



**Minutes of Ordinary Meeting
Held Wednesday, 22 January 2025**

*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 Sally Jess	(Councillor)
Mr A Johnson	(Chief Executive Officer)
Mr C Young	(Director Operations)
Mrs M Jelf	(Acting 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)

Absent

Cr Kylee Isidro	(Councillor)
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Opening of Meeting

The Mayor, Cr Jason Wendt, opened the meeting at 9.00am.

Leave of Absence

Cr Isidro has requested a leave of absence from today's meeting.

Resolution

Moved – Cr Freese

Seconded – Cr Hurley

“THAT Cr Isidro be granted a leave of absence from today's meeting”.

Carried

Vote - Unanimous

Mayor Wendt requested a leave of absence from the meeting of 12 February 2025 due to attending the COMSEQ Singapore and European Mission. Deputy Mayor Brieschke will chair the meeting in the Mayor's absence.

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT the Mayor be granted a leave of absence from the meeting of 12 February 2025”.

Carried

Vote - Unanimous

Confirmation of Minutes**Resolution**

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT the Minutes of the Ordinary Meeting held 19 December 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**

The federal government Blackspot program is now open and closes at the end of the month. I would just like to encourage community members to report problems and to be site specific with the issues so that they can hopefully be addressed in this program. I wouldn't say that reporting is easy but it definitely something which will help our community long-term.

Matters of public interest – Cr Bishop

Australia Day is currently on the 26th January and like many others I will take time to celebrate the shared values of our nation. Core Australian values encompass a deep-seated respect for

democracy, equality, and fairness. Australians cherish their rich cultural diversity, fostering an inclusive society where everyone is treated with dignity and respect regardless of their background. There's a strong sense of mateship, mutual support and loyalty, that permeates both personal relationships and communal life. The spirit of egalitarianism is prevalent, with a belief in equal opportunities and a fair go for all. Australians also have a profound appreciation for the natural environment, and sustainability is a key component of their values. In essence, the core Australian values reflect a balance of personal freedom, collective responsibility, and a commitment to justice and environmental stewardship. I also acknowledge the growing number of people who are choosing to reflect that 26th January is a day to consider survival of the first nations peoples of this country.

Over the Christmas period I was lucky enough to have remained in the beautiful Somerset Region. As I visited friends I became aware that the Esk Hospital did not have any medical cover for several days. As we are aware there is limited telehealth available at the Esk Hospital. To compound the issue, the local general practice could not open due to ill health. This in no way reflects on the excellent nursing care at Esk but several members of the community were forced to drive to Ipswich to get care and one person was sent to the Sunshine Coast. Like many community members I believe that a minimum of service and care at our hospital includes 24 hour access to a doctor. Esk is a country hospital and I do not think that this service level is good enough. As a result I would like to move the following motion:

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council write to the Minister for Health and Ambulance Services to express concern about the lack of medical coverage at Esk Hospital over the Christmas period, highlighting the risks to community health and safety. Council urges that, as a minimum, the community be guaranteed daily access to an onsite doctor at Esk Hospital and seeks a prompt response outlining steps to resolve this issue.”

Carried*Vote - Unanimous*

Last week Gary Fraser, passed away. Gary was a veteran and I acknowledge his service in the armed forces and also to the Lowood Community. My condolences go to the family.

Matters of public interest Cr Hurley

We have some exciting events coming up in the Somerset region in the coming weeks:

- 24 Somerset Regional Council Australia Day Awards and Citizenship Ceremony
 - 26 Kilcoy Race Club Inc. Australia Day Races including Fashions on the Field
BVRT Free Park Ride – free social bike ride starting at 6am in Lars Andersen Place carpark in Esk – check out their Facebook page for further information.
 - 26 Somerset Pool Parties at Kilcoy, Toogoolawah and Lowood pools
- February
- 02 Lowood Stags Sign on Day 9am – 12pm
 - 04 Brisbane Valley Bulls Sign on and Come and Try Day 4pm – 6pm

Matters of public interest – Cr Freese

Thank you to all the Council staff who have worked over the holiday period. It was a challenging time with all the storms! So I just wanted express my thanks to who may have worked.

Australia Day is a chance to celebrate what's so good about our great nation. Its really a great day to celebrate the core values of the nation. I love Australia Day so I encourage everyone

to join in the celebrations on Friday at the Somerset Civic Centre and the Kilcoy Races on Sunday. There a lot of activities going on across the region so I encourage you to find an activity near you and join in!

Unfortunately, also over the Christmas period there was a lot of crime happening. We seem to be suffering an epidemic in the South of the Region at the moment. I hope that this is only fleeting, and our Police force will soon have this in hand.

Matters of public interest – Cr Jess

January

- 24 Australia Day Awards and Citizenship Ceremony
- 25 Seqwater and Urban Utilities Summer Safety Launch, The Spit Somerset Dam
- 26 Somerset Pool Parties, Lowood, Kilcoy, and Toogoolawah
- 29 Club IQ free Empowering Sports and Community Clubs Workshop, Lowood Bowls Club

Matters of public interest – Mayor Wendt

January

- 26 BVRT Australia Day Ride starting in Fernvale at 6am.

February

- 01 Patrick Estate State School celebrates 100 years

On 4 February I am attending the Council of Mayors South East Queensland delegation that is heading to Singapore, Manchester and Paris. We will be looking to see what Paris and Manchester have done well and not so well with hosting the Olympics and try to get ahead of the game for when we host Brisbane 2032.

The Mayor noted that after 25 years with Council, this will be the final ordinary meeting for the Director Finance and thanked him for his tireless efforts for Council and the Somerset Region.

Declarations of Interest

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

Subject:	Development Application No. 24481 – 2983 Forest Hill Fernvale Road, Lowood Combined Development Application for a Variation Approval to establish the Lowood Estate Development Code, a Development Permit for Stage One of the Subdivision, and a Development Permit for Early Bulk Works
File No:	DA24481
Assessment No:	01467-00000-000
Action Officer:	SP—MO

1.0 APPLICATION SUMMARY

Property details

Location:	2983 Forest Hill Fernvale Road, Lowood
Real property description:	Lot 56 SP197415 and Lot 57 SP197415
Site area:	41.7 hectares
Current land use:	Pastoral or cropping land
Easements/encumbrances:	Nil identified

South East Queensland Regional Plan

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 applicable
Desired settlement pattern:	Future residential Future park residential Constrained land
Overlays:	OM4 Bushfire hazard overlay OM7 Flood hazard overlay OM8 High impact activities management area overlay OM9 Infrastructure overlay

Application details

Category of assessment:	Impact assessment and variation request
Applicant details:	Lowood One Pty Ltd C/- Sargeant Planning 2563 Gold Coast Highway MERMAID BEACH QLD 4218
Owner details:	Lowood One Pty Ltd
Date application received:	13 December 2023
Date application properly made:	19 January 2024

Referrals

State Assessment and Referral Agency

Public notification

Notification period	Required 16 May 2024 to 27 June 2024
Submissions received	Seven received, including a petition. All opposing the development

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 56 SP197415 and Lot 57 SP197415
Situating at 2983 Forest Hill Fernvale Road, Lowood**

2.0 PROPOSAL

2.1 Background

This combined development application seeks approval for a preliminary approval that includes a variation request, development permit for Stage one of the subdivision and development permit for early works, on land at 2983 Forest Hill Fernvale Road, Lowood, formally described as Lot 56 SP197415 and Lot 57 SP197415.

The application comprises four aspects which seek:

1. Preliminary Approval (including a Variation Request) for Material Change of Use for Dwelling Houses and Dual Occupancies (vary the Planning Scheme with the Lowood Estate Development Code);
2. Preliminary Approval (including a Variation Request) for Reconfiguring a Lot by Subdivision (358 Residential Lots, Open Space, Road and Drainage in accordance with the Lowood Estate Development Code);
3. Development Permit for Reconfiguring a Lot by Subdivision (Two Lots into 48 Lots plus One Balance Lot, Road, Open Space, and Drainage); and
4. Development Permit for Operational Works for Earthworks and Vegetation Clearing (associated with Stage One).

The intent of the preliminary approval is to facilitate future development applications that ultimately create 358 residential allotments, a new local park, and a linear drainage reserve. It does so by establishing appropriate zoning and provisions for residential development and the open space areas for future development applications to be assessed against. The stage one subdivision forms part of this application, and regard to the proposed variations is given to the assessment of this stage of the subdivision.

2.2 Proposed zoning and alignment with the settlement pattern

The proposal seeks to apply the provisions of the General residential zone (not part of a precinct) to the developable part of the site, through a new zone called the Lowood Estate Residential Zone. Additionally, the proposal seeks to zone the open space and drainage areas as the Lowood Estate Open Space Zone. The current zoning of the site is Emerging community zone, which provides for land in the urban footprint that may be suitable for development for urban purposes.

The planning scheme, through the strategic framework, sets the requirements that apply to the conversion of Emerging community zoned land for an urban purpose. This includes the indication of suitable future land uses that support the desired settlement pattern. For this site, the desired settlement pattern includes Future General Residential and Future Park Residential areas, as well as areas that are shown as being subject to constraint (in this instance, due to flood hazard). The portion of the land that is shown as suitable for future residential uses is on the south-western side of the land, generally adjoining the already developed park residential lots off Reinbotts Road. The balance of the land is shown as being suitable for park residential uses, provided that flooding can be addressed, including areas that adjoin the existing general residential properties in the Haslingden Park estate and along Daniel Street.

The proposed zoning strategy does not reflect the desired settlement pattern, as the proposal is for residential development and open space, with no park residential development provided. However, the proposal does align with the provisions within the strategic framework, and the overall outcomes of the Emerging community zone code. This is because the use of Park Residential Development is intended to be limited to areas that cannot be serviced by necessary infrastructure. The application has demonstrated that the area is well located, readily serviceable and achieves the compact urban form and affordable housing choice elements of the planning scheme. Most notably, the land is bordered on the east by existing traditional and suburban development at general residential densities, with the land to the south intended for future residential development at general residential densities (adjoining the existing Eagle Rise estate).

Additionally, the South East Queensland Regional Plan requires new rural residential development (such as park residential development) to only be provided in locations where urban development is not suitable. Having sufficiently addressed the constraints of the site, the proposal demonstrates urban residential outcomes are appropriate on the land.

2.3 Proposed masterplan layout

The masterplan provides for a variety of lot sizes, generally between 450m² and 850m² (a small number of larger lots exists in areas that would otherwise require irregular shaped lots), with 16 allotments planned to be dual occupancies. The design prioritises providing larger allotments where adjoining existing residential allotments, such as providing minimum 600m² allotments on the eastern boundary and providing generally 800m² allotments where adjoining the western boundary adjoining existing park residential and future park residential allotments.

The planning scheme provides that general residential development in planned estates have minimum lot sizes down to 450m². As such, the masterplan is compliant with the minimum lot size provided in the planning scheme. However, as the planning scheme does not provide for amended design requirements for the smaller allotments, the proposal requires alternative outcomes for the lot frontages (which should generally be 18m). Lot frontages within the estate are generally 15m, 17m, 18m and 20m (with wider frontages on the larger allotments adjoining the park residential area). These lot frontages provide for suitable space to construct detached dwellings on a lot and provide separation between buildings. Of note, they are sufficiently wide to avoid built to boundary walls.

The layout provides for direct access to Forest Hill Fernvale Road, with a central collector street, that circles the proposed local park and central drainage area. Additionally, a road connection to Williams Street and a pedestrian connection to the Bray Street Park (Haslingden Park) integrates into the established neighbourhood. Passive provision for a future connection to Reinbotts Road is provided at the first Emerging community zoned allotment on Reinbotts Road, as well as protection of a future road corridor to the lot to the north should that land be able to be developed in the future.

The centrally located local park, to be delivered in Stage 4, provides for the local recreation needs of the residential area, with most lots within a 400m radial distance. The masterplan provides footpaths through the estate on each street and will be provided with street trees in accordance with the *Planning Regulation 2017* walkable neighbourhood provisions.

Importantly, only stage one is proposed to be approved as part of this application. Future development applications are required for each subsequent stage, in which the designs of each future stage are subject to further assessment and refinement as the development progresses.

2.4 Proposed dwellings and dual occupancies

The proposal includes varied provisions for the design and siting of future dwelling houses and dual occupancies. Currently, the town planning design requirements for dwelling houses are primarily contained within the Queensland Development Code, noting that the proposal does not involve variations to the planning scheme's Dwelling house code. For dual occupancies, the development proposes variations to both Council's Multiple dwelling and dual occupancy code and the Queensland Development Code.

With respect to setbacks, there are two primary changes. Firstly, the proposal does not allow for built-to-boundary walls to occur, unless in accordance with an approval given by Council. Built-to-boundary walls are an option for any dwelling house under the Queensland Development Code. As each lot is a minimum of 15m wide, reasonable sized dwellings can occur without built-to-boundary walls, with the proposed plans of development providing a minimum 1.5 metre side setback on all allotments. This helps ensure that, whilst the lots have less area than other parts of Lowood, the estate retains standard residential setbacks consistent with these areas.

The other primary change is that dual occupancies, and dwelling houses on lots less than 600m² in size are afforded an alternative frontage setback. The Queensland Development Code provides that dwelling houses and dual occupancies should be at least six metres (on new streets where no other development exists). This provision will continue to apply to lots 600m² and over. The proposed change enables the front wall of the building to be 5 metres from the street frontage, other than garages which must remain 6 metres. This design provision allows for the habitable parts of dwellings to be brought closer to the road, improving the variation in built form along the streetscape.

For dual occupancies, the plan of development provides additional controls around fencing and open space areas beyond the requirements of the planning scheme, to ensure that private open in road setbacks (which is permitted by the planning scheme) has a lessened impact on the streetscape, whilst also enabling an appropriate level of privacy onsite.

It is intended that the plan of development be approved as part of the reconfiguration approvals for each stage, and as such only the stage one plan of development is to be approved as part of this development application. The recommended development conditions reflect this

requirement, and provide that each stage must include a plan of development that compiles with the requirements of this variation approval.

2.5 Flooding and stormwater

The development application has been accompanied by detailed technical reporting for the stormwater and hydraulic (flooding) impacts, with preliminary consideration given for the entire development site, and detailed consideration given for the stage one development. Further to these strategies will be required prior to the commencement of works for stage one, as well as detailed assessments as part of future development applications for each stage.

To ensure that the stormwater and flooding strategies are appropriately managing the impact of stormwater and flooding, Council engaged a suitably qualified consultant to peer review the three submitted reports (master stormwater, master hydraulic, and stage one reports). The peer review found that the ultimate strategy is generally acceptable, with further refinements required as the development progresses.

The peer review also found that stage one and early works strategies also require further refinement to ensure that downstream impacts are managed. As such, the recommended development conditions require that amended reporting be provided prior to the commencement of the early works, or as part of the application for stage one civil works, whichever occurs first. Council will also have such reporting peer reviewed.

The flooding strategies ensure that the flood flows along the watercourse is fully contained within the widened channel during the design event (1% AEP), with all lots to be raised above this level to achieve the required floor levels at future houses.

2.6 Access and traffic impact

The development application was accompanied by a Traffic Impact Assessment Report that demonstrates that the proposed intersection with Forest Hill Fernvale Road, as well as the increased traffic placed on Forest Hill Fernvale Road at Peregrine Drive intersection, and the Prospect Street and Park Street intersection, meet the relevant requirements of the Department of Transport and Main Roads.

The State Assessment and Referral Agency has undertaken an assessment of the development application and offered no objection to the approval of the application, subject to the imposition of development conditions. These conditions will be included on any development approval, as required by the *Planning Act 2016*.

The internal road network complies with the requirements of the Somerset Region Planning Scheme with respect of an appropriate road hierarchy for the number of allotments being serviced, road widths and connections (including future connections) to surrounding developments.

As part of the State Assessment and Referral Agency response, the internal collector road must be designed to allow for a single rigid bus to facilitate a future bus route, should one be required in the future.

It is noted that the application includes a connection to Williams Street as part of the first stage. Given the layout of the Haslingden Park estate and the route through to Walters Street, it is not anticipated that this connection will provide an undue impact on the local road network due to through-running traffic.

It is considered that the development application has demonstrated compliance with the relevant Council and State Government requirements with respect to traffic impact.

3.0 SITE DETAILS

3.1 Description of the land

The development land comprises two allotments with a combined area of 41 hectares. The lots front to Forest Hill Fernvale Road on the southern boundary, has a connection to Williams Street on the south east boundary, and shares a common boundary with 57 allotments.

The land is relatively flat and largely cleared of vegetation, having been previously used as cropping and pastoral land. A waterway bisects the property, with the land draining to the north.

Land adjoining the development site on the south east is a suburban housing area developed in the early 2000s (Haslingden Park estate) where single residential housing on residential lots (typically 800m², being 20m wide by 40m deep). To the east of the site is a traditional residential area, originally developed in the 1920s, again improved within single residential character houses on larger residential lots (typically 1,000m² in a 20m wide by 50m deep arrangement).

Land to the north is emerging community zoned land currently used as cropping land. Land to the west comprises a mixture of park residential lots, and emerging community land for further park residential development.

3.2 Site approval history

The development approval history for planning applications over the subject site is as follows:

Reference:	Decision date:	Description:
DA4338	16 November 2005	Development Permit for Reconfiguring a Lot by Realignment of Boundaries (4 lots into 4 lots)

3.4 Connection to electricity and telecommunications

The land is within the Emerging community zone, with the development proposing a General residential outcome. As such the recommended development conditions require the development to connect to the reticulated electricity and telecommunications networks in line with the planning scheme requirements.

4.0 PLANNING LEGISLATION

The application will be assessed against the matters set out in sections 45 and 61 and decided in accordance with sections 60 and 61 of the *Planning Act 2016*.

Unlike with code assessment, Council is afforded a broad planning discretion in making its decision under the *Planning Act 2016*. The Planning and Environment Court established that there are three requirements to exercising planning discretion, summarised as follows:

- (a) it must be based on the assessment of the application;
- (b) the decision-making function must be performed in a way that advances the purpose of the *Planning Act 2016*; and
- (c) the discretion is subject to any implied limitation arising from the purpose, scope and subject matter of the *Planning Act 2016*.

5.0 VARIATION REQUEST ASSESSMENT

The *Planning Act 2016* provides separate rules to the assessment and decision of variation requests to those that apply to 'standard' development applications made under the Act. These are contained within section 61 of the Act.

The following headings reflect the matters that Council must consider when assessing a variation request.

5.1 The result of the assessment of the balance of the development application

The assessment of the balance of the development application is contained within section 6.0 of this report.

The proposal is considered to be generally consistent with the planning intention of the Somerset Region Planning Scheme, noting that further development approvals are required at each stage that demonstrate the specific detail of the proposed allotments are compliant with the relevant planning requirements.

5.2 The consistency of the variations sought with the rest of the planning scheme

5.2.1 Underlying planning instrument

The variation request seeks to preserve the provisions of the Somerset Region Planning Scheme (Version 4.2), despite any future amendments to the planning scheme. Officers have reviewed multiple variation approvals in other local government areas and identified that there is no consistent approach between preserving planning schemes as part of the variation, or applying the variation over the planning scheme as amended from time to time.

Officers have determined that the appropriate avenue in this instance is to enable the underlying planning scheme to be amended from time to time, whilst the applicant benefits from the specific variations that were requested in the variation request. As such, the recommended variations drafted for approval provide that, if the planning scheme is amended, the amended provisions would apply to development of the land, unless a conflicting variation exists.

5.2.2 Proposed zoning

The primary purpose of the variation is to apply a zone called the Lowood Estate Residential Zone to the future stages of subdivision, dwelling houses, and dual occupancies under the Variation Approval. This zone generally aligns with the General residential zone, with further specific variations, as identified in the sections below. Additionally, the open space area is to be included in the Lowood Estate Open Space Zone, which generally mirrors the Recreation and open space zone in the planning scheme.

It is important to note that the zoning of the land under the planning scheme does not change because of a Variation Approval (unless Council was to separately rezone the land as a planning scheme amendment), and that the benefits of the amended zoning sought would only apply whilst the Variation Approval is in effect.

Additionally, any development that is not consistent with the Variation Approval does not benefit from the variations and must be assessed against the relevant planning instruments at the time the application is made.

As the proposed zonings are generally consistent with the planning scheme zones (except as described below), it is considered that the variation request is generally consistent in this respect.

5.2.3 Reconfiguration provisions

The Lowood Estate Development Code seeks to codify (as an acceptable outcome) the allotment mix presented in the masterplan, including the use of 15% lots measuring 450-499m² and 40% of lots measuring 500-599m². The planning scheme provides for lots between 450m² and 600m² to be used as part of a masterplan estate, however there are no ratio or design requirements for the inclusion of the 450-600m² product.

Additionally, the proposed acceptable outcome provides that the predominant lot size of 600m² is used where adjoining existing general residential allotments and 800m² is used where joining the park residential allotments. Officers consider that the proposed lot mixture and integration with surrounding development appropriately balances the variety of lot types in a way that is generally consistent with the planning scheme.

5.2.4 Proposed dwelling houses and dual occupancy

The proposal seeks to create a plan of development for each stage, which will control the design and siting of dwellings and dual occupancies. Where a conflict exists between the planning scheme or the Queensland Development Code and the plan of development, the plan of development will prevail.

The proposed changes (which are described generally at section 2) are considered generally in accordance with the intention of the current provisions, or otherwise seek to secure a particular outcome to improve the streetscape appearance of development in the estate.

5.3 The effect of the variations on submission rights for later applications

The proposed variations include a lowering of the category of assessment for subdivisions as well as dual occupancies. This will impact on the submission rights for later development applications, as discussed below.

5.3.1 Future subdivision stages

Currently, the land is within the Emerging community zone where the creation of lots less than 10 hectares in area requires impact assessment. The proposal seeks to apply the provisions of the General residential zone to the site, which does not have an impact assessment trigger for subdivision.

The applicant has proposed a specific variation that requires impact assessment where the reconfiguration would create a lot less than 450m², with code assessment to apply otherwise.

This additional impact trigger ensures that the minimum lot sizes presented to the community during consultation are maintained, or otherwise additional consultation will be required.

5.3.1 Future dual occupancies

Currently, any dual occupancy on the site would require an impact assessment due to the site being in the Emerging community zone. In the General residential zone, the development of a dual occupancy requires code assessment.

The applicant has proposed a specific variation to the table of assessment that allows dual occupancies to occur as accepted development when on a lot identified on an approved Plan of Development (or POD) or requiring code assessment otherwise.

5.4 Other matters prescribed by *Planning Regulation 2017*

The *Planning Regulation 2017* establishes that Council must consider the common material of the application, the relevant regional plan, the State Planning Policy (to the extent the State Planning Policy is not identified as being integrated into the planning scheme) and any temporary State planning policy as part of the variation request.

These matters are discussed in later parts of this report.

6.0 ASSESSMENT BENCHMARKS

The proposal requires assessment against the following assessment benchmarks.

6.1 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 the proposal is considered to comply (to the extent relevant).

SPP assessment benchmarks

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 detailed assessment of stormwater quality has been carried out as part of the application, and the proposal is considered to (subject to the recommended development conditions package) comply with the SPP benchmarks for water quality of 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 not affected by mapping for natural hazards as part of the SPP.
Flood hazard is considered in the local planning scheme assessment later in this report.
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.

6.2 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.

As the application requires impact assessment, Council must assess the application against the matters in Chapter 3, Part A (Outcomes and strategies) and Part C (Sub-regional outcomes) of the regional plan.

It is important to note that the dwelling supply targets, diversity sub-targets, and social housing and affordable housing targets and sub-targets contained within the regional plan (including where referenced in an assessment benchmark) are not relevant to the assessment of development applications (refer to Chapter 4 of the regional plan).

Shaping SEQ 2023 Chapter 3, Part A Outcomes and strategies

Theme 1 – Grow
The Grow theme provides for outcomes regarding efficient land use, the provision of adequate housing supply and diversity, providing social and affordable housing, and growing rural towns.
The proposal is considered to advance the relevant strategies under these outcomes, noting that the proposal provides for a well located residential development, that provides a mixture of lot sizes to support a variety of housing typologies, including dual occupancies. The proposal is on a well located site that support appropriate growth of Lowood supported by existing infrastructure, and has been designed to integrate into the surrounding neighbourhoods and respect the local character of Lowood.
Theme 2 – Prosper
The Prosper theme provides for the ongoing economic development of South East Queensland, and accordingly provides for outcomes that relate to major commercial, industry, tourism, and economic clusters. The development therefore does not directly relate to any of the strategies identified for this theme.
Theme 3 – Connect
The Connect theme relates the importance of land use planning with transport planning, and accordingly provides for outcomes and strategies that integrate development with road, public and active transport. The development has demonstrated integration with the local road network with access directly to a state-controlled road and the provision of active transport connections within and connecting to the site.
Additionally, the internal road network is designed to facilitate a future bus route (as required by the State Assessment and Referral Agency referral agency response) should the need ever arise.
Theme 4 – Sustain
The Sustain theme brings together biodiversity, koala habitats, water sensitive design, indigenous cultural heritage, resilience to climate change and natural hazards. The development has been designed to respond to the specific benchmarks for each of these themes provided in the State Planning Policy, Planning Regulation 2017 and planning scheme, and it is considered that the development appropriately advances the relevant strategies from this theme.
Theme 5 – Live

The Live theme provides the outcomes that value quality urban design principles, creating legible and connected places that respect local character, and the value of place making. The proposal advances the Live theme and the relevant strategies by providing a quality street layout, appropriate open spaces and landscaping (including a central local park) and a mixture of lots that contribute to affordable housing.

ShapingSEQ 2023 Chapter 3, Part C Sub-regional directions

Grow
The Grow outcome acknowledges that the Somerset Region will grow through expansion that is at densities reflective of their rural localities, and that development in rural towns, including Lowood, occurs in a sustainable way that ensures community resilience and meets local needs.
The proposal is considered to advance these outcomes.
Proposer
There are no outcomes for Prosper relevant to the assessment.
Connect
There are no outcomes for Connect relevant to the assessment.
Sustain
There are no outcomes for Sustain relevant to the assessment.
Live
The Live outcome acknowledges that Lowood is a Great Place in SEQ, with traditional main streets supporting vibrant and successful town centres. The development supports the growth of Lowood, by providing additional housing that enables the continued viability of rural centres.

6.3 Schedule 10 of the *Planning Regulation 2017*

Schedule 10 of the *Planning Regulation 2017* establishes assessment triggers, requirements, and assessment benchmarks. An assessment of the development against an assessment benchmark from the Regulation was required and is discussed below. Where a referral agency undertakes an assessment against a matter as required by the Regulation, this is discussed in section 7.0 of this report.

The proposal:

- (a) does not impact on any regulated vegetation;
- (b) does not impact on any koala habitat areas;
- (c) is not located within a koala priority area;
- (d) is not located in proximity to a Queensland heritage place or local heritage place;
- (e) is not on land designated for infrastructure;
- (f) does not involve any environmentally relevant activities.

6.3.1 Schedule 12A – Reconfiguring a lot

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

The proposal has demonstrated compliance with, or has been conditioned to comply with, each of the relevant requirements of Schedule 12A.

It should be noted that all lots are within 400m radial distance of land that is open space, however not all lots are within 400m radial distance of the proposed local park. This is compliant with the requirement of the *Planning Regulation 2017*.

6.4 Temporary local planning instruments

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

6.5 Variation approvals

The property is not benefitted by any variation approvals.

6.6 Somerset Region Planning Scheme (Version 4.2)

6.6.1 Relevant assessment benchmarks from the planning scheme

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

- (a) Part 3 Strategic framework;
- (b) 6.2.3 Emerging community zone code;
- (c) 7.2.4 Bushfire hazard overlay code;
- (d) 7.2.7 Flood hazard overlay code;
- (e) 8.2.6 Dwelling house code;
- (f) 8.2.11 Multiple dwelling and dual occupancy code;
- (g) 8.3.4 Reconfiguring a lot code;
- (h) 8.3.5 Services works and infrastructure code; and
- (i) 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 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 site is also mapped as within a buffer to a main road on OM009 Infrastructure overlay. As the land is within an urban area, the overlay code does not apply to the assessment of the application.

6.6.2 Strategic framework assessment

The development application has been assessed against the strategic framework of the planning scheme and is considered to support Council's strategic intent for the region.

The framework is set out in seven themes that collectively represent the policy intent of the planning scheme. Each theme contains strategic outcomes and elements, with the elements containing specific outcomes and land use outcomes.

A summary of the assessment of relevant provisions from the strategic framework is set out below.

6.6.2.1 Settlement pattern

The strategic outcomes for settlement pattern require that urban growth and development is directed towards compact urban expansion within the region's five towns, in order to promote efficient use of services and infrastructure, support the town centres network, protect environment and scenic values, and minimise risk from natural hazards. The outcomes

continue that urban growth within established towns contribute to the achievement of a compact urban form that is efficiently serviced by a range of urban infrastructure, and that affordable living opportunities are provided through the provision of housing in compact towns, with industrial activities providing employment opportunities located in industrial development areas, operating without conflict to sensitive land uses. Land use separation of incompatible activities is to occur to minimise land use conflicts.

This theme contains 13 elements that advance the strategic outcomes, with those relevant to the application described below.

Element—Urban growth management

Urban growth in Somerset is anticipated to be concentrated in the orderly expansion of Fernvale, Kilcoy and Lowood. The proposal provides advances the specific outcomes by providing for the logical and orderly expansion of the town in areas where infrastructure and services are readily available, managing the risks to life and property from natural hazards (particularly flooding), and minimising the need for the further growth of the urban footprint to areas of environmental or economic values (such as agricultural land).

This element contains further land use outcomes that deal with the transition of emerging community zoned to its ultimate urban land use. The land use outcomes require that the development for urban purposes must be accompanied by detailed investigations that demonstrate:

- a. the need for the proposed purpose of the land, in this case being future residential;
- b. the compatibility of the proposed purpose of the land with the planned intention shown on the Strategic Framework Map—Desired Settlement Pattern: Emerging Community Areas (**Desired Settlement Pattern Map**) for the relevant town;
- c. satisfactory management of the relevant constraints where the land is identified as a constrained area on the Desired Settlement Pattern Map;
- d. the mitigation or avoidance of relevant natural hazards;
- e. suitable mitigation or offset on impacts on matters of state environmental significance (MSES) environmental values;
- f. infrastructure and servicing arrangements and sequencing.

The desired settlement pattern map has the land being partially future residential, with the balance being future park residential. The land is also shown as being constrained, owing to the flood hazard associated with the minor watercourse that traverses the site.

The proposal seeks to develop that land for residential purposes, rather than park residential, owing to the availability of urban infrastructure, the proximity to the town centre, and the adjoining general residential area to the east. Additionally, the application has demonstrated that the flooding constraint can be managed entirely within the proposed drainage channel through the centre of the site.

The proposal is, despite the alternative outcome to the intention shown on the Desired Settlement Pattern Map, considered to be generally consistent with the intention of this element, and when considered on balance with the other elements in this theme, is recommended to be supported.

Element—Compact urban form

The compact urban form element requires development to maximise the efficient and timely use of designated land to provide more housing choice, including the provision of affordable housing, and with sufficient density to support Lowood and Fernvale having viable public

transport options in the future. The element requires that park residential development be separated away from the town centres, on land that does not demonstrate suitable infrastructure or has other constraints on development.

The proposal is considered to advance the consolidated urban form element and provides for the logical expansion of general residential development to the west of the existing residential area.

Element—Affordable living

The affordable housing element seeks to ensure that a variety of residential types are developed (including dwellings on a variety of sizes and well-located dual occupancies) to support housing choice and affordability, with greenfield neighbourhoods to promote accessibility, particularly using active transport, to the town centre and designed around Crime Prevention Through Environmental Design (CPTED) principles.

The proposal achieves the requirements, by providing a variety of residential lot sizes and housing types within an estate designed around a legible street network. The inclusion of a variety of lot sizes, and dual occupancies, allows for a variety of housing opportunities, at different price points, to support greater housing availability and choice in the Lowood area.

The lot layout provides for passive surveillance over the open space and drainage areas, with future dwelling house design requirements including a requirement for windows that overlook streets. The estate fronts to Forest Hill Fernvale Road, which provides a continuous pathway into the town centre, and connections are provided into Haslingden Park via the Williams Street extension and a new pedestrian path linking to the Bray Street Park, with future connections to the Brisbane Valley Rail Trail supported should the land to the north be developed.

Element—Flooding

The flooding element advances the requirements of the Flood hazard overlay mapping and the Flood hazard overlay code and establishes that development must ensure that residential land is above the flood extent at the designated flood event and demonstrates that the capacity of the flood plain at that event is not altered by the development. The application was accompanied by technical reporting demonstrating that flood impacts are managed on the site, with residential land to be constructed above the 1% AEP flood level, and no adverse impact of flooding downstream of the development site.

6.6.2.2 Natural environment

This theme contains 4 elements relating to the regional biodiversity network, watercourses and wetlands, the air and noise environment, and contaminated land.

The land is not shown on the strategic framework mapping for natural environment as being subject to regionally significant corridors and buffer areas, and the development has demonstrated compliance with the relevant development and overlay codes relating to the natural environment. Additionally, development conditions are recommended to be imposed that address noise and other airborne emissions to avoid creating environmental nuisances or environmental harm.

Of note, the land is not known to be on a register for contaminated land or other environmental management matters.

6.6.2.3 Natural resources

The natural resources theme contains five elements, being agricultural land, extractive resources, mining, forestry, and potable water resources. The proposal is considered to comply with each of these elements, and achieves the strategic outcomes of the theme, to the extent relevant.

It is noted that the planning scheme does not protect agricultural land from urban development in the urban footprint, as the land's highest and best use is for urban purposes as required by the State Planning Policy and SEQ regional plan.

6.6.2.4 Community identity and regional landscape character

This theme contains 10 elements, relating to town identity, cultural heritage, community activities, open space and recreation and scenic amenity. The proposal is consistent with the relevant elements and specific outcomes within this theme.

6.6.2.5 Economic development

The economic development theme contains six elements, regarding centres and industry areas, as well as rural production, tourism, and home-based businesses. None of the elements are directly relevant to the proposal, however it is noted that an expanded residential population is an important part of supporting the growth of town centres and economic activity in the region.

6.6.2.6 Infrastructure and services

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

The development has been designed to connect to reticulated water, wastewater, urban stormwater drainage, and electricity and telecommunications networks, with connections to be provided at the standards required by relevant authorities and as required by the development codes within the planning scheme.

6.6.2.1 Transport

The transport theme provides for road, active, and public transport networks, as well as the protection of aviation facilities. The proposal generally accords with each of the elements and overall, the strategic outcomes, to the extent relevant to the proposal. Importantly, the subdivision is designed with an appropriate internal road hierarchy to manage traffic, has connections (including provision for future connections) to adjoining areas, and has direct frontage to a state-controlled road.

6.6.3 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
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Reconfiguring a lot code	Yes	PO1
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	No alternatives outcomes proposed
Filling and excavation code	Yes	No alternatives outcomes proposed
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Flood hazard overlay code	Yes	No alternatives outcomes proposed

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

6.6.4 Performance outcome assessment

Reconfiguring a lot code

Performance outcome	Acceptable outcome
Lot size and subdivision design	
PO1 <i>Lot size and dimensions:</i> (a) provide sufficient area for the siting and construction of buildings and structures; (b) provide for safe vehicular and pedestrian access; (c) respond appropriately to site characteristics including slope of the land and topography; and (d) are consistent with the intended character of the zone.	AO1.1 The minimum <i>lot</i> size and dimensions complies with Table 8.3.4.3.B – Minimum Lot Size and Dimensions.

Extract of Table 8.3.4.3.B—Minimum lot sizes and dimensions

Zone/Precinct	Minimum Lot Size	Minimum frontage
General residential zone (other than the park residential precinct)	600 square metres; or minimum lot size of 450 square metres where part of a planned estate with a diversity of lot sizes.	18 metres
General residential zone - park residential precinct	4,000 square metres	40 metres
Emerging community zone	10 hectares	200 metres

Alternative outcome assessment

The land is within the Emerging community zone, where the minimum lot size of 10 hectares and a minimum frontage of 200m applies. However, the proposal seeks to develop the land generally in accordance with the General residential zone, where the minimum lot size is 450m², and the minimum frontage is 18 metres. As such, it is relevant to consider the design

Performance outcome	Acceptable outcome
standards of the General residential zone in determining compliance with the performance outcome.	
The proposal complies with the relevant lot sizes provided for General residential zone (not in the Park residential precinct, as the lots achieve the minimum lot size of 450m ² as part of a planned estate. However, the estate incorporates a variety of lot frontages, with standard 15m, 17m, 18m and 20m used on the 450-600m ² lots in Stage 1.	
These lot frontages (and depths) provide for sufficient space to construct dwelling houses in accordance with the relevant design standards, have safe vehicle access and are appropriately levelled and graded to achieve lawful point of discharge and flood resilience.	
As discussed in the strategic framework section above, it is considered that the masterplan is reflective of the intended character of an expanded residential area, consistent with the requirements of the strategic framework, as well as the South East Queensland Regional Plan.	
It is recommended that the alternative outcome be accepted in this instance.	

6.6.5 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.

6.7 Local government infrastructure plan

6.7.1 Priority infrastructure area

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

6.7.2 Infrastructure charges

Infrastructure charges are able only to be levied against the development permit for reconfiguring a lot component of this application, as a preliminary approval does not authorise development to occur. As such, an infrastructure charges notice may only be given for Stage One, with future stages to be levied on subsequent development permits.

Stage 1

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*. The land is within Charge Area A 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*.

6.7.3 Trunk infrastructure requirements

6.7.3.1 Drinking water and wastewater networks

The site is located outside of the connections area and future connections area for both the drinking water and wastewater networks as shown in Urban Utilities' Netserv Plan. As the development is seeking to create new residential allotments, the planning scheme requires that reticulated water and wastewater services are provided for each lot.

As such, the recommended conditions require the development to connect to both networks to the satisfaction of Urban Utilities.

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

6.7.3.2 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.

Standard development conditions are recommended to ensure no actionable nuisances occur and discharge to a lawful point of discharge is achieved, as required by the Queensland Urban Drainage Manual (QUDM).

An adopted charge for the stormwater network applies.

6.7.3.3 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.

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

6.7.3.4 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.

The local government infrastructure plan does not identify any trunk infrastructure on or adjoining the site, and the primary access point is to Forest Hill Fernvale Road, which is a state controlled road. The State Assessment and Referral Agency has assessed the impact of the development on the state controlled road, which is discussed in section 7.0 of this report.

An adopted charge for the transport network applies.

7.0 REFERRAL

7.1 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. SARA advised that they had no objections to the approval of the development application, subject to the imposition of development conditions. SARA's referral agency response will be attached to Council's decision notice and a copy has been attached to this report for Council's reference.

The State Assessment and Referral Agency has assessed the proposed development for the performance of the new intersection with Forest Hill Fernvale Road and determined that proposal complies with their assessment criteria.

7.2 Third party advice

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

8.0 PUBLIC NOTIFICATION

8.1 Notification requirements

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

- (a) a notice was published in The Lockyer Somerset Independent newspaper on 15 May 2024;
- (b) a notice in the prescribed form was placed on the premises on 15 May 2024 and maintained for the minimum period of 30 business days; and
- (c) a notification was served to all adjoining landowners on 13 May 2024.

The public notification period was from 16 May 2024 to 27 June 2024.

Council received the notice of compliance on 28 June 2024, confirming that public notification had been undertaken in accordance with the statutory requirements.

8.2 Matters raised in submissions

The following matters were raised by the submitters.

The full content of the submissions, as well as the applicant's response, can be viewed on Council's eServices website, by searching the development application reference.

Submission concern – Preference for park residential development (4,000m², one acre or one-hectare sized and generally unserviced allotments)

<p>An explanation of how the proposal to develop standard residential allotments, as well as the lot sizes and lot mix, has been assessed is provided at section 2 of this report.</p>
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<p>Several submissions raised a preference for the estate to be developed for park residential development, including by being fully self-sufficient with onsite wastewater treatment and water tanks, with a variety of lot sizes starting from 2,000m². Whilst a detailed explanation is provided in section 2, the location of the development land relative to the urban area of town, the availability of necessary urban services, and the demonstrated ability to manage flooding risks, enable the land to be used for further residential development.</p>
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<p>One submission noted that the 'Lowood Estate Development Code' refers to 'very low scale density development' which implies that the code was not intended to facilitate 'tiny house lots' or dual occupancies. It is important to contextualise that this term exists when considered against scales of development more generally (for example, an estate of 400m² sized allotments is consistent with low density zoning in most adjoining local government areas). The purpose of the wording is to ensure that there is a recognition in the code that the character of Lowood does not support what is accepted as low-density development in surrounding Council areas, and that this estate must transition the urban area to the east and south/south-west of the site, with the rural residential to the west.</p>
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Submission concern – Inclusion of duplexes

<p>Several submissions advised that they do not support the inclusion of dual occupancies.</p>
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<p>The proposal incorporates 16 dual occupancies to assist in providing an additional housing type to support greater housing choice in the Lowood area, noting that there are currently limited housing options (and availability) for people who don't wish to have a detached house.</p>

<p>The proposed arrangement is considered to be an appropriate balance of housing products and remains an appropriate development density given the location of the development site.</p>

Submission concern – Traffic

An explanation of how traffic impact has been assessed is provided at section 2 of this report.

Submitters raised concerns regarding Hooning and other poor behaviour driving activities, particularly with respect of connecting Haslingden Park to the development via an extension of Williams Street.

Poor driver behaviour is not a planning scheme matter. The new estate is designed to have a permeable and legible road network as required by the planning scheme and the *Planning Regulation 2017*, including by providing relevant connections to adjoining areas.

One submitter was concerned that the development would also require Haslingden Park Drive to be connected to Forest Hill Fernvale Road. This connection does not form part of the development application.

The petition raised concerns that emergency services are unable to access parts of the existing Daniel Street area during flooding due to water over the crossing in Walters Street. This is not a matter that can be addressed in the development application, however it is noted that the extension to Williams Street provides an alternative access point into the area which can assist in providing access for emergency services generally.

Submission concern – Stormwater and flooding impact

Submitters raised concern regarding the impact of stormwater and flooding on the development and surrounding land. An explanation of how stormwater and flooding impacts have been assessed is provided at section 2 of this report.

With respect of the interface to park residential development to the west, the preliminary plans identify that the western interface incorporates cut-off drains for the conveyance of stormwater from adjoining land through the development. The design of these cut-off drains is to be assessed as part of future development applications for each of the relevant stages, to ensure that compliance with the Queensland Urban Drainage Manual, the State Planning Policy, and Council's planning scheme is achieved.

With respect to Daniel Street, the development also provides for the continued conveyance of stormwater from the Daniel Street stormwater network via extended underground pipes where development interferes with the existing stormwater gully. The detailed design for this, as well as the requirement for other cut-off drains or inter-allotment drainage, will form part of future development applications to ensure compliance with the Queensland Urban Drainage Manual and relevant planning scheme and State Planning Policy requirements.

Some submitters also raised concern about existing crossings being inundated during storm events, particularly Walters Street near the former SES Depot, and Forest Hill Fernvale Road in front of the development site, including the pedestrian pathway. These infrastructure items are existing, and are not impacted by the development works, and as such Council is unable to require infrastructure upgrades. Additionally, the Forest Hill Fernvale Road culvert forms part of the State-controlled road which is outside of Council's jurisdiction.

Submission concern – Water and sewerage infrastructure

Submitters, including the petition, raised concern about the capacity of existing infrastructure to service the development, with particular concern of existing sewerage infrastructure in Daniel Street.

Prior to carrying out operational works for the civil works for each stage, the developer will be required to obtain a Water Approval from Urban Utilities. This assessment and approval process will require the developed to demonstrate that the development can be serviced with water and sewerage at the required standard and ensuring that the required service standards for areas affected by the development are maintained.

This process is separate to the development approval, and it should be noted that developers are not necessarily responsible for correcting existing faults that are not related to the development approval. Residents with concerns with existing Urban Utilities services and infrastructure should address those concerns to Urban Utilities.

Submission concern – Light, noise and dust

Submitters raised concern about impact of light, noise and dust during the construction of the development, as well future impacts from the ongoing development as dwelling houses.

The development approval includes development conditions to ensure light, noise and dust during construction are mitigated in accordance with the requirements of the planning scheme and the relevant Environmental Protection Policies. Appropriate compliance tools exist under the *Environmental Protection Act 1994* for the control and enforcement of environmental nuisances should issues arise during construction.

The ongoing use of the land for future residential development is consistent with the planning scheme, and whilst this may represent a change from the existing conditions, it is not anticipated to result in undue adverse impacts on residential amenity.

Submission concern – Need for the development

One submission questioned the need for the development, noting that there are currently two estates under construction in Lowood and the balance of Eagle Rise remains undeveloped. Another acknowledged that there is a critical housing shortage but commented that improving housing availability shouldn't come at the expense of the existing residents.

The proposed development is to occur on land identified as being suitable for further residential growth and is well located in proximity to the town centre and necessary services. It is not considered that the proposal would result in out-of-sequence development or unreasonably displace any demand for other similar development from occurring in the area, noting that there is limited approved residential development in Lowood beyond the approvals mentioned above.

Additionally, land that was marked for residential development on Bauer Street and Lowood Hills Road is being transitioned to park residential development (as a result of slope and servicing issues), which results in currently planned demand that will not be realised.

Detailed consideration of the economic need of bringing forward the residential development has not formed part of the assessment, as there are sufficient town planning matters that warrant supporting the proposal.

Submission concern – Impact on land or property values

Submitters raise that the reconfiguration may result in a reduction of land value to adjoining or neighbouring properties.

Whilst the *Planning Act 2016* affords Council a broad discretion in deciding applications requiring impact assessment, the decision must be based on the assessment of the application, including any relevant matters. The Act specifically provides that a relevant matter cannot include a person's personal circumstances, financial or otherwise.

As such, Council cannot consider the land valuation (or any potential change) as a relevant matter, and thus this cannot form part of Council's assessment, nor be included as a factor in Council's decision.

Submission concern – Impact on views and privacy

Submitters raise concerns with the loss of views over the current farming land and impacts on privacy where new lots are adjoining existing residential allotments. Some submitters mention that the outlook to rural land formed part of the reason for purchasing their properties.

The proposal provides for residential development on land within the Emerging community zone within the South East Queensland urban footprint and is generally consistent with the planning provisions. Additionally, there are no protected viewsheds in the planning scheme that would limit the ability for this land to be development.

Future development on the lot is to be developed in accordance with the setbacks provided in the variation approval, or otherwise in accordance with the Queensland Development Code. These setbacks provide for the level of privacy and residential amenity that can be reasonably achieved in urban developments and include mandatory privacy treatments where new building work occurs within identified distances to property boundaries.

Submission concern – Building standards and ground conditions

One submitter noted concerns with existing building standards in Haslingden Park estate, advising that changes and leveling of the ground over time has caused building defects.

As part of the operational works for each stage, new residential allotments may need to be filled to achieve the required flood level. Where this occurs, the land is required to be compacted in accordance with Australian Standards suitable for future residential development to be carried out.

New residential development is required to be carried out against the National Construction Code (incorporating the Building Code of Australia). Council is not able to provide provisions as part of the development approval that relate to building development standards. The design and construction standard of the building must be carried out against the National Construction Code, with relevant building approvals given by building certifiers.

Submission concern – Availability of police, ambulance, doctors and similar services

One submission raises concern that there are insufficient police, ambulance, doctors, (amongst a variety of other similar services) for the current town.

The growth of the town provides greater opportunity for these services to be provided. For example, many State funded services are provided on servicing particular populations or density levels, and the case to provide additional services grows with the growth of the town. Additional, private services may choose to develop in areas where a growing customer base is present.

Under the *Planning Act 2016*, the current availability of these services is not sufficient reason for the refusal of the application.

Submission concern – Ongoing cost of development

The petition notes that there are large areas of open space and drainage, as well as local parks that will need to be maintained by Council. Additionally, the collection of bins and similar maintenance costs will need to be borne by Council. The submission also notes that the local park provided is unlikely to be used by existing residents who have access to Clock Park in the Lowood Centre. The petition therefore requests that the development be a gated community (assumedly a community titled community where the open space areas are not available to the broader community) or otherwise additional levies be imposed on the rates in the new estate.

The ongoing maintenance cost matters for necessary infrastructure that complies with the desired service standards set out in Council's planning scheme is not a relevant matter in the assessment of a development application. The application does not propose, nor do the recommended development conditions provide, any infrastructure or embellishment above the design standards that would require special consideration.

Additionally, how Council recovers costs from ordinary maintenance and waste services is a matter for the Council of the day as part of the annual budget, and not a consideration for a development application.

Submission concern – Period for public comments

The petition requested that the period for public comments be extended until "say 27 June 2025" to "allow the State and Federal Governments to make their own submissions". As the public notification ended on 27 June 2024, the requested period was an additional year, or a further 249 business days.

The public notification period is a minimum period fixed by the Queensland Government in the *Planning Act 2016*. For this application, as it included a variation request, the period was 30 business days (instead of the normal 15 business days). Submissions were able to be made during the period 16 May 2024 to 27 June 2024, being 30 business days.

Council is not able to require a longer period for submissions to be received, and the applicant has carried out public notification in accordance with the statutory requirements from the *Planning Act 2016* and the Development Assessment Rules.

Submission comment – Timeframe for development

One submitter enquired about the potential timing for the stages of development.

The draft development conditions provide that the variations to have effect until 31 January 2035, provided that the first dwelling houses and dual occupancies are developed prior to 31 January 2031.

Under the *Planning Act 2016*, the first stage of the reconfiguration is current for four years from the date the approval takes effect whilst the bulk earthworks are current for two years from the date the approval takes effect.

The actual timing of the development is at the discretion of the developer. Additionally, the *Planning Act* provides that these periods may be extended through a further application to Council.

Submission comment – Park embellishments

One submitter enquired about the type of embellishments that would be available in the parks provided in the estate, including whether they would include dog parks.

The standard of embellishment within local parks will be determined as part of subsequent development applications. However, Councils design standards do not include designated off leash areas (dog parks) at local parks; these are typically provided at higher order parks and where determined by Council on a case-by-case basis (outside of the development assessment process).

9.0 OTHER RELEVANT MATTERS**9.1 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 purposes in the future, however as a mixture of future residential and future park residential.

The application has demonstrated appropriate integration and interfaces with land on all boundaries, provides the benefit to using existing infrastructure and supports the consolidated growth plan envisaged through the State Planning Policy, regional plan, and planning scheme.

Having carried out the assessment, officers consider that that the proposed development would not be contrary to the public interest.

9.2 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 of the Act 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 proposal development is considered to represent an appropriate balance of all these matters, with the development providing for housing growth, further economic development of the Lowood area, with efficient and orderly integration into existing infrastructure.

10.0 REASONS FOR THE RECOMMENDED DECISION

Council officers have undertaken the assessment of the application as required by sections 45 and 61 of the *Planning Act 2016*. The assessment of the proposed development has determined it to be generally:

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

Should Council decide to refuse the development application, or make material changes to the recommended development conditions, Council must provide reasons for the decision to satisfy section 63(5) of the *Planning Act 2016*.

11.0 CONCLUSION

The proposed development is for the planning framework for new residential estate in Lowood, a development permit for the first stage of the subdivision, and a development permit for early operational works (bulk earthworks and vegetation clearing).

The proposal has demonstrated compliance with the relevant assessment benchmarks as outlined in this assessment, or sufficient reasons exist to approve the development despite any noncompliance. Of note, the development seeks to create a new residential estate in a well located and well serviced location, sufficiently addressing relevant constraints and generally aligning with Council's planning and design standards.

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 approve the application.

12.0 ATTACHMENT

Document Name	Aspect of application	Comment
1. Proposed Master Subdivision Layout	Variation Request	For noting
2. Stage 1 Plan of Reconfiguration	RAL Stage 1	For approval
3. Stage 1 Plan of Development	RAL Stage 1	For approval
4. Preliminary Approval Document	Variation Request	For approval in part, refer to condition 4
5. Statement of Landscaping Intent	Variation Request	For approval
6. Civil Engineering Report	Variation Request	For approval
7. Master Stormwater Management Plan	Variation Request	For approval
8. Traffic Impact Assessment Report	Variation Request	For approval
9. Bulk Earthworks	OPW Early Works	For approval
10. Stage 1 Hydraulic Impact Assessment	RAL Stage 1 and OPW Early Works	To be amended – refer to conditions 54 and 83
11. Stage 1 Stormwater Management	RAL Stage 1 and OPW Early Works	To be amended – refer to conditions 54 and 83
12. State Assessment and Referral Agency referral agency response	-	-
13. Draft infrastructure charges notice	-	-

RECOMMENDATION

THAT Council:

- approve Development Application No. 24481 on land situated at 2983 Forest Hill Fernvale Road, Lowood, formally described as Lot 56 SP197415 and Lot 57 SP197415, subject to the recommended conditions and requirements contained in the schedules and attachments to this report, by giving the following approvals:

- a. Preliminary Approval (including a Variation Request) for Material Change of Use for Dwelling Houses and Dual Occupancies (vary the Planning Scheme with the Lowood Estate Development Code);
 - b. Preliminary Approval (including a Variation Request) for Reconfiguring a Lot by Subdivision (358 Residential Lots, Open Space, Road and Drainage in accordance with the Lowood Estate Development Code);
 - c. Development Permit for Reconfiguring a Lot by Subdivision (Two Lots into 48 Lots plus One Balance Lot, Road, Open Space, and Drainage); and
 - d. Development Permit for Operational Works for Earthworks and Vegetation Clearing (associated with Stage One).
2. in accordance with section 89 of the *Planning Act 2016*, having given a variation approval under section 61 of the *Planning Act 2016*:
 - a. note the decision to give the variation approval on Council's planning scheme; and
 - b. give notice of the notation to the Chief Executive administering the *Planning Act 2016*.
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*.

PART A: VARIATION APPROVAL

Relevant aspect of the development approval:

- Preliminary Approval (including a Variation Request) for Material Change of Use
- Preliminary Approval (including a Variation Request) for Reconfiguring a Lot

SCHEDULE 1—GENERAL CONDITIONS

Assessment Manager

VARIATIONS TO THE SOMERSET REGION PLANNING SCHEME

To avoid doubt, the variations described apply despite any amendment made to the Somerset Region Planning Scheme whilst this Variation Approval is in effect.

1	Zoning
A	For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, development under this Variation Approval shall be assessed as if the land was within the General residential zone (not with a precinct), as amended from time to time.
B	For land shown within the Lowood Estate Open Space Zone on the Approved Zoning Plan, development under this Variation Approval shall be assessed as if the land was within the Recreation and open space zone.
2	Desired Settlement Pattern map
	For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, development under this Variation Approval shall be assessed as if the land was within the Future Residential Area on the Desired Settlement Pattern map.
3	Overlays
	There are no variations to any overlay maps or overlay codes under this Variation Approval.

4	Approved Preliminary Approval Document (Lowood Estate Precinct Code)								
	<p>The following parts of the Preliminary Approval Document are an Approved Document for the Variation Approval:</p> <ul style="list-style-type: none">(a) The Lowood Estate Precinct Code, contained within Part 3 of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(b) The Access and Mobility Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(c) The Zoning Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(d) Landscape Character Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(e) Feature Fencing and Acoustic Fencing, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(f) Open Space Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(g) Allotment Diversity Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(h) Density Master Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;(i) Lowood Subdivision Staging Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023.								
5	Categories of development and assessment								
A	Where an Assessment Category under this Variation Approval is higher than under the Local Planning Instrument, the Assessment Category under the Local Planning Instrument shall prevail, however the identified Assessment Criteria of the Variation Approval shall still apply.								
B	<p>For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, the Assessment Category and Assessment Criteria for development that is material change of use shall be in accordance with Table 1.1 below.</p> <p>Table 1.1: Material Change of Use—Lowood Estate Residential Zone</p> <table><tr><th>Use</th><th>Assessment Category</th><th>Assessment Criteria</th></tr><tr><td rowspan="2">Dual Occupancy</td><td>Accepted development, subject to requirements, if: (a) on a lot nominated as a Dual Occupancy Lot on an Approved Plan of Development; and (b) complying with the identified assessment criteria.</td><td><ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr><tr><td>Code assessment if not Accepted development subject to requirements.</td><td><ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr></table>	Use	Assessment Category	Assessment Criteria	Dual Occupancy	Accepted development, subject to requirements, if: (a) on a lot nominated as a Dual Occupancy Lot on an Approved Plan of Development; and (b) complying with the identified assessment criteria.	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.	Code assessment if not Accepted development subject to requirements.	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.
Use	Assessment Category	Assessment Criteria							
Dual Occupancy	Accepted development, subject to requirements, if: (a) on a lot nominated as a Dual Occupancy Lot on an Approved Plan of Development; and (b) complying with the identified assessment criteria.	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.							
	Code assessment if not Accepted development subject to requirements.	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.							

	Dwelling House	Accepted development, subject to requirements, if complying with the identified assessment criteria. Code assessment, if not Accepted development subject to requirements. Note—refer to Schedule 6, section 2(2) and Schedule 9, part 3 of the <i>Planning Regulation 2017</i> where development for a dwelling house may require a referral agency assessment instead of code assessment.	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.								
	Any other material change of use	As per the Local Planning Instrument.	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.								
C	For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, the Assessment Category and Assessment Criteria for development other than material change of use shall be in accordance with Table 1.2 below. Table 1.2—Other Development—Lowood Estate Residential Zone <table><tr><th>Development</th><th>Assessment Category</th><th>Assessment Criteria</th></tr><tr><td rowspan="2">Reconfiguring a Lot</td><td>Code assessment, if all lots are greater than or equal to 450m².</td><td><ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr><tr><td>Impact assessment, if a lot is less than 450m².</td><td><ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr></table>			Development	Assessment Category	Assessment Criteria	Reconfiguring a Lot	Code assessment, if all lots are greater than or equal to 450m ² .	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.	Impact assessment, if a lot is less than 450m ² .	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.
Development	Assessment Category	Assessment Criteria									
Reconfiguring a Lot	Code assessment, if all lots are greater than or equal to 450m ² .	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.									
	Impact assessment, if a lot is less than 450m ² .	<ul style="list-style-type: none">• The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.									

	Any other development	As per the Local Planning Instrument	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.										
D	For land shown within the Lowood Estate Open Space Zone, there are no variations to the Assessment Category or Assessment Criteria of the Local Planning Instrument for development that is a material change of use.												
E	For land shown within the Lowood Estate Open Space Zone on the Approved Zoning Plan, the Assessment Category and Assessment Criteria for development other than material change of use shall be in accordance with Table 1.3 below. Table 1.3—Other Development—Lowood Estate Open Space Zone <table><tr><th>Development</th><th>Assessment Category</th><th>Assessment Criteria</th></tr><tr><td>Reconfiguring a Lot</td><td>Code assessment in all instances.</td><td><ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr><tr><td>Any other development</td><td>As per the Local Planning Instrument</td><td><ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.</td></tr></table>				Development	Assessment Category	Assessment Criteria	Reconfiguring a Lot	Code assessment in all instances.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.	Any other development	As per the Local Planning Instrument	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.
Development	Assessment Category	Assessment Criteria											
Reconfiguring a Lot	Code assessment in all instances.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.											
Any other development	As per the Local Planning Instrument	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.											
6	Assessment criteria												
A	Development that is material change of use for a dual occupancy or dwelling house must be assessed against any relevant Plan of Development approved under a Development Permit for Reconfiguring a Lot given under this Variation Approval. Note: A Plan of Development overrides any provision of the Local Planning Instrument. Note: Council may, in writing and upon request, amend a provision of a Plan of Development that applies to a dual occupancy or dwelling house.												
B	Development that is reconfiguring a lot must: (a) be assessed against the Approved Preliminary Approval Document forming part of this Variation Approval; (b) result in a Plan of Development for future dual occupancies and dwelling houses that achieves the requirements of the Lowood Estate Precinct Code.												

	Note: The Lowood Estate Precinct Code and any Plan of Development overrides any provision of the Local Planning Instrument.
C	<p>Development that is building work (not associated with a material change of use) must be assessed against any relevant Plan of Development approved under a Development Permit for Reconfiguring a Lot given under this Variation Approval.</p> <p>Note: A Plan of Development overrides any provision of the Local Planning Instrument.</p> <p>Note: Council may, in writing and upon request, amend a provision of a Plan of Development that applies to a dual occupancy or dwelling house.</p>
7	Currency period
	<p>This Variation Approval will lapse if the first change of use does not happen by Friday, 31 January 2031, unless extended under section 86 and 87 of the <i>Planning Act 2016</i>.</p> <p>Note: This is a stated period for section 85(a)(i) of the <i>Planning Act 2016</i>.</p>
8	Completion period
	<p>All stages of the development must be completed by Wednesday, 31 January 2035.</p> <p>Note: This is a development condition under section 88(2)(a) of the <i>Planning Act 2016</i>. The Variation Approval will lapse to the extent that development is not completed within any period identified in this development condition.</p>
9	Land benefited by Variation Approval
	<p>This variation is limited to the area identified on the Approved Plans, formally described as:</p> <ul style="list-style-type: none"> (a) Lot 56 SP197415; (b) Lot 57 SP197415. <p>This variation continues to apply to land within the area identified on the approved plans even if the lots referred to above are subdivided or otherwise reconfigured whilst this Variation Approval is in effect.</p>
10	Uses benefited by Variation Approval
	<p>This variation is limited to the following uses, being:</p> <ul style="list-style-type: none"> (a) Dual occupancy; (b) Dwelling house.
11	Definitions for Variation Approval
	The following terms are defined for the Variation Approval:

	<p>(a) <i>Approved Preliminary Approval Document</i> means the parts of the document referenced in the condition titled <i>Approved Preliminary Approval Document (Lowood Estate Precinct Code)</i>;</p> <p>(b) <i>Approved Zoning Plan</i> means the Zoning Plan forming part of the <i>Approved Preliminary Approval Document</i>;</p> <p>(c) <i>Assessment Category</i> means a category of development or category of assessment;</p> <p>(d) <i>Assessment Criteria</i>, means the requirements for accepted development and assessment benchmarks for assessable development (as relevant);</p> <p>(e) <i>Local Planning Instrument</i> means the Somerset Region Planning Scheme, including as amended or replaced;</p> <p>(f) <i>Variation Approval Land</i> means the land described in the development condition titled <i>Land benefited by Variation Approval</i>.</p> <p>Where a term is not defined in the Variation Approval, it has the meaning assigned by the <i>Planning Act 2016</i>, the <i>Planning Regulation 2017</i>, or the planning scheme (in that order).</p> <p>Where the term is undefined it has its ordinary meaning.</p>
12	<p>Applications made under Variation Approval</p> <p>Any application submitted to Council under this Variation Approval must be consistent with this Variation Approval.</p> <p>Where inconsistent, the application must then be submitted to Council under the planning scheme in effect at the date of application.</p>
13	<p>Comply with Planning Instrument</p> <p>Any application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be assessed against the version of the Local Planning Instrument in effect when the application is properly made, as varied by this variation.</p> <p>To remove any doubt, the specific variations given in this approval prevail over any future amendments to the Local Planning Instrument.</p>
14	<p>Comply with Approved Plans and Documents</p> <p>Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be generally consistent with the Approved Plans and Documents:</p> <p>(a) Approved Preliminary Approval Document (Lowood Estate Precinct Code); [Note: refer to Condition 4]</p> <p>(b) Statement of Landscape Intent, Lowood Estate, prepared by Sargeant Planning, Project No. 003, dated 8 April 2024</p> <p>(c) Civil Engineering Report, prepared by Burchills Engineering Solutions, Project No. BE230128, Document No. BE230128-RP-CER-01, dated April 2024</p> <p>(d) Master Stormwater Management Plan, prepared by Burchills Engineering Solutions, Project No. BE230352, Document No. BE230128-RP-MSMP-02, dated April 2024</p>

	(e) Traffic Impact Assessment Report, prepared by Burchills Engineering Solutions, Project No. BE230128, Document No. BE230128-RP-TIA-04, dated April 2024	
PART B: RECONFIGURING A LOT		
Relevant aspect of the development approval:		
• Development Permit for Reconfiguring a Lot		
SCHEDULE 1—GENERAL CONDITIONS		
Assessment Manager		
No.	Condition	Timing
GENERAL		
15	Approved Plans and Documents	
	Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including as Amended in RED by Council), except as amended by these development conditions.	At all times.
	Stage 1 Subdivision Layout, drawn by Burchills Engineering Solutions, reference BE230128-01-SK010-B, dated 24 March 2024	
	Lowood Estate Precinct Code Building Requirements, drawn by Sargeant Planning, reference drawing 001, issue 002, sheet 003, dated 12 April 2024	
	Stage 1 [Plan of Development], drawn by Sargeant Planning, reference drawing 001, issue 002, sheet 004, dated 12 April 2024	
16	Comply with planning scheme and local laws	
	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.
17	Availability of Development Approval (Works)	
	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.
18	No cost to Council	
	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.

RECONFIGURING A LOT		
19	Survey marks	
A	A Registered Cadastral Surveyor must install new Survey Marks in their correct positions in accordance with the Plan of Subdivision.	Prior to the request for approval of the Plan of Subdivision.
B	Provide certification to Council from a Registered Cadastral Surveyor that part (A) of this development condition has been complied with.	As part of the request for approval of the Plan of Subdivision.
20	Pay outstanding rates and charges	
	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council, including any charges that are levied but not fully paid over the subject land.	Prior to the approval of the Plan of Subdivision.
21	Valuation	
	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources. Currently, the amount is set at \$47.00 per allotment.	As part of the request for approval of the Plan of Subdivision.
PERIODS FOR THE DEVELOPMENT APPROVAL		
22	No provision for staging	
	The development is to occur in one stage.	As indicated.
LAND		
23	Transfer – Open space and drainage	
A	Transfer to Council the land shown on the Approved Plans as Drainage Reserve Area for the purpose of drainage. The transfer is to be at no cost to or compensation from Council and is to be given in fee simple on trust. This condition is imposed under section 145 of the <i>Planning Act 2016</i> .	As part of the registration of the Plan of Subdivision.
B	Provide the signed transfer documentation for the land required by part (A) of this condition.	As part of the request for approval of the Plan of Subdivision.
C	Submit to Council evidence of the registration of the transfer documentation.	Within one month of the registration of the Plan of Subdivision.

24	Easements – Stormwater and drainage	
A	<p>Lodge for registration at the office of the Land Registry, easements for drainage.</p> <p>The easements are to be provided, in accordance with the current version of the Queensland Urban Drainage Manual, over:</p> <ul style="list-style-type: none"> (a) all stormwater and inter-allotment drainage, sized 300mm or greater located within private property. (b) all stormwater and inter-allotment drainage that cross more than one property. (c) all concentrated overland flow paths that cross two or more properties. <p>The minimum easement width to be provided is 3m.</p> <p>Easement widths greater than 3m may vary but must extend to include the flood paths for the 1%AEP flood flows including provisions for freeboard and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with the current version of the Queensland Urban Drainage Manual (QUDM).</p> <p>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</p>	As part of the registration of the Plan of Subdivision.
B	Provide the signed easement documentation for the easements required by part (A) of this condition.	As part of the request for approval of the Plan of Subdivision.
25	Easements – Services	
	Provide copies of the easement documentation for easements required for water, sewerage, and other services that are included on the Plan of Subdivision.	As part of the request for approval of the Plan of Subdivision.
LANDSCAPING AND SCREENING		
Vegetation (minor)		
26	Vegetation removal	
	<p>Where vegetation is cleared from the site, the vegetation waste shall be:</p> <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. 	At all times.

	No incineration of vegetation or waste will be permitted at the site.	
27	Declared weeds	
	<p>All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of construction works (including on-maintenance).</p> <p>Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.</p>	At all times.
SERVICES AND CONNECTIONS		
28	Reticulated drinking water and wastewater	
A	Connect each lot to the reticulated drinking water and wastewater networks in accordance with the standards and requirements of the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.	Prior to the request for approval of the Plan of Subdivision.
B	Provide written evidence (e.g. connection certificate) from Urban Utilities that the connection to the reticulated networks are available as a standard connection and that all requirements of Urban Utilities have been satisfied.	As part of the request for approval of the Plan of Subdivision.
29	Reticulated electricity and telecommunications	
A	Connect each lot to the underground reticulated electricity and telecommunications networks to the standards of the relevant service provider.	Prior to the request for approval of the Plan of Subdivision.
B	Provide written evidence (e.g. certificate of supply or agreement) from the relevant service provider that each lot has been connected to the reticulated networks, connection is available at a standard connection, or has a current supply agreement.	As part of the request for approval of the Plan of Subdivision.
30	Services to remain within lots	
	Provide certification from a Registered Cadastral Surveyor that all services (for example, water, wastewater, drainage, electricity, telecommunications) are wholly contained within the lot that they serve.	As part of the request for approval of the Plan of Subdivision.
31	Remove redundant services	

A	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the request for approval of the Plan of Subdivision.
B	Certify in writing that all services made redundant as a result of the development have been removed and that the land is reinstated.	As part of the request for approval of the Plan of Subdivision.
SCHEDULE 2—ENGINEERING		
Assessment Manager		
GENERAL		
32	Make operational works application	
	Make an operational works application to Council, and pay the required fees, where the development involves assessable operational works, including as identified in the following conditions. Note—This condition does not apply to Operational Works authorised by the part of this Development Approval for Bulk Earthworks and Vegetation Clearing.	Prior to the commencement of any operational works.
33	Design and construction standards	
	All works are to be designed and constructed in accordance with the requirements of the Somerset Region Planning Scheme.	At all times.
34	No cost of works	
	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these development conditions, unless otherwise identified in the condition.	At all times.
35	RPEQ certification	
	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 (a) plans and specifications must be prepared and certified with the Operational Work application; (b) certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements.	As follows: (a) as part of the relevant operational works application; (b) prior to the request for approval of the Plan of Subdivision.
OPEN SAPCE AND LANDSCAPING		
36	Entry statements	
	All entry statements, fences, batters, retaining walls and buffer/screen plantings must be located entirely	At all times.

	within private land and not within the road reserve, park or other public land.	
37	Landscaping plan	
	<p>The developer must submit to Council for endorsement, a Landscape Plan for all landscaping associated with the development. The plan must be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction.</p> <p>The Landscape Plan must address the performance criteria listed below:</p> <ul style="list-style-type: none"> • Comply with the <i>Somerset Region Planning Scheme</i>. • To enhance the appearance of the development internally and externally. • To make a positive contribution to the streetscape; • To screen unsightly objects from public view; • To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; • To ensure common areas are useable; • To provide long term erosion protection; • To integrate with existing vegetation and other natural features of the site and adjoining lands; and • To provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> • The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; • A schedule of the number and size of plants; • The typical planting detail including preparation, backfill, staking and mulching. • The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by Council. Any amendments approved by Council are taken to be a part of the approved Landscape Plan. 	As part of Operational works for Landscaping Works.

	<ul style="list-style-type: none"> All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work. Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: <ul style="list-style-type: none"> Using trees which have a clean trunk height of at least 1.8 metres (at maturity); Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; A minimum of 70% of landscaped areas must be retained as a permeable surface. Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times. 	
38	Deliver landscape works	
	The developer is to prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved by Council. Any amendments approved by Council are taken to be a part of the approved Landscape Plan.	Prior to the request for approval of the Plan of Subdivision.
FLOOD HAZARD		
39	Finished ground level above flood level	
A	Fill below the Defined Flood Level (DFL) is to be in accordance with an approved flood study.	As part of the operational works.
B	Provide certification from a Registered Cadastral Surveyor that the finished ground level for each lot is above the post development 1% AEP level.	As part of the request for approval of the Plan of Subdivision.
EARTHWORKS		
40	Earthworks	
	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
41	No contaminated materials	

	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
42	Stockpiles	
	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
43	Removal of dams	
	All dams are to be removed.	Prior to the request for approval of the Plan of Subdivision.
ROADWORKS		
44	Road signage and markings	
	Install all traffic signs and line markings in accordance with <i>Austrroads</i> .	Prior to the request for approval of the Plan of Subdivision.
45	Complete roadworks	
	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
46	Temporary turnarounds	
A	Provide a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to the request for approval of the Plan of Subdivision.
B	Provide easements for each turn around area mentioned in (A), other than where within road reserve or land controlled by Council. The easement is to be registered at the time that the Plan of Subdivision is registered.	As part of the request for approval of the Plan of Subdivision.
47	Road design standards	
A	Provide verge and access in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
B	Road reserve and carriageway widths are to be in accordance with the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
C	Provide 6m (length) x 3 (no.) chord truncations on property boundaries at all road intersections.	As part of Operational Works.
48	Remove improvements and obstructions	

	Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to the request for approval of the Plan of Subdivision.
STREET NAMES		
49	Street names	
A	Submit a list of road names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council.	As part of operational works.
B	Install, at no cost to Council, street nameplates. Street nameplates are to comply with <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
KERB AND CHANNEL		
50	Kerb and channel	
	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works application
FOOTPATHS		
51	Footpaths	
A	For each Access Street, provide a concrete footpath on at least one side with a minimum width of 1.5 metres in accordance with <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
B	For each Collector Street, provide a concrete footpath on both sides with a minimum width of 1.5 metres in accordance with <i>Planning Regulation 2017</i> (schedule 12A) and <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
STREET LIGHTING		
52	Street lighting	
A	Install street lighting in accordance with AS1158.3.1:2020 <i>Lighting for Roads and Public Spaces</i> as follows: (a) Access Street – Lighting Category PR5 (b) Collector Street – Lighting Category PR4. Street lighting is to be installed on the same side as footpaths, where applicable.	Prior to the request for approval of the Plan of Subdivision.
B	Provide certification of street lighting installation by a suitably experienced Registered Professional Engineer Queensland (RPEQ).	As part of the request for approval of the Plan of Subdivision.
STORMWATER		
53	Approved Stormwater Management Plan	

	Stormwater Drainage shall be constructed in general accordance with Master Stormwater Management Plan prepared by Burchill Engineering Solutions, Document No: BE230128-RP-MSMP-02, dated April 2024.	As part of Operational Works.
54	Amended Hydraulic Impact Assessment and Stormwater Management Plan	
	<p>Submit an amended Stage 1 Hydraulic Impact Assessment (HIA) and Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the Approved Plans and <i>Somerset Region Planning Scheme</i>.</p> <p>The amended Stage 1 HAI and SBSMP should include the following:</p> <ul style="list-style-type: none"> (a) be generally in accordance with the Master Stormwater Management Plan; (b) include flood mitigation downstream of Stage 1 to ensure that downstream impacts (proposed to be mitigated as part of the overall stormwater management plan) are mitigated as part of Stage 1; <p>The amended Stage 1 SBSMP must also include:</p> <ul style="list-style-type: none"> (a) quantity and quality of stormwater to be released from the development; (b) all sources of potential contamination (including but not limited to the actual and potential release of all contaminants; (c) the potential impact of these sources; (d) impact of the release of stormwater from the development on the quality and integrity of the receiving environment; (e) measures to be implemented to prevent the likelihood of stormwater contamination; and (f) maintenance schedule. 	As part of the lodgement of the Operational Works application.
55	Lawful point of discharge	
	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times.
56	No increase in peak discharge	
	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.
57	No actionable nuisance	

	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times
58	Stormwater design standards	
	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
59	Attenuate flows	
	Attenuate the difference between pre and post developed flows.	As part of Operational Works.
60	All lots to drainage system	
	Fill, compact and grade all low-lying land being subdivided to ensure each allotment is drained adequately by gravitation to the drainage system within the proposed development.	As part of Operational Works.
61	Inter-allotment drainage	
	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
62	Adjoining landowner consent	
	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	As part of Operational Works.
63	No ponding or nuisance	
	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	As part of Operational Works.
64	Release of contaminants	
	Containments or contaminated water must not be directly or indirectly released from the premises to surface water or groundwater at or outside the premises except for: (a) uncontaminated overland stormwater flow; or (b) uncontaminated stormwater to the stormwater system.	At all times.
EROSION AND SEDIMENT CONTROL		

65	Erosion and sediment controls (generally)	
A	<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.</p> <p>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"> (a) be required to install additional measures. (b) 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>	During site works, building works or operational works phases.
B	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.	During site works, building works or operational works phases.
66	Erosion and sediment control plan	
A	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ).	As part of the lodgement of the Operational Works application
B	<p>Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works.</p> <p>All sediment control devices and sediment collection points shall be monitored monthly, sediment removed as necessary, and devices maintained responsibly during construction and maintenance period of the development works.</p>	During site works, building works or operational works phases.
WASTE		
67	Waste	
A	All wastes are to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
B	<p>Where vegetation is cleared from the site, the vegetation waste shall be:</p> <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. 	At all times.

	No incineration of vegetation or waste will be permitted at the site.	
C	Waste, other than vegetation waste, generated as a result of the development shall be disposed of at an approved waste disposal facility.	At all times.
SCHEDULE 3—REFERRAL AGENCIES		
As Indicated		
No.	Condition	Timing
The following referral agency responses have been received and are attached to the Decision Notice.		
68	State Assessment and Referral Agency referral agency response	
A	Comply with the requirements of the referral agency response 2401-38851 SRA dated 2 April 2024, or as amended.	As indicated in the referral agency response.
B	Provide certification to Council from a suitably qualified person or the relevant agency demonstrating that the requirements of the referral agency response have been met.	As part of the request for approval of the Plan of Subdivision.
SCHEDULE 4—INTERPRETATION AND ADVICE		
Assessment Manager		
No.	Note	
INTERPRETATION		
69	Notes and advice notes	
	<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>	
70	Interpretation of timing of development conditions	
A	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”.	
B	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”.	
C	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.
D	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.
71	Interpretation of Certificate of Occupancy
	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	
72	When approval takes effect (Advice)
	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.
73	Aboriginal Cultural Heritage Act (Advice)
	<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>
74	Fire ants (Advice)
	<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>
75	Infrastructure charges (Advice)
	<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>
76	Water supply and wastewater (Advice)
	<p>Authorisation to connect the approved development to the water supply and wastewater networks and for property service connections require a Water Approval from the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.</p> <p>For the approval of a Plan of Subdivision, written evidence from Urban Utilities must be provided to Council to verify that the conditions of any necessary Water Approval have been complied with.</p>
77	Property access (Advice)
	<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 somerset.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>
78	Vegetation clearing (Advice)
	<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>
79	Works hours (Advice)
	<p>Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the <i>Environmental Protection Act 1994</i>.</p>

80	Operational works (Advice)															
	<p>Upon receiving the certification by a RPEQ, and submission and approval of as constructed drawings and documentation, Council will accept the works as “On Maintenance”.</p> <p>Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months for civil works and 18 months for landscaping (maintenance period) from the date of “On Maintenance”. Any defective works must be rectified within the maintenance period.</p> <p>At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed “Off Maintenance”. Bonds or other securities will be released after the works have been placed “Off Maintenance”.</p>															
81	Approval of Plan of Subdivision (Advice)															
	<p>The Plan of Subdivision will not be released until all works are completed to Council’s satisfaction or uncompleted works are suitably bonded.</p>															
PART C: OPERATIONAL WORKS																
Relevant aspect of the development approval:																
<ul style="list-style-type: none">Development Permit for Operational Works																
SCHEDULE 1—GENERAL CONDITIONS																
Assessment Manager																
GENERAL																
82	<p>Carry out the development generally in accordance with the following approved plan(s), supporting documentation, Somerset Region Planning Scheme, and the, except where amended by these conditions of approval.</p> <ul style="list-style-type: none">Drawings prepared by Burchill Engineering Solutions as identified in the table below: <table><tr><th>Plan/Document number</th><th>Plan/Document name</th><th>Date</th></tr><tr><td>Drawing No. BE230128-01A-C000, Revision B</td><td>Locality Plan, Drawing Index and Notes, prepared by Burchill Engineering Solutions</td><td>24 April 2024</td></tr><tr><td>Drawing No. BE230128-01A-C200, Revision B</td><td>Bulk Earthworks Layout Plan, prepared by Burchill Engineering Solutions</td><td>24 April 2024</td></tr><tr><td>Drawing No. BE230128-01A-C210, Revision B</td><td>Earthwork Sections, prepared by Burchill Engineering Solutions</td><td>24 April 2024</td></tr><tr><td>Drawing No. BE230128-01A-C220, Revision B</td><td>Earthworks Notes and Details, prepared by Burchill Engineering Solutions</td><td>24 April 2024</td></tr></table>	Plan/Document number	Plan/Document name	Date	Drawing No. BE230128-01A-C000, Revision B	Locality Plan, Drawing Index and Notes, prepared by Burchill Engineering Solutions	24 April 2024	Drawing No. BE230128-01A-C200, Revision B	Bulk Earthworks Layout Plan, prepared by Burchill Engineering Solutions	24 April 2024	Drawing No. BE230128-01A-C210, Revision B	Earthwork Sections, prepared by Burchill Engineering Solutions	24 April 2024	Drawing No. BE230128-01A-C220, Revision B	Earthworks Notes and Details, prepared by Burchill Engineering Solutions	24 April 2024
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Drawing No. BE230128-01A-C220, Revision B	Earthworks Notes and Details, prepared by Burchill Engineering Solutions	24 April 2024														

	Drawing No. BE230128-01A-C250, Revision B	Erosion and Sediment Control Plan – Earthworks Phase, prepared by Burchill Engineering Solutions	24 April 2024
	Drawing No. BE230128-01A-C251, Revision B	Erosion and Sediment Control Plan Basin Notes and Details, prepared by Burchill Engineering Solutions	24 April 2024
	Drawing No. BE230128-01A-C252, Revision B	Erosion and Sediment Control Plan Typical Notes and Details, prepared by Burchill Engineering Solutions	24 April 2024
	Drawing No. BE230128-01A-C900, Revision B	Hazard Risk Register – Design Risks, prepared by Burchill Engineering Solutions	24 April 2024
	<ul style="list-style-type: none"> Master Stormwater Management Plan prepared by Burchill Engineering Solutions, Document No: BE230128-RP-MSMP-02, dated April 2024. 		
83	<p>Submit to and obtain approval from Council additional civil drawings and amended Stage 1 Hydraulic Impact Assessment (HIA) and amended Site Based Stormwater Management Plan (SBSMP) incorporating the following:</p> <p>(a) flood mitigation downstream of Stage 1 is to be included to ensure that downstream impacts (proposed to be mitigated as part of the overall stormwater management plan) are mitigated as part of the Stage 1 Bulk Earthworks.</p> <p>The additional civil drawings and reports are to be approved by Council prior to the arrangement of a prestart meeting for the operational works.</p> <p>The approved additional civil drawings and reports shall form part of the Approved Plans and Documents.</p>		
84	Comply with relevant provisions of the Somerset Region Planning Scheme (as amended), Planning Scheme Policies and Local Laws.		
85	This approval extends to engineering works including earthworks, sediment control and erosion control only.		
86	The Applicant is responsible for obtaining written consent of the property owner/s affected by any works of this approval or where infrastructure is to be constructed on private property not under the ownership of the applicant. Proof of owner/s consent is to be provided prior to commencement of works.		
87	The Applicant is responsible for obtaining all necessary approvals and permits required from any external agencies in satisfying the conditions of this approval. The cost of obtaining any approvals and permits is at the Applicant's expense.		

88	Certification must be given to Council by a Registered Professional Engineer in Queensland (RPEQ) that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements.
89	Make available, a legible copy of the Approved Drawings and Conditions of approval on site, at all times, during construction.
90	This approval does not extend to the following; <ul style="list-style-type: none"> (a) Civil Roadworks (b) Stormwater Drainage (c) Provision of electrical networks, or street lighting; (d) Telecommunications facilities; (e) Water Supply and Sewerage infrastructure; and (f) Landscaping.
91	<p>Prior to works commencing, it is required that a pre-start meeting be attended by Council Officers, the supervising engineer and the Contractor.</p> <p>Prior to this meeting taking place a "Prestart Meeting" fee is be paid to Council as per Somerset Regional Council schedule of fees and charges, applicable at time of meeting request. At that meeting, it will be necessary for the supervising engineer to provide Council with the following:</p> <ul style="list-style-type: none"> (a) Supervising Engineers (RPEQ) Contact Details; (b) A works program; (c) Inspection and test plan; (d) Public liability certificate of currency (project specific); (e) Workplace Health and Safety plan; (f) Job Specification; (g) Environmental Management Plan; and (h) Traffic Management Plan.
92	<p>Compulsory inspections and meetings shall be undertaken by Council, with a minimum of two clear working days notice required to be given to Council for an inspection of sections of the work at the following stages:</p> <ul style="list-style-type: none"> (a) Pre-start meeting with Council, Contractor, and supervising engineer; (b) At the point of completion of all works before placing "on maintenance"; (c) At the point of requesting the works to accepted "off maintenance"; and (d) Other inspections as deemed necessary by Council.
93	<p>The Developer is to provide written notice to nearby and neighbouring properties by means of a letter box drop on the Land prior to commence of works to identify:</p> <ul style="list-style-type: none"> (a) An indicative start date for the works; (b) A timeframe by which the works will be completed; and (c) A contact person during the works.
94	All rates and charges are to be paid prior sealing of the Plan of Survey.
95	Where the progression of work leads to substantiated complaints, the Applicant shall immediately rectify works and undertake any directions from Council Officers to rectify any works.

96	From time to time, Council and/or their representatives may enter the work site to which this approval relates and undertake any testing or analysis of any part of the construction, and Council is not liable for the rectification or any compensation for any damage caused in the testing or analysis process. Should work be found to be not constructed to specification or of poor quality, any reasonable instruction given by Council Officers shall be considered to be a condition of approval and undertaken by the principal contractor.
97	Where complete or incomplete works under this approval adversely affect adjoining properties, Council land, roads or other infrastructure, the Council may require by notice, works to be completed. Where Council deems it necessary to undertake works for the safety or health of the community or protection of infrastructure, costs associated with such works shall be recoverable from the applicant.
98	Any damage which is incurred to services, signs, footpaths, roadways, kerb and channel, or other work abutting the subject land as a result of the proposed development shall be repaired immediately should hazards exist for pedestrian or vehicular safety. Otherwise, all damage shall be repaired immediately upon completion of works associated with the development at the Applicants expense.
99	<p>Unless otherwise approved in writing by the Director of Operations, hours of construction shall be:</p> <p>(a) Monday to Saturday - 6.30 a.m. to 6.30 p.m. - Noise permitted</p> <p>(b) Sunday and Public Holidays - No audible noise permitted</p> <p>Work or business which causes audible noise shall not be conducted from or on the site outside the above hours.</p>
100	Council officers or its representative will not deal directly with Contractors and / or the Applicants representatives in respect to operational matters arising from this approval. All operational matters must be dealt with by the nominated supervising engineer.
101	It is the applicant's responsibility to appoint the principal contractors, complete forms, notify Workplace, Health and Safety, pay fees and carry out any other Workplace, Health and Safety legislative requirements, and submit evidence of compliance to Council.
102	The applicant shall have on site, at all times, a traffic management plan and work method statements in accordance with Workplace, Health and Safety.
103	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility by a licensed regulated waste disposal contractor and general solid waste to be disposed of at Council approved landfill sites with the contractor covering all costs reasonably incurred for the receipt and management of the waste.

104	All waste movement occurring in the Fire Ant biosecurity zones must adhere to the Biosecurity Regulation and the Soil Movement Guidelines developed under the <i>Biosecurity Act 2014</i> .
105	Biosecurity Queensland should be notified on 13 25 23 of proposed development before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.
106	Biosecurity Queensland and Somerset Regional Council are to be notified immediately of any report suspected sightings of fire ants within the proposed works site.
EARTHWORKS	
107	Earthworks and fill on the subject land shall not lead to ponding of water or actionable nuisance and shall ensure all lots, both internal and adjoining, drain freely to a lawful point of discharge.
108	All earthworks to be constructed in accordance with AS3798 Level 1 inspection testing. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organization and results forwarded to Council for approval prior to plan sealing.
109	Applicant shall ensure surface level for proposed building platforms are provided above highest known flood level for all proposed lots, in accordance with Somerset Region Planning Scheme.
110	This approval does not extend to any material proposed to be imported to or exported from the site: (a) Other than from or to site(s) that have a current development approval enabling them to export/import any material; or (b) The material is being exported to and accepted at a licensed Council refuse facility.
111	In the event that it is proposed to import material to or export material from the site the following details are to be submitted to Council for endorsement or otherwise prior to the commencement of the work: (a) Details of the location of any material to be sourced for fill including the volume of fill to be moved from any particular source site; (b) Details of the final location for any material to be exported from the site from excavations including the volume to be moved to any particular site; and (c) The proposed haulage route(s), truck sizes and final destination for carting of the material.

	(Please note that further development applications may be required to be submitted to and endorsed by Council for sites proposed to export/import material or conditions may be applied to any sites endorsed in accordance with this condition e.g. submit a Traffic Management Plan for acceptance, rehabilitation of the site. Any required approvals are to be in place prior to the commencement of the work.)
112	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).
113	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.
114	<p>Waste material as a result of demolition works and excavation works must not be used as fill where the material includes the following as defined within the <i>Environmental Protection Regulation</i>:</p> <ul style="list-style-type: none"> (a) Commercial waste; (b) Construction or demolition waste; (c) Domestic clean-up waste; (d) Domestic waste; (e) Garden waste; (f) Industrial waste; (g) Interceptor waste; (h) Recyclable biodegradable waste; (i) Recyclable waste; and (j) Regulated waste. <p>All waste material above as defined within the <i>Environmental Protection Regulation</i> must only be disposed at a waste facility approved for the receipt of waste.</p>
115	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> (a) Milling; (b) Chipping and/or mulching; (c) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operational works shall be disposed of to an approved disposal facility via an approved waste receptacle and/or collection service.</p>
116	All batter slopes from building pads are to have a maximum slope of 1 in 4.
117	Internal allotment boundaries are not to have any cut and fill batter's steeper than 1 in 4.

118	The toe of any fill batter and the top of any cut batter is to be a minimum 300mm clear of the boundary line of an adjoining property.
119	Batters are not to exceed 1 in 6 in areas to be ultimately maintained by Council.
120	Building pads to have a slope less than 10%.
STORMWATER	
121	Ensure Stormwater drainage is delivered to a lawful point of discharge.
122	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.
123	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.
124	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.
TRAFFIC CONTROL	
125	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Austroads Guide to Temporary Traffic Management</i> ".
126	Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.
EROSION CONTROL	
127	<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"> (a) Be required to install additional measures. (b) 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>
128	No construction works may commence until an Erosion and Sediment Control Plan has been designed and signed approved by a Registered Professional Engineer

	Queensland (RPEQ). This signed approval plan is to be issued to Council prior to commencement of works.
129	Implementation of all relevant sediment and erosion control measures and temporary fencing to be as identified on the Erosion and Sediment Control Plan and approved engineering drawings, any changes to the Erosion and Sediment Control Plan or approved engineering drawings are to be submitted to Council for approval prior to implementation.
130	All sediment control devices and sediment collection points shall be monitored monthly, and after each rain event, with sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.
131	No construction works may commence on subject sites until appropriate Sediment and Erosion Controls have been implemented and approved by RPEQ.
132	Grass turf shall be provided within all stormwater swales on completion of earthworks.
133	All disturbed areas of the Land are to be left in a geotechnically stable state and revegetated.
134	Measures shall be applied to Council's satisfaction to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance during construction and the ensuring defects liability period.
135	Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and prevented from entering the road and/or drainage system.
136	Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion, debris and/or sediment from the site, then such works shall be at the developer's expense. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.
137	The site shall be maintained in a clean orderly state and weed free, at all times.
COMPLETION OF WORKS	

138	At the time of completed works and prior to any “on maintenance” inspections the applicant shall submit a condition compliance checklist confirming all conditions of the Operational Work approval have been complied with.
139	<p>Following satisfactory inspection of the completed works, and acceptance of the works “on maintenance” for a minimum 12 months for civil works, a “defects liability period” will apply from the commencement of the “on maintenance” period. The Applicant is to carry out any necessary maintenance or repairs to non-conforming work, defects and/or damage to any works undertaken in relation to this approval, even where damage has resulted from a third party activity.</p> <p>During this time, a bond or other security equal to 5% of the operational works will be retained to ensure correction of any defects in the constructed works.</p> <ul style="list-style-type: none"> (a) Payment of this bond or other security is required prior to Council accepting the works “on maintenance”. (b) “On Maintenance” approval required prior to sealing of the Plan of Survey for each stage. (c) The bond or other security will be entirely forfeited to Council should there be any failure by the applicant to undertake all works considered by Council as necessary to rectify any non-complying works and to protect public safety. (d) In the event that the bond or other security is insufficient, Council reserves the right to seek restitution. <p>At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed “off maintenance”. Bonds or other securities will be released after works have been placed “off maintenance”.</p>
140	<p>The “on maintenance” period commences only when Council provides written confirmation that all of the following are completed:</p> <ul style="list-style-type: none"> (a) The satisfactory completion of all works and conditions of operational works approval; (b) The lodgement with Council, of certification from an RPEQ that the works have been undertaken in accordance with the approved plans and specifications and to Council’s requirements; (c) The lodgement of “on maintenance” bond or security; (d) The submission of “As Constructed” data in the ADAC format; and (e) Compliance with the conditions of approval for any Operational Works, Reconfiguring a Lot, Material Change of Use and any other approvals on the subject site.
141	The request for the development to be placed “On Maintenance” and “Off Maintenance” shall be in writing.
142	All inspection and test data prepared by the applicant, engineer, principal, contractor or by subcontractors in relation to the operational work or as described in the application must be provided in its entirety to Council prior to the endorsement of the Plan of Survey. Should any further inspection, testing or analysis be required due to failure of work to meet specifications or where the testing previously provided is

	considered insufficient, this shall be undertaken on behalf of the principal contractor by NATA accredited entity (where applicable) and provided to council at no cost.
143	At completion of the operational works, suitable "As-Constructed Drawings" shall be submitted to the Council electronically in AutoCAD and PDF format using the Asset Design As Constructed (ADAC) specifications. The "As-Constructed Drawings" or data capture methods, including an asset register as required by the Council shall be checked and certified by a Registered Professional Engineer of Queensland (RPEQ) in accordance with Council's development manual. "As Constructed" data shall be provided for the following elements where applicable: (a) Topographical Detail, including TIN / DTM model information; and (b) Cadastre (as a reference feature).
144	It should be noted that, in approving plans for this project, Council has carried out an audit check of information submitted. Accordingly, Council has placed reliance on the certificate of design that the approved plans are correct and in accordance with required engineering standards.
145	Certification must be given to Council by a Registered Professional Engineer in Queensland (RPEQ) that the works have been completed in accordance with the approved plans and specifications and to Council's requirements.
ADVICES	
146	<p>Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.</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 Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
147	<p>The current Aboriginal Cultural Heritage Act 2003 should be adhered to.</p> <p>The Aboriginal Cultural Heritage Act 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 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 www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care.</p>
148	<p>The Australian Government recently declared koala populations in Queensland as an endangered species under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth). Accordingly, where development may facilitate an action that is likely to have a significant impact on the koala the applicant is required to refer that development proposal to the Federal Environment Minister. A significant impact includes the removal of two or more koala food trees or any other activity that may impact on local koalas.</p> <p>Determining whether an action is likely to have a significant impact on a matter of national environmental significance, you are advised to discuss the matter with the Department's referral business entry point, through the Department's community information unit on 1800 803 772 or by emailing epbc.referrals@environment.gov.au</p>

Attachments for the Decision Notice include:

- Preliminary Approval Document:
 - The Lowood Estate Precinct Code, contained within Part 3 of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - The Access and Mobility Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - The Zoning Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - Landscape Character Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - Feature Fencing and Acoustic Fencing, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - Open Space Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - Allotment Diversity Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - Density Master Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;
 - Lowood Subdivision Staging Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023.
- Statement of Landscape Intent, Lowood Estate, prepared by Sargeant Planning, Project No. 003, dated 8 April 2024
- Civil Engineering Report, prepared by Burchills Engineering Solutions, Project No. BE230128, Document No. BE230128-RP-CER-01, dated April 2024
- Master Stormwater Management Plan, prepared by Burchills Engineering Solutions, Project No. BE230352, Document No. BE230128-RP-MSMP-02, dated April 2024

- Traffic Impact Assessment Report, prepared by Burchills Engineering Solutions, Project No. BE230128, Document No. BE230128-RP-TIA-04, dated April 2024
- Stage 1 Subdivision Layout, drawn by Burchills Engineering Solutions, reference BE230128-01-SK010-B, dated 24 March 2024
- Lowood Estate Precinct Code Building Requirements, drawn by Sargeant Planning, reference drawing 001, issue 002, sheet 003, dated 12 April 2024
- Stage 1 [Plan of Development], drawn by Sargeant Planning, reference drawing 001, issue 002, sheet 004, dated 12 April 2024
- Locality Plan, Drawing Index and Notes, prepared by Burchill Engineering, Drawing No. BE230128-01A-C000, Revision B, dated 24 April 2024
- Bulk Earthworks Layout Plan, prepared by Burchill Engineering Solutions, Drawing No. BE230128-01A-C200, Revision B, dated 24 April 2024
- Earthwork Sections, prepared by Burchill Engineering Solutions, Drawing No. BE230128-01A-C210, Revision B, dated 24 April 2024
- Earthworks Notes and Details, prepared by Burchill Engineering Solutions, Drawing No. BE230128-01A-C220, Revision B, dated 24 April 2024
- Erosion and Sediment Control Plan – Earthworks Phase, prepared by Burchill Engineering Solutions, Drawing No. BE230128-01A-C250, Revision B, dated 24 April 2024
- Erosion and Sediment Control Plan Basin Notes and Details, prepared by Burchill Engineering Solutions, Drawing No. BE230128-01A-C251, Revision B, dated 24 April 2024
- Erosion and Sediment Control Plan Typical Notes and Details, prepared by Burchill Engineering Solutions, Drawing No. BE230128-01A-C252, Revision B, dated 24 April 2024
- Hazard Risk Register – Design Risks, prepared by Burchill Engineering Solutions, Drawing No. BE230128-01A-C900, Revision B, dated 24 April 2024
- State Assessment and Referral Agency referral agency response

This completes the report for Development Application DA24481.

Resolution	Moved – Cr Brieschke	Seconded – Cr Freese
<p>“THAT Council:</p> <ol style="list-style-type: none"> 1. approve Development Application No. 24481 on land situated at 2983 Forest Hill Fernvale Road, Lowood, formally described as Lot 56 SP197415 and Lot 57 SP197415, subject to the recommended conditions and requirements contained in the schedules and attachments to this report, by giving the following approvals: <ol style="list-style-type: none"> a. Preliminary Approval (including a Variation Request) for Material Change of Use for Dwelling Houses and Dual Occupancies (vary the Planning Scheme with the Lowood Estate Development Code); b. Preliminary Approval (including a Variation Request) for Reconfiguring a Lot by Subdivision (358 Residential Lots, Open Space, Road and Drainage in accordance with the Lowood Estate Development Code); c. Development Permit for Reconfiguring a Lot by Subdivision (Two Lots into 48 Lots plus One Balance Lot, Road, Open Space, and Drainage); and 		

- d. Development Permit for Operational Works for Earthworks and Vegetation Clearing (associated with Stage One).
2. in accordance with section 89 of the *Planning Act 2016*, having given a variation approval under section 61 of the *Planning Act 2016*:
 - a. note the decision to give the variation approval on Council's planning scheme; and
 - b. give notice of the notation to the Chief Executive administering the *Planning Act 2016*.
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*.

PART A: VARIATION APPROVAL

Relevant aspect of the development approval:

- Preliminary Approval (including a Variation Request) for Material Change of Use
- Preliminary Approval (including a Variation Request) for Reconfiguring a Lot

SCHEDULE 1—GENERAL CONDITIONS

Assessment Manager

VARIATIONS TO THE SOMERSET REGION PLANNING SCHEME

To avoid doubt, the variations described apply despite any amendment made to the Somerset Region Planning Scheme whilst this Variation Approval is in effect.

1	Zoning
A	For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, development under this Variation Approval shall be assessed as if the land was within the General residential zone (not with a precinct), as amended from time to time.
B	For land shown within the Lowood Estate Open Space Zone on the Approved Zoning Plan, development under this Variation Approval shall be assessed as if the land was within the Recreation and open space zone.
2	Desired Settlement Pattern map
	For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, development under this Variation Approval shall be assessed as if the land was within the Future Residential Area on the Desired Settlement Pattern map.
3	Overlays
	There are no variations to any overlay maps or overlay codes under this Variation Approval.
4	Approved Preliminary Approval Document (Lowood Estate Precinct Code)
	<p>The following parts of the Preliminary Approval Document are an Approved Document for the Variation Approval:</p> <p>(j) The Lowood Estate Precinct Code, contained within Part 3 of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p>

	<p>(k) The Access and Mobility Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p> <p>(l) The Zoning Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p> <p>(m) Landscape Character Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p> <p>(n) Feature Fencing and Acoustic Fencing, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p> <p>(o) Open Space Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p> <p>(p) Allotment Diversity Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p> <p>(q) Density Master Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023;</p> <p>(r) Lowood Subdivision Staging Plan, contained within Appendix A of the Lowood Estate Precinct Preliminary Approval Document (v3), dated December 2023.</p>											
5	Categories of development and assessment											
A	Where an Assessment Category under this Variation Approval is higher than under the Local Planning Instrument, the Assessment Category under the Local Planning Instrument shall prevail, however the identified Assessment Criteria of the Variation Approval shall still apply.											
B	<p>For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, the Assessment Category and Assessment Criteria for development that is material change of use shall be in accordance with Table 1.1 below.</p> <p>Table 1.1: Material Change of Use—Lowood Estate Residential Zone</p> <table><tr><th>Use</th><th>Assessment Category</th><th>Assessment Criteria</th></tr><tr><td rowspan="2">Dual Occupancy</td><td>Accepted development, subject to requirements, if: (c) on a lot nominated as a Dual Occupancy Lot on an Approved Plan of Development; and (d) complying with the identified assessment criteria.</td><td><ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr><tr><td>Code assessment if not Accepted development subject to requirements.</td><td><ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr><tr><td>Dwelling House</td><td>Accepted development, subject to requirements, if complying with the identified assessment criteria.</td><td><ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr></table>	Use	Assessment Category	Assessment Criteria	Dual Occupancy	Accepted development, subject to requirements, if: (c) on a lot nominated as a Dual Occupancy Lot on an Approved Plan of Development; and (d) complying with the identified assessment criteria.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.	Code assessment if not Accepted development subject to requirements.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.	Dwelling House	Accepted development, subject to requirements, if complying with the identified assessment criteria.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.
Use	Assessment Category	Assessment Criteria										
Dual Occupancy	Accepted development, subject to requirements, if: (c) on a lot nominated as a Dual Occupancy Lot on an Approved Plan of Development; and (d) complying with the identified assessment criteria.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.										
	Code assessment if not Accepted development subject to requirements.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.										
Dwelling House	Accepted development, subject to requirements, if complying with the identified assessment criteria.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.										

		<p>Code assessment, if not Accepted development subject to requirements.</p> <p>Note—refer to Schedule 6, section 2(2) and Schedule 9, part 3 of the <i>Planning Regulation 2017</i> where development for a dwelling house may require a referral agency assessment instead of code assessment.</p>	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.
	Any other material change of use	As per the Local Planning Instrument.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.

C

For land shown within the Lowood Estate Residential Zone on the Approved Zoning Plan, the Assessment Category and Assessment Criteria for development other than material change of use shall be in accordance with Table 1.2 below.

Table 1.2—Other Development—Lowood Estate Residential Zone

Development	Assessment Category	Assessment Criteria
Reconfiguring a Lot	Code assessment, if all lots are greater than or equal to 450m ² .	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.
	Impact assessment, if a lot is less than 450m ² .	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.
Any other development	As per the Local Planning Instrument	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.

D	For land shown within the Lowood Estate Open Space Zone, there are no variations to the Assessment Category or Assessment Criteria of the Local Planning Instrument for development that is a material change of use.									
E	<p>For land shown within the Lowood Estate Open Space Zone on the Approved Zoning Plan, the Assessment Category and Assessment Criteria for development other than material change of use shall be in accordance with Table 1.3 below.</p> <p>Table 1.3—Other Development—Lowood Estate Open Space Zone</p> <table><tr><th>Development</th><th>Assessment Category</th><th>Assessment Criteria</th></tr><tr><td>Reconfiguring a Lot</td><td>Code assessment in all instances.</td><td><ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.</td></tr><tr><td>Any other development</td><td>As per the Local Planning Instrument</td><td><ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.</td></tr></table>	Development	Assessment Category	Assessment Criteria	Reconfiguring a Lot	Code assessment in all instances.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.	Any other development	As per the Local Planning Instrument	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.
Development	Assessment Category	Assessment Criteria								
Reconfiguring a Lot	Code assessment in all instances.	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied by this Variation Approval.								
Any other development	As per the Local Planning Instrument	<ul style="list-style-type: none">The relevant Assessment Criteria of the Local Planning Instrument, other than as varied on an Approved Plan of Development.								
6	Assessment criteria									
A	<p>Development that is material change of use for a dual occupancy or dwelling house must be assessed against any relevant Plan of Development approved under a Development Permit for Reconfiguring a Lot given under this Variation Approval.</p> <p>Note: A Plan of Development overrides any provision of the Local Planning Instrument.</p> <p>Note: Council may, in writing and upon request, amend a provision of a Plan of Development that applies to a dual occupancy or dwelling house.</p>									
B	<p>Development that is reconfiguring a lot must:</p> <ul style="list-style-type: none">(c) be assessed against the Approved Preliminary Approval Document forming part of this Variation Approval;(d) result in a Plan of Development for future dual occupancies and dwelling houses that achieves the requirements of the Lowood Estate Precinct Code. <p>Note: The Lowood Estate Precinct Code and any Plan of Development overrides any provision of the Local Planning Instrument.</p>									
C	Development that is building work (not associated with a material change of use) must be assessed against any relevant Plan of Development approved under a Development Permit for Reconfiguring a Lot given under this Variation Approval.									

	<p>Note: A Plan of Development overrides any provision of the Local Planning Instrument.</p> <p>Note: Council may, in writing and upon request, amend a provision of a Plan of Development that applies to a dual occupancy or dwelling house.</p>
7	Currency period
	<p>This Variation Approval will lapse if the first change of use does not happen by Friday, 31 January 2031, unless extended under section 86 and 87 of the <i>Planning Act 2016</i>.</p> <p>Note: This is a stated period for section 85(a)(i) of the <i>Planning Act 2016</i>.</p>
8	Completion period
	<p>All stages of the development must be completed by Wednesday, 31 January 2035.</p> <p>Note: This is a development condition under section 88(2)(a) of the <i>Planning Act 2016</i>. The Variation Approval will lapse to the extent that development is not completed within any period identified in this development condition.</p>
9	Land benefited by Variation Approval
	<p>This variation is limited to the area identified on the Approved Plans, formally described as:</p> <ul style="list-style-type: none"> (c) Lot 56 SP197415; (d) Lot 57 SP197415. <p>This variation continues to apply to land within the area identified on the approved plans even if the lots referred to above are subdivided or otherwise reconfigured whilst this Variation Approval is in effect.</p>
10	Uses benefited by Variation Approval
	<p>This variation is limited to the following uses, being:</p> <ul style="list-style-type: none"> (c) Dual occupancy; (d) Dwelling house.
11	Definitions for Variation Approval
	<p>The following terms are defined for the Variation Approval:</p> <ul style="list-style-type: none"> (g) <i>Approved Preliminary Approval Document</i> means the parts of the document referenced in the condition titled <i>Approved Preliminary Approval Document (Lowood Estate Precinct Code)</i>; (h) <i>Approved Zoning Plan</i> means the Zoning Plan forming part of the <i>Approved Preliminary Approval Document</i>; (i) <i>Assessment Category</i> means a category of development or category of assessment; (j) <i>Assessment Criteria</i>, means the requirements for accepted development and assessment benchmarks for assessable development (as relevant); (k) <i>Local Planning Instrument</i> means the Somerset Region Planning Scheme, including as amended or replaced;

	<p>(l) <i>Variation Approval Land</i> means the land described in the development condition titled <i>Land benefited by Variation Approval</i>.</p> <p>Where a term is not defined in the Variation Approval, it has the meaning assigned by the <i>Planning Act 2016</i>, the <i>Planning Regulation 2017</i>, or the planning scheme (in that order).</p> <p>Where the term is undefined it has its ordinary meaning.</p>	
12	Applications made under Variation Approval	
	<p>Any application submitted to Council under this Variation Approval must be consistent with this Variation Approval.</p> <p>Where inconsistent, the application must then be submitted to Council under the planning scheme in effect at the date of application.</p>	
13	Comply with Planning Instrument	
	<p>Any application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be assessed against the version of the Local Planning Instrument in effect when the application is properly made, as varied by this variation.</p> <p>To remove any doubt, the specific variations given in this approval prevail over any future amendments to the Local Planning Instrument.</p>	
14	Comply with Approved Plans and Documents	
	<p>Any development application seeking a Development Approval under this Preliminary Approval (that may or may not include a Variation Request) is to be generally consistent with the Approved Plans and Documents:</p> <ul style="list-style-type: none">(f) Approved Preliminary Approval Document (Lowood Estate Precinct Code); [Note: refer to Condition 4](g) Statement of Landscape Intent, Lowood Estate, prepared by Sargeant Planning, Project No. 003, dated 8 April 2024(h) Civil Engineering Report, prepared by Burchills Engineering Solutions, Project No. BE230128, Document No. BE230128-RP-CER-01, dated April 2024(i) Master Stormwater Management Plan, prepared by Burchills Engineering Solutions, Project No. BE230352, Document No. BE230128-RP-MSMP-02, dated April 2024(j) Traffic Impact Assessment Report, prepared by Burchills Engineering Solutions, Project No. BE230128, Document No. BE230128-RP-TIA-04, dated April 2024	
PART B: RECONFIGURING A LOT		
Relevant aspect of the development approval:		
<ul style="list-style-type: none">• Development Permit for Reconfiguring a Lot		
SCHEDULE 1—GENERAL CONDITIONS		
Assessment Manager		
No.	Condition	Timing

GENERAL		
15	Approved Plans and Documents	
	Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including as Amended in RED by Council), except as amended by these development conditions. Stage 1 Subdivision Layout, drawn by Burchills Engineering Solutions, reference BE230128-01-SK010-B, dated 24 March 2024 Lowood Estate Precinct Code Building Requirements, drawn by Sargeant Planning, reference drawing 001, issue 002, sheet 003, dated 12 April 2024 Stage 1 [Plan of Development], drawn by Sargeant Planning, reference drawing 001, issue 002, sheet 004, dated 12 April 2024	At all times.
16	Comply with planning scheme and local laws	
	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.
17	Availability of Development Approval (Works)	
	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.
18	No cost to Council	
	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.
RECONFIGURING A LOT		
19	Survey marks	
A	A Registered Cadastral Surveyor must install new Survey Marks in their correct positions in accordance with the Plan of Subdivision.	Prior to the request for approval of the Plan of Subdivision.
B	Provide certification to Council from a Registered Cadastral Surveyor that part (A) of this development condition has been complied with.	As part of the request for approval of the Plan of Subdivision.

20	Pay outstanding rates and charges	
	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council, including any charges that are levied but not fully paid over the subject land.	Prior to the approval of the Plan of Subdivision.
21	Valuation	
	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources. Currently, the amount is set at \$47.00 per allotment.	As part of the request for approval of the Plan of Subdivision.
PERIODS FOR THE DEVELOPMENT APPROVAL		
22	No provision for staging	
	The development is to occur in one stage.	As indicated.
LAND		
23	Transfer – Open space and drainage	
A	Transfer to Council the land shown on the Approved Plans as Drainage Reserve Area for the purpose of drainage. The transfer is to be at no cost to or compensation from Council and is to be given in fee simple on trust. This condition is imposed under section 145 of the <i>Planning Act 2016</i> .	As part of the registration of the Plan of Subdivision.
B	Provide the signed transfer documentation for the land required by part (A) of this condition.	As part of the request for approval of the Plan of Subdivision.
C	Submit to Council evidence of the registration of the transfer documentation.	Within one month of the registration of the Plan of Subdivision.
24	Easements – Stormwater and drainage	
A	Lodge for registration at the office of the Land Registry, easements for drainage. The easements are to be provided, in accordance with the current version of the Queensland Urban Drainage Manual, over: (d) all stormwater and inter-allotment drainage, sized 300mm or greater located within private property.	As part of the registration of the Plan of Subdivision.

	<p>(e) all stormwater and inter-allotment drainage that cross more than one property.</p> <p>(f) all concentrated overland flow paths that cross two or more properties.</p> <p>The minimum easement width to be provided is 3m.</p> <p>Easement widths greater than 3m may vary but must extend to include the flood paths for the 1%AEP flood flows including provisions for freeboard and provide suitable means of access for machinery around headwalls and steep batters to enable maintenance operations to occur without encroachment onto private property and are to be in accordance with the current version of the Queensland Urban Drainage Manual (QUDM).</p> <p>Note: Easements required for the discharge of stormwater over adjacent properties must be agreed to in writing by the owner of the property.</p>	
B	Provide the signed easement documentation for the easements required by part (A) of this condition.	As part of the request for approval of the Plan of Subdivision.
25	Easements – Services	
	Provide copies of the easement documentation for easements required for water, sewerage, and other services that are included on the Plan of Subdivision.	As part of the request for approval of the Plan of Subdivision.
LANDSCAPING AND SCREENING		
Vegetation (minor)		
26	Vegetation removal	
	<p>Where vegetation is cleared from the site, the vegetation waste shall be:</p> <p>(c) transported offsite for disposal at an approved waste disposal facility or reuse; or</p> <p>(d) processed onsite for use in landscaping or erosion and sedimentation control.</p> <p>No incineration of vegetation or waste will be permitted at the site.</p>	At all times.
27	Declared weeds	
	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of construction works (including on-maintenance).	At all times.

	Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.	
SERVICES AND CONNECTIONS		
28	Reticulated drinking water and wastewater	
A	Connect each lot to the reticulated drinking water and wastewater networks in accordance with the standards and requirements of the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.	Prior to the request for approval of the Plan of Subdivision.
B	Provide written evidence (e.g. connection certificate) from Urban Utilities that the connection to the reticulated networks are available as a standard connection and that all requirements of Urban Utilities have been satisfied.	As part of the request for approval of the Plan of Subdivision.
29	Reticulated electricity and telecommunications	
A	Connect each lot to the underground reticulated electricity and telecommunications networks to the standards of the relevant service provider.	Prior to the request for approval of the Plan of Subdivision.
B	Provide written evidence (e.g. certificate of supply or agreement) from the relevant service provider that each lot has been connected to the reticulated networks, connection is available at a standard connection, or has a current supply agreement.	As part of the request for approval of the Plan of Subdivision.
30	Services to remain within lots	
	Provide certification from a Registered Cadastral Surveyor that all services (for example, water, wastewater, drainage, electricity, telecommunications) are wholly contained within the lot that they serve.	As part of the request for approval of the Plan of Subdivision.
31	Remove redundant services	
A	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the request for approval of the Plan of Subdivision.
B	Certify in writing that all services made redundant as a result of the development have been removed and that the land is reinstated.	As part of the request for approval of the Plan of Subdivision.
SCHEDULE 2—ENGINEERING		
Assessment Manager		
GENERAL		
32	Make operational works application	

	<p>Make an operational works application to Council, and pay the required fees, where the development involves assessable operational works, including as identified in the following conditions.</p> <p>Note—This condition does not apply to Operational Works authorised by the part of this Development Approval for Bulk Earthworks and Vegetation Clearing.</p>	Prior to the commencement of any operational works.
33	Design and construction standards	
	All works are to be designed and constructed in accordance with the requirements of the Somerset Region Planning Scheme.	At all times.
34	No cost of works	
	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these development conditions, unless otherwise identified in the condition.	At all times.
35	RPEQ certification	
	<p>It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including</p> <ul style="list-style-type: none"> (c) plans and specifications must be prepared and certified with the Operational Work application; (d) certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	<p>As follows:</p> <ul style="list-style-type: none"> (c) as part of the relevant operational works application; (d) prior to the request for approval of the Plan of Subdivision.
OPEN SPACE AND LANDSCAPING		
36	Entry statements	
	All entry statements, fences, batters, retaining walls and buffer/screen plantings must be located entirely within private land and not within the road reserve, park or other public land.	At all times.
37	Landscaping plan	
	The developer must submit to Council for endorsement, a Landscape Plan for all landscaping associated with the development. The plan must be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction.	As part of Operational works for Landscaping Works.

	<p>The Landscape Plan must address the performance criteria listed below:</p> <ul style="list-style-type: none"> • Comply with the <i>Somerset Region Planning Scheme</i>. • To enhance the appearance of the development internally and externally. • To make a positive contribution to the streetscape; • To screen unsightly objects from public view; • To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; • To ensure common areas are useable; • To provide long term erosion protection; • To integrate with existing vegetation and other natural features of the site and adjoining lands; and • To provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> • The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; • A schedule of the number and size of plants; • The typical planting detail including preparation, backfill, staking and mulching. • The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by Council. Any amendments approved by Council are taken to be a part of the approved Landscape Plan. • All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. • Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work. • Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: 	
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	<ul style="list-style-type: none"> ○ Using trees which have a clean trunk height of at least 1.8 metres (at maturity); ○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; • A minimum of 70% of landscaped areas must be retained as a permeable surface. • Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times. 	
38	Deliver landscape works	
	The developer is to prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved by Council. Any amendments approved by Council are taken to be a part of the approved Landscape Plan.	Prior to the request for approval of the Plan of Subdivision.
FLOOD HAZARD		
39	Finished ground level above flood level	
A	Fill below the Defined Flood Level (DFL) is to be in accordance with an approved flood study.	As part of the operational works.
B	Provide certification from a Registered Cadastral Surveyor that the finished ground level for each lot is above the post development 1% AEP level.	As part of the request for approval of the Plan of Subdivision.
EARTHWORKS		
40	Earthworks	
	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
41	No contaminated materials	
	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
42	Stockpiles	
	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
43	Removal of dams	
	All dams are to be removed.	Prior to the request for approval of the Plan of Subdivision.
ROADWORKS		

44	Road signage and markings	
	Install all traffic signs and line markings in accordance with <i>Austrroads</i> .	Prior to the request for approval of the Plan of Subdivision.
45	Complete roadworks	
	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
46	Temporary turnarounds	
A	Provide a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to the request for approval of the Plan of Subdivision.
B	Provide easements for each turn around area mentioned in (A), other than where within road reserve or land controlled by Council. The easement is to be registered at the time that the Plan of Subdivision is registered.	As part of the request for approval of the Plan of Subdivision.
47	Road design standards	
A	Provide verge and access in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
B	Road reserve and carriageway widths are to be in accordance with the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
C	Provide 6m (length) x 3 (no.) chord truncations on property boundaries at all road intersections.	As part of Operational Works.
48	Remove improvements and obstructions	
	Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to the request for approval of the Plan of Subdivision.
STREET NAMES		
49	Street names	
A	Submit a list of road names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council.	As part of operational works.
B	Install, at no cost to Council, street nameplates. Street nameplates are to comply with <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
KERB AND CHANNEL		
50	Kerb and channel	

	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works application
FOOTPATHS		
51	Footpaths	
A	For each Access Street, provide a concrete footpath on at least one side with a minimum width of 1.5 metres in accordance with <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
B	For each Collector Street, provide a concrete footpath on both sides with a minimum width of 1.5 metres in accordance with <i>Planning Regulation 2017</i> (schedule 12A) and <i>Somerset Region Planning Scheme</i> .	Prior to the request for approval of the Plan of Subdivision.
STREET LIGHTING		
52	Street lighting	
A	Install street lighting in accordance with AS1158.3.1:2020 <i>Lighting for Roads and Public Spaces</i> as follows: (c) Access Street – Lighting Category PR5 (d) Collector Street – Lighting Category PR4. Street lighting is to be installed on the same side as footpaths, where applicable.	Prior to the request for approval of the Plan of Subdivision.
B	Provide certification of street lighting installation by a suitably experienced Registered Professional Engineer Queensland (RPEQ).	As part of the request for approval of the Plan of Subdivision.
STORMWATER		
53	Approved Stormwater Management Plan	
	Stormwater Drainage shall be constructed in general accordance with Master Stormwater Management Plan prepared by Burchill Engineering Solutions, Document No: BE230128-RP-MSMP-02, dated April 2024.	As part of Operational Works.
54	Amended Hydraulic Impact Assessment and Stormwater Management Plan	
	Submit an amended Stage 1 Hydraulic Impact Assessment (HIA) and Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the Approved Plans and <i>Somerset Region Planning Scheme</i> . The amended Stage 1 HAI and SBSMP should include the following:	As part of the lodgement of the Operational Works application.

	<p>(c) be generally in accordance with the Master Stormwater Management Plan;</p> <p>(d) include flood mitigation downstream of Stage 1 to ensure that downstream impacts (proposed to be mitigated as part of the overall stormwater management plan) are mitigated as part of Stage 1;</p> <p>The amended Stage 1 SBSMP must also include:</p> <p>(g) quantity and quality of stormwater to be released from the development;</p> <p>(h) all sources of potential contamination (including but not limited to the actual and potential release of all contaminants;</p> <p>(i) the potential impact of these sources;</p> <p>(j) impact of the release of stormwater from the development on the quality and integrity of the receiving environment;</p> <p>(k) measures to be implemented to prevent the likelihood of stormwater contamination; and</p> <p>(l) maintenance schedule.</p>	
55	Lawful point of discharge	
	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times.
56	No increase in peak discharge	
	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.
57	No actionable nuisance	
	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times
58	Stormwater design standards	
	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
59	Attenuate flows	
	Attenuate the difference between pre and post developed flows.	As part of Operational Works.
60	All lots to drainage system	
	Fill, compact and grade all low-lying land being subdivided to ensure each allotment is drained	As part of Operational Works.

	adequately by gravitation to the drainage system within the proposed development.	
61	Inter-allotment drainage	
	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
62	Adjoining landowner consent	
	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	As part of Operational Works.
63	No ponding or nuisance	
	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	As part of Operational Works.
64	Release of contaminants	
	Containments or contaminated water must not be directly or indirectly released from the premises to surface water or groundwater at or outside the premises except for: (c) uncontaminated overland stormwater flow; or (d) uncontaminated stormwater to the stormwater system.	At all times.
EROSION AND SEDIMENT CONTROL		
65	Erosion and sediment controls (generally)	
A	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: (c) be required to install additional measures. (d) be responsible for the restoration work. 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.	During site works, building works or operational works phases.

B	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.	During site works, building works or operational works phases.
66	Erosion and sediment control plan	
A	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ).	As part of the lodgement of the Operational Works application
B	Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be monitored monthly, sediment removed as necessary, and devices maintained responsibly during construction and maintenance period of the development works.	During site works, building works or operational works phases.
WASTE		
67	Waste	
A	All wastes are to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
B	Where vegetation is cleared from the site, the vegetation waste shall be: (c) transported offsite for disposal at an approved waste disposal facility or reuse; or (d) processed onsite for use in landscaping or erosion and sedimentation control. No incineration of vegetation or waste will be permitted at the site.	At all times.
C	Waste, other than vegetation waste, generated as a result of the development shall be disposed of at an approved waste disposal facility.	At all times.
SCHEDULE 3—REFERRAL AGENCIES		
As Indicated		
No.	Condition	Timing
The following referral agency responses have been received and are attached to the Decision Notice.		
68	State Assessment and Referral Agency referral agency response	
A	Comply with the requirements of the referral agency response 2401-38851 SRA dated 2 April 2024, or as amended.	As indicated in the referral agency response.

B	Provide certification to Council from a suitably qualified person or the relevant agency demonstrating that the requirements of the referral agency response have been met.	As part of the request for approval of the Plan of Subdivision.
SCHEDULE 4—INTERPRETATION AND ADVICE		
Assessment Manager		
No.	Note	
INTERPRETATION		
69	Notes and advice notes	
	Notes contained within a development condition are part of the condition.	
	Interpretation notes in this schedule form part the development conditions.	
	Advice notes contained within a development condition are not part of the condition and are provided for additional guidance specific to the condition.	
	Advice statements contained within this schedule are provided for guidance about the development. Advice statements are not exhaustive and are provided to assist applicants in meeting their obligations under other instruments.	
70	Interpretation of timing of development conditions	
A	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”.	
B	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”.	
C	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.	
D	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.	
71	Interpretation of Certificate of Occupancy	
	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		

72	When approval takes effect (Advice)
	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.
73	Aboriginal Cultural Heritage Act (Advice)
	<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>
74	Fire ants (Advice)
	<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>
75	Infrastructure charges (Advice)
	<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,</p>

	<p>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>
76	Water supply and wastewater (Advice)
	<p>Authorisation to connect the approved development to the water supply and wastewater networks and for property service connections require a Water Approval from the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.</p> <p>For the approval of a Plan of Subdivision, written evidence from Urban Utilities must be provided to Council to verify that the conditions of any necessary Water Approval have been complied with.</p>
77	Property access (Advice)
	<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 somerset.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>
78	Vegetation clearing (Advice)
	<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>
79	Works hours (Advice)
	<p>Construction hours are 6:30 am to 6:30 pm Monday to Saturday, with no work to be undertaken on Sundays or public holidays. Noise levels from construction work shall at all times comply with the requirements of the <i>Environmental Protection Act 1994</i>.</p>
80	Operational works (Advice)
	<p>Upon receiving the certification by a RPEQ, and submission and approval of as constructed drawings and documentation, Council will accept the works as "On Maintenance".</p> <p>Council will bond the developer for an amount equal to 5% of the operational works and the Developer is required to maintain all works for a period of 12 months for civil works and 18 months for landscaping (maintenance period) from the date of "On Maintenance". Any defective works must be rectified within the maintenance period.</p> <p>At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed "Off Maintenance". Bonds or other securities will be released after the works have been placed "Off Maintenance".</p>

81	Approval of Plan of Subdivision (Advice)																													
	The Plan of Subdivision will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.																													
PART C: OPERATIONAL WORKS																														
Relevant aspect of the development approval:																														
• Development Permit for Operational Works																														
SCHEDULE 1—GENERAL CONDITIONS																														
Assessment Manager																														
GENERAL																														
82	Carry out the development generally in accordance with the following approved plan(s), supporting documentation, Somerset Region Planning Scheme, and the, except where amended by these conditions of approval.																													
	• Drawings prepared by Burchill Engineering Solutions as identified in the table below:																													
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	<ul style="list-style-type: none"> Master Stormwater Management Plan prepared by Burchill Engineering Solutions, Document No: BE230128-RP-MSMP-02, dated April 2024.
83	<p>Submit to and obtain approval from Council additional civil drawings and amended Stage 1 Hydraulic Impact Assessment (HIA) and amended Site Based Stormwater Management Plan (SBSMP) incorporating the following:</p> <p>(b) flood mitigation downstream of Stage 1 is to be included to ensure that downstream impacts (proposed to be mitigated as part of the overall stormwater management plan) are mitigated as part of the Stage 1 Bulk Earthworks.</p> <p>The additional civil drawings and reports are to be approved by Council prior to the arrangement of a prestart meeting for the operational works.</p> <p>The approved additional civil drawings and reports shall form part of the Approved Plans and Documents.</p>
84	Comply with relevant provisions of the Somerset Region Planning Scheme (as amended), Planning Scheme Policies and Local Laws.
85	This approval extends to engineering works including earthworks, sediment control and erosion control only.
86	The Applicant is responsible for obtaining written consent of the property owner/s affected by any works of this approval or where infrastructure is to be constructed on private property not under the ownership of the applicant. Proof of owner/s consent is to be provided prior to commencement of works.
87	The Applicant is responsible for obtaining all necessary approvals and permits required from any external agencies in satisfying the conditions of this approval. The cost of obtaining any approvals and permits is at the Applicant's expense.
88	Certification must be given to Council by a Registered Professional Engineer in Queensland (RPEQ) that the works have been undertaken in accordance with the approved plans and specifications and to Council's requirements.
89	Make available, a legible copy of the Approved Drawings and Conditions of approval on site, at all times, during construction.
90	<p>This approval does not extend to the following;</p> <ul style="list-style-type: none"> (g) Civil Roadworks (h) Stormwater Drainage (i) Provision of electrical networks, or street lighting; (j) Telecommunications facilities; (k) Water Supply and Sewerage infrastructure; and (l) Landscaping.

91	<p>Prior to works commencing, it is required that a pre-start meeting be attended by Council Officers, the supervising engineer and the Contractor.</p> <p>Prior to this meeting taking place a “Prestart Meeting” fee is be paid to Council as per Somerset Regional Council schedule of fees and charges, applicable at time of meeting request. At that meeting, it will be necessary for the supervising engineer to provide Council with the following:</p> <ul style="list-style-type: none"> (i) Supervising Engineers (RPEQ) Contact Details; (j) A works program; (k) Inspection and test plan; (l) Public liability certificate of currency (project specific); (m) Workplace Health and Safety plan; (n) Job Specification; (o) Environmental Management Plan; and (p) Traffic Management Plan.
92	<p>Compulsory inspections and meetings shall be undertaken by Council, with a minimum of two clear working days notice required to be given to Council for an inspection of sections of the work at the following stages:</p> <ul style="list-style-type: none"> (e) Pre-start meeting with Council, Contractor, and supervising engineer; (f) At the point of completion of all works before placing “on maintenance”; (g) At the point of requesting the works to accepted “off maintenance”; and (h) Other inspections as deemed necessary by Council.
93	<p>The Developer is to provide written notice to nearby and neighbouring properties by means of a letter box drop on the Land prior to commence of works to identify:</p> <ul style="list-style-type: none"> (d) An indicative start date for the works; (e) A timeframe by which the works will be completed; and (f) A contact person during the works.
94	All rates and charges are to be paid prior sealing of the Plan of Survey.
95	Where the progression of work leads to substantiated complaints, the Applicant shall immediately rectify works and undertake any directions from Council Officers to rectify any works.
96	From time to time, Council and/or their representatives may enter the work site to which this approval relates and undertake any testing or analysis of any part of the construction, and Council is not liable for the rectification or any compensation for any damage caused in the testing or analysis process. Should work be found to be not constructed to specification or of poor quality, any reasonable instruction given by Council Officers shall be considered to be a condition of approval and undertaken by the principal contractor.
97	Where complete or incomplete works under this approval adversely affect adjoining properties, Council land, roads or other infrastructure, the Council may require by notice, works to be completed. Where Council deems it necessary to undertake works for the safety or health of the community or protection of infrastructure, costs associated with such works shall be recoverable from the applicant.

98	Any damage which is incurred to services, signs, footpaths, roadways, kerb and channel, or other work abutting the subject land as a result of the proposed development shall be repaired immediately should hazards exist for pedestrian or vehicular safety. Otherwise, all damage shall be repaired immediately upon completion of works associated with the development at the Applicants expense.
99	<p>Unless otherwise approved in writing by the Director of Operations, hours of construction shall be:</p> <p>(c) Monday to Saturday - 6.30 a.m. to 6.30 p.m. - Noise permitted</p> <p>(d) Sunday and Public Holidays - No audible noise permitted</p> <p>Work or business which causes audible noise shall not be conducted from or on the site outside the above hours.</p>
100	Council officers or its representative will not deal directly with Contractors and / or the Applicants representatives in respect to operational matters arising from this approval. All operational matters must be dealt with by the nominated supervising engineer.
101	It is the applicant's responsibility to appoint the principal contractors, complete forms, notify Workplace, Health and Safety, pay fees and carry out any other Workplace, Health and Safety legislative requirements, and submit evidence of compliance to Council.
102	The applicant shall have on site, at all times, a traffic management plan and work method statements in accordance with Workplace, Heath and Safety.
103	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility by a licensed regulated waste disposal contractor and general solid waste to be disposed of at Council approved landfill sites with the contractor covering all costs reasonably incurred for the receipt and management of the waste.
104	All waste movement occurring in the Fire Ant biosecurity zones must adhere to the Biosecurity Regulation and the Soil Movement Guidelines developed under the <i>Biosecurity Act 2014</i> .
105	Biosecurity Queensland should be notified on 13 25 23 of proposed development before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

106	Biosecurity Queensland and Somerset Regional Council are to be notified immediately of any report suspected sightings of fire ants within the proposed works site.
EARTHWORKS	
107	Earthworks and fill on the subject land shall not lead to ponding of water or actionable nuisance and shall ensure all lots, both internal and adjoining, drain freely to a lawful point of discharge.
108	All earthworks to be constructed in accordance with AS3798 Level 1 inspection testing. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organization and results forwarded to Council for approval prior to plan sealing.
109	Applicant shall ensure surface level for proposed building platforms are provided above highest known flood level for all proposed lots, in accordance with Somerset Region Planning Scheme.
110	This approval does not extend to any material proposed to be imported to or exported from the site: (c) Other than from or to site(s) that have a current development approval enabling them to export/import any material; or (d) The material is being exported to and accepted at a licensed Council refuse facility.
111	In the event that it is proposed to import material to or export material from the site the following details are to be submitted to Council for endorsement or otherwise prior to the commencement of the work: (d) Details of the location of any material to be sourced for fill including the volume of fill to be moved from any particular source site; (e) Details of the final location for any material to be exported from the site from excavations including the volume to be moved to any particular site; and (f) The proposed haulage route(s), truck sizes and final destination for carting of the material. (Please note that further development applications may be required to be submitted to and endorsed by Council for sites proposed to export/import material or conditions may be applied to any sites endorsed in accordance with this condition e.g. submit a Traffic Management Plan for acceptance, rehabilitation of the site. Any required approvals are to be in place prior to the commencement of the work.)
112	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).
113	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.

114	<p>Waste material as a result of demolition works and excavation works must not be used as fill where the material includes the following as defined within the <i>Environmental Protection Regulation</i>:</p> <ul style="list-style-type: none"> (k) Commercial waste; (l) Construction or demolition waste; (m) Domestic clean-up waste; (n) Domestic waste; (o) Garden waste; (p) Industrial waste; (q) Interceptor waste; (r) Recyclable biodegradable waste; (s) Recyclable waste; and (t) Regulated waste. <p>All waste material above as defined within the <i>Environmental Protection Regulation</i> must only be disposed at a waste facility approved for the receipt of waste.</p>
115	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> (d) Milling; (e) Chipping and/or mulching; (f) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operational works shall be disposed of to an approved disposal facility via an approved waste receptacle and/or collection service.</p>
116	All batter slopes from building pads are to have a maximum slope of 1 in 4.
117	Internal allotment boundaries are not to have any cut and fill batter's steeper than 1 in 4.
118	The toe of any fill batter and the top of any cut batter is to be a minimum 300mm clear of the boundary line of an adjoining property.
119	Batters are not to exceed 1 in 6 in areas to be ultimately maintained by Council.
120	Building pads to have a slope less than 10%.
STORMWATER	
121	Ensure Stormwater drainage is delivered to a lawful point of discharge.

122	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.
123	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.
124	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.
TRAFFIC CONTROL	
125	All works on or adjacent to roadways must be adequately signed in accordance with the <i>"Austroads Guide to Temporary Traffic Management"</i> .
126	Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.
EROSION CONTROL	
127	<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"> (c) Be required to install additional measures. (d) 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>
128	No construction works may commence until an Erosion and Sediment Control Plan has been designed and signed approved by a Registered Professional Engineer Queensland (RPEQ). This signed approval plan is to be issued to Council prior to commencement of works.
129	Implementation of all relevant sediment and erosion control measures and temporary fencing to be as identified on the Erosion and Sediment Control Plan and approved engineering drawings, any changes to the Erosion and Sediment Control Plan or approved engineering drawings are to be submitted to Council for approval prior to implementation.
130	All sediment control devices and sediment collection points shall be monitored monthly, and after each rain event, with sediment removed as necessary and devices

	maintained responsibly during construction and maintenance period of the development works.
131	No construction works may commence on subject sites until appropriate Sediment and Erosion Controls have been implemented and approved by RPEQ.
132	Grass turf shall be provided within all stormwater swales on completion of earthworks.
133	All disturbed areas of the Land are to be left in a geotechnically stable state and revegetated.
134	Measures shall be applied to Council's satisfaction to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance during construction and the ensuing defects liability period.
135	Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and prevented from entering the road and/or drainage system.
136	Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion, debris and/or sediment from the site, then such works shall be at the developer's expense. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.
137	The site shall be maintained in a clean orderly state and weed free, at all times.
COMPLETION OF WORKS	
138	At the time of completed works and prior to any "on maintenance" inspections the applicant shall submit a condition compliance checklist confirming all conditions of the Operational Work approval have been complied with.
139	<p>Following satisfactory inspection of the completed works, and acceptance of the works "on maintenance" for a minimum 12 months for civil works, a "defects liability period" will apply from the commencement of the "on maintenance" period. The Applicant is to carry out any necessary maintenance or repairs to non-conforming work, defects and/or damage to any works undertaken in relation to this approval, even where damage has resulted from a third party activity.</p> <p>During this time, a bond or other security equal to 5% of the operational works will be retained to ensure correction of any defects in the constructed works.</p>

	<p>(e) Payment of this bond or other security is required prior to Council accepting the works “on maintenance”.</p> <p>(f) “On Maintenance” approval required prior to sealing of the Plan of Survey for each stage.</p> <p>(g) The bond or other security will be entirely forfeited to Council should there be any failure by the applicant to undertake all works considered by Council as necessary to rectify any non-complying works and to protect public safety.</p> <p>(h) In the event that the bond or other security is insufficient, Council reserves the right to seek restitution.</p> <p>At the end of the maintenance period the works shall be inspected and if satisfactory, shall be placed “off maintenance”. Bonds or other securities will be released after works have been placed “off maintenance”.</p>
140	<p>The “on maintenance” period commences only when Council provides written confirmation that all of the following are completed:</p> <p>(f) The satisfactory completion of all works and conditions of operational works approval;</p> <p>(g) The lodgement with Council, of certification from an RPEQ that the works have been undertaken in accordance with the approved plans and specifications and to Council’s requirements;</p> <p>(h) The lodgement of “on maintenance” bond or security;</p> <p>(i) The submission of “As Constructed” data in the ADAC format; and</p> <p>(j) Compliance with the conditions of approval for any Operational Works, Reconfiguring a Lot, Material Change of Use and any other approvals on the subject site.</p>
141	<p>The request for the development to be placed “On Maintenance” and “Off Maintenance” shall be in writing.</p>
142	<p>All inspection and test data prepared by the applicant, engineer, principal, contractor or by subcontractors in relation to the operational work or as described in the application must be provided in its entirety to Council prior to the endorsement of the Plan of Survey. Should any further inspection, testing or analysis be required due to failure of work to meet specifications or where the testing previously provided is considered insufficient, this shall be undertaken on behalf of the principal contractor by NATA accredited entity (where applicable) and provided to council at no cost.</p>
143	<p>At completion of the operational works, suitable “As-Constructed Drawings” shall be submitted to the Council electronically in AutoCAD and PDF format using the Asset Design As Constructed (ADAC) specifications. The “As-Constructed Drawings” or data capture methods, including an asset register as required by the Council shall be checked and certified by a Registered Professional Engineer of Queensland (RPEQ) in accordance with Council’s development manual. “As Constructed” data shall be provided for the following elements where applicable:</p> <p>(c) Topographical Detail, including TIN / DTM model information; and</p> <p>(d) Cadastre (as a reference feature).</p>

144	It should be noted that, in approving plans for this project, Council has carried out an audit check of information submitted. Accordingly, Council has placed reliance on the certificate of design that the approved plans are correct and in accordance with required engineering standards.
145	Certification must be given to Council by a Registered Professional Engineer in Queensland (RPEQ) that the works have been completed in accordance with the approved plans and specifications and to Council's requirements.
ADVICES	
146	<p>Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.</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 Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
147	<p>The current Aboriginal Cultural Heritage Act 2003 should be adhered to.</p> <p>The Aboriginal Cultural Heritage Act 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 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 www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care.</p>
148	The Australian Government recently declared koala populations in Queensland as an endangered species under the <i>Environment Protection and Biodiversity Conservation Act 1999</i> (Cth). Accordingly, where development may facilitate an action that is likely to have a significant impact on the koala the applicant is required to refer that development proposal to the Federal Environment Minister. A significant

	<p>impact includes the removal of two or more koala food trees or any other activity that may impact on local koalas.</p> <p>Determining whether an action is likely to have a significant impact on a matter of national environmental significance, you are advised to discuss the matter with the Department's referral business entry point, through the Department's community information unit on 1800 803 772 or by emailing epbc.referrals@environment.gov.au.</p> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>
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Subject:	Development Application No. 25409 – Vorpapel Road, Lowood
File No:	DA25409
Assessment No:	02641-90000-000
Action Officer:	SP—MO

1.0 APPLICATION SUMMARY

Property details

Location:	Vorpapel Road, Lowood
Real property description:	Lot 1 RP222243, Lot 2 RP222243
Site area:	4,778m ² (not including road)
Current land use:	Utility installation
Easements/encumbrances:	Nil identified on the land
	Easements on adjoining land provide for water pipeline to Lockyer Valley

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:	OM4 Bushfire hazard overlay
	OM8 High impact activities management area overlay
	OM10 Landslide hazard overlay
	OM12 Scenic amenity overlay

Application details

Proposal:	Utility installation (new reservoir)
Category of assessment:	Impact assessment
Applicant details:	Urban Utilities
	C/- Mott MacDonald
	PO Box 1460
	BRISBANE QLD 4001
Owner details:	Central SEQ Distributor-Retailer Authority [Urban Utilities]
Date application received:	12 September 2024
Date application properly made:	21 October 2024

Referrals

None required

Public notification

Required

Notification period

29 November to 19 December 2024

Submissions received

Nil received

RECOMMENDED DECISION

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



**Locality Plan of Lot 1 RP222243, Lot 2 RP222243
Situated at Vorpapel Road, Lowood**

2.0 PROPOSAL

This development application seeks approval for a development permit for material change of use for utility installation (new reservoir), on land at Vorpapel Road, Lowood, formally described as Lot 1 RP222243, Lot 2 RP222243.

The site is improved by an existing 3 megalitre reservoir through which all water used within the Lockyer Valley water supply zone is conveyed. The reservoir is supplied by the Seqwater owned Lowood Water Treatment Plant and supplies downstream townships and reservoirs across the Lockyer Valley Region (particularly Plainland, UQ Gatton, Gatton, Grantham, Helidon and Withcott). In addition, the existing reservoir provides essential backwash supply to the Seqwater Lowood Water Treatment Plant filters.

The application material identifies that under the current network configuration, it is not possible to shut down the existing reservoir to carryout critical maintenance and repairs (estimated at 3 – 6 months). As such, it is proposed to construct an additional reservoir to enable remedial work on the existing reservoir and ensure ongoing supply to the Lockyer Valley.

The new reservoir is proposed to have a capacity of 2.6 megalitres, a diameter of 18.75 metres, and a maximum height of 12 metres above finished ground level (slightly lower than natural ground level).

The reservoir will be operated automatically and remotely operated, with monitoring and controls from the Seqwater Lowood Water Treatment Plant. However, weekly inspections will be undertaken to perform maintenance tasks, review operations and monitor water quality.

The new reservoir, like the established reservoir, is to be constructed partially within road reserve. It is necessary as part of the project to permanently close the existing road within the development site. This process is carried out separately to the development application

The Rural zone generally permits buildings and structures up to 11.5 metres in height (from natural ground level). However, the Scenic amenity overlay code generally limits development to 8.5 metres in height.

The existing reservoir has a height of 6.6 metres, with a larger diameter. It is not possible to construct a circular tank of similar diameter in the space available at the site, and as such a taller tank is required to achieve the necessary capacity.

The proposal is considered to be generally in accordance with the planning scheme and is recommended to be approved subject to reasonable and relevant conditions.

3.0 SITE DETAILS

3.1 Description of the land

The site consists of two lots, as well as the road reserve separating the two allotments. The land is irregularly shaped, with frontage to Jacqueline Road and Vorpapel Road.

The land is improved by an existing reservoir, which is largely constructed on the road reserve. The area around the reservoir, and the proposed additional reservoir, is largely flat, however cut and fill will be required for the pad for the new reservoir.

3.2 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.

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.

The are no assessment benchmarks from the regional plan regulatory provisions relevant to the application, as the application is for

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:

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

5.4 Temporary local planning instruments

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

5.5 Variation approvals

The property is not benefitted by any variation approvals.

5.6 Somerset Region Planning Scheme (Version 4.2)

5.6.1 Relevant assessment benchmarks from the planning scheme

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

- (j) Part 3 Strategic framework;
- (k) 6.2.9 Rural zone code;
- (l) 7.2.10 Landslide hazard overlay code;
- (m) 7.2.12 Scenic amenity overlay code;
- (n) 8.2.22 Utility installation and substation code;
- (o) 8.3.5 Services works and infrastructure code; and
- (p) 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 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 land is partly mapped as being within a landslide hazard area on the OM010 Landslide hazard overlay map, however the development is located outside of the mapped area. Additionally, the proposal plans demonstrate the development footprint as not being subjected to slopes exceeding 15%.

5.6.2 Strategic framework assessment

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

The proposal is for necessary water infrastructure, which supports large parts of the Lockyer Valley. It appropriately advances the infrastructure and services theme of the strategic framework and does not impact on the rural identity sought by the Somerset Region Settlement pattern. Additionally, the proposal does not impact on the natural environment, natural resources or community identity values of the Somerset Region sought to be protected and enhanced by the planning scheme.

5.6.3 Code compliance summary

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

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

Relevant code	Compliance with overall outcomes	Performance outcomes
Rural zone code	Yes	PO1, PO2
Utility installations and substation code	Yes	No alternatives outcomes proposed
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	No alternatives outcomes proposed
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Bushfire hazard overlay code	Yes	No alternatives outcomes proposed
Scenic amenity overlay code	Yes	PO2

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
Building height	
PO1 <i>Building height:</i> (a) maintains a low rise built form; and (b) is subordinate to the predominant character and environment and features values of the locality.	A01 <i>Building height does not exceed two storeys and 11.5 metres above ground level.</i>

Performance outcome	Acceptable outcome
Alternative outcome assessment <p>The proposed reservoir has a wall height of 11.75m and an apex height of 11.995m above the finished ground level. This compares to the existing reservoir that has an approximate height of 6.6 metres.</p> <p>The height is required as there is insufficient land area on the site for a wider but shorter tank that achieves the capacity required for the reservoir.</p> <p>The proposal is for necessary water infrastructure to service large parts of the Lockyer Valley and is co-located with established water infrastructure. It is considered that the proposal maintains a reasonable built form for the purpose of the land, whilst still being subordinate to the predominant rural character of the locality.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
Building setbacks	
PO2 Building setbacks: (a) contribute to the maintenance of the rural character of the zone; and (b) manage potential amenity impacts on <i>sensitive land uses on adjoining premises</i> .	AO2 Buildings and structures are setback a minimum 15 metres from all boundaries of the site.
Alternative outcome assessment <p>The new tank is located approximately 1 metre to the Vorpapel Road boundary at its closest point, which is behind the tank when viewed from the entrance to the facility.</p> <p>Despite the reduced setback, it is considered that the setback of the tank is consistent with the established water supply infrastructure and is suitably separated from adjoining premises and nearby sensitive land uses.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	

Scenic amenity overlay code

Performance outcome	Acceptable outcome
High scenic amenity area	
PO2 <i>Development within a high scenic amenity area identified on the Scenic amenity overlay maps OM012a-b:</i> (a) maintains and enhances the landscape character and scenic amenity values of the locality and the Somerset region; (a) is not visible from the skyline or positioned on a ridgeline when viewed from a <i>Highway or Main road</i> ;	AO2.1 <i>Buildings</i> do not exceed 8.5 metres or 2 storeys in height. AO2.2 <i>Buildings, structures</i> and operational works are located a minimum of 50 metres from ridges or peaks within <i>high scenic amenity areas</i> identified on Scenic amenity overlay maps OM-012a-b .

Performance outcome	Acceptable outcome
<ul style="list-style-type: none"> (b) is fully screened by an existing natural landform or vegetation, or will be fully screened by <i>native vegetation</i> within 5 years of construction when viewed from a <i>Highway</i> or <i>Main road</i>; (c) retains existing vegetation and incorporates landscaping to visually soften built form elements; (d) incorporates building materials and external finishes that are compatible with the visual amenity and the landscape character of the locality; and (e) minimises visual impacts on the high scenic amenity area in terms of: <ul style="list-style-type: none"> (i) the scale, height and setback of <i>buildings</i>; (ii) the extent of earthworks and impacts on the landform including the location and configuration of <i>roads</i> and driveways. 	
<p>Alternative outcome assessment</p> <p>The reservoir is located on the ridgeline within the High scenic amenity area.</p> <p>The reservoir adjoins a long standing existing reservoir and is required to be located in an area of significant elevation to assist in the conveyance of water. It is considered that the proposal does not impact on the scenic values of the Somerset Region, as it is co-located with an existing facility and well separated from urban areas and tourism routes.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	

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 utility installation, which is identified as being a specialised use under *Somerset Regional Council Charges Resolution (No. 1) 2024*. The land is within Charge Area B for determining the relevant adopted charges. Of note, there are no adopted charges for stormwater or public parks as the land is not within the urban footprint or a relevant parks service catchment respectively.

Specialised uses do not have a specified adopted charge. Instead, Council is to determine the most appropriate charging category to apply to the development. In this case, it is proposed to apply the minor charges category, which does not attract charges, as the development is not considered to result in additional demand on local government infrastructure networks (noting that the development does not involve any gross floor area).

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.

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 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.

Standard development conditions are recommended to ensure no actionable nuisances occur and discharge to a lawful point of discharge is achieved, as required by the Queensland Urban Drainage Manual (QUDM).

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.

The development does not involve any gross floor area, and as such there is taken to be no additional demand for calculating infrastructure charges.

6.0 REFERRAL

6.1 Referral agencies

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

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

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

- (a) a notice was published in The Lockyer and Somerset Independent newspaper on 28 November 2024;
- (b) a notice in the prescribed form was placed on the premises on 28 November 2024 and maintained for the minimum period of 15 business days; and

(c) a notification was served to all adjoining landowners on 27 November 2024.

The public notification period was from 29 November to 19 December 2024.

Council received the notice of compliance on 20 December 2024, confirming that public notification had been undertaken in accordance with the statutory requirements.

7.2 Matters raised in submissions

No comments or submissions were received.

8.0 OTHER RELEVANT MATTERS

No other relevant matters were considered in the assessment of this application.

9.0 CONCLUSION

The proposed development is for a new reservoir forming part of the water network supplying the Lockyer Valley. 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

1. Proposal plans

RECOMMENDATION

THAT Council:

4. approve Development Application No. 25409 for a Development Permit for Material Change of Use for Utility Installation (new reservoir) on land situated at Vorpapel Road, Lowood, formally described as Lot 1 RP222243 and Lot 2 RP222243, subject to the recommended conditions and requirements contained in the schedules and attachments to this report.
5. 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. Site Layout Plan, drawn by Urban Utilities, reference DI-WR102-0022-GV-SKT-000001 rev P4, dated 20 November 2024.	At all times.

	Reservoir Elevations, drawn by Urban Utilities, reference DI-WR102-0022-GV-SKT-000002 rev P2, dated 20 November 2024.	
	Comply with planning scheme and local laws	
1.2	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)	
1.3	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	
1.4	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.
PERIODS FOR THE DEVELOPMENT APPROVAL		
	No provision for staging	
1.5	The development is to occur in one stage.	As indicated.
LAND		
	Road closure	
1.6	The area of road reserve shown on the proposal plans as forming part of the development land is to be Permanently Closed. This shall occur at no cost to Council.	Prior to the commencement of the use.
	Amalgamation of land	
1.7	Lot 1 RP222243, Lot 2 RP222243, and the Permanently Closed Road are to be amalgamated by Plan of Subdivision into one parcel. This shall occur at no cost to Council.	Prior to the commencement of the use.
SCHEDULE 2—ENGINEERING		
Assessment Manager		
GENERAL		
	Design and construction standards	
2.1	All works are to be designed and constructed in accordance with the requirements of the Somerset Region Planning Scheme.	At all times.

	No cost of works	
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these development conditions, unless otherwise identified in the condition.	At all times.
EARTHWORKS		
	Earthworks	
2.3	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
	No contaminated materials	
2.4	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
	Stockpiles	
2.5	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
STORMWATER		
	Lawful point of discharge	
2.6	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times.
	No increase in peak discharge	
2.7	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.
	No actionable nuisance	
2.8	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times
	Stormwater design standards	
2.9	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.

	Conveyance of flow	
2.10	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
	Adjoining landowner consent	
2.11	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	During site works, building works or operational works phases.
	No ponding or nuisance	
2.12	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	As part of Operational Works.
	Release of contaminants	
2.13	Containments or contaminated water must not be directly or indirectly released from the premises to surface water or groundwater at or outside the premises except for: (e) uncontaminated overland stormwater flow; or (f) uncontaminated stormwater to the stormwater system.	At all times.
EROSION AND SEDIMENT CONTROL		
	Erosion and sediment controls (generally)	
2.14	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: (e) be required to install additional measures. (f) be responsible for the restoration work. 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.	During site works, building works or operational works phases.
2.15	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining	During site works, building works or operational works phases.

	streets during the course of the project, and to prevent dust nuisance.	
	Erosion and sediment control plan	
2.16	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ).	Prior to commencing site works, building works or operational works.
2.17	Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be monitored monthly, sediment removed as necessary, and devices maintained responsibly during construction and maintenance period of the development works.	During site works, building works or operational works phases.
WASTE		
	Waste	
2.18	All wastes are to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
2.19	Where vegetation is cleared from the site, the vegetation waste shall be: (e) transported offsite for disposal at an approved waste disposal facility or reuse; or (f) processed onsite for use in landscaping or erosion and sedimentation control. No incineration of vegetation or waste will be permitted at the site.	At all times.
2.20	Waste, other than vegetation waste, generated as a result of the development shall be disposed of at an approved waste disposal facility.	At all times.
DECLARED WEEDS		
	Removal of declared weeds	
2.21	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times
SCHEDULE 3—ENVIRONMENTAL HEALTH		

Assessment Manager		
No.	Condition	Timing
HEALTH (GENERAL)		
	No adverse impact	
3.1	The approved development 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.
	No nuisance or harm	
3.2	Notwithstanding any other development condition of this Development Approval, this Development Approval does not authorise any release of contaminants that cause, or is likely to cause, an Environmental Nuisance or Environmental Harm.	At all times.
	General cleanliness and repair	
3.3	All buildings, structures, fittings, fixtures, and grounds forming part of this development approval must be maintained: (a) in a serviceable condition; and (b) in a state of good repair and efficient action; and (a) in a clean, sanitary condition; and (b) free of accumulated disused materials; and (c) free of vermin and pest infestations.	At all times.
	Light sources – General	
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.
	Waste – Construction	
3.5	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	
3.6	All solid, semi-solid and liquid waste generated from the occupation of this approved development must be collected and disposed of by Council's contractor, or another approved waste collector, unless otherwise approved by Council.	At all times.
	Water quality	

3.7	The holder of this development approval must not: (a) release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or (b) deposit sand, silt or mud in a roadside gutter, stormwater drain or water, or in a place where it could reasonably be expected to move or be washed into a roadside gutter, swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water.	During construction phase.
SCHEDULE 4—ADVICE Assessment Manager		
No.	Note	
ADVICE		
	When approval takes effect (Advice)	
4.1	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)	
4.2	<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)	
4.3	<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)
4.4	<p>There are no Levied Charges related to this Development Approval.</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.</p>
	Water supply and wastewater (Advice)
4.5	<p>Authorisation to connect the approved development to the water supply and wastewater networks and for property service connections require a Water Approval from the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.</p> <p>For the approval of a Plan of Subdivision, written evidence from Urban Utilities must be provided to Council to verify that the conditions of any necessary Water Approval have been complied with.</p>
	Advertising devices (Advice)
4.6	<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)
4.7	<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>

	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.
	Plumbing and drainage works (Advice)
4.8	<p>This Development Approval for material change of use 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>
	Property access (Advice)
4.9	<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>
4.10	Vegetation clearing (Advice)
	<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:

- Site Layout Plan, drawn by Urban Utilities, reference DI-WR102-0022-GV-SKT-000001 rev P4, dated 20 November 2024.
- Reservoir Elevations, drawn by Urban Utilities, reference DI-WR102-0022-GV-SKT-000002 rev P2, dated 20 November 2024.

This completes the report for Development Application No 25409.

Resolution

Moved – Cr Jess

Seconded – Cr Hurley

“THAT Council:

1. approve Development Application No. 25409 for a Development Permit for Material Change of Use for Utility Installation (new reservoir) on land situated at Vorpapel Road, Lowood, formally described as Lot 1 RP222243 and Lot 2 RP222243, 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.	At all times.
	Site Layout Plan, drawn by Urban Utilities, reference DI-WR102-0022-GV-SKT-000001 rev P4, dated 20 November 2024.	
	Reservoir Elevations, drawn by Urban Utilities, reference DI-WR102-0022-GV-SKT-000002 rev P2, dated 20 November 2024.	
	Comply with planning scheme and local laws	
1.2	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)	
1.3	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	
1.4	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.
PERIODS FOR THE DEVELOPMENT APPROVAL		
	No provision for staging	
1.5	The development is to occur in one stage.	As indicated.
LAND		
	Road closure	
1.6	The area of road reserve shown on the proposal plans as forming part of the development land is to	Prior to the commencement of the use.

	be Permanently Closed. This shall occur at no cost to Council.	
	Amalgamation of land	
1.7	Lot 1 RP222243, Lot 2 RP222243, and the Permanently Closed Road are to be amalgamated by Plan of Subdivision into one parcel. This shall occur at no cost to Council.	Prior to the commencement of the use.
SCHEDULE 2—ENGINEERING		
Assessment Manager		
GENERAL		
	Design and construction standards	
2.1	All works are to be designed and constructed in accordance with the requirements of the Somerset Region Planning Scheme.	At all times.
	No cost of works	
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these development conditions, unless otherwise identified in the condition.	At all times.
EARTHWORKS		
	Earthworks	
2.3	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
	No contaminated materials	
2.4	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
	Stockpiles	
2.5	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	At all times.
STORMWATER		
	Lawful point of discharge	
2.6	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times.

	No increase in peak discharge	
2.7	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.
	No actionable nuisance	
2.8	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times
	Stormwater design standards	
2.9	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
	Conveyance of flow	
2.10	Convey stormwater flows through the development from the upstream catchment.	As part of Operational Works
	Adjoining landowner consent	
2.11	Submit permission for the discharge of stormwater drainage to a lawful point of discharge from the owners of properties affected by any stormwater discharge from the site. <i>Note: Such consent may require supporting engineering plans and calculations.</i>	During site works, building works or operational works phases.
	No ponding or nuisance	
2.12	Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.	As part of Operational Works.
	Release of contaminants	
2.13	Containments or contaminated water must not be directly or indirectly released from the premises to surface water or groundwater at or outside the premises except for: (g) uncontaminated overland stormwater flow; or (h) uncontaminated stormwater to the stormwater system.	At all times.
EROSION AND SEDIMENT CONTROL		
	Erosion and sediment controls (generally)	

2.14	<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.</p> <p>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"> (g) be required to install additional measures. (h) 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>	During site works, building works or operational works phases.
2.15	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.	During site works, building works or operational works phases.
	Erosion and sediment control plan	
2.16	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ).	Prior to commencing site works, building works or operational works.
2.17	<p>Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works.</p> <p>All sediment control devices and sediment collection points shall be monitored monthly, sediment removed as necessary, and devices maintained responsibly during construction and maintenance period of the development works.</p>	During site works, building works or operational works phases.
WASTE		
	Waste	
2.18	All wastes are to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
2.19	Where vegetation is cleared from the site, the vegetation waste shall be:	At all times.

	(g) transported offsite for disposal at an approved waste disposal facility or reuse; or (h) processed onsite for use in landscaping or erosion and sedimentation control. No incineration of vegetation or waste will be permitted at the site.	
2.20	Waste, other than vegetation waste, generated as a result of the development shall be disposed of at an approved waste disposal facility.	At all times.
DECLARED WEEDS		
	Removal of declared weeds	
2.21	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times
SCHEDULE 3—ENVIRONMENTAL HEALTH		
Assessment Manager		
No.	Condition	Timing
HEALTH (GENERAL)		
	No adverse impact	
3.1	The approved development 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.
	No nuisance or harm	
3.2	Notwithstanding any other development condition of this Development Approval, this Development Approval does not authorise any release of contaminants that cause, or is likely to cause, an Environmental Nuisance or Environmental Harm.	At all times.
	General cleanliness and repair	
3.3	All buildings, structures, fittings, fixtures, and grounds forming part of this development approval must be maintained: (c) in a serviceable condition; and (d) in a state of good repair and efficient action; and (d) in a clean, sanitary condition; and (e) free of accumulated disused materials; and (f) free of vermin and pest infestations.	At all times.
	Light sources – General	

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.
	Waste – Construction	
3.5	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	
3.6	All solid, semi-solid and liquid waste generated from the occupation of this approved development must be collected and disposed of by Council's contractor, or another approved waste collector, unless otherwise approved by Council.	At all times.
	Water quality	
3.7	The holder of this development approval must not: (c) release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or (d) deposit sand, silt or mud in a roadside gutter, stormwater drain or water, or in a place where it could reasonably be expected to move or be washed into a roadside gutter, swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water.	During construction phase.
SCHEDULE 4—ADVICE		
Assessment Manager		
No.	Note	
ADVICE		
	When approval takes effect (Advice)	
4.1	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)	
4.2	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. Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.	

	<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)
4.3	<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)
4.4	<p>There are no Levied Charges related to this Development Approval.</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.</p>
	Water supply and wastewater (Advice)
4.5	<p>Authorisation to connect the approved development to the water supply and wastewater networks and for property service connections require a Water Approval from the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities.</p> <p>For the approval of a Plan of Subdivision, written evidence from Urban Utilities must be provided to Council to verify that the conditions of any necessary Water Approval have been complied with.</p>

	Advertising devices (Advice)
4.6	<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)
4.7	<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)
4.8	<p>This Development Approval for material change of use 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>
	Property access (Advice)
4.9	<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>
4.10	Vegetation clearing (Advice)
	<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> <p style="text-align: right;"><i>Carried</i></p>

	Vote - Unanimous
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Subject:	Application for Temporary Entertainment Event – Kilcoy Exchange Hotel – Vintage Motorbikes 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:1690853) 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 service road in front of the hotel. The event is called “Vintage Motorbikes 2025”.

The event is proposed to be operated on Saturday, 22 February 2025 from 8am until 3pm. Total attendance for the one - day event is predicted to be 200 - 300 persons.

Entertainment associated with the event will be limited to the parking of vintage motorbikes on the service road in front of the Exchange Hotel for viewing by members of the public and patrons of the hotel. To enable attendees to safely view the motorbikes, the service road in front of the hotel is proposed to be closed for the duration of the event.

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 numerous events hosted by the applicant at this location, including a vintage motorbike display held in February 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	The applicant is required to make an application to Council and the Queensland Police Department for a temporary closure to the William Street service road in front of the Exchange Hotel. A condition of approval will require the applicant to provide a copy of the Road Closure Permit prior to the event.
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	The applicant has provided an Event Management Plan for the event detailing provisions for public safety and environmental harm.

	<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>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; • 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 granting of an 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	Noise sources associated with the event will include an amplified PA address and general MC duties, however these are not expected to be used often and are unlikely to cause a noise nuisance. Dust nuisance is not anticipated for this event. Lighting will not be required for the event. A condition of approval will require that no nuisance, as defined by the <i>Environmental Protection Act 1994</i> , is caused by the event.
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.
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	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. 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. 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.

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 event "Vintage Motorbikes 2025" on Lot 8 RP864209, located at 13 William Street, Kilcoy, and the service road in front of the Kilcoy Exchange Hotel from 8am to 3pm on Saturday 22 February 2025.
1.4	The approval holder must provide the following number of toilets and sanitary conveniences for the event: Males: 1 toilet; 2 urinals; 2 hand basins. Females: 6 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: <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 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 17 February 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 17 February 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 Brieschke

Seconded – Cr Bishop

“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.
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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> .
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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.
	<u>Carried</u>
	<i>Vote - Unanimous</i>

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

		Planning		
		December 2023	December 2024	FYTD
Received				
Building Works assessable against the Planning Scheme	3	7	59	
Material Change of Use	4	2	29	
Reconfiguring a Lot	2	-	12	
Operational Works	1	3	13	
Combined Applications	1	1	3	
Referral Applications	-	3	15	
Total	11	16	131	
Refused - Council	-	1	1	
Refused - Delegated Authority	-	-	1	
Approved - Council	5	1	6	
Approved - Delegated Authority	17	17	100	
Total	22	19	108	

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

	December 2023	December 2024	FYTD
Status			
Accepted Applications	41	55	428
Approved - Council	3	0	23
Approved - Private Certifier	35	43	372
Referral Applications	0	1	16

An overview of the building approvals across the region will be provided next month.

Plumbing

	December 2023	December 2024	FYTD
Status			
Approved	26	21	184
Info Request	8	2	21
Total	34	23	205
Plumbing Inspections	89	75	570

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

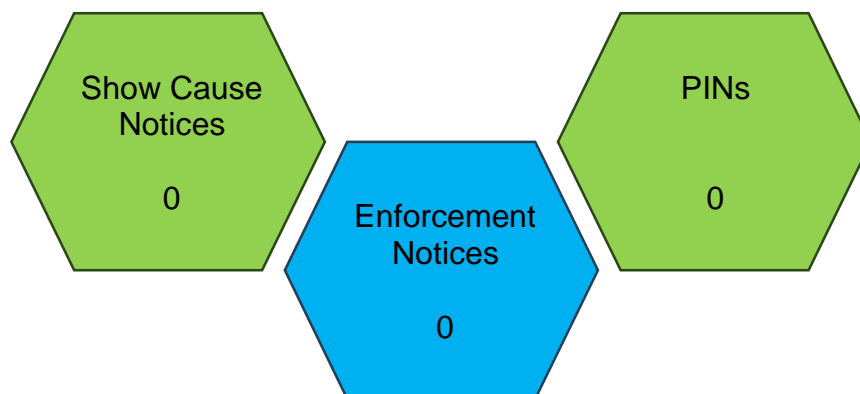
Activities located in Esk, Toogoolawah, Wanora, Coal Creek, Winya, Glamorgan Vale, Clarendon, Fernvale, Hazeldean, Kilcoy.

Building Compliance Matters

The following are non-compliant building activities in December:

- Several stormwater discharge complaints.
- Unlawful Use of Premises
- Unlawful Plumbing Work

Notices Issued – December 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

A total of 4 users completed the training during the month of December.

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 1.

Pest Management Invasive Animal Control

Wild Dogs – December 2024

1080 Baits

13.75Kg



0

Scalps presented

Area's baiting: England Creek, Sheep Station Creek.

Feral Pigs – December 2024

1080 Grain

0Kg



0

Scalps presented

Area's baiting: -

Rabbits

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

- Sandy Creek

There has 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 Kirkleagh campgrounds.

Four 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.

Fire Ant Suppression – Council Land

- There have been no active fire ant nests found on Council land during the month of December.

Pest Management Invasive Plant Control

Lantana
Chemically
Treated
0.94ha

Lantana
Mechanical
Removal
7.6ha

Herbicide
Applied
7,990 litres

Other Pest Weed Treatments	
Mother of Millions	Coominya
Annual Ragweed	Fernvale, Toogoolawah, Scrub Creek, Braemore, Esk, Dundas, Mount Byron, Crossdale, Harlin, Colinton,
Giant Rats Tail Grass	Linville, Moore, Harlin, Mount Kilcoy, Wivenhoe Pocket, Mount Kilcoy, Toogoolawah, Fernvale, Gregors Creek
Fireweed	Prenzlau
Leucaena	Dundas, Toogoolawah
Groundsel	Gregors Creek
Prickly Pear	Linville
Yellow Bells	Toogoolawah
Lantana	Linville, Esk
Element 15 (DTMR infrastructure)	-
Element 5 (DTMR invasive plants)	Wivenhoe Somerset Road
Council 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 Esk Library during the month.



Lantana Chemical Subsidy Program

The 2024 - 25 Iantana subsidy program first round has been closed at 60 applicants.

Compliance under the *Biosecurity Act 2014*:

	November 2024	December 2024
Information notices	-	7
Biosecurity Orders	-	-
Enter and Clear action	-	-

Natural Resource Management

Update to be provided next month.

Economic Development

Major Projects

- Worked with Phoenix Resilience to finalise the Business Recover and Resilience Project report. Final version due by end of January 2025.
- The “Support Our Somerset” campaign kicked off successfully with incredible results:
 - Dec posts:** 10 (5 Facebook, 5 Instagram)
 - Total Reach:** 12,101 (across Facebook and Instagram)
 - Reactions:** 275
 - Shares:** 39
- Many positive comments have been received on the posts supporting Council’s initiative.
- Funding application submitted for Lowood Green Botanic Core \$3mill to the Green Urban Infrastructure Initiative – SEQ City Deal. Decision to be made by Department Feb ’25.
- Lowood Heritage Report received from Architect – Andrew Ladlay.
- Newsletters delivered to Council Receptions and Libraries in Lowood and Kilcoy. Newsletters also delivered to each business within the project areas.



Events



- The “*Disaster Management for Business Owners*” workshop was cancelled due to low registration numbers. This content is now being developed into a video which will be distributed via email and uploaded to the SRC Website for local business owners to access.
- Planning continued for delivery of ‘Small Business Boost’ events using the LLER grant funding.

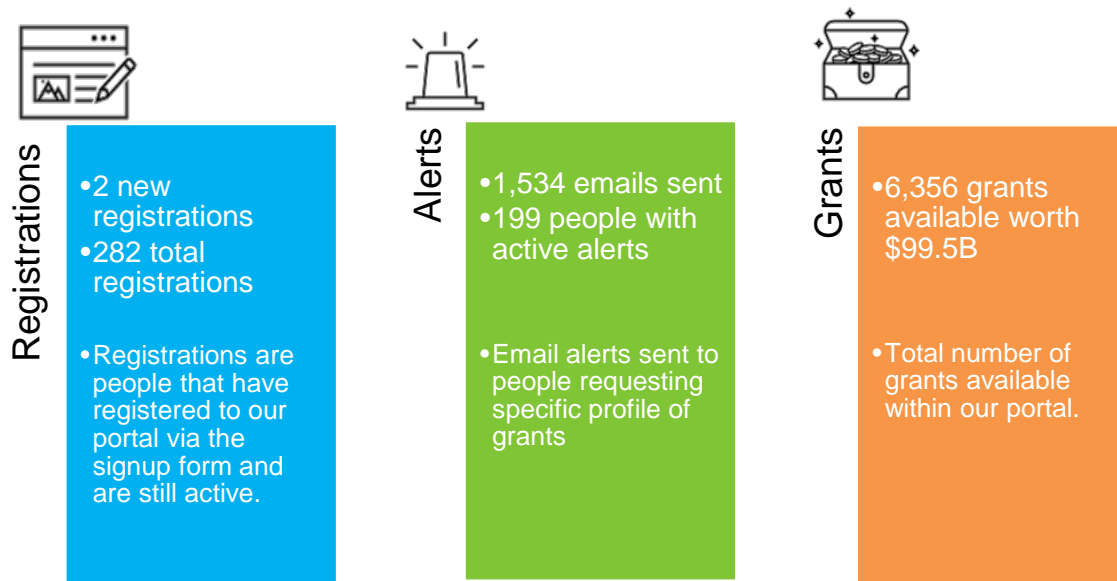
Stakeholder Engagement

- 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.
- 15 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 – December 2024



Recommendation

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

Resolution

Moved – Cr Hurley

Seconded – Cr Brieschke

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

Carried

Vote - Unanimous

Subject: Procurement policy proposed amendment

File Ref: Financial management – procurement

Action Officer: DFIN

Background/Summary

An amendment is proposed for the procurement policy around controls for the authorising of new credit cards - purchasing cards.

Attachments

Procurement policy FY2025

Recommendation

THAT the Procurement Policy be amended by the replacement of the following text:

“The Chief Executive Officer and Director Finance must conjointly authorise applications for new purchasing cards.”

with

“The Chief Executive Officer and a finance officer who is not authorised by the CEO to have a purchasing card must conjointly authorise applications for new purchasing cards.”

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT the Procurement Policy be amended by the replacement of the following text:

“The Chief Executive Officer and Director Finance must conjointly authorise applications for new purchasing cards.”

with

“The Chief Executive Officer and a finance officer who is not authorised by the CEO to have a purchasing card must conjointly authorise applications for new purchasing cards.”

Carried

Vote - Unanimous

Subject:	Revenue policy FY2026
File Ref:	Financial management – budgeting – budget
Action Officer:	DFIN

Background/Summary

S193 of Local Government Regulation 2012 requires Council to review its revenue policy annually and in sufficient time to allow an annual budget that is consistent with the revenue policy to be adopted for the next financial year (FY2026).

The FY2025 revenue policy (attached) was adopted on 24 January 2024.

A proposed revenue policy is recommended for adoption consistent with this requirement and broadly consistent with revenue policy FY2025.

The main proposed change from Revenue policy FY2025 is replacing the requirement for recommendations to be made to Council “twice each financial year” for sale of land for overdue rate actions to “once each financial year”.

This proposed relaxation, which would take effect as at the date of policy adoption, would allow Council rating officers to focus on other revenue areas including the introduction of emailed rate notices during 2025 while still retaining Council’s successful and cost-effective rate recovery strategy based on its sale of land powers.

The proposed change also recognises that:

- Sale of land for overdue rate actions may only be commenced once there are more than three years of overdue rates on a property

- Following extensive flooding in 2022, Council resolved to extend the rate due date from 5 April 2022 to 31 May 2022
- As a result, there would not be any properties with more than three years of overdue rates - where action has not already been commenced - until June 2025.

Attachments

Appendix A - F001 - Revenue policy FY2026

Appendix B - F001 - Revenue policy FY2025

Recommendation

THAT Council adopt policy F001 - Revenue Policy FY2026 as per Appendix B.

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council adopt policy F001 - Revenue Policy FY2026 as per Appendix A.”

Carried

Vote - Unanimous

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

Background/Summary

Successful grant applications

On 14 December 2024, the Australian Government confirmed that both of Council's funding applications lodged under the competitive Thriving Suburbs Program round 1 (TSP) in August 2024 had been successful.

The \$5,061,293 in confirmed total competitive funding represents:

- 70% of the \$7,230,419 total estimated cost of the projects
- 43% of the entire funding made available under this program for Queensland
- The greatest total funding awarded to any Queensland applicant

	Project value	TSP funding confirmed	Council funding required
Toogoolawah Gateway Centre	\$5,253,100	\$3,677,170	\$1,575,930
Mount Glen Rock Hiking Trails	\$1,977,319	\$1,384,123	\$593,196
Total	\$7,230,419	\$5,061,293	\$2,169,126

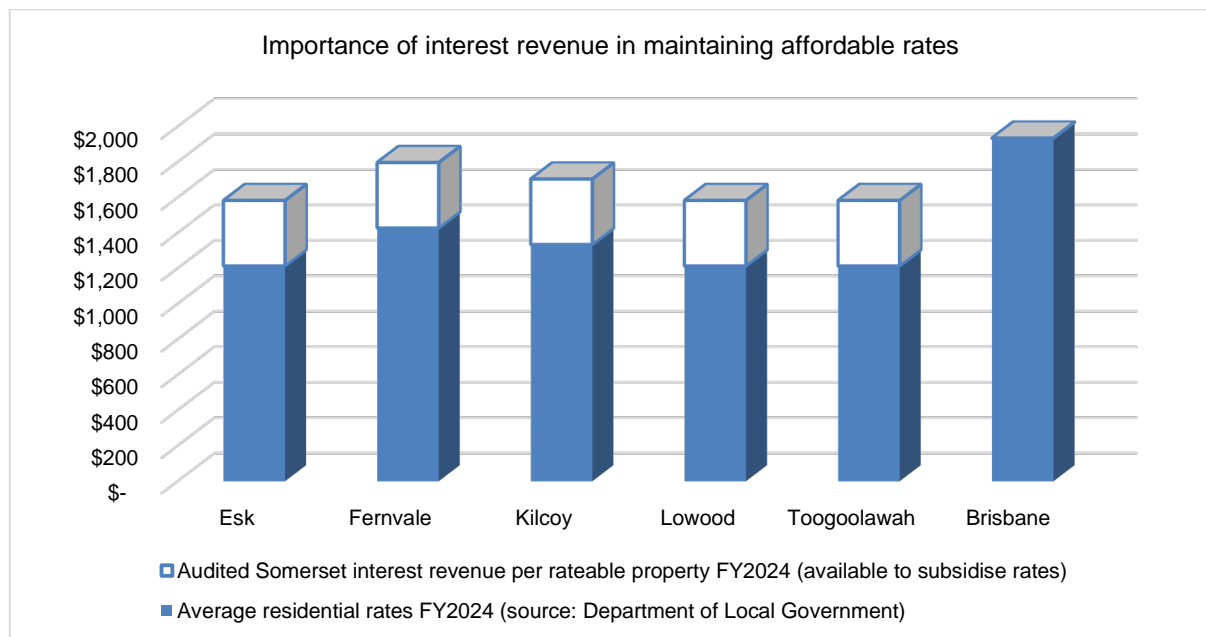
Investments

Council relies heavily 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 11 December 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.

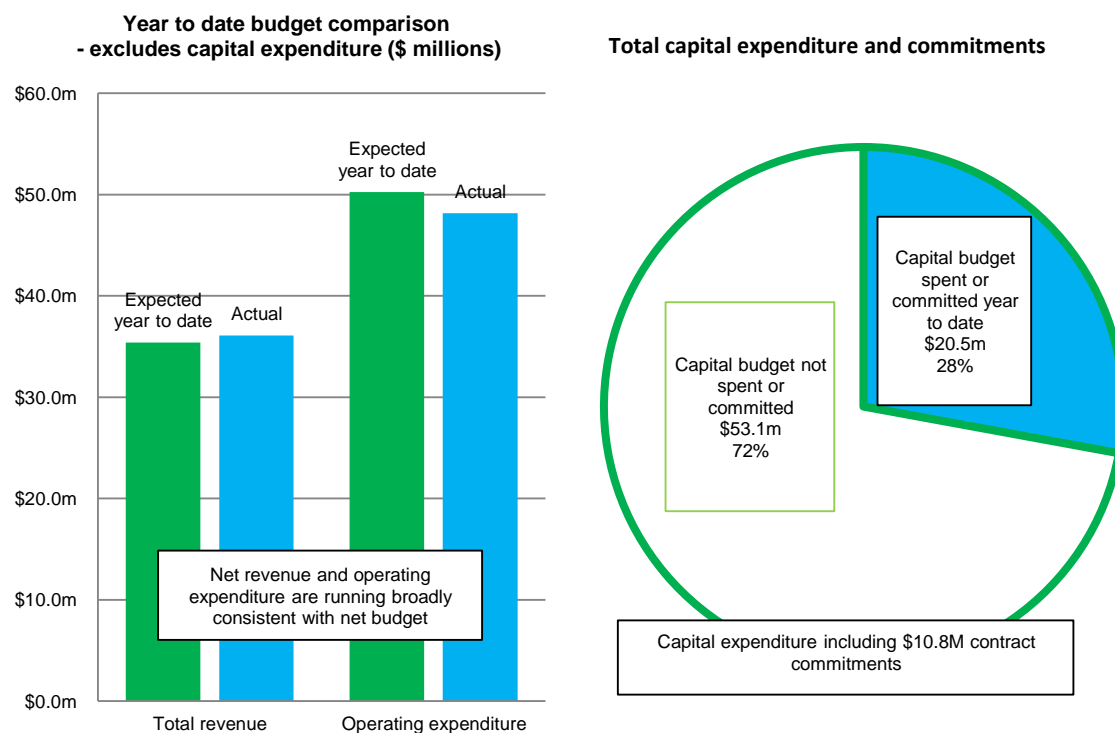
Interest revenue for FY2025 is budgeted at \$340 on average for every rateable property in Somerset, assisting Council to provide the lowest possible rates and charges to residents.



Financial reports

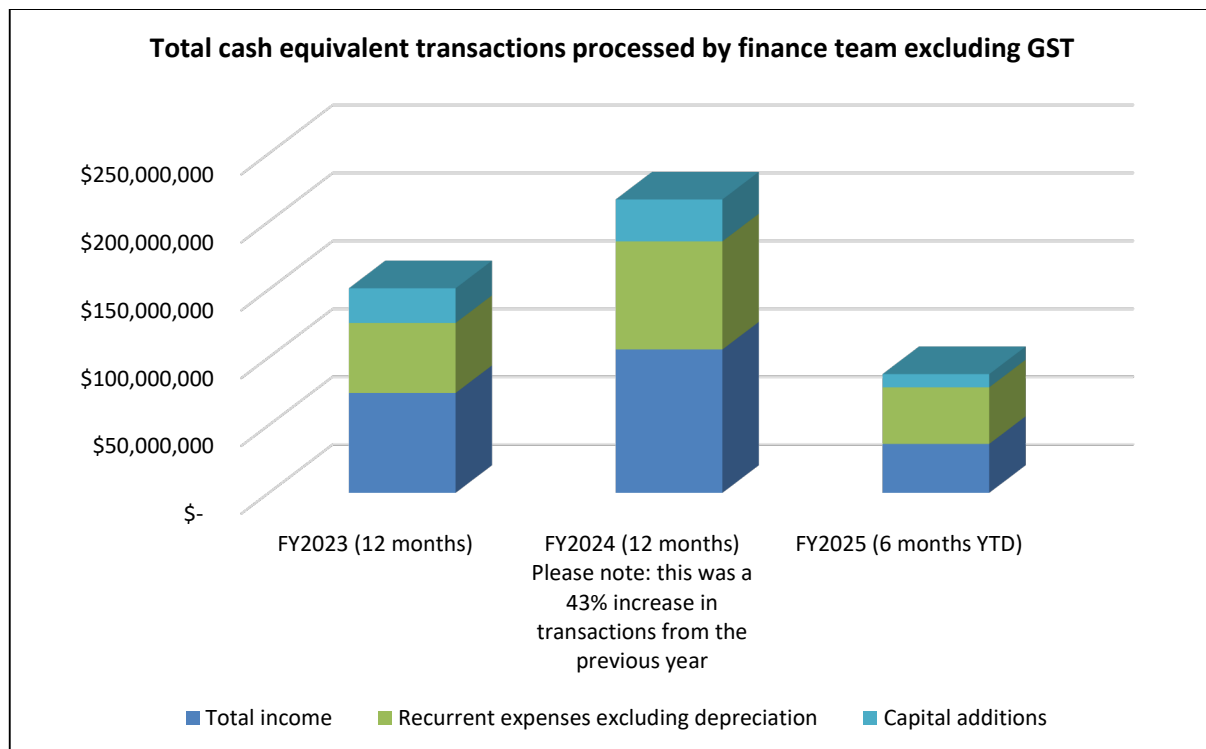
Reports for the period 1 July 2024 to 3 January 2025 are attached detailing the progress that has been made in relation to Council's FY2025 budget consistent with Local Government Regulation 2012 s204 and the attached basis of accounting statement.

Provisional results with 51% of the financial year completed are summarised as follows:



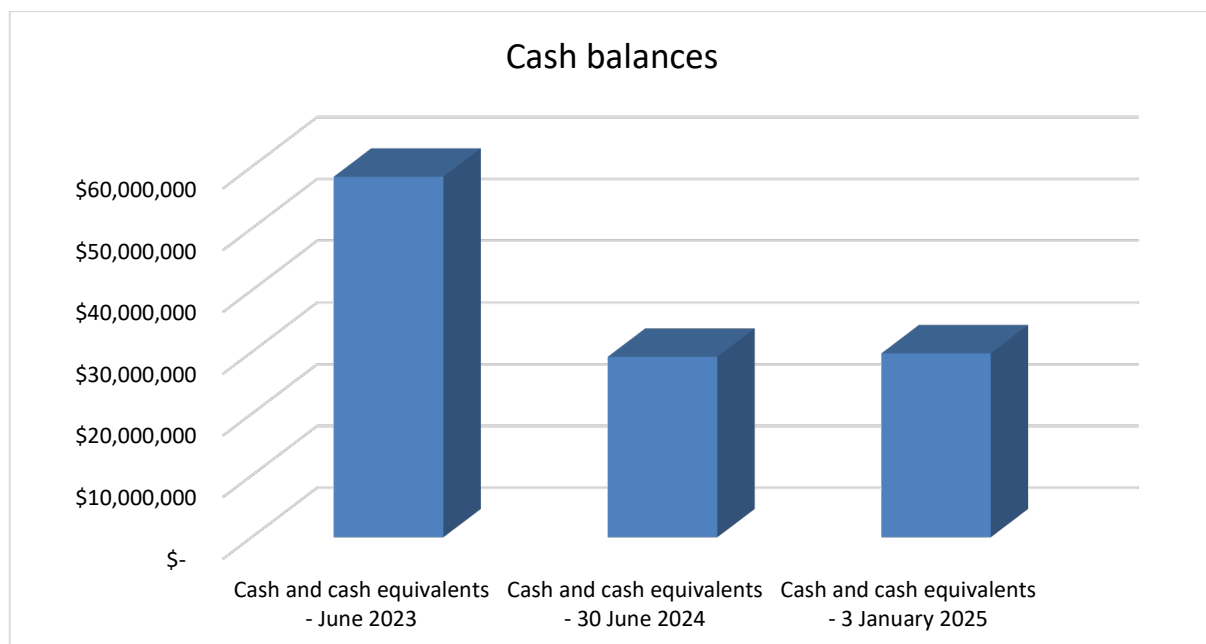
Current budget performance information is also available. Please note - all information is subject to the attached basis of accounting statement:

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 December 2024 are attached. Cash balances at 30 June 2024 and 3 January 2025 were as below:



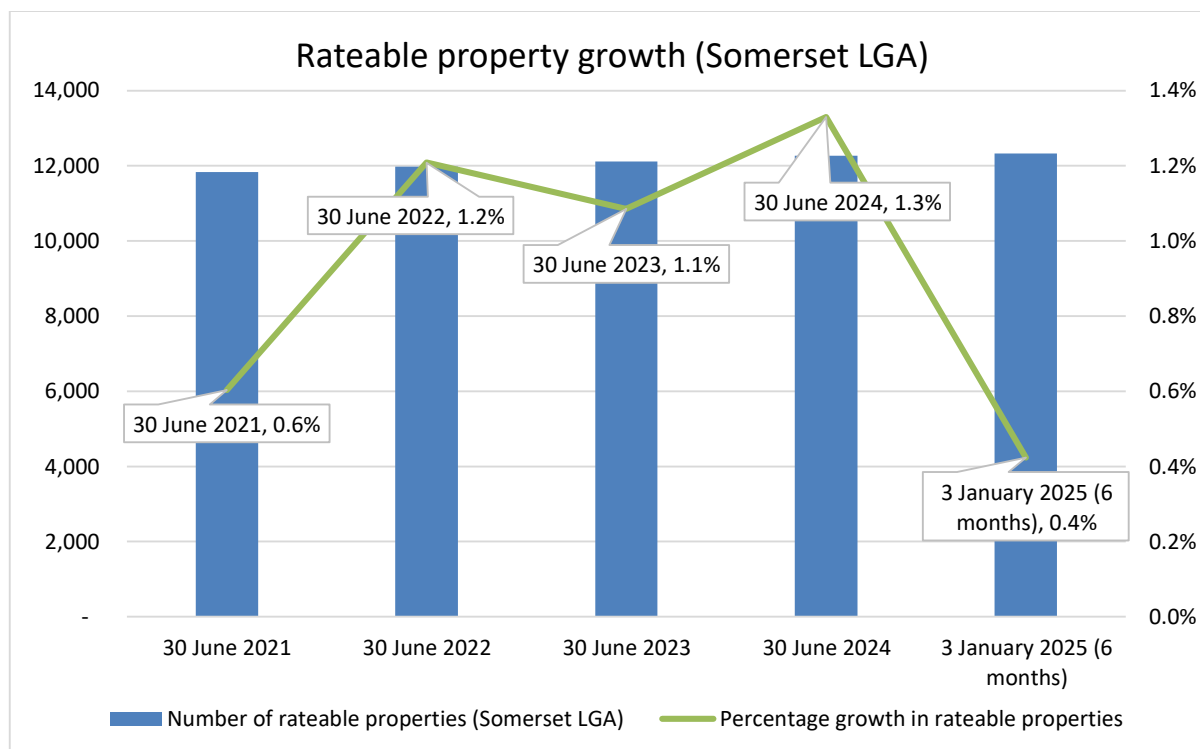
Officer action to repair cash balances include:

- Advances from South East Queensland Community Stimulus Program (SEQCSP) competitive grant applications were achieved of \$2.7 million during November 2024. This cash was possible due to the success of these applications.

- Council officers expect that Council should receive advance payments in respect of part of its \$5 million of successful grant applications under the Australian Government's Thriving Suburbs Program once funding agreements are finalised.
- 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 \$18.7 million. Council's FY2024 financial statements showed that \$17.6 million of the \$22 million DRFA receipts was owing to Council as at 30 June 2024.
- Council wrote to the Queensland Reconstruction Authority (QRA) on 20 December 2024 requesting - for the second time - an improvement in payment processing times for reimbursement of eligible flood restoration costs. Council advised that processing times in FY2024 averaged longer than four months per submission in FY2024, following liaison from Council, payment timeframes had improved to a 4-to-6-week turnaround but have since worsened to a 9-to-12-week turnaround during November and December 2024. Council has sought a return to a 4-to-6-week turnaround in payment processing times by QRA.
- 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 attempts to protect 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 funding requirement to complete the Main Street Lowood upgrade (budgeted at \$2.6M) by February 2025.
- Council is actively working to collect overdue rates including through use of sale of land for overdue rates powers.

Growth

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



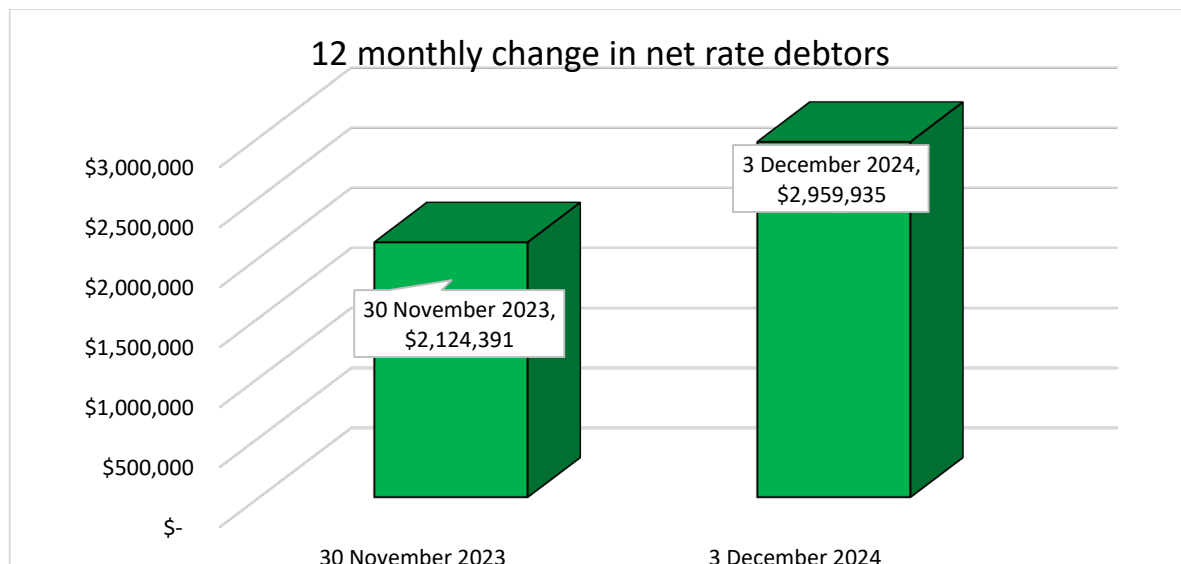
Grant application awaiting advice

- 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

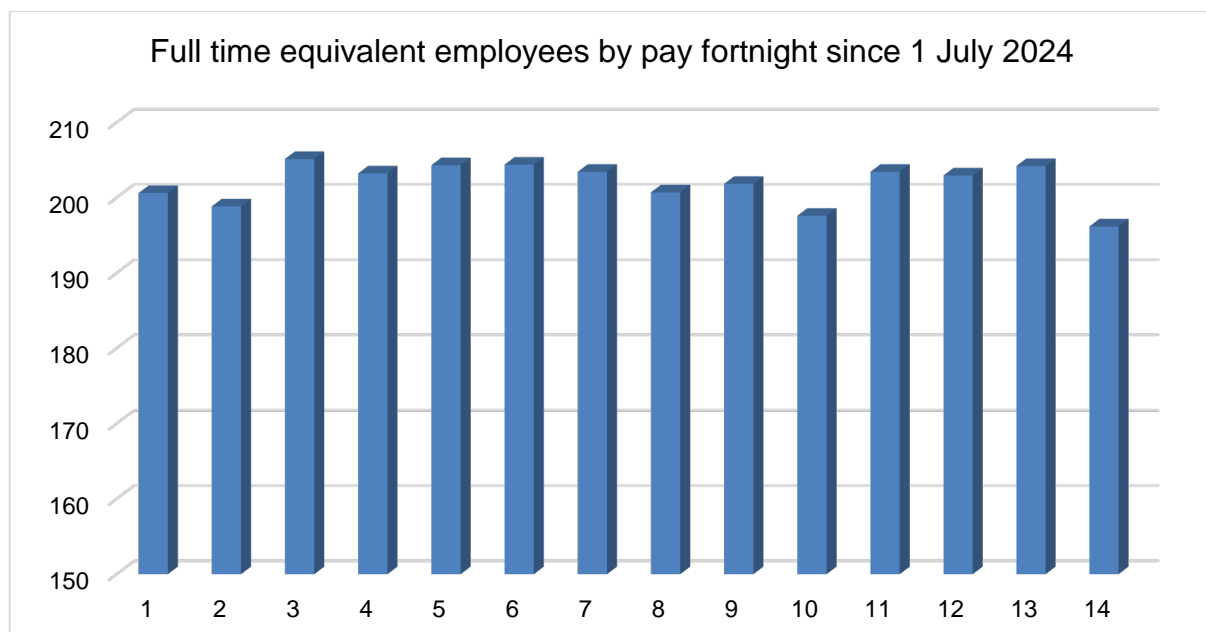
Rates

Council issues rate notices each six months. The chart below shows the change in total rate debtors over the previous year. To put the increase in rate debtors into context, just two (2) commercial ratepayers currently owe a combined \$1.358M in overdue rates and charges. During October 2024, Council issued 11 notices of intention to sell land for overdue rates or charges. Council is working with the nine remaining property owners and their mortgagees to resolve the actions.



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. Over the Christmas/New Year period, reduced hours were worked by casual staff which is represented here as a lower FTE value:

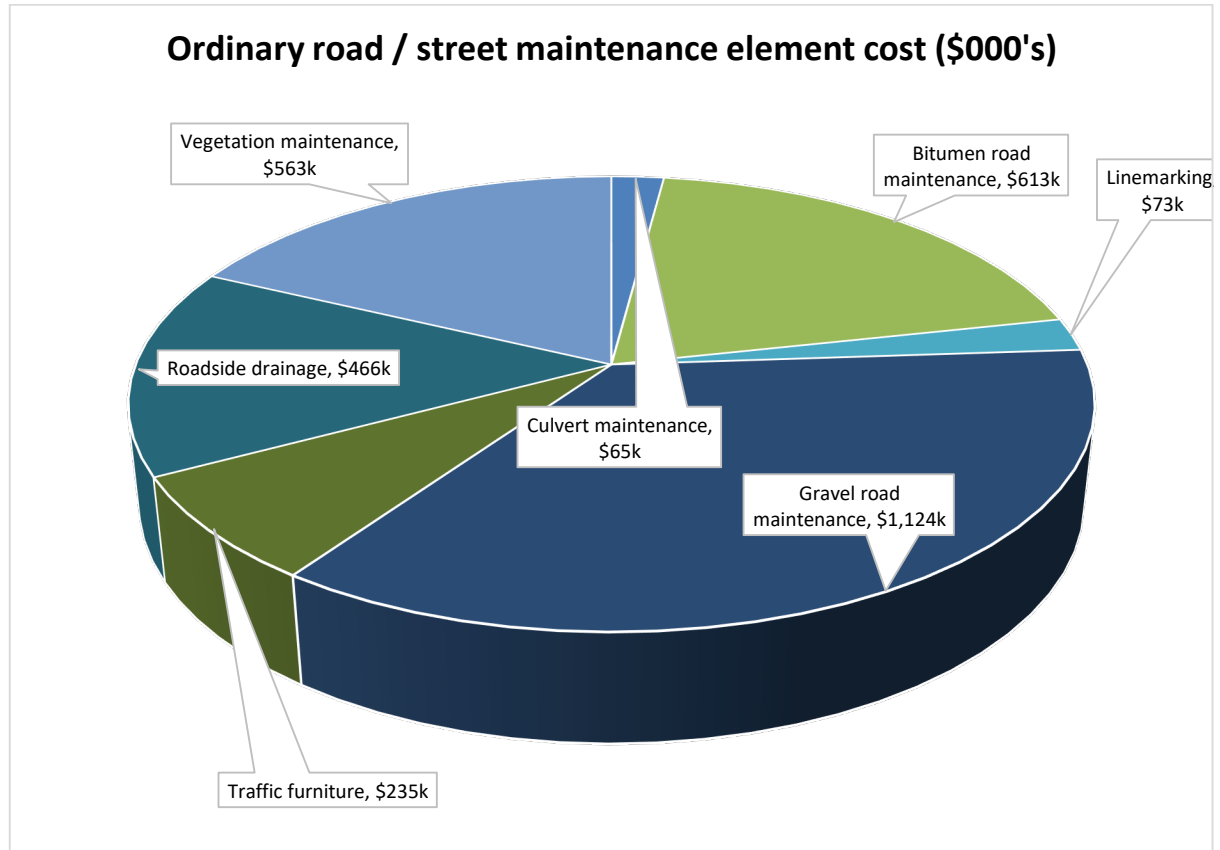


Ordinary road and street maintenance dissection

Road and street ordinary maintenance costs incurred to 3 January 2025 are dissected as follows:

Maintenance type	Total (\$000's)
Bitumen road maintenance	613
Gravel road maintenance	1,124
Roadside drainage	466

Culvert maintenance	65
Vegetation maintenance	563
Traffic furniture	235
Linemarking	73
Total actual year to date excluding flood-related	3,139



Road maintenance and road flood repairs

Council's 30 most costly road segments including both ordinary maintenance and flood repairs for the financial 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 Rd (flood repairs) DM01671 Ch1670-Ch1850	2,218	
Mountain View Drive (flood repairs) DM01766 CH2260-2380	1,411	
Braeburn Rd (flood repairs) DM01374 Ch170-Ch190	563	
Patrick Estate Rd (flood repairs) DM01222 Ch4410-Ch4530	476	
Gregors Creek Road (flood repairs) DM01502 Ch2120-Ch2170	454	
Patrick Estate Rd (flood repairs) DM06830 Ch1925-Ch2570	429	665
Glamorgan Vale (flood repairs) DM00964 Ch260-Ch274	417	
Esk Crows (flood repairs) DM01609 Ch33270-Ch34090	339	413
Mary Smokes Creek (flood repairs) DM 05735Ch20-Ch90	233	
Gregors Creek (flood repairs) DM07287 Ch20400-Ch20540	224	1,596

Mt Byron Road (gravel) Mtc14466m	213	
Lowood Minden Road (flood repairs) DM06335 Ch9520-Ch9630	194	1,762
Kammholz Road (flood repairs) DM00618Ch150-Ch150	168	
Mount Kilcoy Rd (flood repairs) DM02518 Ch17465-Ch17490	157	
Sandy Creek Rd (flood repairs) DM05857 Ch8860-Ch8940	136	1,704
Mahons Road (flood repairs) DM07877 Ch5910-Ch5950	115	
Neurum Road (flood repairs) DM02131 Ch13420-Ch13510	114	1,270
McClean Road (flood repairs) DM03031 Ch485-Ch495	108	
Mahons Road (flood repairs) DM07878 Ch6030-Ch6100	106	1,512
Esk Crows Nest Road (bitumen) Mtc25994m	104	
Sandy Creek Rd (flood repairs) DM05801 Ch3800-Ch3806	96	
Lowood Minden Rd (flood repairs) DM08510 Ch9900-Ch9970	95	1,358
Pakleppa La (flood repairs) DM09208 Ch220-Ch410	94	497
Banks Creek Road (gravel) Mtc9088m	93	
Glamorgan Vale Rd (flood repairs) DM00956 Ch3620-Ch3620	92	
McCauleys Lane (flood repairs) DM05829Ch600-Ch685	92	1,086
Rohlmanns Road (flood repairs) DM04101 Ch2650-Ch2650	88	
Mt Beppo Road (flood repairs) DM05455 Ch11718-Ch11719	86	
Mary Smokes Creek (flood repairs) DM05737 Ch140-Ch170	85	
Prospect Street (flood repairs) DM06719 Ch35-Ch95	83	1,382
Subtotal (\$000's)	9,083	

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 January 2025 including the attached basis of accounting statement and the report on payments processed between 2 December 2024 and 8 January 2025 totalling \$12,355,288.26 and that the contents be noted.

Resolution

Moved – Cr Bishop

Seconded – Cr Jess

“THAT Council receive the financial reports for 1 July 2024 to 3 January 2025 including the attached basis of accounting statement and the report on payments processed between 2 December 2024 and 8 January 2025 totalling \$12,355,288.26 and that the contents be noted.”

Carried

Vote - Unanimous

Subject:

Donation of Motorised Turf Wicket Roller to Community Organisation - Thunder Cricket Club (TCC)

File Ref:	Recreation and Cultural Services – Service Provision – Recreation Facilities
Action Officer:	SRO

Background/Summary

Council equipped the Fernvale Sports Park (FSP) with cricket specific equipment in 2020 to assist preparation of the four strip wicket block also installed in 2020. This equipment was purchased second-hand by Council in good condition for the purpose of supporting the maintenance of a safe playing wicket for a future cricket stakeholder of FSP.

The Marburg Mt Crosby Thunder Cricket Club Inc., trading as the Thunder Cricket Club (TCC) is a stakeholder of the FSP and the only user of the facility for cricket. TCC has been using the roller since it's purchase. A suitable turf wicket roller is essential for playing surface preparation.

TCC wish for the turf wicket roller that is on site to remain, provided that the roller is maintained to safe and commercial standards. The roller is used two to three times a week during season to prepare the surface. The roller was purchased for \$4,500 in 2020.

Maintenance of the roller would include regular servicing of engine and hydraulic components, hoses batteries and other general maintenance requirements.

It is proposed to donate the equipment to TCC. TCC have confirmed that they are agreeable to take ownership of the equipment with full responsibility for all maintenance and repairs.

Attachments

Attachment (image 1 and 2) – Fernvale Sports Park motorised turf wicket roller

Recommendation

THAT Council, in accordance with S236 1 (b) (ii) of the *Local Government Regulation 2012*, approve the donation of the turf wicket roller to the Marburg Mt Crosby Thunder Cricket Club Inc., trading as the Thunder Cricket Club, under the stipulation that Thunder Cricket Club ensure regular maintenance and repairs to the roller.

Resolution

Moved – Cr Brieschke

Seconded – Cr Jess

“THAT Council, in accordance with S236 1 (b) (ii) of the *Local Government Regulation 2012*, approve the donation of the turf wicket roller to the Marburg Mt Crosby Thunder Cricket Club Inc., trading as the Thunder Cricket Club, under the stipulation that Thunder Cricket Club ensure regular maintenance and repairs to the roller.”

Carried

Vote - Unanimous

Subject:	Somerset Regional Council Lease to Kilcoy District Tennis Association Incorporated - 23 Taylor Street, Kilcoy Lease Area A in Lot 289 on CG3882
File Ref:	Leasing-Out - 2024 – 2025 – Council Land and Buildings
Action Officer:	CAO

Background/Summary

The Kilcoy District Tennis Association Incorporated (KDTA Inc.) currently have a ten-year Lease Agreement with Council for part of Lot 289 on CG3882 being Lease A, located at 23 Taylor Street, Kilcoy which expires on 28 February 2025.

The KDTA Inc. have requested to enter into a new Lease Agreement commencing 1 March 2025 for a further term of 10 years to 28 February 2035 per the attached draft agreement.

The KDTA Inc. is a longstanding not-for-profit organisation that provides a sport and recreation service to the community.

Attachments

1. **COMMERCIAL IN CONFIDENCE** - Lease Somerset Regional Council to Kilcoy District Tennis Association Incorporated 1 March 2025 to 28 February 2035 for part of Lot 289 on CG3882.
2. Survey Plan SP256925 showing Lease A in Lot 289 on CG3882.

Recommendation

THAT Council, in accordance with Local Government Regulation 2012 Section 236 (b) (ii), authorise the Chief Executive Offer to enter into a new Lease Agreement with the Kilcoy District Tennis Association Incorporated for Lease Area A in Lot 289 on CG3882 located at 23 Taylor Street, Kilcoy, for a period of ten (10) years, commencing 1 March 2025 and concluding 28 February 2035.

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council, in accordance with Local Government Regulation 2012 Section 236 (b) (ii), authorise the Chief Executive Offer to enter into a new Lease Agreement with the Kilcoy District Tennis Association Incorporated for Lease Area A in Lot 289 on CG3882 located at 23 Taylor Street, Kilcoy, for a period of ten (10) years, commencing 1 March 2025 and concluding 28 February 2035.”

Carried

Vote - Unanimous

Subject:	Col Powell Park and Fernvale Community Hall – Updated Fees Structure
File Ref:	2024 – 2025 – Recreation Grounds – Buildings – Land e.g. Esk or Kilcoy Showgrounds
Action Officer:	TO

Background/Summary

At the 19 December 2024 Ordinary meeting, Council resolved to update the fee structure for Col Powell Park (Fernvale Showgrounds) and the Fernvale Community Hall. This update was designed to streamline the existing fees, ensuring consistency and alignment with community needs and facility usage.

The Lowood Fernvale Pony Club has recently reformed and is now seeking to make regular bookings at Col Powell Park. Upon review, it was noted that the updated fee structure omitted the \$68 fee for the Col Powell Park Area 5 Training Day - Pony Club (maximum four hours).

Attachments

Nil

Recommendation

THAT Council approves the establishment of the Col Powell Park Area 5 'Training Day for Pony Club' fee (maximum four hours).

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT Council approves the establishment of the Col Powell Park Area 5 'Training Day for Pony Club' fee (maximum four hours).”

Carried

Vote - Unanimous

Subject:	Mayoral Gala Charity Ball 2025
File Ref:	Recreation and Cultural Services - Event Management - 2025 – Mayoral Gala Charity Ball
Action Officer:	EO

Background/Summary

Established in 2017, the Mayoral Gala Charity Ball is a black tie gala event held biennially at the Somerset Civic Centre. Since its inception, profits raised from the event have financially assisted those Somerset residents challenged with homelessness, abuse, mental illness, food insecurity and disability with profits raised by previous events held in trust by Council.

The evening offers three course dining, beverages, dancing, live entertainment and more.

Councils preferred date for the 2025 Mayoral Gala Charity Ball is Saturday, 13 September 2025.

Theming

The theme proposed for 2025's Ball is 'Masquerade'.

A masquerade ball is traditionally a lavish social gathering where attendees don elegant attire complemented by ornate masks, creating an air of mystery and sophistication. This enchanting event typically features themed décor and performances encouraging guests to immerse themselves in an atmosphere of glamour and intrigue.

Proposal 1: Proceed with the 'Masquerade' them for the 2025 Ball.

Ticketing

It is recommended that the ticket price be raised from \$150 to \$180 with a discount applied to a full table purchase. The rise in ticket price accounts for general increases to operational items such as freight and equipment hire.

Proposal 2: A ticket price of \$180 per person be charged or bookings of eight purchased in one transaction are charged at \$175 per person or \$1,400 per table.

Sponsorship

The previous sponsorship model used has been in place since the inception of the Mayoral Gala Charity Ball. It is recommended that the following structure be adopted which considers increased operating costs and inflation. These considerations are reflected in the proposed pricing structure.

2025 Mayoral Gala Charity Ball		
Platinum Sponsor (three available)	\$10,000 each	1 x table 10 pax
Gold Sponsor (five available)	\$7,500 each	1 x table 10 pax
Silver Sponsor (eight available)	\$3,500 each	1 x table 8 pax

It is recommended that platinum sponsors (formerly 'event' sponsors) be afforded the opportunity to attend a cocktail party prior to the official commencement of the ball. This opportunity will retain value for top tier sponsors without adding to official proceedings on the night. Additional limited tickets to the cocktail party will be made available to all sponsors.

Proposal 3: Proceed with implementing the revised sponsorship model as proposed in the above table.

Proposal 4: Replace the opportunity for sponsors to present during the Ball with a pre-event cocktail party for VIP's and platinum sponsors.

Draft Proposed Schedule of Event (subject to change depending on suppliers chosen)

17.00	Mayor, Councillors, VIPs arrive
17.15	Platinum sponsors and silent auction winners arrive for the 'Platinum' cocktail party
17.15-18.00	'Platinum' cocktail party
18.00-18.30	General admission and official photos
18.30	All seated, welcome and entrée served.
19.00	Mayor's speech and showcase of fund recipients, Dinner service commences
20.00	Dinner show
20.30-21.00	Silent auction winners announced, Live auction is conducted
21.30-00.00	Entertainment
00.00	Event closure

Attachments

Nil

Recommendation

THAT Council endorse proposals 1 to 4, to be applied in planning for the Mayoral Charity Gala Ball 2025.

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council endorse proposals 1 to 4, to be applied in planning for the Mayoral Charity Gala Ball 2025.”

Carried





Vote - Unanimous

Subject: Tourism and Promotions Report – December 2024
File Ref: Tourism – Promotions
Action Officer: CTM













Background/Summary


The following is the December 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	116	25	35	11	4	3	194
 Fernvale VIC	108	87	70	10	22	3	280
 Kilcoy VIC	69	76	151	56	34	17	404
 The Condensery	260	36	17	1	5	1	320

Motivators

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

Active Volunteers 	
Esk	10
Fernvale	18
Kilcoy	8
TOTAL	36

Digital Media

Facebook



Likes 4,140
Followers 4,809 (+62)
Reach 95.2K (+390%)
Engagement 889
Link clicks 401

Website



Page Views: 10,161
Visitors: 4,881 new, 387 returning
Peak Time: Saturday, 7 December
Most Popular Pages: The Great Kilcoy Yowie Hunt landing Page, Experience Somerset, What's On, Markets
Device type: Desktop 21%, Mobile 67%, Tablet 13%

Instagram



Followers 1,849 (+13)
Reach: 2.4K (+63%)

Glen Rock Art Gallery (Esk Visitor Information Centre)

The annual Glen Rock Stitchers Christmas sale was held in December at Glen Rock Gallery. A range of handmade Christmas themed gifts and other items were available. The annual sale proves popular with locals and visitors alike for last minute Christmas gifts, secret Santa presents and stocking fillers.

The proceeds from the sales go directly back to the Glen Rock Stitchers and helps them purchase the materials for the next year's projects.

Visitor Information Centre Volunteer Famil

The last Volunteer Famil for 2024 was held on Tuesday, 3 December 2024 in Esk. Volunteers participated in experiences on offer in the Somerset region, including Llama walks and a Healing Garden and Origami creative workshops previously held at The Condensery. Service recognition awards and volunteer gifts were also presented by Mayor Jason Wendt and the Councillors.

Coinciding with International Volunteers Day and the 21st anniversary of the Esk Visitor Information Centre opening, the day represents a celebration of all the volunteers and the time they invest in providing a great visitor experience at the Visitor Information Centres across the Somerset Region.

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. Photos were provided for Council and operator use.

QCT is hosting online and in person, *Queensland Country Welcomes You* Workshop in collaboration with TEQ. The in-person workshop will be held in Toowoomba in January. Operators were encouraged to join the online program via the Somerset Operators newsletter.

Tourism Operator Development

A Somerset tourism operator networking event was held in Kilcoy on Thursday, 28 November 2024 with five attendees from three Somerset tourism businesses. The next operator event is scheduled for 20 February in Toogoolawah.

Council was successful in obtaining funding from the Queensland Tourism Industry Council (QTIC's) Digital Adaptation Program for the Kilcoy Visitor Information Centre to utilise the services of the Cerge Content Management Platform to showcase accessibility features at the centre. The Cerge team attended the Kilcoy VIC in December to gather photos and video for use on the website, which will be integrated into the Experience Somerset website in the new year.

The tourism team will be attending the Moreton Bay Expo at the Redcliffe Showgrounds from 14-16 February 2025 with Lockyer Valley Regional Council to showcase both regions camping and caravanning offerings. Tourism operators have been invited to attend the expo.

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 Club (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)
- Esk Garden Fair (Esk, June 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

Experience Somerset's summer campaign, 'The Great Kilcoy Yowie Hunt' went live on Saturday, 7 December 2024 and will run through the school holidays until 7 February 2025. The campaign consists of a social media advertising campaign, landing page on the Experience Somerset website, children's activity book available at the VICs and The Condensery. Visitors are encouraged to enter the competition and win a stay at NRMA Lake Somerset Holiday Park.

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

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

Carried

Vote - Unanimous

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

Background/Summary

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

Records

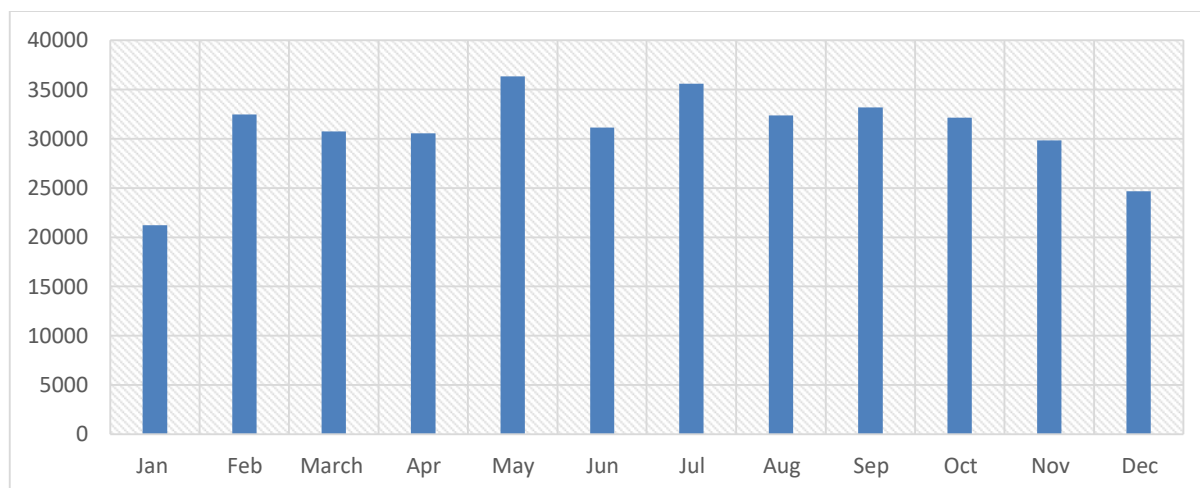
Documentation – At a Glance – December 2024

Inward/Actioned Documents – 2,350	Outward Correspondence – 1,246
Customer Service Requests – 396	Councillor Requests – Twelve (12)
Emails Processed by the Records Team	
Corporate Mailbox - mail@ - 6,943	Internal Only Records Email – 9,000
Decision Notices/Workshop Outcomes –	Tender/Quotation –
Decision Notices – 39	Tenders – Tenders Zero (0)
Workshop Actions – 13	Numbered Quotations – Zero (0)

Total Documents Registered for the month of December 2024 – 6,997

Email Traffic

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



Graph: Monthly total records for 2024

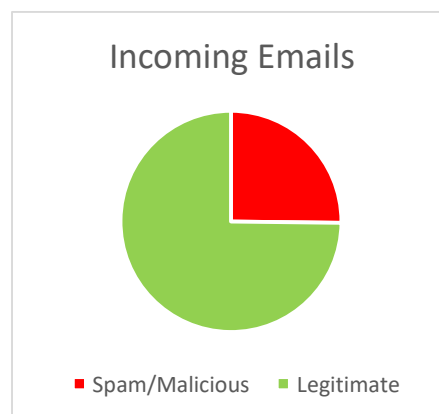
Information and Communication Technology (ICT)

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 performing an ongoing review of processes and procedures ensuring organisational tasks are consistent and complete. ICT has continued work with finance reporting functionality to analyse key performance indicators.

Cyber Security

Total incoming emails have decreased by 24 percent over December, with a decrease of 25 percent to legitimate emails and a decrease of 20 percent for Spam/Malicious. During December, there had been one failed malicious sign-in attempt to staff Office365 accounts, showing the importance of Multi-factor Authentication (MFA) as a defence.

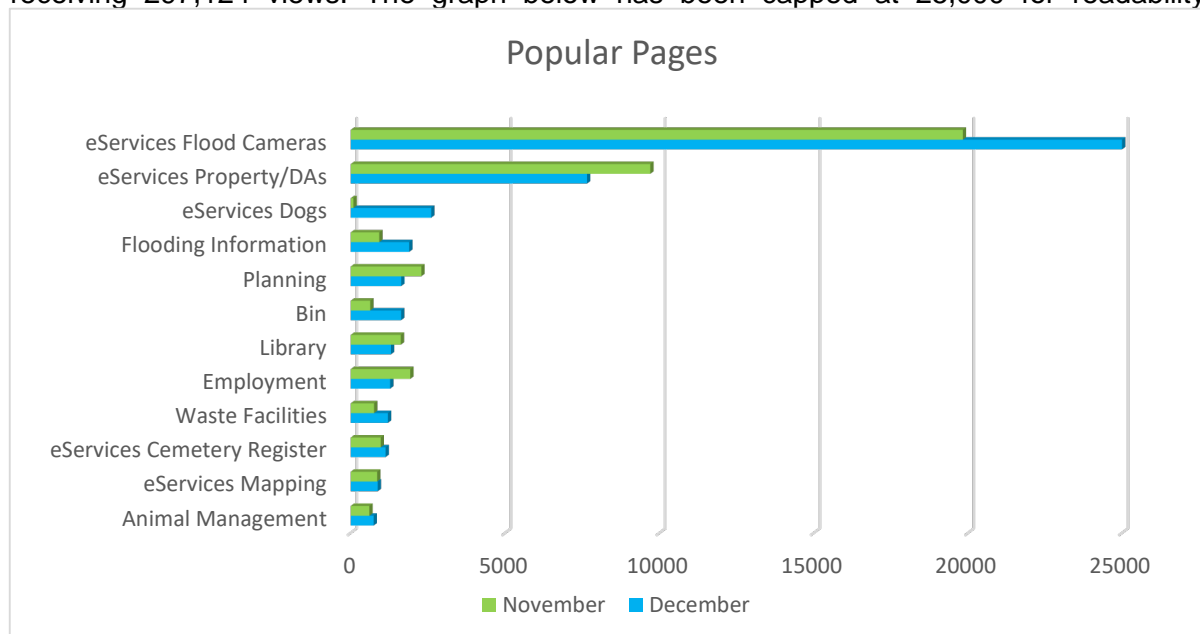
Phishing emails continue to target Office365, file sharing services and videoconferencing utilities, with several incoming malicious emails received from compromised email accounts at vendors and other government entities including Councils. Council continues to conduct internal quarterly phishing tests, which any staff member who fails the test will require additional training for compliance.



Websites

The primary corporate website (somer.set.qld.gov.au) received 45,656 page views for November a 5 percent increase, eServices (eservices.somer.set.qld.gov.au) received 322,963, with an increase of 769 percent in views. Please note that the increase in flood cameras is most likely due to the extensive weather in December, with the 'Flood Cameras' page

receiving 297,124 views. The graph below has been capped at 25,000 for readability.



Governance and Business Improvement

Delegations




LGAQ released an update to its delegations registers. These will be reviewed, and a report prepared for Council's consideration. The annual review of Council's delegations from Council to the Chief Executive Officer will be undertaken simultaneously.

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.

Preparations are also being made to accommodate changes required as a result of the IPOLA provisions applicable from 1 July 2025.

Arts and Culture

		
Attendance at Cultural Venues	Events	Partnerships
6,762	75	6





Events

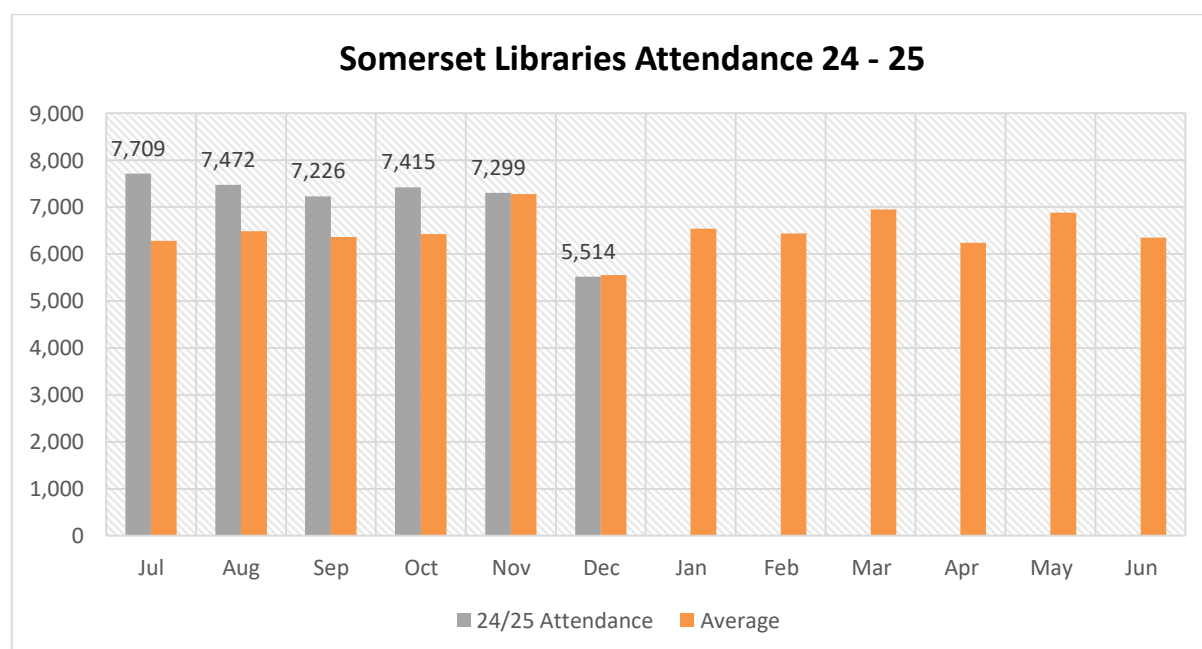
2025 Australia Day Awards

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 to be held 24 January 2025 in conjunction with the region's Australia Day Awards.

Para-powerlifter Mr William (Bill) Nancarrow has been named as the Australia Day Ambassador for the 2025 event.

Somerset Libraries

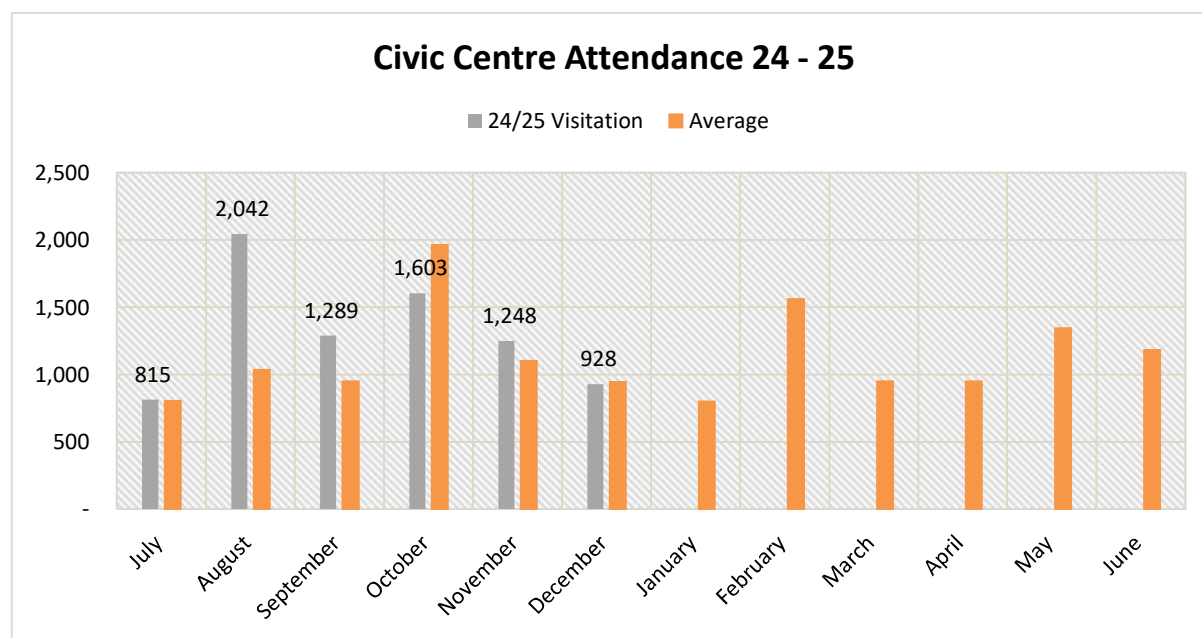
			
Physical Items Circulated	Visitation	Events	New members
10,126	5,514	50	82



- December Library programming focused on Christmas and summer holiday fun with Bath Bomb & Salts, Macrame Christmas Trees, Upcycled Christmas Crackers, Embroidered Christmas Cards and Christmas Lantern activities for children and adults. In total 465 people attended activities between 2 and 20 December.
- Big Rain Came* library programming finished on the 20 December with a total of 684 children and adults participating in grant funded activities between July and December 2024.
- In December 69 members downloaded *Somerset On The Go* library app and 1,590 app pages were viewed.
- Facebook continues to engage library members with 612 interactions in December and 22 new followers.
- Libraries' summer holiday program continues in January 2025 with fabric painting, keyrings, kaleidoscopes, teen jewellery and tech & robotics workshops across all libraries.




Somerset Civic Centre

 Visitation	 Private/ Council Events	 Programmed Events
928	21	1

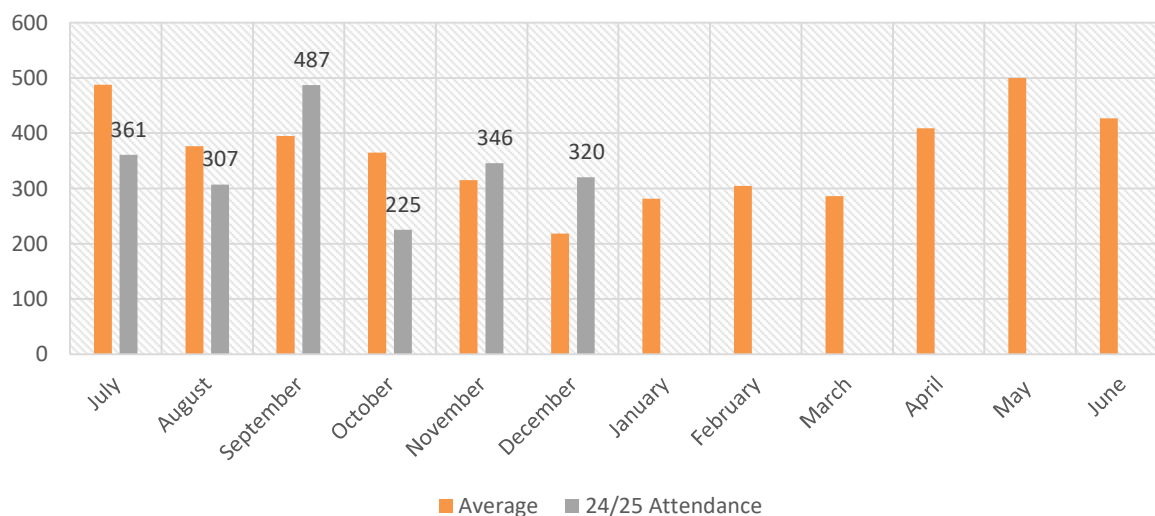


- The Civic Centre hosted a number of Corporate events throughout December alongside Christmas events for regular community users, Tai Chi, Ballet and Tap for Adults, Esk Community Choir, Ballet for Kids and Drama for Children.
- Somerset Regional Council's programmed event for December was; *An Afternoon With*; The Sunshine Club Musical Director Steven Newcomb. Steven spoke about the music and composing for The Sunshine Club as well as performing pieces of the show.

The Condensery

 Visitation	 Public programs	 Exhibitions in development
320	3	9

The Condensery Attendance 24 - 25



Exhibitions and Events

- Exhibitions; 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 and continued throughout December.
- The Condensery welcomed approximately 230 students from Toogoolawah State School for creative workshops with Naomi McKenzie and Jane Nicholson as part of the school's end-of-year 'good behaviour' rewards program.
- 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: Cassandra Hodgins, Jim Filmer, Naomi McKenzie, Sandi Hook and Shirley Gregor.

Youth Engagement and Community Development

- Youth and Community Development focused finalising documents for the Somerset Youth Leadership Camp, ensuring all materials were ready for distribution.
- Contributed to the community garden project at Lowood Library, assisting with planting and maintenance.
- The Youth and Community Development Officer attended the committee meeting for the Talkin' It Up event, collaborating on event planning and logistics.
- Community Development supported the outreach of Goodness Enterprises (GE), a charity offering affordable food hampers at Esk on Mondays, alongside the Good Shepherd Financial Counsellor who also offers outreach on this day. GE also attends Fernvale on Fridays and plans to extend outreach to Coominya on Wednesdays.

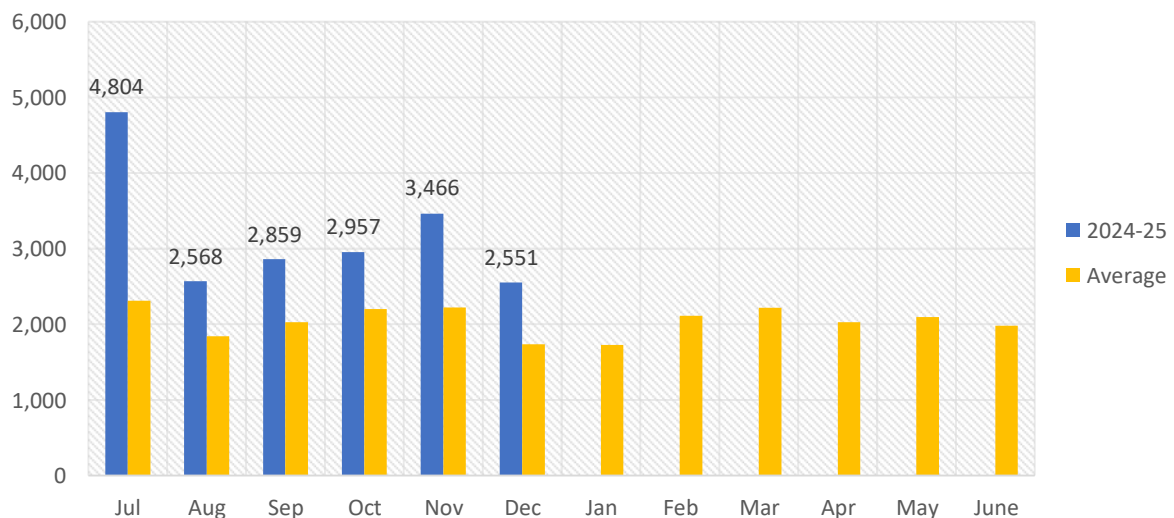
- New funding aimed at reducing social isolation and loneliness in seniors has been received, which will enable more activities and information sessions throughout the region. One of the first initiatives, Midday Movies at Kilcoy, will showcase classic films from 50's, 60's and 70's and offer morning tea on the first Sunday of each month.

Sport and Recreation

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

Fernvale Indoor Sports Centre (PCYC Fernvale)

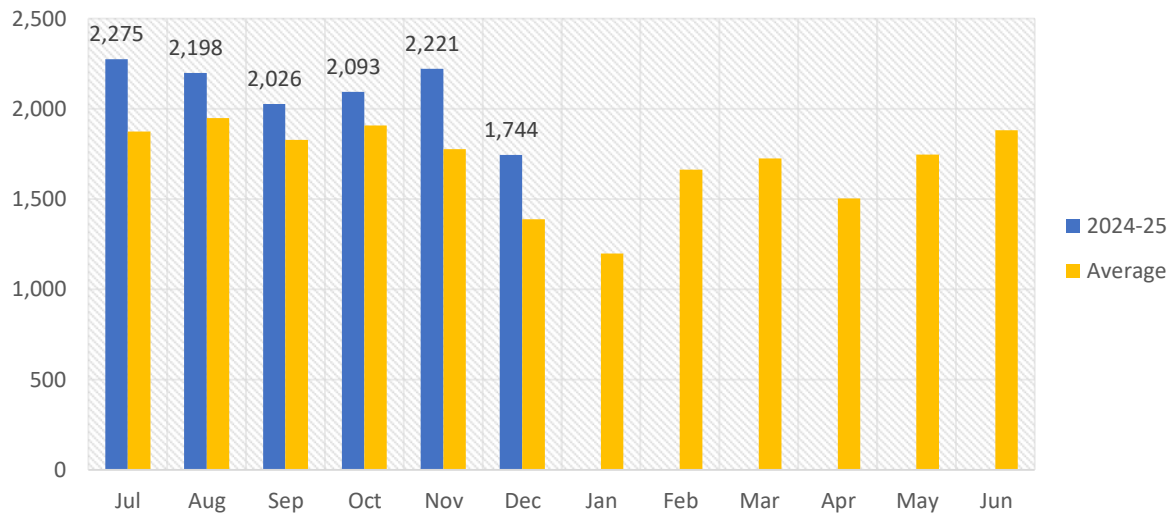
- Comparative to Monthly Historical Average – POSITIVE +818 (Average – 1,733).
- Gym Membership Change – NEGATIVE -87 (Current Membership – 984).
- 375 participants attended Gymnastics Programs.
- 60 new members registered as a result of Pay Nothing offer across December.
- Four new young people employed as Fundamentals in Coaching Gymnastics staff.
- Centre closed 20 December to 29 December for Christmas.
- One minor incident reported – no further action required by Council.



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

Kilcoy Indoor Sports Centre

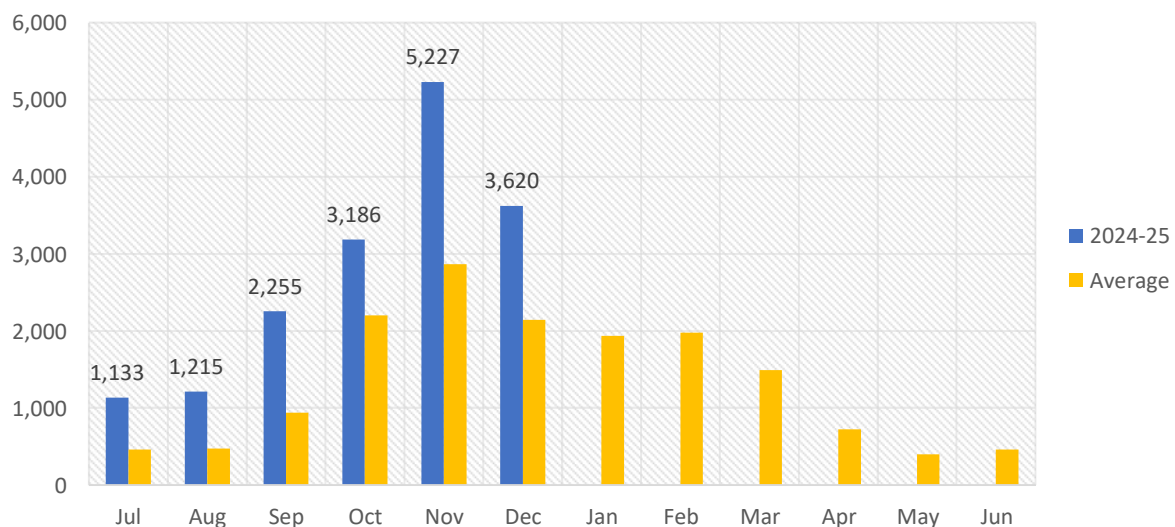
- Comparative to Monthly Historical Average - POSITIVE +356 (Average – 1,388).
- Gym Membership Change – NEGATIVE -6 (Current Membership – 119).
- 76 participants in Army Cadets.
- 180 participants in Gymnastics.
- 215 participants in Indoor Court Sports.
- No incidents to report.



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

Toogoolawah Swimming Pool and Community Gym

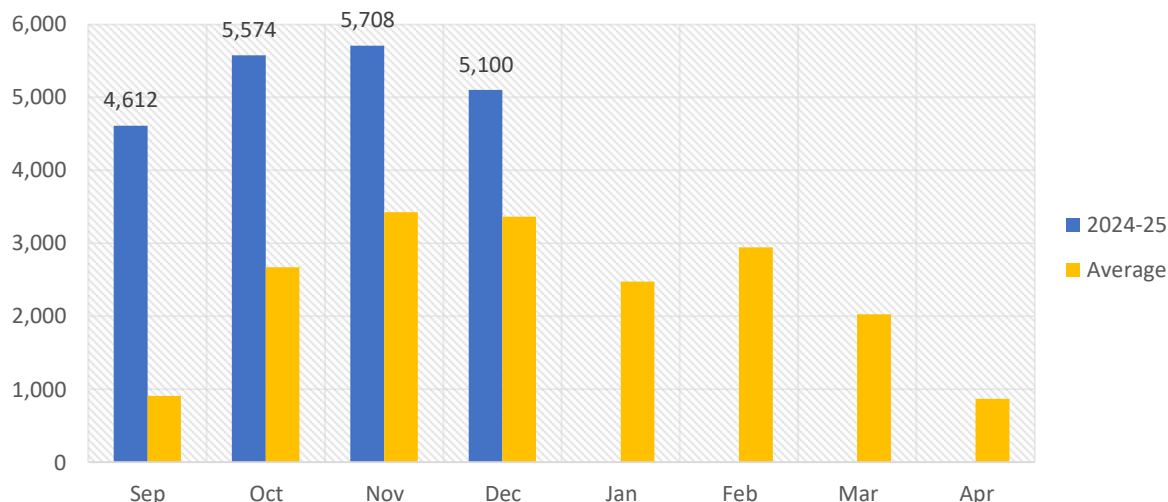
- Record Monthly Attendance for December.
- Comparative to Monthly Historical Average – POSITIVE +1,479 (Average – 2,141).
- Gym Membership Change – NEGATIVE -3 (Current Membership - 104).
- 190 participants in Aqua Aerobics.
- 224 participants in Toogoolawah Swimming Carnival.
- 145 participants for squad break up day.
- No incidents to report.



Graph: Monthly Attendance of the Toogoolawah Swimming Pool and Community Gym - 2024-25 versus Average

Lowood Swimming Pool

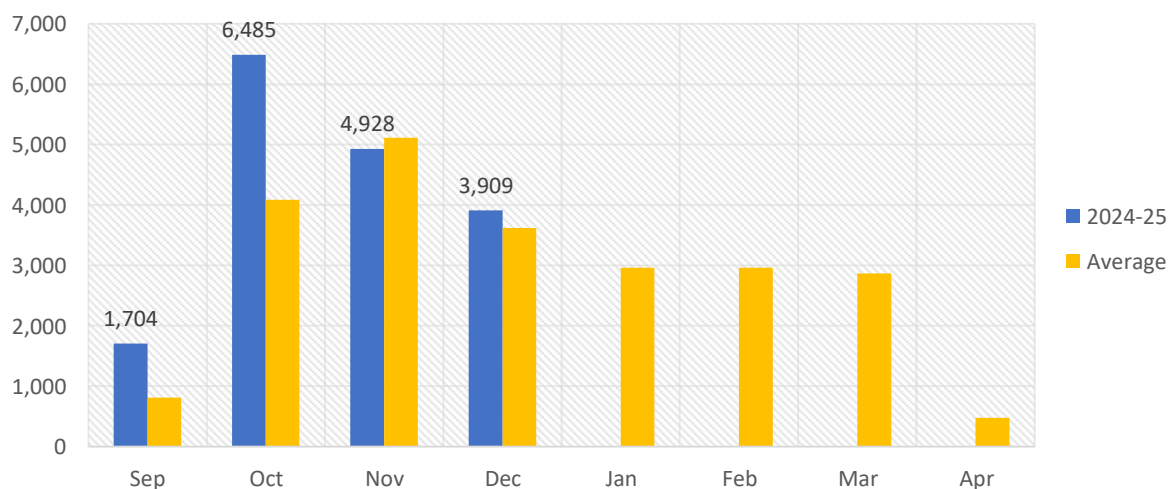
- Record Monthly Attendance for December.
- Comparative to Monthly Historical Average – POSITIVE +1,733 (Average – 3,367).
- Hosted two end of year primary school swimming carnivals.
- 471 children participated in Learn-to-Swim programs.
- Over 200 participants in swim club programs.
- No incidents to report.



Graph: Monthly Attendance of the Lowood Swimming Pool - 2024-25 versus Average

Kilcoy Aquatic Centre

- Comparative to Monthly Historical Average – POSITIVE +289 (Average – 3,620).
- 204 participants took part in Aqua Aerobics.
- 604 children participated in Learn-to-Swim program.
- 89 members attended Swimming Club.
- 490 participants in end of season carnivals.
- Pool closed briefly once due to storm activity.
- Three minor incidents. No action required by Council.



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

Sport and Recreation Highlights and Projects

- Planning continued for the Toogoolawah Community Gym extension works, anticipated to begin in February. The extension will include approximately 100 square meters of additional floor space, a mirrored activity wall and a storage bay. The project is co-funded by the Queensland Government through the Minor Infrastructure and Inclusive Facilities Fund.

- Pool Movie Nights were held across the region as part of the Christmas School Holiday Program at the aquatic facilities in Kilcoy, Lowood and Toogoolawah. Council provided free entry, a free big screen movie and a free community BBQ at each venue. Storms forced the rescheduling of the Lowood event to the following week where close to 250 patrons enjoyed the events. The Kilcoy and Toogoolawah events went ahead as planned, with approximately 100 and 200 attendees respectively. Men's Shed volunteers from Toogoolawah and Lowood were on hand to ensure Santa was present to gift lollies to the younger attendees to the respective events.
- Planning continued for Australia Day Pool Parties and the upcoming Sport and Community Club Workshop on 29 January 2025 at the Lowood Bowls Club and detailed planning for the Somerset Youth Leaders Camp.

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Brieschke

Seconded – Cr Bishop

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

Carried

Vote - Unanimous

Subject:	Customer Service Report – December 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 December 2024 is provided below for Council's information.

Summary for December 2024



2,391

**TOTAL
PHONE
CALLS**

2,084

**PHONE CALLS
RECEIVED DURING
BUSINESS
HOURS**

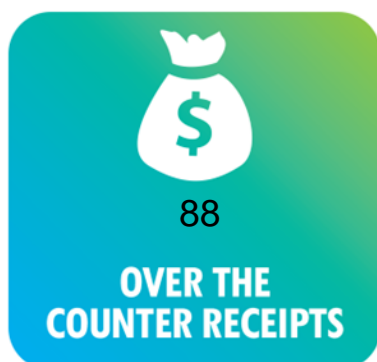
123

**PHONE CALLS
RECEIVED
AVERAGE
PER DAY**

43

**PHONE CALLS
RECEIVED BY
AFTER HOURS
CALL CENTRE**

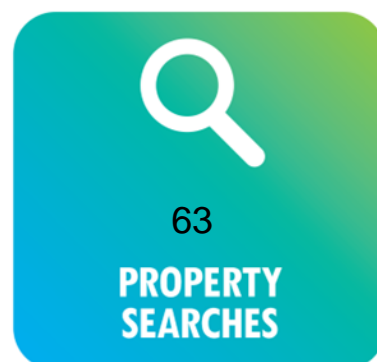
26

**PHONE CALLS
REFERRED TO
AFTER HOURS
DUTY OFFICER**

88

**OVER THE
COUNTER RECEIPTS**

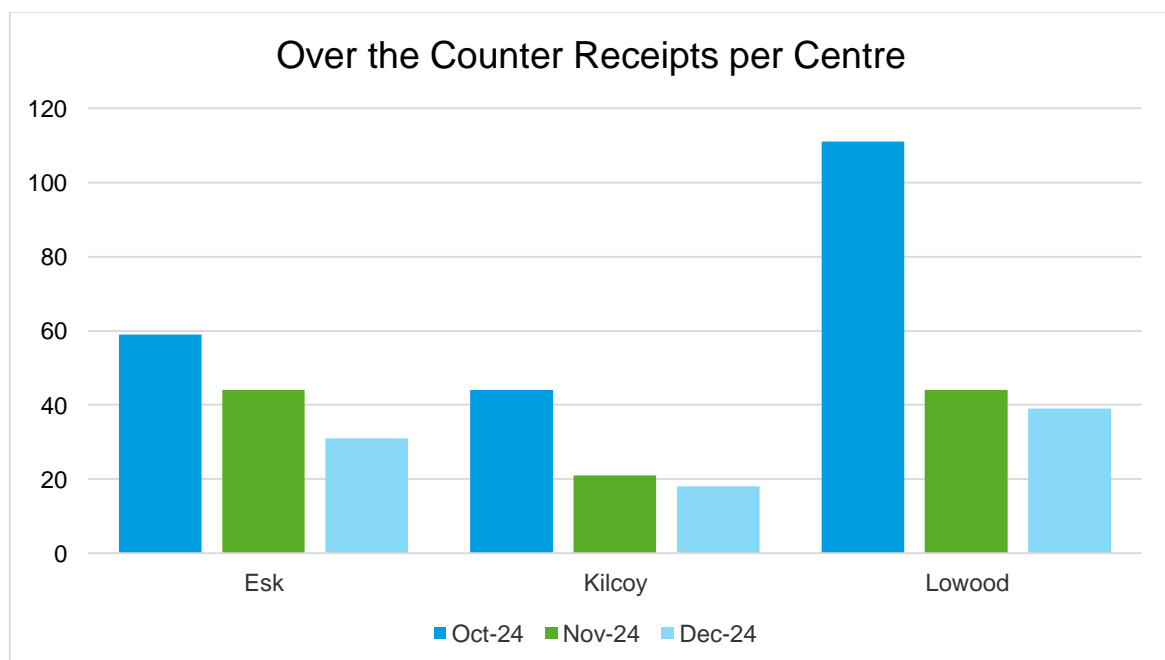
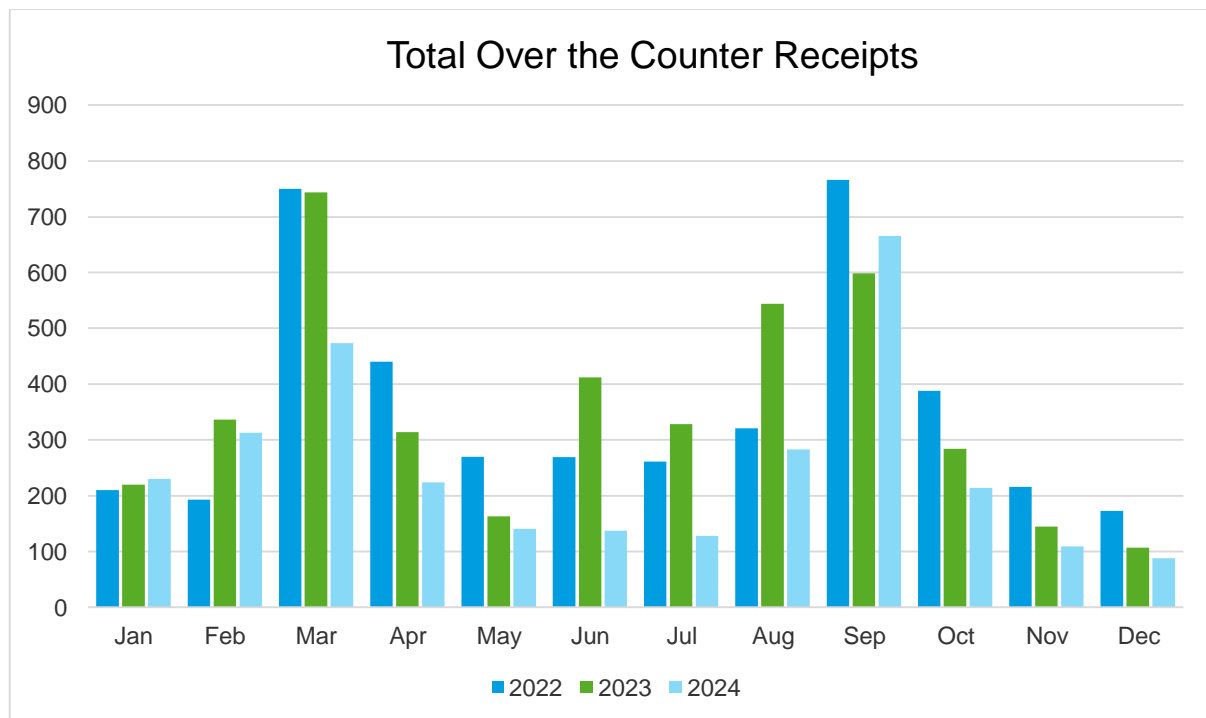
498

**QGAP
TRANSACTIONS**

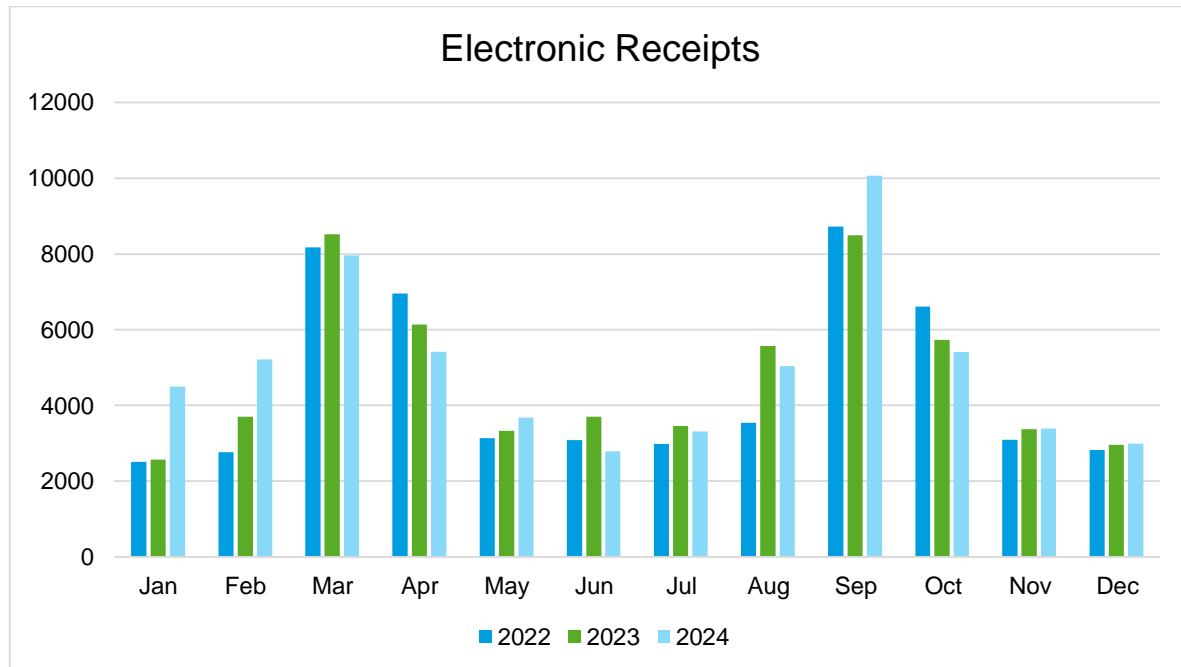
63

**PROPERTY
SEARCHES**

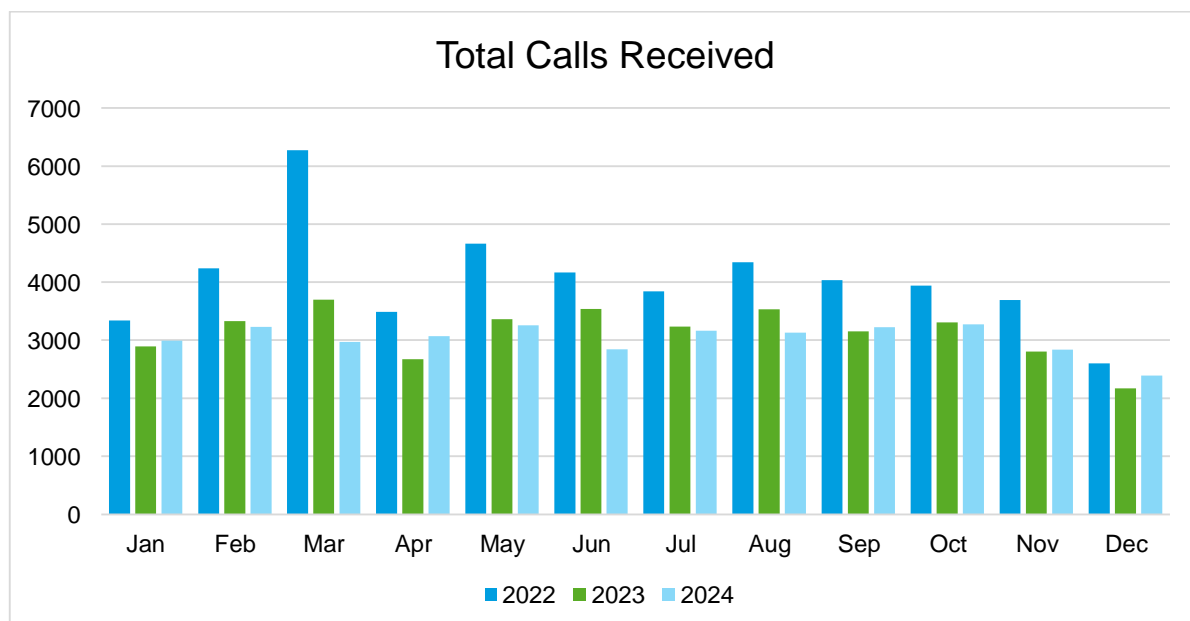
The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for December 2024. These numbers include cheques that were posted into the Council. In total there was 88 financial transactions across the three customer service centres with 31 at Esk Administration Centre, 18 at Kilcoy Customer Service Centre and 39 at Lowood Customer Service Centre for December 2024.



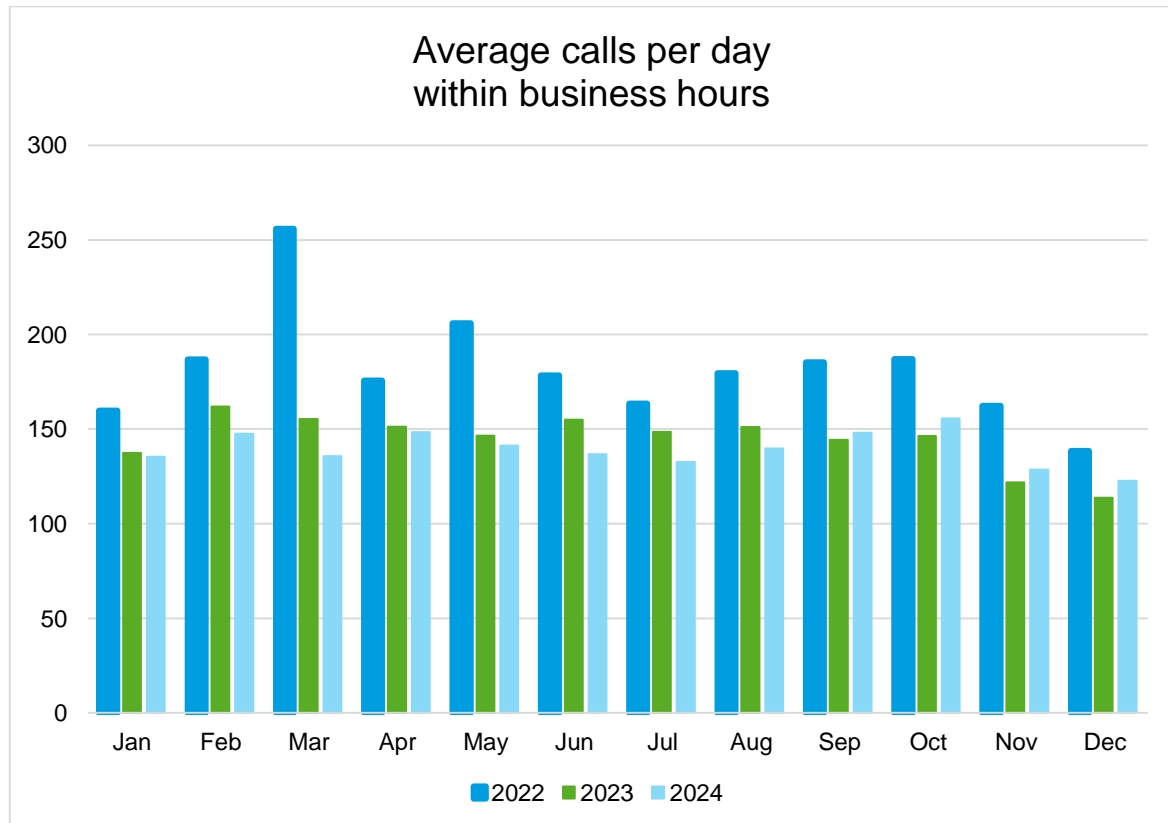
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc. For the month of December there were 2,986 transactions. Compared to November 2024 there was a decrease of 396 transactions.



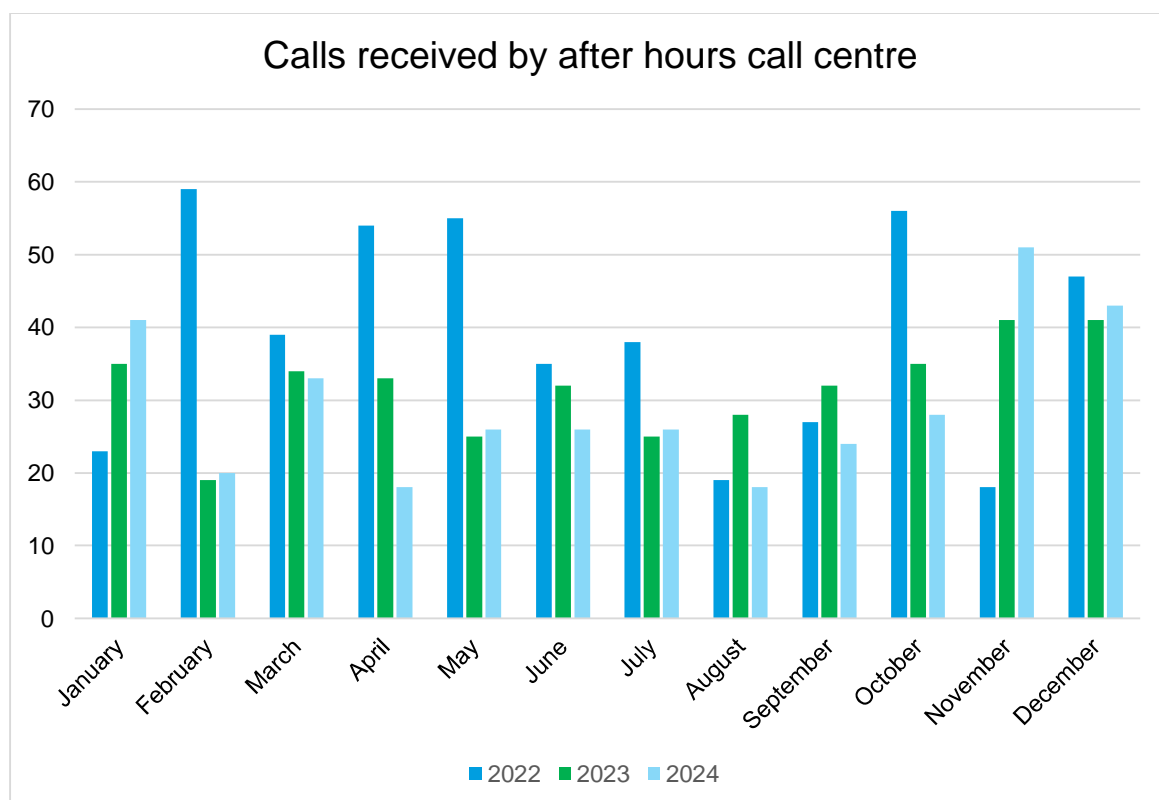
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to previous calendar years. Calls received does not include internal calls made within Council, or outbound calls. There were 2,835 calls received for the month December 2024. This is a decrease of 444 calls compared to November 2024. Compared to December 2023 there was an increase of 221 calls for the month.



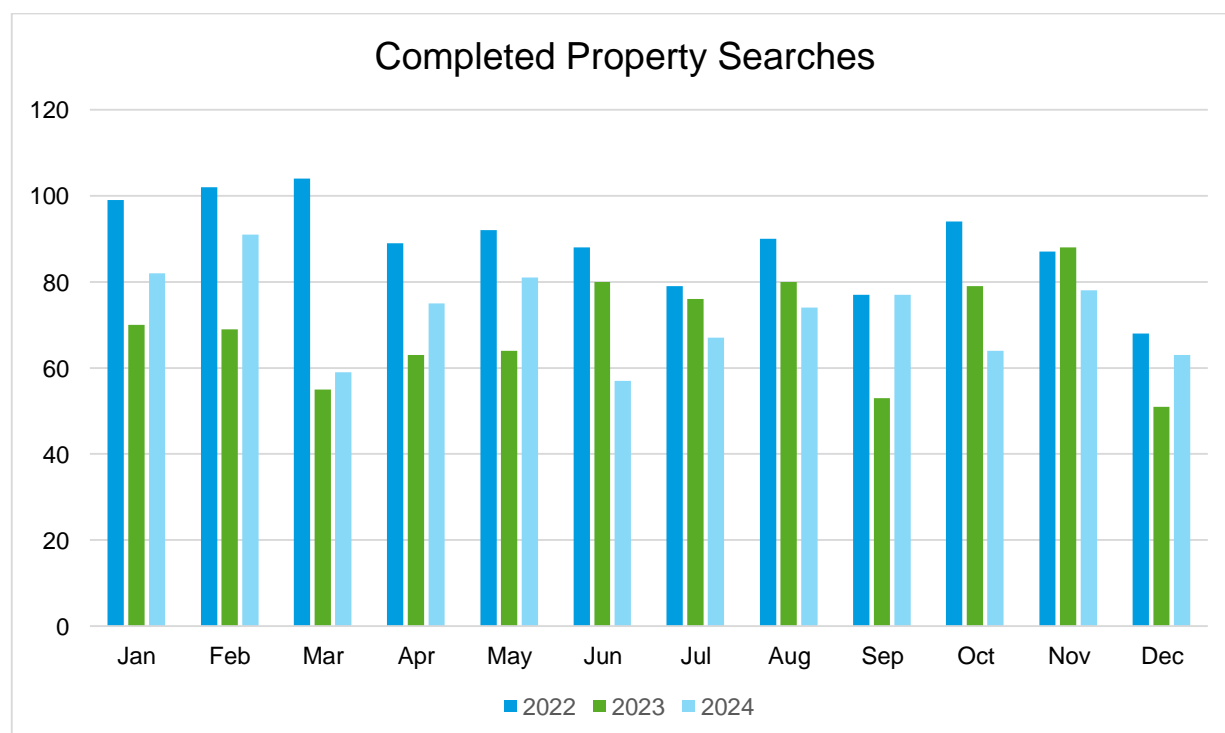
Listed below is a comparison of the average calls received per day within business hours. On average there were 123 calls received each business day for December 2024, which was a decrease of 6 calls on average per day from November 2024. Compared to December 2023 there was an increase of 9 calls on average per day.



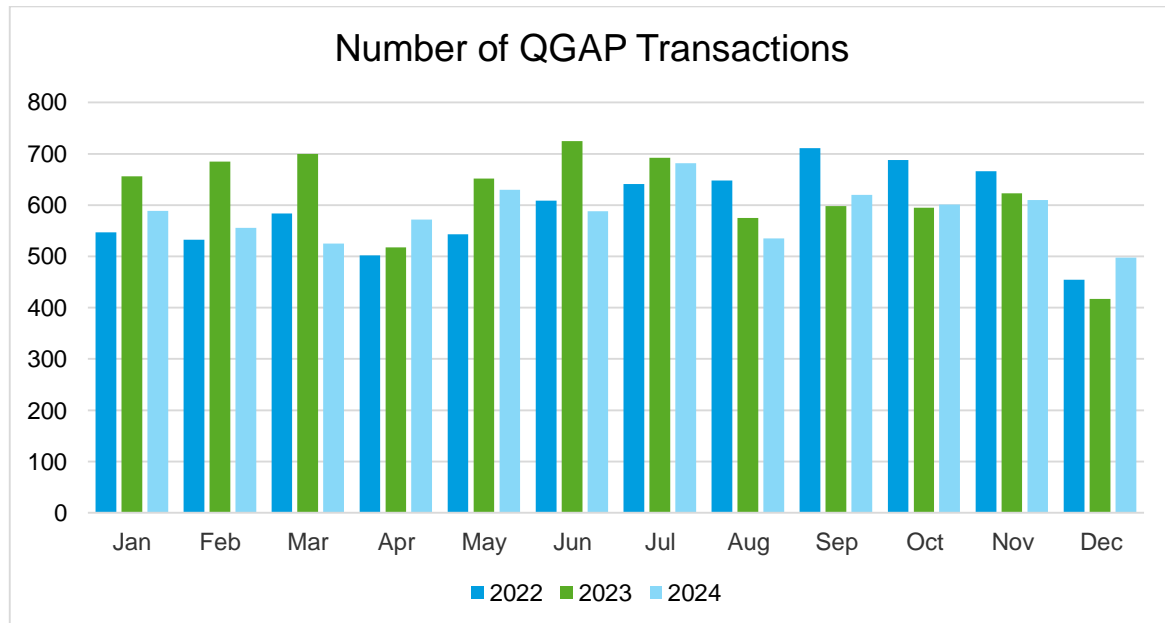
There were 2,084 calls received during business hours and 307 out of hours with 142 calls received between the Christmas - New Year closedown period. Of the 307 calls received out of hours, 43 calls were transferred to the afterhours call centre.



For the month of December 2024 there were 63 property searches completed for prospective purchasers. This decreased by 15 completed searches for the month compared to November 2024.



There were 498 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in December 2024. On average there were 29 transactions per business day in December. QGAP conducted a satisfaction survey of customers during December. A summary of responses will be provided with the monthly Customer Service Report for January.



Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Brieschke

Seconded – Cr Jess

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

Carried

Vote - Unanimous

Subject:	Appointment of Acting Chief Executive Officer
File Ref:	Personnel – Authorisations – Delegations – Authorised Persons
Action Officer:	CEO

Background/Summary

The resignation of the Council's Director Finance, effective 30 January 2025, necessitates a review of the process for appointing an Acting Chief Executive Officer (CEO) during planned or unplanned absences of the CEO. By Council resolution, the Director Finance has historically served as Acting CEO in the absence of the CEO. With the Director Finance finishing in his role shortly, the Council should identify an alternative arrangement for appointing an Acting CEO.

Section 195 of the Local Government Act states,

A local government may appoint a qualified person to act as the chief executive officer during—

(a) any vacancy, or all vacancies, in the position; or

(b) any period, or all periods, when the chief executive officer is absent from duty or can not, for another reason, perform the chief executive officer's responsibilities.

While the Act does not mandate the appointment of an Acting CEO, it is recognised as a best practice to ensure uninterrupted operations and instil confidence in leadership during such absences.

The CEO has approved long service leave from late May to mid-July 2025. In preparation for this, the CEO has notified the Executive team. The Director Planning and Development has expressed interest in serving as Acting CEO during this time. Further, Council should consider an approach for appointing an Acting CEO for both planned and unplanned absences of the CEO. It is suggested that, for periods of planned absences, a flexible process for seeking expressions of interest from the executive team be established, and the appointment of a specific director as Acting CEO during unplanned absences be formalised to ensure immediate leadership continuity.

Good governance practices advocate for clear delegation of authority to ensure smooth operations and maintain confidence in leadership. Appointing an Acting CEO provides stability during absences and supports operational continuity and decision-making processes. The CEO's consultation with the Executive team regarding planned leave aligns with collaborative decision-making principles and supports equitable opportunities while maintaining flexibility. Appointing a consistent Acting CEO for unplanned absences mitigates risks and reduces ambiguity, enabling immediate responses to unforeseen circumstances.

The proposed approach aligns with legislative requirements and governance best practices, ensuring continuity of leadership during the CEO's planned and unplanned absences. By taking these proactive measures, the Council will reinforce operational stability and confidence in its leadership team.

Attachments

Nil

Recommendation

THAT Council:

1. appoints the Director Planning and Development, Mr Luke Hannan as Acting Chief Executive Officer during the Chief Executive Officer's approved long service leave from late May to mid-July 2025.
2. appoints the Director Planning and Development, Mr Luke Hannan as Acting Chief Executive Officer during unplanned leave of the Chief Executive Officer.

3. authorises the Chief Executive Officer to seek expressions of interest from the Executive team for Acting Chief Executive Officer appointments during planned absences and appoint the designated Director as Acting Chief Executive Officer.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council:

1. appoints the Director Planning and Development, Mr Luke Hannan as Acting Chief Executive Officer during the Chief Executive Officer's approved long service leave from late May to mid-July 2025.
2. appoints the Director Planning and Development, Mr Luke Hannan as Acting Chief Executive Officer during unplanned leave of the Chief Executive Officer.
3. authorises the Chief Executive Officer to seek expressions of interest from the Executive team for Acting Chief Executive Officer appointments during planned absences and appoint the designated Director as Acting Chief Executive Officer.”

Carried

Vote - Unanimous

Subject:	Community Assistance Grants – Somerset Excellence Bursaries approved by CEO – December 2024
File Ref:	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 December 2024. Somerset Excellence Bursary application is detailed below:

Applicant	Bursary Recipient	Doc Id	Field	Level	Event
Robert Wood	Damon Wood	1691382	Cricket	Regional \$250	Damon Wood has been selected as part of the Under 12 Darling Downs and South West Queensland team to attend the Ian Healy Cup in Brisbane on 6 – 10 January 2025.

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Hurley

Seconded – Cr Freese

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

Carried

Vote - Unanimous

Meetings authorised by Council

Nil

Mayor and Councillor Reports

Cr Bishop – Councillor Report

I have continued to attend markets throughout December and January (so far) and connecting with community members. I attended the Lowood Community Action Group meeting last week as well as the Kilcoy Hospital Auxiliary. On Tuesday 21st January, a community walk through of the palliative care areas of the Kilcoy Hospital was organised. I have particularly enjoyed attending the Glen Rock and Lowood Open Door Galleries.

Cr Hurley – Councillor Report

I hope everyone had a nice Christmas break.

As we embark on an already busy 2025, it is important to take a moment to smell the roses amidst the hustle and bustle of everyday life. In our quest for progress and productivity, we must not forget to appreciate the beauty and simplicity that surrounds us. Embracing small amounts of joy can bring balance and fulfillment to our busy lives

Cr Freese – Councillor Report

I attended the opening of the Lowood Lions Art Gallery and the present display by Aaron Heck. The display is a great photographic exhibition on the history of Lowood. It was really well attended with a large number of elderly people in attendance wanting to record their history of the area. I look forward to seeing some Council programs to come to allow people to record their history and stories of their families and the region.

Cr Jess – Councillor Report

January

19 Aaron Heck's History of Lowood Photographic Exhibition.

Stay tuned for the Councillors Community Chat dates.

Wishing all students across the region the best of luck as they return to school next week.

As we embark on a new year, I am filled with anticipation for the opportunities and challenges ahead. This year marks my second as a Councillor, and I am grateful for the chance to continue serving our community. I want to take a moment to express my sincere appreciation to my fellow Councillors for their unwavering support and commitment to our shared goals. Together, we have accomplished much, and I am confident that, through collaboration and dedication, we will achieve even more in the coming year. Let's remain focused on making a positive impact and building a stronger future for those we represent.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT the verbal and written reports of Mayor Wendt and Councillors Brieschke, Bishop, Freese, Hurley, 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

Closure of Meeting**Summary**

There being no further business, the Mayor, Cr Jason Wendt closed the meeting at 10.01 am.



APPENDIX A



Policy Subject/Title: Revenue Policy FY2026

Policy Number: F/001

Responsible Officer: Director Finance

Legislative or Regulatory Reference: *Local Government Act 2009* and Regulation

Related Policies / Procedures: Revenue statement

Authorised by: Somerset Regional Council

Authorised on: 22 January 2025

Review/Amendment dates: This policy is reviewed annually

1. OBJECTIVE

Council aims to fulfil a statutory requirement through adoption of this revenue policy under section 193 of the Local Government Regulation 2012.

2. BACKGROUND

Council is required to review its revenue policy each financial year under section 193 of the Local Government Regulation 2012.

3. PURPOSE

The revenue policy sets guidelines for the development of Council's budget, revenue measures and other financial matters as outlined.

4. SCOPE

The policy applies to Somerset Regional Council and all persons and entities that contribute or might contribute revenue to the Council.

5. POLICY

Section numbers referred to below relate to the Local Government Regulation 2012.

• s193(1)(a)(i) The principles that the local government intends to apply in the financial year for levying rates and charges

Rates and charges are levied to enable Council to meet its recurrent and capital costs.

Differential general rates will be levied on all rateable land in the Region. In Council's opinion, differential general rating enables there to be a more equitable relationship between revenue raised from particular land and the circumstances relevant to that land than would be the case under a standard rating system where rates are levied at a single rate in the dollar on all rateable land.

In determining its differential rating system, Council's objective is to ensure the fair and consistent application of lawful rating and charging principles, without bias, taking account of all relevant considerations, and disregarding all irrelevant considerations.

For the 2025/2026 financial year, the Council will levy general rates on land on the basis of differential rating categories determined having regard to a variety of matters including but not limited to: -

- land use;
- land location;
- availability of services;
- consumption of services;
- land area;
- valuation; and
- such other relevant qualities of the land or its use.

For utility charges, and other rates or charges for particular services or functions (regulatory

or otherwise) the guiding principle is that of user pays, with the overall level of revenue raised by each charge being based so far as practicable upon the full cost price of providing the service or facility concerned.

Council will meet legal requirements for the cost effective levying of rates including providing all required information on rate documents.

• **s193(1)(a)(ii) The principles that the local government intends to apply in the financial year for granting concessions for rates and charges**

Council may grant rate remissions or deferrals on the grounds of financial hardship on a case-by case but consistent basis.

Financial hardship does not necessarily mean simple inability to pay.

Council will administer the State Government Pensioner Rate Subsidy Scheme under the scheme rules for the maximum benefit of landowners.

Council may allow concessions to certain classes of pensioner landowners for rating equity reasons. The conditions of any concessions will be outlined in the local government's revenue statement and budget resolutions.

• **s193(1)(a)(iii) The principles that the local government intends to apply in the financial year for recovering overdue rates and charges**

Council will inform ratepayers with arrears of rates of the powers it may use in collecting outstanding rates including legal action, application of interest penalties, loss of discounts, release of information to mortgagees and other parties with interests in properties, sale of lands and any other potential action.

Council may offer assistance to people to access their own superannuation if applicable.

Council's recovery action will be cost effective.

Council will not enter into arrangements that limit its legal power to recover rates.

Following each rating period, Council will forward reminder letters to owners with overdue rates where appropriate or courtesy advices to ratepayers who have missed discounts.

Legal rate recovery actions or referrals to debt collectors may be authorised by the Chief Executive Officer.

Effective 22 January 2025, Council is to receive once each financial year recommendations for sale of lands for overdue rates actions covering all properties for which actions may legally be commenced except where the overdue rates or charges exceed the rateable valuation of the land. Where this situation applies, a recommendation to acquire the land for overdue rates may be made.

Where Council invokes section 130 (7) of the Local Government Regulation 2012 to set a later discount date than indicated on a rate notice and this has clearly resulted in a credit balance for a local ratepayer equal to the discount available, Council will write to the local ratepayer advising that the account is in credit.

Council is to receive a recommendation to commence sale of land for overdue rates and charges action whenever an infrastructure charge becomes overdue for a period of more than three years.

- **s193(1)(a)(iv) The principles that the local government intends to apply in the financial year for cost-recovery methods**

Council may seek to recover costs of the matters permitted under section 97 of the Local Government Act 2009.

Costs to be recovered with cost-recovery fees may include all direct and indirect costs of providing the relevant facility, service or activity including cash and non-cash costs and including but not limited to the cost of capital, corporate overheads and depreciation.

Council will not seek to impose a taxation component for any cost-recovery fee.

Council may charge less than the full cost of providing the relevant facility, service or activity when setting any cost-recovery fee.

- **s193(1)(b) The purpose of concessions granted for rates and charges**

Various concessions may be granted for rates and charges including retaining the concessions of a predecessor council or for any of the matters permitted by law as it is assumed that the types of concessions allowable by law are permitted for a valid purpose.

The conditions of any concessions will be outlined in the local government's revenue statement and budget resolutions.

- **s193(1)(c) The extent to which physical and social infrastructure costs for a new development are to be funded by charges for the development**

Developers may be required to pay the full costs of any increased capacity in the physical infrastructure due to any new developments, and where appropriate, a contribution towards social infrastructure changes required to cater for the increase or changes in population caused by new developments.

6. EFFECTIVE FROM

This policy is effective from 22 January 2025.

7. CONTROLS

This policy is subject to controls outlined in the financial management risk register.

8. DATE OF RESOLUTION

This policy was approved by the Chief Executive Officer and adopted by the Somerset Regional Council at the Ordinary Meeting of 22 January 2025.

Signed:

Dated: