



**Minutes of Ordinary Meeting
Held Wednesday, 13 March 2024**

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

Present

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

CONTENTS

Administrative Action Complaint – AA72022 DA9079 – Lot 11 on SP180657 151	Development Application No. 23928 – 115 Old Fernvale Road Vernor 48
Application for Temporary Entertainment Event – Partici-party from Jungle Events Ltd 86	Finance report..... 103
Business arising out of minutes of previous meeting 3	Items for reports for future meetings ... 150
Closed Session 150	Leave of Absence 3
Closure of Meeting 151	Matters of Public Interest 3
Confirmation of Minutes 3	Mayor and Councillor Reports..... 147
Conflict of Interest 5	Meetings authorised by Council 147
Consideration of notified motions 150	Opening of Meeting..... 3
Corporate and Community Services Monthly Report - February 2024 111	Operations Report for February 2024.. 123
Customer Service Report – February 2024 138	Planning and Development Department Monthly Report – February 2024 94
Development Application No. 23899 - Kangaroo Creek Road and Apple Tree Creek Road, Harlin 5	Receipt of Petition..... 150
	Reception of notices of motion for next meeting..... 150
	Report of the Audit Committee meeting 102
	Tourism and Promotions Report – February 2024 108
	Tribute – Cr Gaedtke 144
	Tribute to Mayor Lehmann 145

Opening of Meeting

The Mayor, Cr Graeme Lehmann, opened the meeting at 9.02 am.

Leave of Absence

Nil

Confirmation of Minutes**Resolution**

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT the Minutes of the Ordinary Meeting held 21 February 2024 as circulated to all Members of Council be confirmed”.

Carried

Vote - Unanimous

Business arising out of minutes of previous meeting

Nil

Matters of Public Interest**Matters of public interest – Cr Brieschke**

St Patricks Day Dance, Friday 15 March, Alexandra Hall, Toogoolawah.

Photographic exhibition by Gerard De Roo, Glen Rock Gallery until 3 April.

I would like to take the opportunity to say thank you to everyone, Councillors and Staff that I have worked with over the past four years.

We began the 2020 term in extenuating circumstances, with ongoing drought, the restrictions of the Covid-19 Pandemic impeding Councils operations and possibly the quietest election period on record.

Despite this, Council persisted and achieved some wonderful projects across the region and planned proposals will ensure this will continue for the betterment of the region.

Again, my sincere thanks to you and wish you all the very best.

Matters of public interest – Cr Choat

Thank you, Mr Mayor and congratulations, on your service and all the best for your retirement.

Regardless of the outcome of the election this will be my last meeting in this chamber as Councillor. It has been an honour and a pleasure to have been elected by and to serve the residents of the Somerset Region.

As I look back on the past eight years, I am proud of the manner in which I have conducted myself. For me the role has been about the provision of representation and advocacy for the community first and foremost. I have done so without fear or favour, ensuring my decisions and advocacy have served the public interest while setting other agendas aside.

This approach has not suited all parties, nor has it made me the most popular person in and outside of this chamber at all times, but I leave here today knowing my labours were well placed.

I want to thank the elected representatives I have served alongside over the two terms, Council's officers and staff who have provided support and worked for the betterment of this Region and not least the residents who step forward to serve in their own ways and make Somerset a community.

Matters of public interest – Cr Gaedtke

I read this morning that Queensland will be the biggest losers in the GST carve up amongst the States. The Commonwealth Grants Commission has revealed this unfortunately. So, in its latest report on Tuesday, the Commission revealed Queensland share of GST in 2024 - 25 will be cut by nearly five hundred million dollars so that's a cut on last year's things of 17.46 billion dollars. So, all I'm thinking, other states are losing obviously, other states are gaining. Queensland's not gaining, it's losing and I wonder how this impact will affect Queensland local government. And secondly, and this pains me having to raise this but I think I'm entitled to do this. I've had a very sick husband for the past four weeks and shingles has caused him to suffer with severe pain on the left side of his head with very little successful pain control. It's a horrendous health condition. And if I can just implore everyone who's had chicken pox or even if you're not sure about chickenpox please give them their vaccination. Shingles is a horrible thing to go through I'm sitting and watching it as we speak now. So, this has made me realise what is important in life and what's not.

Yesterday I was made aware of a third news article by a close friend. My friend tells me that it's about a live 20 second video that I did back in May 2022 at the opening of the Toogoolawah Gym and Pool. It was the official opening. Yes, I did a 20 second live video tape which was against policy and the funding agreement from the state government as it funded most of that structure. So, once again this individual attempt to discredit me as a councillor through printed articles. This is the third one, the third one since May 2022. I've made mistakes but we own our mistakes and learn by them. That's enough said because we're human beings. So it's to me it is totally un-Australian not to be able to voice my opinion openly and responsibly and professionally as I did in the newspaper back on the sixth of March 2024 about how I found local government over 40 years and who my preferred candidates are to lead this council in the right direction over the next four years and beyond. So, the perpetrator this time they've shown their true character by the article that appears in a local newspaper. As I said after the second news article some 13 months ago, I prayed for the soul of this tormented individual. I believe my 40 years of loyal service to local government outweighs one minor error of judgement. Thank you

Matters of public interest – Cr Wendt

Well four years on and many thousands of pages of agenda read and actioned and here we are - what a ride. As a green new-comer to the local government in 2020 in the midst of covid restrictions, two floods and everything in between, I feel like we have achieved much. Did I reach my objectives? Well, some of them. Hence the reason I am trying to go again. Time will tell.

I want to pay a big thank you to our council staff both internal and external. Your contributions are what shapes our ideas we debate in this room and hopefully create a lasting legacy, that continues to improve our region.

To the CEO and directors, we haven't always seen eye to eye, but I appreciate your passion for your various fields and hopefully the result of passionate debate has led to better outcomes for the region.

And to my fellow councillors, well we have shared many hours talking, arguing, laughing and crying in a bid for a better Somerset. Thank you from the bottom of my heart. To Councillor Gaedtke and Councillor Lehmann, your longevity in this field is admirable. Only a councillor

can know the level of abuse you are often exposed to for a decision or process that is out of your control, but you just keep your focus on the goal of a greater good for the region and keep your chin up. A wise man once said to me, and he is retiring today, “you need to put on a thick coat of Teflon, you can please some of the people, some of the time” and that is the truth.

To the new councillors that will be elected to Somerset Council next week – this council does a huge amount of great work for the region, your duty is to continue that legacy, possibly in a way that takes the community along for the ride and has them work with you to achieve greatness.

If this is it for me today, no regrets, just a bucket load of experiences to shape future endeavours.

Thank you.

Declarations of Interest

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

Subject:	Development Application No. 23899 - Kangaroo Creek Road and Apple Tree Creek Road, Harlin
File No:	DA23899
Assessment No:	05278-00000-000
Action Officer:	SP-MO
	Development Application for a Development Permit for Material Change of Use for Intensive Animal Industry (Poultry Farm (Breeder) for 69,000 Birds)

1.0 APPLICATION SUMMARY

Property details

Location:	Kangaroo Creek Road and Apple Tree Creek Road, Harlin
Real property description:	Lot 26 RP28544 and Lot 60 C311615
Site area:	Lot 26 - 159.13 hectares Lot 60 - 64.75 hectares Total – 223.88 hectares
Current land use:	Vacant
Easements/encumbrances:	Lot A AP4879

South East Queensland Regional Plan 2017

Land use category:	Regional landscape and rural production area
--------------------	--

Planning scheme details

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	Rural zone
Precinct:	Not within a precinct
Overlays:	OM1 Agricultural land overlay OM3 Biodiversity overlay OM4 Bushfire hazard overlay OM5 Catchment management overlay OM7 Flood hazard overlay OM9 Infrastructure overlay OM10 Landslide hazard overlay

Application details

Proposal:	Intensive animal industry (poultry farm – breeder farm)
Category of assessment:	Impact assessment
Applicant details:	Woodlands Enterprises Pty Ltd C/- Plan A Town Planning Pty Ltd PO Box 1661 MILTON QLD 4064
Owner details:	Woodlands Enterprises Pty Ltd
Date application received:	20 June 2023
Date application properly made:	20 June 2023

Referrals

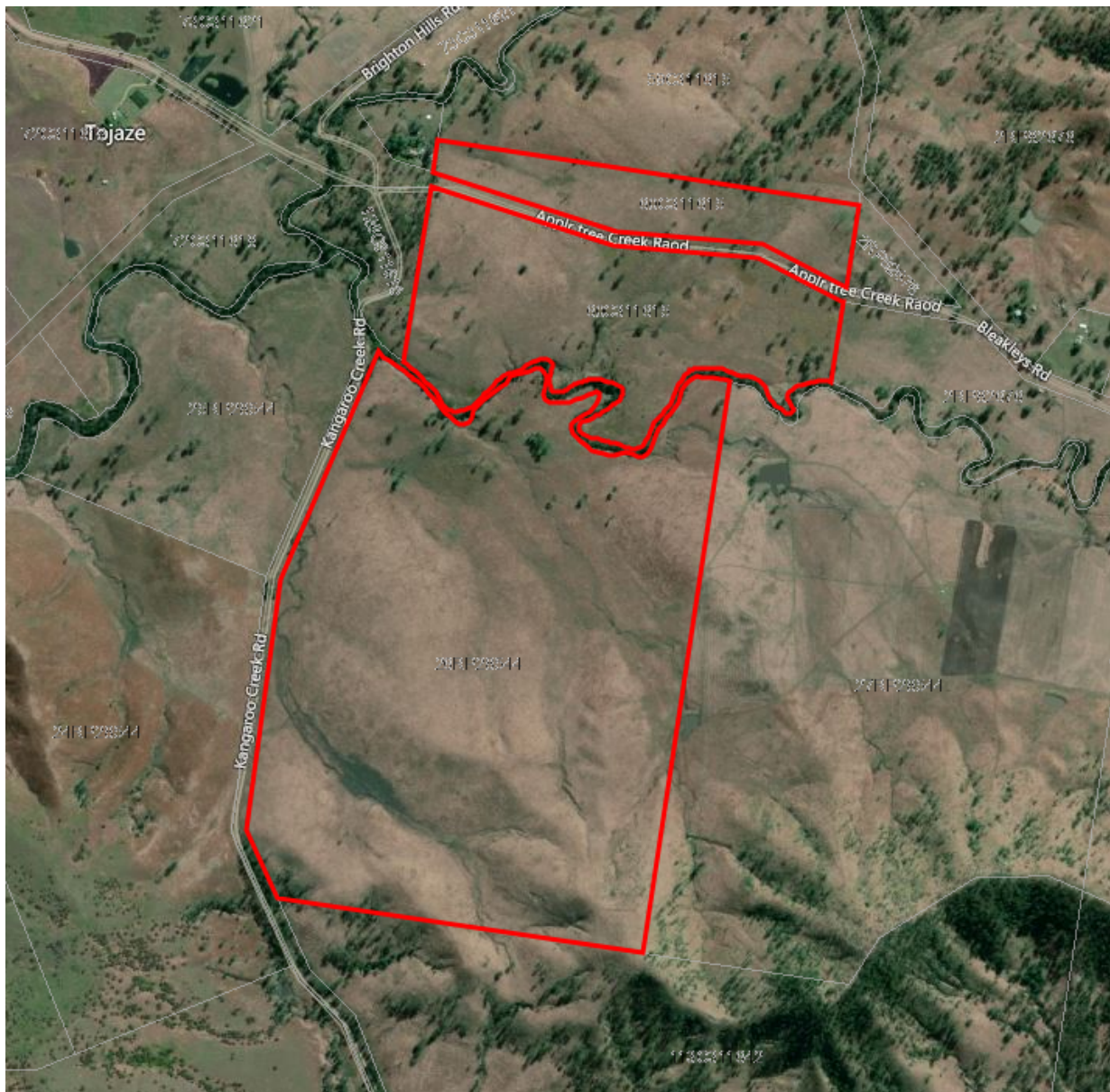
Powerlink (as an advice agency)

Public notification

	Required
Notification period	15 September 2023 to 9 October 2023
Submissions received	302 received during the notification period 3 submissions received following notification period

RECOMMENDED DECISION

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



**Locality Plan of Lot 26 RP28544 and Lot 60 C311615
Situated at Kangaroo Creek Road and Apple Tree Creek Road, Harlin**

2.0 PROPOSAL

This development application seeks approval for a Development Permit for Material Change of Use for Intensive Animal Industry (Poultry Farm (Breeder) for 69,000 birds), on land at Kangaroo Creek Road and Apple Tree Creek Road, Harlin, formally described as Lot 26 RP28544 and Lot 60 C311615.

It is proposed to construct six sheds on site which will accommodate 11,500 birds per shed and operate as a poultry breeder farm. Each shed has dimensions of 128.100 metres long and 11.4 metres wide, with an area of 1,460.34m². The sheds are to be constructed as conventional tunnel ventilated sheds and contain curtain sides, which can be opened to allow more natural light and ventilation within the sheds.

The farm is proposed to be operated as a Breeder (layer) farm. Where both hens and roosters are kept in the sheds and fertilised eggs are collected and taken to a separate facility to be incubated and the day-old chicks, upon hatching, used to stock the producers

broiler (meat chicken) farms. The birds are placed in the sheds when they are 20 weeks of age and are held on site for a 40-week laying period. At the end of the 40-week period, the sheds will be cleaned and remain empty for 10 weeks before the sheds are filled again with 20-week-old birds.

The farm is proposed to be accessed via Kangaroo Creek Road, with traffic predominantly travelling between the site and Beerwah via D'Aguilar Highway and Kilcoy-Beerwah Road.

Poultry farms by nature have a high water demand, with water used to cool the sheds and also for drinking by the chickens. It is anticipated that the farm will utilise about 120kL of water per day. A stormwater management plan provided in response to the submissions proposes to capture stormwater run off within an onsite dam with a capacity of 132,207m³ and also utilise bore water. As a result of design changes made during the assessment of the application, a further stormwater management plan will be required as part of a further operational works application which will detail the amount of water collected and the size of the proposed dams.

The planning scheme requires that the separation distances between a poultry farm complex and a sensitive land use (not on the site of the poultry farm) must be determined on a site-by-site basis using odour dispersion modelling. The relevant criterion in the Rural zone is 2.5 OU, 99.5%, 1 hour average for a sensitive land use.

As the proposal involves a Breeder farm, where density and stocking rates are considerably reduced where compared to a conventional broiler farm, the applicant's odour expert has proposed a K-factor of 1.0 be appropriate. The applicant has provided an assessment prepared by a suitably qualified person that demonstrates the proposal complies (with a K-factor of 1.0) with the required odour limits.

As part of the application, Council officers engaged a suitably qualified person to peer review the submitted odour impact assessment report, which found the submitted material acceptable and generally agreed with the findings.

Notwithstanding, a property to the west of the subject land which is currently vacant is heavily impacted by the 2.5 odour unit contour (odour plume). Further to this, this impacted property is also constrained by flooding impacts, which additionally effected the useable area of the subject land. These concerns were raised with Council through the formal information request and a further advice request, to which the applicant agreed to relocate the sheds 100metres to the east. The relocation of the sheds has increased the unconstrained area, which could facilitate the construction of a future dwelling house. The applicant further identified that the sheds could not be further relocated due to physical constraints of the site.

The proposal is considered to comply with the relevant criteria for odour established in the assessment benchmarks for the application. The recommended development conditions require the development to operate with a K-factor of 1.0 and requires monitoring and reporting to be undertaken where reasonably directed by Council.

3.0 SITE DETAILS

3.1 Development approval history

The development approval history for the site is as follows.

Reference:	Decision date:	Description:
DA23811	01 June 2023	Plumbing and Drainage associated with New Dwelling
DA23847	05 June 2023	Private Certifier Building Approval for New Dwelling

No pre-lodgement meeting was held nor was any pre-lodgement written advice was given for the proposed poultry farm.

3.2 Description of the land

The site comprises two large rural allotments with a total site area of 223.88 hectares. The lots are separated by Apple Tree Creek and enjoy frontages to Kangaroo Creek Road and Apple Tree Creek Roads. The land is subject to substantial slope in the south-eastern corner and has mapped drainage features across the site.

Surrounding land is used for agricultural and pastoral purposes, with land holdings typically improved with dwelling houses and grazing infrastructure.

3.3 Access

Access to the development will be via a new crossover to Kangaroo Creek Road, which is an Access Street in Council's road hierarchy. The crossover will form part of an operational works application to Council.

Kangaroo Creek Road is a sealed road from the D'Aguilar Highway to Wise Lane, where it becomes unsealed gravel construction for the remaining 3.6km to the access location for the poultry farm.

In response to submission raised about the application, the applicant provided a Functional Road Assessment technical assessment that confirms that the proposed poultry farm does not generate sufficient demand on the local road network (with respect of total movements or heavy vehicle movements) to require the imposition of upgrades as part of the development, having regard to the standards established in the planning scheme.

3.4 Connection to electricity and telecommunications

The land is within the Rural zone, and as such there is no requirement to connect the development to the reticulated electricity and telecommunications networks. However, the proposed development seeks to be connected to both reticulated networks.

4.0 PLANNING LEGISLATION

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

As an impact assessment, the assessment:

- (a) must be carried out:
 - (i) against the assessment benchmarks in a categorising instrument for the development; and
 - (ii) having regard to any matters prescribed by the *Planning Regulation 2017*; and
- (b) may be carried out against, or having regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

5.0 ASSESSMENT BENCHMARKS

The proposal requires assessment against the following assessment benchmarks.

5.1 State Planning Policy 2017

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

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

5.2 South East Queensland Regional Plan 2017

The site is located within the regional landscape and rural production area. The application has been assessed against the provisions of the regional plan and the associated regulatory requirements and was considered to comply.

5.3 Schedule 10 of the *Planning Regulation 2017*

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

The proposal:

- (a) does not impact on any regulated vegetation;
- (b) does not impact on any koala habitat areas;
- (c) is not located within a koala priority area; and
- (d) is not located in proximity to a Queensland heritage place or local heritage place.

The proposal involves an environmentally relevant activity, specifically ERA 4 (1) Poultry farming. However, this is not a concurrence ERA under the *Environmental Protection Regulation 2019* and the application did not require referral to the State Assessment and Referral Agency under Schedule 10, part 5 of the *Planning Regulation 2017*.

5.4 Temporary local planning instruments

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

5.5 Variation approvals

The property is not benefitted by any variation approvals.

5.6 Somerset Region Planning Scheme (Version 4.2)

5.6.1 Relevant assessment benchmarks from the planning scheme

As an impact assessment, the assessment is to be carried out against the entire planning scheme, to the extent relevant. The following are the relevant sections of the planning scheme for the assessment of this application:

- (a) Part 3 Strategic framework;
- (b) 6.2.9 Rural zone code;
- (c) 7.2.1 Agricultural land overlay code;
- (d) 7.2.5 Catchment management overlay code;
- (e) 8.2.10 Intensive animal industries code;
- (f) 8.3.5 Services works and infrastructure code; and
- (g) 8.3.6 Transport access and parking code.

The above relevant sections may be supported by additional information contained within the balance of the planning scheme.

The site is mapped within OM003 Biodiversity overlay – Koala conservation. This map, and the provisions of the overlay code, have been superseded by new requirements within the *Planning Regulation 2017*, and as such the planning scheme provisions for koalas are taken to be of no effect.

The proposed buildings and structures are not located within the mapped extent of the Biodiversity overlay, Bushfire hazard overlay, Flood hazard overlay, Infrastructure overlay or Landslide hazard overlay. Accordingly, an assessment against the corresponding overlay codes is not required.

5.6.2 Strategic framework assessment

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

5.6.2.1 Settlement pattern

The settlement pattern theme contains 13 elements. The most relevant elements to the proposal are discussed below. It is noted that the proposal is generally consistent with the elements for natural hazards (flooding, bushfire, and landslide) as well as climate change.

Element—High impact activities
<p>This element requires that high impact activities, such as poultry farms, are appropriately located and managed to protect the health, wellbeing, amenity, safety and environmental health of communities and individuals from the impacts of air, noise, and odour emissions and from the impacts of hazardous materials. Further, the location of high impact activities must not worsen the opportunity for rural activities to be undertaken on adjoining premises by way of impacts arising from the operation of the high impact activity.</p> <p>Poultry farms may result in amenity impacts from noise, odour, and dust. Typically, odour impacts are most likely to result in environmental nuisance at neighbouring sensitive receptors. The odour impact assessment provided as part of the application identified that no sensitive receptors would be impacted as part of the development. As part of the application, Council officers engaged a suitably qualified person to peer review the submitted odour impact assessment report, which found the submitted material acceptable and generally agreed with the findings.</p> <p>The recommended development conditions are considered to adequately protect rural amenity and neighbouring sensitive receptors from environmental harm or environmental nuisance.</p>

5.6.2.2 Natural environment

The natural environment theme contains four elements, namely biodiversity network, watercourses and wetlands, air and noise environment, and contaminated land. The proposed development is not located within or otherwise impacting upon these mapped features, and the imposition of standard development conditions can ensure compliance with the relevant requirements.

5.6.2.3 Natural resources

The natural resources theme contains five elements, being agricultural land, extractive resources, mining, forestry, and potable water resources. The proposal is not on land mapped for extractive resources, mining, or forestry.

Intensive animal industry is a consistent use within agricultural areas, and supports the outcomes sought by the agricultural land element, as well as the Agricultural land overlay code.

The land is outside of the water supply buffer, however (like all of the Somerset Region) is within a catchment to a drinking water supply. The proposal also meets the desired minimum

setbacks from a mapped watercourse. The recommended development conditions require the development to comply with the State Planning Policy water quality standards for receiving waters, through the provision of an amended Site-Specific Stormwater Management Plan as part of a further operational works application.

5.6.2.4 Community identity and regional landscape character

The community identity and regional landscape character theme contains ten elements, of which six related to character identity of towns. The proposal is not considered to impact on the community identity and regional landscape character of the Somerset Region.

5.6.2.5 Economic development

The economic development theme contains six elements, with rural production being the only relevant element.

Element—Rural production
<p>This element provides that the continued operation and expansion of productive rural activities are facilitated through the protection of agricultural land and other rural land from inappropriate development.</p> <p>The specific outcomes of the element provide that intensive animal industry is an appropriate use for agricultural land and that intensive animal industries should be located to avoid areas mapped as the 'high impact activities management area'. The proposed poultry farm achieves both policy outcomes.</p>

5.6.2.6 Infrastructure and services

This theme contains seven elements, regarding urban infrastructure, water supply network, sewerage network, stormwater network, major corridors, energy, and telecommunications. The proposed development is generally consistent with the relevant specific outcomes of each network element, noting that the proposed site is not located within the priority infrastructure area in the local government infrastructure plan.

The provision of infrastructure and services at the development site meets the desired standard of service and the standard requirements set out in the development codes and Planning Scheme Policy 4 – Design Standards.

5.6.2.7 Transport

The transport theme provides for road, active, and public transport networks, as well as the protection of aviation facilities. The proposal generally accords with each of the elements and overall, the strategic outcomes, to the extent relevant to the proposal.

With respect to road transport, the applicant provided a Functional Road Assessment technical assessment that confirms that the proposed poultry farm does not generate sufficient demand on the local road network (with respect of total movements or heavy vehicle movements) to require the imposition of upgrades as part of the development, having regard to the standards established in the planning scheme.

5.6.3 Code compliance summary

The assessment below identifies how the development proposal achieves the relevant assessment benchmarks from the planning scheme (other than the strategic framework) and the proposal seeks an alternative outcome:

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

Relevant code	Compliance with overall outcomes	Performance outcomes
Rural zone code	Yes	No alternative outcomes proposed
Intensive animal industry code	Yes	No alternative outcomes proposed
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	PO10
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Agricultural land overlay code	Yes	No alternative outcomes proposed
Catchment management overlay code	Yes	No alternative outcomes proposed

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

5.6.4 Performance outcome assessment

Transport access and parking code

Performance outcome	Acceptable outcome
Vehicle standing and manoeuvring areas	
PO10 Vehicle standing and manoeuvring areas are of suitable standard for the intended use and the areas are constructed to a standard that avoids <i>environmental nuisance</i> .	AO10 Internal manoeuvring and standing areas of the <i>site</i> are sealed.
Alternative outcome assessment The proposal is for a poultry farm in a rural area. It is considered that the proposed access arrangement is sufficient and will not result in any environmental nuisance. It is recommended that that alternative outcome be accepted in this instance, with the imposition of the recommended development condition.	

5.6.5 Overall outcome assessment

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

5.7 Local government infrastructure plan

5.7.1 Priority infrastructure area

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

5.7.2 Infrastructure charges

The proposed development is for intensive animal industry, which is identified as being a high impact rural under *Somerset Regional Council Charges Resolution (No. 1) 2023*.

The draft infrastructure charges notice is attached and identifies how the levied charge for the relevant local government networks have been worked out as required by the *Planning Act 2016*.

5.7.3 Trunk infrastructure requirements

5.7.3.1 Drinking water and wastewater networks

The site is not located within the connections area or future connections area for either the drinking water and wastewater networks, and as such the development requires the provision of onsite services. The recommended conditions package includes a requirement to provide drinking water storage in accordance with Council standards, and to connect the development to an approved onsite wastewater treatment system.

5.7.3.2 Stormwater network

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

There is no adopted charge for the stormwater network for the proposed development.

5.7.3.3 Public parks and community land network

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

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

5.7.3.4 Transport network

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

An adopted charge for the transport network applies to the proposed development.

6.0 REFERRAL

6.1 Referral agencies

In accordance with the *Planning Regulation 2017*, the application required referral to Powerlink for matters relating to protection of electricity infrastructure. Powerlink advised that they had no objections to the approval of the development application, subject to the imposition of the recommended development conditions. As the agency is limited to giving advice only, Council can decide whether to include the recommended conditions. It is the officer's recommendation that the advice agency conditions be included as per the referral agency response.

The proposal involves an environmentally relevant activity, specifically ERA 4 (1) Poultry farming. However, this is not a concurrence ERA under the *Environmental Protection Regulation 2019* and the application did not require referral to the State Assessment and Referral Agency under Schedule 10, part 5 of the *Planning Regulation 2017*.

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

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

- (a) a notice was published in the Somerset Sentinel newspaper on 14 September 2023;
- (b) a notice in the prescribed form was placed on the premises on 14 September 2023 and maintained for the minimum period of 15 business days; and
- (c) a notification was served to all adjoining landowners on 13 September 2023.

The notification period was from 15 September 2023 to 9 October 2023.

Council received the notice of compliance on 10 October 2023, confirming that public notification had been undertaken in accordance with the statutory requirements.

7.2 Matters raised in submissions

During the public notification period, Council received 302 submissions about the application. Council also received three submissions after the public notification period. These submissions can be summarised as follows:

	Properly Made	Not Properly Made	Total Received	Proforma	Not Proforma
For	218	5	223	223	0
Against	58	23	81	63	15
Neutral	1	0	1	0	1
TOTAL	277	28	305	286	16

The matters raised in the submissions are outlined below:

<p>Submission concern – Impact to local road networks</p> <p>Submitters have raised concern regarding the suitability of Kangaroo Creek Road for the provision of heavy vehicles or increased traffic.</p> <p>In response to submission raised about the application, the applicant provided a Functional Road Assessment technical assessment. The assessment confirms that the proposed poultry farm does not generate sufficient demand on the local road network (with respect of total movements or heavy vehicle movements) to require the imposition of upgrades as part of the development, having regard to the standards established in the planning scheme.</p> <p>The imposition of development conditions requiring the upgrading of the road network by the applicant would likely not meet the test to be reasonable or relevant (having regard to the assessment benchmarks) under the <i>Planning Act 2016</i>.</p> <p>As such, no conditions are recommended by officers, as the development is considered to comply with the relevant assessment benchmarks.</p>
<p>Submission concern – Sufficient water supply</p> <p>Submitters raise concern that there is insufficient water supply from the Apple Tree Creek to support the additional demand of a poultry farm.</p> <p>Access to water from creeks and bores is regulated by the Department of Regional Development, Manufacturing and Water separately to this development application.</p>

Council does not have jurisdiction to consider the impact on groundwater / waterway water levels.

This recommended development conditions require the poultry farm to have sufficient water storage for their operation. The applicant is required to ensure that water needed to operate the facility is provided, and lawfully obtained.

Submission concern – Odour

Submitters raised concerns regarding the impact of odour in the surrounding area.

The application has been accompanied by an Odour Impact Assessment, which, as identified previously proposes a K-Factor of 1.0. The Department of Agricultural and Fisheries Guidelines do not specific guidance for Breeder farms. Council as part of the application process engaged a suitably qualified person to review the odour impact assessment and was generally comfortable that the modelling had been undertaken correctly and the proposed K-factor was appropriate.

As discussed earlier in this report, Council officers have liaised with the applicant throughout the application to minimise the extent of odour impact on surrounding land, which resulted in the applicant moving the facility to the east.

The proposal has demonstrated that the impact on surrounding sensitive uses, if any, would be within acceptable levels provided in the relevant assessment benchmarks whereas not to cause environmental nuisance.

Submission concern – Noise and dust

Submissions raised concern about the impact of the development on neighbouring areas by way of noise or dust.

The recommended development conditions require the applicant to provide (and then comply with) a Site Based Environmental Management Plan (SBEMP), which will require operational strategies to mitigate environmental risks such as noise and dust.

Additionally, development conditions are recommended that establish operational limits and quantifiable standards with respect of noise and dust that must be achieved to ensure that the development does not result in environmental nuisance or environmental harm.

It is recommended that the standard development conditions be imposed.

Submission concern – Loss of agricultural land

Submitters raise concern that the introduction of the poultry farm will result in the loss of quality agricultural land.

The State Planning Policy mapping indicates that the poultry farm will be constructed on land that is Class A agricultural land, potentially suitable for cropping. The land is currently best used for pastoral and grazing purposes.

The State Planning Policy provides that intensive animal industries are appropriate activities within mapped agricultural areas. As required by the *Planning Act 2016*, the planning scheme advances this position and establishes intensive animal industries as a compatible use on agricultural land.

Accordingly, the proposal is considered to comply with the relevant planning instruments with respect of the use of agricultural land.

Submission concern – Visual amenity
Submitters raise concern that the proposal will result in a detrimental impact on visual amenity of the area.
To minimise visual impacts, the recommended conditions require the use of nonreflective materials and natural colours, as well as the provision of landscape screening.
Submission concern – Environmental impact
Submissions raised concern about the impact of the development on local environmental values. It is noted that the site is bisected by waterways, but is otherwise devoid of matters of environmental significance as mapped by the Queensland Government.
The recommended development conditions require the applicant to provide (and then comply with) a Site Based Environmental Management Plan (SBEMP) and a Site Based Stormwater Management Plan, which will require operational strategies to mitigate environmental risks.
Submission concern – Property Value
Submitters raise that the approval of the poultry farm may result in a reduction of land value to adjoining or neighbouring properties.
Whilst the <i>Planning Act 2016</i> affords Council a broad discretion in deciding applications requiring impact assessment, the decision must be based on the assessment of the application, including any relevant matters. The Act specifically provides that a relevant matter cannot include a person's personal circumstances, financial or otherwise.
As such, Council cannot consider the land valuation (or any potential change) as a relevant matter, and thus this cannot form part of Council's assessment, nor be included as a factor in Council's decision.
Submission concern – Consultation requirements
A submitter raise concern that Council had not separately advised local residents of the application.
Public notification requirements are established by the Queensland Government and are contained within the <i>Planning Act 2016</i> and the Development Assessment Rules. As the application was impact assessable public notification was required and was carried out by the applicant in accordance with the statutory obligations.
Submission concern – Animal welfare
Submitters raise concern that the accelerated intensification of animal agriculture, and its acceptance of crowding, confinement, cruel breeding practices and poor welfare outcomes for farmed animals.
The welfare of animals is regulated by the RSPCA, with the poultry farm obliged to operate in accordance with regulated standards for the welfare of animals. These requirements are separate to the requirements of this development application.

8.0 OTHER RELEVANT MATTERS

8.1 Need for facility

The applicant has indicated that a considerable need exists for the facility to be established to support the growth in poultry products.

In consideration of this application, Council officers have not considered the need of the facility as a relevant matter for the recommendation to approve the application as the application has demonstrated compliance with the relevant assessment benchmarks.

8.2 Reasonable expectations of the community

In determining whether a development is consistent with the reasonable expectations of the community, it is relevant to consider:

- (a) what are the expectations of the community;
- (b) the reasonableness of those expectations considering the planning provisions applying to the subject land; and
- (c) after the reasonable expectations are identified by following the first two steps, consideration of the extent to which those expectations are consistent with the proposed development.

In reviewing the submissions made about the application, many submitters hold an expectation that the agricultural land would remain utilised for a low intensity pastoral purpose.

The State Planning Policy and Somerset Region Planning Scheme provide that agricultural land may also be used for more intensive forms of rural production, including intensive animal industries (for example, feedlots, piggeries, and poultry farms).

While the community expectations would be that the land be maintained as grazing land, the application is considered to have demonstrated compliance with the relevant assessment criteria.

8.3 Public interest

It is acknowledged that the poultry industry generally contributes to the community by providing a protein product for consumption. The development application has provided sufficient evidence to support the proposal and demonstrated general compliance with the planning scheme.

While the contribution of the industry in relation to the greater community is noted, and in this instance the application has identified that generally the existing rural community will not adversely impacted.

8.4 Balanced decision advancing the Planning Act

The *Planning Act 2016* requires that decision making process are ethical, and:

- (a) take into account short-term and long-term environmental effects;
- (b) applies precautionary principles to ensure that lack of scientific certainty doesn't result in serious or irreversible damage; and
- (c) provides for equity between present and future generations.

A decision that advances the purpose must also balance providing housing choice, diversity and affordability with encouraging investment, economic resilience, and diversity, whilst supplying infrastructure in a coordinated, efficient, and orderly way.

As discussed previously within this report, the proposal has demonstrated that the environmental impacts of the development can be appropriately managed with the imposition of reasonable and relevant conditions.

9.0 REASONS FOR THE RECOMMENDED DECISION

Council officers have undertaken the assessment of the application as required by section 45 of the *Planning Act 2016*. The assessment of the proposed development has determined it to be generally:

- (a) consistent with the intent of the Somerset Region Planning Scheme (Version 4.2); and
- (b) achieving the outcomes identified in the applicable assessment benchmarks for which the application was required to be assessed.

As discussed previously within this report, the proposal has demonstrated that the environmental impacts of the development can be appropriately managed with the imposition of reasonable and relevant conditions.

10.0 CONCLUSION

The proposed development involves a new breeder layer poultry farm development for 69,000 birds across six sheds within a rural area at Harlin.

The application has demonstrated compliance with the relevant assessment benchmarks. It is recommended that the application be approved, subject to the imposition of reasonable and relevant conditions, as outlined in the schedules and attachments.

11.0 ATTACHMENT

1. Proposal plans
2. Odour assessment report
3. Odour assessment report – response to information request
4. Odour assessment report – response to design changes
5. Draft infrastructure charges notice

RECOMMENDATION

THAT Council:

1. approve Development Application No. 23899 for a Development Permit for Material Change of Use for Intensive Animal Industry (Poultry Farm (Breeder) for 69,000 birds) on land situated at Kangaroo Creek Road and Apple Tree Creek Road, Harlin, formally described as Lot 26 RP28544 and Lot 60 C311615, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
2. publish the officer's report for this application to Council's website as the statement of reasons in accordance with section 63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS		
Assessment manager		
No.	Condition	Timing
GENERAL		
	Approved plans/documents	
1.1	<p>Carry out the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including where amended by Council), except as amended by these development conditions.</p> <ul style="list-style-type: none"> • Site Plan, drawn by Gresar Building Design Services, reference 230708 drawing 01 rev. 0.1, dated 14.02.2024; • Floor Plan, drawn by Gresar Building Design 	At all times.

	<p>Services, reference 230708 drawing 02 rev. 0.1, dated 14.02.2024;</p> <ul style="list-style-type: none"> • Floor Plan – Part 1, drawn by Gresar Building Design Services, reference 230708 drawing 03 rev. 0.1, dated 14.02.2024; • Floor Plan – Part 2, drawn by Gresar Building Design Services, reference 230708 drawing 04 rev. 0.1, dated 14.02.2024. • Elevations 1 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 05 rev. 0.1, dated 14.02.2024. • Elevations 2 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 06 rev. 0.1, dated 14.02.2024. • Type B – Typical Sections, drawn by Gresar Building Design Services, reference 230708 drawing 07 rev. 0.1, dated 14.02.2024. • Type B – Typical Sections, drawn by Gresar Building Design Services, reference 230708 drawing 08 rev. 0.1, dated 14.02.2024. • Apple Tree Creek Breeder Farm Odour Assessment, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 19 June 2023 • Request for Information Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 5 September 2023; • Updated Layout Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R2-1, dated 19 February 2024. 	
	Extent of approved use	
1.2	The approved use involves an Intensive Animal Industry for a Breeder Layer Poultry Farm only.	At all times.
1.3	The maximum number of birds to be housed at any one time is 69,000 birds, with a maximum of 11,500 birds permitted in each shed.	At all times.
	No provision of staging	
1.4	The development is to occur in one stage.	As indicated.
	Availability of Development Approval	
1.5	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	At all times.
	Comply with planning scheme and local laws	
1.6	The development must comply with the relevant provisions of the Somerset Region Planning Scheme	At all times.

	(Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	
	Pay outstanding rates and charges	
1.7	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council, including any charges that are levied but not fully paid over the subject land.	Prior to commencement of the use.
	No cost to Council	
1.8	All development conditions of this Development Approval must be complied with at no cost to Council, unless stated otherwise in any specific development condition.	At all times.
	Repair damage caused by development	
1.9	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
1.10	Provide certification to Council that any repair works required by Condition 1.9 have been completed at the completion of works carried out to facilitate the Development Approval.	Within 20 days to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
	Landscaping plan required	
1.11	Submit to and obtain approval from Council for a landscape plan prepared by a suitably qualified person that provides a 10-metre-wide vegetation screen that: (a) is located between the poultry sheds and the Kangaroo Creek Road frontage of the site; (b) screens the poultry farm from surrounding premises and Kangaroo Creek Road; (c) is planted predominantly using trees with a mature height of no less than 3 metres.	Prior to obtaining any development permit for building works or operational works.
1.12	Provide landscaping onsite in accordance with the approved landscaping plan required by condition 1.11.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.13	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with condition 1.11.	Within 20 days to obtaining a Certificate of Occupancy or prior to the commencement of the

		use, whichever occurs first.
	Shed design	
1.14	Construct the poultry sheds using colours, materials and finishes that are non-reflective, do not produce glare and incorporate natural tones of greens, greys and browns to be compatible with the surrounding character.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.15	Poultry sheds are to be constructed with concrete floors.	As part of the development permit for building works for each shed and to be maintained.
1.16	Poultry sheds are to be constructed with curtain sides as per: (a) Floor Plan – Part 1, drawn by Gresar Building Design Services, reference 230708 drawing 03 rev. 0.1, dated 14.02.2024; (b) Floor Plan – Part 2, drawn by Gresar Building Design Services, reference 230708 drawing 04 rev. 0.1, dated 14.02.2024.	As part of the development permit for building works for each shed and to be maintained.
1.17	The fan end of the sheds is to be located venting to the east.	As part of the development permit for building works for each shed and to be maintained.
	Provision of water	
1.18	Provide adequate volume and supply of water that meets the needs of the poultry farm.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
SCHEDULE 2 – ENVIRONMENTAL HEALTH		
Assessment manager		
No.	Condition	Timing
	General	
2.1	Notwithstanding any other condition of this Development Approval, this Development Approval does not authorise any release of contaminants that causes, or is likely to cause, an Environmental Nuisance or Environmental Harm beyond the boundaries of the development site.	At all times.

2.2	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of Environmental Harm.	At all times.
2.3	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, odour, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times.
2.4	The approval holder must not implement any management plan prepared as a condition of this Development Approval, or amend any management plan, where such implementation or amendment would result in a contravention of any development condition of this Development Approval.	At all times.
Site Based Environmental Management Plan		
2.5	<p>A Site Based Environmental Management Plan (SBEMP) must be prepared and submitted to Council for their approval.</p> <p>The SBEMP must address the following matters:</p> <ul style="list-style-type: none"> Environmental commitments – a commitment by senior management to achieve environmental goals. Identification of environmental issues and potential impacts covering at least air quality, water quality, land degradation and contamination as well as waste management. Control measures for design, construction and routine operations to minimise the likelihood of causing environmental harm. <p>Note - These should include:</p> <ul style="list-style-type: none"> References to the location and extent of the area affected by site activities as shown on the plan of development; Procedures to be implemented to effect environmental management such as shed washing/ disinfecting and collection of waste water and so on; Facilities for the storage of fuels, chemicals, and other potential contaminants <ul style="list-style-type: none"> Contingency plans and emergency procedures for non-routine situations. Organisational structure and responsibility. Effective communication. The monitoring of releases of contaminants into the environment. 	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.

	<ul style="list-style-type: none"> ▪ Conducting environmental impact assessment of any releases. ▪ Staff training, in particular, the promotion of awareness of environmental issues and the prevention of adverse environmental impacts from the operations of the approved development. ▪ Record keeping. ▪ The periodic review of environmental performance and continual improvement 	
2.6	A copy of the Site Based Environmental Management Plan approved pursuant to Condition 2.5 must be kept at the approved place and be made available to all employees and an authorised officer of Council, upon request by an employee or that officer.	At all times.
2.7	The development is to comply with Site Based Environmental Management Plan.	At all times.
	Review of Site Based Environmental Management Plan	
2.8	<p>The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least:</p> <ul style="list-style-type: none"> a) immediately a potential or actual source of environmental contamination, that is not already identified in the Plan, is realised; or otherwise b) Every two years after the commencement of the use. <p>Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately.</p>	At all times.
	Odour	
2.9	<p>The poultry farm is to operate at a K-Factor of 1.0 as per the Apple Tree Creek Breeder Farm Odour Assessment, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 19 June 2023, incorporating the following amendments:</p> <ul style="list-style-type: none"> (a) Request for Information Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 5 September 2023; (b) Updated Layout Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R2-1, dated 19 February 2024. 	At all times.
	Odour levels – monitoring and recording	

2.10	<p>When requested by Council, monitoring and recording of odour levels must be undertaken to investigate any non-vexatious or non-frivolous complaint caused by odour from operations at the premises.</p> <p>Such monitoring must be undertaken within a reasonable and practicable timeframe nominated by the Council and be carried out by a suitably qualified and experienced person. Once completed, the results of such monitoring must be submitted to the Council for review and any recommendations made in the report implemented.</p> <p>All odour testing is to be performed in line with AS4323.3 and any other relevant standards consistent with good practice.</p>	As indicated.								
	Lighting									
2.11	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times.								
	Noise									
2.12	<p>The approval holder must ensure:</p> <p>a) Vehicle and forklift manoeuvring areas and access roads are to be well maintained with minimal obstacles which may cause loads to react (i.e. speed bumps, pot holes and grates);</p> <p>b) Care is taken during loading and unloading of trucks during catch out to reduce the impacts on surrounding properties;</p> <p>c) Regular and effective maintenance of stationary and mobile equipment is to be undertaken to ensure acoustic outputs are maintained.</p>	At all times.								
2.13	All onsite roads must be well maintained to minimise truck bounce as they move around the site. Vehicles using internal roads must be limited to 20km/hr.	At all times								
2.14	Mechanical plant must be designed and installed to comply with the noise criterion presented in Condition 2.13.	At all times.								
2.15	<p>Noise Levels at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj,T}$</p> <table><tr><td>Limit</td><td>Period</td></tr><tr><td>Background noise level plus 5 dB(A)</td><td>7am – 6pm</td></tr><tr><td>Background noise level plus 5 dB(A)</td><td>6 pm – 10pm</td></tr><tr><td>Background noise level plus 3 dB(A)</td><td>10pm – 7am</td></tr></table> <p>Noise Levels at a Commercial Place Measured as the</p>	Limit	Period	Background noise level plus 5 dB(A)	7am – 6pm	Background noise level plus 5 dB(A)	6 pm – 10pm	Background noise level plus 3 dB(A)	10pm – 7am	At all times.
Limit	Period									
Background noise level plus 5 dB(A)	7am – 6pm									
Background noise level plus 5 dB(A)	6 pm – 10pm									
Background noise level plus 3 dB(A)	10pm – 7am									

	Adjusted Maximum Sound Pressure Level $L_{Amax\ adj, T}$									
	<table><tr><td>Limit</td><td>Period</td></tr><tr><td>Background noise level plus 10 dB(A)</td><td>7am – 6pm</td></tr><tr><td>Background noise level plus 10 dB(A)</td><td>6pm – 10pm</td></tr><tr><td>Background noise level plus 8 dB(A)</td><td>10pm – 7am</td></tr></table>	Limit	Period	Background noise level plus 10 dB(A)	7am – 6pm	Background noise level plus 10 dB(A)	6pm – 10pm	Background noise level plus 8 dB(A)	10pm – 7am	
Limit	Period									
Background noise level plus 10 dB(A)	7am – 6pm									
Background noise level plus 10 dB(A)	6pm – 10pm									
Background noise level plus 8 dB(A)	10pm – 7am									
	Noise levels – monitoring and recording									
2.16	<p>When requested by Council, monitoring and recording of noise levels must be undertaken to investigate any non-vexatious or non-frivolous complaint caused by noise emissions from operations at the premises.</p> <p>Such monitoring must be undertaken within a reasonable and practicable timeframe nominated by the Council and be carried out by a suitably qualified and experienced person. Once completed, the results of such monitoring must be submitted to the Council for review and any recommendations made in the report implemented.</p>	As indicated.								
	Deceased Birds									
2.17	<p>All deceased birds from the poultry farm shall be:</p> <ul style="list-style-type: none">• Where required to be stored on site, held under refrigeration at a temperature of no greater than 5 Degrees Celsius;• Not be stored on site for greater than 7 days;• Transported from site by an approved waste transporter; and• Disposed of at an approved disposal or treatment facility.	At all times.								
	Dust									
2.18	<p>Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place, namely –</p> <p>Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard 3580.10.1 – 2003 or more recent edition;</p> <p>OR</p> <p>A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time each year, at a nuisance sensitive or commercial place downwind of the site. Any best practice method of monitoring PM₁₀ which may be permitted by the “Air Quality Sampling Manual” as published from time to time by the Department of Environment and Heritage Protection.</p>	At all times.								

	Waste	
2.19	<p>Waste must not be:</p> <ul style="list-style-type: none"> • burnt or buried at or on the development site; nor • allowed to be burnt or buried at or on the development site; nor • removed from the development site and burnt elsewhere • stockpiled on the development site; nor processed on the development site unless permitted under an approved management plan under a condition of this approval. 	At all times.
	Contaminants	
2.20	<p>Contaminants must not be directly or indirectly released from the development site to surface waters or the bed and banks of any surface waters except as permitted under an approved management plan under a condition of this approval.</p>	At all times.
SCHEDULE 3 – ENGINEERING		
Assessment manager		
No.	Condition	Timing
	GENERAL	
3.1	<p>Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, vegetation clearing, and stormwater drainage required as stated in the following conditions.</p>	Prior to commencing any assessable operational works.
3.2	<p>All works are to be designed and constructed in accordance with the requirements of the Somerset Region Planning Scheme.</p>	At all times.
3.3	<p>Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these Development Conditions.</p>	At all times.
3.4	<p>It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including:</p> <ul style="list-style-type: none"> • Plans and specifications must be prepared and certified with the Operational Work application. • Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As indicated.
	EARTHWORKS	

3.5	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organization.	At all times.
3.6	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
3.7	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
VEHICLE ACCESS		
3.8	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with Somerset Region Planning Scheme.	At all times.
3.9	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times.
3.10	All vehicles shall enter and leave the site in a forward gear.	At all times.
STORMWATER		
3.11	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
3.12	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of operational works.
3.13	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
3.14	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
3.15	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
3.16	Stormwater drainage and flows are to have no increase	At all times.

	in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	
3.17	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the Somerset Region Planning Scheme.	As part of Operational Works.
3.18	<p>Submit a Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s and <i>Somerset Regional Council Planning Scheme</i>.</p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> • Quantity and quality of stormwater to be released from the development; • All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; • The potential impact of these sources; • Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; • Measures to be implemented to prevent the likelihood of stormwater contamination; and <p>Maintenance schedule.</p>	As part of the lodgement of the Operational Works application.
	EROSION AND SEDIMENT CONTROL	
3.19	<p>Erosion and sedimentation controls shall be implemented in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
3.20	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.

3.21	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
3.22	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
3.23	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
3.24	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties.	At all times.
3.25	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of Operational Works.
SCHEDULE 4 – REFERRAL AGENCY Powerlink (advice agency)		
No.	Condition	Timing
	Powerlink advice agency response	
4.1	Comply with the requirements of the referral agency response DA5308 dated 11 July 2023, or as amended. Note: Council has decided to impose the advice agency's recommended development conditions in full.	As indicated in the referral agency response.
SCHEDULE 5 – INTERPRETATION AND ADVICE Assessment manager		
No.	Advice	

	Notes and advice notes
5.1	<p>Notes contained within a development condition are part of the condition.</p> <p>Interpretation notes in this schedule form part the development conditions.</p> <p>Advice notes contained within a development condition are not part of the condition and are provided for additional guidance specific to the condition.</p> <p>Advice statements contained within this schedule are provided for guidance about the development. Advice statements are not exhaustive and are provided to assist applicants in meeting their obligations under other instruments.</p>
	Interpretation of timing of development conditions
5.2	Where the timing in a development condition requires compliance “prior to the commencement of the use” and a Plan of Subdivision is lodged for approval, the timing in the condition is taken to require compliance “prior to the commencement of the use or approval of the Plan of Subdivision, whichever occurs first”.
5.3	Where the timing in a development condition requires compliance “prior to obtaining any development permit for building works or operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any site works, building works, or operational works”.
5.4	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works” or “prior to obtaining a development permit for operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any building works” or “prior to carrying out any operational works” respectively.
5.5	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works”, and the development is not on a Heritage Place, this requirement does not apply to a development permit that is for demolition works only.
	Interpretation of Certificate of Occupancy
5.6	A reference within a development condition to a “Certificate of Occupancy” includes an “Interim Certificate of Occupancy”. Where a Certificate of Occupancy is not required, the reference is taken to be a “Final Inspection Certificate” or any other similar document finalising the works.
	Aboriginal Cultural Heritage Act (Advice)
5.7	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the</p>

	<p>Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.</p> <p>Information about the cultural heritage duty of care is available at qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
	Fire ants (Advice)
5.8	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
	Infrastructure charges (Advice)
5.9	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>
	Building works (Advice)
5.10	<p>This Development Approval for material change of use does not include an approval for the change of classification or for the commencement of building works under the <i>Building Act 1975</i>.</p> <p>A separate building development approval may be required for change of classification or commencement of building works under the <i>Building Act 1975</i>.</p> <p>Advice should be sought from a Building Certifier (either through a private certification company or through Council's building section) about further development approvals for building works.</p>

	Advertising devices (Advice)
5.11	<p>This Development Approval does not authorise the installation of advertising devices. Advertising devices (other than billboards or where particular overlays apply) are governed by Council's <i>Local Law No. 1 (Administration) 2011</i> and <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011</i>.</p> <p>Advertising devices, other than 'permitted advertisements' (as that term is defined in the subordinate local law), require Local Law Approval prior to installation.</p>
	Vegetation clearing (Advice)
5.12	<p>Clearing native vegetation, including native vegetation that is a koala habitat, may require additional permits or notifications that are outside of this Development Approval. The landowner is responsible for ensuring that any clearing undertaken complies with requirements of any State or Federal agencies.</p>
	When Development Approval has effect (Advice)
5.13	<p>This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i>.</p>
	Change representations (Advice)
5.14	<p>The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i>.</p>
	Change applications (Advice)
5.15	<p>The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.</p>
	Right of appeal (Advice)
5.16	<p>The Applicant and Eligible Submitters have the Right of Appeal to the Planning and Environment Court regarding the giving of this Development Approval.</p> <p>Enclosed with this decision notice are relevant appeal provisions of the <i>Planning Act 2016</i>.</p>

Attachments for the Decision Notice include:

- Site Plan, drawn by Gresar Building Design Services, reference 230708 drawing 01 rev. 0.1, dated 14.02.2024;
- Floor Plan, drawn by Gresar Building Design Services, reference 230708 drawing 02 rev. 0.1, dated 14.02.2024;
- Floor Plan – Part 1, drawn by Gresar Building Design Services, reference 230708 drawing 03 rev. 0.1, dated 14.02.2024;
- Floor Plan – Part 2, drawn by Gresar Building Design Services, reference 230708 drawing 04 rev. 0.1, dated 14.02.2024.
- Elevations 1 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 05 rev. 0.1, dated 14.02.2024.
- Elevations 2 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 06 rev. 0.1, dated 14.02.2024.
- Type B – Typical Sections, drawn by Gresar Building Design Services, reference 230708 drawing 08 rev. 0.1, dated 14.02.2024.

- Apple Tree Creek Breeder Farm Odour Assessment, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 19 June 2023
- Request for Information Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 5 September 2023;
- Updated Layout Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R2-1, dated 19 February 2024.

Resolution

Moved – Cr Whalley

Seconded – Cr Choat

“THAT Council:

1. approve Development Application No. 23899 for a Development Permit for Material Change of Use for Intensive Animal Industry (Poultry Farm (Breeder) for 69,000 birds) on land situated at Kangaroo Creek Road and Apple Tree Creek Road, Harlin, formally described as Lot 26 RP28544 and Lot 60 C311615, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
2. publish the officer's report for this application to Council's website as the statement of reasons in accordance with section 63(5) of the *Planning Act 2016*.”

SCHEDULE 1 – GENERAL CONDITIONS

Assessment manager

No.	Condition	Timing
GENERAL		
	Approved plans/documents	
1.1	<p>Carry out the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including where amended by Council), except as amended by these development conditions.</p> <ul style="list-style-type: none"> • Site Plan, drawn by Gresar Building Design Services, reference 230708 drawing 01 rev. 0.1, dated 14.02.2024; • Floor Plan, drawn by Gresar Building Design Services, reference 230708 drawing 02 rev. 0.1, dated 14.02.2024; • Floor Plan – Part 1, drawn by Gresar Building Design Services, reference 230708 drawing 03 rev. 0.1, dated 14.02.2024; • Floor Plan – Part 2, drawn by Gresar Building Design Services, reference 230708 drawing 04 rev. 0.1, dated 14.02.2024. • Elevations 1 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 05 rev. 0.1, dated 14.02.2024. • Elevations 2 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 06 rev. 0.1, dated 14.02.2024. 	At all times.

	<ul style="list-style-type: none"> Type B – Typical Sections, drawn by Gresar Building Design Services, reference 230708 drawing 07 rev. 0.1, dated 14.02.2024. Type B – Typical Sections, drawn by Gresar Building Design Services, reference 230708 drawing 08 rev. 0.1, dated 14.02.2024. Apple Tree Creek Breeder Farm Odour Assessment, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 19 June 2023 Request for Information Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 5 September 2023; Updated Layout Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R2-1, dated 19 February 2024. 	
	Extent of approved use	
1.2	The approved use involves an Intensive Animal Industry for a Breeder Layer Poultry Farm only.	At all times.
1.3	The maximum number of birds to be housed at any one time is 69,000 birds, with a maximum of 11,500 birds permitted in each shed.	At all times.
	No provision of staging	
1.4	The development is to occur in one stage.	As indicated.
	Availability of Development Approval	
1.5	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	At all times.
	Comply with planning scheme and local laws	
1.6	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	At all times.
	Pay outstanding rates and charges	
1.7	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council, including any charges that are levied but not fully paid over the subject land.	Prior to commencement of the use.
	No cost to Council	
1.8	All development conditions of this Development Approval must be complied with at no cost to Council, unless stated otherwise in any specific development condition.	At all times.

	Repair damage caused by development	
1.9	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
1.10	Provide certification to Council that any repair works required by Condition 1.9 have been completed at the completion of works carried out to facilitate the Development Approval.	Within 20 days to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
	Landscaping plan required	
1.11	Submit to and obtain approval from Council for a landscape plan prepared by a suitably qualified person that provides a 10-metre-wide vegetation screen that: (d) is located between the poultry sheds and the Kangaroo Creek Road frontage of the site; (e) screens the poultry farm from surrounding premises and Kangaroo Creek Road; (f) is planted predominantly using trees with a mature height of no less than 3 metres.	Prior to obtaining any development permit for building works or operational works.
1.12	Provide landscaping onsite in accordance with the approved landscaping plan required by condition 1.11.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.13	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with condition 1.11.	Within 20 days to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
	Shed design	
1.14	Construct the poultry sheds using colours, materials and finishes that are non-reflective, do not produce glare and incorporate natural tones of greens, greys and browns to be compatible with the surrounding character.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.15	Poultry sheds are to be constructed with concrete floors.	As part of the development permit for

		building works for each shed and to be maintained.
1.16	Poultry sheds are to be constructed with curtain sides as per: (c) Floor Plan – Part 1, drawn by Gresar Building Design Services, reference 230708 drawing 03 rev. 0.1, dated 14.02.2024; (d) Floor Plan – Part 2, drawn by Gresar Building Design Services, reference 230708 drawing 04 rev. 0.1, dated 14.02.2024.	As part of the development permit for building works for each shed and to be maintained.
1.17	The fan end of the sheds is to be located venting to the east.	As part of the development permit for building works for each shed and to be maintained.
	Provision of water	
1.18	Provide adequate volume and supply of water that meets the needs of the poultry farm.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
SCHEDULE 2 – ENVIRONMENTAL HEALTH		
Assessment manager		
No.	Condition	Timing
	General	
2.1	Notwithstanding any other condition of this Development Approval, this Development Approval does not authorise any release of contaminants that causes, or is likely to cause, an Environmental Nuisance or Environmental Harm beyond the boundaries of the development site.	At all times.
2.2	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of Environmental Harm.	At all times.
2.3	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, odour, glare, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.	At all times.
2.4	The approval holder must not implement any management plan prepared as a condition of this	At all times.

	Development Approval, or amend any management plan, where such implementation or amendment would result in a contravention of any development condition of this Development Approval.	
	Site Based Environmental Management Plan	
2.5	<p>A Site Based Environmental Management Plan (SBEMP) must be prepared and submitted to Council for their approval.</p> <p>The SBEMP must address the following matters:</p> <ul style="list-style-type: none"> Environmental commitments – a commitment by senior management to achieve environmental goals. Identification of environmental issues and potential impacts covering at least air quality, water quality, land degradation and contamination as well as waste management. Control measures for design, construction and routine operations to minimise the likelihood of causing environmental harm. <p>Note - These should include:</p> <ul style="list-style-type: none"> References to the location and extent of the area affected by site activities as shown on the plan of development; Procedures to be implemented to effect environmental management such as shed washing/ disinfecting and collection of waste water and so on; Facilities for the storage of fuels, chemicals, and other potential contaminants <ul style="list-style-type: none"> Contingency plans and emergency procedures for non-routine situations. Organisational structure and responsibility. Effective communication. The monitoring of releases of contaminants into the environment. Conducting environmental impact assessment of any releases. Staff training, in particular, the promotion of awareness of environmental issues and the prevention of adverse environmental impacts from the operations of the approved development. Record keeping. The periodic review of environmental performance and continual improvement 	<p>Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.</p>
2.6	A copy of the Site Based Environmental Management Plan approved pursuant to Condition 2.5 must be kept at the approved place and be made available to all	At all times.

	employees and an authorised officer of Council, upon request by an employee or that officer.	
2.7	The development is to comply with Site Based Environmental Management Plan.	At all times.
	Review of Site Based Environmental Management Plan	
2.8	<p>The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least:</p> <ul style="list-style-type: none"> a) immediately a potential or actual source of environmental contamination, that is not already identified in the Plan, is realised; or otherwise b) Every two years after the commencement of the use. <p>Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately.</p>	At all times.
	Odour	
2.9	<p>The poultry farm is to operate at a K-Factor of 1.0 as per the Apple Tree Creek Breeder Farm Odour Assessment, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 19 June 2023, incorporating the following amendments:</p> <ul style="list-style-type: none"> (c) Request for Information Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 5 September 2023; (d) Updated Layout Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R2-1, dated 19 February 2024. 	At all times.
	Odour levels – monitoring and recording	
2.10	<p>When requested by Council, monitoring and recording of odour levels must be undertaken to investigate any non-vexatious or non-frivolous complaint caused by odour from operations at the premises.</p> <p>Such monitoring must be undertaken within a reasonable and practicable timeframe nominated by the Council and be carried out by a suitably qualified and experienced person. Once completed, the results of such monitoring must be submitted to the Council for review and any recommendations made in the report implemented.</p> <p>All odour testing is to be performed in line with AS4323.3 and any other relevant standards consistent</p>	As indicated.

	with good practice.																	
	Lighting																	
2.11	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times.																
	Noise																	
2.12	The approval holder must ensure: d) Vehicle and forklift manoeuvring areas and access roads are to be well maintained with minimal obstacles which may cause loads to react (i.e. speed bumps, pot holes and grates); e) Care is taken during loading and unloading of trucks during catch out to reduce the impacts on surrounding properties; f) Regular and effective maintenance of stationary and mobile equipment is to be undertaken to ensure acoustic outputs are maintained.	At all times.																
2.13	All onsite roads must be well maintained to minimise truck bounce as they move around the site. Vehicles using internal roads must be limited to 20km/hr.	At all times																
2.14	Mechanical plant must be designed and installed to comply with the noise criterion presented in Condition 2.13.	At all times.																
2.15	Noise Levels at a Noise Sensitive Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj, T}$ <table><tr><td>Limit</td><td>Period</td></tr><tr><td>Background noise level plus 5 dB(A)</td><td>7am – 6pm</td></tr><tr><td>Background noise level plus 5 dB(A)</td><td>6 pm – 10pm</td></tr><tr><td>Background noise level plus 3 dB(A)</td><td>10pm – 7am</td></tr></table> Noise Levels at a Commercial Place Measured as the Adjusted Maximum Sound Pressure Level $L_{Amax\ adj, T}$ <table><tr><td>Limit</td><td>Period</td></tr><tr><td>Background noise level plus 10 dB(A)</td><td>7am – 6pm</td></tr><tr><td>Background noise level plus 10 dB(A)</td><td>6pm – 10pm</td></tr><tr><td>Background noise level plus 8 dB(A)</td><td>10pm – 7am</td></tr></table>	Limit	Period	Background noise level plus 5 dB(A)	7am – 6pm	Background noise level plus 5 dB(A)	6 pm – 10pm	Background noise level plus 3 dB(A)	10pm – 7am	Limit	Period	Background noise level plus 10 dB(A)	7am – 6pm	Background noise level plus 10 dB(A)	6pm – 10pm	Background noise level plus 8 dB(A)	10pm – 7am	At all times.
Limit	Period																	
Background noise level plus 5 dB(A)	7am – 6pm																	
Background noise level plus 5 dB(A)	6 pm – 10pm																	
Background noise level plus 3 dB(A)	10pm – 7am																	
Limit	Period																	
Background noise level plus 10 dB(A)	7am – 6pm																	
Background noise level plus 10 dB(A)	6pm – 10pm																	
Background noise level plus 8 dB(A)	10pm – 7am																	
	Noise levels – monitoring and recording																	
2.16	When requested by Council, monitoring and recording of noise levels must be undertaken to investigate any non-vexatious or non-frivolous complaint caused by noise emissions from operations at the premises. Such monitoring must be undertaken within a reasonable and practicable timeframe nominated by	As indicated.																

	the Council and be carried out by a suitably qualified and experienced person. Once completed, the results of such monitoring must be submitted to the Council for review and any recommendations made in the report implemented.	
	Deceased Birds	
2.17	<p>All deceased birds from the poultry farm shall be:</p> <ul style="list-style-type: none"> • Where required to be stored on site, held under refrigeration at a temperature of no greater than 5 Degrees Celsius; • Not be stored on site for greater than 7 days; • Transported from site by an approved waste transporter; and • Disposed of at an approved disposal or treatment facility. 	At all times.
	Dust	
2.18	<p>Dust and particulate matter must not exceed the following levels when measured at any nuisance sensitive or commercial place, namely –</p> <p>Dust deposition of 120 milligrams per square metre per day, when monitored in accordance with Australian Standard 3580.10.1 – 2003 or more recent edition;</p> <p>OR</p> <p>A concentration of particulate matter with an aerodynamic diameter of less than 10 micrometres (PM₁₀) suspended in the atmosphere of 50 micrograms per cubic metre over a 24 hour averaging time each year, at a nuisance sensitive or commercial place downwind of the site. Any best practice method of monitoring PM₁₀ which may be permitted by the “Air Quality Sampling Manual” as published from time to time by the Department of Environment and Heritage Protection.</p>	At all times.
	Waste	
2.19	<p>Waste must not be:</p> <ul style="list-style-type: none"> • burnt or buried at or on the development site; nor • allowed to be burnt or buried at or on the development site; nor • removed from the development site and burnt elsewhere • stockpiled on the development site; nor processed on the development site unless permitted under an approved management plan under a condition of this approval. 	At all times.
	Contaminants	

2.20	Contaminants must not be directly or indirectly released from the development site to surface waters or the bed and banks of any surface waters except as permitted under an approved management plan under a condition of this approval.	At all times.
SCHEDULE 3 – ENGINEERING		
Assessment manager		
No.	Condition	Timing
GENERAL		
3.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, vegetation clearing, and stormwater drainage required as stated in the following conditions.	Prior to commencing any assessable operational works.
3.2	All works are to be designed and constructed in accordance with the requirements of the Somerset Region Planning Scheme.	At all times.
3.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these Development Conditions.	At all times.
3.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As indicated.
EARTHWORKS		
3.5	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organization.	At all times.
3.6	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
3.7	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.

	VEHICLE ACCESS	
3.8	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with Somerset Region Planning Scheme.	At all times.
3.9	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with Council's Policy and Standards.	At all times.
3.10	All vehicles shall enter and leave the site in a forward gear.	At all times.
	STORMWATER	
3.11	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times.
3.12	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Regional Council Design Standards</i> .	As part of operational works.
3.13	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
3.14	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
3.15	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
3.16	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
3.17	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the Somerset Region Planning Scheme.	As part of Operational Works.
3.18	Submit a Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s and <i>Somerset Regional Council Planning Scheme</i> . The SBSMP should include the following:	As part of the lodgement of the Operational Works application.

	<ul style="list-style-type: none"> Quantity and quality of stormwater to be released from the development; All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; The potential impact of these sources; Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; Measures to be implemented to prevent the likelihood of stormwater contamination; and <p>Maintenance schedule.</p>	
	EROSION AND SEDIMENT CONTROL	
3.19	<p>Erosion and sedimentation controls shall be implemented in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> Be required to install additional measures. Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
3.20	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
3.21	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
3.22	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.

3.23	Where vegetation is removed, the vegetation waste shall be disposed of by: iv) Milling; v) Chipping and/or mulching vi) Disposal at an approved waste disposal facility. No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	At all times.
3.24	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties.	At all times.
3.25	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of Operational Works.
SCHEDULE 4 – REFERRAL AGENCY Powerlink (advice agency)		
No.	Condition	Timing
	Powerlink advice agency response	
4.1	Comply with the requirements of the referral agency response DA5308 dated 11 July 2023, or as amended. Note: Council has decided to impose the advice agency's recommended development conditions in full.	As indicated in the referral agency response.
SCHEDULE 5 – INTERPRETATION AND ADVICE Assessment manager		
No.	Advice	
	Notes and advice notes	
5.1	Notes contained within a development condition are part of the condition. Interpretation notes in this schedule form part the development conditions. Advice notes contained within a development condition are not part of the condition and are provided for additional guidance specific to the condition. Advice statements contained within this schedule are provided for guidance about the development. Advice statements are not exhaustive and are provided to assist applicants in meeting their obligations under other instruments.	
	Interpretation of timing of development conditions	
5.2	Where the timing in a development condition requires compliance "prior to the commencement of the use" and a Plan of Subdivision is lodged for approval, the timing in the condition is taken to require compliance "prior to the commencement of the use or approval of the Plan of Subdivision, whichever occurs first".	

5.3	Where the timing in a development condition requires compliance “prior to obtaining any development permit for building works or operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any site works, building works, or operational works”.
5.4	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works” or “prior to obtaining a development permit for operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any building works” or “prior to carrying out any operational works” respectively.
5.5	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works”, and the development is not on a Heritage Place, this requirement does not apply to a development permit that is for demolition works only.
Interpretation of Certificate of Occupancy	
5.6	A reference within a development condition to a “Certificate of Occupancy” includes an “Interim Certificate of Occupancy”. Where a Certificate of Occupancy is not required, the reference is taken to be a “Final Inspection Certificate” or any other similar document finalising the works.
Aboriginal Cultural Heritage Act (Advice)	
5.7	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.</p> <p>Information about the cultural heritage duty of care is available at gld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
Fire ants (Advice)	
5.8	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p>

	<p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
	Infrastructure charges (Advice)
5.9	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>
	Building works (Advice)
5.10	<p>This Development Approval for material change of use does not include an approval for the change of classification or for the commencement of building works under the <i>Building Act 1975</i>.</p> <p>A separate building development approval may be required for change of classification or commencement of building works under the <i>Building Act 1975</i>.</p> <p>Advice should be sought from a Building Certifier (either through a private certification company or through Council's building section) about further development approvals for building works.</p>
	Advertising devices (Advice)
5.11	<p>This Development Approval does not authorise the installation of advertising devices. Advertising devices (other than billboards or where particular overlays apply) are governed by Council's <i>Local Law No. 1 (Administration) 2011</i> and <i>Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011</i>.</p> <p>Advertising devices, other than 'permitted advertisements' (as that term is defined in the subordinate local law), require Local Law Approval prior to installation.</p>
	Vegetation clearing (Advice)
5.12	<p>Clearing native vegetation, including native vegetation that is a koala habitat, may require additional permits or notifications that are outside of this Development Approval. The landowner is responsible for ensuring that any clearing undertaken complies with requirements of any State or Federal agencies.</p>
	When Development Approval has effect (Advice)

5.13	This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> .
	Change representations (Advice)
5.14	The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .
	Change applications (Advice)
5.15	The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
	Right of appeal (Advice)
5.16	The Applicant and Eligible Submitters have the Right of Appeal to the Planning and Environment Court regarding the giving of this Development Approval. Enclosed with this decision notice are relevant appeal provisions of the <i>Planning Act 2016</i> . <div style="text-align: right;"><u>Carried</u></div> <i>Vote - Unanimous</i>

Attachments for the Decision Notice include:

- Site Plan, drawn by Gresar Building Design Services, reference 230708 drawing 01 rev. 0.1, dated 14.02.2024;
- Floor Plan, drawn by Gresar Building Design Services, reference 230708 drawing 02 rev. 0.1, dated 14.02.2024;
- Floor Plan – Part 1, drawn by Gresar Building Design Services, reference 230708 drawing 03 rev. 0.1, dated 14.02.2024;
- Floor Plan – Part 2, drawn by Gresar Building Design Services, reference 230708 drawing 04 rev. 0.1, dated 14.02.2024.
- Elevations 1 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 05 rev. 0.1, dated 14.02.2024.
- Elevations 2 (Parts 1-4), drawn by Gresar Building Design Services, reference 230708 drawing 06 rev. 0.1, dated 14.02.2024.
- Type B – Typical Sections, drawn by Gresar Building Design Services, reference 230708 drawing 08 rev. 0.1, dated 14.02.2024.
- Apple Tree Creek Breeder Farm Odour Assessment, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 19 June 2023
- Request for Information Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R1-1, dated 5 September 2023;
- Updated Layout Response – Apple Tree Creek Breeder Farm, prepared by Astute Environmental Consulting, reference 22-167 R2-1, dated 19 February 2024.

Subject:	Development Application No. 23928 – 115 Old Fernvale Road Vernor Development Application for a Development Permit for a Reconfiguration of a Lot by Subdivision (one lot into 24 lots, plus new road and drainage)
File No:	DA23928
Assessment No:	02377-00000-000
Action Officer:	SP-MW

1.0 APPLICATION SUMMARY

Property details

Location:	115 Old Fernvale Road, Vernor
Real property description:	Lot 1 RP28893
Site area:	12.14ha
Current land use:	Dwelling house
Easements/encumbrances:	Nil identified

South East Queensland Regional Plan 2017

Land use category:	Urban footprint
--------------------	-----------------

Planning scheme details

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	Emerging community zone
Precinct:	Not applicable
Desired settlement pattern:	Future park residential
Overlays:	OM3 Biodiversity overlay OM4 Bushfire hazard overlay OM8 High impact activities management area overlay OM10 Landslide hazard overlay OM12 Scenic amenity overlay

Application details

Proposal:	Reconfiguring a Lot
Category of assessment:	Impact assessment
Applicant details:	Milpit Pty atf Fernvale Unit Trust C/- DTS Group QLD Pty Ltd PO Box 3128 WEST END QLD 4101
Owner details:	
Date application received:	28 June 2023
Date application properly made:	28 June 2023

Referrals	None required
------------------	---------------

Public notification	Required
----------------------------	----------

Notification period	16 November 2023 to 8 December 2023
Submissions received	Two received (One not properly made)

RECOMMENDED DECISION

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



**Locality Plan of Lot 1 RP28893
Situated at 115 Old Fernvale Road, Vernor**

2.0 PROPOSAL

This development application seeks approval for Reconfiguring a Lot by Subdivision (one lot into 24 lots, plus new road and drainage), on land at 115 Old Fernvale Road, Vernor, formally described as Lot 1 RP28893.

The development consists of lots generally ranging in size between 3,125m² and 4,047m², with one large lot of 1.1695ha which contains all of the Core koala habitat on the site.

Ten of the 24 lots are smaller than 4,000m².

The site contains three stormwater detention basins with respective lot areas of 1,123m², 1,704m² and 1,297m².

The existing house is proposed to be retained on proposed Lot 23.

3.0 SITE DETAILS

3.1 Description of the land

The site is a generally rectangular shaped allotment with frontage to Old Fernvale Road at the northern boundary. The site contains a house and outbuildings, with surrounding lots being predominantly large park residential style allotments containing dwelling houses and associated outbuildings.

The surrounding lots to the east range in size between 4.047 hectares and 4.3 hectares, while the lots to the west range between 2.8 hectares and 10 hectares. The lot to the south has an existing approval for approximately 1300 general residential lots.

Old Fernvale Road runs in a northeast direction across the frontage of the site. Old Fernvale Road is not at right angles to the site.

The front two thirds of the property slopes to the west diagonally toward the northwest corner of the site, adjacent to Old Fernvale Road while the balance slopes generally southward toward the rear of the site. The majority of the site discharges to Old Fernvale Road, which has no existing stormwater infrastructure apart from a grassed swale drain.

3.2 Access

Access to the site will be via a new road from Old Fernvale Road, which is a Collector Street in Council's road hierarchy. Old Fernvale Road is currently a 7.0 metre wide sealed road with no kerb and channel.

The proposed internal road is proposed to be conditioned as a sealed road with kerb and channel.

The internal road curves through the site on an alignment that enables future potential road linkages to the east, west and south.

3.4 Connection to electricity and telecommunications

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

4.0 PLANNING LEGISLATION

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

5.0 ASSESSMENT BENCHMARKS

The proposal requires assessment against the following assessment benchmarks.

5.1 State Planning Policy 2017

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

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

5.2 South East Queensland Regional Plan 2017

The site is located within the Urban footprint. The application has been assessed against the provisions of the regional plan and the associated regulatory requirements and was considered to comply.

5.3 Schedule 10 of the *Planning Regulation 2017*

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

The proposal:

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

5.3.1 Schedule 11 – Koala habitat areas

The proposal involves development on premises in a Core koala habitat and under the provisions of Schedule 10, Part 10, does not require assessment against the assessment benchmarks within Schedule 11 of the Regulation.

The application has been assessed against the assessment benchmarks and the proposal is considered to comply. Importantly, any impacts on the koala trees, including the removal of one koala habitat tree, are conditioned to comply with the exempted development provisions of the regulation, meaning that they are not captured by the prohibition on interfering with koala habitat. A development condition is recommended to support this requirement.

The recommended conditions of approval include requirements to ensure that koala accessible fencing to enable koala movements within the site.

5.3.2 Schedule 12A – Reconfiguring a lot

The proposal involves the subdivision of land involving new road in the Emerging community zone, and under the provisions of schedule 10, part 14, requires assessment against the assessment benchmarks within Schedule 12A of the Planning Regulation.

The Regulation does not affect a Rural residential zone so it does not apply to subdivisions that create acreage lots. The proposed development, while in an Emerging community zone, is being developed for the purpose of acreage lots.

Apart from provision of street trees, Council will not condition other provisions associated with the Walkable neighbourhood due to the type of lots being created.

5.4 Temporary local planning instruments

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

5.5 Variation approvals

The property is not benefitted by any variation approvals.

5.6 Somerset Region Planning Scheme (Version 4.2)

5.6.1 Strategic framework assessment

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

5.6.1.1 Settlement pattern

The proposal advances the settlement pattern of the region as it provides for a well-placed development in the Emerging community zone that is generally consistent with the Desired settlement pattern for Fernvale.

5.6.1.2 Natural environment

Part of the site is within an area of ecological significance or protected estate as shown on the framework maps.

Proposed Lot 6 has been proposed as a larger 1.1695ha lot that incorporates all of the vegetation on site that is designated as Matters of State Environmental Significance (MSES). An area at the front of Lot 6 had been identified with a Building envelope to demonstrate that it is possible to construct a house on site, however the envelope as submitted only had an area of 625m². This is relatively small for a park residential style lot and it is considered likely that additional tree clearing will be required to provide a suitable footprint for a house, outbuilding and effluent disposal area.

Lots 4 to 8 all are affected to varying degrees by the bushfire hazard overlay. It is considered reasonable to limit development to the front sections of proposed Lots 4 to 8 with

potential for non-habitable structures or other ancillary domestic items within their respective asset protection zones.

5.6.1.3 Natural resources

The proposal does not involve any impact on an identified natural resource, including agricultural land, extractive resources or forestry.

5.6.1.4 Community identity and regional landscape character

The community identity and regional landscape character of the region is not affected by the proposal, as the development does not compromise the existing or planned character of the region's centres, townships or rural living areas, and, subject to the recommended conditions package, is appropriately controlled to maintain the acreage nature of the open landscape character of the rural area.

5.6.1.5 Economic development

The proposal does not impact on the continued development of Council's town centres network nor the industrial development areas within each town.

5.6.1.6 Infrastructure and services

The provision of infrastructure and services at the development site meets the desired standard of service and the standard requirements set out in the development codes and Local Government Infrastructure Plan.

5.6.1.7 Transport

Old Fernvale Road provides a direct link between the development site and the nearest State controlled road (Forest Hill Fernvale Road) and is at a standard that appropriately services the existing traffic volumes and anticipated development traffic.

The southern side of Old Fernvale Road contains a swale drain and a verge that slopes at a non-standard gradient.

5.6.2 Code compliance summary

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

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

Applicable code	Compliance with overall outcomes	Performance outcomes
Reconfiguring a Lot code	Yes	PO1, PO11
Emerging community zone code	Yes	No alternative outcomes proposed
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	No alternative outcomes proposed
Applicable overlay code	Compliance with overall outcomes	Performance outcomes
Biodiversity overlay code	Yes	No alternative outcomes proposed

Bushfire hazard overlay code	Yes	No alternative outcomes proposed
Landslide hazard overlay code	Yes	No alternative outcomes proposed

The HIA Management area and Scenic amenity overlay codes are not relevant for a reconfiguring a lot application.

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

5.6.3 Performance outcome assessment

Reconfiguring a lot code

Performance outcome	Acceptable outcome
Lot size and subdivision design	
PO1 <i>Lot size and dimensions:</i> (a) provide sufficient area for the siting and construction of buildings and structures; (b) provide for safe vehicular and pedestrian access; (c) respond appropriately to site characteristics including slope of the land and topography; and (d) are consistent with the intended character of the zone.	AO1.1 The minimum <i>lot</i> size and dimensions complies with Table 8.3.4.3.B – Minimum Lot Size and Dimensions. AO1.2 <i>Lots</i> in the General residential zone, Rural residential zone and Emerging community zone have an average slope of less than 12.5 percent.
Proposal The proposed development has been designed generally in accordance with the minimum lot sizes and minimum lot frontages. The proposed development provides a range of lot sizes with some lots not achieving the 40m lot frontage and 4000sqm lot area requirements. Despite not achieving the minimum lot area and lot frontage across all lots, the proposed development has been designed in accordance with Council's requirements, providing sufficient area for the construction of future residential development. The proposed development provides for a range of lot types and sizes in response to the land constraints and surrounding layout. The development provides for majority of lots to achieve the lot area and frontage requirements, with the development achieving an average lot area greater than 4000m ² . The proposed lot areas have been appropriately designed, to facilitate semi-rural future residential development. Whilst the development does not reflect the intended minimum lot size, there is a number of small lots to the south of the site. The proposed development provides a transition between the surrounding General Residential zoned area and the adjoining Future Park Residential Precinct along with Rural zoned parcels to the north. Of the 24 lots proposed across the development 10 provide for a reduced lot area and 4 provide for a reduced lot frontage, achieving greater than 50% compliance. Despite not achieving the minimum lot frontage and lot area across all lots, the proposed development	

has been designed in accordance with Council's requirements, providing sufficient area for the construction of future residential development. Where lots do not meet the minimum 40m lot frontage or 4000m² lot area, they have generally been designed at the rear of the site and around a proposed cul-de-sac head. The proposed design ensures an attractive lot layout and is considered consistent with the intended design of the area. The subdivision layout remains consistent the surrounding environment and character of the zone.

The site is encumbered by an area of Core Koala Habitat, which is proposed to be retained in the development. This creates a larger lot (proposed Lot 6 with a size of 1.18ha), which results in some of the lots being less than 4,000m². Where the average lot size proposed through the development is considered, the proposal provides a compliant average lot size of 4,159m². Previous engagement with Council identified that given the requirement to retain a larger lot with core koala habitat, that compliant average lot size is a way to demonstrate compliance with the performance outcome PO1.

The development will support the intended growth expected in the Fernvale locality and does not compromise the surrounding undeveloped parcels from further supporting residential subdivision. The internal road design facilitates opportunities for extensions to the east and west of the site subject to future development applications. The proposed design has been provided in response to the known land constraints – bushfire, ecology and landslide – and appropriately provides for 24 residential lots which have capacity to support semi rural development.

Performance Outcome Assessment

The development comprises 24 lots, of which 10 of the lots are smaller than 4,000m². The lots have an overall average size of 4,105m².

Lot 6 is a larger lot that incorporates all of the koala habitat on the site. This lot has a total area of 1.1695ha.

Lots 2 and 19 are isolated lots surrounded by larger lots, with areas of 3,650m² and 3,632m² respectively.

Lots 22 to 24 have a cumulative area of 10,200m², averaging 3,400m². These lots adjoin two stormwater basins with a cumulative area of 2,827m² which if incorporated into these lots as drainage easements would result in three lots with an average area of 4,342m².

The proponent has submitted an amended layout in order to provide a road link to the south into the adjoining development as per Council's information request. In doing so, the revised layout has proposed a reduction of size of proposed Lot 13 from 3,500m² to 3,271m². (The proponent indicates the lot is 3,281m², however this lot size cannot be achieved by rounding up as far as possible without changing the first decimal point of at least one of the dimensions.) Lot 13 is part of a row of five lots that each were originally submitted with an area of 3,500m². The reduction in size results in an average lot size of 3,454m² across the five lots. The size of these lots is not considered satisfy the performance outcomes of the code. Should the application be approved, it is appropriate that Lots 9-13 be merged into four lots, which will result in an average lot size of 4,317.75m².

It is proposed to condition retention of Lots 2, 19, 22 to 24 as slightly smaller lots and condition revision of Lots 9 to 13 down from five lots to four lots.

This would result in a reduction in lots smaller than 4,000m² from 10 lots to 5 lots.

It is recommended that with the inclusion of conditions requiring the reduction of a lot, that the alternative outcome be accepted in this instance.

Movement network and access

PO11

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

AO11

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

Proposal

The proposed development is located on the existing urban fringe of the Vernor area. Due to the nature of the area, there is limited public transport facilities.

Performance Outcome Assessment

The site has a length of approximately 840m. Compliance with a 500m radial distance is considered to be impractical in this circumstance.

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

5.6.4 Overall outcome assessment

Section 6.2.3.2 of the Planning Scheme references the purposes for the Emerging community zone. Clause (3)k) states:

k) *Land is developed for urban purposes in a logical and orderly sequence that addresses:*

- (i) *the strategic framework, including the desired settlement pattern for the town;*
- (iii) *the achievement of affordable living opportunities, through the delivery of a variety of housing types and sizes that meet varied needs and lifestyle choices;*

Almost half of the lots were proposed at a size less than 4,000m², however this has been recommended to be reduced to approximately 20 per cent of the lots. The lots are generally consistent with park residential lots as set out in the Desired Settlement Pattern for Fernvale in that they would be connected to all relevant infrastructure but require on-site effluent disposal.

5.7 Local government infrastructure plan

5.7.1 Priority infrastructure area

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

5.7.2 Infrastructure charges

The proposed development is for a subdivision, which adopts a charge consistent with a three or more-bedroom dwelling under the *Somerset Regional Council Charges Resolution (No. 1) 2023*. In determining the appropriate charging area, the land is located within the urban footprint of Fernvale.

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

5.7.3 Trunk infrastructure requirements

5.7.3.1 Drinking water and wastewater networks

The site is located within the future connections area for the drinking water network, but outside of the connections area and future connections area for the wastewater network. As such, the future development on the created lots will require an onsite wastewater treatment system. The recommended conditions require the development to connect to the reticulated drinking water network to the satisfaction of Urban Utilities and gain Council approval for a suitable onsite wastewater treatment system.

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

5.7.3.2 Public parks and community land network

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

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

5.7.3.3 Stormwater network

There are no known issues with the existing drainage of the site.

The existing unconstrained overland flow runs across Old Fernvale Road and flows onto the lots to the north of Old Fernvale Road.

The proposed stormwater basin at the rear of the site on proposed Lot 901 results in proposed Lot 14 having an "L" shaped lot. The land to the southeast of this site has been approved as part of a large residential estate. It is considered the stormwater basin on proposed Lot 901 will serve a temporary purpose until the residential estate to the south is developed, at which time the stormwater basin can be removed and the easement extinguished.

Standard development conditions are recommended to ensure non-worsening for other properties and discharge to a lawful point of discharge.

An adopted charge for the stormwater network applies.

5.7.3.4 Transport network

The reconfiguration involves the creation of 22 additional lots.

An adopted charge for the transport network applies.

6.0 REFERRAL

6.1 Referral agencies

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

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

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

- (a) public notification was served to all adjoining landowners on Wednesday 15 November 2023;

- (b) a notice was published in the Lockyer & Somerset Independent newspaper on 15 November 2023;
- (c) a notice in the prescribed form was placed on the premises on 12 November 2023 and maintained for the minimum period of 15 business days until Friday 8 December 2023.

Council received the notice of compliance on 11 December 2023, confirming that public notification had been undertaken in accordance with the statutory requirements.

7.2 Matters raised in submissions

During the public notification period, Council received one submission and one late submission. Council had no record of receipt of the late submission, however the date of the original email was within the public notification period.

The matters raised in the submissions are outlined below:

Submission concern – Adjoining uses

The proximity of the new lots will cause issues due to kennel noise.

Officer comment

The adjoining property on the corner of Old Fernvale Road and Taree Road is used for greyhound breeding and training.

A condition has been proposed to construct a 1.8m high lapped timber fence along the common boundary of the site for the length of proposed Lots 1 and 2.

This is consistent with the subsequent agreed position of the applicant and adjoining owner.

This is not a reason for refusal of the application.

Submission concern – No linkage to the northeast adjacent to 8 Taree Road.

The proposed development does not include future potential connections to the adjoining Lot 11 RP139821.

Officer comment

Based on the size of the adjoining property and existing constraints associated with koala habitat, it is likely the majority of lots on the adjoining property would have direct access to Taree Road. The adjoining lot varies in depth between 110 metres and 190 metres and frontage to Taree Road of approximately 275 metres.

A 4,000m² lot without constraints is likely to have a general width of approximately 40m and a depth of approximately 100 metres. Wider lots typically have a higher cost per unit in terms of the amount of road to be constructed for each lot, while narrower lots will be deeper.

An indicative development of the balance of the site could consist of two lots fronting Old Fernvale Road with Taree Road, leaving an area approximately 210 metres long and between between 130m to 190 metres deep. This is wide enough to create a stub cul-de-sac or a couple of rear lots on the balance of the site without the need to extend into adjoining properties, but not deep enough to provide lots with frontage to Taree Road as well as sufficient depth behind those lots to provide two lots with a central road.

It is recommended that the standard development conditions be imposed.

Submission concern – Impact on environment

Proposal to remove the extant on-site dam which is potential habitat for the Queensland Lungfish. The only logical habitat for the lungfish was the dam upstream within the subject lot.

Officer comment

One of the submissions included a photo showing a Queensland Lungfish stranded after a heavy rain event on the north side of the pavement of Old Fernvale Road, slightly to the west of the driveway for 129 Old Fernvale Road. Water was running within the adjacent swale drain as well as along the road pavement itself.

In Queensland, the Australian Lungfish is not listed as threatened under the state's *Nature Conservation Act 1992*, however, the taking of Australian Lungfish has been prohibited since it was declared a protected species under the *Queensland Fish and Oyster Act 1914*. The species is currently protected from fishing, and collection requires a permit under the *Fisheries Act 1994*.

It is not clear whether the lungfish was washed out of the upstream dam (proposed to be removed) or came up the flow paths from the Brisbane River during the heavy rain event. The lungfish in the photo was approximately 250m downhill of the dam on the site, and 18m lower than the dam on the site. It is also noted there are also other dams upstream of Old Fernvale Road in this vicinity. Given the lack of connectivity to the dam, it is not clear how the lungfish would have originally become resident in the dam, or whether the dam on the site is where the lungfish came from.

Submission concern – Impact on adjacent properties

The proposed development raises concerns in regards to stormwater management and adverse impact on adjacent properties. Despite the application proposing to retard or retain onsite flows prior to discharge, it should be noted that the site already overwhelms the roadside drains on Old Fernvale Road, and it is reasonable to believe this condition will only worsen given the decreased permeability of the site if developed as proposed. Further, I note that the retention basins are stated to need inspection and maintenance by Council after any significant rainfall. I do not believe is a reasonable impost on Council, and hold concern that these features will degrade after significant rain events, further increasing the likelihood of increased discharge over neighbouring properties. I have attached photographs highlighting the extant roadside drains being overwhelmed during significant rainfall, and subsequently the discharge from the subject lot overwhelming current roadside drain infrastructure and entering our lot.

I make further note that the premises at 134 Old Fernvale Road is susceptible to inundation during significant rainfall events. Any increase to the amount of water discharged from the subject lot greatly increases the likelihood of their premises being inundated with stormwater from the subject lot.

Lastly, given sewage is proposed to be treated onsite, I hold concern that water quality will not be maintained once the onsite features degrade.

Officer comment

The upstream catchment for this area includes a larger catchment than just the north facing section of the subject site. The catchment extends to the east across to Taree Road. This catchment is largely uncontrolled.

The suite of reports for the application included a Stormwater management plan that includes a series of three stormwater retention basins adjacent to the western boundary of the site. The stormwater management plan includes modelling to mitigate peak flows.

Under Council's Design standards policy, in the Park residential precinct, which is in effect the typology for this area requires a 50% AEP for minor piped drainage for a minor event, 10% AEP for a cross road culvert, and swales in accordance with the Queensland Urban Design Manual (QUDM).

One of the photos provided by the submitter shows water discharging from the driveway of 115 Old Fernvale Road. Based on the topography of the site it is likely a proportion of this water would have been overland flow from 8 Taree Road and 46 Taree Road. This storm event was likely to exceed a 10% AEP event.

The existing driveway for 115 Old Fernvale Road contains no stormwater management measures and no mechanism to direct overland flows from several hectares of upstream catchment into the adjoining swale drain. While part of the flow is captured by the swale drain on the south side of Old Fernvale Road in front of the site, additional overland flow is evidenced flowing across and along the Old Fernvale Road pavement and into the swale drain on the northern side of Old Fernvale Road.

Two of the photos showing water discharging across Old Fernvale Road were taken opposite 129 Old Fernvale Road. Based on imagery, it is apparent there is a swale drain that runs parallel to the driveway of 129 Old Fernvale Road and the pipe under the driveway within the road reserve appears to be partially blocked. These items have concentrated upstream overland flow from properties uphill of this point.

Conditions will be included in the subsequent operational works approval with respect to piping stormwater under the new road at the intersection of Old Fernvale Road, modification and upgrading of the existing roadside swale drain across the site frontage.

The property at 134 Old Fernvale Road, downstream of the site, contains a dam and a drainage flow path that includes culverts under the adjacent Brisbane Valley Rail Trail and Forest Hill Fernvale Road. Ultimately water that is captured by the swales on the north and south side of the road that does not surcharge out of the swales will drain to that flow path.

The lots are large enough to accommodate a house and effluent disposal, however the smaller lots may require a higher standard of on-site effluent disposal. The effluent disposal systems are required to be maintained and are subject to an inspection routine.

It is recommended that the standard development conditions be imposed.

Submission concern – Community impact

The proposed development has the potential to significantly impact the local community in terms of the doubling of the number of properties on Old Fernvale Road, without allowance for public/recreation spaces, or footpaths that would link the proposed development to the broader community. Old Fernvale Road is narrow and there does not appear to be adequate assessment of the capacity of the road, nor the interaction between the proposed road intersection with the nearby Taree Road. Further, I do not believe the development application adequately considers access/egress in the event of a natural disaster such as fire or flooding.

Officer comment

The area has not been proposed for any parks under Council's Local Government Infrastructure Plan. There are other park locations that have been approved on the land

to the south. The proposed lot sizes are also considered to be of sufficient size to allow for on-site recreation opportunities.

The development will be provided with grassed verges.

Access to the site is available from Old Fernvale Road. The reconfiguration has been designed to enable future roads to be constructed to the east, west and south. These roads will provide additional connectivity to surrounding properties and roads. The development is currently remote from other development and is therefore limited to access via Old Fernvale Road.

Old Fernvale Road has a pavement width of approximately 7.0 metres. Typically, a collector street has a width of 10 metres with a 1.5m wide footpath on one side. The difficulty with upgrading Old Fernvale Road relates to providing a uniform outcome across multiple lots however these items may be conditioned as part of the Operational works approval for the site. At this point, Council has not indicated a need to widen the road pavement for Old Fernvale Road.

It is recommended that the standard development conditions be imposed.

Submission concern – Compliance with local planning regulations

The proposed development does not comply with the local planning regulations. Specifically in regards to the proposed minimum lot size being significantly less than 4000 sqm, with a minimum proposed lot size of just 3125sqm. Given the proposed development is surrounded by undeveloped land currently utilised for rural purpose, it is imperative that any future development is transitional rather than below a minimum standard. Further, a majority of surrounding lots are unlikely to be developed due their overlays. It should be noted that a recent subdivision only a few blocks West on Old Fernvale Road has resulted in a new home (153 Old Fernvale Road) on a >2 hectare block that does not align with the proposed development assuming consistent density along Old Fernvale Road.

Officer comment

The development proposed 10 lots smaller than 4,000m². Council's review of the application has recommended a reduction to 5 lots smaller than 4,000m².

While some of the lots within the area bounded by Taree Road, Old Fernvale Road and Muckerts Lane are affected by overlays, the majority of this lot and a number of the lots to the east and west are subject to minimal constraints.

The property referenced at 153 Old Fernvale Road could potentially be further reconfigured, however this would require a separate reconfiguring a lot application that addresses the assessment benchmarks of the planning scheme including overlays. 153 Old Fernvale Road receives flows from an upstream drainage line which appear to change from a defined drainage line to a largely undefined overland flowpath as it crosses the property.

It is recommended that the standard development conditions be imposed.

Submission concern – Lack of consultation

It appears that there has been a lack of sufficient community consultation in the development process. Proper engagement with the local community is crucial for addressing concerns and ensuring that all stakeholders have been considered. Despite being landholders immediately adjacent the subject lot, we have not received any correspondence from the developers, or Council, prior to making this submission.

Officer comment

There is no obligation under the *Planning Act 2016* for a developer to carry out additional consultation beyond the public notification provisions under the Act. The applicant carried out public notification consistent with the requirements of the Act, including a sign on the property, a notice in a local newspaper and letters to adjoining owners. Providing correspondence to owners on the other side of the road to an application is not required.

A large banner sign was erected on the front fence of the site stating “24 one acre lots coming soon” with phone, email and website details. While presumptive, there is nothing to stop advertising of a potential future development on site.

Submission concern – Alternative solutions

I propose that alternative solutions be explored that would address the development objectives while mitigating the potential negative impacts on the environment and the community. Attention to the presence of lungfish, increased lot sizes, adequate stormwater management both on site and beyond the point of discharge, and proper appreciation for the current/proposed surrounding land use are a necessity for any development proposed on the subject lot.

Officer comment

Officers have engaged with the applicant over the duration of the application with respect to these matters. While some changes have occurred, the overall layout has remained relatively close to the original proposal, comprising park residential lots on a parcel of land that is designated as Future park residential under Council’s Desired Settlement Pattern for this section of Vernor.

8.0 OTHER RELEVANT MATTERS

Not applicable.

9.0 CONCLUSION

The proposed development is for reconfiguring a lot by subdivision (one lot into 24 lots). The proposal has largely demonstrated compliance with acceptable outcomes of each of the applicable assessment benchmarks, or otherwise complied with the relevant performance outcomes, however based on assessment of the development, the recommendation has proposed the approval of 23 lots instead of 24 lots in order to minimise the number of lots smaller than 4,000m².

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

10.0 ATTACHMENT

1. Subdivision Concept Plan, Drawing No A2 1138, Revision N, prepared by DTS, dated February 2024
2. Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023
3. Ecological Assessment, reference PR23148, prepared by Green Tape Solutions, dated 26 June 2023
4. Stormwater Management Strategy, Revision 2, prepared by Spiire Australia, dated 1 November 2023
5. Landscape Concept Plan, Drawing No 320484-01 Revision D, prepared by Spiire Australia, dated 26 October 2023
6. Landscape Concept Plan, Drawing No 320484-02 Revision D, prepared by Spiire Australia, dated 26 October 2023

7. Landscape Concept Plan, Drawing No 320484-03 Revision D, prepared by Spiire Australia, dated 26 October 2023
8. Landscape Concept Plan, Drawing No 320484-04 Revision D, prepared by Spiire Australia, dated 26 October 2023
9. Plant Palette, Drawing No 320488-05 Revision D, prepared by Spiire Australia, dated 26 October 2023
10. Draft infrastructure charges notice.

RECOMMENDATION

THAT Council:

1. approve Development Application No. 23928 for a Development Permit for Reconfiguration of a Lot by Subdivision (one lot into 23 lots, plus new road and drainage) on land situated at 115 Old Fernvale Road, Vernor, formally described as Lot 1 RP28893, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
2. publish the officer's report for this application to Council's website as the statement of reasons in accordance with section 63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the application, supporting documentation, and the plans and documents listed below, except where amended by these development conditions. Subdivision Concept Plan, Drawing No A2 1138, Revision N, prepared by DTS, dated 27 February 2024 Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023 Ecological Assessment, reference PR23148, prepared by Green Tape Solutions, dated 26 June 2023 Stormwater Management Strategy, Revision 2, prepared by Spiire Australia, dated 1 November 2023 Landscape Concept Plan, Drawing No 320484-01 Revision D, prepared by Spiire Australia, dated 26 October 2023 Landscape Concept Plan, Drawing No 320484-02 Revision D, prepared by Spiire Australia, dated 26 October 2023 Landscape Concept Plan, Drawing No 320484-03 Revision D, prepared by Spiire Australia, dated 26 October 2023 Landscape Concept Plan, Drawing No 320484-04 Revision D, prepared by Spiire Australia, dated 26 October 2023 Plant Palette, Drawing No 320488-05 Revision D, prepared by Spiire Australia, dated 26 October 2023	At all times.
1.2	Please provide an amended plan, for approval by Council, that: (a) reduces the number of approved lots to 23 by converting proposed Lots 9 to 13 (five lots) into four lots each with areas exceeding 4,000m ² ; (b) amends Lot 901 to a drainage easement over part of proposed Lot 14; (c) Provides building envelopes for proposed Lots 4-8 in	Prior to application for Operational works.

	accordance with the Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023; (d) complies with condition 1.19.	
1.3	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	At all times.
1.4	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	During site works, building works or operational works phases.
1.5	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council, including any charges that are levied but not fully paid over the subject land.	Prior to the approval of the Plan of Subdivision.
1.6	All development conditions of this Development Approval must be complied with at no cost to Council unless stated otherwise in any specific condition of approval.	At all times.
1.7	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
1.8	A Registered Cadastral Surveyor must install new Survey Marks in their correct positions in accordance with the Plan of Subdivision.	Prior to the request for approval of the Plan of Subdivision.
1.9	Provide certification to Council from a Registered Cadastral Surveyor that development condition 1.8 has been complied with.	As part of the request for approval of the Plan of Subdivision.
1.10	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources. Currently, the amount is set at \$44.00 per allotment.	As part of the request for approval of the Plan of Subdivision.
1.11	Undertake the development in one stage.	As indicated.
1.12	Obtain the relevant approvals and remove the sheds shown on proposed Lots 3, 4, 23 and the proposed road reserve.	Prior to the request for approval of the Plan of Subdivision.
1.13	Construct a 1.8m high timber lapped fence along the	Prior to the request

	eastern boundary of proposed Lots 1 and 2, adjacent to Lot 11 RP139821.	for approval of the Plan of Subdivision.
	BUSHFIRE HAZARD	
1.14	Carry out the development in accordance with the recommendations of the Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023	At all times.
1.15	Place by survey on each lot controlled by a development envelope area, survey pegs on each corner or change in direction of the building envelope area after all operational works on the lot have been completed.	As part of the request for approval of the Plan of Subdivision.
1.16	Submit to Council certification from a Registered Cadastral Surveyor that identification pegs for the building envelopes have been placed by survey.	As part of the request for approval of the Plan of Subdivision.
1.17	All development must be contained within the building envelopes as shown on the plan required by Condition 1.2.	At all times.
	SERVICES	
1.18	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the request for approval of the Plan of Subdivision.
1.19	Provide a road connection to Lot 30 SP231305 (or as amended) that connects the development with the adjoining road network. <i>Note: If the Plan of Subdivision is approved for the road link from the property to the south prior to the road being constructed on the subject site, the road on the subject site will need to realign to match the connection.</i>	Prior to the request for approval of the Plan of Subdivision.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	GENERAL	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, landscaping and stormwater drainage required as stated in the following conditions.	Prior to carrying out an assessable operational works.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations	At all times.

	and repairs resulting from compliance with these conditions.	
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As indicated.
2.5	Obtain Council approval for the demolition or removal of any existing buildings on site necessary for the approved development to proceed.	As part of Operational Works application.
	OPEN SPACE/PARK/LANDSCAPING	
2.6	Dedicate all land shown as park, open space and drainage on the proposal plan of subdivision as drainage reserve only.	Prior to Council's endorsement of the Plan of subdivision.
2.7	The development site must be landscaped. The works must be undertaken in accordance with an operational works approval.	As part of Operational works for Landscaping Works.
2.8	All entry statements, fences, batters, retaining walls and buffer/screen plantings must be located entirely within private land and not within the public road reserve.	At all times.
2.9	Submit to and obtain approval from Council for a landscape plan prepared by a suitably qualified person that includes landscaping associated with the development.	As part of Operational works for Landscaping Works.
2.10	Provide landscaping onsite in accordance with the approved landscaping plan.	As indicated.
2.11	Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times.	Once established, to be maintained at all time.
2.12	Plant street trees at 15 metre intervals along both sides of each street in each stage. <i>Note: It is recommended the trees are located in a staggered arrangement along the street so they are not directly opposite one another.</i>	Prior to Council's endorsement of the Plan of subdivision for each stage.
2.13	The developer is to prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved by Council. Any amendments	Prior to Council's endorsement of the Plan of subdivision.

	approved by Council are taken to be a part of the approved Landscape Plan.	
	GENERAL SERVICES	
2.14	Connect each lot to a reticulated water supply, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to Council's endorsement of the Plan of subdivision.
2.15	Provide written evidence (eg connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Council's endorsement of the Plan of subdivision.
2.16	Install hydrant and valve location indicators and where serviced by kerb and channel, place brass markers in the kerb line at each service crossing. (Water, Electricity and telecommunications)	Prior to Council's endorsement of the Plan of subdivision.
2.17	Provide certification from a Registered Cadastral Surveyor that all services (for example, water, wastewater, drainage, electricity, telecommunications) are wholly contained within the lot that they serve.	As part of the request for approval of the Plan of Subdivision.
2.18	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the request for approval of the Plan of Subdivision.
	EARTHWORKS	
2.19	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.20	Rehabilitation of dam sites, including methods of construction, management and supervision is to ensure that the site will be suitable for the proposed use. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ).	Prior to Council's endorsement of the Plan of subdivision.
2.21	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.22	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
2.23	All dams that are across proposed lot boundaries shall be removed.	Prior to Council's endorsement of the

		Plan of subdivision.
	ROADWORKS	
2.24	Install all traffic signs and line markings in accordance with <i>Austrorads</i> .	Prior to the request for approval of the Plan of Subdivision.
2.25	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational works application.
2.26	Road reserve and carriageway widths to be in accordance with the <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
2.27	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Austrorads Guide to Temporary Traffic Management</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works.
2.28	Provide 6m length x 3 No. chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to the request for approval of the Plan of Subdivision.
2.29	Provide a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to Council's endorsement of the Plan of subdivision.
2.30	Provide verge and access in accordance with <i>Somerset Region Planning Scheme</i> .	As part of the lodgement of the Operational Works application.
	STREET NAMES	
2.31	Submit a list of road names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council. The proponent is responsible for the cost of road signs and installation. Street nameplates are to comply with <i>Somerset Region Planning Scheme</i> .	As part of the lodgement of the Operational Works application.
	VEHICLE ACCESS	
2.30	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.31	The landowner is responsible for construction and	At all times.

	maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Region Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	
2.34	All vehicles shall enter and leave the site in a forward gear	At all times.
	EASEMENTS	
2.35	<p>Dedicate Lot 900 and Lot 902 on the proposal plan of subdivision as drainage reserve only. The reserve is to be dedicated at no cost to Council. The proponent shall prepare all documentation in a form satisfactory to Council's Solicitor.</p> <p>The land identified as drainage reserve must be rehabilitated and removed of all weed species.</p>	Prior to Council's endorsement of the Plan of subdivision.
2.36	<p>Amend Lot 901 to be dedicated as drainage easement in favour of Council over Lot 14. The proponent shall prepare all documentation in a form satisfactory to Council's Solicitor.</p> <p><i>Note: The stormwater basin in Lot 14 will be decommissioned after construction of downstream detention basins within the land to the southeast, currently described as Lot 30 SP231305.</i></p>	Prior to Council's endorsement of the Plan of subdivision.
2.37	Dedicate private land subject to flooding during a 1% Average Exceedance Probability (AEP) or Q100 flood event as an easement or reserve for drainage purposes. The easement or reserve is to be dedicated at no cost to Council. The proponent shall prepare all documentation in a form satisfactory to Council's Solicitor.	Prior to Council's endorsement of the Plan of subdivision.
2.38	<p>Easements are to be provided, in accordance with the current version of the Queensland Urban Drainage Manual, over:</p> <ul style="list-style-type: none"> • all stormwater and interallotment drainage, sized 300mm or greater located within private property. • all stormwater and interallotment drainage that cross more than one property. • all concentrated overland flow paths that cross two or more properties. <p>The minimum easement width to be provided is 3m. Easement widths greater than 3m may vary but must extend to include the flood paths for the Q100 flood flows including provisions for freeboard and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with the current version of the Queensland</p>	Prior to Council's endorsement of the Plan of subdivision.

	<p>Urban Drainage Manual (QUDM). The easement is to be dedicated at no cost to Council.</p> <p>All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p> <p>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</p>	
	STORMWATER	
2.39	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.40	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.41	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.42	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
2.43	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.44	Attenuate the difference between pre and post developed flows.	As part of Operational Works.
2.45	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.46	<p>Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site.</p> <p><i>Note: Such consent may require supporting engineering plans and calculations.</i></p>	As part of Operational Works.
2.47	Submit a Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s (including as amended by these development conditions) and <i>Somerset Region</i>	As part of the lodgement of the Operational Works application.

	<p><i>Planning Scheme.</i></p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> • Quantity and quality of stormwater to be released from the development; • All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; • The potential impact of these sources; • Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; • Measures to be implemented to prevent the likelihood of stormwater contamination; and • Maintenance schedule. 	
2.48	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	Prior to Council's endorsement of the Plan of subdivision.
2.49	<p>Containments or contaminated water must not be directly or indirectly released from the Premises to surface water or groundwater at or outside the premises except for:</p> <p>(a) uncontaminated overland stormwater flow; or</p> <p>(b) uncontaminated stormwater to the stormwater system.</p>	At all times.
	EROSION AND SEDIMENT CONTROL	
2.50	<p>Erosion and sedimentation controls shall be implemented in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.51	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.52	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion	As part of the lodgement of the Operational Works

	control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	application.
2.53	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
	VEGETATION	
2.54	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
2.55	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
2.56	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of the lodgement of the Operational Works application.
SCHEDULE 3 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> .		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the plan of subdivision is not provided to the local government within the 'currency period' – being four (4) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		

The *Aboriginal Cultural Heritage Act 2003* establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.

Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.

Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.

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

Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.

Information about the cultural heritage duty of care is available at qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care

Parts of the Somerset Region are within Fire Ant Biosecurity Zones.

If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (*Biosecurity Regulation 2016*).

If you are unable to do so, you must apply for a biosecurity instrument permit.

Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.

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 Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants

An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.

From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.

Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.

Authorisation to connect the approved development to the water supply and wastewater networks and for property service connections require a Water Approval from the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.

For the approval of a Plan of Subdivision, written evidence from Urban Utilities must be provided to Council to verify that the conditions of any necessary Water Approval have been complied with.

Clearing native vegetation, including native vegetation that is a koala habitat, may require additional permits or notifications that are outside of this Development Approval. The landowner is responsible for ensuring that any clearing undertaken complies with requirements of any State or Federal agencies.

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

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

Attachments for the Decision Notice include:

- Subdivision Concept Plan, Drawing No A2 1138, Revision N, prepared by DTS, dated 27 February 2024
- Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023
- Ecological Assessment, reference PR23148, prepared by Green Tape Solutions, dated 26 June 2023
- Stormwater Management Strategy, Revision 2, prepared by Spiire Australia, dated 1 November 2023
- Landscape Concept Plan, Drawing No 320484-01 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Landscape Concept Plan, Drawing No 320484-02 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Landscape Concept Plan, Drawing No 320484-03 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Landscape Concept Plan, Drawing No 320484-04 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Plant Palette, Drawing No 320488-05 Revision D, prepared by Spiire Australia, dated 26 October 2023

Resolution

Moved – Cr Gaedtke

Seconded – Cr Wendt

“THAT Council:

1. approve Development Application No. 23928 for a Development Permit for Reconfiguration of a Lot by Subdivision (one lot into 23 lots, plus new road and drainage) on land situated at 115 Old Fernvale Road, Vernor, formally described as Lot 1 RP28893, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
2. publish the officer's report for this application to Council's website as the statement of reasons in accordance with section 63(5) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the application, supporting documentation, and the plans and documents listed below, except where amended by these development conditions. Subdivision Concept Plan, Drawing No A2 1138, Revision N, prepared by DTS, dated 27 February 2024 Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023 Ecological Assessment, reference PR23148, prepared by Green Tape Solutions, dated 26 June 2023 Stormwater Management Strategy, Revision 2, prepared by Spiire Australia, dated 1 November 2023 Landscape Concept Plan, Drawing No 320484-01 Revision D, prepared by Spiire Australia, dated 26 October 2023 Landscape Concept Plan, Drawing No 320484-02 Revision D, prepared by Spiire Australia, dated 26 October 2023 Landscape Concept Plan, Drawing No 320484-03 Revision D, prepared by Spiire Australia, dated 26 October 2023 Landscape Concept Plan, Drawing No 320484-04 Revision D, prepared by Spiire Australia, dated 26 October 2023 Plant Palette, Drawing No 320488-05 Revision D, prepared by Spiire Australia, dated 26 October 2023	At all times.
1.2	Please provide an amended plan, for approval by Council, that: (e) reduces the number of approved lots to 23 by converting proposed Lots 9 to 13 (five lots) into four lots each with areas exceeding 4,000m ² ; (f) amends Lot 901 to a drainage easement over part of proposed Lot 14; (g) Provides building envelopes for proposed Lots 4-8 in accordance with the Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023; (h) complies with condition 1.19.	Prior to application for Operational works.
1.3	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	At all times.
1.4	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	During site works, building works or operational works phases.

1.5	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council, including any charges that are levied but not fully paid over the subject land.	Prior to the approval of the Plan of Subdivision.
1.6	All development conditions of this Development Approval must be complied with at no cost to Council unless stated otherwise in any specific condition of approval.	At all times.
1.7	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
1.8	A Registered Cadastral Surveyor must install new Survey Marks in their correct positions in accordance with the Plan of Subdivision.	Prior to the request for approval of the Plan of Subdivision.
1.9	Provide certification to Council from a Registered Cadastral Surveyor that development condition 1.8 has been complied with.	As part of the request for approval of the Plan of Subdivision.
1.10	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources. Currently, the amount is set at \$44.00 per allotment.	As part of the request for approval of the Plan of Subdivision.
1.11	Undertake the development in one stage.	As indicated.
1.12	Obtain the relevant approvals and remove the sheds shown on proposed Lots 3, 4, 23 and the proposed road reserve.	Prior to the request for approval of the Plan of Subdivision.
1.13	Construct a 1.8m high timber lapped fence along the eastern boundary of proposed Lots 1 and 2, adjacent to Lot 11 RP139821.	Prior to the request for approval of the Plan of Subdivision.
	BUSHFIRE HAZARD	
1.14	Carry out the development in accordance with the recommendations of the Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023	At all times.
1.15	Place by survey on each lot controlled by a development envelope area, survey pegs on each corner or change in direction of the building envelope area after all operational works on the lot have been completed.	As part of the request for approval of the Plan of Subdivision.

1.16	Submit to Council certification from a Registered Cadastral Surveyor that identification pegs for the building envelopes have been placed by survey.	As part of the request for approval of the Plan of Subdivision.
1.17	All development must be contained within the building envelopes as shown on the plan required by Condition 1.2.	At all times.
	SERVICES	
1.18	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the request for approval of the Plan of Subdivision.
1.19	Provide a road connection to Lot 30 SP231305 (or as amended) that connects the development with the adjoining road network. <i>Note: If the Plan of Subdivision is approved for the road link from the property to the south prior to the road being constructed on the subject site, the road on the subject site will need to realign to match the connection.</i>	Prior to the request for approval of the Plan of Subdivision.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	GENERAL	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, landscaping and stormwater drainage required as stated in the following conditions.	Prior to carrying out an assessable operational works.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As indicated.
2.5	Obtain Council approval for the demolition or removal of	As part of

	any existing buildings on site necessary for the approved development to proceed.	Operational Works application.
	OPEN SPACE/PARK/LANDSCAPING	
2.6	Dedicate all land shown as park, open space and drainage on the proposal plan of subdivision as drainage reserve only.	Prior to Council's endorsement of the Plan of subdivision.
2.7	The development site must be landscaped. The works must be undertaken in accordance with an operational works approval.	As part of Operational works for Landscaping Works.
2.8	All entry statements, fences, batters, retaining walls and buffer/screen plantings must be located entirely within private land and not within the public road reserve.	At all times.
2.9	Submit to and obtain approval from Council for a landscape plan prepared by a suitably qualified person that includes landscaping associated with the development.	As part of Operational works for Landscaping Works.
2.10	Provide landscaping onsite in accordance with the approved landscaping plan.	As indicated.
2.11	Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times.	Once established, to be maintained at all time.
2.12	Plant street trees at 15 metre intervals along both sides of each street in each stage. <i>Note: It is recommended the trees are located in a staggered arrangement along the street so they are not directly opposite one another.</i>	Prior to Council's endorsement of the Plan of subdivision for each stage.
2.13	The developer is to prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved by Council. Any amendments approved by Council are taken to be a part of the approved Landscape Plan.	Prior to Council's endorsement of the Plan of subdivision.
	GENERAL SERVICES	
2.14	Connect each lot to a reticulated water supply, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority so that it is available to each allotment.	Prior to Council's endorsement of the Plan of subdivision.
2.15	Provide written evidence (eg connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Council's endorsement of the Plan of subdivision.

2.16	Install hydrant and valve location indicators and where serviced by kerb and channel, place brass markers in the kerb line at each service crossing. (Water, Electricity and telecommunications)	Prior to Council's endorsement of the Plan of subdivision.
2.17	Provide certification from a Registered Cadastral Surveyor that all services (for example, water, wastewater, drainage, electricity, telecommunications) are wholly contained within the lot that they serve.	As part of the request for approval of the Plan of Subdivision.
2.18	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the request for approval of the Plan of Subdivision.
EARTHWORKS		
2.19	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.20	Rehabilitation of dam sites, including methods of construction, management and supervision is to ensure that the site will be suitable for the proposed use. Test results as required and a certificate of quality and uniformity is to be provided by a Registered Professional Engineer Queensland (RPEQ).	Prior to Council's endorsement of the Plan of subdivision.
2.21	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.22	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
2.23	All dams that are across proposed lot boundaries shall be removed.	Prior to Council's endorsement of the Plan of subdivision.
ROADWORKS		
2.24	Install all traffic signs and line markings in accordance with <i>Austroads</i> .	Prior to the request for approval of the Plan of Subdivision.
2.25	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational works application.
2.26	Road reserve and carriageway widths to be in accordance with the <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the

		Plan of Subdivision.
2.27	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Austrroads Guide to Temporary Traffic Management</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works.
2.28	Provide 6m length x 3 No. chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to the request for approval of the Plan of Subdivision.
2.29	Provide a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to Council's endorsement of the Plan of subdivision.
2.30	Provide verge and access in accordance with <i>Somerset Region Planning Scheme</i> .	As part of the lodgement of the Operational Works application.
STREET NAMES		
2.31	Submit a list of road names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council. The proponent is responsible for the cost of road signs and installation. Street nameplates are to comply with <i>Somerset Region Planning Scheme</i> .	As part of the lodgement of the Operational Works application.
VEHICLE ACCESS		
2.30	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.31	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Region Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.34	All vehicles shall enter and leave the site in a forward gear	At all times.
EASEMENTS		
2.35	Dedicate Lot 900 and Lot 902 on the proposal plan of subdivision as drainage reserve only. The reserve is to be dedicated at no cost to Council. The proponent shall prepare all documentation in a form satisfactory to Council's Solicitor.	Prior to Council's endorsement of the Plan of subdivision.

	The land identified as drainage reserve must be rehabilitated and removed of all weed species.	
2.36	<p>Amend Lot 901 to be dedicated as drainage easement in favour of Council over Lot 14. The proponent shall prepare all documentation in a form satisfactory to Council's Solicitor.</p> <p><i>Note: The stormwater basin in Lot 14 will be decommissioned after construction of downstream detention basins within the land to the southeast, currently described as Lot 30 SP231305.</i></p>	Prior to Council's endorsement of the Plan of subdivision.
2.37	Dedicate private land subject to flooding during a 1% Average Exceedance Probability (AEP) or Q100 flood event as an easement or reserve for drainage purposes. The easement or reserve is to be dedicated at no cost to Council. The proponent shall prepare all documentation in a form satisfactory to Council's Solicitor.	Prior to Council's endorsement of the Plan of subdivision.
2.38	<p>Easements are to be provided, in accordance with the current version of the Queensland Urban Drainage Manual, over:</p> <ul style="list-style-type: none"> • all stormwater and interallotment drainage, sized 300mm or greater located within private property. • all stormwater and interallotment drainage that cross more than one property. • all concentrated overland flow paths that cross two or more properties. <p>The minimum easement width to be provided is 3m. Easement widths greater than 3m may vary but must extend to include the flood paths for the Q100 flood flows including provisions for freeboard and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with the current version of the Queensland Urban Drainage Manual (QUDM). The easement is to be dedicated at no cost to Council.</p> <p>All easement documentation shall be prepared by the proponent in a form satisfactory to Council's Solicitor.</p> <p>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</p>	Prior to Council's endorsement of the Plan of subdivision.
	STORMWATER	
2.39	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.

2.40	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.41	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.42	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
2.43	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.44	Attenuate the difference between pre and post developed flows.	As part of Operational Works.
2.45	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.46	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	As part of Operational Works.
2.47	Submit a Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s (including as amended by these development conditions) and <i>Somerset Region Planning Scheme</i> . The SBSMP should include the following: <ul style="list-style-type: none"> • Quantity and quality of stormwater to be released from the development; • All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; • The potential impact of these sources; • Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; • Measures to be implemented to prevent the 	As part of the lodgement of the Operational Works application.

	<p>likelihood of stormwater contamination; and</p> <ul style="list-style-type: none"> Maintenance schedule. 	
2.48	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	Prior to Council's endorsement of the Plan of subdivision.
2.49	<p>Containments or contaminated water must not be directly or indirectly released from the Premises to surface water or groundwater at or outside the premises except for:</p> <p>(c) uncontaminated overland stormwater flow; or</p> <p>(d) uncontaminated stormwater to the stormwater system.</p>	At all times.
	EROSION AND SEDIMENT CONTROL	
2.50	<p>Erosion and sedimentation controls shall be implemented in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> Be required to install additional measures. Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.51	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.52	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.53	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.

	VEGETATION	
2.54	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> iv) Milling; v) Chipping and/or mulching vi) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
2.55	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
2.56	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of the lodgement of the Operational Works application.
SCHEDULE 3 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> .		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the plan of subdivision is not provided to the local government within the 'currency period' – being four (4) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		

The *Aboriginal Cultural Heritage Act 2003* establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.

Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.

Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.

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

Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.

Information about the cultural heritage duty of care is available at qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care

Parts of the Somerset Region are within Fire Ant Biosecurity Zones.

If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (*Biosecurity Regulation 2016*).

If you are unable to do so, you must apply for a biosecurity instrument permit.

Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.

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 Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants

An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.

From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.

Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.

Authorisation to connect the approved development to the water supply and wastewater networks and for property service connections require a Water Approval from the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.

For the approval of a Plan of Subdivision, written evidence from Urban Utilities must be provided to Council to verify that the conditions of any necessary Water Approval have been complied with.

Clearing native vegetation, including native vegetation that is a koala habitat, may require additional permits or notifications that are outside of this Development Approval. The landowner is responsible for ensuring that any clearing undertaken complies with requirements of any State or Federal agencies.

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

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

Carried

Vote - Unanimous

Attachments for the Decision Notice include:

- Subdivision Concept Plan, Drawing No A2 1138, Revision N, prepared by DTS, dated 27 February 2024
- Bushfire Hazard Assessment and Management Plan, Report ref PR23148_BHAMP, Version B, prepared by Green Tape Solutions, dated 21 July 2023
- Ecological Assessment, reference PR23148, prepared by Green Tape Solutions, dated 26 June 2023
- Stormwater Management Strategy, Revision 2, prepared by Spiire Australia, dated 1 November 2023
- Landscape Concept Plan, Drawing No 320484-01 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Landscape Concept Plan, Drawing No 320484-02 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Landscape Concept Plan, Drawing No 320484-03 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Landscape Concept Plan, Drawing No 320484-04 Revision D, prepared by Spiire Australia, dated 26 October 2023
- Plant Palette, Drawing No 320488-05 Revision D, prepared by Spiire Australia, dated 26 October 2023

Subject:	Application for Temporary Entertainment Event – Partici-party from Jungle Events Ltd
File Ref:	Environmental Management/Reports/Environmental Health Reports
Action Officer:	EHO-DB

Background/Summary

Council received a temporary entertainment event application (Doc Id: 1576034) from Jungle Events Ltd to conduct a music festival located at Lot 2 SP228062, Sunday Creek Road,

Jimna. The proposed event is called “*The Partici-party*” and will involve a two-day music and arts festival. It is expected that 500 - 1030 people will attend the event.

The event is proposed to be operated from 9:00am on Friday 12 April 2024 until 12 noon Sunday 14 April 2024. The applicant has advised that the event is a ticketed event with a maximum attendance of 1030 people (patrons 1000 and 30 staff). Camping will be permitted onsite.

Council has granted Jungle Events Ltd approvals to hold similar events in previous years, specifically the Jungle Love festival in 2022 and the Jungle Camp festival in 2023.

The Jungle Love Festival 2022 had a total attendance of 2,234 people. The operator submitted a post-event report to Council which noted that the only incident recorded was of a car accident on Kilcoy-Murgon Road. According to the operator, there were no other incidents which required the attendance of emergency services. Council did not receive any complaints from the community in relation to this event.

The Jungle Camp festival 2023 was of a significantly smaller scale, with a maximum attendance of approximately 500 people. A post-event report was not provided for this event. The operator did advertise the event on the Kilcoy Community Facebook page for concerned residents to contact the operator directly. Council did not receive any complaints in relation to this event.

Council regulates this activity through *Local Law No.1 (Administration) 2011*, and *Subordinate Local Law 1.12 (Operation of Temporary Entertainment Events) 2011*.

Assessment of Application

Under section 9 of *Local Law No. 1 (Administration) 2011*, Council may grant an approval for an application for a temporary entertainment event only if it is satisfied that:

Criteria – LL, Section 9(1)(a)	If the prescribed activity requires a separate approval under an Act, a law of the Commonwealth or the local government's planning scheme—the separate approval has been granted; and
Officer comment	<p>The applicant has advised that BYO alcohol will be allowed at the event. No permit will be required from the Office of Liquor and Gaming Regulation.</p> <p>Council's planning department have advised that there are no planning requirements for this site provided that the use does not occur for more than 7 days in the calendar year. This 3-day event will be the first approval for the 2024 calendar year.</p>
Criteria – LL, Section 9(1)(b)	The proposed operation and management of the prescribed activity is adequate to protect public health, safety and amenity and prevent environmental harm; and
Officer comment	<p><u>Medical</u></p> <p>Council requested comment from the Queensland Ambulance Service (QAS) about the proposed event. QAS have advised that QAS attendance at the event is not required.</p>

	<p>QAS have recommended that the applicant provide a paramedical or nursing level of clinical coverage on site to provide medical response for the duration of the event.</p> <p>The applicant has advised that paramedical coverage will be available on site to provide medical response for the duration of the event. The conditions of approval will require the operator engage a registered paramedic for on-site private medical coverage in order to have twenty-four-hour medical coverage during the event.</p> <p><u>Security</u> The applicant has advised that 3 security officers will be provided for the event.</p> <p>Council requested comment from the QPS (Queensland Police Service) and received a response from QPS that stated, “As per all of these events which sit outside of any legislative arrangements, we will have no input into the internal running of the festival on private land but will continue any operations which we consider necessary to ensure community safety”.</p> <p><u>Post Event Report</u> A condition of approval will require the approval holder to submit to Council, within 14 days of the event, a Post Event Report detailing:</p> <ul style="list-style-type: none"> • Total number of paying attendees, artists and staff; • Any incidents during the event relating to public health and safety and the outcomes of those incidents; • Any incidents during or associated with the event where the Queensland Police Service, Queensland Ambulance Service or Queensland Fire and Emergency Services assistance was required, and the outcomes of those incidents.
Criteria – LL, Section 9(1)(c)	If the prescribed activity is the commercial use of a local government controlled area or road—the grant of the approval is consistent with the objective of the local government of restriction of the commercial use of local government controlled areas and roads, where such activities are permitted, in recognition of the fact that the activities may otherwise enjoy an unfair commercial advantage over competitive activities conducted from fixed premises in the local government area for which rates and other charges are paid, and to which planning and other regulatory legislation applies;
Officer comment	Not applicable.
Criteria – LL, Section 9(1)(d)	The proposed operation and management of the prescribed activity would be consistent with any additional criteria prescribed for the activity under a subordinate local law for this paragraph; and
Officer comment	Subordinate Local Law No.1.12 (Operation of Temporary Entertainment Events) 2011 prescribes criteria for the proposed activity. An assessment against that criterion is provided below.

Criteria – LL, Section 9(1)(e)	The grant of the approval would be consistent with the purpose of any relevant local law; and
Officer comment	The proposed activity is generally consistent with Council's local laws.
Criteria – LL, Section 9(1)(f)	If the application relates to trust land—the grant of the approval would be consistent with the terms and conditions of the trust; and
Officer comment	The subject land is not trust land.
Criteria – LL, Section 9(1)(g)	If the application relates to a prescribed activity mentioned in section 5(b)—the grant of the approval would be consistent with any requirements or criteria specified in the relevant Local Government Act in relation to the approval.
Officer comment	Not applicable.
Criteria – SLL, Section 4(1)	The design and construction of the place of the temporary entertainment event must be safe and appropriate to the nature of the entertainment proposed and the number of people expected to attend the place.
Officer comment	<p>The expected maximum attendance rate for the event is 1030 people (1000 patrons and 30 staff). The event is proposed to be held at Lot 2 Sunday Creek Road Jimna. It is likely that enough space is available to accommodate the expected attendance.</p> <p>Conditions of approval will require the operator to ensure appropriate electrical safety standards are complied with, and that any scaffolding or temporary shade structures are installed by appropriately qualified persons.</p>
Criteria – SLL, Section 4(2)	Entertainment provided at the place must not unreasonably detract from the amenity of the area in which the entertainment is, or is proposed to be, situated.
Officer comment	Due to the location of the proposed event, it is not anticipated that the amenity of the surrounding area will be adversely impacted.
Criteria – SLL, Section 4(3)	Entertainment provided at the place must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood.
Officer comment	<p>The proposed event is likely to generate loud music as part of the entertainment that is provided. Dust and light emissions are expected to be minimal.</p> <p>The applicant has submitted a noise management plan to minimise the potential for noise nuisance. As part of the Noise Management Plan, the applicant has acknowledged that festival music must be inaudible to the nearest neighbouring properties during the nighttime period, as outlined in the conditions of approval (Condition 1.9). The operator has put in place control measures to manage noise on the property, such as positioning speakers to face away from sensitive receptors and raising sub boxes off the ground to reduce the impact of bass noise. The</p>

	operator will also conduct regular sound level readings throughout the course of the event. Given the small scale of the event and the fact that no past complaints relating to noise nuisance have been received in relation to this operator, it is not anticipated that the amenity of the surrounding area will be adversely impacted.
Criteria – SLL, Section 4(4)	There must be enough toilets and sanitary conveniences provided for the event.
Officer comment	The applicant has advised that toilet and shower facilities will be provided based on the ratios required by Council. Sanitary bins will be provided in all female toilets. The toilets will be cleaned and maintained throughout the event by a designated team. Toilet and shower numbers will be conditioned as part of any approval that is issued.
Criteria – SLL, Section 4(5)	Adequate provision must exist for the disposal of waste generated by the use of the place for the temporary entertainment event.
Officer comment	The applicant has submitted a waste management plan as part of the application. The applicant has advised that recycling and general waste bins will be located throughout the site in visible places. The applicant will collect any remaining rubbish after the event has ended. All rubbish collected will be disposed of at a licenced waste facility. The applicant has indicated that a total of 160 bins will be located on site.
Criteria – SLL, Section 4(6)	Adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event.
Officer comment	Council's Operations Department have advised that the event will be operated entirely off the Council controlled road and a desktop review shows an existing access to the area. The road is sealed up to the property entrance to the site. Negative affects to Council's assets are not anticipated. Road signage associated with the event will be conditioned if an approval is granted.

Attachments

- The Partici-party 2024 - Site Plan.
- The Partici-party 2024 - Event Management Plan.
- The Partici-party 2024 - Noise Management Plan.

Recommendation

THAT Council approve the Partici-party from Jungle Events Ltd application subject to the conditions listed below:

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval holder must: <ul style="list-style-type: none"> • Display the approval in the manner, and at the locations, specified by the local government; and • Produce the approval for inspection by an authorised person on demand.

1.2	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.3	The temporary entertainment event is limited to the operation of a music and arts festival with a maximum attendance of 1030 people on Lot 2 SP228062, Sunday Creek Road Jimna, between the hours of 9:00am on Friday 12 April 2024 until 12 noon Sunday 14 April 2024.
1.4	The approval holder must provide the following number of toilets, sanitary conveniences, and showers for the event: Males: 21 toilets; 10 urinals; 14 hand basins; 10 showers Females: 41 toilets; 14 hand basins; 10 showers; 1 sanitary convenience bin per female toilet Unisex: at least 1 unisex toilet for patrons with a disability at each group of toilet facilities
1.5	The approval holder must provide an appropriate number of waste bins that are to be serviced by an appropriately licensed waste contractor. The number of waste bins provided must be sufficient to accept all waste generated by the event, including waste from attendees, event staff, and food vendors.
1.6	The approval holder must maintain insurance that is applicable to the activity including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20 million dollars. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. The insurance certificate of currency must be submitted to Council by Friday 29 March 2024.
1.7	The approval holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval. “Losses” include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.
1.8	The temporary entertainment event must not cause an environmental nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.9	Noise associated with the event must not exceed the following levels at a sensitive receptor: (a) before 7am, if the use causes audible noise; or (b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or (c) from 10pm to midnight, if the use causes noise of more than the lesser of the following— (i) 50dB(A); (ii) 10dB(A) above the background level.
1.10	The operation of the temporary entertainment event must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.
1.11	The approval holder must provide appropriate lighting to all areas of the temporary entertainment event to ensure the safety of the public.
1.12	All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times: <ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.13	The approval holder must ensure that a food licence issued under the <i>Food Act 2006</i> is obtained (to the extent that it is required) by any entities selling food at the event.
1.14	The approval holder must ensure that the temporary entertainment event is run generally in accordance with the application material submitted to Council.

1.15	The approval holder must submit a final version of the Event Management Plan for approval by the Chief Executive Officer by Friday 29 March 2024.
1.16	The approval holder must ensure that the temporary entertainment event is run in accordance with the approved Event Management Plan.
1.17	The approval holder is to provide a contact number for any complaints received during the event and adhere to the complaints management process identified in the Noise Management Plan.
1.18	The approval holder must ensure that all electrical installations or distribution to be utilised for the event is installed and signed off by a licence electrician.
1.19	The approval holder must ensure that the construction of any structures onsite, including temporary stages and shade sails, are installed by appropriately qualified persons holding riggers licences with Workplace Health and Safety Queensland.
1.20	The approval holder must have a minimum of 3 licensed security staff to be available on site at all times for the duration of the event.
1.21	The approval holder must engage a registered paramedic for on-site private medical coverage in order to have twenty-four hour medical coverage during the event.
1.23	The approval holder must submit to Council, within 14 days of the event, a Post Event Report detailing: <ul style="list-style-type: none"> • Total number of paying attendees, artists and staff; • Any incidents during the event relating to public health and safety and the outcomes of those incidents; • Any incidents during or associated with the event where the Queensland Police Service, Queensland Ambulance Service or Queensland Fire Emergency Services assistance was required and the outcomes of those incidents. • The complaints received as per the complaints management process.
2.0	OPERATIONS
2.1	Adequate vehicle access and parking space must be provided on site and should be to an all-weather standard (in accordance with Council Planning Scheme definition). Any directional signage from Kilcoy-Murgon Road must be an approved event sign, in accordance with Council local laws. The directional signage must not be erected sooner than the morning of the event and must be taken down the night after the event is finished.
2.2	Any signs placed on State-controlled roads will require relevant State Government approval/s.

Resolution

Moved – Cr Wendt

Seconded – Cr Whalley

“THAT Council approve the Partici-party from Jungle Events Ltd application subject to the conditions listed below:

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval holder must: <ul style="list-style-type: none"> • Display the approval in the manner, and at the locations, specified by the local government; and • Produce the approval for inspection by an authorised person on demand.
1.2	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.3	The temporary entertainment event is limited to the operation of a music and arts festival with a maximum attendance of 1030 people on Lot 2 SP228062, Sunday Creek Road Jimna, between the hours of 9:00am on Friday 12 April 2024 until 12 noon Sunday 14 April 2024.
1.4	The approval holder must provide the following number of toilets, sanitary conveniences, and

	<p>showers for the event:</p> <p>Males: 21 toilets; 10 urinals; 14 hand basins; 10 showers</p> <p>Females: 41 toilets; 14 hand basins; 10 showers; 1 sanitary convenience bin per female toilet</p> <p>Unisex: at least 1 unisex toilet for patrons with a disability at each group of toilet facilities</p>
1.5	The approval holder must provide an appropriate number of waste bins that are to be serviced by an appropriately licensed waste contractor. The number of waste bins provided must be sufficient to accept all waste generated by the event, including waste from attendees, event staff, and food vendors.
1.6	The approval holder must maintain insurance that is applicable to the activity including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20 million dollars. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. The insurance certificate of currency must be submitted to Council by Friday 29 March 2024.
1.7	<p>The approval holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval.</p> <p>“Losses” include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.</p>
1.8	The temporary entertainment event must not cause an environmental nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.9	Noise associated with the event must not exceed the following levels at a sensitive receptor: <ul style="list-style-type: none"> (a) before 7am, if the use causes audible noise; or (b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or (c) from 10pm to midnight, if the use causes noise of more than the lesser of the following— <ul style="list-style-type: none"> (i) 50dB(A); (ii) 10dB(A) above the background level.
1.10	The operation of the temporary entertainment event must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.
1.11	The approval holder must provide appropriate lighting to all areas of the temporary entertainment event to ensure the safety of the public.
1.12	<p>All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times:</p> <ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.13	The approval holder must ensure that a food licence issued under the <i>Food Act 2006</i> is obtained (to the extent that it is required) by any entities selling food at the event.
1.14	The approval holder must ensure that the temporary entertainment event is run generally in accordance with the application material submitted to Council.
1.15	The approval holder must submit a final version of the Event Management Plan for approval by the Chief Executive Officer by Friday 29 March 2024.
1.16	The approval holder must ensure that the temporary entertainment event is run in accordance with the approved Event Management Plan.

1.17	The approval holder is to provide a contact number for any complaints received during the event and adhere to the complaints management process identified in the Noise Management Plan.
1.18	The approval holder must ensure that all electrical installations or distribution to be utilised for the event is installed and signed off by a licence electrician.
1.19	The approval holder must ensure that the construction of any structures onsite, including temporary stages and shade sails, are installed by appropriately qualified persons holding riggers licences with Workplace Health and Safety Queensland.
1.20	The approval holder must have a minimum of 3 licensed security staff to be available on site at all times for the duration of the event.
1.21	The approval holder must engage a registered paramedic for on-site private medical coverage in order to have twenty-four hour medical coverage during the event.
1.23	<p>The approval holder must submit to Council, within 14 days of the event, a Post Event Report detailing:</p> <ul style="list-style-type: none"> • Total number of paying attendees, artists and staff; • Any incidents during the event relating to public health and safety and the outcomes of those incidents; • Any incidents during or associated with the event where the Queensland Police Service, Queensland Ambulance Service or Queensland Fire Emergency Services assistance was required and the outcomes of those incidents. • The complaints received as per the complaints management process.
2.0	OPERATIONS
2.1	<p>Adequate vehicle access and parking space must be provided on site and should be to an all-weather standard (in accordance with Council Planning Scheme definition).</p> <p>Any directional signage from Kilcoy-Murgon Road must be an approved event sign, in accordance with Council local laws. The directional signage must not be erected sooner than the morning of the event and must be taken down the night after the event is finished.</p>
2.2	<p>Any signs placed on State-controlled roads will require relevant State Government approval/s.</p> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>

Subject:	Planning and Development Department Monthly Report – February 2024
File Ref:	Governance/Reporting/Officer Reports
Action Officer:	DPAD, ESM, SP, NRMO, BRO

Report

A summary of the Department's activities during the month of February 2024 is provided for Council's information.

Planning Development Applications

A total of seventeen (17) development applications were received in February 2024.

Assessment Type	January 2023	February 2023	January 2024	February 2024
Building Works assessable against the Planning Scheme	5	12	8	5
Material Change of Use	4	3	1	9
Reconfiguring a Lot	1	4	1	2
Operational Works	-	3	1	1
Combined Applications	-	-	-	-

Total	10	22	11	17
--------------	-----------	-----------	-----------	-----------

The list of applications received is provided in Appendix 1.

A total of twenty-one (21) development applications were decided in February 2024.

Approved/Refused	January 2023	February 2023	January 2024	February 2024
Refused - Council	-	-	-	-
Refused - Delegated Authority	-	-	-	1
Approved - Council	5	4	1	1
Approved - Delegated Authority	15	10	5	19
Total	20	14	6	21

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

Planning and Environment Court Appeals

Rayland Development Pty Ltd v Somerset Regional Council **Planning and Environment Court Appeal No. BD1370 of 2023**

DA22581 – Reconfiguring a Lot by Subdivision (two lots into 83 lots in five stages) at 60 Millar Road and 169 Fairneyview Fernvale Road, Fernvale
Refused by Council 12 April 2023. Listed for further review on 28 March 2024.



Main Constructions Pty Ltd v Somerset Regional Council **Planning and Environment Court Appeal No. BD1852 of 2023**

DA21509 – Material Change of Use for Intensive Animal Industry (reuse and conversion of a Breeder Poultry Farm (5 sheds) to Free Range Broiler Poultry Farm, including 2 additional poultry sheds) – maximum capacity of 176,130 birds at 57 Zischkes Road, Coominya
Refused by Council 24 May 2023. Listed for further review on 21 March 2024.

FVLH Developments Pty Ltd v Somerset Regional Council **Planning and Environment Court Appeals No. BD1951-54 of 2023**

DA9400 and DA14663 at Muckerts Lane, Fernvale
Deemed Refusals. Listed for further review on 11 April 2024.

Energex Limited v Somerset Regional Council **Planning and Environment Court Appeal No. BD2126 of 2023**

DA21832 – Material Change of Use for a Low Impact Industry, Warehouse and Office and Operational Works for Vegetation Clearing at Highland Street, Esk
Refused by Council 21 June 2023

On 1 March 2024 his Honour Judge Williamson KC ordered that the matter was adjourned until 23 May 2024. The adjournment was made at the request of Energex to afford it time to make its minor change application.

Planning Compliance Matters

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

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

o Vegetation Clearing.

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

Building Development Approvals

A total of forty-six (46) building approvals were issued in the region for February 2024.

Assessment Type: Building Works

Status	January 2023	February 2023	January 2024	February 2024
Accepted Applications	46	58	48	66
Approved - Council	6	11	1	2
Approved - Private Certifier	47	49	45	62

The list of applications approved is provided in Appendix 2.

Building Compliance Matters

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

February 2024:

Unapproved or non-compliant buildings in Lowood.

Unlawful use of a building or structure at Mount Tarampa.

Permit completion reminders have been sent about existing permits in Atkinsons Dam, Bryden, Glamorgan Vale Marburg, Minden and Patrick Estate.



Plumbing Compliance Permits and Inspections

A total of twenty-five (25) plumbing and drainage approvals were issued in the region for February 2024.

Assessment Type: Plumbing Approval

Status	January 2023	February 2023	January 2024	February 2024
Approved	24	28	33	25
Info Request	9	14	9	1
Total	33	42	42	26
Plumbing Inspections	51	76	72	103

The list of applications approved is provided in Appendix 3.

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

Council's plumbing inspectors have continued working through the next phase of the Wastewater Risk Mitigation Program within Mid-Brisbane (Black Snake Creek Catchment).

Twenty-one eligible properties in the Glamorgan Vale area were sent invitations to apply for an upgrade subsidy; eight of which have volunteered for an inspection, with six inspections resulting in the allocation of funding.

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

Environmental Health Services

Food Safety Training



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

Swimming Pool Water Quality Monitoring

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



Mosquito Monitoring



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

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

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

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

Invasive Animal Control

The following is a summary of pest animal control activities for the months: January and February 2024

Wild dogs

1080 baits injected:

	January 2024	February 2024
England Ck Rd	-	20
Mt Stanley	-	198
Moore	-	38
Harlin	126	-
Buaraba	27	-
Total	153	256

**Dingo scalps presented:**

	January 2024	February 2024
Buaraba	3	-
Eskdale	1	-
Redbank Creek	5	-
Kilcoy	-	-
Total	9	-

Feral pigs 1080 baits injected:

	January 2024	February 2024
	-	-
Total	-	-

**Feral pig scalps presented:**

	January 2024	February 2024
Kilcoy	-	6
Biarra	-	-
Total	-	6

Rabbits:

- Officers have been working with landholders to control rabbit infestations in the following areas: Fernvale.
- Officers are continuing to work closely with Seqwater in controlling rabbits around Somerset.

Fox:

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

Invasive Plant Control

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

January 2024:

- **Mother of Millions-** Jimna,
- **Annual Ragweed-** Sandy Creek, Mary Smokes, Toogoolawah, Eskdale, Neurum, Fernvale, Moore, Linville, Gregors Creek, Coominya, Marburg, Glamorgan Vale,
- **Fireweed-** Fernvale, Lowood,
- **Giant rats tail grass** –Sandy Creek, Mt Kilcoy, Esk, Fernvale, Neurum, Gregors Ck, Coominya, Diaper, Kingaham, Moore, Tarampa, Toogoolawah, Glamorgan Vale,
- **Groundsel-** Fernvale, Blackjack Ck,
- **Prickly Pear-** Gregors Ck,
- **Leucaena-** Neurum,
- **Lantana** – Fernvale, Mt Beppo, Marburg, Fulham, Mt Kilcoy, Bryden
- **Council managed infrastructure-** Grass along edge of seal as requested on - Ivory St, Colinton St, Maronghi St, Cemetery Rd, McConnell St, Pryce St, Gardener Street North, Hopkins St, Old Mt Beppo Rd , Angeldale Dr, Huntley Rd, Ostrofski Rd, Beaumont Rd, Sawmill La, Beaconsfield Rd, Highland St, Alpine Ct, Crest Cr, Burnside Cr, Down St, Barbour St, Kelly Cr, Dunlop Rd, Cedar Av, Brough Cr, Latter Lane, Rocky Gully Rd, Hamond Rd, Hine Rd,
- **Element 5-** Kilcoy Murgon Rd, D'Aguilar Hwy Est and West, Brisbane Valley Hwy, Gatton Esk Rd,
- **Element 15-** Kilcoy Murgon RD, Esk Kilcoy Rd, Wivenhoe Somerset Rd, Coominya Connection Rd, Esk Gatton Rd,
- **Lantana mechanical treatment-** 30,000M² / 3 Ha
- **Herbicide applied** – 11,380L.

February 2024:

- **Giant rats tail grass** – Harlin, Colinton, Moore, Toogoolawah, Mt Kilcoy, Esk, Coominya, Lowood, Fernvale, Prenzlau, Wivenhoe Pocket,
- **Leucaena-** Fernvale, Coominya,
- **Annual Ragweed-** Colinton, Crossdale, Brightview, Neurum, Winya, Villeneuve, Sandy Creek,
- **Groundsel-** Sandy Creek, Gregors Ck,
- **Prickly Pear-** Eskdale,
- **Lantana-** Gatton Esk Rd, D'Aguilar Hwy West, Cooeimbardi Rd, Cressbrook Caboonbah Rd, Esk, Langton's Ln
- **Council managed infrastructure-** Esk show grounds cattle yards, Mt Stanley Rd, Gregors Ck Rd, Esk Crowsnest Rd, Glamorgan Vale Rd, Sandy Ck Rd, Mt Beppo Rd,
- **Element 5-** D'Aguilar Hwy East and West, Brisbane Valley Highway
- **Element 15-** Brisbane Valley Hwy, D'Aguilar Hwy, Mt Glorious,
- **Lantana mechanical control-** Too wet for machinery on Roadsides
- **Lantana chemically treated** – 69,300m² / 6.93Ha
- **Herbicide applied** – 37,822L.

Lantana Chemical Subsidy Program

The 2023/24 program commenced on the first of August 2023, with Council receiving 68 expressions of interest to participate in the program in the first month. As a result of the strong response from regional landholders, the first round has closed. A further round of the program may be opened in early 2024 subject to remaining budget allocation.

Compliance under the *Biosecurity Act 2014*:

	January 2023	February 2024
Information notices		3
Biosecurity Orders	-	
Enter and Clear action	-	

Regulatory Services

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

Natural Resource Management

Somerset Flora and Fauna



- Officer attendance at SEQ Local Government Koala Working Group meeting 13 February 2024.
- Further to Council discussion regarding representations about the Esk Flying Fox roost (currently located in South Street), Council officers will liaise with key Landholders to discuss possible mitigation options, in line with Council Policy, and the broader legislative framework.

Catchment Management

- Resilient Rivers Project Updates:
 - Officer attendance and participation into Resilient Rivers strategic planning session for delivery aligned to SEQ City Deal – 19 and 28 February 2024.
 - The revegetation component of the Queensland Recovery Authority funded Recreation Rehabilitation projects along the Mid Brisbane river and Sandy Creek (Esk) have commenced, with a site meeting taking place on 7 February 2024 with appointed contractors. This work will run out to the conclusion of the grant in June 2024.



Collaborations

- Officer attendance at Water Quality workshop with SEQ Councils, to discuss Water quality data needs, formats, and collaborative investment assessment – 7 February 2024.
- Ongoing liaison on consultancy project to assess Council land and reserves for entailed fire risk profiles, and mitigation potential mitigation measures.

Business Recovery Officer



Below is a summary of the Business Recovery Officer's (BRO) activities during the month of February 2024.

General

- Represented Council at the Small Business Friendly Council Roundtable meeting.
- Kicked off the planning phase of the Business Resilience & Recovery Plan with Pheonix Resilience.
- Attended 2 x Trade and Investment Queensland workshops: eCommerce 101; International Social Media Marketing.

Events

- Planning continued for delivery of 'Small Business Boost' events using the LLER grant funding.

Business Communications

- Proactive engagement with State Government agencies, including:
 - Small Business Friendly Commissioners Office
 - Department of Youth Justice, Employment, Small Business and Training
 - Department of Treaty, Aboriginal and Torres Strait Islander Partnerships, Communities, and the Arts
 - Jobs Queensland
 - Department of Trade and Investment Queensland.
- Plus, other peak industry organisations:
 - Healthy Land and Water
 - University of the Sunshine Coast.
- 12 interactions with small business owners, primary producers and/or tourism operators via town walks or workshops.
- Continued efforts to meet and build relationships with local businesses and primary producers.

Somerset Regional Council Grant Finder – February 2024**Total registrations**

7 New registrations

236 Total

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

Total alerts

1,983 Emails sent

136 People with active alerts

Email alerts sent to people requesting specific profile of grants

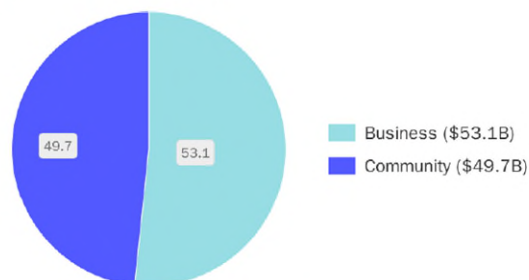
Number of grants on your portal

1,481 grants worth \$63.1B Somerset Regional Council Staff

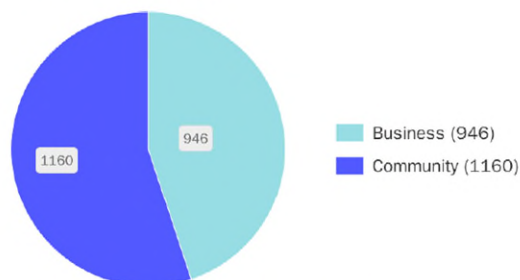
1,456 grants worth \$57.5B External/Public Users (Essentials)

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

Value by category



Count by category



Many programs are for multiple categories. Programs with multiple categories have been counted in each category. The total of these segments will be more than the total available.

Attachments

Nil

Recommendation

THAT the Department of Planning and Development Monthly Report for February 2024 be received and the contents noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Brieschke

“THAT Council receive the Department of Planning and Development Monthly Report for February 2024 and the contents be noted.”

Carried

Vote - Unanimous

Subject: Report of the Audit Committee meeting
File Ref: Audit committee
Action Officer: DFIN

Background/Summary

Section 211 (4) of the Local Government Regulation 2012 requires a written report about the matters reviewed at an audit committee meeting and the committee’s recommendations about the matters to be presented at the next meeting of Council.

The Audit Committee met on 21 February 2024 and focused on reports and plans including the attached strategic internal audit plan and the internal report on information security control environment.

Attachments

Report of the Somerset Regional Council Audit Committee meeting of 21 February 2024
 Strategic internal audit plan by O'Connor Marsden and Associates (FY2025 to FY2027)

Recommendation

THAT the report of the Somerset Regional Council Audit Committee meeting of 21 February 2024 be received and the contents noted.

Resolution

Moved – Cr Whalley

Seconded – Cr Isidro

“THAT the report of the Somerset Regional Council Audit Committee meeting of 21 February 2024 be received and the contents noted.”

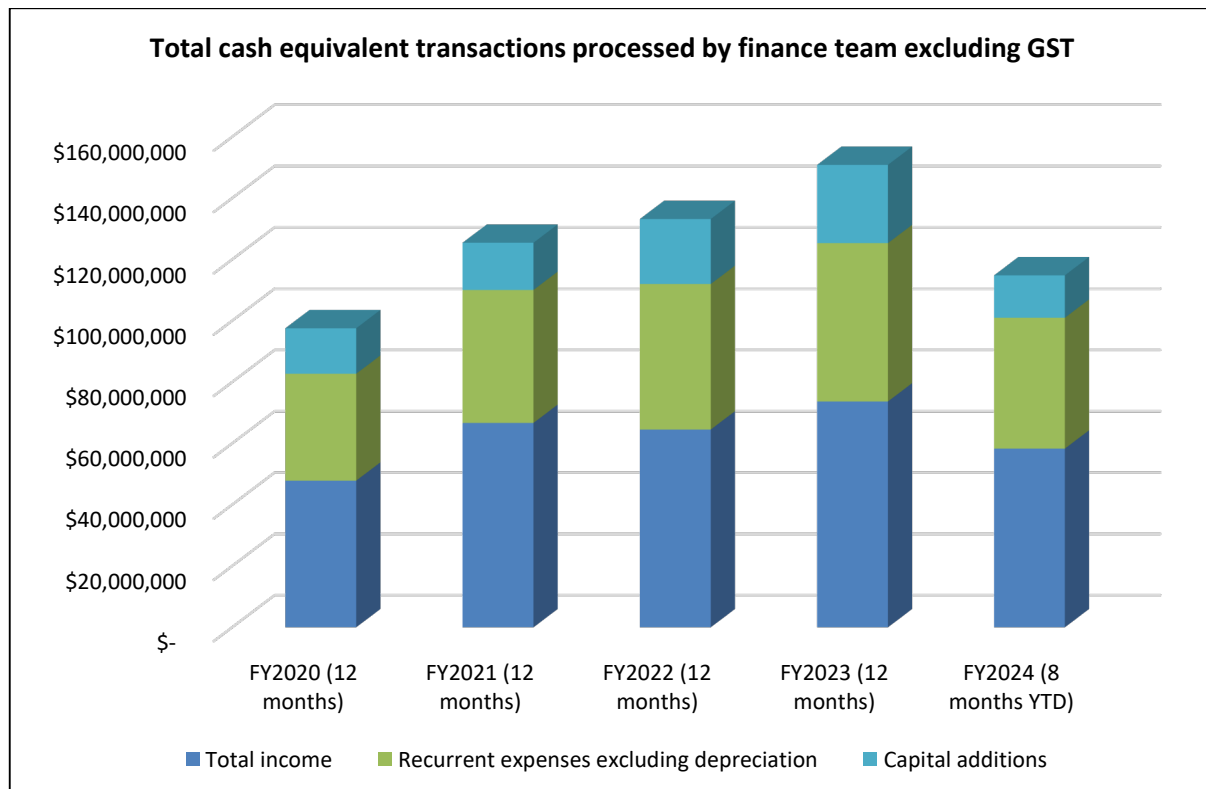
Carried*Vote - Unanimous*

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

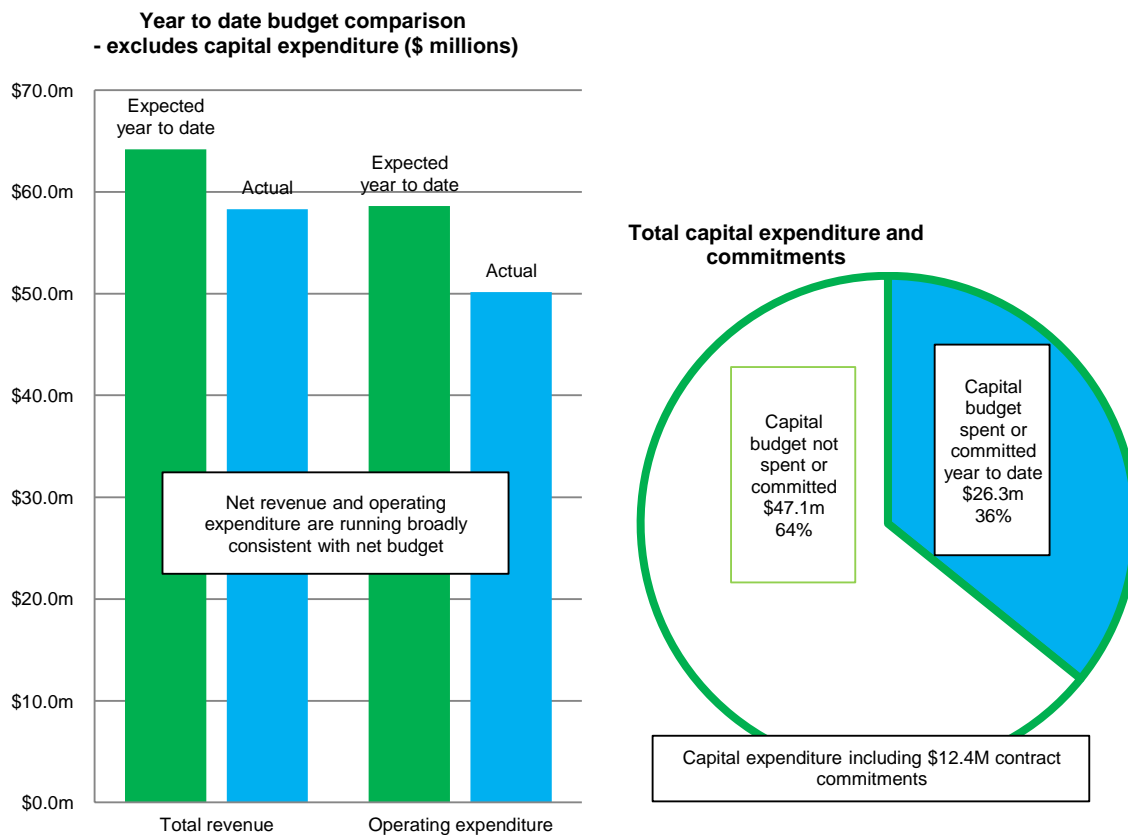
Background/Summary**Financial reports**

Reports for the period 1 July 2023 to 28 February 2024 are attached detailing the progress that has been made in relation to Council's FY2024 budget consistent with Local Government Regulation 2012 s204. The budget used is the revised budget adopted 24 January 2024 rather than the original budget. The revised budget includes significant new capital expenditure such as the \$10M Muckerts/McCulkins Lane upgrade project.

The finance team has processed cash equivalent transactions (excluding GST and depreciation) to date versus previous years as below. Total FY2023 transactions were 55% greater than FY2020 transactions. This represents a 16%+ year-on-year increase in overall activity. Total transactions after eight months of FY2024 are tracking above those of FY2023.

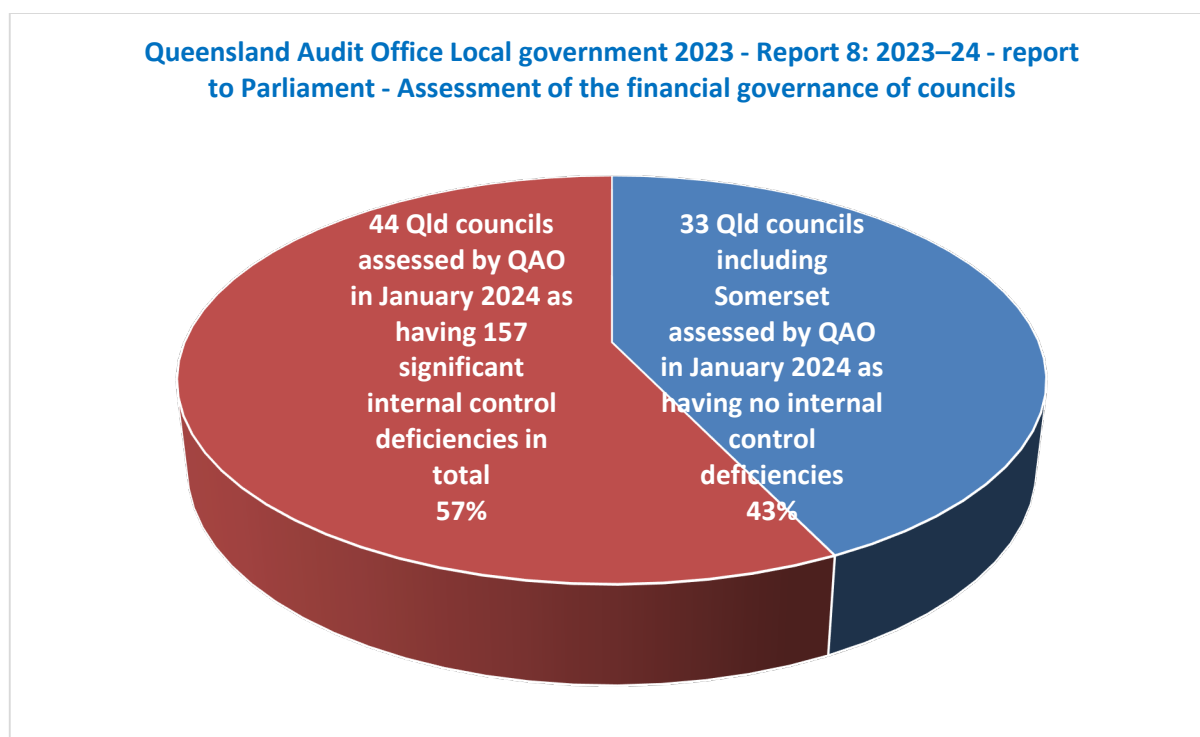


Provisional results for the financial year to date with 66% of the financial year completed are summarised as follows:



Deficiencies in local government financial reporting processes

In its report to parliament published on 29 January 2024, Queensland Audit Office (QAO) Somerset was assessed as having zero significant deficiencies in our internal controls along with 32 other councils. The report shows however that 44 councils had significant deficiencies and amongst these councils, there was 157 significant deficiencies in total. To be clear, QAO found zero deficiencies with Somerset including zero significant deficiencies.



Grants

- Council is awaiting the outcome of funding applications lodged under the Queensland Resilience and Risk Reduction Fund (QRRRF) in October/November 2023. Queensland Reconstruction Authority officers have confirmed that they are still assessing these applications:

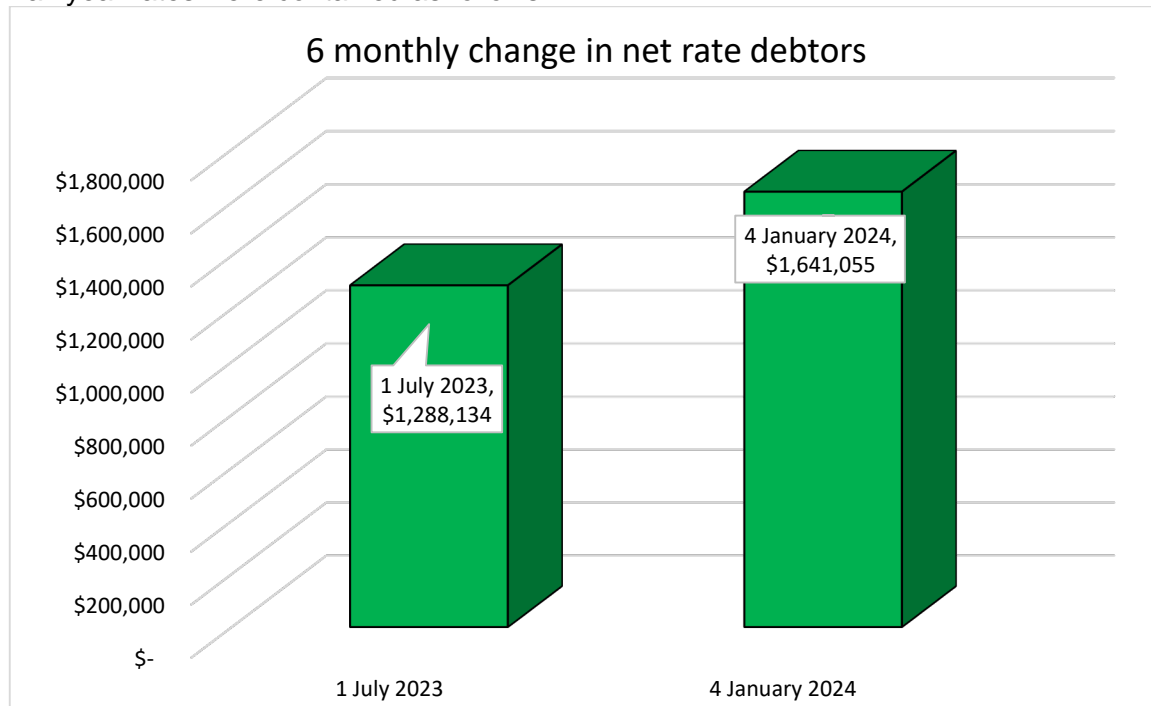
	Project value	QRRRF funding sought
Moore 1A flood/overland flow risk mitigation project	\$303,280	\$151,640
Fernvale 2A flood/overland flow risk mitigation project	\$461,726	\$230,863

- Council is in the process of applying for funding under various competitive programs for projects including replacing streetlights with LED (Commonwealth Community Energy Upgrade Fund), Street tree planting (Commonwealth Disaster Ready Fund Round 2), Toogoolawah Gateway Centre, Toogoolawah Pool upgrade, Kilcoy Indoor Sports Centre upgrade, and Mt Glen Rock recreation facilities (both Commonwealth Thriving Suburbs Program and State SEQ Community Stimulus Program). An application will also be made for Mt Glen Rock under the State Growing Future Tourism Program.
- Council has sought extensions of time on four grant funded projects, in particular because of flood restoration works from the 2022 floods. Council has received approval for the extension of time on the Lake Manchester roads upgrade under the Black Summer Bushfire Recovery grant program. Council is awaiting advice on extensions of time for the Greening Lowood Pipeline project, Lowood-Minden Road (Zabels intersection) project and Esk-Crows Nest Road (Toowoomba boundary section).

Rates

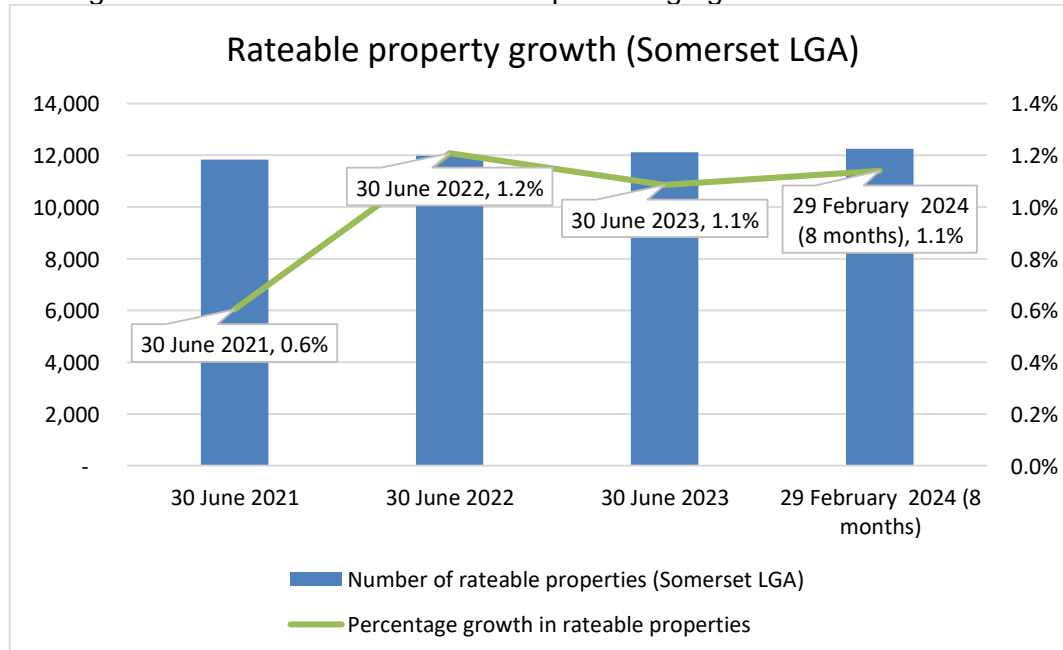
Council issued rates notices on 16 January 2024 with a due date of 2 April 2024.

Council issues rate notices each six months. Total rate debtors prior to the issue of current half year rates were contained as follows:



Growth

Rateable property data provides an indication of regional growth. The total number of rateable properties in Somerset has increased as follows. The percentage growth during the first eight months of FY2024 exceeds the percentage growth of the whole of FY2023.



Investments

Council relies on interest revenue to keep rates at the lowest possible level. The Reserve Bank of Australia rapidly increased its target interest rate from 0.10% on 3 May 2022 to 4.35% on 6 December 2023.

An investment summary is attached detailing interest earnings from Queensland Treasury Corporation (QTC) cash fund and other sources. Council's key long-term investment strategy has been to maintain interest-bearing credit facilities totalling \$53.8 million to Urban Utilities (UU) which helps fund vital infrastructure like Lowood wastewater treatment plant as well as providing mutual benefit to both UU and Council.

These currently carry a combined weighted average interest rate of 3.27%. Interest rates on the UU facilities are reviewed annually by QTC based on the rate resetting formula.

Interest revenue for FY2024 is budgeted at \$318 on average for every rateable property in Somerset. After eight months, actual interest revenue is \$247 per rateable property compared to pro rata budget of \$214 per rateable property.

Road maintenance and flood repairs

Council's 30 most costly road segments including both ordinary maintenance and flood repairs for the year to date were as below.

Costs per linear metre where relevant has been added for context:

Road segment	Cost (\$000's)	Cost per linear metre (\$)
Scrub Creek (flood repairs) 01671Ch1670-Ch1850	199	
Tooloorum Road (flood repairs) 07752Ch3000-Ch6620	131	36
Glamorgan Vale Road (flood repairs) 06311Ch7438-Ch7470	128	
Esk Crows Nest Road (flood repairs) 08911Ch4420-Ch4440	127	
Mount Byron Road (flood repairs) 07927Ch10960-Ch12850	119	63
Kangaroo Creek Road (flood repairs) 03180Ch3220-Ch6820	112	31
Western Branch (flood repairs) 08642Ch22640-Ch25070	96	40
Monsildale Road (flood repairs) 08545Ch1530-Ch3750	91	41
Reinbotts Road Culvert Ch0.4	86	
Stirlings Road (flood repairs) 07785Ch550-Ch3000	82	33
WesternBranchRoad(flood repairs) 08639Ch19880-Ch21920	81	40
Highwood Lane (flood repairs) 07967Ch4490-Ch6690	78	35
Loughrans Road (flood repairs) 05629Ch0-Ch2200	78	35
Hine Road (flood repairs) 01802Ch554-Ch595	77	
Eastern Branch (flood repairs) 08554Ch870-Ch2720	75	41
Banks Creek Road (flood repairs) 05482Ch5040-Ch8210	74	23
Highwood Lane (flood repairs) 07966Ch2630-Ch4490	73	39
Banffs Lane (flood repairs) 05618Ch20-Ch2070	71	35
Larsens Road (flood repairs) 05607Ch3890-Ch5940	71	35
Sim Jue Creek Road (flood repairs) 07758Ch1120-Ch3120	69	34
Glenhowden Road (flood repairs) 08290Ch2430-Ch4480	68	33
Hine Road Ch0.57Hine RdBrNo2	68	
Wanora Road (bitumen) Mtc2762m	67	
Boyces Road (flood repairs) 03548Ch20-Ch2460	66	27
Mount Byron (flood repairs) 07884Ch6040-Ch7480	66	46
Kiernan Lane (flood repairs) 05615Ch20-Ch1560	65	42
Highwood Lane (flood repairs) 07965Ch790-Ch2590	64	35
Linville Road (flood repairs) 04092Ch4822-Ch4823	64	
Grieves Road (flood repairs) 08286Ch5060-Ch7720	63	24
Banks Creek England (flood repairs) 05476Ch240-Ch2910	63	24
Subtotal (\$000's)	2,572	

Special road maintenance/ renewal

In addition to ordinary bitumen road maintenance and flood repairs, expenditure on resealing of bitumen roads is budgeted for FY2024 at \$2.3M. Resealing is a necessary part of the ongoing cost of managing the sealed road network.

Attachments

Financial reports and payment listings

Recommendation

THAT Council receive the financial reports for 1 July 2023 to 28 February 2024 and the report on payments processed from 8 February 2024 to 28 February 2024 totalling \$8,721,846.23 and that the contents be noted.

Resolution

Moved – Cr Whalley

Seconded – Cr Choat

“THAT Council receive the financial reports for 1 July 2023 to 28 February 2024 and the report on payments processed from 8 February 2024 to 28 February 2024 totalling \$8,721,846.23 and that the contents be noted”

Carried





Vote - Unanimous




Subject: Tourism and Promotions Report – February 2024
File Ref: Tourism – Promotions
Action Officer: DCORP










Background/Summary

The following is the February 2024 summary of activities for Somerset Visitor Information Centres (VIC) and the Tourism team members.


Visitor Statistics

	Somerset	Brisbane	Other SEQ	Rest of state	Interstate	International	Total
 Esk VIC	78	30	38	6	10	3	165
 Fernvale VIC	120	80	64	9	5	1	279
 Kilcoy VIC	86	75	169	32	25	23	411
 The Condensery	164	105	47	11	0	1	328

	First	Second	Third
Esk	 Glen Rock Gallery	 Maps and Directions	 Brisbane Valley Rail Trail

Fernvale	 Maps and Directions	 Tourist Drives	 Brisbane Valley Rail Trail
Kilcoy	 Maps and Directions	 Caravanning and Camping	 Outdoor Activities
The Condensery	 Workshops/events	 Exhibitions	 Culture and Heritage

Motivators

Active Volunteers	
Esk	9
Fernvale	22
Kilcoy	9
TOTAL	40

Digital Media**Facebook**

Likes 3.6K (+47)
Followers 4,224 (+20)
Reach 12.5K (-82%)
Engagement 318
Link clicks 23

Website

Page Views: 3848
Visitors: 1481 new, 60 returning
Peak Time: Wednesday, 28 February
Most Popular Pages: Experience Somerset, Events and Markets, and Outdoor Adventure
Device Type: 51% Mobile, 45% Desktop, 4% Tablet

Instagram

1744 (+20)
Reach: 727 (-82%)

Glen Rock Art Gallery (Esk Visitor Information Centre)

Glen Rock Art Gallery's February exhibition was a collection of watercolour works from three local artists entitled "Flow". Works from Shirley Gregor, Sue Howard and Susan Wellingham invite the observer to embark on a journey through the dynamic interplay of watercolours and the blissful state of creative absorption. Reflecting our natural environment in birdlife and

flowers and the life of a stockman, the collection has been popular with locals and visitors alike.

Visitor Information Centre Volunteer Famil

Planning is currently underway for an April famil to the Kilcoy and Jimna region of Somerset.

Trade Shows

The Promotions Officer and Tourism Officer attended the Moreton Bay Expo on 16-18 February 2024. Despite severe rain closing the event early on Friday 16 February, the event continued to be successful with over 13,000 visitors. Tourism Officers handed out over 1,300 visitor guides and various merchandise including tote bags, stress balls and water bottles. In addition, Council will be running a competition to win a prize within the region for those attending the show and gained 1,690 leads for future electronic direct marketing.

Regional Tourism Organisation

Southern Queensland Country Tourism (SQCT) hosted in region sessions in early 2024 to discuss their destination management plan and RTO rebranding with Somerset operators. The second session on the Destination Management Plan for Queensland Country Tourism was held on Tuesday, 13 February with 13 operators from the region attending.

SQCT will run a three-year Event Pathway Program to help community-based events to grow within the region. This program will be run by the Tilma Group with one community group per Council area. Council sought expressions of interest from Somerset community event groups to participate in the program in early January with two expressions of interest received. Council officers are awaiting more information from SQCT to start the program to start in March.

Tourism Operator Development

The advertising prospectus for the next edition of the Experience Somerset Visitor Guide 2024-2025 has been sent to tourism operators. The Guide is scheduled to be released in Autumn 2024.

Regional Event Support and Development 2023-2024

Officers are actively working with event organisers to encourage and support the development of new and existing regional events in 2023-2024, including agritourism, sporting, adventure race events and more.

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

- Queensland Athletics All Schools Cross Country Championships, hosted by the Toogoolawah Golf Club (Toogoolawah Golf Course, 11 May 2024)
- Rogue Escape, hosted by Rogue Adventures (Lake Wivenhoe / Logan's Inlet, 19 and 20 October 2023)

Legends of Beef, hosted by Brisbane Valley Farm Direct and supported by Experience Somerset took place at the Toogoolawah Showground on Saturday, 24 February 2024. The Promotions Officer provided mentor support (event coordination) to Brisbane Valley Farm Direct staff during the lead up to and at the event. With over 250 attendees, the event sold-out and received positive feedback from attendees and the media, including the Queensland Country Life and Lockyer and Somerset Independent.

Marketing Implementation Plan

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

- Actioned: 46 per cent
- In progress: 15 per cent
- To be actioned: 39 per cent

Marketing Campaigns

<i>Campaign</i>	<i>Results</i>
Summer – Let’s Play in Somerset - SQCT Collaborative Marketing “Unearth” Campaign Dates active: 16 – 29 January 2024 -Mix of paid and organic digital content -EDM sent to SQCT database on TBA -Featured blog on SQCT campaign landing page	Awaiting results from SQCT
Moreton Bay Expo Leads Campaign – “Win an Esk-cape to Somerset” Competition Objective: Generate leads for EDM database	Results: 1600 entrants/leads

Other Tourism, Marketing or Advertising Activities

Experience Somerset:

- Participated in Southern Queensland Country’s cooperative campaign with influencers, “We Are Explorers”. The campaign featured Experience Somerset, Brisbane Valley Rail Trail, The Linville Hotel and Rail Trail Refuge. Campaign metrics will be available in the coming weeks.
- Advertised in 2024 Drive Queensland annual publication, widely distributed across Queensland and nationwide at tradeshow, visitor information centres and online. The advertisement provides a QR code link to experiencesomerset.com.au.
- Advertised in 2024 Caravan Parks Directory annual publication, widely distributed in Queensland and nationwide at tradeshow, visitor information centres and online. The advertisement provides a QR code link to the Somerset Caravan and Camping Guide on experiencesomerset.com.au.

Attachments

Nil.

Recommendation

THAT Council receive the Tourism and Promotions Report for the month of February 2024 and that the contents be noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Wendt

“THAT Council receive the Tourism and Promotions Report for the month of February 2024 and that the contents be noted.”

Carried

Vote - Unanimous

Subject:	Corporate and Community Services Monthly Report - February 2024
File Ref:	Governance - Reporting
Action Officer:	DCORP

Background/Summary

Details of the Corporate and Community Services report for the month of February 2024 are as follows:

Records

Documentation – At a Glance – February 2024

Inward/Actioned Documents – 3,481	Outward Correspondence – 1,815
Customer Service Requests - 548	Councillor Requests – 21
Emails Processed by the Records Team	
Corporate Mailbox - mail@ - 9,438	Internal Only Records Email – 11,755
Decision Notices/Workshop Outcomes –	Tender/Quotation –
Decision Notices – 15	Tenders – Tenders Zero (0)
Workshop Actions – 12	Numbered Quotations – Zero (0)

Total Documents Registered for the month of February 2024 – 9287

Email Traffic

Somerset Regional Council mail@somerset.qld.gov.au (Corporate Mailbox)

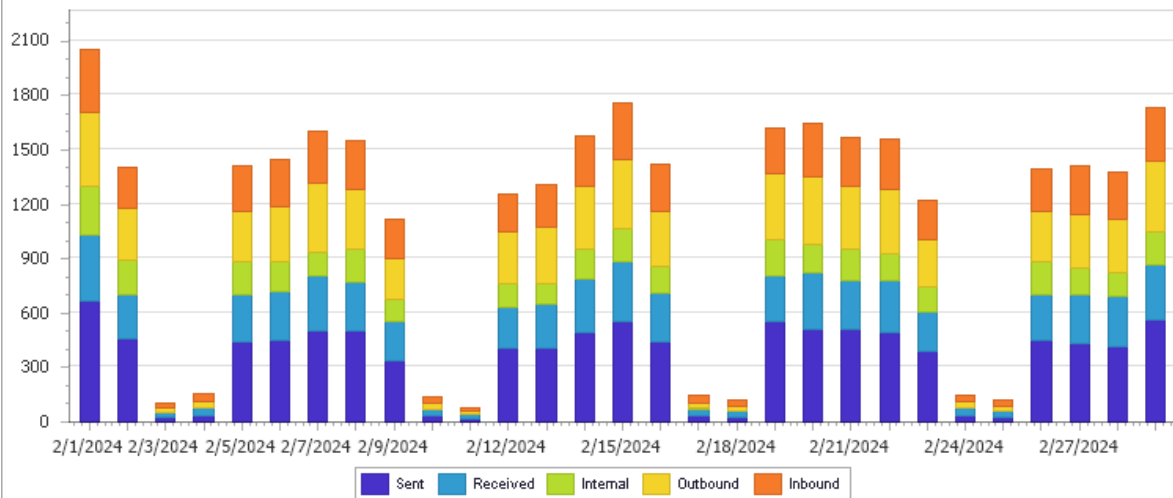
User Traffic Report For:

Somerset Regional Council

Emails between 2/1/2024 and 2/29/2024

Summary

Inbound	Outbound	Internal	Sent	Received
Total Emails: 5801	Total Emails: 7004	Total Emails: 3422	Total Emails: 6016	Total Emails: 10211



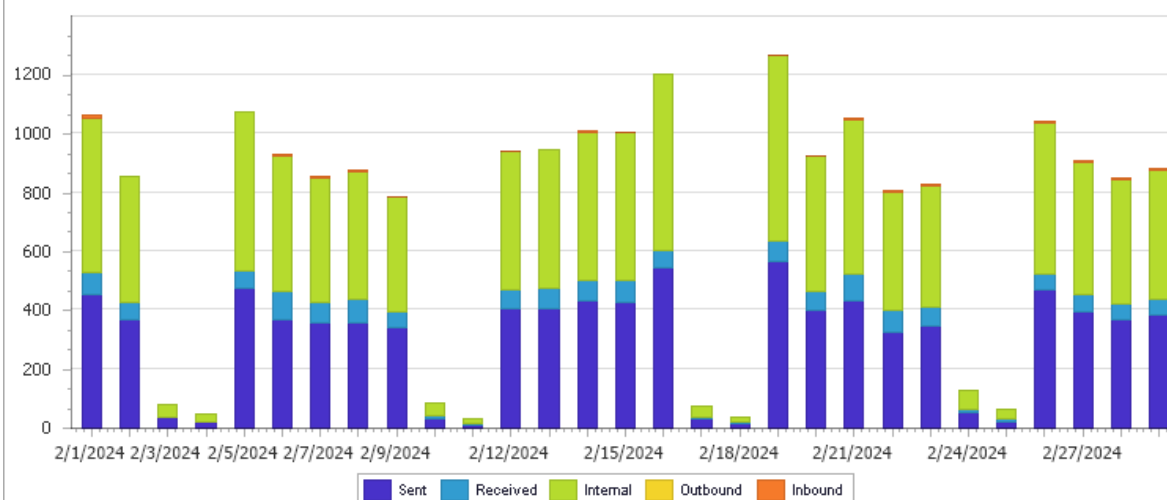
User Traffic Report For:

Records

Emails between 2/1/2024 and 2/29/2024

Summary

Inbound	Outbound	Internal	Sent	Received
Total Emails: 65	Total Emails: 0	Total Emails: 10278	Total Emails: 1477	Total Emails: 8866

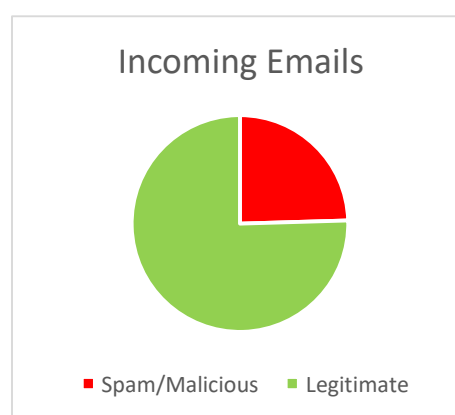
**Information and Communication Technology (ICT)**

As we progress halfway through the first quarter of the year, ICT continues to stay within budgetary considerations and operational requirements for software and infrastructure.

ICT has been migrating most staff back into Esk Admin Building in preparation for reopening on March 4 2024. Following the response to the internal audit ICT has strengthened information systems security policy, some items to note include: the review of existing software and systems, internal security systems, physical and network security.

Cyber Security

Incoming emails have increased by 6.0 per cent over February, with an increase of 1.5 per cent to legitimate emails and 19.9 per cent increase for Spam/Malicious. Phishing emails continue to target Office365, file sharing services and videoconferencing utilities, with several incoming malicious emails received from compromised email accounts at vendors and other government entities including Councils. Periodic phishing tests were conducted by Council to raise awareness for end users, with an 8.4 per cent failure rate for the completed campaign, increasing the necessity for staff ICT awareness training.

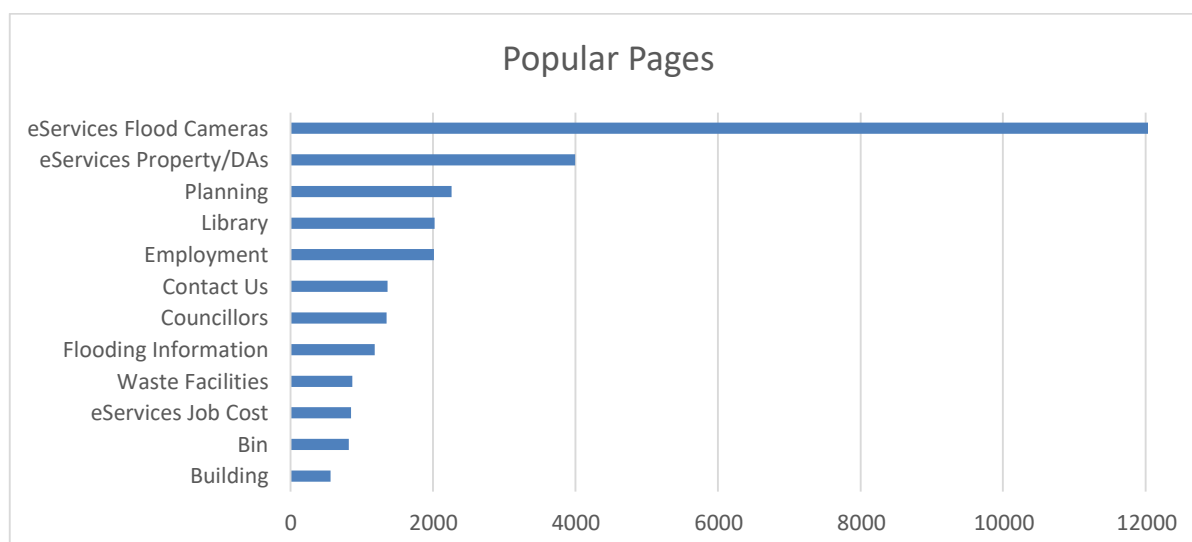


Cyber threats maintain their potency, a major example being the I-SOON Shadow Ops Leak. The leaked data includes personal information such as names, email addresses, physical addresses and phone numbers. Methods of attack vectors vary from: Malware, espionage consisting of custom remote access trojans (RAT's), monitoring devices, vulnerabilities found in X (formerly Twitter) for private messaging and several more. Lastly, reports of I-SOON disguising power banks as data extraction devices, which raises caution when purchasing

powerbank or charging devices in public places. Users are advised to always ensure they are purchasing a reliable charging unit and to not use public accessible USB charging ports as someone may have altered the USB with malicious intent.

Websites

The primary corporate website (somer.set.qld.gov.au) received 40,914 page views for the month, and eServices (eservices.somer.set.qld.gov.au) received 40,956, with a significant decrease in views as there has been no substantial weather for the month creating no major cause for flood camera viewing. Please note that the graph below has been capped at 12,000 for readability.



Governance and Business Improvement

Authorised Persons

Authorised persons are appointed in order to investigate, monitor and enforce compliance with various legislation within the parameters of a local government. As instruments of appointment issued to staff are for a three year period, it was considered prudent from a risk management perspective to review the contents therein on an annual basis (at a minimum, as legislative changes may necessitate more frequent amendments). Consequently, a review of documentation issued to Council's 48 appointed authorised persons has been undertaken and any required amendments actioned.

Delegations

Following Council's decision at the Ordinary Meeting scheduled for 24 January 2024, changes were made to the Delegations Register – Council to Chief Executive Officer. All staff were notified to enable amendments to be made to any proforma forms / correspondence that refer to delegations contained within this register.




Policy Review

Council's existing EX007 Investigation Policy has been reviewed. The proposed updated policy will be presented to Council at a future Ordinary Council meeting.

The Information Services Team have also made significant progress reviewing and revising all Council's policies that relate to Information Management. This draft is being revised to incorporate recommendations made following the recent internal audit of Council's Internal Security Control Environment.

A review of Council's record keeping strategies is also being progressed.

Arts and Culture

		
Attendance at Cultural Venues	Events	Partnerships
8523	85	8

Events*Kilcoy Multicultural Carnival*

Friday, 17 May 2024

The inaugural Kilcoy Multicultural Carnival hosted in May 2023 proved to be very popular with feedback and attendance exceeding expectations. Post event funding was sought to host the event again in May 2024.

The Queensland Department of Environment and Science advised Council on Monday, November 27 2023, that Council had been successful in their funding application and were to receive a \$7,000 contribution towards the event.





The previous sponsor, Kilcoy Global Foods, have committed \$5,000 to the 2024 event and are keen for their employees to form a reference group to assist with planning the event. Based on feedback from the 2023 event, in addition to these performances, the following services will be engaged:

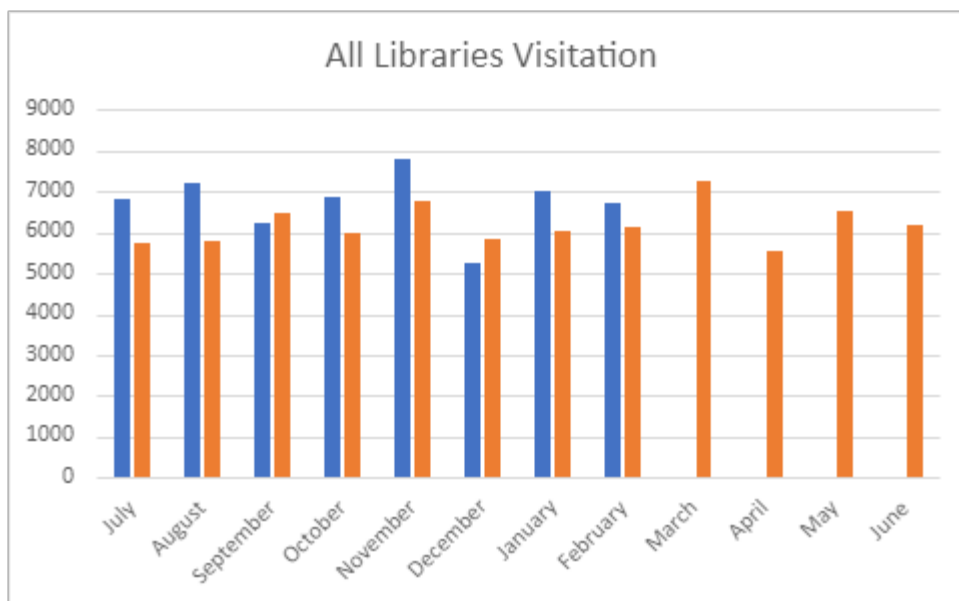
- Piper
- Lion dancers and a martial arts demonstration
- A larger indigenous performance
- African drum circle

The carnival will include a host of food trucks that offer culturally diverse meal options; for example - Italian, Middle Eastern, Thai etc.

Local multicultural community groups have also expressed an interest in attending and setting up a trade table. All options are currently being reviewed.

Somerset Libraries

			
Physical Items Circulated	Visitation	Events	New members
13,733	7,095	44	84







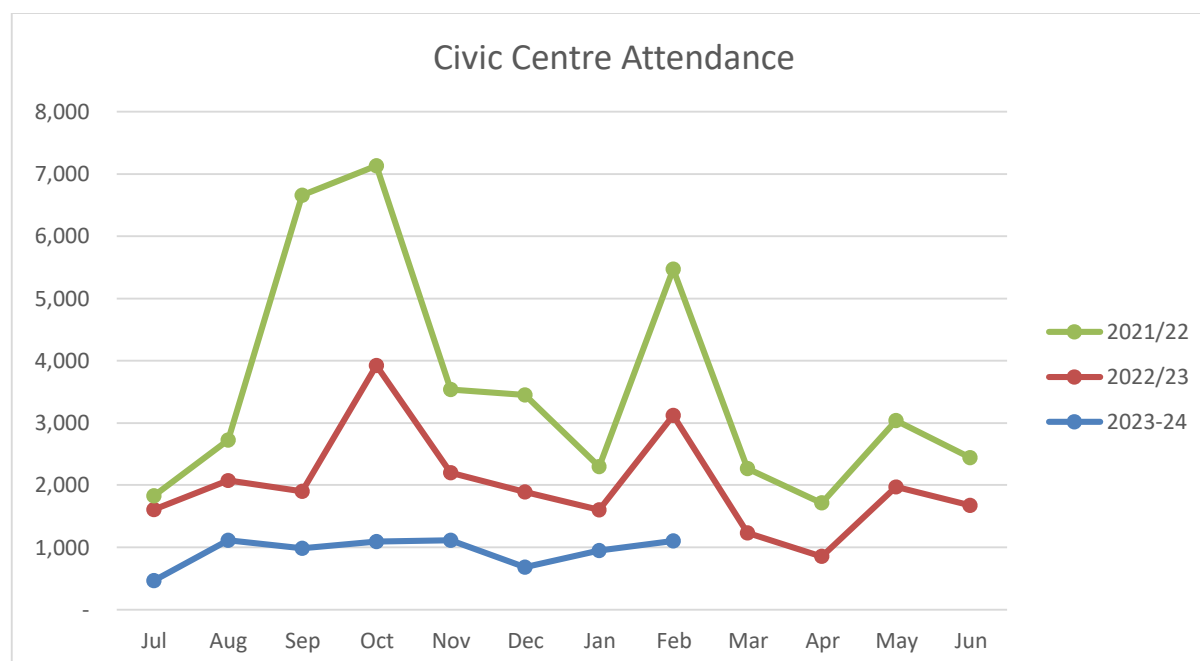
A library Development and Planning day on 6 February gave the entire library team an opportunity to learn about new approaches to customer experience, library programming and the library's digital and online resources. The *creative library* and future directions for libraries were also explored. A number of team members presented on the day and feedback included:

"The day ... has given me a greater appreciation of how we can better serve our community, why this is important and where we are headed towards. I came away feeling informed, empowered and very energised".

Use of Kilcoy (30 per cent) and Toogoolawah (20 per cent) libraries increased during February with Storytime and adult activities recommencing. Libraries also delivered robotics sessions at Kids Quest at the Civic Centre on 24 February. Both children and parents enjoyed playing with Bee-Bots, Ozobots and Lego Robotics. Across the service libraries joined up 17 under fives who received First Five Forever bags as part of their membership.

Somerset Civic Centre

			
Visitation	Private/ Council Events	Programmed Events	Revenue
1,100	28	9	\$2,861






The Somerset Civic Centre held KidsQuest on 24 February. The event was well patronised with 300 attendees across four hours.

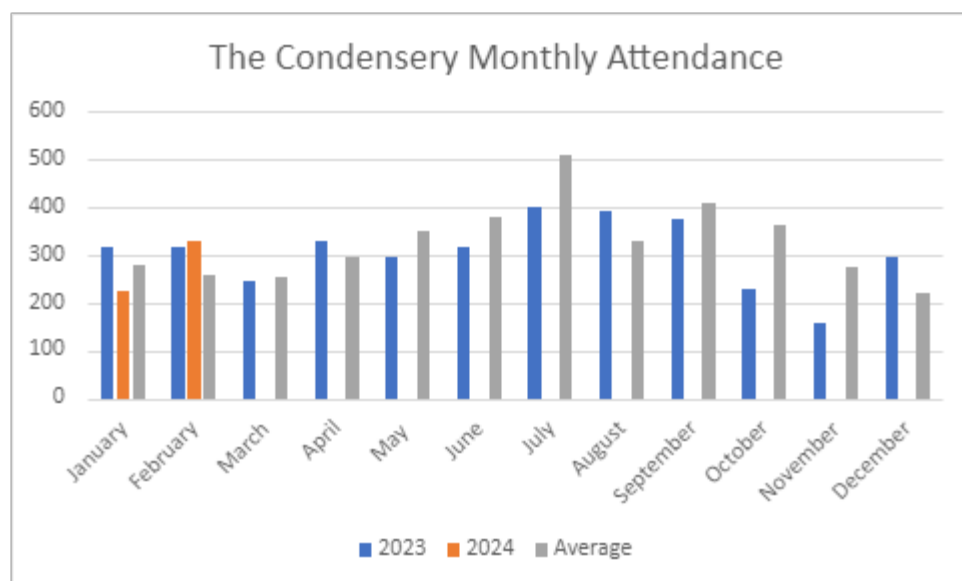
Children's ballet classes continue to be a success with numbers slowly increasing each week.

Program events in development and upcoming advertised events include;

- Morning Melodies: April and August 2024
- Shake & Stir (book week/Shakespeare curriculum): July 12 2024
- Oktoberfest: October 2024
- Speakeasy Cabaret: November 2024

The Condensery

		
Visitation	Public programs	Exhibitions in development
328	4	8



Two new exhibitions: *ām / ammā / mā maram* and *Pilgrimage: Remote Animism & Ornamental Displacements* opened on 24 February. The evening was well attended and received with over 70 visitors in attendance.

Creatives in the Somerset region attended a workshop with Regional Arts Services Network's Regional Arts Officer, Emily Murphy-O'Neill to unlock tips to crafting compelling pitches and proposals for creative projects. The workshop offered local artists the opportunity to upskill and learn how to write artist and artwork statements.

Skill development opportunities continued for the region's artists with a further series of drawing workshops on offer at The Condensery. Artists were taken through exercises which explored the versatility of pen, ink and watercolour. These workshops will directly contribute towards an upcoming exhibition at The Condensery, *A Sketchbook Practice*. This is an exhibition that will showcase sketchbooks by artist Deb Mostert alongside those by artists from the Somerset region.

Youth Engagement and Community Development

February 2024 – Highlights

A range of various providers and services attended Lowood State High School's wellbeing day including Council staff. This event promoted mental health amongst the students. Around 100 students willingly participated in the event and engaged with stall holders.

Termination of Partnership to Deliver Food Relief

In early December 2023, a Memorandum of Understanding (MoU) was signed between the Anglican Church Parish of Esk and Toogoolawah to deliver food parcels to those in need, utilising emergency relief funding provided to Council, through the Department of Treaty Aboriginal and Torres Strait Island Partnerships Communities and the Arts (Department). The food was stored at the former gymnasium building in McConnel Park, Toogoolawah and distributed weekly from the Anglican Church Halls at Esk and Toogoolawah.

The service ran from December through to January, at which time it was reviewed by the Reverend and the volunteers from the multi-faith group Churches Working Together. At the review meeting, it was decided that there was insufficient demand to warrant the time that the volunteers were spending packing, transporting and dispersing the parcels.

In response to this decision, the Community Development Coordinator is now working with the Somerset based St Vincent de Paul volunteer, as an informal intake officer. This will allow a small food parcel to be handed out to Esk and Toogoolawah residents upon intake, which will then be followed up with further support offered by that organisation. Food will also be provided to stock Mercy Lowood Hub's emergency relief pantry (which currently relies on community donations) and Kilcoy Anglican Parish Food Pantry. Food parcels provided by the Department's funding through these services, will be reported through the Somerset Region Support Service's acquittal process.

The MoU between the Anglican Church and Council will now be rescinded due to the cessation of the service. Council Officers will organise correspondence to be sent to the Anglican Church advising them of this next step.

Council Officers will also investigate other potential solutions for the use of the former gymnasium building.

School Holiday Program

The annual Mad Hatters Tea Party has been organised and forms part of the April Holiday School Program. It is being held in Clock Park, Lowood 9am to 12pm on Wednesday, 3 April 2024.

Youth Week

Due to its popularity, the RollaBae disco will be held on Monday, 8 April at the Somerset Civic Centre carpark as part of Council's Youth Week Celebrations.

Noosa Film Academy will be presenting a showcase at the Toogoolawah Pictures on Friday 5 April. The showcase will feature short films created by Lowood, Toogoolawah and Kilcoy State High School. This will then be followed by a showing of a free feature film.

Kilcoy movie night is taking place during the upcoming school holidays held at the Kilcoy Indoor Sports Centre. Families will be able to enjoy a free movie and barbeque.

Somerset Region Support Service

The Lowood Youth Fest, funded through the Department of Health's Tackling Regional Adversity Through Connected Communities (TRACC) funding will be held on Friday, 12 April on the oval of the Lowood State School. This grant was available for projects within the West Moreton Health District. Lowood Youth were identified as the target group for this round of funding. The event is being organised in partnership with the Ipswich Community Youth Service and Council. It will feature an expo focused on youth mental health, fun activities and a concert. The event will run from 11.30am to 5pm and also forms part of Council's Youth Week celebrations.

The first Brisbane Valley and Kilcoy interagency meetings for 2024 were held in person at the Lowood State School and the Kilcoy Visitor Information Centre. The meetings are held monthly from February to November and alternate between in person and virtual. The Kilcoy meeting was very popular with many new services attending.

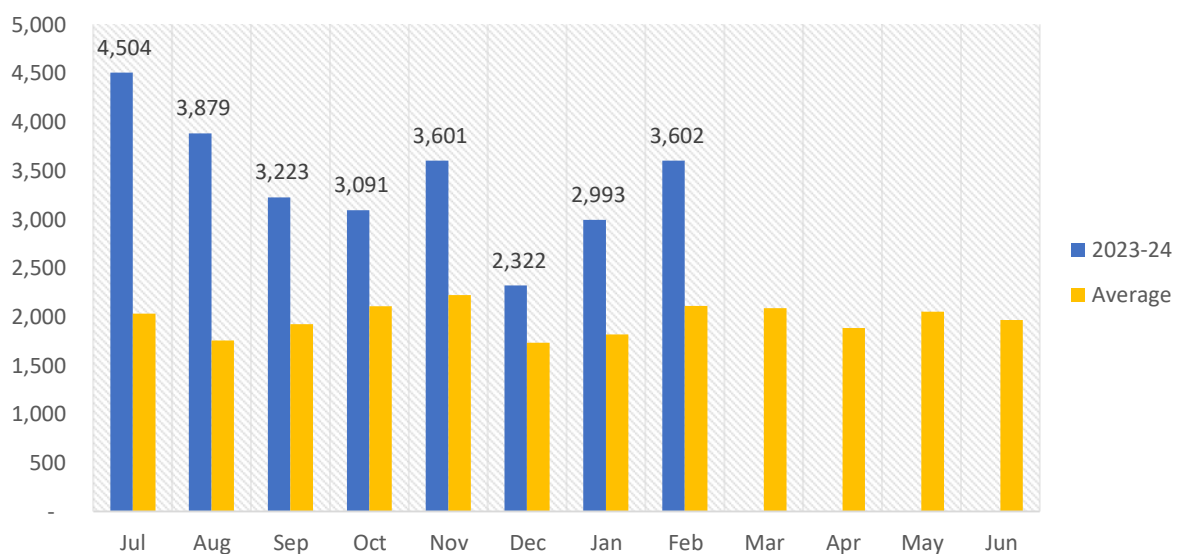
Community assistance for information and referral services or technical support is continuing to be provided on Monday at Stepping Stones Esk and Friday at the Lowood Library. The new dedicated number for the Somerset Region Support Service is 5424 4088, allowing residents to connect directly with the service.

Sport and Recreation

The following contains an overview of Sport and Recreation facilities, programs and projects for the month of February 2024.

Fernvale Indoor Sports Centre (PCYC Fernvale)

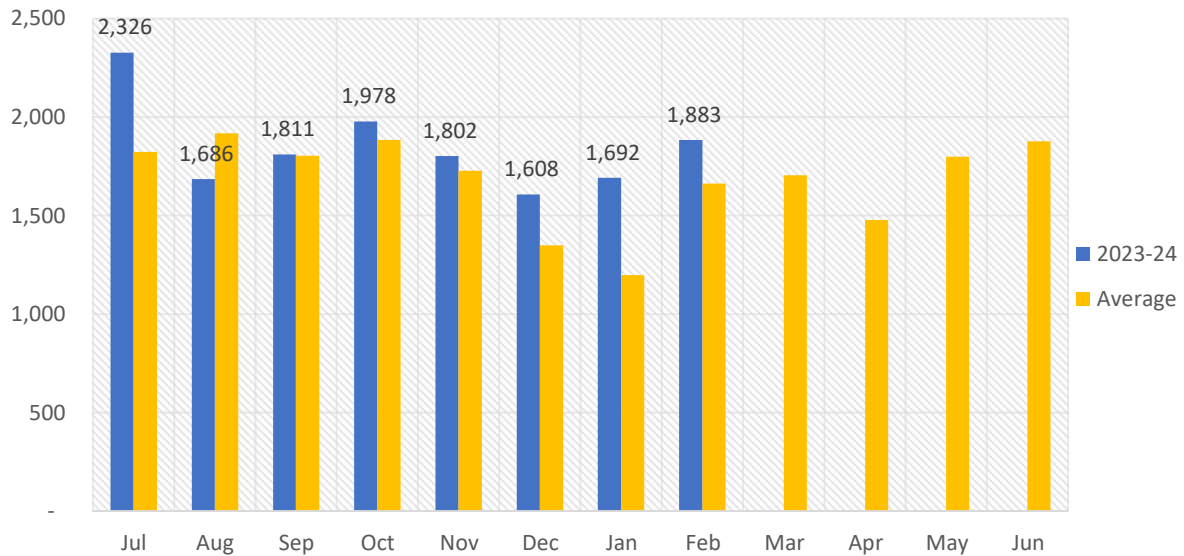
- Monthly Attendance Record for February (3,602)
- Comparative to Monthly Historical Average – POSTIVE +1490 (Average – 2112)
- Gym Membership Change +64 (Current Membership – 975)
- Boxing After Dark commenced in the updated boxing space
- One person received their provisional licence through the Brake the Cycle program
- 217 participants in Gymnastics and Little n Active Program
- Launch of Queensland Police Service intervention program Project Booyah
- Three minor incidents – no further action required by Council



Graph: Monthly Attendance of the Fernvale Indoor Sports Centre - 2023-24 versus Average

Kilcoy Indoor Sports Centre

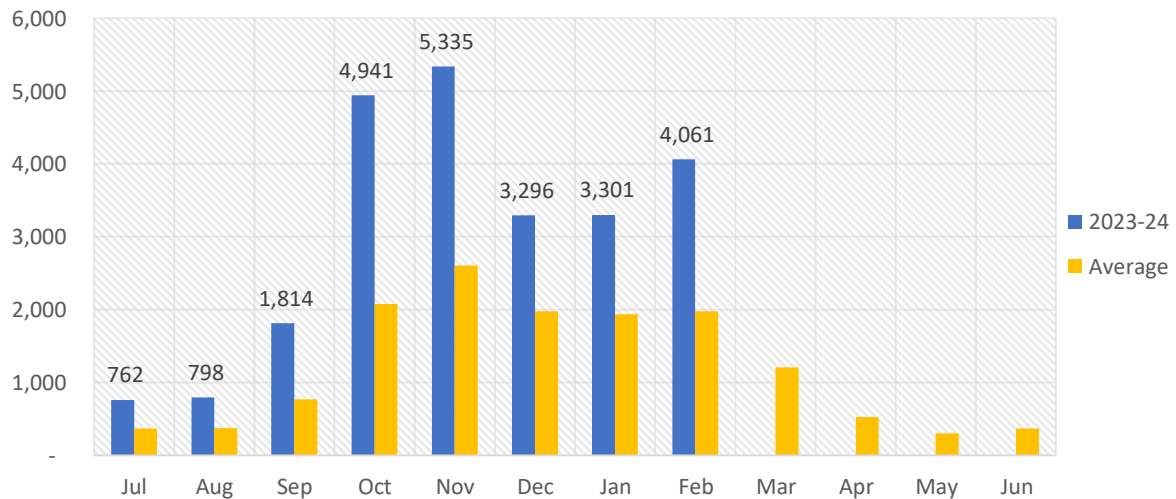
- Comparative to Monthly Historical Average - POSTIVE +220 (Average – 1,663).
- Gym Membership Change – NEGATIVE -5 (Current Membership –105).
- Army Cadets and All Ability programs continue to grow.
- Expected launch of men's support group.
- Hosted Meet the Candidates Evening.
- No incidents to report



Graph: Monthly Attendance of the Kilcoy Indoor Sports Centre - 2023-24 versus Average

Toogoolawah Swimming Pool And Community Gym

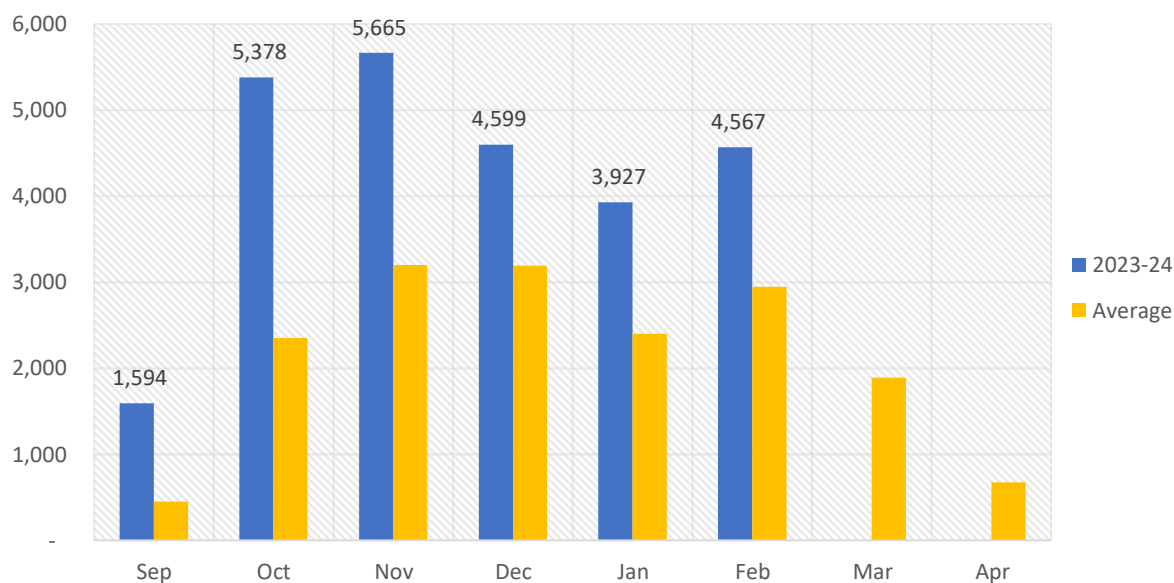
- Monthly Attendance Record for February (4,061)
- Comparative to Monthly Historical Average – POSTIVE +2,083 (Average – 1,978)
- Gym Membership Change – POSITIVE +14 (Current Membership - 71)
- Relaunch of Laps for Life Program
- Hosted Toogoolawah State High School Swimming Carnival
- No incidents to report



Graph: Monthly Attendance of the Toogoolawah Swimming Pool and Community Gym - 2023-24 versus Average

Lowood Swimming Pool

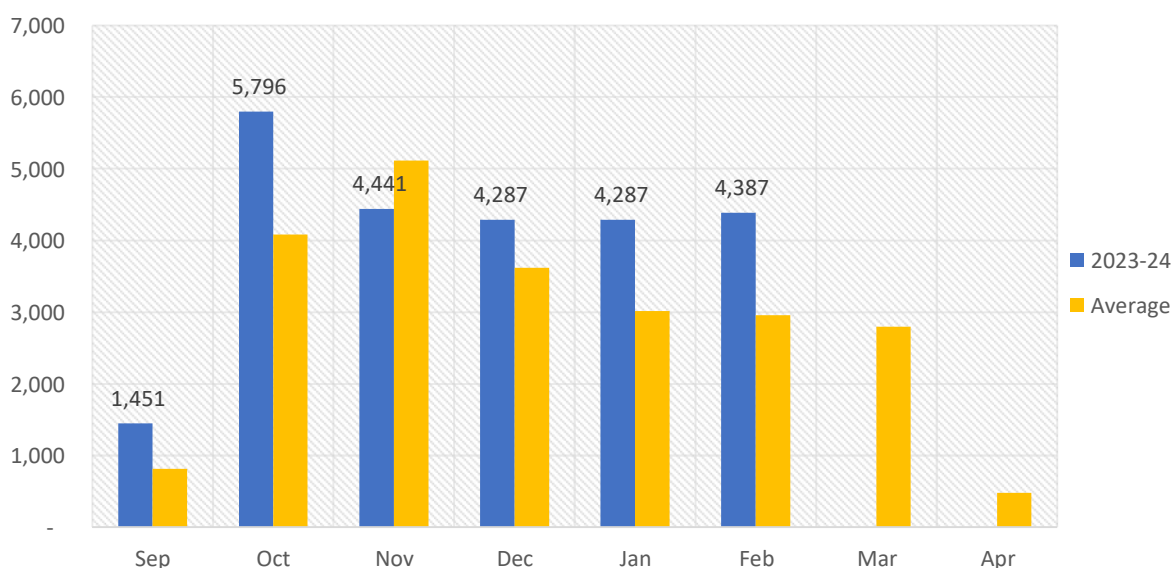
- Monthly Attendance Record for February (4,061)
- Comparative to Monthly Historical Average – POSTIVE +1,621 (Average – 2,476)
- Lowood Swimming Club growing in numbers on Wednesday nights
- Hosted Lowood State High School Swimming Carnival
- Learn to Swim participants passed 200
- Four minor incidents – no further action required by Council



Graph: Monthly Attendance of the Lowood Swimming Pool - 2023-24 versus Average

Kilcoy Aquatic Centre

- Comparative to Monthly Historical Average – POSTIVE +1,427(Average – 2,960)
- Hosted 223 students at the Kilcoy State High School Swimming Carnival
- Swimming club participants reached 210
- Kilcoy Aquatic Centre to host of 'The Valley Championships' in March
- No incidents to report



Graph: Monthly Attendance of the Kilcoy Aquatic Centre - 2023-24 versus Average

Sport & Recreation Highlights and Projects

- Sport and Recreation Officers have continued to work with Lowood State High School and the Songline Skateboarding team on the delivery of a skateboarding program at the school. Council received a First Nations Sport and Recreation grant from the Queensland Government (Department of Tourism and Sport) to run the program, which involves 10 first nations students working with an indigenous skateboarding team to build and paint their own skateboards and learn how to skate over a nine-week program.

- Work continued on the Queensland Reconstruction Authority Emergency Response project to repair and upgrade the irrigation system at the Hopetoun Sports Fields. The works will be delivered in collaboration with the Kilcoy District Football Club, also known as the 'Kilcoy Yowies'. Upgrade and repair works will include installation of a second pump to ensure sufficient water supply to the facility for irrigation purposes along with a fully automated system. Works are expected to be completed before the start of the rugby league season.
- Works commenced on the installation of an irrigation system and field refurbishments (including the installation of new goal posts) at the Esk Football Grounds. The project is expected to be completed in May. The project is co-funded by the Queensland Government through Minor Infrastructure Program, which is administered by the Department of Tourism and Sport.
- A prestart meeting was held for the Brisbane Valley Soccer Clubhouse Extension project in late February 2024, at the Lowood Recreational Complex. The project will include the construction of new toilets, including disabled toilets, and changerooms. Works are expected to commence in March and be completed in June 2024. The project is co-funded by the Queensland Government through Minor Infrastructure Program, which is administered by the Department of Tourism and Sport.

Attachments

Nil

Recommendation

THAT Council receive the Corporate and Community Services monthly report for February 2024 and the contents be noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Whalley

“THAT Council receive the Corporate and Community Services monthly report for February 2024 and the contents be noted.”

Carried

Vote - Unanimous

Subject:	Operations Report for February 2024
File Ref:	Governance – Reporting – Officer Reports
Action Officer:	EAO

Background/Summary

Details of the Operations report for the month of February 2024 are as follows:

Engineering Services Team

The Engineering Services Design Team is finalising its design delivery for the 2023-2024 budget design program, with designs being readied for issue or finalised for the following Capital Works project(s):

- Graham Road, Fernvale.

The team also continued work with external consultants to progress designs for the projects below:

- Fulham St, Toogoolawah. Contour Consulting Engineers - design 80% completed and under review;

- Muckerts and McCulkins, Vernor. Engeny - concept design 25% complete;
- West Road / Patrick Estate Road, Patrick Estate. GHD works in progress;
- Clive St, Fernvale. NK Transportation - concept design 50% complete; and
- Lowood to Tarampa Footpath, Tarampa. Projex Partners - concept design 50% complete.

These design projects are expected for design complete and delivered by June 2024.

The team continues to provide engineering support to the works department on several construction projects such as:

- Esk Crow Nest Road Stage 2;
- Brown Street, Kilcoy; and
- Railway Street, Lowood.

The Engineering Services Team provided engineering development advice to the Planning Department with assessment and applicant responses to Operational Work applications with two (2) new operational works applications being properly received in February.

The Engineering Services Team are working with the City of Moreton Bay Council and external consultants on the multi criteria options analysis of the Woodford to Kilcoy Rail Trail.

There have been no operational development projects which commenced construction in February.

The team continue to note the current major developments currently within the "On Maintenance" period and those due to come "Off Maintenance" within the next 12 months include:

- Clarendon Road, Stage 1 of 88 lot subdivision – under construction;
- Windsor Drive, Mount Hallen Stage 5C - under construction;
- Parklands at Clarendon Stages 2D & 2E - On Maintenance;
- Pine Tree Hill, Kilcoy Stages 3 to 6 - On Maintenance; and
- Overlander Avenue, Kilcoy – On Maintenance.

The Engineering Services Parks and Gardens Team continues to oversee operations in the area with the recent rainfall making the mowing crew extremely busy undertaking mowing in the region's towns, parks, and cemeteries. The team continues to focus on major parks and Town CBD's and is working additional hours and has engaged mowing contractors since November to assist the team with the bumper growing season.

The Engineering Services Facilities Team continue to undertake maintenance on all Council Buildings and assist in the delivery of the 2024 / 2025 capital works budget.

Traffic counter have undergone repairs in February therefore no traffic counter data is available for February.

This team provide continual assessment of Council infrastructure to ensure our information remains current within our asset and GIS systems, with all signage requirements being reviewed within our main town areas as well as overseeing works within road reserve applications, property access applications and heavy vehicle permits.

Feb-24 Feb-23

Land Access Permit	29	38
Property Access Applications	29	7
National Heavy Vehicle Regulator Permits Processed	8	4

The Engineering Services Team have continued inspections of Council Road assets with an inspection of flood recover projects and asset system updated to ensure council records are current.

Works Team

Projects Commenced in February:

- Lowood Minden Road, Minden. Milleski Road to Oscar Road, Zabels Road North intersection upgrade (*Brown Contractors*).
- Lowood State School, Lowood. New pathway along Peace and Prospect streets to connect to BVRT (*A&M Civil*).
- REPA Esk Region. Flood restoration works on drainage structures (*A&M Civil*).

Completed Projects in February:

- REPA Fernvale Region. Flood restoration works on unsealed roads (*A&M Civil*).
- REPA Hine Road Bridge, Lake Wivenhoe. Major substructure rehabilitation and flood restoration works (*Timber Restoration Service and SRC*).
- Waverley and Sheppards Road, Lake Manchester. Stage 1, road widening and sealing (*A&M Civil*).
- REPA Sandy Creek Crossing, Esk. Reconstruct low level stream crossing, including approaches to crossing and crossing structure. Undertake reinstatement of trail surface to Hassall Street and adjacent connectivity. Targeted seeding / vegetative securing of crossing and associated riverbank/s (*Moore Tippers*).

Projects underway:

- Royston Street, Kilcoy. Replace footpaths, kerb & channel sections and reseal between Mary and Rose Streets.
- Stanton Street, Kilcoy. Intersection works with Royston Street, kerb & channel and reseal.
- Kilcoy Transfer Station, Kilcoy. Capping of landfill and reconstruction of transfer station.
- Murrumba Road culverts, Murrumba. Replace existing corrugated structures with concrete culverts.
- Prenzlau Road, Prenzlau. Pavement widening.
- Esk Crows Nest Road, Eskdale. Stage 2, sealing Strategic Regional Connector to Toowoomba Boundary section.
- Clarendon Road, Lowood. Rehabilitate and widen to 9m road from O'Reillys Weir Road to Wyatts Road (*A&M Civil*).
- Waverley and Sheppards Road, Lake Manchester. Stage 2, road-widening and fire exclusion zone (*Sam's Tree Services, A&M Civil*).
- Wells Street, Linville. Pathway and parking improvement at Linville State School.

- Railway Street, Lowood. Pathway from Station St to Prospect St. Includes removal of Leopard trees and replace K&C sections.
- Savages Crossing, Fernvale. Reinstall carpark surfaces, replace bollards and signage. Install flood boom gates on approach roads – all works completed except boom gate installation and re-vegetation (*A&M Civil*).
- Twin Bridges, Fernvale. Reinstall carpark surfaces, replace bollards and signage, re-align site access gate/arrangements. Install flood boom gates on approach roads – all works completed except boom gate installation and re-vegetation (*A&M Civil*).
- Burtons Bridge, Borallon. Reinstall carpark surfaces, replace bollards including re-alignment of exclusion measures to better manage launch access point/s to the river. Install flood boom gates on approach roads – all works completed except boom gate installation and re-vegetation *A&M Civil*.
- Kilcoy Depot, Esk Depot, Lowood Depot. Safety, security, and legislative improvements (*various contractors*).
- REPA Esk Region. Flood restoration works on unsealed roads (*A&M Civil*).
- REPA Jimna / Monsildale Region. Flood restoration works on unsealed roads (*CPM*).
- REPA Kilcoy Region. Flood restoration works on unsealed roads (*CPM*).
- REPA Kilcoy Region. Flood restoration works on drainage structures (*CPM*).
- REPA Fernvale / Glamorgan Vale Region. Flood restoration works on drainage structures (*A&M Civil*).
- REPA Coominya / Esk Region. Flood restoration works on drainage structures (*A&M Civil*).
- REPA Harlin / Mt Stanley Region. Flood restoration works on drainage structures (*Brown Contractors*).
- REPA East Wivenhoe Region. Flood restoration works on drainage structures (*CPM*).
- REPA Toogoolawah Region. Flood restoration works on unsealed roads.
- REPA Toogoolawah Region. Flood restoration works on drainage structures (*Dully's Home Design and A&M Civil*).

Ongoing projects:

- Mowing and slashing works on Council roads;
- Crews continue to respond and complete CSR's;
- General maintenance of Council's civil infrastructure.

Works being carried out by Contractors.

- As noted above

Department of Transport and Main Roads (TMR) Works

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

- Repairing potholes throughout the TMR network;
- Slashing grass on road shoulders and manage vegetation.
- Repairing signs and guideposts and upgrade guide signs.
- Chemical herbicide spot spraying.
- Guardrail repairs.
- After hours callouts.

- Surface drain works.

Council continues to advocate for increased maintenance funds to service the state controlled road under the Road Maintenance Performance Contract.

REPA Works

A total of 69 submissions have been lodged with QRA for Reconstruction of Essential Public Assets. The categories for the submissions are Unsealed Roads, Sealed Roads, Drainage, and Individual Sites (e.g., bridges and landslips). All submissions have been assessed and approved. The submissions have been bulked up into 46 packages. The assistance by the Queensland Reconstruction Authority (QRA) is acknowledged.

Drainage packages are progressively being documented to enable calling of quotations. This will be followed by Sealed Roads packages and Individual Sites.

All works are required to be completed by the end of June 2024 and while Council is working towards this end we are keeping the Queensland Reconstruction Authority informed of our progress, especially the more complex individual sites e.g. Scrub Creek Road bridge betterment project.

Summary	No.	Percentage
Total SRC Package (works done by SRC)	10	22%
Total External Package (Contract works by contractors)	36	78%
Total No. of Packages	46	
Procurement Progress		
Contract Awarded (incl SRC)	35	76%
RFQ under assessment	3	7%
RFQ out to market	3	7%
RFQ Outstanding	5	10%
Construction Status		
Not Started	11	23.9%
0-50% Completion	20	43.5%
At 100% Completed	15	32.6%
Forecast / Actual Completion		
Before 30/06/24	43	93.5%
After 30/06/24	3	6.5%
Acquittal Status		
At Acquittal	9	19.6%
Outstanding	37	80.4%

Flood Restoration Expenditure

	FY22	FY23	FY24	Total
--	------	------	------	-------

TOTAL	\$4,312,179	\$7,141,230	\$16,750,873	\$28,204,282
-------	-------------	-------------	--------------	--------------

Workshop – Mechanical

- Completed repairs, services, and scheduled maintenance of Council fleet;
- Annual B services on all council and SES trailers have been started;
- One new replacement lease vehicle arrived;
- Lots of maintenance on all mowers and slasher with a very heavy mowing season;
- P.597 Fuso water truck had a damaged radio screen which required the whole radio to be replaced;
- P.619 Noremat Reach Mower cutting rotor has been bent after hitting a large rock, a replacement rotor has been fitted and is ready to be fitted back onto the tractor;
- P.503 Isuzu truck from repair crew had a replacement radiator and cooling fan fitted, both where damaged when the truck was driven through flood waters;
- P.598 Fuso water truck repair intake snorkel after it hit the roof above the wash bay at the Esk depot.

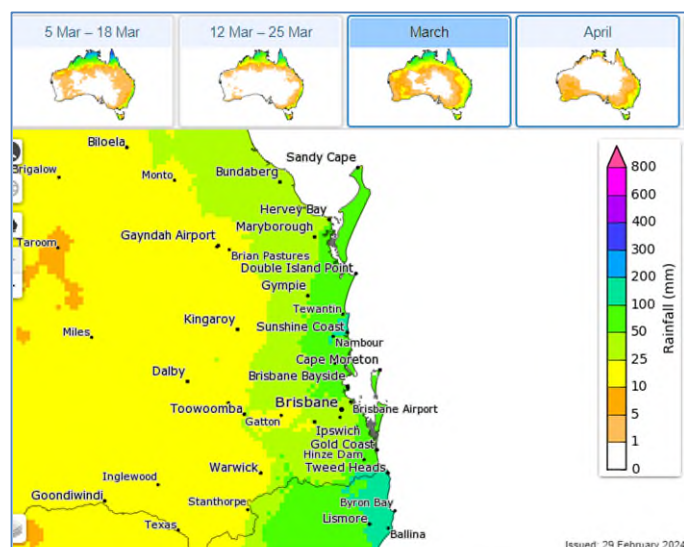
Workshop – Fabrication

- Welding bay has been carrying out various repairs to Council fleet as well as repairs to other various council assets around the region, such as handrail, park furniture, etc.;
- Welders have fabricated and installed a new handrail for Gunyah Toogoolawah;
- Welding bay has fabricated new stainless-steel pins for toilet roll holders for Yowie Park Kilcoy, the old ones were stolen;
- P.686 fabricate new hand washing water tank for this tractor, old water tank was damaged after being hit;
- P.519 Isuzu Ausroads truck repair cracks in spray bar support brackets;
- Carry out various repairs on some playground equipment;
- Carry out repairs to gates in the cattle yards at the Kilcoy Show Grounds;
- Fabricate replacement guard rail post for damaged guard rails on various bridges in the region once these are fabricated the will need to be galvanised. This work should be complete early next month.

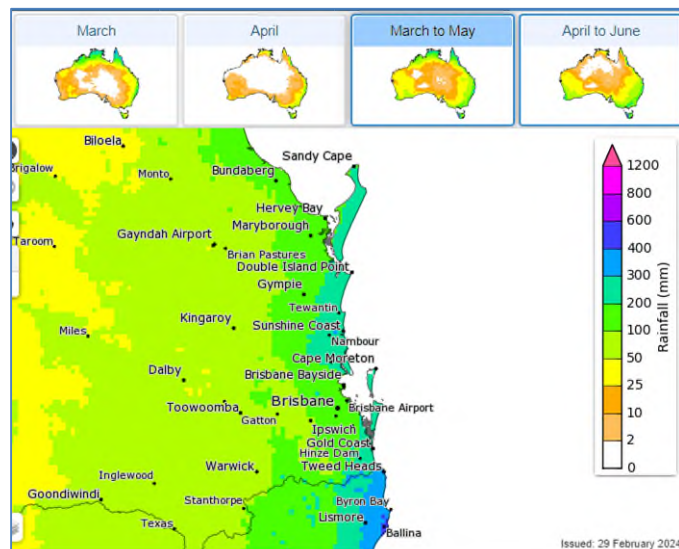
Weather Outlook

For March to May, below median rainfall is likely (60 to 80% chance) across much of northern and eastern Australia.

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



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



Disaster Management

The following activities were conducted in February 2024:

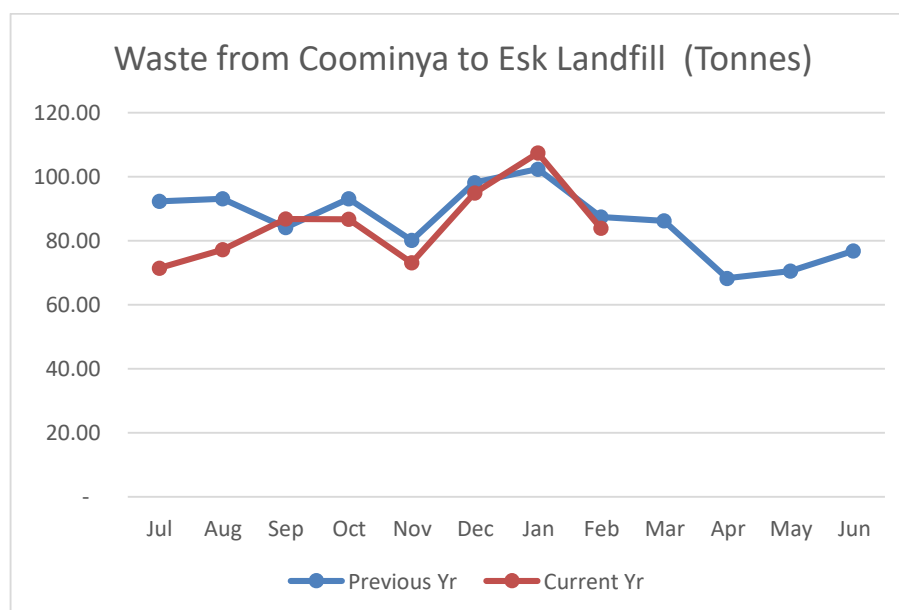
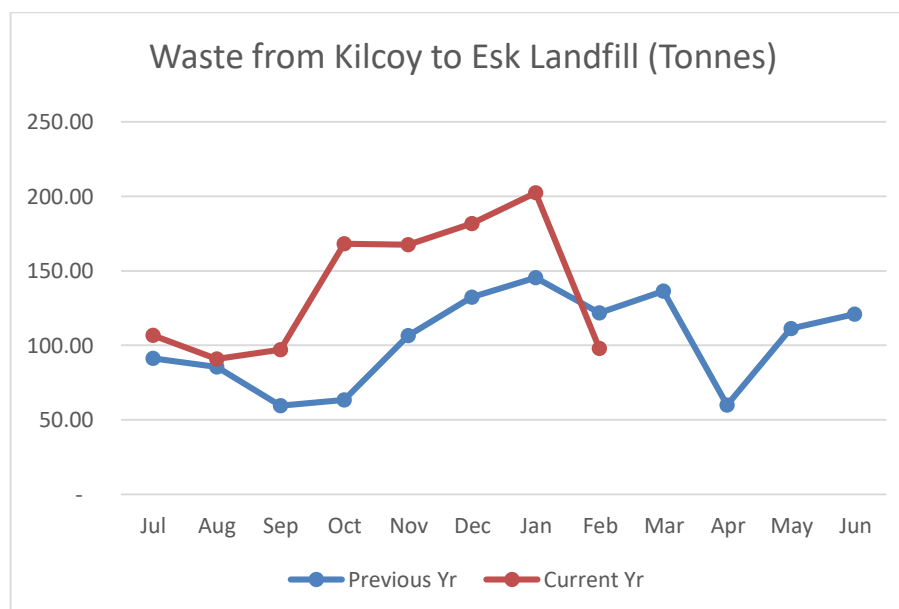
- REPA activated for the January rainfall event – TC Kirrily. Counter Disaster Operations, REPA and Emergent Works;
- Evacuation Centre WIFI at the Somerset Civic Centre currently unavailable. Council ICT staff and NBN working through the issue with an NBN technician to be onsite early March;
- Pointing's Bridge camera image improved with the removal of trees in the immediate vicinity;
- Held discussions with Kilcoy Global Foods regarding the use of Walshes Crossing during times of flood and the closure of the Kilcoy Creek Bridge;
- WaterRide Lite deployed in BETA for internal staff to use for flood forecasting;
- Liaised with SEQWater regarding observations that the Rosentreter's Gauge is reading twice as high as it should;
- Discussions held with the Bureau regarding the Flood Warning Infrastructure Network funding and Council's priority sites;
- Evacuation Centre equipment trailers inspected, and contents checked with Kilcoy staff;
- Kilcoy trailer mounted generator serviced, and training had with Kilcoy administration staff.
- QITPlus and Council met to go through the functionality of the new Flood Awareness Portal funded by the QRA. Ultimately this could replace the flood certificate system council currently provides with a more user-friendly system that will be consistent with several LGAs throughout Queensland;
- Brisbane River SFMP Working Group meeting held to discuss regional evacuation;
- Demonstration given by Fluvio looking at state-of-the-art cameras that can calculate flow and creek/river height automatically – i.e. no need for a gauge;
- Configuring of QITPlus Flood Intel Module is ongoing;
- Atkinson Dam Emergency Action Plan reviewed by Council and letter sent to SEQWater;
- Attended Moreton Area Fire Management Group meeting;

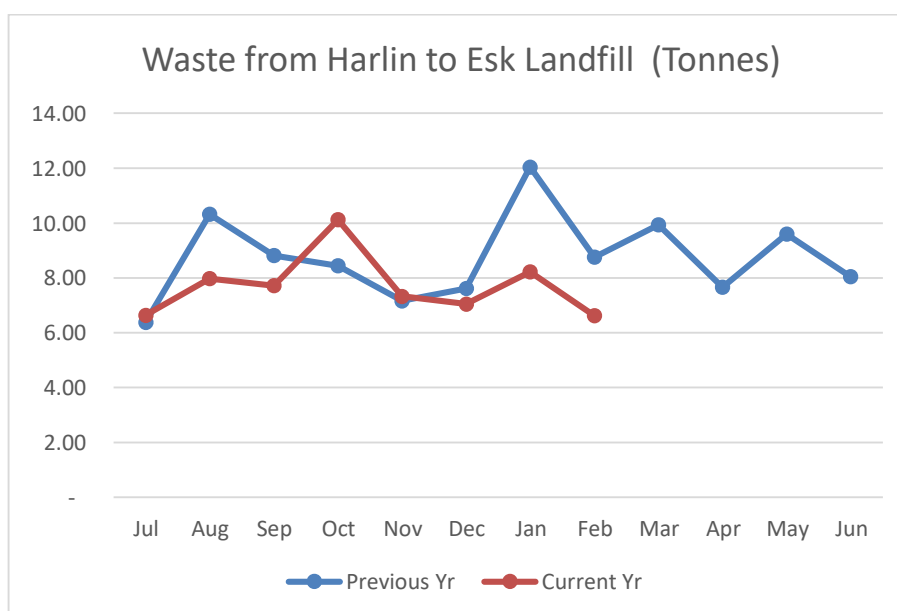
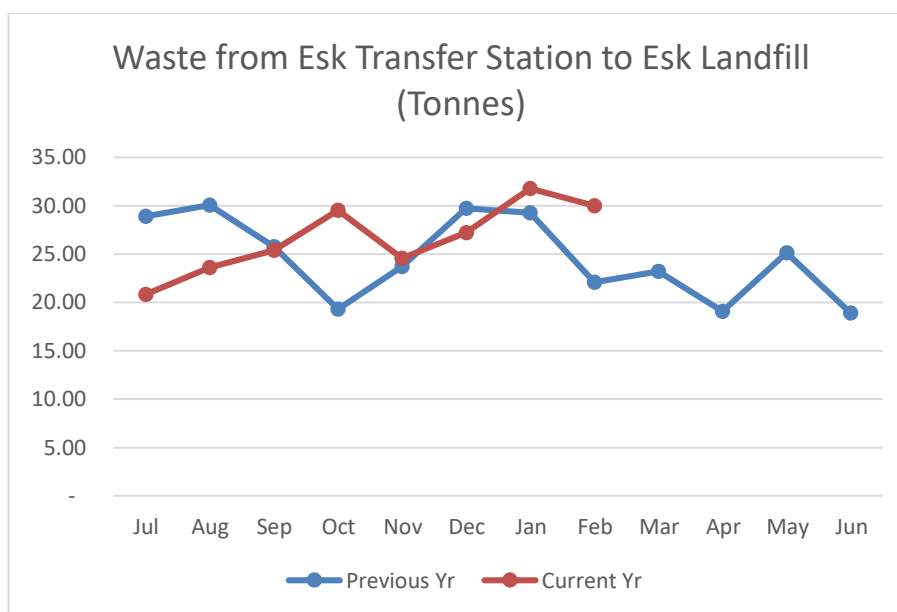
- Met with Qld Rural Fires regarding potential mitigation burn in the Minden township area.

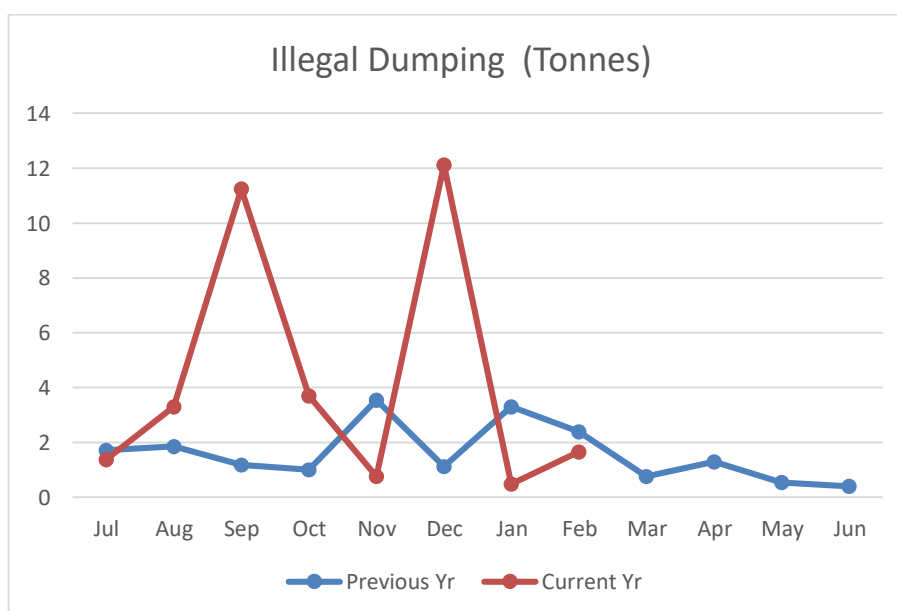
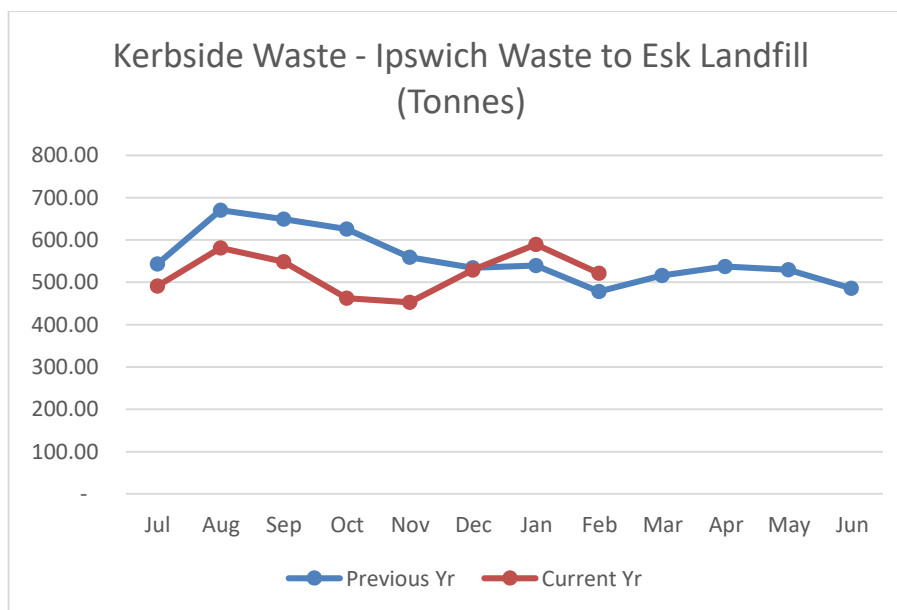
Activations - Operations:

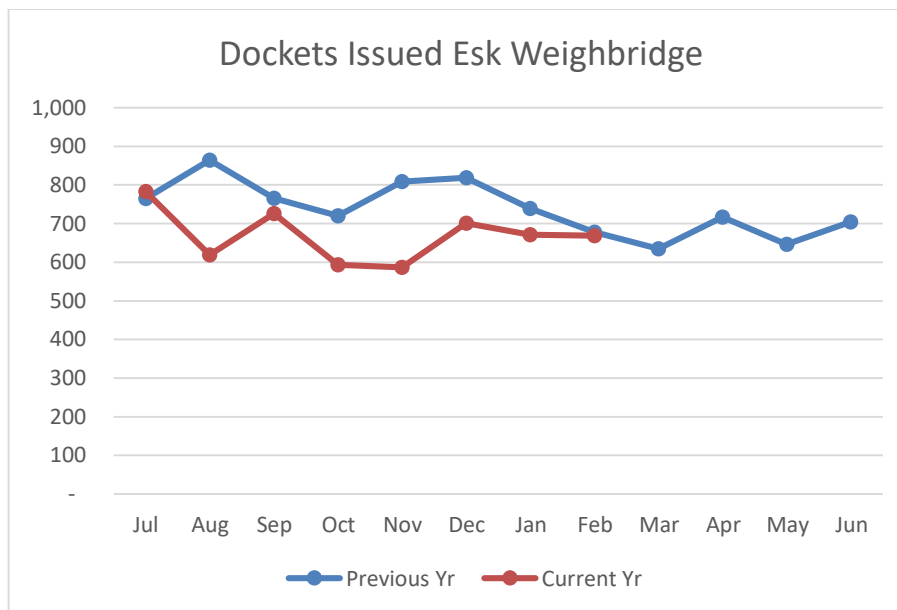
- Twin Bridges and Savages crossing remain closed first week of February due to rainfall commencing 29th January 2024.

Waste Management





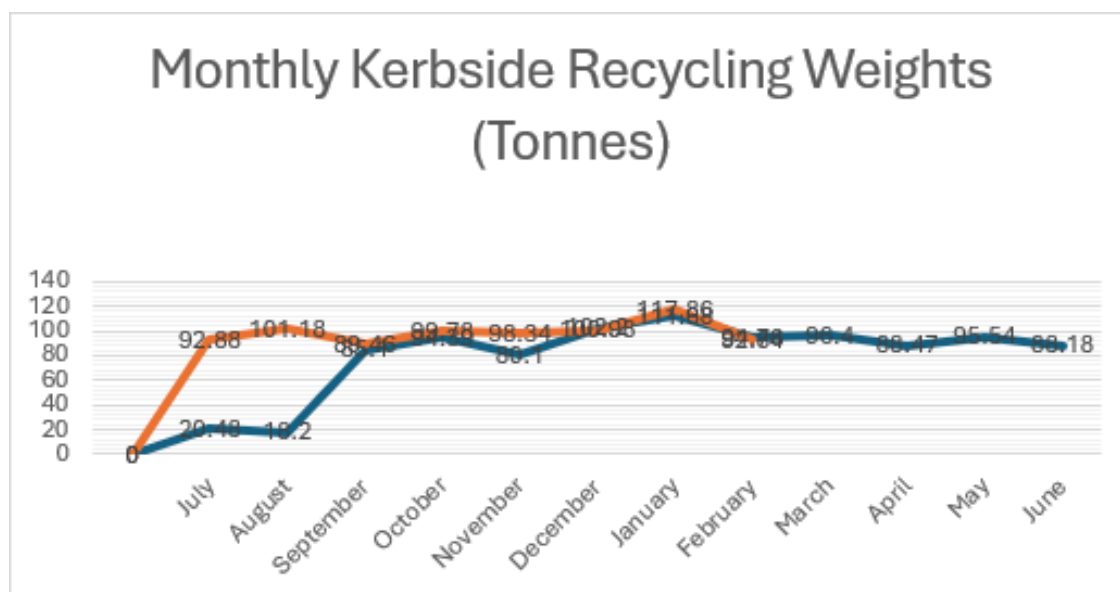




Kerbside Collection Contract – Ipswich Waste

During the month of February 2024, there were 57,740 kerbside services performed –

- General waste services – 42,971 with 87% presentation rate
- Recycling services – 14,769 with 60% presentation rate

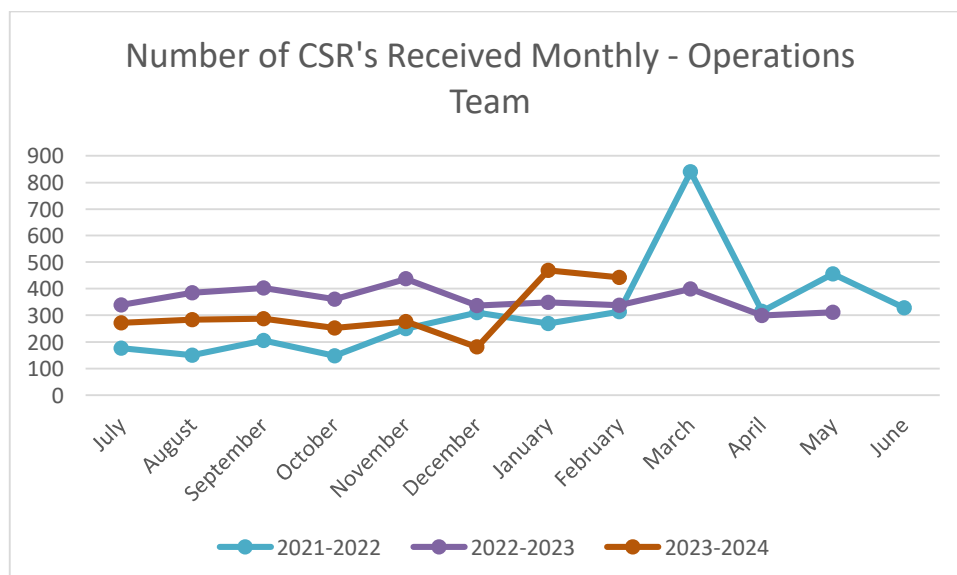
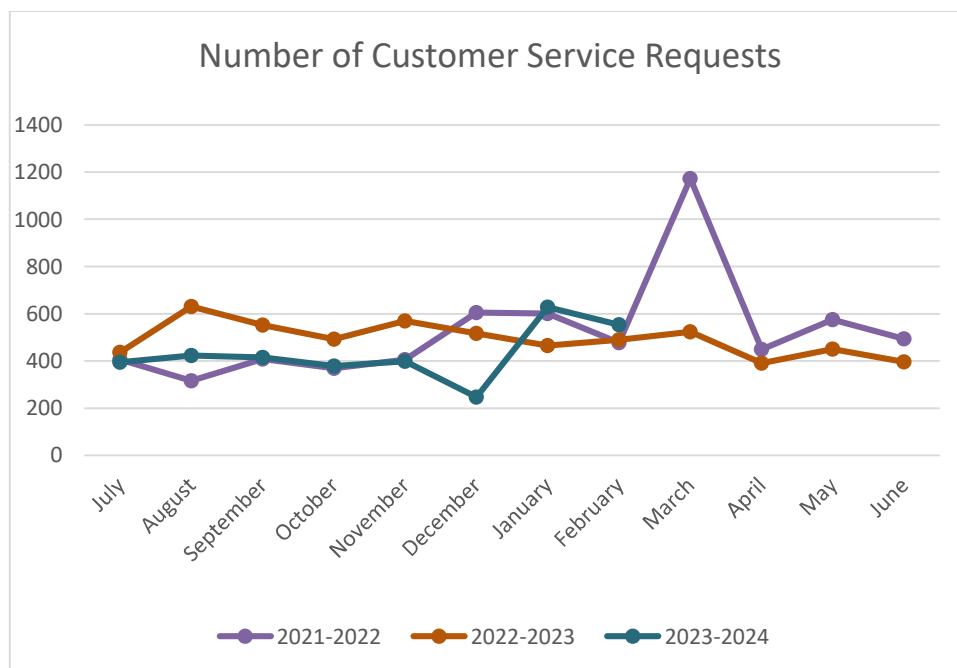


Approved Park/Community Events

Nil approved park event for February 2024

Customer Service Requests

Council received 554 customer service requests including councillor requests for the month of February 2024 on Council's corporate customer service system. A copy of the report is attached for your information.



	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24
Cemeteries	1	1	1	3	0	1	7	3
Disaster Management	0	0	1	1	0	0	0	0
Departmental reviews	0	0	2	0	0	0	2	1
Fences on roadways	0	1	0	0	0	0	0	0
Illegal dumping clean ups	20	14	11	8	11	7	6	10
Overgrown Council land	2	1	2	3	1	0	5	2
Parks including mowing, cleaning/maintenance park equipment including public toilets, tables and chairs, shade shelters etc.	3	9	7	11	7	3	11	7

Roads - bitumen	25	20	13	21	16	10	41	56
Roads - gravel	18	13	8	14	17	9	23	33
Roads - drainage	8	5	7	10	15	8	42	46
Roads - culverts	3	1	2	0	1	2	6	8
Roads - vegetation	19	14	25	15	38	21	83	70
Roads - footpaths	3	5	8	12	4	4	11	7
Roads - linemarking	1	1	2	0	0	0	0	0
Roads - bridgework	0	0	1	0	1	0	0	1
Roads - traffic furniture	16	17	15	25	20	7	23	19
Rural Property Number	1	4	2	5	5	3	3	2
Stormwater issues within private properties	1	0	0	1	0	3	3	2
Waste management		0	1	1	0	0	0	0
Wheelie bins	0	0	0	0	0	0	0	0
Cancellation of extra services	0	19	9	2	2	2	11	6
Damaged lids and wheels	11	15	9	15	11	8	14	28
Replacement Split Bins	29	24	32	18	32	18	55	26
New Services	21	28	24	24	21	28	14	16
Extra services	4	6	10	3	12	10	22	11
Stolen/Non Delivery of New Bins	5	16	9	13	8	7	14	10
Missed services	8	3	6	1	1	0	11	5
Contractor requests/complaints	3	2	4	2	1	2	2	0
Facilities	0	0	0	0	0	0	0	0
Air conditioning	2	1	0	3	1	0	0	0
Carpentry, painting, tiling & flooring	11	12	10	5	2	2	9	10
Electrical	5	7	6	4	7	1	3	10
Equipment, furniture & fixtures	10	10	8	6	7	3	8	7
Grounds maintenance	1	5	4	4	2	1	4	4
Pest Control	2	1	1	0	2	0	0	1
Plumbing	23	19	29	13	24	11	25	26
Roofing and guttering	2	0	0	3	2	0	3	3
Security, locks & CCTV	2	2	6	0	3	4	2	2
Signage	0	4	6	5	1	0	1	0
Vandalism	7	2	2	0	1	3	2	8
Cleaning	5	2	4	1	0	3	3	2
	272	284	287	252	276	181	469	442

Attachments

Attachment 1 - Customer service report for February 2024

Recommendation

THAT Council receive the Operations monthly report for February 2024 and the contents be noted.

Resolution

Moved – Cr Gaedtke

Seconded – Cr Whalley

“THAT Council receive the Operations monthly report for February 2024 and the contents be noted.”

Carried

Vote - Unanimous

Subject: Community Assistance Grants – Summary of Excellence
Bursary Applications Awarded for February 2024
File Ref: Community Relations – Sponsorships – Somerset Excellence
Bursaries
Action Officer: CEO / DHRCS

Background/Summary

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

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

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

Council received five (5) excellence bursary applications for February 2024. Somerset Excellence Bursary applications awarded for the month of February 2024 as detailed below:

Applicant	Bursary Recipient	Doc Id	Field	Level	Event
Renee O'Sullivan	Hayden O'Sullivan	1589331	Soccer	Regional	Hayden O'Sullivan has been selected as part of the Westzone's U11 Soccer team to attend the State Championships at Redbank rec reserve Queensland on 04-06 May 2024.
Denise Bremner	Samantha Bremner	1586005	Cricket	Regional	Samantha Bremner has been selected as part of the Metropolitan West School Sport 16-

					19 Years Girls Cricket Team to attend the Queensland School Sport Cricket State Championships at Amberley (Metropolitan West School Sport) on Monday 11 March to Thursday 14 March 2024.
Amanda Griffin	Jaxon Griffin	1588075	Soccer	Regional	Jaxon Griffin has been selected as part of the QCSA Westzone's U11 Soccer team to attend the State Championships at Redbank rec reserve Queensland on 04-06 May 2024.
Gina Sharp	William Sharp	1589818	Soccer	Regional	William Sharp has been selected as part of the QCSA Westzone's U11 Soccer team to attend the State Championships at Redbank rec reserve Queensland on 04-06 May 2024.
Julie Eaddy	Ryder Cochran	1566328	Golf	State	Ryder Cochran has been selected to attend the Australian Junior Masters at Hunter Valley Golf Club on 18 and 19 April 2024.

Attachments

Nil.

Recommendation

THAT Council receives the Summary of Awarded Somerset Excellence Bursaries for the month of February 2024 and the contents be noted.

Resolution

Moved – Cr Wendt

Seconded – Cr Isidro

“THAT Council receives the Summary of Awarded Somerset Excellence Bursaries for the month of February 2024 and the contents be noted.”

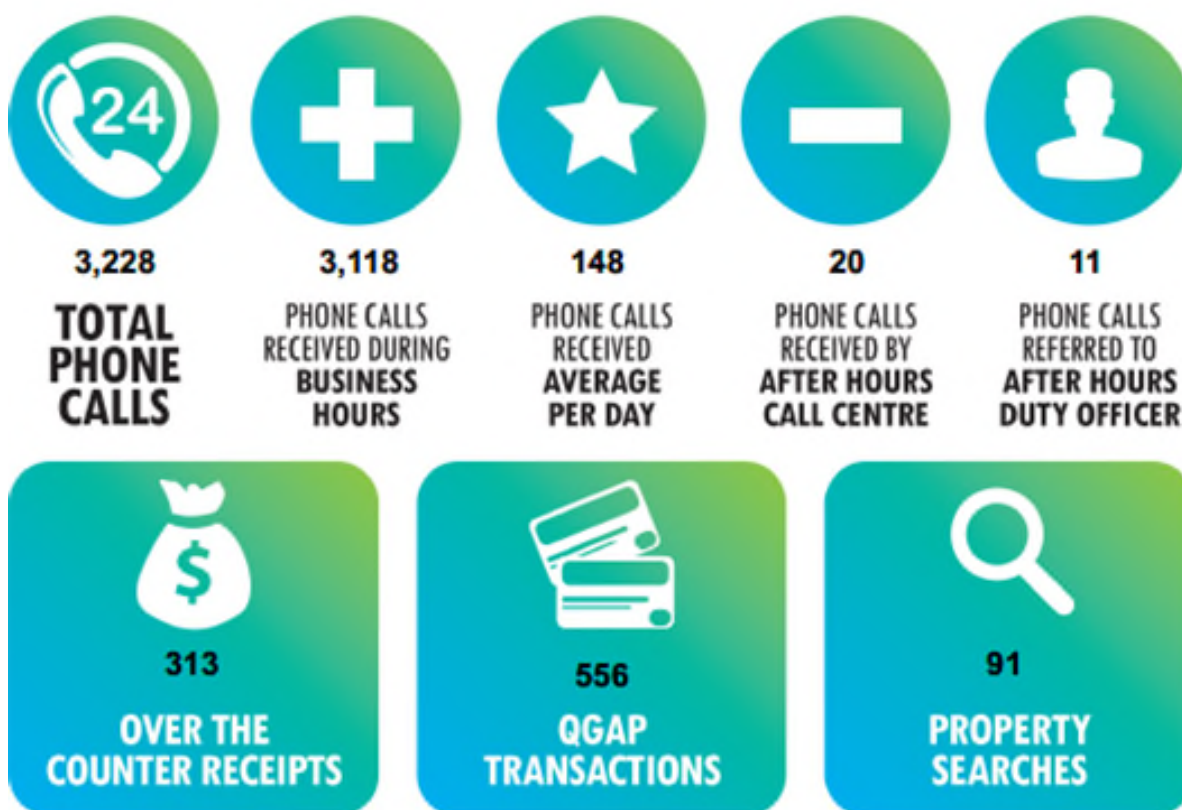
Carried

Vote - Unanimous

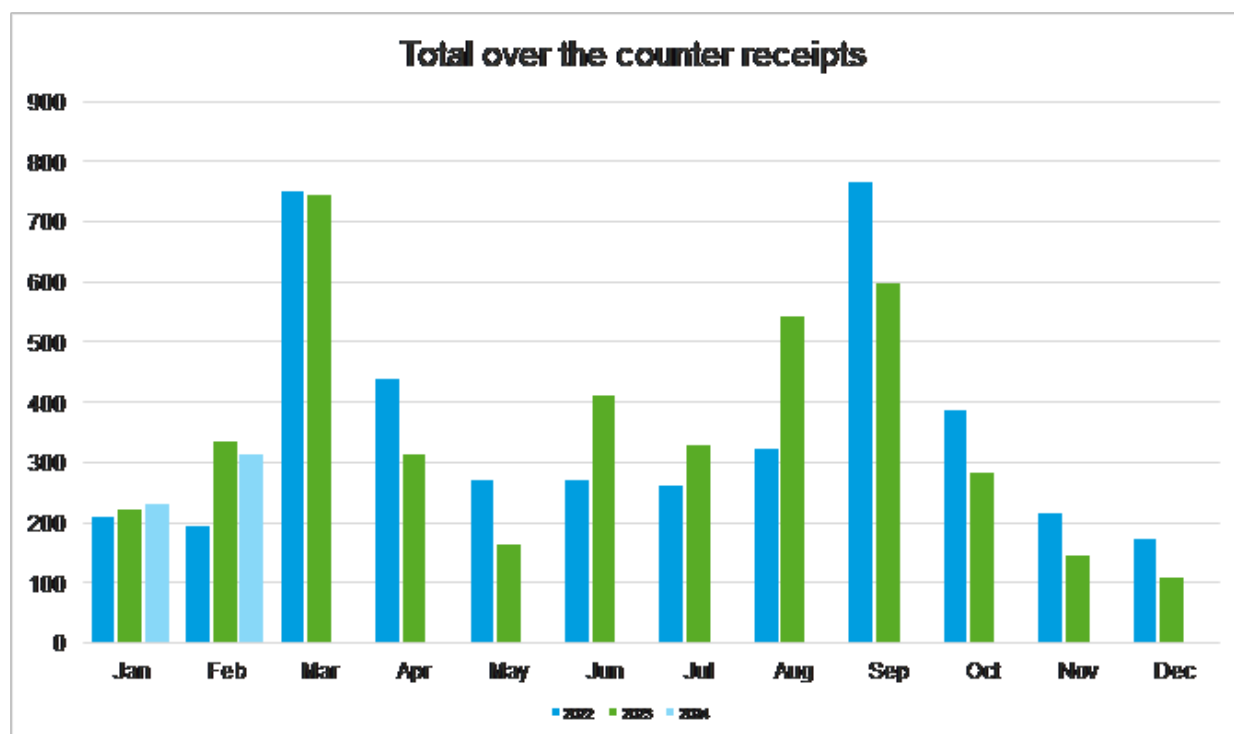
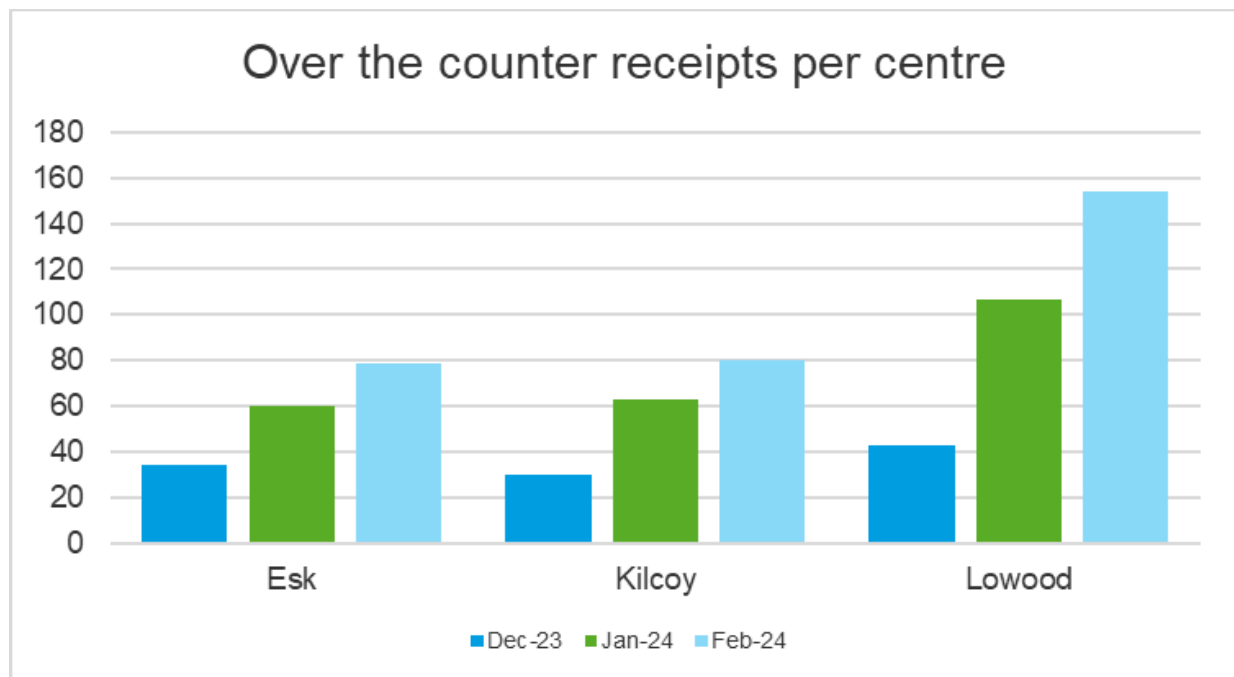
Subject:	Customer Service Report – February 2024
File Ref:	Officers Report
Action Officer:	(CSC) Customer Service Coordinator

Background/Summary

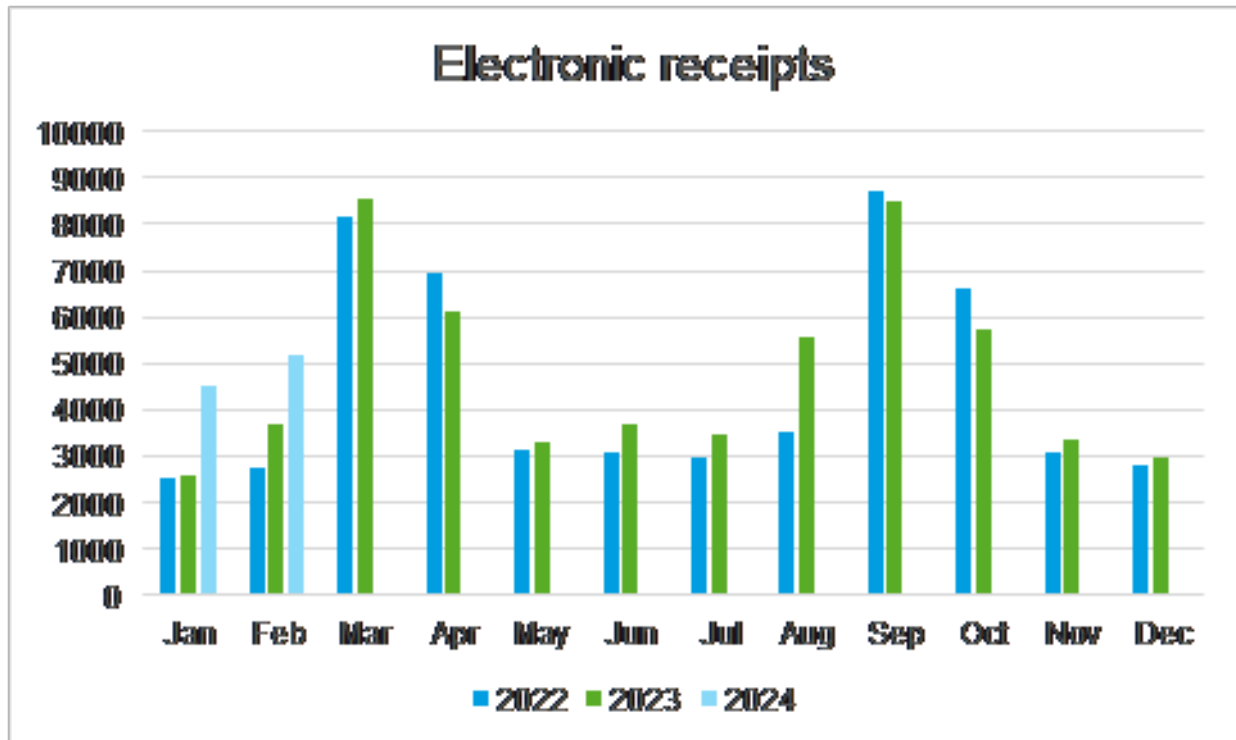
In delivering on Council's Operational Plan and commitment to excellent customer service, a summary of the customer service section activities for the month of February 2024 is provided below for Council's information.

Summary for February 2024

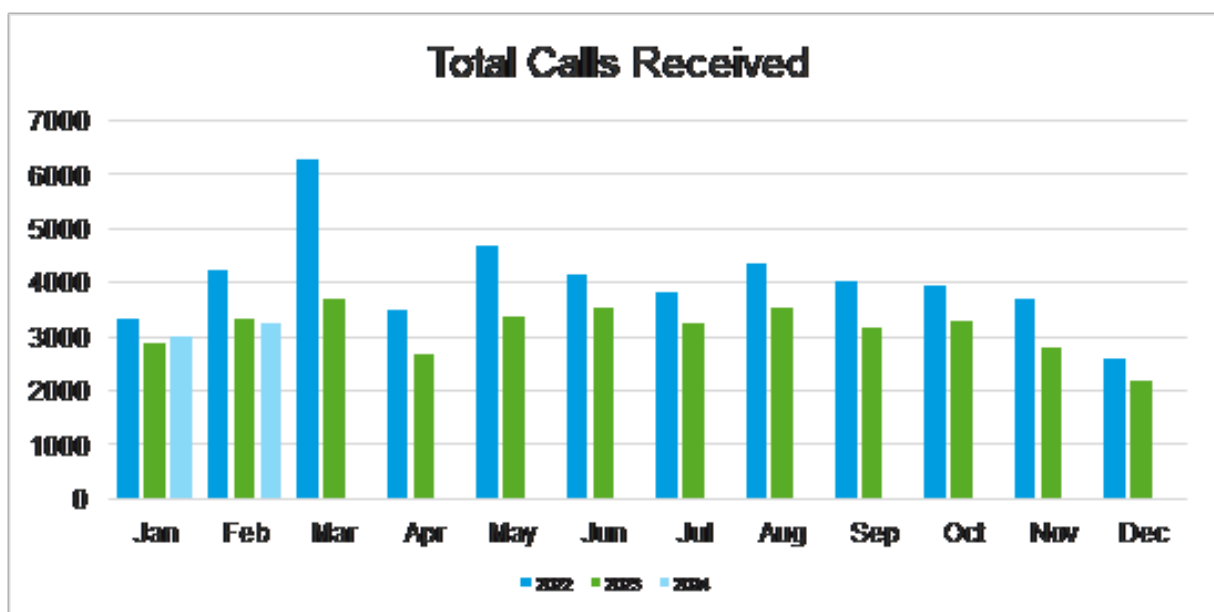
The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for February 2024. These numbers include cheques that were posted into the Council. In total there was 313 financial transactions across the three customer service centres with 79 at Esk Administration Centre, 80 at Kilcoy Customer Service Centre and 154 at Lowood Customer Service Centre for February 2024.



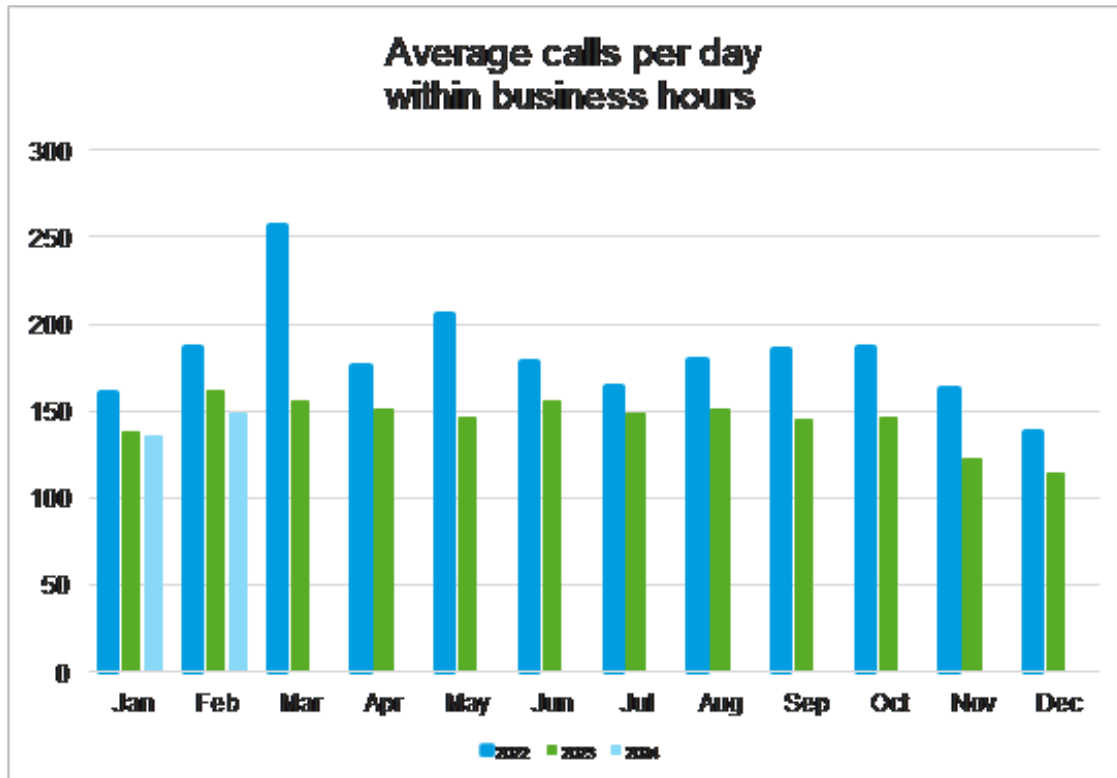
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc. Compared to January 2024 there was an increase of 670 transactions due to rates being issued in January 2024.



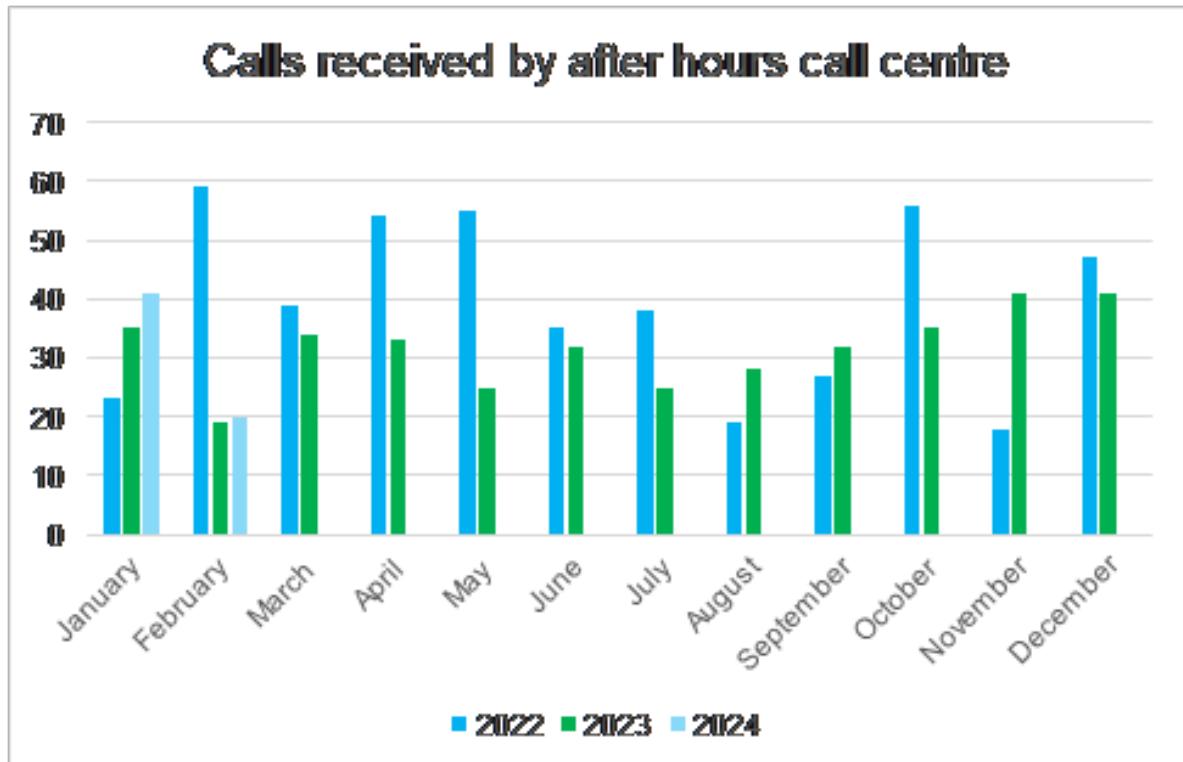
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to previous calendar years. Calls received does not include internal calls made within Council, or outbound calls. There were 3,228 calls received for the month February 2024. This is an increase of 240 calls compared to January 2024. Compared to February 2023 there was a decrease of 98 calls for the month.



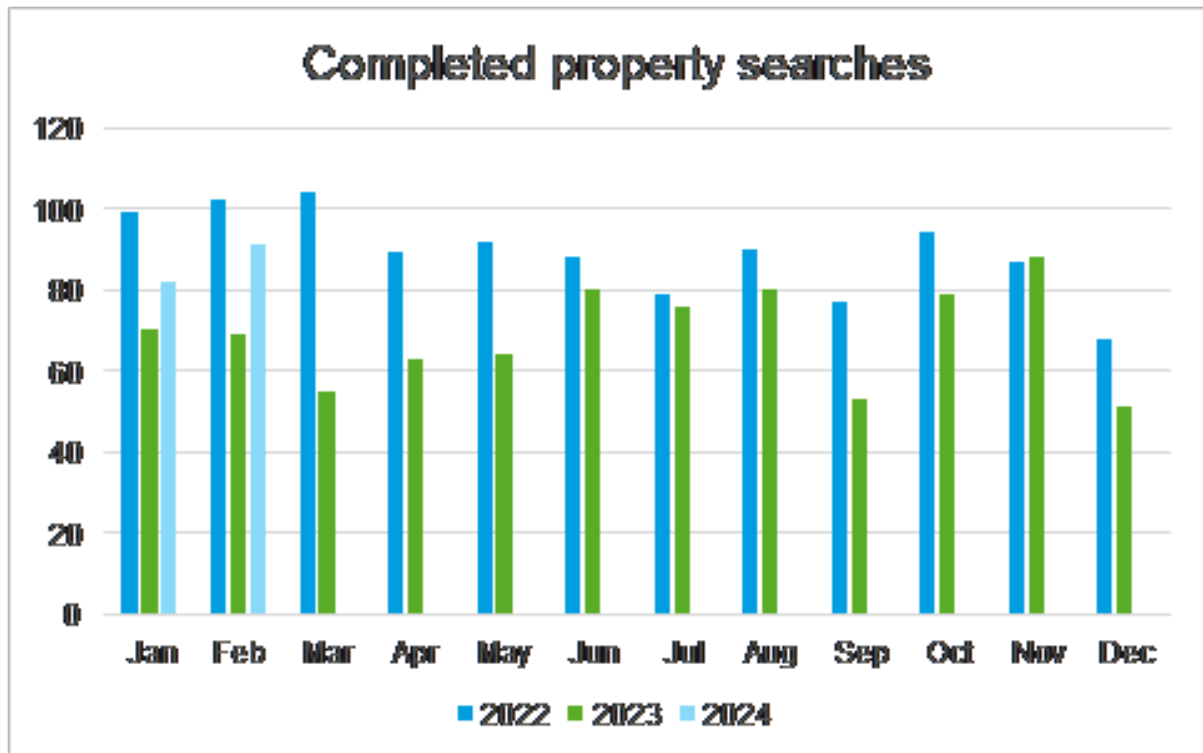
Listed below is a comparison of the average calls received per day within business hours. On average there were 148 calls received each business day for February 2024, which was an increase of 13 calls on average per day from January 2024. Compared to February 2023 there was a decrease of 14 calls on average per day.



There were 3,118 calls received during business hours and 110 out of hours. Of the 110 calls received out of hours, 20 calls were transferred to the afterhours call centre. There was a decrease of 21 calls to Council's afterhours provider compared to January 2024.

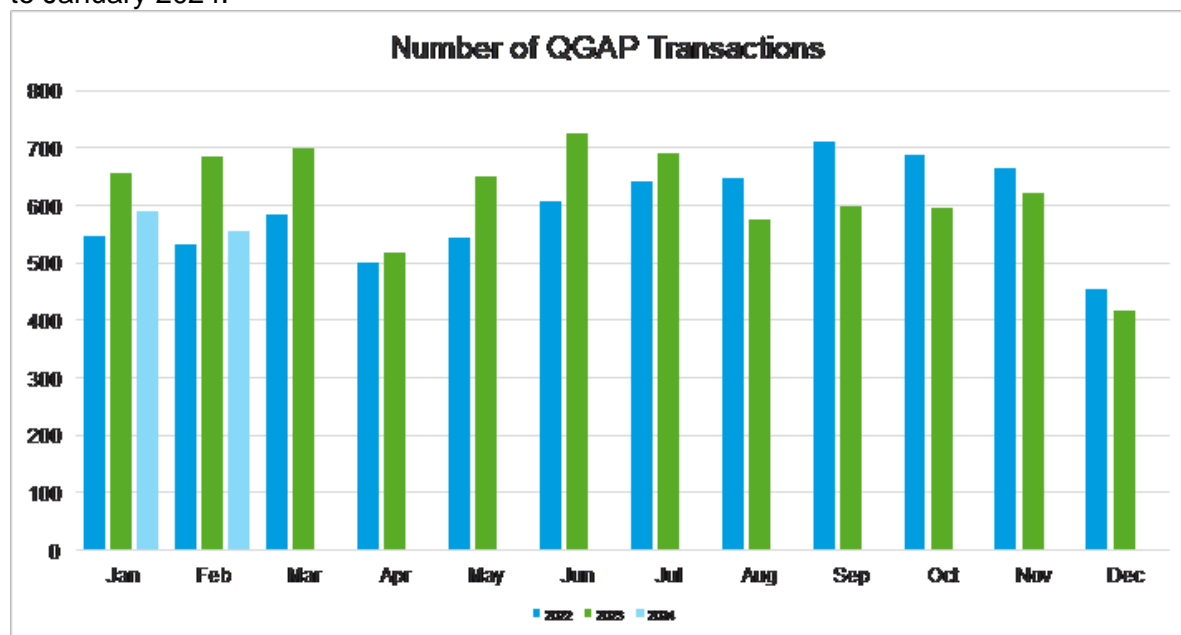


For the month of February 2024 there were 91 property searches completed for prospective purchasers. This increased by 9 completed searches for the month compared to January 2024.



There were 556 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in February 2024. On average there were 26 transactions per business

day in February which there was a decrease of two transactions on average per day compared to January 2024.



Attachments

Nil

Recommendation

THAT Council receive the *Customer Service Report for February 2024* and the contents be noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Whalley

“THAT Council receive the *Customer Service Report for February 2024* and the contents be noted.”

Carried

Vote - Unanimous

Subject: Acknowledgement of Service– Cr Gaedtke
File Ref: Mayor and Councillor Reports
Action Officer: EA

Background/Summary

Cr Gaedtke's career within Somerset Regional Council stands as a testament to her dedication to our community's welfare and advancement. Over nearly four decades of service, she has left a mark on the region, shaping its future for the better.

With 39 years of committed service, including 31 years as a staff member and eight years as a councillor, Cr Gaedtke has illustrated the essence of public service. Her tenure has been characterised by a commitment to enhancing the lives of residents and driving meaningful progress within Somerset Regional Council and the former Kilcoy Shire Council. As a motivated figure within council, she has played a vital role in fostering collaboration and advancing effective strategies to address community needs.

Cr Gaedtke's involvement with the Regional Arts Development Fund (RADF) committee has been a source of pleasure and fulfilment, allowing her to support and promote the arts within the region. Additionally, her engagement with various community committees has given her fond memories and invaluable experiences representing and engaging with a diverse array of people. These interactions have enriched her understanding of the community's needs and aspirations, further fuelling her dedication to serving its interests.

Cr Gaedtke's legacy is ingrained in the fabric of Somerset Regional Council. Her dedication has set a high standard for public officials, inspiring others to work hard and honestly for local government.

As Cr Gaedtke prepares to embark on the next chapter of her journey, we extend our gratitude for her service and contributions to Somerset Regional Council. We wish her a retirement filled with joy, longevity, and the opportunity to pursue her passions and dreams.

Recommendation

THAT Council receive the report 'Acknowledgment of Service - Cr Gaedtke' and it be placed on the public record as an expression of sincere gratitude for her thirty-nine years of committed service to Somerset Regional Council and former Kilcoy Shire Council, serving as both an employee and Councillor.

Resolution

Moved – Cr Whalley

Seconded – Cr Brieschke

“THAT Council receive the report 'Acknowledgment of Service - Cr Gaedtke' and it be placed on the public record as an expression of sincere gratitude for her thirty-nine years of committed service to Somerset Regional Council and former Kilcoy Shire Council, serving as both an employee and Councillor.”

Carried

Vote - Unanimous

Subject:	Tribute to Mayor Lehmann
File Ref:	Mayor and Councillor Reports
Action Officer:	EA

Background/Summary

This report is a tribute to Mayor Lehmann's remarkable thirty years of dedicated service to the Somerset community. Throughout his tenure, Mayor Lehmann has been instrumental in driving progress, fostering unity, and enhancing the quality of life for residents. As he prepares to step down from office, it is fitting to reflect on his numerous contributions and express our sincere gratitude for his unwavering commitment to the Somerset Community.

Mayor Lehmann's impending retirement marks the conclusion of a distinguished chapter in Somerset's history. Over the past three decades, he has served as a beacon of leadership, guiding the community through periods of growth, adversity, and transformation. He has weathered many storms while serving the last twenty years as Mayor and previously ten years of service as a Councillor for the former Esk Shire Council. This report celebrates his achievements, highlights his impact, and pays homage to his legacy.

Mayor Lehmann's leadership style has been characterised by vision, compassion, and a tireless commitment to service. Throughout his tenure, he has championed initiatives to improve infrastructure, foster economic growth, and promote social cohesion. His efforts have left an indelible mark on Somerset, shaping the community into a vibrant and inclusive place to live and work.

Under Mayor Lehmann's leadership, Somerset has achieved numerous milestones and accomplishments. A snapshot of these are as follows:

- Mayor Lehmann spearheaded various infrastructure projects to modernise Somerset's essential assets, enhancing connectivity and liveability for all. The list of new roads, bridges, public utilities, and recreational facilities is far too exhaustive to mention here. However, our Mayor has opened many infrastructure projects with honour and pride.
- Mayor Lehmann has been a staunch advocate for economic development, attracting investment and job opportunities to Somerset. He has always promoted and looked at ways for people to spend their money locally to support our businesses. As a previous small business owner, Mayor Lehmann has always appreciated that businesses are the backbone of our region. Through strategic partnerships with businesses and government agencies, he has always looked for opportunities for new industries and the protection of existing ones. He has always looked for ways to allow sustainable growth and prosperity.
- Mayor Lehmann's commitment to the community has been exemplified by his active involvement in local schools, community organisations, and charitable endeavours. He has fostered a culture of inclusivity and collaboration, empowering residents to participate and contribute to the betterment of Somerset. He has garnished enjoyment and honour in welcoming hundreds of new citizens into our community.
- During times of crisis, Mayor Lehmann has demonstrated strong leadership and resilience, guiding Somerset through natural disasters, economic downturns, and other challenges. His proactive approach to crisis management and his unwavering dedication to the well-being of residents have earned him the trust and admiration of the community.

As Mayor Lehmann prepares to leave office, we extend our heartfelt gratitude to him for his decades of dedicated service to the Somerset community. His leadership, integrity, and unwavering commitment to public service have left an enduring legacy that will continue to inspire future generations. While his departure marks the end of an era, it also signals the beginning of a new chapter in Somerset's history—a chapter shaped by Mayor Lehmann's vision, compassion, and dedication to excellence. Many of us will never forget Mayor Lehmann's belief that Somerset is 'God's Own Country.'

On behalf of all who have interacted with Mayor Lehmann, we thank him for his outstanding contributions and wish him all the best in his future endeavours. May his legacy continue to shine brightly, guiding Somerset towards a future of prosperity and opportunity.

Attachments

Nil

Recommendation

THAT Council receive the report 'Tribute to Mayor Lehmann' and it be placed on the public record as an expression of sincere gratitude for his thirty years of committed service to

Somerset Regional Council and former Esk Shire Council, serving as Councillor for ten years and Mayor for twenty years.

Resolution

Moved – Cr Isidro

Seconded – Cr Wendt

“THAT Council receive the report ‘Tribute to Mayor Lehmann’ and it be placed on the public record as an expression of sincere gratitude for his thirty years of committed service to Somerset Regional Council and former Esk Shire Council, serving as Councillor for ten years and Mayor for twenty years.”

Carried

Vote - Unanimous

Meetings authorised by Council

Nil

Mayor and Councillor Reports**Cr Brieschke – Councillor Report**

February

- 21 Audit Committee Meeting
- Ordinary Council Meeting
- Council Workshop Meeting
- 24 Lions Youth of the Year and 60th Anniversary, Lowood
- Legends of Beef Dinner, Toogoolawah Showgrounds
- 26 Teams meeting

March

- 05 Planning Briefing
- 08 International Women’s Day presentation, Simeon Lord Room, Esk

Mr Mayor, on the eve of your retirement, I offer sincere and heartfelt congratulations on your achievements during three decades of service to the Somerset Region.

I have appreciated your guidance and knowledge of our community over the past 12 years, information that has become a shared and valuable resource for all Councillors.

Your regard has always been at the heart of our community and explains your dedication to attending so many functions and meetings that has created a strong bond with the people of our region.

Graeme, I thank you for your stewardship and friendship, and wish you the very best for your retirement.

Cr Whalley – Councillor Report

I've been very proud to be a councillor over many years, serving with the men and women on Council who have shown a lot of integrity, honour, and respect. Always upholding the higher morals within the region. Have we been perfect? No. We're all human, and we all make mistakes. The important thing is that we learn from them. I'd like to thank the staff and councillors for a very productive term on Council and encourage all councillors to remember that as we hold this office, we need to honour those three words that I said earlier: Integrity, honour and respect. Thank you, Mr Mayor.

Cr Isidro – Councillor Report

I didn't want to start the day off by getting emotional, so I will say thank you to you for being

my mayor over the last decade. It has been a challenging time for me, and I thank you and Judy for being there for me and I wish you all the very best and God's blessings for your future.

Cr Choat – Councillor Report

I've already expressed my congratulations to you but also to Judy. People forget that it's the family that makes the biggest sacrifice when their loved ones are called to public duty. So, Judy, thank you! Congratulations and thank you and I hope you both enjoy a wonderful retirement with lots of fun with your grandkids and some travel.

Cr Gaedtke– Councillor Report

Mr. Mayor, what can I say? Just over the 39-odd years I've been in Local Government, I've seen so many changes. I've met so many people and worked with so many people: Shire Clerks in the old days, the CEO's, the chairman in the old days, and our mayors, and we've all got different ways of leading. We've all got different ways of fulfilling the role, and I can echo those comments about you and Judy and the amount of time and effort that I've seen since I've been a councillor in the last eight years that you've devoted to the region. From Esk to a combination of Esk and Kilcoy Shire Council, but it didn't waiver you. You got out and attended everything. I've seen you out in Kilcoy and Esk and you down in Prenzlau Minden and Lowood; you know you've been everywhere, and sometimes I've looked at you both and thought, how do you do it? How do you do it? Because, as Cr Choat alluded to, it comes at a sacrifice. So, I guess that's why, with my retirement, I'm going to spend more with my husband, and while he's not well right now, that's what it's about - it's about life balance. So, I wish you both all the best. I hope to see you out on the roads in the caravan. Because that's our wish, that's what we want to do is get out there and explore our country and make a few overseas trips while we can because life's way too short to not be able to put that into perspective, so from the bottom of my heart – thank you!

Cr Lehmann – Councillor Report

I suppose now comes the time, you know, I'll just read out my report.

I'm proud of our achievements, especially the way our community comes together in times of disaster. It's really great to see, you know, the way all our community groups, even people that don't get along, seem to get along in times of disaster. So, I say a big thank you to all of those people. Over the past 30 years, I've seen a lot of changes, especially in technology. Sometimes for the better and sometimes for the worse. Looking back on some of the things we've achieved in our region. You know, our art galleries, sporting fields, the Brisbane Valley Rail Trail. I'll never forget when we first started talking about the start of the Brisbane Valley Rail Trail from Fernvale to Lowood. The amount of people that we had up in arms that people were going to be looking through their bedroom window, they were going to pinch their lawn mower, their dogs were going to chase the cows but have a look at it now. You know, it's been a big shot in our arm for our tourism industry.

Now to our art galleries. There are some really good art galleries across our region, including our own gallery at Toogoolawah, The Condensery, and it just gives our art people somewhere to be able to show their wares because we have some really good artists within our region. Some of the art shows I've been to are not to my taste, and Councillor Wendt asked me how I could get up and say nice things about some art shows. You know, sometimes you've got to do things that you don't like because, you know, art is in the eye of the beholder. There's some stuff that I don't like, but some people think it's absolutely great but you know, I like real art.

Now, about our sporting fields. You know, we've got some excellent sporting fields across our region. The new sporting field down at Fernvale - I can still see that building up on the side of the hill there with the verandah, you know, somewhere to watch the games out the front and with a bar and whatever, so I look forward to seeing that happen in future terms of Council - no pressure.

Now, to our pool upgrades. When we look at the upgrades that have happened to our pools around the region, they certainly are something that has been received well by our community, and you can just tell that by the amount of increased usage. People can get up early and go to our gyms in the morning. In Fernvale, the gym is actually 24-hour, which is excellent. You can swipe in and get in there at any time. PCYC, they've been a plus to our region. Some of the programs that they run are great for our community.

Then there are upgrades to our towns. There's always something going on, like our footpaths, town upgrades and Town Centre plans. Sometimes not loved by all, but you know we have a look at those things, these plans are for the future. Without these things, you haven't got somewhere to go.

Preserving our rural lifestyle is one of the things that I think is very important, and I hope our Council will never lose sight of our rural lifestyle. It's been hard to balance that, especially with some of the developments that have been happening. That's why our Council's pushed for bigger lots in developments and I think that helps preserve our lifestyle. People want to come to our region for the lifestyle. But when they get here, they want everything they had when they lived on the coast, so that just can't happen.

Council support for our community groups through our community assistance grants and all the other things we've done for our community has been fantastic. We have representatives that sit on all our sporting group committees and stuff like that. We get firsthand knowledge of what those groups need to be able to function properly. You know, it's not only community assistance grants, but it's also the in-kind support that we give those groups as well. I've always gotta joke about it, but I wouldn't mind 50 cents for every sausage I've cooked. You know, for the time I've been on Council, I could nearly buy a house up the coast for that. But that's something that I've really enjoyed, and I'll miss that. I'll still enjoy being involved with Lions Clubs and ambulance committees and things like that. So, you know I'll definitely be out there in the community.

We're forever campaigning for the upgrade of our major roads. I've worn out a couple of pairs of shoes, I think, walking through Parliament House trying to chase up funding, but that's something that we need to keep on doing. We need to keep putting the pressure on there we need our state roads upgraded; they're the entry to our region and help sell our region.

I've got to say a big thank you to Team Somerset. I believe it's a team. It's not one person, it's not me, and it's not any one other person, but it's a team working together. You know, we've got to learn from time to time to put our differences behind us and to respect the thoughts of others. In Team Somerset, I include our directors and staff. It's not just the Council; without good staff, we don't get the achievements that we desire. So I'd like to say a big big thank you to all our staff and directors. That's why I say again that working together as a team is vital to achieving things across our region. I truly believe that if we all pull in different ways, things just don't happen, and I always say don't try to be someone or something you're not. Don't let the job fill your head with importance and whatever. Try and be yourself - that's most important. Because otherwise, you end up losing sight of what we're all about. So, like I said, don't try to be someone you're not. Keep your feet on the ground.

I'm sure Somerset will be in good hands into the future, so as I leave Somerset in a sound financial position, I don't expect that the rates will increase anytime soon. There are not too many councils that are in the financial position where we can actually loan money to another organisation. This also helps them because we can loan them money and receive a better interest than we were getting off QTC and give them a better deal, too. This helps them out and our community as well.

I look forward to a spot of fishing, lots more music and travel, and, most importantly, more time with my wonderful family. I'd like to wish Team Somerset all the best in the future. As we travel Australia, I always promote God's own country and am proud to call Somerset home.

My written report for activities I've attended over the last few weeks follows:

Mayor's Report of Activities from 22 February 2024 – 16 March 2024

Ref - Governance - Reporting - Reporting - Mayor and Councillor Reports

February

23 Lions Youth of Year Interviews, Lowood
 24 Lions Youth of the Year Function, Lowood
 Legends of Beef, Toogoolawah 5.30pm
 26 Lowood Lions Super Meeting, Lowood

March

01 Opening Art Exhibition, Lowood Lions Open Door Gallery, Lowood
 02 Lowood Lions "Awareness Day", Lowood
 05 Meeting with Chief Executive Officer, Esk
 08 Prenzlau State School Badge presentations
 11 Meeting with Council Officers, Esk
 12 Lockyer Valley and Somerset Water Collaborative Project Meeting
 13 Ordinary Meeting of Council

Resolution

Moved – Cr Brieschke

Seconded – Cr Whalley

"THAT the verbal and written reports of Mayor Lehmann and Councillors Brieschke, Isidro, Choat, Gaedtke, Whalley and Wendt be received."

Carried

Vote - Unanimous

Receipt of Petition

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Closed Session

Resolution

Moved Cr Whalley

Seconded – Cr Brieschke

“THAT in accordance with Section 254 (J) (1) (3) (e) of the Local Government Regulation 2012 Council move into a closed session to discuss the request for a Review by Council of the Complaints Officer’s Decision regarding Administrative Action Complaint – AA72022 DA9079 – Lot 11 on SP180657 at 10.08am.

Carried

Vote - unanimous

Resolution

Moved – Cr Brieschke

Seconded – Cr Choat

“THAT Council move out of a closed session at 10.19am and be once again open to the public.”

Carried

Vote - unanimous

Due to a technical issue, the live stream audio was unable to be recommenced and the remaining matters were not audio streamed to the public. The meeting was opened to the public with people returning to the public gallery at this time.

Subject:	Administrative Action Complaint – AA72022 DA9079 – Lot 11 on SP180657
File Ref:	Information Management/Administrative Action – Internal Review / 2022 – 001 – Roubaix Properties
Action Officer:	DCORP

Confidential Closed Meeting

In accordance with Section 254 (J) (1) of the Local Government Regulation 2012 Council may close a Council meeting. Section 254 (J) (3) reads a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;

Recommendation

THAT Council, per section 21 of the Administration Action Complaints Policy C/018, decline the review on the basis that the complainant has not provided any reasonable basis for the review and endorse the CEO to send correspondence to the Complainant advising of the outcome of their request.

Resolution

Moved – Cr Whalley

Seconded – Cr Gaedtke

“THAT Council, per section 21 of the Administration Action Complaints Policy C/018, decline the review on the basis that the complainant has not provided any reasonable basis for the review and endorse the Chief Executive Officer to send correspondence to the Complainant advising of the outcome of their request.”

Carried

Vote - Unanimous

Closure of Meeting**Summary**

There being no further business, the Mayor, Cr Graeme Lehmann closed the meeting at 10.20 am.