented and maintained to prevent the tracking of sediment to and from the site onto the adjoining street network for the duration of the construction period.
13. Any cleaning required of the road and/or drainage network due to erosion and/or sediment from the development will be at the expense of the developer. Such works shall be undertaken immediately where there is potential hazard to pedestrian and/or passing traffic.

Advice

- (i) All works associated with this approval may not start until all subsequent approvals have been obtained, and its conditions complied with.
- (ii) Any additions or modifications to the approved use (not covered in this approval) may be subject to further application for development approval.
- (iii) The relevant period for this development permit is four (4) years. After the relevant period expires, your approval will no longer be current.
- (iv) Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

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

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

RESOLUTION

THAT the application for Development Permit for Material Change of Use of premises for Undefined Use for NBN (Telecommunications Facility), on land described as Lot 1 CA 31747, located at Nandine Road, Lockyer Waters, be approved and subject to the following conditions:

**ORDINARY COUNCIL
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 - c. Site Elevation and Details, Drawing No.4FVL-51-01-CHUR-C4, Revision 02, Lot 1 CA31747 - Nandine Road, Lockyer Waters, prepared by Aurecon Australia Pty Ltd, dated 12 October 2016;
 - d. NBN Antenna Configuration & Setout Plan, Drawing No.4FVL-51-01-CHUR-A1, Revision 02, Lot 1 CA31747 - Nandine Road, Lockyer Waters, prepared by Aurecon Australia Pty Ltd, dated 12 October 2016.
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13. Any cleaning required of the road and/or drainage network due to erosion and/or sediment from the development will be at the expense of the developer. Such works shall be undertaken immediately where there is potential hazard to pedestrian and/or passing traffic.

Advice

- (i) All works associated with this approval may not start until all subsequent approvals have been obtained, and its conditions complied with.



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application being lodged are shown on the aerial image as Candidate Site A and Candidate Site B. Candidate Site A is the site of an existing 30m monopole Telstra Facility. Also shown on the aerial image below are the locations of nearby residences (red squares) and the top of the hill (green triangle). The contour interval indicated is 1.0m.



A key determinate of the site selection process undertaken before a site is progressed through the lodgement of a development application is the ability to provide a telecommunications service to the service area. In relation to the three Candidate Sites the applicant has indicated that:

- Candidate Site A is the location of an existing Telstra 22m monopole and while it would satisfy the objective of achieving co-location it would not be suitable as the height of the existing facility is inadequate and the 22m monopole would need to be replaced with a 50m lattice tower which in addition to being twice the height of the existing structure would be more visually intrusive.
- Candidate Site B would require a 40m monopole to meet service outcomes and while suitable it is a more elevated location (being 5.5m higher than Candidate Site A and 12.0m higher than Candidate Site C) and so would be more visually prominent.
- Candidate Site C would also require a 40m monopole in order to meet service outcomes however the location can utilise an existing farm access and would be less visually prominent of the three options as a result of being located on a site that is 12.0m lower than Candidate Site B and 5.5m lower than Candidate Site A (which would also require a 50m lattice tower instead of a 40m monopole).

As a result of concerns raised by residents during the public notification period (24 August 2016 - 16 September 2016) an amended location for Candidate Site C that was located further from the closest residences was investigated by the applicant and determined to be suitable. This site is indicated on the aerial image below as Candidate Site C – Amended.



Candidate Site C - Amended is on a site that is 4.0m lower than the original location of Candidate Site C and so the difference between the visual prominence of this site and Candidate Sites A and B is even greater.

On 13 October 2016 the applicant made a minor change to the development application pursuant to s.351 of the SPA by submitting new plans and supporting information identifying Candidate C - Amended as the site for which development approval was being sought. As this was a minor change within the meaning of s.350 of SPA the application the application was not required to be re-notified.

3. Proposed Development

The application seeks development approval for the construction of a NBN telecommunications tower. The development includes the following features:

- A 40m high monopole with an overall height of 41m;
- The proposed NBN lease area for the tower is 100m², with a tower base of approximately 46m²;
- There will be a 2.4m high chain link security compound fence, with a 3m wide access gate; and
- Ancillary components including one outdoor unit (ODU) enclosed within the secure compound (dimensions: 1.5m high x 0.65m wide x 0.65m deep).

The proposal plans of the facility are provided as Attachment 1.

The proposed tower is unmanned and as indicated by the applicant requires maintenance approximately once a year. Maintenance crews intend to gain access to the tower via the owner's existing gravel driveway through the lease agreement.

4. Subject Land

The property is zoned Rural Landscape under the *Laidley Shire Council Planning Scheme 2003* and is included within Regional Landscape and Rural Production Area under the *South East Queensland Regional Plan 2009-2031*.



The above photo shows the land as seen from near the corner of Main Greenswamp Road and Nandine Road looking toward the south-east. The location of the proposed facility in this photo is behind the tree marked with the red X.

The subject land is 20.4743ha in area and contains a single detached dwelling house which currently occupied by the land owner. The subject land is included within two mapped overlays, slope greater than 15% and an overland flow path. However the proposed telecommunications tower is not to be located within that part of the property identified by the slope overlay and the telecommunications tower is proposed to be sited clear of the overland flow path.

The surrounding locality is rural in nature, with single detached dwelling houses on allotments greater than 10 hectares. To the east of the subject site on the opposite side of Main Greenswamp Road, is a former quarry that is currently owned by the Lockyer Valley Regional Council. To the north of the subject site on the opposite side of Nandine Road are residences on large allotments.

5. Assessment

5.1 Legislative Requirements

The application was lodged on 15 July 2016 and became properly made on 27 July 2016. It is required to be assessed under SPA. In accordance with SPA and the *Laidley Shire Planning Scheme 2003*, a development application for an Undefined Use in the Rural Landscape zone is assessable development requiring impact assessment.

5.2 Commonwealth Legislation

The development is also regulated by the following:

- *Telecommunications Code of Practice 1997*; and
- *The Telecommunications (Low-impact Facilities) Determination 1997*.

5.3 SEQ Regional Plan

The subject site is located within the Regional Landscape and Rural Production Area of the SEQ Regional Plan. The facility is exempt development under the SEQ Regional Plan.

5.4 State Planning Policy

The proposed development complies with the relevant State interest provisions as per the State Planning Policy (April 2016).

5.5 Laidley Shire Planning Scheme 2003

The subject land is zoned Rural Landscape. As an impact assessable application it is required to be assessed against the planning scheme as a whole.

Desired Environmental Outcomes

The proposal is consistent with the DEO's for the Laidley region. The development generally supports the underlying strategies of the DEOs by providing the following:

1. Greater economic service capabilities through the provision of efficient telecommunications connections to regional communities.
2. Retains scenic amenity and agriculture uses through a small facility footprint.
3. Supports community wellbeing by providing new access to updated network facilities.

Codes

The codes are relevant to the assessment of the application are as follows:

- Rural Areas Code;
- Community Uses Code;
- Advertising Devices Code;
- Building Dimensions Code;
- Landscaping Code;
- Lighting Code;
- Services and Infrastructure Code; and
- Vehicle Access, Parking and Onsite Movement Code

Rural Areas Zone

The subject site is in the Rural Landscape zone within the Rural Areas zones under the *Laidley Shire Planning Scheme 2003*. The current subject land is used for grazing purposes; the proposed telecommunications facility does not impact on the current agricultural land use, as the facility's footprint is minimal. The facilities perimeter takes up approximately 100m² (10m length x 10m width) and allows for the rest of the 20,464m² of land to be utilised for agricultural purposes.

This achieves the overall requirement for that the rural areas zone which is to be used for predominately agricultural purposes and that the Shire's local and regional significant natural and cultural assets are preserved. Furthermore the site has also been selected as it is within an area where there is low-density house on large allotments.

Community Uses Code

The proposed telecommunications facility is assessable against the Community Uses Code. The proposal generally complies with the code. Conditions are recommended to ensure that landscaping is provided to screen fencing and associated compound uses from the street, which satisfies Specific Outcome 5 of the code. In regards to Specific Outcome 4 requiring new facilities be co-located with existing facilities, co-location was not an option with the NBN rollout as the existing 22m height of this tower was inadequate and the tower would need to be replaced by a 50m lattice tower.

Advertising Devices Code

The proposed telecommunications tower does not propose to have any free standing advertising devices. The code is not applicable in this instance.

Building Dimensions Code

The proposal does not comply with the 10m high requirements of the Building Works Code. The telecommunications tower is 40 metres in height to achieve suitable frequency coverage to cater for NBN coverage to Lockyer Waters, Spring Creek and Churchable. This height is required for the type of use in order to achieve suitable coverage.

Landscaping Code

The proposal generally complies with the landscaping Code. A condition is recommended to paint the metal tower in a matte colour, which allows it to blend suitably with the surrounding landscape. Given the location of the facility within a rural property it is considered landscaping is not warranted.

Lighting Code

The proposal does not intend to have lighting. Maintenance/construction will be conditioned to be during daylight hours only.

Services and Infrastructure Code

The proposal complies with the requirements of the Services and Infrastructure Code. The proposed development provides for the needs of the users and maintains high environmental standards.

Vehicle Access, Parking and On Site Movement Code

The applicant has stated the existing gravel driveway will be utilised for vehicle access and surrounding land for parking. The proposal complies with the requirements of the Vehicle Access, Parking and On Site Movement Code by providing suitable access from the road reserve and efficient space for the annual on-site maintenance vehicles.

Summary of Assessment

Following a comprehensive assessment of the proposal against the planning scheme codes of the *Laidley Shire Planning Scheme 2003*, the proposal has been determined to be generally compliant with the scheme and where required, reasonable and relevant conditions have been recommended to ensure the desired development outcomes are achieved.

5.6 Referral Agencies

The application did not require referral to any external referral agency.

5.7 Alternative Locations

The material submitted with the application provides details of the assessment of alternative sites, as this is required to be undertaken by Commonwealth legislation. This does not mean in any way that when assessing the application under SPA Council has the ability to choose from among the sites considered as the development application seeks approval for one site only. Rather the information provided on the evaluation of alternative sites or options demonstrates that there has been consideration of different ways of providing the telecommunications service. This is an unusual situation in that very few if any development applications lodged by private sector developers include information on other sites that were considered as part of the selection of a site for development

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Of the four sites that have now been considered by the proponent, the site that is proposed by the amended application achieves the greatest combined separation distance from the two closest residences from where submissions have been received. This is illustrated on the above image and in the comparison provided below:

Candidate Site A	72m from Residence A 293m from Residence B
Candidate Site B	87m from Residence A 227m from Residence B
Candidate Site C Preferred	205m from Residence A 91m from Residence B
Candidate Site C Amended	228m from Residence A 175m from Residence B

Of the four sites that have now been considered, the site that is proposed by the amended application is situated lower on the hill than the other three candidate sites and so would be less visually prominent in the landscape:

Candidate Site A	150.5m AHD + 50m lattice tower = 200.5m AHD*
Candidate Site B	156.0m AHD + 40m monopole = 196.0m AHD
Candidate Site C - Preferred	144.0m AHD + 40m monopole = 188.0m AHD
Candidate Site C - Amended	140.0m AHD + 40m monopole = 180.0m AHD

* - Note that the use of Candidate Site A involves the replacement of an existing 22m high monopole (which has a total height of 172.5m) with a lattice tower.

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Following the Council meeting of 14 December 2016 where it was suggested that an alternative location on the Council owned land further south of Candidate Site B may be suitable the applicant examined the utility of this location. The applicant has provided advice that this location is not suitable, as it would not provide an acceptable level of service to the residents of Churchable, Lockyer Waters and Spring Creek.

6. Public Notification

The application was publicly advertised for fifteen (15) business days from the 24 August 2016 to the 16 September 2016, as required under SPA notification was carried out the following ways;

- A notice was maintained on site from the 24 August 2016 to the 16 September 2016;
- A notice was published in the Gatton Star on the 24 August 2016; and
- A letter was sent to all adjoining landowners on the 24 August 2016.

Council received three properly made submissions against the application. The relevant planning matters have been raised in the properly made submissions to Council and a response to the matters is provided below:

Issue: Amenity – concerns were raised regarding the visual impact the NBN telecommunications tower would have on the surrounding rural landscape.

Response: The submitters felt that the location was obstructing views and decreasing the amenity to surrounding landowners. As a result of this issue being raised in the submissions, the applicant made a 'minor change' (under s.351 of the SPA) to move the site location of the tower so that it is approximately 175 metres south from the impacted dwelling house. The tower has also been positioned further down the natural slope of the land on a site that is 4m lower.

The photomontage provided below shows the proposed 40m monopole as seen from Nandine Road. As a result of Residence B being some 6m lower than the road in this location the facility as would be less visible from the residence than it is in this image.



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Taking into consideration that the location of the tower is approximately 175 metres from the nearest neighbouring dwellings, the topography of the land undulates and the existing vegetation on the site; it is considered that the proposed facility location will not have a substantial impact on amenity of the neighbouring residences.

Issue: Locality – matters were raised in relation to the locality as there are already two telecommunications towers further up on Balaam Hill Road and that the proposed tower was too close to existing dwelling houses.

Response: As discussed previously, the proposed site of the facility has been moved as a result of submissions received. The new location selected by the applicant is within an area where there were fewer houses adjacent. As indicated by the applicant the colocation with the existing telecommunication tower (Candidate Site A) was dismissed, as it would have greater impacts.

Issue: Traffic hazard – concerns were raised regarding the increased traffic hazard of the T-intersection of Main Greenswamp Road, Nandine Road and Balaam Hill Road.

Response: The telecommunications tower has low traffic impact as there will be maintenance crews on site once a year and furthermore access is being provided by utilising the existing driveway.

Issue: Health – Concerns were raised in regards that the telecommunications facility would cause health hazards to the surrounding community and was not safe to residents in its location.

Response: The applicant has submitted that the tower will operate in accordance with the ARPANSA – Australian Radiation Protection and Nuclear Safety Agency requirements for health safety. The maximum EME level calculated for the proposed systems at this site is 0.071% of the public exposure limit. This matter is regulated by the Commonwealth and is not a relevant planning matter.

Issue: Lack of community consultation – there were concerns that there was a lack of consultation with adjacent landowners and that Aurecon had not acted appropriately.

Response: The development application was public notified in accordance with the relevant requirements of SPA. While not required by SPA a public information session was held and letters were sent to adjacent landowners to meet requirements of Commonwealth legislation.

7. Further Approvals Required

Building Works Permit

8. Adopted Infrastructure Charges

Council's Adopted Infrastructure Charges Resolution does not provide for a charge to be levied for telecommunications facilities.

9. Other Matters

The resident and owner of the property immediately to the north of the subject land addressed the 14 December 2016 Council meeting and raised the matter of compensation that would be payable as a result of the devaluation of her property as a result of loss of views and presence of the facility. It is an important principle of planning law that the impact of development on the value of a property does not give rise to compensation and that this is a matter that is not to be considered when assessing and determining a development application.

As an illustration of why this is the case, the approval and construction of every additional residential high-rise development on the Gold Coast would have an impact on the views of some from other properties and to the extent that ocean views were lost it would certainly result in a fall in the value of the property. If compensation was to be payable as a result of new development and the impact on the value of other properties was a relevant consideration when assessing development applications this would have a significant negative implications for property development and the contribution of this sector to the economy.

10. Policy and Legal Implications

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

11. Financial and Resource Implications

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

12. Delegations/Authorisations

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

13. 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 SPA.

14. Conclusion

The placement of an NBN telecommunications tower on Balaam Hill is necessary to allow residents of Churchable, Lockyer Waters and Spring Creek to benefit from the roll-out of NBN services across the Lockyer Valley. A process of considering three alternative sites was undertaken by the proponent prior to the lodgement of the application and the site with the least impacts was selected. As a result of concerns raised by nearby residents a fourth site was evaluated and as this resulted in lesser impacts on the two nearest residences the application was amended to seek approval for this site. A fifth site suggested by Council at the 14 December 2016 meeting was also evaluated by the applicant and dismissed as it will not provide an acceptable level of service to residents of Churchable, Lockyer Waters and Spring Creek.



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The site for which development approval is sought represents an appropriate balance between the need to ensure residents of Churchable, Lockyer Waters and Spring Creek can access the NBN and the desire to achieve the least impact on amenity and the greatest separation from the closest residences.

15. Action/s

That the application be approved in accordance with the Officer's Recommendation.

Attachments

1 [View](#) Plans 6 Pages

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1. SITE ADDRESS
LOT 1 CA31747, NANOUE ROAD, LOOKYER WATERS QLD 4311

THE CONTRACTOR SHALL COMPLY WITH ALL RELEVANT NBN CONSTRUCTION STANDARDS, (CURRENT AUSTRALIAN STANDARDS AND SPECIFICATIONS.

EXISTING ACCESS OFF MAINLINE ROAD AND PROPOSED NEW ACCESS (APPROX. 50m TO BE CREATED) FOR REGULAR SITE AND CONSTRUCTION ACCESS. NON-PEDON TO BE ADDED TO GATE IN DAILY CHAIN ARRANGEMENT.

PROPOSED NEW NON OUTDOOR CABINETS TO BE INSTALLED ON CONCRETE SLAB (1.5M² GRA) WITHIN NON LEASE AREA

PROPOSED MSN 400 MONOPOLY

PROPOSED ANTENNA ACCESS USING ACCESS LADDER WITH LAD-SAF OR EWP, BY RIGGER QUALIFIED PERSONNEL ONLY

THE CONTRACTOR SHALL IDENTIFY AND CONFIRM THE LOCATION OF ALL RELEVANT EXISTING SERVICES AS REQUIRED PRIOR TO THE COMMENCEMENT OF WORKS

- WORK ON ACTIVE FARM

REFER TO DRAWINGS 4FVL-51-01-CHUR-C2 & C3 FOR DETAILS.

TO TRANSMISSION LINK & RE CONFIGURATION
REFER TABLE ON DRAWING 4P-VL-51-01-CHUR-A1 FOR DETAILS

- NO RETAINING WALLS ARE PROPOSED
- NO LANDSCAPING IS PROPOSED

- NO STORMWATER DETENTION REQUIRED
- NO VEGETATION CLEARING IS REQUIRED

OBJID JOB No: 10295295
ENCLOSURE DATE: 4/26/16

EXISTING SERVICES REPORTED ON SITE LOT. ALL CONTRACTORS TO REEVALUATE AND VERIFY AT TIME OF FIELD WORK.



NATIONAL BROADBAND
NETWORK
SITE No. 4FVL-51-01-CHUR
CHURCHABLE
NANDINE ROAD
LOCKYER WATERS
QLD 4311

PRELIMINARY

© 2005 New York University
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New York, NY 10024-6503
Phone: (212) 998-6500

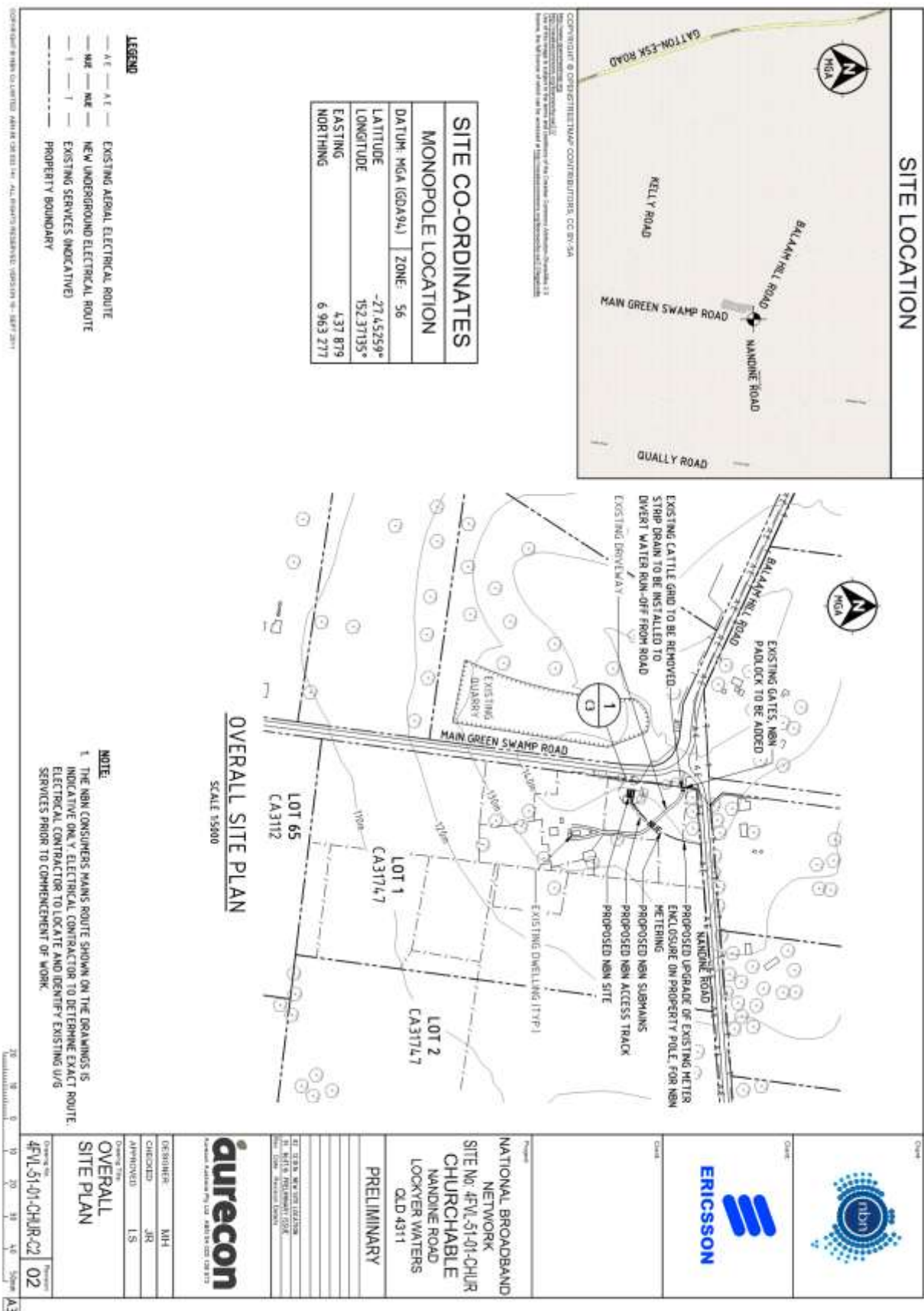
durecon
Duracast Medical Pty Ltd 0801 94 020 138 873

DESIGNER: NHH

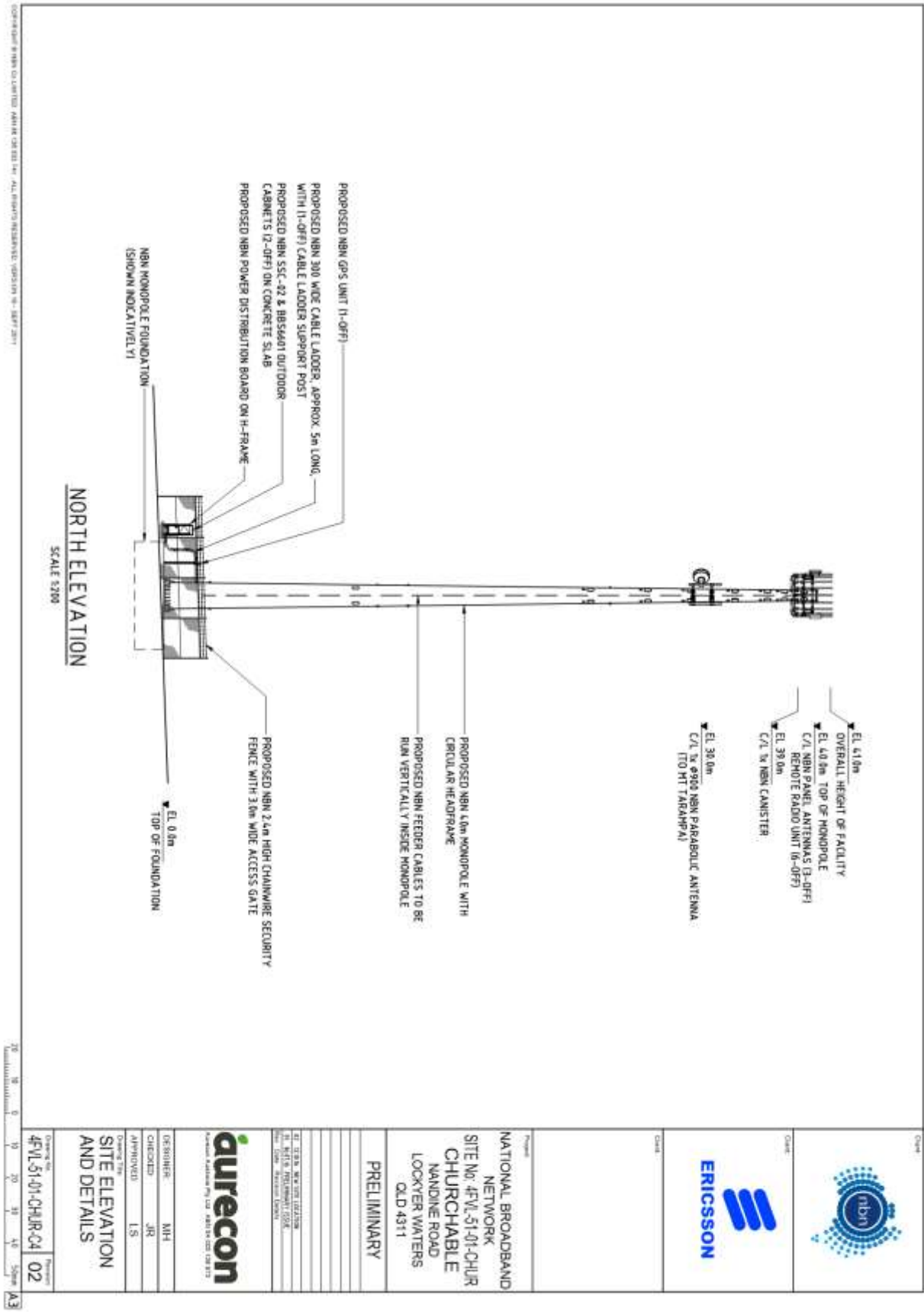
19	Approved
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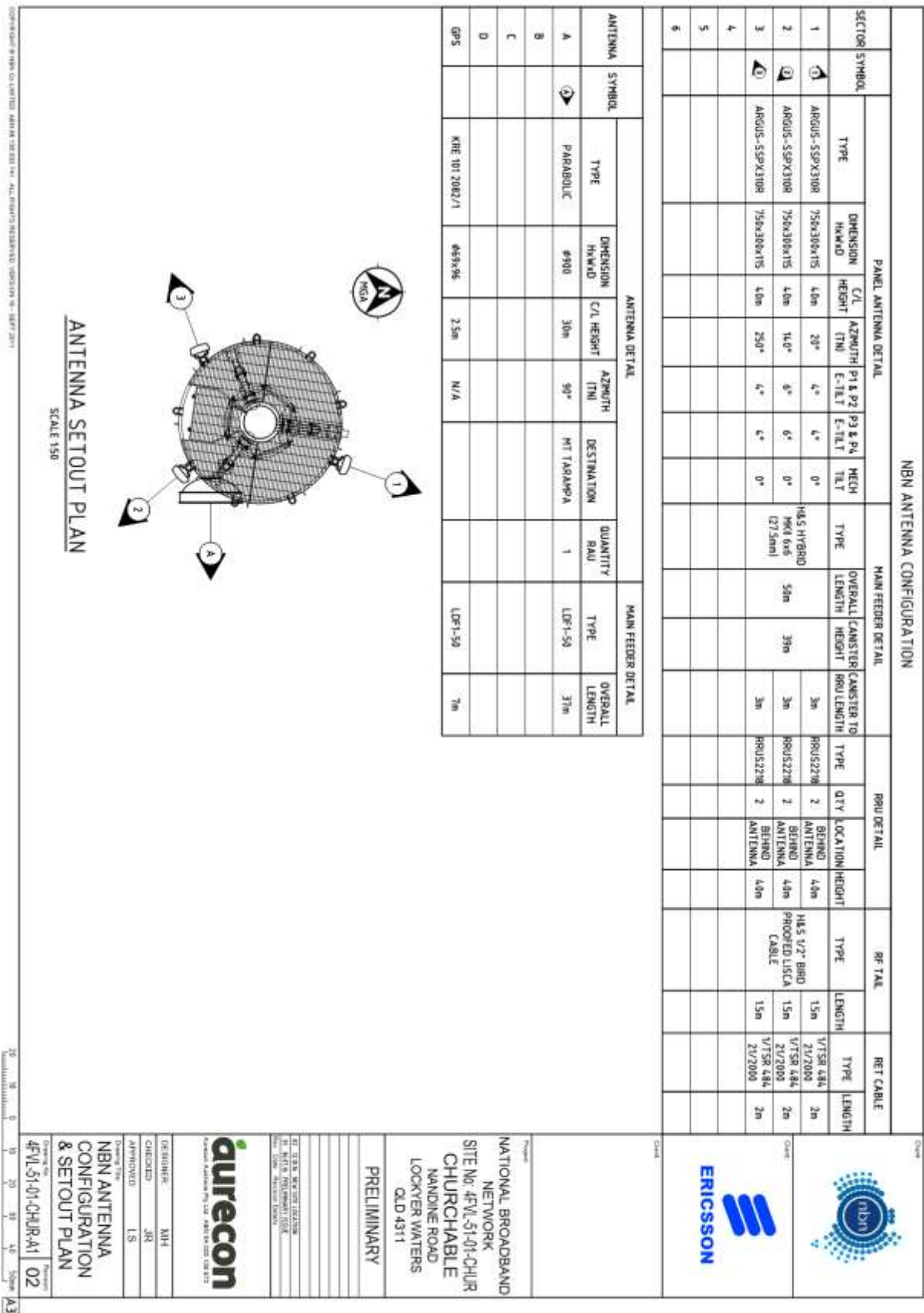
SITE SPECIFIC
NOTES

Orange 04	02
4FVL-51-01-CHLR-C1	









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**11.6 Executive Manager Organisational Development and Planning
Monthly Update**

Date: 01 February 2017

Author: Dan McPherson, Executive Manager Organisational Development & Planning

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

Summary:

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

Officer's Recommendation:

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 Monthly Update.

Moved By: Cr McDonald

Seconded By: Cr Cook

Resolution Number: 16-20/0361

CARRIED

7/0

Report

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 January 2017.

3. Report

ORGANISATION & PEOPLE DEVELOPMENT

Council's establishment FTE number for January 2017 is 297. This is slightly lower than normal as casual staff have worked less hours due to the Christmas closedown period.



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Learning and Development

Courses Held Since the Last Report:

- Corporate Induction
- WHS Induction
- Drug & Alcohol Training
- Provide First Aid
- First Aid Training (CPR Refresher)
- CSQ Funded Certificate IV in Civil Construction Sign Up
- Verification of Competencies

Upcoming Training:

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

Currently Planning/On Hold:

- 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 and Safety

Injuries/Incidents

There have been five (5) injuries reported during this period:

- 03/01/2017 - Employee strained left side of their back when lifting their chair.
- 04/01/2017 - Employee strained their ankle when losing balance on uneven ground.
- 11/01/2017 - Employee sustained a cut to the middle finger of their left hand.
- 16/01/2017 - Employee sustained a fracture injury to their right hand when they slipped on wet stairs.
- 30/01/2017 - Employee tripped and rolled and sprained their ankle.

Plant Vehicle incidents

There have been ten (10) plant vehicle incidents reported during this period:

- 5/01/2017 - Vehicle sustained minor damage (scratch) when contact was made with a low mounted letter box.
- 5/01/2017 - Front n/s tyre blew out under normal driving conditions on a Council truck.
- 11/01/2017 - Hand piece on a Council ute mounted spray unit overheated.
- 13/01/2017 - Council truck reversed and collided with a tanker, the truck sustained damage to the coupling, with no damage to the tanker.
- 16/01/2017 - Council van reversed and collided with a tree causing damage to the van.

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- 24/01/2017 - A stone thrown from a Council slasher has damaged the windscreen of a private vehicle.
- 24/01/2017 - The door of a Council cab mower blew open in transit causing damage to the mower.
- 25/01/2017 - Gravel thrown from a Council slasher damaged the windscreen of a private vehicle.
- 25/01/2017 - Council slasher reversed over a water valve causing damage to the water valve.
- 25/01/2017 - Debris thrown from a Council mower has struck a Council utility vehicle causing damage to the door.

Near Miss Incidents

- There have been nil (0) near miss incidents reported during this period.

Workers Compensation Claims / Injury Management LTI

- There are two (2) approved active workers compensation claims.
- There is one (1) pending workers compensation claim.

Sport and Recreation

Council signed up to SmartyGrants which is a web based grant management program. SmartyGrants is Australia's most used grants administration system and enables Council to become more efficient, effective and transparent when managing our grant program.

Council has applied for funding through the Department of National Parks, Sports and Racing to undertake a regional sporting precinct master plan. This document will provide a detailed plan for the major sporting precincts in the Lockyer Valley.

The annual "Come and Try" sports day will be held on Saturday 6 February at the Laidley Recreation Reserve. This event is aimed at all sporting groups in the Lockyer Valley to come along and showcase their sport/activity to the wider community. The objective of the day is to increase group's membership, improve relationships with Council and Sport and Recreation Services. There will be ten different sports involved in the day including Netball QLD, AFL QLD, Football QLD, QLD Cricket, QLD Rugby League and the Ipswich Jets. QLD State of Origin coach, Kevin Walters and QLD Firebirds, Romelda Aiken and Laura Clemesha will make a special appearance on the day.

Planning & Environment

Environmental Planning

- Cr McDonald and the Senior Environmental Planner attended the COMSEQ Waterways and Environment Committee meeting. Key points include:
 - COMSEQ has drafted a letter for Lord Mayor Quirk to send to all other SEQ mayors, asking for financial contributions to start implementing the Catchment Action Plans.
 - COMSEQ is supporting the establishment of a Centre for Recycling of Organic Waste and Nutrients at UQ Gatton.

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- DTMR have progressed the research into tyre crumb usage in roads, and are now asking Councils for expressions of interest for participation in testing.
- The Queensland Government is proposing to introduce the ban of single use plastic bags in 2018, in conjunction with the Container Deposit Scheme.
- The House of Representatives Standing Committee of the Environment and Energy is holding an inquiry into the impact of nationally protected flying foxes on the community. The Committee is expected to report on inquiry findings early 2017.
- DEHP is developing a new policy and adaptation strategy for climate change.
- The Coordinator Environmental Planning visited the Council owned property adjoining the offset site at Balaam Hills to assess fuel loads and regeneration of native plants. The property will be nominated for hazard reduction activities which may include a prescribed burn or leasing for cattle grazing at the fire hazard assessment meeting.
- The Coordinator Environmental Planning met with Mark Saunders a Bushfire Safety Officer from Queensland Fire and Emergency Services on to discuss the development of a 'cool burn' plan for the Lockyer Valley LGA. A meeting will be held to provide nominations of Council properties requiring fire hazard mitigation in the West Moreton region.
- The Senior Environmental Planner met with representatives from Seqwater and Healthy Waterways and Catchments to discuss progress on the collaborative project to understand the rights and responsibilities of landholders adjacent to creek reserves. This project is an action in the Lockyer Catchment Action Plan.
- The Coordinator Environmental Planning met with delegates from the second national flying-fox forum to discuss progress on the development of a National Flying-fox Strategy (NFFS). The delegates informed the meeting that a motion had been passed at the LGAQ conference requesting greater intervention by the State and consideration of a NFFS by the Australian Government.
- The Mayor and Senior Environmental Planner undertook a property inspection in Blackfellow Creek, to gain an improved understanding of catchment issues, including legacy problems from the floods, erosion, creek break out points, weeds, riparian vegetation etc.
- The Coordinator Environmental Planning and the Mayoral Office Special Projects Officer met with representatives from the University of Queensland and Sustainable Solutions International to discuss a potential project to derive electricity generation from organic waste at the Gatton campus. It was suggested that there would be significant advantages including farm waste from horticultural production. A follow-up meeting will be held following close analysis of the campus' waste production.
- The Coordinator Environmental Planning and Senior Environmental Planner met with residents at Cochrane Street, Gatton who were concerned about the recent influx of little red flying-foxes close to their properties. The residents were advised on the biology of the flying-foxes as well as the opportunities and constraints on Local Governments to manage flying-fox roosts.

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- A submission on the Agriculture & Environment Committee of the Queensland Parliament inquiry into invasive weeds was forwarded to LGAQ for inclusion in their consolidated submission on 10 January 2017.
- Preparations were completed on 12 January 2017 to place Council on stand-by for a forecast period of very high temperatures that had the potential for a flying-fox mass mortality event and subsequent retrieval process. This included additional inductions for supervisors.
- The Coordinator Environmental Planning met with a resident of Murphys Creek on 16 January 2017 to consider inclusion in the Landholder Assistance Programme (LHAP). If an agreement can be reached, this will be the first non-Land for Wildlife participating property to be included in the LHAP.
- The Coordinator Environmental Planning attended the Catchment Action Plan Working Group meeting on 23 January 2017 at the COMSEQ offices to review the draft Extent of Willingness to Pay project being undertaken by Griffith University. The project is at the request of the Resilient Rivers Taskforce. A number of issues were raised and these will be addressed before the completion of the final report.
- The Coordinator Environmental Planning attended the Regional Pest Management Sub-Committee at the COMSEQ offices on 24 January 2017. The meeting focussed on the prioritisation of project proposals to be funded by Local Government precepts to the State Government.

Attachments

1 [View](#) Dev App - as at 1 Feb 2017 3 Pages

Application No.	Application Details	Assessment Level	Location	Applicant
Current Development Applications - as at 1 February 2017				
REQUEST TO CHANGE DEVELOPMENT APPROVAL				
CAP2015/0027	Request to Extend Period of Approval (R010951 / DA6569)	Code	Golf Links Drive, GATTON QLD 4343	Just Planning
CAP2015/0028	Request to Extend Period of Approval (DA046431) / DA5200	Code	Golf Links Drive, GATTON QLD 4343	Just Planning
CAP2016/0018	Request to Extend Period of Approval (DA046431)	Code	Douglas McInnes Drive, LAIDLEY QLD 4341	Wagman Pty Ltd
CAP2016/0049	Request to Extend Period of Approval (DA6496)	Code	Warrigal Road, HEIDON QLD 4344	Maxime
REQUEST TO EXTEND RELEVANT PERIOD OF DEVELOPMENT APPROVAL				
CAP2016/0042	Request to Change Development Approval (OPW2015/0009)	Code	4364-4366 Warrego Highway, PLAINLAND QLD 4341	Maddison Ridge Pty Ltd
CAP2016/0044	Request to Change Development Approval (DA4277)	Impact	388 Airforce Road, HEIDON QLD 4344	Combat Simulation Systems
CAP2016/0046	Request to Change Development Approval (CAP2014/0030)	Code	Woodlands Road, WOODLANDS QLD 4343	Summit Syndicate Pty Ltd
COMBINED APPLICATIONS				
CMB2015/0001	Preliminary Approval for Material Change of Use for Dwelling Houses and Reconfiguration of a Code	Code	20 Gehrike Road, PLAINLAND QLD 4341	Landpartners Limited
CMB2015/0002	Extractive Industry, ERA 16 (2) (b) Extracting Rock or Other Material (>100,000 – 1 million ton) Impact	Impact	1655 Seventeen Mile Road, SEVENTEEN MILE QLD 4344	Starvide Pty Ltd
CMB2016/0003	Refreshment Service, Advertising Device, Landscaping, Stormwater & Drainage	Code	Laidley Plainland Road, PLAINLAND QLD 4341	Urbis Pty Ltd
MATERIAL CHANGE OF USE APPLICATIONS				
MCU2026	Accommodation Units (40 Units)	Impact	120 Cochrane Street, GATTON QLD 4343	Lockyer Developments
MCU2013/0004	Caravan Park (138 Sites)	Impact	Gehrike Road, PLAINLAND QLD 4341	Landpartners Limited
MCU2015/0003	Accommodation Units (18 units)	Impact	4 Beryl Place, GATTON QLD 4343	Lockyer Designs
MCU2015/0007	Outdoor Entertainment (Education Facility)	Impact	124 Twidales Road, HEIDON SPA QLD 4344	Emu Gully Adventure Education Group Inc
MCU2015/0028	Caravan Park	Impact	7828 Warrego Highway, HEIDON SPA QLD 4344	Zaccane Holdings Pty Ltd
MCU2015/0042	Modifications, Extensions and Additions to Existing Hotel & Place of Worship	Impact	66 Laidley Plainland Road, PLAINLAND QLD 4341	Baranagar Pty Ltd
MCU2016/0043	Undefined Use (Telecommunication Facility)	Impact	2 Handline Road, LOCKYER WATERS QLD 4311	Nbn C/- Aurecon Australasia
MCU2016/0044	Caravan Park, Camping & Outdoor Entertainment	Impact	356 Thomas Road, UPPER LOCKYER QLD 4352	Precinct Urban Planning
MCU2016/0045	Eco-tourism Facility (Campgrounds)	Impact	942 Letham Branch Road, LEFTHAM BRANCH QLD 4343	D P Margetts, S C Margetts
MCU2016/0047	Telecommunications Facility	Impact	7 Sippe Road, LAIDLEY HEIGHTS QLD 4341	Opus Mobile Pty Ltd
MCU2016/0053	Rural Service Industry (2980 sqm in two stages)	Impact	88 Carpendale Road, CARPENDALE QLD 4344	Farm Gate Packing Pty Ltd
MCU2016/0056	Child Care Facility	Code	4364-4366 Warrego Highway, PLAINLAND QLD 4341	Landpartners Limited
MCU2016/0057	Health Care Premises	Impact	131 Spencer Street, GATTON QLD 4343	Azure Properties
MCU2016/0060	Medical Centre	Code	188 Patrick Street, LAIDLEY QLD 4341	JDA Consultants Pty Ltd
MCU2016/0062	Intensive Animal Husbandry (Poultry Farm)(Extension of 1800.5 sqm)	Impact	39 Geismann Road, LAIDLEY NORTH QLD 4341	Darwalla Milling Co Pty Ltd
MCU2016/0065	Dual Occupancy	Impact	Woodlands Road, GATTON QLD 4343	Impact Homes / Hyerin Pty Ltd
MCU2016/0070	Catering Shop	Impact	108 Postmans Ridge Road, HEIDON SPA QLD 4344	A Wiscig
MCU2016/0074	Amixed Unit	Code	73 Carey Road, BLANCHVIEW QLD 4352	B I Topp
MCU2016/0075	Dwelling House Triggered by an Overlay (Bush Fire)	Code	19 Skyline Drive, WITHCOTT QLD 4352	Richard Adams Homes
MCU2017/0001	Ecotourism	Impact	Main Camp Creek Road, THORNTON QLD 4341	Gainsdale Pty Ltd
MCU2017/0002	Car Repair Station	Code	3 Burdett Street, PLAINLAND QLD 4341	Ardill Payne & Partners
OPERATIONAL WORKS APPLICATIONS				
OPW0510	Road works, Stormwater, Earthworks, Drainage works and signage	Code	7 Jones Road, WITHCOTT QLD 4352	See Civil Consultant Pty Ltd
OPW0518	Road works, Earthworks, Drainage Works, Stormwater and Water Infrastructure	Code	374 Galton Esk Road, LAKE CLARENDON QLD 4343	Lockyer Designs
OPW2013/0004	Sever Reticulation Works & Sewer Pump Station	Code	83 Prince Road, GATTON QLD 4343	Annual No.5 (Woodchester Estate) Pty Ltd
OPW2014/0007	Road works, Stormwater, Earthworks & Water Infrastructure	Code	4 Victor Court, PLAINLAND QLD 4341	Meadowlands Estate Pty Ltd
OPW2014/0021	Road works, Drainage Works, Stormwater, Earthworks (Cunningham Park - Stage 6)	Code	Laidley Plainland Road, LAIDLEY NORTH QLD 4341	Nichols Constructors Pty Ltd
OPW2016/0006	Road Works, Stormwater & Earthworks	Code	Warrego Highway, PLAINLAND QLD 4341	Maddison Ridge Pty Ltd
OPW2016/0016	Bulk earthworks and Civil Works (Turbines)	Code	Ranger Road, ADARE QLD 4343	Westlink Pty Ltd
OPW2016/0029	Clearing of Vegetation	Code	Golf Links Drive, GATTON QLD 4343	Leda Holdings Pty Ltd
OPW2016/0030	Clearing of Vegetation	Code	Woodlands Road, GATTON QLD 4343	Leda Holdings Pty Ltd
OPW2016/0033	Civil Works (Driveways, carports & drainage)	Code	Fairway Drive, HATTON VALE QLD 4341	Kandersieg Pty Ltd
OPW2017/0001	Road Works, Drainage Works, Stormwater & Earthworks	Code	Fairway Drive, HATTON VALE QLD 4341	Covey Associates Pty Ltd
OPW2017/0002	Road Works, Drainage Works, Landscaping, Stormwater, Signage & clearing of vegetation	Code	356 Thomas Road, UPPER LOCKYER QLD 4352	Souther Adventures Pty

Application No.	Application Details	Assessment Level	Location	Applicant
OPW2017/0003	Landscaping (Planland Crossing Residential Stage 6A & 6B)	Code	Warrego Highway, PLAINLAND QLD 4341	RED Landscapes
OPW2017/0004	Road Works, Stormwater, Drainage works, Earthworks and clearing vegetation under the plan	Code	Dry Gully Road, MOUNT WHITESTONE QLD 4347	lockyer Quarry Pty Ltd
OPW2017/0005	Civil Works	Code	6 Crown Street, LAIDLEY QLD 4341	S Paddyachee, S Paddyachee
RECONFIGURING A LOT APPLICATIONS				
ROL0539	Subdivision (3 Lots into 27 Lots)	Code	Lowie Street, LAIDLEY QLD 4341	South Ballina Developments
ROL0573	Subdivision (2 Lots into 145 Lots)	Code	63 Redbank Creek Road, ADARE QLD 4343	Wailangra Pastoral Co Pty Ltd
ROL2015/0044	Boundary Realignment (2 Lots into 2 Lots)	Code	36 Brookings Drive, GATTON QLD 4343	D P Harvey, S M Seng-Harvey
ROL2015/0047	Subdivision (5 Lots into 7 Lots)	Code	7 Bentley Drive, REGENCY DOWNS QLD 4341	Elite Town Planning
ROL2015/0049	Subdivision (2 Lots into 6 Lots) & Road	Code	Warrego Highway, WITHCOTT QLD 4352	R J Brook
ROL2016/0015	Subdivision (1 Lot into 40 Lots), New Road and Detention Basin	Code	28 Gehrke Road, PLAINLAND QLD 4341	Maddison Ridge Pty Ltd
ROL2016/0019	Boundary Realignment (3 Lots into 3 Lots)	Code	48 Forest Hill Fernvale Road, FOREST HILL QLD 4342	Elite Town Planning
ROL2016/0030	Subdivision (1 Lot into 3 Lots)	Code	280 Patrick Avenue, KENSINGTON GROVE QLD 4341	M M Robinson, S L Robinson
ROL2016/0031	Subdivision (1 Lot into 2 Lots)	Code	31 Bertrand Avenue, KENSINGTON GROVE QLD 4341	Elite Town Planning
ROL2016/0034	Boundary Realignment (2 Lots into 2 Lots)	Code	8700 Warrego Highway, WITHCOTT QLD 4352	Withcott Land Pty Ltd
ROL2016/0039	Subdivision (1 Lot into 4 Lots)	Code	18 Laurette Drive, GLENORE GROVE QLD 4342	Elite Town Planning
ROL2016/0042	Subdivision (1 Lot into 5 Lots)	Code	122 Redbank Creek Road, ADARE QLD 4343	R A Van Breenen, C P Van Breenen
ROL2016/0043	Subdivision (2 Lots into 5 Lots)	Code	19 Laurette Drive, GLENORE GROVE QLD 4342	Elite Town Planning
ROL2017/0001	Subdivision (2 Lots into 6 Lots)	Code	8700 Warrego Highway, WITHCOTT QLD 4352	Withcott Land Pty Ltd
ROL2017/0002	Boundary Realignment (2 Lots into 2 Lots) & Access Easement	Code	24 Coleman Road, MULGOVIE QLD 4341	C Isaac
ROL2017/0003	Subdivision (1 Lot into 3 Lots)	Code	Roche Road, WITHCOTT QLD 4352	R J Brook
New Development Applications - 16 December to 1 February 2017				
BWN2017/0001	Building Works not associated with Material Change of Use	Code	374 Gatton Esk Road, LAKE CLARENDON QLD 4343	lockyer Drafting Designs Pty Ltd
CAP2016/0048	Request to Extend Period of Approval (CAP2014/0005 (ROL0549))	Code	374 Gatton Esk Road, LAKE CLARENDON QLD 4343	Kolina Development Group
CAP2016/0049	Request to Extend Period of Approval (DA5794)	Code	Warrigal Road, HELDON QLD 4344	Maxime
CAP2016/0050	Request to Extend Period of Approval	Code	Lakenew Drive, GATTON QLD 4343	lockyer Valley Regional Council
CAP2017/0001	Request to Change Development Approval (MCU2016/0005)	Code	10 Railway Street, GATTON QLD 4343	Cottone's Restaurant
MCU2016/0074	Amended Unit	Code	73 Carey Road, BLANCHVIEW QLD 4352	B I Topp
MCU2016/0075	Dwelling House Triggered by an Overlay (Bush Fire)	Code	19 Skyline Drive, WITHCOTT QLD 4352	Richard Adams Homes
MCU2017/0001	Ecotourism	Code	Main Camp Creek Road, THORNTON QLD 4341	Gainsdale Pty Ltd
MCU2017/0002	Car Repair Station	Code	3 Burdellin Street, PLAINLAND QLD 4341	Ardill Payne & Partners
OPW2017/0001	Road Works, Drainage Works, Stormwater & Earthworks	Code	Fairway Drive, HATTON VALE QLD 4341	Covey Associates Pty Ltd
OPW2017/0002	Road Works, Drainage Works, Landscaping, Stormwater, Signage & clearing of Vegetation	Code	356 Thomas Road, UPPER LOCKYER QLD 4352	Souther Adventures Pty Ltd
OPW2017/0003	Landscaping (Planland Crossing Residential Stage 6A & 6B)	Code	Warrego Highway, PLAINLAND QLD 4341	RED Landscapes
OPW2017/0004	Road Works, Stormwater, Drainage works, Earthworks and Clearing of Vegetation	Code	Dry Gully Road, MOUNT WHITESTONE QLD 4347	lockyer Quarry Pty Ltd
OPW2017/0005	Civil Works	Code	6 Crown Street, LAIDLEY QLD 4341	S Paddyachee, S Paddyachee
ROL2016/0043	Subdivision (2 Lots into 5 Lots)	Code	19 Laurette Drive, GLENORE GROVE QLD 4342	Elite Town Planning
ROL2017/0001	Subdivision (2 Lots into 6 Lots)	Code	8700 Warrego Highway, WITHCOTT QLD 4352	Withcott Land Pty Ltd
ROL2017/0002	Boundary Realignment (2 Lots into 2 Lots) & Access Easement	Code	24 Coleman Road, MULGOVIE QLD 4341	C Isaac
ROL2017/0003	Subdivision (1 Lot into 3 Lots)	Code	Roche Road, WITHCOTT QLD 4352	R J Brook
Decided Development Applications - 16 December to 1 February 2017				
CAP2016/0037	Request to Change Development Approval - Staging Plan (DA2010/0035)	Impact	Morton Vale School Road, MORTON VALE QLD 4343	Concept Engineering
CAP2016/0043	Request to Change Development Approval (DA5794)	Code	80 Crescent Street, GATTON QLD 4343	Aldi Stores
CAP2016/0045	Request to Extend Period of Approval (CAP2013/0003)	Code	Blanchview Road, WITHCOTT QLD 4352	Toowoomba Constructions Pty Ltd
CAP2016/0048	Request to Extend Period of Approval (CAP2014/0005 (ROL0549))	Code	374 Gatton Esk Road, LAKE CLARENDON QLD 4343	Kolina Development Group
CAP2017/0001	Request to Change Development Approval (MCU2016/0005)	Code	10 Railway Street, GATTON QLD 4343	Cottone's Restaurant
CMB2015/0004	Building Work not associated with Material Change of Use and Operational Work (Code Assess Code)	Code	4003 Warrego Highway, HATTON VALE QLD 4341	Mukunda Pty Ltd & Keshav Associates Pty Ltd
MCU2016/0004	Dwelling House Triggered by Overlays (Biodiversity & Bushfire)	Code	22 Eucalyptus Place, REGENCY DOWNS QLD 4341	Fluid Planning
MCU2016/0072	Motel (Six additional units, covered area, carports, laundry) and Shop	Code	1 Hawk Street, GATTON QLD 4343	Super Turnkey Pty Ltd
MCU2016/0073	Small Lot House	Code	16 Strong Street, GATTON QLD 4343	Dixon Homes Pty Ltd

Application No.	Application Details	Assessment Level	Location	Applicant
OPW2016/0036	Road works, Stormwater, Drainage works & Earthworks	Code	Dry Gully Road, MOUNT WHITESTONE QLD 4347	Lockyer Quarry Pty Ltd
OPW2016/0039	Landscaping	Code	106 Coates Street, LAIDLIEY QLD 4341	Davolyn Constructions Pty Ltd
ROL2015/0048	Subdivision (4 Lots into 5 Lots)	Code	32 Bentley Drive, REGENCY DOWNS QLD 4341	Elite Town Planning
ROL2016/0006	Subdivision (1 Lot into 22 Lots), in 2 Stages	Code	Forest Hill Fernvale Road, GLENORE GROVE QLD 4342	Estate Of Audrey Phillis Raymont
ROL2016/0028	Subdivision (1 Lot into 4 Lots)	Code	3 Forest Avenue, GLENORE GROVE QLD 4342	Elite Town Planning
ROL2016/0032	Subdivision (1 Lot into 3 Lots) & Easement	Code	109 Tenthill Creek Road, GATTON QLD 4343	Withcott Land Pty Ltd
ROL2016/0036	Subdivision (1 Lot into 4 Lots)	Code	10 Laurette Drive, GLENORE GROVE QLD 4342	Elite Town Planning

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11.7 Poultry Farming Directions Paper

Date: 06 February 2017
Author: Trevor Boheim, Manager Planning and Environment
Responsible Officer: Dan McPherson, Executive Manager Organisational Development & Planning

Summary:

The Department of Infrastructure, Local Government and Planning (DILGP) has released a Directions Paper on the proposed approach regarding roles and responsibilities for the assessment of development applications for poultry farms. The implications of the proposed approach are assessed and a recommendation is made on the content of Council's submission.

Officer's Recommendation:

THAT a submission on the Poultry Farming Directions Paper is prepared and that it includes the following:

- (a) The proposed approach is not supported and Council's preference is that assessment and determination against a state-wide code prepared by the State Government is undertaken by State Assessment & Referral Agency (SARA) or Department of Agriculture and Fisheries (DAF) as a concurrence agency.**
- (b) The use of the zoning of land under Council's planning schemes is not suitable for determining where less stringent amenity impact criteria should apply and until such time as the zoning under new planning schemes reflect this purpose, the state-wide code should provide for land in the Rural zone, which is used for a rural residential purpose, to be treated as if it were in a Rural Residential zone.**
- (c) The State Government should guarantee that all costs incurred by Councils in defending decisions that are consistent with the state-wide code in the Planning and Environment Court will be met by the State Government.**

RESOLUTION

THAT Council resolve to prepare and lodge a submission on the Poultry Farming Directions Paper including the following:

- (a) The proposed approach is not supported and Council's preference is that assessment and determination against a State-wide code prepared by the State Government is undertaken by State Assessment & Referral Agency (SARA) or Department of Agriculture and Fisheries (DAF) as a concurrence agency.**
- (b) The use of the zoning of land under Council's planning schemes is not suitable for determining where less stringent amenity impact criteria should apply and until such time as the zoning under new planning schemes reflect this purpose, the state-wide code should provide for land in the Rural zone, which is used for a rural residential purpose, to be treated as if it were in a Rural Residential zone.**
- (c) The State Government should guarantee that all costs incurred by Councils in defending decisions that are consistent with the state-wide code in the Planning and Environment Court will be met by the State Government.**

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Moved By: Cr McLean Seconded By: Cr McDonald
Resolution Number: 16-20/0362

CARRIED
7/0

Report

1. Introduction

The State Government has released a Poultry Farming Directions Paper and requested that comments be provided by 14 February 2017. An assessment of the implications of the proposed changes is provided together with recommendation on matters to be raised in a submission.

2. Background

The State Government has released a Poultry Farming Directions Paper and requested that comments be provided by 14 February 2017. The paper has been prepared to address concerns raised by both local government and the poultry industry regarding responsibilities for aspects of development assessment.

3 Report

3.1 The proposed approach and the state-wide code

The Poultry Farming Directions Paper outlines the proposed approach of the State Government to the regulatory framework for the assessment and determination of development applications for poultry farms. The proposed approach is as follows:

- The State Government will relinquish its current State Assessment and Referral Agency (SARA) role as a concurrence agency for proposals involving >200,000 birds.
- Large scale poultry farms (>200,000 birds) are to remain as a prescribed Environmentally Relevant Activity (ERA), but this will not be a concurrence ERA and so assessment of the ERA will be the responsibility of Council.
- The requirement to obtain an Environmental Authority (EA) is to remain and will be administered by the Department of Agriculture and Fisheries (DAF) with EA assessments to be carried out concurrently with development applications or after decisions on development applications have been made by Council.
- Council will be solely responsible for assessing development applications for poultry farms, including those involving >200,000 birds.
- The State Government will develop and implement a state-wide code (similar to existing IDAS codes) that Council will have to use when it assesses and decides applications for large scale poultry farms (>200,000 birds only). This state-wide code would only be

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triggered by poultry farm proposals involving >200,000 birds. Revised guidelines will be released by the State Government to support the state-wide code.

- Council's planning schemes will continue to regulate poultry farms involving <200,000 birds.
- In the event of inconsistencies arising between Council's planning schemes and the state-wide code, the state-wide code prevails.

While the state-wide code has not yet been drafted, the Poultry Farming Directions Paper indicates that the code will "... *prescribe assessment benchmarks that local governments must use in assessing relevant development applications*" (my emphasis).

It is indicated that a presumption in favour of a location in a Rural zone will exist over land included in other zones however to the extent that "sensitive receptors" exist on land in a Rural zone the poultry farm will not be able to cause significant amenity impacts to these receptors, which include dwellings on rural properties.

More stringent criteria that ensure lesser amenity impacts arise on land included in other than the Rural zone, such as the Rural Residential zone are proposed.

3.2 Implications for Council

A number of implications for Council have been identified and these are detailed below:

1. Responsibility without authority – Council will find itself in the position of having sole responsibility for assessing and deciding applications for poultry farms but will be unable to respond to local community concerns, with which it may well agree, as it will not have the authority to make decisions that are inconsistent with the state-wide code. Taking a different perspective, Council will be able to inform concerned members of the community that despite their concerns, which it may agree with it, has no discretion and must apply the state-wide code.
2. No departure from the state-wide code criteria will be permitted – Council will not be able to use its planning scheme to set more stringent odour, dust and noise criteria for parts or all of the Lockyer Valley as if there is an inconsistency between the planning scheme and the state-wide code the latter will prevail.
3. Zoning of land is an imperfect determinant of sensitivity to impacts – Land has been included by Council in zones such as the Rural Residential zone on the basis of providing use rights, not with the intention of providing protection from the amenity impacts of poultry farms. There are areas across the Lockyer Valley that are rural residential and considered as such by the residents and so are areas where residents have an expectation of rural residential amenity, but which are included in a Rural zone. Residents of these areas will be expected to accept a lower level of amenity as presumably only significant amenity impacts will not meet the requirements of the state-wide code.
4. Lack of technical expertise/technical resources – It will be necessary to outsource the assessment of technical aspects of applications against the state-wide code, specifically in the fields of odour, dust and noise modelling. Council will need to ensure the application

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fees set for new poultry farms and the expansion of existing poultry farms provide for full recovery of costs incurred in undertaking technical assessments.

5. Cost of Planning and Environment Court Appeals – Council could find itself having to fund the cost of defending appeals brought in the Planning and Environment Court by submitters who do not agree with an approval being given by Council despite the proposal meeting the requirements of the state-wide code. Council could also find itself bearing the costs of defending appeals brought by submitters or applicants over the interpretation of the state-wide code. Under the current arrangements, the concurrence agency is required to defend its decision in the Court and bear all the costs incurred in doing so.

3.2 Recommended action

It is considered that Council should make a formal submission and that the submission should indicate:

1. The proposed approach is not supported and Council's preference is that assessment and determination against a state-wide code prepared by the State Government is undertaken by SARA or DAF as a concurrence agency.
2. The use of the zoning of land under Council's planning schemes is not suitable for determining where less stringent amenity impact criteria should apply and until such time as the zoning under new planning schemes reflect this purpose, the state-wide code should provide for land in the Rural zone, which is used for a rural residential purpose, to be treated as if it were in a Rural Residential zone.
3. The State Government should guarantee that all costs incurred by Councils in defending decisions that are consistent with the state-wide code in the Planning and Environment Court will be met by the State Government.

4. Policy and Legal Implications

The proposal to require Council to undertake assessment against a state-wide code and the inability to impose stricter requirements on poultry farms through its planning scheme means Council will not be able to implement policy that is more stringent than the state-wide code and that is informed by consultation with its residents.

The proposed changes will, without an assurance from the State Government to cover costs incurred in defending decisions made consistent with the state-wide code in the Court, result in Council having to meet those costs.

5. Financial and Resource Implications

The requirement to undertake assessment against a state-wide code and to defend decisions in the Planning and Environment Court will have financial and resource implications for Council.

6. Delegations/Authorisations

There are no implications for delegations or authorisations arising from this report.

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7. Communication and Engagement

There are no implications for communications or engagement arising from this report.

8. Conclusion

The proposed changes detailed in the Directions Paper will reduce Council's ability to make decisions that respond to community concerns, expose Council to costs of defending decisions based on a document it has not prepared and leave residents of rural residential areas that are not included in a Rural Residential zone vulnerable to decreased amenity outcomes.

9. Action/s

That Council resolves in accordance with the Officers Recommendation.

Attachments

1 [View](#) Direction Paper 3 Pages

Poultry farming directions paper

DIRECTIONS
PAPER

Background and context

In October 2016, the Department of Infrastructure, Local Government & Planning (DILGP) distributed a poultry farming options paper to several South East Queensland (SEQ) local governments and the SEQ Council of Mayors (COMSEQ). The options paper was prepared in response to concerns raised by several local governments in relation to the regulatory framework for industrialised poultry farms. The options paper was based on a desktop review of the existing policy environment and development assessment system. It highlights known issues such as inconsistent local odour assessment criteria, overlapping jurisdiction, duplication between state and local government assessments and a concerning trend of increasing litigation in the Planning and Environment Court around poultry farm assessment decisions.

In November 2016, representatives from a number of SEQ local governments, COMSEQ, the Department of Environment and Heritage Protection (DEHP) and the Department of Agriculture and Fisheries (DAF) were invited to participate in a workshop to further explore the issues identified in the options paper. At the workshop, DILGP provided a commitment to formulate a proposal for changes to the current regulatory framework with a view to clarifying assessment roles and responsibilities, and improved efficiency.

In December 2016, DILGP also met with DAF and various industry representatives to discuss the identified issues with the existing regulatory framework and potential changes. At this meeting, DILGP resolved to provide industry with an opportunity to provide feedback on any reform proposals prior to progressing changes.

This directions paper outlines the state's proposed response and is provided for feedback and discussion purposes.

Proposed regulatory framework

After exploring the identified issues with the above stakeholders, and with a view to improving the current regulatory framework, the state proposes the following changes:

Proposed roles and responsibilities

- The state to relinquish its current State Assessment and Referral Agency (SARA) role as a concurrence agency for proposals involving >200K birds
- Large scale poultry farms (>200K birds) to remain as a prescribed Environmentally Relevant Activity (ERA), but not a concurrence ERA. Requirement to obtain an Environmental Authority (EA) to remain and be administered by DAF
- EA assessments to be carried out concurrently with development applications or after decisions on development applications
- Local governments to be solely responsible for assessing development applications for poultry farms, including those involving >200K birds

- The state to develop and implement a state-wide code (similar to existing IDAS codes) for local governments to use in the assessment of large scale poultry farms (>200K birds only). Local government planning schemes continue to regulate poultry farms involving <200K birds
- The state-wide code to have effect throughout Queensland and to be administered by local governments. The state-wide code would only be triggered by poultry farm proposals involving >200K birds
- In the event of inconsistencies between local government planning schemes and the state-wide code, the state-wide code prevails
- The state-wide code to be supported by revised state guidelines.

Proposed state-wide code

In order to establish consistent assessment criteria, to be applied throughout the state, DILGP proposes to develop a state-wide code that will be given effect through the forthcoming *Planning Regulation 2017*. The state-wide code would prescribe assessment benchmarks that local governments must use in assessing relevant development applications. Failure to comply with the state-wide code would provide grounds for refusal.

In developing such a code, the state, through DILGP, will consult with stakeholders on appropriate amenity standards and approaches to the management of impacts including odour, dust and noise. The state considers poultry farms to be a land use consistent with the intent of rural zones; however their development should preserve the capacity of adjacent land to be used for purposes intended by the relevant zone(s). Accordingly, the state considers it appropriate for:

1. amenity impacts within a rural zone to dissipate without significantly affecting *sensitive receptors*;

Sensitive Receptor means:

- (a) a dwelling, mobile home or caravan park, residential marina or other residential premises; or
 - (b) a motel, hotel or hostel; or
 - (c) a kindergarten, school, university or other educational institution; or
 - (d) a medical centre or hospital; or
 - (e) a protected area; or
 - (f) a public park or gardens; or
 - (g) a commercial place or part of the place potentially affected.
- It includes the curtilage of such any place and any place known or likely to become a sensitive place in the future.

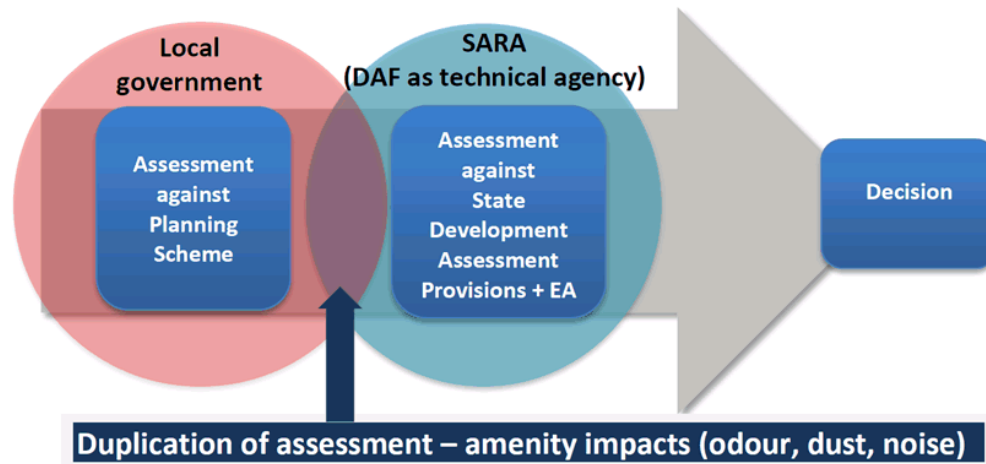
2. more stringent criteria to apply where impacts may extend beyond the boundary of a rural zone.

In addition to developing a code, DILGP will also prepare guidance material to assist with interpretation, decision making and appropriate conditioning. In doing so, it is anticipated that assessments will be more consistent and conditions attached to development approvals will be fit-for-purpose, eliminating crossover with operational matters addressed through EAs.

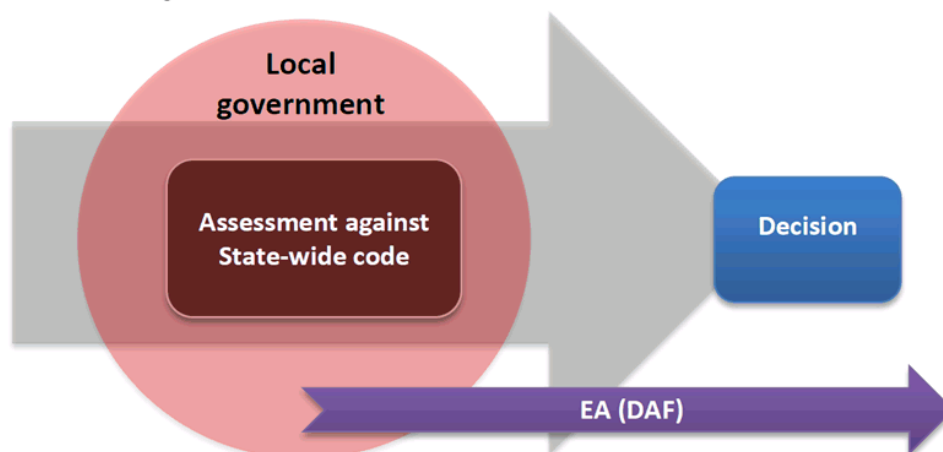
Basic diagrams illustrating the existing and proposed regulatory frameworks, for poultry farms involving >200K birds, are shown on the following page.

Department of Infrastructure, Local Government and Planning

Existing Regulatory Framework: Poultry farm >200K birds (MCU/ERA) with Local Government as Assessment Manager and referral to SARA as Concurrence Agency



Proposed Regulatory Framework: Poultry farm >200K birds (MCU) with Local Government as Assessment Manager and no referral to SARA



Next steps

Prior to commencing drafting, DILGP seeks comments and feedback on the state's proposed changes to the existing regulatory framework. Accordingly, please consider the approach detailed within this paper and provide your responses electronically to the following email address prior to 14 February 2017:

SARApplanningssupport@dilgp.qld.gov.au



12.1 Operational Plan 2016/2017 Quarterly Report, December 2016

ORDINARY COUNCIL MEETING MINUTES 8 FEBRUARY 2017

3. Report

The attachment to the report detail the achievements of key strategies and progress made to 31 December 2016.

The 2016/17 Operational Plan has been developed to focus on the identification and delivery of key strategies that support and enhance Council's service provision to the community.

As part of Council's drive for continuous improvement, reporting on the delivery of initiatives has been expanded to provide an understanding of project delivery performance against the following criteria.

	Timing of Delivery	Budget Performance	Scope Delivery	Risk Management
Target Performance	Ongoing Strategy/ Completed	Within 5%	Benefits to be Achieved	No Concerns
Acceptable Performance	Rescheduling Expected/ Carried over	Within 5-10%	Benefits at Risk	Concerns being addressed
Successful Delivery at Risk	At Risk of Deferral/ To Be Deferred	Outside 10%	Benefits in Doubt	Significant Risk Experienced

A summary of performance to 31 December 2016 against key Operational Plan themes follows

	Lockyer Community	Lockyer Leadership	Lockyer Farming	Lockyer Livelihood	Lockyer Business	Lockyer Nature	Lockyer Planned	Lockyer Council
Total Initiatives for 2016/17	23	6	4	2	14	9	13	31
Timing of Delivery								
On Time	19	6	3	2	13	8	9	21
Re-scheduling Expected	3	0	1	0	1	1	3	6
At Risk of Deferral	1	0	0	0	0	0	0	2
To Be Deferred	0	0	0	0	0	0	1	2
Scope of work								
Benefits to be achieved	20	6	1	2	12	8	10	22
Benefits @ Risk	3	0	3	0	2	1	2	7
Benefits in Doubt	0	0	0	0	0	0	1	2
Risk Management								
No Concerns	18	6	4	2	11	8	10	19
Concerns being addressed	4	0	0	0	2	0	2	10
Significant Risk	1	0	0	0	1	1	1	2

ORDINARY COUNCIL MEETING MINUTES 8 FEBRUARY 2017

Experienced

4. Policy and Legal Implications

Section 122(2) of the *Local Government Regulation 2012* requires the Chief Executive Officer to present a written assessment of local government's progress towards implementing the annual Operational Plan at meetings of the local government. These reports are required to be at regular intervals of not more than three months.

5. Financial and Resource Implications

The financial performance of each key Operational Plan Theme provides an indication on the progress of initiatives or of constraints in delivering outcomes for the Operational Plan. Overall, financial performance is within budget tolerances and aligns to the delivery of outcomes. A summary of financial performance against key Operational Plan themes is set out in the following table.

Theme	Operating Revenue		Operating Expense		Capital Revenue		Capital Expense	
	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
Lockyer Livelihood	250	45	94,157	31,627		36,043		
Lockyer Farming	250	45	94,157	31,627		36,043		
Lockyer Business	1,965,000	993,256	3,499,348	1,846,707			129,500	21,927
Lockyer Community	737,325	412,574	4,096,584	1,735,653		8,000	165,000	109,889
Lockyer Council	38,025,175	15,890,963	15,997,111	7,502,645	1,676,000		4,622,200	963,698
Lockyer Leadership	938,000	601,168	2,577,740	1,148,421		72,085	1,029,000	854,632
Lockyer Nature	247,000	118,128	1,317,294	316,362				
Lockyer Planned	14,233,996	6,631,628	28,121,184	12,203,160	5,866,246	1,936,344	16,291,016	5,381,732

	Lockyer Community	Lockyer Leadership	Lockyer Farming	Lockyer Livelihood	Lockyer Business	Lockyer Nature	Lockyer Planned	Lockyer Council
Total Initiatives for 2016/17	23	6	4	2	14	9	13	31
Budget Performance								
Budget Underspent	1	0	0	0	0	0	1	0
Within 5%	20	6	4	2	13	9	9	26
Within 5-10%	1	0	0	0	1	0	3	3
Outside 10%	1	0	0	0	0	0	0	2



ORDINARY COUNCIL MEETING MINUTES 8 FEBRUARY 2017

6. Delegations/Authorisations

No delegations are required for this report and existing authorities are appropriate for the delivery of Operational Plan outcomes.

7. Communication and Engagement

The significant achievements of the Operational Plan are regularly reported through Corporate Communications and media channels. Overall achievements from all quarterly reporting will be included in the 2016/17 Annual Report.

8. Conclusion

Quarterly reporting on the Operational Plan is a statutory requirement and informs Council and the community on the performance of Council against yearly programs and activities.

9. Action/s

Refer to a Council Workshop for further discussion on key initiatives as required.

Please note: A hard copy of the 2nd Quarter Report is available on request (loaded onto iPads separately).

Attachments

1 [View](#) Second Quarter Report 19 Pages

Initiative Number	Our Corporate Strategy goals are to...	Our strategies to achieve this are...	Responsibility	Performance Measures	Timeline	Progress Indicators				First Quarter Progress Comments	Second Quarter Progress Comments
						Weight	Budget	Target	Risk		
CD00001117-03	Our Corporate Strategy goals are to...	Our strategies to achieve this are...	Corporate and Community Services	Successful delivery of a range of projects that improve the lives of our customers and the wider community.	Strategic planning and delivery of projects throughout the year.	on track	on budget	on target	on track	Progress made in the first quarter of the year, with the majority of projects on track. The second quarter is expected to see further progress.	Progress made in the second quarter of the year, with the majority of projects on track. The third quarter is expected to see further progress.
CD00001117-02	Our Corporate Strategy goals are to...	Our strategies to achieve this are...	Corporate and Community Services	Successful delivery of a range of projects that improve the lives of our customers and the wider community.	Strategic planning and delivery of projects throughout the year.	on track	on budget	on target	on track	Progress made in the first quarter of the year, with the majority of projects on track. The second quarter is expected to see further progress.	Progress made in the second quarter of the year, with the majority of projects on track. The third quarter is expected to see further progress.
CD00001117-01	Our Corporate Strategy goals are to...	Our strategies to achieve this are...	Corporate and Community Services	Successful delivery of a range of projects that improve the lives of our customers and the wider community.	Strategic planning and delivery of projects throughout the year.	on track	on budget	on target	on track	Progress made in the first quarter of the year, with the majority of projects on track. The second quarter is expected to see further progress.	Progress made in the second quarter of the year, with the majority of projects on track. The third quarter is expected to see further progress.

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2016-17 Operational Plan Second Quarter Report - Lockyer Community

[illegible]

2016-17 Operational Plan Second Quarter Report - Lockyer Community

FUNDERS										
Initiative Number	Our Corporate Plan goals are the...	Our strategies to achieve this are...	Responsibility	Performance measure	Timeline	Progress indicators				First Quarter Progress Comments
						Target	Budget	Scope	Risk	
00000001.01	Provide community and local organisations with information and resources to support their efforts to improve their environmental performance and reduce their carbon footprint.	Implement Council's Community Green and Sustainable Policy	Environmental Development and Planning	Delivery of community green and sustainable initiatives in line with policy and budget	Quarterly progress reports to the Council (14/17)	on track	within 10%	aligned to the business plan	no concerns	On track progress to be noted and budget and financial 1 and 1/2. Budget 1 has been used at appropriate times have completed 1 and 1/2 of the plan.
ADVOCATOR										
Initiative Number	Our Corporate Plan goals are the...	Our strategies to achieve this are...	Responsibility	Performance measure	Timeline	Progress indicators				First Quarter Progress Comments
						Target	Budget	Scope	Risk	
00000001.02	Advocate to government and agencies for additional human and social services and infrastructure and reflect the needs of the region and community needs	Implement growth initiatives from the master plan	Executive Office	Local infrastructure funding required and community projects identified and implemented	Quarterly progress reports to the Council (14/17)	on track	within 10%	aligned to the business plan	no concerns	Community at risk of not being able to meet the requirements.
										<p>YCS is currently planning with agencies to help with infrastructure. They will have a meeting with the Council and the Council will be able to provide the necessary funding to support the project.</p> <p>YCS is currently in a state of flux, with a lot of changes in the management team. This has led to a lot of uncertainty in the community and the Council will be able to provide the necessary funding to support the project.</p>

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2016/17 Operational Plan Second Quarter Report - Larkyer Farming

PRODUCER										
Stakeholder Member	The Corporate Plan goals are to...	Our strategies to achieve this are...	Responsibility	Performance measures	Thresholds	Progress Indicators				First Quarter Progress Comments
						Timing	Budget	Scope	Risk	
000001517-21	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
000001517-22	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
REGULATOR										
000001517-23	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
ADVOCATOR										
000001517-24	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
000001517-25	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
000001517-26	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
000001517-27	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
000001517-28	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
000001517-29	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity
000001517-30	Improve milk production efficiency to increase profitability and productivity	Improve milk production efficiency to increase profitability and productivity	Executive Office	Improve milk production efficiency to increase profitability and productivity	Ongoing	on time	within 10%	within 10%	no increase	Improve milk production efficiency to increase profitability and productivity

2016-17 Operational Plan Second Quarter Report - Lockerbie Unleashed

PROVIDER									
Initiative Number	Our Corporate Plan goals are to...	Our strategies to achieve this are...	Responsibility	Performance measure	Timeframe	Progress Indicators			
						Target	Budget	Scope	Risk
06/0317-02	Provide townships, opportunities and graduate positions	Identify position requirements and actively seek funding from the other government to assist in providing townships/graduate positions (involvement within Council)	Organisational Development and Reporting Facility	Providing for five townships and one graduate position and one measure to be met by 16/17	Strategy to engage measures to be met by 16/17	On time	Within 10%	Benefits to be achieved	No Critical
FACILITATOR									
Initiative Number	Our Corporate Plan goals are to...	Our strategies to achieve this are...	Responsibility	Performance measure	Timeframe	Progress Indicators			
						Target	Budget	Scope	Risk
06/0317-02	Provide townships, opportunities and graduate positions	Identify position requirements and actively seek funding from the other government to assist in providing townships/graduate positions (involvement within Council)	Organisational Development and Reporting Facility	Providing for five townships and one graduate position and one measure to be met by 16/17	Strategy to engage measures to be met by 16/17	On time	Within 10%	Benefits to be achieved	No Critical
First Quarter Progress Comments:									
Second Quarter Progress Comments:									

2016-17 Operational Plan Second Quarter Report – Lockyer Business

Initiative Number	Our Corporate Plan goals are to...	Our strategies to achieve this are...	Responsibility	Performance measures	Timeline	Progress Indicators				First Quarter Progress Comments	Second Quarter Progress Comments
						Leading	Lagging	Leading	Lagging		
2016/17-01		Improve the business's financial performance by increasing revenue and reducing costs.	Business Office	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.	On Track	On Track	On Track	On Track	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.
2016/17-02		Improve the business's financial performance by increasing revenue and reducing costs.	Business Office	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.	On Track	On Track	On Track	On Track	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.
2016/17-03		Improve the business's financial performance by increasing revenue and reducing costs.	Business Office	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.	On Track	On Track	On Track	On Track	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.
2016/17-04		Improve the business's financial performance by increasing revenue and reducing costs.	Business Office	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.	On Track	On Track	On Track	On Track	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.
2016/17-05		Improve the business's financial performance by increasing revenue and reducing costs.	Business Office	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.	On Track	On Track	On Track	On Track	Improve the business's financial performance by increasing revenue and reducing costs.	Improve the business's financial performance by increasing revenue and reducing costs.

[illegible]

2016-17 Operational Plan Second Quarter Report - Lockyer Business

PARTNER (Continued)											
Initiative Number	Our Corporate Plan goals are to...	Our strategies to achieve this are...	Responsibility	Performance measures	Short-term	Progress Indicators				First Quarter Progress Comments	Second Quarter Progress Comments
						Timing	Frequency	Scope	Risk		
ADVOCATOR											
000000131	Change to change government policy to support development opportunities	Encourage the government to support business development opportunities to support economic growth and job creation and government to support development opportunities	Executive Office	Encourage the government to support business development opportunities to support economic growth and job creation	The target is to secure government support for business development opportunities to support economic growth and job creation	On time	within 10 weeks	monthly to be achieved	no increase in expenditure	Encourage the government to support business development opportunities to support economic growth and job creation	Encourage the government to support business development opportunities to support economic growth and job creation
000000132						On time	within 10 weeks	monthly to be achieved	no increase in expenditure		
First Quarter Progress Comments											
Second Quarter Progress Comments											
000000133	Encourage the government to support business development opportunities to support economic growth and job creation	Encourage the government to support business development opportunities to support economic growth and job creation	Executive Office	Encourage the government to support business development opportunities to support economic growth and job creation	The target is to secure government support for business development opportunities to support economic growth and job creation	On time	within 10 weeks	monthly to be achieved	no increase in expenditure	Encourage the government to support business development opportunities to support economic growth and job creation	Encourage the government to support business development opportunities to support economic growth and job creation
000000134	Encourage the government to support business development opportunities to support economic growth and job creation	Encourage the government to support business development opportunities to support economic growth and job creation	Executive Office	Encourage the government to support business development opportunities to support economic growth and job creation	The target is to secure government support for business development opportunities to support economic growth and job creation	On time	within 10 weeks	monthly to be achieved	no increase in expenditure	Encourage the government to support business development opportunities to support economic growth and job creation	Encourage the government to support business development opportunities to support economic growth and job creation
First Quarter Progress Comments											
Second Quarter Progress Comments											

2016-17 Operational Plan Second Quarter Report - Local Government

FACILITATOR											
Relative Number	Our Corporate Plan goals are to:-	Our strategies to achieve this are:-	Responsibility	Performance measure	Timeframe	Program indicators				First Quarter Progress Comments	Second Quarter Progress Comments
						Young	Target	Value	Unit		
1627.103.01	Work with local and State Government to ensure that the Local Government is well informed and aware of the needs of the community and the needs of the Local Government.	Establish and provide ongoing relationships with other levels of government to ensure the needs of the community and the needs of the Local Government are met.	Organisational Development and Planning	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.	Strongly Exceeds	100%	100%	100%	100%	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.
1627.103.02	Provide an active and engaged local and state government to ensure that the Local Government is well informed and aware of the needs of the community and the needs of the Local Government.	Establish and provide ongoing relationships with other levels of government to ensure the needs of the community and the needs of the Local Government are met.	Organisational Development and Planning	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.	Strongly Exceeds	100%	100%	100%	100%	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.
ADVOCATOR											
Relative Number	Our Corporate Plan goals are to:-	Our strategies to achieve this are:-	Responsibility	Performance measure	Timeframe	Program indicators				First Quarter Progress Comments	Second Quarter Progress Comments
						Young	Target	Value	Unit		
1627.103.03	Provide an active and engaged local and state government to ensure that the Local Government is well informed and aware of the needs of the community and the needs of the Local Government.	Establish and provide ongoing relationships with other levels of government to ensure the needs of the community and the needs of the Local Government are met.	Organisational Development and Planning	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.	Strongly Exceeds	100%	100%	100%	100%	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.	Engagement has increased with all relevant stakeholders throughout the year and all relevant stakeholders have been consulted on the Local Government's vision.

PROVIDOR									
Provider Identifier	Our Corporate Plan goals are to...	Our strategies to achieve this are...	Regulatory	Performance measures	Thresholds	Rigorous indicators			
						Time	Budget	Scope	Risk
PA141317-01	Develop services across England and a nationwide membership for all swimming facilities (all)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-02	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-03	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-04	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-05	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-06	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-07	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-08	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-09	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk
PA141317-10	Develop a fully integrated water supply system (England / Wales)	Develop a fully integrated water supply system (England / Wales)	Compliance and Community, Investment	Develop a fully integrated water supply system (England / Wales)	Targeted to meet the needs of the water supply system for all swimming facilities (all)	no time	no budget	no scope	no risk

[illegible]

[illegible]

[illegible]

2018-17 Operational Plan Second Quarter Report: Ledger Count

PRACTICE AND POLICY (Continued)												
Strategic Initiative	The Corporate Plan goals are to...	The strategies to achieve this are...	Responsibility	Performance measures	Timeline	Progress Indicators					First Quarterly Progress Comments	Second Quarterly Progress Comments
						Timing	Indicators	Targets	Actuals	Gap		
COO1811.1.01	Improve Customer Satisfaction Score across all regions	Implement new customer service training program, streamline service delivery, and enhance digital support channels.	Customer Service and Operations	Customer Satisfaction Score (CSAT) and Net Promoter Score (NPS)	End of Year	95%	92%	90%	88%	95%	CSAT score improved from 88% to 92%.	CSAT score improved from 92% to 95%.
COO1811.1.02	Reduce operational costs by 10% without impacting service quality	Optimize supply chain, renegotiate vendor contracts, and implement energy-saving measures.	Operations and Finance	Operational Costs as a Percentage of Revenue	End of Year	10%	12%	11%	10%	10%	Operational costs reduced by 12%.	Operational costs reduced by 11%.
COO1811.1.03	Enhance employee engagement and retention	Implement flexible work arrangements, offer professional development opportunities, and improve communication.	Human Resources	Employee Engagement Score and Turnover Rate	End of Year	85%	80%	78%	75%	85%	Employee engagement score improved from 78% to 82%.	Employee engagement score improved from 82% to 85%.
COO1811.1.04	Improve IT system reliability and security	Upgrade IT infrastructure, implement robust security protocols, and conduct regular audits.	IT Department	System Uptime and Security Incidents	End of Year	99.9%	99.5%	99.0%	98.5%	99.9%	System uptime maintained at 99.9%.	System uptime maintained at 99.9%.
COO1811.1.05	Strengthen environmental sustainability	Implement green building practices, reduce waste, and source sustainable materials.	Facilities and Sustainability	Carbon Footprint and Waste Reduction	End of Year	15%	18%	17%	16%	15%	Carbon footprint reduced by 17%.	Carbon footprint reduced by 16%.
COO1811.1.06	Improve community relations and corporate social responsibility	Engage in community outreach, support local initiatives, and maintain transparent reporting.	Community Relations	Community Engagement and CSR Initiatives	End of Year	80%	75%	70%	65%	80%	Community engagement score improved from 70% to 75%.	Community engagement score improved from 75% to 80%.
COO1811.1.07	Enhance data privacy and compliance	Review and update data privacy policies, implement strict access controls, and conduct privacy impact assessments.	Legal and Compliance	Data Privacy Compliance Score	End of Year	100%	98%	95%	90%	100%	Data privacy compliance score improved from 95% to 98%.	Data privacy compliance score improved from 98% to 100%.
COO1811.1.08	Improve financial performance and budget adherence	Optimize financial processes, improve cost management, and ensure accurate reporting.	Finance	Financial Performance and Budget Adherence	End of Year	98%	95%	92%	90%	98%	Financial performance improved from 92% to 95%.	Financial performance improved from 95% to 98%.
COO1811.1.09	Enhance risk management and resilience	Identify potential risks, develop mitigation strategies, and conduct regular risk assessments.	Risk Management	Risk Management Score	End of Year	80%	75%	70%	65%	80%	Risk management score improved from 70% to 75%.	Risk management score improved from 75% to 80%.
COO1811.1.10	Improve innovation and R&D capabilities	Invest in R&D, foster a culture of innovation, and explore new market opportunities.	Innovation and R&D	Innovation Pipeline and R&D Spend	End of Year	10%	12%	11%	10%	10%	Innovation pipeline score improved from 10% to 12%.	Innovation pipeline score improved from 12% to 10%.
COO1811.1.11	Enhance talent acquisition and retention	Implement targeted recruitment strategies, improve employee benefits, and offer career development opportunities.	Talent Acquisition	Talent Acquisition Score and Retention Rate	End of Year	85%	80%	78%	75%	85%	Talent acquisition score improved from 78% to 82%.	Talent acquisition score improved from 82% to 85%.
COO1811.1.12	Improve customer loyalty and repeat business	Implement loyalty programs, offer personalized recommendations, and enhance post-purchase support.	Customer Loyalty	Customer Loyalty Score and Repeat Purchase Rate	End of Year	90%	85%	80%	75%	90%	Customer loyalty score improved from 80% to 85%.	Customer loyalty score improved from 85% to 90%.
COO1811.1.13	Enhance digital marketing effectiveness	Implement targeted digital marketing campaigns, optimize website conversion, and leverage social media.	Digital Marketing	Digital Marketing Score and Conversion Rate	End of Year	80%	75%	70%	65%	80%	Digital marketing score improved from 70% to 75%.	Digital marketing score improved from 75% to 80%.
COO1811.1.14	Improve supply chain resilience	Diversify suppliers, implement inventory management, and enhance logistics efficiency.	Supply Chain	Supply Chain Resilience Score	End of Year	85%	80%	78%	75%	85%	Supply chain resilience score improved from 78% to 82%.	Supply chain resilience score improved from 82% to 85%.
COO1811.1.15	Enhance corporate governance and ethics	Implement robust governance framework, promote ethical behavior, and ensure transparency.	Corporate Governance	Corporate Governance Score	End of Year	90%	85%	80%	75%	90%	Corporate governance score improved from 80% to 85%.	Corporate governance score improved from 85% to 90%.
COO1811.1.16	Improve environmental sustainability	Implement green building practices, reduce waste, and										

[illegible]

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12.2 Exemptions from Obtaining Competitive Offers for the December 2016 Quarter

Date: 16 January 2017
Author: Sarah Lees, Procurement Coordinator
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

Summary:

To comply with existing legislative requirements, Council is required to make a resolution in relation to *Section 235 of the Local Government Regulation* in relation to certain contractual obligations.

Officer's Recommendation:

THAT Council resolve to enter into medium-sized or large-sized contracts under Section 235 (a) of the Local Government Regulation 2012 without first inviting written quotes or tenders, as it is satisfied that there is only 1 supplier who is reasonably available for project management for an art project from Kontraband Studios;

And further;

THAT Council resolve to enter into a medium-sized or large-sized contracts under Section 235 (b) of the Local Government Regulation 2012 without first inviting written quotes or tenders, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders for

- 1)upgrading of the WaterRide system provided by Worley Parsons Group; and**
- 2)integration of flood camera dashboards by Prospect Group; and**
- 3)refining operations and opportunities of new motel by HDI Advisory; and**
- 4) leadership and coaching from Heart2Heart.**

RESOLUTION

THAT Council resolve to enter into medium-sized or large-sized contracts under Section 235 (a) of the Local Government Regulation 2012 without first inviting written quotes or tenders, as it is satisfied that there is only 1 supplier who is reasonably available for project management for an art project from Kontraband Studios;

And further;

THAT Council resolve to enter into medium-sized or large-sized contracts under Section 235 (b) of the Local Government Regulation 2012 without first inviting written quotes or tenders, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders for

- 1)upgrading of the WaterRide system provided by Worley Parsons Group; and**
- 2)integration of flood camera dashboards by Prospect Group; and**
- 3)refining operations and opportunities of new motel by HDI Advisory; and**
- 4) leadership and coaching from Heart2Heart.**

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Moved By: Cr Holstein Seconded By: Cr Cook
Resolution Number: 16-20/0364

CARRIED
7/0

Report

1. Introduction

Under the *Local Government Act 2009* (the Act) and the *Local Government Regulation 2012* (the Regulation), Council has specific legislative responsibilities in relation to procurement. However, also contained within this legislation are exemptions from these requirements.

2. Background

Under *Section 235 of the Regulation* a local government may enter into a medium-sized or large-sized contractual arrangement without first inviting written quotes or tenders if –

- (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- (c) a genuine emergency exists; or
- (d) the contract is for the purchase of goods and is made by auction; or
- (e) the contract is for the purchase of second-hand goods; or
- (f) the contract is made with, or under an arrangement with, a government agency.

Under the Regulation, a medium-sized contract is between \$15,000 and \$200,000 (exclusive of GST) and a large-sized contract being of greater value than \$200,000 (exclusive GST).

3. Report

Over recent months, Council has entered into contracts with a number of suppliers under the approval of the Chief Executive Officer. These contracts exclude contracts under alternative legislative procurement exceptions under *Sections 231 to 234 of the Regulation*.

To comply with the requirements of the Regulation, Council is now required to make a resolution in relation to *Section 235 of the Regulation* in relation to these contractual obligations.

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Tabled below is the group, type of contract, supplier and reasons for not applying competitive procurement:

Section 235	Unit	Supplier	Service(s)	GST Incl.	Comments
a	Marketing, Communications and Engagement	Kontraband Studios	Engagement of project manager for public art wall mural	\$31,000	Recommended supplier with specific skills in providing service

Section 235	Unit	Supplier	Service(s)	GST Incl.	Comments
b	Disaster Management	Worley Parsons Group	Upgrades, development & training of WaterRide system	\$35,860	Necessary services
b	Disaster Management	Prospect Group	Integration of Council's flood monitoring camera dashboards & public access	\$98,285	Critical services required
b	Organisational Development and Engagement	HDI Advisory	Assist in refining opportunities and operations of the new motel	\$15,000	Previous history within Council and this project
b	Organisation and People Development	Heart2Heart	Leadership & Coaching program for Council	\$24,156	Continuation of existing program

4. Policy and Legal Implications

Under *Section 235 of the Local Government Regulation 2012*, a local government may enter into a medium-sized or large-sized contractual arrangement without first inviting written quotes or tenders if –

- (a) the local government resolves it is satisfied that there is only 1 supplier who is reasonably available; or
- (b) the local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders; or
- (c) a genuine emergency exists; or
- (d) the contract is for the purchase of goods and is made by auction; or

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- (e) the contract is for the purchase of second-hand goods; or
- (f) the contract is made with, or under an arrangement with, a government agency.

5. Financial and Resource Implications

Budget and resource implications will continue to be addressed through existing budget allocations.

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 matters arising from this report that require further communication will be addressed through existing communication channels.

8. Conclusion

To comply with the requirements of the Regulation, Council is now required to make a resolution in relation to *Section 235 of the Regulation* in relation to the above mentioned contractual obligations.

9. Action/s

No further actions are required in relation to this report.





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FINANCE AND CUSTOMER SERVICES

Finance

The second levy of 2016/17 rates was issued on 27 January with a due date of 3 March 2017. No problems have been identified with the run to date.

The date for the Sale of Land for Unpaid Rates Auction has been set as 16 February 2017 commencing at 10:00am. Auction notices have been sent to the property owners and other interested parties, placed on the land, and displayed in the Council Offices. Advertisements will also appear in the Gatton Star. From the original twenty-one properties issued with an intention to sell, only nine properties remain. Rates Officers are continuing to try to contact the owners or mortgage holders so as to avoid the sale of the remaining properties.

Preparations have commenced for the 2017/18 budget with the long term financial forecast being rolled over and balanced and briefing notes being prepared. The 2017/18 Budget timetable will be finalised in February but at this stage it is planned for the budget to be adopted prior to 30 June.

Customer Services

This section of the report breaks down January 2017 activity within the Customer Services Branch by service type.

Service Requests

Details of January 2017 customer service requests and recent trends in relation to same are detailed in the two attachments to this report.

Councillor requests

During January there were 25 new Councillor requests with 117 Councillor requests remaining open at 31 January.

Telephones

2,588 telephone calls attempted to connect with Council's telephone exchange in January 2017. During the month, Council's service level had an increase to 81.5% against a service level target of 80%.

During the month, Council's "call back" function increased, with 38 calls logged; there was also a minor increase with 34 live chats performed during the month.

QGAP

There were 663 QGAP transactions processed by Council during January.

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COMMUNITY FACILITIES AND SERVICES

Facilities

Laidley Recreation Reserve Lighting Replacement

The contractor, Australian Sports Lighting Solutions has priced additional design alterations requested by Council with contract documentation prepared and issued.

Laidley Library and Customer Service Centre

This project remains largely on track against the agreed construction timeline.

Libraries

During January, 163 new members joined our service with 8,190 items being issued.

Key libraries statistics for the six months to the end of December 2016 are attached to this report.

Childcare

Average occupancy rates for the month of January were Gatton 62% and Kensington Grove 62%. It should be noted that the centres were closed for 2 weeks over the Christmas and New Year periods.

HEALTH, WASTE & REGULATORY SERVICES

Waste

- LGAQ Environmental Health Coordinator attended the Gatton Waste Facility including the Anuha MRF. He intends to organize a meeting with the management group of Anuha to discuss the up and coming Container Refund Scheme.
- Gatton Earthmoving has commenced construction of the new Gatton landfill (Cell 4). The western batter has been completed with the Geo synthetic liner and passive gas systems in place. Some modifications to the design have been made to increase the volumetric air space / capacity of the cell. The sedimentation pond has also commenced.
- A tender specification for an alternative power source for the Withcott Transfer Station has been released to the market. A mandatory site visit by prospective tenderers was well attended.
- A draft tender specification for storage compounds is with procurement for release to the market. These compounds are necessary for the containment of gas cylinders and batteries at each waste management facility.
- Trialling methods are being undertaken at the Laidley Transfer Station with a back hoe for efficiency and transport of waste in 30 cubic metre bins. This is a short term trial to assess in the impact of "tampering" the waste in the bins.

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- The new Lockyer Waters Transfer Station donga was commissioned in mid-January 2017. On 30 January a break-in occurred at this donga which resulted in damage to the new facility and a laptop computer being stolen. The donga was secured on the day and the Police have attended and processed the building for fingerprints and DNA evidence.
- A declared plant survey has been completed for all waste management sites to assess compliance with current statutes. Officers will now liaise with pest management personnel to develop a spraying strategy over the coming year.

Health & Regulatory Services

- Since January 2017, 12 food establishment reviews have been undertaken.
- A Public Health Order has been issued to Rusty's Food Business for unclean toilet facilities.
- A remedial notice has been issued to 549 Gatton Esk Road Adare to clean up the premises.
- A follow up inspection for the Public Health Order on 39 Glendene Road Forest Hill has been undertaken with some improvements being achieved. Further inspections will continue with cooperation from with the owner to complete remaining works.
- An initial inspection has been undertaken on the Old Britannia Hotel (previously named Laidley Hotel) where advice was provided on the food premises and licensing requirements.
- A Second reminder notice for outstanding dog registrations were issued mid-January for over 650 unregistered dogs.
- A QCAT hearing has been set down for March 2017 for 3 Richwood Court, Regency Downs.
- An arrangement has been negotiated with West Moreton Public Health Unit (Queensland Health) to assist with an Ovitrap mosquito community survey to be undertaken commencing from February to April 2017. A fact sheet is being prepared for residents participating in the survey. Approximately 40 premises will be surveyed. Queensland Health will complete all aspects of mosquito identification. The survey is looking to ascertain if Dengue Fever and Zika mosquitoes are present in the Lockyer Community as a proactive measure to preventing disease.

INFORMATION SERVICES

Laidley Records Relocation Project

- The CCTV Server was removed on the 22 January with the PABX was removed on the 24 January.
- Laidley Library and QGAP phone numbers have been forwarded at a Telstra level.

CCTV

- Work has been completed on cameras at the Lake Apex Car Park.
- Signed MoU has been received from Laidley Police and countersigned by CEO.
- View only access to Laidley CCTV network has been provided to Laidley Police.

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Skype For Business (SFB)

- The unit is working through solutions to provide cordless solutions in the Gatton Library and Workshop as the current solutions do not provide appropriate functionality.

Hardware Replacement

- The roll out of new desktops, notebooks and monitors continues to be on track.

Technology One

- Ci Enforcement – Local Law – A draft workflow provided by Waste, Health and Regulatory Services.
- Ci Licences & Permits – has also commenced alongside 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 develop a method to upload these forms by customer via Online Services. Attachment Types have been configured and tested for file type/size limits. Authorisations have not been turned on pending communication to affected areas as to what to expect and where to find attachments. This will be provided via a short video session.
- Enterprise Cash Receipting –Go Live was on Monday 5 December 2016 and has been used successfully to date.
- CiA to the outdoor workforce. The next pilot groups involve of Infrastructure Works and Services Construction and Maintenance crews. Session one for both groups has been completed. Session two has had delays due to coordination issues within the crew. This may now be finalised in early February.
- CiA Work Requests - Go Live was on 5 December 2016 and has been used successfully.
- CRM Review – A review of CRM service standards has been undertaken with the results of the review to be presented to the Executive Management Team on 13 February 2017. These standards together with surveys of our telephone responses are designed to improve customer engagements.
- On site Pest Management Solution – This project provides the ability to record pest information via a mobile solution on site with integration to Land Register and spatial presentation. Remaining work includes the file transfer method from mobile devices.
- CiA – BI Analytics Dashboard – Technology One has approached us to be an early adopter for this module. The Information Services Steering Group has resolved to accept the quote from Technology One as this is a key component in Council's drive to improve business performance.

DISASTER MANAGEMENT

- The Lockyer Valley SES Local Controller position has been filled with Aaron Brown taking on the role.



ORDINARY COUNCIL MEETING MINUTES 8 FEBRUARY 2017

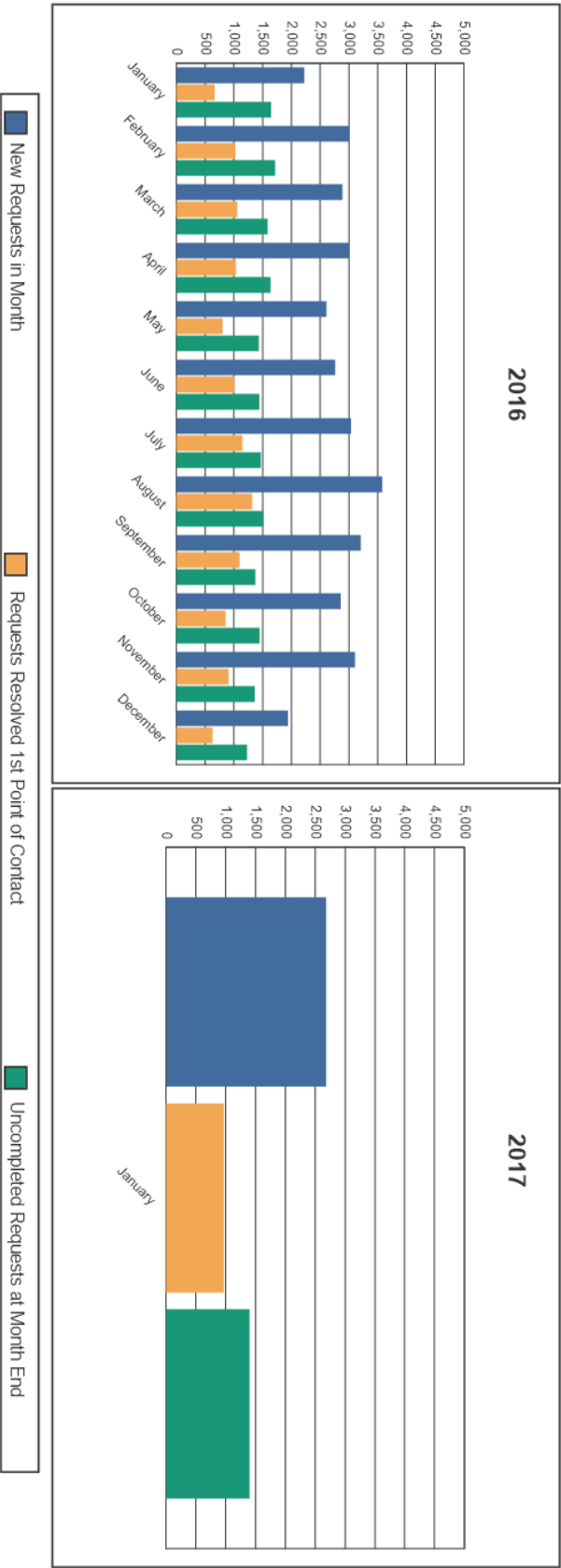
- The Disaster Management Program Officer was on call over the Christmas close down period. There were no activations during the period, apart from heavy rainfall on the afternoon of the 2 January 2017 with up to 100mm falling in some parts of the Lockyer Valley. The SES saw 3 jobs related to this event.
- Laidley donated goods: The shipping container and associated items were picked up from the Disaster Management shed 20 December 2016, with the items signed for and delivered to an address in Laidley.
- The Lockyer Valley SES Update is attached.


Attachments

1View	Statistics - Whole of Council - 201701	1 Page
2View	Lockyer Valley SES Update	1 Page
3View	Library -Statistics - 2016 2017	9 Pages

Customer Requests Whole of Council
Month Ending : January 2017

New Requests per Month vs Those Resolved at 1st Point of Contact & Total Uncompleted Requests at Month End



LOCKYER VALLEY SES UPDATE		
Event: (eg Weekly Report/Event Name)		
SES Fortnightly Report		
Update No:	Time period covered:	Date:
2017.1.2	2 – 8 January 2017	9/01/17
From:		
Annette Fifoot, Deputy Local Controller		
Phone:	Mobile:	0409 629 190
Email: SES.Lockyer.Valley.Regional.Unit.Deputy.Local.Controllers@ses.qfes.qld.gov.au		

SES Activations

Storm Damage Operations:

2/01/17 **Gatton** – SES assisted resident to fill 12 sandbags for use in preventing flooding under door (2 Gatton).

Withcott – Internal leaking caused by blocked gutter. SES cleaned gutter for elderly couple (6 Forest Hill).

Ropeley – SES showed resident how to form sandbag wall to divert water away from house; left 58 filled bags (6 Gatton)

EOC – One Gatton member manned EOC at Gatton to monitor TAMS and log radio comms. Local Controller managed the operations from the Ropeley site.

3/01/17 **Laidley** – SES replaced dislodged tiles and anchored loose capping tiles with sandbag weights (4 Forest Hill / 1 Laidley).

EOC – Manned by 2 (Laidley / Forest Hill)

SES Training & Development – Nil

SES Community Participation - Nil

SES Planning

- A meeting of Lockyer Valley Executives is proposed for 13th January if all are available. A date for the first 2017 Trainers' Meeting will be determined at this time.
- 23rd January – Representative from ENERGEX will talk to SES members about general electrical safety and the hazards specific to the use of the new lighting trailer.
- SES members have been invited to join the QFES Commissioner and other branches of QFES at a BBQ at the Gatton Fire Station on the evening of Thursday 12th January.

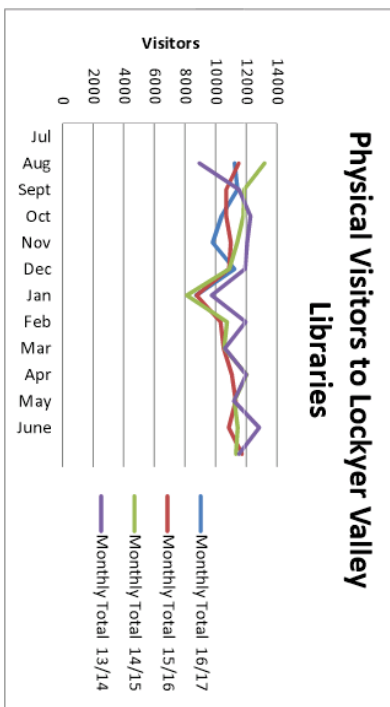
Membership

<u>Current Active Membership:</u>	GATTON	FOREST HILL	LAIDLEY
	16	16	6

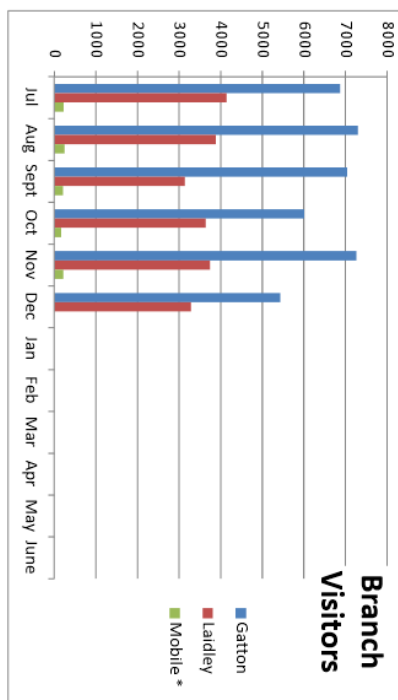
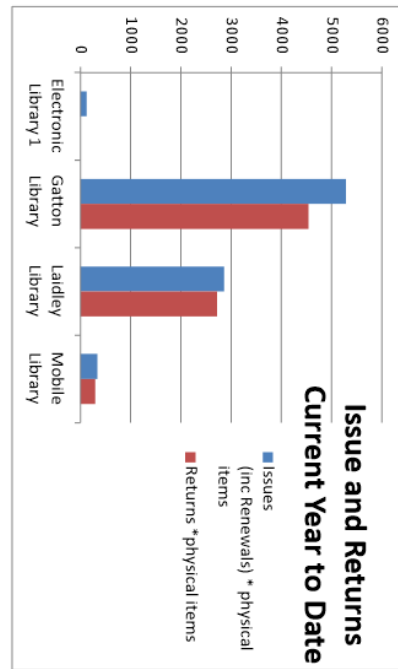
Lockyer Valley Regional Council -- Lockyer Valley Libraries Branch Summary Report -- YTD (end of December)

Financial Year	Physical item Issues (ex Renewals)	Renewals - physical items	Issues (inc Renewals) * physical items	Returns * physical items	Reservations Placed	Reservations Issued	Computer Bookings Placed	Computers Issued/ Checked out	New Members Added	Members Re-registered	Members Deleted	Current Membership *Active membership	Items Added	Items Deleted	Total Items
Electronic Library	0	961	961	0	1923	0	3039	2810	0	0	0	0	1454	4	11173
Gatton Library	34459	1490	35959	33298	2316	2185	2542	2459	840	594	74	11616	1493	1605	28315
Laidley Library	19604	728	20332	20691	3766	3639	1992	1642	209	302	14	6639	1416	749	10985
Mobile Library	2761	50	2811	2840	202	220	2	1	12	28	2	631	406	210	4067
Grand Total	56834	3229	60063	56829	8207	6044	7575	6912	1061	924	90	18886	4769	2568	54540

Visitors to Lockyer Valley Libraries				Monthly Total 16/17	Monthly Total 15/16	Monthly Total 14/15	Monthly Total 13/14
Month	Gatton	Laidley	Mobile *				
Jul	6870	4145	226	11241	11514	13197	8936
Aug	7294	3885	246	11425	10690	11861	11523
Sept	7041	3145	209	10395	10694	11809	12278
Oct	6004	3642	166	9812	11000	11411	12067
Nov	7258	3748	217	11223	10874	10889	11924
Dec	5433	3290	n/a	8723	8759	8127	9744
Jan					10329	10745	11965
Feb					10520	10554	10604
Mar					11052	12029	11990
Apr					11309	11226	11199
May					10863	11437	12838
June					11730	11328	11522
TOTAL	39900	21855	1064	62819	129334	134613	136590
Physical visitors				Monthly avg 10470	10778	11218	11383



* Mobile stats are manual and incomplete
* Laidley library was closed for 1 week in September



Lockyer Valley Regional Council -- Lockyer Valley Libraries
Branch Summary Report

December, 2016	Issues (ex Renewals) *physical items	Renewals *physical items	Issues (inc Renewals) *physical items	Returns *physical items	Reservations Placed	Reservations Issued	Computer Bookings Placed	Computers Issued/ Checked out	New Members Added	Members Re-registered	Members Deleted	Current Membership *Active membership	Items Added	Items Deleted	Total Items
Electronic Library	0	125	125	0	322	0	469	428	0	0	0	0	206	3	11173
Gatton Library	5194	92	5286	4544	263	288	348	327	88	86	7	11616	141	103	28315
Laidley Library	2799	61	2860	2719	549	611	260	204	25	40	2	6639	148	57	10985
Mobile Library*	340	1	341	297	10	29	1	0	2	2	0	631	51	3	4067
Grand Total	8333	279	8612	7560	1144	928	1078	959	115	128	9	18886	546	166	54540

November, 2016	Issues (ex Renewals) *physical items	Renewals *physical items	Issues (inc Renewals) *physical items	Returns *physical items	Reservations Placed	Reservations Issued	Computer Bookings Placed	Computers Issued/ Checked out	New Members Added	Members Re-registered	Members Deleted	Current Membership *Active membership	Items Added	Items Deleted	Total Items
Electronic Library	0	207	207	0	418	0	537	494	0	0	0	0	170	0	10970
Gatton Library	5356	253	5609	5159	382	361	482	461	127	84	8	11532	254	169	28392
Laidley Library	3209	148	3357	3540	753	668	294	264	27	58	2	6615	257	78	10779
Mobile Library*	487	10	497	520	37	29	0	0	0	2	0	629	88	40	4019
Grand Total	9052	618	9670	9219	1590	1058	1313	1219	154	144	10	18776	769	267	54160

October, 2016	Issues (ex Renewals) *physical items	Renewals *physical items	Issues (inc Renewals) *physical items	Returns *physical items	Reservations Placed	Reservations Issued	Computer Bookings Placed	Computers Issued/ Checked out	New Members Added	Members Re-registered	Members Deleted	Current Membership *Active membership	Items Added	Items Deleted	Total Items
Electronic Library	0	126	126	0	285	0	487	448	0	0	0	0	223	1	10800
Gatton Library	5665	290	5955	6249	296	365	432	420	159	84	21	11411	340	170	27953
Laidley Library	3151	87	3238	3285	644	522	380	259	42	46	1	6588	283	73	10671
Mobile Library*	437	16	453	434	29	37	0	0	1	6	0	628	109	12	4262
Grand Total	9253	519	9772	9968	1254	924	1299	1127	202	136	22	18627	955	256	53666

September, 2016	Issues (ex Renewals) *physical items	Renewals *physical items	Issues (inc Renewals) *physical items	Returns *physical items	Reservations Placed	Reservations Issued	Computer Bookings Placed	Computers Issued/ Checked out	New Members Added	Members Re-registered	Members Deleted	Current Membership *Active membership	Items Added	Items Deleted	Total Items
Electronic Library	0	135	135	0	269	0	538	514	0	0	0	0	255	0	10578
Gatton Library	6582	283	6865	5679	490	359	404	398	120	119	16	11262	189	199	27927
Laidley Library	2818	98	2916	3116	407	525	283	208	25	62	1	6547	128	155	10253
Mobile Library*	428	6	434	472	33	48	0	0	2	7	1	627	36	10	4234
Grand Total	9828	522	10350	9267	1199	932	1225	1120	147	188	18	18436	608	364	52992

August, 2016	Issues (ex Renewals) *physical items	Renewals *physical items	Issues (inc Renewals) *physical items	Returns *physical items	Reservations Placed	Reservations Issued	Computer Bookings Placed	Computers Issued/ Checked out	New Members Added	Members Re-registered	Members Deleted	Current Membership *Active membership	Items Added	Items Deleted	Total Items
Electronic Library	0	214	214	0	311	0	560	526	0	0	0	0	342	0	10323
Gatton Library	5648	324	5972	5817	473	368	460	445	178	114	19	11152	354	326	28901
Laidley Library	3856	157	4013	4162	798	649	384	351	45	50	6	6525	351	138	11309
Mobile Library*	545	10	555	587	65	41	0	0	4	5	1	626	100	118	4221
Grand Total	10049	705	10754	10566	1647	1058	1404	1322	227	169	26	18303	1147	582	52754

July, 2016	Issues (ex Renewals) *physical items	Renewals *physical items	Issues (inc Renewals) *physical items	Returns *physical items	Reservations Placed	Reservations Issued	Computer Bookings Placed	Computers Issued/ Checked out	New Members Added	Members Re-registered	Members Deleted	Current Membership *Active membership	Items Added	Items Deleted	Total Items
Electronic Library	0	154	154	0	318	0	448	400	0	0	0	0	258	0	9981
Gatton Library	6024	248	6272	5850	412	444	416	408	174	108	6	11070	228	640	28017
Laidley Library	3771	177	3948	3869	615	664	391	356	46	45	2	6502	216	248	12041
Mobile Library*	524	7	531	530	28	36	1	1	4	6	0	630	52	27	4182
Grand Total	10319	586	10905	10249	1373	1144	1256	1165	224	159	8	18202	754	915	52221

Lockyer Valley Regional Council -- Lockyer Valley Libraries
eResource Summary Report

Library Website / Catalogue	2016						2016/17 TOTAL	2016/17 Monthly average	2015/16 FY	2014/15 FY	2013/14 FY	2015/16 Monthly Average
	Jul	Aug	Sep	Oct	Nov	Dec						
Visits	1648	1606	1454	1326	1378	1201	8613	1436	16100	12080	11862	1342
Unique Visits	490	448	449	397	422	393	2599	433	6872	6179	Not available	573
Return visitors this month	1158	1158	1005	929	956	808	6014	1002.333	9228	5901	Not available	769
Pageviews	9579	10626	9564	8949	10180	7893	56791	9465	94255	87472	94073	7855
Visits/referrals from LVRC website	75	50	55	55	49	53	337	56	630	Not available	Not available	53
Borrowbox												
eAudioobook Turnover Rate	6.7	7.7	7.2	7	7.4	7.8		7	7.2	6.6	5.4 avg	
eAudioobook loans	337	397	357	368	376	525	2360	393	3623	2647	1864	302
eAudioobook reserves/renewals	100	105	102	114	137	153	711	119	1063	750	Not available	89
eAudioobook (total content)	592	605	606	617	620	627	627		589	433	368	
eBook Turnover Rate	2.6	2.7	2.6	2.7	2.6	2.8		2.7	2.3	2.7	2.5	
eBook loans (Borrowbox)	410	434	406	430	414	458	2552	425	4181	3505	2450	348
eBook reserves/renewals	111	108	106	128	114	133	700	117	1059	929	Not available	88
eBook (total content)	1851	1872	1878	1899	1907	1906	1907		1832	1837	1113	153
Total number of new users	803	829	842	860	881	902	902		794	647	448	
Total number of users this month	9	26	13	18	21	21	108	18	184	164	251	15
Overdrive (live since 15/1/15)	166	173	164	163	178	192		173	149	133 avg	97 avg	
eBook loans (Overdrive)	32	27	62	93	67	137	418	70	493	261	Not available. New service commenced 15/1/15	
eBook reservations	0	0	2	3	3	3	11	2	6	3		
New users	1	4	6	3	2	4	20	3	30	25		
Total users	56	60	66	69	71	75	75		55	25		
Number of users this month	8	9	15	13	13	17	13	13	8	8		
Magz - New joint consortia 1 Oct 2016												
Magazine Checkouts to LVL members	94	83	34	105	62	68	446	74	387	419	445	35
Total consortia Checkouts	133	102	53	223	145	168	824	137	Not available	Consortia commenced June 2016		
New Users	20	1	0	14	5	4	44	7	23	30	43	3
Total Users	102*	103*	103*	30	39	47	47		100	78	44	
Other eResources												
Carters Price Guide *Visits	1	3	2	5	2	1	14	2.33333	34	35	19	3
Carters Price Guide *Pageviews	3	56	7	25	6	3	100	17	138	231	Not available	19
Ancestry.com Total Searches	355	231	115	0	22	0	723	121	1317	2556	1309	213
Ancestry.com Image results	55	17	27	0	0	0	99	16.5	225	234	229	20
Ancestry.com Text results	261	99	75	0	11	0	446	74.33333	765	813	510	68
Who eise writes like (database)	8	11	7	7	6	5	44	7	69	22	Not available	2
Who next (database)	2	4	3	4	4	2	19	3	17	6	Not available	1

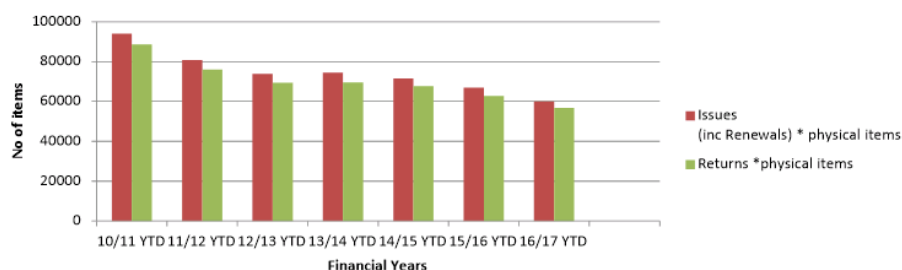
Lockyer Valley Regional Council -- Lockyer Valley Libraries
Other Statistics

	Jul 16	Aug 16	Sep 16	Oct 16	Nov 16	Dec 16	Total Current FY	Monthly Avg 15/16 FY	Total 14/15 FY	Total 13/14 FY	Details
Physical Visitors (people through the door)											
Gatton Library	6870	7294	7041	6004	7258	5433	39900	6650	80697	84005	86482 Total visitor to Gatton Library
Laidley Library	4145	3885	3145	3642	3748	3290	21855	3643	45948	47276	47396* Total visitors to Laidley Library
Mobile Library	226	246	209	166	217	N/A	1064	213	2687	3147	2710 Total visitors to Mobile Library
Total visitors to Lockyer Valley Library	11241	11425	10395	9812	11223	8723	62819	10470	129332	134428	136588 Total visitors to Lockyer Valley Libraries
Events / Programs											
Early, Family and Adult Literacy Sessions	39	42	34	24	31	12	182	30	380	288	224 Total sessions
No of attendees	779	842	621	520	668	261	3691	615	6460	6010	4758 Total attendees
Digital Literacy Programs	22	14	10	11	13	7	77	13	116	94	34 Total sessions
No of attendees	54	35	30	52	9	11	191	32	564	582	87 Total attendees
Young Adult Literacy Programs (13-18)	0	0	0	0	0	0	0	0	6	43	13 Total sessions
No of attendees	0	0	0	0	0	0	0	0	10	100	54 Total attendees
Multicultural awareness Programs	0	0	0	0	0	0	0	0	1	2	6 Total sessions
No of attendees	0	0	0	0	0	0	0	0	132	158	157 Total attendees
Other programs	17	16	14	21	22	14	104	17	219	228	56 Total sessions
No of attendees	45	112	71	84	111	55	478	80	890	1514	351 Total attendees
Total events for the month	78	72	58	56	66	33	363	61	722	656	333 Total sessions held in Library
Total attendees of all events	878	989	722	656	788	327	4360	727	8056	8364	5407 Total attendees of all sessions
Acquisitions Report											
New items received	154	304	354	388	474	338	2012	335	4946	3838	3567 Total new items
New items available (first returned)	597	497	202	222	287	286	2091	349	5713	4650	4373 Total new items available
Discarded items	915	582	364	260	287	167	2575	429	5885	6835	7293 Total deletions
Total Monographs (inc newspaper clippings)	51272	51534	51882	52308	52734	53202	52155	51794	47837	45383	45383 Current Monograph holdings
Total Serials	2505	2807	2425	2434	2354	2370	2370	2449	2376	2854	3693 Current Serial holdings
Total Items	53777	54141	54307	54742	55088	55572	55572	54605	54170	50691	49076 Current holdings (total)
Notices Generated											
Email	4099	4936	3663	4403	4040	2950	24091	4015	49879	46102	28917 Total email notices
Mail	1120	1275	987	1143	1008	901	6434	1072	14531	16127	18464 Total Mail
Percentage of notices emailed	78.5%	79.5%	78.8%	79.4%	80.0%	76.6%	78.9%	77.4%	77.4%	74.1%	60.5% % Email notices
Percentage of notices posted	21.5%	20.5%	21.2%	20.6%	20.0%	23.4%	21.1%	22.6%	22.6%	25.9%	38.6% % Posted notices
Total notices	5219	6211	4650	5546	5048	3851	30525	5088	64410	62233	47795 Total notices generated
Loans											
Staff assisted loans	7246	7270	6702	6670	6484	5682	40054	6676	90077	90013	96395 Total loans (staff assisted)
Loans via self-check	3576	3484	3648	3102	3109	2861	19780	3297	43503	52556	58519 Total loans via self-check
Total loans	10822	10754	10350	9772	9593	8543	59834	9972	133580	142569	154914 Total loans
% of loans via self-check	33.0%	32.4%	35.2%	31.7%	32.4%	33.5%	33.1%	33.1%	32.6%	36.9%	Average
eNewsletters --- "Off the Shelf" Service started in Sept 15											
Newletters sent this month	1	1	1	1	2	1	7	Avg/ed	9		No of Newsletters sent
Subscribers emails sent to	1202	1437	1584	103	3222	1688	9236	1539	7735		No of subscribers
Opens	420	457	472	57	945	506	2857	476	3249		No of opens
No of clicks	63	35	51	12	64	60	305	51	459		No of clicks to links within newsletter

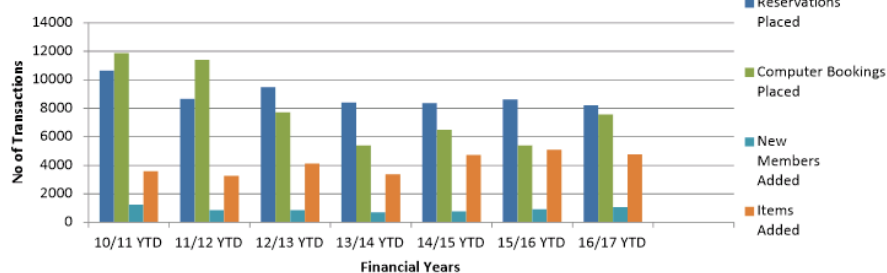
**Lockyer Valley Regional Council -- Lockyer Valley Libraries
Financial Year Summary Reports
Year to end of Dec**

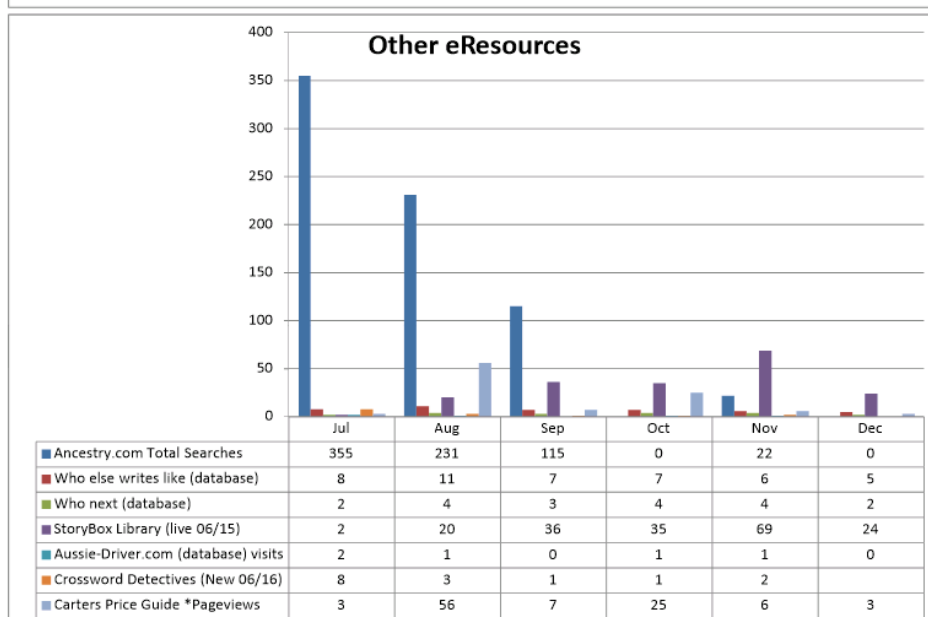
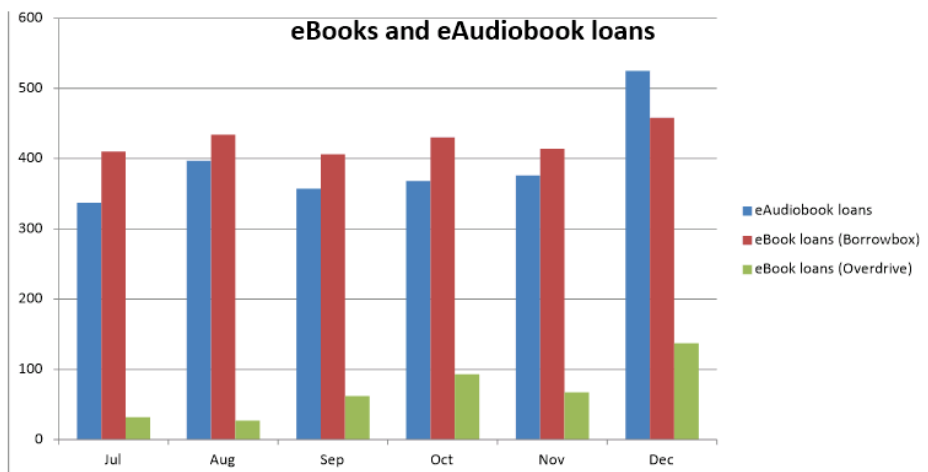
Financial Year totals YTD	Issues (inc Renewals) * physical items	Returns *physical items	Reservations Placed	Computer Bookings Placed	New Members Added	Members renewed* every 2 years	Current Membership *Active membership	Items Added	Total Items
10/11 YTD	94109	88634	10662	11878	1250	1795	15282	3595	54495
11/12 YTD	80712	75932	8661	11408	850	694	16918	3260	54040
12/13 YTD	73958	69371	9489	7735	855	1124	12359	4142	46641
13/14 YTD	74557	69555	8418	5402	701	723	13774	3361	47000
14/15 YTD	71581	67796	8361	6495	771	1422	15458	4733	47376
15/16 YTD	66946	62681	8621	5388	917	768	16805	5092	50222
16/17 YTD	60063	56829	8207	7575	1061	924	18886	4769	54540

Issues and Returns (Financial YTD)



Other transaction types (Financial YTD)

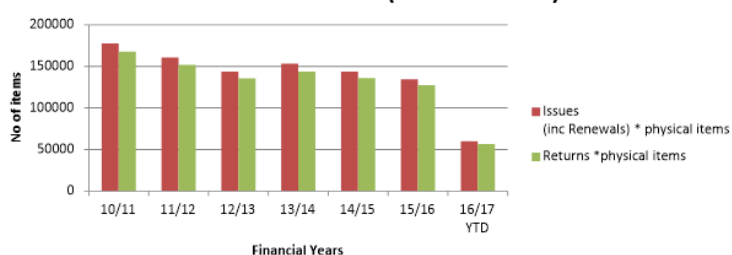




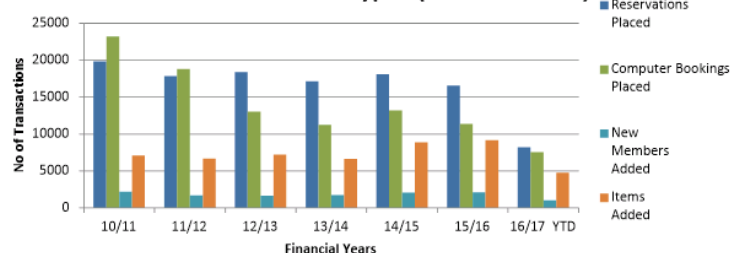
Lockyer Valley Regional Council -- Lockyer Valley Libraries
Financial Year Summary Reports (totals)

Financial Year totals	Issues (inc Renewals) * physical items	Returns *physical items	Reservations Placed	Computer Bookings Placed	New Members Added	Current Membership *Active membership	Items Added	Total Items
10/11	177795	167679	19860	23218	2185	16206	7110	53364
11/12	160916	151773	17856	18836	1716	17807	6715	49444
12/13	143907	135643	18419	13023	1658	13164	7210	47683
13/14	153395	143463	17171	11280	1759	14852	6663	47153
14/15	143570	135807	18083	13195	2102	16802	8867	49248
15/16	134585	127467	16567	11385	2111	17977	9185	52381
16/17 YTD	60063	56829	8207	7575	1061	18886	4769	54540

Issues and Returns (FY Summaries)



Other transaction types (FY Summaries)



**ORDINARY COUNCIL
MEETING MINUTES
8 FEBRUARY 2017**

13.0 INFRASTRUCTURE WORKS AND SERVICES REPORTS

13.1 Executive Manager Infrastructure Works and Services Monthly Update

Date: 23 January 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 receives and notes 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: 16-20/0366

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 14 December 2016.

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, Gatton, Forest Hill and Laidley parks and drains and Gatton and Laidley cemeteries

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- Mowing of sports fields at Helidon, Forest Hill and Glenore Grove for cricket season
- Mowing and line marking of Laidley Recreation Reserve
- Rubbish bin run continuing across the region
- Re-painting of bollards in Grantham was completed
- Playground audits completed (legislative requirement)
- Ongoing CRM resolutions across the region
- Preparation of draft Capital budget items for 2017-18
- Status of 2016-17 projects:
 - Landscaping of Lake Apex Carpark, Gatton – Completed
 - Cunningham Crest Lookout upgrade, Laidley – Completed
 - Gatton Cemetery tree clearing works – Completed (grass establishment now)
 - Construction of garden surrounding the tractor in Lions Park, Laidley – Signage outstanding
 - Lakeview Accommodation Precinct landscape works – PGC landscaping works completed
 - Lockrose former dip site testing – Soil test results received from consultant.
- Event assistance – Set up of event advertisement signs
- 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
 - Intersection and footpath works completed
 - Minor works pending once sewer works completed (by others)
 - Additional vegetation reinstatement works being programmed
 - Lake Apex Carpark
 - Civil works largely complete, with addition of footpath culvert upgrade, which has been designed.
 - Issue with stairway regarding the treads and risers. Remedial options being examined and handrail yet to be installed.
 - Crescent Street, Gatton
 - Kerb and channel works predominately complete.
 - Asphalt yet to be programmed (combine with other works).
 - Drainage being reviewed by Council's Planning and Design Unit
 - Airforce Road, Helidon
 - Final seal and linemarking pending (most works complete)
 - Advance Court, Kensington Grove
 - Works predominately completed
 - Gate and fence works remaining
 - Council's Planning and Design Unit investigating 'on-property' drainage
 - Gehrke Road, Plainland – shoulder widening works
 - Completed
 - Old Laidley – Forest Hill Road, Laidley – shoulder widening works
 - Completed
 - Forest Hill Flood Mitigation project
 - Completed in December 2016
 - Rons Road, Regency Downs

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- Pavement reconstruction around cul-de-sac in progress. Part of the reseal program.
- Woodlands Road
 - Shoulder widening to start in early Feb 2017
- Sandpiper Drive, Regency Downs
 - Pavement construction works completed
 - Final seal pending
- Lake Clarendon State School
 - Internal carpark works completed
 - Works commence early February 2017
- Road reseal program
 - Underway
- Culvert Tender
 - Prestart done
 - Works programmed to commence from end of February
- Crowley Vale Road
 - Reconstruction works in progress
- Maintenance works:
 - Gravel road grading works being done at:
 - Derrymore
 - Hatton Vale
 - Lockrose
 - Regency Downs
 - Rockside
 - Spring Creek
 - Roadside spraying
 - Undertaking spraying for road safety and declared weed pests at various locations
 - Pavement Repairs
 - Plainland
 - Vegetation control and slashing
 - Brightview
 - Caffey
 - Flagstone Creek
 - Ingoldsby
 - Mount Sylvia
 - Drainage Works
 - Gatton
 - Lockyer
 - Withcott
 - Patching works
 - Flagstone Creek
 - Iredale
 - Murphys Creek
 - Upper Flagstone
 - Signs and Lines
 - Nil

ORDINARY COUNCIL MEETING MINUTES 8 FEBRUARY 2017

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
 - The Australian Government committed an additional \$594 million in the May 2016 budget.
 - The Australian Government's focus on this Melbourne to Brisbane route is for the passage of freight. However, it is understood that the State's desire for a Toowoomba to Brisbane passenger rail capability (as identified in the State Infrastructure Plan) is not being precluded from eventuating.
 - The Inland Rail team has been visiting some properties along the existing Gowrie-Grandchester corridor and testing the merits some options outside of this alignment.
 - A corridor study report, by ARTC, is being finalised for government consideration.
- Toowoomba Second Range Crossing
 - Nexus meetings continuing
 - Morleys/McNamaras Roads IFA Stage 6 Council report endorsed, the 2 outstanding items (non-lighting of Morleys and McNamaras underpasses, and steep grades) remain, however meeting with Nexus and TMR scheduled for early February.
 - 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 and McNamaras Road, including the volume of heavy vehicles using the roads associated with the TSRC project. Nexus has not included these roads are not in the MMP.
- 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 taking place mid-Feb
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	Survey completed	Design pending. Various issues to consider, budget impacts
East Street and Crescent Street, Gatton – intersection improvements	Concept design	Community consultation taking place mid-Feb
Lake Clarendon Way and Main Greenswamp Road, Lake Clarendon – intersection improvement	Design	Progressing to detail design, however some budget concerns to rectify
Gehrke Road, Regency Downs – shoulder widening and signage improvements	Completed	
Australia II Drive, Kensington Grove – replace missing guardrails and hazard markers	Scoped	Design progressing
Railway Street, Laidley – intersection improvements	Concept design	To go for external consultant options and design
Thallon Road, Kensington Grove – rehabilitation and widening	Scoped	

ORDINARY COUNCIL MEETING MINUTES 8 FEBRUARY 2017

Project	Status	Comments
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	Completed	Off road car parks completed January, remaining civil works to begin early February
Lake Clarendon State School - parking	Construction	Project deferred. Alternative TIDS projects proposed for Woodlands Road widening, Lake Clarendon Way rehabilitation. Awaiting approval from RRTG.
Grantham Scrub Road, Veradilla and Carpendale Road, Carpendale	Design	Off road car parks completed January, remaining civil works to begin early February
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
 - Middletons Bridge timber strengthening, Lockrose:
 - Works completed.
 - Continuing on with Stage 4 of the LVRC bridge review, which will include:
 - A scoping document and cost estimate for remedial treatment option for Mahon Bridge.
 - Signage of Mahon Bridge load limit to 35tonne installed at bridge.
 - Review of Shirley Pitt Bridge at Laidley
 - Consultant engaged to undertake review
 - Onsite meeting with bridge supplier took place late January 2017.

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 underway
- Plant rationalisation
 - Design of plant trailer has been received and trailer build has commenced.
- Gatton stormwater investigations

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- 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 upcoming pavement repairs and other maintenance issues to be rectified. Additional pavement failures have been scheduled for repair.
 - The Komatsu backhoe has gone to the LVRC Waste Unit for use at the Laidley Transfer Station for 3 months and then will be disposed. If the 3 month trial is successful, the Waste Unit will prepare a business case to purchase a second hand backhoe for their operations.
 - Acco truck that was at Gladstone has returned to Gatton.
- Fleet Disposals
 - FL000160 – 2005 John Deere 670D Grader – Pickles Auction in February
 - FL000152 – 2009 Hitachi ZX200-3 Excavator – NASCO Auction in February
 - FL000134 – 2003 Hino Ranger 6x4 tipper – NASCO Auction February
 - FL000089 – 2001 Isuzu NPR 300 Crew Cab Truck – Replaced by Isuzu NPR80-190 Crew Cab Truck
 - FL000090 – 2004 Isuzu NPR400 Crew Cab Truck – Replaced by Isuzu NPR80-190 Crew Cab Truck
 - FL000091 - 2004 Isuzu NPR400 Crew Cab Truck – Replaced by Isuzu NPR80-190 Crew Cab Truck
 - FL000095 - 2004 Isuzu NPR400 Crew Cab Truck – Replaced by Isuzu NPR80-190 Crew Cab Truck
 - FL000434 – Pantech sign trailer – passed in at auction in Jan 2017
 - Panelfab kitchen/coldroom (pie demountable) – Pickles passed in at Jan auction
 - Geowell Portable Washdown Facility – NASCO auction taking place February 2017
- 2016-17 Fleet Capital Purchases
 - Orders have been placed for the following.

Tender Number	Description	Status
LVRC 16-28	1x Nissan Navara RX Dual Cab 4WD tray back utility	Delivered (replaces FL000074 Holden Rodeo)
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	Tender evaluation

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FUNDING APPLICATIONS

- *Black Spot* road safety submissions for 2017-18:
 - 18 projects were submitted. Awaiting decision.
- Forest Hill Stage 1B flood mitigation works
 - Works have been completed.
- 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.
- 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.
 - Strengthening of Mahons Bridge, Grantham – Unsuccessful
 - Strengthening of Steinkes Bridge, Crowley Vale - Unsuccessful
 - Lockyer Valley Aquatic Centre Splash Pad - Unsuccessful
 - Lockyer Valley Flood Information System Upgrade - Unsuccessful
 - Rejuvenation of Footway in Gatton CBD - Unsuccessful
 - Upgrading of Amos Road, Withcott - Unsuccessful
 - Upgrading of Lawlers Road, Grantham - Unsuccessful
 - Development of a Regional Active Transport Strategy and Plan – unsuccessful
 - 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.
- 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

CUSTOMER SERVICE MONITORING



**ORDINARY COUNCIL
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8 FEBRUARY 2017**

14.0 ITEMS FOR INFORMATION

14.1 External Funding update October 2016 - January 2017

Date: 01 February 2017
Author: Corrin Bischoff, Major Projects Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to provide an update on the status of external funding applications submitted by Lockyer Valley Regional Council for the period October 2016 to January 2017.

RESOLUTION

This document is for Council's information only.

RESOLUTION

THAT Council receive the report "External Funding Update October 2016 – January 2017" for information only.

Moved By: Cr McDonald Seconded By: Cr Hagan
Resolution Number: 16-20/0367

CARRIED

7/0

Report

1. Introduction

This report provides an update and analysis of funding sought by Council over the past four months from competitive external grant programs.

Council's External Funding Policy supports the Lockyer Valley Community Plan 2012 - 2022 strategic priority to "uphold principles of good governance and transparency in decision making".

2. Background

A centralised grant application process is utilised to optimise funding secured by Council to support its projects and activities. A key part of the coordinated approach to seeking and managing external grants is to provide a regular update to Council on all funding applications submitted.

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3. Report

Since the beginning of October 2016, four external funding applications have been submitted. In this period, Council has been advised that two applications have been successful in receiving funding and seven applications were not successful in receiving funding.

Below is the status of Council's external funding applications as at 31 January 2017:

STATUS as at: 31 January 2017	Source	Funding Program	Project Name	Total Cost of Project	Amount Applied For	LVRC cash contribution	Partner Contribution
Pending	Department of National Parks, Sport and Racing	Sport and Recreation Planning Program	Regional Sports Facility Plan	\$110,000	\$75,000	\$20,000	\$15,000
Pending	Department of Transport and Main Roads	Cycle Network - Local Government Grants Program	Lake Apex Drive (Denis Minson Drive to Hawck Street) on-road cycle facility	\$50,600	\$25,300	\$25,300	0
Pending	Department of Transport and Main Roads	Cycle Network - Local Government Grants Program	Spencer Street Upgrade of Shared Pathway	\$195,800	\$97,900	\$97,900	0
Pending	Department of Tourism, Major Events, Small Business and the Commonwealth Games	Queensland Tourism Demand Driver Infrastructure (TDDI) Fund 2017-18	UQ to Gatton Active Transport Link	\$900,114	\$300,000	\$300,114	\$300,000
Unsuccessful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Lockyer Valley Aquatic Centre Splash Pad	\$500,000	\$300,000	\$200,000	0
Unsuccessful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Upgrading of Lawlers Road, Grantham	610 000	366 000	244 000	0
Successful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Stormwater Catchment Modelling, Planning and Design for Gatton Sub-catchments	\$250,000	\$150,000	\$100,000	0
Unsuccessful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Rejuvenation of Footway in Gatton CBD	\$300,000	\$180,000	\$120,000	0
Unsuccessful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Upgrading of Amos Road, Withcott	\$800,000	\$480,000	\$320,000	0
Unsuccessful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Development of a Regional Active Transport Strategy and Plan	\$60,000	\$36,000	\$24,000	0



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STATUS as at: 31 January 2017	Source	Funding Program	Project Name	Total Cost of Project	Amount Applied For	LVRC cash contribution	Partner Contributio n
Unsuccessful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Strengthening of Steinkes Bridge, Crowley Vale	\$320,000	\$192,000	\$128,000	0
Unsuccessful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Strengthening of Mahons Bridge, Grantham	\$320,000	\$192,000	\$128,000	0
Successful	Department of Infrastructure, Local Government & Planning	Local Government Grants and Subsidies Program - EoI	Lockyer Valley Flood Information System Upgrade	\$87,500	\$52,500	\$35,000	0



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The meeting adjourned for a short recess at 11.25 am and resumed at 11.28 am.

15.0 CONFIDENTIAL ITEMS

CLOSED SESSION

THAT Council move into Closed Session at 11.36 am to the exclusion of the press and public, in accordance with Section 275 (1) (f) & (h) of the Local Government Regulation, 2012 to discuss:

Section 275(1)(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage

Item 15.1 "Queensland Urban Utilities Board Remuneration"

Item 15.2 "Lockyer Valley Cultural Centre – Renaming of Multipurpose and Break out Room"

Item 15.4 "Grantham Quarry Operational Rehabilitations Projects – Status Update"

Section 275(1)(f) starting or defending legal proceedings

Item 15.3 "Remedial Action – Property ID 189470"

Moved By: Cr Hagan

Seconded By: Cr McDonald

Resolution Number: 16-20/0368

CARRIED

7/0

Cr McLean advised of a perceived conflict of interest in item 15.3, "Remedial Action – Property ID 189470", (as defined in section 173 of the Local Government Act 2009) due to her knowing the property owner and left the chambers at 11.50 am, taking no part in the discussion on this item.

Cr McLean returned to the meeting, the time being 11:58 am.

OPEN SESSION

THAT Council move into Open Session, the time being 12.29 pm.

Moved By: Cr McDonald

Seconded By: Cr Hagan

Resolution Number: 16-20/0369

CARRIED

7/0

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15.1 Queensland Urban Utilities Board Remuneration

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

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (h) of the Local Government Regulation, 2012, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Summary:

Correspondence has been received from the Board Chairman of Queensland Urban Utilities seeking Council's consideration of the provision of additional remuneration for the Chairpersons of Queensland Urban Utilities (QUU) Board Committees. This report considers the appropriate levels of remuneration for the Board.

RESOLUTION

THAT Council resolve to:

1. Support the adoption by Queensland Urban Utilities of the *Queensland Government Guidelines for the remuneration for part-time chairs and members of Queensland Government bodies* for the purposes of Committee Chairs;
2. Note that this guideline provides for an annual fee of between \$6,000 and \$16,000 for Committee Chairs in addition to their annual Board fee;
3. Support the recommendation that the Committee Chair fee be set at \$11,000 which is the mid-point of the suggested remuneration range and allow for CPI increases; and
4. Authorise the Mayor to send correspondence to the Board Chair advising of Council's resolution.

Moved By: Cr Cook

Seconded By: Cr McDonald

Resolution Number: 16-20/0370

CARRIED

7/0



Date: 01 February 2017
Author: David Lewis, Executive Manager Corporate & Community Services
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services



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Cr McLean advised of a conflict of interest in Item 15,3 "Remedial Action – Property ID 189470", (as defined in section 173 of the Local Government Act 2009), due to her knowing the property owner, and left the chambers at 12.31 pm, taking no part in the vote on this matter.

15.3 Remedial Action - Property ID 189470

Date: 01 February 2017

Author: Peter Driemel, Manager Health, Waste and Regulatory Services

Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (f) of the Local Government Regulation, 2012, as the matter involves starting or defending legal proceedings involving it.

Summary:

Council is empowered under various acts, regulations and local laws to ensure appropriate governance of these laws and that they are administered for the good of its community. Officers are duly authorised under these statutes to enforce these laws where non-compliance issues are observed and not resolved.

In this matter the owners of property ID 189470, failed to meet their statutory obligations resulting in a range of enforcement actions being taken by Council officers.

RESOLUTION

That Council endorse the actions taken by Council officers in managing the clean-up of property ID 189470 as required by and in accordance with the provisions of the Sustainable Planning Act 2009, the Public Health Act 2005 and the Local Government Act 2009;

Further;

THAT Council authorise an appropriate strategic media release to inform the community concerning the standards expected for properties in the Lockyer Valley Region;

And further;

THAT Council authorise the Chief Executive Officer to take all steps necessary to recover the outstanding enforcement costs from the property owners in accordance with Council's Sundry Debt Collection and Recovery Policy.

Moved By: Cr Cook

Seconded By: Cr Wilson

Resolution Number: 16-20/0372

CARRIED

6/0

Cr McLean returned to the meeting, the time being 12.32 pm.

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15.4 Grantham Quarry Operational Rehabilitations Project - Status Update

Date: 23 January 2017

Author: Quentin Underwood, Senior Engineer Water & Projects; Trevor Boheim, Manager Planning and Environment; Caitlan Natalier, Solicitor/Legal Services Coordinator

Responsible Officer: Ian Church, Chief Executive Officer

That the above item be considered in Closed Session to the exclusion of the press and public in accordance with Section 275 (1) (h) of the Local Government Regulation, 2012, as the matter involves other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

Summary:

The purpose of this report is to brief Council on the background, context and intent of the proposed Grantham Quarry Rehabilitation Project and provide an update on the project's status in relation to the implementation of a rehabilitation plan (by Zanow Earthmoving) for the quarry.

RESOLUTION

That Council receive and note the Grantham Quarry Operational Rehabilitations Project – Status Update Report;

Further;

THAT Council authorise the Chief Executive Officer to continue the assessment process for the Grantham Quarry rehabilitation works and undertake any additional requirements to inform and review the proposed Grantham Quarry Rehabilitation Works Plan which will be submitted to Council for consideration and approval at a future meeting;

And Further;

THAT Council consult on this matter with the authors of the “Big Flood Study” to promote best practice outcomes for the Lockyer Valley community.

Moved By: Cr McDonald

Seconded By: Cr Hagan

Resolution Number: 16-20/0373

CARRIED

7/0

16.0 MEETING CLOSED

There being no further business, the meeting closed at 12.32 pm.