



**Minutes of Ordinary Meeting
Held Thursday, 19 December 2024**

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

Present

Cr Jason Wendt	(Mayor)
Cr Helen Brieschke	(Deputy Mayor)
Cr Michael Bishop	(Councillor)
Cr Brett Freese	(Councillor)
Cr Tiara Hurley	(Councillor)
Cr Kylee Isidro	(Councillor)
Cr Sally Jess	(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)
Ms M Janke	(Communications Manager)

Observer	Mrs M Jelf	(Senior Planner)
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Opening of Meeting

The Mayor, Cr Jason Wendt, opened the meeting at 9.01am.

Leave of Absence

Nil

Confirmation of Minutes**Resolution**

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT the Minutes of the Ordinary Meeting held 27 November 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**

I would like to congratulate the wonderful volunteer teams who staged the Kilcoy and Toogoolawah Christmas Carnivals over the past two weeks.

Both carnivals were very large vibrant events enjoyed by hundreds of people and I appreciate the work those volunteers perform to present these free events to the community.

As we near the end of 2024, I would like to thank my fellow Councillors for their support and friendship in what has been a very busy year. Thank you to all our Council staff, your efforts have not gone unnoticed. I wish you and all your families a Merry Christmas and a Safe, Happy New Year.

Matters of public interest – Cr Bishop

With Christmas just a week away and the end of the year soon after, I urge people to prepare in case of severe storms or an extreme weather event. I know that many community organisations have either had their break-up or plan to shortly and I just ask that people think of those who are doing it tough this year. Given the weather, sleeping rough would be horrific at the moment. I am not going away over the Christmas period so I will be at the usual places where community members can catch up.

Matters of public interest – Cr Isidro

I would like to wish from my family to yours everyone a Merry Christmas, please be safe during the festive period. We have had a very productive year, and I look forward being just as productive in 2025.

Matters of public interest Cr Hurley

I would like to start by congratulating all the community groups in the Somerset region for their fantastic Christmas events held over the past few weeks. Your hard work and dedication truly shine during this festive season.

I'd also like to remind everyone that the Somerset Dam Shop and Progress Association will be hosting their Christmas Dinner event on Saturday, December 21, 2024. Tickets are still available, so make sure to secure yours for a delightful evening!

I want to wish everyone a joyous Christmas. Please stay safe on the roads, whether you're in Somerset or traveling elsewhere.

Looking ahead, I am excited for a busy and productive 2025 as part of this great council team. Together, we can achieve great things for our community!

Matters of public interest – Cr Freese

As a new Councillor I would like to extend my thanks to the staff and community for their patience, while I've learnt the role. Please stay safe over the holiday season. Merry Christmas and Happy New Year to everyone and I look forward to seeing everyone in the New Year.

December

21 Carols at Fernvale Memorial Park

January

02 Kilcoy Races

16 Somerset Youth Camp, Sunshine Coast

Matters of public interest – Cr Jess

I would like to thank my fellow councillor and staff for their very warm welcome. I would like to wish everyone a Merry Christmas and thank all of the community groups for their dedication and commitment throughout 2024.

Matters of public interest – Mayor Wendt

As this is the final meeting of 2024, I'd like to take a moment to reflect on the year we've had and the progress we've made as a Council. It's been a year of challenges, but also of meaningful achievements.

Together, we've worked hard to improve our community and make Somerset a better place for everyone. Some of the key highlights include major infrastructure projects like Esk Crows Nest Road and Scrub Creek Bridge, as well as community events such as art gallery exhibitions, time capsule burials and openings and the launch of the Support Our Somerset initiative. Additionally, we've earned recognition not just locally, but nationwide, with visits from *Sunrise*, highlighting our region's businesses and their resilience and achievements. These milestones reflect the hard work and dedication of this Council and our community. We've participated in delegations to state and federal parliamentarians to advocate for Somerset.

My leadership has focused on making locally responsive decisions, delivering the best services and facilities to the communities we serve, while considering our limited rate base.

As we approach Christmas, remember that the season is not only a time for celebration but also an opportunity to show compassion and come together. It's a time to be mindful of those who may need our support, to reach out to one another, and to recognise the strength we draw from our community.

I want to thank all Councillors, staff, and volunteers for your tireless efforts this year. We've accomplished a lot together, and I'm confident we'll continue to build on this momentum in 2025.

Thank you for your service, dedication, and hard work. Enjoy the festive season with your loved ones, and I look forward to what we will achieve in the new year.

Wishing you all a Merry Christmas and a Happy New Year.

Declarations of Interest

Cr Hurley declared an interest in agenda item 26 Engagement of the Fernvale Campdraft Association Inc. to undertake works to resurface the Col Powell Campdraft Arena.

The Chief Executive Officer noted that the Director Corporate and Community Services will have a conflict of interest in agenda item 53 DA21832 – Update on development application – Refusal – Energex depot as defined under the Employee Code of Conduct.

Subject:	Development Application No. 24209 - Brouff Road, Goan Lane and Forest Hill Fernvale Road, Fernvale
File No:	Development Application for a Development Permit for a Reconfiguration of a Lot by Subdivision (four lots into 121 lots)
Action Officer:	DA24209 Assessment No: 02332-00000-000, 02332-10000-000, 02341-20000-000, 02341-10000-000
	SP-MW

1.0 APPLICATION SUMMARY

Property details

Location:	Brouff Road, Goan Lane and Forest Hill Fernvale Road, Fernvale
Real property description:	Lot 218, 219, 220 and 221 CC572
Site area:	15.854ha
Current land use:	Vacant
Easements/encumbrances:	Nil identified

South East Queensland Regional Plan 2017

Land use category:	Urban footprint
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Planning scheme details

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	Emerging community zone
Precinct:	Not within a precinct
Desired settlement pattern:	Future residential Future park residential
Overlays:	OM3 Biodiversity overlay OM4 Bushfire hazard overlay OM7 Flood hazard overlay OM8 High impact activities management area overlay OM9 Infrastructure overlay OM12 Scenic amenity overlay

Application details

Proposal:	Reconfiguring a Lot by Subdivision (four lots into 121 lots)
Category of assessment:	Impact assessment
Applicant details:	United Development Corporation Pty Ltd

	c/- DTS Group
	PO Box 3128
	WEST END QLD 4101
Owner details:	United Development Corporation Pty Ltd
Date application received:	Revised application 24 June 2024
Date application properly made:	Revised application 24 June 2024

Referrals	State Assessment and Referral Agency
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Public notification	Required
Notification period	4 October 2024 to 25 October 2024
Submissions received	113 (All opposed)

RECOMMENDED DECISION

Council is directed by the State Assessment and Referral Agency to refuse the application.

Refuse the development application for the reasons outlined in the recommendation of this report.



Locality Plan of Lot 218, 219, 220 and 221 CC572

Situated at Brouff Road, Goan Lane and Forest Hill Fernvale Road, Fernvale

2.0 PROPOSAL

This development application seeks approval for a Reconfiguring a Lot by Subdivision (four lots into 121 lots in four stages), on land at Brouff Road, Goan Lane and Forest Hill Fernvale Road, Fernvale, formally described as Lot 218, 219, 220 and 221 CC572.

The application was originally lodged in September 2023 as a 17 lot park residential style development over Lots 218 and 219. The development was subsequently amended in June 2024 to submit a 121 lot general residential layout over the four subject lots.

The development is proposed in four stages. Stage 1 consists of 21 residential lots, Lot 900 for drainage purposes, and a 2.6647ha park. Stage 2 consists of 33 residential lots. Stage 3 consists of 44 lots and Lot 901 for drainage purposes. Stage 4 consists of 24 residential lots.

The development consists of residential lots varying in size between 600m² and 1,306m². The majority of lots are within 600-700m² and 750-810m². The developer has sought to provide lots with a variety of sizes and has not sought to maximise the number of 600m² lots.

Lots 218 and 219 are shown as Future residential under the Desired Settlement Pattern map for Fernvale. Lots 220 and 221 are shown as Future park residential under the Desired Settlement Pattern map for Fernvale.

The following non-residential lots proposed with the development are additional to the 121 residential lots and include:

Lot 801 – sewer pump station

Lot 900 – stormwater drainage lot adjacent to Forest Hill Fernvale Road

Lot 901 – stormwater drainage lot adjacent to Brouff Road

Lot 800 – park adjacent to Goan Lane.

Based on the use of those lots for those purposes, Lots 801, 900 and 901 are unlikely to retain any native vegetation.

Vegetation management

The subject land is heavily vegetated and contains core koala habitat and Category A and B Regulated vegetation. The application proposes to remove approximately 11.06 hectares of vegetation on the site.

3.0 SITE DETAILS

3.1 Description of the land

The site comprises four rectangular shaped allotments, each smaller than 5 hectares, with northwest frontage to Forest Hill Fernvale Road, southwest frontage to Goan Lane and southeast frontage to Brouff Road. The site is currently vacant.

Lot 218 has frontage to Brouff Road, Lot 219 has frontage to Brouff Road and Goan Lane, Lot 220 has frontage to Goan Lane and Forest Hill Fernvale Road and Lot 221 has frontage to Forest Hill Fernvale Road.

The majority of the site contains native vegetation. The majority of the site is covered with core koala habitat and a lesser MSES vegetation.

The site has a high spot near the southeast corner of Lot 221. The northern half of the site slopes generally northwest toward the corner of Goan Lane and Forest Hill Fernvale Road. There is approximately 18m of fall from the high point of the site to the northwest corner of the site across a distance of approximately 290m.

The southern half of the site slopes generally to the east and southeast toward the easternmost corner of the site adjacent to Brouff Road. There is approximately 16m of fall from the high point of the site to the southeast corner of the site across a distance of approximately 240m.

Surrounding lots are generally between 0.4047ha and 4.047ha in size and contain dwelling houses and associated buildings and structures. The lots that adjoin the eastern boundary of Lot 218 are the Fernvale Sports Park and the Fernvale Primary School.

The adjoining cleared 3.974ha lot to the east (Lot 222) has an existing approval for a 35 lot subdivision and a child care centre.

The lots on the west side of Goan Lane vary in size between 0.4047ha and 4.047ha.

3.2 Access

The main access to the site is proposed via Goan Lane with a main intersection to Forest Hill Fernvale Road. Forest Hill Fernvale Road is a State controlled road.

The site is proposed to have two accesses to Goan Lane, one access to Brouff Road and a future link to an approved but unconstructed development on the adjoining property at 3876 Forest Hill Fernvale Road. Brouff Road in proximity to the subject land is a formed road that is currently unsealed. Goan Lane is identified on Council's road register as being constructed in part and unconstructed for the remainder.

3.3 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.

An assessment of the assessment benchmarks is as follows:

Assessment benchmark – Liveable communities
The development does not involve private common title.
As such, the assessment benchmark is not relevant to the assessment of this application.
Assessment benchmark – Mining and extractive resources
The proposal does not involve development in, near, or associated with a key resource area, including a processing area, separation area, transport route or transport route separation area.
As such, the assessment benchmark is not relevant to the assessment of this application.
Assessment benchmark – Water quality

The proposed development requires stormwater treatment in accordance with the State Planning Policy. A conceptual stormwater plan accompanied the application. A detailed stormwater management plan would be required as part of a future operational works application, demonstrating compliance with the State Planning Policy, as well as Queensland Urban Drainage Manual, and the planning scheme.

The proposal can be conditioned to comply with the assessment benchmark for receiving waters.

To the extent that the benchmark applies to water supply buffer areas, the proposal is wholly within an urban area, and therefore that aspect of the assessment benchmark does not apply.

Assessment benchmark – Natural hazards, risk and resilience

The site is identified on the State Planning Policy Interactive Mapping System as being within a bushfire hazard area, containing areas of medium potential intensity bushfire hazard.

A site-specific bushfire hazard assessment prepared by a suitably qualified person accompanied the application, which identified that the bushfire hazard was rated medium or less, and proposed recommendations and requirements that must be maintained to ensure the mitigation of the bushfire hazard.

The proposed removal of the majority of vegetation on site to accommodate the proposed reconfiguration and the provision of reticulated water supply would minimise the ongoing bushfire risk on the site.

The proposal can be conditioned to comply with the assessment benchmark.

Assessment benchmark – Strategic airports and aviation facilities

The site is not within proximity to any strategic airports or aviation facilities identified by the State Planning Policy.

As such, the assessment benchmark is not relevant to the assessment of this application.

In having regard to the state interests within the State Planning Policy, the following state interest policies are considered relevant to the application.

State interest – Housing supply and diversity

There is no mapping associated with this state interest.

The interest requires that land for housing be accessible to services, employment, and infrastructure. This site is relatively well located with access to reticulated services that is intended to support a variety of residential uses.

The development is however located in an area that already has a number of approved residential developments with over 2000 approved residential lots.

State interest – Liveable communities

There is no mapping associated with this state interest.

The interest requires the consolidation of urban development around established centres, higher-density residential development in well serviced locations, and the efficient use of infrastructure.

State interest – Agriculture

The site is not mapped as having class A or B agricultural land classifications through the SPP mapping.

State interest – Development and construction

The site is not affected by mapping for this interest.

This state interest requires that a sufficient supply of suitable land for residential, retail, commercial, industrial, and mixed-use development is identified, considering existing and anticipated demand, physical constraints, surrounding land uses, and the availability of, and proximity to, essential infrastructure required to service and support such development. The interest also requires land uses to be consistent with the purpose of the zone.

The planning scheme has identified the site for future residential uses, owing to the accessibility to urban networks and proximity to the town centre. The proposal however conflicts with state mapping for MSES vegetation.

State interest – Biodiversity

This state interest requires that matters of national, state, and local environmental significance, and specifically koalas in South East Queensland are valued and protected.

The *Planning Regulation 2017* establishes the assessment benchmarks for carrying out development interfering with koala habitat areas in South East Queensland.

The development is outside the regional biodiversity corridors and regional biodiversity value mapped areas under the SPP.

The site is however almost entirely affected by the core koala habitat area mapping.

It is considered that the proposed clearing is not consistent with the state interest as the clearing works are not consistent with the assessment benchmarks established by the State Government for interfering with koala habitat in South East Queensland.

State interest – Water quality

The site is within a water catchment to a drinking water supply. The proposed development could be conditioned to comply with the State Planning Policy, Somerset Region Planning Scheme (Version Four), and Queensland Urban Drainage Manual.

State interest – Natural hazards risk and resilience

The site is identified on the State Planning Policy Interactive Mapping System as being within a bushfire hazard area, containing areas of medium potential intensity bushfire hazard.

The proposal complies with the relevant assessment benchmarks for both the State Planning Policy and the Somerset Region Planning Scheme and is considered to advance the state interest.

State interest – Energy and water supply

The site is not affected by mapping for this interest.

State interest – Infrastructure integration

There is no mapping associated with this state interest.

The state interest requires that development integrate with established infrastructure, to ensure the most efficient and effective use of infrastructure to limit the need for new and augmented infrastructure.

The land has been zoned Emerging communities partly due to the site being within the Urban footprint and being in proximity to existing infrastructure networks.

5.2 South East Queensland Regional Plan 2023

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.

5.2.1 Chapter 3, Part A Goals, elements, and strategies

Goal 1 – Grow

This goal is supported by elements and strategies that seek the efficient use of land, providing residential density in well located and well serviced areas, providing communities that are consolidated with diverse housing options, and support the well-designed growth of Rural towns.

The proposed reconfiguration generally supports these elements and strategies, however there are a number of previously approved developments within Fernvale that have not been activated.

Goal 2 – Prosper

This goal provides for economic growth within South East Queensland. The proposed residential reconfiguration is not relevant to the outcomes proposed within the Prosper theme.

Goal 3 – Connect

The connect goal provides elements to ensure that development is well planned to align with existing and planned transport infrastructure, particularly public and active transport modes.

The proposal is considered to not support the planned compact urban form that is required to deliver an efficient movement system as described in the elements.

Goal 4 – Sustain

Sustain reflects values of culture, biodiversity, amenity, natural resources, climate change and affordable living. The proposal has aspects of consistency with the elements, with the exception of koala habitat conservation.

The proposal reduces the koala habitat on site from approximately 15ha to 2.5ha. The development does not avoid a koala habitat area. The applicant's approach was to incorporate vegetation offsets off-site, however no detail was provided with respect to augmentation of koala habitat or procurement of alternate land for koala offsets.

The proposed development does not support the planned intent to protect and connect koala habitat to support viable koala population.

Goal 5 – Live

The elements and strategies provide for design and space activation strategies to support liveable communities. The elements and strategies provided are not relevant to the proposed development.

5.2.2 Chapter 3, Part C Sub-regional directions (Western sub-region)**Subregional outcomes for Grow**

The subregional outcomes provide for growth by consolidation and expansion, and provide that rural towns, including Fernvale, will grow in a sustainable manner to ensure community resilience and local needs are met.

The Fernvale township provides for both urban expansion and consolidation, with the development site being located on a site that is indicated as being feasible for future residential development however without having taken existing koala habitat on site into adequate account.

Subregional outcomes for Prosper

There were no relevant subregional outcomes to the assessment.

Subregional outcomes for Connect

There were no relevant subregional outcomes to the assessment.

Subregional outcomes for Sustain

There were no relevant subregional outcomes to the assessment.

Subregional outcome for Live

There were no relevant subregional outcomes to the assessment.

5.3 Schedule 10 of the *Planning Regulation 2017*

Schedule 10 of the *Planning Regulation 2017* establishes assessment triggers, requirements, and assessment benchmarks. No Council assessment of the development against an assessment benchmark from the Regulation was required. Where a referral agency undertakes an assessment against a matter as required by the Regulation, this is discussed in section 6.0 of this report.

The proposal:

- (a) impacts on regulated vegetation;
- (b) impacts koala habitat areas;
- (c) is not located within a koala priority area;
- (d) does not involve any environmentally relevant activities.

5.3.1 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 regulation in that the development proposes a general residential style of development.

The layout as proposed includes a predominantly rectilinear layout with one cul-de-sac. The development provides a relatively permeable layout. If approved, the development would require street trees on both sides of the street at approximate 15m separation. Each street would also require a footpath.

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 not 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

Element 3.3.2 of this theme provides specific outcomes for the management of urban growth with respect to the orderly urban expansion of the towns within the Somerset Region.

Section 3.3.2.1 (c) states: *"The physical extent of urban development in the towns is limited so as to: ...*

(iii) protect the environmental, landscape and scenic amenity values of the regional landscape; ..."

Section 3.3.2.1 (d) states: *The Emerging Community Areas, identified on Strategic Framework Maps 1d, 1e, 1f, 1g and 1h – Desired Settlement Pattern: Emerging Community Areas that indicate the preferred future urban settlement pattern, are protected from premature development that may negatively impact on the ability to utilise the area for preferred development in the future.*

Section 3.3.2.2 Land Use Outcomes references the role of the Emerging Community Areas and states:

- (a) *Development for urban purposes within the Emerging Community Areas identified on the Strategic Framework Maps 1d, 1e, 1f, 1g and 1h – Desired Settlement Pattern: Emerging Community Areas must not occur until such time as the development is supported by detailed land use investigations that demonstrate:*
 - (i) *for additional urban land for the purpose specified on the Strategic Framework Maps 1d, 1e, 1f, 1g and 1h – Desired Settlement Pattern: Emerging Community Areas, being Future Residential, Future Park Residential, Future Industry or Future Community; ...*
 - (iv) *mitigation or avoidance of all applicable natural hazards;*
 - (v) *suitable mitigation or offset arrangements in respect to impacts on matters of state environmental significance;*

The Desired Settlement Pattern mapping for Fernvale generally divides the site into halves. Lots 218 and 219 are subject to the Future residential designation, while Lots 220 and 221 are subject to a Future park residential designation. The proposed development seeks to establish a general residential development over Lots 220 and 221.

Within the Fernvale area there are a number of existing subdivision approvals that have not been activated, including the following:

Reference number	Address	Approved number of lots
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DA9400	Muckerts Lane	1331 lots
DA10417	35 Graham Road	129 lots
DA14633	Muckerts Lane	116 lots
DA15847	Vogler Road	89 lots
DA16899	Brouff Road	397 lots
DA19511	105 Fernvale Road	53 lots
DA23095	376 Forest Hill Fernvale Road	35 lots

There are some other small (less than 10 lot) reconfigurations that have been approved in the Fernvale area, but the above approved developments comprise over 2,150 general residential lots. A number of these developments have been subject to extensions of time.

The majority of these approved developments are on cleared land or were of an age that predated the introduction of the SEQ koala habitat regime.

Based on existing numbers of approved residential developments within Fernvale, insufficient justification has been provided to demonstrate that there is a need to provide additional general residential lots over areas that are currently designated Future park residential.

5.6.1.2 Natural environment

Element 3.4.2 of this theme addresses the Biodiversity network for the Somerset Region.

Clause 3.4.2.1(a) references protection of areas of ecological significance.

Clause 3.4.2.1(b) references protection of areas of ecological significance unless impacts are otherwise addressed. The applicant referenced potentially providing a vegetation offset, but did not provide detail of proposed extent or location of offset.

The development proposes the removal of approximately 11.06 hectares of mapped Koala habitat area habitat across the four lots subject to this development application.

Council's mapping designates part of the site as Significant Vegetation under the Areas of Ecological Significance. This reflects the State's MSES mapping. The site contains approximately 4.68ha of Category B regulated vegetation, comprising approximately 0.91ha of Category B of concern regional ecosystems and approximately 3.77ha of Category B least concern regulated vegetation.

The MSES – Regulated vegetation (category C) and the MSES - Regulated vegetation essential habitat reflects the extent of the Core koala habitat.

Approximately 15.2ha of the 15.85ha site is designated as Regulated vegetation essential habitat.

The development is not considered to have been appropriately designed to address the natural environment aspects of the strategic framework. With the exception of the proposed park adjacent to Goan Lane, the development makes few concessions toward the presence

of existing native vegetation. The creation of a general residential subdivision will effectively result in the clearance of all of the vegetation outside of the park. The proposed park however does not represent the area mapped as having the highest ecological significance in that the development does not protect all of the area designated as Category B vegetation.

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. The proposal maintains a suitable separation from the nearest watercourses (Brisbane River and Ferny Gully) to avoid adverse water quality impacts within the Higher-risk catchment area, in excess of the setbacks identified within the relevant overlay codes.

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 is located within an existing town or urban area. The regional landscape character component of the strategic framework relates to areas outside the urban footprint, so the application does not trigger assessment against the landscape character.

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 in that the development comprises a residential subdivision at the periphery of Fernvale.

5.6.1.6 Infrastructure and services

The provision of proposed 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, in that lots would be required to be connected to reticulated water and sewer, stormwater and underground electricity and telecommunications.

5.6.1.7 Transport

Goan Lane provides a direct link between the development site and the nearest State controlled road (Forest Hill Fernvale Road). Goan Lane is not at a standard that appropriately services the existing traffic volumes and anticipated development traffic.

Conditions relating to any intersection treatment for the Forest Hill Fernvale Road and Goan Lane are the responsibility of the Department of Transport and Main Roads which are then provided to SARA as part of any concurrence agency response.

Conditions relating to design standards for Goan Lane is the responsibility of Council. The applicant's proposal to direct traffic through the estate in order to access the southern section of Goan Lane back is not supported.

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
Emerging community zone code	No	PO10

Reconfiguring a lot code	No	PO1, PO2, PO3, PO10, PO11, PO13, PO14, PO15
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	No	PO17
Applicable overlay code	Compliance with overall outcomes	Performance outcomes
Biodiversity overlay code	No	PO1, PO2, PO3, PO4, PO14
Bushfire hazard overlay code	Yes	No alternative outcomes proposed
Flood hazard overlay	Yes	No alternative outcomes proposed
Infrastructure overlay	Yes	No alternative outcomes proposed

Part of the site is mapped within the OM012 Scenic amenity overlay however reconfiguring a lot does not trigger referral against this code.

Additionally, the site is mapped within the OM008 High impact activities management area overlay. As the use is not a high impact activity, as defined in the planning scheme, the overlay code does not apply.

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

5.6.3 Performance outcome assessment

Emerging community zone code

Performance outcome	Acceptable outcome
Development for urban purposes	
PO10 Development for urban purposes achieves: (a) the mitigation of amenity impacts generated by the possible adjacent location of <i>high impact activities</i> and potential reverse amenity impacts that may interfere with the existing or ongoing use of adjacent rural land for productive rural activities; (b) affordable living opportunities through the delivery of a variety of housing types and sizes that meet varied needs and lifestyle choices; (c) the provision of urban infrastructure and services, including water supply, sewerage, stormwater drainage, electricity, gas and telecommunications;	AO10 No acceptable outcome provided.

<p>(d) the provision of road and active transport networks that integrate with established and proposed networks beyond the site;</p> <p>(e) the provision of recreation and open space opportunities that can integrate with established and proposed networks beyond the site and other community facilities and infrastructure;</p> <p>(f) the protection of significant historical, cultural, social, recreational, topographic, landscape, and scenic amenity features;</p> <p>(g) the protection of natural habitat areas, wildlife corridors, watercourses and wetlands; and</p> <p>(h) the identification of land that is unsuitable for development for urban purposes due to risks to development from flooding, bushfire and landslide</p>	
<p>Performance Outcome Assessment</p> <p>The development does not achieve the intent of (e) or (g) in that while the development provides an area of park, the park is not ideally located on the site to provide an integrated location. According to the State's MSES mapping, the proposed parkland does not protect the areas of highest environmental value on the site. The development impacts negatively on the protection of natural habitat and wildlife corridors.</p> <p>It is recommended that the alternative outcome not be accepted in this instance.</p>	

Reconfiguring a Lot code

In the Emerging community zone, any proposed lots smaller than 10 hectares require an Impact assessable application. While none of the proposed (or existing) lots are consistent with the 10ha lot size set out in Table 8.3.4.3.B for the Emerging community zone, the below table has evaluated the lot size and frontage requirements with respect to a general residential type of development.

The development consists of the following lots.

Lot	Lot size (m ²)	Exceeding 600m ²	Frontage (m)	Exceeding 18m
1	887	Y	20.7 + 43.4	Y
2	694	Y	16.0	N
3	694	Y	16.0	N
4	781	Y	18.0	Y
5	781	Y	18.0	Y
6	694	Y	16.0	N
7	694	Y	16.0	N
8	694	Y	16.0	N

9	694	Y	16.0	N
10	781	Y	18.0	Y
11	781	Y	18.0	Y
12	694	Y	16.0	N
13	781	Y	18.0	Y
14	694	Y	16.0	N
15	694	Y	16.0	N
16	694	Y	16.0	N
17	781	Y	18.0	Y
18	781	Y	18.0	Y
19	781	Y	18.0	Y
20	821	Y	19.1 + 43.4	Y
21	826	Y	19.3 + 43.4	Y
22	781	Y	18.0	Y
23	781	Y	18.0	Y
24	781	Y	18.0	Y
25	694	Y	16.0	N
26	694	Y	16.0	N
27	694	Y	16.0	N
28	781	Y	18.0	Y
29	694	Y	16.0	N
30	781	Y	18.0	Y
31	781	Y	18.0	Y
32	694	Y	16.0	N
33	694	Y	16.0	N
34	694	Y	16.0	N
35	694	Y	16.0	N
36	781	Y	18.0	Y
37	781	Y	18.0	Y
38	694	Y	16.0	N
39	694	Y	16.0	N
40	801	Y	20.7 + 43.4	Y
41	890	Y	15.9	N
42	810	Y	15.9	N
43	867	Y	19.1	Y
44	810	Y	18.0	Y
45	803	Y	19.4	Y
46	1185	Y	14.0	N
47	1063	Y	9.3	N
48	890	Y	22.2	Y
49	876	Y	19.3	Y
50	805	Y	38.3 + 20.6	Y
51	708	Y	15.4	N
52	798	Y	13.9 (15.9)	Y
53	1306	Y	5.5	Y Rear lot
54	1128	Y	5.5	Y Rear lot
55	693	Y	14.6 (16.6)	N
56	695	Y	15.1	N
57	819	Y	23.4 + 35.4	Y

58	800	Y	22.6	Y
59	969	Y	27.4	Y
60	800	Y*	22.6	Y
61	800	Y*	35.4 + 22.9	Y
62	800	Y*	17.6	N
63	800	Y*	17.6	N
64	705	Y*	23.8 + 30.0	Y
65	690	Y*	23.0	Y
66	705	Y*	23.8 + 30.0	Y
67	705	Y*	23.8 + 30.0	Y
68	690	Y*	23.0	Y
69	714	Y*	23.8 + 30.0	Y
70	714	Y*	23.8 + 30.0	Y
71	690	Y*	23.0	Y
72	705	Y*	30.0 + 23.8	Y
73	662	Y*	16.7	N
74	1082	Y*	10.0	Y Rear lot
75	611	Y*	17.6 + 33.3	Y
76	600	Y*	17.0	N
77	600	Y*	17.7	N
78	602	Y*	18.9	Y
79	643	Y*	22.5	Y
80	604	Y*	18.2	Y
81	603	Y*	18.0	Y
82	603	Y*	18.0	Y
83	603	Y*	18.0	Y
84	603	Y*	18.0	Y
85	603	Y*	18.0	Y
86	603	Y*	18.0	Y
87	603	Y*	18.0	Y
88	869	Y*	18.7 + 43.5	Y
89	805	Y*	18.5	Y
90	805	Y*	18.5	Y
91	805	Y*	18.5	Y
92	805	Y*	18.5	Y
93	653	Y*	15.0	N
94	805	Y*	18.5	Y
95	805	Y*	18.5	Y
96	805	Y*	18.5	Y
97	805	Y*	18.5	Y
98	653	Y*	15.0	N
99	805	Y*	18.5	Y
100	805	Y*	18.5	Y
101	805	Y	18.5	Y
102	806	Y	18.5	Y
103	800	Y	24.9 + 34.5	Y
104	605	Y	18.6	Y
105	605	Y	18.6	Y
106	800	Y	24.9 + 34.5	Y
107	805	Y	18.5	Y

108	805	Y	18.5	Y
109	805	Y*	18.5	Y
110	805	Y*	18.5	Y
111	653	Y*	15.0	N
112	805	Y*	18.5	Y
113	805	Y*	18.5	Y
114	805	Y*	18.5	Y
115	805	Y*	18.5	Y
116	653	Y*	15.0	N
117	805	Y*	18.5	Y
118	805	Y*	18.5	Y
119	805	Y*	18.5	Y
120	805	Y*	18.5	Y
121	866	Y*	18.6 + 43.5	Y

Lots 218 and 219 are shown as Future residential under the Desired Settlement Pattern map for Fernvale. As such, proposed Lots 1-59 and 101-108 are consistent with future residential development.

Lots 220 and 221 are shown as Future park residential under the Desired Settlement Pattern map for Fernvale. As such, proposed Lots 60-100 and 109-121 are not consistent with future park residential development. While those lots exceed 600m² in the above table an asterisk has been placed beside the letter Y to reference that they are not consistent with park residential development.

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 It is proposed to reconfigure the 15.858ha site (4 parcels) into 121 new residential allotments over four stages. The individual lot sizes and frontages have been tabulated in the above table. The proposed allotments are sufficient in size and dimension to accommodate future detached dwelling houses. The proposal includes an internal road network, which facilitates access to the surrounding road network via two new connections to Goan Lane at the south-western site boundary and one new connection to Brouff Road at the south-eastern boundary.	

The development has been designed to ensure the creation of regular shaped lots in a manner that is consistent with the allotment typologies expected under the *Somerset Planning Scheme*.

The northern lots (zoned within the Future Park Residential Precinct) adopt areas ranging from 603m² to 1,000m² (average 800m²), thus falling short of the prescribed minimum lot size of 4,000m².

The proposed development has been designed generally in accordance with the minimum lot sizes and minimum lot frontages of typical residential development.

Performance Outcome Assessment

The property is within the Emerging community zone. The site is shown on the Desired Settlement Pattern for Fernvale as Future residential over Lot 218 CC572 and Lot 219 CC572 and Future park residential over Lot 220 CC572 and Lot 221 CC572.

The development proposes general residential lots over all of the four lots.

The proposed lots are smaller than the 10ha lot size that triggers an impact assessable application for the Emerging community zone.

While the development achieves lots that are consistent in size with the General residential zone to reflect the Future residential designation under the Desired Settlement Plan, the development over Lots 220 and 221 does not reflect the density of development proposed or supported as part of the Future park residential zone.

Lot frontage

In terms of road frontage, the advice whether the lot frontage is compliant is based on the 18m frontage length for a general residential lot as opposed to the 40m frontage for a park residential lot. While the development is a master planned development, the 15m frontage in Table 8.3.2.2.B references 450m² lots. The proposed lots are generally longer than the standard lot, meaning that narrower lots in this development still exceed 600m² despite their narrower frontage.

Lots 52 and 55 are compromised in that their frontages are reduced by the provision of splays to increase the frontage for the rear Lots 53 and 54. Both Lot 52 and 55 widen out to more than a 15m width for the balance of the lot. Proposed Lot 47 is at the head of a cul-de-sac and could be provided with a more usable frontage if the front of the common boundary between Lots 47 and 48 was splayed.

It is recommended that the alternative outcome not be accepted in this instance.

PO2

Lot frontage width and access driveways for irregularly shaped allotments provide a safe vehicle entry and exit.

A02

Irregularly shaped allotments have:

- (a) an average width not less than the minimum frontage for a rectangular allotment; and
- (b) the minimum frontage of the allotment is not less than one half the minimum frontage for a rectangular allotment.

Proposal

The proposed development provides lot frontages in accordance with Council's requirements to support access and safe movement. While some lots support reduced lot frontages, all lots will be able to deliver appropriate access arrangements to uphold appropriate safety movement.

Performance Outcome Assessment

The majority of the lots are regular in shape. Proposed Lot 47 has a frontage length of less than 10 metres and requires alteration to increase frontage width. In the event of an approval, this would be conditioned.

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

P03

Reconfiguration retains and protects significant features, including, but not limited to:

- (a) significant vegetation and habitat links/corridors;
- (b) *wetlands*, *waterbodies* and *watercourses*;
- (c) cultural features; and
- (d) natural contours of the land

A03

No acceptable outcome provided.

Proposal

The proposed development has been designed to maintain appropriate vegetation areas on site whilst facilitating the residential development.

Vegetation mapped as Regulated Vegetation and Koala Habitat Area under the Biodiversity Overlay is to be removed to facilitate the proposed subdivision.

Performance Outcome Assessment

The site has an area of 15.85ha.

The development proposes to remove 11.06ha of koala habitat on the site. While the development proposes a 2.6647ha park adjacent to Goan Lane, the development does not protect vegetation of the highest environmental significance.

It is recommended that the alternative outcome not be accepted in this instance.

Movement network and access

P010

Development provides for a *road* network that:

- (a) integrates with the external *road* network and provides safe and convenient access to transport routes;
- (b) provides high levels of internal accessibility for vehicles, pedestrians and cyclists;
- (c) creates a permeable and legible street pattern;

A010

No acceptable outcome provided.

<p>(d) minimises through traffic on residential streets;</p> <p>(e) can accommodate public transport services; and</p> <p>(f) has sufficient capacity to safely and efficiently accommodate the likely traffic generation of the <i>development</i>.</p>	
<p>Proposal</p> <p>The proposed development has provided a road network in accordance with Council's requirements.</p> <p>Performance Outcome Assessment</p> <p>The development does not provide a legible street pattern in that it is proposed to retain the no through status of the northern section of Goan Lane. The layout would require all traffic travelling northbound along Goan Lane to traverse the site rather than using Goan Lane.</p> <p>It is recommended that the alternative outcome not be accepted in this instance.</p>	
<p>P011</p> <p>Access to existing or future public transport services is provided where practicable and reasonably necessary having regard to the location of the <i>site</i> and access to public transport.</p>	<p>A011</p> <p>All lots are located within 500 metres (radial distance) of an existing or potential public transport route.</p>
<p>Proposal</p> <p>The proposed development is located on the existing urban fringe of the Fernvale area. Due to the nature of the area, there is limited public transport facilities.</p> <p>Performance Outcome Assessment</p> <p>The site is within proximity to a bus route that travels between Lowood and Fernvale, however there are no local bus stops.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
<p>P013</p> <p>Rear <i>lot</i> access is appropriately managed to reduce vehicular conflict and provide legal access.</p>	<p>A013.1</p> <p>The minimum width of an access handle for rear lots is:</p> <p>(a) 6 metres for residential activities; and</p> <p>(b) 8 metres for other activities.</p>
<p>Proposal</p> <p>The development includes two (2) rear access lots, being Lots 51 and 54. The proposed access handle for each lot has a width of 5m, which is considered suitable for the proposed development.</p> <p>Performance Outcome Assessment</p> <p>Proposed Lots 51 and 54 are proposed as a pair of rear lots with a reciprocal right of way. Both lots are provided with a 5.5m frontage and an access handle 3.5m wide. The reciprocal nature of the site results in a combined 7m wide access handle to serve the two lots.</p>	

It is recommended that the alternative outcome be accepted in this instance.	
Open space	
<p>PO14 <i>Development</i> provides for public open space that:</p> <ul style="list-style-type: none"> (a) is in accordance with the <i>Local Government Infrastructure Plan</i>; (b) is of a physical standard that enables the park to be used for its intended purpose; (c) is appropriately located, sized, and shaped to satisfy the local, district and/or regional recreational needs of the community; (d) contributes to the establishment and maintenance of local and regional open space network; (e) facilitates appropriate measures for stormwater and flood management; and (f) contributes to the retention of significant vegetation, watercourses and wetlands, and other habitat areas and associated <i>buffers</i> and linkages/corridors. 	<p>AO14 Public open space is provided in accordance with Part 4 – Local Government Infrastructure Plan.</p>
<p>Proposal The proposed development includes a park, being proposed Lot 800. Lot 800 has an area of 2.6647ha and will be able to comply with Council's requirements. The proposed open space is capable of supporting future residential development.</p> <p>The proposed park (Lot 800) has a direct road frontage to all sides, being to Goan Lane on the south-western side, and to new road on the other three sides of Lot 800.</p> <p>Performance Outcome Assessment The park is not required in accordance with the Local Government Infrastructure Plan (LGIP) as no park is identified as being required on the subject land.</p> <p>It is noted under Acceptable Outcome AO3.1 that <i>"Areas that are mapped as containing MSES on Biodiversity overlay maps OM003a-b are dedicated as public open space for purposes consistent with the ecological values and functions of the area"</i>.</p> <p>Proposed Lot 800 does not reflect the alignment or extent of the MSES on the Biodiversity overlay maps.</p> <p>It is recommended that the alternative outcome not be accepted in this instance.</p>	
<p>PO15 Parks are embellished to a standard that enables the park to be used for its intended purpose.</p>	<p>AO15 No acceptable outcome provided.</p>
Performance Outcome Assessment	

The proposed development includes a park, being proposed Lot 800. Lot 800 has an area of 2.6647ha and will be able to comply with Council's requirements. The proposed open space is capable of supporting future residential development.

Officer comment

The park is proposed for environmental purposes but does not address the areas of highest ecological value.

It is recommended that the alternative outcome not be accepted in this instance.

Transport, access and parking code

Performance outcome	Acceptable outcome
Road design standards and associated works	
PO17 <i>Development</i> provides for a safe, legible and efficient <i>road</i> network.	AO17 No acceptable outcome provided.
Proposal The proposed development provides an extension of the approved road network and has been designed in a safe, legible and efficient manner.	
Performance Outcome Assessment The development proposes the construction of a new road network that does not incorporate the construction of a through road along Goan Lane. It is considered directing traffic travelling north along Goan Lane and detouring through the site and then back onto Goan Lane is not considered to be a legible or efficient road network.	
It is recommended that the alternative outcome not be accepted in this instance.	

Biodiversity overlay code

Performance outcome	Acceptable outcome
Matters of State Environmental Significance	
PO2 Vegetation clearing in areas mapped as containing Matters of State Environmental Significance (MSES) is avoided unless: <ul style="list-style-type: none"> (a) it is demonstrated that the area does not support MSES as mapped; or (b) the loss or reduction in MSES is for <i>community infrastructure</i>, or any purpose associated with an Airport, or extractive resources in a key resource area <p>Note - A supporting Ecological Site Assessment is prepared in accordance with SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines.</p>	AO2.1 <i>Buildings</i> and <i>structures</i> are not located within areas mapped as containing Matters of State Environmental Significance (MSES) on the Biodiversity overlay maps OM003a-b . <p>AND</p> AO2.2 No clearing of <i>native vegetation</i> unless defined as <i>minor operational</i> work is undertaken within areas mapped as containing MSES on the Biodiversity overlay maps OM003a-b . <p>OR</p> AO2.3

	<p>Development is located, designed and operated to mitigate significant impacts on the environmental values of the areas mapped as containing MSES on the Biodiversity overlay maps OM003a-b, as identified through provision of a report prepared by an appropriately qualified person that demonstrates how the proposed development mitigates the impacts.</p>
<p>Proposal</p> <p>The subject site is identified as containing areas of Regulated Vegetation (MSES). Refer to the Koala Management Plan and the State Code 25 Response for detailed assessment and justification.</p> <p>The State Code response includes the following comment with respect to avoiding impact on matters of state environmental significance.</p> <p><i>MSES mapped on site include KHA, Category B and C vegetation, and essential habitat. The proposed development is largely unable to avoid these MSES whilst meeting the land use as zoned by SRC as emerging community intended for high-density residential, since they are mapped across the majority of the site. However, the development design has incorporated the retention of a large area (2.66 ha) along the western site boundary. The retained area will maintain connectivity with the closest functional patches of mapped MSES, which exist 20 – 50 m from the western boundary within vegetation inside a neighbouring rural residential property. These patches are similarly mapped with KHA, Category C vegetation, and essential habitat, and are connected to each other and other mapped MSES further south, and so maintaining connectivity to them is very beneficial for biodiversity and fauna movement potential on site. By retaining such a large area and along the western boundary, the proposed development has avoided MSES where possible and to the greatest effect, and in doing so has avoided and minimised impacts to MSES as reasonable.</i></p> <p><i>Mitigation measures have been proposed in the form of the accompanying KMP and the additional vegetation clearing and fauna management plans required to be prepared and implemented as part Operational Works and construction stages of the development. Specifically, within the KMP, potential adverse impacts to Koalas are identified and outlined, with risk assessments, management frameworks and action plans to thoroughly assess and monitor the area during activity. Specific actions and mitigation measures include engagement of a Fauna Spotter Catcher, development of a Wildlife Protection and Management Plan, a Wildlife and Habitat Impact Mitigation Plan, a Vegetation Clearing and Fauna Management Plan (VCFMP), temporary fencing, staged clearing, stop works procedures, and post-clearing and construction works Wildlife Management Report. More specific outlines can be found in the KMP. A VCFMP is anticipated to be produced at the Operational Works stage.</i></p> <p><i>Following the implementation of the above mitigation measures, it is recognized that an environmental offset in accordance with the Queensland Environmental Offset Policy will be required in order to comply with PO11 [of State Code 25].</i></p> <p><i>The proposed development will impact 2,360 NJKHT within the mapped KHA on the site. In order to compensate for the removal of 2,360 NJKHT from within KHA, and to comply with</i></p>	

the performance outcomes of State Code 25, a Environmental Offset will be provided as either financial, on-ground, or a combination of the two.

Performance Outcome Assessment

The development proposes the removal of approximately 11.06ha of koala habitat on site of which approx. 3.77ha is designated as containing MSES on the Biodiversity overlay mapping.

The applicant has not demonstrated the site does not support MSES. The development proposes a reduction of MSES.

SARA has not accepted the response to the State Code 25 and has directed refusal of the application in its current form.

It is recommended that the alternative outcome not be accepted in this instance.

Where in an Urban Area PO3

Management arrangements facilitate the ongoing conservation and protection of nature conservation and biodiversity areas within *Urban Areas*.

Note - A supporting Ecological Site Assessment is prepared in accordance with SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines.

Where in an Urban Area AO3.1

Areas that are mapped as containing MSES on Biodiversity overlay maps OM003a-b are dedicated as public open space for purposes consistent with the ecological values and functions of the area.

Proposal

The subject site is identified as containing areas of Regulated Vegetation (MSES). Refer to the Koala Management Plan (**Appendix E**) and the State Code 25 Response (**Appendix F**) for detailed assessment and justification.

Performance Outcome Assessment

The park layout is situated adjoining Goan Lane and is shown with a proposed area of 2.6647ha.

The MSES areas on the Biodiversity maps have an area of approximately 4.675ha. The applicant has provided an area approximately 57% the size of the MSES.

Approximately 7,000m² or 15% of the designated MSES area overlaps the area of park proposed by the applicant.

The proposed subdivision places the balance of the MSES vegetation (approx. 3.95ha) across approximately 50 lots and several roads. Based on the development comprising general residential style lots with lot sizes generally varying between 600m² and 1,000m², it is unlikely that any of the balance MSES vegetation outside of the park would be retained on these lots or road reserves.

It is recommended that the alternative outcome not be accepted in this instance.

PO4

Development is designed and constructed to minimise adverse impacts on matters of environmental significance.

AO4.1

The design, layout and construction of the development minimises adverse impacts on matters of environmental significance by:

<p>Note - A supporting Ecological Site Assessment is prepared in accordance with SC6.1 - Planning Scheme Policy 1 – Ecological Site Assessment Guidelines.</p>	<ul style="list-style-type: none"> • focusing development in existing cleared areas and minimising the development footprint • aligning new property boundaries to maintain ecologically important areas • ensuring that alterations to natural landforms, hydrology and drainage patterns on the development site do not negatively affect matters of environmental significance • maximising the ecological connectivity between environmental areas by retaining continuous vegetated corridors • ensuring that wildlife habitat is protected in its environmental context • minimising fragmentation of matters of environmental significance.
<p>Proposal The subject site is identified as containing areas of Regulated Vegetation (MSES). Refer to the Koala Management Plan and the State Code 25 Response for detailed assessment and justification.</p> <p>Performance Outcome Assessment The proposed development does not focus development on existing cleared areas. The creation of 121 lots general residential style lots on an Emerging community zoned property does not adequately minimise adverse impacts on site.</p> <p>The proposed lots do not align in a manner that maintains ecological boundaries.</p> <p>The development does not provide continuous vegetated corridors through the site.</p> <p>The proposed development does not minimise fragmentation of the MSES.</p> <p>It is recommended that the alternative outcome not be accepted in this instance.</p>	

5.6.4 Overall outcome assessment

Emerging community zone code

Overall outcome	Officer comments
(a) The use of land in the zone maintains a high level of amenity consistent with its development potential for urban purposes;	<p>(a) The proposal over Lot 218 and Lot 219 complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.</p> <p>(b) The proposal over Lot 220 and 221 proposes development at a general residential scale over an area that is designated as Future park residential under the Desired Settlement Pattern.</p>

Overall outcome	Officer comments
	<p>The proposed development has not satisfactorily demonstrated that there is a sufficient need for the development to warrant deviating away from the intended desired settlement pattern.</p> <p>The proposal does not achieve this overall outcome.</p>
(b) The reconfiguring of a lot does not create additional small lots that compromise the efficient and orderly future development of land for urban purposes;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.
(c) Dwelling houses are the predominant accommodation activity provided and may be supported by home based business;	Not relevant to the assessment of the application.
(d) Specific rural uses such as animal husbandry, cropping where not forestry for wood production and intensive horticulture that can manage their off-site amenity impacts represent appropriate transitional uses of land in the zone until it is required for urban purposes;	Not relevant to the assessment of the application.
(e) A predominant low rise built form and very low intensity scale of development is maintained;	The ultimate form of development after the reconfiguration will consist of a low rise built form. The development of the site as general residential lots is partly consistent with the relevant performance outcomes that achieve this overall outcome, however development of Lots 220 and 221 as general residential is not consistent with the future desired settlement pattern for the area.
(f) Development conserves and sensitively integrates with historic places or items of cultural heritage significance;	Not relevant to the assessment of the application.
<p>(g) Development that is not for urban purposes is serviced by the following infrastructure:</p> <ul style="list-style-type: none"> (i) either the reticulated water supply network or an adequate and self-sufficient potable water supply; and (ii) either the reticulated sewerage network or a sustainable on-site effluent treatment and disposal system that maintains environmental and water quality values; and (iii) stormwater drainage, electricity, gas and telecommunications services as appropriate; 	Not relevant to the assessment of the application in that the proposal is ultimately for urban purposes.

Overall outcome	Officer comments
(h) Development is designed to incorporate sustainable practices including maximising energy efficiency and water conservation;	The proposal complies with the relevant performance outcomes that achieve this overall outcome.
(i) Areas of ecological significance, including watercourses, wetlands, habitats, vegetation and bushland are retained, enhanced and buffered from the impacts of development;	<p>The proposal removes core koala habitat, and Category B vegetation designated as Area of ecological significance on the site.</p> <p>The proposed extent of development retains a smaller area of core koala habitat and MSES vegetation but does not enhance or buffer this habitat from development impacts.</p> <p>The proposal does not achieve this overall outcome.</p>
(j) Not all land is suitable for urban purposes. Development responds to land constraints, including but not limited to topography, bushfire and flooding	<p>The proposed reconfiguration is generally clear of flooding and landslide hazard. The site is subject to areas of medium bushfire hazard and buffers which would be minimised through the clearing of vegetation over the majority of the site.</p> <p>The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.</p>
(k) Land is developed for urban purposes in a logical and orderly sequence that addresses:	See below.
(i) the strategic framework, including the desired settlement pattern for the town;	<p>The proposal over Lot 218 and Lot 219 complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.</p> <p>The proposal over Lot 220 and 221 proposes development at a general residential scale over an area that is designated as Future park residential under the Desired Settlement Pattern. As discussed previously, insufficient evidence has been provided that confirms there is an overwhelming need to justify typical residential development over future park residential land.</p> <p>In addition, the site is also subject to relevant overlays and state criteria with respect to koala habitat and biodiversity.</p> <p>The proposal does not achieve this overall outcome.</p>

Overall outcome	Officer comments
(ii) the mitigation of: (A) amenity impacts generated by the possible adjacent location of high impact activities; and (B) potential reverse amenity impacts that may interfere with the existing or ongoing use of adjacent rural land for productive rural activities;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.
(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;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.
(iv) infrastructure provision and sequencing detailed in Part 4—Priority infrastructure plan;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.
(v) the provision of urban infrastructure and services, including water supply, sewerage, stormwater drainage, electricity, gas and telecommunications;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.
(vi) the provision of road and active transport networks that integrate with established and proposed networks beyond the site;	<p>The proposal incorporates a system of internal roads with access to Goan Lane and Brouff Road.</p> <p>The layout has been designed to minimise lot frontages to the existing road and road reserve of Goan Lane and minimises the associated works required to upgrade the length of Goan Lane to a standard suitable for residential development.</p> <p>The proposed layout is not considered to establish an efficient road layout and does not positively contribute to the active transport network.</p> <p>Access to Forest Hill Fernvale Road is the subject of a concurrence agency response from SARA.</p>
(vii) the provision of recreation and open space opportunities that can integrate with established and proposed networks beyond the site and other community facilities and infrastructure;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.
(viii) the protection of significant historical, cultural, social, recreational, topographic,	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.

Overall outcome	Officer comments
landscape, and scenic amenity features;	
(ix) the protection of natural habitat areas, wildlife corridors, watercourses and wetlands; and	<p>The proposed reconfiguration removes core koala habitat, and Category B vegetation designated as Area of ecological significance on the site.</p> <p>The proposed extent of development retains a smaller area of core koala habitat but does not enhance or buffer this habitat from development impacts.</p> <p>The proposal does not achieve this overall outcome.</p>
(x) the identification of land that is unsuitable for development for urban purposes due to risks to development from flooding, bushfire and landslide.	<p>The proposed reconfiguration is generally clear of flooding and landslide hazard. The site is subject to areas of medium bushfire hazard and buffers which would be minimised through the clearing of vegetation over the majority of the site.</p> <p>The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.</p>

The purpose of the Emerging community zone is to:

- a) *identify land that is intended for an urban purpose in the future; and*
- b) *protect land that is identified for an urban purpose in the future from incompatible uses; and*
- c) *provide for the timely conversion of non-urban land to land for urban purposes.*

The local government purpose of the code is to:

- a) *identify land located in the towns of Esk, Fernvale, Kilcoy, Lowood and Toogoolawah that is considered to be generally suitable for urban development in the future;*
- b) *establish the suitability of the land for development for urban purposes; and*
- c) *protect this land from inappropriate development that has the potential to compromise future urban development opportunities and/or create future land use conflict.*

The proposal is not considered to align with the purpose of the Emerging community zone, as the development proposes a general residential development over the entire site and impacts detrimentally on areas of environmental significance.

Reconfiguring a lot code

The purpose of the code is assessed against the following overall outcomes:

Purpose	Officer comments
(a) by encouraging a diverse range of lot sizes in residential areas to meet the needs of residents and provide housing choice;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this purpose.

Purpose	Officer comments
(b) lots are of a suitable size and dimension to accommodate the intended use;	<p>The proposal over Lot 218 and Lot 219 complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this overall outcome.</p> <p>The proposal over Lot 220 and 221 proposes development at a general residential scale over an area that is designated as Future park residential under the Desired Settlement Pattern.</p> <p>The proposal does not achieve this purpose.</p>
(c) lots are of a suitable size and configuration having regard to the slope of the land;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this purpose.
(d) lot layout and building envelopes are located to protect the safety of people and property from the risk of natural hazards;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this purpose.
(e) site layout avoids adversely impacting on ecologically significant values, including vegetation and waterbodies, watercourses and wetlands;	<p>The proposed reconfiguration removes core koala habitat, and Category B vegetation designated as Area of ecological significance on the site.</p> <p>The proposed extent of development retains a smaller area of core koala habitat but does not enhance or buffer this habitat from development impacts.</p> <p>The proposal does not achieve this purpose.</p>
(f) infrastructure and services are supplied to meet the anticipated needs of future land use activities and the reasonable expectations of the community;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this purpose.
(g) lot layout and design provides safe and efficient access to the road network and does not adversely impact on the functioning of the road network;	<p>The proposal incorporates a system of internal roads with access to Goan Lane and Brouff Road.</p> <p>The layout has been designed to minimise lot frontages to the existing road and road reserve of Goan Lane and the associated works on Goan Lane.</p> <p>Access to Forest Hill Fernvale Road is the subject of a concurrence agency response from SARA.</p> <p>The proposal does not achieve this purpose.</p>

Purpose	Officer comments
(h) lot reconfiguration incorporates urban design principles that promote energy efficiency, and supports walking, cycling and public transport as alternative forms of transport to the private car, where practicable;	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this purpose.
(i) lot reconfiguration provides for effective integration with existing or planned development on adjoining or nearby land; and	The proposal complies, or can be conditioned to comply, with the relevant performance outcomes that achieve this purpose.
(j) lot reconfiguration contributes to an accessible and usable open space network.	<p>The proposed reconfiguration removes core koala habitat, and Category B vegetation designated as Area of ecological significance on the site.</p> <p>The proposed extent of development retains a smaller area of core koala habitat but does not enhance or buffer this habitat from development impacts.</p> <p>It is unclear what level of functionality the open space will provide, given it is understood it will remain heavily vegetated.</p> <p>The proposal does not achieve this purpose.</p>

The purpose of the code is to ensure lot reconfiguration provides for safe, accessible and environmentally responsive development. The proposal is considered to conflict with the purpose of the code, as the development impacts detrimentally on the ecological significant values of the site.

Biodiversity overlay code

Purpose	Officer comments
<p>(a) development conserves and enhances the Somerset Region's biodiversity values and associated ecosystems;</p> <p>(b) development protects and establishes appropriate buffers to native vegetation and significant fauna habitat;</p> <p>(c) development protects known populations and supporting habitat of rare and threatened flora and fauna species;</p> <p>(d) the biodiversity values, ecosystem services and climate change resilience of matters of environmental significance are protected and enhanced;</p> <p>(e) the biodiversity values of matters of environmental significance and bushland koala habitat – primary habitat areas are protected from development;</p>	<p>In the development's current form, the proposal involves the removal of 11.06 hectares of koala habitat, while retaining approximately 2.66ha of the site as park.</p> <p>The site has approximately 4.68ha of MSES, designated as area of environmental significance however the proposed park does not reflect the location of the MSES.</p> <p>The biodiversity values of the site are not protected and enhanced.</p> <p>While Council's koala habitat mapping has been superseded by the State's mapping, the development involves removal from the site of a significant percentage of the koala habitat.</p>

Purpose	Officer comments
(f) development is located, designed and managed to minimise the edge effects of development on matters of environmental significance; (g) ...; (h) development minimises adverse impacts on koalas and koala habitat; (i) ...; (j)	The proposal does not achieve these overall outcomes.

The purpose of the biodiversity overlay code is to ensure that:

- (a) *environmentally significant areas are identified and protected;*
- (b) *ecological connectivity is maintained or improved, habitat extent is maintained or enhanced and degraded areas are rehabilitated; and*
- (c) *watercourses and wetlands are maintained, rehabilitated and enhanced;*
- (d) *koalas and other significant species are appropriately protected.*

Whilst the development does not impact on watercourses or wetlands, it is considered the proposal does not adequately protect the highest value environmentally significant areas on site and as such does not comply with the other stated purposes within the purpose statement for the code.

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) 2024*. In determining the appropriate charging area, the land is located within the urban footprint of Fernvale.

If the application was to be approved, an infrastructure charges notice would be required addressing the respective staging of the development.

5.7.3 Trunk infrastructure requirements

5.7.3.1 Drinking water and wastewater networks

The site is located within the connections area and future connections area for both the drinking water and wastewater networks as shown in Urban Utilities' Netserv Plan.

A development of this type would require each lot to connect to both networks to the satisfaction of Urban Utilities.

If approved, 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 proposed park on the site is not a park proposed under Council's Local Government Infrastructure Plan. Provision of the park does not constitute a local or regional park, rather the park is proposed for environmental purposes. It is however considered the park does not

achieve Council's purposes in that environmental parks are typically proposed to be on the areas of highest environmental value and this park is proposed in a lesser value area of the site.

The site is located in proximity to the Fernvale Sports Park which serves the purpose of a regional recreational facility.

If approved, the park would not constitute trunk infrastructure.

An adopted charge for the public parks and community land network applies where additional lots are created.

5.7.3.3 Stormwater network

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

Drainage at the northern end of Goan Lane is affected by drainage from a stormwater culvert under the rail trail. This culvert conveys stormwater and overland flow from the land to the west and southwest of the rail trail toward Goan Lane.

If approved, conditions would typically be recommended to ensure non-worsening for other properties and discharge to a lawful point of discharge.

An adopted charge for the stormwater network applies where additional lots are created.

5.7.3.4 Transport network

An adopted charge for the transport network applies where additional lots are created.

6.0 REFERRAL

6.1 Referral agencies

In accordance with the *Planning Regulation 2017*, the application required referral to the State Assessment and Referral Agency (SARA) for matters relating to State-controlled roads, scale of development exceeding the threshold for referral under Schedule 20, and koala habitat.

With respect to koala habitat, SARA has concluded that the proposed development does not comply with:

- the purpose statement 1 of State code 25, specifically, the proposed development causes an unacceptable impact on mapped koala habitat areas;
- the purpose statement 2 of State code 25, specifically, the development has not been designed and located to avoid impacts or, where matters of state environmental significance cannot be reasonably avoided, impacts have not been reasonably minimised and mitigated;
- the purpose statement 3 of State code 25, specifically, the proposal would result in a significant residual impact on a matter of state environmental significance which is not acceptable;
- PO11 of State code 25, specifically, the development has not been designed and sited to avoid, minimise and mitigate impacts on matters of state environmental significance.

The proposed development cannot be conditioned in a way that would achieve compliance with State code 25 of SDAP.

SARA, in its role as concurrence agency, has directed Council to refuse the development application.

The concurrence agency response did not raise matters relevant to the state-controlled road or threshold of development.

Council is required to refuse the application but is required to also assess the application against the assessment benchmarks that are applicable under the Planning Scheme and other relevant benchmarks.

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 1 October 2024;
- (b) a notice was published in The Sentinel newspaper on 1 October 2024;
- (c) a notice in the prescribed form was placed on the premises on 28 September 2024 and maintained for the minimum period of 15 business days until 25 October 2024.

Council received the notice of compliance on 29 October 2024, 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 113 submissions. The majority of submissions generally followed pro-forma structures. Of the 113 submissions, 61 submissions were properly made and 52 submissions were not properly made.

A separate petition was received however the petition did not conform with Council's requirements for a petition.

The applicant has not provided comment with respect to the conditions.

The matters raised in the submissions are outlined below:

Submission concern – Double standards

It is deeply concerning that while local residents are held to strict regulations that prevent them from clearing koala habitat on their own properties, the government appears willing to bypass these same protections for large-scale developments. This double standard is not only unfair but also undermines the very laws designed to protect our environment. If individuals are prohibited from harming koala habitat, it is incomprehensible that the government would even consider allowing a project of this scale to proceed in a designated core koala area. Conservation efforts must be consistent and apply equally to all, regardless of the size or influence of the developer involved.

Officer comment

The State Assessment and Referral Agency has provided direction to Council to refuse the application based upon the proposed impacts on koala habitat. As the State has directed Council to refuse the application, Council is obliged to do so.

As part of the relevant legislative process, Council is still required to carry out a full assessment of the merits of the application separate to the State's direction to refuse the application.

Submission concern – Priority koala area

The area covered by this proposed development has been identified in the Queensland Government's *South East Queensland Koala Conservation Strategy 2020–2025* as Core koala habitat. Core koala habitat is described as the areas that “represent the best quality koala habitat based on biophysical measures (such as climate), suitable vegetation (for both food and shelter), and koala sighting records.” The Strategy further states that “the new planning framework implements strict new clearing restrictions, prohibiting the clearing of koala habitat areas within a koala priority area.”

Having read the DA together with the Qld Government Koala legislation and policy I am horrified to see the number of exemptions which would allow greedy developers to destroy the habitat of the Koalas.

I understand that exemptions are outlined in this document. However, if every council utilises an exemption, there will soon be no koala habitat left.

Officer comment

The subject land contains Core koala habitat, however the site is not within the Priority koala area.

If the site was located within the Priority koala area the application could not have been accepted as the development would exceed the clearing thresholds available for exemptions within the Priority koala area.



Submission concern – standard of vegetation

Since 1911, there has been little further clearing done as the location was poor farmland. Thus, this became a prime habitat for koalas and other native species as this piece of bushland has been little disturbed over the last 100 years. The current application lists this area as largely 'high value regrowth', but fails to appreciate just how valuable it is.

Officer comment

The vegetation has been evaluated by the applicant's consultant.

The GPS Tree Plot Survey recorded 25 tree species, comprised of 23 native species and two weed / introduced species. There were also forty-one dead stags recorded.

The dominant species recorded was *Corymbia citriodora* (Spotted Gum) accounting for 17.4% of the survey, followed by *Eucalyptus tereticornis* (Forest Red Gum), *Angophora leiocarpa* (Smooth-barked Apple), and *Eucalyptus crebra* (Narrow-leaved Ironbark) accounting for 16.8%, 15.3%, and 12.2% respectively. Together these species comprised 61.7% (2,743 trees) of the total recorded species on site.

The clearing of the vegetation to enable the proposed subdivision is not considered to satisfy the relevant provisions of the Somerset Region Planning Scheme and SARA do not consider sufficient evidence has been provided to demonstrate that compliance with the SDAP Code has been provided.

Submission concern – koala corridor

This section of land plays a vital role as a link between koala populations and the Brisbane River Koala Habitat area. Disrupting this link will isolate koalas, cutting them off from necessary food sources, shelter, and potential mates, further pushing them toward local extinction.

Removal of trees will displace existing populations and disrupt breeding and foraging patterns.

There have been recent confirmed sightings of koalas in the exact area proposed for development, as recently as this month. This highlights the critical importance of this region as a functioning and occupied koala habitat. We cannot continue to turn a blind eye to these warnings. Any decision to approve this development would ignore the immediate and tangible evidence of the presence of a vulnerable species.

Officer comment

The application made reference to koalas using the site and also referenced Wildsat mapping as a record of koala sightings. The Wildsat mapping in the applicant's Koala management plan provides an indication of koala locations, however it is not comprehensive as it only references locations where people have notified Wildsat (by way of example, the applicant's Koala management plan references seeing a koala on site, however Wildsat only references a sighting on site between 2010 and 2019.)

The surrounding area has areas of koala habitat that have been modified and removed. There is still opportunity to judiciously retain vegetation within koala habitat areas, however it is considered the development does not do this in a manner that protects koalas on site or encourages ongoing koala movement through the area.

The application is not supported in its current form.

Submission concern – Impact on koala populations

It is well-known that South East Queensland's koala populations are already in a dire situation, facing extinction if critical habitats are not protected. The clearing of nearby habitat for housing developments has already had devastating impacts on local koala populations, with numbers declining at an alarming rate. Approving this development will only exacerbate the situation, accelerating the irreversible destruction of one of Australia's most iconic and vulnerable species.

This proposed development would be beyond irresponsible. It would accelerate the decline of the local koala population and further degrade our already threatened natural environment. I urge you to stand with the overwhelming need for environmental responsibility and conservation, and to reject this application without hesitation.

Our future generations depend on the decisions we make today, and once the koalas and their habitats are gone, they are gone forever.

Officer comment

The application has been considered with respect to biodiversity matters and koala matters. The proposed clearing associated with the development is considered to not satisfactorily address the relevant criteria under the Biodiversity code.

SARA has separately directed Council to refuse the application.

The application is not supported in its current form.

Submission concern – Offset planting

The suggestion of offset planting as compensation is both unrealistic and inadequate. It takes years, even decades, for offset plantings to reach maturity and become suitable for koalas to use, while their habitat is being bulldozed today. During that time, the koalas will have nowhere to go. This is simply not a valid solution, as it will fail to prevent the immediate displacement and suffering of the koalas that rely on this habitat now.

Officer comment

The applicant has proposed offset planting to compensate for the vegetation to be removed however no alternate site or option had been promoted to carry out this work.

The proposed development involves clearing of approximately 80% of the vegetation on site.

While provision of vegetation offsets is considered more suitable within proximity of the vegetation to be removed. Council has not been provided sufficient detail to determine the location or extent of offset proposed. It is considered that the volume of offset required to compensate the loss of vegetation is not possible for the offset planting to be provided within the subject land.

The development is not supported in its current form.

It is noted that SARA has not supported offset planting.

Submission concern – Management of corridors

The preservation of corridors at the back of lots as shown in '9e Appendix B Subdivision Plan' will be highly dependent on the people who buy these lots. What requirements are

being considered to keep these areas free of dogs, lawnmowers and sheds for example since the corridor is part of each lot?

Officer comment

The vegetated corridors referenced in Plan 9e were part of the original 2 lot into 17 lot park residential reconfiguration over Lots 218 and 219. That application was subsequently replaced with the 4 lot into 121 lot application.

The corridors/covenants are not relevant to the current application.

The comment has been noted.

Submission concern – Prioritisation of development on cleared land

Developing existing cleared land should be the absolute priority. There is no justification for further destruction of core koala habitat when alternatives exist.

Move the development to an area sparse of vegetation and animal activity. The after affects would not be nearly as damaging by developing under utilised farm land, for example, as opposed to the lush and thriving ecosystems you are considering.

To approve this development would set a dangerous precedent that profits and expansion are more important than preserving what little remains of the natural environment. Once koala habitat is wiped out, the koalas are wiped out along with it – there is no undoing that.

It would be a shame to see some 300 houses built between Vogler Road and Fernvale school creating a satellite city with tin roofs from one end to the other

Officer comment

There are a number of subdivision approvals on properties within the Fernvale area that have not been activated. The majority of these developments are on cleared land or were of an age that pre-dated the introduction of the SEQ koala habitat regime.

Based on the number of approved and unactioned developments within the Fernvale area there appears to be little immediate demand for the approval of an additional 117 lots within the Emerging community zone.

The site is within the urban footprint. While the option of utilising unused farmland has merit, the majority of farmland is located outside the urban footprint. Residential subdivision is prohibited outside the urban footprint.

The development is not supported in its current form.

Submission concern – Biodiversity overlay

The vast majority of the proposed development area is under the OM3 Biodiversity Overlay – Koala Conservation with the middle section also under the OM3 Biodiversity Overlay – Regulated Vegetation. The purpose of the biodiversity overlay code, as stated in the current Somerset Region Planning Scheme, is to ensure that: environmentally significant areas are identified and protected; ecological connectivity is maintained or improved, habitat extent is maintained or enhanced and degraded areas are rehabilitated; and koalas and other significant species are appropriately protected. The proposed development is an example of not delivering on the many outcomes required to achieve the code, e.g. It does not 'conserve and enhance biodiversity values' and it definitely does not 'minimise adverse impacts on koalas and koala habitat'. Previous approval of nearby developments is not

support for compliance of this proposal, as presented in the developers response to 'Item 1: Impacts to Koala Habitat Area' regarding compliance with State Code 25. In fact, other clearing and the increasing fragmentation is further justification for ensuring that any future development must conform to the required regulations. Furthermore, the 'planned replanting' does not ensure the current and ongoing habitat requirements of the koalas and other flora and fauna.

Officer comment

SARA have provided advice the development does not achieve compliance with the State Code 25 and have directed refusal of the application.

The majority of the other approved developments in the area (referenced above) were approved prior to the introduction of the state's upgraded koala habitat criteria and mapping in February 2020.

The majority of the site is subject to Core koala habitat under the SEQ Koala habitat mapping.

Council's koala habitat mapping has been superseded by the State's mapping and no longer has any effect.

Council has assessed the development against the Biodiversity overlay code.

The development is not supported in its current form.

Submission concern – Other fauna

The site provides habitat for other animals including kangaroos, wallabies, owls, echidnas, birds and phascogales.

There is no mention of a search for this animal (or bandicoots for that matter which are also present) in the papers relating to the application. I have recorded one sighting of this shy animal. It is mainly nocturnal with a range for females from 20-70 hectare and for males, up to 100 hectares. It requires dead trees or stumps for nesting which lasts for 5 months and should be undisturbed. Males die after mating. It is highly vulnerable to localised extinction which would be the result of clearing this area of dead trees and leaf litter.

Officer comment

Kangaroos and wallabies are common throughout the Somerset area. The brush-tailed phascogale is listed under the Queensland government website as "Least concern" under the *Nature Conservation Act 1992* and not referenced as Conservation significant.

It is considered that the development application has not sufficiently demonstrated that the ecology of the subject land has been sufficiently protected.

Submission concern – Conflict with vehicles

Due to the rapid influx of people moving into Fernvale we are already seeing massive increase of injured and killed wildlife on our roads which we can only imagine will get worse with another 600+ proposed lots.

Officer comment

There are limited options available with respect to protection of animals within an urban environment.

While opportunities may exist to reduce impacts on wildlife, given the overall non-compliance of the proposal with both the planning scheme and the SDAP codes these matters have not been explored.

Officers do not consider this a sufficient reason to refuse the application.

Submission concern – dog attacks

Koalas entering backyards can be mauled by dogs. Our local Koala rescue can give you figures of the number of callouts they receive in relation to Koalas which have been maimed or killed by domestic dogs.

Officer comment

Koala friendly fencing can greatly assist with safe koala movement and dispersal through backyards and residential areas. The koala friendly fence designs which provide a gap under the fence create other security or privacy issues with respect to providing a private yard for pets or children. Other fence designs can trap a koala and make it vulnerable to attack by domestic dogs, as well as restrict access to important food and shelter trees.

The comment is noted.

Submission concern – Scenic amenity

The report also shows a significant section in the middle of the proposed development is considered a 'High Scenic Amenity Area' (OM12 Scenic Amenity Overlay). The 'acceptable outcomes' requires for this section of the land are that 'Buildings, structures and operational works are located a minimum of 50 metres from ridges or peaks within high scenic amenity areas identified on Scenic amenity overlay maps' and that 'no vegetation clearing occurs: (a) within 100 metres of ridgelines or peaks' (Section 7.2.12. 3 Assessment benchmarks – bold & underline added).

Officer comment

The development comprises a reconfiguring a lot application. Reconfiguring a lot is not subject to assessment against the scenic amenity overlay.

Officers do not consider this a sufficient reason to refuse the application.

Typically, scenic amenity provisions are introduced on visually prominent hill tops or ridge lines, to stop housing that projects up into the skyline.

With respect to the submitters' concern, the site has a very broad ridge line at the top of a relatively gentle and vegetated slope. The northern side of the site has an average gradient of approximately 6% from low point to high point across a length of approximately 290 metres. The southern side of the site has an average gradient of approximately 6.7% from low point to high point across a length of approximately 240 metres.

The location of the higher values koala habitat in proximity to the top of the ridge would provide a vegetated backdrop if a less dense development was proposed.

Submission concern – Emerging community zone

There are many references to the 'Emerging Community Zone' with the unfounded implication that high density residential development is the aim. In reality, the Somerset Region Planning Scheme states the while the purpose of this zone is to: 'provide for the timely conversion of non-urban land to land for urban purposes', there is still the required outcome that 'Areas of ecological significance, including watercourses, wetlands, habitats,

vegetation and bushland are retained, enhanced and buffered from the impacts of development'.

Officer comment

The site is within the Emerging community zone. As a general point, 600m²–1,000m² lots are not classified as high density residential development.

The development is required to balance ecological requirements as a part of the development. The development as proposed does not retain the areas of site with the highest environmental values. The clearance of approximately 11 hectares of koala habitat on an almost 16 hectare site is not considered to balance ecological requirements on the site.

The Desired Settlement Pattern mapping for the site, sets out approximately half of the site as Future park residential and half as Future residential.

While there have been some historic divergences from the Desired Settlement Plan mapping in other developments within the Fernvale area, the current development has not considered any Park residential style development on the site.

The development is not supported in its current form.

Submission concern – Intersection

Goan Lane has no turning in lanes off Forest Hill Fernvale Road and is in a 100km hour zone - this is extremely dangerous as it is - without adding further traffic.

Goan Lane should not be the main point of entry - the main point of entry should be the main road - with proper turning lanes and the speed limit should be adjusted.

Officer comment

The site has frontage to Forest Hill Fernvale Road which is a state controlled road. The 100km/h speed limit commences along the frontage of the site. The eastern section of the frontage to Forest Hill Fernvale Road has a 60km/h speed limit.

Intersections on state controlled roads are dealt with by the Department of Transport and Main Roads (DTMR) via the State Assessment and Referral Agency (SARA).

Because SARA has directed refusal of the application on koala grounds, SARA has not provided comment or advice on matters pertaining to State roads.

Submission concern – Intersection of Brisbane Valley Highway and Forest Hill Fernvale Road

The T section at Brisbane Valley Highway and Forest Hill Fernvale Road is not capable of handling large traffic volumes especially in school hours and needs to be addressed.

Officer comment

These two roads are both state-controlled roads.

Intersections on state-controlled roads are dealt with by the Department of Transport and Main Roads (DTMR) via the State Assessment and Referral Agency (SARA).

Because SARA has directed refusal of the application on koala grounds, SARA has not provided comment or advice on matters pertaining to State roads.

Submission concern – Road standards

Goan Lane is a dirt road and not wide enough or designed to the amount of traffic proposed.

Officer comment

Goan Lane is currently unformed and would require sealing and upgrading to satisfy Council and the DTMR's requirements.

The applicant had designed the subdivision layout to minimise the length of upgrade in Goan Lane to the section between Forest Hill Fernvale Road and the proposed road connecting into the estate. The proponent's design then proposed locating a park adjacent to Goan Lane. It appears the length of park adjacent to Goan Lane was maximised in an effort to minimise the amount of work required in Goan Lane, and to avoid the construction of the balance of Goan Lane.

A separate section at the south end of Goan Lane is proposed to be constructed to provide access and frontage for lots at the southern end of Goan Lane and access from Brouff Road.

Council does not support the proponent's road solution.

Submission concern – Stormwater – proper solution required

Where is the rainfall drainage going to go off this developed area most likely down behind Poole Road into that creek that is choked up with rubbish causing more dramas for anyone backing onto the creek

Officer comment

The northern part of the subject site slopes toward the corner of Goan Lane and Forest Hill Fernvale Road and ultimately drains under Forest Hill Fernvale Road to the east of Goan Lane. The northern end of Goan Lane includes a separate property that is affected by overland flows through an existing culvert under the rail trail, designated under Council's Planning Scheme as Potential Flood Hazard. The northern section of the relevant lot is low and forms a natural drainage line, however this drainage line flows intermittently.

The northern section of the subject lot has been proposed with a stormwater detention basin. The basin is designed to accommodate additional flows generated by the proposed development.

The stormwater for the southern part of the site will be directed to a stormwater basin in the eastern corner of the site. From there stormwater is likely to be directed toward the highway and ultimately to the drainage line behind Poole Road opposite the Fernvale Sports Park.

Stormwater discharge is required to not generate any actionable nuisance.

The extent of the basin has been reviewed by Council officers. The capacity of the basin is considered sufficient to not generate adverse impact upon downstream properties.

Submission concern – No infrastructure:

There are no buses, public transfer, taxi services in the vicinity.

There are no footpaths (to the school via the main road)

Fernvale does not have police, ambulance or fire departments in town - we cannot currently safely service the population that we have - an upgrade to community services is required.

Officer comment

Police and ambulance services are a State based function. Fernvale has a Rural Fire Brigade. Police, fire and ambulance services are available in Lowood, approximately eight minutes from the site.

Footpaths along the Forest Hill Fernvale Road may be a condition of approval from the SARA, if the application was approved. Alternatively pedestrian access can be achieved via Brouff Road (however a footpath would be required), through the Fernvale Sports Park and onto the footpath on the Brisbane Valley Highway.

Officers do not consider this a sufficient reason to refuse the application.

Submission concern – access to schools

No High school: Fernvale currently has no high school - where are all these families going to send their kids to school?

Officer comment

Development of new public high schools is the responsibility of the Department of Education. The site is within the catchment of Lowood State High School. The nearest state secondary schools are at Lowood (8km), Ipswich (22km) and Rosewood (27km).

The nearest private secondary schools are at Ipswich (four) and Plainland (two). Development of a private secondary school within the region would be the subject of a Material change of use application or a Ministerial infrastructure designation.

Officers do not consider this a sufficient reason to refuse the application.

Submission concern – Owner/occupier

The DA should have a requirement for the Developer to have an 80% Home owner occupation rate - to ensure that we are not creating another NRAS/Low income/high crime/Low employment estate for which Fernvale cannot deal with due to no infrastructure.

Officer comment

These tenancy concerns are not a planning consideration. Officers do not consider this a sufficient reason to refuse the application.

Submission concern –

The application does not adequately reflect the faunal and floristic values of the site. Queensland has a poor record for vegetation removal and destruction of animal habitat.

Residential development should be located within higher density urban areas well served by public transport.

Officer comment

The site is located within an area designated by the State as being within the Urban footprint under the SEQ Regional Plan. The site is also located within an area zoned as Emerging community, which considers the site as potentially suitable for residential purposes, subject to consideration of relevant site conditions including biodiversity and animal habitat.

Somerset Regional Council, being a primarily rural area with relatively small townships, has no areas of high density residential development. That would be inconsistent with existing

development patterns within the region. Council's higher density residential areas are still comparatively low density when compared with more urbanised cities.

Officers do not consider this a sufficient reason to refuse the application.

Submission concern – Small lots

I am strongly against a development putting small blocks in this area bringing many social problems. On the other side of town I was often parked in by police for drug raids on my neighbours, witnessing violence in the street between residents and I do not want to return to that life style. We are on acreage blocks here and are happy with our Fernvale lifestyle please don't take it away.

Officer comment

Comparatively speaking, 600-1000m² are not small lots. There is no direct correlation between lot size and anti-social behaviour for standard general residential lots.

Officers do not consider this a sufficient reason to refuse the application.

Submission concern – Issues with development in other areas

(a) We have lost several koalas in our local area, and find the development happening at the end of this [street] extremely detrimental to the local wildlife habitat.

(b) Koalas sightings have dwindled to no sightings in more than a year now, as existing properties clear without any council oversight or objection, and new lots are developed. This is happening all over this essential Koala habitat. The koala population is shrinking rapidly and this is yet another example of developers being allowed to do what they like to the detriment of all future Australians.

Officer comment

Complaints about a development under construction in a different town are not directly relevant to the proposed development.

There are however a number of exemptions available under the Planning Regulation that correspond to clearing of vegetation associated with the development of a house on an existing lot.

Officers do not consider this a sufficient reason to refuse the application.

Submission concern – Additional environment conservation and national parks

As a suggestion, zoning larger sections for the sake of environment conservation, the establishment and creation of national park areas, which can also be used to provide green space for local residents and attract tourists by establishing hiking trails, investing in safe corridors for our native wildlife to cross and establishing human-free and protected wildlife habitat.

Officer comment

The creation of national parks and state forests are subject to action by the state.

Officers do not consider this a sufficient reason to refuse the application.

Submission concern – Display of public notification signage

The notice for the development posted on the Fernvale Forest Hill Road is set so it is very much obscured by branches. It is low to the ground and smaller than most such notices.

Officer comment

The signage was located along the frontages of Forest Hill Fernvale Road, Goan Lane and Brouff Road. The signage was located adjacent to boundary fences in accordance with the requirements of the DA Rules.

Officers do not consider this a sufficient reason to refuse the application.

8.0 OTHER RELEVANT MATTERS

8.1 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 express that koala habitat and native vegetation should be protected, which is consistent with the designation of land as koala habitat by the Queensland Government. A number of submitters appear to have an expectation that the land being subject to MSES vegetation, regulated vegetation, koala habitat, and subject to a biodiversity overlay must not be developed for a residential purpose. A blanket ban of any development on the site is not consistent with a reading of the planning scheme however the extent of development needs to reflect the environmental constraints over the site.

8.2 Public interest

Fundamentally, the public has an interest in upholding the expectations that are laid out in the planning scheme. The Queensland Court of Appeal holds a view that the planning scheme is to be taken as an expression of the public interest for development assessment.

The planning scheme sets out that the land is to be used for residential and park residential purposes in the future, subject to consideration of environmental constraints, as this provides the maximum benefit to using existing infrastructure and supports the consolidated growth plan envisaged through the State Planning Policy, regional plan, and planning scheme.

The decision needs to balance the need for additional housing opportunities, with the existing number of approved developments within Fernvale and the environmental constraints over the property to enable provision of future housing with efficient use of existing services and developing a desirable compact urban form.

The officer's recommendation is that the need for the development in its current form is not greater than the public's interest in seeing the town developed in the anticipated and planned manner.

8.3 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.

The development land today is unimproved. The planning intention for Fernvale requires consolidated urban growth to support the town, as limited expansion opportunities are provided.

The development has not provided detailed land use investigations that demonstrate need for additional residential development across the entire site. Based upon the Desired Settlement Pattern, the future planning intention for Lots 220 and 221 is for park residential development, constrained by environmental amenity constraints, to support the desired consolidated urban growth pattern.

In considering the suitability of the development for future generations and long-term effects, officers consider the balanced decision is to refuse the development proposal.

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) inconsistent with the intent of the Somerset Region Planning Scheme (Version Four); and
- (b) not achieving the outcomes identified in the applicable assessment benchmarks for which the application was required to be assessed.

As identified within the report, removal of the majority of the vegetation designated under the area of environmental significance on the site does not align with the planning intent for the biodiversity overlay. The reconfiguration also proposes a general residential lot layout for a part of the site that is designated as Future park residential under the Desired settlement pattern mapping for Fernvale.

The officers' recommendation is to refuse the application, for the following reasons of refusal:

- a. The proposed development is inconsistent with the planning intent for the land and the broader locality:
 - i. The proposed development conflicts with the purpose of the Emerging community zone as the development is for a general residential style reconfiguration over land that is mapped as Future park residential under Council's Desired Settlement Pattern map for Fernvale.

Assessment benchmarks

- Element – 3.3.2 of the strategic framework
- Strategic outcome 3.3.2.1(c) of the strategic framework
- Strategic outcome 3.3.2.1(d) of the strategic framework
- Strategic outcome 3.3.2.2(a) of the strategic framework
- Purpose (1)(c) of the Emerging community zone;
- Local government purpose (2)(b) and (c) of the Emerging community zone code;
- Overall outcomes (3) (a), (e) and (k)(i) of the Emerging community zone code
- Performance outcome PO10 of the Emerging community zone code

- ii. The proposed development requires the clearance of 3.77 hectares of land designated as Area of environmental significance and does not conserve or enhance the biodiversity values or associated ecosystems within the Somerset region, either by:
 - A. protecting and establishing buffers to native vegetation and significant fauna habitat; or
 - B. protecting known populations of threatened fauna species;
 - C. protecting biodiversity values of environmentally significant vegetation and koala habitat; and
 - D. minimising adverse impacts on koalas and koala habitat;

Assessment benchmarks

- Element – 3.3.1 of the strategic framework
 - Strategic outcome 3.3.1(2)(c) of the strategic framework
 - Element – 3.3.2 of the strategic framework
 - Strategic outcome 3.3.2.1(c)(iii) of the strategic framework
 - Strategic outcome 3.3.2.1(c)(v) of the strategic framework
 - Element – 3.4.2 of the strategic framework
 - Strategic outcome 3.4.2.1(a) of the strategic framework
 - 6.2.4.2 (1) purpose of the Emerging community zone
 - 6.2.4.2 (2) local government purpose of the Emerging community zone code
 - Overall outcomes (3) (i) and (k)(ix) of the Emerging community zone code
 - Performance outcome PO10 of the Emerging community zone code
 - Purpose (1)(a), (c) and (d) of the Biodiversity overlay code
 - Purpose (2) (a), (b), (c), (d), (e) and (h) of the Biodiversity overlay code
 - Performance outcomes PO2, PO3, PO4 and PO14 of the Biodiversity overlay code
- b. The proposed development cannot be appropriately conditioned to overcome the biodiversity impacts and achieve compliance with the requirements of the Council's planning scheme;
 - c. The proposed development does not provide a legible street pattern based on the intent to create a 'road detour' through the development to avoid construction of Goan Lane.
 - d. The proposed development is not consistent with the community's reasonable expectations for the development of the land subject to the development application;
 - e. It has not been demonstrated that there is such a need for the proposed development on the subject land to warrant approval notwithstanding the conflicts with the planning scheme;
 - f. Approval of the proposed development the subject of the development application would not represent a balanced decision in the public interest and would not advance the purpose of the *Planning Act 2016*;

- g. There are otherwise no other relevant matters that would tip the balance of favour in support of an approval of the development application.

Should Council decide to approve the development application, Council must provide reasons for the decision to satisfy section 63(5) of the *Planning Act 2016*. Additionally, Council must, under section 89 of the *Planning Act 2016*, decide to:

- (a) note the approval to the planning scheme as being substantially inconsistent with its planning scheme; and
- (b) give notice of the notation, and the premises to which the note relates, to the chief executive administering the Act.

10.0 CONCLUSION

The application is to reconfigure four lots into 121 residential lots on land within the Emerging community zone. The proposal required impact assessment and requires a large proportion of the site to be cleared to accommodate the development, including the Somerset Region Planning Scheme and State Planning Policy.

As explained throughout this report, the proposal is not compliant with several aspects of the relevant assessment benchmarks, including the Somerset Region Planning Scheme and State Planning Policy. However, as is intended in a performance-based planning system, there are reasons that give merit to approving the development, despite the noncompliance. There are also relevant matters that add to the weight of refusing the application.

In deciding the application, Council has a broad discretion in its decision as assessment manager, but must:

- (a) make a decision that is based on the assessment of the application;
- (b) perform the decision-making function in a way that advances the purpose of the *Planning Act 2016*; and
- (c) act within any implied limitation arising from the purpose, scope and subject matter of the *Planning Act 2016*.

Having undertaken the assessment, and considered the relevant matters identified within the report, the officer recommendation is to refuse the application.

11.0 ATTACHMENT

1. SARA Concurrence Agency Letter, reference 2406-41036 SRA, dated 16 October 2024
2. Subdivision Proposal Plan, drawn by DTS, Drawing No A1 1493 Revision U, dated 10 September 2024
3. Traffic Impact Assessment, reference CIV02987-TRAF01, prepared by Contour Consulting Engineers, dated 9 September 2024
4. Stormwater Management Plan, reference CIV02987-SWMP01 Revision A, prepared by Contour Consulting Engineers, dated 20 September 2024
5. Environmental Noise Impact Report, reference 2409129, prepared by Decibell Consulting Pty Ltd, dated 11 September 2024
6. Engineering Technical Note, reference CIV02987-01, prepared by Contour Consulting Engineers, dated 29 May 2024
7. Bushfire Hazard Assessment and Mitigation Plan, reference RFA23-052 Revision 02, prepared by Rob Friend & Associates Pty Ltd, dated 14 May 2024.
8. Koala Management Plan, reference 11439E, prepared by Saunders Havill Group, dated 10 May 2024.

9. State Code 25 Response State Development Assessment Provisions v3.0, reference 11439, prepared by Saunders Havill Group, dated 10 May 2024.

RECOMMENDATION

THAT Council:

1. Refuse Development Application No. 24209 for a Development Permit for a Reconfiguration of a Lot by Subdivision (four lots into 121 lots) on land situated at Brouff Road, Goan Lane and Forest Hill Fernvale Road, Fernvale, formally described as Lots 218, 219, 220 and 221 CC572, for the following reasons for refusal.
 - a. The proposed development is inconsistent with the planning intent for the land and the broader locality:
 - i. The proposed development conflicts with the purpose of the Emerging community zone as the development is for a general residential style reconfiguration over land that is mapped as Future park residential under Council's Desired Settlement Pattern map for Fernvale.

Assessment benchmarks

- Element – 3.3.2 of the strategic framework
 - Strategic outcome 3.3.2.1(c) of the strategic framework
 - Strategic outcome 3.3.2.1(d) of the strategic framework
 - Strategic outcome 3.3.2.2(a) of the strategic framework
 - Purpose (1)(c) of the Emerging community zone
 - Local government purpose (2)(b) and (c) of the Emerging community zone code
 - Overall outcomes (3) (a), (e) and (k)(i) of the Emerging community zone code
 - Performance outcome PO10 of the Emerging community zone code
- ii. The proposed development requires the clearance of 3.77 hectares of land designated as Area of environmental significance and does not conserve or enhance the biodiversity values or associated ecosystems within the Somerset region, either by:
 - A. protecting and establishing buffers to native vegetation and significant fauna habitat; or
 - B. protecting known populations of threatened fauna species;
 - C. protecting biodiversity values of environmentally significant vegetation and koala habitat; and
 - D. minimising adverse impacts on koalas and koala habitat.

Assessment benchmarks

- Element – 3.3.1 of the strategic framework
- Strategic outcome 3.3.1(2)(c) of the strategic framework
- Element – 3.3.2 of the strategic framework
- Strategic outcome 3.3.2.1(c)(iii) of the strategic framework
- Strategic outcome 3.3.2.1(c)(v) of the strategic framework
- Element – 3.4.2 of the strategic framework
- Strategic outcome 3.4.2.1(a) of the strategic framework
- 6.2.4.2 (1) purpose of the Emerging community zone

- 6.2.4.2 (2) local government purpose of the Emerging community zone code
 - Overall outcomes (3) (i) and (k)(ix) of the Emerging community zone code
 - Performance outcome PO10 of the Emerging community zone code
 - Purpose (1)(a), (c) and (d) of the Biodiversity overlay code
 - Purpose (2) (a), (b), (c), (d), (e) and (h) of the Biodiversity overlay code
 - Performance outcomes PO2, PO3, PO4 and PO14 of the Biodiversity overlay code;
- b. The proposed development cannot be appropriately conditioned to overcome the biodiversity impacts and achieve compliance with the requirements of the Council's planning scheme;
 - c. The proposed development does not provide a legible street pattern based on the intent to create a 'road detour' through the development to avoid construction of Goan Lane.
 - d. The proposed development is not consistent with the community's reasonable expectations for the development of the land subject to the development application;
 - e. It has not been demonstrated that there is such a need for the proposed development on the subject land to warrant approval notwithstanding the conflicts with the planning scheme;
 - f. Approval of the proposed development the subject of the development application would not represent a balanced decision in the public interest and would not advance the purpose of the *Planning Act 2016*;
 - g. There are otherwise no other relevant matters that would result in a change from a recommendation to refuse the development application to a recommendation to approve the development application.
2. Council has been directed to refuse the application by the State Assessment and Referral Agency in its role as Concurrence Agency for the application.
 3. 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*.

Attachments for the Decision Notice include:

- SARA Concurrence Agency Letter, reference 2406-41036 SRA, dated 16 October 2024

This completes the report for Development Application DA24209.

Resolution

Moved – Cr Isidro

Seconded – Cr Bishop

"THAT Council:

1. Refuse Development Application No. 24209 for a Development Permit for a Reconfiguration of a Lot by Subdivision (four lots into 121 lots) on land situated at Brouff Road, Goan Lane and Forest Hill Fernvale Road, Fernvale, formally described as Lots 218, 219, 220 and 221 CC572, for the following reasons for refusal.

- a. The proposed development is inconsistent with the planning intent for the land and the broader locality:

- i. The proposed development conflicts with the purpose of the Emerging community zone as the development is for a general residential style reconfiguration over land that is mapped as Future park residential under Council's Desired Settlement Pattern map for Fernvale.

Assessment benchmarks

- Element – 3.3.2 of the strategic framework
- Strategic outcome 3.3.2.1(c) of the strategic framework
- Strategic outcome 3.3.2.1(d) of the strategic framework
- Strategic outcome 3.3.2.2(a) of the strategic framework
- Purpose (1)(c) of the Emerging community zone
- Local government purpose (2)(b) and (c) of the Emerging community zone code
- Overall outcomes (3) (a), (e) and (k)(i) of the Emerging community zone code
- Performance outcome PO10 of the Emerging community zone code

- ii. The proposed development requires the clearance of 3.77 hectares of land designated as Area of environmental significance and does not conserve or enhance the biodiversity values or associated ecosystems within the Somerset region, either by:

- A. protecting and establishing buffers to native vegetation and significant fauna habitat; or
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Assessment benchmarks

- Element – 3.3.1 of the strategic framework
- Strategic outcome 3.3.1(2)(c) of the strategic framework

- Element – 3.3.2 of the strategic framework
 - Strategic outcome 3.3.2.1(c)(iii) of the strategic framework
 - Strategic outcome 3.3.2.1(c)(v) of the strategic framework
 - Element – 3.4.2 of the strategic framework
 - Strategic outcome 3.4.2.1(a) of the strategic framework
 - 6.2.4.2 (1) purpose of the Emerging community zone
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 - Purpose (1)(a), (c) and (d) of the Biodiversity overlay code
 - Purpose (2) (a), (b), (c), (d), (e) and (h) of the Biodiversity overlay code
 - Performance outcomes PO2, PO3, PO4 and PO14 of the Biodiversity overlay code;
- b. The proposed development cannot be appropriately conditioned to overcome the biodiversity impacts and achieve compliance with the requirements of the Council's planning scheme;
- c. The proposed development does not provide a legible street pattern based on the intent to create a 'road detour' through the development to avoid construction of Goan Lane.
- d. The proposed development is not consistent with the community's reasonable expectations for the development of the land subject to the development application;
- e. It has not been demonstrated that there is such a need for the proposed development on the subject land to warrant approval notwithstanding the conflicts with the planning scheme;
- f. Approval of the proposed development the subject of the development application would not represent a balanced decision in the public interest and would not advance the purpose of the *Planning Act 2016*;
- g. There are otherwise no other relevant matters that would result in a change from a recommendation to refuse the development application to a recommendation to approve the development application.

2. Council has been directed to refuse the application by the State Assessment and Referral Agency in its role as Concurrence Agency for the application.
3. 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*."

Carried

Vote - Unanimous

Subject:	Development Application No. 25298 – 157 Logan Inlet Road, Wivenhoe Hill Development Application for a Development Permit for a Material Change of Use for Short Term Accommodation (eight cabins and manager's residence) and Function facility in two stages.
File No:	DA25298 Assessment No: 03808-90000-000
Action Officer:	SP - MJ

1.0 APPLICATION SUMMARY**Property details**

Location:	157 Logan Inlet Road, Wivenhoe Hill
Real property description:	Lot 11 SP248268
Site area:	65.02 hectares
Current land use:	Dwelling house and grazing
Easements/encumbrances:	Nil identified

South East Queensland Regional Plan

Land use category:	Regional landscape and rural production area
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Planning scheme details

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	Rural zone
Precinct:	Not applicable
Overlays:	OM3 Biodiversity overlay OM4 Bushfire hazard overlay OM5 Catchment management overlay OM7 Flood hazard overlay OM8 High impact activities management area overlay OM10 Landslide hazard overlay OM12 Scenic amenity overlay

Application details

Proposal:	Short term accommodation (eight cabins and a manager's residence) and Function facility (150 people maximum)
Category of assessment:	Code assessment
Applicant details:	DJ and TM Brown Family Trust C/- TJ Kelly Surveys Pty Ltd PO Box 221 BEAUDESERT QLD 4285
Owner details:	Tricia Brown

Date application received: 15 August 2024
Date application properly made: 26 August 2024

Referrals Seqwater (for third party advice only)

Public notification Not required

RECOMMENDED DECISION

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



Locality Plan of Lot 11 SP248268
Situated at 157 Logan Inlet Road, Wivenhoe Hill

2.0 PROPOSAL

This development application seeks approval for a Development Permit for a Material Change of Use for Short Term Accommodation (eight cabins and manager's residence) and Function facility, on land at 157 Logan Inlet Road, Wivenhoe Hill, formally described as Lot 11 SP248268.

Short Term Accommodation

A total of eight tourist cabins are proposed to be constructed for short term accommodation purposes. They will be located in the north-west part of the property to take advantage of the setting and views and to maximise privacy.

The cabins are all of the same architectural style however there will be two variants. Four single room cabins and four double room cabins are proposed. The single room cabins will have an internal area of 51.5m². Incorporated in the design is a timber deck with an area of approximately 22.0m². The double room cabins have an internal area of approximately 71.5m², with surrounding timber decks totalling approximately 20m². The height of the cabins will be about 6.2 metres.

A communal facility including a pool and recreation area is also proposed along the approach to the cabins. The communal building is also proposed to be used for various functions and receptions.

The cabins will be serviced with a central wastewater system. Potable water for the cabins and function facility will be sourced from rainwater collected and stored in water tanks, before being filtered for consumption. A 5 gegalitre dam will be constructed in the gully between the two rows of cabins. It will supply water for irrigation and bushfire fighting purposes. Water will be pumped uphill to the south, and stored in two 150,000 litre water tanks.

Function facility

The communal building will be used for various functions and receptions. The building is to be located at the southern end of the cabins. The internal area is about 278m², and includes an open function area and a commercial kitchen and amenities. A timber deck surrounds the building amongst landscaped areas. The total area of the deck is approximately 150m².

Adjoining the eastern end of the function room will be a concrete slab measuring 10m x 12m. The purpose of this area is to provide for outdoor functions. It is designed to allow for temporary marquees to be erected.

The internal function room is expected to cater for events of around 50 persons on average. The outdoor marquee area is expected, on average, to cater for approximately 100 persons.

A parking area accommodating 14 vehicles is proposed at the entrance to the communal building. An overflow area for a further 24 spaces will be constructed on the approaching internal road. A network of pedestrian paths and landscaped areas will establish connectivity between the key spaces and nodes. A second all weather overflow parking area will be provided to for large events. The area on the western side of the function facility building can accommodate around 60 to 70 cars. It will also provide an area for a bus turn around and parking area.

The communal building will be available for hire seven days a week. It is expected that most events will be held on weekends however mid-week receptions are anticipated (typically corporate events). It is expected that the busiest of times would not cater for any more than 2 to 3 events per week.

The proposed hours for events is proposed from 10am to midnight. A 'soft close' at 11pm where there is no music or alcohol served after this time. All guests will be required to vacate the premises by midnight. Whilst a midnight close is not likely to be a common occurrence, it is important that the venue has some flexibility to manage a range of events.

Caretaker's Residence

A residence for an on-site manager will be constructed on the eastern side of the internal road leading to the main carpark. The residence will be occupied by a full time manager responsible for the operation of both the accommodation and function facility.

Staging

The development will be constructed over two stages. The staging plan is as follows:

- **Stage 1**

- Four Cabins
- Function Facility
- Manager's Residence
- Wastewater System and associated infrastructure
- **Stage 2**
 - Four cabins.

3.0 SITE DETAILS

3.1 Description of the land

The site is an irregular shaped allotment with frontage to Logan Inlet Road at the eastern boundary. The site currently contains a dwelling house and associated outbuildings and is utilised for cattle grazing.

Surrounding lots are also within the Rural zone and are typically used for grazing purposes with houses existing on some lots. The lot slopes to the north towards Lake Wivenhoe which immediately adjoins the subject land.

Access to the site will be via the existing crossover and driveway Logan Inlet Road, which is an Access Street in Council's road hierarchy.

3.2 Site approval history

Reference:	Decision date:	Description:
DA13876	23 May 2014 (Council delegate)	Plumbing and drainage associated with dwelling house.
DA13953	31 October 2013 (private certifier)	Dwelling house
DA14644	17 March 2015 (Council delegate)	Shed

3.3 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. Notwithstanding, the land is already connected to these networks and it is anticipated that the development will be connected.

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

The State Planning Policy 2017 (SPP) came into effect on 3 July 2017 and is not identified as being reflected in the Somerset Region Planning Scheme. The application requires an assessment against the assessment benchmarks contained within Part E, and Council must have regard to each of the State Interests within the SPP, to the extent relevant to the application.

The application has been assessed against the assessment benchmarks and relevant state interests and the proposal is considered to comply (to the extent relevant).

5.2 South East Queensland Regional Plan

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*

Schedule 10 of the *Planning Regulation 2017* establishes assessment triggers, requirements, and assessment benchmarks. No Council assessment of the development against an assessment benchmark from the Regulation was required. Where a referral agency undertakes an assessment against a matter as required by the Regulation, this is discussed in section 6.0 of this report.

The proposal:

- (e) does not impact on any regulated vegetation;
- (f) does not impact on any koala habitat areas;
- (g) is not located within a koala priority area;
- (h) is located within a koala priority area, however Schedule 11 does not apply to the development;
- (i) is not located in proximity to a Queensland heritage place or local heritage place;
- (j) is not on land designated for infrastructure;
- (k) does not involve any environmentally relevant activities.

5.3.1 Schedule 11 – Koala habitat areas

The subject land contains a small section of core koala habitat in the north eastern corner of the site. The proposed development is positioned about 600 metres from the vegetation and is not anticipated to be impacted by the proposal.

No further assessment required.

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

The following are the relevant sections of the planning scheme for the assessment of this application:

- (a) 6.2.9 Rural zone code;
- (b) 7.2.3 Biodiversity overlay code;
- (c) 7.2.5 Catchment management overlay code;
- (d) 7.2.10 Landslide hazard overlay code;
- (e) 8.2.19 Short term accommodation code;
- (f) 8.3.4 Reconfiguring a lot code;
- (g) 8.3.5 Services works and infrastructure code; and
- (h) 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 OM004 Bushfire hazard overlay, OM007 Flood hazard overlay and OM12 Scenic amenity overlay. The development area is outside of the mapped overlay and as such assessment was not required.

Additionally, the site is mapped within the OM008 High impact activities management area overlay. As the use is not a high impact activity, as defined in the planning scheme, the overlay code does not apply.

5.6.2 Strategic framework assessment

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

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	PO16
Dwelling house code	Yes	No alternative outcomes proposed
Short term accommodation code	Yes	No alternative outcomes proposed
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	PO3, PO7, PO9, PO10, PO14
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Biodiversity overlay code	Yes	No alternative outcomes proposed
Catchment management overlay code	Yes	PO1
Landslide hazard 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

Rural zone code

Performance outcome	Acceptable outcome
Tourism Development	

Performance outcome	Acceptable outcome
PO16 Building siting, spacing, scale, bulk, height, design, form, colours and materials is sympathetic to the character of the <i>site</i> and locality.	AO16 No acceptable outcomes provided.
Alternative outcome assessment The proposed development is setback in excess of 100 metres from Logan Inlet Road. However, the most north-western cabin is proposed to be located about 79 metres from the closest (western) boundary. The adjoining property to the west is currently vacant and is used for cattle grazing purposes. Given the anticipated passive nature of the cabin, it is anticipated that this minor encroachment will not adversely impact the ongoing rural pursuits of the adjoining property, nor will it impact the operation of the proposed development It is recommended that that alternative outcome be accepted in this instance.	

Catchment management overlay code

Performance outcome	Acceptable outcome
Tourism Development	
PO1 Land use and <i>development</i> is: (a) appropriately separated from <i>watercourses</i> and <i>waterbodies</i> to avoid <i>adversely impacting on water quality</i> ; and connected to reticulated sewerage or is connected to an on-site waste water treatment or effluent disposal system that complies with Element 1 of the <i>Seqwater Development Guidelines – Development Guidelines for Water Quality Management in Drinking Water Catchments</i> .	AO1.1 Development is setback a minimum of: (a) 25 metres from the <i>high bank</i> of a <i>watercourse</i> identified on Catchment management overlay maps OM005a-b ; and (b) 100 metres from the <i>full supply level</i> or the <i>upper flood margin level</i> of a <i>waterbody</i> (whichever is greater) identified on Catchment management overlay maps OM005a-b . AND AO1.2 <i>Buildings</i> are connected to reticulated sewerage OR Where within a Higher Risk Catchment Area identified on Catchment management overlay maps OM005a-b AO1.3 The development, including <i>effluent disposal areas</i> is setback a minimum of:

Performance outcome	Acceptable outcome
	<p>(a) 100 metres from the <i>high bank</i> of a <i>watercourse</i> identified on Catchment management overlay maps OM005a-b; and</p> <p>(b) 400 metres from the <i>full supply level</i> or the <i>upper flood margin level</i> of a <i>waterbody</i>, whichever is greater, identified on Catchment management overlay maps OM005a-b.</p> <p>OR</p> <p>Where within a Lower Risk Catchment Area identified on Catchment management overlay maps OM005a-b</p> <p>AO1.4 The development, including <i>effluent disposal areas</i> is setback a minimum of:</p> <p>(a) 75 metres from the <i>high bank</i> of a <i>watercourse</i> identified on Catchment management overlay maps OM004a-b; and</p> <p>150 metres from the <i>full supply level</i> or the <i>upper flood margin level</i> of a <i>waterbody</i>, whichever is greater, identified on Catchment management overlay maps OM004a-b.</p>
<p>Alternative outcome assessment</p> <p>The proposal involves cabins within the setback area. Notwithstanding, the central wastewater disposal system will be located well separated from the overlay area.</p> <p>It is considered that the development is appropriately separated from the waterbody and the Environmental Authority required for the wastewater system will appropriately manage the quality of the water.</p> <p>In addition, Seqwater reviewed the application material as a third-party advice agency and provided conditions for Council's consideration.</p> <p>It is recommended that that alternative outcome be accepted in this instance.</p>	

Transport, Access and Parking code

Performance outcome	Acceptable outcome
Vehicle parking and servicing	
<p>PO3</p> <p>The amount of on-site car parking and service vehicle loading/ unloading is consistent with:</p> <p>(a) the nature of the use;</p> <p>(b) the traffic generation of the use;</p> <p>(c) the loading/ unloading needs of the use;</p>	<p>A03.1</p> <p>The minimum number of car parking spaces complies with Table 8.3.6.3.B– Minimum car parking requirements.</p> <p>A03.2</p>

Performance outcome	Acceptable outcome
<p>(d) the availability of street parking in the Centre zone; and</p> <p>(e) the impact of the <i>road</i> network.</p> <p>Car parks, service vehicle access, loading and manoeuvring areas are of suitable standard for the intended use.</p>	<p>The service vehicle complies with Table 8.3.6.3.B– Minimum loading vehicle requirements.</p> <p>AO3.3 The service vehicle is able to enter and leave the <i>site</i> in forward gear.</p> <p>AO3.4 Service vehicles stand entirely within the <i>site</i> while unloading/ loading.</p>
<p>Alternative outcome assessment</p> <p>Car parking is required to be provided for the function facility at a rate of 0.4 spaces per patron. The application involves that the maximum number of patrons is 150, as such a total of 60 car parks are required.</p> <p>The application material identifies a total of 40 formal car parks and two grassed overflow car parking areas which cater for about 80 car parks. Which results in available parking for 120 vehicles.</p> <p>The car parking is provided in proximity to the function facility and communal area and is well separated from Logan Inlet Road.</p> <p>In terms of the short term accommodation, each cabin is provided with an undercover car park and staff car parking is available as part of the managers residence and the applicable material identifies other staff parking will utilise the communal car parking area.</p> <p>It is considered the proposed car parking arrangement provides a suitable outcome.</p> <p>It is recommended that that alternative outcome be accepted in this instance.</p>	
Performance outcome	Acceptable outcome
Car parking locations and treatments	
<p>PO7</p> <p>Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.</p>	<p>AO7.1</p> <p>Car parking is located behind or within a building.</p>
<p>Alternative outcome assessment</p> <p>The communal car parking area is located on the southern side of the function facility building. The car parking adjoins the driveway area and ensures the natural vista to Lake Wivenhoe is not disturbed by the view of a car park.</p> <p>The car park area is located several hundred metres from Logan Inlet Road and is easily discernible to visitors. Should the application be approved, conditions requiring appropriate signage will be included.</p> <p>Given the large scale of the property, the location of the car parking is an appropriate design and functionality outcome.</p>	

Performance outcome	Acceptable outcome
It is recommended that that alternative outcome be accepted in this instance.	
Bicycle parking	
PO9 The provision of bicycle parking, storage and end of trip facilities is appropriate having regard to the nature and scale of the <i>development</i> activity.	AO9 Bicycle parking is provided in accordance with the <i>Australian Standards AS2890.3</i> and <i>AUSTROADS Guide to Traffic Management Part 11: Parking</i> .
Alternative outcome assessment The provision of car parking is not considered to be relevant given the rural setting of the subject land and the nature of the proposed development. If visitors to the short term accommodation wish to park bikes, there is considered to be sufficient space which can be utilised for bike parking. It is recommended that that alternative outcome be accepted in this instance.	
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 involves utilising the existing driveway, the proposed new communal car parking area and driveways are proposed to be constructed from gravel. Given the rural setting and the setback from the adjoining properties, it is considered reasonable and that prospects of environmental nuisance occurring can be conditioned. It is recommended that that alternative outcome be accepted in this instance.	
Pick up/ set-down areas	
PO14 Car parking and pick-up/set-down areas are located in areas and designed in a way that does not detract from the amenity of streetscape and maintains the safety of users.	AO14 Car parking and pick-up/set-down areas are located so that: (a) they are visible from the <i>road</i> ; (b) they can be overlooked from the use's buildings or associated outdoor spaces; (c) they maintain the amenity of the street and adjacent properties; and (d) pedestrians are not required to cross the pick-up/set-down areas to gain access to the building.
Alternative outcome assessment Given the rural setting of the subject land, the car parking area is not visible from Logan Inlet Road. However, the parking is appropriately provided to accommodate all aspects of the development.	

Performance outcome	Acceptable outcome
The main car parking area is provided in close proximity of the function facility. The overflow area is slightly separated and may require some traversing of the parking area.	
It is recommended that that alternative outcome be accepted in this instance.	

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 Caretaker's residence, Function facility, Short term accommodation, which are identified as being a Residential, Place of Assembly and Accommodation (Short term) under *Somerset Regional Council Charges Resolution (No. 1) 2024*. The land is within Charge Area B for determining the relevant adopted charges.

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 applicable adopted charge for the stormwater network as the site is located outside of the Urban Footprint.

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 as the proposal is outside of the relevant service catchments.

5.7.3.4 Transport network

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

An adopted charge for the transport network applies.

6.0 REFERRAL

6.1 Referral agencies

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

6.2 Third party advice

Council sought third-party advice from Seqwater for matters relating to water quality within the drinking water catchment. Specifically, Council requested their assessment of the proposal against the Seqwater Development Guidelines, as a method of complying with the State Planning Policy and the Catchment management overlay code.

Seqwater responded providing recommended conditions of approval to ensure the development operates without impacting on Seqwater's infrastructure.

7.0 PUBLIC NOTIFICATION

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

No comments or submissions were received.

8.0 OTHER RELEVANT MATTERS

There are no other relevant matters applicable for code assessment.

9.0 CONCLUSION

The proposed development involves a Function facility, Short term accommodation and Caretaker's residence. The proposal has demonstrated compliance with the relevant assessment benchmarks as outlined in this assessment.

Having undertaken the assessment, and considered the relevant matters identified within the report, the officer's recommendation is to approve the application.

10.0 ATTACHMENT

10. Proposal plans
11. Noise impact assessment report
12. Stormwater management plan
13. Transport impact assessment report
14. Preliminary Onsite Wastewater report
15. Draft infrastructure charges notice

RECOMMENDATION

THAT Council:

1. approve Development Application No. 25298 for a Development Permit for a Material Change of Use for Short Term Accommodation (eight cabins and manager's residence) and Function facility on land situated at 157 Logan Inlet Road, Wivenhoe Hill, formally described as Lot 11 SP248268, 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 and Documents	
1.1	<p>Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed in the Table of Approved Plans and Documents (including where amended by Council), except as amended by these development conditions.</p> <ol style="list-style-type: none"> 1. Location Plan – Reference No. 23-059 – Drawing D000A – Revision B – Prepared by OH Architecture – dated 30.9.24 2. Cover Sheet – Reference No. 23-059 – Drawing D000B – Revision B – Prepared by OH Architecture – dated 30.9.24 3. Proposed Floor Plan – Communal Centre – Ground Level - Reference No. 23-059 – Drawing D301 – Revision A – Prepared by OH Architecture – dated 01.08.24 4. Proposed Roof Plan – Communal Centre - Reference No. 23-059 – Drawing D302 – Revision A – Prepared by OH Architecture – dated 01.08.24 5. Proposed Floor Plan – Single Cabin – Ground Level - Reference No. 23-059 – Drawing D321 – Revision A – Prepared by OH Architecture – dated 01.08.24 6. Proposed Roof Plan – Single Cabin – Ground Level - Reference No. 23-059 – Drawing D322 – Revision A – Prepared by OH Architecture – dated 01.08.24 7. Proposed Floor Plan – Double Cabin – Ground Level - Reference No. 23-059 – Drawing D331 – Revision A – Prepared by OH Architecture – dated 01.08.24 8. Proposed Roof Plan – Double Cabin – Ground Level - Reference No. 23-059 – Drawing D332 – Revision A – Prepared by OH Architecture – dated 01.08.24 9. Proposed Floor Plan – Caretaker's – Ground Level - Reference No. 23-059 – Drawing D341 – Revision A – Prepared by OH Architecture – dated 01.08.24 	At all times.

	<p>10. Proposed Roof Plan – Caretakers - Reference No. 23-059 – Drawing D342 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>11. Proposed Communal Centre Elevations – Elevations A and C - Reference No. 23-059 – Drawing D401 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>12. Proposed Communal Centre Elevations – Elevations B and D - Reference No. 23-059 – Drawing D402 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>13. Proposed Pool Elevations – Elevations A, B, C and D - Reference No. 23-059 – Drawing D403 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>14. Proposed Single Cabin Elevations - Reference No. 23-059 – Drawing D421 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>15. Proposed Double Cabin Elevations - Reference No. 23-059 – Drawing D431 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>16. Proposed Caretakers Cabin Elevations - Reference No. 23-059 – Drawing D441 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>17. Perspectives - Reference No. 23-059 – Drawings D901 – D909 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>18. Stormwater Quality Management Plan – Reference C24064AR002 – Prepared by Hurley Consulting Engineers – 8 November 2024</p> <p>19. Preliminary On-Site Wastewater Management Report – Reference No. P3C24.141 – Prepared by Phase 3 Consulting – dated 29 April 2024</p> <p>20. Traffic Impact Assessment – Reference 24094 – Prepared by Rytenschild Traffic Engineering – dated 12 June 2024</p> <p>21. Acoustic report – Reference 2024176 R01B 157 Logan Inlet Road Wivenhoe Hill ENV.docx – Prepared by Acoustic Works – dated 21 November 2024</p>	
	Extent of Approved development	
1.2	<p>The extent of the development relates to the following:</p> <ul style="list-style-type: none"> • Function facility which includes a maximum of 150 people. <ul style="list-style-type: none"> ○ A maximum of 50 people are permitted within the function facility building; and 	At all times.

	<ul style="list-style-type: none"> ○ A maximum of 100 people within a marquee in the location depicted on the proposal plan. • Short term accommodation which includes the following: <ul style="list-style-type: none"> ○ Four one-bedroom self-contained units. ○ Four two-bedroom self-contained units. • Caretaker's residence. • Communal spaces. 	
	Comply with planning scheme and local laws	
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.
	Availability of Development Approval (Works)	
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 by site workers and Council officers.	During site works, building works or operational works phases.
	No cost to Council	
1.5	All development conditions of this Development Approval must be complied with at no cost to, and free of compensation from, Council, unless stated otherwise in any specific development condition.	At all times.
	Other necessary permits	
1.6	Obtain any necessary Development Permit for Building Work (assessable against the <i>Building Act 1975</i>) for building work associated with the Approved Development. Refer to the advice notes for more information.	Prior to carrying out building works.
1.7	Obtain any necessary permits for plumbing and drainage work associated with the Approved Development. Refer to the advice notes for more information.	Prior to carrying out plumbing and drainage works.
	General cleanliness and repair	
1.8	All buildings, structures, fittings, fixtures, and grounds forming part of this development approval must be maintained: <ul style="list-style-type: none"> (a) in a serviceable condition; and (b) in a state of good repair and efficient action; and (c) in a clean, sanitary condition; and (d) free of accumulated disused materials; and 	At all times.

	(e) free of vermin and pest infestations.	
PERIODS FOR THE DEVELOPMENT APPROVAL		
	Staging	
1.9	<p>Undertake the development in accordance with the sequence of staging, with the stages to be developed in chronological order, as identified on the approved staging as follows:</p> <p>Stage 1</p> <ul style="list-style-type: none"> • Four Cabins • Function Facility • Manager's Residence • Wastewater System and associated infrastructure • Communal infrastructure. <p>Stage 2</p> <ul style="list-style-type: none"> • Four Cabins 	At all times.
1.10	Despite condition 1.9 above, stages of the approved development may be undertaken concurrently.	As indicated.
1.11	Unless otherwise expressly stated, the development conditions must be read as being applicable to all stages.	At all times.
SCHEDULE 2 — PLANNING		
Assessment Manager		
No.	Condition	Timing
	Use of caretaker's accommodation	
2.1	The caretaker's accommodation must only be occupied by a person having direct responsibility for the security, maintenance or management of the facility conducted on the same site, and if applicable, that person's immediate family.	At all times.
2.2	The caretaker's accommodation must not be used for other accommodation purposes, including short-term accommodation or rooming accommodation, unless otherwise provided for by the planning scheme.	At all times.
	Clothes drying facilities	
2.3	Provide external clothes drying facilities that are screened from cabins, function facility, communal facilities and the street, or provide an electric clothes dryer within the Caretaker's residence.	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.
	Use of Short-term accommodation	
2.4	The approved short-term accommodation must be used to provide short-term accommodation for tourists or travellers for a temporary period of time (i.e. not exceeding three (3) consecutive months). The accommodation must not be occupied by persons for the purpose of permanent accommodation.	At all times.
2.5	All cabins associated with the approved short-term accommodation use must be operated by a single entity and must not be subdivided, or otherwise separately titled, or leased to a separate entity	At all times.
	Use of Function facility	
	Extent of approved development	
2.6	A maximum of three (3) events are to occur in one week (seven (7) day period).	At all times.
	Hours of operation	
2.7	The approved hours of operation for the function facility are 10am to 12pm (midnight).	At all times.
2.8	The total capacity of the function facility is 150 persons.	At all times.
2.9	No music or alcohol is to be served between 11pm and 12pm.	At all times.
2.10	Except for guests permitted to stay overnight, all guests, and persons associated with the function facility must have vacated the premises by no later than 12pm (midnight).	At all times.
	Operational requirements	
2.11	The short-term accommodation and function facility must have an onsite manager who: <ul style="list-style-type: none"> (a) is available 24 hours a day, 7 days a week; (b) resides onsite; (c) must be on the premises at all times while a function is occurring, including the day and night of the event. (d) the manager is responsible for the supervision and management of the premises, including addressing complaints about the use of the premises. 	At all times.
2.12	Except in the case of a lawful rural or emergency purpose, helicopters or other aircraft must not land or take off from the property at any time.	At all times.

2.13	Camping is not permitted on the premises. Note: unless separately approved or permitted to occur by the Somerset Region Planning scheme.	At all times.
	Identification display board	
2.14	Install at each vehicular entry to the site a display board meeting the following criteria: 1. constructed from permanent and durable material; 2. located in a visually prominent position; 3. lighting to allow for 24-hour viewing; and 4. contains an accurate site plan showing: o The overall layout of the development to scale; o The internal access ways, visitor car parks and residential dwellings; o Any physical constraints that would restrict emergency vehicles; o The names of the access ways (if applicable); o The numbers of each unit if an internal numbering system has been used in the development; o The location of the manager's dwelling, o The location and name of facilities; o The location of fire hydrants and any water storage; o The position of the site identification diagram in relation to its surroundings with the words "You Are (x) Here" highlighted and related to that position.	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.
	Complaints management	
2.15	A complaints management procedure document for the site must be prepared, implemented during the construction phase of the development, and submitted to Council for approval prior to the commencement of use. The complaints management procedure must include the following: (a) a contact person with whom complaints can be lodged (b) a clearly defined procedure for responding to, investigating and resolving complaints, and (c) a notification protocol to all complainants of the outcome of complaint investigations. (d) a record of all complaints and investigation results including corrective actions must be maintained and made available for inspection at any time upon request by Council.	Prior to commencement of use and maintained at all times.
	Operational management plan	

2.16	An operational management plan document must be prepared and must be submitted to Council for review prior to commencement of use.	Prior to commencement of use and maintained at all times.
2.17	<p>The material detailed in the operational management plan must include, but not be limited to:</p> <ol style="list-style-type: none"> 1. maximum number of guests permitted on site; 2. operating hours and curfews; 3. use and management of outdoor areas including maximum patrons permitted in outdoor areas, and to not cause a noise nuisance; 4. delivery and collection arrangements for food and catering equipment, musical equipment, and any other equipment brought onto the site; 5. expectations of patron and staff behaviour including use of outdoor areas and toilet facilities at all times; 6. contacts for management; 7. any penalty associated with transgressions; 8. a statement acknowledging the site's location within a rural area and that: <ul style="list-style-type: none"> • the approved use of the subject land for a <i>Function facility</i> is not intended to compromise the use of adjoining land for existing or future lawful rural activities; and • on the day of the function, guests may experience reverse amenity impacts associated the use of adjoining land for existing or future lawful rural activities (for example rural noise associated with cropping) 	At all times.
2.18	The operational management plan must be provided to all clients prior to them making a function reservation.	At all times.
BUILDING REQUIREMENTS		
	Building appearance	
2.19	The approved building must be constructed such that it incorporates the external design features as shown on the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.	At all times.
2.20	All mechanical equipment and other service infrastructure located on the site must be fully enclosed or screened such that they are not visible	At all times.

	from the street frontage/s, other public space, or adjoining properties	
	Building Height	
2.21	The maximum height of the development must not exceed 8.5m above natural ground level.	At all times.
	Street identification	
2.22	The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and property/venue name.	Prior to commencement of use and to be maintained at all times.
LANDSCAPING AND SCREENING		
	Landscaping plan	
2.23	Submit to and obtain approval from Council for a landscape plan prepared by a suitably qualified person that includes all landscaping proposed on the site. Note: landscaping should include native vegetation and provide screening as required.	Prior to the commencement of the use.
2.24	Provide landscaping onsite in accordance with the approved landscaping plan required by condition 2.23.	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.
2.25	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with condition 2.24.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
	Vehicle encroachment	
2.26	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops or kerbing barrier approved by Council.	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.
	Screening of loading facilities and plant areas	
2.27	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
	Onsite services	
2.28	Unless otherwise shown on an approved plan or document, locate garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners in the rear or side setbacks and include screening (e.g. fencing or landscaping) from view from any road frontage.	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.
Vegetation (minor)		
	Vegetation removal	
	Vegetation removal (rural)	
2.29	Where vegetation is cleared from the site, the vegetation waste shall be: <ul style="list-style-type: none"> (a) transported offsite for disposal at an approved waste disposal facility or reuse; or (b) processed onsite for use in landscaping or erosion and sedimentation control; or (c) burnt, provided appropriate fire permits are in place. 	At all times.
	Declared weeds	
2.30	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. Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.	At all times.
SERVICES AND CONNECTIONS		
	Onsite water storage	
2.31	Unless connected to a reticulated drinking water network, provide a minimum water supply storage	Prior to obtaining a Certificate of

	<p>capacity capable of capturing roof run-off and connected to service all domestic water consumption needs of the development.</p> <ul style="list-style-type: none"> • Function facility - 150,000L • One bedroom accommodation unit – 5,000L • Two bedroom accommodation unit – 10,000L • Caretaker's residence – 45,000L. 	Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
2.32	Potable water is to be available to all components of the development at all times.	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.
	Onsite wastewater treatment	
2.33	<p>Unless connected to a reticulated wastewater network, onsite wastewater is to be treated by an approved onsite wastewater treatment system.</p> <p>Note: Unless otherwise approved by Council, the onsite wastewater treatment system is to comply with the Preliminary On-site Wastewater Management Report – Ref# P3C24.141 – <i>Prepared by Phase 3 Consulting</i> - dated 29 April 2024.</p>	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.
2.34	<p>Ensure the on-site wastewater design submitted to the Department of Environment, Tourism, Science and Innovation (DETSI) for Environmental Authority (ERA 63A(a-i) is generally in accordance with the Preliminary On-site Wastewater Management Report – Ref# P3C24.141 – <i>Prepared by Phase 3 Consulting</i>, dated 29 April 2024.</p> <p>In particular, the following outcomes must be maintained:</p> <ul style="list-style-type: none"> • Minimum advanced secondary with nutrient reduction treatment standard; • Minimum 200m and preferred 400m setbacks for wastewater treatment and disposal to Lake Wivenhoe; • Minimum 50m setback to all watercourses; and • Sub-surface effluent disposal method. <p>In addition, due to the nature of the use and frequent public access across the site, in order to ensure</p>	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.

	<p>protection of sub-surface pipelines, the final wastewater design submitted to DETSI must be amended to include the following details on the plan:</p> <ul style="list-style-type: none"> Clearly denote fencing surrounding all effluent disposal areas, with appropriate signage to ensure no casual, intentional or unintentional access by pedestrians or vehicles over sub-surface pipelines; and All driveway, parking, pull-over, bus parking and pickup areas must be adequately separated from the edge of fenced effluent disposal areas. 	
2.35	A copy of any relevant approvals obtained for the onsite wastewater system are to be provided to Council.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
2.36	<p>As part of the operational phase of the on-site wastewater facilities, ensure notification protocols are put in place to notify Seqwater of any wastewater system failure that results in unplanned discharges to land or waters. Notification must be sent to WQMonitoring@seqwater.com.au.</p> <p>Advice: In the event of a failure, this protocol will ensure that Seqwater is aware of potential impacts to water supplies in Wivenhoe Dam, and can ensure the health and safety of Seqwater's supplied customers and recreators using the lake.</p>	At all times.
	Self-sufficient electricity generation	
2.37	<p>Unless connected to the reticulated electricity network, the development must provide self-sufficient electricity generation.</p> <p>Advice: The site is located within the Rural zone and the planning scheme does not require a connection to reticulated electricity or telecommunications networks.</p> <p>Advice: The generation of electricity to serve the development must not cause an environmental nuisance.</p>	Prior to the commencement of the use and to be maintained.
SCHEDULE 3 —ENVIRONMENTAL HEALTH		
Assessment Manager		
No.	Condition	Timing
Environmental health (General)		

	No nuisance or harm							
3.1	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 harm beyond the boundaries of the development site.	At all times.						
3.2	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.						
	No adverse impact							
3.3	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.						
	Lighting							
3.4	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 approval relates.	At all times.						
	Noise							
3.5	Unless otherwise required by the conditions of this approval, the approved development must be operated in accordance with the report titled <i>Proposed Short Term Accommodation and Function Facility 157 Logan Inlet Road Wivenhoe Hill Acoustic Report</i> , dated 21 November 2024 and prepared by Acoustic Works.	At all times.						
3.6	<p>Time-varying noise from the approved development must be limited such that the A-weighted noise level, $L_{Aeq,adj,T}$, when measured at any affected noise sensitive place must not exceed:</p> <p>(a) the background noise level + 5dBA for daytime hours (7am to 6pm);</p> <p>(b) the background noise level + 5dBA for evening hours (6pm to 10pm);</p> <p>(c) the background noise level + 5dBA for night time hours (10pm to 7am); or</p> <p>(d) the noise limits specified in Table A, whichever is greater.</p> <p>Table A: Noise Limits $L_{Aeq,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{Aeq,T}$ dBA</th></tr><tr><td>Day (7 am - 6 pm)</td><td>35</td></tr><tr><td>Evening (6pm – 10pm)</td><td>32</td></tr></table>	Period	Noise Limit $L_{Aeq,T}$ dBA	Day (7 am - 6 pm)	35	Evening (6pm – 10pm)	32	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA							
Day (7 am - 6 pm)	35							
Evening (6pm – 10pm)	32							

	Night (10pm - 7am)	30								
3.7	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, $L_{A90,T}$, when measured at any affected noise sensitive place must not exceed:</p> <p>(a) the background noise level + 0dBA for daytime hours (7am to 6pm);</p> <p>(b) the background noise level + 0dBA for evening hours (6pm to 10pm);</p> <p>(c) the background noise level + 0dBA for night time hours (10pm to 7am); or</p> <p>(d) the noise limits specified in Table B, whichever is the greater.</p> <p>Table B: Noise Limits $L_{A90,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{A90,T}$ dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>30</td></tr><tr><td>Evening (6pm – 10pm)</td><td>27</td></tr><tr><td>Night (10pm - 7am)</td><td>25</td></tr></table>	Period	Noise Limit $L_{A90,T}$ dBA	Day (7am - 6pm)	30	Evening (6pm – 10pm)	27	Night (10pm - 7am)	25	At all times.
Period	Noise Limit $L_{A90,T}$ dBA									
Day (7am - 6pm)	30									
Evening (6pm – 10pm)	27									
Night (10pm - 7am)	25									
3.8	<p>Provide certification to Council by a suitably qualified acoustic consultant that the selection, siting and installation of mechanical plant meets the noise criteria specified in Condition 3.7 and is in accordance with the report titled <i>Proposed Short Term Accommodation and Function Facility 157 Logan Inlet Road Wivenhoe Hill Acoustic Report</i>, dated 21 November 2024 and prepared by Acoustic Works.</p>	Prior to commencement of use.								
3.9	<p>Amplified music and amplified speech can only occur within the function room.</p>	At all times.								
3.10	<p>The noise limit of the amplified sound system is 90dBA at 1 metre from a single speaker, or 87dBA at 1 metre from each of two speakers.</p>	At all times.								
3.11	<p>A sound limiting device is to be installed in the premises' s function room for the use of any amplification system in this room.</p>	Prior to commencement of use.								
3.12	<p>Provide certification to Council by a suitably qualified acoustic consultant demonstrating that a sound limiting device has been installed in the premises, that describes the allowable speaker locations (including with a plan), and is set at a level that ensures compliance with the source noise limit in the approved</p>	Prior to the commencement of use.								

	acoustic report (i.e. equivalent to 90dBA at 1 metre from a single speaker).	
3.13	The amplification system can only be connected to a power source regulated by the sound limiting device installed in accordance with Condition 3.12.	At all times.
3.14	Waste collection is to be limited to daytime hours of 7am to 6pm.	At all times.
3.15	Deliveries are to be limited to daytime and evening hours of 7am to 6pm. Deliveries from refrigerated, large rigid vehicles or semi-trailers are limited to daytime hours of 7am to 6pm only.	At all times.
	Waste	
	Waste – Construction	
3.16	All construction, demolition or other waste is to be removed from site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
	Waste – General	
3.17	All waste generated as part of the operation of the development must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.	At all times.
3.18	All general waste produced as part of the operation of the development must be disposed of through either: (a) The number of standard waste services as determined by Council; or (b) A private agreement with a licensed waste disposal contractor through an exemption granted by Council.	At all times.
3.19	No waste is to be burned or buried on the subject site.	At all times.
3.20	All refuse storage must be appropriately located and screened as follows: (i) Be located a minimum of 15 metres from any property boundary; (ii) Be enclosed on three sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; (iii) Screened by dense planting with or without mounding; and (iv) Separated from <i>sensitive land uses</i> by a minimum of 10m so as to avoid any undesirable impact of odour or noise from refuse storage and collection services.	Prior to the commencement of the use and to be maintained at all times.

SCHEDULE 4—ENGINEERING		
Assessment Manager		
No.	Condition	Timing
GENERAL ENGINEERING		
	ENGINEERING	
4.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage as a requirements of the <i>Somerset Region Planning Scheme</i> .	Prior to the commencement of Operational Work.
4.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
4.3	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.
4.4	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 part of Operational Works.
VEHICLE ACCESS		
4.5	The landowner is responsible for 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.
4.6	All vehicles shall enter and leave the site in a forward gear	At all times.
4.7	All manoeuvring areas shall enable access to a single-unit truck / bus based on a 12.5 metre Design Vehicle in accordance with <i>Austroads</i> design manual.	As part of Operational Works.
CAR PARKING		
4.8	Provide on-site car parking for a minimum of 40 vehicles in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.

4.9	All manoeuvring areas shall enable access to a 12.5-metre heavy rigid design vehicle in accordance with <i>Austrroads</i> design manual and Australian Standard AS:2890	As part of Operational Works.
4.10	Provide a safe set down and pick up area for 1 emergency vehicles.	Prior to commencement of use.
4.11	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material in accordance with Australian Standards.	At all times.
4.12	Provide an additional overflow car parking area (either grassed or gravel all weather surface) capable of accommodating a minimum of 20 cars on site.	As part of Operational Works.
STORMWATER		
4.13	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
4.14	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.
4.15	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
4.16	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.
EROSION AND SEDIMENT CONTROL		
4.17	<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.

4.18	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.
SCHEDULE 5 —INTERPRETATION AND ADVICE		
Assessment Manager		
No.	Note	
INTERPRETATION		
	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	<p>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”.</p>	
5.3	<p>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”.</p>	
5.4	<p>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.</p>	
5.5	<p>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.</p>	
	Interpretation of Certificate of Occupancy	
5.6	<p>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.</p>	

	ADVICE
	When approval takes effect (Advice)
5.7	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.
	Aboriginal Cultural Heritage Act (Advice)
5.8	<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 qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
	Fire ants (Advice)
5.9	<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)
5.10	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

	<p>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>
	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>
	Building works (Advice)
5.12	<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> <p>All building work is to comply with the provisions contained in the <i>Building Act 1975</i>, the <i>Building Regulation 2021</i>, the Building Code of Australia, the Queensland Development Code, and relevant Australian Standards.</p>
	Plumbing and drainage works (Advice)
5.13	<p>This Development Approval for material change of use [OR] building works under the planning scheme does not include an approval to carryout any plumbing and drainage works.</p> <p>Separate approvals may be required for carrying out any plumbing and drainage works required to facilitate this development approval.</p>
	Food business licence (Advice)
5.14	No licensable food preparation activities are permitted under this Development Approval unless the operator holds a current Food Business

	Licence for the activity under the <i>Food Act 2006</i> or any superseding legislation as published from time to time.
	Property access (Advice)
5.15	<p>Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.</p> <p>The application form for a property access approval may be downloaded from Council's website at someset.qld.gov.au/our-services/roads.</p> <p>The landowner must have the property access approval in place prior to commencing works on the crossover.</p>
	Vegetation clearing (Advice)
5.16	<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>

Attachments for the Decision Notice include:

1. Location Plan – Reference No. 23-059 – Drawing D000A – Revision B – Prepared by OH Architecture – dated 30.9.24
2. Cover Sheet – Reference No. 23-059 – Drawing D000B – Revision B – Prepared by OH Architecture – dated 30.9.24
3. Proposed Floor Plan – Communal Centre – Ground Level - Reference No. 23-059 – Drawing D301 – Revision A – Prepared by OH Architecture – dated 01.08.24
4. Proposed Roof Plan – Communal Centre - Reference No. 23-059 – Drawing D302 – Revision A – Prepared by OH Architecture – dated 01.08.24
5. Proposed Floor Plan – Single Cabin – Ground Level - Reference No. 23-059 – Drawing D321 – Revision A – Prepared by OH Architecture – dated 01.08.24
6. Proposed Roof Plan – Single Cabin – Ground Level - Reference No. 23-059 – Drawing D322 – Revision A – Prepared by OH Architecture – dated 01.08.24
7. Proposed Floor Plan – Double Cabin – Ground Level - Reference No. 23-059 – Drawing D331 – Revision A – Prepared by OH Architecture – dated 01.08.24
8. Proposed Roof Plan – Double Cabin – Ground Level - Reference No. 23-059 – Drawing D332 – Revision A – Prepared by OH Architecture – dated 01.08.24
9. Proposed Floor Plan – Caretaker's – Ground Level - Reference No. 23-059 – Drawing D341 – Revision A – Prepared by OH Architecture – dated 01.08.24
10. Proposed Roof Plan – Caretakers - Reference No. 23-059 – Drawing D342 – Revision A – Prepared by OH Architecture – dated 01.08.24
11. Proposed Communal Centre Elevations – Elevations A and C - Reference No. 23-059 – Drawing D401 – Revision A – Prepared by OH Architecture – dated 01.08.24
12. Proposed Communal Centre Elevations – Elevations B and D - Reference No. 23-059 – Drawing D402 – Revision A – Prepared by OH Architecture – dated 01.08.24
13. Proposed Pool Elevations – Elevations A, B, C and D - Reference No. 23-059 – Drawing D403 – Revision A – Prepared by OH Architecture – dated 01.08.24
14. Proposed Single Cabin Elevations - Reference No. 23-059 – Drawing D421 – Revision A – Prepared by OH Architecture – dated 01.08.24

15. Proposed Double Cabin Elevations - Reference No. 23-059 – Drawing D431 – Revision A – Prepared by OH Architecture – dated 01.08.24
16. Proposed Caretakers Cabin Elevations - Reference No. 23-059 – Drawing D441 – Revision A – Prepared by OH Architecture – dated 01.08.24
17. Perspectives - Reference No. 23-059 – Drawings D901 – D909 – Revision A – Prepared by OH Architecture – dated 01.08.24
18. Stormwater Quality Management Plan – Reference C24064AR002 – Prepared by Hurley Consulting Engineers – 8 November 2024
19. Preliminary On-Site Wastewater Management Report – Reference No. P3C24.141 – Prepared by Phase 3 Consulting – dated 29 April 2024
20. Traffic Impact Assessment – Reference 24094 – Prepared by Rytenschild Traffic Engineering – dated 12 June 2024
21. Acoustic report – Reference 2024176 R01B 157 Logan Inlet Road Wivenhoe Hill ENV.docx – Prepared by Acoustic Works – dated 21 November 2024

This completes the report for Development Application DA25298.

Resolution

Moved – Cr Brieschke

Seconded – Cr Bishop

“THAT Council:

1. approve Development Application No. 25298 for a Development Permit for a Material Change of Use for Short Term Accommodation (eight cabins and manager’s residence) and Function facility on land situated at 157 Logan Inlet Road, Wivenhoe Hill, formally described as Lot 11 SP248268, 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 and Documents	
1.1	Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed in the Table of Approved Plans and Documents (including where amended by Council), except as amended by these development conditions. <ol style="list-style-type: none"> 1. Location Plan – Reference No. 23-059 – Drawing D000A – Revision B – Prepared by OH Architecture – dated 30.9.24 2. Cover Sheet – Reference No. 23-059 – Drawing D000B – Revision B – Prepared by OH Architecture – dated 30.9.24 	At all times.

	<ol style="list-style-type: none"> 3. Proposed Floor Plan – Communal Centre – Ground Level - Reference No. 23-059 – Drawing D301 – Revision A – Prepared by OH Architecture – dated 01.08.24 4. Proposed Roof Plan – Communal Centre - Reference No. 23-059 – Drawing D302 – Revision A – Prepared by OH Architecture – dated 01.08.24 5. Proposed Floor Plan – Single Cabin – Ground Level - Reference No. 23-059 – Drawing D321 – Revision A – Prepared by OH Architecture – dated 01.08.24 6. Proposed Roof Plan – Single Cabin – Ground Level - Reference No. 23-059 – Drawing D322 – Revision A – Prepared by OH Architecture – dated 01.08.24 7. Proposed Floor Plan – Double Cabin – Ground Level - Reference No. 23-059 – Drawing D331 – Revision A – Prepared by OH Architecture – dated 01.08.24 8. Proposed Roof Plan – Double Cabin – Ground Level - Reference No. 23-059 – Drawing D332 – Revision A – Prepared by OH Architecture – dated 01.08.24 9. Proposed Floor Plan – Caretaker's – Ground Level - Reference No. 23-059 – Drawing D341 – Revision A – Prepared by OH Architecture – dated 01.08.24 10. Proposed Roof Plan – Caretakers - Reference No. 23-059 – Drawing D342 – Revision A – Prepared by OH Architecture – dated 01.08.24 11. Proposed Communal Centre Elevations – Elevations A and C - Reference No. 23-059 – Drawing D401 – Revision A – Prepared by OH Architecture – dated 01.08.24 12. Proposed Communal Centre Elevations – Elevations B and D - Reference No. 23-059 – Drawing D402 – Revision A – Prepared by OH Architecture – dated 01.08.24 13. Proposed Pool Elevations – Elevations A, B, C and D - Reference No. 23-059 – Drawing D403 – Revision A – Prepared by OH Architecture – dated 01.08.24 14. Proposed Single Cabin Elevations - Reference No. 23-059 – Drawing D421 – Revision A – Prepared by OH Architecture – dated 01.08.24 15. Proposed Double Cabin Elevations - Reference No. 23-059 – Drawing D431 – Revision A – Prepared by OH Architecture – dated 01.08.24 	
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	<p>16. Proposed Caretakers Cabin Elevations - Reference No. 23-059 – Drawing D441 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>17. Perspectives - Reference No. 23-059 – Drawings D901 – D909 – Revision A – Prepared by OH Architecture – dated 01.08.24</p> <p>18. Stormwater Quality Management Plan – Reference C24064AR002 – Prepared by Hurley Consulting Engineers – 8 November 2024</p> <p>19. Preliminary On-Site Wastewater Management Report – Reference No. P3C24.141 – Prepared by Phase 3 Consulting – dated 29 April 2024</p> <p>20. Traffic Impact Assessment – Reference 24094 – Prepared by Rytenschild Traffic Engineering – dated 12 June 2024</p> <p>21. Acoustic report – Reference 2024176 R01B 157 Logan Inlet Road Wivenhoe Hill ENV.docx – Prepared by Acoustic Works – dated 21 November 2024</p>	
	Extent of Approved development	
1.2	<p>The extent of the development relates to the following:</p> <ul style="list-style-type: none"> • Function facility which includes a maximum of 150 people. <ul style="list-style-type: none"> ○ A maximum of 50 people are permitted within the function facility building; and ○ A maximum of 100 people within a marquee in the location depicted on the proposal plan. • Short term accommodation which includes the following: <ul style="list-style-type: none"> ○ Four one-bedroom self-contained units. ○ Four two-bedroom self-contained units. • Caretaker's residence. • Communal spaces. 	At all times.
	Comply with planning scheme and local laws	
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.
	Availability of Development Approval (Works)	
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 by site workers and Council officers.	During site works, building works or operational works phases.

	No cost to Council	
1.5	All development conditions of this Development Approval must be complied with at no cost to, and free of compensation from, Council, unless stated otherwise in any specific development condition.	At all times.
	Other necessary permits	
1.6	Obtain any necessary Development Permit for Building Work (assessable against the <i>Building Act 1975</i>) for building work associated with the Approved Development. Refer to the advice notes for more information.	Prior to carrying out building works.
1.7	Obtain any necessary permits for plumbing and drainage work associated with the Approved Development. Refer to the advice notes for more information.	Prior to carrying out plumbing and drainage works.
	General cleanliness and repair	
1.8	All buildings, structures, fittings, fixtures, and grounds forming part of this development approval must be maintained: <ul style="list-style-type: none"> (f) in a serviceable condition; and (g) in a state of good repair and efficient action; and (h) in a clean, sanitary condition; and (i) free of accumulated disused materials; and (j) free of vermin and pest infestations. 	At all times.
PERIODS FOR THE DEVELOPMENT APPROVAL		
	Staging	
1.9	Undertake the development in accordance with the sequence of staging, with the stages to be developed in chronological order, as identified on the approved staging as follows: Stage 1 <ul style="list-style-type: none"> • Four Cabins • Function Facility • Manager's Residence • Wastewater System and associated infrastructure • Communal infrastructure. Stage 2 <ul style="list-style-type: none"> • Four Cabins 	At all times.
1.10	Despite condition 1.9 above, stages of the approved development may be undertaken concurrently.	As indicated.

1.11	Unless otherwise expressly stated, the development conditions must be read as being applicable to all stages.	At all times.
SCHEDULE 2 — PLANNING		
Assessment Manager		
No.	Condition	Timing
Use of caretaker's accommodation		
2.1	The caretaker's accommodation must only be occupied by a person having direct responsibility for the security, maintenance or management of the facility conducted on the same site, and if applicable, that person's immediate family.	At all times.
2.2	The caretaker's accommodation must not be used for other accommodation purposes, including short-term accommodation or rooming accommodation, unless otherwise provided for by the planning scheme.	At all times.
Clothes drying facilities		
2.3	Provide external clothes drying facilities that are screened from cabins, function facility, communal facilities and the street, or provide an electric clothes dryer within the Caretaker's residence.	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.
Use of Short-term accommodation		
2.4	The approved short-term accommodation must be used to provide short-term accommodation for tourists or travellers for a temporary period of time (i.e. not exceeding three (3) consecutive months). The accommodation must not be occupied by persons for the purpose of permanent accommodation.	At all times.
2.5	All cabins associated with the approved short-term accommodation use must be operated by a single entity and must not be subdivided, or otherwise separately titled, or leased to a separate entity	At all times.
Use of Function facility		
Extent of approved development		
2.6	A maximum of three (3) events are to occur in one week (seven (7) day period).	At all times.
Hours of operation		
2.7	The approved hours of operation for the function facility are 10am to 12pm (midnight).	At all times.

2.8	The total capacity of the function facility is 150 persons.	At all times.
2.9	No music or alcohol is to be served between 11pm and 12pm.	At all times.
2.10	Except for guests permitted to stay overnight, all guests, and persons associated with the function facility must have vacated the premises by no later than 12pm (midnight).	At all times.
	Operational requirements	
2.11	The short-term accommodation and function facility must have an onsite manager who: <ul style="list-style-type: none"> (e) is available 24 hours a day, 7 days a week; (f) resides onsite; (g) must be on the premises at all times while a function is occurring, including the day and night of the event. (h) the manager is responsible for the supervision and management of the premises, including addressing complaints about the use of the premises. 	At all times.
2.12	Except in the case of a lawful rural or emergency purpose, helicopters or other aircraft must not land or take off from the property at any time.	At all times.
2.13	Camping is not permitted on the premises. Note: unless separately approved or permitted to occur by the Somerset Region Planning scheme.	At all times.
	Identification display board	
2.14	Install at each vehicular entry to the site a display board meeting the following criteria: <ul style="list-style-type: none"> 5. constructed from permanent and durable material; 6. located in a visually prominent position; 7. lighting to allow for 24-hour viewing; and 8. contains an accurate site plan showing: <ul style="list-style-type: none"> o The overall layout of the development to scale; o The internal access ways, visitor car parks and residential dwellings; o Any physical constraints that would restrict emergency vehicles; o The names of the access ways (if applicable); o The numbers of each unit if an internal numbering system has been used in the development; o The location of the manager's dwelling, o The location and name of facilities; 	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.

	<ul style="list-style-type: none"> o The location of fire hydrants and any water storage; o The position of the site identification diagram in relation to its surroundings with the words "You Are (x) Here" highlighted and related to that position. 	
	Complaints management	
2.15	<p>A complaints management procedure document for the site must be prepared, implemented during the construction phase of the development, and submitted to Council for approval prior to the commencement of use. The complaints management procedure must include the following:</p> <ul style="list-style-type: none"> (e) a contact person with whom complaints can be lodged (f) a clearly defined procedure for responding to, investigating and resolving complaints, and (g) a notification protocol to all complainants of the outcome of complaint investigations. (h) a record of all complaints and investigation results including corrective actions must be maintained and made available for inspection at any time upon request by Council. 	Prior to commencement of use and maintained at all times.
	Operational management plan	
2.16	An operational management plan document must be prepared and must be submitted to Council for review prior to commencement of use.	Prior to commencement of use and maintained at all times.
2.17	<p>The material detailed in the operational management plan must include, but not be limited to:</p> <ul style="list-style-type: none"> 9. maximum number of guests permitted on site; 10. operating hours and curfews; 11. use and management of outdoor areas including maximum patrons permitted in outdoor areas, and to not cause a noise nuisance; 12. delivery and collection arrangements for food and catering equipment, musical equipment, and any other equipment brought onto the site; 13. expectations of patron and staff behaviour including use of outdoor areas and toilet facilities at all times; 14. contacts for management; 15. any penalty associated with transgressions; 	At all times.

	<p>16. a statement acknowledging the site's location within a rural area and that:</p> <ul style="list-style-type: none"> the approved use of the subject land for a <i>Function facility</i> is not intended to compromise the use of adjoining land for existing or future lawful rural activities; and on the day of the function, guests may experience reverse amenity impacts associated the use of adjoining land for existing or future lawful rural activities (for example rural noise associated with cropping) 	
2.18	The operational management plan must be provided to all clients prior to them making a function reservation.	At all times.
BUILDING REQUIREMENTS		
	Building appearance	
2.19	The approved building must be constructed such that it incorporates the external design features as shown on the Approved Plans, with no inclusions or future alterations being made without approval in writing by council.	At all times.
2.20	All mechanical equipment and other service infrastructure located on the site must be fully enclosed or screened such that they are not visible from the street frontage/s, other public space, or adjoining properties	At all times.
	Building Height	
2.21	The maximum height of the development must not exceed 8.5m above natural ground level.	At all times.
	Street identification	
2.22	The street address of the development must be clearly visible and discernible from the primary frontage of the site by the provision of a street number and property/venue name.	Prior to commencement of use and to be maintained at all times.
LANDSCAPING AND SCREENING		
	Landscaping plan	
2.23	<p>Submit to and obtain approval from Council for a landscape plan prepared by a suitably qualified person that includes all landscaping proposed on the site.</p> <p>Note: landscaping should include native vegetation and provide screening as required.</p>	Prior to the commencement of the use.

2.24	Provide landscaping onsite in accordance with the approved landscaping plan required by condition 2.23.	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.
2.25	Provide certification, from a suitably qualified person, that landscaping has been implemented in accordance with condition 2.24.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
	Vehicle encroachment	
2.26	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops or kerbing barrier approved by Council.	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.
	Screening of loading facilities and plant areas	
2.27	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
	Onsite services	
2.28	Unless otherwise shown on an approved plan or document, locate garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners in the rear or side setbacks and include screening (e.g. fencing or landscaping) from view from any road frontage.	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.
Vegetation (minor)		
	Vegetation removal	
	Vegetation removal (rural)	
2.29	Where vegetation is cleared from the site, the vegetation waste shall be: (d) transported offsite for disposal at an approved waste disposal facility or reuse; or (e) processed onsite for use in landscaping or erosion and sedimentation control; or (f) burnt, provided appropriate fire permits are in place.	At all times.
	Declared weeds	
2.30	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. Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.	At all times.
SERVICES AND CONNECTIONS		
	Onsite water storage	
2.31	Unless connected to a reticulated drinking water network, provide a minimum water supply storage capacity capable of capturing roof run-off and connected to service all domestic water consumption needs of the development. <ul style="list-style-type: none"> • Function facility - 150,000L • One bedroom accommodation unit – 5,000L • Two bedroom accommodation unit – 10,000L • Caretaker's residence – 45,000L. 	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.
2.32	Potable water is to be available to all components of the development at all times.	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.
	Onsite wastewater treatment	
2.33	Unless connected to a reticulated wastewater network, onsite wastewater is to be treated by an approved onsite wastewater treatment system.	Prior to obtaining a Certificate of Occupancy or

	Note: Unless otherwise approved by Council, the onsite wastewater treatment system is to comply with the Preliminary On-site Wastewater Management Report – Ref# P3C24.141 – <i>Prepared by Phase 3 Consulting</i> - dated 29 April 2024.	prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
2.34	<p>Ensure the on-site wastewater design submitted to the Department of Environment, Tourism, Science and Innovation (DETSI) for Environmental Authority (ERA 63A(a-i) is generally in accordance with the Preliminary On-site Wastewater Management Report – Ref# P3C24.141 – <i>Prepared by Phase 3 Consulting</i>, dated 29 April 2024.</p> <p>In particular, the following outcomes must be maintained:</p> <ul style="list-style-type: none"> • Minimum advanced secondary with nutrient reduction treatment standard; • Minimum 200m and preferred 400m setbacks for wastewater treatment and disposal to Lake Wivenhoe; • Minimum 50m setback to all watercourses; and • Sub-surface effluent disposal method. <p>In addition, due to the nature of the use and frequent public access across the site, in order to ensure protection of sub-surface pipelines, the final wastewater design submitted to DETSI must be amended to include the following details on the plan:</p> <ul style="list-style-type: none"> • Clearly denote fencing surrounding all effluent disposal areas, with appropriate signage to ensure no casual, intentional or unintentional access by pedestrians or vehicles over sub-surface pipelines; and • All driveway, parking, pull-over, bus parking and pickup areas must be adequately separated from the edge of fenced effluent disposal areas. 	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.
2.35	A copy of any relevant approvals obtained for the onsite wastewater system are to be provided to Council.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
2.36	As part of the operational phase of the on-site wastewater facilities, ensure notification protocols are	At all times.

	put in place to notify Seqwater of any wastewater system failure that results in unplanned discharges to land or waters. Notification must be sent to WQMonitoring@seqwater.com.au .	
	<i>Advice: In the event of a failure, this protocol will ensure that Seqwater is aware of potential impacts to water supplies in Wivenhoe Dam, and can ensure the health and safety of Seqwater's supplied customers and recreators using the lake.</i>	
	Self-sufficient electricity generation	
2.37	<p>Unless connected to the reticulated electricity network, the development must provide self-sufficient electricity generation.</p> <p><i>Advice:</i> The site is located within the Rural zone and the planning scheme does not require a connection to reticulated electricity or telecommunications networks.</p> <p><i>Advice:</i> The generation of electricity to serve the development must not cause an environmental nuisance.</p>	Prior to the commencement of the use and to be maintained.
SCHEDULE 3 —ENVIRONMENTAL HEALTH		
Assessment Manager		
No.	Condition	Timing
Environmental health (General)		
	No nuisance or harm	
3.1	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 harm beyond the boundaries of the development site.	At all times.
3.2	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.
	No adverse impact	
3.3	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.
	Lighting	
3.4	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance	At all times.

	to any other premises outside the boundaries of the property to which this development approval relates.									
	Noise									
3.5	Unless otherwise required by the conditions of this approval, the approved development must be operated in accordance with the report titled <i>Proposed Short Term Accommodation and Function Facility 157 Logan Inlet Road Wivenhoe Hill Acoustic Report</i> , dated 21 November 2024 and prepared by Acoustic Works.	At all times.								
3.6	<p>Time-varying noise from the approved development must be limited such that the A-weighted noise level, $L_{Aeq,adj,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none">(e) the background noise level + 5dBA for daytime hours (7am to 6pm);(f) the background noise level + 5dBA for evening hours (6pm to 10pm);(g) the background noise level + 5dBA for night time hours (10pm to 7am); or(h) the noise limits specified in Table A, whichever is greater. <p>Table A: Noise Limits $L_{Aeq,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{Aeq,T}$ dBA</th></tr><tr><td>Day (7 am - 6 pm)</td><td>35</td></tr><tr><td>Evening (6pm – 10pm)</td><td>32</td></tr><tr><td>Night (10pm - 7am)</td><td>30</td></tr></table>	Period	Noise Limit $L_{Aeq,T}$ dBA	Day (7 am - 6 pm)	35	Evening (6pm – 10pm)	32	Night (10pm - 7am)	30	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA									
Day (7 am - 6 pm)	35									
Evening (6pm – 10pm)	32									
Night (10pm - 7am)	30									
3.7	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, $L_{A90,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none">(e) the background noise level + 0dBA for daytime hours (7am to 6pm);(f) the background noise level + 0dBA for evening hours (6pm to 10pm);(g) the background noise level + 0dBA for night time hours (10pm to 7am); or(h) the noise limits specified in Table B, whichever is the greater. <p>Table B: Noise Limits $L_{A90,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{A90,T}$ dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>30</td></tr><tr><td>Evening (6pm – 10pm)</td><td>27</td></tr></table>	Period	Noise Limit $L_{A90,T}$ dBA	Day (7am - 6pm)	30	Evening (6pm – 10pm)	27	At all times.		
Period	Noise Limit $L_{A90,T}$ dBA									
Day (7am - 6pm)	30									
Evening (6pm – 10pm)	27									

	Night (10pm - 7am)	25	
3.8	Provide certification to Council by a suitably qualified acoustic consultant that the selection, siting and installation of mechanical plant meets the noise criteria specified in Condition 3.7 and is in accordance with the report titled <i>Proposed Short Term Accommodation and Function Facility 157 Logan Inlet Road Wivenhoe Hill Acoustic Report</i> , dated 21 November 2024 and prepared by Acoustic Works.	Prior to commencement of use.	
3.9	Amplified music and amplified speech can only occur within the function room.	At all times.	
3.10	The noise limit of the amplified sound system is 90dBA at 1 metre from a single speaker, or 87dBA at 1 metre from each of two speakers.	At all times.	
3.11	A sound limiting device is to be installed in the premises' s function room for the use of any amplification system in this room.	Prior to commencement of use.	
3.12	Provide certification to Council by a suitably qualified acoustic consultant demonstrating that a sound limiting device has been installed in the premises, that describes the allowable speaker locations (including with a plan), and is set at a level that ensures compliance with the source noise limit in the approved acoustic report (i.e. equivalent to 90dBA at 1 metre from a single speaker).	Prior to the commencement of use.	
3.13	The amplification system can only be connected to a power source regulated by the sound limiting device installed in accordance with Condition 3.12.	At all times.	
3.14	Waste collection is to be limited to daytime hours of 7am to 6pm.	At all times.	
3.15	Deliveries are to be limited to daytime and evening hours of 7am to 6pm. Deliveries from refrigerated, large rigid vehicles or semi-trailers are limited to daytime hours of 7am to 6pm only.	At all times.	
	Waste		
	Waste – Construction		
3.16	All construction, demolition or other waste is to be removed from site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.	

	Waste – General	
3.17	All waste generated as part of the operation of the development must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.	At all times.
3.18	All general waste produced as part of the operation of the development must be disposed of through either: (c) The number of standard waste services as determined by Council; or (d) A private agreement with a licensed waste disposal contractor through an exemption granted by Council.	At all times.
3.19	No waste is to be burned or buried on the subject site.	At all times.
3.20	All refuse storage must be appropriately located and screened as follows: (v) Be located a minimum of 15 metres from any property boundary; (vi) Be enclosed on three sides with a screen wall extending 0.2 metres above the height of the refuse receptacles; (vii) Screened by dense planting with or without mounding; and (viii) Separated from <i>sensitive land uses</i> by a minimum of 10m so as to avoid any undesirable impact of odour or noise from refuse storage and collection services.	Prior to the commencement of the use and to be maintained at all times.
SCHEDULE 4—ENGINEERING		
Assessment Manager		
No.	Condition	Timing
GENERAL ENGINEERING		
	ENGINEERING	
4.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage as a requirements of the <i>Somerset Region Planning Scheme</i> .	Prior to the commencement of Operational Work.
4.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
4.3	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.

4.4	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 part of Operational Works.
	VEHICLE ACCESS	
4.5	The landowner is responsible for 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.
4.6	All vehicles shall enter and leave the site in a forward gear	At all times.
4.7	All manoeuvring areas shall enable access to a single-unit truck / bus based on a 12.5 metre Design Vehicle in accordance with <i>Austroads</i> design manual.	As part of Operational Works.
	CAR PARKING	
4.8	Provide on-site car parking for a minimum of 40 vehicles in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
4.9	All manoeuvring areas shall enable access to a 12.5-metre heavy rigid design vehicle in accordance with <i>Austroads</i> design manual and Australian Standard AS:2890	As part of Operational Works.
4.10	Provide a safe set down and pick up area for 1 emergency vehicles.	Prior to commencement of use.
4.11	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material in accordance with Australian Standards.	At all times.
4.12	Provide an additional overflow car parking area (either grassed or gravel all weather surface) capable of accommodating a minimum of 20 cars on site.	As part of Operational Works.
	STORMWATER	
4.13	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.

4.14	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.
4.15	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
4.16	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.
EROSION AND SEDIMENT CONTROL		
4.17	<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.
4.18	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.
SCHEDULE 5 —INTERPRETATION AND ADVICE		
Assessment Manager		
No.	Note	
INTERPRETATION		
	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.
ADVICE	
	When approval takes effect (Advice)
5.7	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.
	Aboriginal Cultural Heritage Act (Advice)
5.8	<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 qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
	Fire ants (Advice)
5.9	<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)
5.10	<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>
	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>

	Advertising devices, other than 'permitted advertisements' (as that term is defined in the subordinate local law), require Local Law Approval prior to installation.
	Building works (Advice)
5.12	<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> <p>All building work is to comply with the provisions contained in the <i>Building Act 1975</i>, the <i>Building Regulation 2021</i>, the Building Code of Australia, the Queensland Development Code, and relevant Australian Standards.</p>
	Plumbing and drainage works (Advice)
5.13	<p>This Development Approval for material change of use [OR] building works under the planning scheme does not include an approval to carryout any plumbing and drainage works.</p> <p>Separate approvals may be required for carrying out any plumbing and drainage works required to facilitate this development approval.</p>
	Food business licence (Advice)
5.14	No licensable food preparation activities are permitted under this Development Approval unless the operator holds a current Food Business Licence for the activity under the <i>Food Act 2006</i> or any superseding legislation as published from time to time.
	Property access (Advice)
5.15	<p>Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.</p> <p>The application form for a property access approval may be downloaded from Council's website at someset.qld.gov.au/our-services/roads.</p> <p>The landowner must have the property access approval in place prior to commencing works on the crossover.</p>
	Vegetation clearing (Advice)
5.16	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.
	<i>Carried</i>

	Vote - Unanimous
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Subject:	Application for Temporary Entertainment Event – The Partici-party 2025 – Jungle Events Ltd
File:	Environmental Management – Reports - Environmental Health Reports
Action Officer:	EHO-BW

Background/Summary

Council received a temporary entertainment event application (Doc Id: 1678808) 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 three-day music and arts festival. The festival would feature circus, theatre, cabaret, comedy, visual arts, workshops and live music playing a variety of genres. It is expected that 500 - 1000 people will attend the event.

The event is proposed to be operated from Friday 28 March 2025 until Sunday 4 April 2024. Attendees will arrive from 9am on Friday and will depart on Sunday. Camping will be permitted onsite.

Two stages will operate at the event. One stage will provide an improvisational space for members of the audience to play, in addition to featured artists. This stage is expected to cater for up to 400 people at peak times. The second stage will be used for electronic music performances and would be a smaller stage, catering for a crowd size of up to 300 people at peak times.

Council has granted Jungle Events Ltd approvals to hold similar events in previous years, specifically the Jungle Love festival in 2022, the Jungle Camp festival in 2023, and the Partici-Party event in April 2024. Council did not receive any complaints from the community in relation to these events.

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 no alcohol will be sold at the event. The festival will allow BYO alcohol for adults 18+ years of age. No liquor 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 2025 calendar year at this site.</p>
Criteria – LL, Section 9(1)(b)	The proposed operation and management of the prescribed activity adequate to protect public health, safety and amenity and prevent environmental harm; and
Officer comment	<p>Medical Council requested comment from the Queensland Ambulance Service (QAS) about the proposed event. QAS have recommended that the applicant provide a paramedical or nursing level of clinical coverage on site for the duration of the event.</p> <p>The conditions of approval will require the operator to engage a registered paramedic for on-site private medical coverage in order to have twenty-four-hour medical coverage during the event.</p> <p>The applicant will be required to submit a revised Event Management Plan confirming the provision of a registered paramedic for the duration of the event.</p> <p>Security The applicant has advised that 3-5 security officers will be provided for the event. The total number of security guards will be dependant on actual attendance numbers.</p> <p>Council requested comment from the Queensland Police Service (QPS) in relation to the event. QPS advised that there were no objections.</p> <p>Post Event Report 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 1000 people. 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. Further assessment regarding potential dust, light and noise nuisance impact has been provided below.
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 will involve amplified 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 operator will also conduct regular sound level readings throughout the course of the event.</p> <p>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.</p>
Criteria – SLL, Section 4(4)	There must be enough toilets and sanitary conveniences provided for the event.
Officer comment	Toilet and shower numbers will be conditioned as part of any approval that is issued. Sanitary bins will be provided in all female toilets. The toilets will be cleaned and maintained throughout the event by the designated team.
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. A condition of approval will require the approval holder to provide an appropriate number of waste bins for the event.
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 conditional if an approval is granted.
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Attachments

- The Partici-party 2025 - Site Plan.
- The Partici-party 2025 - Event Management Plan.
- The Partici-party 2025 - Noise Management Plan.

Recommendation

THAT Council approve the 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 1000 people on Lot 2 SP228062, Sunday Creek Road Jimna, from Friday 28 March 2025 to Sunday 30 March 2025.
1.4	The approval holder must provide the following number of toilets, sanitary conveniences, and showers for the event: Males: 15 toilets; 15 urinals; 10 hand basins; 5 showers Females: 36 toilets; 10 hand basins; 5 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 14 March 2025.
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

	<p>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	<p>Noise associated with the event must not exceed the following levels at a sensitive receptor:</p> <p>(a) before 7am, if the use causes audible noise; or</p> <p>(b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or</p> <p>(c) from 10pm to midnight, if the use causes noise of more than the lesser of the following—</p> <p>(i) 50dB(A);</p> <p>(ii) 10dB(A) above the background level.</p>
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, except where otherwise required by the conditions of this approval.
1.15	The approval holder must submit a final version of the Event Management Plan for approval by the Chief Executive Officer by Friday 14 March 2025.
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.
1.22	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	<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	Any signs placed on State-controlled roads will require relevant State Government approval/s.

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT Council approve the application subject to the conditions listed below:

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	<p>The approval holder must:</p> <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 1000 people on Lot 2 SP228062, Sunday Creek Road Jimna, from Friday 28 March 2025 to Sunday 30 March 2025.
1.4	<p>The approval holder must provide the following number of toilets, sanitary conveniences, and showers for the event:</p> <p>Males: 15 toilets; 15 urinals; 10 hand basins; 5 showers</p> <p>Females: 36 toilets; 10 hand basins; 5 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 14 March 2025.
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	<p>Noise associated with the event must not exceed the following levels at a sensitive receptor:</p> <p>(a) before 7am, if the use causes audible noise; or</p> <p>(b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or</p> <p>(c) from 10pm to midnight, if the use causes noise of more than the lesser of the following—</p> <p>(i) 50dB(A);</p> <p>(ii) 10dB(A) above the background level.</p>
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, except where otherwise required by the conditions of this approval.
1.15	The approval holder must submit a final version of the Event Management Plan for approval by the Chief Executive Officer by Friday 14 March 2025.
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.
1.22	<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:	Application for Temporary Entertainment Event – Kilcoy Exchange Hotel – Australia Day Woodchop 2025
File:	Environmental Management/Reports/Environmental Health Reports
Action Officer:	EHO-BW

Background/Summary

Council has received a temporary entertainment event application from Liquid Operations Pty Ltd (Ref: 1690805) to conduct a temporary entertainment event in Kilcoy. The event is proposed to be located at the Kilcoy Exchange Hotel, 13 William Street, and on the footpath and service road in front of the hotel. The event is called “Australia Day Woodchop 2025”.

The event is proposed to be operated on Saturday 25 January 2025 from 10am until 10pm. Set up will occur from 1am prior to the event commencing, and pack-up is expected to be completed by 10.30pm. Total attendance for the one-day event is predicted to be 200 - 300 persons.

The applicant has prepared an Event Management Plan (EMP) which outlines how the event will comply with Council's local law requirements for temporary entertainment events.

It is noted that Council has approved previous events hosted by the applicant at this location, including the Kilcoy Woodchop 2023, Australia Day Woodchop 2024, and the Kilcoy Chainsaw Event 2024.

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 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 is required to make an application to Council and the Queensland Police Department for consideration for any temporary road closures. A condition of approval will require the applicant to provide a copy of the Road Closure Permit prior to the event.</p> <p>The applicant is required to obtain approval from the Officer of Liquor and Gaming Regulation for the sale of alcohol on the footpath and a temporary increase to their licensed area. A condition of approval will require the applicant to provide a copy of the approval from the Office of Liquor and Gaming Regulation prior to the event.</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>The applicant has provided an Event Management Plan for the event detailing provisions for public safety and environmental harm.</p> <p>Medical and Security Crowd Controllers and staff trained in first aid will be present on the premises.</p> <p>Staff and security briefings will occur prior to the event. Crowd controllers are employed to ensure the safety of the event space.</p> <p>Temporary fencing will be erected to ensure the safety of event attendees and passers-by.</p> <p>Post Event Report 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 attendees and staff; • Any incidents during the event relating to public health and safety and the outcomes of those incidents;

	<ul style="list-style-type: none"> 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	It is considered that the grant of approval would be consistent with the objective of the local law.
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	<i>Subordinate Local Law 1.12 (Operation of Temporary Entertainment Events) 2011</i> 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 approval would be 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 event will be held on a Council controlled road and the proposed use is generally consistent with the terms and conditions of the trust.
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 <i>Local Government Act</i> 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	The applicant has provided an Event Management Plan for the event detailing provisions for safety and security. The design and construction of the event is considered appropriate for hosting an event of this nature and scale.
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	It is unlikely that the proposed event will unreasonably detract from the amenity of the surrounding area. Similar events have been held at the site in the past which have not resulted in complaints in relation to amenity.
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>Noise sources associated with the event will include an amplified PA address and general MC duties. Participants in the woodchopping events will compete with axes, hand saws and chainsaws. A condition of approval will require that no nuisance, as defined by the <i>Environmental Protection Act 1994</i>, is caused by the event.</p> <p>Dust nuisance is not anticipated for this event.</p> <p>Lights will be used to illuminate the event space and for safety. A condition of approval would require the applicant to ensure lights are positioned in such a way that they do not cause a nuisance.</p>
Criteria – SLL, section 4(4)	There must be enough toilets and sanitary conveniences provided for the event.
Officer Comment	Required numbers for toilets and sanitary conveniences will be conditioned if the event is approved.
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	Waste will be managed by Exchange Hotel staff who will also be responsible for clearing any rubbish left on the footpath and roadway. Wood debris from the events will also be removed by staff for disposal.
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	<p>The applicant has submitted a Traffic Guidance Scheme (TGS) for the event which has been assessed by Council's Operations Department. The TGS is the same as has been used for previous events held at this location.</p> <p>Council's Operations Department have noted that the TGS has not been reviewed within the past 12 months and will need to be re-issued by a traffic management designer before it can be approved by Council.</p> <p>A condition of approval will require the applicant to provide an updated Traffic Guidance Scheme that has been reviewed and signed by a Traffic Management Designer. The TGS must be provided to council prior to the event and must be to the satisfaction of Council's Operations Department.</p>

Attachments

1. Site Plan
2. Event Management Plan

Recommendation

THAT Council approve the 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 event is located.
1.3	The temporary entertainment event is limited to the operation of the Australia Day Woodchop 2025 on Lot 8 RP864209, located at 13 William Street service road, Kilcoy, and adjoining footpath located immediately to the front of the Kilcoy Exchange Hotel from 10am to 10pm on Saturday 25 January 2025.
1.4	<p>The approval holder must provide the following number of toilets, sanitary conveniences and showers for the event:</p> <p>Males: 3 toilets; 8 urinals; 2 hand basins.</p> <p>Females: 13 toilets; 2 hand basins; 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> <p>The approval holder must also provide separate toilet and hand washing facilities for food handlers.</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	All waste generated from the event must be disposed of at an appropriately licenced waste disposal facility.
1.7	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.
1.8	<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>
1.9	The temporary entertainment event must not cause an environmental nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.10	<p>Noise associated with the event must not exceed the following levels at a sensitive receptor:</p> <p>(a) before 7am, if the use causes audible noise; or</p> <p>(b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or</p> <p>(c) from 10pm to midnight, if the use causes noise of more than the lesser of the following—</p> <p>(i) 50dB(A).</p> <p>(ii) 10dB(A) above the background level.</p>

1.11	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.
1.12	The approval holder must provide appropriate lighting to all areas of the temporary entertainment event to ensure the safety of the public.
1.13	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.
1.14	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.
1.15	The approval holder must ensure that the temporary entertainment event is run generally in accordance with the approved Event Management Plan.
1.16	The approval holder is to provide a contact number for any complaints received during the event.
1.17	The approval holder must ensure that all electrical installations or distributions to be utilised for the event are installed and signed off by a licenced electrician.
1.18	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 where required.
1.19	The approval holder must provide Council with evidence of an approval issued by the Office of Liquor and Gaming Regulation for the sale of alcohol on the footpath and a temporary increase to the licensed area. Evidence of this approval must be provided to Council by no later than 20 January 2025.
1.20	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 attendees, performers 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.
2.0	OPERATIONS
2.1	A Road Closure Permit is to be obtained from the Queensland Police Service in consultation with Council prior to the event. The Road Closure Permit must be provided to Council by no later than 20 January 2025.
2.2	The approval holder must provide a Traffic Guidance Scheme for the event that has been reviewed and signed by a Traffic Management Designer. The Traffic Guidance Scheme must be provided to Council by no later than 20 January 2025 and must be to the satisfaction of Council's Operations Department.
2.3	The approval holder must comply with the Traffic Guidance Scheme for the event, once approved by Council.
2.4	The approval holder must maintain free access for the general public to use the footpath within the event footprint.
2.5	The approval holder must conduct an 'emu parade' and clean and sanitise the footpath and parking area around the event site to remove any accumulated litter.
2.6	The approval holder must not use tent pegs or stakes within the car park or footpath area for the purpose of setting up any temporary structures (e.g. temporary fences, stages, etc.).

2.7	The approval holder is liable for any damages to Council infrastructure caused by the operation of the entertainment event.
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Resolution

Moved – Cr Hurley

Seconded – Cr Brieschke

“THAT Council approve the 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 event is located.
1.3	The temporary entertainment event is limited to the operation of the Australia Day Woodchop 2025 on Lot 8 RP864209, located at 13 William Street service road, Kilcoy, and adjoining footpath located immediately to the front of the Kilcoy Exchange Hotel from 10am to 10pm on Saturday 25 January 2025.
1.4	The approval holder must provide the following number of toilets, sanitary conveniences and showers for the event: Males: 3 toilets; 8 urinals; 2 hand basins. Females: 13 toilets; 2 hand basins; 1 sanitary convenience bin per female toilet. Unisex: at least 1 unisex toilet for patrons with a disability at each group of toilet facilities. The approval holder must also provide separate toilet and hand washing facilities for food handlers.
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	All waste generated from the event must be disposed of at an appropriately licenced waste disposal facility.
1.7	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.
1.8	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.
1.9	The temporary entertainment event must not cause an environmental nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.10	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.
1.11	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.
1.12	The approval holder must provide appropriate lighting to all areas of the temporary entertainment event to ensure the safety of the public.
1.13	All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times: • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.14	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.
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1.16	The approval holder is to provide a contact number for any complaints received during the event.
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1.19	The approval holder must provide Council with evidence of an approval issued by the Office of Liquor and Gaming Regulation for the sale of alcohol on the footpath and a temporary increase to the licensed area. Evidence of this approval must be provided to Council by no later than 20 January 2025.
1.20	The approval holder must submit to Council, within 14 days of the event, a Post Event Report detailing: • Total number of attendees, performers 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.
2.0	OPERATIONS
2.1	A Road Closure Permit is to be obtained from the Queensland Police Service in consultation with Council prior to the event. The Road Closure Permit must be provided to Council by no later than 20 January 2025.

2.2	The approval holder must provide a Traffic Guidance Scheme for the event that has been reviewed and signed by a Traffic Management Designer. The Traffic Guidance Scheme must be provided to Council by no later than 20 January 2025 and must be to the satisfaction of Council's Operations Department.
2.3	The approval holder must comply with the Traffic Guidance Scheme for the event, once approved by Council.
2.4	The approval holder must maintain free access for the general public to use the footpath within the event footprint.
2.5	The approval holder must conduct an 'emu parade' and clean and sanitise the footpath and parking area around the event site to remove any accumulated litter.
2.6	The approval holder must not use tent pegs or stakes within the car park or footpath area for the purpose of setting up any temporary structures (e.g. temporary fences, stages, etc.).
2.7	The approval holder is liable for any damages to Council infrastructure caused by the operation of the entertainment event. <i>Carried</i> <i>Vote - Unanimous</i>

Subject:	Major Amendment to the Somerset Region Planning Scheme – Major Amendment 2 - Draft Planning Scheme for State Interest Review
File Ref:	Somerset Region Planning Scheme – Major Amendment 2
Action Officer:	SP - MO

Background/Summary

Council, at its Ordinary Meeting of 21 December 2023 decided to:

1. receive the Somerset Region Planning Scheme Proposed Major Amendment 2 Issues Report; and
2. make a major amendment to the planning scheme in accordance with Chapter 2, Part 4 of the *Minister's Guidelines and Rules*.

The issues report was developed through an iterative and collaborative process with both Councillors and Council officers. The issues report was a targeted review of issues that were identified over the life of the planning scheme, as well as emerging issues through the preparation of the report.

In the 12 months since the issues report has been received, Council officers and our appointed consultant have drafted the amendment instrument. The amendment instrument (Attachment 1) advances 28 of the 33 recommendations of the issues report, with five items recommended be held over to the new planning scheme. Many items have been further refined since the issues report was received and additional items have been included.

The amendment also includes general improvements and scores of administrative and minor changes that will improve the day-to-day operation of the planning scheme and, in the officers' view, improve development outcomes and certainty to the development industry and the community.

As per the *Minister's Guidelines and Rules* (MGR), the Council is now required to give notice to the Minister responsible for the *Planning Act 2016* to request commencement of the State Interest Review in accordance with Chapter 2, Part 4, Section 16.5 of the MGR.

Attachments

Attachment 1 – *CONFIDENTIAL* – Amendment instrument: Somerset Region Planning Scheme Proposed Major Amendment 2

Recommendation

THAT Council authorise the Chief Executive Officer:

1. to give notice to the Minister responsible for the *Planning Act 2016* to request commencement of the State Interest Review in accordance with Chapter 2, Part 4, Section 16.5 of the *Minister's Guidelines and Rules* that includes:
 - i. the decision to amend the planning scheme; and
 - ii. the required material for the proposed amendment as prescribed in schedule 3 of the MGR; and
2. to make any administrative and minor changes to the proposed amendment document, and any associated document (including mapping), if required, as part of providing the notice to the Minister, or otherwise until Council receives a notice under 17.5 of the *Minister's Guidelines and Rules* advising the outcome of the State Interest Review.

Resolution

Moved – Cr Jess

Seconded – Cr Brieschke

“THAT Council authorise the Chief Executive Officer:

1. to give notice to the Minister responsible for the *Planning Act 2016* to request commencement of the State Interest Review in accordance with Chapter 2, Part 4, Section 16.5 of the *Minister's Guidelines and Rules* that includes:
 - i. the decision to amend the planning scheme; and
 - ii. the required material for the proposed amendment as prescribed in schedule 3 of the MGR; and
2. to make any administrative and minor changes to the proposed amendment document, and any associated document (including mapping), if required, as part of providing the notice to the Minister, or otherwise until Council receives a notice under 17.5 of the *Minister's Guidelines and Rules* advising the outcome of the State Interest Review.”

Carried

Vote - Unanimous

Subject:	Delegation to Approve Plan of Subdivision for a Boundary realignment
File Ref:	Doc ID 1675882

Action Officer: SP - MJ

Background/Summary

Council has received an Application to Approve a Plan of Subdivision for a Boundary realignment.

Ordinarily a boundary realignment would require a development approval from Council prior to an Application to Approve a Plan of Subdivision being received. However, in this instance, the boundary realignment is being undertaken by Seqwater to acquire land for water infrastructure.

Schedule 6 of the *Planning Regulation 2017* identifies the circumstances of development a local categorising instrument is prohibited from stating is assessable development. In particular, Part 4, Section 21(2) of Schedule 6, states:

Reconfiguring a lot as defined under the Land Title Act, if the reconfiguration—

... “relates to the acquisition of land for water infrastructure”...

As such, the proposed boundary realignment does not require a development approval from Council. Notwithstanding this, Council has now received an Application to Approve the Plan of subdivision which requests Council sign Item 3 – Planning Body Exemption of the Form 18B.

The *Land Title Act 1994* and its associated Practice Manual states:

“Where a plan is exempt from Planning Body approval this item [Item 3 – Planning Body Exemption] must be completed. It must be signed by an appropriately authorised person, citing the relevant statutory authority for the exemption”.

It is unclear who is defined as an authorised person in this instance. Advice was sought from the Titles Department, however at the time of writing this report no response has been received. To progress the applicant’s request in a timely manner, it is considered reasonable for Council to sign the Form 18B and allow the applicant to manage the finalisation of the plan of subdivision with the Titles Department.

It appears no existing delegation is in place to authorise the Chief Executive Officer to sign Item 3 of the Form 18B. As such it is proposed that Council authorise the Chief Executive Officer sign the Form 18B.

Attachment:

Nil

Recommendation

THAT the Chief Executive Officer be authorised to sign the Form 18B relating to survey plan SP341176 confirming the Planning Body Exemption as per:

- *Schedule 10, Part 14, Division 1, Section 21 of the Planning Regulation 2017;*
- *Schedule 6, Part 4, Section 21(2), (h) and Schedule 24 of the Planning Regulation 2017.*

Resolution

Moved – Cr Hurley

Seconded – Cr Bishop

“THAT the Chief Executive Officer be authorised to sign the Form 18B relating to survey plan SP341176 confirming the Planning Body Exemption as per:

- *Schedule 10, Part 14, Division 1, Section 21 of the Planning Regulation 2017;*
- *Schedule 6, Part 4, Section 21(2), (h) and Schedule 24 of the Planning Regulation 2017.*

Carried

Vote - Unanimous

Subject:	Local Government Infrastructure Plan – Interim Amendment
File Ref:	Local Government Infrastructure Plan
Action Officer:	SP - MJ

Background/Summary

The Somerset Region Planning Scheme includes a Local Government Infrastructure Plan (LGIP). The LGIP identifies proposed future stormwater, transport and parks trunk infrastructure needed to service existing and projected growth across the region. The LGIP ensures trunk infrastructure is delivered in a coordinated, efficient and financially viable manner.

In 2023, Council undertook a review of the LGIP as required by the *Minister's Guidelines and Rules* (MGR). The review highlighted improvement opportunities for the LGIP. As such, an interim amendment to the LGIP is proposed which will review trunk infrastructure across the region.

In accordance with Chapter 5, Part 2, section 4.1 of the MGR, Council must decide to make the amendment. It is also a requirement for Council to consult with any relevant infrastructure State agency or distributor retailer (Urban Utilities) which may be impacted by the proposed amendment. The MGR also identifies that the local government must undertake public consultation for a minimum of 15 business days.

As such, it is now proposed that Council resolve to make the interim amendment and commence public consultation with the relevant agencies and the public.

Attachments

Confidential - Interim LGIP Amendment – (Excludes Extrinsic Material and Schedule of Works Financial Model).

Recommendation

THAT Council resolve to make an interim amendment to the Local Government Infrastructure Plan in accordance with the requirements of Chapter 5 of the *Minister's Guidelines and Rules*.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council resolve to make an interim amendment to the Local Government Infrastructure Plan in accordance with the requirements of Chapter 5 of the *Minister's Guidelines and Rules*.”

Carried

Vote - Unanimous

Subject:	Economic Development and Tourism Advisory Committee – Meeting 19 November 2024
File Ref:	2024 – 2028 – Economic Development and Tourism Committee
Action Officer:	ESO

Background/Summary

The quarterly meeting of the Economic Development and Tourism Advisory Committee was held Tuesday, 19 November 2024.

Attachments

Meeting Report Economic Development and Tourism Advisory Committee 19 November 2024.

Recommendation

THAT Council receive the meeting report for the quarterly meeting of the Economic Development and Tourism Advisory Committee 19 November 2024 and the contents be noted.

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council receive the meeting report for the quarterly meeting of the Economic Development and Tourism Advisory Committee 19 November 2024 and the contents be noted.”

Carried

Vote - Unanimous

Subject:	Planning and Development Department Monthly Report – November 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 November 2024 is provided for Council's information.

Planning

	November 2023	November 2024	FYTD
Received			
Building Works assessable against the Planning Scheme	6	7	52
Material Change of Use	6	4	27
Reconfiguring a Lot	4	3	12
Operational Works	2	2	10
Combined Applications	-	-	2
Referral Applications	-	3	12
Total	18	19	115
Refused - Council	-	-	-
Refused - Delegated Authority	-	-	1
Approved - Council	1	2	5
Approved - Delegated Authority	11	28	83
Total	12	30	89

For a full list of applications received in the past 30 days, please refer to [eServices](#).

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 on 12 April 2023.

FVLH Developments Pty Ltd v Somerset Regional Council

Planning and Environment Court Appeals No. BD1952 and BD1954 of 2023

DA9400 at Muckerts Lane, Fernvale.

Deemed Refusal.

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 on 21 June 2023.

Building

	November 2023	November 2024	FYTD
Status			
Accepted Applications	60	73	300
Approved - Council	3	4	19
Approved - Private Certifier	57	69	260
Referral Applications	-	4	15

An overview of the building approvals across the region is provided in Appendix 1.

Plumbing

	November 2023	November 2024	FYTD
Status			
Approved	35	22	163
Info Request	4	8	19
Total	39	30	182
Plumbing Inspections	110	81	495

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.

Mid-Brisbane (Fernvale Catchment) Wastewater Risk Mitigation Program

Council's plumbing inspectors have started the next phase of the Wastewater Risk Mitigation Program within the Mid-Brisbane (Fernvale Catchment). Forty-Six properties in the Fernvale Area were sent invitations to apply for an upgrade subsidy. Seven properties have volunteered for an inspection, with six inspections resulting in allocation of funding.

Development Compliance

Planning Compliance Matters

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

- Function Facilities
- Animal Keeping
- Workshops / Vehicle Sales
- Transport Depot
- Vegetation Clearing
- Large scale operational works (earthmoving).
- Unlawful Use of Premises
- Breach of Conditions of Approval

Activities located in Esk, Toogoolawah, Wanora, Coal Creek, Winya, Glamorgan Vale, Clarendon, Fernvale, Hazeldean.

Building Compliance Matters

The following are non-compliant building activities in November:

- Several stormwater discharge complaints.

Notices Issued – November 2024



Environmental Health and Regulatory 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 completed the annual mosquito surveillance program in March, for the 2023-2024 financial year. Officers have commenced planning for next year's 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.

An overview of the section activities for the month can be seen in Appendix 2.

Pest Management Invasive Animal Control

Wild Dogs – November 2024

1080 Baits

271



20

Scalps presented

Area's baiting: Kingaham, Moore, Coal Creek, Bryden, Dundas, Harlin, Coominya.

Feral Pigs – November 2024

1080 Grain

0Kg



58

Scalps presented

Area's baiting: Nil.

Rabbits

Officers have been working with landholders to control rabbit infestations in the following areas:

- Sandy Creek
- Toogoolawah
- Esk

There have been reports of rabbits being effected by Calicivirus and Myxomatosis across the region.



Officers are continuing to work closely with Seqwater in controlling rabbits around Somerset Dam and on ground baiting at Kirkleah campgrounds. In response to a CSR 4 rabbits were trapped at Toogoolawah

Fox

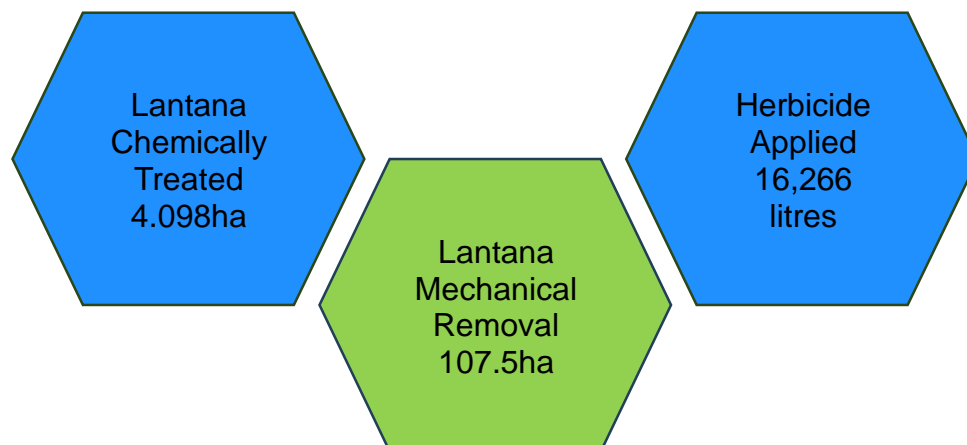
Pest Management Officers are continuing to monitor den sites that have been found and fumigated.



Fox breeding season - there has been an increase in reports of poultry being attacked and taken.

- Sandy Creek

Pest Management Invasive Plant Control



Fire Ant Suppression – Council Land

Council Officers conducted preventative fire ant baiting at Council stockpile sites located at the Lowood depot and at Prenzlau, Marburg, Clarendon, Fernvale and Glamorgan Vale. All sites are located in the Fire Ant Suppression Area.

Other Pest Weed Treatments

Mother of Millions
Jimna,

Annual Ragweed
Moore, Harlin, Linville, Kilcoy, Woolmar, Mount Beppo, Fernvale, Toogoolawah, Lowood, Jimna, Biarra, Eskdale, Fernvale, Coominya

Giant Rats Tail Grass

Linville, Moore, Harlin, Mount Kilcoy, Wivenhoe
Pocket, Mount Kilcoy, Toogoolawah, Fernvale,
Gregors Creek,

Fireweed

Gregors Creek

Leucaena

Dundas, Toogoolawah

Groundsel

Sandy Creek

Prickly Pear

Linville

Yellow Bells

Somerset Dam

Lantana

Linville, Esk, Toogoolawah, Somerset

Element 15**Element 5**

Brisbane Valley Highway, D'Aguilar Highway,
Esk Kilcoy Road

Council managed infrastructure

All local bridges, roadside furniture on high use local roads.

Education and Awareness

Council's Supervising Pest Management Officer facilitated a pest management workshop at the Kilcoy and Lowood Libraries during the month.

**Lantana Chemical Subsidy Program**

The 2024/25 lantana subsidy program first round has been closed at 60 applicants.

Compliance under the *Biosecurity Act 2014*:

	October 2024	November 2024
Information notices	-	-
Biosecurity Orders	-	-
Enter and Clear action	-	-

Natural Resource Management**Land for Wildlife**

- Council welcomed one new Land for Wildlife property to the program at Coal Creek – 12 November 2024
- Participation in Land for Wildlife Officer training – Fauna Cameras and Bioacoustics – 21 November 2024.



Somerset Flora and Fauna



- Ongoing engagement with Griffith University Social Marketing team to promote Koala awareness in the Somerset region through to December 2024, including Free Tree Day representation.
- Meeting with Healthy Land and Water 5 November 2024 to progress Koala threat management project proposals for Somerset Region.
- Delivery of the Somerset Free Tree Days – Esk Free Tree Day 2 November 2024, Kilcoy Free Tree Day 16 November 2024, Land for Wildlife Free Tree Day (Esk) 30 November 2024.

Catchment Management

- Resilient Rivers Project Updates:
 - A maintenance program (1 year) is delivering across all (6) Black Snake Creek properties (Somerset) treated through this program since inception.
 - Progress commenced on the Mid Brisbane River Reserves project at Twin Bridges reserve, involving removal of weedy growth at the site.
 - Officer preparations underway for new (2025) proposals to the Resilient Rivers initiative for funding consideration.



Offsets – Planting

Delivery of Council's Capital Works Offsets:



- A maintenance contract is ongoing to support all of Somerset Regional Councils Brisbane Valley Rail Trail offset delivery (to date). Ongoing tasks will include a maintenance audit, opportunistic enhancements, and additional planting/s in Spring/Summer 2024 – initial preparations have begun on the Brisbane Valley Rail trail between Yimbin Station and Cemetery Road at Braemore, including site meeting 5 November 2024.
- Site preparations (mulch delivery) arrangements are ongoing at Eskdale Road, Toogoolawah to facilitate a future community planting/s. The intent of the planting/s is to enhance the existing vegetation/corridor linkage through town, supporting Koala habitat and safe passage.

Collaborations

- Officer participation and liaison with consultants investigating Council Fire Risk profile/s across Council managed land – meeting with consultants 28 November 2024.
- Officer representation at meeting with Healthy Land and Water representatives regarding future partnership opportunities – 26 November 2024.
- Officer meeting with Powerlink regarding Borumba Hydro project transmission linkage project – 4 November 2024.



- Officer participation in Brush Tailed Roack Wallaby Workshop – 6 November 2024.
- Officer participation in SEQ Flying Fox Management meeting – 25 November 2024.

Economic Development

Major Projects

- Business Recovery Officer hand delivered “*Support our Somerset*” marketing collateral to main street businesses to increase awareness of the newly created brand.
- Feedback received from local businesses who were highlighted on the Sunrise weather broadcast in October included some recording their first interstate online orders and others experienced immediate growth of their social media following. Other hospitality establishments also noted an increase in patronage.
- Social media campaign set to commence in the first week of December in the lead up to Christmas.
- Planning commenced for “*Disaster Management for Business Owners*” workshop, to be held in December.
- Economic Development Strategy annual scorecard completed for Council Meeting - Wednesday, 27 November.
- Newsletter input provided to Communications Team for preparation of Newsletters for Streetscape Projects.
- Funding application / EOI prepared for the Green Urban Infrastructure Initiative funding under the SEQ City Deal. Application to be submitted before 13 December.
- Car parking survey for Lowood preparation underway. Survey to be undertaken in December and possibly January.



Events



- Exclusive Screening of Australian Film “Just a Farmer” targeted at Somerset primary producers – Thursday, 7 November
- BRO attended the Economic Development and Tourism Advisory Committee meeting on Tuesday, 19 November
- Cyber Security for Small Business Workshop – Tuesday, 19 November.
- Planning continued for delivery of ‘Small Business Boost’ events using the LLER grant funding.

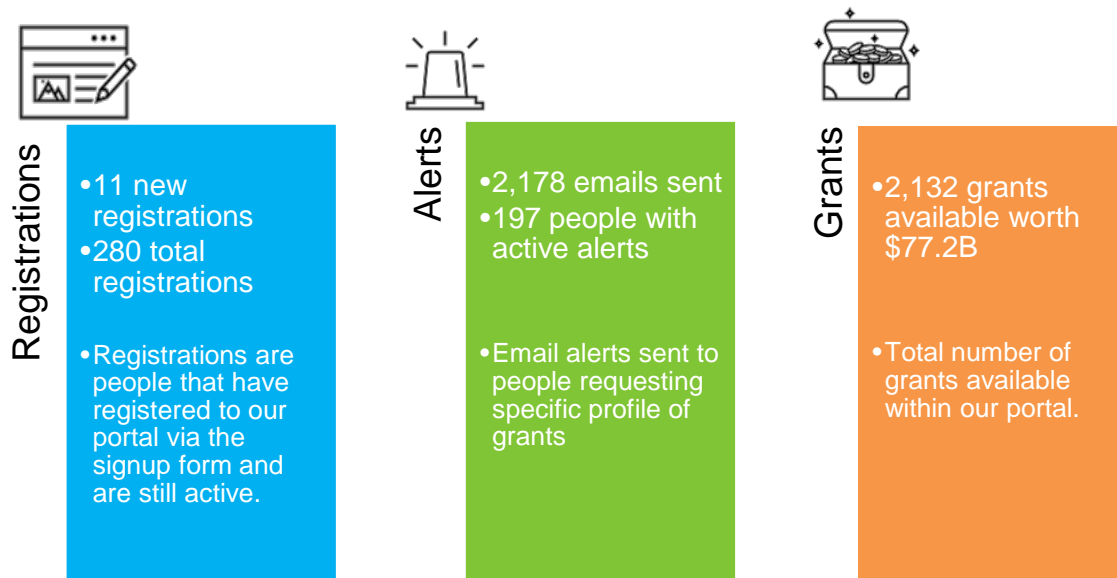
Stakeholder Engagement

- Proactive engagement with State Government agencies, including:
 - Small Business Friendly Commissioners Office
 - Department of Employment, Small Business and Training
 - Queensland Rural Industry and Development Authority
- Plus, other peak industry organisations including Healthy Land and Water and University of the Sunshine Coast.
- 125 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 – November 2024



Recommendation

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

Resolution

Moved – Cr Isidro

Seconded – Cr Hurley

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

Carried

Vote - Unanimous

Subject: Crane truck servicing contract matter
File Ref: Plant and equipment
Action Officer: DFIN

Background/Summary

Council owns a crew truck with a crane fitted. The crane is due for an annual service plus a certificated inspection.

Council workshop staff confirm that the supplier of the crane, Palfinger, has advised that it is unable to undertake the service and inspection and that Palfinger have recommended the Trustee for Sagaidak Family Trust trading as Kev's Cranes to undertake this work. Kev's Cranes specialise in truck mounted crane servicing and repairs in the Brisbane area.

The service and inspection work is a medium-sized contractual arrangement under s224 of the *Local Government Regulation 2012* at an estimated \$17,000.

Attachments

Nil

Recommendation

THAT to remove any doubt, Council resolves under s235 of the *Local Government Regulation 2012* that it is satisfied that because of the specialised nature of the provision of servicing and inspections of Council's truck-mounted crane, it would be impractical or disadvantageous for the local government to invite quotes or tenders for this work and that the Trustee for Sagaidak Family Trust trading as Kev's Cranes be engaged for this purpose.

Resolution

Moved – Cr Brieschke

Seconded – Cr Freese

"THAT to remove any doubt, Council resolves under s235 of the *Local Government Regulation 2012* that it is satisfied that because of the specialised nature of the provision of servicing and inspections of Council's truck-mounted crane, it would be impractical or disadvantageous for the local government to invite quotes or tenders for this work and that the Trustee for Sagaidak Family Trust trading as Kev's Cranes be engaged for this purpose."

Carried

Vote - Unanimous

Subject:	Seek Limited contract matter
File Ref:	Recruitment
Action Officer:	DFIN

Background/Summary

In order to ensure that Council can recruit the best possible new talent in a challenging employment market at defined advertising rates, Council entered into an advertising agreement with Seek Limited in December 2023.

The attached \$20,000 (GST ex) agreement provides Council with more certainty about its recruitment advertising spend which has been as high as \$55,587 per annum in recent years.

The advertising agreement is a medium-sized contractual arrangement under s224 of the *Local Government Regulation 2012*.

Attachments

Confidential - Advertising agreement with Seek Ltd of 9 December 2024

Recommendation

THAT to remove any doubt, Council resolves under s235 of the *Local Government Regulation 2012* that it is satisfied that there is only one supplier of national recruitment advertising services reasonably available with a claimed reach of more than 50 million candidates being Seek Limited and endorses entering into a medium sized contractual arrangement with Seek Limited.

Resolution

Moved – Cr Hurley

Seconded – Cr Jess

“THAT to remove any doubt, Council resolves under s235 of the *Local Government Regulation 2012* that it is satisfied that there is only one supplier of national recruitment advertising services reasonably available with a claimed reach of more than 50 million candidates being Seek Limited and endorses entering into a medium sized contractual arrangement with Seek Limited.”

Carried

Vote - Unanimous

Subject:	Rate rebate application – 34892-20000-000
File Ref:	Rates/rebates
Action Officer:	DFIN

Background/Summary

A rebate application has been received from the occupant of land described as assessment 34892-20000-000 – L 4 RP893633.

This property remained registered in the name of the deceased former owner for more than four years following his death in 2019.

The property was correctly assessed for differential general rating category purposes as a non-principal place of residence during this time. Lower rates apply for principal places of residence compared to non-principal places of residence.

Council received advice from the Department of Resources of a transfer of ownership from the deceased former owner to the occupant of the land as personal representative in April 2024.

The rebate application is interpreted as being a request for a rebate equalling the difference between what would have been charged for the property as a principal place of residence if this transfer advice had been issued in 2019 instead of 2024 and what was charged, with adjustments made for interest charges.

It is considered that this potential rebate approximates the amount currently showing as overdue rates and charges on the property (\$5,597.63 including interest charges as at 19 December 2024) and is supported based on the circumstances described in the rebate application and the unusually long time for the transfer to have occurred.

Attachments

Confidential attachment – email 1689755 of 2 December 2024 from the owner of 34892-20000-000 – L 4 RP893633

Recommendation

THAT Council provide a rebate under “hardship” provisions of *Local Government Regulation 2012* s120 (1) (c) equal to the unpaid rates and charges including interest charges up to the date of this resolution for property 34892-20000-000 – L 4 RP893633.

Resolution

Moved – Cr Hurley

Seconded – Cr Brieschke

“THAT Council provide a rebate under “hardship” provisions of *Local Government Regulation 2012* s120 (1) (c) equal to the unpaid rates and charges including interest charges up to the date of this resolution for property 34892-20000-000 – L 4 RP893633.”

Carried

Vote - Unanimous

Subject:	Fraud and Corruption Management Policy amendment sought
File Ref:	Internal audit
Action Officer:	DFIN

Background/Summary

Council’s Fraud and Corruption Policy was amended on 8 May 2024 following an internal audit report.

The previous policy contained the following text which was inadvertently omitted from the policy recommendation to Council at that time:

“When considering Council’s response to the risk of fraud / corruption, Council will evaluate the cost and benefit of internal controls. For example, Council accepts the risk posed by the use of electronic signatures on Council documents (including timesheets and purchase requisitions) given the benefits of e-signatures provided the electronic signature software obtained and used for this purpose contains appropriate security elements and has been approved by the Chief Executive Officer.”

Attachments

Fraud and Corruption Management Policy

Recommendation

THAT the following text be added to the Fraud and Corruption Management Policy in the table of roles and responsibilities at section 6 under Chief Executive Officer:

“When considering Council’s response to the risk of fraud / corruption, Council will evaluate the cost and benefit of internal controls. For example, Council accepts the risk posed by the use of electronic signatures on Council documents (including timesheets and purchase requisitions) given the benefits of e-signatures provided the electronic signature software obtained and used for this purpose contains appropriate security elements and has been approved by the Chief Executive Officer.”

Resolution

Moved – Cr Brieschke

Seconded – Cr Jess

“THAT the following text be added to the Fraud and Corruption Management Policy in the table of roles and responsibilities at section 6 under Chief Executive Officer:

“When considering Council’s response to the risk of fraud / corruption, Council will evaluate the cost and benefit of internal controls. For example, Council accepts the risk posed by the use of electronic

signatures on Council documents (including timesheets and purchase requisitions) given the benefits of e-signatures provided the electronic signature software obtained and used for this purpose contains appropriate security elements and has been approved by the Chief Executive Officer.”

Carried

Vote - Unanimous

Subject:	Audit close report of 4 December 2024
File Ref:	External audit
Action Officer:	DFIN

Background/Summary

The Queensland Audit Office (QAO) issued a 2024 final management report addressed to the Mayor on 4 December 2024. This is presented to Council consistent with s213 of the *Local Government Regulation 2012*.

The QAO report identifies four deficiencies in Council's asset valuation and depreciation processes along with one other matter.

Council has undertaken internal valuations of infrastructure assets using its own professional staff since its formation in 2008. This has been done in order to minimise ratepayer costs. All previous internal infrastructure valuations have passed audit without comment.

In anticipation of the FY2024 audit comments, Council adopted a revised budget on 30 October 2024 which included \$120,000 for an infrastructure valuation/ depreciation optimisation to be undertaken by external consulting engineers during 2025.

QAO state: “We noted a number of asset types where the unit rates being applied by Council in 2024 weren't representative of actual costs being incurred in recent projects.”

For context, and as an indication of how infrastructure costs are increasing, reconstruction of roads and bridges funded under Commonwealth/State Disaster Recovery Funding Arrangements following 2022 flooding have an Estimated Final Cost (EFC) of \$65,878,192 (source Queensland Reconstruction Authority (QRA) progress report SRC.PR26.2122.REC dated 14 November 2024). This \$66M is approximately twice Council's total annual rates and charges revenue.

This Estimated Final Cost of \$66M is 41% higher than the QRA Recommended Value (RV) for undertaking these works of \$46,784,657. (SRC.PR26.2122.REC)

For many asset types (notably bridges) Council's 2024 valuations presented for audit were not fully reflective of this flood restoration market.

As well as asset valuation and depreciation matters, QAO also commented in their report about Council's annual leave and long service leave liabilities stating that an adjustment of 0.2% of these accounts should have been made. This matter is clearly immaterial.

Attachments

Letter from Queensland Audit Office/ Bentleys Brisbane (Audit) Pty Ltd of 4 December 2024

Recommendation

THAT the 2024 final management audit reports to the Mayor from Queensland Audit Office dated 4 December 2024 be received and the contents noted.

Resolution

Moved – Cr Isidro

Seconded – Cr Bishop

“THAT the 2024 final management audit reports to the Mayor from Queensland Audit Office dated 4 December 2024 be received and the contents noted.”

Carried

Vote - Unanimous

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

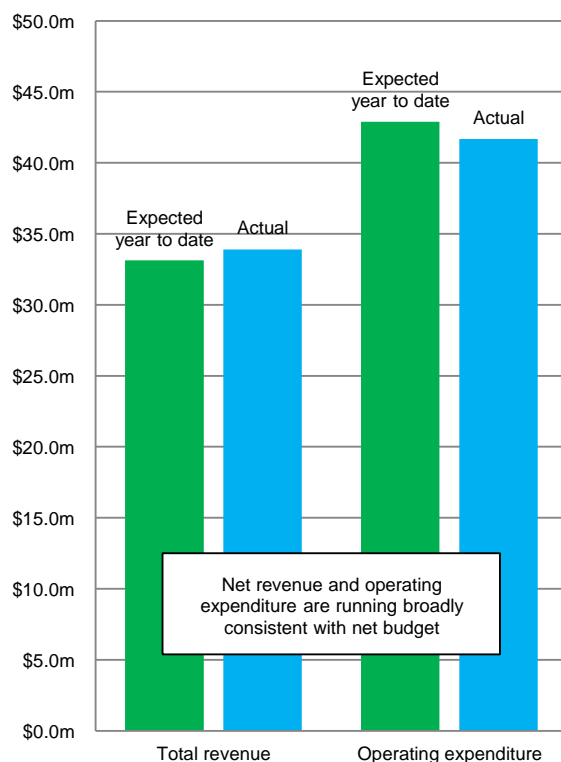
Background/Summary

Financial reports

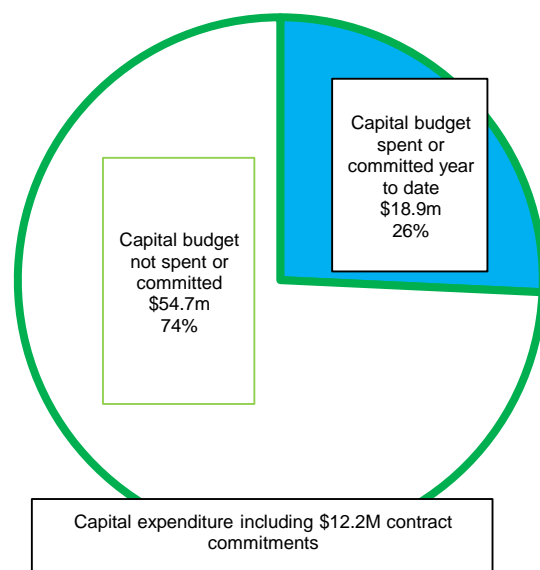
Reports for the period 1 July 2024 to 3 December 2024 are attached detailing the progress that has been made in relation to Council's FY2025 budget consistent with Local Government Regulation 2012 s204 and the attached basis of accounting statement.

Provisional results with 42% of the financial year completed are summarised as follows:

Year to date budget comparison
 - excludes capital expenditure (\$ millions)



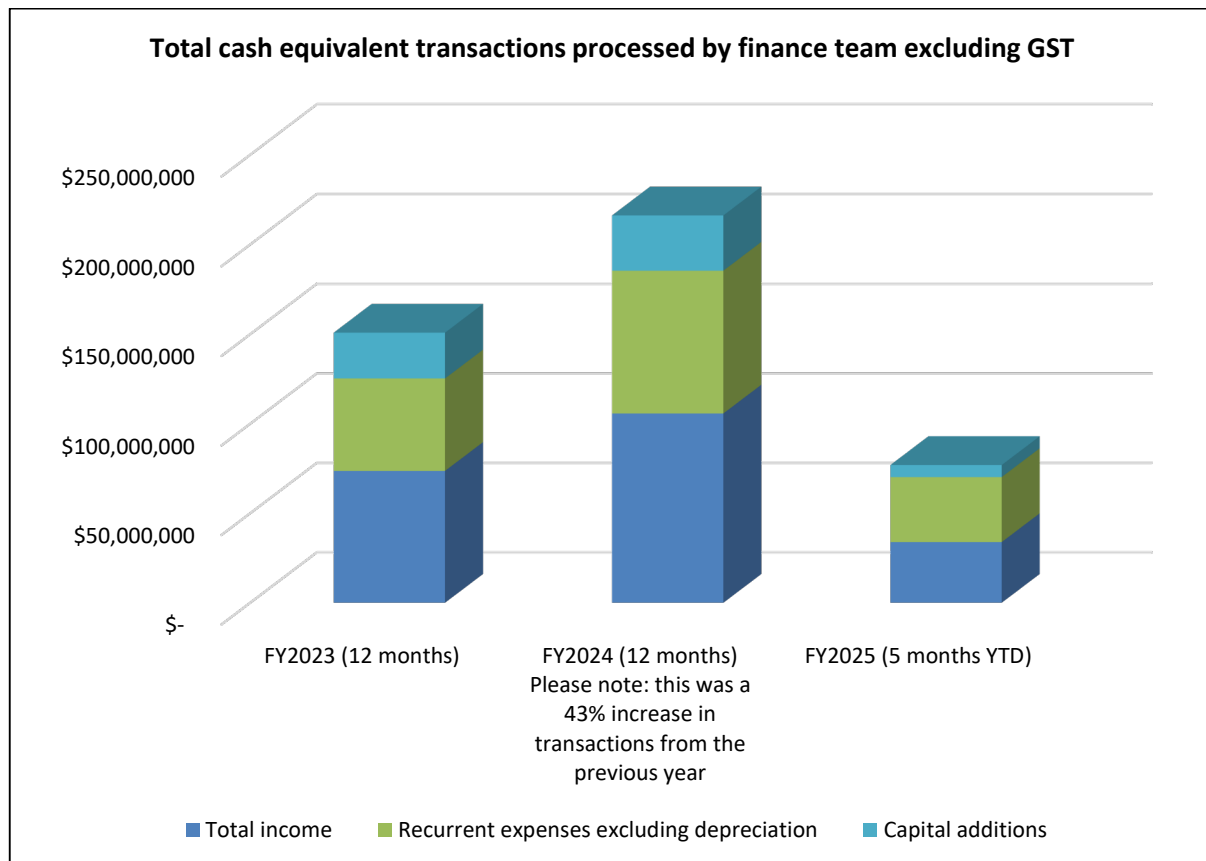
Total capital expenditure and commitments



Current budget performance information is also available using this QR code. Please note - all information is subject to the attached basis of accounting statement:

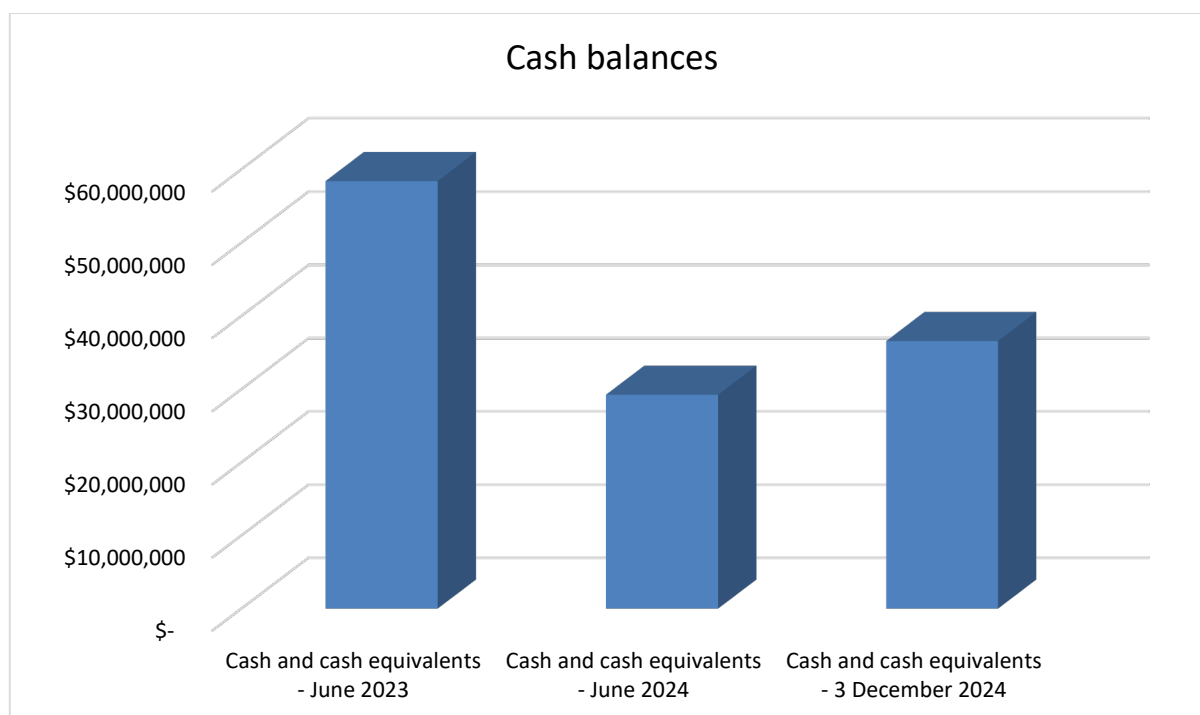


Overall transactions for FY2024 not including depreciation expenses were 43% higher than FY2023, mainly due to significant flood restoration and capital works programs. To put this increase into context, CPI over the same period only increased by around 4%.



Cash flows

Council payments during November 2024 are attached. Cash balances at 30 June and 3 December were as below:



Relevant actions to repair cash balances post FY2024 include:

- Advances from South East Queensland Community Stimulus Program (SEQCSP) competitive grant applications were achieved of \$2.7 million during November 2024. This cash was only possible due to the success of these applications.
- Since the beginning of the financial year, cash inflows from Disaster Recovery Funding Arrangements (DRFA) cash reimbursements of \$22 million have been achieved against FY2025 DRFA expenditure of \$16.7 million. Council's FY2024 financial statements showed that around \$17.6 million of the \$22 million DRFA receipts was owing to Council as at 30 June 2024.
- Council successfully applied for a second extension of time to complete the Greening Lowood Recycled Pipeline. The June 2021 funding agreement which originally required this project to be delivered by 30 June 2024 was first extended to 18 December 2024 and has now been extended again to 30 January 2025. The extension of time obtained protects Council's \$1.4M State funding while allowing for the potential deferral of expenditure.
- Council successfully applied to vary a funding agreement to de-couple funding that was previously tied to the Main Street Lowood upgrade under the May 2022 Preparing Australian Communities Program (PACP) agreement with no loss of overall funding. This means that there is now no longer any contractual requirement to complete the Main Street Lowood upgrade (budgeted at \$2.6M) by February 2025 which was likely not achievable.
- Council is actively working to collect overdue rates including through use of sale of land for overdue rates powers including scheduling and advertising an auction for 28 November 2024.

Grant applications submitted and pending advice

- Council is awaiting the outcome of funding applications lodged under the Australian Government's Thriving Suburbs Program Round 1 (TSP) in August 2024:

	Project value	TSP funding sought

Toogoolawah Gateway Centre	\$5,253,100	\$3,677,170
Mount Glen Rock Hiking Trails	\$1,977,319	\$1,384,123

- Council is awaiting the outcome of a funding application lodged under the Australian Government's Community Energy Upgrades Fund Round 1 (CEUF) in April 2024:

	Project value	CEUF funding sought
LED streetlighting conversion model	\$1,555,792	\$777,896

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.

The cash rate remained at 4.35% as at November 2024.

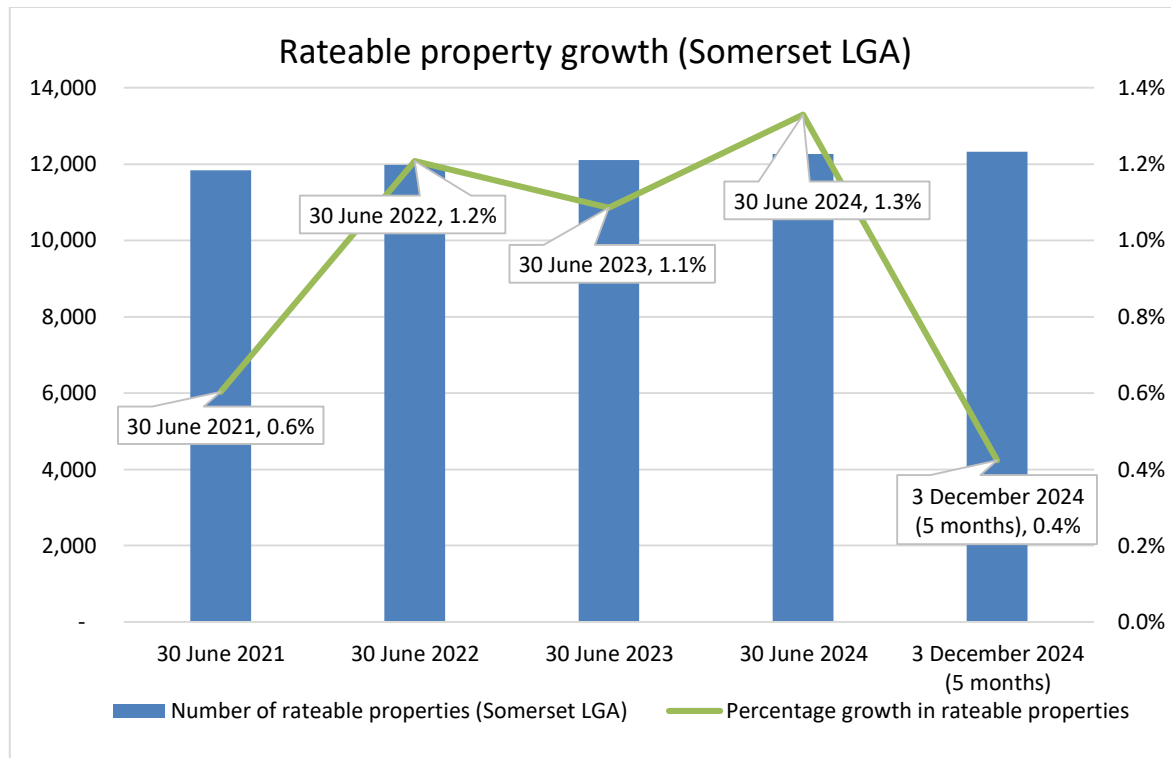
An investment summary is attached detailing interest earnings from Queensland Treasury Corporation (QTC) cash fund and other sources. Council's key long-term investment strategy has been to maintain interest-bearing credit facilities totalling \$53.8 million to Urban Utilities (UU) which helps fund vital 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 3.65%. Interest rates on the UU facilities are reviewed annually by QTC based on a rate resetting formula.

Interest revenue for FY2025 is budgeted at \$340 on average for every rateable property in Somerset, assisting Council to provide the lowest possible rates and charges to residents. Interest receipts were less than expected to 3 December 2024 due to reduced cash levels.

Growth

Rateable property data provides an indication of regional growth. The total number of rateable properties in Somerset has increased as below.

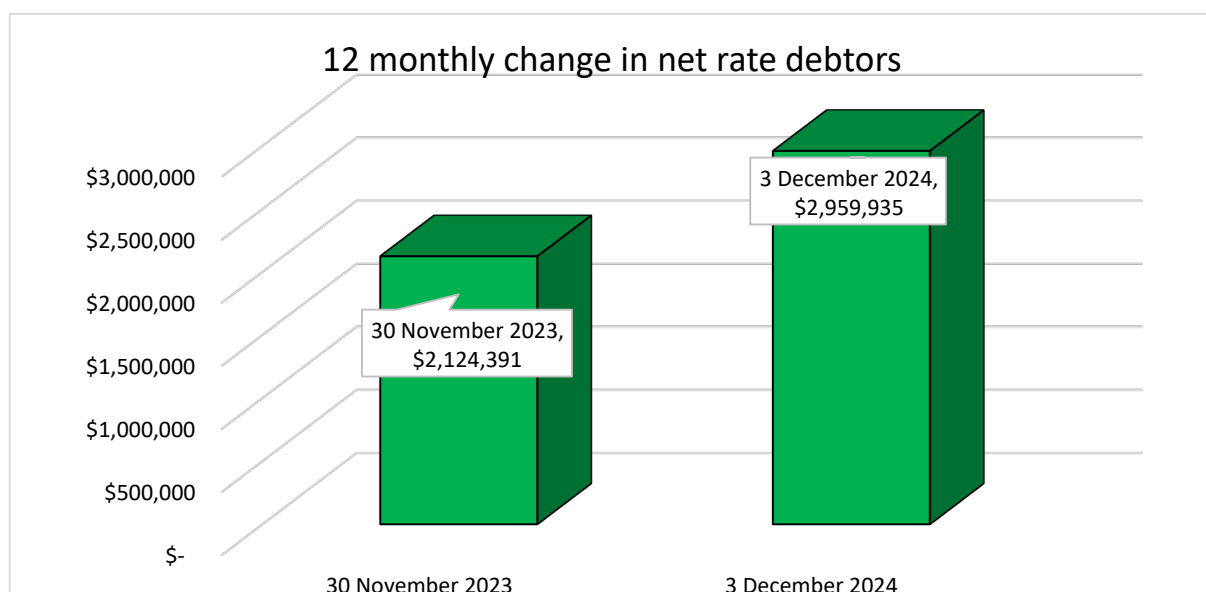


Rates

Council issues rate notices each six months. The chart below shows the change in total rate debtors over the previous year.

Council issued 27 notices of intention to sell land for overdue rates or charges in May 2024. All actions were finalised prior to an auction which was scheduled for 28 November 2024 and the auction was therefore cancelled.

During October 2024, Council issued a further 11 notices of intention to sell land for overdue rates. Council is working with the 11 property owners and their mortgagees to resolve the actions, preferably without an auction being required.



Full time equivalent employees (FTE)

The number of full-time equivalent employees (FTE) for each pay fortnight during the current financial year was as below. FTE values may be 1 or a lesser value for each employee depending on hours worked as a proportion of the standard full time 76-hour work fortnight:



Christmas dog registration confirmation project

Council previously resolved a three-year dog registration period from July 2023 to June 2026.

The three-year registration period was intended to reduce administrative burden and cost of living for residents as well as Council administrative costs.

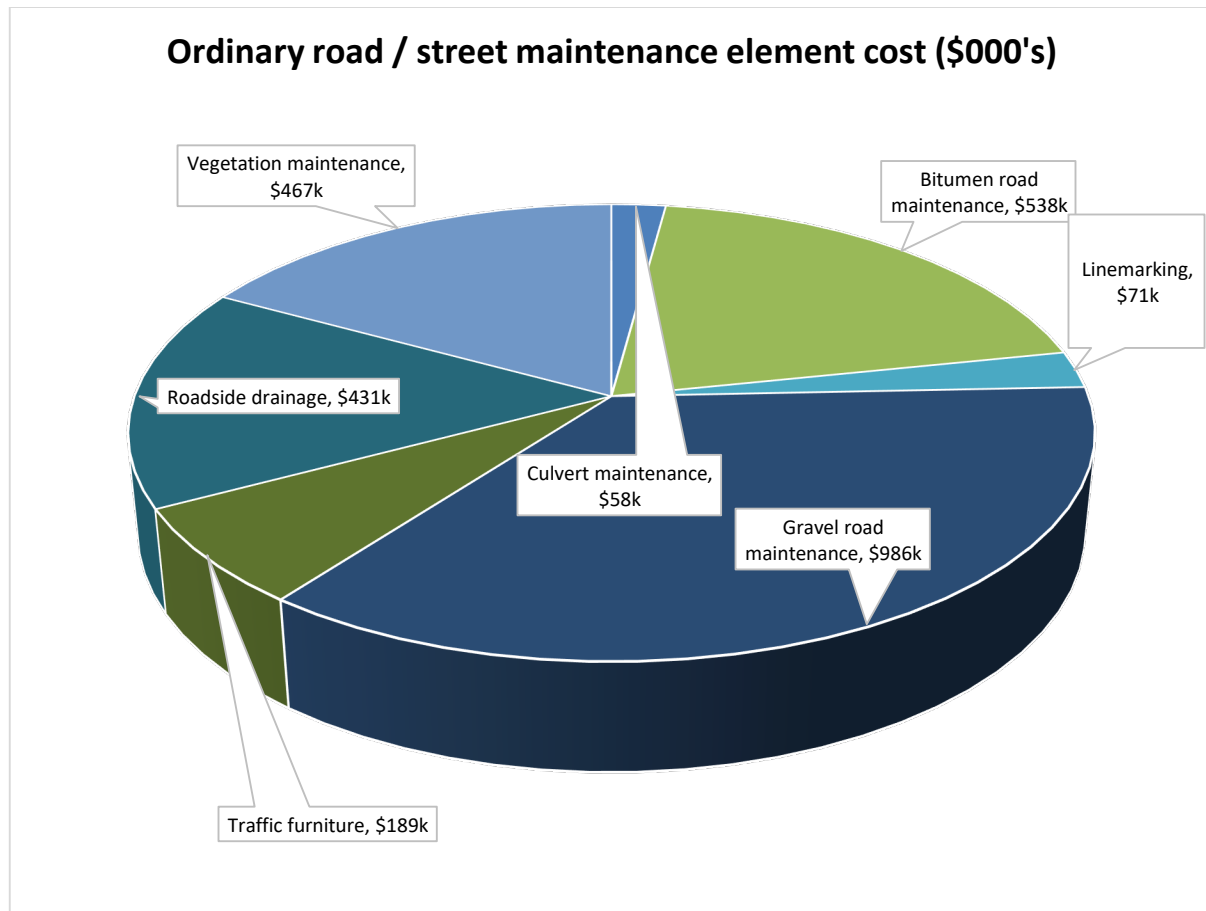
During the period 9 December 2024 to 18 December 2024, Council will seek to confirm with dog owners whether there have been any changes to owners' registration details since the original renewal notices were sent out in June 2023 by forwarding a link to an online service (<https://eservices.somerset.qld.gov.au/dogs/>) with a unique reference number to dog owners with messages in the below format:

Santa Paws is pupdating the list & checking it twice. Visit SRC website to check dog rego details <https://eservices.somerset.qld.gov.au/dogs/> Ref#123456789

The checking process will help manage the volume of any changes including deceased dogs and changes of address required leading up to the end of the registration period in 2026.

Ordinary road and street maintenance dissection

Road and street maintenance costs incurred to 3 December 2024 are dissected as follows:



Road maintenance and road 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) DM01671 Ch1670-Ch1850	2,218	
Mountain View Dr (flood repairs) DM01766 CH2260-2380	836	
Braeburn Rd (flood repairs) DM01374 Ch170-Ch190	563	
Gregors Creek Rd (flood repairs) DM01502 Ch2120-Ch2170	454	
Patrick Estate Rd (flood repairs) DM06830 Ch1925-Ch2570	429	665
Glamorgan Vale Rd (flood repairs) DM00964 Ch260-Ch274	370	
Esk Crows Nest Rd (flood repairs) DM01609 Ch33270-Ch34090	339	413
Mt Byron Rd (gravel) Mtc14466m	213	
Lowood Minden Rd (flood repairs) DM06335 Ch9520-Ch9630	194	1,762
Patrick Estate Rd (flood repairs) DM01222 Ch4410-Ch4530	181	1,510
Gregors Creek Rd (flood repairs) DM07287 Ch20400-Ch20540	180	1,287
Kammholz Rd (flood repairs) DM00618 Ch150-Ch150	168	
Mount Kilcoy Rd (flood repairs) DM02518 Ch17465-Ch17490	157	
Sandy Creek Rd (flood repairs) DM05857 Ch8860-Ch8940	121	1,508
Mahons Rd (flood repairs) DM07877 Ch5910-Ch5950	115	2,866

Neurum Rd (flood repairs) DM02131 Ch13420-Ch13510	114	1,270
McClean Rd (flood repairs) DM03031 Ch485-Ch495	108	
Mahons Rd (flood repairs) DM07878 Ch6030-Ch6100	106	1,512
Esk Crows Nest Rd (bitumen) Mtc25994m	104	
Lowood Minden Rd (flood repairs) DM08510 Ch9900-Ch9970	95	1,358
Pakleppa Lane West (flood repairs) DM09208 Ch220-Ch410	94	497
Banks Creek Rd (gravel) Mtc9088m	93	
Glamorgan Vale Rd (flood repairs) DM00956 Ch3620-Ch3620	92	
McCauleys Lane (flood repairs) DM05829 Ch600-Ch685	92	1,086
Rohlmanns Rd (flood repairs) DM04101 Ch2650-Ch2650	88	
Mt Beppo Rd (flood repairs) DM05455 Ch11718-Ch11719	86	
Prospect St (flood repairs) DM06719 Ch35-Ch95	83	1,382
Mount Kilcoy Rd (flood repairs) DM05935 Ch268-Ch350	81	993
Mahons Rd (flood repairs) DM01414 Ch2557-Ch2558	81	
Lehmans Rd (flood repairs) DM06598 Ch730-Ch760	80	2,655
Subtotal (\$000's)	7,935	

Special road maintenance/ renewal

In addition to ordinary bitumen road maintenance and flood repairs, expenditure on resealing of bitumen roads is budgeted for FY2025 at \$2.4M. 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 2024 to 3 December 2024 including the attached basis of accounting statement and the report on payments processed between 31 October 2024 and 2 December 2024 totalling \$11,677,786.96 and that the contents be noted.

Resolution

Moved – Cr Bishop

Seconded – Cr Isidro

“THAT Council receive the financial reports for 1 July 2024 to 3 December 2024 including the attached basis of accounting statement and the report on payments processed between 31 October 2024 and 2 December 2024 totalling \$11,677,786.96 and that the contents be noted.”

Carried

Vote - Unanimous

Subject:	Resignation of the Director of Finance
File Ref:	Human Resources
Action Officer:	CEO

Resolution

Moved – Cr Wendt

Seconded – Cr Hurley

“THAT Council express their deep gratitude and thanks for the 25 years of service of the Director Finance and acknowledge his dedication and commitment to Team Somerset and the wider Somerset Region.”

Carried

Vote - Unanimous

Subject:	Referral to Change Commission regarding the Realignment of the Somerset and Ipswich Local Government Area Boundary in Marburg
File Ref:	Rates and Government Valuations/Notifications/2024-2-25 Rates
Action Officer:	DCORP

Background/Summary

In November 2023 Council endorsed the Plan of Subdivision for reconfiguring a lot by Boundary Realignment (two lots into two lots) on Postmans Track, Marburg. DA24083 was approved with consent from Ipswich City Council. The new Lots are Lot 10 on SP344163 and Lot 20 on SP344163.

The reconfiguration has resulted in Lot 20 on SP344163 being placed within the Ipswich City and Somerset Region Local Government Areas.

To resolve this boundary issue, in accordance with Chapter 2 Part 3 of the *Local Government Act (2009)*, Council will need to make a request to the Minister for Local Government and Water to refer the matter to the Local Government Change Commission to assess the proposed change.

In order for this process to be commenced, Council has obtained signed Letters of Consent from the owners of Lot 20 and Ipswich City Council supporting the amendment for the whole of the property to be located in Somerset Regional Local Government Area in its entirety.

Attachments

Nil.

Recommendation

THAT Council authorise the Chief Executive Officer to commence proceedings to have the whole of Lot 20 on SP344163 included in the Somerset Regional Local Government Area.

Resolution

Moved – Cr Jess

Seconded – Cr Bishop

“THAT Council authorise the Chief Executive Officer to commence proceedings to have the whole of Lot 20 on SP344163 included in the Somerset Regional Local Government Area.”

Carried

Vote - Unanimous

Subject:	Land held by Council with the Potential for it to be sold Lots 503, 505, 506 and 507 Colinton and McConnel Street Braemore and Lots 20 and 21 Nurinda Road, Colinton
File Ref:	SRC - Council Properties - Acquisition and Disposal
Action Officer:	DCORP

Background/Summary

A review in 2022 of all Council's Freehold Land holdings was undertaken. That review indicated that there are approximately 84 parcels of land that could be made available to the public to purchase or potentially change the purpose of the land.

A more detailed review was carried out in 2023 and the list was shortened to 71 parcels. This is because some parcels had already been sold between the time of the original search and the more detailed review, or some parcels were unable to be sold because of existing use or infrastructure.

A further review of the identified parcels was undertaken by Council officers in September 2024. The review has refined the list of parcels further. Council officers have consulted internally across departments, performed title searches to determine any encumbrances over the parcels, undertaken physical inspections of the properties and obtained land valuations for the lots.

Six (6) parcels have been identified and prioritised for potential sale, as follows:

Lot and Plan	Street Address	Size
503CSH2384	Colinton Street, Braemore	4047m ²
505CSH2384	Colinton Street, Braemore	4047m ²
506CSH2384	McConnel Street, Braemore	4047m ²
507CSH2384	McConnel Street, Braemore	4047m ²
20SP303049	Nurinda Road, Colinton	5622m ²
21SP303049	Nurinda Road, Colinton	12,140m ²

Should Council wish to proceed with sale of the parcels and the tenders are not successful (i.e. no tender responses received or accepted), Council may consider selling the unsuccessful lots through a real estate agent.

Lots 503, 505, 506 and 507 on CSH2384 Braemore



Lots 20 and 21 on SP303049 - Colinton



Attachments

Nil

Recommendation

THAT Council resolve to sell the following lots of Council owned land by way of Tender:

- Lot 503 on CSH2384 Colinton Street, Braemore
- Lot 505 on CSH2384 Colinton Street, Braemore
- Lot 506 on CSH2384 McConnel Street, Braemore
- Lot 507 on CSH2384 McConnel Street, Braemore
- Lot 20 on SP303049 Nurinda Road, Colinton
- Lot 21 on SP303049 Nurinda Road, Colinton

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT Council resolve to sell the following lots of Council owned land by way of Tender:

- Lot 503 on CSH2384 Colinton Street, Braemore
- Lot 505 on CSH2384 Colinton Street, Braemore
- Lot 506 on CSH2384 McConnel Street, Braemore
- Lot 507 on CSH2384 McConnel Street, Braemore
- Lot 20 on SP303049 Nurinda Road, Colinton
- Lot 21 on SP303049 Nurinda Road, Colinton.”

Carried

Vote - Unanimous

Subject:	Kilcoy Motorcycle Club - Kilcoy Motocross Event Calendar
File Ref:	Council Properties - Leasing-Out - 2024 – 2025 – Kilcoy Motorcycling Club
Action Officer:	DCORP

Background/Summary

At the Ordinary Meeting held on 30 October 2024, Council resolved to adopt the Kilcoy Motorcycle Club Inc. (the Club) Land Management Plan (LMP) for Lots 1 and 2 on SP134321, located on Neurum Road, Glenfern and to enter into a new lease Agreement with the Club for a period of two (2) years commencing 1 January 2025 and concluding 31 December 2026, with an option for Council to extend the Agreement for a further three (3) years.

The LMP requires the Club to submit to Council for approval, an annual event calendar in December each year for the following year showing proposed dates. The proposal calendar (see attachment) for 2025 features proposed dates of Club Race Days, Club Practice Days, Saturday Coaching Sessions, School Holiday Coaching Session and use of the track by Motorcycling Queensland for a two-day national event.

The proposed calendar is compliant with the LMP per the below table.

The Club have provided the proposed dates for 2025 as per the attached Calendar in line with the Land Management Plan requirements.

Land Management Plan Prescribed Event Allocation	Kilcoy Motorcycling Club Inc. Proposed Event Allocations
8 x Club Race Days and 13 x Practice Days	21 x Club / Practice Days
2 x Somerset Series InterClub Events	2 x Somerset Series Interclub Events
1 x National Two-Day Event	1 x National Two-Day Event
5 x Saturday Coaching Sessions	5 x Saturday Coaching Sessions
3 x School Holiday Coaching Sessions (maximum of 4 days)	3 x School Holiday Coaching Sessions of 3 weekdays each

Attachments

Kilcoy Motorcycle Club Inc. proposed event calendar for 2025.

Recommendation

THAT Council approve the proposed Kilcoy Motorcycle Club Inc. Event Calendar for 2025.

Resolution

Moved – Cr Isidro

Seconded – Cr Bishop

“THAT Council approve the proposed Kilcoy Motorcycle Club Inc. Event Calendar for 2025”

Carried

Vote - Unanimous

Declarable Conflict of Interest – Cr Hurley - Agenda Item 26 – Engagement of the Fernvale Campdraft Association Inc. to undertake works to resurface the Col Powell

Campdraft Arena.

I inform this meeting that I have a declarable conflict of interest in this matter as defined in section 150EN of the Local Government Act 2009. The nature of my interest is as follows:

This declarable conflict of interest arises because I am a friend of one of the committee executives of the Fernvale Campdraft Association Inc.

I propose to leave and stay away from the place where this meeting is being held while the matter is discussed and voted on.

Cr Hurley left the meeting at 9.53am.

Subject:	Engagement of Fernvale Campdraft Association Inc to Undertake Works to Resurface the Col Powell Park Campdraft Arena
File Ref:	Maintenance – Fernvale Showgrounds
Action Officer:	DCORP

Background/Summary

Resurfacing of the Col Powell Park (Fernvale Showgrounds) campdraft arena is a priority project for the facility, as reinforced by the Showgrounds Network Review Report which Council received and endorsed at the 27 November 2024 Ordinary meeting. The project will support multiple groups, addresses safety concerns and has the potential to increase visitation to the site.

At the 26 June 2024 Ordinary Meeting, Council resolved to include resurfacing of the arena in an application to the Queensland Government under the allocated portion of the South East Queensland Community Stimulus Program (SEQCSP). The resurfacing scope of works for the project has been reduced for this application.

In October 2024, the Queensland Government confirmed funding of \$150,000 through the SEQCSP to undertake the reduced scope works to resurface the campdraft arena.

The current clay-based surface is poor quality and very hard. Small volumes of rain can force the cancellation of equestrian events. Additionally, the cross fall within the arena is of concern with regards to stormwater run-off and shifting surface material out of the arena. The operable long-term outcome for the surface would require the significant removal of the arena cross fall and clay material, removal and re-installation of the arena fencing, installation of further drainage systems and the resurfacing of the arena. The cost to undertake these works is prohibitive and not currently viable given existing levels of use.

The reduced scope of works sees a reduction in the amount of material to be removed, fencing remaining in situ, installation of diversionary drains and resurfacing of the arena. Whilst this option provides a more feasible outcome, it does not guarantee a long-term solution to the current surface issues.

Council would normally seek to engage a contractor via a request for quotation or tender for this value of works. To achieve an outcome that aligns with community expectations, Council may choose to engage the Fernvale Campdraft Association Inc (the Association) to undertake

works to re-surface the arena. The Association has extensive knowledge of the site and understand the requirements of the facility for events. The Association have provided a quotation to undertake the works (refer to attachment 1).

Should Council choose to engage the Association it is recommended that a Memorandum of Understanding be entered into regarding the works to ensure a suitable outcome and effective contractor management (refer to attachment 2).

Attachments

1. **Commercial in Confidence** – Quotation – Resurfacing of the Col Powell Park Campdraft Arena – Fernvale Campdraft Association Inc
2. **Commercial in Confidence** – Memorandum of Understanding with the Fernvale Campdraft Association Inc for Resurfacing of the Col Powell Park Campdraft Arena

Recommendation

THAT Council:

1. resolves, under s235 of the *Local Government Regulation 2012*, to not call for quotations or tenders to undertake works to resurface the campdraft arena of Col Powell Park as the Fernvale Campdraft Association Inc represents the only supplier reasonably available to Council to carry out these works.
2. acknowledges the risk associated with the undertaking the reduced scope of works, which may not provide a sustainable long-term outcome for the arena surface.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council:

1. resolves, under s235 of the *Local Government Regulation 2012*, to not call for quotations or tenders to undertake works to resurface the campdraft arena of Col Powell Park as the Fernvale Campdraft Association Inc represents the only supplier reasonably available to Council to carry out these works.
2. acknowledges the risk associated with the undertaking the reduced scope of works, which may not provide a sustainable long-term outcome for the arena surface.”

Carried

Vote - Unanimous

Cr Hurley returned to the meeting at 9.55am.

Subject:	Fernvale Sports Park Netball Court Upgrades
File Ref:	Council Properties - Design and Construction - Fernvale Sports Park
Action Officer:	SRO

Background

The Fernvale Sports Park (FSP) was constructed in 2016 in partnership with the Queensland Government. The FSP, which has received several upgrades in the past eight years, features a rectangular sporting field, oval sporting field (AFL, cricket and athletics compatible), field lighting, four outdoor netball courts with lighting, cricket nets, storage shed, kiosk, changerooms, meeting room, first aid room, toilets, lighting infrastructure and carpark facilities.

Recent significant upgrades to the facility include the installation of a recycled water pipeline, holding tank and pump infrastructure, with a field irrigation and refurbishment project scheduled for the oval field in 2025. Council made long term commitments to the facilities by purchasing a combined 24 hectare lots adjacent to the FSP in 2020 and in adopting a Master Plan for the site in 2023.

The Fernvale Sports Park is the home of the Brisbane Valley Rattlers Junior Australian Football Club, Somerset Storm Netball Club and Marburg Mount Crosby Thunder Cricket Club. Of these clubs, Somerset Storm Netball Club hosts the most members with 161 registered players recorded in the 2024 season, as well as 160 social players and 15 junior players.

The Master Plan identified that “There is currently no netball competition within the Somerset region, with the closest associations being located at Ipswich and Goodna. The Somerset Storm Netball Club uses the Park for training purposes only...The Somerset Storm Netball Club has a strong membership base. Netball Queensland is supportive of any additional netball courts, if they can be accommodated within the site.”

Additionally, it was noted in the Master Plan that “To support effective competition management and viability, a minimum of eight (8) courts, preferably twelve (12), is required for a netball facility. More extensive court provisions are necessary for facilities at a regional and higher standard that should be considered.” It should be noted that the Demand Assessment Model outlined in the Master Plan indicates that supply is currently, and forecast to continue to be, meeting demand, however that the “analysis does not factor in the minimum number of facilities required to establish a suitable competition”.

In 2023, Council engaged a consultant to undertake a Quantity Surveyors (QS) Indicative Costing report of all infrastructure identified in the Fernvale Sports Park Precinct – Master Plan.

The QS report is based on the FSP Master Plan, which identifies netball court upgrades to support a competition. This includes Item 5: “Netball Courts Expansion: Court Expansion. Expand by Additional 4 Courts, Lighting, Bench Seating, Grass Embankment”, as well as Item 31: “Cut Embankment required to Achieve Proposed Netball Courts”. It should also be noted that the Master Plan highlights that “... proper lighting of netball courts is essential, particularly as night competitions and training become more popular.” Indicative Costings for these items are outlined in Table 1 below.

Table 1 – Indicative Costings: Upgrades to Netball Infrastructure at Fernvale Sports Park

Item description	Quantity	Unit	Rate	Amount
Platform preparation works including removal of existing crib block low retaining wall and concrete swale, excavation to		Item		\$100,000

North West corner of court platform, turfed embankments to perimeter of new courts				
Netball courts, including hoops, partial fencing	4	No.	\$212,500	\$850,000
Court lighting (200Lux)	4	No.	\$75,000	\$300,000
Bench seating (per court)	4	No.	\$5,000	\$20,000
Extra for seating wall	100	m	\$750	\$75,000
Natural and artificial shading		Item		\$50,000
External services allowance		Item		\$50,000
			TOTAL	\$1,445,000

The importance of upgrading the Fernvale Sports Park, in line with the Master Plan, has been identified in the Council document *Somerset Region Sporting Infrastructure Strategy 2024-2028*. The Master Plan highlighted the number of courts as a barrier to maximising use and participation for netball, due to the low number of courts not supporting the establishment of local/regional competition, which is in contrast with the Strategy principle of “maintaining and/or increasing attendance/use”. The benefits of investing in community infrastructure have been identified in the KPMG report *The Value of Community Sport Infrastructure*, commissioned by Sport Australia (formerly the Australian Sports Commission), listing a range of social, health and economic benefits resulting from investing in community infrastructure.

Following the Master Plan, Quantity Surveyors Report, the priorities and benefits identified in the *Somerset Region Sporting Infrastructure Strategy – 2024-2028* and *The Value of Community Sport Infrastructure* report, as well as demonstrated support from Netball Queensland, this report recommends that Council prepare to undertake upgrades to the netball courts at the Fernvale Sports Park.

It is proposed that this development include the construction of the new netball courts, including demolition, excavation, embankments and platform preparation works, as well as lighting, natural and artificial shading and seating.

Given the significant cost to undertake these works, a positive business case would be required to continue progressing plans for the development of the FSP netball courts. A future budget allocation of \$20,000 would be required to develop a business case for the project.

Attachments

Nil.

Recommendation

THAT Council note the report for future budget considerations and endorse Council Officers to continue investigations into the upgrade of the netball courts at the Fernvale Sports Park in line with Master Plan recommendations.

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT Council note the report for future budget considerations and endorse Council Officers to continue investigations into the upgrade of the netball courts at the Fernvale Sports Park in line with Master Plan

recommendations.”

Carried

Vote - Unanimous

Subject:	Somerset Arts, Culture and Heritage Advisory Committee – Meeting 25 November 2024
File Ref:	2024 – 2028 Somerset Arts Culture and Heritage Advisory Committee
Action Officer:	ESO

Background/Summary

The second meeting of the Somerset Arts, Culture and Heritage Advisory Committee (ACHAC) was held Monday, 25 November 2024.

Three Regional Arts Development Fund applications were presented to the committee for consideration. Somerset Regional Council for Volatile Terrain for an amount of \$12,000. Two remaining applications were not supported, with committee feedback provided and resubmission encouraged.

Attachments

Meeting Report Somerset Arts, Culture and Heritage Advisory Committee 25 November 2024.

Recommendation

THAT Council:

1. receive the meeting report for the meeting of the Somerset Arts, Culture and Heritage Advisory Committee 25 November 2024 and the contents be noted.
2. approve the Regional Arts Development Fund application from Somerset Regional Council for Volatile Terrain for an amount of \$12,000 excluding GST.

Resolution

Moved – Cr Hurley

Seconded – Cr Jess

“THAT Council:

1. receive the meeting report for the meeting of the Somerset Arts, Culture and Heritage Advisory Committee 25 November 2024 and the contents be noted.
2. approve the Regional Arts Development Fund application from Somerset Regional Council for Volatile Terrain for an amount of \$12,000 excluding GST.”

Carried

Vote - Unanimous

Subject: Esk Recreation Grounds Advisory Committee Meeting
File Ref: Community Services - Meetings – 2024 - 2028 – Esk Recreation Grounds Advisory Committee
Action Officer: ESO – RK

Background/Summary

The Esk Recreation Grounds Advisory Committee meet quarterly to review the operation of the facility. A meeting of the Committee was held Tuesday, 12 November 2024.

Items of note from the meeting include:

- Discussion regarding the Campdraft Announcer's Stand
- SEQ Community Stimulus Program Capital Improvement Works
- The Committee confirmed that they remain supportive for the Dining Hall refurbishment.

Attachments

Meeting Report Esk Recreation Grounds Advisory Committee 12 November 2024.

Recommendation

THAT Council receive the meeting report for the quarterly meeting of the Esk Recreation Grounds Advisory Committee Tuesday, 12 November 2024 and the contents be noted.

Resolution

Moved – Cr Brieschke

Seconded – Cr Hurley

“THAT Council receive the meeting report for the quarterly meeting of the Esk Recreation Grounds Advisory Committee Tuesday, 12 November 2024 and the contents be noted.”

Carried

Vote - Unanimous

Subject: Fernvale Recreation Grounds Advisory Committee Meeting
File Ref: Community Services - Meetings – 2020 – 2024 – Fernvale Recreation Grounds Advisory Committee
Action Officer: ESO – RK

Background/Summary

The Fernvale Recreation Grounds Advisory Committee meet quarterly to review the operation of the facility. The quarterly meeting of the Committee was held Thursday, 19 November 2024.

Items of note from the meeting include:

- Recommencement of the Lowood Fernvale Pony Club at the site.
- Discussions regarding the arena resurfacing works.

Attachments

Meeting Report Fernvale Recreation Grounds Advisory Committee 19 November 2024.

Recommendation

THAT Council receive the meeting report for the quarterly meeting of the Fernvale Recreation Grounds Advisory Committee 19 November 2024 and the contents be noted.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council receive the meeting report for the quarterly meeting of the Fernvale Recreation Grounds Advisory Committee 19 November 2024 and the contents be noted.”

Vote - Unanimous

Carried

Subject:	Kilcoy Recreation Ground Advisory Committee
File Ref:	Community Services - Meetings – 2024 - 2028 – Kilcoy
Action Officer:	Recreation Ground Advisory Committee
	ESO - RK

Background/Summary

The Kilcoy Recreation Ground Advisory Committee meet quarterly to review the operation of the facility. A meeting of the Committee was held on Thursday, 14 November 2024.

Items of note from the meeting include:

- Continued discussion regarding facilitating cattle sales at the site.
- Surface maintenance for the respective users.
- Internal road network reconfiguration.

Attachments

Meeting Report Kilcoy Recreation Grounds Advisory Committee Meeting 14 November 2024.

Recommendation

THAT Council receive the meeting report for the quarterly meeting of the Kilcoy Recreation Ground Advisory Committee held on Thursday 14 November 2024, and the contents be noted.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council receive the meeting report for the quarterly meeting of the Kilcoy Recreation Ground Advisory Committee held on Thursday 14 November 2024, and the contents be noted.”

Carried*Vote - Unanimous*

Subject:	Fernvale Sports Park Advisory Committee Meeting
File Ref:	Community Services - Meetings – 2024 – 2028 – Fernvale Sports Park Advisory Committee
Action Officer:	ESO – RK

Background/Summary

The Fernvale Sports Park Advisory Committee meet quarterly to review the operation of the facility. A meeting of the Fernvale Sports Park Advisory Committee was held Wednesday 20 November 2024.

Items of note from the meeting include:

- Discussion regarding the Fernvale Sports Park Master Plan
- Confirmation of consensus for the Netball Court Expansion project.

Attachments

Meeting Report Fernvale Sports Park Advisory Committee 20 November 2024.

Recommendation

THAT Council receive the meeting report for the quarterly meeting of the Fernvale Sports Park Advisory Committee 20 November 2024 and the contents be noted.

Resolution

Moved – Cr Jess

Seconded – Cr Bishop

“THAT Council receive the meeting report for the quarterly meeting of the Fernvale Sports Park Advisory Committee 20 November 2024 and the contents be noted.”

Carried*Vote - Unanimous*

Subject:	Col Powell Park and Fernvale Community Hall – Updated Fees Structure
File Ref:	2024 – 2025 – Council Hire Agreements and Bookings - 2024 – 2025 – Recreation Grounds – Buildings – Land e.g. Esk or Kilcoy Showgrounds

Action Officer:	TO
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Background/Summary

The existing fee structure of Col Powell Park (Fernvale Showgrounds) and the Fernvale Community Hall requires review to simplify the facility charges. There is currently a mix of hourly, daily hire fees, and optional inclusions. It is proposed to convert hourly charges to half-day charges and consolidate optional charges into existing fees. Please refer to attachment 1 for further information.

It is also proposed to update the facility map to provide greater clarity of the respective areas for hire.

Attachments

1. Proposed Fee Structure for Col Powell Park and the Fernvale Community Hall
2. Proposed Facility Map for Col Powell Park

Recommendation

THAT Council approve the updated schedule of charges for the hire and use of Col Powell Park and Fernvale Community Hall per Attachment 1.

Resolution	Moved – Cr Bishop	Seconded – Cr Hurley
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“THAT Council approve the updated schedule of charges for the hire and use of Col Powell Park and Fernvale Community Hall per Appendix A.”

Carried

Vote - Unanimous

Subject:	Management Agreements Kilcoy Aquatic Centre and Lowood Swimming Pool – Exercise of Option
File Ref:	SRC – Agreements – AG1269 and AG1270
Action Officer:	CTM

Background/Summary

Somerset Regional Council entered into Management Agreements (Agreements) with Australian Crawl (Goodna) Pty Ltd trading as Just Sports n Fitness for the management of the Kilcoy Aquatic Centre and the Lowood Swimming Pool. The Agreements commenced on 1 September 2022 and are scheduled to conclude on 31 August 2025. At its option, Council may extend the term of the Agreements by two (2) years, beginning 1 September 2025.

Given the performance of Just Sports n Fitness thus far, Council may choose to exercise its option and extend the Agreements by a further two (2) years.

The existing management provided by Just Sports n Fitness has been successful with strong compliance and reporting, and continued improvement to patron numbers. Just Sports n Fitness has reported significant growth in usage patterns at both pools.

The Kilcoy Aquatic Centre reported a 14% increase in attendances in the 2022-23 season and a 24% increase in the 2023-24 season comparative to the annual historical average attendance. In the 2024-25 season-to-date the facility has recorded a 53% increase in attendances comparative to the historical monthly average.

The Lowood Swimming Pool attendances in the 2022-23 season were impacted by the facility refurbishment works. The 2023-24 season saw an annual attendance record set of 32,391, a 75% increase above the historical average attendance. In the 2024-25 season-to-date the facility has recorded a 129% increase in attendances comparative to the historical monthly average.

Both centres are experiencing continued increases in learn-to-swim classes and swimming carnival patronage, ensuring the facilities are providing excellent service to the community.

Attachments

Nil.

Recommendation

THAT Council:

1. Exercise its option and extend the Kilcoy Aquatic Centre Management Agreement with Australian Crawl (Goodna) Pty Ltd, trading as Just Sports n Fitness, for a further two (2) years, commencing 1 September 2025 and concluding 31 August 2027.
2. Exercise its option and extend the Lowood Swimming Pool Management Agreement with Australian Crawl (Goodna) Pty Ltd, trading as Just Sports n Fitness, for a further two (2) years, commencing 1 September 2025 and concluding 31 August 2027.

Resolution

Moved – Cr Hurley

Seconded – Cr Jess

“THAT Council:

1. Exercise its option and extend the Kilcoy Aquatic Centre Management Agreement with Australian Crawl (Goodna) Pty Ltd, trading as Just Sports n Fitness, for a further two (2) years, commencing 1 September 2025 and concluding 31 August 2027.
2. Exercise its option and extend the Lowood Swimming Pool Management Agreement with Australian Crawl (Goodna) Pty Ltd, trading as Just Sports n Fitness, for a further two (2) years, commencing 1 September 2025 and concluding 31 August 2027.”

Carried

Vote - Unanimous





Subject: Tourism and Promotions Report – November 2024
File Ref: Tourism – Promotions

Action Officer:	CTM
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Background/Summary


The following is the November 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	71	47	48	6	33	4	194
 Fernvale VIC	101	100	127	18	29	14	389
 Kilcoy VIC	71	66	122	49	53	29	390
 The Condensery	144	66	39	16	9	2	346

Motivators

	First	Second	Third
Esk	 Maps and Directions	 Glen Rock Gallery	 Brisbane Valley Rail Trail
Fernvale	 Maps and Directions	 Brisbane Valley Rail Trail	 Tourist Drives
Kilcoy	 Maps and Directions	 Outdoor Activities	 Food and Drink
The Condensery	 Exhibitions	 Workshops/events	 Culture and Heritage

Active Volunteers 	
Esk	11
Fernvale	17
Kilcoy	9
TOTAL	37

Digital Media

Facebook



Likes 4K
Followers 4.7K (+29)
Reach 16.7K (-89%)
Engagement 404
Link clicks 23

Website



Page Views: 4,898
Visitors: 2,134 new, 303 returning
Peak Time: Saturday, 9 November
Most Popular Pages: Experience Somerset, Markets, What's On
Device type: Desktop:41%, Mobile 56%, Tablet 3%

Instagram



Followers 1.8K (+18)
Reach: 1.6K (+45%)

Glen Rock Art Gallery (Esk Visitor Information Centre)

The November exhibition at Glen Rock Art Gallery is by local photographer, Phil Lister.

The exhibition showcase a collection of landscape images Phil has made over the past few years, travelling by himself or with fellow photographer Gerard De Roo. There are photographs from remote regions in Australia, in particular the Northern Territory and Queensland. One photograph is from his travels to the Lake District in the UK.

All frames for the photographs were handmade by Phil.

Visitor Information Centre Volunteer Famil

The next Volunteer Famil is scheduled for Tuesday 3 December 2024 with planning currently underway.

Fernvale Time Capsule Opening

On Saturday, 23 November 2024, Fernvale celebrated a historic event opening of a time capsule buried 36 years ago.

The capsule, which had been sealed in 1988, was buried as part of the Australia's Bi-centennial celebrations. Inside was an array of items that captured the spirit of the era, including local newspapers, a collection of letters written by town residents and school students some of which included predictions about the future, handful of photographs, Fernvale Hall Committee minutes book, Wivenhoe Dam souvenir books, and Water Council reports.

Regional Tourism Organisation

New Queensland Country Tourism (QCT) collateral will be launching in coming months including a website, destination video and visitor guide.

QCT are developing an accessible visitor guide which will include selected Somerset tourism operators. Consultants have visited operators including The Condensery | Somerset Regional Art Gallery and photographers have been in the region to capture images for this project.

Tourism Operator Development

Experience Somerset held an evening networking event at the Esk Grand Hotel on 6 November 2024 as part of the Rail Trails and Tourism Conference. The networking event attracted 35 attendees.

A Somerset tourism operator networking event was held in Kilcoy on Thursday, 28 November 2024 with five attendees from three Somerset tourism businesses.

Regional Event Support and Development 2024-2025

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

- Summer Festival of Sprinting and Racing, hosted by Kilcoy Race Clube (November – February 2025)
- BVRT Australia Day Bike Ride, hosted by Brisbane Valley Rail Trail Users Association (26 January 2025)
- Legends of Beef 2025, hosted by Brisbane Valley Farm Direct (Toogoolawah Showgrounds, 29 March 2025)

Marketing Implementation Plan

Officers are actioning the Experience Somerset Marketing Plan and associated documents. Progress to date:

<i>Complete</i>	<i>On track</i>	<i>Yet to be progressed</i>	<i>Behind/Beyond 2025</i>
68%	15%	16%	2%

Marketing Campaigns

Preparations for Experience Somerset's summer campaign, 'The Great Kilcoy Yowie Hunt' underway. Campaign due to go live on Saturday, 7 December 2024.

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Bishop

Seconded – Cr Isidro

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

Carried

Vote - Unanimous

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

Background/Summary

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

Records

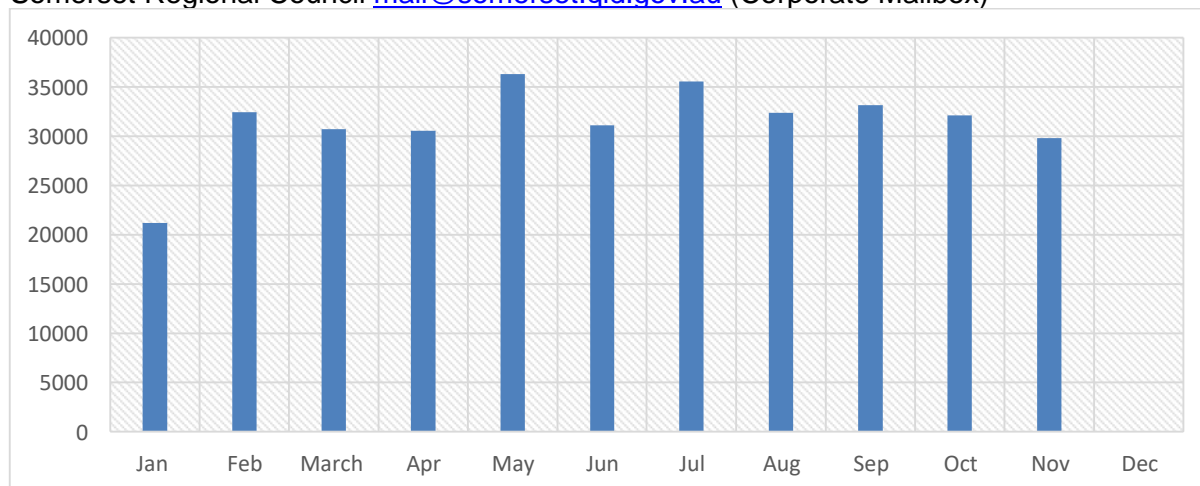
Documentation – At a Glance – November 2024

Inward/Actioned Documents – 3,045	Outward Correspondence – 1,368
Customer Service Requests – 383	Councillor Requests – One (1)
Emails Processed by the Records Team	
Corporate Mailbox - mail@ - 8,372	Internal Only Records Email – 10,226
Decision Notices/Workshop Outcomes –	Tender/Quotation –
Decision Notices – 67	Tenders – Tenders Zero (0)
Workshop Actions – 21	Numbered Quotations – Zero (0)

Total Documents Registered for the month of November 2024 – 8,909

Email Traffic

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



Graph: Monthly total records for 2024

Information and Communication Technology (ICT)

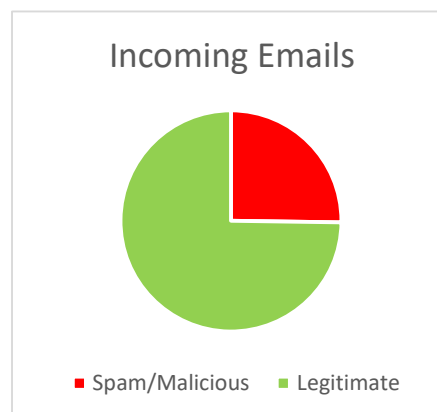
ICT's software and infrastructure upgrades continue in line with budgetary considerations and operational requirements. Work continues with implementing audit recommendations in line with target dates. ICT is continuing to review documentation and procedures ensuring organisational tasks are consistent and complete. ICT has been working closely with finance on enhancing the reporting and functionality of existing systems to analyse key performance

indicators. In addition, ICT has been migrating Civic Centre staff members into the new front of house as a part of the 2024 refresh.

Cyber Security

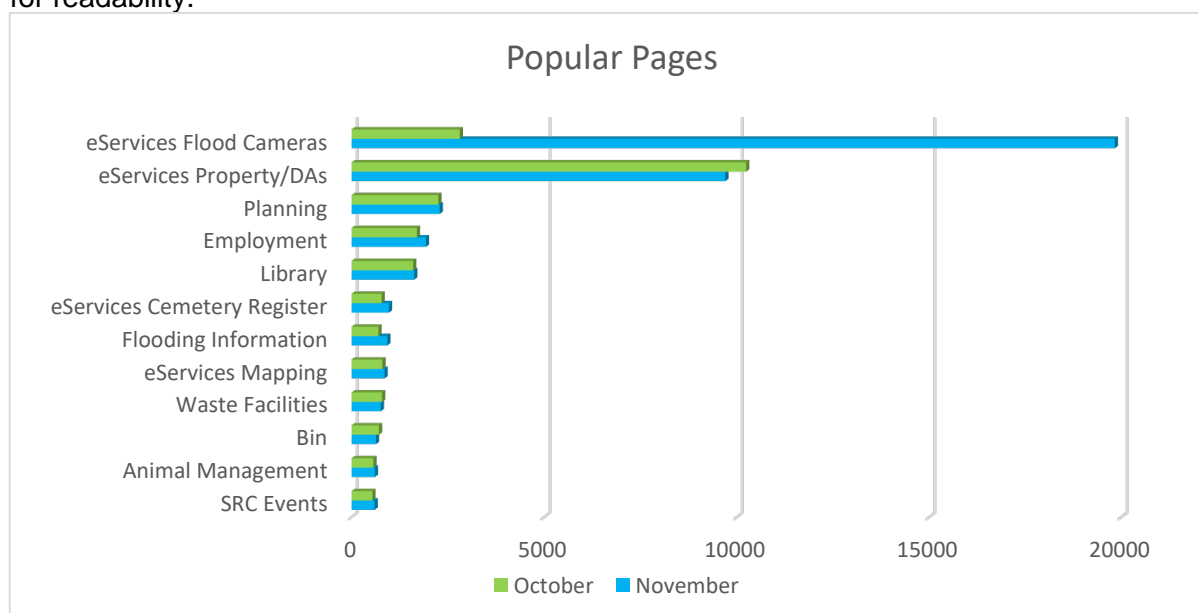
Total incoming emails have decreased by 2.1 percent over November, with a decrease of 3.8 percent to legitimate emails and an increase of 2.8 percent for Spam/Malicious. During November, there had been 46 failed malicious sign-in attempts to staff Office365 accounts, showing the importance of Multi-factor Authentication (MFA) as a defence.

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. Council continues to conduct internal quarterly phishing tests, which any staff member who fails the test will require additional training for compliance. Quarterly phishing tests continue with 3 failures, training and compliance is necessary for those who fail those tests.



Websites

The primary corporate website (somer.set.qld.gov.au) received 43,357 page views for October a 3 percent increase, eServices (eservices.somer.set.qld.gov.au) received 37,182, with an increase of 81 percent in views. Please note that the graph below has been capped at 20,000 for readability.



Governance and Business Improvement




Delegations

Following Council's decision at the Ordinary Meeting held 9 October 2024, changes were made to the *Delegations Register – Council to Chief Executive Officer*. These changes impacted some of the delegations from the Chief Executive Officer to staff. Memorandums of Delegation were prepared and the relevant changes made.

Policy Review

Draft C015 Information Management and Security Policy updated to reflect the *Public Records Act 2023* provisions. Adopted by Council at Ordinary Meeting held 27 November 2024. Final revision of accompanying procedures being undertaken for submission to Chief Executive Officer for consideration, training modules updated and an assessment undertaken to determine relevance and ongoing necessity of existing documents in Council's QA Register related to this topic.

Arts and Culture





 <p><i>Attendance at Cultural Venues</i></p>	 <p><i>Events</i></p>	 <p><i>Partnerships</i></p>
<p><i>8,893</i></p>	<p><i>108</i></p>	<p><i>4</i></p>

Events

2025 Australia Day Awards

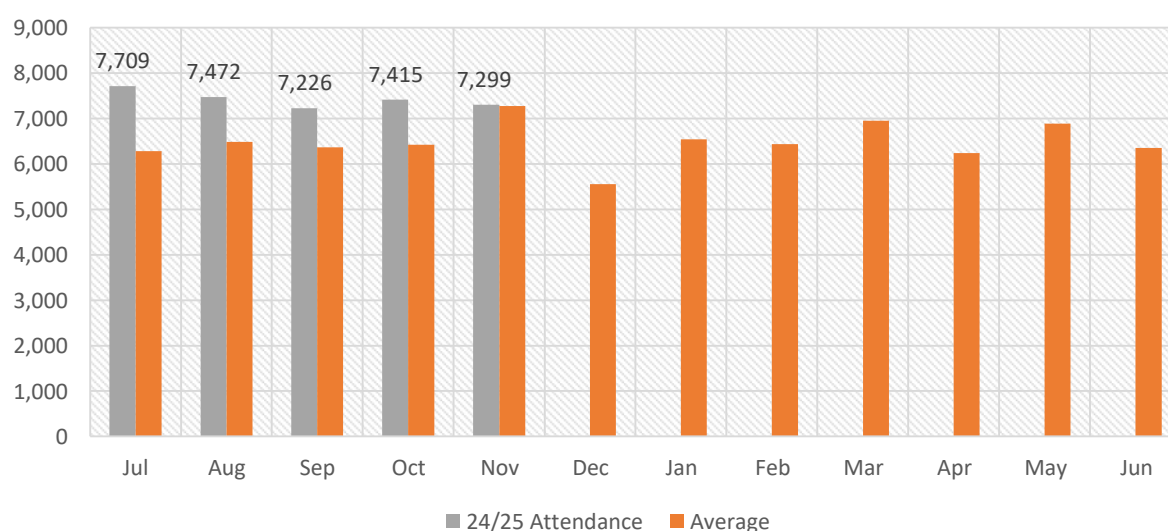
Preparations for the 2025 Australia Day Awards continue with 19 nominations received to date. The events team is preparing for a number of corporate celebrations and events alongside the region's first Citizenship Ceremony which is held 24 January 2025 in conjunction with the region's Australia Day Awards.

Somerset Libraries

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12, 364	7, 29 9	67	10 7




Somerset Libraries Attendance 24/25 versus Historical Average

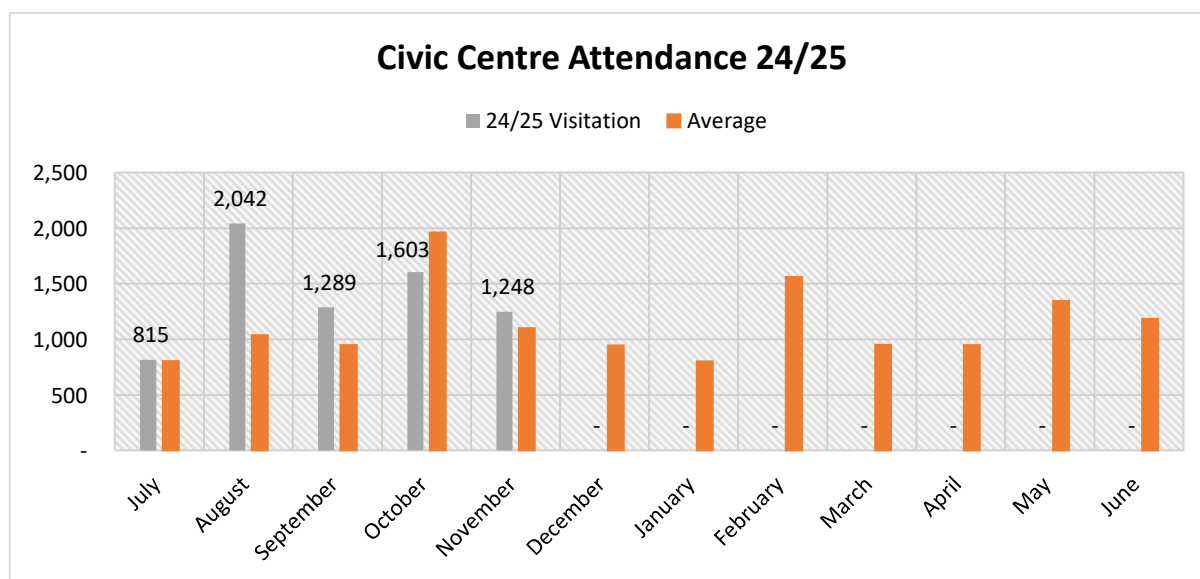


- The *Somerset on The Go* library application saw over 140 library members downloads and over 2,000 page views following it's release in mid-November.
- 293 adults participated in a wide range of information and creative workshops including *Emergency Medical Information Booklet* training, *Somerset Pests and Weeds* with Shane Lampard, *Memoir and Life Writing* with Lamisse Hamouda and *Poetry Writing* with Esk local Donita Bundy. Two Tech Savvy courses were delivered in November - *Somerset On The Go* library app and *Organising Your Digital Photos*. A new fortnightly craft group, *Sew Crafty*, has commenced at Esk Library.
- 362 children participated in regular and outreach programs during November with visits to Lowood Kindergarten, Fernvale State School, Country Kids Toogoolawah and Little Explorers Playgroup.
- School holiday fun begins mid-December with a diverse range of activities for school aged children including biscuit decorating, Christmas lanterns, jewellery making, movies, popcorn and much more.

- The whole Library team participated in Customer Experience training on 5 November. The course included a review of Library policy and team achievements 2024-25, and an interactive practical session on the application of customer service principals and standards in the workplace.

Somerset Civic Centre




 <i>Visitation</i>	 <i>Private/ Council Events</i>	 <i>Programmed Events</i>
1,248	38	1



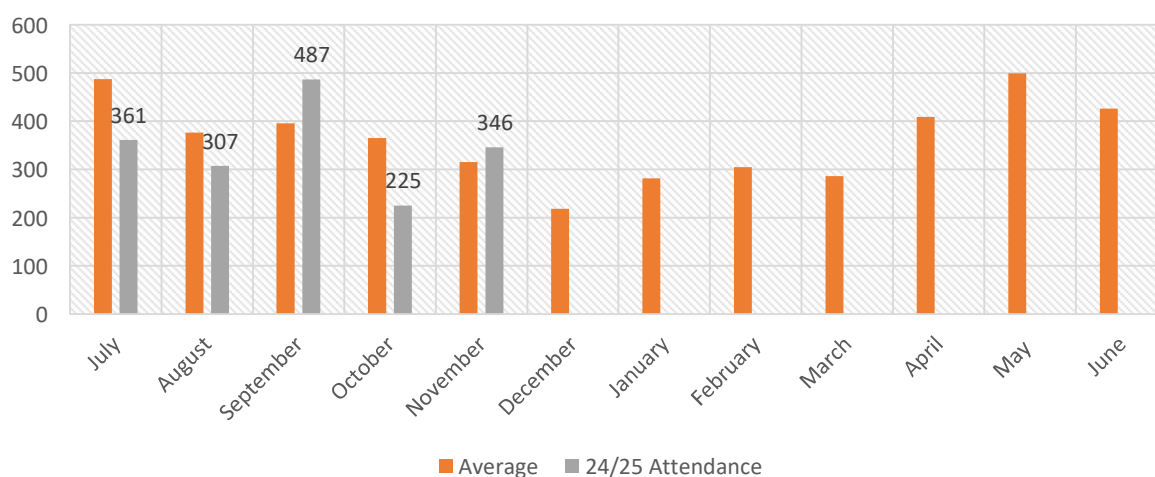
- November has seen the number of venue bookings continue strongly, both commercially and from the Somerset community.
- Regular community users Tai Chi, Ballet and Tap for Adults, Esk Community Choir, Ballet for Kids and Drama for Children all continued their regular bookings.
- Somerset Regional Council was a regular venue user in November, hosting the Brisbane Valley Rail Trail Tourism Forum over two days, as well as Free Tree Day, council inductions, TAFE and WH&S training.

- Commercial events included Diabetes Australia and Department of Agriculture and Fisheries forum.
- Somerset Regional Council programmed events included Tango Enigmatico, a performance of tango music with Tango Enigmatico trio which included Somerset resident Chloe-Ann Williamson.
- Renovations to extend the box office were completed in late November.

The Condensery

 <p><i>Visitation</i></p>	 <p><i>Public programs</i></p>	 <p><i>Exhibitions in development</i></p>
346	2	10

The Condensery Attendance 24/25



Exhibitions and Events

- Exhibitions; *Soft Pressing* by Simon Degroot and *Something Blue* by LeAnne Vincent continued at The Condensery. They both concluded 17 November 2024.
- Lionel Fogarty and Elysha Rei's exhibitions *Moiyum wungumbil mugerra bullonga* and 余白の美: *Yohaku no bi (the beauty of empty space)* opened 23 November 2024. The opening event took place on 30 November 2024 featuring poetry performances and Corrobboree.
- Preparations are underway for The Condensery's 2025 exhibition program, including the inaugural Harvest Biennial, launching February 2025 and featuring the work of five Somerset artists.
- The Condensery's Christmas Twilight Made it Market was held in late November and received positive comments from local residents and stallholders alike.
- The Condensery has welcomed four new volunteers.

Youth Engagement and Community Development

November has primarily focused on meetings and preparation for upcoming events.

- *Youth Interagency Meeting*
Council's Youth and Community Development Officer (YCDO) attended a Youth Interagency meeting with various Councils across Queensland. This meeting provided a valuable opportunity to share information on our current projects, gain new contacts, and gather ideas for potential future events.
- *Youth Camp Preparation*
Significant progress was made in organising the upcoming Youth Camp, which will be held from 15-17 January 2025. The YCDO has been in communication with the nominated youth leaders from Kilcoy, Lowood, and Toogoolawah. Permission forms for all attendees have been finalised, and we currently have 33 students confirmed to attend. Additionally, we have secured the support of the PCYC, who will assist as additional supervisors for the camp.
- *Roller Disco Event Preparation*
The YCDO has also been involved in preparations for the annual Roller Disco, scheduled for 14 December 2024. The Men's Shed will be hosting the BBQ during the event; this is an engaging event for the local youth community.
- *Emergency Relief Assistance*
Throughout this month, emergency relief was provided to residents in need of food or financial support. This involved coordinating with local services to ensure that individuals and families facing hardship received the necessary assistance. The team helped distribute food donations to food pantries and connected people with resources to ensure they had access to essential supplies during times of need.

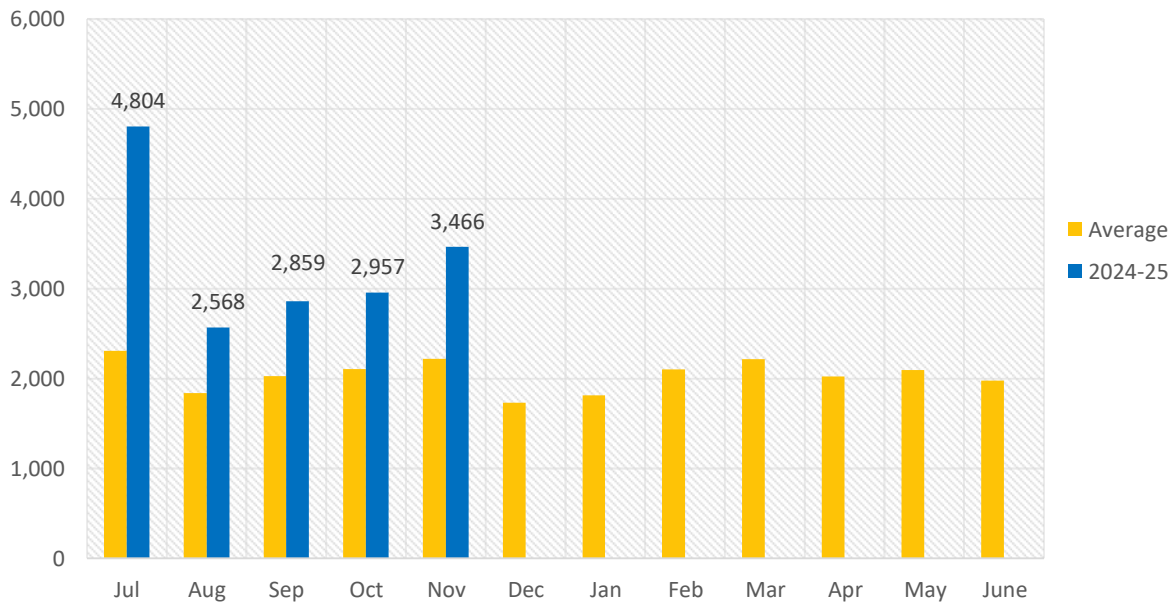
- On Thursday, 7 November Community Development and Business Recovery Officers combined to provide Somerset Farmers an opportunity to attend a free viewing of “Just a Farmer.” 90 farmers attended. Farmers were invited to attend early to have a burger and catch up with mates before watching the movie, which shared a fictional story of a farmer’s suicide. Although raw, the movie addressed salient issues and emphasised the importance of reaching out for help and highlighted the resilience of rural communities. Three support services also attended and were available if someone needed to debrief afterwards. The evening was well received.
- Planning was also in progress for the new program “In Good Company.” A new part-time position will join the team, with activities for seniors being planned for the new year. The role is government funded and aims to reduce social isolation and loneliness in seniors. Funding continues until June.
- The Community Development Coordinator attended numerous network meetings throughout the month to ensure the voice of Somerset residents were heard. One meeting, with West Moreton Health which included the CEO, was focused on ensuring that their strategic plan for the next five years considers the needs of our rural community.

Sport and Recreation

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

Fernvale Indoor Sports Centre (PCYC Fernvale)

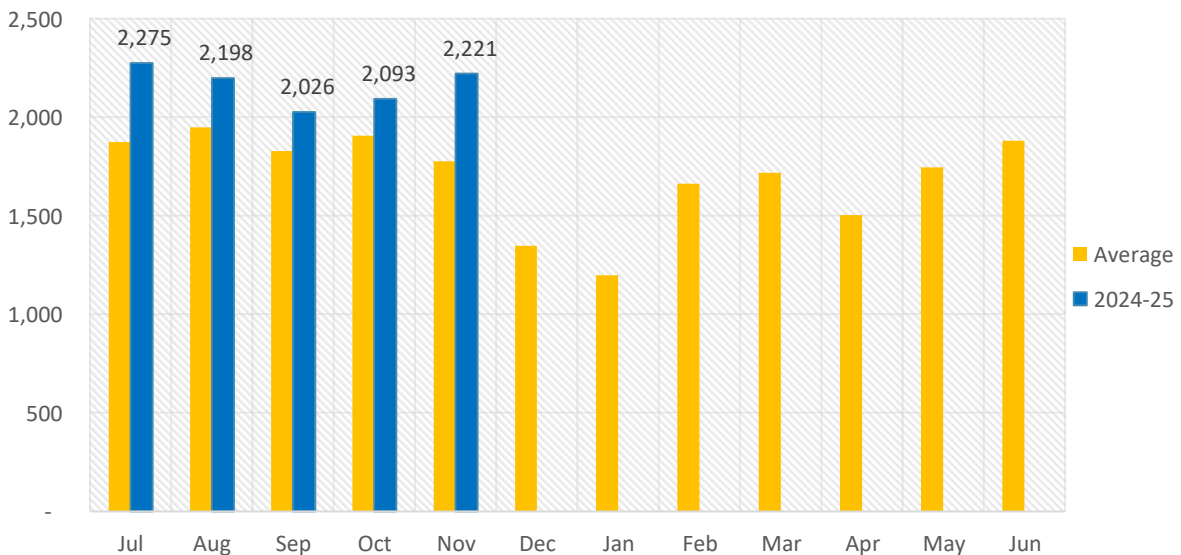
- Comparative to Monthly Historical Average – POSITIVE +1,246 (Average –2,220).
- Gym Membership Change – POSITIVE +16 (Current Membership – 1,071).
- High numbers in social programs, including 77 participants in Boxing After Dark.
- 712 Gymnastics attendees and a record 255 Little n Active members participants.
- ‘Pay Nothing’ offer launched for first 500 new members until 1 January 2025.
- Six incidents reported – no further action required by Council.



Graph: Monthly Attendance of the Fernvale Indoor Sports Centre - 2024-25 versus Average

Kilcoy Indoor Sports Centre

- Record monthly attendance for November (2,221).
- Comparative to Monthly Historical Average - POSITIVE +445 (Average – 1,776).
- Gym Membership Change – POSITIVE +14 (Current Membership – 125).
- 114 participants in Army Cadets.
- 254 participants in school programs.
- 252 participants in Gymnastics.
- 235 participants in Indoor Court Sports.
- No incidents to report.

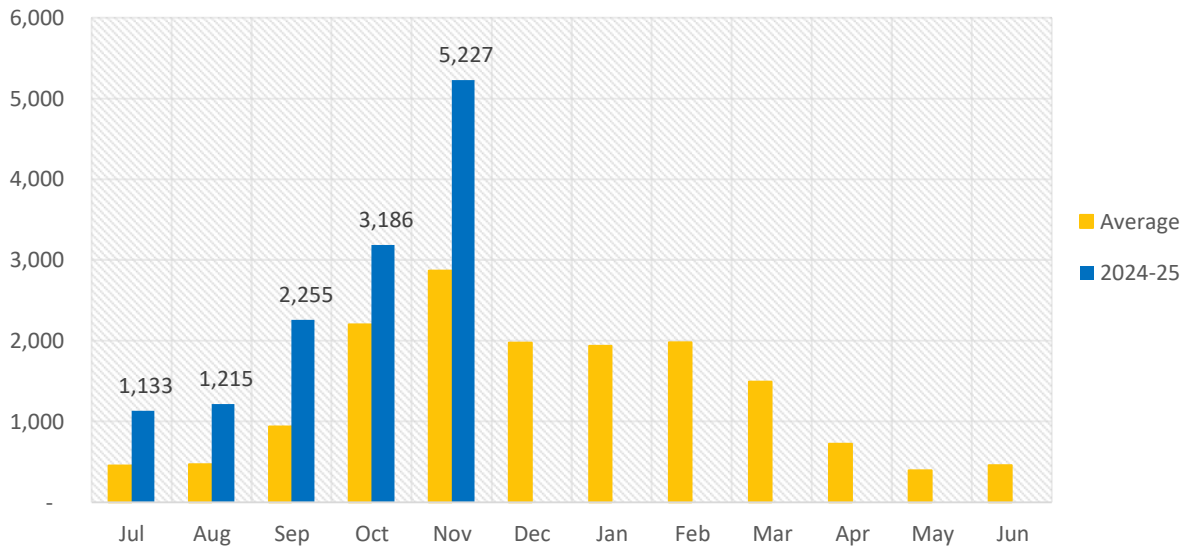


Graph: Monthly Attendance of the Kilcoy Indoor Sports Centre - 2024-25 versus Average

Toogoolawah Swimming Pool and Community Gym

- Comparative to Monthly Historical Average – POSITIVE +2,360 (Average – 2,867).
- Gym Membership Change – POSITIVE +2 (Current Membership - 107).

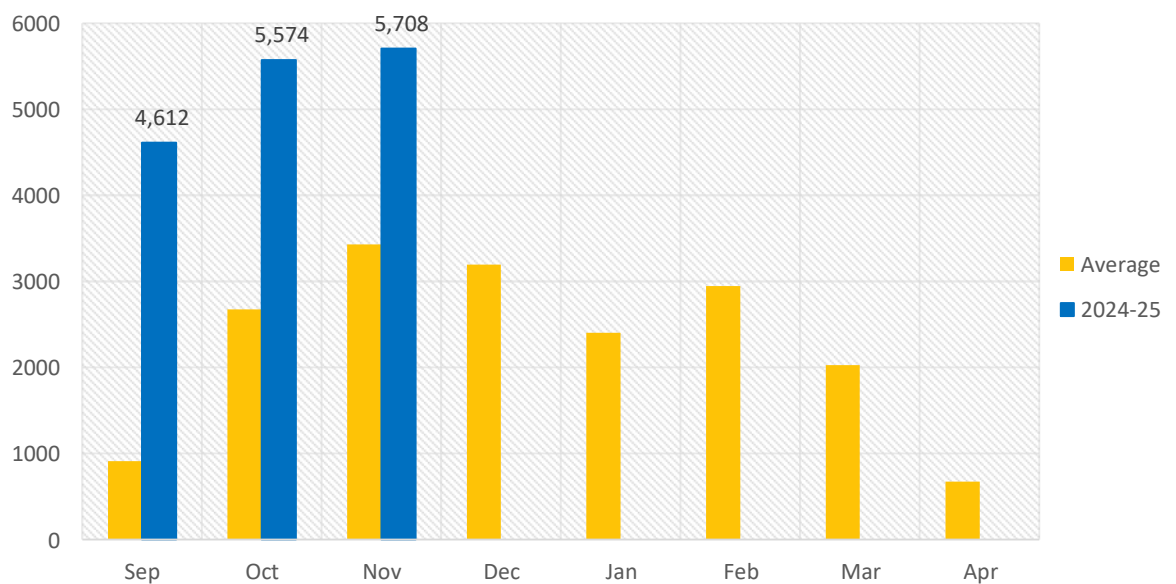
- 1,364 Primary School Learn to Swim Participants (Toogoolawah SS and Harlin SS).
- 385 After School Learn to Swim participants.
- 258 Toogoolawah State School participants and spectators.
- Awarded Swim School of Excellence with AUSSWIM
- No incidents to report.



Graph: Monthly Attendance of the Toogoolawah Swimming Pool and Community Gym - 2024-25 versus Average

Lowood Swimming Pool

- Record Monthly Attendance for November (5,708).
- Comparative to Monthly Historical Average – POSITIVE +2,281 (Average – 3,427).
- Hosted two primary school swimming carnivals
- Over 200 children enrolled in Learn-to-Swim programs.
- Pool closed briefly four times due to storm activity.
- Two incidents reported – no action required by Council.

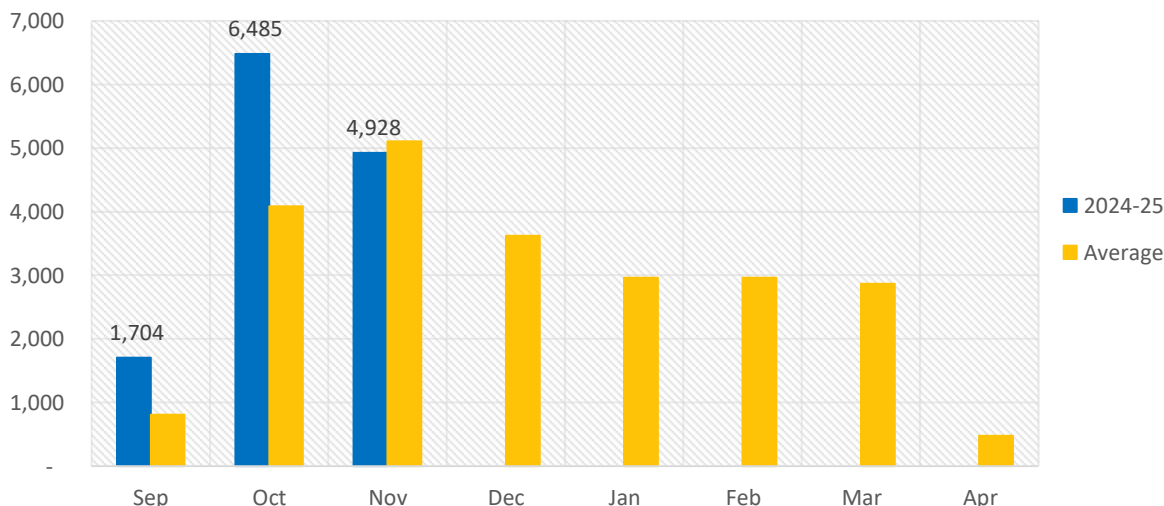


Graph: Monthly Attendance of the Lowood Swimming Pool - 2024-25 versus Average

Kilcoy Aquatic Centre

- Comparative to Monthly Historical Average – NEGATIVE -184 (Average – 5,112).
- 209 participants took part in Aqua Aerobics.
- 239 children enrolled in Learn-to-Swim program.
- 389 members attended Swimming Club.
- Ten local State Schools and Community Groups regularly use the facility.
- Pool closed briefly three times due to storm activity.

Two incidents reported – Council investigating one incident.



Graph: Monthly Attendance of the Kilcoy Aquatic Centre - 2024-25 versus Average

Sport & Recreation Highlights and Projects

- Daniel Banditt Constructions Pty Ltd has been appointed as the principal contractor for the Toogoolawah Community Gym Extension project. It is anticipated that extension works will begin in February. The extension will include approximately 100 square meters of additional floor space, a mirrored activity wall and a storage bay. Works are expected to be completed by July. The project is co-funded by the Queensland Government through the Minor Infrastructure and Inclusive Facilities Fund.
- Sport and Recreation Officer attended and chaired the Brisbane Valley Bulls Rugby League Annual General Meeting held at the Esk Football Grounds. The meeting resulted in the appointment of an executive committee for 2024-25. The new committee will replace the interim committee that was appointed caretaker of the Club with the assistance of Ipswich Rugby League staff.
- Tender applications have been opened for the Toogoolawah Swimming Pool Upgrade project. Funding has also been approved for Stage One of the Kilcoy Indoor Sports Centre Redevelopment. Both projects are funded through the Queensland Governments South East Queensland Community Stimulus Program.
- Planning continued for Christmas School Holiday programs including Pool Movie Nights and Australia Day Pool Parties along with school visits and detailed planning for the Somerset Youth Leaders Camp.

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

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

Carried

Vote - Unanimous

Subject:	Capital Works Prioritisation Framework
File Ref:	Financial management - planning - capital works program
Action Officer:	DOPER

Background/Summary

Council's Operation Team have developed a project prioritisation framework to allow for consistent and repeatable prioritisation of projects. The benefits of having such a framework in place include increased transparency on project priority and improved project planning. The framework sits beside and supports Council's Long Term Financial plan which identifies the ten (10) year budget. The framework utilises a multi-criteria weighted assessment.

Project Programs and Sub-Programs

Following an internal consultative process, all projects will be sorted into one of the following Programs/Sub-Programs:

Program	Sub-Program	Description
Local Government Infrastructure Planning (LGIP)	LGIP Design	Design projects to support the construction of the LGIP projects.
	Stormwater Management	Trunk
	Transport Management	Trunk transport projects to support development of the region.
Transportation	Gravel Road Sealing	Sealing of gravel roads for safety and amenity.
	Pathways	Delivery of active transport pathways and associated infrastructure.
	Pavement Renewal & Reseals	Road surface reseals, overlays and pavement renewals.
	Rural Roads	Renewal and upgrade of rural road network.
	Structures	New, renewal and upgrade of major structures e.g. bridges, major culverts.
	Urban Streets	Renewal and upgrade of urban street network.
Stormwater Drainage	Renewals	Renewal of stormwater infrastructure.
	Upgrades	Upgrade of existing stormwater infrastructure
	Waterway Quality Improvement	Projects targeted at improving the water quality of natural systems.

Parks and Open Space	Green Infrastructure	Landscaping, tree planting and similar green infrastructure projects.
	Park Infrastructure	Renewal and upgrades of park infrastructure.
Facilities	Community Facilities	Community buildings and facilities
	Corporate Facilities	Council buildings, facilities, depots and transfer stations
	Sport & Recreation	Sport and recreational projects.

Prioritisation Criteria

Council Officers reviewed criteria to ensure a set of criteria that align with the current Somerset Regional Council Corporate Plan were developed. While the weighting of each criteria may alter depending on the program or sub-program all projects will be assessed against the following seven (7) criteria:

- **Community / Social Benefit** (*Natural Somerset, Vibrant Somerset and United Somerset*). How much the project delivers an improvement for the community social wellbeing.
- **Risk Assessment** (*Well Planned Somerset*). Does the project reduce community or organisational risk?
- **Financial Considerations** (*Prosperous Somerset and Well Planned Somerset*). Does the project attract external funding? Will it provide a financial benefit to Council? Will it reduce future financial liabilities?
- **Economic Benefits** (*Natural Somerset, Vibrant Somerset and Prosperous Somerset*). Will the project deliver an economic benefit to the community? Will it support new or emerging industries? Does it reduce inefficiencies?
- **Demand** (*Natural Somerset, Vibrant Somerset and Prosperous Somerset, Well Planned Somerset and United Somerset*). What is the current and future demand for the project/asset? Will the delivery of the project reduce the demand on existing services/assets?
- **Sustainability** (*Natural Somerset*). Will the project deliver a sustainable outcome for the future? Will it create a sustainable future?
- **Disaster Resilience** (*Well Planned Somerset*). Does the project improve the resilience to future disasters?

Prioritisation Weightings

For each of the seven (7) criteria above, a weighting will be given to each. This weighting may alter between programs to reflect the different needs of each program. The table below outlines the priority weightings for each program.

	20	10	5	25	25
	5	20	10	5	10
	15	25	25	20	20
	25	10	10	20	15
	10	20	10	15	20
	15	5	20	10	5
	10	10	20	5	5

Additional Assessed Fields

In addition to the above criteria, each project will also be assessed to determine the Level of Confidence in the project estimate and its Level of Readiness i.e. how close it is from being shovel ready.

Assessing Level of Confidence

To determine the level of confidence in a project estimate, officers would assess using the following scoring guidelines.

- Levels of confidence.
 - A – project is fully designed and has a detailed cost estimate based on a bill of quantities and a schedule of rates.
 - B – project is detailed designed, and cost estimates prepared on historic unit rates.
 - C – project is at concept stage and cost estimate prepared on historic high-level rates i.e. \$x per km or cost of similar type standard project.
 - D – project is at pre-design phase i.e. preliminary scoping, estimate based on limited understanding of project risk.
 - E – project estimate is based on best guess with limited design works or site investigation being undertaken.

Assessing Level of Readiness.

To determine the project readiness, officers can assess using the following scoring guidelines.

- Level of Readiness
 - A – full set of construction plans and project plans ready, all permits/approvals sought and issued, and project risks identified and documented.
 - B – preliminary set of construction plans ready, permits/approvals sought and issued.
 - C – construction plans being finalised. Investigations undertaken. Permits/approvals sought.
 - D – concept plans complete. Risks and permits required identified.
 - E – concept plans only or less.

Project Scoring

Each project on the forward works list will be assessed against the above criteria by a panel of suitably qualified officers. The prioritised program will then be used for budgeting and resource planning purposes.

Project Planning

To manage project risk and allow more detailed project planning, it is recommended that any project over \$1M should be spread over two (2) financial years, the first to allow for site investigation, detail design to be undertaken, permits to be sought and pre-works ordered/undertaken. The first year would expect up to 25% of the project estimate for these works, the remainder in the following year to allow construction. Projects over \$5M should be spread over three (3) financial years to allow for the same with a 10-15%, 15-25%, 60-75% respectively.

Attachments

Nil

Recommendation

THAT Council adopt the proposed Capital Works Planning Framework for the development of the 2025-26 and beyond Capital Works programs.

Resolution

Moved – Cr Brieschke

Seconded – Cr Bishop

“THAT Council adopt the proposed Capital Works Planning Framework for the development of the 2025-26 and beyond Capital Works programs.”

Carried*Vote - Unanimous*

Subject:	Cemetery Policy Review (OP009)
File Ref:	Corporate Management - Policy - Policy Development
Action Officer:	CSSA

Background/Summary

Council's Cemetery Policy was last reviewed in 2014. Since this time Council's Operation Department have introduced new procedures that need to be reflected in the policy. A review of the policy was recently undertaken and the final review is ready for adoption.

Attachments

Cemetery Policy OP009

Recommendation

THAT Council adopt the updated version of Cemetery Policy 009 as attached in Appendix B.

Resolution

Moved – Cr Brieschke

Seconded – Cr Bishop

“THAT Council adopt the updated version of Cemetery Policy 009 as attached in Appendix B.”

Carried*Vote - Unanimous*

Subject:	OP/011 Plant and Equipment - Availability for Emergency Purposes
File Ref:	Corporate Management - policy - policy register - Somerset Current Registered Policies
Action Officer:	DMO

Background/Summary

Council policy “OP/011 Plant and Equipment - Availability for Emergency Purposes,” established in 2013, is now due for renewal. The policy was originally developed to formalise the provision of Council plant and equipment to emergency services and to clarify the responsibilities of each agency.

The policy has been reviewed, and while no significant changes were needed, it has been updated to reflect the name change from Queensland Fire and Emergency Services (QFES)

to the Queensland Fire Department (QFD), which took effect on 1 July 2024. Other changes are minor in nature and reflect other changes to position titles.

Attachments

OP011 Plant and Equipment Availability for Emergency Purposes

Recommendation

THAT Council adopt the updated version of Policy OP011 Plant and Equipment Availability for Emergency Purposes as attached in Appendix C.

Resolution

Moved – Cr Hurley

Seconded – Cr Freese

“THAT Council adopt the updated version of Policy OP011 Plant and Equipment Availability for Emergency Purposes as attached in Appendix C.”

Carried

Vote - Unanimous

Subject:	Community Led - Places of Refuge
File Ref:	Emergency Services – Planning – Disaster Planning
Action Officer:	DMO

Background/Summary

Council’s Local Disaster Management Plan highlights Council’s responsibility with regards to being the functional lead agency for the establishment of an evacuation centre within our region during disasters. Those evacuation centres are opened to meet an immediate need for those with no other option, to preserve life, wellbeing and safety. They should not be the primary source of shelter or relocation.

Preferred evacuation solutions for community members to consider, in priority order, are:

1. A destination of the person’s choosing (for example, with family, friends or neighbours).
2. Established accommodation (for example, a hotel, motel or caravan park).
3. An evacuation centre.

Council has identified a number of locations as primary evacuation centres as shown in the table below.

Location	Address
Lowood State High School Hall	31 Prospect Street, Lowood
Fernvale State School	1605 Brisbane Valley Highway, Fernvale
Kilcoy Memorial Hall and Cultural Centre	corner Kennedy and McCauley Streets, Kilcoy

Location	Address
Somerset Civic Centre	35 Esk Hampton Rd Esk
Alexandra Hall Toogoolawah	corner Cressbrook and Gunyah Streets Toogoolawah

There are also other locations that have been identified as secondary locations should the primary location be unavailable or capacity has been reached, these are:

- Esk State School;
- Toogoolawah State School;
- Kilcoy Indoor Sports Centre; and
- Kilcoy State School.

Also, in this sub-plan it has been identified that Coronation Hall, Somerset Dam is considered a Place of Refuge (PoR) only. The intent of the PoR clarification is that it would be community led and generally established for stranded travellers and that there is no expectation of Council support during these events.

The Challenge

Given the size of our region, and the fact that we border some of the more populous LGAs within the State, we often see a need to temporarily assist stranded travellers and often these are in locations that Council cannot establish an official evacuation centre staffed by Council employees.

It is times like these that the community will often stand up and assist with housing those stranded within the local hall and provide assistance throughout the event.

In recent times, Council has been approached by a number of organisations looking to formalise their role within our Local Disaster Management Plan. As a result of these approaches we have held discussions with the following organisations/groups regarding the use of their facilities as a Community-led place of refuge when needed:

- Linville Progress Association, Linville Hall
- Somerset Dam and Districts Progress Association (SDDPA), Coronation Hall
- Moore Soldiers Memorial Hall
- Coominya Public Hall Inc.

These requests have come from both a community-minded sense of obligation, and also due to the fact that formalising these type of arrangements can assist in applying for certain grants which can help fund the upgrade of these community facilities.

There are many other community organisations and/or facilities that could also seek the same recognition.

It is proposed that Council's Disaster Management team establish a MOU or letter that details the obligations of both parties, highlighting that PoR are community led places of refuge and that Council are not able to assist in the running of these, nor necessarily providing resources before, during or after an event. It should be noted that wherever possible we will assist these PoRs during an event, however this should not be an expectation as we may not be in a position to do this, for example access may be limited due to flooding.

Any hall and/or community group that receives the MOU or letter will be added to a list of community-led PoRs in the region should we need to maintain contact.

Attachments

Nil

Recommendation

THAT:

1. Council amend the local disaster management plan to highlight that Places of Refuge (community led) have a place during a disaster, however these do not come with the same expectations of an evacuation centre that will be managed and resourced by Council.
2. A standard Memorandum of Understanding (MoU) template be developed for community Places of Refuge, establishing the requirements and expectations for the services these will provide.

Resolution

Moved – Cr Bishop

Seconded – Cr Jess

“THAT:

1. Council amend the local disaster management plan to highlight that Places of Refuge (community led) have a place during a disaster, however these do not come with the same expectations of an evacuation centre that will be managed and resourced by Council.
2. A standard Memorandum of Understanding (MoU) template be developed for community Places of Refuge, establishing the requirements and expectations for the services these will provide.

Carried

Vote - Unanimous

Cr Brieschke queried if she should declare a conflict of interest in this matter (Community Led Places of Refuge). Chief Executive Officer advised no direct conflict as the hall was simply mentioned as an example and not directly related to the decision. Consensus was sought from other Councillors and agreement was reached that no conflict existed.

Subject: Traffic Safety Advisory Committee – 21 November 2024
File Ref: 2024 Traffic Safety Advisory Committee
Action Officer: ESO - RK

Background/Summary

A meeting of the Traffic Safety Advisory Committee was held on Thursday, 21 November 2024.

Attachments

Meeting Report for the Traffic Safety Advisory Committee meeting 21 November 2024.

Recommendation

THAT Council receive the meeting report of the Traffic Safety Advisory Committee held on Thursday, 21 November 2024 and the contents be noted.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council receive the meeting report of the Traffic Safety Advisory Committee held on Thursday, 21 November 2024 and the contents be noted.”

Carried

Vote - Unanimous

Subject:	Operations Report for November 2024
File Ref:	Governance – Reporting – Officer Reports
Action Officer:	CSSA

Background/Summary

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

Engineering Services Team

Design

The Engineering Services Design Team continues to finalise the design delivery for the 2024-2025 design program.

The design team is progressing with designs and investigations for the following projects:

- Sawmill Lane, Toogoolawah;
- Station Street Carpark, Lowood; and
- Railway Street Carpark, Lowood.

The design team continue to work with external consultants to progress designs for the projects below:

- Dingyarra Street, Flood mitigation - Engeny;
- Lowood Minden Road, Road widening - Projex Partners; and
- Muckerts - McCulkins Lane upgrade – Engeny.

The design team continues to provide engineering support to the works department and external contractors on several projects:

- Clarendon Road, Lowood - road widening;
- Toogoolawah Biara Road, Toogoolawah - road widening;
- Lowood Minden Road - Zabels Road to Kissling Road - road widening;
- Ivory Creek Road, Toogoolawah - widening and seal extension;
- Graham Road, Fernvale - seal extension with kerb and channel; and
- Kennedy Street, Kilcoy - underground drainage

Engineering Development Assessment

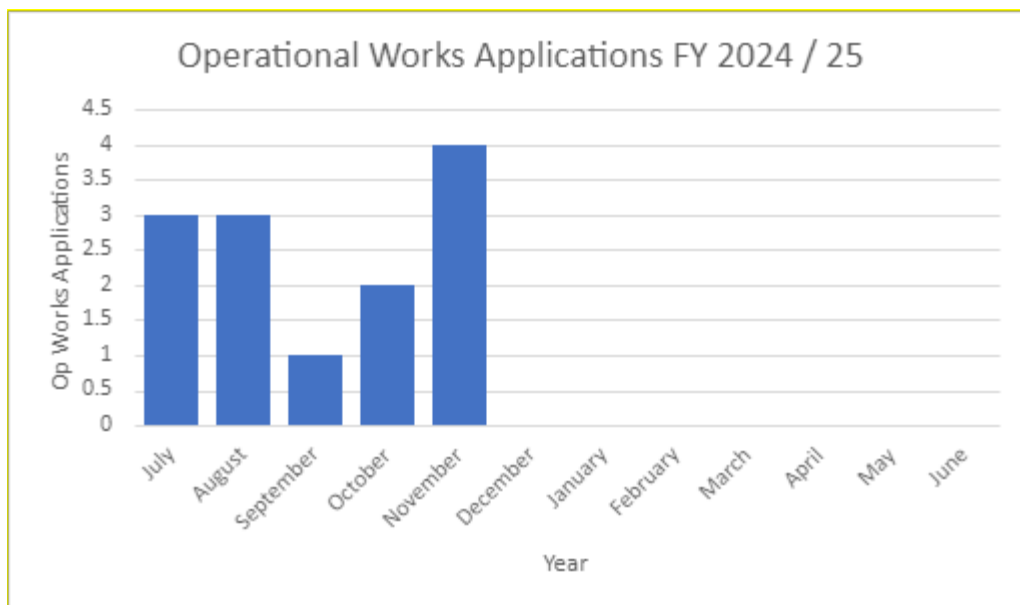
The Engineering Services Development Assessment Team continue to provide engineering development advice to the Planning Department and assessment and applicant response for Operational Work applications.

The development assessment team note the current major developments which are currently “On Maintenance” and due to come “Off Maintenance” within the next 12 months are:

- Windsor Drive, Mount Hallen Stage 5C – On Maintenance; and
- Hedley Park Stage 8 – On Maintenance.

Parklands at Clarendon Stages 2D & 2E, Pine Tree Hill, Kilcoy - Stages 3 to 6 and Hedley Park - Stage 7 have all recently come “Off Maintenance” and now become the responsibility of Council to maintain these assets.

So far for financial year 2024/2025 Council has received 13 properly made applications for Operational Works. This trend continuing, would see another huge year for Operational Works applications.



Parks and Open Spaces

Parks and Open Spaces Team continues to oversee all operations in the parks and facilities areas. Some notable projects undertaken in November include:

- Free Tree Days in Fernvale, Esk and Kilcoy were successfully completed.
- Removal of Four Eucalyptus Torrellianna (Kadaghi) and the reduction of two more in Yowie Park, Kilcoy is complete and suitable inground replacement species have been sourced (Flindersia Pimenteliana, Magnolia Grandiflora Coolwyn Gloss) and are expected to be planted in early January.
- Honeywood Park Playground repairs have commenced and are expected to be completed in December.
- Contractors have been commissioned to repair playground equipment across the Region.
- Arboriculture contractors have commenced work on hazardous tree works, removals and trims as identified in a tree audit undertaken within parkland and significant landscapes in a number of precincts across the region.

- Contractors have been commissioned to repair the rubber surfacing in the exercise area in Clock Park, Lowood.
- With temperatures increasing and significant rainfall received in November the growing season has started. Contractors have been commissioned and have started mowing Toogoolawah road reserves and parkland and maintaining Esk pound and tip site.
- Permanent mowing crews North (Esk and Coominya) and South (Fernvale, Lowood, Tarampa, Minden) are extremely busy.
- The Cemetery crew are also extremely busy undertaking the maintenance of cemeteries across the region whilst also assisting mowing crews in the maintenance of several parks within the region.
- Town Stewards continue to remove Graffiti as per a new process (obscene or racial within twenty-four hours and all other within a work week), this continual removal has seen a decrease in the areas targeted by graffiti vandals.
- Capital works projects within parklands and precincts across the region are underway and construction due to start in January and to be completed prior to the end of the financial year.
- Assistant gardener interviews have been finalised and the successful candidate is due to commence mid-January 2025.
- The town steward role for Toogoolawah has been filled.

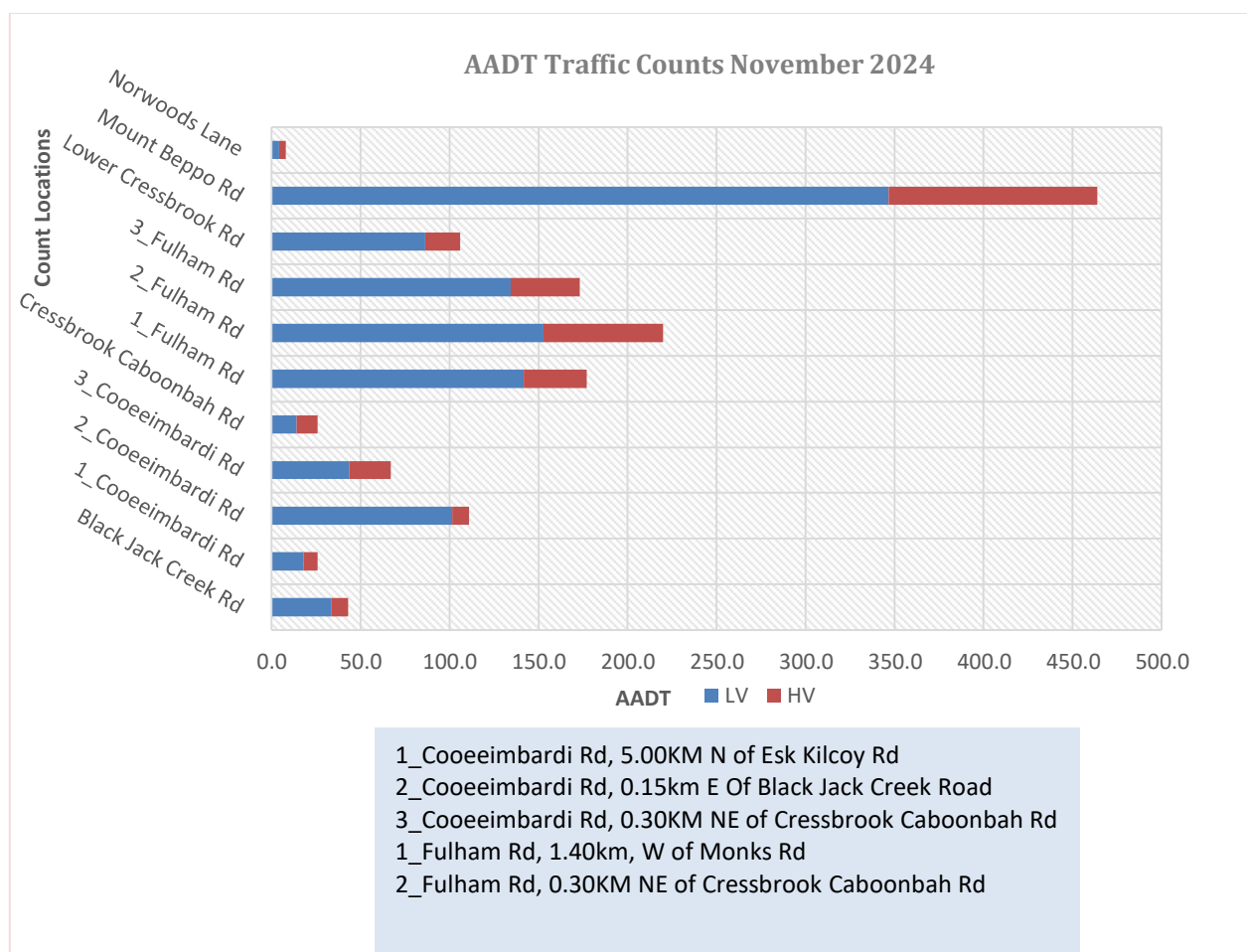
Facilities

The Engineering Services Facilities Team continues to oversee the maintenance of Council facilities in the Region. Some notable projects undertaken in October include:

- Gates are all working and no minor incidents this month;
- Arrange locksmiths to repair locks at various sites;
- Pipeline park amenities upgrade close to be finished;
- Inspection of all solar lighting within Council Parks;
- Awarding of Generator Tender this month; and
- Continued various general maintenance repairs such plumbing, electrical repairs, CCTV and air conditioning systems.

Permit and Traffic Data

The Engineering Services Team have set out traffic counters around the region. All traffic counters have continued to be placed within the region and are being collected routinely following the standard three-week rotation.



The team continues to oversee the review and approval of works within road reserve applications, property access applications and heavy vehicle permits.

Permit	Nov-24	Nov-23	% Increase
Land Access Permit	47	33	42%
Property Access Applications	13	28	-53%
National Heavy Vehicle Regulator Permits Processed	7	6	16%

Asset Management



The Engineering Services Asset Team have continued inspections of Council road assets and have updated asset system to ensure Council records remain current within our asset and GIS systems. Some notable projects undertaken in October include:

- Undertaking a review of the RACAS Hub system;
- Asset updates from external auditors;
- Ongoing Asset updates from all completed QRA/DRFA contracts;
- Ongoing Asset updates from Operational Works applications; and
- Ongoing Asset updates from Capital Works.
- Shepherd Services have been engaged to undertake a transport infrastructure valuation project.
- Shepherd Services have also been engaged to undertake 5 Star rating system for all Council roads.











Works Team**Projects Commenced in November:**







Project Name	Description	Contractors
NIL		

Projects Completed in November:

Project Name	Description	Budget	Time	Notes
REPA CN 1337 Lowood, Minden, Mt Tarampa	Flood restoration works on sealed pavements, Lowood, Minden, Mt Tarampa			REPA funded project

Capital Projects underway:

Project Name & Description	%Complete on the ground	Estimated Completion date	Status Time	Status Budget
Kilcoy-Murgon Rd / Kennedy St, Kilcoy Extension of underground drainage from Wade Street / Kennedy Street intersection (120m).	95%	13-Dec-24		
Ivory Creek Road - Widening of Ivory Creek Road between Edward Street and Littles Road. Contractor: Browns.	60%	31-Jan-25		
Ivory Creek Road - Widening of Ivory Creek Road – seal from bridge to causeway. Contractor: Browns.	98%	31-Jan-25		
Lowood Minden Road - Zabels Rd North to Millewski Rd, Pavement rehabilitation and widening. Contractor: A&M Civil.	75%	13-Dec-24		
Main Street, Lowood - New K&C and Pavement along Main Street; Stage 2 extension of stormwater down Bauer Road.	On hold, pending consent from Urban utilities			
Toogoolawah Biarra Road, Biarra, Pavement rehabilitation and widening. Contractor: A&M Civil.	45%	14-Feb-25		

Graham Road, Fernvale, Provision of kerb and channel, stormwater pipes and widened seal.	80%	17-Jan-25		
Lowood Recycle Water Pipeline, from the new sewerage treatment plant. Planning, Design, Construction. Contractor: Silverstrand Developments.	70%	18-Dec-24		
Clarendon Road, Lowood. Rehabilitate and widen to 9m road from Patrick Estate Road to Reinbotts Road.	80%	12-Dec-24		

Photographs of Capital Projects completed during month or underway:

Clarendon Road, Lowood - Widening -



Graham Road, Fernvale –



Ivory Creek Road, Ivory Creek –



Lowood Minden Road (Zabels Rd North to Millewski Rd) –



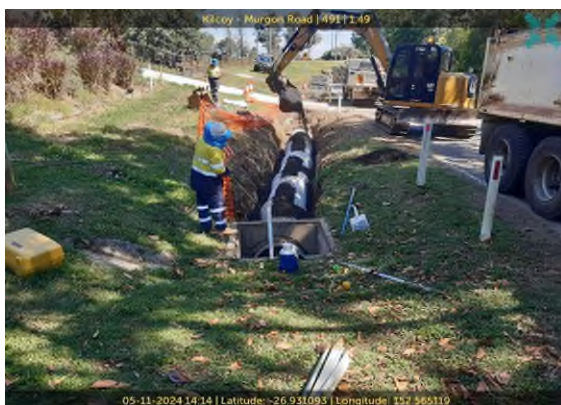
Toogoolawah Biarra Road, Biarra –



Lowood Recycle Water Pipeline -



Kilcoy-Murgon Rd / Kennedy St, Kilcoy - extension of underground drainage –



REPA / QRA Projects Underway:

- REPA CN1361 Coominya Region, Sealed Pavements (*A&M Civil*) – *Submission SRC.0099 BVRT Reconstruction Works Variation only.*
- REPA CN 1364 Mountain View Drive Landslip (*Silverstrand Developments*);
- REPA CN 1323 Glamorgan Vale Culvert Ch 270
- REPA CN 1355 Kilcoy Township Sealed Pavements
- REPA CN 1363 Patrick Estate Road Bridge

Ongoing projects:

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

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;
- Pavement repairs through Kilcoy Township
- 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.

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. Patrick Estate Road bridge betterment project.

Summary	No.	Percentage
Total SRC Package (works done by SRC)	6	13%
Total External Package (Contract works by contractors)	39	87%
Total No. of Package	45	
Procurement Progress		
Contract Awarded (incl SRC)	45	100%
In Tender	0	0%
RFQ Outstanding	0	0%
Awarded Construction Status		
Not Started	0	0%
0-50% Completed	2	4%
50 - <100% Completion	4	9%
At 100% Completion	39	87%
Forecast / Actual Completion		
Before 30/12/24	43	96%
After 30/12/24	2	4%
Acquittal Status (Submissions not Contracts)		
At Acquittal	43	62%
Outstanding	26	38%

Flood Restoration Expenditure

	FY22	FY23	FY24	FY25	TOTAL
TOTAL	\$4,312,179	\$7,141,230	\$37,470,325	\$16,277,934	\$65,201,668

Workshop – Mechanical

- Completed repairs, services, and scheduled maintenance of Council fleet;
- One new lease vehicle has arrived, P.426 Toyota Prado for Director Operations;
- P.530 new Isuzu crew truck for the Esk Concrete Crew has been fitted out and handed over to the crew, this replaces P.504;
- P.531 new Isuzu crew truck for the Kilcoy Concrete Crew has been fitted out and handed over to the crew, this replaces P.505;
- P.865 Hydraulic Press has arrived, been assembled and put into place in the workshop replacing the old hydraulic press that had been in the workshop for over forty years;
- P.373 SES troopie, a new GPS rally meter has been fitted to replace the old analogue style of rally meter;
- P.479 Mitsubishi Triton was fitted with an electric trailer brake controller so that the tourism team could tow the SCOTrailer to events;
- P.515, P.524 and P.525 Solar panels have been fitted to the top of the tool boxes on these crew trucks to help with charging the auxiliary batteries fitted to these trucks.

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.;
- P.530 new Isuzu crew truck for the Esk Concrete Crew has been fitted out and handed over to the crew, this replaces P.504;
- P.531 new Isuzu crew truck for the Kilcoy Concrete Crew has been fitted out and handed over to the crew, this replaces P.505;
- P.248 Komatsu excavator Bitumen Crew, replace the weld on cutting edge from the front blade;
- P.706 Belco tandem trailer, replace both rear stabilizer legs that had been bent when not stowed away correctly;
- Check all council flag poles located at Memorial parks were functioning correctly before Remembrance Day.

Weather Outlook

Longer range outlook (December to February):

- Above average rainfall is likely for most of Australia, particularly during December
- An increased chance of unusually high rainfall for parts of eastern and north-western Australia
- Warmer than average days are likely across large parts of the country
- Warmer than average nights are very likely across almost all of Australia with unusually high overnight temperatures for much of northern, eastern and western Australia.

For current outlooks, visit the Bureau of Meteorology site at <http://www.bom.gov.au/climate/outlooks>

Disaster Management

The following activities were conducted in November 2024:

Council staff working with QRA developing a list of potential Community Champions as part of a project they are coordinating as part of the Flood Commission of Inquiry list of recommendations.

- Camera at Kilcoy that was offline, was repaired by Council's electrical contractor
- Disaster Wallets were delivered to the Esk Hospital and the Coominya Hall at their request. These were the same wallets distributed at the Ready, Set, Somerset day held in October.
- Version 5.4 of the Lower Brisbane River Communications Protocol was reviewed and comments forwarded to the Bureau of Meteorology.
- Collated a list of black spot areas from staff and Councillors. We are looking to submit these as part of the Federal Government's Mobile Blackspot Program Round 8. We received many responses back, highlighting the coverage issues that exist within the region.
- Discussion held with the Bureau regarding the Environment replacement exercise.
- Contractor has been engaged for the delivery of several gauges and replacement of timber poles. The project is being fully funded by QRA as part of the Emergency Response Fund Flood Recovery and Resilience program
- Discussions held with Jimna Base Camp regarding facility and its potential use during severe weather events
- Met with the Somerset Dam and District Progress Association regarding the storage area at the Coronation Hall and the evacuation kits that it contains.
- Met with Somerset Business Chamber in Kilcoy to discuss isolation issues on the eastern side of Kilcoy Creek during severe weather
- Participated in a webinar for Avian Influenza.
- Attended the Bureau's Inter-agency group meeting. Participants include neighbouring LGAs, the Bureau and SEQWater
- Met with Toowoomba Regional Council and their consultants to discuss the Cressbrook Dam safety upgrade.
- Held a "lunch and learn" training session for Local Disaster Coordination Centre staff
- Policy OP011 – Plant and Equipment availability for emergency services reviewed and updated.

Activations - Operations:

N/A

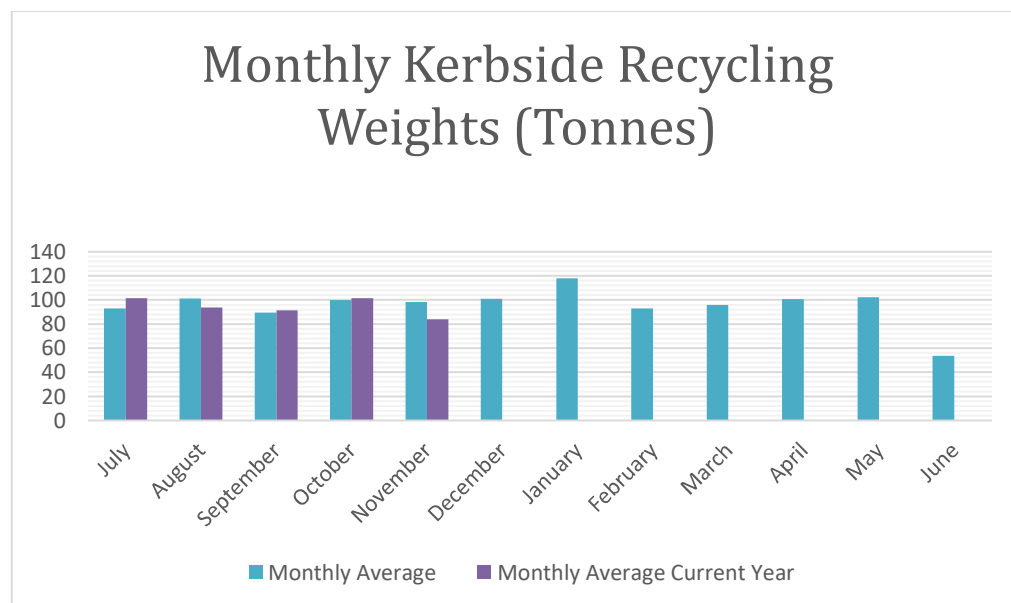
Waste Management**Kerbside Collection Contract – Ipswich Waste**

During the month of October there were 63,833 services performed –

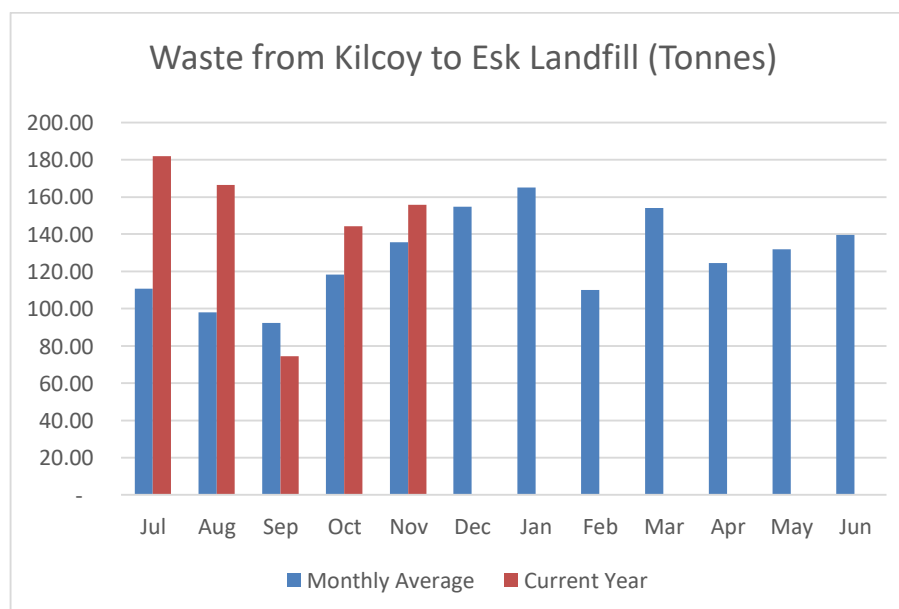
- General waste services – 47,765 with 87% presentation rate;
- Recycling services – 16,068 with 61% presentation rate.

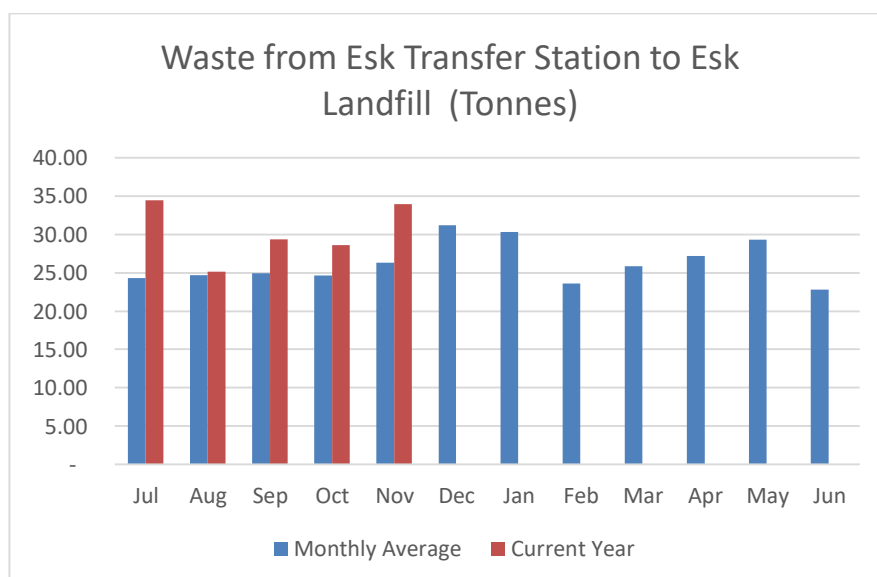
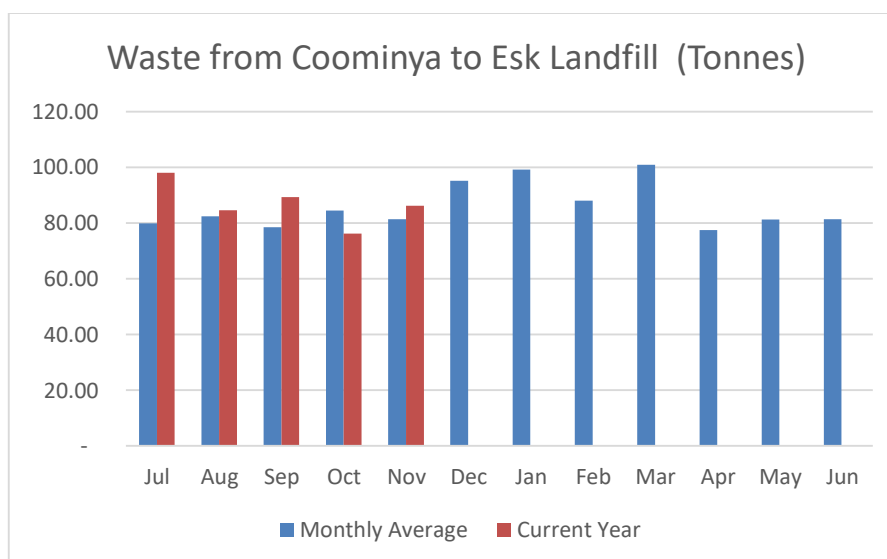
And for the month of November there were 57,487 services performed –

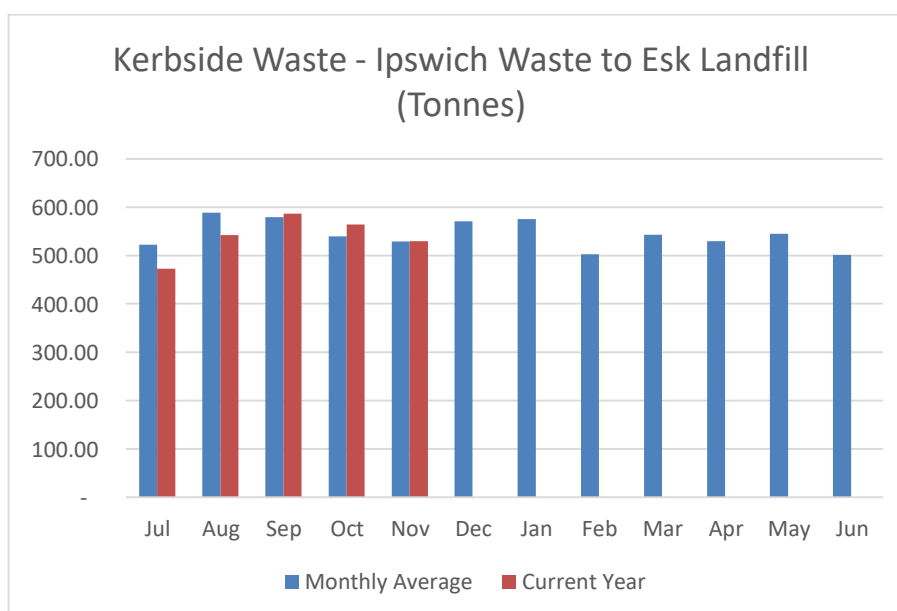
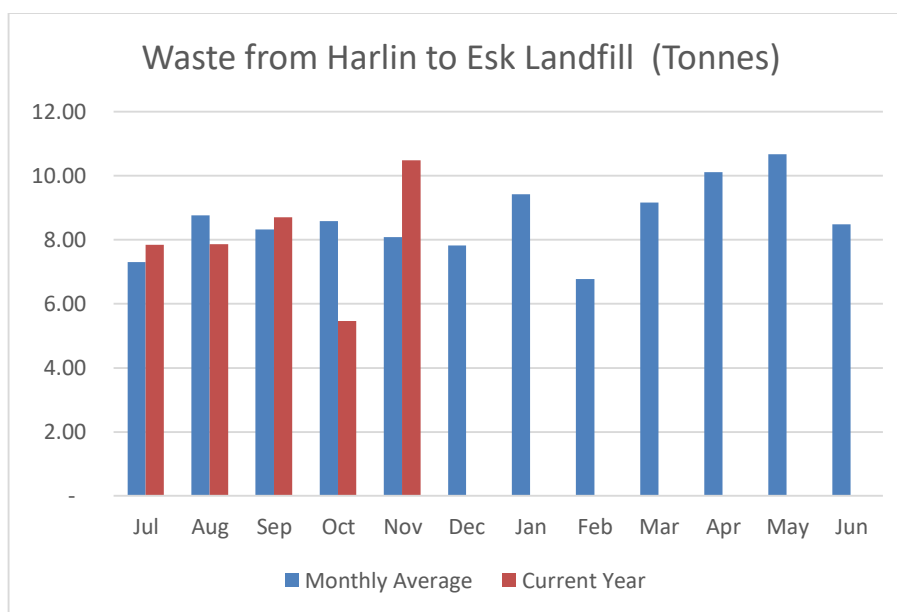
- General waste services – 43,594 with 86% presentation rate;
- Recycling services – 13,893 with 55% presentation rate.

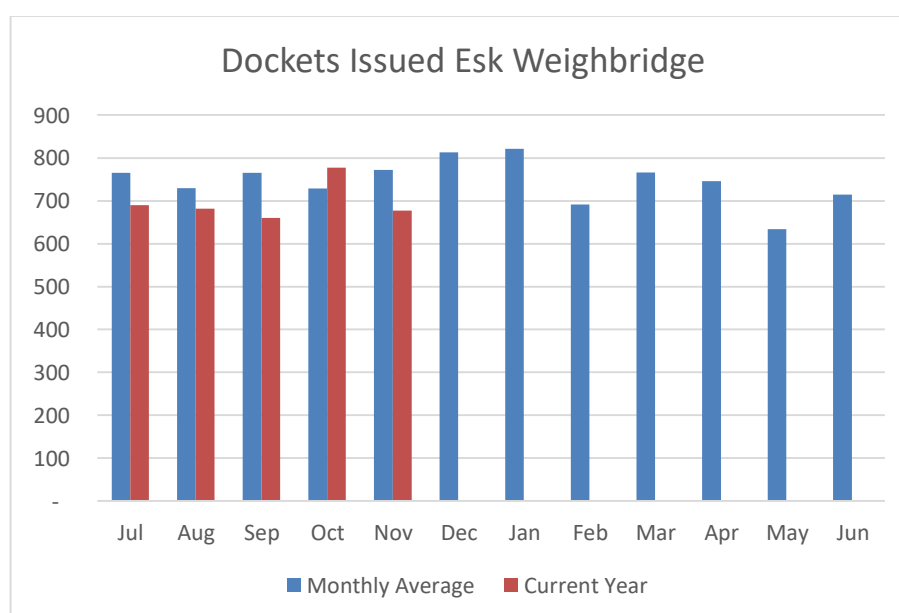
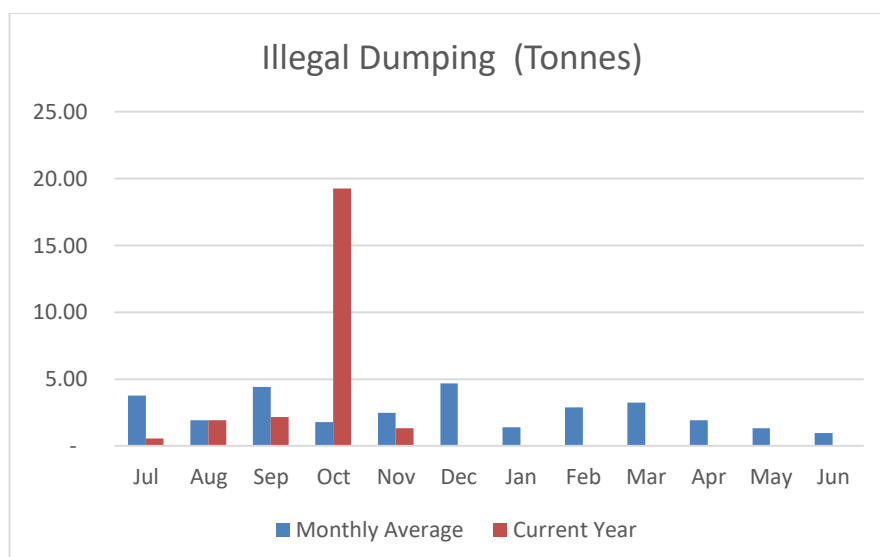


Waste Management – Waste Data (Esk Landfill)









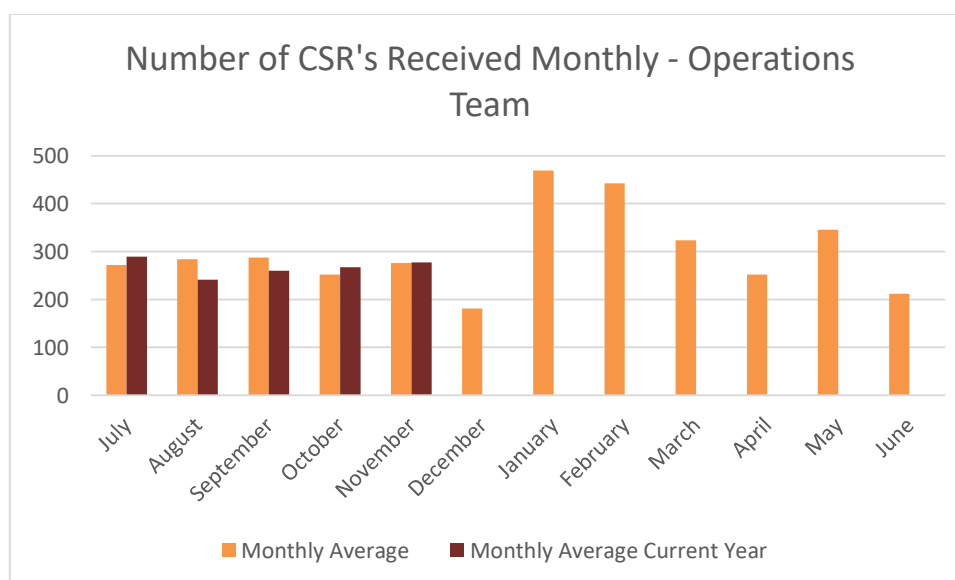
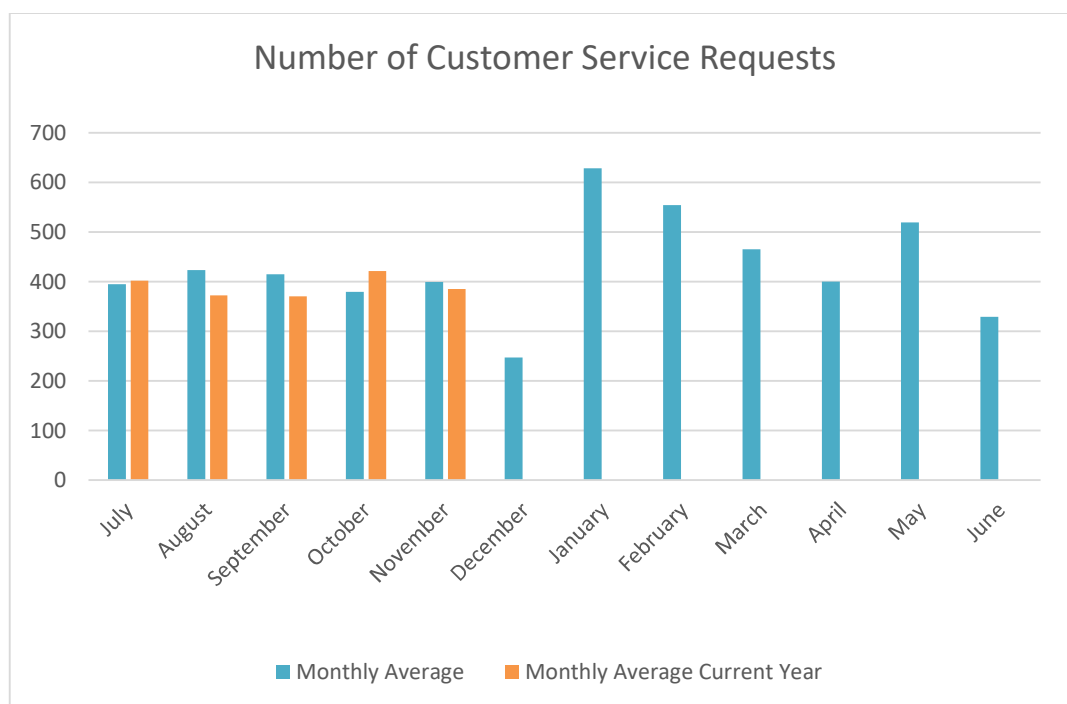
Approved Park/Community Events

The following community events were held in November 2024 –

- Junior Cricket – McConnel Park, Toogoolawah – 1 November 2024;
- World Remembrance Day for Road Victims – Fernvale Memorial Park – 15 November 2024;
- Rocky Gully Recreational and Angling Club Inc Christmas Carnival – Railway Park, Coominya – 23 November 2024; and
- Made it Markets – The Condensery, Toogoolawah – 23 November 2024 (Council Event)

Customer Service Requests

Council received 384 customer service requests, and 1 customer request received from Councillors for the month of November 2024 on Council's corporate customer service system.



	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24
Cemeteries	2	0	0	2	3
Disaster Management	0	0	0	0	0
Departmental reviews	1	3	0	0	0
Fences on roadways	0	0	0	1	0
Illegal dumping clean ups	6	5	16	5	10
Overgrown Council land	0	2	0	0	1

Parks including mowing, cleaning/maintenance park equipment including public toilets, tables and chairs, shade shelters etc.	5	11	6	19	5
Roads - bitumen	28	34	23	31	24
Roads - gravel	13	13	9	11	22
Roads - drainage	10	7	6	7	26
Roads - culverts	0	2	2	2	2
Roads - vegetation	16	17	31	26	42
Roads - footpaths	4	5	7	4	6
Roads - linemarking	2	0	5	0	0
Roads - bridgework	0	0	1	0	2
Roads - traffic furniture	13	23	23	4	14
Rural Property Number	5	4	5	4	0
Stormwater issues within private properties	0	1	2	2	1
Waste management	0	0	1	0	0
Wheelie bins	0	0	0	0	0
Cancellation of extra services	7	12	5	3	3
Damaged lids and wheels	15	15	12	10	9
Replacement Split Bins	34	20	26	36	31
New Services	22	13	16	22	16
Extra services	10	9	8	5	11
Stolen/Non Delivery of New Bins	21	6	9	15	11
Missed services	5	4	4	9	12
Contractor requests/complaints	3	4	0	5	0
Facilities	0	0	0	0	0
Air conditioning	0	1	1	2	1
Carpentry, painting, tiling & flooring	9	2	2	3	2
Electrical	14	3	2	2	1
Equipment, furniture & fixtures	4	4	5	10	4
Grounds maintenance	2	4	9	4	4
Pest Control	0	0	1	0	0
Plumbing	20	15	15	16	8
Roofing and guttering	3	0	1	0	0
Security, locks & CCTV	4	1	1	3	2

Signage	1	0	0	3	1
Vandalism	8	0	4	0	2
Cleaning	3	1	2	1	1
	290	241	260	267	277

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Bishop

Seconded – Cr Jess

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

Carried

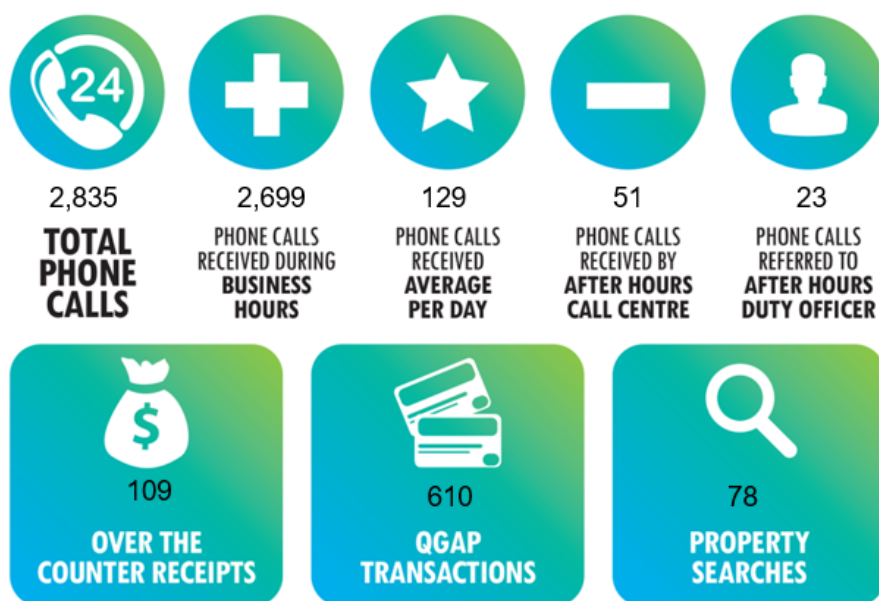
Vote - Unanimous

Subject: Customer Service Report – November 2024
File Ref: Officers Report
Action Officer: CSC

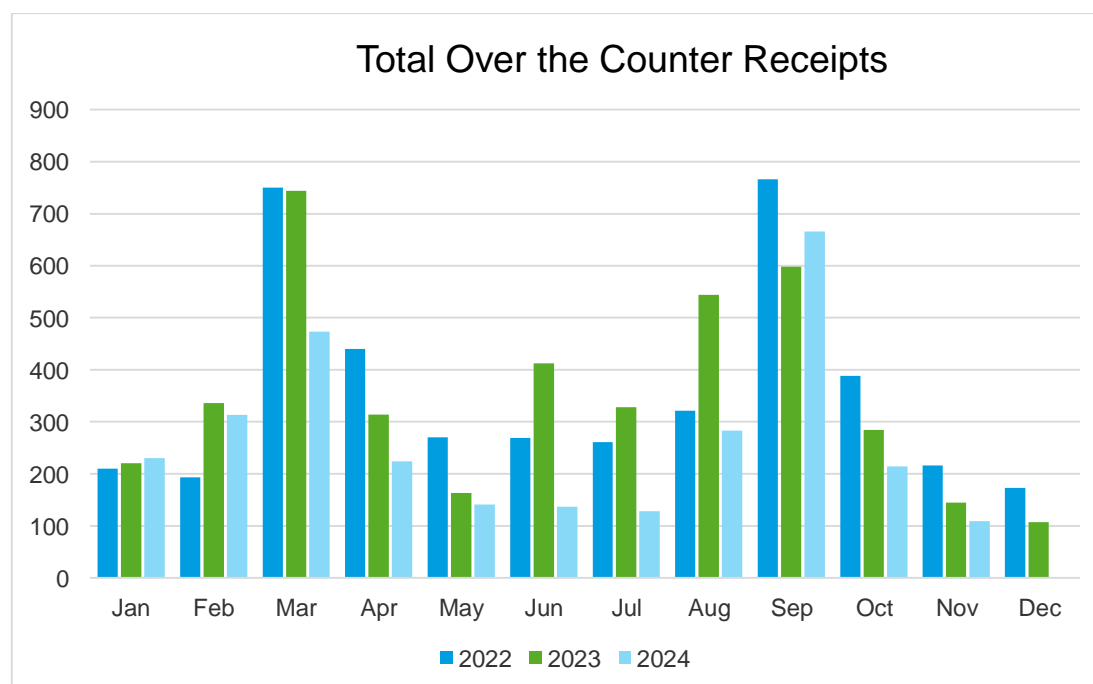
Background/Summary

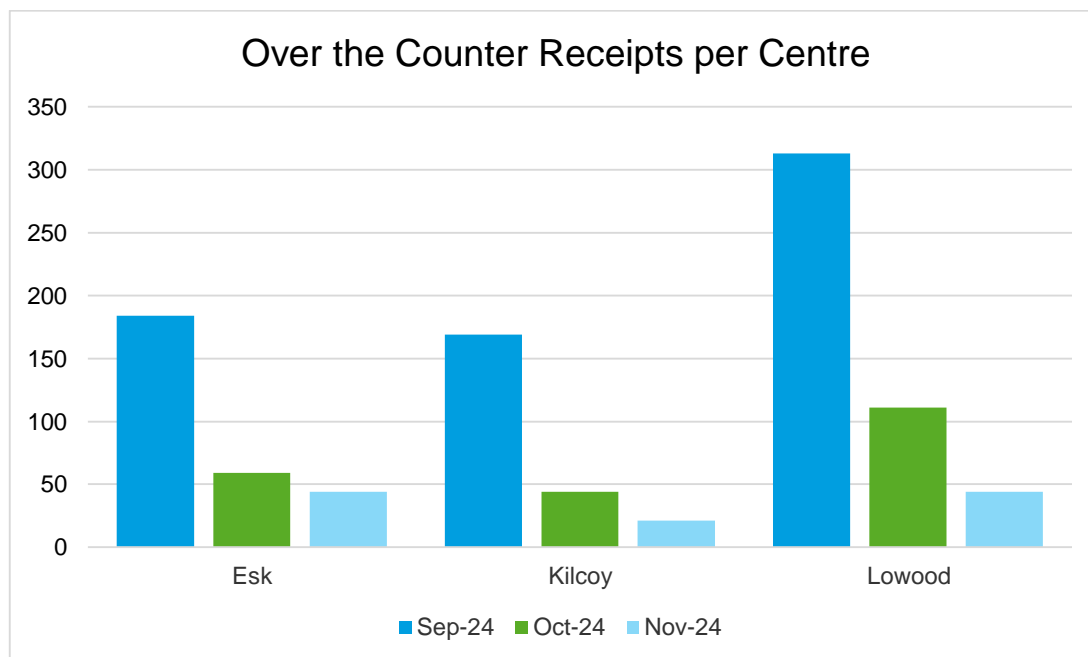
In delivering on Council's Operational Plan and commitment to excellent customer service, a summary of the customer service section activities for the month of November 2024 is provided below for Council's information.

Summary for November 2024

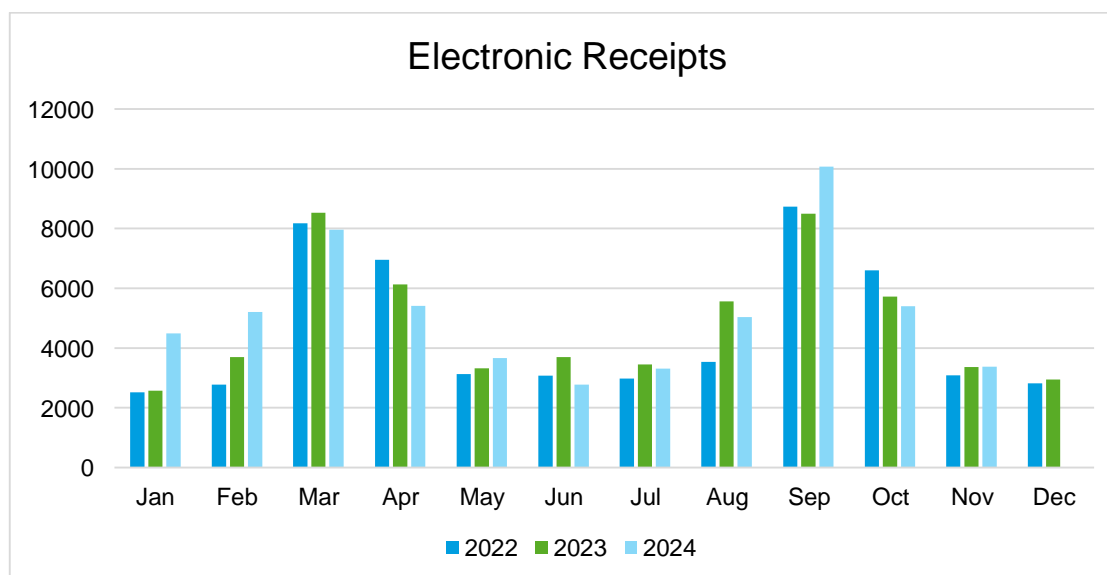


The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for November 2024. These numbers include cheques that were posted into the Council. In total there was 109 financial transactions across the three customer service centres with 44 at Esk Administration Centre, 21 at Kilcoy Customer Service Centre and 44 at Lowood Customer Service Centre for November 2024.

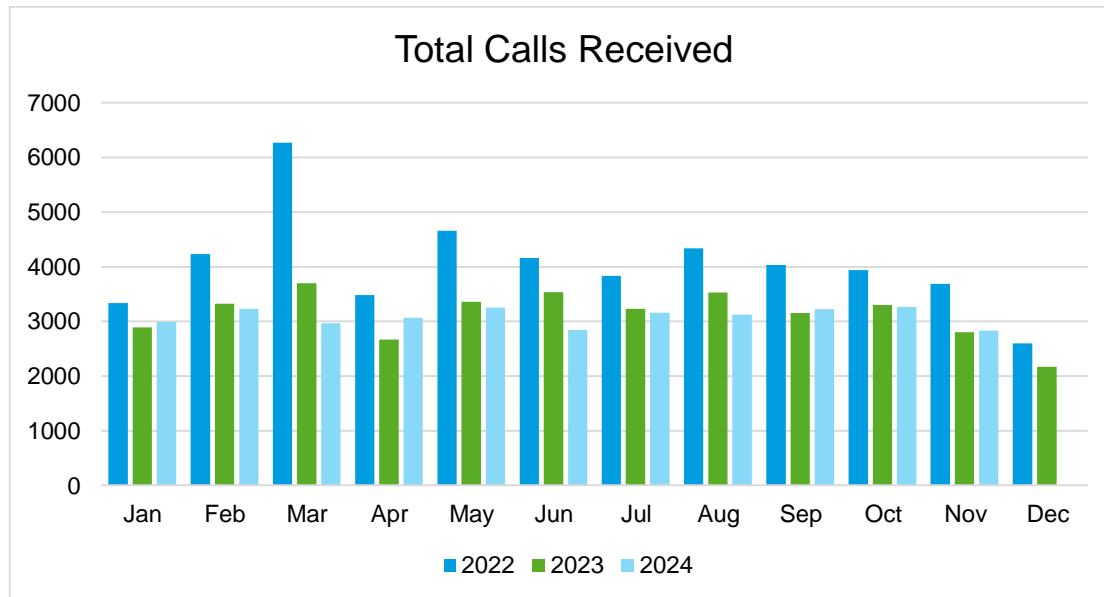




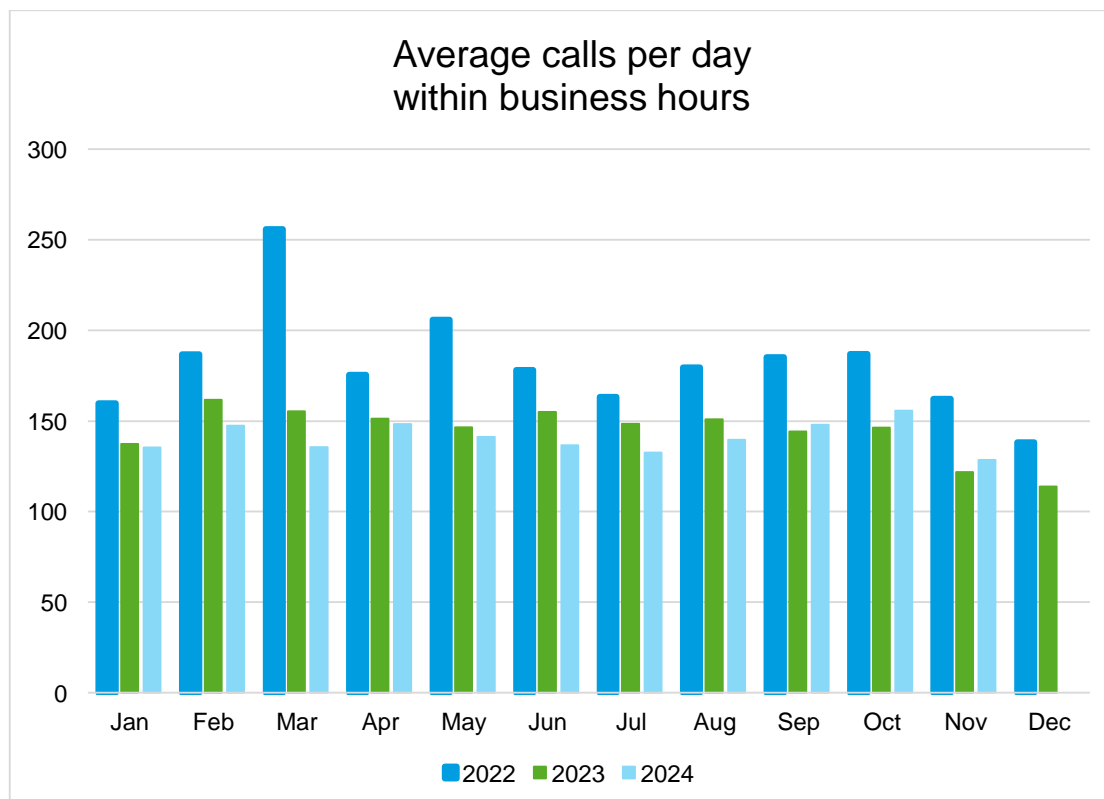
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc. For the month of November there were 3,382 transactions. Compared to October 2024 there was a decrease of 2,021 transactions, this decrease was due to rates being issued in August and due early October.



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 2,835 calls received for the month November 2024. This is a decrease of 433 calls compared to October 2024. Compared to November 2023 there was an increase of 32 calls for the month.

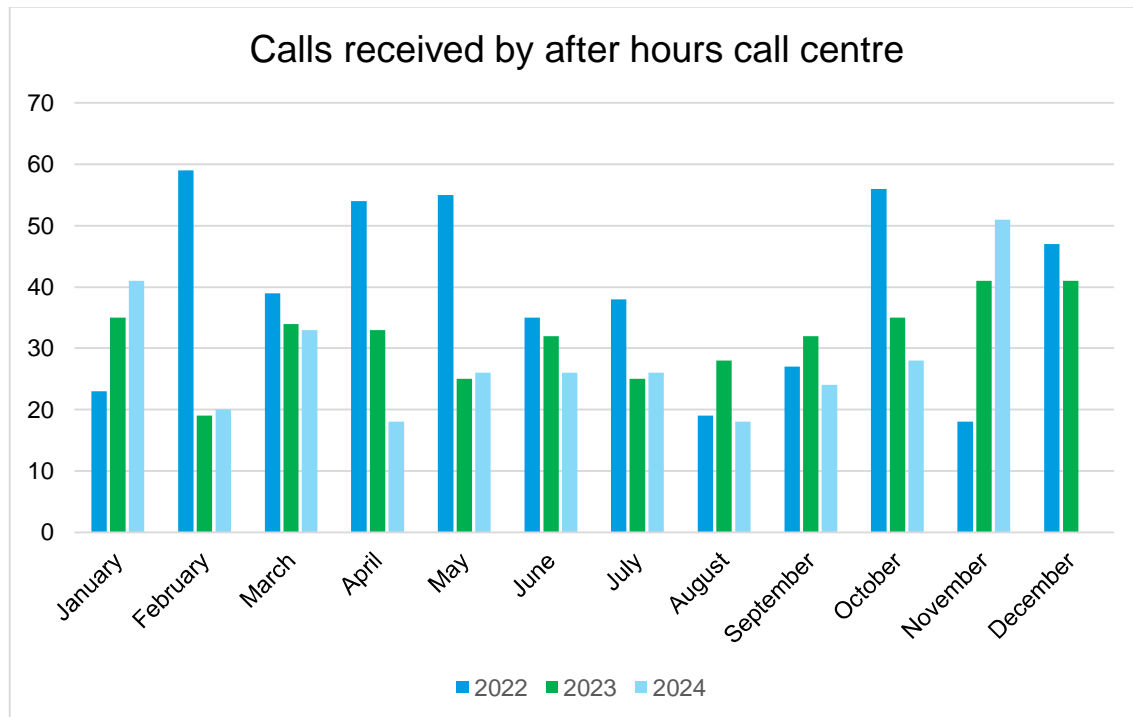


Listed below is a comparison of the average calls received per day within business hours. On average there were 129 calls received each business day for November 2024, which was a decrease of 27 calls on average per day from October 2024. Compared to November 2023 there was an increase of 7 calls on average per day.

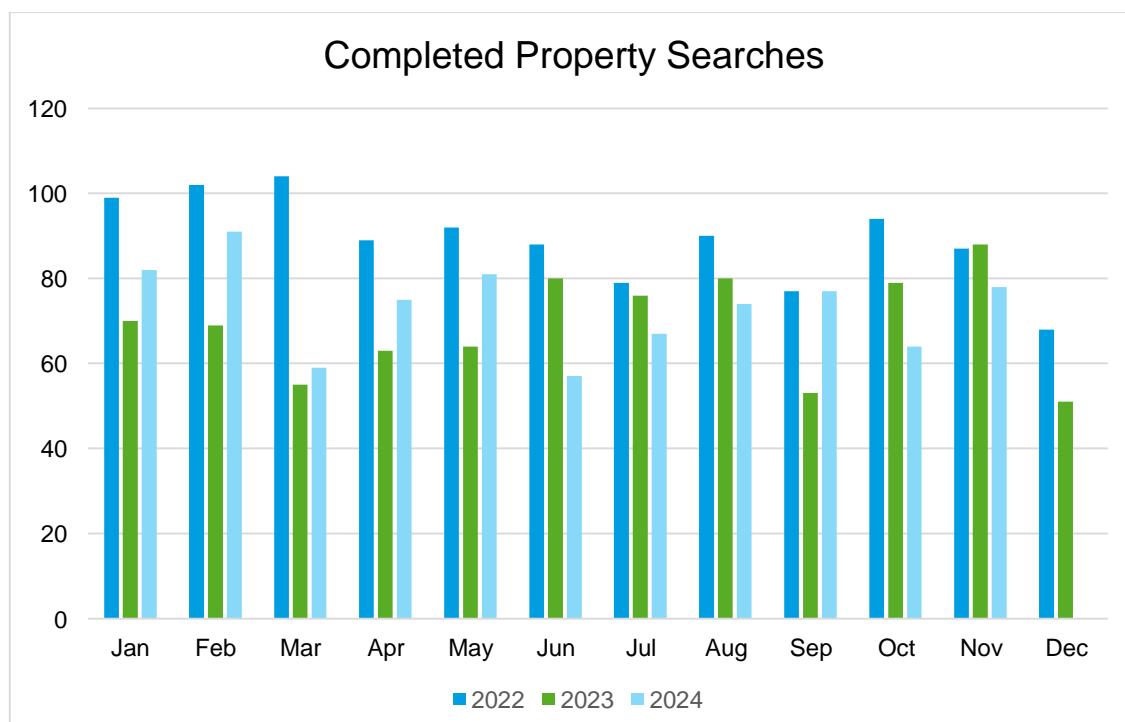


There were 2,699 calls received during business hours and 95 out of hours. Of the 95 calls received out of hours, 51 calls were transferred to the afterhours call centre. There was an

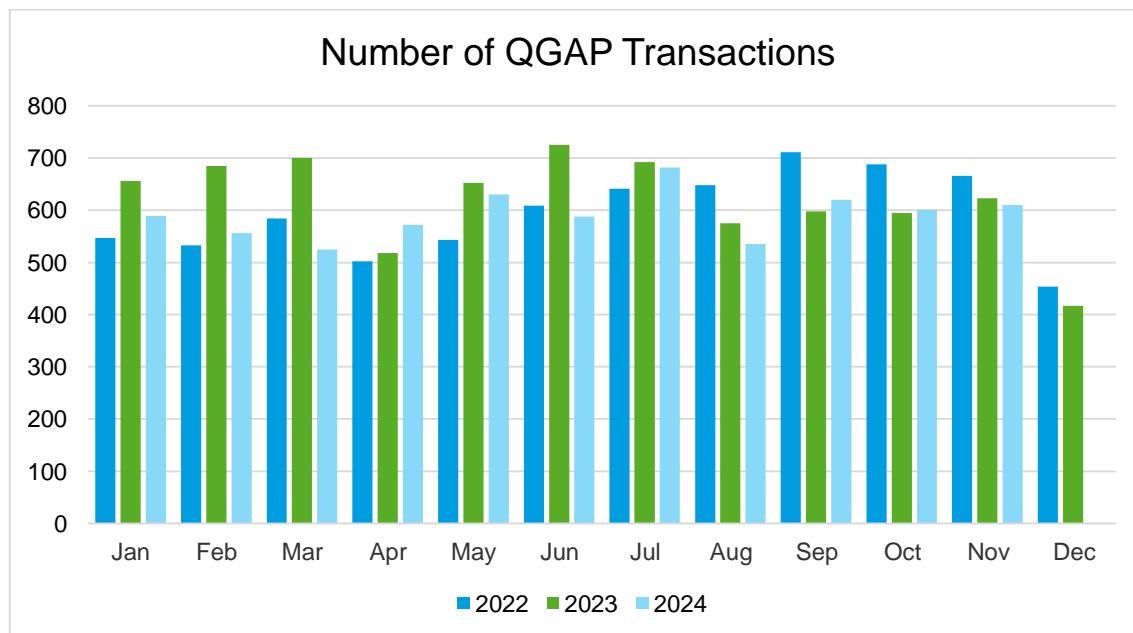
increase of 23 calls to Council's afterhours provider compared to October 2024. This increase is due to recent storm events across the region. Note: 7 of these calls were not Council related and were subsequently referred to the appropriate service providers.



For the month of November 2024 there were 78 property searches completed for prospective purchasers. This increased by 14 completed searches for the month compared to October 2024.



There were 610 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in November 2024. On average there were 29 transactions per business day in November.



Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

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

Carried

Vote - Unanimous

Subject:	Somerset Regional Council Community Assistant Grants Student Bursary
File Ref:	Community Relations - Sponsorships – Community Assistance Grants
Action Officer:	ESO - KG

Assessor's Summary

Since 2015, Council has allocated through the Community Assistance Grants process an annual \$500 Somerset Regional Council student bursary to assist with student's educational fees at the same institution the following year. This is awarded across the region's three high schools Kilcoy, Lowood and Toogoolawah.

The “Somerset Regional Council All-Rounder Award” recipient is selected, and the bursary administered by each high school. The award is presented to a continuing year 10 student who has demonstrated effective leadership, a high level of academic achievement and involvement in a variety of school and community related activities throughout the year.

The intent of the bursary is that it is utilised for any educational related costs during the student’s senior years of education, including but not limited to school fees, uniforms, extra-curricular activities etc.

The recipients of the 2024 Somerset Regional Council All-Rounder Awards are:

Kilcoy State High School	Lowood State High School	Toogoolawah State High School
Zoe Pendergast	Anunta Kongpreephan-Smith	Grace Jardine

Attachments

Nil

Recommendation

THAT Council receives the summary of awarded Somerset Regional Council All-Rounder Award Student Bursaries for the 2024 year and the contents be noted.

Resolution

Moved – Cr Isidro

Seconded – Cr Hurley

“THAT Council receives the summary of awarded Somerset Regional Council All-Rounder Award Student Bursaries for the 2024 year and the contents be noted.”

Carried

Vote - Unanimous

Subject:	Community Assistance Grants – Somerset Excellence Bursaries approved by CEO – November 2024
File Ref:	Community Relations – Sponsorships – Somerset Excellence Bursaries
Action Officer:	ESO - KG

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.
- Nomination (not selection) of a team to attend an event or training program Up to \$1,000 per team/group for nomination fees of four (4) or more individuals. (Whichever is lesser)

Council received one (1) excellence bursary application in November 2024. Somerset Excellence Bursary applications are as detailed below:

Applicant	Bursary Recipient	Doc Id	Field	Level	Event
November 2024					
Julie Eaddy	Ryder Cochran	1669089	Golf	International \$1000	Ryder Cochran has been selected as part of the team to attend the World Stars New Zealand Junior Open at Windross Golf Course Auckland New Zealand on 19-20 January 2025.

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Brieschke

Seconded – Cr Hurley

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

Carried

Vote - Unanimous

Meetings authorised by Council

Nil

Mayor and Councillor Reports

Cr Brieschke – Councillor Report

November

13 Ordinary Council Meeting
Workshop Meeting

- Toogoolawah Show Society AGM
- 14 Kilcoy Recreation Grounds Advisory Committee meeting
- 15 Esk District Co-op Ltd Annual General Meeting, Mt Beppo Hall
- 19 Economic Development and Tourism Advisory meeting, Esk
- Fernvale Recreation Grounds Advisory Committee meeting
- 20 Follow-up Team Building
- Councillor's Christmas photo
- Somerset Business Chamber dinner – Small Business Commissioner, Dominique Lamb, Presentation
- 22 Opening of exhibition Shared Words Lives Lived by Jim Filmer, Somerset Civic Centre
- 23 Made it Market, The Condensery, Toogoolawah
- 25 Somerset Arts, Culture & Heritage Advisory committee meeting, Esk
- 27 Ordinary Council Meeting
- Workshop Meeting
- 28 Meeting with resident
- 30 Exhibition opening by Lionel Fogarty and Elysha Rei, The Condensery

December

- 03 Visit with the Community Sewing Group, Lowood
- Toogoolawah State School Awards Ceremony, Toogoolawah High School
- 04 Esk State School Presentation Evening, Somerset Civic Centre
- 07 SES end of year function, Somerset Civic Centre
- Kilcoy Christmas Carnival
- 09 Harlin State School Awards Ceremony, Toogoolawah High School
- 10 Meeting with Jen Williams, Committee for Brisbane, Esk office
- 12 Somerset Council Employee Service Recognition presentation, Somerset Civic Centre
- 14 Toogoolawah Christmas Tree (volunteer)
- 17 Somerset Social Plan Advisory Committee meeting, Esk

Cr Bishop – Councillor Report

It has been a busy time, and I have attended lots of Christmas events in the last few weeks being:

- Christmas Lights Judging and award presentation
- Kilcoy Christmas Tree lighting and Christmas Carnival
- Esk Christmas Tree Lighting
- Toogoolawah Christmas Tree Carnival
- Toogoolawah Historical Society break-up
- Lowood Christmas Carnival
- Mt Kilcoy State School Graduation Ceremony
- Brisbane Valley Interagency
- Lowood Action Group

Cr Hurley – Councillor Report

December

- 03 Brisbane Valley Bulls Committee Meeting
- Somerset Volunteers Famil Dinner, Esk Grand Hotel
- 04 Prep presentation morning, Toogoolawah State School
- Esk State School Awards Night
- 05 Mount Kilcoy State School Awards Night
- 06 Fernvale Campdraft Christmas Party
- 07 Kilcoy Christmas Carnival

- 12 Service Recognition Afternoon Tea, Somerset Civic Centre
- 14 Toogoolawah Christmas Tree & Raffle Stall
- 17 Brisbane Valley Bulls Committee Meeting Esk

Cr Freese – Councillor Report

November

- Christmas Light Judging
- 20 Kilcoy Show Society Christmas luncheon
- 30 Glamorgan Vale Community Christmas Carnival - I'd like to thank those that supported us on a very wet night. The community rallied around a reduced carnival held inside the hall. A special thanks to the Mayor for attending.

December

- 01 Kilcoy Christmas Tree lighting
- 03 Christmas Dinner and Presentations with Visitor Information Centre Volunteers
- 04 Esk State School Presentation Night
- 05 Mount Kilcoy State School Awards
- 07 Kilcoy Christmas Carnival
- 09 Christmas Lights Winners Presentation
It was an amazing experience to be a judge and see the wonderful displays in the region. I'd like to thank Cr Bishop and Jason Beattie for their assistance in judging. We have some ideas to further enhance the competition next year.
- 09 Glamorgan Vale State School 150th Meeting
- 10 Esk Rural Fire Brigade Group Meeting at Wivenhoe Pocket
- 12 Leukaemia Foundation of Lockyer Brisbane Valley Leukaemia Christmas Luncheon
- SRC Service Recognition Presentation and Afternoon Tea
- 19 SWFSA Christmas Dinner

The Chief Executive expressed heartfelt gratitude for the unwavering support provided by Councillors to the Team. This year marked a period of change, a time that presents both challenges and opportunities. Remaining adaptable ensures we can achieve the best outcomes for our community. Collaboration and teamwork remain at the heart of our success, driving impactful results for those we serve. The words of encouragement and feedback shared in this room are shared back to lift the Team. As we approach the festive season, let's take the opportunity to bring joy and uplift spirits, spreading positivity throughout our community. Merry Christmas.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT the verbal and written reports of Mayor Wendt and Councillors Brieschke, Bishop, Freese, Hurley, Isidro and Jess 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

The meeting adjourned for morning tea at 10.44am and resumed at 11.15am.

Confidential Closed Session

The CEO advised the room that the Director Corporate and Community Services will remove himself prior to item 53 DA21832 – Update on development application – Refusal – Energex depot being considered in closed session.

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT in accordance with Section 254 (J) (1) (3) (d) and (e) of the Local Government Regulation 2012 Council move into a closed session to discuss agenda item 52 Rate rebate application – 04060-00000-000 and agenda item 53 DA21832 – Update on development application – Refusal – Energex depot at 11.16am.”

Carried

Vote - Unanimous

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council move out of a closed session at 11.38am and be once again open to the public.”

Carried

Vote - Unanimous

Subject:	Rate rebate application – 04060-00000-000
File Ref:	Rates - rebates
Action Officer:	DFIN

Confidential Closed Session

In accordance with section 254J (1) of the Local Government Regulation 2012 Council may close a council meeting to the public. Section 254J (3) states further, 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:

(d) Rating concessions

Recommendation

1. THAT the letter from the solicitor for the owner of assessment 04060-00000-000 be treated as an application from ratepayer 04060-00000-000 for a partial rate rebate and that Council provide a conditional partial rebate under the “hardship” provisions of *Local Government Regulation 2012* s120 (1) (c).
2. THAT the amount of the rebate is the amount calculated by deducting the amount of \$690,000 from all overdue rates and charges owing on the property as at 14 February 2025, thereby reducing the remaining overdue rates and charges against assessment 04060-00000-000, as at 14 February 2025, to \$690,000.
3. THAT the application of this rebate be conditional upon:
 - The sum of \$690,000.00 (representing the remaining overdue rates and charges, after application of the rebate) being paid in full to Council in cleared funds on or before the close of business Friday 14 February 2025
 - There being no building on the land included in assessment 04060-00000-000 which does not have a building approval as at close of business Friday 14 February 2025
 - There being a current approval pursuant to Council’s Local Laws to operate a caravan park on the land included in assessment 04060-00000-000 as at close of business Friday 14 February 2025
 - The owner of assessment 04060-00000-000 providing access to the property to authorised persons of Council, at all reasonable times, (and to provide access to any required documents or other evidence) up until 14 February 2025, so as to allow Council to determine whether building approvals exist for all buildings on the property and to determine whether there is any reason why a Local Law permit to operate a caravan park on the property should be revoked.
4. THAT, for avoidance of all possible doubt, the owner be advised that if payment of the sum of \$690,000 is not made, in full, on or before the close of business on Friday 14 February 2025, the rebate determined in paragraph 2 of this resolution will no longer be applicable.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

1. “THAT the letter from the solicitor for the owner of assessment 04060-00000-000 be treated as an application from ratepayer 04060-00000-000 for a partial rate rebate and that Council provide a conditional partial rebate under the “hardship” provisions of *Local Government Regulation 2012* s120 (1) (c).
2. THAT the amount of the rebate is the amount calculated by deducting the amount of \$690,000 from all overdue rates and charges owing on the property as at 14 February 2025, thereby reducing the remaining overdue rates and charges against assessment 04060-00000-000, as at 14 February 2025, to \$690,000.
3. THAT the application of this rebate be conditional upon:
 - The sum of \$690,000.00 (representing the remaining overdue rates and charges, after application of the rebate) being paid in full to Council in cleared funds on or before the close of business Friday 14 February 2025
 - There being no building on the land included in assessment 04060-00000-000 which does not have a building approval as at close of business Friday 14 February 2025

- There being a current approval pursuant to Council's Local Laws to operate a caravan park on the land included in assessment 04060-00000-000 as at close of business Friday 14 February 2025
 - The owner of assessment 04060-00000-000 providing access to the property to authorised persons of Council, at all reasonable times, (and to provide access to any required documents or other evidence) up until 14 February 2025, so as to allow Council to determine whether building approvals exist for all buildings on the property and to determine whether there is any reason why a Local Law permit to operate a caravan park on the property should be revoked.
4. THAT, for avoidance of all possible doubt, the owner be advised that if payment of the sum of \$690,000 is not made, in full, on or before the close of business on Friday 14 February 2025, the rebate determined in paragraph 2 of this resolution will no longer be applicable."

Carried*Vote - Unanimous*

Director Corporate and Community Services left the room at 11.29am.

Subject:	DA21832 – Update on development application – Refusal – Energex depot
File Ref:	DA21832
Action Officer:	CEO

Confidential Closed Session

In accordance with section 254J (1) of the Local Government Regulation 2012 Council may close a council meeting to the public. Section 254J (3) states further, 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:

- (d) 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 the Council authorise and direct the Chief Executive Officer to contact relevant Ministers of the State Government to seek their assistance in determining if there are any alternative means of resolving this matter with the aim of avoiding a costly and exhaustive hearing in the Planning and Environment Court between Council, a local government, and Energex, a State Government-owned corporation.

Resolution

Moved – Cr Freese

Seconded – Cr Brieschke

"THAT the Council authorise and direct the Chief Executive Officer to contact relevant Ministers of the State Government to seek their assistance in determining if there are any alternative means of resolving this matter with the aim of avoiding a costly and exhaustive

hearing in the Planning and Environment Court between Council, a local government, and Energex, a State Government-owned corporation.”

Carried

Vote - Unanimous

Director Corporate and Community Services returned to the meeting at 11.43am.

Closure of Meeting

Summary

There being no further business, the Mayor, Cr Jason Wendt closed the meeting at 11.43 am.

Appendix A

Proposed Fernvale Community Hall (FCH) - Schedule of Charges

AREA	DAY OF WEEK	HIRE PERIOD	COMMERCIAL PRICING	NOT FOR PROFIT (NFP) PRICING	CHANGE & RATIONALE
Area 6 FCH & Lawns	Weekday	Hourly (max 4hrs)	\$31	\$11	Consolidates the previous Casual Hire and Long Team / Repeat Hirer
Area 6 FCH & Lawns	Weekday	Full day	\$169	\$137	<p>The commercial price has been calculated by adding Casual Weekday hire \$120 + \$49 for additional inclusions.</p> <p>The NFP price has been calculated by multiplying the current hourly Monday to Thursday rate (\$11/hr) by 8 hours + \$49 for additional inclusions.</p>
Area 6 FCH & Lawns	Saturday (before 4pm)	Half Day (max 4hrs)	\$256	\$133	<p>The commercial price is half of the full \$462 rate + \$25 for additional inclusions.</p> <p>The NFP price has been calculated by multiplying the current hourly Friday to Sunday rate (\$27/h) by 4 hours + \$25 for additional inclusions.</p>
Area 6 FCH & Lawns	Saturday	Full day	\$511	\$370	<p>The commercial price has been calculated by adding Casual Saturday hire \$462 + \$49 for additional inclusions.</p> <p>The NFP price is the Sunday full day commercial pricing, similar discount to other NFP pricings + \$49 for additional inclusions.</p>
Area 6 FCH & Lawns	Sunday	Half day (max 4hrs)	\$185	\$133	<p>The commercial price has been calculated by adding Casual Saturday half-day hire \$160 + \$25 for additional inclusions.</p> <p>The NFP price has been calculated by multiplying the current hourly Friday to Sunday rate (\$27/h) by 4 hours + \$25 for additional inclusions.</p>

Area 6 FCH & Lawns	Sunday	Full day	\$370/d	\$265/d	<p>The commercial price has been calculated by adding Casual Sunday hire \$321 + \$49 for additional inclusions.</p> <p>The NFP price has been calculated by multiplying the current hourly Friday to Sunday rate (\$27/h) by 8 hours + \$49 for additional inclusions.</p>
Area 6 FCH & Lawns	Hire of the building or any part to conduct an election		\$1097/d	N/A	No change proposed.

Recognised no fee hire users: Fernvale Girl Guides & Fernvale Artists (SASI).

Hire fees do not apply for Fernvale Community Hall where the hire is for a meeting by a community group which includes a Council-appointed representative.

Proposed Schedule of Charges for Col Powell Park and the Fernvale Community Hall

BONDS & DEPOSITS

	Area 1 Full use of grounds	Areas 2-6
Unlicensed function	\$926	\$462.00
Licensed function	\$1550	\$775.00
Sand arena		\$66.00
Key deposit		\$24.00
Non-refundable deposit		\$45.00

HIRE – requires public liability insurance, all hires have access to the Amenities Block

AREA	AREA DESCRIPTION	HIRE PERIOD	STANDARD PRICING	RECOGNISED KEY STAKEHOLDER	CHANGE & RATIONALE
Area 1	Full use of grounds (Includes Fernvale Community Hall)	Day use (per day)	Weekday \$667 Sat \$1009 Sun \$874	Weekday \$445 Sat \$787 Sun \$652	Combined quick reference rates. FCH plus Area 2 Full use of grounds rates.
Area 2	Full use of grounds (Excludes Fernvale Community Hall)	Day use (per day)	\$547	\$325	Formerly Area 5
Area 3	Campdraft - Amenities Block - Yards x2 - Sand Arena - Camping grounds	Day use (per day)	\$234	\$141	Formerly Area 2
Area 3	- Sand arena only	Per hour or part thereof	\$38	\$38	Formerly Sand arena only
Area 4	- Grass Area - Overflow camping and Carparking	Day use (per day)	\$76	\$48	
Area 5	Pony Club - Dressage arena - Show jumping arena - Steel Yards - Overflow camping and Carparking	Day use (per day)	\$234	\$141	Formerly Area 3

Recognised Key Stakeholders: Fernvale Campdraft Association.

Appendix B



Policy Subject/Title: CEMETERY POLICY

Policy Number: OP/009

Responsible Officer: Director Operations

Legislative or Regulatory Reference: Relevant local laws
Land Act 1994 Division 10
Land Regulation 2009

Related Policies / Procedures: Schedule of charges
Cemetery Procedure (Burials) – P-158
Grave Digging Procedure – P-920

Authorised by: Somerset Regional Council

Authorised on: 28 September 2011 (Doc Id 580907)

Review / Amendment dates: 11 July 2013 (Doc Id 711676 / no amendment)
9 July 2014 (Doc Id 763621)
19 December 2024 (Doc Id

1. OBJECTIVE

To allow for effective and efficient reservation services at Council controlled cemeteries in a way that manages risks and meets legal requirements.

2. BACKGROUND

Somerset Regional Council controls cemeteries at Esk, Fernvale, Kilcoy, Lowood, Toogoolawah, Moore, Bryden, Caboonbah, Fairview and Wivenhoe Pocket.

The largest cemeteries have the following features:

Cemetery	Land area
Esk	1.72 Ha plus 1.10 Ha – total 2.82 Ha
Fernvale	2.02 Ha
Kilcoy	4.04 Ha
Lowood	2.02 Ha
Toogoolawah	4.04 Ha

Council operates its cemeteries at a financial loss.

Cemetery records held vary in quality as at November 2024. Council became trustee of Fernvale cemetery in 2010 and took delivery of records for that cemetery including reservation records at that time.

All Council cemeteries have some historical reserved burial rights however reservations were not accepted at most Council cemeteries for many years until Council, at its meeting held on 28 September 2011, resolved to start accepting burial right reservations again.

3. PURPOSE

This policy seeks to allow reservations of burial rights in new graves at Council controlled cemeteries only where reserved plots can be reliably and permanently marked on the ground at the cemeteries.

It is considered that this can be achieved:

- A. In lawn cemetery sections, through the construction of so-called “beam” cemetery sections where concrete beams installed can map out future plots and allow for the clear identification of sites.
- B. In monumental cemetery sections, through the placement of immovable markers across or around a single plot adjacent to the plot of a recently deceased next of kin.

4. SCOPE

This policy relates to all Council controlled cemeteries.

This policy does not apply to reservations of burial rights that were accepted prior to the adoption of this policy.

5. POLICY

Definitions

- “Beam cemetery” is a type of cemetery section where a concrete beam installed by Council on the ground defines future and present burial plots.
- “Burial right” is a right to be buried in a nominated grave for 40 years
- “Established resident” is a person who has resided permanently within Somerset Region for a period of at least 12 months.
- “Monumental cemetery” is a type of cemetery section where most graves are marked with the erection of a monument.

Guidelines – beam cemeteries

- A. An established resident may reserve a burial right for a period of 40 years within any beam cemetery controlled by Council by paying the fee adopted by the Council.
- B. People who are not established residents may also reserve a burial right for a period of 40 years within any beam cemetery controlled by Council by paying the fee adopted by the Council. The fee for people who are not established residents will be higher than the fee for established residents because cemeteries are a subsidised operation of the Council.
- C. Burial rights may only be granted following the completion of a Council application form in the name of the reserved person in conjunction with payment of the scheduled fee. The granting of a burial right is given by the signature of the Chief Executive Officer or authorised delegate on the application form indicating acceptance.
- D. Burial rights may be granted for any unused or unreserved plot within a beam cemetery.
- E. Burial rights confer only on the person named on the accepted application form and are not transferable in any way to any other person including through purported sale, family settlement or transmission by death.
- F. Burial rights expire after a period of 40 years from the date of accepted application to allow for the efficient use of scarce cemetery land.
- G. No refunds will be issued in respect of any burial right regardless of whether the right has expired, has been surrendered or otherwise is not usable by the named applicant.
- H. Burial rights shall be physically indicated at the plot with a marker that will have a design life of at least 40 years. The year of expiry of the burial right together with an identifying reference number will be indicated.
- I. Council will forward a reminder letter or other correspondence to the last known address of the person for whom the reservation is held 12 months before the expiry of the burial right if it is still unused at that time.

Guidelines – monumental cemeteries

- A. A person may reserve a burial right for a period of 40 years within any monumental cemetery controlled by Council by paying the fee adopted by the Council, by providing

evidence that he or she is the next of kin of the deceased and by making the application for the reserved burial right at the same time as the application for a grave for the recently deceased is made.

- B. The granting of a burial right is given by the signature of the Chief Executive Officer or authorised delegate on the application form indicating acceptance.
- C. Only one application for a burial right (that is for a single plot) within a monumental cemetery will be accepted and the plot that is allocated will be the plot that is immediately adjacent to the recently deceased.
- D. Plots within a monumental cemetery will not be held aside pending reservation applications. The burial right application for the next of kin must be made at the same time as the grave application for the recently deceased or the right to make an application will be deemed to have lapsed.
- E. In the event of competing and otherwise valid applications for a reserved burial right in a monumental cemetery by two people both claiming to be the next of kin of the deceased, neither application will be accepted and no approval for any burial right adjacent to the recently deceased will be issued.
- F. The fee for a burial right for people who are not established residents will be higher than the fee for established residents because cemeteries are a subsidised operation of the Council.
- G. Burial rights confer only on the person named on the accepted application form and are not transferable in any way to any other person including through purported sale, family settlement or transmission by death.
- H. Burial rights expire after a period of 40 years from the date of accepted application to allow for the efficient use of scarce cemetery land.
- I. No refunds will be issued in respect of any burial right regardless of whether the right has expired, has been surrendered or otherwise is not usable by the named applicant.
- J. Reserved plots in monumental cemeteries will be identified through the placement of fixed markers at the plots, the design of which shall be approved by the Chief Executive Officer or delegate. As a minimum, the markers will indicate the entire perimeter of the reserved plot and will indicate the year of expiry of the burial right together with an identifying reference number.
- K. Council will forward a reminder letter or other correspondence to the last known address of the person for whom the reservation is held 12 months before the expiry of the burial right if it is still unused at that time.

6. CONTROLS

This policy is subject to normal accounting controls.

7. DATE OF RESOLUTION

This policy was approved by the Chief Executive Officer and adopted by the Somerset Regional Council at the Ordinary Meeting of 28 September 2011. This policy was last reviewed

and amended on 19 December 2024.

Signed: Date 19 December 2024

Appendix C



Policy Subject/Title: Plant and Equipment - Availability for Emergency Purposes

Policy Number: OP/011

Responsible Officer: Disaster Management Officer

Authorised by: Somerset Regional Council

Authorised on: 20 December 2013 (Doc Id 735005)

Review / Amendment dates: 19 December 2024 [Doc Id]

1. OBJECTIVE

To formalise the policy with regard to the hiring out of plant and equipment during emergencies.

2. BACKGROUND

Council plant and equipment is available to Emergency Service agencies for use during emergencies. This policy will attempt to formalise the conditions of use for this equipment.

3. PURPOSE

The purpose of this policy is to ensure that all parties are aware of their obligations to minimise any confusion on how and when the policy applies.

4. SCOPE

During emergencies, an agency can request the assistance of Council by following the policy below.

5. POLICY

Council policy in relation to the provision of plant and equipment for emergency purposes is as follows -

- (a) Council equipment is available for emergency purposes within the region.
- (b) Requests for the use of equipment outside the region's boundary will be considered on its merits.
- (c) Making Council equipment available incurs a cost and Council will endeavour to recover the cost of hire for the equipment and wages for the operator whenever Council equipment is made available. With regard to recouping costs from the Queensland Fire Departments (QFD), the following differentiation applies -

QFD - Urban Areas

Council will attempt to recover costs by invoicing QFD for any equipment provided in the urban fire brigade areas of Lowood, Esk, Toogoolawah and Kilcoy, with the following exceptions -

- (i) if the fire began on Council property.
- (ii) if the fire is threatening Council owned infrastructure.

QFD - Rural Areas

For those incidents falling outside the defined urban areas Council will not seek reimbursement from the Rural Fire Services and will waive any costs associated with the provision of this plant or equipment, with the following exception -

- (i) Council will only seek payment from QFD (Rural Fire Service) if these costs can be recovered from a third party.

- (d) Council equipment made available for emergency use should only be retained for the shortest practical time necessary.
- (e) All requests are to be made to Council from the relevant agency's Communications Branch (eg FireComm) with the following information provided by email to mail@somerset.qld.gov.au -
 - (i) An incident number
 - (ii) Precise location of the incident for which the equipment is required.
 - (iii) Details of the equipment requested and location where the equipment is to be deployed.
 - (iv) Purpose for which the equipment will be deployed.
 - (v) Approximate duration equipment will be required.
- (f) Approval to make Council equipment available can only be given by the following authorised personnel -
 - (i) Chief Executive Officer
 - (ii) Director Operations
 - (iii) Works Manager
 - (iv) Works Coordinator.
- (g) While it is accepted that if Council equipment is made available for emergency purposes such equipment will be at the direction of the person in charge or control of the incident, Council reserves the right for its operators (or the authorised officers noted above) to remove the equipment if it is considered the equipment is in any danger of damage.

6. EFFECTIVE FROM

This policy is effective from XX MONTH 20YY.

7. DATE OF RESOLUTION

This policy was approved by the Chief Executive Officer and adopted by the Somerset Regional Council at the Ordinary Meeting of 20 December 2013. This policy was last reviewed and amended on 19 December 2024.

Signed:

Date: 19 December 2024