

Minutes



ORDINARY MEETING OF COUNCIL

MINUTES

27 NOVEMBER 2019

TABLE OF CONTENTS

| Item | Subject | Page No. |
|------|--|----------|
| 1.0 | Meeting Opened..... | 4 |
| 2.0 | Leave of Absence..... | 4 |
| 3.0 | Condolences/Get Well Wishes | 5 |
| 3.1 | Condolences/Get Well Wishes..... | 5 |
| 4.0 | Declaration of any Material personal interests/conflicts of interest by councillors and senior council officers | 6 |
| 5.0 | Mayoral Minute | 6 |
| 6.0 | Confirmation of Minutes..... | 7 |
| 6.1 | Confirmation of Ordinary Meeting Minutes 13 November 2019 | 7 |
| 7.0 | Business Arising from Minutes | 8 |
| 8.0 | Committee Reports | 8 |
| 8.1 | Receipt of the Minutes of the Friends of the Cemeteries Group Meeting - 16 October 2019 | 8 |
| 9.0 | Deputations/Presentations..... | 12 |
| 10.0 | Executive Office Reports | 12 |
| 10.1 | Proposed Council Submission to the Senate Inquiry into the Management of the Inland Rail Project | 12 |
| 11.0 | Organisational Development and Planning services Reports | 17 |
| 11.1 | Permanent Deletion of Grantham Key Resource Area (KRA 129) from State Planning Policy..... | 17 |
| 11.2 | Queensland Heritage Register Entry Application for Mount Sylvia State School | 23 |
| 11.3 | Queensland Heritage Register Entry Application for Blenheim State School..... | 42 |
| 11.4 | Application for Development Permit for Material Change of Use for Dwelling House Triggered by an Overlay (TLPI) at 46 Coates Street, Laidley | 60 |
| 12.0 | Corporate and Community Services Reports..... | 92 |
| 12.1 | Regional Arts Development Fund Applications | 92 |
| 13.0 | Infrastructure Works and Services Reports | 95 |
| 14.0 | Items for information | 95 |
| 14.1 | Ex-Tropical Cyclone Debbie NDRRA - Final Report | 95 |
| 15.0 | Confidential Items | 97 |
| 16.0 | Meeting Closed..... | 97 |

ATTENDANCE:

Councillors Present

- Cr Tanya Milligan (Mayor) (Chairperson)
- Cr Jason Cook (Deputy Mayor)
- Cr Kathy McLean
- Cr Chris Wilson
- Cr Michael Hagan
- Cr Rick Vela

Officers Present

- Ian Church, Chief Executive Officer
- David Lewis, Executive Manager Corporate & Community Services
- Angelo Casagrande, Executive Manager Infrastructure Works & Services
- Amanda Pugh, Manager Planning & Development
- Kim Calio, Coordinator Development Assessment
- Tammee Van Bael, Graduate Planning Officer
- Erin Carkeet, Governance & Strategy Officer
- Prudence Earle, Planning Officer
- Quentin Underwood, Senior Engineer Water and Projects
- Stephen Hart, Coordinator Council Business
- Lacey Buzza, Media & Communications Officer

Apologies

- Cr Janice Holstein

1.0 MEETING OPENED

The meeting commenced at 10:01am.

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

2.0 LEAVE OF ABSENCE

Councillor Janice Holstein was granted leave of absence from this meeting, at Council's Ordinary Meeting held on 13 November 2019.

3.0 CONDOLENCES/GET WELL WISHES

3.1 Condolences/Get Well Wishes

Date: 19 November 2019
Author: Erin Carkeet, Governance and Strategy Officer
Responsible Officer: Ian Church, Chief Executive Officer

Officer's Recommendation:

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

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 McLean **Seconded By:** Cr Hagan
Resolution Number: 16-20/1575

CARRIED
6/0

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

4.1 Declaration of Material Personal Interest on any Item of Business

Pursuant to section 175C of the *Local Government Act 2009*, a councillor or senior council officer who has a material personal interest in an issue to be considered at a meeting of a local government, or any of its committees must:

- (a) inform the meeting of the material personal interest in the matter, including the following particulars about the interest –
 - i. the name of the person or other entity who stands to gain a benefit, or suffer a loss, depending on the outcome of the consideration of the matter at the meeting
 - ii. how the person or other entity stands to gain the benefit or suffer the loss
 - iii. if the person or other entity who stands to gain the benefit or suffer the loss if the person or other entity is not the councillor or senior council officer—the nature of the relationship to the person or entity; and
- (b) leave the meeting room, including any area set aside for the public, and stay out of the meeting room while the matter is being discussed and voted on.

4.2 Declaration of Conflict of Interest on any Item of Business

Pursuant to section 175E of the *Local Government Act 2009*, a councillor or senior council officer who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government or any of its committees must inform the meeting about the personal interest in the matter, including the following particulars about the interests:

- a) the nature of the interests
- b) if the personal interests arise because of the relationship with, or receipt of a gift from, another person:
 - i. the name of the other person; and
 - ii. the nature of the relationship or value and date of receipt of the gift; and
 - iii. the nature of the other person's interests in the matter.
- c) how the councillor or senior council officer intends to handle the matter i.e. leave the meeting or proposes to stay in a meeting.

No declarations were made by Councillors or Senior Officers at this time.

5.0 MAYORAL MINUTE

No Mayoral Minute.

6.1 Confirmation of Ordinary Meeting Minutes 13 November 2019

Date: 19 November 2019
Author: Ian Church, Chief Executive Officer
Responsible Officer: Ian Church, Chief Executive Officer

THAT the Minutes of the Ordinary Meeting of Lockyer Valley Regional Council held on Wednesday 13 November 2019 be taken as read and confirmed.

THAT the Minutes of the Ordinary Meeting of Lockyer Valley Regional Council held on Wednesday 13 November 2019 be taken as read and confirmed.

Moved By: Cr Hagan **Seconded By:** Cr Vela
Resolution Number: 16-20/1576

CARRIED
6/0

7.0 BUSINESS ARISING FROM MINUTES

No Business Arising from Minutes.

8.0 COMMITTEE REPORTS

8.1 Receipt of the Minutes of the Friends of the Cemeteries Group Meeting - 16 October 2019

Date: 12 November 2019

Author: Wendy Stanley, Personal Assistant to the Executive Manager Infrastructure Works and Services

Responsible Officer: Angelo Casagrande, Executive Manager Infrastructure Works & Services

Officer's Recommendation:

THAT the unconfirmed minutes of the Friends of the Cemeteries Group Meeting held on 16 October 2019, as attached, be received and noted.

RESOLUTION

THAT the unconfirmed minutes of the Friends of the Cemeteries Group Meeting held on 16 October 2019, as attached, be received and noted.

Moved By: Cr Wilson

Seconded By:

Cr Cook

Resolution Number: 16-20/1577

CARRIED

6/0

FRIENDS OF THE CEMETERIES GROUP MINUTES



| | |
|-----------------------------|---------------------------------|
| GatTIME OF MEETING: | 9.00am to 9.30am |
| DATE OF MEETING: | 16 October 2019 |
| LOCATION OF MEETING: | Gatton Cemetery – At the Chapel |
| CHAIRPERSON: | Brendan Sippel |
| MINUTES: | Wendy Stanley |

ATTENDANCE

| PRESENT | | | |
|-----------------------|---------------|--|--|
| Cr Christopher Wilson | Noeleen Hogan | | |
| Cr Janice Holstein | Wendy Newby | | |
| Angelo Casagrande | Daphne Nolan | | |
| Brendan Sippel | Doreen Hannan | | |
| Ken Newby | Wendy Stanley | | |
| APOLOGIES | | | |
| Deborah Cook | | | |
| Wayne Sippel | | | |
| Dellwyn Sippel | | | |
| Neil Williamson | | | |

AGENDA ITEMS

| DATE RAISED | DESCRIPTION | RECORD MATTERS FOR ACTION | RESPONSIBLE OFFICER |
|-------------|----------------------------|--|---------------------|
| 16/10/2019 | Apologies if Applicable | Apologies – Deborah Cook, Wayne Sippel, Dellwyn Sippel and Neil Williamson | All to note |
| 16/10/2019 | Welcome | The meeting was opened by Brendan. All members and guests introduced themselves. | All to note |
| 16/10/2019 | | <p>Laidley – old monumental section – looking towards seam strips which would like to do the same in Gattion – next financial year.</p> <p>We have about 1200 used graves in the lawn section of the Gattion cemetery.</p> <p>Between 1500 – 2000 graves available in the new section – some areas will not be able to be used as the ground is too hard to dig – looking at landscaping down the back as well and maybe putting in a scatter ashes garden.</p> <p>We can adjust the new section if we have more ashes than burials.</p> <p>The masterplan to be updated and brought to the next meeting.</p> <p>Car parking to be addressed</p> <p>Chapel – to endorse the fee structure at Council Meeting – funeral services will then be able to be done – everyone is very happy with the whole design and the colours.</p> <p>There is approximately 2 years or less in the existing Gattion cemetery – running out very quickly. We need to tidy up the referring of capacity in the Gattion Cemetery to confirm new and existing sections.</p> <p>Columbarium Walls – in the future we could be looking at getting another one.</p> <p>Ken raised helping people find plots of family members, friends (this happens mainly on the weekends) – looking at in the future putting a hard copy of the records/mapping with names for customers to find their loved ones – maybe putting maps online – Council does have an online platform of names and destinations.</p> | |
| 16/10/2019 | Brendan's site visit | | |
| 16/10/2019 | Draft capital budget items | <p>Budget next year – is there anything to consider for next year's budget – please advise and bring ideas to upcoming meetings.</p> <p>Roads for the new section at the Gattion Cemetery.</p> <p>Councillor Holstein requested consideration be given to installing a water feature near the chapel.</p> <p>Gardens – irrigation systems and tanks.</p> <p>Brendan – maybe in the future bringing in a Stonemason to talk about tips and tricks on looking after plaques – look at funding and inviting the public maybe every 3 months but at all the cemeteries</p> | |
| 16/10/2019 | General Business | <ul style="list-style-type: none"> Putting signs up for swooping magpies A big thank you to Wendy for the extra gardens – they look amazing | |

| DATE RAISED | DESCRIPTION | RECORD MATTERS FOR ACTION | RESPONSIBLE OFFICER |
|-------------|--------------|--|---------------------|
| | | <ul style="list-style-type: none"> Noleen was asking about maybe having a workshop/demonstration for cuttings of plants A big thank you to the cemeteries group, Councillors, Council staff for all your hard work that has been done around the cemetery The seats in the chapel cost about \$16,000. Maybe we could get someone to donate some more seats and then put a small plaque on them stating who donated them or maybe this could be put into the masterplan. The official opening of the Chapel will be between 9.30 and 10.30am on Friday, 18 October 2019 – Mayor and Councillors will be there so please come along | |
| 16/10/2019 | Next meeting | <ul style="list-style-type: none"> Laidley Cemetery – TBA – December 2019 | |

Meeting closed: 9.30am
Tabled documents: Nil

9.0 DEPUTATIONS/PRESENTATIONS

No Deputations/Presentations.

10.0 EXECUTIVE OFFICE REPORTS

10.1 Proposed Council Submission to the Senate Inquiry into the Management of the Inland Rail Project

Date: 20 November 2019
Author: Stephen Hart, Coordinator Council Business
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

Council retains concerns regarding the Inland Rail Project. The Senate Standing Committee on Rural and Regional Affairs and Transport has now initiated an Inquiry into the Management of the Inland Rail project by the ARTC and the Commonwealth Government. The Terms of Reference for the Inquiry provide scope for Council to make a submission highlighting community and Council concerns.

Officer's Recommendation:

THAT Council authorise the Chief Executive Officer to make a submission to the Senate Committee Inquiry into the Management of the Inland Rail Project, highlighting concerns regarding the project relating to:

- Route selection
- Concerns over Public Private Partnership delivery
- Lack of informed community engagement
- Poor collaboration between State and Commonwealth governments and respective agencies
- Potential impacts of flooding
- Severance of communities through the towns of Gatton, Laidley and Forest Hill
- Amenity impacts (noise vibration, light, visual, dust)
- Loss of good quality agricultural land
- Passenger Transport opportunities
- Construction impacts.

RESOLUTION

THAT Council authorise the Chief Executive Officer to make a submission to the Senate Committee Inquiry into the Management of the Inland Rail Project, highlighting concerns regarding the project relating to:

- Route selection
- Concerns over Public Private Partnership delivery
- Lack of informed community engagement
- Poor collaboration between State and Commonwealth governments and respective agencies

- **Potential impacts of flooding**
- **Severance of communities through the towns of Gatton, Laidley and Forest Hill**
- **Amenity impacts (noise vibration, light, visual, dust)**
- **Loss of good quality agricultural land**
- **Passenger Transport opportunities**
- **Construction impacts.**

Moved By: Cr Cook

Seconded By:

Cr McLean

Resolution Number: 16-20/1578

CARRIED

6/0

Report

1. Introduction

The Australian Government has proposed the construction of the Inland Rail Project from Melbourne to Brisbane. The Australian Rail Track Corporation (ARTC), an Australian government owned corporation, has been tasked with the delivery of the Inland Rail. Two component projects, the Gowrie to Helidon (G-H) and Helidon to Calvert (H-C) directly involve the Lockyer Valley Region.

The Senate Standing Committee on Rural and Regional Affairs and Transport has now initiated an Inquiry into the Management of the Inland Rail project by the ARTC and the Commonwealth Government. This report proposes that Council consider making a submission to that Inquiry.

2. Background

The Inland Rail Project is a proposed railway travelling 1700 km from Melbourne to Brisbane via regional Victoria, New South Wales and Queensland. Key design specifications (aiming to meet the operational parameter of a 24-hour service between Melbourne and Brisbane) include:

- Corridor minimum width 40 metres
- Dual Gauge with axle loads sufficient to provide for coal/bulk product
- Clearance to allow for double stacked containers (min 7.1m above rail)
- Train maximum speed of 115 km/h
- Trains 1.8 km long (potentially 3.6km)

Both the G-H and H-C projects are currently undergoing an Environmental Impact Statement (EIS) process being managed by the Queensland Government through the Coordinator-General's Office. These processes are to consider the impacts that the projects will have and how to condition any approval to mitigate the impacts.

Council officers have also been working with the rail project design teams seeking to minimise as far as possible the impacts of the project. However, Council remains very concerned about the impacts these projects will have on the Lockyer Valley and its communities.

3. Report

The Senate Standing Committee on Rural and Regional Affairs and Transport has now initiated an Inquiry into the Management of the Inland Rail project. The Terms of Reference for the inquiry are specified as:

The management of the Inland Rail project by the Australian Rail Track Corporation and the Commonwealth Government, with reference to:

- a. Financial arrangements of the project;
- b. Route planning and selection processes;
- c. Connections with other freight infrastructure, including ports and intermodal hubs;
- d. Engagement on route alignment, procurement and employment;
- e. Urban and regional economic development opportunities;
- f. Collaboration between governments;
- g. Interaction with National Freight and Supply Chain Strategy; and
- h. Any other related matters.

Council has always accepted that national benefits of an inland rail project can be identified. However, Council retains serious concerns over the project generally and particularly with the identified route and the negative impacts of the project.

Council has previously adopted a Position Paper on Inland Rail to:

- Articulate and coordinate Council's response to the proposed Inland Rail Project;
- Provide strategic direction for Council officers consulting with the Australian Government, ARTC, Queensland Government and other stakeholders;
- Provide a policy context for the proponent's more detailed design work; and
- Focus community attention on widely held concerns.

Key principles in that Paper are that with respect to the Inland Rail Project there should be:

1. No loss of connectivity (where the proposed corridor severs existing access, alternate access should be provided of comparable or better standard)
2. No flood impacts (from new rail corridors and where existing rail corridor is utilised the opportunity should be taken to improve flood resilience)
3. Mitigated amenity impacts (noise, vibration, light, visual, dust, smell)
4. Limited (as far as possible) loss of good quality agricultural land
5. Promotion of integrated transport planning (to allow for future passenger transport and the support for active transport).

It is considered that the Inquiry represents an opportunity for Council to again raise our concerns and seek further consideration of how impacts may be reduced, or communities compensated for loss.

Key aspects of Council's submission will highlight:

- Concerns over the route selection which follows the Gowrie to Grandchester corridor (intended for both passenger and freight trains);
- Internal route selection processes involving multicriteria assessment without informed community input;
- Lack of information at key program times leading to poor community engagement outcomes;
- Absence of collaboration between Queensland and Commonwealth governments and agencies;
- Lack of compensation to date for communities directly impacted by the projects;
- Concern over the Public Private Partnership approach that may lead to cost cutting by a future private consortium;
- Concerns over the timing of detailed flood modelling;
- Community concern over potential catastrophic rail incidents given alignment and geography of the route;
- Construction impacts; and
- The need to identify long term economic stimulus opportunities in the Lockyer Valley relating to the project.

4. Policy and Legal Implications

A submission to the Inquiry will not have additional legal implications with respect to the Inland Rail Project. Council will remain involved in the EIS process and will provide ongoing detailed advice to ARTC and both levels of government.

5. Financial and Resource Implications

While the Inland Rail Project will have significant ramifications for the region and Council, there are no financial implications from making a submission. Council resources will be applied as needed to the project design and the EIS process.

6. Delegations/Authorisations

As per the recommendation, authorisation is sought for the Chief Executive Officer to make a submission on behalf of Council.

7. Communication and Engagement

The ARTC is very much aware of Council views and concerns. Council has been advocating on behalf of the region and the community since the Inland Rail project was first proposed. Council has been particularly involved following the declaration of the G-H and H-C projects as “coordinated projects”.

Council continue to meet regularly with ARTC on the details of the concept design, legal agreements, and the Project Specification Technical Requirements (PSTR).

Council will continue to provide a focal point for the communities’ input and will continue advocating with ARTC and Federal and State governments.

8. Conclusion

The Terms of Reference for the Senate Inquiry are broad enough for Council to reiterate concerns regarding the project and in particular, concerns over route selection, community engagement and the

impacts of the projects. On that basis there is merit in making a submission to the Inquiry highlighting concerns and looking for State and Commonwealth governments to provide economic opportunities to compensate for the significant impacts on our communities.

9. Action/s

The Chief Executive Officer will make a submission to the Senate Inquiry into the management of the Inland Rail Project by the due date of 29 November 2019.

Attachments

There are no attachments for this report.

11.1 Permanent Deletion of Grantham Key Resource Area (KRA 129) from State Planning Policy

Date: 07 November 2019
Author: Prudence Earle, Planning Officer
Responsible Officer: Ian Church, Chief Executive Officer

The purpose of this report is to consider the proposed Geological Survey of Queensland (GSQ), Department of Natural Resources, Mines and Energy deletion of the Grantham Key Resource Area (KRA 129) from the State Planning Policy (SPP). GSQ is seeking Council's views and support to proceed with the deletion of KRA 129 as the process requires the briefing of two State ministers.

THAT Council resolve to provide a letter to the Geological Survey of Queensland, Department of Natural Resources, Mines and Energy advising that Council has no concerns and supports the proposed deletion of the Grantham Key Resource Area (KRA 129).

THAT Council resolve to provide a letter to the Geological Survey of Queensland, Department of Natural Resources, Mines and Energy, advising that Council has no concerns and supports the proposed deletion of the Grantham Key Resource Area (KRA 129).

Moved By: Cr Hagan **Seconded By:** Cr Vela
Resolution Number: 16-20/1579

CARRIED
6/0

1. Introduction

The purpose of this report is to consider the proposed Geological Survey of Queensland (GSQ), Department of Natural Resources, Mines and Energy deletion of the Grantham Key Resource Area (KRA 129) from the State Planning Policy (SPP). GSQ is seeking Council's views and support to proceed with the deletion of KRA 129 as the process requires the briefing of two State ministers (Honourable Anthony Lynham MP Minister for Natural Resources, Mines and Energy and the Honourable Cameron Dick MP Minister for State Development, Manufacturing, Infrastructure and Planning).

On 14 October 2019, Council received a request from the Geological Survey of Queensland (GSQ) (a branch of the Department of Natural Resources, Mines and Energy) to consider their proposal to

permanently delete KRA 129 (see Attachment 1) from the SPP and provide our views about the deletion.

Key Resource Areas (KRA) are a State interest that must be reflected in Councils' planning scheme as part of the planning scheme making process under the Planning Act 2016 and Ministers Guidelines and Rules. Consideration of how the deletion may affect the draft Planning Scheme and development assessment generally have been considered in this report.

3. Report

From about 1990 the site has been used as a quarry for sand extraction. It is understood that there was a small resource on the southern bank of Lockyer Creek that was extracted by CSR Holdings. The sand was primarily used as resource in concrete and the poor quality meant it could only be used in limited circumstances.

About 2013, Boral Resources Pty Ltd, (the then landowner) sought the quarry's inclusion as a KRA under the SPP, on the basis they would investigate the potential for extracting sand from sandstone to the south of the then in-stream quarry. State Planning Policy December 2013 was the first to recognise the KRA 129 and this has continued to the most recent State Planning Policy 2017.

As can be seen from Attachment 1, the KRA consists of three parts:

1. Resource/ Processing area – involving Lots 1 & 2 on RP142079; Lot 3 on RP157143; Lot 103 on CH31505; and Lot 195 on CA311059;
2. Separation Area – involving Lots 1 & 2 on RP140539; Lot 1 on RP106329; Lot 1 on RP156123; Lot 1 on RP194973; Lot 2 on RP150335; Lot 2 on RP155289; Lot 2 on RP157143; Lot 3 on RP115703; Lot 9 on RP23139; Lot 10 & 11 on RP23139; Lot 12 on RP230479; Lot 130 on RP908811; Lot 170 on CSH576; Lot 2 on RP134527; and
3. Transport Route Centreline – involving the first 400m of Dorrs Road and approximately 450m of an unnamed gazetted road

In total, the KRA affects approximately 18 lots and 1km of local roads.

Further advice was requested from GSQ regarding whether the resource is completely exhausted and if it could replenish over time.

GSQ forwarded geological advice on 4 November 2019, that *'...the sand resource is essentially exhausted. The only potential (minor) sand resource would be contained within the bund that that separates the extraction pit and Lockyer Creek. This bund has to remain to preserve the creek's form.'*

No comment was given on whether the resource could replenish over time. However, it could be inferred that from further comments in the same advice that if the resource did replenish the quality and quantity of the sand would not warrant the retention of the KRA.

The deletion process will require GSQ to brief the Honourable Anthony Lynham MP Minister for Natural Resources, Mines and Energy to seek the endorsement from the Honourable Cameron Dick MP Minister for State Development, Manufacturing, Infrastructure and Planning to commence public consultation. Any landowners currently affected by the KRA would be notified of the proposed deletion.

Councils support to proceed with the deletion is not required for the process to occur but would be considered favourably by both Ministers.

4. Policy and Legal Implications

The deletion of the KRA from the SPP has the following consequences for Council's Planning and Development services:

- The proposed Lockyer Valley planning scheme will no longer have to reflect this KRA.
- Officers will no longer be obligated to consider the KRA for any development applications that may be sought on the land and roads affected by the KRA.

In addition, the deletion of the KRA would have no implications on any conditions of approval of any existing development permits that are tied to the land as the SPP Guidance material states that:

'The identification of KRAs does not constitute approval to extract resources, nor does it affect the local government's role as the assessment manager for extractive industry activities.'

This means that the identification of a KRA does not authorise the extraction of the resource or provide a right to establish or operate an extractive industry. Identification of a KRA indicates the importance of protecting the resource deposit for the future.

The deletion of the KRA means that land and surrounding properties will be free from this State interest and no longer subject to its regulatory constraints. It also means should a future owner wish to use the land for extractive industry that there would be no State protections and that proposal would be subject to assessment against the planning scheme in effect at the time.

5. Financial and Resource Implications

There are no financial or resource implications for Council.

6. Delegations/Authorisations

No new or altered delegation are required.

7. Communication and Engagement

The State Development, Manufacturing, Infrastructure and Planning is responsible for the advertising and the deletion process.

Any objections received by the State Development, Manufacturing, Infrastructure and Planning may be viewed by other parties interested in the deletion of the KRA 129, in accordance with the provisions of the *Right to Information Act 2009*.

8. Conclusion

The recommendation in this report will provide Council's views about the proposed deletion of the Grantham Key Resource Area (KRA 129) to Geological Survey of Queensland, Department of Natural Resources, Mines and Energy for consideration. The decision on whether the KRA will be deleted ultimately rests with the Minister for State Development, Manufacturing, Infrastructure and Planning.

9. Action/s

Advise the Geological Survey of Queensland, Department of Natural Resources, Mines and Energy of Council's resolution.

Attachments

- 1 [!\[\]\(4c660a3c4ce1da3313488b7854f55083_img.jpg\)](#) Grantham Key Resource Area (KRA 129) 2 Pages

GRANTHAM KEY RESOURCE AREA – KRA 129

LOCAL GOVERNMENT AREA: Lockyer Valley Regional Council

LOCATION:

The resource is situated near the old Warrego Highway, about 10 west of Gatton and 20 km east of Toowoomba (see map KRA 129).

EXTRACTIVE RESOURCE: Sand

EXTRACTIVE RESOURCE DESCRIPTION:

The resource is medium to coarse sand inside a long meander on Lockyer Creek. The sand is covered by deep loamy alluvial soil and is underlain by coarse to cobbly gravel. The operating pit is sited in the middle alluvial terrace on the right bank. The basal gravel layer is worked by dragline below the water table.

Weathered sandstone resources in the Marburg Sandstone occur below the higher terrace to the west. This area is not being worked at present however may provide a larger resource in future.

SIGNIFICANCE:

The deposit is of regional significance as it is a major source of sand for the Lockyer Valley district and Toowoomba. At least 15 years production is estimated.

Similar deposits of sand and gravel are likely to occur along this part of the Lockyer Creek valley. However the adjacent areas are likely to be good quality agricultural land which might not be available for extractive industry.

SEPARATION AREA:

A separation distance of 200 m from the resource/processing area boundary is applied. The resource/processing area is outlined only over the area owned by the operator. The potential extent of the sandstone resource has not been defined by drilling or excavation.

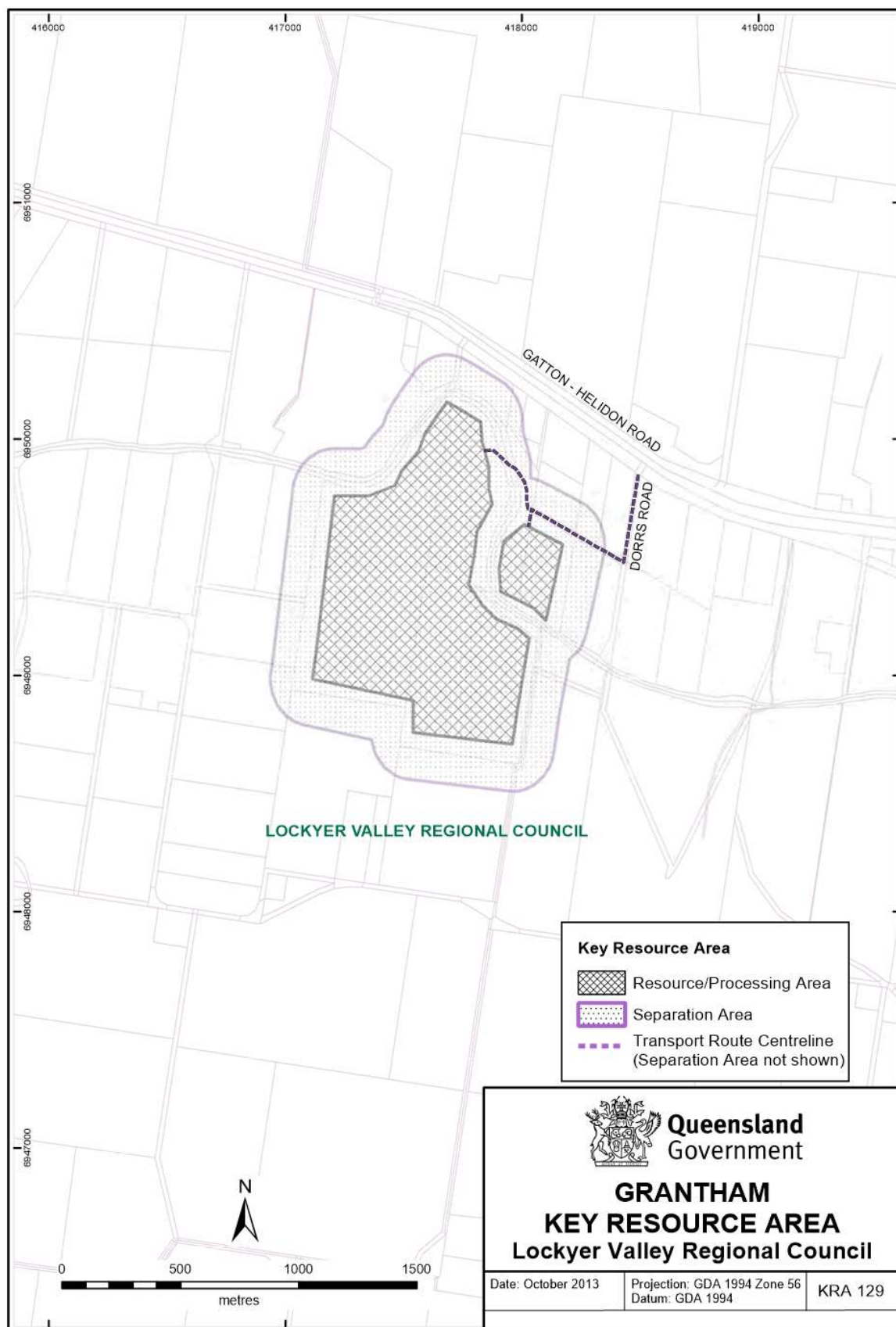
TRANSPORT ROUTE:

A transport route is designated over the quarry access road onto Dorrs Road which leads northwards to the Helidon-Gatton Road.

SPECIAL CONSIDERATIONS:

Future operations may be restricted to avoid interference with the water table.

Some parts of the KRA is covered by Strategic Cropping Land Trigger Mapping under the Strategic Cropping Land Act 2011 administered by the Department of Natural Resources and Mines. This indicates the location of potential SCL and further on-ground assessment against the SCL criteria is required to confirm whether the area is SCL or non-SCL.



11.2 Queensland Heritage Register Entry Application for Mount Sylvia State School

Date: 14 November 2019
Author: Prudence Earle, Planning Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to consider the proposed Department of Education's (DoE) application to the Department of Environment and Science (DES), Heritage Branch for the inclusion of the Mount Sylvia State School on the Queensland Heritage Register (QHR). DES is seeking Council's views about the inclusion of the School Buildings and ground on the Queensland Heritage Register.

Officer's Recommendation:

THAT Council resolve to provide a submission to Department of Environment and Science, Heritage branch that:

- provides in principle support for the inclusion of the Mount Sylvia State School on the Queensland Heritage Register; and
- provides advice requesting that the Queensland Heritage Register listing specifically state that the inclusion of Mount Sylvia Road and Lefthand Branch Road, is for tree protection only.

RESOLUTION

THAT Council resolve to provide a submission to the Department of Environment and Science, Heritage branch, that:

- provides in principle support for the inclusion of the Mount Sylvia State School on the Queensland Heritage Register; and
- requests that the Queensland Heritage Register listing specifically states that the inclusion of Mount Sylvia Road and Lefthand Branch Road is for tree protection only.

Moved By: Cr Wilson **Seconded By:** Cr Hagan

Resolution Number: 16-20/1580

**CARRIED
6/0**

Report

1. Introduction

The purpose of this report is to consider the proposed Department of Education's (DoE) application to the Department of Environment and Science (DES) Heritage Branch for the inclusion of the Mount Sylvia State School on the Queensland Heritage Register (QHR). DES is seeking Council's views in relation to the inclusion of the School Buildings and ground on the QHR.

2. Background

On 16 October 2019, Council received a notice and request from the Department of Environment and Science (DES) Heritage Branch to prepare a response in relation to the proposed inclusion of the Mount Sylvia State School on the QHR (see Attachment 1).

The application for inclusion has been submitted by the landowner and operator being the Department of Education (DoE). The DoE have an ongoing program to identify, assess and protect schools of state heritage significance through its Queensland Schools Heritage Strategy. This program was started in 1996 to identify, assess and protect Queensland schools that may be of State heritage significance. Since 2014, 68 schools across Queensland have been entered in the QHR. The program acknowledges through entry in the QHR:

‘the crucial role of state-provided education in the history of Queensland since 1860 by conserving important examples of Queensland state school architecture; and, the social significance of schools as important centres of social activity in their communities.’

DoE has committed to providing every school on the QHR with a Conservation Management Plan, to guide future change or development while conserving the cultural heritage significance of the school. DoE works with the school community and Department of Housing and Public Works about improvements and funding.

3. Report

Gatton Shire Cultural Heritage Study (GSCHS) 2000 identified Mount Sylvia State School for a Local heritage listing. The current Gatton Shire Planning Scheme 2007 includes the land as part of the cultural heritage overlay and provides some heritage protection.

The following is a summary of schools identified under the GSCHS and their heritage importance:

| School | Year | Listed status | Recommendation of GSCHS | Land ownership |
|--|---------|---------------|-------------------------|----------------|
| Flagstone Creek State School and residence | 1885 | Local | Local | State |
| Blanchview School building and monument (also known as Monkey Waterholes Provisional School) | 1892 | None | Recorded | Private |
| Grantham State School I and residence | 1905 | Local | Local | State |
| Ingoldsby State School | 1894 | None | Local | Private |
| Junction View State School and residence | 1922 | Local | Local | State |
| Lake Clarendon School house (now Helidon Tennis Club) | unknown | None | Recorded | Private |
| Lower Tenthill Road State School | 1873 | Local | Local | State |
| Ma Ma Creek State School | 1888 | Local | Local | State |
| Ma Ma Creek former school residence | 1889 | None | Local | Private |
| Mount Campbell State School | 1934 | None | Recorded | Private |
| Mount Whitestone State School and residence | 1898 | Local | Local | State |
| Mount Sylvia State School | 1885 | Local | Local | State |
| Ropeley State School and Residence | 1890 | Local | Local | State |
| Upper Tent Hill State School | 1877 | Local | Local | State |

| School | Year | Listed status | Recommendation of GSCHS | Land ownership |
|--|---------|---------------|-------------------------|----------------|
| Withcott State School (now Scout Hall) | unknown | None | Recorded | Private |

It is noted that Grantham State School and residence was considered under the early Stage 3 work in 2006 and did not progress to the application stage.

The application recommends the following parts of the school and grounds for listing:

- Block A - Built 1911;
- Large Jacaranda trees on the grounds.

Map 1 of Attachment 1 shows the extent of the buildings and grounds to be included in the QHR. Of importance is the inclusion of the part of the local road reserve (being Mount Sylvia Road and Lefthand Branch Road) on Map 1, this is in part to protect roots and canopies of the large trees along the road boundary. It is regular practice for applications to include the adjoining road reserve where large trees may need to be protected.

The State can consider all or part of the application for listing on the QHR. There is no guarantee that the all parts of the site subject to application will be listed on the QHR.

4. Policy and Legal Implications

The inclusion of the Mount Sylvia State School on the QHR has the following consequence for Council's Planning and Development services:

- The proposed Lockyer Valley planning scheme will have to reflect the heritage listing on its overlay maps.
- Officers will have to consider State heritage and the Schools Management Strategy when providing advice or undertaking development assessment for the property.

The inclusion of the Mount Sylvia Road and Lefthand Branch Road with the Mount Sylvia State School on the QHR has the following consequences for Council's Infrastructure Planning and Design section:

- Officers will have to apply for exemption certificate from the DES for road maintenance works if the road reserve is included in the listing.
- Exemption certificates have a life for two years and do not attract a fee.

Should DES refuse to include the school on the QHR, Council will list the School for Local heritage under the proposed Lockyer Valley planning scheme, that is currently in preparation.

5. Financial and Resource Implications

There are no resource implications for Council.

6. Delegations/Authorisations

No new or altered delegations are required.

7. Communication and Engagement

The Department of Environment and Science Heritage branch handles the advertising and registration process. Any objections received by the Department of Environment and Science Heritage branch may be viewed by other parties interested in inclusion of the Mount Sylvia State School on the QHR following the provisions of the *Right to Information Act 2009*.

8. Conclusion

The recommendation in this report is to prepare a submission that:

- provides in principle support for the inclusion of the Mount Sylvia State School on the QHR; and
- provides advice requesting that the QHR listing specifically state that the inclusion of Mount Sylvia Road and Lefthand Branch Road, are for tree protection only.

It is noted that the application for Mount Sylvia State School is not a guarantee of inclusion in the QHR. The decision on whether the Mount Sylvia State School will be included on the QHR will be made by the Department of Environment and Science, Heritage branch.

9. Action/s

Advise the DES of Council's resolution before the 18 December 2019.

Attachments

- 1 [↓](#) Mount Sylvia State School Heritage Application 15 Pages

Received 9 October 2019

Application form

Heritage

Entry of a place in the Queensland Heritage Register

Use this form to apply to have a place considered for entry in the Queensland Heritage Register under the Queensland Heritage Act 1992.

Before completing this application form:

- read the *Application Guide: Entering a State Heritage Place in the Queensland Heritage Register* available at www.qld.gov.au/environment/land/heritage/
- call 13 QGOV (13 74 68) and discuss this application with the Applications Co-ordinator, Heritage Branch

1. Applicant details

| | | |
|--|--------|------------------|
| APPLICANT NAME/S | | TITLE |
| ORGANISATION NAME (if applicable) Department of Education | | |
| POSTAL ADDRESS PO Box 15033, City East | | POSTCODE 4002 |
| EMAIL ADDRESS | | |
| TELEPHONE (business hours) 13 74 68 | MOBILE | |
| TELEPHONE (after hours) | EMAIL | |

2. Applicant consent

Ticking YES in the box below means you give consent to the department to publicly disclose your name with this application. At no time (whether you tick YES or NO) will your personal contact details be made public during processing and assessment of this application. The department removes contact details (i.e. address, email and telephone numbers) from all copies of the application except those provided to the Queensland Heritage Council.

| | | |
|--|--|---|
| Applicant consents to personal information being released | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| APPLICANT'S SIGNATURE | Executive Director, Infrastructure Planning & Delivery as an authorised delegate for and on behalf of | |
| PRINT APPLICANT'S NAME D. BAXTER | The State of Queensland (represented by Department of Education) | DATE SIGNED 20.9.19 |



Application form

Entry of a place in the Queensland Heritage Register

3. Place details

| | |
|--|--|
| NAME OF PLACE AND / OR FORMER NAME Mt Sylvia State School | |
| STREET ADDRESS 6 Left Hand Branch Road, Mount Sylvia Qld 4343 | |
| LOT/S ON PLAN/S Lot 1 CC1373 and Lot 1 RP 32682 and part of the Mount Sylvia Rd and Left Hand Branch Rd road reserves (described as Lot 1 on ROAD0) | LOCAL GOVERNMENT AREA/S Lockyer Valley Regional Council |
| GPS COORDINATES (IF KNOWN) | |

4. Consultation with the owner of the place

Do you own the place that is the subject of this application? Yes ☐ No ☐

If you are not the owner of this place, have you consulted with the owner? Yes ☐ No ☐

5. History of the place

| |
|---|
| HISTORICAL SUMMARY See attached report (pages 3-7) |
| REFERENCE LIST See attached report (page 7) |
| LIST OF ATTACHMENTS 'Mt Sylvia State School' Heritage Report, by Project Services, 2006, including photographs. Application boundary plan by Department of Environment and Science, 2018. |

Application form

Entry of a place in the Queensland Heritage Register

6. Description of the place

WRITTEN DESCRIPTION
See attached report (pages 7-8)

7. Statement of cultural heritage significance

Decide which criteria are relevant to your application and complete a response for each in the boxes below.
Write 'not applicable' against the criteria that are not relevant to your application.

| | |
|---|---|
| CRITERION A the place is important in demonstrating the evolution or pattern of Queensland's history | Mt Sylvia State School (established 1885) is important in demonstrating the evolution of state education and its associated architecture in Queensland. It retains a representative example of a standard government design that was an architectural response to prevailing government education philosophies, a Timber School Building with Fleche and Floor Vent (Block A, 1911); set in landscaped grounds with mature shade trees. See attached report (page 8). |
| CRITERION B the place demonstrates rare, uncommon or endangered aspects of Queensland's cultural heritage | NA |
| CRITERION C the place has potential to yield information that will contribute to an understanding of Queensland's history | NA |
| CRITERION D the place is important in demonstrating the principal characteristics of a particular class of cultural places | Mt Sylvia State School is important in demonstrating the principal characteristics of a Queensland state school. These include: teaching buildings constructed to standard government designs; and a landscaped site with mature shade trees. The Timber School with Fleche and Floor Vent (Block A, 1911) is important in demonstrating the principal characteristics of its standard type designed by the Department of Public Works (DPW) and is an intact example. The characteristics include: highset, timber-framed and -clad construction; verandahs accessing classrooms with floor level wall flap; and fleche. See attached report (page 8). |

Application form

Entry of a place in the Queensland Heritage Register

| | |
|--|---|
| CRITERION E the place is important because of its aesthetic significance | NA |
| CRITERION F the place is important in demonstrating a high degree of creative or technical achievement at a particular period | NA |
| CRITERION G the place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons | Mt Sylvia State School has a strong and ongoing association with former pupils, parents, staff members and the surrounding Mt Sylvia community. Established in 1885, generations of Mt Sylvia students have been taught at the school. The place is important for its contribution to the educational development of Mt Sylvia and as a focus for the community. See attached report (page 8). |
| CRITERION H the place has a special association with the life or work of a particular person, group or organisation of importance in Queensland's history | NA |

8. Site plan showing proposed boundary

Attach a site plan to this form. Tick to confirm:

- ☐ the site plan is drawn or sketched to scale
- ☐ all significant heritage elements of the place are shown and clearly labelled in their approximate locations
- ☐ the proposed heritage boundary is shown
- ☐ the cadastral (lot on plan) boundaries of the place are shown

9. Photographs

Attach photographs to this application that show the place in its current state. Number all photographs and complete the index table below adding more rows if needed.

If submitting an electronic application, submit the photographs in a digital file attached with the application form. Maximum file size for digital images attached to this form is 250kb each.

If submitting an application in hard copy, submit the photographs as an electronic file saved onto a CD or USB and attach one hardcopy print out of images to this application form.

| | |
|------------------------------------|--|
| DATE AND TIME TAKEN 21 Mar 2006 | PHOTOGRAPHER Project Services staff |
|------------------------------------|--|

Application form

Entry of a place in the Queensland Heritage Register

| | | |
|--|----------------------------------|---------------------------------|
| <p>COPYRIGHT PERMISSIONS <i>By law copyright of material submitted is subject to conditions set out in the copyright licence for that material.</i></p> <p><i>Please enter licensing details in the metadata for each image/file requiring copyright.</i></p> <p><i>A copyright licence may be obtained free of charge from Creative Commons at www.creativecommons.org. Creative Commons licence 'Creative Commons Attribution-Non-Commercial-No Derivative Works' is recommended. This licence maintains author copyright but allows others to copy and distribute work provided the author is given credit (in a way specified by the author) and the work is not changed in any way and is not used commercially.</i></p> | | |
| IMAGE NUMBER | FILE NAME | DESCRIPTION |
| n/a | See attached report (pages 9-10) | See attached report (pages 7-8) |

10. Lodgement

All sections of this form must be completed and attachments prepared (in particular the site plan showing the proposed heritage boundary and photographs of the place) before an application is lodged. Incomplete applications cannot be accepted.

Send one copy of the completed form and attachments to:

Email:
palm@des.qld.gov.au

OR

Post:
Permit and Licence Management
Department of Environment and Science
GPO Box2454
Brisbane Q 4001

Further information

- email heritage@des.qld.gov.au
- call 13 QGOV (13 74 68) and ask to speak to the Applications Co-ordinator, Heritage Branch
- visit www.qld.gov.au/environment/land/heritage/

Mt Sylvia State School: site no. 20464

MT SYLVIA STATE SCHOOL



Mt Sylvia School March 2006

Purpose of this report

This report is a heritage assessment prepared by Project Services for Education Queensland in 2006

This report is intended to assist:

- Nominate schools for entry in the Queensland State Heritage Register
- Manage EQ heritage assets appropriately
- Meet the heritage provisions in guideline 3.11 of the Design Guidelines for Education Queensland School Facilities (version 1.02 20/04/2005)

MT SYLVIA STATE SCHOOL: SITE DESCRIPTION

Property description: Lot 1 CC1373

Address: Mount Sylvia Road, Mount Sylvia

Shire/LGA: Gatton Shire

Status: Entered in the Gatton Shire heritage register. Recommended for nomination to the State Heritage Register

SETTING Agricultural area with scattered settlement. The school is on the main route through the settlement backing onto a creek.

BLOCK PLAN



Like other state governments, the Queensland Government developed standard plans for its school buildings. This helped to ensure consistency across the State, was economic in its use of resources, and allowed refinement in response to changing needs and changing educational philosophy. Individual school sites which have been developed over a long

Mt Sylvia State School: site no. 20464

period commonly demonstrate a range of building types and alterations depending upon philosophies at the time of construction.

Queensland schools were particularly innovative in their approach to climate control, lighting, and ventilation.

Schools developed as complexes containing a number of typical components. In the country these included the school and its yard, a horse paddock, and a residence. The school yard was often developed with sporting facilities, shade structures, vegetable gardens, ornamental and shade trees, and forestry plots. The first Arbour Day for planting trees was held in 1890 based on the American practice and was readily celebrated by Queensland schools. Other ground works typical of Queensland schools were trenches built in the Second World War. The development of school grounds often involved contributions and work by parents and pupils as well as government initiated schemes like Depression works.

Provisional schools were introduced in 1869 for smaller communities so long as they could guarantee a student population of 15 (later reduced to 12). These schools were generally temporary structures on non-government land. The Government supplied the teacher and school books but did not fund building construction.

The *Education Act of 1875* instigated compulsory free secular primary education throughout the State. It abolished the Board of General Education, which had been responsible for the design of schools in Queensland, and created the Department of Public Instruction. Primary education was free from 1870 and the Act of 1875 established primary schools in State and provisional schools.

In 1892 the standard of Provisional Schools was reviewed and conditions for their construction were changed. The Government funded up to 50% of the cost of construction and provided recommended plans. The plans included a classroom 21 ft long x 14 ft wide and a 7 ft front verandah. The interior was unlined. Provisional schools were recommended for areas with populations between 25 and 30 but not more than 40 pupils. From 1899 the Government provided 4/5 the cost of construction.

In 1909 the student quota required for a State Primary School was reduced to 12, and the requirement for provisional schools quickly dropped. Existing provisional schools were sometimes upgraded to State Schools or adapted for teacher's residences.

In 1900 compulsory attendance at school was enforced and in 1909 the student quota required for a State Primary School was reduced to 12. The *State Education Amendment Act of 1912* abolished the local contribution towards school construction and raised the compulsory age from 12 to 14.

In 1893, the responsibility for the design of schools passed back from the Department of Public Instruction to the Department of Public Works. The Department continued to adapt earlier standard designs exploring, in particular, improved ventilation. In 1909 a new solution was devised using continuous hinged ventilation boards at the bottom of walls in the classrooms combined with ducted ventilation in the ceiling to Boyle's roof ventilators. The ventilation boards at the base of walls were introduced into country schools in 1919 with ceilings ventilated by continuous ridge ventilators and louvres in the gable end walls.

Project Services: project no. 42510: 20/06/2006

4

Mt Sylvia State School: site no. 20464

In addition to improving ventilation, from around 1909 buildings were elevated to provide play areas underneath reducing the need for separate play shelters. Class room width was increased from 18ft to 20ft. This accommodated the increased requirements for space for each student, allowing 18 inches per student at a desk and gangways of 18 inches. A new design increased sill height to 7ft from 4ft 6inches to reduce glare. At first an attached verandah annexe was provided at the rear for hats but this was replaced by corner enclosures.

From 1909 windows were rearranged to provide the maximum natural light from the left hand side of each student. In single classroom buildings this meant that there were unequal numbers of windows in the two end walls. Easels were replaced with hyloplate boards which were fixed to walls. Windows to the verandah wall behind the blackboard were deleted. Dormers were sometimes added to the main roof to provide increased lighting and ventilation. Glass partitions were incorporated to allow large spaces to be divided into individual classrooms.

From 1911 small country schools were of minimum classroom width 14ft and sill heights reduced to 3ft 3in.

In 1914, following a conference on school architecture and as a result of the ideas promoted by Dr Eleanor Bourne, buildings were orientated to provide maximum light from the south. The area of glazing was increased to at least one fifth of the wall area of the room and placed to increase cross ventilation.

Mt Sylvia State School

In 1884 a committee was formed to establish a provisional school in the Mt Whitestone area and a site was proposed at the junction of Blackfellow's and Tent Hill Creeks. The nearest schools were at Upper and Lower Tent Hill, more than five miles away. Land was donated and Blackfellows Creek Provisional school opened in 1885. As there were other schools on Blackfellows Creek and also a school at Mount Whitestone, another name was sought and the school was reputedly called 'Mt Sylvia' following the suggestion of committee members who were reading a book written by the Queen of Romania under the nom de plume 'Sylvia'.

In 1894 another school building was constructed 24 x 14 ft with a 7ft verandah in front, however the land was still not owned by the Department of Public Instruction and this became an issue when it was proposed to convert the provisional school to a State School. The land on which the school stood was too small for a State School, with little over an acre available for construction, so it was proposed that adjoining land be purchased. This land would also *'greatly improve the means of access, as the reserve would then have a frontage to a good public road, instead of, as at present, being approached by a side-track along the bed of a creek.'*

A photograph of the first school shows two low set buildings with gable roofs and verandahs.

In 1909 the Inspector of Works noted the poor condition of the kitchen of the residence and tenders were called for additions. Plans show a detached kitchen with a hipped roof and a

Mt Sylvia State School: site no. 20464

stove recess at one end.

By 1911 attendance had risen to about 80 children and a better school was required. Purchase of an additional three acres of land was approved and a new school was constructed on this site. In 1911 RGC Hamwood's tender was accepted but the school was not completed until 1913 due to the difficulty in obtaining carpenters to go to Mt Sylvia.

Photographs show the new school (now Block A) as a typical Works design school of the period with gabled roof, verandahs on two sides, large gable windows of multiple centre pivot windows under a hood and a vented ridge. The plans, dated August 1911, show the schoolroom 20 ft wide with central doorways, two metal tie rods and verandahs front and back. There was a hat room enclosure at the western ends of the front and back verandahs, roof ventilator and hinged ventilation flaps into the classrooms at skirting level. The hyloplates were shown on the wall next to the back verandah and there were high level windows on the opposite wall. The gable windows were in banks of 18 narrow centre pivot windows under hoods with 3 ft sills. The walls were lined internally and the ceiling was coved.

In 1916 a new residence was built comprising a four room house with centre hallway in the front and verandahs back and front. The back verandah was an enclosed dining verandah with the kitchen detached from the house.

In the Second World War air-raid trenches were dug under the jacaranda trees.

By 1959 the part of each verandah of Block A had been enclosed and a further verandah enclosure was made at the south east for the library. The tennis courts were constructed by this time and a play shed is visible to the south west of Block A. The south eastern end of the site was a horse paddock. In 1970 Block B was constructed.

In 1970 work it was proposed to subdivide the classroom in Block A and reposition the stairs. New doorways with double doors were proposed in the back (north-west) wall. A new high set building was added in 1971 and a modular building in 1983.

In 1980 minor alterations were carried out to Block A. A non original partition dividing the classroom was removed.

The school remains the focus of the settlement, as it has been since inception.

CHRONOLOGY

| | |
|------|-----------------------------------|
| 1909 | New kitchen to residence |
| 1911 | Conversion of closets |
| 1911 | New school |
| 1916 | New residence |
| 1957 | Septic to school and residence |
| 1959 | Enclosure of verandah for library |
| 1970 | Additions to toilet block |

Project Services: project no. 42510: 20/06/2006

6

Mt Sylvia State School: site no. 20464

| | |
|------|-------------------------------|
| 1970 | Additions |
| 1978 | Preschool |
| 1979 | Covered walkway |
| 1980 | Alterations to blocks A and B |
| 1987 | Extension to Boys Toilet |

REFERENCES

Burmester, Paul, Margaret Pullar and Michael Kennedy, *Queensland Schools. A Heritage Conservation Study. A report for the Department of Education*, Nov 1996

DPW Batch cards

Mt Sylvia State School Centenary 1885-1985, Mt Sylvia Centenary Committee

DESCRIPTION

The school complex comprises the original school building (Block A), a 1970s high set building (Block B), a modular building, sheds and toilets. The residence has been removed and the site of the residence has been sealed as a school car park.

Block A is a high set weatherboard structure with a gabled roof and verandahs facing south east and north-west. The roof has been re-sheeted in pre-coated steel but the original Boyles ventilator has been retained. The vented ridge detail has been lost but the vented weatherboards at the gable ends survive.

The north-west verandah (originally the back verandah) remains open except for a small store at one end. Two additional sets of double doors have been formed in this wall and the door leafs from the original central doorway, have gone. The south east (front) verandah has been enclosed at both ends leaving a small central entry way open. The north eastern enclosure is older than the other as it has a tongue and groove wall lining rather than fibre cement. The door leafs from the central doorway have been lost.

The window openings and hoods survive on both gable ends but window sashes have been replaced with modern vinyl sashes of a different proportion. Original mullions have been removed.

The single room classroom, 20 ft wide, survives fairly intact with v-jointed boards lining walls and ceiling and hinged ventilation flaps at skirting level. The ceiling is coved with two metal ties and two square lattice ceiling vents. High level windows survive intact on the back (south east) wall with new openings under.

Block A is linked to Block B with a first floor level walkway. The underside of Block A is supported on steel posts with concrete stumps on the perimeter. The bearers have been reinforced with steel channels.

Mt Sylvia State School: site no. 20464

SETTING

The school stands on a narrow site with the road on one side and a creek on the other. The site is substantially higher than the creek bed. The former horse paddock, to the south east of the school, has been planted with young trees. The south west boundary on the creek bank is notable comprising a row of mature jacaranda trees which appear to have been planted around the same date. Mixed planting on the north-west boundary includes a bottle tree and figs.

The clay tennis courts have been resurfaced.

ASSESSMENT OF CULTURAL SIGNIFICANCE

Mt Sylvia demonstrates the pattern of development of schools for small rural communities and the establishment of State Schools from Provisional Schools following the drop in requirement for numbers to establish State Schools and the subsequent upgrading of many provisional schools.

The school is typical of the schools built in scattered agricultural and pastoral areas where the school becomes the focus of the area. Mt Sylvia is named for the School and the place is a focus for the local community. The area used as a horse paddock survives.

Mt Sylvia is one of the earlier models of high-set timber country schools designed by the Department of Public Works. The loss of original door joinery and window joinery has reduced the significance of the school but other key characteristics of the type remain, particularly those associated with ventilation. The building retains the ridge ventilator, ceiling vents and hinged flaps at skirting level, which were innovations of the period. Sixty eight examples of this type of school were identified as surviving, of which sixteen were identified as being reasonably intact. As the roof sheeting on most country schools has been replaced, surviving ventilators are rare.

The Jacaranda trees predate World War II and are a strong visual element on the site of aesthetic value and well liked by the community.

It is recommended that Mt Sylvia State School is nominated to the Queensland Heritage Register for meeting the following criteria:

- (a) the place is important in demonstrating the evolution or pattern of Queensland's history;
- (d) the place is important in demonstrating the principal characteristics of a particular class of cultural places;
- (f) the place is important in demonstrating a high degree of creative or technical achievement at a particular period;
- (g) the place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons.

Mt Sylvia State School: site no. 20464

PHOTOGRAPHS: BLOCK A



View from road, north east elevation



North west elevation



South west elevation



South west gable end



View from south



Interior looking south west

Project Services: project no. 42510: 20/06/2006

9

Mt Sylvia State School: site no. 20464



Ventilation flaps at skirting level

High level windows on south east wall



Ceiling vents and tie rods

North west verandah



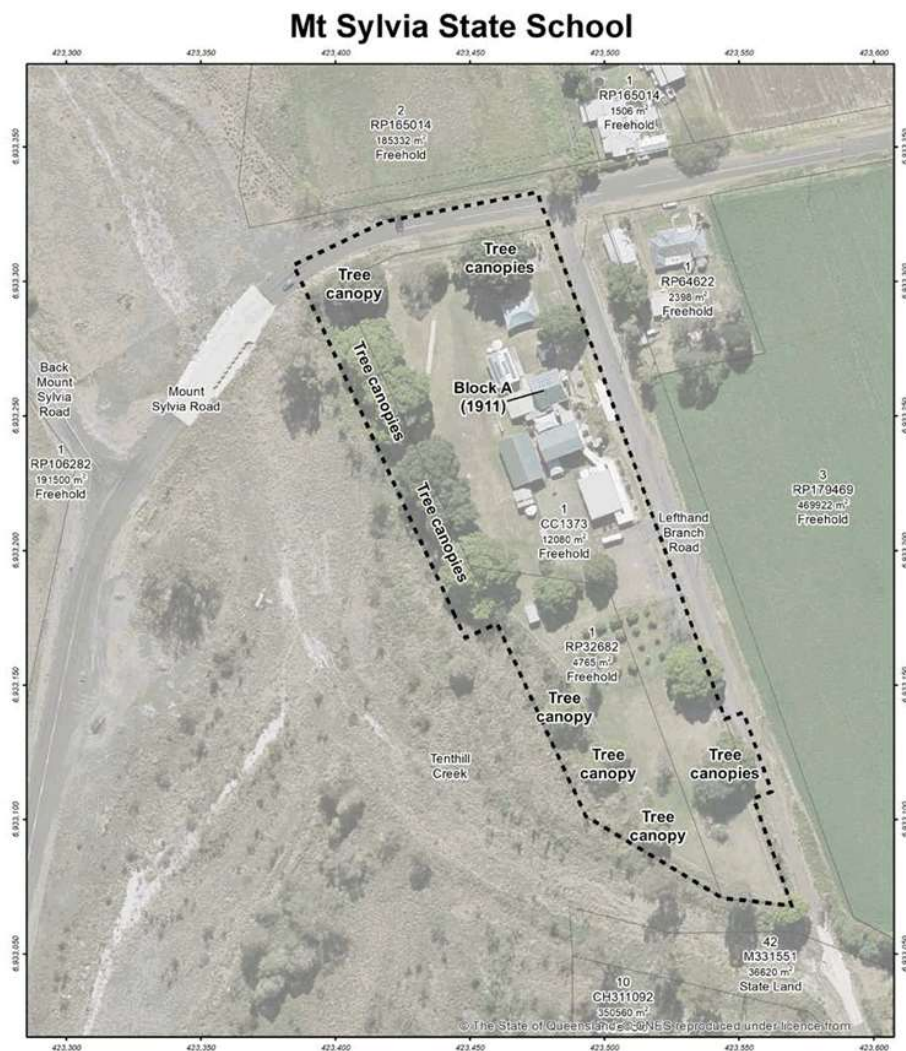
SETTING



*Jacaranda trees on south west
boundary above creek*

Project Services: project no. 42510: 20/06/2006

10

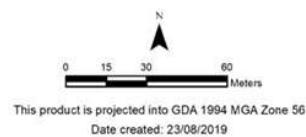


Map 1

Heritage register boundary overview

Legend

- Proposed heritage register boundary
- Cadastral**
- Parcel
- Easement



Date: 14 November 2019
Author: Prudence Earle, Planning Officer
Responsible Officer: Ian Church, Chief Executive Officer

The purpose of this report is to consider the proposed Department of Education's (DoE) application to the Department of Environment and Science (DES) Heritage Branch inclusion of the Blenheim State School and residence on the Queensland Heritage Register (QHR). DES is seeking Council's views and any submission about the inclusion of the school buildings and grounds on the QHR.

- provides in principle support for the inclusion of the Blenheim State School on Queensland Heritage Register; and
- provides advice requesting that the Queensland Heritage Register listing specifically state that the inclusion of Blenheim Road and Mount Berryman Road, is for tree protection only.

- provides in principle support for the inclusion of the Blenheim State School on the Queensland Heritage Register; and
- requests that the Queensland Heritage Register listing specifically states that the inclusion of Blenheim Road and Mount Berryman Road is for tree protection only.

CARRIED
6/0

The purpose of this report is to consider the proposed Department of Education's (DoE) application to the Department of Environment and Science (DES) Heritage Branch inclusion of the Blenheim State School and residence (known after as Blenheim State School) on the Queensland Heritage Register (QHR). DES is seeking Council's views and in relation to the inclusion of the school buildings and grounds on the QHR.

2. Background

On 17 October 2019, Council received a notice and request from the Department of Environment and Science (DES) Heritage Branch to prepare a response in to the proposed inclusion of the Blenheim State School on the Queensland Heritage Register (QHR) (see Attachment 1).

The application for inclusion has been submitted by the landowner and operator being the Department of Education (DoE). The DoE have an ongoing program to identify, assess and protect schools of State heritage significance through its Queensland Schools Heritage Strategy (QSHS). This program was started in 1996 to identify, assess and protect Queensland schools that may be of State heritage significance. Since 2014, 68 schools across Queensland have been entered in the QHR. The program acknowledges that through entry in the QHR:

'the crucial role of state-provided education in the history of Queensland since 1860 by conserving important examples of Queensland state school architecture; and, the social significance of schools as important centres of social activity in their communities.'

DoE has committed to providing every school on the QHR with a Conservation Management Plan, to guide future changes or development while conserving the cultural heritage significance of the school. DoE works with the school community and Department of Housing and Public Works about improvements and funding.

3. Report

Laidley Shire Council Cultural Heritage Study 2001 (LSCCH) undertook preliminary identification of the cultural heritage. This report identified Blenheim State School as a *'...place of high potential significance and should be provisionally placed on a Local heritage register pending formal assessment'*. To be placed on a Local heritage register requires the inclusion of the property into a Cultural Heritage overlay under a Planning Scheme. The Laidley Shire Planning Scheme unfortunately did not include the land as part of a cultural heritage overlay. This however does not preclude the proposed Lockyer Valley planning scheme to include the property.

The following is a summary of schools identified under the LSCCH and their heritage importance:

| School | Year | Listed status | Recommendation of LSCCH | Land ownership |
|--|------|---------------|-------------------------|----------------|
| Blenheim State School and residence | 1879 | None | Local | State |
| Forest Hill State School and residence | 1895 | State | Local | State |
| Glenore Grove State School and residence | 1922 | None | Local | State |
| Laidley Central State School (now a child care centre) | 1907 | None | Local | Private |
| Lake Clarendon State School and residence | 1901 | State | Local | State |

It is noted that Glenore Grove State School and residence was considered under the early Stage 3 work in 2006 and did not progress to the application stage. The Laidley Central State School is privately owned and as such has been excluded from the QSHS program.

The application recommends the following parts of the school and grounds for listing:

- Block A - Built 1934;
- Block B - Built 1934;
- Play Shed- Built 1900;
- Teachers residence - Built 1934; and
- Large trees on grounds.

Map 1 of Attachment 1 shows the extent of the buildings and grounds to be included in the QHR. Of importance is the inclusion of the part of the local road reserve (being Blenheim Road and Mount Berryman Road) on Map 1, this is in part to protect roots and canopies of the large trees along the road boundary. It is regular practice for applications to include the adjoining road reserve where large trees may need to be protected.

The State can consider all or part of the application for listing on the QHR. There is no guarantee that the all parts of the site subject to application will be listed on the QHR.

4. Policy and Legal Implications

The inclusion of the Blenheim State School on the QHR has the following consequence for Council's Planning and Development services:

- The proposed Lockyer Valley planning scheme will have to reflect the heritage listing on its overlay maps.
- Officers will have to consider State heritage and the Schools Management Strategy when providing advice or undertaking development assessment for the property.

The inclusion of the Blenheim Road and Mount Berryman Road with the Blenheim State School on the QHR has the following consequences for Council's Infrastructure Planning and Design section:

- Officers will have to apply for exemption certificate from the DES for road maintenance works if the road reserve is included in the listing.
- Exemption certificates have a life for two years and does not attract a fee.

Should DES refuse to include the school on the QHR, Council will include the School for Local heritage under the proposed Lockyer Valley planning scheme, that is currently in preparation.

5. Financial and Resource Implications

There are no resource implications for Council.

6. Delegations/Authorisations

No new or altered delegations are required.

7. Communication and Engagement

The Department of Environment and Science Heritage branch handles the advertising and registration process. Any objections received by the Department of Environment and Science Heritage branch may be viewed by other parties interested in inclusion of the Blenheim State School on the QHR following the provisions of the *Right to Information Act 2009*.

8. Conclusion

The recommendation in this report is to prepare a submission that:

- provides in principle support for the inclusion of the Blenheim State School on the QHR; and
- provides advice requesting that the QHR listing specifically state that the inclusion of Blenheim Road and Mount Berryman Road, is for tree protection only.

It is noted that the application for Blenheim State School is not a guarantee of inclusion in the QHR. The decision on whether the Blenheim State School will be included on the QHR will be made by the Department of Environment and Science, Heritage branch.

9. Action/s

Advise the DES of Council's resolution before the 18 December 2019.

Attachments

- 1 [↓](#) Blenheim State School Heritage Application 14 Pages

Received 9 October 2019

Application form

Heritage

Entry of a place in the Queensland Heritage Register

Use this form to apply to have a place considered for entry in the Queensland Heritage Register under the Queensland Heritage Act 1992.

Before completing this application form:


- read the *Application Guide: Entering a State Heritage Place in the Queensland Heritage Register* available at www.qld.gov.au/environment/land/heritage/
- call 13 QGOV (13 74 68) and discuss this application with the Applications Co-ordinator, Heritage Branch

1. Applicant details

| | | |
|--|--------|------------------|
| APPLICANT NAME/S | | TITLE |
| ORGANISATION NAME (if applicable) Department of Education | | |
| POSTAL ADDRESS PO Box 15033, City East | | POSTCODE 4002 |
| EMAIL ADDRESS | | |
| TELEPHONE (business hours) 13 74 68 | MOBILE | |
| TELEPHONE (after hours) | EMAIL | |

2. Applicant consent

Ticking YES in the box below means you give consent to the department to publicly disclose your name with this application. At no time (whether you tick YES or NO) will your personal contact details be made public during processing and assessment of this application. The department removes contact details (i.e. address, email and telephone numbers) from all copies of the application except those provided to the Queensland Heritage Council.

| | | |
|--|---|---|
| Applicant consents to personal information being released | | Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> |
| APPLICANT'S SIGNATURE | Executive Director, Infrastructure Planning & Delivery as an authorised delegate for and on behalf of The State of Queensland (represented by Department of Education) |  |
| PRINT APPLICANT'S NAME | D. BAXTER | DATE SIGNED 20.9.19 |



Application form

Entry of a place in the Queensland Heritage Register

3. Place details

| | |
|--|--|
| NAME OF PLACE AND / OR FORMER NAME Blenheim State School | |
| STREET ADDRESS 81 Blenheim Road, Blenheim Qld 4341 | |
| LOT/S ON PLAN/S Lot 2 CC2120 and Lot 192 CC3271 and part of the Blenheim Road and Mount Berryman Road road Reserves (described as Lot 1 on ROAD0) | LOCAL GOVERNMENT AREA/S Lockyer Valley Regional Council |
| GPS COORDINATES (IF KNOWN) | |

4. Consultation with the owner of the place

Do you own the place that is the subject of this application? Yes ☐ No ☐

If you are not the owner of this place, have you consulted with the owner? Yes ☐ No ☐

5. History of the place

| |
|--|
| HISTORICAL SUMMARY See attached report (pages 4) |
| REFERENCE LIST See attached report (page 5) |
| LIST OF ATTACHMENTS 'Blenheim State School' Heritage Report, by Project Services, 2006, including photographs. Application boundary plan by Department of Environment and Science, 2018. |

Application form

Entry of a place in the Queensland Heritage Register

6. Description of the place

WRITTEN DESCRIPTION
See attached report (pages 7-8)

7. Statement of cultural heritage significance

Decide which criteria are relevant to your application and complete a response for each in the boxes below.
Write 'not applicable' against the criteria that are not relevant to your application.

| | |
|--|---|
| CRITERION A the place is important in demonstrating the evolution or pattern of Queensland's history | <p>Blenheim State School (established 1879) is important in demonstrating the evolution of state education and its associated architecture in Queensland. It retains representative examples of standard government designs that were architectural responses to prevailing government education philosophies. At Blenheim State School, these standard designs are: a Timber Playshed (1900); Teachers Residence (1934); and two Small Timber School Buildings (Block A, 1934; Block B) set within landscaped grounds.</p> <p>The residence is important in demonstrating the Queensland Government's policy of providing residences at rural schools as a means of enticing teachers to remote areas.</p> |
| CRITERION B the place demonstrates rare, uncommon or endangered aspects of Queensland's cultural heritage | NA |
| CRITERION C the place has potential to yield information that will contribute to an understanding of Queensland's history | NA |

Application form

Entry of a place in the Queensland Heritage Register

| | |
|--|--|
| CRITERION D the place is important in demonstrating the principal characteristics of a particular class of cultural places | <p>Blenheim State School is important in demonstrating the principal characteristics of a Queensland state school. These include: teaching buildings constructed to standard government designs; and a generous landscaped site with mature trees, assembly and play areas, and sports facilities.</p> <p>The Timber Playshed (1900) is important in demonstrating the principal characteristics of a playshed designed by the Department of Public Works (DPW) and is a good, intact example. These characteristics include: a hipped, timber-framed roof supported on braced, timber posts; and perimeter seats.</p> <p>The Teachers Residence (1934) is important in demonstrating the principal characteristics of a DPW standard 'Type 3' residence and is a good, intact example. These include: highset timber-framed and -clad structure; verandahs; living spaces and bedrooms; and standing in a vegetated house yard.</p> <p>Blocks A and B are important in demonstrating the principal characteristics of their standard type designed by the DPW for small rural schools and are good, intact examples in two size variations. The characteristics include: highset timber-framed and -clad structure; gable roof; verandahs; single classroom; banks of casement windows; and coved ceiling with tie rods exposed internally.</p> |
| CRITERION E the place is important because of its aesthetic significance | NA |
| CRITERION F the place is important in demonstrating a high degree of creative or technical achievement at a particular period | NA |
| CRITERION G the place has a strong or special association with a particular community or cultural group for social, cultural or spiritual reasons | <p>Blenheim State School has a strong and ongoing association with former pupils, parents, staff members, and the surrounding Blenheim community. Operating since 1879, generations of Blenheim students have been taught at the school. The place is important for its contribution to the educational development of the Blenheim community and as a focus for the community.</p> |
| CRITERION H the place has a special association with the life or work of a particular person, group or organisation of importance in Queensland's history | NA |

8. Site plan showing proposed boundary

Attach a site plan to this form. Tick to confirm:

- ☐ the site plan is drawn or sketched to scale
- ☐ all significant heritage elements of the place are shown and clearly labelled in their approximate locations
- ☐ the proposed heritage boundary is shown

Application form

Entry of a place in the Queensland Heritage Register

☐ the cadastral (lot on plan) boundaries of the place are shown

9. Photographs

Attach photographs to this application that show the place in its current state. Number all photographs and complete the index table below adding more rows if needed.

If submitting an electronic application, submit the photographs in a digital file attached with the application form. Maximum file size for digital images attached to this form is 250kb each.

If submitting an application in hard copy, submit the photographs as an electronic file saved onto a CD or USB and attach one hardcopy print out of images to this application form.

| | | |
|--|---------------------------------|--|
| DATE AND TIME TAKEN 29 Aug 2007 | | PHOTOGRAPHER Project Services staff |
| COPYRIGHT PERMISSIONS <i>By law copyright of material submitted is subject to conditions set out in the copyright licence for that material.</i> <i>Please enter licensing details in the metadata for each image/file requiring copyright.</i> <i>A copyright licence may be obtained free of charge from Creative Commons at www.creativecommons.org. Creative Commons licence 'Creative Commons Attribution-Non-Commercial-No Derivative Works' is recommended. This licence maintains author copyright but allows others to copy and distribute work provided the author is given credit (in a way specified by the author) and the work is not changed in any way and is not used commercially.</i> | | |
| IMAGE NUMBER | FILE NAME | DESCRIPTION |
| n/a | See attached report (pages 7-8) | See attached report (pages 7-8) |

10. Lodgement

All sections of this form must be completed and attachments prepared (in particular the site plan showing the proposed heritage boundary and photographs of the place) before an application is lodged. Incomplete applications cannot be accepted.

Send one copy of the completed form and attachments to:

Email:
palm@des.qld.gov.au

OR

Post:
Permit and Licence Management
Department of Environment and Science
GPO Box2454
Brisbane Q 4001

Further information

- email heritage@des.qld.gov.au
- call 13 QGOV (13 74 68) and ask to speak to the Applications Co-ordinator, Heritage Branch

Application form

Entry of a place in the Queensland Heritage Register

- visit www.qld.gov.au/environment/land/heritage/

Blenheim State School: site no. 20316

BLENHEIM STATE SCHOOL



Purpose of this report

This report is a heritage assessment prepared by Project Services for Education Queensland in 2006
This report is intended to assist:

- Nominate schools for entry in the Queensland State Heritage Register
- Manage EQ heritage assets appropriately
- Meet the heritage provisions in guideline 3.11 of the Design Guidelines for Education Queensland School Facilities (version 1.02 20/04/2005)

Note added by DES, 2018: Sections of this report superfluous to the requirements for nomination to the Queensland Heritage Register have been left out of this copy of the report.

Project services: project no. 42510: 31/05/2006

1

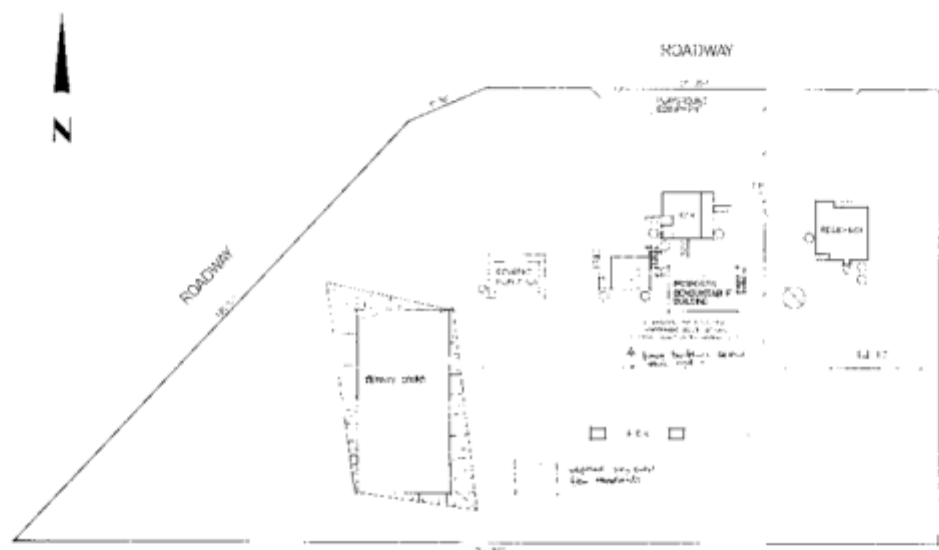
Blenheim State School: site no. 20316

BLENHEIM STATE SCHOOL: SITE DESCRIPTION

Property description: Lot 2CC2120 area 0.8063 ha (school) 192CC3271 (residence)
Address: Blenheim Road Blenheim 4341
Shire: Laidley
Status: Recommended for nomination to the State Heritage Register

SETTING Rural landscape by road side near community hall and former store/post office, now a private house.

BLOCK PLAN



Extract from Department Works site plan 316-1A 1976. The original school (Block A) is the most northerly building. Block C, the classroom to the west of the demountable is another interwar timber school building said to be from Woodlands. The play shed is shown to the west of the building complex. The original residence is believed to have been on the western corner of the site.

SIGNIFICANT COMPONENTS

The whole of the school site including Block A and the play shed. The residence and its site.

| | |
|----------------------------------|-------------------------------------|
| Block A (northern most building) | 1934, small timber school type E/T1 |
| Play shed | 1900 extended 1978 for toilets |
| Teachers Residence | 1934 Type D/R3 |

Project services: project no. 42510: 31/05/2006

2

Blenheim State School: site no. 20316

HISTORY

The Blenheim area was subdivided for freehold settlement in the 1860s following the survey of Laidley village in 1858 and the 1860s subdivision of town blocks in Laidley around the new railway station. The area developed as a prosperous agricultural district.

Following lobbying from parents a school was established at Blenheim and opened in 1879. Two roods of land were purchased for the school supplemented by a further 1 acre, 3 roods donated by Mr Carmody.

The area developed as a prosperous agricultural area. Blenheim settlement included three churches (Baptist, Lutheran and Methodist) now removed to other locations, a co-operative cattle dip built 1907, a general store, and a public hall built in 1948, which replaced an earlier shop. The hall and a house, which was used as a post office from 1948, remain.

In 1977, children from the Mt Berryman School were transferred to Blenheim School following the closure of Mt Berryman School.

CHRONOLOGY

07/04/1879 School opens

| | |
|-------------|---|
| 1887 | Addition kitchen to residence |
| 1880s? | New School |
| c.1886 | School serves as post office (receiving office only) |
| 1900 | Play shed |
| 1909 | Additions to teacher's residence – drawing shows low-set, four room house with gable roof, front verandah, and detached kitchen with addition of two rooms proposed at one end. |
| 1911 | Asphalting play shed, lining inside school? |
| 1915 | Public telephone with a coin attachment installed at the teachers residence |
| 1916 | Washhouse |
| 1930 | land for present residence purchased. |
| 1934 | Teachers residence type 3 (D/R3) £56 |
| 1934 | New school (60 pupils E/T1) £468, old school sold for removal |
| 1935 | The teacher's residence continued to serve as the postal section of the post office. |
| 1939 | Proposed addition of sleeping verandah to residence |
| 1956 | Storeroom £65 |
| 1957 | Enclosure of library on front verandah of school £248 |
| 1976 | Proposed demountable building addition to school, site plan shows tennis court, residence, covered play area, and two classroom blocks joined |
| 1977 | Block A library enclosure of verandah \$4900 |
| 1978 | New toilets \$29,752. The play shed was extended with new roofing to match the existing to form toilets at the west end. |
| 1987 | covered walkways \$10,900 |
| 1999 | Block C refurbished (H. Anthony Browne Architects) |

Blenheim State School: site no. 20316

ASSESSMENT OF CULTURAL HERITAGE SIGNIFICANCE

Blenheim School is significant as a characteristic example of a small twentieth century school complex in rural Queensland developed on the site of an earlier provisional school.

The school is the main surviving evidence of the original settlement of Blenheim as most of the other public buildings have now gone. However, although the school site is early, the only building dating to before 1934 is the play shed built in 1900.

Block A is typical of the small timber schools constructed from 1930-1945. The building type E/T1 is a single classroom similar to the earlier type C/T4 built from 1909 – 1920 but with increased natural lighting, a lower roof pitch and wider classrooms (18' as opposed to 14-16').

This building type is significant for the continuing use of small country schools which has been a distinctive aspect of Queensland education.

Eighty E/T1 schools were identified in the desk top survey of which 12 are thought to remain fairly intact. Block A appears to be a good example of the type. Block C is not important as part of the school as it appears to have been moved to the site comparatively recently but is another example of the E/T1 type. A pattern of combining small school buildings from different school sites as schools close appears to have emerged since the 1970s.

Both the play shed and the residence are important for being typical elements of a rural school. Although less intact than some play sheds, the Blenheim example is important for remaining from the earlier school complex on this site. The residence is a good typical example of its type, which is common. The survival of the residence and school building as a pair built in 1934 adds to the importance of the residence.

It is recommended that Blenheim State School and residence are nominated to the Queensland Heritage Register on the basis of the following criteria.

- (a) the place is important in demonstrating the evolution or pattern of Queensland's history;
- (d) the place is important in demonstrating the principal characteristics of a particular class of cultural places;

Blenheim State School: site no. 20316

PHOTOGRAPHS & DESCRIPTION



Block A from north with four windows rather than two typical of this type on the north



Block A from west (original hat room enclosure on the left)

Block A is reasonably intact except for the enclosure of verandahs and the formation of a larger opening formed in the wall to the west verandah.



Block A west, original hat room enclosure to right side of picture with window added



Block A south side with 4 sets of casements typical of this type on the south side

The 30 x 18 ft classroom, which is lined with tongue and groove boards, has a raked ceiling with off centre tie rod and central vent aligning with the original door. The off centre door allows for a blackboard on the east wall. Architraves are plainly moulded.

Project services: project no. 42510: 31/05/2006

6

Blenheim State School: site no. 20316

BLOCK B, PLAYSHED and RESIDENCE



Block B from the West



Block B and play shed from the W



Play shed from South



Play shed with west end extended



Residence from North



Residence interior

The residence is a reasonably intact example of a three bedroom interwar residence type D/R3. The front verandah has been enclosed and one wall between the kitchen and a passage has been demolished.

Project services: project no. 42510: 31/05/2006

7

Blenheim State School: site no. 20316



Map 1
Heritage register boundary overview

Legend
 Proposed heritage register boundary
Cadastral
 Parcel
 Easement



This product is projected into GDA 1994 MGA Zone 56
 Date created: 23/08/2019

11.4 Application for Development Permit for Material Change of Use for Dwelling House Triggered by an Overlay (TLPI) at 46 Coates Street, Laidley

Date: 20 November 2019
Author: Tammee Van Bael, Graduate Planning Officer
Responsible Officer: Ian Church, Chief Executive Officer

Summary:

The purpose of this report is to reconsider an application (MC2019/0061) for a Development Permit for a Material Change of Use for a Dwelling House Triggered by an Overlay (TLPI) on Lot 8 RP25621 at 46 Coates Street, Laidley. This application was considered at Council's Ordinary Meeting held 13 November 2019. Council resolved to defer the application to undertake further investigations (Resolution Number 16-20/1560).

Investigations have now been undertaken and the application has been re-assessed in accordance with the requirements of the *Planning Act 2016* and it is recommended that the proposal be refused in accordance with the Officer's Recommendation. However, an approval package with conditions has been prepared and is attached to this report for Council's consideration (refer to Attachment 1).

Officer's Recommendation:

THAT the application for a Development Permit for Material Change of Use for Dwelling House Triggered by an Overlay (TLPI) on Lot 8 RP25621 at 46 Coates Street, Laidley be refused subject to the following grounds:

- 1. The proposed development does not comply with the relevant Assessment Benchmarks that are assessable for development for the site. The proposed development is in conflict with the Assessment Benchmarks listed below and cannot be conditioned to comply (Section 60 of *Planning Act 2016*):**
 - a. State Planning Policy Natural Hazards, Risk and Resilience; and**
 - b. *Temporary Local Planning Instrument (TLPI) 01/2019 Flood Regulation Flood Inundation Overlay Code.***
- 2. The proposed development is inundated by flood water in local and regional flood events. The development therefore does not comply with Point (3) and (5) of the State Planning Policy Natural Hazards, Risk and Resilience.**
- 3. The flood hazard mapping indicates the subject site is impacted by H3 hazard conditions in the local event and H5 conditions in the regional event. In the event of a flood, the risk to life is unable to be mitigated to an acceptable or tolerable level. The development therefore does not achieve the intent of the Purpose of the Code, Specific Outcome SO1 and Specific Outcome SO4 of the Flood Inundation Overlay Code of the TLPI01/2019 – Flood Regulation.**
- 4. The proposed development increases the number of persons in an area of Medium Hazard. The development therefore does not achieve the intent of the Purpose of the Code, Specific Outcome SO1 and Specific Outcome SO4 of the Flood Inundation Overlay Code of the TLPI01/2019 – Flood Regulation.**

5. The proposed development is located in the Medium Hazard Area under the TLPI and is subject to adverse effects and it is not possible to mitigate impacts of flooding on the development, in that the site is subject to rapid inundation, insufficient warning time for evacuation, no safe evacuation route, potential to damage or carry away items at ground level, and isolation for residents in a flood event. The development therefore does not achieve the intent of the Purpose of the Code, Specific Outcome SO1 and Specific Outcome SO4 of the Flood Inundation Overlay Code of the TLPI01/2019 – Flood Regulation.

RESOLUTION

THAT the application for a Development Permit for Material Change of Use for dwelling house triggered by an overlay (TLPI) on Lot 8 RP25621 at 46 Coates Street Laidley (MC2019/0061), be approved subject to the following conditions:

APPROVED PLANS

The following plans are Approved Plans for the development:

Approved Plans

| Plan No. | Rev. | Plan Name | Date |
|--------------|------|--|----------|
| B19:35 WD 02 | 2 | <i>Siteplan</i> , prepared by BTHR Moving (as amended by Council) | 15/10/19 |
| B19:35 WD 04 | 2 | <i>Proposed Floor Plan</i> , prepared by BTHR Moving (as amended by Council) | 15/10/19 |
| B19:35 WD 07 | 2 | <i>Elevations Sheet 1</i> , prepared by BTHR Moving (as amended by Council) | 15/10/19 |
| B19:35 WD 08 | 2 | <i>Elevations Sheet 2</i> , prepared by BTHR Moving (as amended by Council) | 15/10/19 |

REFERENCED DOCUMENTS

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

| ASSESSMENT MANAGER CONDITIONS | | |
|--------------------------------|---|---|
| NO. | CONDITION | TIMING |
| 1. | Undertake the development generally in accordance with the approved plans. These plans will form part of the approval, unless otherwise amended by conditions of this approval. | Prior to commencement of use and at all times. |
| 2. | Maintain the approved development in accordance with the approved drawing(s) and/or document, and any relevant Council or other approval required by conditions. | At all times. |
| 3. | The use must not commence until all conditions of this approval have been complied with. | At all times. |
| Alterations and/or Relocations | | |
| 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. | At all times. |
| 5. | Replace existing Council infrastructure (including but not limited to any street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works. | At all times. |
| Minimum Habitable Floor Level | | |
| 6. | The dwelling house must have a minimum habitable floor level (HFL) of 105.8m AHD and be a minimum of 1.25m above ground level. | Prior to commencement of use and at all times. |
| 7. | A licensed surveyor's certificate must be provided to Council to demonstrate the finished floor level of the dwelling house complies with Condition 6 above. | Prior to the issue of a classification certificate. |
| Flood Hazard Areas | | |
| 8. | The Dwelling House must comply with the requirements of the Queensland Development Code (QDC) MP3.5 – Construction of Buildings in Flood Hazard Areas. | Prior to commencement of construction. |
| 9. | The building application must include engineering analysis and certified by a registered professional engineer of Queensland (RPEQ) demonstrating compliance with P1 to P3 of QDC MP3.5 Construction of Buildings in Flood Hazard Areas. | In conjunction with the development application for building works. |
| 10. | Any area below the habitable floor level (HFL) must be free from obstruction so as not to impede the flow of water. | At all times. |
| Building Works Approval | | |
| 11. | Development Approval for Building Work is required prior to the commencement of any building work. | Prior to commencement of any building work. |
| Earthworks | | |
| 12. | No earthworks are permitted except for works ancillary to building works. Such works shall not alter the predevelopment profile of the site or otherwise interfere with the overland flowpath/s. | At all times. |

| Other Flood Risk Mitigation Requirements | | |
|--|--|--|
| 13. | Utilities/services not regulated by Condition 8 e.g. air conditioning, electrical services, gas and the like shall be located above the minimum habitable floor level. | Prior to commencement of use and at all times. |
| 14. | <p>Warning and advisory signage:</p> <p>(a) Depth markers of a minimum height of 1.5m shall be erected at the pedestrian and vehicle egress location from the site to Coates Street. The depth markers shall be approved by the Manager Planning and Development. This shall be kept free of obstructions at all times.</p> <p>(b) Flash flooding and flood isolation advisory signage shall be mounted adjacent to the pedestrian depth marker referred to in condition 14(a) in a prominent position. Wording shall be approved by the Manager Planning and Development. This shall be kept free of obstructions at all times.</p> | Prior to commencement of use and at all times. |
| 15. | Evacuation routes – clear direct all-weather route/s shall be provided for pedestrians and vehicles from the front access of the proposed dwelling and the properties to the eastern road verge to allow rapid escape in the event of flooding. If there is a front boundary fence, gates shall be provided for the pedestrian and vehicle routes. | Prior to commencement of use and at all times. |
| 16. | Any proposed boundary or internal fencing shall be open mesh type that allows floodwater to move through with minimum impediment to flow. | Prior to commencement of use and at all times. |
| 17. | <p>Flood Emergency Plan – a flood emergency plan shall be compiled and provided for the proposed dwelling. This plan shall be approved by the Manager Planning and Development.</p> <p>(a) This plan shall be kept in a prominent place in the proposed dwelling.</p> <p>(b) The owner shall familiarise themselves with the plan. In the case that the dwelling is rented the owner or agent shall be responsible to ensure the occupant is aware of the requirement and responsibilities relating to the plan. The owner or agent shall hold a formal Register signed by the occupant confirming they have been briefed on and provided with a copy of current Flood Emergency Plan. The Register shall be made available for inspection upon request from the Council.</p> <p>(c) The plan shall be formally reviewed by the Manager Planning and Development every 12 months (by the 1 October each calendar year) or with each change in occupation/tenancy unless this timing is varied by the Manager Planning and Development.</p> <p>(d) As a minimum the plan will address and document in detail the following in relation to the proposed dwelling and property:</p> | Prior to commencement of use and at all times. |

| | | |
|-----|--|---|
| | <ul style="list-style-type: none"> Awareness and preparation in the event of a flood event – knowing the risk, understanding the vulnerability, preparation requirements for the wet season, documentation and planning, provision of an emergency kit, management of pets/animals; Trigger criteria and evacuation response – when to leave, when to stay, risk management of property and people, services management e.g. turn off solar panels, gas, water, power, evacuation destination/s; Post event action planning – steps to reoccupy after an event/move back, management of clearances required e.g. electrical services inspection, water quality in tanks; and Familiarisation, review and updating of the plan. Procedures for change of ownership/tenancy. Procedures for seeking advice/changes/approvals from the Manager Planning and Development. <p>The Manager Planning and Development may vary these requirements from time to time.</p> | |
| 18. | All documentation approved by the Manager Planning and Development will be entered by Council against the property files. | Prior to commencement of use and at all times and each change/revision. |

ADVISORY NOTES

- (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) 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

- (iv) In relation to Condition 8 and 9 – the expected regional flood peak depth is 950mm plus/minus 300mm and the associated peak velocity at the nominated location is up to 1m/s.

- (v) In relation to Condition 14 (b) - The wording content is expected to advise in detail on the high risk of flash flooding of the property in the event of local storm events and extended isolation in regional creek flooding.
- (vi) The Local Disaster Management Group will be able to provide assistance with the compilation of the Flood Emergency Plan. The property is below road level and is likely to be impacted on a frequent basis from local flooding with no warning. In a local design event, any property below the level of the HFL may be at risk of damage, immersion or floatation – this includes vehicles. In a regional flood event, water levels will be higher and faster, and the property may be isolated for an extended period of time. There is no certainty that any formal warnings will be given, and the occupants cannot expect attendance by emergency personnel to affect assistance or rescue.
- (vii) A file note will be placed against the property advising the terms of the development approval.
- (viii) This approval only relates to the proposed dwelling. Any other proposed development would be expected to comply with common law requirements for example nuisance and annoyance.

Advice for Queensland Urban Utilities

On 1 July 2014, Queensland Urban Utilities became the assessment manager for the water and wastewater aspects of development applications. An application will need to be made directly to Queensland Urban Utilities for water supply connections for the proposed development.

Despite the proposed development being in conflict with the Temporary Local Planning Instrument (TLPI) 01/2019 and Planning Regulation 2017; it is Council's opinion that the proposed development can be conditioned to mitigate risk to an acceptable extent. In addition, the subject site is in a built-up area surrounded by existing residential dwellings with access to emergency services and is in proximity to Laidley State High School which is used for an emergency evacuation centre.

Moved By: Cr McLean

Seconded By:

Cr Cook

Resolution Number: 16-20/1582

CARRIED

6/0

Report

1. Introduction

The applicant seeks a Development Permit for a Material Change of Use for a Dwelling House Triggered by an Overlay (TLPI) at 46 Coates Street, Laidley. The subject land is zoned Urban Residential under the *Laidley Shire Planning Scheme 2003*.

2. Background

The site is located in the southern part of Laidley, near the intersection of Coates and Edward Streets. The subject lot was created in 1979, and a review of aerial imagery on QImagery indicates the allotment since has not contained a Dwelling House. Aerial imagery from 29 September 2019 indicates

that the subject site contains a shipping container, but no other structures (refer to Figure 1). There are no existing planning approvals in place over the subject site. The subject site has a total site area of 921.097m². The subject site is impacted by the Medium and Low Hazard Area of the *Temporary Local Planning Instrument (TLPI) 01/2019 – Flood Regulation*.



Figure 1 – Aerial view of subject site.

A Form 19 was issued by Council on 26 July 2019. No pre-lodgement meeting was held with respect to this application. An application for a Dwelling House was received on 10 September 2019. Council issued an Information Request to the applicant on 9 October 2019 requesting the applicant provide further information as to how the risks of flood inundation are adequately mitigated. This includes risk of isolation, risk of loss of road access, risk to life and risk to property. The applicant subsequently responded to the Information Request on 18 October 2019.

3. Report

Proposed Development

The proposal for a Dwelling House involves the use of a Removable Dwelling (refer to Figure 2). The applicant has proposed to construct the Dwelling House on stumps, with a minimum finished floor level of 105.77m AHD. The applicant proposes to obtain access from Coates Street. The proposal plans identify a future shed and carport to be constructed. These structures are not part of the subject application.

The following table describes the key development parameters for the proposal:

| MATERIAL CHANGE OF USE | DEVELOPMENT PARAMETERS | |
|--------------------------|----------------------------------|---|
| | Required | Proposed |
| Gross Floor Area | Minimum 60m ² | 76.6m ² |
| Building Height/ Storeys | Maximum 8.0m | 6.501m |
| Setbacks | Front: 6.0m Side & Rear: 1.5m | Front: 6.5m Side: 4.5m (south), 11.5m (north) Rear: 16.6m |
| Parking | Minimum 2 spaces | 2 |

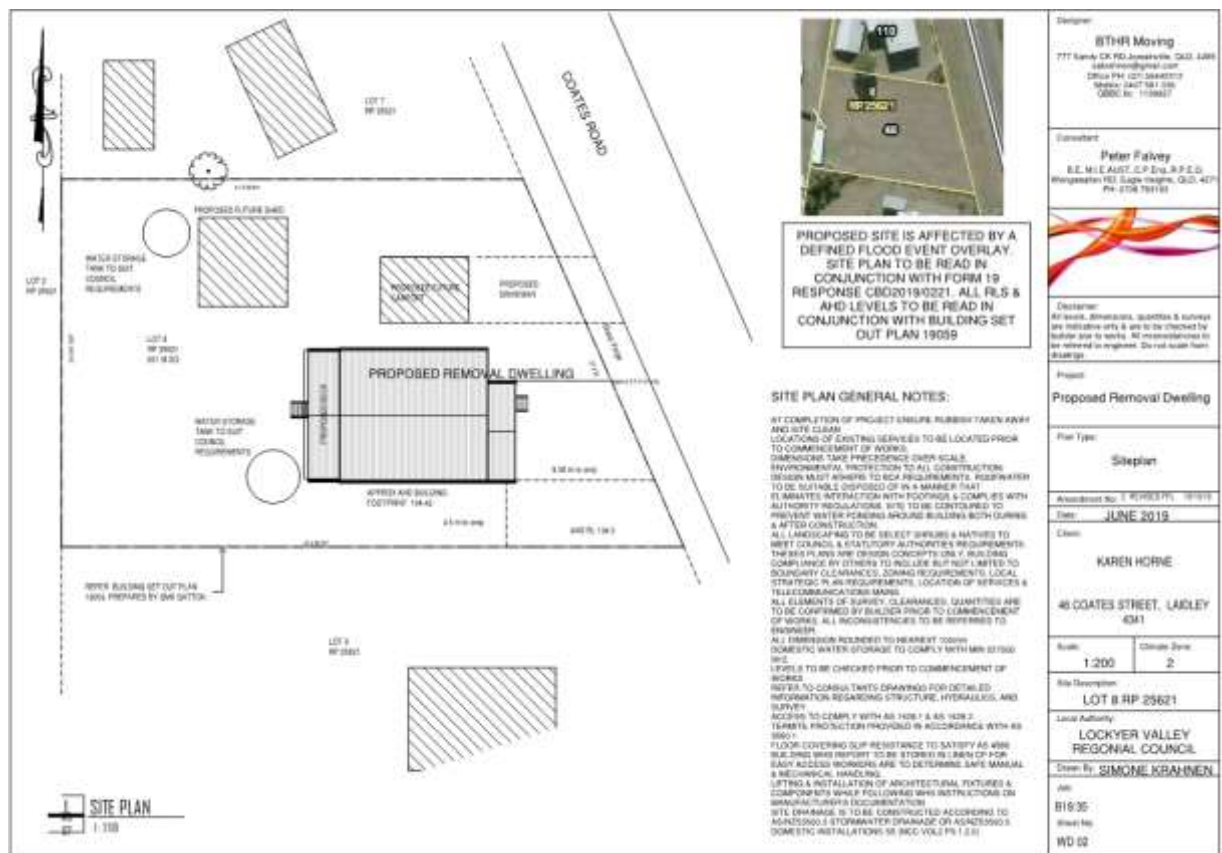


Figure 2 – Proposed Site Plan.

Subject Land

| SITE AND LOCALITY DESCRIPTION | |
|-------------------------------|-----------------------------|
| Land Area: | 921.097m ² |
| Existing Use of Land: | Vacant |
| Road Frontage: | Coates Street: 27.8m |
| Significant Site Features: | Shipping container on site |
| Topography: | Gentle slope towards rear |
| Surrounding Land Uses: | Urban Residential land uses |

Assessment

Framework for Assessment

Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

Assessment Benchmarks Pertaining to the *Planning Regulation 2017*

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

| PLANNING REGULATION 2017 DETAILS | |
|---|---|
| Assessment Benchmarks: | State Planning Policy: <ul style="list-style-type: none">• Water Quality – Water Resource Catchments• Natural Hazards, Risk & Resilience – Flood hazard area (Level 1 – Queensland floodplain assessment overlay, & Local Government flood mapping area) |
| SEQ Regional Plan Designation: | Urban Residential |

State Planning Policy

State Interest – Water Quality

The site is mapped within the water resource catchment. However, the proposed development does not trigger assessment against the State Planning Policy for Water Quality as the subject site is not greater than 2,500m².

State Interest – Natural Hazards, Risk & Resilience

The site is mapped within the flood hazard area for Level 1 – Queensland floodplain assessment overlay and Local Government flood mapping area. The assessment benchmark point (3) requires that '*development avoids natural hazards, or where it is not possible to avoid the natural hazard area, development mitigates the risks to people and property to an acceptable or tolerable level*'.

The subject site is impacted by flooding, and there is no alternate location on site that is not impacted by flood inundation for the dwelling to be constructed. The development is impacted by flooding in the local and regional flood events. In the local flood event it is unsafe for vulnerable persons e.g. children and the elderly, and in the regional event it is unsafe for all persons and vehicles. This area is inundated by flooding relatively quickly and there may be insufficient warning for a resident to be able to evacuate. In addition, Coates Street cannot be accessed in the event of a flood, and therefore, cannot be relied upon as an evacuation route. Any evacuation would require an individual to wade

through flood water for up to 100m in a local event and up to 200m in a regional event, and with a depth of up to 0.95m AHD and velocity of up to 0.5m/s, safely wading through this water would be difficult. The proposed development would result in an increased risk to life to an unacceptable level. It is therefore considered the proposed development is unable to comply with point (3) of the assessment benchmark.

The assessment benchmark point (5) requires the *'development directly, indirectly and cumulatively avoids an increase in the severity of the natural hazard and the potential for damage on the site or to other properties'*. The nature of the flooding in this area means that limited warning will be provided to residents to relocate their property, including vehicles, as well as evacuation of residents. In a flood, if property including vehicles are not relocated to a safe location, these items could be swept away in flood waters and cause damage to the subject site or downstream properties. It is therefore considered that the proposed development is unable to comply with point (5) of the assessment benchmark.

Assessment Benchmarks Pertaining to the Planning Scheme

The applicable planning scheme for the application is the *Laidley Shire Planning Scheme 2003*. The following sections relate to the provisions of the Planning Scheme.

| | |
|-------------------------------|------------------------------------|
| Planning Scheme: | Laidley Shire Planning Scheme 2003 |
| Zone: | Urban Residential Zone |
| Assessment Benchmarks: | Flood Inundation Overlay Code |

Assessment Benchmarks – Planning Scheme Codes

The application has been found to conflict with one or more elements of the Flood Inundation Overlay Code of the TLPI 01/2019 and cannot be conditioned to comply. The pertinent issues arising out of the assessment are discussed below.

Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument

The proposed development is located within the Medium Hazard Area of the *TLPI 01/2019*. Land identified as being within the Medium Hazard area may pose a high risk to life and property during a flood event. The characteristics of flood in the Medium Hazard Area includes:

- (a) Able bodied adults may not be able to safely walk;
- (b) Cars can float; and
- (c) Only large trucks may be able to travel safely.

The subject site is impacted by flooding in both the local and regional flood events. The subject site was impacted by regional creek flooding in the 2011 and 2013 events. The Defined Flood Level for the subject site is 105.2m AHD.

The site is located approximately 83 metres east of the top of bank of Lagoon Creek. The area between Lagoon Creek and the site is relatively flat in that the western boundary of the subject site is approximately 0.5m higher than the top of bank of Lagoon Creek. The Defined Flood Level of 105.2m AHD in this area is approximately 160m from the top of bank of Lagoon Creek and extends beyond the eastern boundary of the site, and beyond the opposite side of Coates Street.

Further, the subject lot is located below road level, and as such may be subject to overland sheet flow from the road and the slope to the south (refer to Figure 3). The adjoining properties, which contain existing residential dwellings, have been the subject of complaints in the past in wet conditions – a function of water coming onto the lots and lying around in rain weather.



Figure 3 – Street view of subject site.

Information Request

Council raised matters regarding flooding as part of an Information Request to address the requirements of the TLPI. The Response to the Information Request included a submission from both the applicant and the landowner. The applicant responded with the following points:

- Hardware (plumbing and electrical) within the house will be raised above 105.77m AHD;
- The applicant considered it unreasonable for Council to require the relocation of vehicles due to:
 - Coates Street and many other Council maintained roads in the surrounding area become impassable in a flood event;
 - Coates Street is lower than the site, so goes under before the site does, making it not possible to relocate vehicles;
 - A carport is exempt under the TLPI;
 - The carport could be built up above the Defined Flood Level, however this will require filling which may obstruct overland flow of the water; and
 - There are residential dwellings existing on both sides of the subject site that have vehicles with vehicle accommodation at ground level;
- The proposed house is a relocated class 1 dwelling. The floor level of any dwelling will be above any flooding. The building will therefore be in a safe location and relocation will not be required; and
- The neighbouring properties were constructed prior to the TLPI being introduced, therefore residents of those buildings have not been made to comply with the TLPI. Therefore, the perceived risk to those residents must be considered as mitigated to an acceptable level. This site should therefore be considered in a similar manner.

The landowner responded with the following points:

- The potential flooding of Coates Street is a consideration. However, if Council is not in a position to change the road levels, it is not the responsibility of residents to ameliorate any flooding issues outside their property boundaries;
- The possibility of Coates Street being inundated by flood waters is very likely in the event of a flood, however this may never happen. Residents should not be prevented from utilising their properties on the basis of a possibility;
- There are a number of existing low-set homes, including slab on ground dwellings along Coates Street and the surrounding area, which is a safety risk to those residents within these dwellings. The proposed development does not pose unnecessary risks in comparison as the dwelling will be stumped with a minimum finished floor level of 105.77m AHD;
- In the event of a flood residents would stay put in the house or remain outside the flooded area. Any residents are not likely to place extra demand on emergency resources;
- The existing dwellings in Coates Street were approved prior to the TLPI. However, the imposition of the TLPI is rigid and unyielding, thereby barring development from remaining residential allotments;
- Council has not rezoned the property and remains as Urban Residential;
- The property was purchased in March 2018. No indication of a planning approval being required to Council was made until August 2019;
- No indication of any flood overlay for this property was found during due diligence prior to purchase; and
- No notification has been received since purchase that the TLPI 01/2019 was being considered or implemented.

In response to the applicant's and landowner's submission, it is recognised that there are a number of existing dwellings within the surrounding area that are low-set (slab on ground construction). However, these dwellings existed prior to the 2011 flood event. The TLPI has been a continuing policy since 2013. For those dwellings constructed prior to the 2011 flood event, these residences have existing use rights for a dwelling house. Council has therefore not required residents within these areas to upgrade their buildings to be in accordance with the current requirements of the TLPI.

Council adopted the TLPI as a means of regulating development within areas subject to flood inundation. The subject site has been identified as being within the Medium Hazard Area since 2013. It is noted one Form 19 has been issued over the property in July 2019. No Form 19 was received by Council prior to purchase in March 2018.

Purpose of the Code

The purpose of the Code is to *"avoid the adverse effects of flooding in High and Medium Hazard Areas"*. The applicant has proposed a minimum habitable floor level of 105.77m AHD, which is 570mm above the Defined Flood Level. Whilst this is compliant with the requirements under the Code of being a minimum of 300mm above the Defined Flood Level, the assessment of residential properties extends beyond compliance with the habitable floor level to include a number of criteria for suitability of the proposed use. These criteria include *"development demonstrates that the risks of flood inundation including (but not limited to):*

- (a) Risk of isolation;*
- (b) Risk to road access; and*
- (c) Risk to life and risk to property are mitigated to an acceptable level"*.

In relation to local flooding, the subject lot is vulnerable to flooding. The depth of flooding in the local flood design event is 0.6m. At this depth, flood waters are easily capable of damaging/sweeping away cars and other property. Given the very small difference in levels between the creek and back of the lot, the lot can be impacted by flooding on a frequent basis. The lot was flooded by local flooding in 2012. In a local flooding event there would be limited warning time to either move items from the property or evacuate from the property. If evacuation were attempted, residents may have to wade up to 100m in the local event – if it was safe to do so (refer to Figure 4, 5 and 6). The hazard mapping indicates that there is H3 hazard conditions in the local event, which is unsafe for vulnerable persons e.g. children and the elderly (refer to Figure 7).

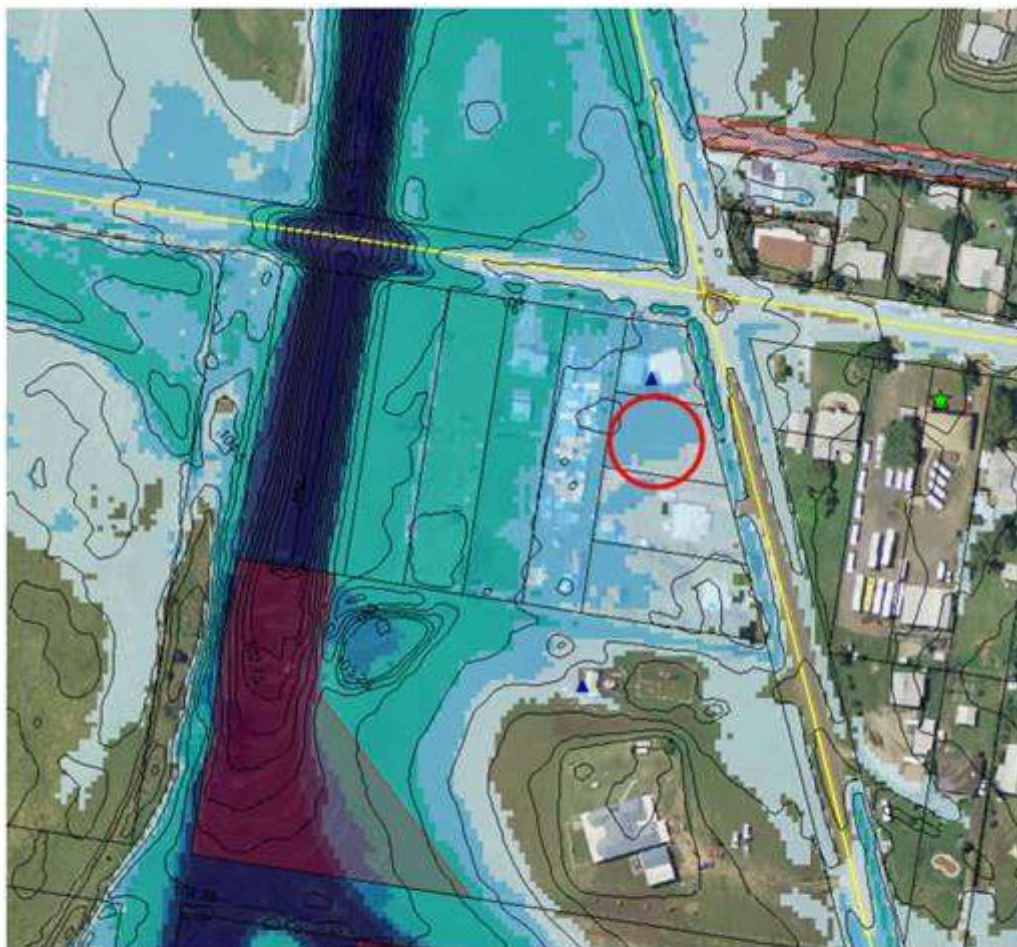


Figure 3.1 – 46 Coates St – Local 10%AEP (1 in 10%AEP) flood event - depth mapping (0.25m contours – 2010 LIDAR). Assumed location of new dwelling shown. Contours shown.

Key: depth (m)

| | | |
|-----|----|-----|
| 0 | to | 0.3 |
| 0.3 | to | 0.5 |
| 0.5 | to | 1 |
| 1 | to | 1.2 |
| 1.2 | to | 2 |
| 2 | to | 20 |

Figure 4 – Local 10%AEP flood event – depth mapping.

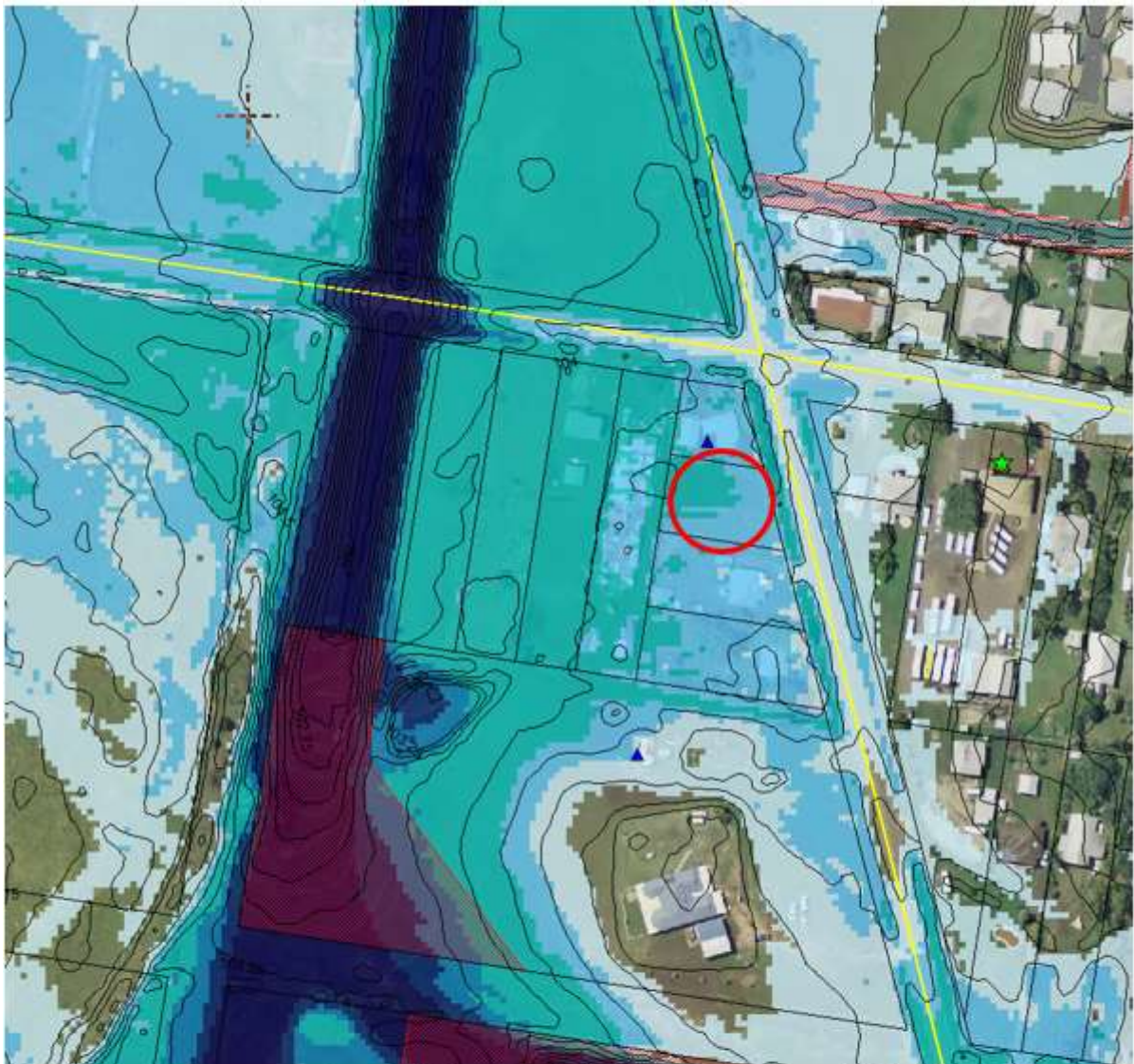


Figure 3.2 –46 Coates St – Local 1%AEP (1 in 100 AEP) flood event - depth mapping (0.25m contours – 2010 LIDAR).

Key: depth (m)

| | | |
|-----|----|-----|
| 0 | to | 0.3 |
| 0.3 | to | 0.5 |
| 0.5 | to | 1 |
| 1 | to | 1.2 |
| 1.2 | to | 2 |
| 2 | to | 20 |

Figure 5 – Local 1%AEP flood event – depth mapping.

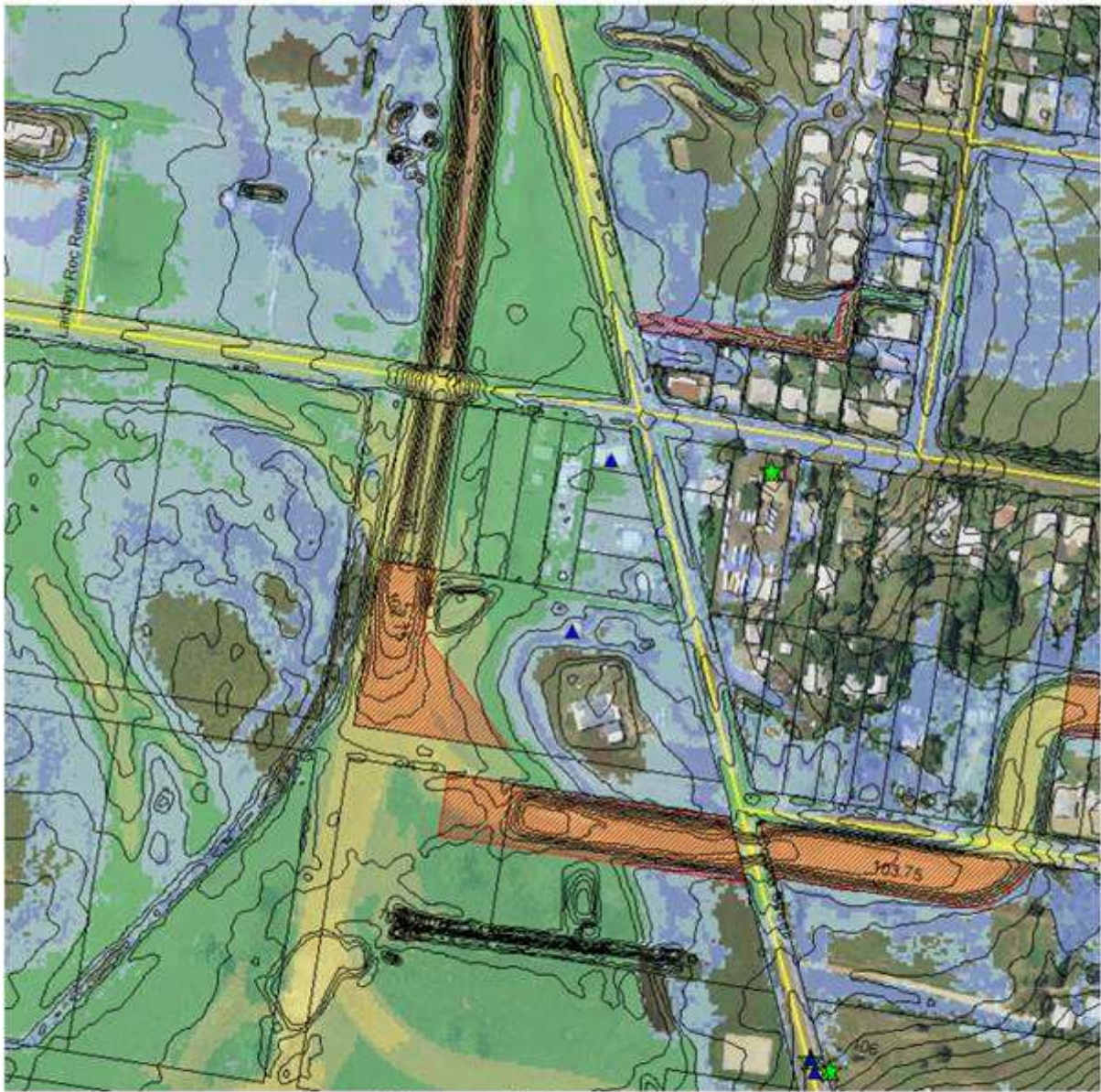


Figure 3.3 – 46 Coates St: – Local 1%AEP (1 in 100 AEP) flood event – flood hazard mapping (0.25m contours – 2010 LIDAR)
Key: Hazard

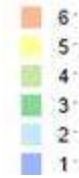


Figure 6 – Local 1%AEP flood event – flood hazard mapping.

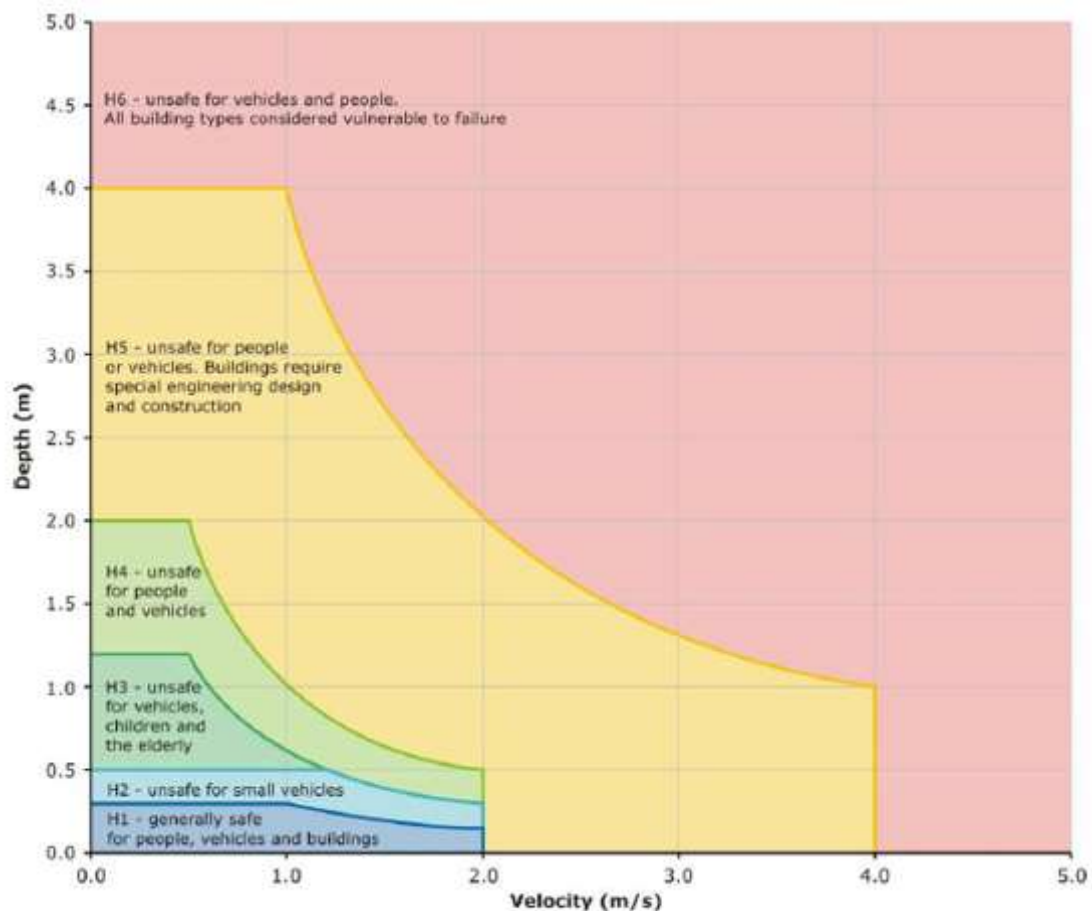


Figure 7: General flood hazard vulnerability curves

Table 1: Combined hazard curves – vulnerability thresholds

| Hazard Vulnerability Classification | Description |
|-------------------------------------|--|
| H1 | Generally safe for vehicles, people and buildings. Relatively benign flood conditions. No vulnerability constraints. |
| H2 | Unsafe for small vehicles. |
| H3 | Unsafe for vehicles, children and the elderly. |
| H4 | Unsafe for vehicles and people. |
| H5 | Unsafe for vehicles and people. Buildings require special engineering design and construction. |
| H6 | Unsafe for vehicles and people. All building types considered vulnerable to failure. |

Figure 7 – Hazard assessment diagram.

In a regional event, the subject site is impacted by regional flooding, and was impacted by flooding in the 2011 and 2013 flood events (refer to Figure 8 & 9). Again, as there is only a small difference in contour levels between the subject site and the creek, the site can be affected by regional creek flooding on a frequent basis. The depth of flooding in a regional creek flood is up to 0.95m (refer to Figure 10). During this event it is not safe to evacuate so if residents are present it may be some time (1-2 days) before evacuation could occur. If evacuation is attempted, it would require residents to wade up to 200m in the regional event – if it was safe to do so, given the velocity and depth of flood waters, this is unlikely. The hazard mapping indicates the subject site is impacted by H5 hazard conditions – which is not safe at all for persons (refer to Figure 7 and 11). In the regional event Laidley

becomes isolated early in floods in a number of locations. With reference to the locality map below in Figure 12, any rescue could be affected at this location due to the difficulty in reaching the location and the nature of floodwaters. It is therefore considered that the proposed development is unable to comply with Purpose of the Code.



Figure 8 – Post 2013 flood photo – note sediment deposition. Blue marker is 2013 flood survey point, green marker is 2011 flood survey point.



Figure 9 – Post 2013 flood photo – note sediment deposition.

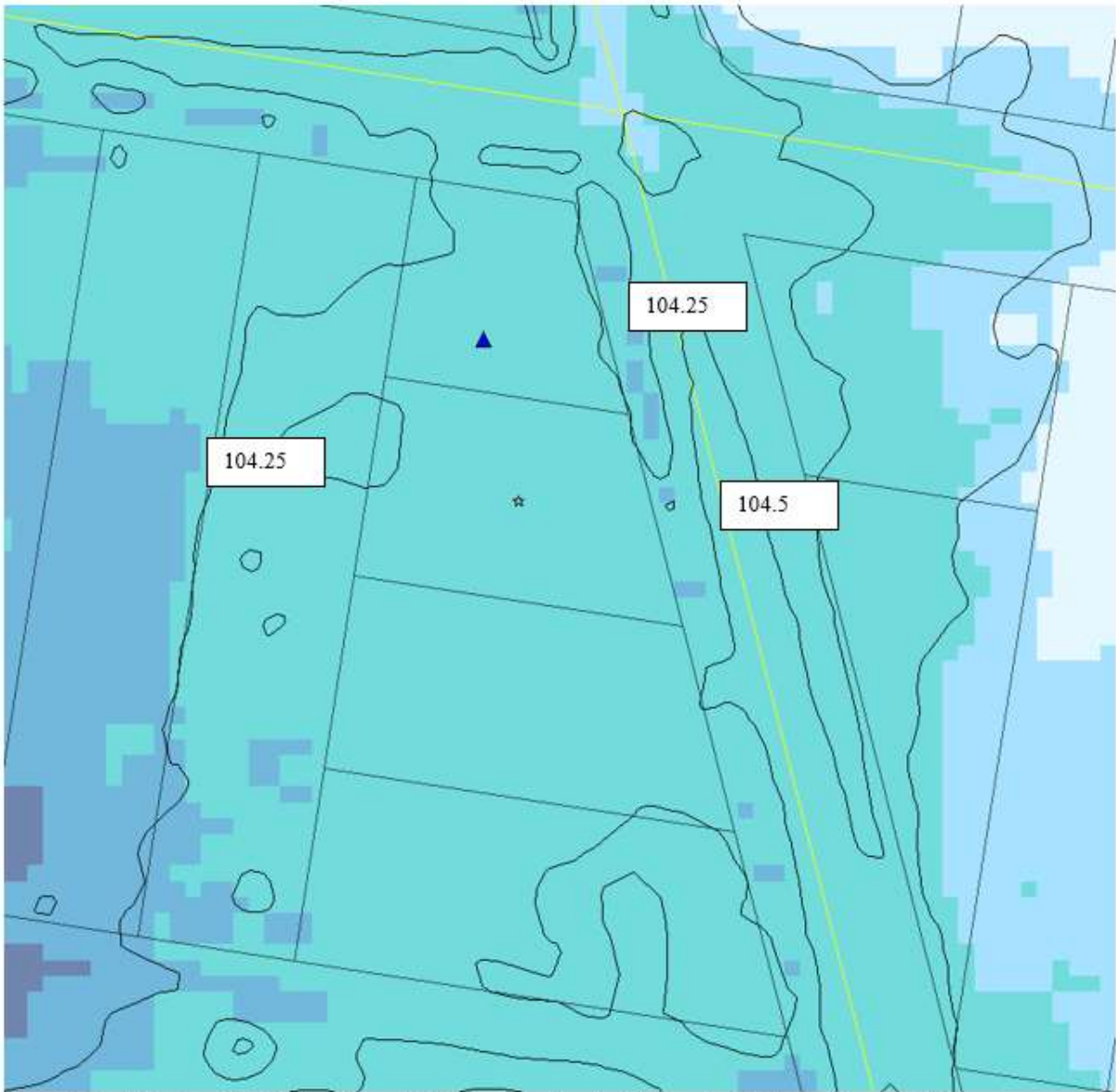


Figure 4.2 – 46 Coates St: – Regional Creek DFE flood event – depth mapping (0.25m contours – 2010 LIDAR). Contours shown.

| scheme Ranges depth | |
|---------------------|--------|
| 0 | to 0.3 |
| 0.3 | to 0.5 |
| 0.5 | to 1 |
| 1 | to 1.2 |
| 1.2 | to 2 |
| 2 | to 20 |

Figure 10 – Regional Creek DFE flood event – depth mapping.

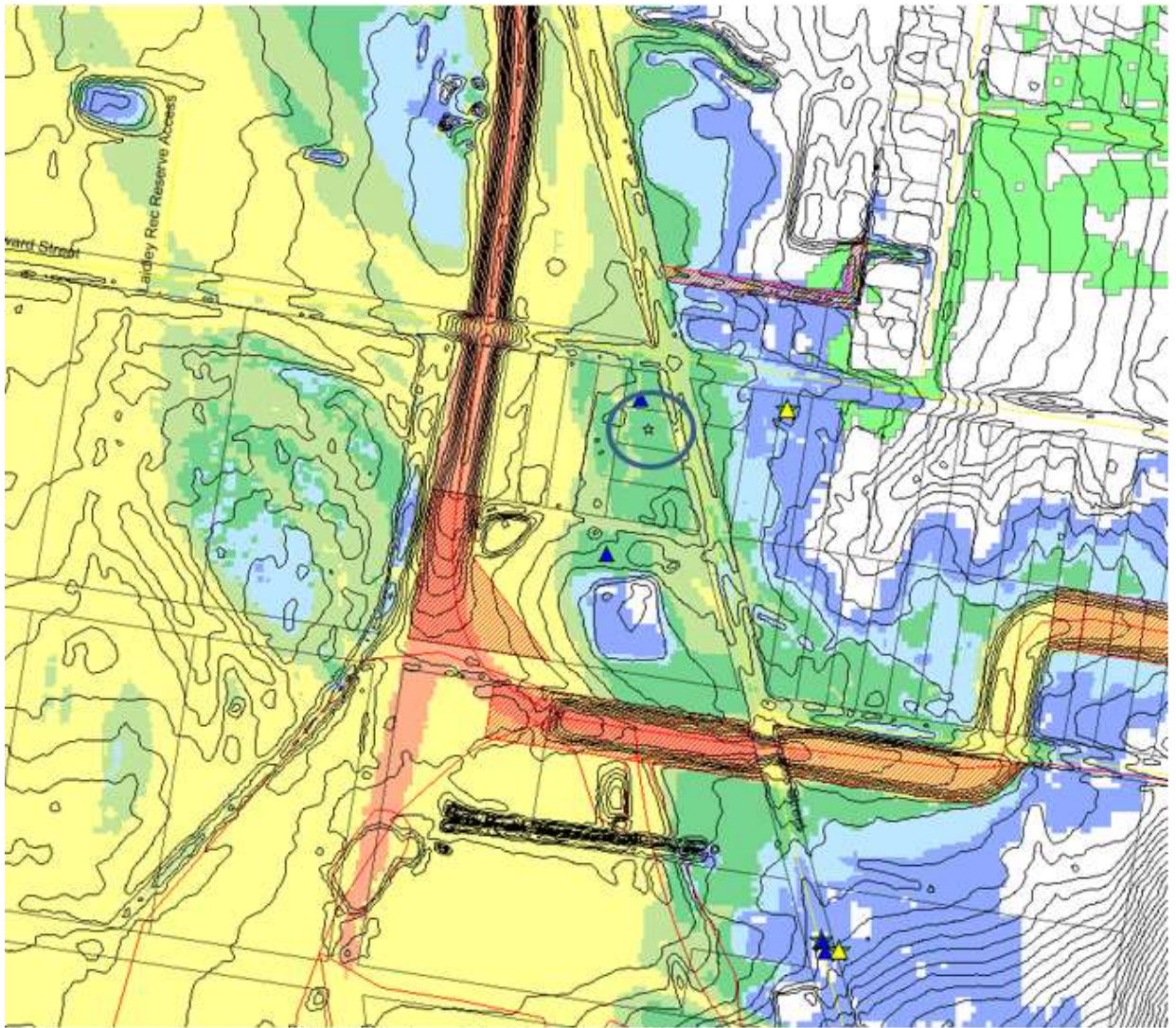


Figure 4.4 – 46 Coates St: – Regional Creek DFE flood event – flood hazard mapping (0.25m contours – 2010 LIDAR)

Key: Hazard

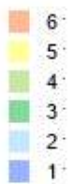


Figure 11 – Regional Creek DFE flood event – flood hazard mapping.

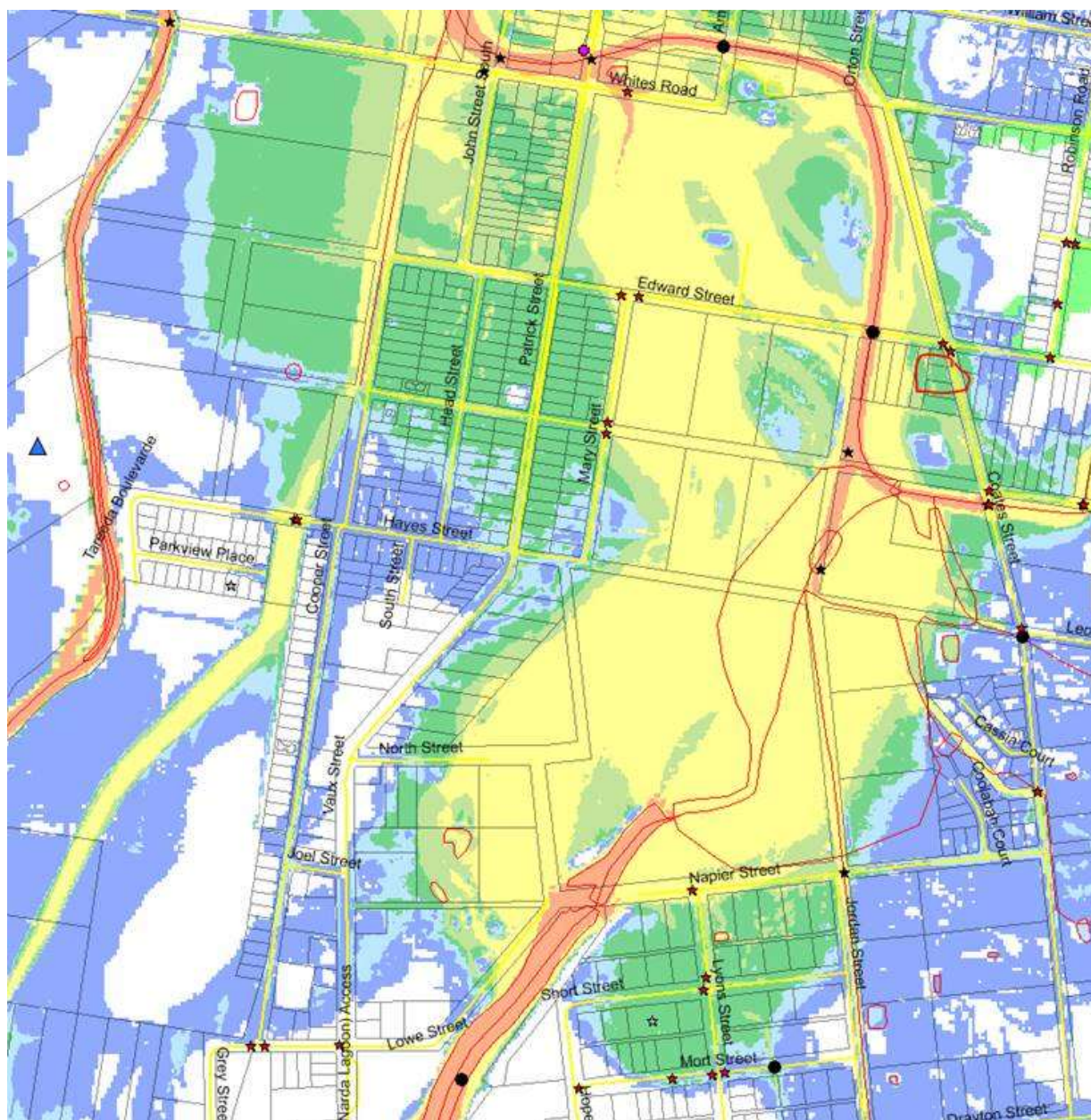


Figure 12 – Locality map – Regional flood Laidley – Hazard mapping – 46 Coates Street (red annotation)

Specific Outcomes

Specific Outcome SO1 of the Code states *“to the greatest extent practicable development avoids areas known to, or have the potential to, result in flood inundation marked as Overland flow paths, Investigation area, or Defined flood event (DFE)”*.

Specific Outcome SO4 of the Code states *“In Medium and High hazard areas;*

- (a) Residential and other development that provides for Vulnerable persons is avoided; or*
- (b) Development demonstrates that the risks to life and property associated with development on land subject to a high hazard level are mitigated to an acceptable community level; and*
- (c) Development which cannot mitigate the risk to an acceptable level is avoided”*.

The subject site is wholly impacted by flood inundation under the TLPI, as such no alternate location exists on site to locate the dwelling house. Council officers have undertaken an assessment against

the approved risk assessment process, as discussed above. In the local and regional flood events, the development is not able to mitigate the risk of flood due to the high probability of residents being unable to evacuate due to limited warning. This limited warning results in residents being isolated. If evacuation were attempted, able bodied adults would be unable to walk through flood waters, thus meaning any residents would be isolated until flood waters recede. It also means that the relocation of property including vehicles is unable to occur. This would result in these items potentially being swept away. The proposed development, in the event of a flood, would pose a high risk to life to any residents. It is therefore considered that the proposed development does not meet the intent of Specific Outcomes SO1 and SO4 of the Code.

Previous Development Applications

Two previous applications for dwellings within the High Hazard Areas have come before Council with a recommendation of refusal on Lot 32 RP7821 at Curtin Road, Crowley Vale (identified in Figure 13) and Lot 12 SP181872 at 23 Harm Drive, Glenore Grove (identified in Figure 14). Both applications were refused by Council in accordance with the Officer's Recommendation. Both lots were located within rural areas under the *Laidley Shire Planning Scheme 2003*. One lot had previously contained a dwelling which was removed, and a new removal dwelling was to be located on site. The other lot was vacant prior to an application being submitted. In September 2019, an application for a dwelling within the High Hazard Area came before Council with a recommendation of approval subject to conditions on Lot 7 L1731 at 10 Short Street, Laidley (identified in Figure 15). The application was approved subject to conditions in accordance with the Officer's Recommendation. The lot is located within the Urban Residential Zone under the *Laidley Shire Planning Scheme 2003*. The development was for the rebuilding of a dwelling that had burnt down in early 2019. The application was recommended for approval on the basis that was for the replacement of a Dwelling House.



Figure 13 – Aerial image of Lot 32 RP7821 at Curtin Road, Crowley Vale.



Figure 14 – Aerial image of 23 Harm Drive, Glenore Grove.



Figure 15 – Aerial image of 10 Short Street, Laidley.

Consultation

Internal Referrals

The application was internally referred to the Senior Engineer Water and Projects. The engineer recommended that the application be refused due to the development being unable to adequately mitigate the risk of flooding to an acceptable level. As requested by Council, further investigations have been undertaken. Consultation has been undertaken with Senior Engineer Water and Projects, Coordinator Development Assessment, Manager Planning and Development, Building Certifier and Building Regulatory Officer, and Disaster Management Program Officer. Council Officers retain the original recommendation to refuse the application, however, an approval package with conditions has been prepared and is attached to this report for Council's consideration (refer to Attachment 1).

4. Policy and Legal Implications

The policy and legal implications arising from the recommendation provided in this report are that the applicant may choose to appeal the decision in the Planning and Environment Court.

5. Financial and Resource Implications

There could be financial and legal implications should the decision be contested in the Planning and Environment Court.

6. Delegations/Authorisations

There are no implications for 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 *Planning Act 2016*.

8. Conclusion

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

9. Action/s

Advise the applicant of Council's decision.

Attachments

- 1 [1](#) MC2019/0061 Approval Package 4 Pages
- 2 [2](#) MC2019/0061 Plans to be Approved 4 Pages

MC2019/0061 Approval Package – 46 Coates Street, Laidley

APPROVED PLANS

The following plans are Approved Plans for the development:

Approved Plans

| Plan No. | Rev. | Plan Name | Date |
|--------------|------|--|----------|
| B19:35 WD 02 | 2 | Siteplan, prepared by BTHR Moving (as amended by Council) | 15/10/19 |
| B19:35 WD 04 | 2 | Proposed Floor Plan, prepared by BTHR Moving (as amended by Council) | 15/10/19 |
| B19:35 WD 07 | 2 | Elevations Sheet 1, prepared by BTHR Moving (as amended by Council) | 15/10/19 |
| B19:35 WD 08 | 2 | Elevations Sheet 2, prepared by BTHR Moving (as amended by Council) | 15/10/19 |

REFERENCED DOCUMENTS

Not Applicable.

VARIATION APPROVAL

Not Applicable.

FURTHER DEVELOPMENT PERMITS REQUIRED

- Development Permit for Building Work

CURRENCY PERIOD OF APPROVAL

The currency period for this development approval is six (6) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

ASSESSMENT MANAGER CONDITIONS

| NO. | CONDITION | TIMING |
|---------------------------------------|---|--|
| 1. | Undertake the development generally in accordance with the approved plans. These plans will form part of the approval, unless otherwise amended by conditions of this approval. | Prior to commencement of use and at all times. |
| 2. | Maintain the approved development in accordance with the approved drawing(s) and/or document, and any relevant Council or other approval required by conditions. | At all times. |
| 3. | The use must not commence until all conditions of this approval have been complied with. | At all times. |
| Alterations and/or Relocations | | |
| 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 | At all times. |

| | | |
|---|---|---|
| | 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. | Replace existing Council infrastructure (including but not limited to any street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works. | At all times. |
| Minimum Habitable Floor Level | | |
| 6. | The dwelling house must have a minimum habitable floor level (HFL) of 105.8m AHD and be a minimum of 1.25m above ground level. | Prior to commencement of use and at all times. |
| 7. | A licensed surveyor's certificate must be provided to Council to demonstrate the finished floor level of the dwelling house complies with Condition 6 above. | Prior to the issue of a classification certificate. |
| Flood Hazard Areas | | |
| 8. | The Dwelling House must comply with the requirements of the Queensland Development Code (QDC) MP3.5 – Construction of Buildings in Flood Hazard Areas. | Prior to commencement of construction. |
| 9. | The building application must include engineering analysis and certified by a registered professional engineer of Queensland (RPEQ) demonstrating compliance with P1 to P3 of QDC MP3.5 Construction of Buildings in Flood Hazard Areas. | In conjunction with the development application for building works. |
| 10. | Any area below the habitable floor level (HFL) must be free from obstruction so as not to impede the flow of water. | At all times. |
| Building Works Approval | | |
| 11. | Development Approval for Building Work is required prior to the commencement of any building work. | Prior to commencement of any building work. |
| Earthworks | | |
| 12. | No earthworks are permitted except for works ancillary to building works. Such works shall not alter the predevelopment profile of the site or otherwise interfere with the overland flowpath/s. | At all times. |
| Other Flood Risk Mitigation Requirements | | |
| 13. | Utilities/services not regulated by Condition 8 e.g. air conditioning, electrical services, gas and the like shall be located above the minimum habitable floor level. | Prior to commencement of use and at all times. |
| 14. | Warning and advisory signage: (a) Depth markers of a minimum height of 1.5m shall be erected at the pedestrian and vehicle egress location from the site to Coates Street. The depth markers shall be approved by the Manager Planning and Development. This shall be kept free of obstructions at all times. (b) Flash flooding and flood isolation advisory signage shall be mounted adjacent to the pedestrian depth marker referred to in condition 14(a) in a prominent position. Wording shall be approved by the Manager Planning and Development. This shall be kept free of obstructions at all times. | Prior to commencement of use and at all times. |

| | | |
|-----|--|--|
| 15. | Evacuation routes – clear direct all-weather route/s shall be provided for pedestrians and vehicles from the front access of the proposed dwelling and the properties to the eastern road verge to allow rapid escape in the event of flooding. If there is a front boundary fence, gates shall be provided for the pedestrian and vehicle routes. | Prior to commencement of use and at all times. |
| 16. | Any proposed boundary or internal fencing shall be open mesh type that allows floodwater to move through with minimum impediment to flow. | Prior to commencement of use and at all times. |
| 17. | <p>Flood Emergency Plan – a flood emergency plan shall be compiled and provided for the proposed dwelling. This plan shall be approved by the Manager Planning and Development.</p> <p>(a) This plan shall be kept in a prominent place in the proposed dwelling.</p> <p>(b) The owner shall familiarise themselves with the plan. In the case that the dwelling is rented the owner or agent shall be responsible to ensure the occupant is aware of the requirement and responsibilities relating to the plan. The owner or agent shall hold a formal Register signed by the occupant confirming they have been briefed on and provided with a copy of current Flood Emergency Plan. The Register shall be made available for inspection upon request from the Council.</p> <p>(c) The plan shall be formally reviewed by the Manager Planning and Development every 12 months (by the 1 October each calendar year) or with each change in occupation/tenancy unless this timing is varied by the Manager Planning and Development.</p> <p>(d) As a minimum the plan will address and document in detail the following in relation to the proposed dwelling and property:</p> <ul style="list-style-type: none"> • Awareness and preparation in the event of a flood event – knowing the risk, understanding the vulnerability, preparation requirements for the wet season, documentation and planning, provision of an emergency kit, management of pets/animals; • Trigger criteria and evacuation response – when to leave, when to stay, risk management of property and people, services management e.g. turn off solar panels, gas, water, power, evacuation destination/s; • Post event action planning – steps to reoccupy after an event/move back, management of clearances required e.g. electrical services inspection, water quality in tanks; and • Familiarisation, review and updating of the plan. Procedures for change of ownership/tenancy. Procedures for seeking advice/changes/approvals from the Manager Planning and Development. | Prior to commencement of use and at all times. |

| | | |
|-----|---|---|
| | The Manager Planning and Development may vary these requirements from time to time. | |
| 18. | All documentation approved by the Manager Planning and Development will be entered by Council against the property files. | Prior to commencement of use and at all times and each change/revision. |

ADVISORY NOTES

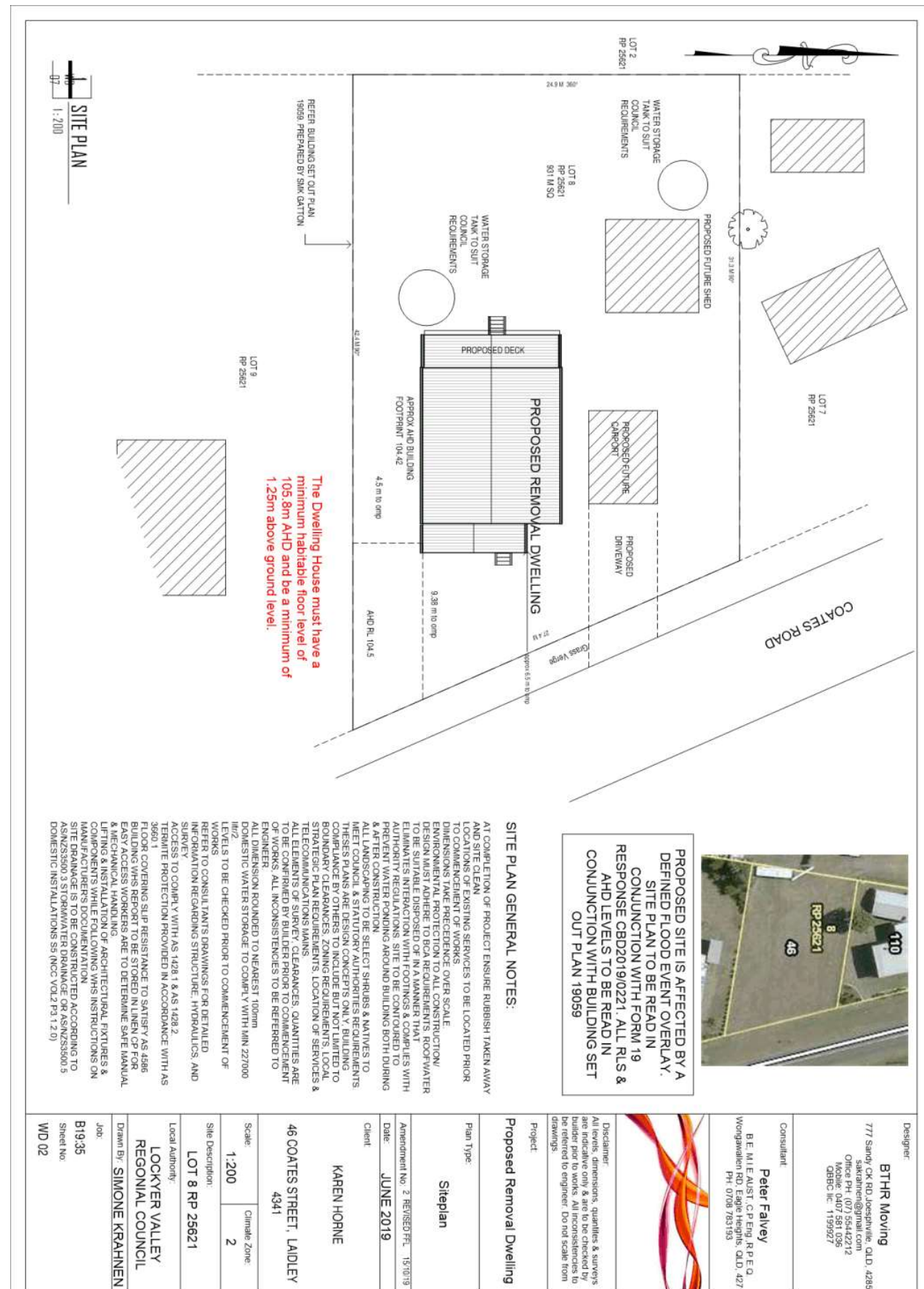
- (i) All works associated with this approval may not start until all subsequent approvals have been obtained, and its conditions complied with.
- (ii) Any additions or modifications to the approved use (not covered in this approval) may be subject to further application for development approval.
- (iii) 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.

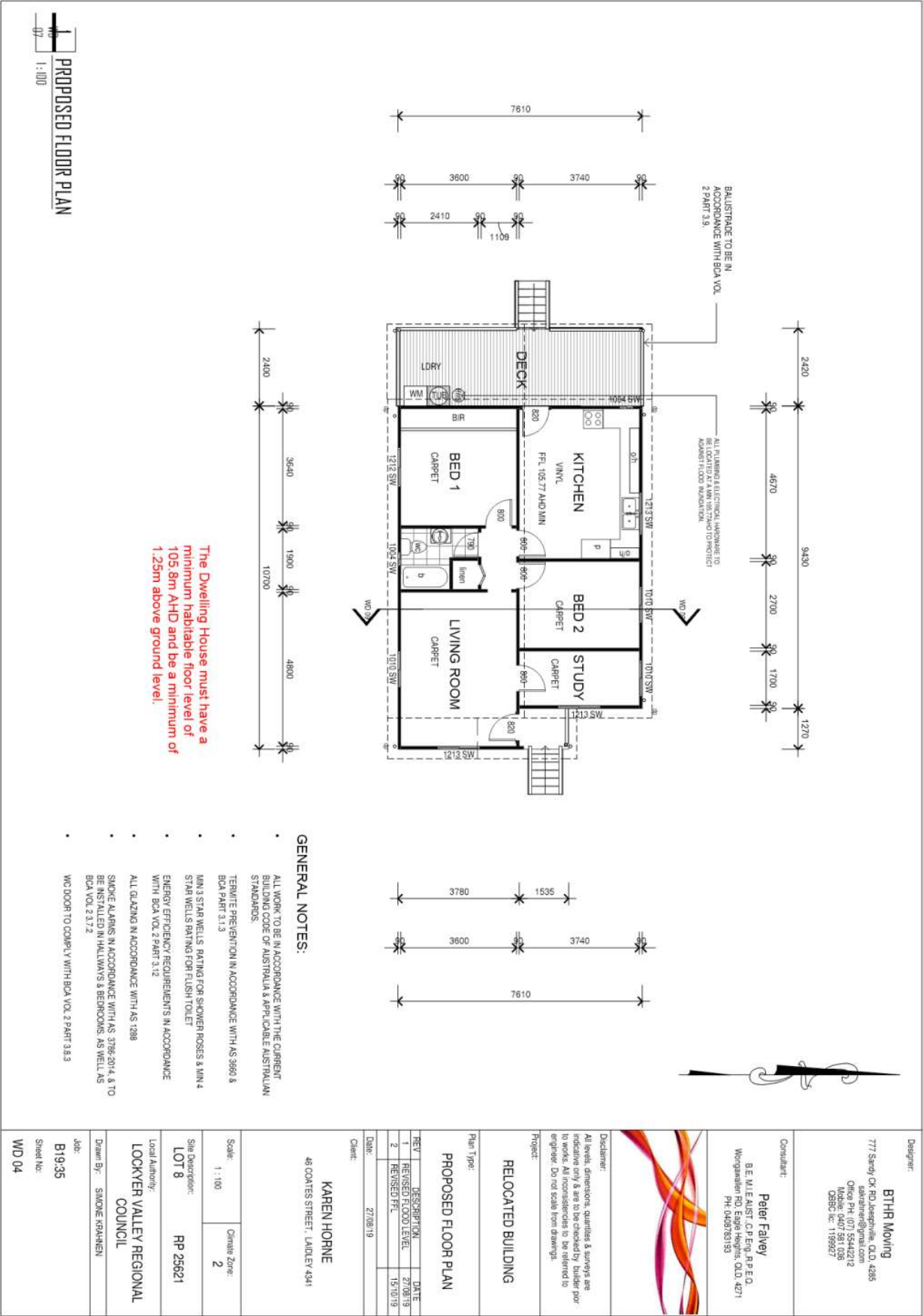
It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.

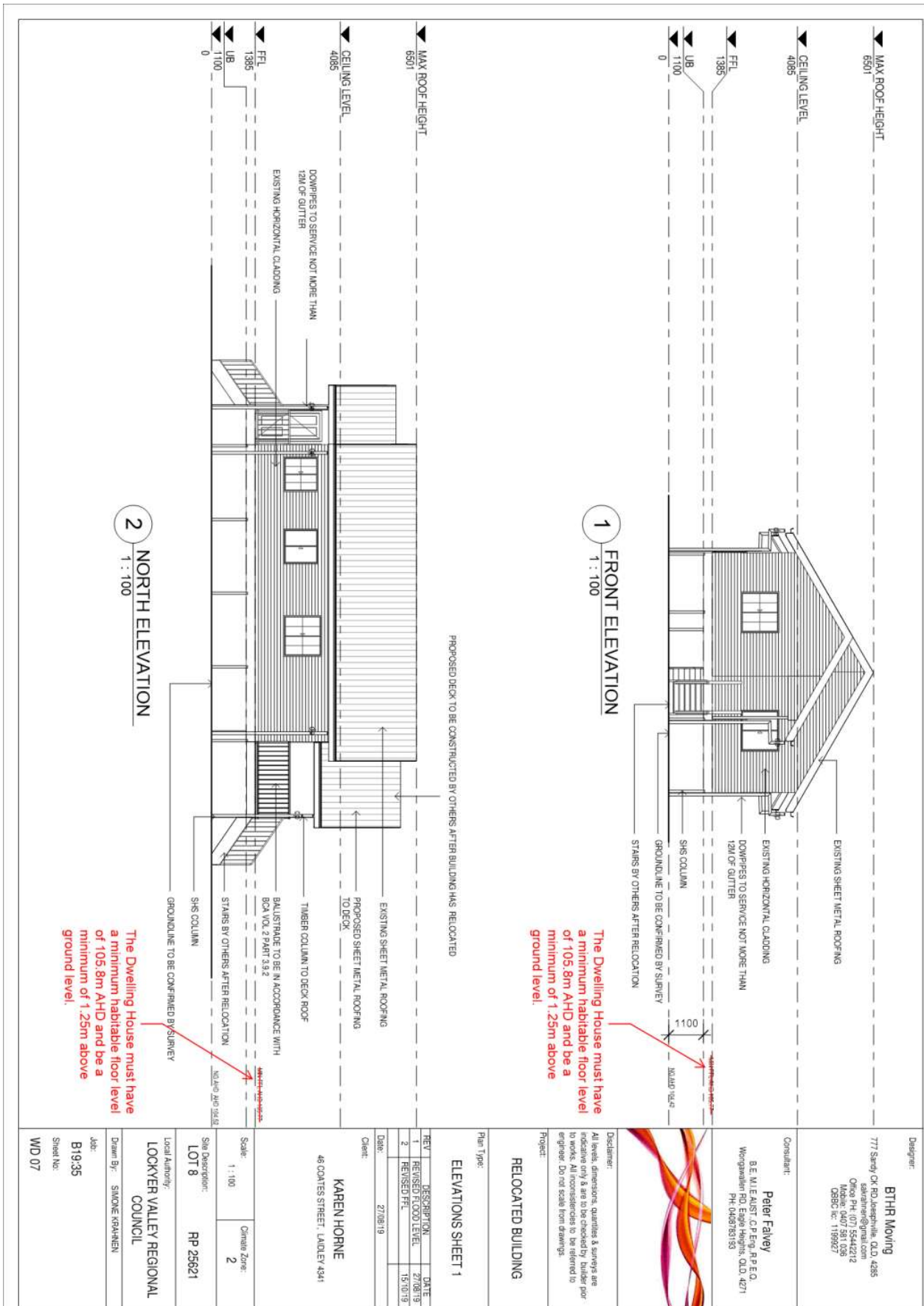
The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants
- (iv) In relation to Condition 8 and 9 – the expected regional flood peak depth is 950mm plus/minus 300mm and the associated peak velocity at the nominated location is up to 1m/s.
- (v) In relation to Condition 14 (b) - The wording content is expected to advise in detail on the high risk of flash flooding of the property in the event of local storm events and extended isolation in regional creek flooding.
- (vi) The Local Disaster Management Group will be able to provide assistance with the compilation of the Flood Emergency Plan. The property is below road level and is likely to be impacted on a frequent basis from local flooding with no warning. In a local design event, any property below the level of the HFL may be at risk of damage, immersion or floatation – this includes vehicles. In a regional flood event, water levels will be higher and faster, and the property may be isolated for an extended period of time. There is no certainty that any formal warnings will be given, and the occupants cannot expect attendance by emergency personnel to affect assistance or rescue.
- (vii) A file note will be placed against the property advising the terms of the development approval.
- (viii) This approval only relates to the proposed dwelling. Any other proposed development would be expected to comply with common law requirements for example nuisance and annoyance.

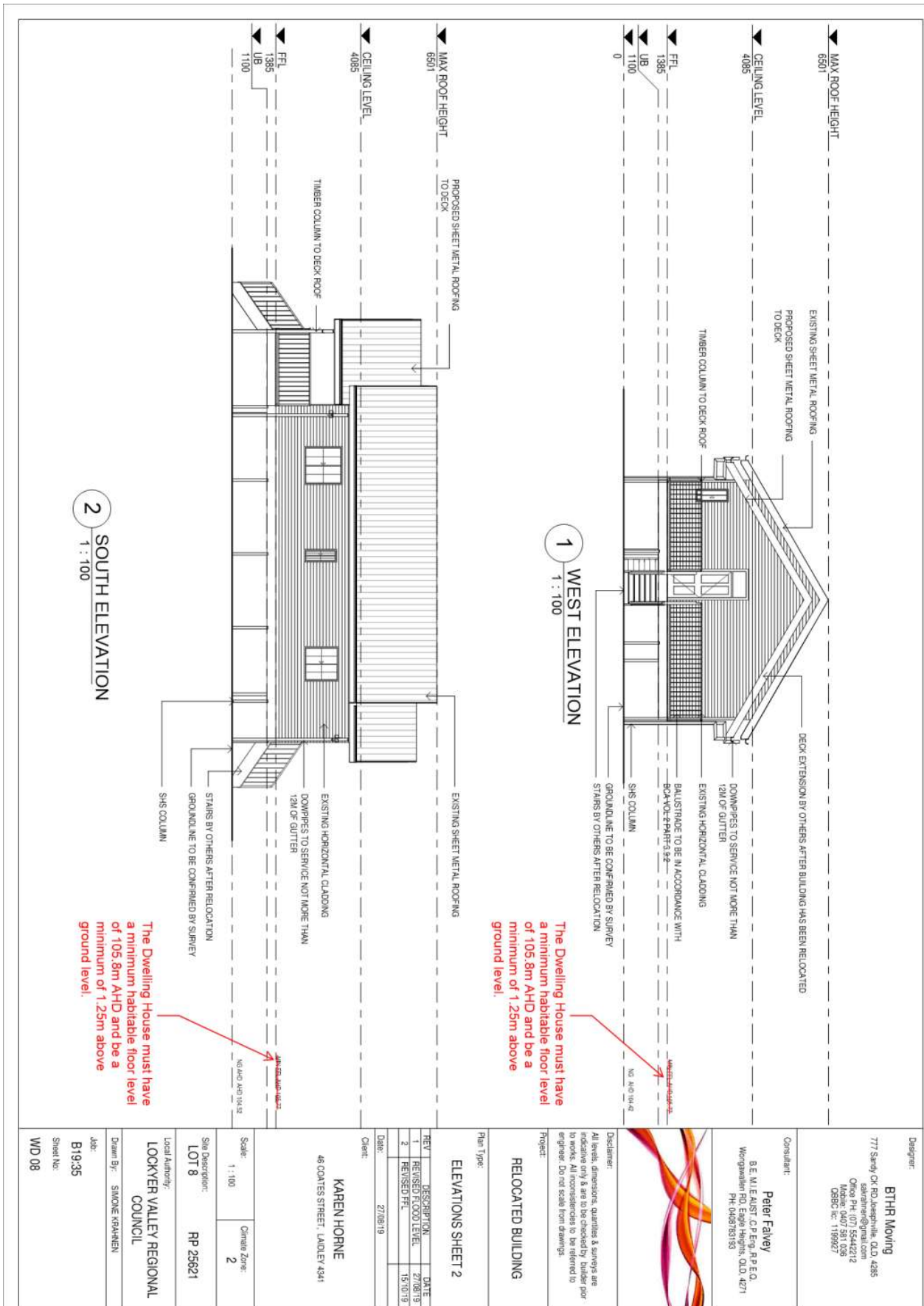
Advice for Queensland Urban Utilities

On 1 July 2014, Queensland Urban Utilities became the assessment manager for the water and wastewater aspects of development applications. An application will need to be made directly to Queensland Urban Utilities for water supply connections for the proposed development.









12.1 Regional Arts Development Fund Applications

Date: 12 November 2019
Author: Sue Banff, Branch Coordinator, Gatton Library
Responsible Officer: David Lewis, Executive Manager Corporate & Community Services

At a meeting of the Regional Arts Development Fund (RADF) Committee on 14 November 2019, two applications were presented for consideration. The two applications were approved by the Committee and are recommended to Council for endorsement.

THAT Council endorse the recommendation of the Regional Arts Development Fund (RADF) Committee to allocate RADF grant funding to the following applicants totalling \$15,000:

- **Greg Huglin – Noosa Film Academy** \$6,000
- **Lockyer Information & Neighbourhood Centre Inc.** \$9,000

THAT Council prepare and issue a media release in consultation with Arts Queensland once the successful applicants have been notified.

THAT Council endorse the recommendation of the Regional Arts Development Fund (RADF) Committee to allocate RADF grant funding to the following applicants totalling \$15,000:

- Greg Huglin – Noosa Film Academy \$6,000
- Lockyer Information & Neighbourhood Centre Inc. \$9,000

THAT Council prepare and issue a media release in consultation with Arts Queensland once the successful applicants have been notified.

Moved By: Cr Hagan **Seconded By:** Cr Wilson
Resolution Number: 16-20/1583

CARRIED
6/0

Report

1. Introduction

The Regional Arts Development Fund (RADF) is a partnership between the Queensland Government and Queensland local councils in regional arts and cultural development which support and promote the professional development and employment of artists and arts workers in regional Queensland.

2. Background

The RADF Committee has reviewed two applications received for RADF grant funding under the current funding offer. The two applications were approved by the Committee for recommendation to Council.

3. Report

The recommendations of the RADF Committee in relation to each application assessed by the Committee at its meeting on 14 November 2019 follows:

a) Mr Greg Huglin – Noosa Film Academy

That the application by Mr Greg Huglin from Noosa Film Academy for funds to assist the delivery of film production workshops to students of Lockyer District High School and Laidley District High School be approved to the value of \$6,000 being 45% of the total cost of the project.

b) Lockyer Information and Neighbourhood Centre Incorporated

That the application by the Lockyer Information and Neighbourhood Centre Incorporated for funds to assist with the delivery of music workshops to disadvantaged youth and youth at risk be approved to the value of \$9,000 being 47% of the total cost of the project.

4. Policy and Legal Implications

Under Lockyer Valley Regional Council's Community Plan, Council recognises the importance of the development of arts and culture within the community and the role it plays in supporting individual and group initiatives while providing infrastructure support and leadership to allow people to enjoy opportunities for artistic expression and to explore their culture and heritage while promoting the diversity of the community.

There are no further policy or legal implications associated with the recommendations of this report.

5. Financial and Resource Implications

In Council's 2019/20 Budget, a provision of \$41,000 was made available for RADF funding with \$1,000 allocated for advertising and \$40,000 for grant projects. The two recommended applications total \$15,000, leaving a balance of \$25,000 for further funding rounds in Arts Queensland financial year, which runs from September to August.

6. Delegations/Authorisations

Responsibility for processing RADF paperwork lies with the Gatton Library Coordinator.

No further delegations are required to manage the issues raised in this report. The Executive Manager Corporate and Community Services will manage any further requirements in line with existing delegations.

7. Communication and Engagement

Once the recommendations of this report have been approved by Council, the applicants will be notified by mail and a media release will be organised through Council's Marketing, Communications and Engagement Branch subsequent to approval by the Queensland Government.

8. Conclusion

The recommendation of this report facilitates the development of arts and culture within the community in line with Council's Community Plan.

9. Action/s

1. The successful applicants will be notified by mail.
2. A media release will be organised through Council's Marketing, Communications and Engagement Branch subsequent to its approval by Arts Queensland.

Attachments

There are no attachments for this report.

13.0 INFRASTRUCTURE WORKS AND SERVICES REPORTS

No Infrastructure Works & Services Reports.

14.0 ITEMS FOR INFORMATION

GENERAL BUSINESS

THAT Council receive and note the following report for information:

- 14.1 – Ex-Tropical Cyclone Debbie NDRRA - Final Report

Moved By: Cr Vela

Seconded By: Cr Hagan

Resolution Number: 16-20/1584

CARRIED
6/0

14.1 Ex-Tropical Cyclone Debbie NDRRA - Final Report

Date: 15 July 2019

Author: John Keen, Manager Infrastructure Support Services

Responsible Officer: Angelo Casagrande, Executive Manager Infrastructure Works & Services

Summary:

The Lockyer Valley was impacted by the associated rainfall and flooding event as an aftermath of ex-Tropical Cyclone Debbie between 28 March and 6 April 2017. Damage to infrastructure was not as widespread as the region's previous events; however, the damage to road and drainage assets has a potential value of approximately \$1.35 million.

This document is for Council's information only.

Report

1. Introduction

Council was previously provided with an update in March 2019. The purpose of this report is to provide Council with a final update.

2. Background

As a result of the damage caused by ex-Tropical Cyclone Debbie, the Queensland Minister for Police, Fire and Emergency Services activated the Commonwealth/State NDRRA on 1 April 2017.

3. Report

The works program undertaken to the roads and drainage infrastructure damaged because of ex-Tropical Cyclone Debbie is now complete. The scope of the damage was less than first anticipated, with actual expenditure of \$1,010,213. The table below shows actual expenditure vs. budget.

| Project Code | Description | Actual Expenditure | Budget |
|--------------|---|--------------------|-----------------|
| 101710 | NDRRA Works 2017 Ex Tropical Cyclone Debbie - LVRC.138.17 | \$ 593,601.70 | \$ 565,000.00 |
| 101711 | NDRRA Works 2017 Ex Tropical Cyclone Debbie - LVRC.139.17 | \$ 126,007.46 | \$ 172,000.00 |
| 101712 | NDRRA Works 2017 Ex Tropical Cyclone Debbie - LVRC.141.17 | \$ 72,952.38 | \$ 124,000.00 |
| 102063 | NDRRA Works 2017 Ex Tropical Cyclone Debbie - LVRC.142.17 | \$ 147,316.69 | \$ 161,000.00 |
| 101833 | NDRRA Works 2017 Ex Tropical Cyclone Debbie - LVRC.143.18 | \$ 70,335.43 | \$ 153,000.00 |
| | | \$ 1,010,213.66 | \$ 1,175,000.00 |

Figure 1: Natural Disaster Relief and Recovery Arrangements – Approved Works actual expenditure vs. budget.

All works packages came in under budget, except LVRC.138.17.

There is currently one financial claim that is yet to be submitted for approximately \$64,000 for works package LVRC.143.18, which is the betterment project at East Haldon Road around the floodway at the nut farm. Included in works package LVRC.138.17 is damaged pavement on Crowley Vale Road, this has been repaired. The original agreed scope of the works at the initial damage assessment was for 829m² of damaged pavement due to saturated subgrade. By the time the work was undertaken (14 months after the flood event) it was identified that a further 1318m² of pavement repair was necessary. Council made an application for a variation to the original scope to QRA for the extra repairs to the pavement, which is likely to be denied by the Queensland Reconstruction Authority since the application was made 14 months after the event. (the funding guidelines state that there is a 12-month cut off for the acceptance of any new damage).

The pavement could not be left in the damaged condition, so Council undertook the repairs whilst equipment and staff were on site. There is approximately \$165,000 that is at risk of not being funded through the flood damage claim process. Council officers are working with QRA on the justification for the variation, however have been advised verbally that it is unlikely that it will be successful due to the identification of the damage being outside of the guidelines.

Attachments

There are no attachments for this report.

15.0 CONFIDENTIAL ITEMS

No Confidential Items.

16.0 MEETING CLOSED

There being no further business, the meeting closed at 10:34am