



**Minutes of Ordinary Meeting  
Held Wednesday, 24 September 2025**

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*Held in the Fernvale Visitor Information Centre  
1483 Brisbane Valley Highway, Fernvale*

**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 P Keech	(Interim Director Operations)
Mrs M Jelf	(Acting Director Planning and Development)
Ms D Gregory	(Chief Financial Officer)
Mr D Rowe	(Director Corporate and Community Services)
Mrs H Golinski	(Minute Secretary / Executive Assistant)
Mr J Hayden	(Communications Officer)

Observer	Mr S Brennan	(Environmental Services Manager)
	Mr G Love	(Engineering Services Manager)
	Mr M Swadling	(Digital Communications Officer)

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**Opening of Meeting**

The Mayor, Cr Jason Wendt, opened the meeting at 11.00am.

**Leave of Absence**

Nil

**Confirmation of Minutes****Resolution**

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT the Minutes of the Ordinary Meeting held Wednesday 10 September 2025 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**

September

A new exhibition has opened at The Condensery Somerset Regional Art Gallery – These Stories Will Be Different and Hølemtaet Hemia (hold this/ hold this tightly), predominantly video orientation, has been presented quite dramatically, against a darkened gallery and is on show until 30 November.

25 Teddy Bears Picnic, Somerset Civic Centre, 9.00 am – 12.00 pm

October

04 The Open Door Gallery, Lowood will kick off their “Paint a Fence Post” fundraiser next Saturday, 4 October. Everyone is welcome to paint a post and please refer to their Facebook page for more information.

**Matters of public interest – Cr Bishop**

There is a lot happening across the Somerset Region but because Wednesday, 1 October is International Day of Older Persons, I just wanted to highlight to Council some of the many issues facing older residents in Somerset. I have previously raised access to doctors in our two hospitals as an issue not just for older people, but also for families. Transport to and from specialist medical appointments is almost impossible to obtain if you are frail. The costs are extreme. Social isolation and getting assistance with home maintenance, cleaning and personal care is difficult as well. Our Council has a Social Plan which aims to address some of these issues on behalf of the community and has been seeking two additional community representatives to join our advisory committee. Applications close on 30 September, so I urge members of the community with an interest in social issues to apply. There is more information on the new Somerset Council website.

**Matters of public interest Cr Hurley**

I would like to congratulate all of the by-election participants on their efforts during their

campaigns and meet the Councillor evenings

Our recent visit to Jimna for the "Come and Chat with a Councillor" event which highlighted the community's dedication to supporting our youth. Don't miss our next "Come and Chat with a Councillor" in Esk on 1 October.

Congratulations to the winners and entrants of the Somerset Garden competition, and a big thankyou to the judges.

### **Matters of public interest – Cr Jess**

A new exhibition has opened at The Condensery Somerset Regional Art Gallery

20 September - 30 November

These Stories Will Be Different and Hølemtaet Hemia Art Exhibition

School Holiday Program, Somerset Libraries

22 September to 2 October

September

25 Teddy Bears Picnic, Somerset Civic Centre

27-28 Somerset Garden Competition Open Days

October

1 Councillors Community Chat, Pipeliner Park, Esk

3 Comic Workshop, Somerset Libraries

### **Matters of public interest – Cr Freese**

September

25 Teddy Bears Picnic at Civic Centre.

I'd like to encourage all our younger families and maybe older ones too to bring their favourite teddy to our annual Teddy Bear's Picnic. It's a great day of entertainment for the family. The Councillors will be there cooking up a storm!

27 West Moreton and Brisbane Valley Sub-Chamber Showgirl and Rural Ambassador finals at Lowood

The Regional finals are being held in Lowood this year. They will be going on a bus tour of the southern region where they'll be visiting some of the agriculture businesses in the region along with some tourist destinations. I would like to wish all the contestants the best of luck in representing their local shows. It is a great competition that really helps develop the participants' confidence, particularly in public speaking. And you never know where it can lead you to.

26-29 Queensland State Pony Club Championships at Kilcoy Showgrounds

Queensland Pony Club State Championships for Formal Gymkhana, Sporting, Stockman's Challenge and Campdraft for riders 7-25 years. Riders competing at this pinnacle event are travelling from Cairns, Longreach, NSW and everywhere in between.

October

1 Councillor Community Chat at Esk Pipeliner Park – Wednesday, 01 October 10:00 – Noon

2-5 Toogoolawah Junior Cattle Camp

This is a fantastic and well supported annual initiative run by the Toogoolawah Show committee. It normally sees over 100 young people learning the basic and finer points of cattle handling and showing and judging.

5 Watts Bridge Historic Airfield Fly in and Breakfast

They will be firing up the BBQs to cook an absolute feast of sausages, bacon, eggs, and beans plus all the usual extras. So, fly-in or drive-in to Watts Bridge Memorial Airfield for Watts for Breakfast. There will be a contingent of genuine warbirds and Several YAK's are confirmed with the possibility of a Spitfire, or even a Mustang or some other exotic aircraft.

17 Somerset Seniors Expo

A reminder to get in early and book for the SRC Seniors Expo. This is always a very popular day with this year free entertainment by the Memphis Movers, lunch and services expo. Contact council to make your booking.

### Matters of public interest – Mayor Wendt

The Mayor presented Glamorgan Vale State School's 150<sup>th</sup> anniversary history booklet for inclusion in the library collection.

### Declarations of Interest

Cr Brieschke declared an interest in agenda item 34, Community Assistance Grant 2025-2026 Mount Beppo Public Hall Committee, and item 35, Community Assistance Grant 2025-2026 Toogoolawah Christmas Tree (Auspiced by Toogoolawah & District Progress Association).  
Cr Hurley declared an interest in agenda item 19, Changes to Terms of Reference and Memorandum of Understanding – Fernvale Recreation Grounds Advisory Committee.  
Cr Freese declared an interest in agenda item 33, Community Assistance Grant 2025-2026 Glamorgan Vale Community Hall Association Inc.

<b>Subject:</b>	<b>Development Application No. 25669 - 3 Pointons Lane, Kilcoy</b>
<b>File No:</b>	<b>DA25669</b>
<b>Assessment No:</b>	<b>80263-10100-000</b>
<b>Action Officer:</b>	<b>PO - TO</b>

## 1.0 APPLICATION SUMMARY

### Property details

Location:	3 Pointons Lane, Kilcoy
Real property description:	Lot 13 SP215306
Site area:	1451m <sup>2</sup>
Current land use:	Storage
Easements/encumbrances:	Lot D SP215306 (Right of way access) Lot A RP853323 (Stormwater Drainage) Lot B RP853323 (Stormwater Drainage)

### 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:	Centre zone
Precinct:	Not within a precinct

Desired settlement pattern: Not applicable

Overlays: OM8 High impact activities management area overlay  
OM9 Infrastructure overlay

**Application details**

Proposal: Hardware and Trade Supplies  
Category of assessment: Code assessment  
Applicant details: Garth Duffy  
C/- Veris  
PO Box 1104  
MILTON QLD 4064  
Owner details: Ssagi Super Pty Ltd  
Date application received: 15 November 2024  
Date application properly made: 6 January 2025

**Referrals** State Assessment and Referral Agency

**Public notification** Not required

**RECOMMENDED DECISION**

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



Source: Nearmap May 2025  
Locality Plan of Lot 13 SP215306  
Situated at 3 Pointon's Lane, Kilcoy

**2.0 PROPOSAL**

This development application seeks approval for a Development Permit for Material Change of Use for Hardware and Trade supplies, on land at 3 Pointon's Lane, Kilcoy, formally described as Lot 13 SP215306.

The application is made under Version 4.2 of the Somerset Region Planning Scheme (the planning scheme). The site is located within the Centre zone. The application is required because a Hardware and Trade supplies use within the Centre zone, that is not Accepted development subject to requirements, requires a Code Assessable planning application.

The site is proposed to be used for the storage of stock and equipment associated with the existing Mitre 10 (hardware and trade supply store) located at 50 Mary Street. The development involves the construction of a new single storey shed. The shed will be 18m long by 15m wide, with an overall height of 6.458m. In addition, modifications (partial demolition) to the existing large shed on the site and extending the concrete driveway. The portion of the existing shed to remain will be 4.6m wide and 12m long with an overall height of 5.01m and will immediately adjoin the proposed new shed.

The facility will not be permanently staffed and will be accessed by Mitre 10 staff to collect and store stock and equipment on an as needs basis only. Customers will not be accessing the site. The facility will operate in line with the existing Mitre 10 trading hours, being 8am to 5pm Monday to Friday and 8am to 12pm on Saturday. The facility will not operate on Sundays.

The existing access point to Mary Street will remain unchanged, however the concrete driveway will be further extended directly to the new shed. Deliveries will continue to be received at the existing Mitre 10 store across the road, and stock/equipment will be transported over to the subject site by staff. The site is not proposed to receive deliveries directly.

### **3.0 SITE DETAILS**

#### **3.1 Description of the land**

The site is an irregular shaped allotment with frontage to Mary Street to the east and Pointon's Lane to the north west. The site currently contains two outbuildings which are used for storage of goods and vehicles.

Surrounding lots to the east are also within the Centre zone and are typically improved with commercial shops. Residential properties are located along the remaining boundaries. The lot slopes to the east and contains three existing easements which are located within the access handle off Mary Street.

#### **3.2 Connection to electricity and telecommunications**

The land is within the Centre zone, and 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 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 urban footprint. The application has been assessed against the provisions of the regional plan and the associated regulatory requirements and was considered to comply.

## **5.3 Schedule 10 of the *Planning Regulation 2017***

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

The proposal:

- (a) 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.

## **5.4 Temporary local planning instruments**

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

## **5.5 Variation approvals**

The property is not benefitted by any variation approvals.

## **5.6 Somerset Region Planning Scheme (Version 4.2)**

### **5.6.1 Relevant assessment benchmarks from the planning scheme**

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

- (a) 6.2.1 Centre zone code;
- (b) 7.2.8 High impact activities management area overlay code;
- (c) 7.2.9 Infrastructure overlay code;
- (d) 8.2.3 Business Activities code;
- (e) 8.3.4 Reconfiguring a lot code;
- (f) 8.3.5 Services works and infrastructure code; and
- (g) 8.3.6 Transport access and parking code.

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



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

### 5.6.2 Strategic framework assessment

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

### 5.6.3 Code compliance summary

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

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

Relevant code	Compliance with overall outcomes	Performance outcomes
Centre zone code	Yes	PO2, PO4, PO5, PO6
Business Activities code	Yes	PO3, PO7, PO11
Services works and infrastructure code	Yes	PO1, PO2, PO4, PO5
Transport access and parking code	Yes	PO3, PO5, PO7, PO8, PO12, PO13, PO14
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Infrastructure overlay code	Yes	No alternative outcomes proposed

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

### 5.6.4 Performance outcome assessment

#### Centre zone code

Performance outcome	Acceptable outcome				
<b>Building setbacks</b>					
<b>PO2</b> Building setbacks: (a) contribute to the establishment of a continuous 'main street' character; (b) assist in the provision of active frontages and the engagement of development with the public realm; (c) facilitate the establishment of awnings on main streets; (d) do not detract from the amenity of <i>adjoining premises</i> , in terms of privacy, access to natural light, and ventilation; and (e) provide for the efficient use of the site.	<b>A02.1</b> New buildings and structures are built to the <i>primary street frontage</i> boundary of the site, including the following main streets: <table border="1" data-bbox="794 1682 1323 1753"> <tr> <th>Centre</th><th>Main street/s</th></tr> <tr> <td>Kilcoy</td><td>Mary Street</td></tr> </table> <b>A02.2</b> Where an <i>adjoining premises</i> is located in the <b>General residential zone</b> , buildings and structures are setback a minimum 3 metres from the common side boundary.  <b>A02.3</b>	Centre	Main street/s	Kilcoy	Mary Street
Centre	Main street/s				
Kilcoy	Mary Street				

Performance outcome	Acceptable outcome
	New buildings and structures are setback a minimum 3 metres from the rear boundary.
<p><b>Proposal</b></p> <p>The proposed building is not built to the primary street frontage (Mary Street) as the design of the building is constrained by the shape of the land.</p> <p>In addition, the proposed shed is to be located 1.2m from the common boundary with the General Residential zone, in lieu of the 3m identified by the code.</p> <p><b>Performance outcome assessment</b></p> <p>As the site has a narrow frontage to Mary Street of approximately 4.5m which is exclusively used for the purpose of access therefore making it not practical for any built form on the site to be built to Mary Street.</p> <p>A detailed survey undertaken by the applicant has identified that the adjoining residential property on Pointon's Lane is located at a higher elevation and consequently the overall overshadowing of the proposed structure is reduced.</p> <p>The rear elevation of the proposed shed will not contain any windows or access points therefore reducing the impact on the privacy of the adjoining residence.</p> <p>The shed is proposed to be located to the south of the existing dwelling on Pointons Lane therefore the shadowing will be minimised given the northern path of the sun in the southern hemisphere.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
<b>Centre Design</b>	
<p><b>PO4</b></p> <p>Development contributes to an attractive, vibrant and well-designed town centre where:</p> <ul style="list-style-type: none"> <li>(a) development addresses the public realm;</li> <li>(b) building design, layout, and tenancy mix activates the street and pedestrian thoroughfares;</li> <li>(c) building services do not dominate the streetscape; and</li> <li>(d) conflict between pedestrians and vehicles is minimized.</li> </ul>	<p><b>AO4.1</b></p> <p>Commercial tenancies address the <i>primary street frontage</i> of the site.</p> <p><b>AO4.2</b></p> <p>Building entrances are clearly recognisable from the <i>primary street frontage</i> of the site.</p> <p><b>AO4.3</b></p> <p>Ground level facades which address the <i>primary street frontage</i> incorporate a glassed area of not less than 25 percent of the total area of the external wall.</p> <p><b>AO4.4</b></p> <p>The following building elements are not visible from the <i>primary street frontage</i>:</p> <ul style="list-style-type: none"> <li>(a) building plant equipment (e.g. air conditioning units);</li> <li>(b) refuse storage areas; and</li> <li>(c) vehicle servicing areas.</li> </ul> <p><b>AO4.5</b></p>

Performance outcome	Acceptable outcome				
	<p>Car parking is provided behind the building alignment to the <i>primary street frontage</i>.</p> <p><b>AO4.6</b> Vehicle crossovers are provided as follows: (a) common access is established with <i>adjoining premises</i> via access easements; or (b) access is taken from a minor street or rear lane; or (c) a single crossover is provided that is at least 3 metres from a crossover located on an <i>adjoining premises</i>.</p> <p><b>AO4.7</b> Development is not for a service station.</p>				
<p><b>Proposal</b> The applicant has indicated that the site has a narrow frontage to Mary Street of approximately 4.5m and is used exclusively for the purpose of access. It is not practical for any built form on the site to be built to the Mary Street frontage.</p> <p>Building services will not dominate the streetscape and conflict between pedestrians and vehicles is minimised by virtue of the minimal vehicle movements generated by the proposed use. No car parking or access works are proposed as part of this application.</p> <p><b>Alternative outcome assessment</b></p> <p>Given the shape of the existing lot with the site containing a narrow frontage to Mary Street of approximately 4.5m, built form is not able to be provided from Mary Street. Development conditions will be recommended in relation to carparking, service area and refuse storage as the ongoing use of the premises may may necessitate independent carparking spaces, service areas and refuse storage be provided.</p> <p>The proposed structure will not be visible from the surrounding road/pedestrian network. The proposed scale, design and materials are consistent with the surrounding built form.</p>					
<b>Awnings</b>					
<p><b>P05</b> The main street/s of each town centre are provided with continuous awnings. Awnings contribute to a human scale streetscape character, and promote pedestrian movement, comfort and safety.</p>	<p><b>AO5</b> Awnings are provided to the following main streets:</p> <table border="1"> <thead> <tr> <th>Centre</th><th>Main street/s</th></tr> </thead> <tbody> <tr> <td>Kilcoy</td><td>Mary Street</td></tr> </tbody> </table>	Centre	Main street/s	Kilcoy	Mary Street
Centre	Main street/s				
Kilcoy	Mary Street				
<p><b>Proposal</b> The proposed building is not constructed adjoining Mary Street, as such it does not provide an awning.</p> <p><b>Performance outcome assessment</b> The proposed development does not include awnings which are located over a main street (Mary Street) as identified in the code.</p> <p>As the site has a narrow frontage to Mary Street of approximately 4.5m which is exclusively used for the purpose of access therefore making it not practical for any built</p>					

Performance outcome	Acceptable outcome
form on the site to the built to Mary Street. In turn with no built form being proposed, no awnings are proposed.	
It is recommended that the alternative outcome be accepted in this instance.	
Building character	
<b>PO6</b> The visual appearance of development contributes to the existing or emerging built form character of the town centre, with respect to the use of: <ul style="list-style-type: none"> <li>(a) materials and colours;</li> <li>(b) patterns and textures;</li> <li>(c) roof form and pitch;</li> <li>(d) eaves and awnings;</li> <li>(e) horizontal and vertical detailing; and</li> <li>(f) fenestration.</li> </ul>	<b>Where located in Lowood in the Centre zone:</b> <b>AO6.1</b> Buildings are predominantly: <ul style="list-style-type: none"> <li>(a) constructed of timber; and</li> <li>(b) exhibit pitched roofs made of iron.</li> </ul> <b>OR</b> <b>Where otherwise located:</b> <b>AO6.2</b> No acceptable outcome provided.
<b>Alternative outcome assessment</b> No acceptable outcome is proposed within the Kilcoy township.  Given the shape of the existing lot with the site containing a narrow frontage to Mary Street of approximately 4.5m, the proposed structure will not be visible from the surrounding road/pedestrian network. The proposed scale, design and materials are consistent with the surrounding built form.	

### Business Activities Code

Performance outcome	Acceptable outcome
Main Street Awnings	
<b>PO3</b> Awnings contribute to the establishment of a 'main street' character and awnings are designed and located to: <ul style="list-style-type: none"> <li>(a) provide climatic protection;</li> <li>(b) contribute to the establishment of continuous shelter;</li> <li>(c) integrate with adjoining shelters;</li> <li>(d) ensure pedestrian safety while not causing <i>environmental nuisance</i> to surrounding residents; and</li> <li>(e) permit the establishment of street trees; and</li> <li>(f) prevent accidental damage from vehicles.</li> </ul>	<b>AO3</b> Development on main streets is provided with awnings that: <ul style="list-style-type: none"> <li>(a) abut pedestrian footpaths;</li> <li>(b) include under awning lighting;</li> <li>(c) protect the normal flow of pedestrians;</li> <li>(d) is continuous across the frontage/s of the <i>site</i> (except for vehicle access points);</li> <li>(e) align to provide continuity with shelter on <i>adjoining premises</i>;</li> <li>(f) extends from the face of the building or the property line;</li> <li>(g) do not extend past a vertical plane of 1.5 metres inside the kerb to enable street trees to be planted and grow or 0.6 metres inside the kerb where trees are established;</li> <li>(h) have a 0.5 metre clearance to any tree trunk and main branches; and</li> <li>(i) are cantilevered from the main building with any posts within the footpath being non-load-bearing.</li> </ul> <p>Note - Main streets are identified in the Centre zone code.</p>

Performance outcome	Acceptable outcome
<p><b>Proposal</b> The proposed building is not located on the main street and consequently is not provided with an awning.</p> <p><b>Alternative outcome assessment</b> As the site has a narrow frontage to Mary Street of approximately 4.5m which is exclusively used for the purpose of access therefore making it not practical for any built form on the site to the built to Mary Street. In turn with no built form being proposed, no awnings are proposed.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
<b>Interface with sensitive land uses or public open space</b>	
<p><b>P07</b> The <i>business activity</i> provides an attractive interface that enhances the visual appearance of commercial buildings that adjoin public open space and land or used or intended for <i>sensitive land uses</i>.</p>	<p><b>A07</b> Where the <i>business activity</i> adjoins a public open space and land or used or intended for use by <i>sensitive land uses</i>, the following is provided along the common boundary: (a) a minimum 3 metre wide landscape strip; and (b) screen fencing to a minimum height of 1.8 metres.</p>
<p><b>Proposal</b> The applicant has identified that given the existing interface with the adjoining residential property to the north is characterised by the rear of the two existing sheds being located immediately adjacent the adjoining property, the proposed building is not submitted to be inconsistent with the appearance of existing commercial buildings.</p> <p>Screen fencing to a height of 1.8m can be provided. Screen fencing without any landscaping is considered to be the most appropriate treatment in this instance, as the landscaping would not be visible behind a 1.8m high screening fence and would be rendered ineffective.</p> <p><b>Performance outcome assessment</b> The proposed setback to the sensitive land use on Pointons Lane is 1.2m and the rear elevation of the proposed shed will not contain any windows or access points. Therefore, the providing a 1.8m high solid screen fence along the common boundary is sufficient without landscaping is considered appropriate in this instance.</p>	
<b>CPTED</b>	
<p><b>PO11</b> The <i>development</i> is landscaped to: (a) break up hardscape elements of the <i>development</i>; (b) present an attractive appearance to the street; and (c) minimise visual and nuisance impacts on nearby <i>premises</i>, particularly <i>sensitive land uses</i>.</p>	<p><b>AO11</b> A minimum 1 metre wide landscape strip is provided along the frontage of the <i>site</i>, except where: (a) vehicle crossings are provided; or (b) on a Main street.</p> <p>Note -Main streets are identified in the Centre zone code.</p>
<b>Proposal</b>	

Performance outcome	Acceptable outcome
<p>The applicant has indicated that landscaping along the frontage of the site is not considered practical given the narrow frontage the site has to both roads, which are wide enough for access only. Given the unique orientation of the site and the proposed layout, the development will not be visible in the streetscape.</p> <p><b>Alternative outcome assessment</b></p> <p>Given the shape of the existing lot with the site containing a narrow frontage to Mary Street of approximately 4.5m, it is not practical to provide a 1m wide landscaping strip along the frontage of the site.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	

### Services, Works and Infrastructure Code

Performance outcome	Acceptable outcome
<b>For accepted development subject to requirements and assessable development</b>	
<p><b>PO1</b></p> <p>Premises have an adequate volume and supply of water that:</p> <ul style="list-style-type: none"> <li>(a) meets the needs of users;</li> <li>(b) is adequate for fire fighting purposes.</li> <li>(c) ensures the health, safety and convenience of the community; and</li> <li>(d) minimises adverse impacts on the receiving environment.</li> </ul>	<p><b>AO1.1</b></p> <p>Where the <i>site</i> is located in a reticulated water supply <i>service catchment</i> area, the <i>development</i> is connected to the reticulated water supply.</p> <p>OR</p> <p><b>AO1.2</b></p> <p>Where the <i>site</i> is not located in a reticulated water supply <i>service catchment</i> area, the <i>development</i> is provided with a potable water supply.</p> <p>OR</p> <p><b>AO1.3</b></p> <p>Where the <i>site</i> is not located in a reticulated water supply <i>service catchment</i> area, the <i>development</i> is provided with a potable water supply from a tank with a minimum storage capacity of 45,000 litres per <i>dwelling</i>.</p> <p>OR</p> <p><b>AO1.4</b></p> <p>Where the <i>site</i> is not located in a reticulated water supply <i>service catchment</i> area, the <i>development</i> is connected to a potable water supply from an approved bore, and has a tank with a minimum storage capacity of 10,000 litres, per <i>dwelling</i>.</p>
<p><b>PO2</b></p> <p>Provision is made for the treatment and disposal of sewage and effluent to protect</p>	<p><b>AO2.1</b></p> <p>Where the <i>site</i> is located in a reticulated sewerage <i>service catchment</i> area, the</p>

Performance outcome	Acceptable outcome
public health and prevent contamination of soils, ground water or surface water or <i>adversely impact on water quality.</i>	<i>development</i> is connected to the reticulated sewerage supply.  OR  <b>AO2.2</b> Where the <i>site</i> is not located in a reticulated sewerage <i>service catchment</i> area, the development is connected to an on-site and efficient on-site waste water disposal system in accordance with <i>Queensland, Plumbing and Wastewater Code</i> and <i>Australian Standard A3500.</i>
<b>PO4</b> Safe and reliable electricity supply is provided to the development.	<b>AO4</b> Other than in the Rural zone, development is connected to a reticulated electricity supply.
<b>PO5</b> Reliable telecommunications is provided to the <i>development.</i>	<b>AO5</b> Other than in the Rural zone, <i>development</i> is connected to a telecommunications network.
<b>Alternative outcome assessment</b> <p>The applicant has requested that the planning approval not require the connection of the development to the reticulated networks as the new building will be provided with a 10kl water tank for firefighting purposes. Staff will not be permanently based on the site and therefore no requirement to provide amenities.</p> <p>It is noted that the site has the ability to be connected to each of these reticulated networks, and officers anticipate that they could be provided to the development if required.</p> <p>To ensure that this the case, it is considered appropriate to condition that the site be required to connect to the networks, but not necessarily the development given the limited scale of development.</p>	

### Transport, access and parking code

Performance outcome	Acceptable outcome
<b>Vehicle parking and servicing</b>	
<b>PO3</b> The amount of on-site car parking and service vehicle loading/ unloading is consistent with: (a) the nature of the use; (b) the traffic generation of the use; (c) the loading/ unloading needs of the use; (d) the availability of street parking in the Centre zone; and (e) the impact of the <i>road</i> network.	<b>AO3.1</b> The minimum number of car parking spaces complies with <b>Table 8.3.6.3.B– Minimum car parking requirements.</b>  <b>AO3.2</b> The service vehicle complies with <b>Table 8.3.6.3.B– Minimum loading vehicle requirements.</b>  <b>AO3.3</b>

Performance outcome	Acceptable outcome
Car parks, service vehicle access, loading and manoeuvring areas are of suitable standard for the intended use.	<p>The service vehicle is able to enter and leave the <i>site</i> in forward gear.</p> <p><b>AO3.4</b> Service vehicles stand entirely within the <i>site</i> while unloading/ loading.</p>
<p><b>Proposal</b></p> <p>Table 8.3.6.3 B states that a Hardware and trade supplies use require one space per 40m<sup>2</sup> of gross floor area. Based on the proposed gross floor area of 370.2m<sup>2</sup>, the proposed use generates a requirement for an additional nine carparking spaces.</p> <p>The applicant has requested that as the use will operate in conjunction with, an ancillary to the existing Mitre 10 store. The applicant has indicated that no staff will be permanently based on the site, no customers will visit the site and the site will be used for additional storage of goods and equipment only.</p> <p>On this basis, the proposed use is not expected to generate an increase in the number of staff employed by the business, the number of customers visiting the store, and therefore the parking demand. The proposed variation to the car parking requirement of Table 8.3.6.3.B of nine spaces is therefore submitted to be acceptable.</p> <p>Table 8.3.6.3.B of the Somerset Region Planning Scheme states that Hardware and trade supplies must be able to provide safe and adequate site access for the minimum size service vehicle required. As the proposed gross floor area (GFA) is below 500m<sup>2</sup>, the minimum size vehicle is a Heavy Rigid Vehicle (HRV).</p> <p>The applicant has indicated that deliveries will continue to be received at the existing Mitre 10 store across the road, and stock/equipment will be transported over to the subject site by staff, likely via forklift. The site is not proposed to receive deliveries directly. While the planning scheme requires the site to accommodate HRV access, including internal vehicle manoeuvring, it is not proposed to do so. The applicant is agreeable to a condition of approval prohibiting direct deliveries to the site.</p> <p><b>Alternative outcome assessment</b></p> <p>The subject land is located within the Centre zone. As such, should the development be constructed, the planning scheme identifies a number of accepted developments which will be able to occur from the site without the requirement for future material change of use applications.</p> <p>While the application material relevant to this application identifies that the development will not involve the use of the site for visitors, and such no formal parking be required. Given the future opportunities for the site, it is considered reasonable for parking to be provided. An indicative layout identifying the location and number of carparking spaces was requested as part of Council's Information Request. The applicant chose not to respond to this component.</p> <p>Accordingly, relevant development conditions are recommended relating to carparking spaces and service vehicles.</p>	
<b>Site Access</b>	
<b>PO5</b>	<b>AO5.1</b>



Performance outcome	Acceptable outcome
<p>Vehicular access points are positioned along the frontage where they do not impact on the safety, capacity and operation of the existing <i>road</i> network having regard to:</p> <ul style="list-style-type: none"> <li>(a) the amount and type of vehicular traffic;</li> <li>(b) the type of use and traffic generation;</li> <li>(c) the current and future on-street parking arrangements;</li> <li>(d) proximity to intersections; and</li> <li>(e) available sight distances.</li> </ul>	<p>Where the <i>site</i> has two street frontages, vehicular access is provided from the minor street.</p> <p><b>AO5.2</b> Direct access is not provided to an arterial or higher order <i>road</i>.</p>
<p><b>Proposal</b> The applicant has identified that Mary Street frontage is the site's primary point of access, in addition to being the closest to the Mitre 10 store across the road, which the proposed use will be operating in conjunction with. It is therefore proposed to stay in use. No deliveries from trucks will be received directly to the site and goods will be transported from the store across the road by staff most likely in forklifts.</p> <p><b>Alternative outcome assessment</b> The development proposes to utilise the existing access driveway off Mary Street. The potential impacts of the development onto the state controlled road have been assessed by the State Assessment and Referral Agency (SARA) and have been conditioned accordingly.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
<b>Car parking locations and treatments</b>	
<p><b>P07</b> Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.</p>	<p><b>AO7.1</b> Car parking is located behind or within a building.</p> <p><b>AO7.2</b> The location of visitor parking is discernible from the street or alternatively appropriate signage is provided.</p>
<p><b>Proposal</b> The applicant has proposed not to provide any carparking spaces on site, therefore compliance with the acceptable outcome is not achieved.</p> <p><b>Alternative outcome assessment</b> As discussed previously, it is recommended that the alternative outcome not be accepted in this instance, and the recommended development conditions be imposed because the ongoing use of the premises may necessitate carparking spaces be provided on site.</p>	
<b>Refuse storage and collection</b>	
<p><b>P012</b> On-site facilities are located in areas that:</p> <ul style="list-style-type: none"> <li>(a) provide reasonable standards of amenity to <i>sensitive land uses</i>;</li> </ul>	<p><b>AO12.1</b> In the Centre zone refuse storage areas are located behind the front building line and are screened from view.</p>

Performance outcome	Acceptable outcome
<p>(b) maintains the amenity of <i>adjoining premises</i>;</p> <p>(c) are not visually obtrusive when viewed from the street;</p> <p>(d) are carefully sited so as to promote a cohesive streetscape in the Centre zone; and</p> <p>(e) can be conveniently accessed by contractors.</p>	<p><b>AO12.2</b> For <i>multiple dwellings</i> refuse storage consists of:</p> <p>(a) wheelie bins for up to 10 <i>dwellings</i>; or</p> <p>(b) a suitably sized bulk refuse bin(s) where there is more than 10 <i>dwellings</i>.</p> <p><b>AO12.3</b> The refuse storage area:</p> <p>(a) is provided within the building and situated close to the point of collection; or</p> <p>(b) is an outdoor area that is:</p> <p>(i) no closer than 3 metres to any frontage and 1.5 metres to any other <i>site</i> boundary;</p> <p>(ii) enclosed on three sides with a screen wall extending 0.2 metres above the height of the refuse receptacles;</p> <p>(iii) screened by dense planting with or without mounding; and</p> <p>(iv) separated from <i>sensitive land uses</i> by a minimum of 10m so as to avoid any undesirable impact of odour or noise from refuse storage and collection services</p>
<p><b>Proposal</b> The applicant has indicated that storage and collection of refuse is not considered necessary given the site will be used for additional storage of stock and equipment from the Mitre 10 store across the road. Any refuse will be taken across the road in garbage bags/wheelie bin and disposed of as part of the existing waste collection arrangement.</p> <p><b>Alternative outcome assessment</b> Officers have considered that alternative outcome requested and disagree because the ongoing use of the premises may necessitate independent waste collection. Therefore, a condition will be recommended identifying that the site must have the provision for refuse storage areas to be located behind the front building line and are screened from view should the existing waste collection arrangement change.</p>	
<p><b>Loading and unloading</b></p>	
<p><b>PO13</b> Loading and unloading activities do not impact on the amenity of the <i>sensitive land uses</i>.</p>	<p><b>AO13</b> Where there are adjoining <i>sensitive land uses</i>, refuse collection and other loading and unloading activities occurs during the following period:</p> <p>(a) 7.00am and 6.00pm Monday to Friday; and</p> <p>(b) 8.00am to 5.00pm Saturday and Sunday.</p>
<p><b>Proposal</b></p>	

Performance outcome	Acceptable outcome
<p>The applicant has identified that refuse collection will not be required from the site and all loading and unloading will occur during the specified period, which is consistent with the proposed operating hours.</p> <p><b>Alternative outcome assessment</b></p> <p>Officers have considered the alternative outcome requested and disagree because the ongoing uses of the premises may necessitate independent refuse collection and other loading and unloading activities. Therefore, a condition will be recommended identifying refuse collection and other loading and unloading activities must occur during the following period:</p> <p>(a) 8am to 5pm Monday to Friday; (b) 8am to 12pm on Saturday.</p> <p>should the existing waste collection and loading and unloading arrangements change. It is noted that the hours outlined above are consistent with the operational hours identified by the applicant.</p> <p>It is recommended that the alternative outcome not be accepted in this instance, and the recommended development conditions be imposed.</p>	
Pick up/ set-down areas	
<p><b>PO14</b></p> <p>Car parking and pick-up/set-down areas are located in areas and designed in a way that does not detract from the amenity of streetscape and maintains the safety of users</p>	<p><b>AO14</b></p> <p>Car parking and pick-up/set-down areas are located so that:</p> <p>(a) they are visible from the road; (b) they can be overlooked from the use's buildings or associated outdoor spaces; (c) they maintain the amenity of the street and adjacent properties; and (d) pedestrians are not required to cross the pick-up/set-down areas to gain access to the building.</p>
<p><b>Proposal</b></p> <p>The applicant has identified that carparking areas are not identified on site.</p> <p><b>Alternative outcome assessment</b></p> <p>It is recommended that the alternative outcome not be accepted in this instance, and the recommended development conditions be imposed because the ongoing use of the premises may necessitate carparking spaces be provided on site.</p>	

### 5.6.5 Overall outcome assessment

The proposal did not involve any alternative outcomes to the performance or acceptable outcomes. As such, an assessment of the overall outcomes was not required.

## 5.7 Local government infrastructure plan

### 5.7.1 Priority infrastructure area

The development land is 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 Hardware and Trade supplies, which is identified as being a Commercial (Bulk Retail) under *Somerset Regional Council Charges Resolution (No. 1) 2025*. 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*.

### **5.7.3 Trunk infrastructure requirements**

As the development application is seeking approval for building works only, there are no trunk infrastructure or servicing requirements applicable to the proposal.

#### **5.7.3.1 Drinking water and wastewater networks**

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

#### **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).

#### **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.

#### **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.

## **6.0 REFERRAL**

### **6.1 Referral agencies**

In accordance with the *Planning Regulation 2017*, the application required referral to the State Assessment and Referral Agency (SARA) for matters relating to state-controlled roads. 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.

### **6.2 Third party advice**

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

## **7.0 PUBLIC NOTIFICATION**

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

## 8.0 OTHER RELEVANT MATTERS

There are no other relevant matters applicable for code assessment.

## 9.0 REASONS FOR RECOMMENDED DECISION

Council officers have undertaken the assessment of the application as required by section 45 of the *Planning Act 2016*. The assessment of the proposed development, including the recommended development conditions, 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.

The officer recommendation is therefore to approve the development application, subject to the recommended development conditions.

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

## 10.0 CONCLUSION

The proposed development is for Hardware and trade supplies and the proposal has demonstrated 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.

## 11.0 ATTACHMENT

1. Proposal plans
2. Stormwater management plan
3. State Assessment and Referral Agency referral agency response
4. Draft infrastructure charges notice

## RECOMMENDATION

THAT Council:

1. approve Development Application No. 25669 for a Development Permit for Material Change of Use for Hardware and Trade supplies on land situated at 3 Pointons Lane, Kilcoy, formally described as Lot 13 SP215306, 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
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation, and the plans and documents	At all times.

	<p>listed below (including as amended in RED by Council), except where amended by these development conditions.</p> <p>Proposed Floor Plans, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-03, Issue A, dated 3 January 2025</p> <p>Elevation Plans, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-04, Issue A, dated 3 January 2025</p> <p>Elevations Plan, prepared by Best Sheds, Job No. 2921967875, Sheet 2 of 8, dated 30 May 2023</p> <p>Floor Plan, prepared by Best Sheds, Job No. 2921967875, Sheet 4 of 8, dated 30 May 2023</p> <p>Detail Survey Plan, prepared by Edwards Surveying, Drawing No. 1032-DS-01, Sheet 1 of 1, Issue A, dated 23 July 2024</p> <p>Stormwater Management Plan, prepared by Hurley Consulting Engineers, Reference No. C24022AR001, dated 7 June 2024</p>	
1.2	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	During the construction phase.
	<b>Amended plans and documents</b>	
1.3	<p>Submit to, and obtain approval from, Council the following plans incorporating the following as detailed in these development conditions:</p> <p>(a) onsite carparking and manoeuvring for nine vehicles, including any required accessible parking spaces;</p> <p>(b) a dedicated area for onsite refuse container storage.</p> <p><b>Plans to be amended</b></p> <ul style="list-style-type: none"> <li>Site Plan, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-02, Issue A, dated 3 January 2025</li> </ul>	Prior to obtaining any development permit for building works or operational works.
1.4	Implement the requirements and recommendations of the approved plan. The approved amended plan will form part of the Development Approval.	At all times.
	<b>General</b>	
1.5	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and Local Laws, to the extent they have not been varied by this Development Approval.	At all times.
1.6	All development conditions of this Development Approval must be complied with at no cost to Council unless stated otherwise in any specific condition of approval.	At all times.
1.7	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to	At all times.

	create a hazard to the community must be repaired immediately.	
	<b>No provision for staging</b>	
1.8	The development must occur in one stage.	At all times.
	<b>Use of premises</b>	
1.9	This Development Approval is for the purpose of a Hardware and Trade Supplies and may include any ancillary activities where these activities remain incidental to and necessarily associated with the approved uses.	At all times.
1.10	Provide the development generally in accordance with the following: (a) Hardware and Trade Supplies proposed building – 270 m <sup>2</sup> ; and (b) Hardware and Trade Supplies existing building — 55.2 m <sup>2</sup> ,	At the commencement of the use.
	<b>Hours of Operation</b>	
1.11	Undertake the development in accordance with the following operational hours (including all loading and unloading activities, and onsite refuse collection): (c) 8am to 5pm Monday to Friday; (d) 8am to 12pm on Saturday.	At all times.
	<b>Screen Fencing</b>	
1.12	Construct a solid screen fence along all boundaries of the site. The screen fence is to be 1.8 metres in height and constructed of treated timber.	Prior to the commencement of use and to be maintained at all times.
1.13	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to the commencement of use and to be maintained at all times.
1.14	Locate garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners in the rear or side setbacks and include screening (e.g. fencing or landscaping) from view from any road frontage.	Prior to the commencement of use and to be maintained at all times.
	<b>Lighting</b>	
1.15	Ensure that all external lighting is in accordance with <i>Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting</i> so as not to cause nuisance to nearby residents or passing motorists.  Lighting must be maintained by the owner of the building in a safe and good working order.	Prior to commencement of use and then to be maintained

	<b>Other necessary permits</b>	
1.16	Obtain any necessary Development Permit for Building Work (assessable against the <i>Building Act 1975</i> ) for building work associated with the Approved Development.  Refer to the advice notes for more information.	Prior to carrying out building works.
	<b>Service connections</b>	
1.17	Connect the site to the reticulated drinking water and wastewater networks in accordance with the standards and requirements of the South East Queensland Distributor-Retailer Authority, trading as Urban Utilities.	Prior to the commencement of the use and to be maintained at all times.
1.18	Connect the site to the reticulated electricity and telecommunications networks to the standards of the relevant service provider.	Prior to the commencement of the use and to be maintained at all times.
1.19	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the commencement of the use.
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>General</b>	
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, carparking, landscaping, clearing, and stormwater drainage, required as stated in the following conditions.	Prior to the commencement of Operational Work.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> <li>Plans and specifications must be prepared and certified with the Operational Work application.</li> <li>Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements.</li> </ul>	As part of operational works approval and construction.



2.5	Complete all operational work associated with this Development Approval, including work required by any of the development conditions. Such operational work must be carried out in accordance with the approved plans and documents or, if requiring a further approval from the Council, in accordance with the relevant further approval(s).	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
	<b>Earthworks</b>	
2.6	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.7	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.8	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.
	<b>Vehicle Access</b>	
2.9	The landowner is responsible for construction and maintenance of vehicular access for the property, in accordance with <i>Somerset Region Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.10	All vehicles shall enter and leave the site in a forward gear	At all times.
2.11	All manoeuvring areas shall enable access to a 12.5-metre heavy rigid design vehicle in accordance with Austroads design manual and Australian Standard AS:2890	As part of Operational Works application.
	<b>Carparking and manoeuvring</b>	
2.12	Provide on-site car parking for minimum nine vehicles, including one spaces for disabled persons in accordance with <i>Somerset Region Planning Scheme</i> .  All car parking and circulation areas to be provided with sealed surface, line marking and be designed in accordance with AS2890 and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works application.
2.13	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways	Prior to commencement of use.
2.14	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as	At all times.

	concrete, bitumen or pavers in accordance with Australian Standards.	
	<b>Stormwater</b>	
2.15	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.16	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.17	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.18	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
2.19	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 application.
2.20	Stormwater Drainage shall be constructed in general accordance with Hurley Consulting Engineers, Stormwater Management Plan, Ref C24022AR001, dated 07 June 2024.	As part of Operational Works application.
2.21	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 application.
2.22	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 application.
	<b>Erosion and sediment control</b>	
2.23	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: <ul style="list-style-type: none"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul>	At all times.

	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.	
2.24	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.25	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.26	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
2.27	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> <li>i) Milling;</li> <li>ii) Chipping and/or mulching;</li> <li>iii) Disposal at an approved waste disposal facility.</li> </ul> No incineration of vegetation or waste will be permitted at the site.	At all times.
2.28	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.
<b>SCHEDULE 3 – ENVIRONMENTAL HEALTH</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>General</b>	
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.
3.2	Notwithstanding any other development condition of this Development Approval, this Development Approval does	At all times.

	not authorise any release of contaminants that cause, or is likely to cause, an Environmental Nuisance or Environmental Harm.	
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 (c) in a clean, sanitary condition; and (d) free of accumulated disused materials; and (e) free of vermin and pest infestations.	At all times.
	<b>Air</b>	
3.4	No particulate matter or visible contaminant, including dust, smoke, fumes and aerosols likely to cause Environmental Harm is to emanate beyond the boundaries of the premises.	At all times.
	<b>Light</b>	
3.5	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times.
	<b>Water</b>	
3.6	Contaminants or contaminated water must not be directly or indirectly released from the premises or to the ground or groundwater at the premises except for: (a) uncontaminated overland stormwater flow; (b) uncontaminated stormwater to the stormwater system; (c) contaminants lawfully released to sewer; or (d) a release in accordance with a condition of this Development Approval.	At all times.
	<b>Waste</b>	
3.7	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.	At all times.
3.8	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.
<b>SCHEDULE 4—REFERRAL AGENCIES</b>		
As Indicated		
<b>No.</b>	<b>Condition</b>	<b>Timing</b>
The following referral agency responses have been received and are attached to the Decision Notice.		

	<b>State Assessment and Referral Agency referral agency response</b>	
4.1	Comply with the requirements of the referral agency response 2501-44281 SRA dated 23 July 2025, or as amended.	As indicated in the referral agency response.
4.2	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.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
<b>SCHEDULE 5 – INTERPRETATION AND ADVICE</b>		
<i>Assessment Manager</i>		
<b>Interpretation</b>		
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.		
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”.		
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.		
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.		
<b>Advice</b>		
This approval has 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.		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the development does not commence within the ‘currency period’ – being six (6) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant’s appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		

The *Planning Act 2016* provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.

Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council Operations department if in Council's opinion a dust nuisance exists.

The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the *Planning Act 2016*).

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.

All works shall be carried out in accordance with the *Workplace, Health & Safety Act (as amended)* and the *workplace Health and Safety Regulation (as amended)*.

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 *Building Act 1975*.

A separate building development approval may be required for change of classification or commencement of building works under the *Building Act 1975*.

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.

All building work is to comply with the provisions contained in the *Building Act*; the *Building Regulation*, the *Building Code of Australia*, the *Queensland Development Code* and relevant *Australian Standards*.

This Development Approval for material change of use does not include an approval to carry out any plumbing and drainage works.

Separate approvals may be required for carrying out any plumbing and drainage works required to facilitate this development approval

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

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

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

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

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

The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants).

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

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

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

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 *Local Law No. 1 (Administration) 2011* and *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011*.

Advertising devices, other than 'permitted advertisements' (as that term is defined in the subordinate local law), require Local Law Approval prior to installation.

Any works within or adjacent to waterways may require approval by the Department of Agriculture and Fisheries as per the Fisheries Act 1994.

The Applicant should review their obligations and submit to the department any further Development Applications that may be required.

<https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/development/waterways/barriers>

The current Aboriginal Cultural Heritage Act 2003 should be adhered to.

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.

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.

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

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

Information about the cultural heritage duty of care is available at [www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care](http://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care)

All Operational Work is to comply with relevant codes for design and construction.

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 *Environmental Protection Act 1994*.

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".

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.

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".

**Attachments for the Decision Notice include:**

- Site Plan, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-02, Issue A, dated 3 January 2025
- Proposed Floor Plans, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-03, Issue A, dated 3 January 2025
- Elevation Plans, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-04, Issue A, dated 3 January 2025
- Elevations Plan, prepared by Best Sheds, Job No. 2921967875, Sheet 2 of 8, dated 30 May 2023
- Floor Plan, prepared by Best Sheds, Job No. 2921967875, Sheet 4 of 8, dated 30 May 2023
- Detail Survey Plan, prepared by Edwards Surveying, Drawing No. 1032-DS-01, Sheet 1 of 1, Issue A, dated 23 July 2024
- Stormwater Management Plan, prepared by Hurley Consulting Engineers, Reference No. C24022AR001, dated 7 June 2024

**This completes the report for Development Application No. 25669.**

**Resolution**

Moved – Cr Jess

Seconded – Cr Hurley

"THAT Council:

1. approve Development Application No. 25669 for a Development Permit for Material Change of Use for Hardware and Trade supplies on land situated at 3 Pointons Lane, Kilcoy, formally described as Lot 13 SP215306, 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*

<b>No</b>	<b>Condition</b>	<b>Timing</b>
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation, and the plans and documents listed below (including as amended in RED by Council), except where amended by these development conditions. Proposed Floor Plans, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-03, Issue A, dated 3 January 2025 Elevation Plans, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-04, Issue A, dated 3 January 2025 Elevations Plan, prepared by Best Sheds, Job No. 2921967875, Sheet 2 of 8, dated 30 May 2023 Floor Plan, prepared by Best Sheds, Job No. 2921967875, Sheet 4 of 8, dated 30 May 2023 Detail Survey Plan, prepared by Edwards Surveying, Drawing No. 1032-DS-01, Sheet 1 of 1, Issue A, dated 23 July 2024 Stormwater Management Plan, prepared by Hurley Consulting Engineers, Reference No. C24022AR001, dated 7 June 2024	At all times.
1.2	A legible copy of this Development Approval, including the approved plans and documents bearing Council's stamp, must be available on the subject land for inspection.	During the construction phase.
	<b>Amended plans and documents</b>	
1.3	Submit to, and obtain approval from, Council the following plans incorporating the following as detailed in these development conditions: (c) onsite carparking and manoeuvring for nine vehicles, including any required accessible parking spaces; (d) a dedicated area for onsite refuse container storage.  <b>Plans to be amended</b> <ul style="list-style-type: none"> <li>Site Plan, prepared by Straight Line Theory, Project No. 2025001, Drawing No. DA-02, Issue A, dated 3 January 2025</li> </ul>	Prior to obtaining any development permit for building works or operational works.
1.4	Implement the requirements and recommendations of the approved plan. The approved amended plan will form part of the Development Approval.	At all times.
	<b>General</b>	
1.5	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2)	At all times.

	and Local Laws, to the extent they have not been varied by this Development Approval.	
1.6	All development conditions of this Development Approval must be complied with at no cost to Council unless stated otherwise in any specific condition of approval.	At all times.
1.7	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the development. Any damage that is deemed to create a hazard to the community must be repaired immediately.	At all times.
	<b>No provision for staging</b>	
1.8	The development must occur in one stage.	At all times.

	<b>Use of premises</b>	
1.9	This Development Approval is for the purpose of a Hardware and Trade Supplies and may include any ancillary activities where these activities remain incidental to and necessarily associated with the approved uses.	At all times.
1.10	Provide the development generally in accordance with the following: (c) Hardware and Trade Supplies proposed building – 270 m <sup>2</sup> ; and (d) Hardware and Trade Supplies existing building — 55.2 m <sup>2</sup> ,	At the commencement of the use.
	<b>Hours of Operation</b>	
1.11	Undertake the development in accordance with the following operational hours (including all loading and unloading activities, and onsite refuse collection): (e) 8am to 5pm Monday to Friday; (f) 8am to 12pm on Saturday.	At all times.
	<b>Screen Fencing</b>	
1.12	Construct a solid screen fence along all boundaries of the site. The screen fence is to be 1.8 metres in height and constructed of treated timber.	Prior to the commencement of use and to be maintained at all times.
1.13	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to the commencement of use and to be maintained at all times.
1.14	Locate garbage bin areas, rainwater tanks, hot water tanks, gas bottles and air conditioners in the rear or side setbacks and include screening (e.g. fencing or landscaping) from view from any road frontage.	Prior to the commencement of use and to be maintained at all

		times.
	<b>Lighting</b>	
1.15	<p>Ensure that all external lighting is in accordance with <i>Australian Standard AS4282 Control of the Obtrusive Effects of Outdoor Lighting</i> so as not to cause nuisance to nearby residents or passing motorists.</p> <p>Lighting must be maintained by the owner of the building in a safe and good working order.</p>	Prior to commencement of use and then to be maintained
	<b>Other necessary permits</b>	
1.16	<p>Obtain any necessary Development Permit for Building Work (assessable against the <i>Building Act 1975</i>) for building work associated with the Approved Development.</p> <p>Refer to the advice notes for more information.</p>	Prior to carrying out building works.
	<b>Service connections</b>	
1.17	<p>Connect the site to the reticulated drinking water and wastewater networks in accordance with the standards and requirements of the South East Queensland Distributor-Retailer Authority, trading as Urban Utilities.</p>	Prior to the commencement of the use and to be maintained at all times.
1.18	<p>Connect the site to the reticulated electricity and telecommunications networks to the standards of the relevant service provider.</p>	Prior to the commencement of the use and to be maintained at all times.
1.19	<p>Remove any services made redundant as a result of the development and reinstate the land.</p>	Prior to the commencement of the use.
<b>SCHEDULE 2 – ENGINEERING</b>		
<i>Assessment Manager</i>		
<b>No</b>	<b>Condition</b>	<b>Timing</b>
	<b>General</b>	
2.1	<p>Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, carparking, landscaping, clearing, and stormwater drainage, required as stated in the following conditions.</p>	Prior to the commencement of Operational Work.
2.2	<p>All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i>.</p>	At all times.
2.3	<p>Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.</p>	At all times.

2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> <li>Plans and specifications must be prepared and certified with the Operational Work application.</li> <li>Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements.</li> </ul>	As part of operational works approval and construction.
2.5	Complete all operational work associated with this Development Approval, including work required by any of the development conditions. Such operational work must be carried out in accordance with the approved plans and documents or, if requiring a further approval from the Council, in accordance with the relevant further approval(s).	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
	<b>Earthworks</b>	
2.6	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.7	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.8	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.
	<b>Vehicle Access</b>	
2.9	The landowner is responsible for construction and maintenance of vehicular access for the property, in accordance with <i>Somerset Region Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.10	All vehicles shall enter and leave the site in a forward gear	At all times.
2.11	All manoeuvring areas shall enable access to a 12.5-metre heavy rigid design vehicle in accordance with Austroads design manual and Australian Standard AS:2890	As part of Operational Works application.
	<b>Carparking and manoeuvring</b>	
2.12	Provide on-site car parking for minimum nine vehicles, including one spaces for disabled persons in accordance with <i>Somerset Region Planning Scheme</i> .  All car parking and circulation areas to be provided with	As part of Operational Works application.

	sealed surface, line marking and be designed in accordance with AS2890 and <i>Somerset Region Planning Scheme</i> .	
2.13	All pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways	Prior to commencement of use.
2.14	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete, bitumen or pavers in accordance with Australian Standards.	At all times.
	<b>Stormwater</b>	
2.15	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.16	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.17	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.18	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely effect the value or potential use of the land.	At all times.
2.19	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 application.
2.20	Stormwater Drainage shall be constructed in general accordance with Hurley Consulting Engineers, Stormwater Management Plan, Ref C24022AR001, dated 07 June 2024.	As part of Operational Works application.
2.21	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 application.
2.22	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 application.

	<b>Erosion and sediment control</b>	
2.23	<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"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul> <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.24	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.25	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.26	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
2.27	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> <li>i) Milling;</li> <li>ii) Chipping and/or mulching;</li> <li>iii) Disposal at an approved waste disposal facility.</li> </ul> <p>No incineration of vegetation or waste will be permitted at the site.</p>	At all times.
2.28	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.
<b>SCHEDULE 3 – ENVIRONMENTAL HEALTH</b>		
<i>Assessment Manager</i>		

No	Condition	Timing
	<b>General</b>	
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.
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.
3.3	All buildings, structures, fittings, fixtures, and grounds forming part of this development approval must be maintained: <ul style="list-style-type: none"> <li>(a) in a serviceable condition; and</li> <li>(b) in a state of good repair and efficient action; and</li> <li>(c) in a clean, sanitary condition; and</li> <li>(d) free of accumulated disused materials; and</li> <li>(e) free of vermin and pest infestations.</li> </ul>	At all times.
	<b>Air</b>	
3.4	No particulate matter or visible contaminant, including dust, smoke, fumes and aerosols likely to cause Environmental Harm is to emanate beyond the boundaries of the premises.	At all times.
	<b>Light</b>	
3.5	Light sources must be positioned and shielded, when necessary, to prevent light spillage causing a nuisance to any other premises outside the boundaries of the property to which this development permit relates.	At all times.
	<b>Water</b>	
3.6	Contaminants or contaminated water must not be directly or indirectly released from the premises or to the ground or groundwater at the premises except for: <ul style="list-style-type: none"> <li>(a) uncontaminated overland stormwater flow;</li> <li>(b) uncontaminated stormwater to the stormwater system;</li> <li>(c) contaminants lawfully released to sewer; or</li> <li>(d) a release in accordance with a condition of this Development Approval.</li> </ul>	At all times.
	<b>Waste</b>	
3.7	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.	At all times.

3.8	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.
<b>SCHEDULE 4—REFERRAL AGENCIES</b>		
As Indicated		
<b>No.</b>	<b>Condition</b>	<b>Timing</b>
The following referral agency responses have been received and are attached to the Decision Notice.		
	<b>State Assessment and Referral Agency referral agency response</b>	
4.1	Comply with the requirements of the referral agency response 2501-44281 SRA dated 23 July 2025, or as amended.	As indicated in the referral agency response.
4.2	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.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
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<i>Assessment Manager</i>		
<b>Interpretation</b>		
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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.		
<b>Advice</b>		



This approval has 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.
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the development does not commence within the 'currency period' – being six (6) years starting the day the approval takes effect.
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.
Dust pollution arising from the construction and maintenance of the works required by this approval are the applicant's responsibility. The applicant must comply with any lawful instruction from Council Operations department if in Council's opinion a dust nuisance exists.
The rights of applicants to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in chapter 6, part 1 of the <i>Planning Act 2016</i> . For particular applications, there may also be a right to make an application for a declaration by a tribunal (see chapter 6, part 2 of the <i>Planning Act 2016</i> ).
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.
All works shall be carried out in accordance with the <i>Workplace, Health &amp; Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
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> .  A separate building development approval may be required for change of classification or commencement of building works under the <i>Building Act 1975</i> .  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.  All building work is to comply with the provisions contained in the <i>Building Act</i> ; the <i>Building Regulation</i> , the <i>Building Code of Australia</i> , the <i>Queensland Development Code</i> and relevant <i>Australian Standards</i> .
This Development Approval for material change of use does not include an approval to carry out any plumbing and drainage works.  Separate approvals may be required for carrying out any plumbing and drainage works required to facilitate this development approval

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

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The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website [www.daf.qld.gov.au/fireants](http://www.daf.qld.gov.au/fireants).

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

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

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

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 *Local Law No. 1 (Administration) 2011* and *Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011*.

Advertising devices, other than 'permitted advertisements' (as that term is defined in the subordinate local law), require Local Law Approval prior to installation.

Any works within or adjacent to waterways may require approval by the Department of Agriculture and Fisheries as per the Fisheries Act 1994.

The Applicant should review their obligations and submit to the department any further Development Applications that may be required.

<https://www.business.qld.gov.au/industries/farms-fishing-forestry/fisheries/development/waterways/barriers>

The current Aboriginal Cultural Heritage Act 2003 should be adhered to.

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.

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.

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

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

Information about the cultural heritage duty of care is available at [www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care](http://www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care)

All Operational Work is to comply with relevant codes for design and construction.

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 *Environmental Protection Act 1994*.

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".

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.

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".

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Development Application No. 26163 - 75 Gardner Street, Toogoolawah Development Application for a Development Permit for Material Change of Use for Child Care Centre (72 places)</b>
<b>File No:</b>	<b>DA26163</b>
<b>Assessment No:</b>	<b>02296-00000-000</b>
<b>Action Officer:</b>	<b>PO - TO</b>

## 1.0 APPLICATION SUMMARY

### Property details

Location:	75 Gardner Street, Toogoolawah
Real property description:	Lot 1 RP7721
Site area:	2529m <sup>2</sup>
Current land use:	Toogoolawah Apostolic Church
Easements/encumbrances:	Nil identified

### South East Queensland Regional Plan

Land use category: Urban footprint

**Planning scheme details**

Planning scheme Somerset Region Planning Scheme (Version 4.2)  
Zone: Community facilities zone  
Precinct: Not within a precinct  
Desired settlement pattern: Not applicable  
Overlays: OM6 Extractive resources overlay  
OM8 High impact activities management area overlay  
OM13 Stock route management overlay

**Application details**

Proposal: Childcare Centre  
Category of assessment: Code assessment  
Applicant details: Gemstone Industrial No. 1 Pty Ltd  
C/- Innovative Planning Solutions  
PO Box 1043  
MAROOCHYDORE QLD 4558  
Owner details: Gemstone Industrial No 1 Pty Ltd  
Date application received: 29 April 2025  
Date application properly made: 13 May 2025

**Referrals** None required

**Public notification** Not required

**RECOMMENDED DECISION**

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



Source: State of Queensland (Department of Natural Resources and Mines, Manufacturing and Regional Development)

### **Locality Plan of Lot 1 RP7721**

**Situated at 75 Gardner Street, Toogoolawah**

## **2.0 PROPOSAL**

This development application seeks approval for a Development Permit for Material Change of Use for Child Care Centre, on land at 75 Gardner Street, Toogoolawah, formally described as Lot 1 RP7721.

The proposal seeks to establish a new 72 place childcare on land previously utilised for the Toogoolawah Apostolic Church. The proposal involves a single storey building with a gross floor area of 618m<sup>2</sup> and maximum height of approximately seven metres above current ground level. The centre will contain five childcare rooms, various supporting rooms, and two outdoor play areas. The outdoor play areas are enclosed with acoustic barriers located on the north, east and western boundaries. All proposed acoustic barriers are two-metre-high fencing. The centre proposes to operate Monday to Friday 6.30am to 6.30pm.

The proposal provides for 17 new parking spaces, including the accessible parking space. The planning scheme requires the provision of 15 spaces for the childcare centre (including any accessible spaces).

The application was accompanied by technical reporting for acoustics, engineering services and traffic impact. Council officers engaged a suitably qualified consultant to peer review the acoustic report, whilst engineering services and traffic have been reviewed internally, and with the proposal complying with the relevant assessment criteria.

The application is made under Version 4.2 of the Somerset Region Planning Scheme (the planning scheme). The site is located within the Community Facilities zone. The application is required because the proposed child care centre requires the lodgement of a code

assessable application. Childcare centres are considered a consistent use in the Community facilities zone.

### **3.0 SITE DETAILS**

#### **3.1 Description of the land**

The site is a regular shaped allotment with frontage to Gardner Street at the eastern side boundary and Cressbrook Street at the front southern boundary. The site has previously been utilised as a Place of Worship and currently contains a church and associated amenities outbuilding.

Surrounding lots are also within the Community Facilities zone. The site is abutted by the Toogoolawah State School and the Brisbane Valley Rail Trail. The site is flat with a slight slope to the west. The site currently contains an existing crossover on Cressbrook Street.

#### **3.2 Connection to electricity and telecommunications**

The land is within the Community Facilities zone, and as such the recommended development conditions require the childcare centre 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 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 urban footprint. The application has been assessed against the provisions of the regional plan and the associated regulatory requirements and was considered to comply.

#### **5.3 Schedule 10 of the *Planning Regulation 2017***

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

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

- (h) 6.2.2 Community facilities zone code;
- (i) 7.2.6 Extractive resources overlay code;
- (j) 7.2.8 High impact activities management area overlay code;
- (k) 7.2.13 Stock route management overlay code;
- (l) 8.2.5 Community activities code;
- (m) 8.3.5 Services works and infrastructure code; and
- (n) 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.

Additionally, the site is mapped within the OM12 Stock route management overlay however the overlay does not apply to development within an urban area.

##### 5.6.2 Strategic framework assessment

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

##### 5.6.3 Code compliance summary

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

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

Relevant code	Compliance with overall outcomes	Performance outcomes
Community facilities zone code	Yes	PO2
Community activities code	Yes	No alternative outcomes proposed
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	PO7

Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Extractive resources overlay code	Yes	No alternative outcomes proposed

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

#### 5.6.4 Performance outcome assessment

##### Community Facilities Zone Code

Performance outcome	Acceptable outcome
<b>Building setbacks</b>	
<b>PO2</b> Building setbacks: (a) maintain a coherent streetscape; (b) make efficient use of the site for access, car parking and servicing requirements; and (c) manage potential adverse impacts on the amenity enjoyed by <i>adjoining premises</i> .	<b>AO2.1</b> Buildings and structures are setback a minimum 6 metres from the <i>primary street frontage</i> of the site.  <b>AO2.2</b> Buildings and structures are setback 2.5 metres from each side boundary of the site.  <b>AO2.3</b> Buildings and structures are setback 3 metres from the rear boundary of the site.  <b>Where the site adjoins the General residential zone (excluding the Park residential precinct):</b>  <b>AO2.4</b> Buildings and structures are setback 3 metres from the common boundary.  <b>AO2.5</b> Car parking and servicing areas incorporate a minimum 2 metre wide landscaped buffer to the common boundary.
<b>Proposal</b> The proposal does not comply with AO2.2 as the building will be setback 1.5m from the western side boundary in lieu of 2.5m as identified by the code.  <b>Alternative outcome assessment</b> The proposed reduced setback to the western boundary is consistent with the existing streetscape along Cressbrook Street. The built form of the development has been orientated to make use of the existing access point from Cressbrook Street.  The entry/exit from Cressbrook Street is proposed to be reconstructed with the inclusion of a separate exit only onto Gardner Street. Pedestrian access will be provided from the existing footpaths along Cressbrook and Gardner Street.  The impact of the proposed development on the amenity of the surrounding residents will be reduced by the separation of the development to the existing residential properties and	



Performance outcome	Acceptable outcome
incorporates appropriate acoustic attenuation measures and landscaping to all site boundaries.	
It is recommended that the alternative outcome be accepted in this instance.	

### Transport, access and parking code

Performance outcome	Acceptable outcome
<b>Car parking locations and treatments</b>	
<b>P07</b> Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.	<b>A07.1</b> Car parking is located behind or within a building.  <b>A07.2</b> The location of visitor parking is discernible from the street or alternatively appropriate signage is provided.
<b>Proposal</b> The proposed development does not comply with AO7.1 as the car parking area is located in front of the building in lieu of the carpark being located behind or within a building as identified by the code.  <b>Alternative outcome assessment</b> The potential impacts of the carpark location are reduced by incorporating appropriate acoustic attenuation measures and landscaping to all site boundaries. Amenity impacts are further minimised by the site's separation from existing residential properties.  The building has incorporated design elements which are likely to enhance the streetscape and not adversely impact on the intended character of the zone. It is recommended that the alternative outcome be accepted in this instance.	

### 5.6.5 Overall outcome assessment

The proposal did not involve any alternative outcomes to the performance or acceptable outcomes. As such, an assessment of the overall outcomes was not required.

## 5.7 Local government infrastructure plan

### 5.7.1 Priority infrastructure area

The development land is 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 Childcare Centre, which is identified as being a Educational Establishment under *Somerset Regional Council Charges Resolution (No. 1) 2025*. The land is within Charge Area B for determining the relevant adopted charges.

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

### 5.7.3 Trunk infrastructure requirements

#### 5.7.3.1 Drinking water and wastewater networks

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

#### **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).

#### **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.

#### **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.

### **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**

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

### **8.0 OTHER RELEVANT MATTERS**

There are no other relevant matters applicable for code assessment.

### **9.0 REASONS FOR RECOMMENDED DECISION**

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

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

The officer recommendation is therefore to approve the development application, subject to the recommended development conditions.

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

## 10.0 CONCLUSION

The proposed development is for 72 place Childcare Centre within the Community Facilities zone. 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.

## 11.0 ATTACHMENT

1. Proposal plans
2. Statement of landscaping intent
3. Noise impact assessment report
4. Engineering Services report
5. Transport impact assessment report
6. Draft infrastructure charges notice

## RECOMMENDATION

THAT Council:

1. approve Development Application No. 26163 for a Development Permit for Material Change of Use for Child Care Centre (72 places) on land situated at 75 Gardner Street, Toogoolawah, formally described as Lot 1 RP7721, 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		
Assessment Manager		
No.	Condition	Timing
<b>GENERAL</b>		
1.1	Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including where amended by Council), except as amended by these development conditions.	At all times.
	Site Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025	
	Floor Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025	
	Elevations, drawn by Raymond Design, reference RD24017 Issue A, Sheet 06, dated 9 April 2025	
	Statement of Landscaping Intent, prepared by Zone Landscape Architecture, reference L25041 rev. B, dated 7 April 2025.	
	Engineering Services Report, prepared by QLD Orion Group, reference Q25-0013-ESR O1 Rev A, dated April	

	2025	
	Traffic Impact Assessment, prepared by Premise, reference P003039-R01 Rev.B, dated 9 July 2025	
	Acoustic Report – Proposed Child Care Centre – 75 Gardner Street, Toogoolawah, prepared by Acoustic Works, reference Report No. 2025105 R02C 75 Gardner Street Toogoolawah ENV.doc, and dated 4 August 2025.	
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.
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.	At all times during construction and operation phases.
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.
1.5	The development is to occur in one stage.	As indicated.
<b>USE OF PREMISES – CENTRE AND COMMUNITY ACTIVITIES</b>		
1.6	Unless otherwise approved by Council, provide the development in accordance with the following: (a) Childcare centre—618m <sup>2</sup> gross floor area.	At the commencement of the use.
1.7	The maximum number of places at the childcare centre is 72.	At all times.
1.8	Submit to and obtain approval from Council, a schedule of colours, materials and finishes that achieves the following: (a) is generally in accordance with the materials listed in the approved plans; (b) uses colours that balance contemporary development with traditional tones present in the streetscape.	Prior to obtaining any development permit for building works.
1.9	Construct the development in accordance with the approved colours, materials and finishes, unless otherwise approved by Council.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.10	The building and structures must be constructed of robust materials that are graffiti resistant. Any graffiti on buildings, structures, or fences on the subject land visible from public viewing locations must be removed within 24 hours or upon direction by Council.	At all times.

1.11	Building height must not exceed 8.5 metres above ground level.	At all times.
1.12	Install street numbering and any building name at the road frontage of the site, to enable identification by emergency services.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.13	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops or kerbing barrier approved by Council.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.14	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.15	Locate rainwater tanks, hot water tanks, gas bottles and air conditioners in the rear or side setbacks (including generally as shown on the approved plans) and include screening (e.g. fencing or landscaping) from view from any road frontage.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.16	<p>The refuse storage area is to be:</p> <ul style="list-style-type: none"> <li>(a) located no less than 1.5 metres from the side boundary;</li> <li>(b) oriented so that access to the bins occurs from inside the lot (i.e. not directly to the street);</li> <li>(c) enclosed on three sides with walls having a minimum height of 0.2 metres above the refuse receptacles;</li> <li>(d) have a gate or other means of enclosure to prevent access outside hours; and</li> <li>(e) completed with: <ul style="list-style-type: none"> <li>(i) colours and materials that match the external facades of the main building; or</li> <li>(ii) a mural, painting, or other public art opportunity; or</li> <li>(iii) another colour material or finish approved by Council.</li> </ul> </li> </ul>	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.17	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever

		occurs first, and then to be maintained at all times.
1.18	Unless otherwise approved by Council, the colours, patterns, and finishes for the acoustic fencing adjoining the Brisbane Valley Rail Trail is to be in accordance with an operational works approval for landscaping works.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.19	Any graffiti within the proposed development must be removed immediately.	At all times.
1.20	All plant and air conditioning is to be visually screened from the street.	At all times.
<b>SERVICES AND CONNECTIONS</b>		
1.21	Connect the development 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 obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.22	Provide written evidence (e.g. connection certificate) from Urban Utilities that the connection to the reticulated networks are available and that all requirements of Urban Utilities have been satisfied.	Prior to the commencement of the use.
1.23	Connect the development to the reticulated electricity and telecommunications networks to the standards of the relevant service provider.  The connection must be underground, unless the connection can be made via an existing overhead connection with no additional service or property poles.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.24	Provide written evidence (e.g. certificate of supply or agreement) from the relevant service provider that the development has been connected to the reticulated networks, connection is available at a standard connection, or has a current supply agreement.	Prior to the commencement of the use.
1.25	Remove any services made redundant as a result of the development and reinstate the land.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
<b>SCHEDULE 2—ENGINEERING</b>		
Assessment Manager		
<b>No.</b>	<b>Condition</b>	<b>Timing</b>

<b>OPERATIONAL WORKS</b>		
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to commencing any site works, building works or operational works.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> <li>Plans and specifications must be prepared and certified with the Operational Work application.</li> <li>Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements.</li> </ul>	As part of the operational works application.
2.5	Complete all operational work associated with this Development Approval, including work required by any of the development conditions. Such operational work must be carried out in accordance with the approved plans and documents or, if requiring a further approval from the Council, in accordance with the relevant further approval(s).	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
<b>LANDSCAPING</b>		
2.6	All entry statements, fences, batters, retaining walls and buffer/screen plantings must be located entirely within private land and not within the public road reserve.	At all times.
2.7	The development site must be landscaped, generally in accordance with the Statement of Landscaping Intent.  The works must be undertaken in accordance with an operational works approval.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
2.8	The developer must submit to Council for approval, 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. The Landscape Plan must address the performance criteria listed below:	As part of Operational works for Landscaping Works Application and maintained at all times.

	<ul style="list-style-type: none"> <li>• Comply with the <i>Somerset Region Planning Scheme</i>.</li> <li>• To enhance the appearance of the development internally and externally.</li> <li>• To make a positive contribution to the streetscape;</li> <li>• To screen unsightly objects from public view;</li> <li>• To contribute to an environment by providing shade to reduce glare, heat absorption and radiation;</li> <li>• To ensure common areas are useable;</li> <li>• To provide long term erosion protection;</li> <li>• To integrate with existing vegetation and other natural features of the site and adjoining lands; and</li> <li>• To provide adequate vehicle sightlines and road safety.</li> </ul> <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> <li>• The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site;</li> <li>• The number and size of plants;</li> <li>• The typical planting detail including preparation, backfill, staking and mulching.</li> <li>• The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by the Engineering Services Manager. Any amendments approved by the Engineering Services Manager are taken to be a part of the approved Landscape Plan.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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"> <li>○ Using trees which have a clean trunk height of at least 1.8 metres (at maturity);</li> <li>○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines;</li> </ul> </li> <li>• A minimum of 70% of landscaped areas must be retained as a permeable surface.</li> </ul> <p>Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times.</p>	
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<b>EARTHWORKS</b>		
2.9	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.10	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.11	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.
<b>VEHICLE ACCESS</b>		
2.12	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.13	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Region Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.14	Make an Access Application to Council and pay the required fees where an application involves works required as stated in the conditions.	Prior to Commencement of Access works.
2.15	All vehicles shall enter and leave the site in a forward gear	At all times.
2.16	All manoeuvring areas shall enable access to a Class 4 vehicle in accordance with <i>Austroads Standards</i> .	As part of Operational Works.
<b>PARKING AND MANEUVERING</b>		
2.17	Provide on-site car parking for minimum 15 vehicles, including any required spaces for disabled persons in accordance with <i>Somerset Region Planning Scheme</i> .  All car parking and circulation areas to be provided with sealed surface, line marking and be designed in accordance with AS2890 and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works Application.
2.18	All manoeuvring areas shall enable access to a class 4 service design vehicle in accordance with <i>Austroads design manual</i> and Australian Standard AS:2890.	As part of Operational Works Application.
2.19	All pedestrian pathways shall be: (a) finished with alternative colours or patterns to vehicle manoeuvring areas; and	As part of Operational Works Application.

	(b) appropriately marked and signposted where they cross internal driveways.	
2.20	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete or bitumen in accordance with Australian Standards.	At all times.
2.21	Service vehicles must stand entirely within the site while unloading and loading.	At all times.
<b>STORMWATER</b>		
2.22	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.23	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.24	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.25	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely affect the value or potential use of the land.	At all times.
2.26	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 Application.
2.27	<p>Submit a Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s and <i>Somerset Region Planning Scheme</i>.</p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> <li>• Quantity and quality of stormwater to be released from the development;</li> <li>• All sources of potential contamination (including but not limited to the actual and potential release of all contaminants;</li> <li>• The potential impact of these sources;</li> <li>• Impact of the release of stormwater from the development on the quality and integrity of the receiving environment;</li> <li>• Measures to be implemented to prevent the likelihood of stormwater contamination; and</li> <li>• Maintenance schedule.</li> </ul>	As part of the lodgement of the Operational Works application.

2.28	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.	At all times.
2.29	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: <ul style="list-style-type: none"> <li>(a) uncontaminated overland stormwater flow; or</li> <li>(b) uncontaminated stormwater to the stormwater system.</li> </ul>	At all times.
<b>STORMWATER RE-USE</b>		
2.30	The development must incorporate a stormwater re-use system utilizing stormwater detention structures and/or tanks to ensure water is re-used throughout the site to supply amenities, facilities and landscaping areas and the like.	Prior to commencement of use.
<b>EROSION AND SEDIMENT CONTROL</b>		
2.31	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: <ul style="list-style-type: none"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul> 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.	At all times.
2.32	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.33	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). (or implement one provided) Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary, and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.34	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be	At all times.

	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.	
2.35	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.  Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.	At all times.
2.36	Where vegetation is removed, the vegetation waste shall be disposed of by: i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility.  No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	At all times.
<b>SCHEDULE 3—ENVIRONMENTAL HEALTH</b>		
Assessment Manager		
<b>No.</b>	<b>Condition</b>	<b>Timing</b>
<b>GENERAL HEALTH</b>		
3.1	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.
3.2	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times.
3.3	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, odour, glare, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, oil or otherwise.	At all times.
3.4	The approved hours of operation for the childcare centre are 6.30am to 6.30pm Monday to Friday.	At all times.
<b>LIGHTING</b>		
3.5	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.
<b>NOISE</b>		

3.6	Unless otherwise required by the conditions of this approval, the approved development must be operated in accordance with the Approved Acoustic Report titled <i>Proposed Childcare Centre 75 Gardner Street Toogoolawah Acoustic Report</i> dated 4 August 2025 prepared by Acoustic Works.	At all times.								
3.7	Acoustic barriers must be constructed in accordance with section 8.2.2 Scenario 2 of the approved acoustic report prepared by Acoustic Works. Acoustic barriers must be constructed using materials that achieve a minimum surface density of 10kg/m².	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.								
3.8	Provide certification from a suitably qualified acoustic consultant that the acoustic barriers have been installed in accordance with the specifications of Condition 3.7 above and the approved acoustic report prepared by Acoustic Works.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.								
3.9	<p>Time-varying noise from the approved development must be limited such that the A-weighted noise level, <math>L_{Aeq,adj,T}</math>, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"><li>(a) the background noise level + 5dBA for daytime hours (7am to 6pm);</li><li>(b) the background noise level + 5dBA for evening hours (6pm to 10pm);</li><li>(c) the background noise level + 5dBA for night time hours (10pm to 7am); or</li><li>(d) the noise limits specified in Table A, whichever is greater.</li></ul> <p><b>Table A: Noise Limits <math>L_{Aeq,T}</math> dBA</b></p> <table><tr><th>Period</th><th>Noise Limit <math>L_{Aeq,T}</math> dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>51</td></tr><tr><td>Evening (6pm –</td><td>52</td></tr><tr><td>Night (10pm - 7am)</td><td>43</td></tr></table>	Period	Noise Limit $L_{Aeq,T}$ dBA	Day (7am - 6pm)	51	Evening (6pm –	52	Night (10pm - 7am)	43	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA									
Day (7am - 6pm)	51									
Evening (6pm –	52									
Night (10pm - 7am)	43									
3.10	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, <math>L_{A90,T}</math>, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"><li>(a) the background noise level + 0dBA for daytime hours (7am to 6pm);</li><li>(b) the background noise level + 0dBA for evening hours (6pm to 10pm);</li><li>(c) the background noise level + 0dBA for night time hours (10pm to 7am); or</li><li>(d) the noise limits specified in Table B, whichever is the greater.</li></ul>	At all times.								

<b>Table B: Noise Limits LA90,T dBA</b>		
	<b>Period</b>	<b>Noise Limit L<sub>A90,T</sub> dBA</b>
	Day (7am - 6pm)	46
	Evening (7am – 6pm)	47
	Night (10pm - 7am)	38
3.11	Provide certification from a suitably qualified acoustic consultant, that the selection, siting and installation of mechanical plant is in accordance with, and meets the noise limits contained in, the approved acoustic report prepared by Acoustic Works.	Upon establishment of the use.
3.12	Outdoor play must be limited to the daytime period, between 7am and 6pm.	At all times.
3.13	Deliveries and waste collection must be limited to the daytime period, between 7am and 6pm.	At all times.
3.14	The western façade windows of Activity Room 5 are to be closed while in use.	At all times.
<b>WATER</b>		
3.15	Contaminants or contaminated water must not be directly or indirectly released from the premises or to the ground or groundwater at the premises except for: <ul style="list-style-type: none"> <li>• Uncontaminated overland stormwater flow;</li> <li>• Uncontaminated stormwater to the stormwater system;</li> <li>• Contaminants lawfully released to sewer; or</li> <li>• A release in accordance with a condition of this development approval.</li> </ul>	At all times.
<b>WASTE</b>		
3.16	All waste generated as part of the operation of the development must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.	At all times.
3.17	All general waste produced as part of the operation of the development must be disposed of through either: <ul style="list-style-type: none"> <li>• The number of standard waste services as determined by Council; or</li> <li>• A private agreement with a licensed waste disposal contractor through an exemption granted by Council.</li> </ul>	At all times.
3.18	All reasonable and practicable measures must be taken to ensure the waste storage area is kept to a standard of cleanliness where there is no accumulation of: <ul style="list-style-type: none"> <li>• waste, except in waste containers;</li> <li>• recycled matter, except in containers;</li> <li>• grease, or</li> <li>• other visible matter.</li> </ul>	At all times.

<b>SCHEDULE 5—INTERPRETATION AND ADVICE</b>	
Assessment Manager	
<b>No.</b>	<b>Note</b>
<b>INTERPRETATION</b>	
5.1	<p>Notes contained within a development condition are part of the condition.</p> <p>Interpretation notes in this schedule form part the development conditions.</p> <p>Advice notes contained within a development condition are not part of the condition and are provided for additional guidance specific to the condition.</p> <p>Advice statements contained within this schedule are provided for guidance about the development. Advice statements are not exhaustive and are provided to assist applicants in meeting their obligations under other instruments.</p>
5.2	Where the timing in a development condition requires compliance “prior to the commencement of the use” and a Plan of Subdivision is lodged for approval, the timing in the condition is taken to require compliance “prior to the commencement of the use or approval of the Plan of Subdivision, whichever occurs first”.
5.3	Where the timing in a development condition requires compliance “prior to obtaining any development permit for building works or operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any site works, building works, or operational works”.
5.4	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works” or “prior to obtaining a development permit for operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any building works” or “prior to carrying out any operational works” respectively.
5.5	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works”, and the development is not on a Heritage Place, this requirement does not apply to a development permit that is for demolition works only.
5.6	A reference within a development condition to a “Certificate of Occupancy” includes an “Interim Certificate of Occupancy”. Where a Certificate of Occupancy is not required, the reference is taken to be a “Final Inspection Certificate” or any other similar document finalising the works.
<b>ADVICE</b>	
5.7	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.
5.8	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p>

	<p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.</p> <p>Information about the cultural heritage duty of care is available at <a href="http://qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care">qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</a></p>
5.9	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website <a href="http://www.daf.qld.gov.au/fireants">www.daf.qld.gov.au/fireants</a></p>
5.10	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or <a href="mailto:mail@somerset.qld.gov.au">mail@somerset.qld.gov.au</a>.</p>
5.11	<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>



5.12	<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>
5.13	<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 or relocation of the church 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>
5.14	<p>This Development Approval for material change of use does not include an approval to carry out 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>
5.15	<p>No licensable food preparation activities are permitted under this Development Approval unless the operator holds a current Food Business Licence for the activity under the <i>Food Act 2006</i> or any superseding legislation as published from time to time.</p>
5.16	<p>All Operational Work is to comply with relevant codes for design and construction.</p> <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>
5.17	<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>

**Attachments for the Decision Notice include:**

- Site Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025
- Floor Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025
- Elevations, drawn by Raymond Design, reference RD24017 Issue A, Sheet 06, dated 9 April 2025
- Statement of Landscaping Intent, prepared by Zone Landscape Architecture, reference L25041 rev. B, dated 7 April 2025.
- Engineering Services Report, prepared by QLD Orion Group, reference Q25-0013-ESR O1 Rev A, dated April 2025
- Traffic Impact Assessment, prepared by Premise, reference P003039-R01 Rev.B, dated 9 July 2025
- Acoustic Report – Proposed Child Care Centre – 75 Gardner Street, Toogoolawah, prepared by Acoustic Works, reference Report No. 2025105 R02C 75 Gardner Street Toogoolawah ENV.doc, and dated 4 August 2025

**This completes the report for Development Application No 26163.**

**Resolution**

Moved – Cr Freese

Seconded – Cr Brieschke

“THAT Council:

1. approve Development Application No. 26163 for a Development Permit for Material Change of Use for Child Care Centre (72 places) on land situated at 75 Gardner Street, Toogoolawah, formally described as Lot 1 RP7721, 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**

Assessment Manager

No.	Condition	Timing
<b>GENERAL</b>		
1.1	Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including where amended by Council), except as amended by these development conditions. Site Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025 Floor Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025 Elevations, drawn by Raymond Design, reference RD24017 Issue A, Sheet 06, dated 9 April 2025 Statement of Landscaping Intent, prepared by Zone Landscape Architecture, reference L25041 rev. B, dated 7 April 2025. Engineering Services Report, prepared by QLD Orion Group, reference Q25-0013-ESR O1 Rev A, dated April 2025	At all times.

	Traffic Impact Assessment, prepared by Premise, reference P003039-R01 Rev.B, dated 9 July 2025	
	Acoustic Report – Proposed Child Care Centre – 75 Gardner Street, Toogoolawah, prepared by Acoustic Works, reference Report No. 2025105 R02C 75 Gardner Street Toogoolawah ENV.doc, and dated 4 August 2025.	
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.
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.	At all times during construction and operation phases.
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.
1.5	The development is to occur in one stage.	As indicated.
<b>USE OF PREMISES – CENTRE AND COMMUNITY ACTIVITIES</b>		
1.6	Unless otherwise approved by Council, provide the development in accordance with the following: (b) Childcare centre—618m <sup>2</sup> gross floor area.	At the commencement of the use.
1.7	The maximum number of places at the childcare centre is 72.	At all times.
1.8	Submit to and obtain approval from Council, a schedule of colours, materials and finishes that achieves the following: (c) is generally in accordance with the materials listed in the approved plans; (d) uses colours that balance contemporary development with traditional tones present in the streetscape.	Prior to obtaining any development permit for building works.
1.9	Construct the development in accordance with the approved colours, materials and finishes, unless otherwise approved by Council.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.10	The building and structures must be constructed of robust materials that are graffiti resistant. Any graffiti on buildings, structures, or fences on the subject land visible from public viewing locations must be removed within 24 hours or upon direction by Council.	At all times.

1.11	Building height must not exceed 8.5 metres above ground level.	At all times.
1.12	Install street numbering and any building name at the road frontage of the site, to enable identification by emergency services.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.13	Protect all landscaped areas and pedestrian paths adjoining any car parking areas from vehicular encroachment by wheel stops or kerbing barrier approved by Council.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.14	Screen loading/unloading facilities, plant areas, refuse storage and other outdoor storage facilities on the site from direct view from any adjoining road or public space.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.15	Locate rainwater tanks, hot water tanks, gas bottles and air conditioners in the rear or side setbacks (including generally as shown on the approved plans) and include screening (e.g. fencing or landscaping) from view from any road frontage.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.16	<p>The refuse storage area is to be:</p> <ul style="list-style-type: none"> <li>(a) located no less than 1.5 metres from the side boundary;</li> <li>(b) oriented so that access to the bins occurs from inside the lot (i.e. not directly to the street);</li> <li>(c) enclosed on three sides with walls having a minimum height of 0.2 metres above the refuse receptacles;</li> <li>(d) have a gate or other means of enclosure to prevent access outside hours; and</li> <li>(e) completed with: <ul style="list-style-type: none"> <li>(i) colours and materials that match the external facades of the main building; or</li> <li>(ii) a mural, painting, or other public art opportunity; or</li> <li>(iii) another colour material or finish approved by Council.</li> </ul> </li> </ul>	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.17	Provide Waste Collection Areas in such locations so as to allow a servicing vehicle to enter and manoeuvre, so as to minimize the risk of injury to persons or damage to property, and leave the property in forward gear.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever

		occurs first, and then to be maintained at all times.
1.18	Unless otherwise approved by Council, the colours, patterns, and finishes for the acoustic fencing adjoining the Brisbane Valley Rail Trail is to be in accordance with an operational works approval for landscaping works.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.19	Any graffiti within the proposed development must be removed immediately.	At all times.
1.20	All plant and air conditioning is to be visually screened from the street.	At all times.
<b>SERVICES AND CONNECTIONS</b>		
1.21	Connect the development 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 obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.22	Provide written evidence (e.g. connection certificate) from Urban Utilities that the connection to the reticulated networks are available and that all requirements of Urban Utilities have been satisfied.	Prior to the commencement of the use.
1.23	Connect the development to the reticulated electricity and telecommunications networks to the standards of the relevant service provider.  The connection must be underground, unless the connection can be made via an existing overhead connection with no additional service or property poles.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.24	Provide written evidence (e.g. certificate of supply or agreement) from the relevant service provider that the development has been connected to the reticulated networks, connection is available at a standard connection, or has a current supply agreement.	Prior to the commencement of the use.
1.25	Remove any services made redundant as a result of the development and reinstate the land.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
<b>SCHEDULE 2—ENGINEERING</b>		
Assessment Manager		
<b>No.</b>	<b>Condition</b>	<b>Timing</b>

<b>OPERATIONAL WORKS</b>		
2.1	Make an Operational Work application to Council and pay the required fees where an application involves earthworks, erosion and sediment control, roadworks, car parks, landscaping, clearing and stormwater drainage required as stated in the following conditions.	Prior to commencing any site works, building works or operational works.
2.2	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.3	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
2.4	It is required that the design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> <li>Plans and specifications must be prepared and certified with the Operational Work application.</li> <li>Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements.</li> </ul>	As part of the operational works application.
2.5	Complete all operational work associated with this Development Approval, including work required by any of the development conditions. Such operational work must be carried out in accordance with the approved plans and documents or, if requiring a further approval from the Council, in accordance with the relevant further approval(s).	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
<b>LANDSCAPING</b>		
2.6	All entry statements, fences, batters, retaining walls and buffer/screen plantings must be located entirely within private land and not within the public road reserve.	At all times.
2.7	The development site must be landscaped, generally in accordance with the Statement of Landscaping Intent.  The works must be undertaken in accordance with an operational works approval.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.
2.8	The developer must submit to Council for approval, 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. The Landscape Plan must address the performance criteria listed below:	As part of Operational works for Landscaping Works Application and maintained at all times.

	<ul style="list-style-type: none"> <li>• Comply with the <i>Somerset Region Planning Scheme</i>.</li> <li>• To enhance the appearance of the development internally and externally.</li> <li>• To make a positive contribution to the streetscape;</li> <li>• To screen unsightly objects from public view;</li> <li>• To contribute to an environment by providing shade to reduce glare, heat absorption and radiation;</li> <li>• To ensure common areas are useable;</li> <li>• To provide long term erosion protection;</li> <li>• To integrate with existing vegetation and other natural features of the site and adjoining lands; and</li> <li>• To provide adequate vehicle sightlines and road safety.</li> </ul> <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> <li>• The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site;</li> <li>• The number and size of plants;</li> <li>• The typical planting detail including preparation, backfill, staking and mulching.</li> <li>• The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by the Engineering Services Manager. Any amendments approved by the Engineering Services Manager are taken to be a part of the approved Landscape Plan.</li> <li>• 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.</li> <li>• 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.</li> <li>• 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"> <li>○ Using trees which have a clean trunk height of at least 1.8 metres (at maturity);</li> <li>○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines;</li> </ul> </li> <li>• A minimum of 70% of landscaped areas must be retained as a permeable surface.</li> </ul> <p>Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times.</p>	
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<b>EARTHWORKS</b>		
2.9	All earthworks to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.10	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.11	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.
<b>VEHICLE ACCESS</b>		
2.12	All vehicular access shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.13	The landowner is responsible for construction and maintenance of vehicular access for the property, from the road carriageway to property boundary in accordance with <i>Somerset Region Planning Scheme</i> . Approval is to be sought from Council and the landowner must advise all potential purchasers accordingly.	At all times.
2.14	Make an Access Application to Council and pay the required fees where an application involves works required as stated in the conditions.	Prior to Commencement of Access works.
2.15	All vehicles shall enter and leave the site in a forward gear	At all times.
2.16	All manoeuvring areas shall enable access to a Class 4 vehicle in accordance with <i>Austroads</i> Standards.	As part of Operational Works.
<b>PARKING AND MANEUVERING</b>		
2.17	Provide on-site car parking for minimum 15 vehicles, including any required spaces for disabled persons in accordance with <i>Somerset Region Planning Scheme</i> .  All car parking and circulation areas to be provided with sealed surface, line marking and be designed in accordance with AS2890 and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works Application.
2.18	All manoeuvring areas shall enable access to a class 4 service design vehicle in accordance with <i>Austroads</i> design manual and Australian Standard AS:2890.	As part of Operational Works Application.
2.19	All pedestrian pathways shall be: (a) finished with alternative colours or patterns to vehicle manoeuvring areas; and	As part of Operational Works Application.



	(b) appropriately marked and signposted where they cross internal driveways.	
2.20	Construct and maintain the driveway, vehicle manoeuvring and parking areas of hard standing material such as concrete or bitumen in accordance with Australian Standards.	At all times.
2.21	Service vehicles must stand entirely within the site while unloading and loading.	At all times.
<b>STORMWATER</b>		
2.22	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.23	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.24	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.25	Stormwater drainage and flows are to have no increase in flood levels on adjoining land that may damage or adversely affect the value or potential use of the land.	At all times.
2.26	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 Application.
2.27	<p>Submit a Site Based Stormwater Management Plan (SBSMP) prepared by a Registered Professional Engineer Queensland (RPEQ), which generally conforms to the approved development plan/s and <i>Somerset Region Planning Scheme</i>.</p> <p>The SBSMP should include the following:</p> <ul style="list-style-type: none"> <li>• Quantity and quality of stormwater to be released from the development;</li> <li>• All sources of potential contamination (including but not limited to the actual and potential release of all contaminants;</li> <li>• The potential impact of these sources;</li> <li>• Impact of the release of stormwater from the development on the quality and integrity of the receiving environment;</li> <li>• Measures to be implemented to prevent the likelihood of stormwater contamination; and</li> <li>• Maintenance schedule.</li> </ul>	As part of the lodgement of the Operational Works application.

2.28	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.	At all times.
2.29	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: <ul style="list-style-type: none"> <li>(a) uncontaminated overland stormwater flow; or</li> <li>(b) uncontaminated stormwater to the stormwater system.</li> </ul>	At all times.
<b>STORMWATER RE-USE</b>		
2.30	The development must incorporate a stormwater re-use system utilizing stormwater detention structures and/or tanks to ensure water is re-used throughout the site to supply amenities, facilities and landscaping areas and the like.	Prior to commencement of use.
<b>EROSION AND SEDIMENT CONTROL</b>		
2.31	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: <ul style="list-style-type: none"> <li>• Be required to install additional measures.</li> <li>• Be responsible for the restoration work.</li> </ul> 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.	At all times.
2.32	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.33	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ). (or implement one provided) Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works. All sediment control devices and sediment collection points shall be regularly monitored, sediment removed as necessary, and devices maintained responsibly during construction and maintenance period of the development works.	As part of the lodgement of the Operational Works application.
2.34	All wastes to be managed in accordance with the relevant legislation and regulations with regulated waste to be	At all times.

	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.	
2.35	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.  Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.	At all times.
2.36	Where vegetation is removed, the vegetation waste shall be disposed of by: i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility.  No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	At all times.
<b>SCHEDULE 3—ENVIRONMENTAL HEALTH</b>		
Assessment Manager		
<b>No.</b>	<b>Condition</b>	<b>Timing</b>
<b>GENERAL HEALTH</b>		
3.1	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.
3.2	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times.
3.3	The approved use shall not cause any adverse impact on the amenity of the neighbourhood by the emission of noise, vibration, odour, glare, fumes, smoke, vapour, steam, soot, ash, dust, wastewater, waste products, grit, oil or otherwise.	At all times.
3.4	The approved hours of operation for the childcare centre are 6.30am to 6.30pm Monday to Friday.	At all times.
<b>LIGHTING</b>		
3.5	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.
<b>NOISE</b>		

3.6	Unless otherwise required by the conditions of this approval, the approved development must be operated in accordance with the Approved Acoustic Report titled <i>Proposed Childcare Centre 75 Gardner Street Toogoolawah Acoustic Report</i> dated 4 August 2025 prepared by Acoustic Works.	At all times.								
3.7	Acoustic barriers must be constructed in accordance with section 8.2.2 Scenario 2 of the approved acoustic report prepared by Acoustic Works. Acoustic barriers must be constructed using materials that achieve a minimum surface density of 10kg/m².	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.								
3.8	Provide certification from a suitably qualified acoustic consultant that the acoustic barriers have been installed in accordance with the specifications of Condition 3.7 above and the approved acoustic report prepared by Acoustic Works.	Prior to obtaining a Certificate of Occupancy or prior to the commencement of the use, whichever occurs first.								
3.9	<p>Time-varying noise from the approved development must be limited such that the A-weighted noise level, <math>L_{Aeq,adj,T}</math>, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"><li>(a) the background noise level + 5dBA for daytime hours (7am to 6pm);</li><li>(b) the background noise level + 5dBA for evening hours (6pm to 10pm);</li><li>(c) the background noise level + 5dBA for night time hours (10pm to 7am); or</li><li>(d) the noise limits specified in Table A, whichever is greater.</li></ul> <p><b>Table A: Noise Limits <math>L_{Aeq,T}</math> dBA</b></p> <table><tr><th>Period</th><th>Noise Limit <math>L_{Aeq,T}</math> dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>51</td></tr><tr><td>Evening (6pm –</td><td>52</td></tr><tr><td>Night (10pm - 7am)</td><td>43</td></tr></table>	Period	Noise Limit $L_{Aeq,T}$ dBA	Day (7am - 6pm)	51	Evening (6pm –	52	Night (10pm - 7am)	43	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA									
Day (7am - 6pm)	51									
Evening (6pm –	52									
Night (10pm - 7am)	43									
3.10	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, <math>L_{A90,T}</math>, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"><li>(a) the background noise level + 0dBA for daytime hours (7am to 6pm);</li><li>(b) the background noise level + 0dBA for evening hours (6pm to 10pm);</li><li>(c) the background noise level + 0dBA for night time hours (10pm to 7am); or</li><li>(d) the noise limits specified in Table B, whichever is the greater.</li></ul>	At all times.								

<b>Table B: Noise Limits LA90,T dBA</b>		
	<b>Period</b>	<b>Noise Limit L<sub>A90,T</sub> dBA</b>
	Day (7am - 6pm)	46
	Evening (7am – 6pm)	47
	Night (10pm - 7am)	38
3.11	Provide certification from a suitably qualified acoustic consultant, that the selection, siting and installation of mechanical plant is in accordance with, and meets the noise limits contained in, the approved acoustic report prepared by Acoustic Works.	Upon establishment of the use.
3.12	Outdoor play must be limited to the daytime period, between 7am and 6pm.	At all times.
3.13	Deliveries and waste collection must be limited to the daytime period, between 7am and 6pm.	At all times.
3.14	The western façade windows of Activity Room 5 are to be closed while in use.	At all times.
<b>WATER</b>		
3.15	Contaminants or contaminated water must not be directly or indirectly released from the premises or to the ground or groundwater at the premises except for: <ul style="list-style-type: none"> <li>• Uncontaminated overland stormwater flow;</li> <li>• Uncontaminated stormwater to the stormwater system;</li> <li>• Contaminants lawfully released to sewer; or</li> <li>• A release in accordance with a condition of this development approval.</li> </ul>	At all times.
<b>WASTE</b>		
3.16	All waste generated as part of the operation of the development must be lawfully reused, recycled or removed to a facility that can lawfully accept the waste.	At all times.
3.17	All general waste produced as part of the operation of the development must be disposed of through either: <ul style="list-style-type: none"> <li>• The number of standard waste services as determined by Council; or</li> <li>• A private agreement with a licensed waste disposal contractor through an exemption granted by Council.</li> </ul>	At all times.
3.18	All reasonable and practicable measures must be taken to ensure the waste storage area is kept to a standard of cleanliness where there is no accumulation of: <ul style="list-style-type: none"> <li>• waste, except in waste containers;</li> <li>• recycled matter, except in containers;</li> <li>• grease, or</li> <li>• other visible matter.</li> </ul>	At all times.

<b>SCHEDULE 5—INTERPRETATION AND ADVICE</b>	
Assessment Manager	
<b>No.</b>	<b>Note</b>
<b>INTERPRETATION</b>	
5.1	<p>Notes contained within a development condition are part of the condition.</p> <p>Interpretation notes in this schedule form part the development conditions.</p> <p>Advice notes contained within a development condition are not part of the condition and are provided for additional guidance specific to the condition.</p> <p>Advice statements contained within this schedule are provided for guidance about the development. Advice statements are not exhaustive and are provided to assist applicants in meeting their obligations under other instruments.</p>
5.2	Where the timing in a development condition requires compliance “prior to the commencement of the use” and a Plan of Subdivision is lodged for approval, the timing in the condition is taken to require compliance “prior to the commencement of the use or approval of the Plan of Subdivision, whichever occurs first”.
5.3	Where the timing in a development condition requires compliance “prior to obtaining any development permit for building works or operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any site works, building works, or operational works”.
5.4	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works” or “prior to obtaining a development permit for operational works” and no development permit is required for the relevant works, the timing in the condition is taken to require compliance “prior to carrying out any building works” or “prior to carrying out any operational works” respectively.
5.5	Where the timing in a development condition requires compliance “prior to obtaining a development permit for building works”, and the development is not on a Heritage Place, this requirement does not apply to a development permit that is for demolition works only.
5.6	A reference within a development condition to a “Certificate of Occupancy” includes an “Interim Certificate of Occupancy”. Where a Certificate of Occupancy is not required, the reference is taken to be a “Final Inspection Certificate” or any other similar document finalising the works.
<b>ADVICE</b>	
5.7	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.
5.8	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p>

	<p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.</p> <p>Information about the cultural heritage duty of care is available at <a href="http://qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care">qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</a></p>
5.9	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website <a href="http://www.daf.qld.gov.au/fireants">www.daf.qld.gov.au/fireants</a></p>
5.10	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or <a href="mailto:mail@somerset.qld.gov.au">mail@somerset.qld.gov.au</a>.</p>
5.11	<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>

5.12	<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>
5.13	<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 or relocation of the church 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>
5.14	<p>This Development Approval for material change of use does not include an approval to carry out 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>
5.15	<p>No licensable food preparation activities are permitted under this Development Approval unless the operator holds a current Food Business Licence for the activity under the <i>Food Act 2006</i> or any superseding legislation as published from time to time.</p>
5.16	<p>All Operational Work is to comply with relevant codes for design and construction.</p> <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>
5.17	<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> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>



**Attachments for the Decision Notice include:**

- Site Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025
- Floor Plan, drawn by Raymond Design, reference RD24017 Issue A, Sheet 04, dated 9 April 2025
- Elevations, drawn by Raymond Design, reference RD24017 Issue A, Sheet 06, dated 9 April 2025
- Statement of Landscaping Intent, prepared by Zone Landscape Architecture, reference L25041 rev. B, dated 7 April 2025.
- Engineering Services Report, prepared by QLD Orion Group, reference Q25-0013-ESR O1 Rev A, dated April 2025
- Traffic Impact Assessment, prepared by Premise, reference P003039-R01 Rev.B, dated 9 July 2025
- Acoustic Report – Proposed Child Care Centre – 75 Gardner Street, Toogoolawah, prepared by Acoustic Works, reference Report No. 2025105 R02C 75 Gardner Street Toogoolawah ENV.doc, and dated 4 August 2025

<b>Subject:</b>	<b>Small Business Friendly Councils – Annual Report 2024-25</b>
<b>File Ref:</b>	<b>Planning and Development/QSBC Small Business Friendly Councils Initiative.</b>
<b>Action Officer:</b>	<b>BDO</b>

**Background/Summary**

At the Ordinary Meeting of Council on 28 May 2025, the Council resolved *“THAT Council recommit their membership of the Small Business Friendly Program by authorising the Chief Executive Officer to sign the commitment document.”*

Recommitting as a member, Council is now committed to:

- The principles and deliverables set out in the new SBF Commitment
- Meeting the annual membership requirements, including:
  - Appointing an organisational representative and proxy to champion the commitment
  - Implementing an annual Small Business Action Plan (each financial year)
  - Actively participating in at least four SBF Program activities (each financial year)
  - Attending the SBF Program Annual Conference (in person or virtually)
  - Publicly promoting at least two small business activities (each financial year)
  - **Submitting a financial year Annual Report to the QSBC by 30 September each year**

Council officers have compiled the 2024-25 Annual Report (Attachment 1) for submission to the Queensland Small Business Commissioner's (QSBC) office.

This report may be accompanied by one or more showcase submissions to highlight specific successes in more detail (refer Attachment 2 and 3).

Members must submit the report to the QSBC by 30 September each year (for the previous financial year).

**Attachments**

Attachment 1 – Somerset Regional Council Small Business Friendly Councils – Annual Report 2024-25

Attachment 2 – Showcase Report - Support Our Somerset

Attachment 3 – Showcase Report - Business Disaster Management 'Plan on a Page'

### Recommendation

THAT Council endorse the Somerset Regional Council Small Business Friendly Councils – Annual Report 2024-25 and supporting Showcase Reports for submission to the Queensland Small Business Commissioner.

#### Resolution

Moved – Cr Jess

Seconded – Cr Bishop

“THAT Council endorse the Somerset Regional Council Small Business Friendly Councils – Annual Report 2024-25 and supporting Showcase Reports for submission to the Queensland Small Business Commissioner.”

Carried

Vote - Unanimous

**Subject:** Pest Management Working Group Meeting – 26 August 2025  
**File Ref:** 2024 – 2028 – Pest Management Working Group  
**Action Officer:** ESO - RK

### Background/Summary

The meeting of the Pest Management Working Group was held Tuesday, 26 August 2025.

### Attachments

Meeting Report Pest Management Working Group – 26 August 2025.

### Recommendation

THAT Council receive the meeting report for the Pest Management Working Group of 26 August 2025 and the contents be noted.

#### Resolution

Moved – Cr Brieschke

Seconded – Cr Jess

“THAT Council receive the meeting report for the Pest Management Working Group of 26 August 2025 and the contents be noted.”

Carried

Vote - Unanimous

**Subject:** Planning and Development Department Monthly Report – August 2025  
**File Ref:** Governance/Reporting/Officer Reports

<b>Action Officer:</b>	<b>DPAD, ESM, SP, NRMO, BRO, DCC, PPM</b>
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## Report

A summary of the Department's activities during the month of August 2025 is provided for Council's information.

### Planning

	August 2024	August 2025	FYTD
Building Works assessable against the Planning Scheme	13	15	25
Material Change of Use	7	3	7
Reconfiguring a Lot	2	4	5
Operational Works	2	4	9
Combined Applications	1	3	5
Referral Applications	2	3	11
<b>Total</b>	<b>27</b>	<b>32</b>	<b>62</b>
<b>Decided</b>			
Refused - Council	-	-	-
Refused - Delegated Authority	-	-	-
Approved - Council	-	-	3
Approved - Delegated Authority	14	25	65
<b>Total</b>	<b>14</b>	<b>25</b>	<b>68</b>

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.

#### ***United Development Corporation Pty Ltd v Somerset Regional Council & Anor***

#### **Planning and Environment Court Appeal No. BD165 of 2025**

DA24209 – Reconfiguring a Lot by Subdivision (four into 121 residential lots, new road, open space and drainage reserves) at Brouff Road, Forest Hill Fernvale Road and Brisbane Valley Highway, Fernvale. Refused by Council on 19 December 2024.

### Strategic Planning

#### **Somerset Region Planning Scheme – Major Amendment 2**

Council resolved, at its Ordinary Meeting of 19 December 2024 to request commencement of the State Interest Review for a major amendment to the Somerset Region Planning Scheme. Council officers have been liaising with the relevant State agencies regarding questions and matters for clarification ahead of formal consideration by the Minister for approval to commence public notification.

### Building

	August 2024	August 2025	FYTD
<b>Status</b>			

<b>Accepted Applications</b>	61	59	106
<b>Approved - Council</b>	4	3	5
<b>Approved - Private Certifier</b>	60	60	106
<b>Referral Applications</b>	5	4	6

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

## Plumbing

	August 2024	August 2025	FYTD
<b>Status</b>			
<b>Approved</b>	30	25	61
<b>Info Request</b>	4	5	9
<b>Total</b>	34	29	71
<b>Plumbing Inspections</b>	97	83	189

### 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 seven inspections resulting in allocation of funding.

## Development Compliance

### Planning Compliance Matters

Non-compliant planning / land use activities under investigation in this period include:

- Function Facilities
- Unlawful Building Work
- Animal Keeping
- Transport Depot
- Large scale operational works (earthmoving)
- Unlawful Use of Premises
- Breach of Conditions of Approval.

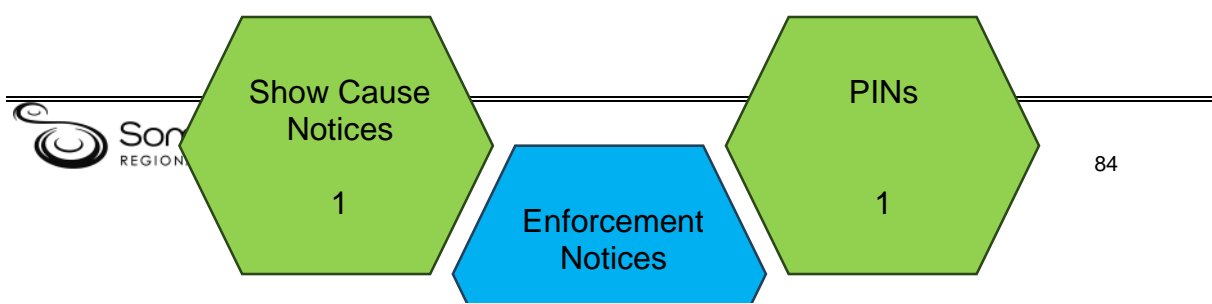
Activities located in Esk, Toogoolawah, Coal Creek, Winya, Glamorgan Vale, Fernvale, Hazeldean, Kilcoy.

### Current Building, Planning and Plumbing Compliance Matters

The following are non-compliant building activities in August:

- Unlawful Plumbing Work: 6
- Building Complaints: 44
- Planning matters: 45

### Notices Issued – August 2025



## 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](http://www.somerset.imalert.com.au)

A total of 8 users completed the training during the month of August.

### Swimming Pool Water Quality Monitoring

Water sampling was conducted at Council's swimming pools located at the Lowood facility which opened during the month. 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 are currently planning the annual mosquito surveillance program for the 2025-2026 financial year. The main aim of the annual surveillance program is to establish the level of confidence in:

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

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

## Pest Management Invasive Animal Control- August 2025

### Wild Dogs

1080 Baits

89kg



12

Scalps presented

Area's baited: Monsildale, Buaraba.

### Feral Pigs

1080 Grain

0kg



### Rabbits

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

- Sheep Station Creek

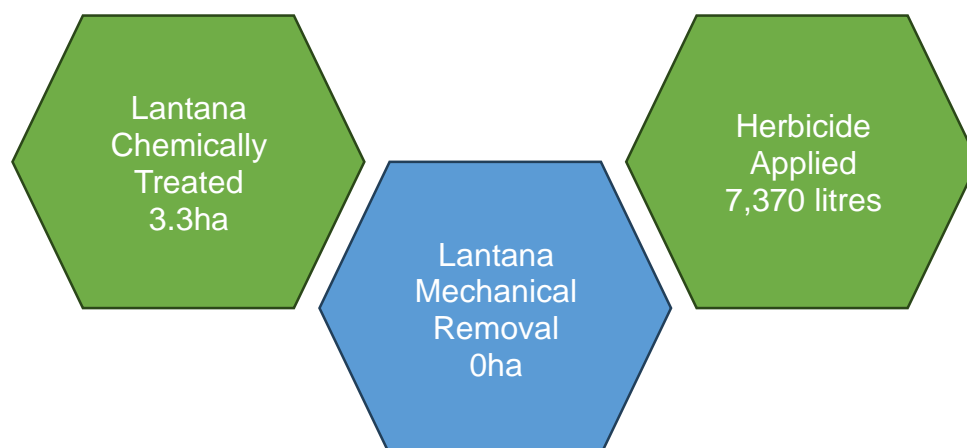


### Fox

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



### Pest Management Invasive Plant Control



### Fire Ant Suppression – Council Land

- There were no suspected fire ant nests reported to Biosecurity on Council land within the Fire Ant Suppression Area.

### Other Pest Weed Treatments

<b>Mother of Millions</b>	Mount Tarampa, Lowood, Toogoolawah, Prenzlau, Marburg, Wivenhoe Pocket
<b>Annual Ragweed</b>	Gregors Creek, Hazeldean, Moore, Toogoolawah, Caboonbah
<b>Giant Rats Tail Grass</b>	Monsildale, Jimna, Diaper, Kingaham, Kilcoy, Wivenhoe Pocket
<b>Fireweed</b>	Woolmar, Gregors Creek, Hazeldean, Dundas, Bryden, Kipper Creek, Sandy Creek, Royston,

	Mary Smokes Creek, Westvale, Winya, Glenfern, Villeneuve, Mount Archer, Fernvale,
<b>Leucaena</b>	Moore,
<b>Yellow Bells</b>	Moore, Linville, Bryden,
<b>Lantana</b>	Toogoolawah, Jimna, Kingaham, Colinton, Harlin
<b>Element 15 (DTMR infrastructure)</b>	Funding available
<b>Element 5 (DTMR invasive plants)</b>	Funding available
<b>Council infrastructure</b>	Esk Landfill GRT

### Lantana Chemical Subsidy Program

The 2025/26 lantana subsidy program first round has been closed at 60 applicants.

A total of 22 Property Pest Management Plans for lantana control have been completed for participation in the program.

#### Compliance under the *Biosecurity Act 2014*:

	July 2025	August 2025
Information notices	4	-
Biosecurity Orders	-	-
Enter and Clear action	-	-

### Natural Resource Management

NRM officer report for August to be provided as part of September report.

### Economic Development

#### Major Projects

- Ongoing research for Façade Improvement Program and Town Entry Signage.
- Funding application for the Lowood Green Botanic Core to the *Green Urban Infrastructure Initiative* (GUII) under the SEQ City Deal submitted and awaiting approval.
- Consultants AECOM reached final detailed design stage and the Lowood Futures Advisory Committee and Council were consulted on designs, renders and fly-through prior to public consultation.
- Community consultation for the Lowood Green Botanic Core and Streetscape anticipated to commence in late September 2025.
- Lowood Futures Strategy, Stage 1 - Station Street Car Park, and Kilcoy Streetscape Revitalisation, Stage 1 - Aston Park Car Park, construction contracts awarded with works to expected to commence 22<sup>nd</sup> September 2025. Notices provided to affected businesses and community prior to commencement of works.



#### Events

- QRIDA Pop-Up office held at Lowood on 7 August 2025.
- Capability Statement Workshop – delivered through one-on-one sessions for registered businesses with Department of State Development and Infrastructure and Planning representative.

- Next Month: *Workforce Evolve* presented by Business Chamber Queensland to be held on 17 September 2025.

### Stakeholder Engagement

- BDO attendance at
  - Meeting with Somerset Business Chamber 8 August 2025
  - Lowood Futures Advisory Committee Meeting 7 August 2025
  - Brisbane Valley Rail Trail Workforce Engagement Session 18 September 2025
  - Economic Development and Tourism Advisory Committee Meeting 19 August 2025
  - Kilcoy Streetscape Advisory Committee Meeting 21 August 2025
- Proactive engagement with State Government agencies, including:
  - Small Business Friendly Commissioners Office
  - Department of Customer Service, Open Data and Small and Family Business
  - Queensland Rural Industry and Development Authority
  - Department of State Development, Infrastructure and Planning.
- Plus, other peak industry organisations including Somerset Business Chamber and Business Chamber Queensland.
- Continued efforts to meet and build relationships with local businesses and primary producers with 23 interactions.



### Somerset Regional Council Grant Finder – August 2025



#### Registrations

- new registrations
- 368 total registrations
- Registrations are people that have registered to our portal via the signup form and are still active.



#### Alerts

- 3,318 emails sent
- 247 people with active alerts
- Email alerts sent to people requesting specific profile of grants



#### Grants

- 2,414 grants available worth \$89.5B
- Total number of grants available within our portal.

### Recommendation

THAT the Department of Planning and Development Monthly Report for August 2025 be received and the contents noted.

### Resolution

Moved – Cr Freese

Seconded – Cr Bishop



"THAT the Department of Planning and Development Monthly Report for August 2025 be received and the contents noted."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Monthly Finance Report</b>
<b>File Ref:</b>	<b>Monthly Reporting - Finance</b>
<b>Action Officer:</b>	<b>CFO</b>

### Summary

The purpose of this report is to present the Financial Reporting Package for the year-to-date period ending 4 September 2025. In accordance with Part 9, Section 204 of the *Local Government Regulation 2012*, a financial report is required to be presented to Council on a monthly basis.

The Financial Reporting Package for the year-to-date period ending 4 September 2025 is contained within the attached supporting information to this report.

The Financial Reporting Package contains financial information and major variance explanations broken down into the following:

- Overview
- Revenue – Operating and Capital
- Operating Expenses
- Capital Expenditure Progress
- Balance Sheet and Cash Flow
- Investments

It should be noted that the 2024-25 financial statements are still subject to audit and as such there may be some minor adjustments to opening balances reflected in this report.

### Attachments

Monthly Financial Reporting Package – 4 September 2025

### Recommendation

THAT the Monthly Financial Report for the year-to-date period ending 4 September 2025 be received.

#### **Resolution**

Moved – Cr Jess

Seconded – Cr Hurley

"THAT the Monthly Financial Report for the year-to-date period ending 4 September 2025 be received."

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>2025 Somerset Christmas Lights Competition – Nomination of Judges</b>
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<b>File Ref:</b>	<b>Tourism – Events – 2025 Somerset Christmas Lights Competition</b>
<b>Action Officer:</b>	<b>TO</b>

### Background/Summary

Planning for the 2025 Somerset Christmas Lights Competition is currently underway. It is proposed that the judging panel is comprised of the following:

- Two Councillors from Somerset Regional Council
- One external judge with an interest/background in Christmas light displays

The Councillors will need to be available on Monday, 1 December to Tuesday 9 December 2025 for judging and Thursday, 11 December 2025 for the awards presentation.

It is proposed that Mr Jason Beattie, a Christmas lights enthusiast from Glamorgan Vale, is invited to assist in this year's judging. Mr Beattie and his father Geoffrey Beattie have a large Christmas lights display every year which proves popular with residents and visitors alike.

Key dates for the Christmas Lights Competition are:

- Entries open: Monday, 27 October 2025.
- Entries close: Wednesday 5pm 26 November 2025.
- Judging: Monday, 1 December to Tuesday 9 December 2025.
- Lights trail: Advertised from Monday, 1 December 2025.
- Awards presentation: Thursday, 11 December 2025.
- Winners Press Release: Thursday (Afternoon), 11 December 2025

### Attachments

Nil.

### Recommendation

THAT Council:

1. Appoint Cr \_\_\_\_\_ and Cr \_\_\_\_\_ to participate as the primary judges in the 2025 Somerset Christmas Lights Competition.
2. Appoint Cr \_\_\_\_\_ as a replacement judge for the 2025 Somerset Christmas Lights Competition, in the instance that one of the primary judges is not available.
3. Appoint Mr Jason Beattie as the external judge for the 2025 Somerset Christmas Lights Competition.

### Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council:

1. Appoint Cr Bishop and Cr Freese to participate as the primary judges in the 2025 Somerset Christmas Lights Competition.

2. Appoint Cr Brieschke as a replacement judge for the 2025 Somerset Christmas Lights Competition, in the instance that one of the primary judges is not available.
3. Appoint Mr Jason Beattie as the external judge for the 2025 Somerset Christmas Lights Competition."

Carried*Vote - Unanimous*

<b>Subject:</b>	<b>Memorandum of Understanding – Somerset Art Society Incorporated – Esk Visitor Information Centre “Great Room”</b>
<b>File Ref:</b>	<b>Council Properties - Leasing-Out - 2025-2026 – Council Land and Buildings</b>
<b>Action Officer:</b>	<b>CAO</b>

### Background / Summary

Somerset Art Society Incorporated (SASI) is a local art society who use the space known as the “Great Room” in the Esk Visitor Information Centre (EVIC) for exhibitions and sale of local art and craftwork under a Memorandum of Understanding (MoU) with Council.

The current MoU expires on 31 December 2025. Council has received a request from SASI to enter into a new MoU for three years with the minor amendments regarding compliance with Australian copyright regulations and management of exhibitions.

### Attachments

1. COMMERCIAL IN CONFIDENCE – Draft Memorandum of Understanding with Somerset Art Society Incorporated

### Recommendation

THAT Council authorise the Chief Executive Officer to enter into a Memorandum of Understanding with Somerset Art Society Incorporated for a period of three years, commencing 1 January 2026 and expiring 31 December 2028 for the use of the “Great Room” in the Esk Visitor Information Centre located at 82 Ipswich Street, Esk.

### Resolution

Moved – Cr Brieschke

Seconded – Cr Jess

“THAT Council authorise the Chief Executive Officer to enter into a Memorandum of Understanding with Somerset Art Society Incorporated for a period of three years, commencing 1 January 2026 and expiring 31 December 2028 for the use of the “Great Room” in the Esk Visitor Information Centre located at 82 Ipswich Street, Esk.”

Carried*Vote - Unanimous*

<b>Subject:</b>	<b>New Policy - EX005 Policy, Procedure and Form Development Framework</b>
<b>File Ref:</b>	<b>CORPORATE MANAGEMENT - POLICY - Policy Development – Doc Id. 1461095, 1540431, 1578750, 1618296, 1729424, 1735093</b>

<b>Action Officer:</b>	<b>GBIO</b>
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<b>Background/Summary</b>
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The Queensland Ombudsman (QO) investigates complaints about the actions and decisions of Queensland local governments. In 2022, the QO produced a report identifying the top 5 problems identified in the complaints they have investigated over the last 20 years. It was found that 69% of reports identified an issue about policies and procedures as a factor for the problem under investigation.

Policies and procedures form the fundamental framework to guide staff on how to perform their jobs well. The QO indicates that policies and procedures should be comprehensive, regularly reviewed and updated, and effectively communicated to staff. It is also noted that overlapping policies should be avoided, as they create capacity for inconsistency and confusion.

The Queensland Audit Office (QAO) also recommended in the Financial Audit Report for Local Government 2023 – Report 8: 2023-24, published on 29 January 2024, that Councils:

***Implement processes to ensure policies and procedures are regularly reviewed and kept up to date.***

1. *Councils should regularly review and update their policies and procedures to ensure they are up to date and meet the needs of their operations.*

*Each Council should develop a work plan to ensure all policies are reviewed at least every 3 years or when there are significant changes to the Council's structure...*

This recommendation was made as the QAO:

*...noticed an increase in the number of councils that either do not have good policies and procedures, or do not keep them up to date. These councils are exposed to a potential risk of inconsistent practices and poor decision-making, which may result in financial loss, non-compliance with legislation, and inequitable outcomes.*

*Policies and procedures provide guidance, ensure consistency, assign accountability, and provide clarity to council staff and elected members on how the council operates...*

In order to improve the quality and relevance of Council's policies and their implementation, a framework has been drafted to facilitate a corporate approach to developing and reviewing policies, procedures and forms. It provides guidance on the types of policies and procedures within Council, the approval authority process and instructions on how to develop and review these on an ongoing basis.

To be effective, policies and procedures need to be fair (in the public interest), practical (able to be implemented), sustainable and measurable. It is intended that best efforts be made to simplify and reduce the amount and complexity of Council's policies and procedures to:

- create greater efficiencies, as elected members and staff are empowered to confidently apply clear and transparent directions to achieve desired outcomes;
- improve compliance, as it will be easier to navigate, find and apply relevant governance documents for any given situation;
- ensure that policies and procedures are applied fairly, consistently and predictably.

Should the proposed Policy Framework be acceptable to Council, a strategy will be developed to assess Council's policy and procedure requirements and a plan established for meeting these.

#### Attachments

Attachment 1 - EX005 Policy, Procedure and Form Development Framework (new policy)

#### Recommendation

THAT Council:

1. note the contents of the report; and
2. adopt EX005 Policy, Procedure and Form Development Framework Appendix A.

#### Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council:

1. note the contents of the report; and
2. adopt EX005 Policy, Procedure and Form Development Framework Appendix A.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>New Policy - C006 Child Safety Policy</b>
<b>File Ref:</b>	<b>Community Services – Youth Development – Youth Services</b>
<b>Action Officer:</b>	<b>DCORP</b>

#### Background/Summary

In February 2025, Council received correspondence from the Queensland Family and Child Commission (QFCC) advising Council of Queensland's new *Child Safe Organisations Act 2024* (the CSO Act). The act was passed in Parliament on 11 September 2024.

This new legislation aims to build a culture of safety and wellbeing for all Queensland children and introduces ten Child Safe Standards, a Universal Principle, and a Reportable Conduct Scheme. Queensland organisations that engage in child-related work, provide services specifically for children or facilities for children's use, will be required to comply with new legal responsibilities.

Somerset Regional Council, as a Government organisation, is included in Phase 1 implementation of the legislation in Queensland, and as such must comply with the Child Safe Standards and the Universal Principle by 1 October 2025 and the Reportable Conduct Scheme by 1 July 2026.

Council currently have four Working With Children documents in place that address child safety:

- Working With Children Policy
- Working With Children Risk Management Strategy

- WWC001 – Procedures for Working With Children – Suspicions or Disclosures of Harm
- WWC002 – Procedures for Working With Children – Services, Activities and Events

A review of these four documents, in consideration of the Act, has indicated that updates should be made to all four documents to ensure they align with relevant legislation.

As advised by the Child Safe Organisations (CSO) Department of the QFCC, “from the day an organisation becomes a Child Safe Entity under the CSO Act, the Child and Youth Risk Management Strategy (CYRMS) requirements of the *Working with Children (Risk Management and Screening) Act 2000* no longer apply. For [Council], this will be from 1<sup>st</sup> October 2025. [Council] must instead comply with the Child Safe Standards and Universal Principle of the CSO Act.

However, it is important to clarify that this does not mean that [Council’s] CYRMS is no longer required and [that Council] no longer need one. Having a CYRMS in place is an extremely helpful foundational document, supporting organisations on their journey towards compliance with the CSO Act.”

The review of Council’s current Working With Children documents has been made to reflect this advice, as well as aligning to the CSO Regulation that defines and provides further clarity on the obligations of child safe entities. It should be noted that the documents have been retitled to reflect the legislation and to identify the import of the review, and going forward pending Council and CEO approval, will be referred to as Council’s Child Safety documents:

- Child Safety Policy
- Child and Youth Risk Management Strategy
- Child Safety Procedures – Suspicions or Disclosures of Harm
- Child Safety Procedures

Further to this review of Council’s Child Safety documents, it should be noted that further review will be required for additional policies and training to ensure a culture of child safety is embedded in the organisation.

#### Attachments

1. C/036 Working with Children Policy as at 10 May 2023 (current)
2. Draft C006 Child Safety Policy

#### Recommendation

THAT Council:

1. repeal Attachment 1 – C/036 Working With Children Policy as at 10 May 2023 (current); and
2. adopt the C006 Child Safety Policy Appendix B, with an effective date of 1 October 2025.

#### Resolution

Moved – Cr Brieschke

Seconded – Cr Bishop

“THAT Council:

1. repeal Attachment 1 – C/036 Working With Children Policy as at 10 May 2023 (current); and
2. adopt the C006 Child Safety Policy Appendix B, with an effective date of 1 October 2025.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Human Rights Policy</b>
<b>File Ref:</b>	<b>Policy Development – EX010 Human Rights Policy – Doc Id. 1750645, 1750646, 1750653, 1750654</b>
<b>Action Officer:</b>	<b>GBIO</b>

**Background/Summary**

It is unlawful for a public entity to act or make a decision that is not compatible with human rights, or fail to give proper consideration to a human right relevant to the decision (s58 *Human Rights Act 2019*).

In 2024, the Queensland Human Rights Commission published a document titled ‘Conduct of public entities: Proper consideration’, which notes:

- public entities (such as Council) must be able to demonstrate proper consideration was given to human rights at the time of making the decision and show evidence of proper consideration;
- a higher standard of consideration is expected when the decision will significantly impact a number of people; and
- if human rights are properly considered when a policy or procedure are made, it may be sufficient to properly apply the policy or procedure.

An independent review of the application of the Act has also been undertaken by Professor Susan Harris Rimmer and tabled in Queensland Parliament on 22 April 2025. The report, ‘Placing People at the Heart of Policy: *First Independent Review of the Human Rights Act 2019* (Qld)’, provides an evaluation of the Act and how well it meets its objective of building a culture of human rights across the Queensland public sector.

There has also been some assessment of the case law to date, to identify how the legislation has been applied in court. A key case noted by the Queensland Human Rights Commission is that of *Johnston v Commissioner of Police* [2024] QSC 2. The QPS decision was declared unlawful because the Police Commissioner did not give proper consideration to human rights before making a decision and issuing directions based on that decision. The Court noted that the Police Commissioner’s ‘recollection was poor’ when giving oral evidence about her consideration of human rights at the time of making the decision. The court found that there were insufficient records maintained of the rationale for the decision in this case.

As a result of the above, a Human Rights policy has been developed to more closely align with legislative requirements and best practice. Note that the policy indicates how Council will process human rights complaints, not litigation.

A proceeding for an offence against the *Human Rights Act 2019* is by way of summary proceeding under the *Justices Act 1886* on complaint of the Human Rights Commissioner, or a person authorised by the commissioner for that purpose (s101, *Human Rights Act 2019*; s226 *Anti-Discrimination Act 1991*).

The Queensland Law Handbook notes that there is no standalone legal action under the Act, meaning that a Human Rights Act complaint cannot be brought directly before a court or tribunal if it cannot be resolved by agreement, and there is no right to seek damages from a public entity. As a result, if a Human Rights Act complaint were to be raised in a court or tribunal setting, it would generally be raised alongside another claim (e.g. an anti-discrimination claim) so that there is avenue to provide a substantive outcome for a complainant (e.g. set aside the decision, have orders made against the public entity, damages).

### Attachments

Attachment 1 – EX010 Human Rights Policy

### Recommendation

THAT Council:

1. note the contents of the report; and
2. adopt EX010 Human Rights Policy Appendix C.

### Resolution

Moved – Cr Hurley

Seconded – Cr Jess

“THAT Council:

1. note the contents of the report; and
2. adopt EX010 Human Rights Policy Appendix C.”

Carried

*Vote - Unanimous*

### Declarable Conflict of Interest – Cr Hurley - Agenda Item 19 – Changes to Terms of Reference and Memorandum of Understanding – Fernvale Recreation Grounds Advisory Committee

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

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

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

Cr Hurley left the meeting at 11.35am.

<b>Subject:</b>	<b>Changes to Terms of Reference and Memorandum of Understanding – Fernvale Recreation Grounds Advisory Committee</b>
<b>File Ref:</b>	<b>Community Services – Meeting – 2024 – 2028 – Fernvale Recreation Grounds Advisory Committee</b>
<b>Action Officer:</b>	<b>DCORP</b>

### Background/Summary



At the 28 August 2024 Ordinary Meeting, Council resolved the following:

*“Due to cessation of operation at the Fernvale Recreation Grounds and / or non-attendance at Fernvale Recreation Grounds Advisory Committee meetings, remove the Lowood Fernvale Pony Club Inc., Oz Endurance Inc. and the National Rodeo Association as members of the Terms of Reference and stakeholders of the Memorandum of Understanding for the Fernvale Recreation Grounds Advisory Committee.”*

In 2025, the Lowood Fernvale Pony Club Inc. has recommenced operations at the Fernvale Recreation Grounds.

The Lowood Fernvale Pony Club has been holding regular activities at least monthly at the facility since February 2025 and has re-grown to 65 members. The Club has also attended three Fernvale Recreation Grounds Advisory Committee (the Committee) meetings as observers between November 2024 and August 2025.

At the 5 August 2025, the Committee discussed updating the Terms of Reference for the Committee and Memorandum of Understanding for usage of the Facility. The Committee reached a general consensus regarding the updates including the recognition of the Lowood Fernvale Pony Club in both documents.

Updated Terms of Reference and Memorandum are attached for reference.

The Lowood Fernvale Pony Club and Fernvale Campdraft Association were provided an additional opportunity to make further comment regarding the documents via email following the recent Committee meeting. No comments were received from either party.

#### Attachments

1. Draft Fernvale Recreation Grounds Advisory Committee – Terms of Reference
2. Draft Fernvale Recreation Grounds – Memorandum of Understanding for Stakeholder Use

#### Recommendation

THAT Council adopt the revised Fernvale Recreation Grounds Advisory Committee Terms of Reference Appendix D and Memorandum of Understanding for Stakeholder Use Appendix E.

#### Resolution

Moved – Cr Jess

Seconded – Cr Brieschke

“THAT Council adopt the revised Fernvale Recreation Grounds Advisory Committee Terms of Reference Appendix D and Memorandum of Understanding for Stakeholder Use Appendix E.”

Carried

*Vote - Unanimous*

Cr Hurley returned to the meeting at 11.36am.

<b>Subject:</b>	<b>Kilcoy Recreation Ground Advisory Committee</b>
<b>File Ref:</b>	<b>2024 - 2028 – Kilcoy Recreation Ground Advisory Committee</b>
<b>Action Officer:</b>	<b>ESO -RK</b>

### Background/Summary

The Kilcoy Recreation Ground Advisory Committee meets each quarter to review the operations of the Kilcoy Recreation Grounds. The quarterly meeting of the Committee was held on 28 August 2025 with representatives from each of the user groups present.

Items of note from the meeting include discussions regarding a range of operational matters and an update on the Kilcoy Rodeo event.

### Attachments

Meeting Report Kilcoy Recreation Grounds Advisory Committee Meeting 28 August 2025.

### Recommendation

THAT Council receive the quarterly meeting report of the Kilcoy Recreation Ground Advisory Committee held on 28 August 2025, and the contents be noted.





<b>Resolution</b>	Moved – Cr Bishop	Seconded – Cr Hurley
	<p>“THAT Council receive the quarterly meeting report of the Kilcoy Recreation Ground Advisory Committee held on 28 August 2025, and the contents be noted.”</p> <p style="text-align: right;"><i>Carried</i></p> <p><i>Vote - Unanimous</i></p>	

<b>Subject:</b>	<b>Tourism and Promotions Report – August 2025</b>
<b>File Ref:</b>	<b>Tourism – Promotions</b>
<b>Action Officer:</b>	<b>CTM</b>













### Background/Summary

The following is the August 2025 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
 <b>Esk VIC</b>	152	66	71	7	63	6	365
 <b>Fernvale VIC</b>	202	206	94	20	74	27	311
 <b>Kilcoy VIC</b>	160	158	233	31	209	29	820
 <b>The Condensery</b>	44	136	78	5	29	5	308

First	Second	Third
-------	--------	-------

<b>Esk</b>	 Glen Rock Gallery	 Maps and Directions	 BVRT
<b>Fernvale</b>	 BVRT	 Maps and Directions	 Tourist Drives
<b>Kilcoy</b>	 Maps and Directions	 Outdoor Activities	 Camping and Caravanning
<b>The Condensery</b>	 Exhibitions	 Workshops/events	 Culture and Heritage

**Motivators**

<b>Active Volunteers</b> 	
<b>Esk</b>	11
<b>Fernvale</b>	19
<b>Kilcoy</b>	10
<b>TOTAL</b>	40

**Digital Media**  
**Facebook**

Followers: 4,920  
Views: 21,037  
Reach: 12,339  
Engagement: 291  
Link clicks: 37

**Website**

Page Views: 12,291  
Visitors: 2,940 new, 380 returning  
Peak Time: Monday, 25 August 2025  
Most Popular Pages: Home page, Kilcoy Showground, Events, Markets  
Device type: Desktop 42%, Mobile 56%, Tablet 2%

**Instagram**

Followers: 2,069  
Reach: 920

Views: 10,968

### **Glen Rock Art Gallery (Esk Visitor Information Centre)**

The Glen Rock Gallery July hosted local Esk artist, Anne Dighton, first solo exhibition. Using photographs of people and animals and acrylic on canvas as her main medium, her work reflects the beauty of nature in her animals and people. Comments from visitors to the gallery are often that her paintings, in particular her horses, are almost photographic in nature.

### **Volunteer Famil**

Planning is currently underway for the September famil, which will take volunteers to locations that form part of the Toowoomba Carnival of Flowers.

### **Tourism Operator Development**

The Agritourism Development Mentoring Program is continuing with individual sessions over July and August with all mentees coming together in person in September for a wrap up and networking session.

### **Regional Event Support and Development 2025**

Officers are actively working with event organisers to encourage and support the development of new and existing regional events in 2025 and beyond, including agritourism, sporting, fishing and adventure race events and more.

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

- Rogue Adventures' Escape Raid (Lake Wivenhoe, 30-31 August 2025)
- Kilcoy Races (Kilcoy, 2025)

Unfortunately, the Rogue Escape event was unable to be completed due to evacuations of the Logan Inlet Day Use Area and associated campgrounds due to bushfires in the Wivenhoe Hills area.

In addition to the above events, Experience Somerset agreed to sponsor the Australian Bass Tournaments at Lakes Somerset and Wivenhoe over the first week of September.

### **Marketing Campaigns**

A winter marketing campaign, 'This Winter Experience a little country in Somerset' was released in early June, with a focus on upcoming events and experiences throughout the region this season.

### **Marketing Implementation Plan**

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

Complete	On track	Yet to be progressed	Behind/Beyond 2025
76%	3%	13%	8%

### **Attachments**

Nil.

### **Recommendation**

THAT Council receive the Tourism and Promotions Report for August 2025, and the contents be noted.

**Resolution**

Moved – Cr Brieschke

Seconded – Cr Bishop

“THAT Council receive the Tourism and Promotions Report for August 2025, and the contents be noted.”

Carried

Vote - Unanimous

**Subject:** Corporate and Community Services Monthly Report – August 2025  
**File Ref:** SRC – Governance - Reporting  
**Action Officer:** DCORP

**Background/Summary**

Details of the Corporate and Community Services report for the month of August 2025 are as follows:

**Records**

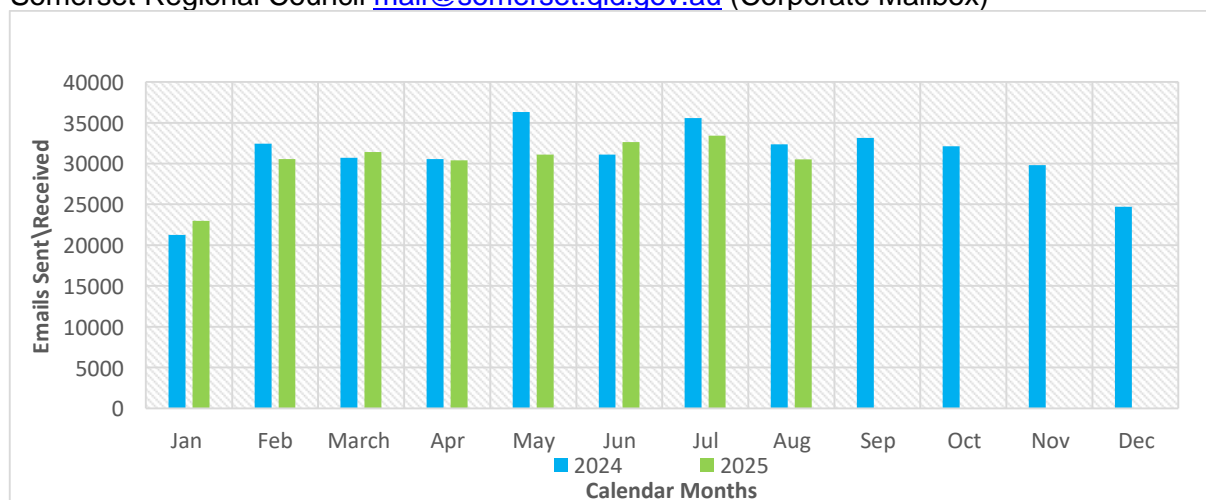
Documentation – At a Glance – August 2025

Inward/Actioned Documents – 2,859	Outward Correspondence – 1,359
Customer Service Requests – 393	Councillor Requests – five (5)
Emails Processed by the Records Team	
Corporate Mailbox - mail@ - 9,478	Internal Only Records Email – 11,015
Decision Notices/Workshop Outcomes –	Tender/Quotation –
Decision Notices – 13	Tenders – Tenders Zero (0)
Workshop Actions – nine (9)	Numbered Quotations – Two (2)

Total Documents Registered for the month of August 2025 – 9,147

**Email Traffic**

Somerset Regional Council [mail@somerset.qld.gov.au](mailto:mail@somerset.qld.gov.au) (Corporate Mailbox)



Graph: Monthly total records – 2024 versus 2025

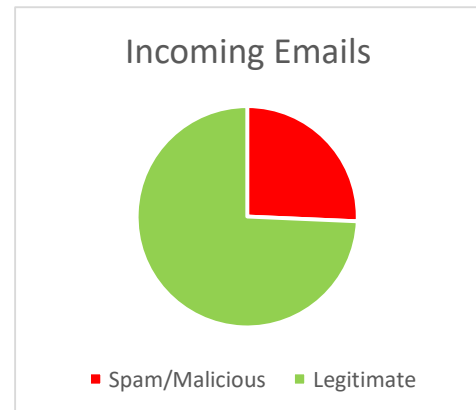
### Information and Communication Technology (ICT)

Network upgrades are progressing with new routers planned for deployment to multiple sites across Council. Based on the success of the trial of Starlink Mini devices with field crews, an additional device is being procured to enable network access at the Muckerts Lane Site Compound.

#### Cyber Security

Total incoming emails have had a minor increase over August, with a minor decrease to legitimate emails and a marginal increase of Spam/Malicious emails. During August there had been 72 failed malicious sign-in attempts. These were to staff Office365 accounts, showing the importance of Multi-factor Authentication (MFA) in reducing the impact.

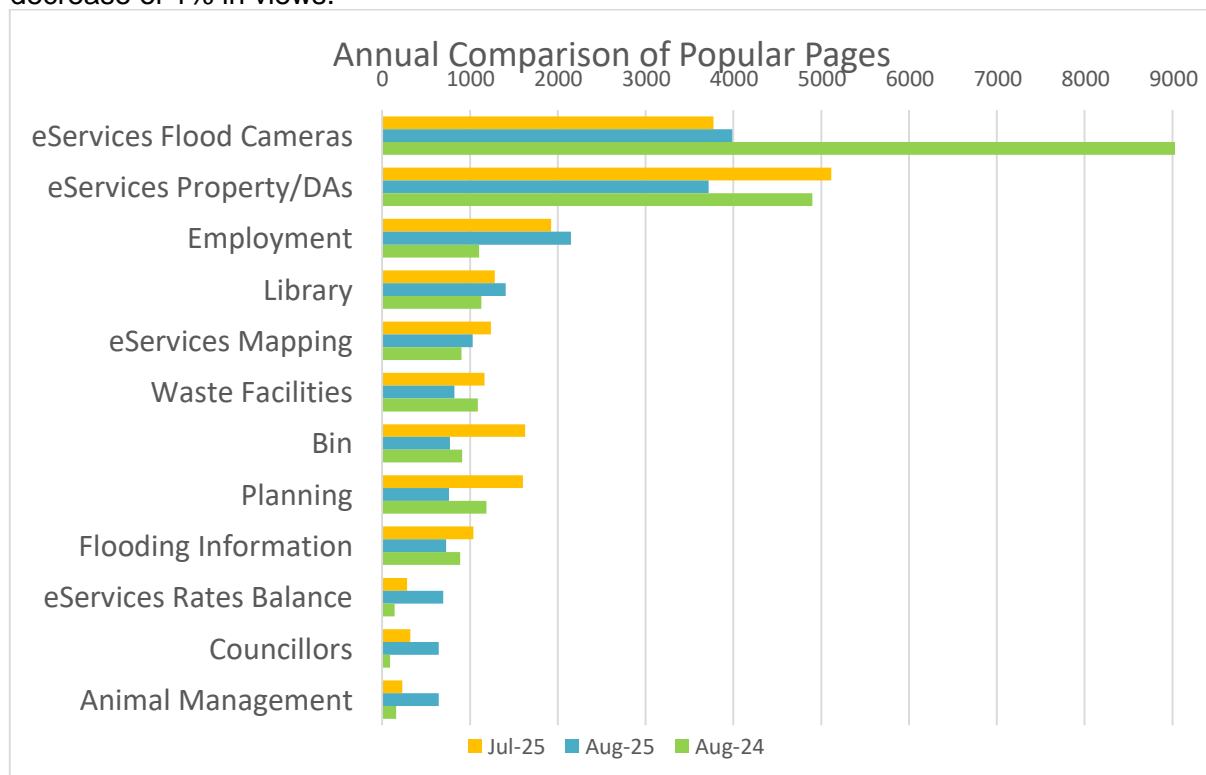
Phishing emails continue to target Microsoft 365, file-sharing services and videoconferencing platforms. Malicious emails have been received from accounts purporting to belong to vendors and other government entities, including councils.



Council continues to carry out internal quarterly phishing tests to help maintain cybersecurity awareness. Staff members who do not pass the test will be offered additional training to support compliance and enhance their understanding.

#### Websites

The primary corporate website ([someset.qld.gov.au](http://someset.qld.gov.au)) received 46,797 page views for August, a 3% decrease, eServices ([eservices.someset.qld.gov.au](http://eservices.someset.qld.gov.au)) received 23,456, a decrease of 1% in views.






### Governance and Business Improvement Policy Development and Review

Final drafts of the Policy Framework and Human Rights Policy have been completed for Council's consideration. Supporting documentation has been developed to assist the implementation process, pending Council's adoption of the policies.

Contributions have also been made to the Child Safety Policy and procedures (proposed to replace Working with Children Policy and procedures) and the Procurement Policy and procedure documents.

### Arts and Culture






		
Attendance at Cultural Venues	Events	Community Partnerships
7,776	82	4

### Events

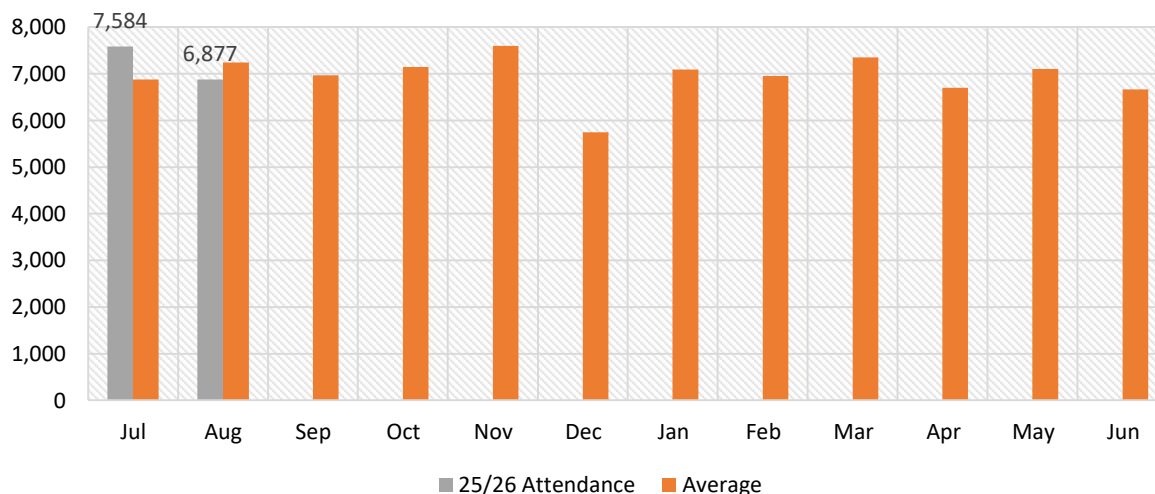
Final preparations for the 2025 Mayoral Gala Charity Ball are well underway, with the event set to highlight an impressive lineup of musical talent. The Gala aims not only to raise funds for local charities, but also to support small businesses and vendors across the region.

Planning is also progressing for the upcoming Kilcoy Multicultural Carnival. Expressions of interest have been distributed to relevant service providers and vendors. Engagement with cultural groups from Kilcoy Global Foods – a major local employer and event sponsor – has been positive. These groups have expressed strong support for the event and have requested a format similar to the successful 2024 carnival.

### Somerset Libraries

				
Physical Items Circulated	Visitation	Outreach	Events	New members
12,674	6,877	178	53	43

### Somerset Libraries Monthly Attendance for 25/26 versus Historical Average



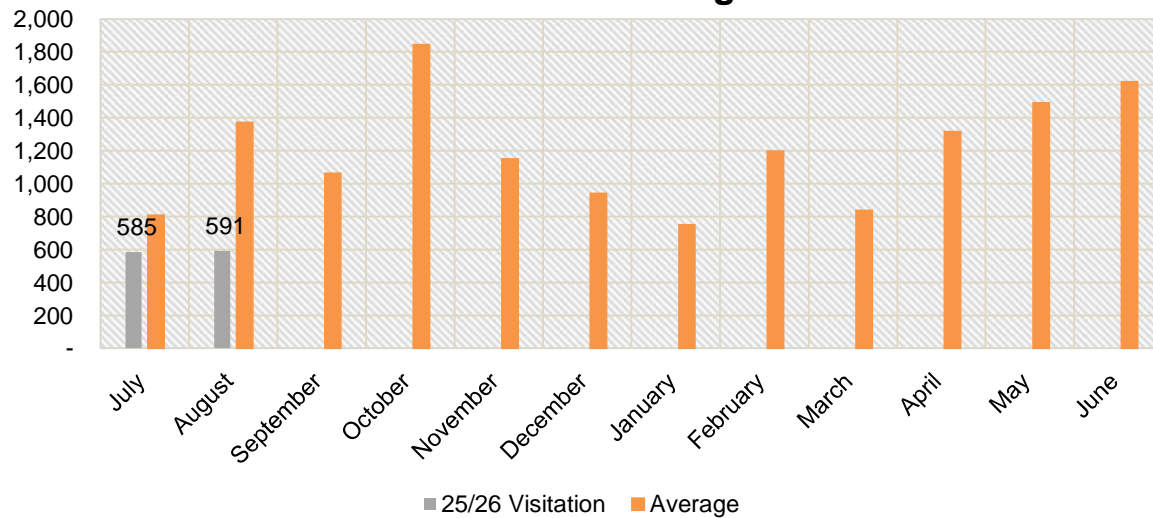
- The Somerset Stories heritage website launched in August and has commenced community promotion. The site recorded 137 users and 2,580 page views during the month. Library branches will host instructional sessions in early September to assist patrons in navigating the site and contributing content.
- First 5 Forever outreach visits were conducted in Prenzlau, Toogoolawah, Kilcoy and Mount Kilcoy, engaging 130 children and 48 adults across five sessions to promote early literacy.
- "Write a Murder Mystery" workshops were held at Lowood and Kilcoy libraries, attracting 29 participants. Positive feedback was received, including six 5-star reviews via the Somerset on the Go App.
- A total of 705 attendees participated in 53 library programs in August. The Somerset on the Go App remains well utilised, with 225 loans processed via the self-checkout feature.
- Book Week (16–23 August) was celebrated with themed children's activities. Staff costumes and events shared on social media contributed to strong engagement, with Somerset Libraries' Facebook page recording 1,005 interactions and 38,472 views.
- Annual reporting obligations for the 2024–2025 financial year have been submitted to the State Library of Queensland.

#### Somerset Civic Centre

		
Visitation	Private/Council Events	Programmed Events
591	26	3






### Civic Centre Monthly Attendance for 25/26 versus Historical Average

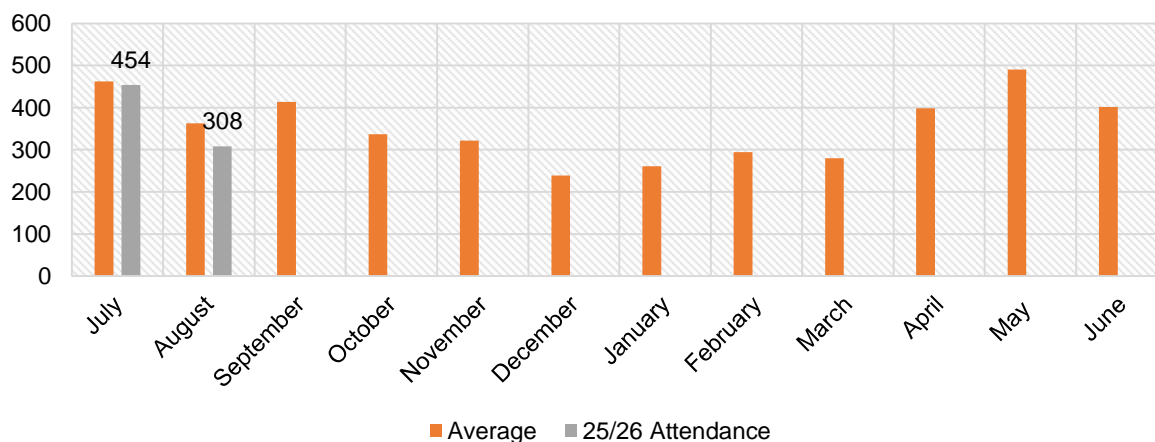


- Throughout August, the venue continued to support regular community programs, including weekly dance classes, acting workshops, and choir rehearsals, all maintaining consistent attendance levels.
- During the month the venue hosted three concerts: *Acoustic Guitar Spectacular* and *Vixens of Fall* (rescheduled from March), as well as a performance by *Normie Rowe*. All events were well received, with positive feedback reported from attendees.
- Social media engagement for August remained consistent with July. Total views reached 64,623, with organic post views showing a slight increase to 6,642, while paid marketing views experienced a minor decline to 57,981.

#### The Condensery

		
Visitation	Public programs	Exhibitions in development
308	0	1

## The Condensery Monthly Attendance for 25/26 versus Historical Average



### Exhibitions and Events

- The Condensery has received several responses to the current *Bomb Shelter* exhibition call-out for 2026 inviting artists to propose works suited to the unique bomb shelter space. Proposals are due by Monday, 22 September 2025, 4pm.
- Current exhibition *The Way Things Grow* concludes Sunday, 14 September.
- The upcoming exhibition, *These Stories Will Be Different* by Zanny Begg, will feature three major video works exploring contested histories: *The City of Ladies* (2017, with Elise McLeod), *The Beehive* (2018), and *Stories of Kannagi* (2019).

### Youth Engagement and Community Development

In August, several key tasks were undertaken to support community engagement, event organisation, and advocacy for the Somerset Region. The following are some of the activities that were completed:

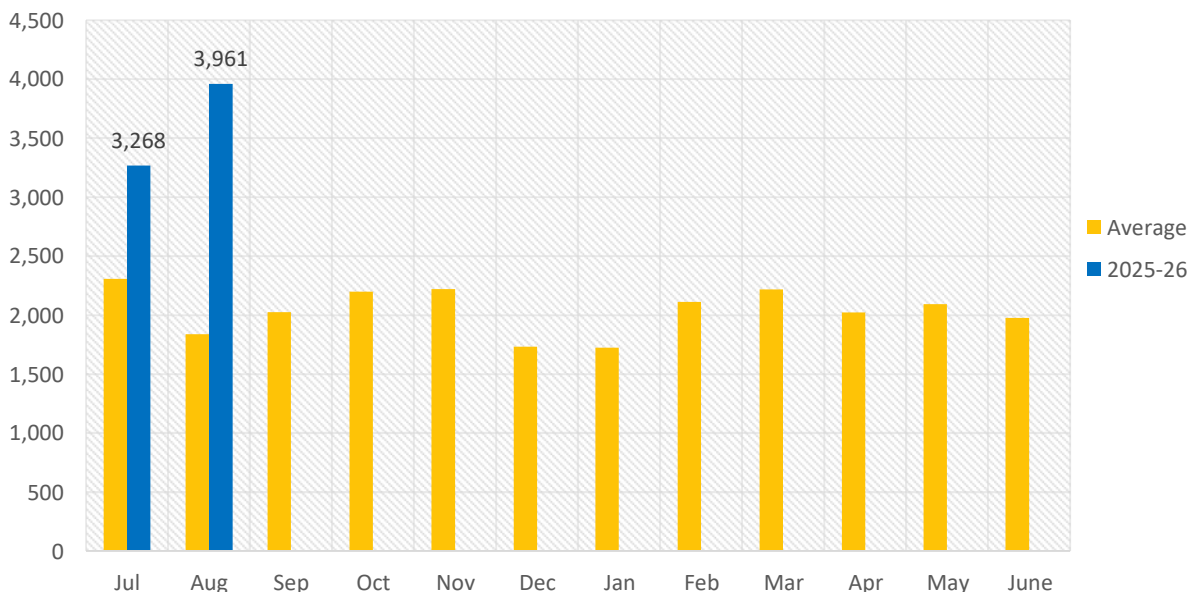
- 35 seniors attended the information session in Esk about the new Support at Home program which is scheduled to be rolled out by the Australian Government in November. Due to demand, there will be more sessions in Kilcoy and Lowood before the end of the year. The Kilcoy session will also introduce the recently appointed Kilcoy Care Finder. This is a new position funded by the Brisbane North Primary Health Network (BNPHN) to help the most vulnerable who have little family support to navigate the system. They will also be able to help find wrap around services for older people who are homeless. The BNPHN also links Council's Community Development Coordinator with consultants looking into the need for more place based mental health services in Kilcoy.
- Results from the "Top Bloke" mentoring program at Toogoolawah State High School were received, with some good outcomes. The program was funded through the Alcohol and Drug Foundation's Somerset's Local Drug Action Team, which is led by Council, and provided mentoring for 15 grade 10 students over two terms. The aim is to improve student self-confidence, help seeking behaviour and sense of community.
- Somerset primary schools are participating in a competition to draw their favourite older person. Entries are being submitted with the winning entry being used to inspire

a Somerset artist's creation of a character in a locally based children's story, helping to make Somerset more aged and dementia friendly.

### Sport and Recreation

#### *Fernvale Indoor Sports Centre (PCYC Fernvale).*

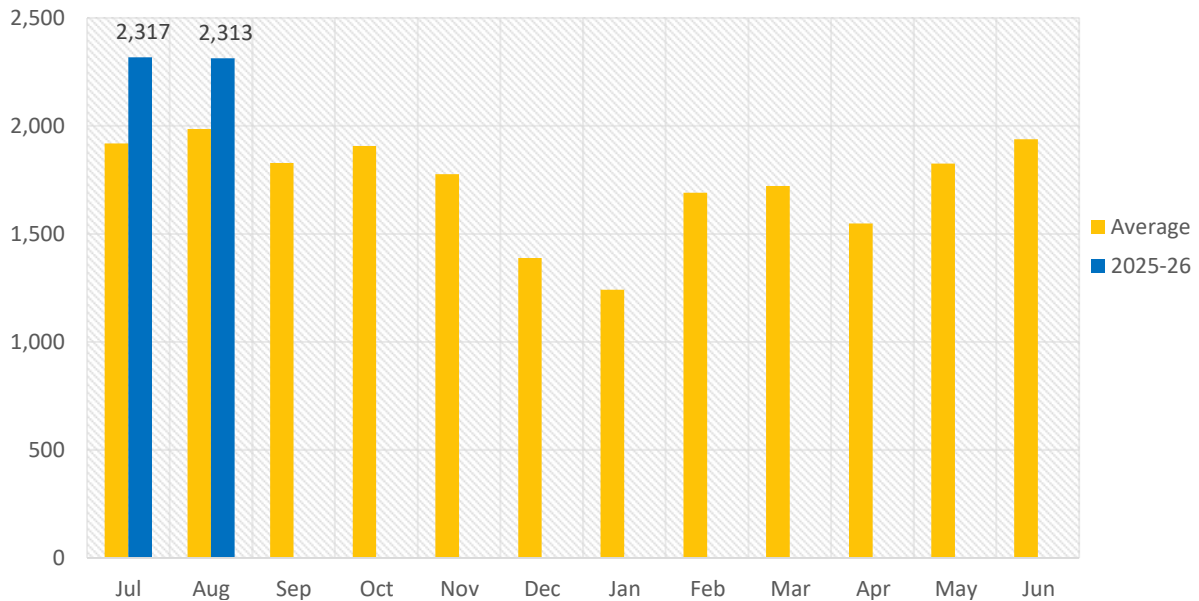
- Record Monthly Attendance for August (3,961).
- Comparative to Monthly Historical Average – POSITIVE +2,123 (Average – 1,838).
- Gym Membership Change – POSITIVE +42 (Current Membership – 1,159).
- 574 participants in Gymnastics.
- 197 participants in Little n Active Program.
- 191 participants in PCYC policing programs.
- 286 participants in Playtime sessions providing activity and coordination for infants.
- 6 minor incidents to report - no further action required.



Graph: Monthly Attendance of the Fernvale Indoor Sports Centre - 2025-26 versus Average

#### *Kilcoy Indoor Sports Centre*

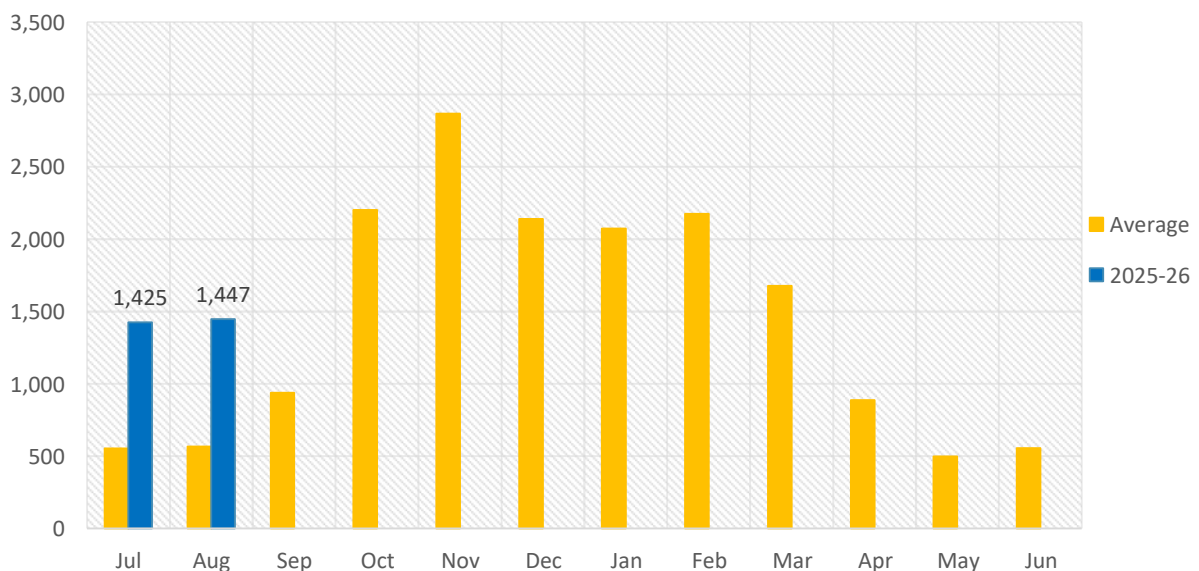
- Comparative to Monthly Historical Average – POSITIVE +328 (Average – 1,985).
- Gym Membership Change – NEGATIVE -9 (Current Membership – 155).
- 345 participants in Gymnastics.
- 102 participants in Play Group.
- 90 participants in All Abilities program.
- 155 participants in Allied Health Program.
- Nil incidents to report.



Graph: Monthly Attendance of the Kilcoy Indoor Sports Centre - 2025-26 versus Average

#### *Toogoolawah Swimming Pool and Community Gym*

- The swimming pool is currently closed for the winter period.
- Work continues on the Toogoolawah Swimming Pool Upgrade project, co-funded by the Queensland Government's South East Queensland Community Stimulus Program. The works are scheduled to be completed in December 2025.
- During this time the gym continues to operate as per winter period opening times.
- Record Monthly Attendance for August (1,447).
- Comparative to Monthly Historical Average – POSITIVE +879 (Average – 568).
- Gym Membership Change – POSITIVE +5 (Current Membership – 145).
- 135 participants in Allied Health Program.
- No incidents to report.



Graph: Monthly Attendance of the Toogoolawah Swimming Pool and Community Gym - 2025-26 versus Average

#### *Lowood Swimming Pool*

- The swimming pool is currently closed for the winter period and is scheduled to re-open on 6 September.
- Off-season maintenance works including servicing of all pool equipment, filters and heaters for the pool has been finalised and a pre-season site inspection and meeting was undertaken.
- Off-season capital works were completed including the replacement of the facility perimeter fence and refurbishment of the facility amenities. These works are co-funded by the Queensland Government's South East Queensland Community Stimulus Program.

#### *Kilcoy Aquatic Centre*

- The facility is currently closed for the winter period and is scheduled to reopen on 20 September.
- Off-season maintenance works including servicing of all pool equipment, filters and heaters for the pool has been finalised and a pre-season site inspection and meeting was undertaken.
- Off-season capital works are near completion, including demolition and removal of existing bulk chlorine storage tank and dosing pumps, provision of a salt electrochlorination system for all three pools, including circulation pumps, pipework and controls, refurbishment of the existing sand filters including replacement of the existing sand media with new glass media, and upgrading of the existing hydrochloric acid storage tank to a sealed system with a transfer pump. These works are co-funded by the Queensland Government's South East Queensland Community Stimulus Program.

#### *Sport and Recreation Highlights and Projects*

- A Club Workshop Dinner hosted by Council officers was held at the Kilcoy Bowls Club on 27 August with a record 26 members from nine sporting clubs in attendance to share ideas and dinner with Councillors and guest speakers. Presentations included the updated "Club IQ" club resource website and grants update by a representative from the Queensland Department of Sport, Racing and Olympic and Paralympic Games. Attendees discussed strategies and fielded questions regarding topics including committee governance, volunteer attraction and retention, and social media marketing. The attendees were pleased with an opportunity to access relevant information and discuss solutions with other clubs. The evening began with bowls on the recently installed synthetic bowls green, with dinner for attendees being supplied by Council.
- Work progressed on the Fernvale Sports Park Irrigation and Field Refurbishment Project, co-funded by the Queensland Government Minor Infrastructure and Inclusive Facilities Fund. The project includes installation of drainage and automated irrigation systems and returfing of the playing surface.
- Council officers attended an Under 8's day at Prenzlau State School to promote healthy and active lifestyles for small schools in the region. Participants were treated to a range of sport and recreation based activities.

<b>Attachments</b>
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Nil

<b>Recommendation</b>
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THAT Council receive the Corporate and Community Services monthly report for August 2025 and that the contents be noted.

**Resolution**

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council receive the Corporate and Community Services monthly report for August 2025 and that the contents be noted.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Park Event - Fernvale Rural Fire Brigade – Station Open Day and Santa Photos – Undeveloped Section Fernvale Memorial Park</b>
<b>File Ref:</b>	<b>Council properties - usage - 2025-2026 – Council hire agreements and bookings - bookings parks and reserves (1771513, 1773107)</b>
<b>Action Officer:</b>	<b>CSSA</b>

**Background/Summary**

The Fernvale Rural Fire Brigade has requested the use of the open area section of the Fernvale Memorial Park between the Fernvale Visitor Information Centre and the Fernvale Rural Fire Brigade to hold their annual ‘Station Open Day and Santa Photos’ on Saturday, 22 November 2025.

This event will have a variety of market stalls, food vendors, local business information stalls, various Government and volunteer organisation stalls, kids activities and demonstrations by the Queensland Fire Department.

The organisers are seeking approval to start setting up on Saturday, 22 November 2025 at 7am with the event to begin at 10am and finish at 8pm. The area will be returned to public use by 9pm on Saturday, 22 November 2025.

The predicted number of attendees is estimated to not exceed 100 persons at any one time. The public toilet amenities in Fernvale Memorial Park are suitable for the number of predicted attendees.

The organisers are seeking assistance from Council to provide community bins, access to power and water.

A check of the BVRT event website found that this event would not interfere with any cycling events registered with TMR for this weekend.

**Attachments**

1. Schedule of conditions (FRFB 25 V1)
2. Plan showing event layout (SITE PLAN FRFB 25 V1)

**Recommendation**

THAT Council

1. Grant approval under Council’s Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled areas and Roads 2011) to the Fernvale Rural Fire Brigade to hold their Station Open Day and Santa Photos in the undeveloped section of

Fernvale Memorial Park, Fernvale on Saturday, 22 November 2025 subject to the conditions in Appendix F.

2. Assist the Fernvale Rural Fire Brigade by providing access to the power supply, water supply and five community bins.

### **Resolution**

Moved – Cr Bishop

Seconded – Cr Jess

“THAT Council

1. Grant approval under Council’s Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled areas and Roads 2011) to the Fernvale Rural Fire Brigade to hold their Station Open Day and Santa Photos in the undeveloped section of Fernvale Memorial Park, Fernvale on Saturday, 22 November 2025 subject to the conditions in Appendix F.
2. Assist the Fernvale Rural Fire Brigade by providing access to the power supply, water supply and five community bins.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Request for Temporary Closure of Carpark for a Halloween Community Celebration</b>
<b>File Ref:</b>	<b>Council properties – usage – 2025-2026 – Council hire agreements and bookings and parks and reserves</b>
<b>Action Officer:</b>	<b>CSSA</b>

### **Background/Summary**

Council’s Youth and Community Development Officer is hosting a Halloween Community Celebration event in Clock Park, Lowood on Friday, 31 October 2025.

Over the years Halloween has become a popular event amongst the local youth and last year Council held a “Spooky Somerset” event to give the local youth and children a safe and controlled environment to attend instead of roaming the neighbourhood on Halloween night.

The event will be held from 3pm to 8.30pm and will invite local youth and family service providers to hold Halloween activities, in addition to Movie in the Park, free BBQ, music, Otaba Llamas and lattes.

In order to provide a safe event and to provide adequate and suitable space for all activities, part of the carpark adjacent to the park, between the former railway building and the public conveniences, needs to be utilised. The temporary closure of this section of the carpark has been successfully closed in other events and has caused no disruption to surrounding businesses.

### **Attachments**

Plan showing event layout (SITE PLAN HCC-EP 25 V1)



### Recommendation

THAT Council approve the temporary partial closure of the Walters Street carpark, Lowood on Friday, 31 October 2025 from 7am to 9pm to facilitate the holding of the Halloween Community Celebration event hosted by Somerset Regional Council.

#### Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council approve the temporary partial closure of the Walters Street carpark, Lowood on Friday, 31 October 2025 from 7am to 9pm to facilitate the holding of the Halloween Community Celebration event hosted by Somerset Regional Council.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Queensland Container Recycling – Request for Change of Location for Pop Up Service in Kilcoy</b>
<b>File Ref:</b>	<b>Waste management - service provision - container deposit scheme (1765866)</b>
<b>Action Officer:</b>	<b>CSSA</b>

### Background/Summary

The containers for change pop up scheme started in Somerset Region in September/October 2018 at three sites –

Site 1 – Southern end of the Fernvale Visitors Information Centre carpark;

Site 2 – Pipeliner Park, Esk; and

Site 3 – Northern side of the Kilcoy Information Centre carpark.

The container for change contractors visits each site in a truck to provide a pop-up service on a weekly basis between 8am and 11.30am or between 1pm and 4pm with the times alternating for each site each week.

The sites at Fernvale and Esk are continuing to work well without any issues, however, the site at the Kilcoy Information Centre carpark has become unsuitable for the following reasons:-

- The Kilcoy Visitor Information Centre is becoming very popular for visitors to the Region and events being held there.
- Carpark is well used, and this especially impacts on the afternoon sessions. Quite often there is no area available for the truck to set up for the pop-up containers for change service and Council officers are having to delineate an area first up in the morning to ensure there is space available for the contractors to set up to receive containers.
- The containers for change set up takes up a lot of the carpark area which reduces the number of available carparks for visitors to the Kilcoy Visitor Information Centre or residents delivering their containers.

On at least two occasions, due to an event being held at the Kilcoy Visitor Information Centre, Council officers had to relocate the Containers for Change pop up to Aston Park, Kilcoy.



Correspondence has now been received from Queensland Container Recycling, the current Containers for Change contractor, requesting to change the location of containers for change pop up location to Aston Park, Kilcoy on a permanent basis. However, as Aston Park is being closed for reconstruction it is suggested that the pop-up location be changed to Silky Oak Park, Seib Street, Kilcoy.

Silky Oak Park is a more suitable area for setting up a container for change pop up point for the following reasons:-

- Larger open area;
- Access to Silky Oak Park is from Seib Street;
- Less vehicles in a concentrated area;
- Vehicles can drive in and follow access around which would make it safer for the residents dropping off their containers.

#### Attachments

Site plan

#### Recommendation

THAT Council approve the request from the current Containers for Change pop up contractor, Queensland Container Recycling, to move from Kilcoy Visitor Information Centre Carpark to Silky Oak Park, Kilcoy for receiving containers from first week in October 2025.

#### Resolution

Moved – Cr Brieschke

Seconded – Cr Hurley

“THAT Council approve the request from the current Containers for Change pop up contractor, Queensland Container Recycling, to move from Kilcoy Visitor Information Centre Carpark to Silky Oak Park, Kilcoy for receiving containers from first week in October 2025.”

Carried

*Vote - Unanimous*

<b>Subject:</b>	<b>Queensland's Resource Recovery Boost Fund (RRBF)</b>
<b>File Ref:</b>	<b>Waste Management - design and construction - transfer station</b>
<b>Action Officer:</b>	<b>SPE</b>

#### Background/Summary

Council has been advised by the Queensland Government that the Resource Recovery Boost Fund (RRBF), Round 1 program guidelines have been released. The \$130 million grant funding program will provide grants to Queensland councils to undertake projects that address local and regional resource recovery priorities, increase recycling rates, and contribute to reducing the amount of waste Queensland sends to landfill each year.

The first funding round will see \$60 million made available to Queensland Councils across two funding streams:

#### Stream 1 (Small projects)

\$20 million will be available in the first round to support smaller-scale initiatives that provide waste management and/or resource recovery benefits at the local or regional scale.

Councils will be able to apply for up to \$2 million (excl GST) in funding to deliver small projects with local or regional benefits.

Projects will need to be delivered within 18 months of contract execution.

### **Stream 2 (Major projects)**

\$40 million will be available in the first round to support more substantial undertakings that offer resource recovery solutions and economic benefits on a regional or state-wide scale.

Councils will be able to apply for funding amounts over \$2 million (excl GST) to deliver major projects that will have regional or state-wide impact.

Projects will need to be delivered within 3 years of contract execution.

The program opens for applications on 13 October 2025 and closes 11 December 2025 for small projects and 29 January 2026 for large projects. Priority consideration will be given to projects that are ready to commence within 6 months of execution of a funding agreement.

**Funding is subject to 40% contribution by Council.**

Potential candidate projects for submission to the program have been identified as follows:

1. Coominya Refuse and Recycling Centre Redevelopment – This would improve resource recovery operations by redeveloping the drop off and loading facilities for waste, recycling and green waste at the Coominya Refuse and Recycling Centre (RRC). Estimated costs \$1,500,000 (noting 60:40 contribution)
2. Esk Refuse and Recycling Centre loading facility Redevelopment – This would partner with Ipswich Waste Services to redevelop the loading facility for increased efficiencies and bulk up capacities. Estimated costs \$500,000 (noting 60:40 contribution)

In order to progress material for the application, officers are seeking an estimated \$80,000 for preparation of redevelopment reports, plans and estimates in order to make a quality submission. This does not include an extensive public consultation process.

No funding allocation has been made for the preparation of materials in the 2025/2026 budget.

Further information can be found by searching for the Resource Recovery Boost Fund.

### **Attachments**

Nil

### **Recommendation**

THAT Council

1. Allocate \$80,000 in the next budget review to fund the preparation of a detailed and thorough submission to the Queensland Government - Resource Recovery Boost

Fund Round 1 for the Coominya Refuse and Recycling Centre Redevelopment and Esk Refuse and Recycling Centre Loading Facility Redevelopment.

2. Authorise the Chief Executive Officer to make submissions to the Resource Recovery Boost Fund Round 1 noting that depending on the success of the submission, an allocation of an estimated \$800,000 (i.e. 40% of a successful application) may need to be made from Council's funds in the 2026/2027 budget.

#### **Resolution**

Moved – Cr Brieschke

Seconded – Cr Bishop

“THAT Council

1. Allocate \$80,000 in the next budget review to fund the preparation of a detailed and thorough submission to the Queensland Government - Resource Recovery Boost Fund Round 1 for the Coominya Refuse and Recycling Centre Redevelopment and Esk Refuse and Recycling Centre Loading Facility Redevelopment.
2. Authorise the Chief Executive Officer to make submissions to the Resource Recovery Boost Fund Round 1 noting that depending on the success of the submission, an allocation of an estimated \$800,000 (i.e. 40% of a successful application) may need to be made from Council's funds in the 2026/2027 budget.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Department of Local Government, Water and Volunteers, 2024 Election Commitment</b>
<b>File Ref:</b>	<b>Local Government Grants and Subsidies Program - July 2025 to June 2026</b>
<b>Action Officer:</b>	<b>EngSM</b>

#### **Background/Summary**

On 6 August 2025 Council received a letter from the Department of Local Government, Water and Volunteers regarding the 2024 State Government Election Commitments, which announced 100% funding to an amount of \$500,000 for upgrades to community playground facilities in Fernvale and Lowood, with projects to be completed by 30 June 2026.

Following receipt of this letter Council Officers reviewed the current playground replacement program to see which playgrounds were due for replacement in the Fernvale and Lowood area. This replacement program noted that Honeywood Park is due for replacement in 2026 and Stumer Park and Clock Park are due for replacement in 2027. However, on investigation Stumer Park is of greater need for replacement than Clock Park. Further, Clock Park playground would be better aligned with future stages of the Lowood Futures strategy. Officers investigated the cost involved in the replacement of both Honeywood and Stumer playgrounds in Fernvale as detailed below.

#### **Playground Costs based on Concept Design**

Honeywood Park - \$163,000 plus GST

Stumer Park - \$155,000 plus GST

Concept playground total = \$318,000 plus GST

Other projects which can be included as part of the funded program could include:

Fernvale Memorial Park - Dog Off Leash Area (DOLA) - \$83,000.

Lowood DOLA - \$99,000.

Should Council support the below four projects, they would all be 100% funded as part of the 2024 State Government Election Commitments:

Honeywood Park – Replacement and upgrade of playground equipment

Stumer Park - Replacement and upgrade of playground equipment

Fernvale Memorial Park - New DOLA

Lowood Clock Park - New DOLA

### Attachments

Letter from Department of Local Government, Water and Volunteers

### Recommendation

THAT Council

1. write to the Honourable Ann Leahy MP, Minister for Local Government, Water and Volunteers thanking the Crisafulli government for funding to upgrade essential community facilities in Fernvale and Lowood.
2. submit the following projects to be funded under this funding announcement:
  - a) Honeywood Park, Fernvale - Playground replacement and upgrade.
  - b) Stumer Park, Fernvale - Playground replacement and upgrade.
  - c) Memorial Park, Fernvale – New Dog Off Leash Area
  - d) Clock Park, Lowood – New Dog Off Leash Area

### Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT Council

1. write to the Honourable Ann Leahy MP, Minister for Local Government, Water and Volunteers thanking the Crisafulli government for funding to upgrade essential community facilities in Fernvale and Lowood.
2. submit the following projects to be funded under this funding announcement:
  - a) Honeywood Park, Fernvale - playground replacement and upgrade.
  - b) Stumer Park, Fernvale - playground replacement and upgrade.
  - c) Memorial Park, Fernvale – new dog off leash area
  - d) Clock Park, Lowood – new dog off leash area”

*Carried*

Vote - Unanimous

<b>Subject:</b>	<b>Operations Report for August 2025</b>
<b>File Ref:</b>	<b>Governance – Reporting – Officer Reports</b>
<b>Action Officer:</b>	<b>CSSA</b>

## Background/Summary

The monthly update report for the Operations department is as follows:

### Future Design Projects

- Minden School Car Park –
  - finalising the design for the upgrading of the Car Park for Minden State School
- Dingyarra Street, Toogoolawah - provide underground stormwater between Fulham Road and Children's Park, Toogoolawah
  - finalising the stormwater design.

### Operational Works Applications

- Graham Road – Operational Works Stage 3
- Graham Road – Electrical reticulation Stage 1 to 3
- West Road, Coominya – Operational Works for Stage 1 of Car Museum
- Burns Street, Fernvale – Operational Works for car parking
- Summerville Road, Lowood – Operational Works – Earthworks and Civils Stage 1 -3

### Department of Transport and Main Roads (TMR) Works

Council officers have met with officers from the Department of Transport and Main Roads to progress works along the Brisbane Valley Highway and other matters impacting the state road network.

### Maintenance Management (Works, and Eng Services Activities):

- Esk Gardens Planting – This project is estimated to be completed by the end of September.

### Projects Completed last month (Works, and Eng Services Projects):

Project Name	Description
Lakeview Park	Installation of new shelters
Cressbrook Street	Installation of underground stormwater pipes

### Capital Projects Underway (Works, and Eng Services Projects):

Project Name	Description
Foresthill Fernvale Road shared footpath	<p>Shared footpath and stormwater works from Sea Eagle Drive to Lowood Minden Road.            Estimated completion date: 31 August 2025            Delivery by external contractors</p> <ul style="list-style-type: none"> <li>• Shared footpath and stormwater works are completed on ground 100%</li> <li>• Some landscaping remained to be completed during the month of September</li> </ul>
Lester Kropp Bridge, Neurum Road, Villeneuve	<p>New bridge over Stanley River at Villeneuve            Completed on ground 15%            Estimated completion date: 30 June 2026            Delivery by external contractors</p> <ul style="list-style-type: none"> <li>• All geotechnical investigation are completed</li> </ul>

	<ul style="list-style-type: none"> <li>• Work has commenced on the temporary structure to install piers</li> <li>• Rock placement commenced at abutment foundations</li> </ul>
Muckerts and McCulkins Lanes, Fernvale.	<p>Construction of road from Old Fernvale Road to Fairneyview Fernvale Road.  Estimated completion date: 30 June 2026  Delivery by Council crews and external contractors  Council is the principal contractor</p> <ul style="list-style-type: none"> <li>• Removal of unsuitable material and replacement with rock layers is continuing</li> <li>• Concrete base slabs have commenced for culverts in McCulkins Lane</li> <li>• Water main relocation is completed</li> <li>• Communication line relocations are completed</li> <li>• Bulk earth works continue in both lanes</li> </ul>
Toogoolawah State School, Bus bays and Stormwater	<p>Construction of a bus bay on both sides of Cressbrook Street, barrier kerb with underground drainage pipes and a 2m wide concrete footpath to connect new bus bays to existing footpath networks.  Estimated completion date: 26 September 2025  Delivery by Council crews</p> <ul style="list-style-type: none"> <li>• All drainage and concrete works are completed.</li> <li>• Final road seal remains to be completed during the September school holidays.</li> </ul>
Sawmill Lane, Toogoolawah	<p>Strengthen and widen road to suit heavy vehicles.  Estimated completion date: 10 December 2025  Delivery by external contractors</p> <ul style="list-style-type: none"> <li>• Site establishment is completed</li> <li>• All vegetation clearance completed</li> <li>• Earthworks started</li> </ul>
Moore 1A Overland Flow Flood Risk Mitigation	<p>Stabilisation works on Bishop Street, Moore and drainage on Linville Road, Moore.  Estimated completion date: 5 September 2025  Delivery by external contractors</p> <ul style="list-style-type: none"> <li>• All drainage structures are completed</li> <li>• All driveway works are completed</li> <li>• Prime sealing for Bishop Street to be completed in September</li> </ul>
Lowood State Emergency Service (SES) Building	<p>Extension of the Lowood SES facilities (as the major component of work being undertaken with exceptional SES Support Grant Funding)  Estimated completion date 30 November 2025  Delivery by external contractors</p> <ul style="list-style-type: none"> <li>• Concrete slab poured, portal frames erected, roof purlins in place</li> </ul>

### Queensland Reconstruction Authority (QRA) Funded Works

### Reconstruction of Essential Public Assets (REPA)

- 2024 December storm event - emergent works completed.
  - Approximately \$2.3M approved for immediate reconstruction work.
  - Approximately \$7.2M of REPA projects are in assessment phase with QRA.
- 2025 March TC Alfred - Emergent Works Completed.
  - All works completed and a claim for \$633,661.28 has been lodged with QRA.

### Waste Management

- Kerbside Collection Contract – Ipswich Waste:
  - General waste services – 84% presentation rate YTD.
  - Recycling services – 64% presentation rate YTD.

#### Waste to Landfill (Tonnes) – Leviable

August 2025	889t
Year to date (YTD)	1,808t
Previous (YTD)	1,747t

#### Kerbside Recycling (Tonnes)

August 2025	100.82t
Year to date (YTD)	201.64t
Previous (YTD)	195t

### Items of Interest

A waste audit of red and yellow lidded bins was recently completed.

The composition of the red bin being:

Item	2023	2025
Garden Organics	22%	19%
Recyclables	19%	17%
Residual (Food waste, non-recoverable materials)	59%	64%

The regional average of contamination for the yellow bin was up from 16% in 2023 to 23% in 2025.

- One truck in the northern region showed contamination of 36%
- One truck in the southern region showed contamination of 9%
- The top contaminate was bagged garbage/recyclables.

Further community engagement has been identified and will be delivered through the kerbside waste contractor (IWS), the Somerset Bin App and mailings at the next rate notice when waste vouchers are distributed. One of the key messages to be communicated to residents is not bag recyclables into the yellow lid bin.

### Customer Service Requests

#### Customer Services Requests - All of Council

August 2025 – 398	398
Year to date (YTD)	898

Previous (YTD)	774
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## Customer Services Requests - Operations Only

August 2025	272
Year to date (YTD)	590
Previous (YTD)	530

**Attachments**

Photographs of some of the abovementioned projects.

**Recommendation**

THAT Council receive the Operations Department monthly report for August 2025 and the contents be noted.

**Resolution**

Moved – Cr Jess

Seconded – Cr Brieschke

“THAT Council receive the Operations Department monthly report for August 2025 and the contents be noted.”

Carried

Vote - Unanimous

**Subject:** Customer Service Report – August 2025  
**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 August 2025 is provided below for Council’s information.

## Summary for August 2025



2,974

**TOTAL  
PHONE  
CALLS**



2,790

**PHONE CALLS  
RECEIVED DURING  
BUSINESS  
HOURS**



140

**PHONE CALLS  
RECEIVED  
AVERAGE  
PER DAY**



25

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



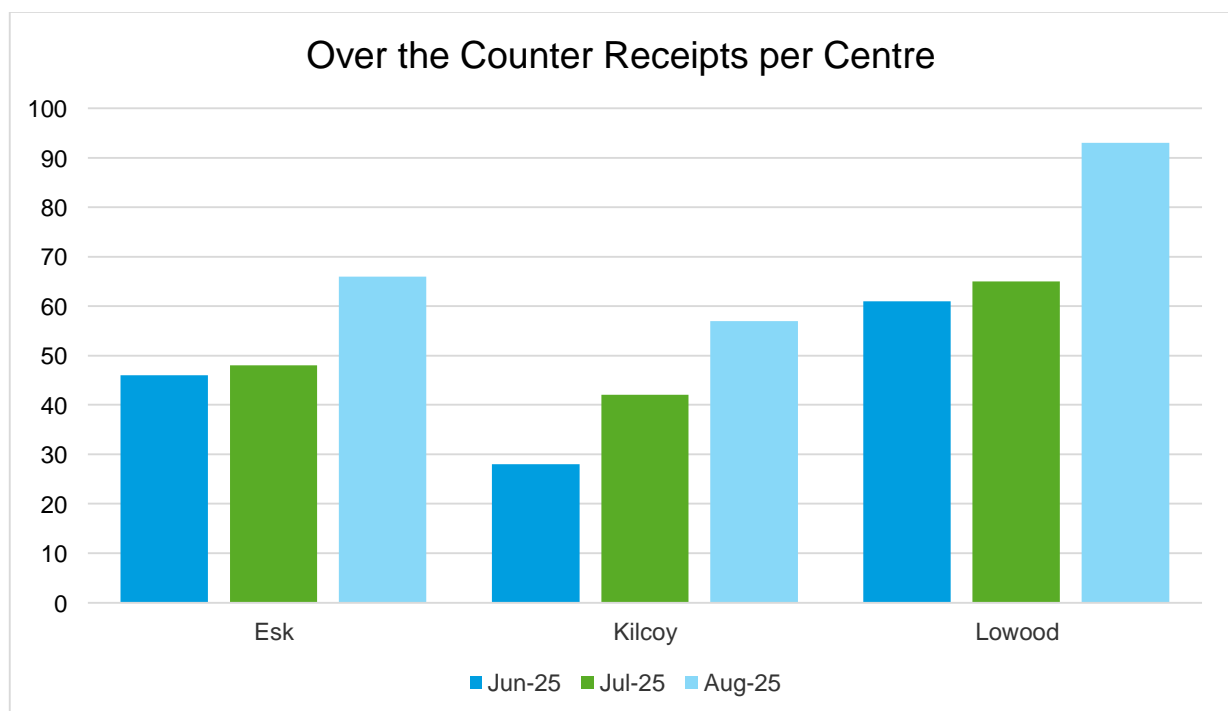
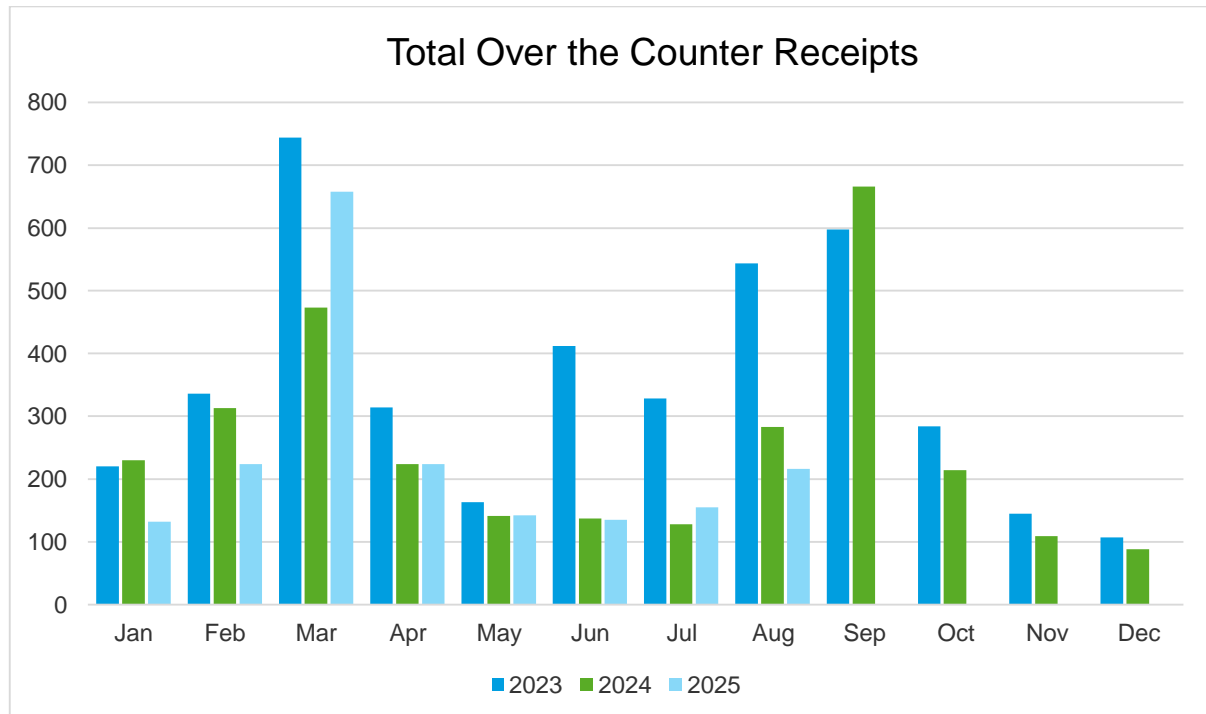
14

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

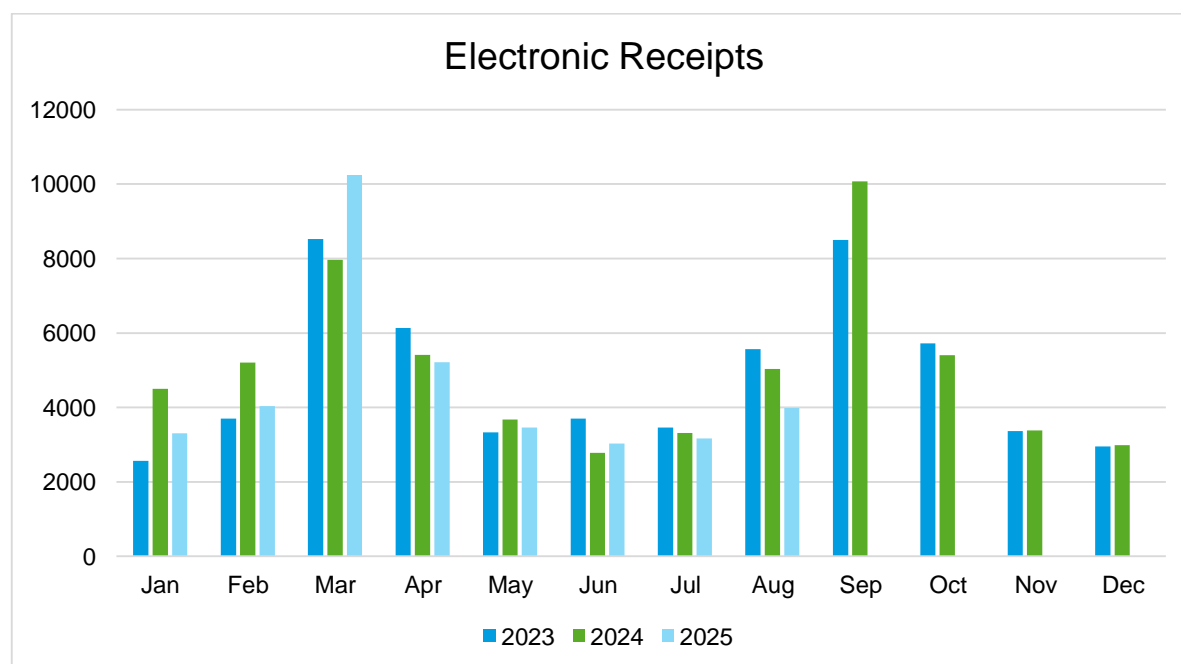




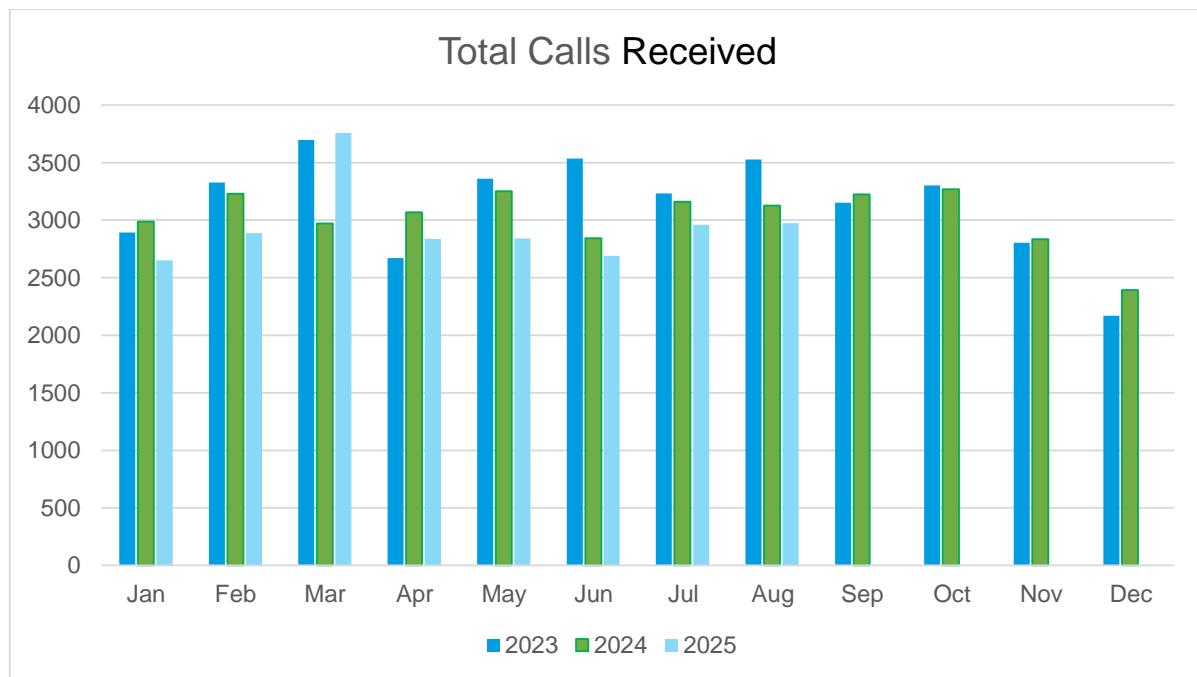
The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for August 2025. These numbers include payments that were posted into the Council. In total there was 216 financial transactions across the three customer service centres with 66 at Esk Administration Centre, 57 at Kilcoy Customer Service Centre and 93 at Lowood Customer Service Centre.



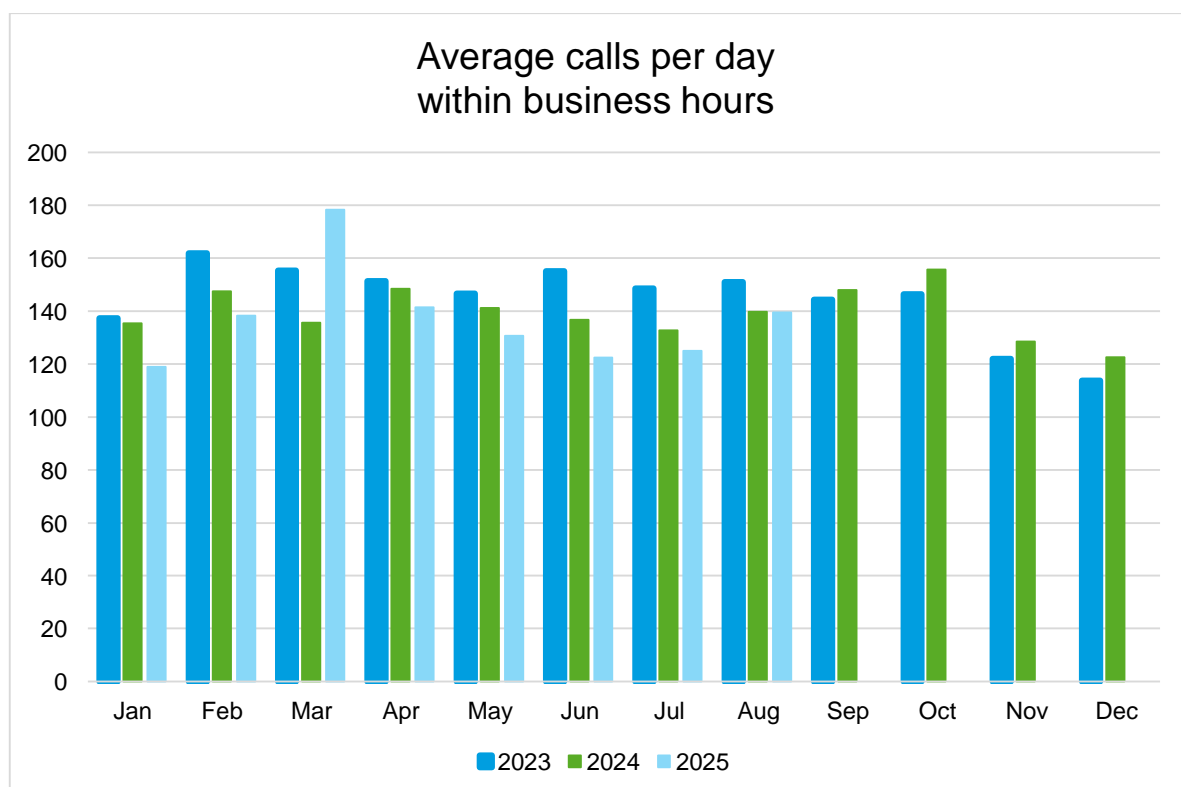
The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc. For the month of August there were 3,983 transactions. Compared to July 2025 there was an increase of 820 transactions, this increase was due to rates being issued in August.



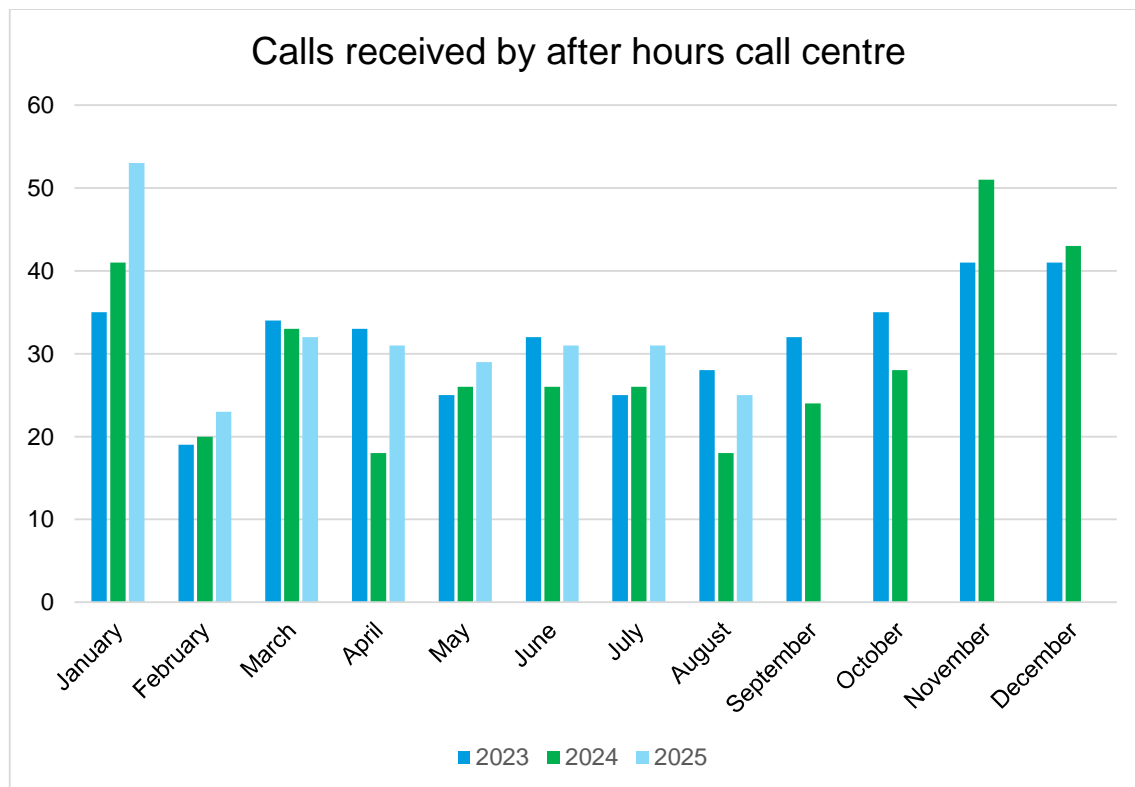
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to previous calendar years. Calls received does not include internal calls made within Council, or outbound calls. There were 2,974 calls received for the month August 2025. This is an increase of 14 calls compared to July 2025. Compared to August 2024 there was a decrease of 152 calls for the month.



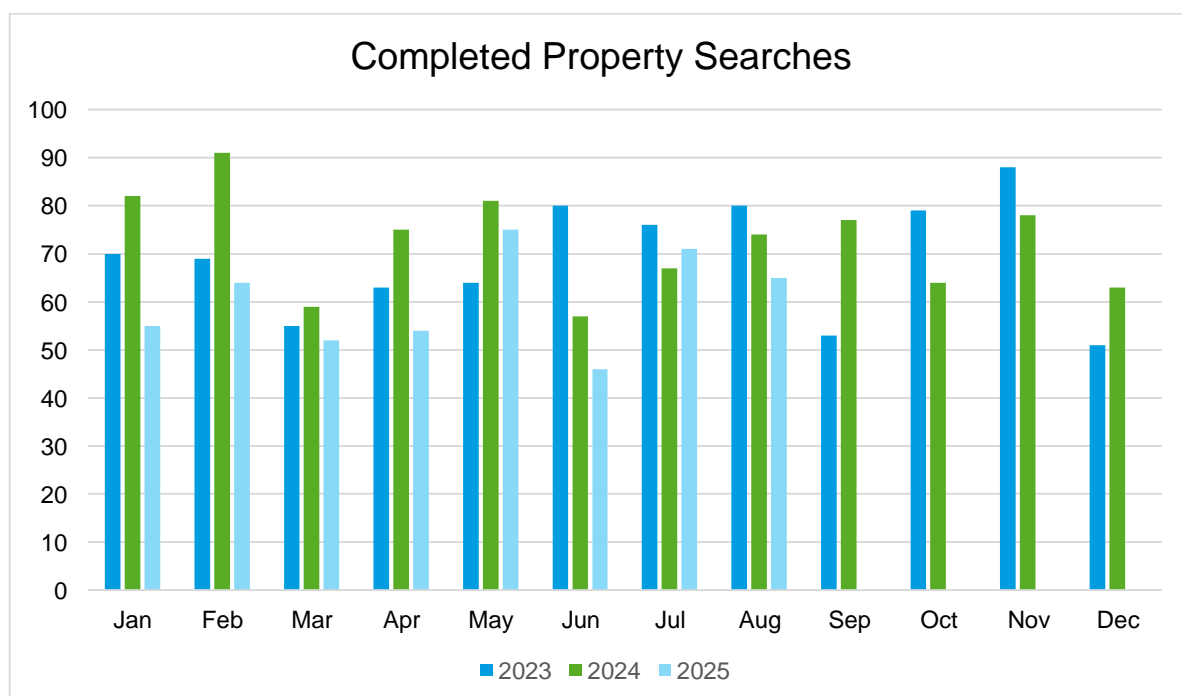
Listed below is a comparison of the average calls received per day within business hours. On average there were 140 calls received each business day for August 2025, which was an increase of 14 calls on average per day from July 2025.



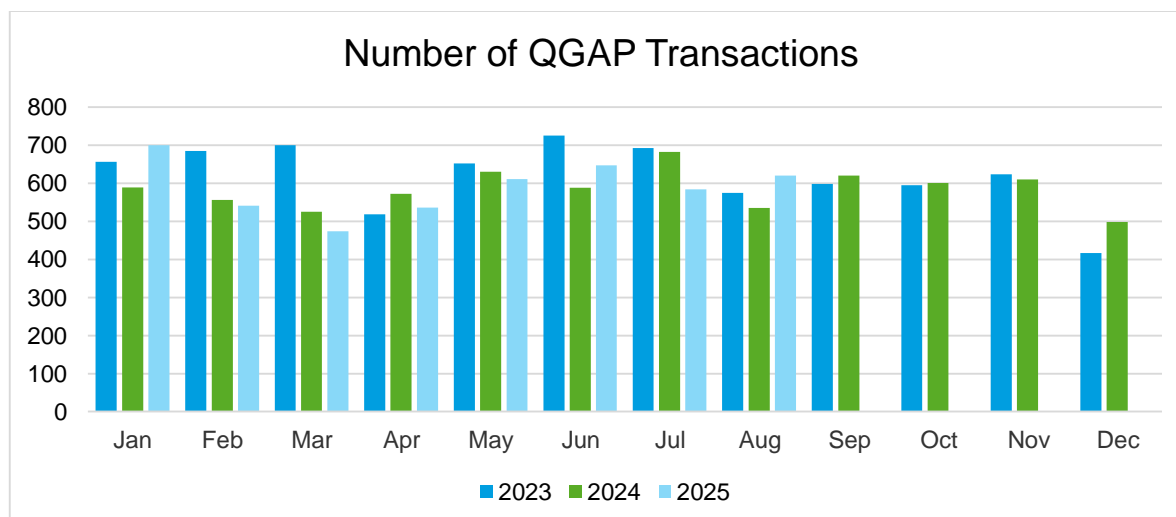
There were 2,790 calls received during business hours and 184 out of hours. Out of the 184 calls received out of hours, 25 calls were transferred to the afterhours call centre.



For the month of August 2025 there were 65 property searches completed for prospective purchasers. This decreased by 6 completed searches for the month compared to July 2025.



There were 620 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in August 2025. On average there were 31 transactions per business day.



### Other services

Customer Service team also contributed to administrative support, graphic design and development, advertising request processing, catering and meeting setup, and the provision of Commissioner for Declarations services to the public across all customer service facilities. The team also assisted with hire arrangements for various public access facilities across the Somerset region. Additionally, the team supported the events team with the preparation leading up to the Mayoral Gala Charity Ball at the Somerset Civic Centre.

### Attachments

Nil

### Recommendation

THAT Council receive the Customer Service Report for August 2025 and the contents be noted.

#### Resolution

Moved – Cr Bishop

Seconded – Cr Jess

“THAT Council receive the Customer Service Report for August 2025 and the contents be noted.”

*Carried*

*Vote - Unanimous*

<b>Subject:</b>	<b>Community Assistance Grants – Somerset Excellence Bursaries for approval by CEO – August 2025</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Somerset Excellence Bursaries</b>
<b>Action Officer:</b>	<b>CAG</b>

### 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 seven (7) excellence bursary applications in August 2025. Somerset Excellence Bursary applications for the month of August as detailed below:

Applicant	Bursary Recipient	Field	Level	Event
Trent Lewis	<b>Peyton Lewis</b>	Soccer	State	Peyton Lewis has been selected as part of the Qld Christian Soccer Association Under 17 Girls team to attend the 2025 Christian Football Federation Australia National Titles at Cranbourne Victoria on 28 September-2 October 2025.
Breanna Whitmore	<b>Kohen Whitmore</b>	Soccer	State	Kohen Whitmore has been selected as part of the QCSA QLD U19 Mens team to attend the Christian Football Federation Association National Titles at Cranbourne East Victoria on 28 September - 2 October 2025.
Breanna Whitmore	<b>Caitlin Whitmore</b>	Soccer	State	Caitlin Whitmore has been selected as part of the QCSA Under 17 Girls Team to attend the Christian Football Federation National Titles at Cranbourne East Victoria on 28

				September - 2 October 2025.
Monica Thornton	<b>George Thornton</b>	Cricket	Regional	George Thornton has been selected as part of the Darling Downs School Cricket 10-12 Years Boys team to attend the State Championships at Kendall Flat Cricket Grounds and Salter Oval Bundaberg on 15-19 September 2025.
Ross Jardine	<b>Grace Jardine</b>	Orienteering	Regional	Grace Jardine has been selected as part of the Darling Downs 10-19 years team to attend the State Championships at Kingaroy State High School and the Wondai State Forest on 26-27 July. Please note: This application was received prior to the event as per policy.
Karly McInnes	<b>Nate Friedrich</b>	Cricket	Regional	Nate Friedrich has been selected as part of the Darling Downs School Sport 10-12 Years Boys Cricket team to attend the State Championships at Kendall Flat Cricket Grounds and Salter Oval, Bundaberg on 15-19 September.
Sheri Van de Weyer	<b>Piper Van de Weyer</b>	Pony Club	Regional	Piper Van de Weyer has been selected as part of the Zone 26 Pony Club team to attend the State Championships at Kilcoy Showgrounds on 26 - 29 September 2025.

#### Attachments

Nil.

#### Recommendation

THAT Council receives the Summary of Awarded Somerset Excellence Bursaries for the month of August 2025 and the contents be noted.

**Resolution**

Moved – Cr Jess

Seconded – Cr Brieschke

“THAT Council receives the Summary of Awarded Somerset Excellence Bursaries for the month of August 2025 and the contents be noted.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Community Assistance Grants 2025-2026 – Returned and Services League of Australia Lowood Sub Branch Inc.</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations - Doc Id 1775350</b>
<b>Action Officer:</b>	<b>CAG</b>

**Background/Summary**

Council at its meeting of 10 September resolved to support the application from Returned and Services League of Australia Lowood Sub Branch Inc for a rates remission for the first rating period of the 2025-26 financial year. The application, however, was for both periods of the financial year.

The Council rates payable at property located at 2819 Forest Hill Fernvale Road, Lowood Qld 4311 and described as L1 RP205360 for the period 01-01-2026 to 30-06-2026 are as follows:

Net general rates figure for period (early payment discount applied):

1 January 2026 to 30 June 2026	\$1,336.65
<b>Total</b>	<b>\$1,336.65</b>

As per Council's Community Assistance Grant Policy C/001 applications will not be considered for the payment of insurance premiums, water supply and sewerage accounts from Queensland Urban Utilities, other utility accounts such as electricity and telecommunications or the following charges levied with Council general rates:

- Utility charges;
- Separate rates and charges;
- Special rates and charges; and
- State Government Emergency Levy.

The abovementioned charges levied with Council rates are not included in Councils rates remission and will require payment.

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be approved for funding and \$1,336.65 for the 1 January 2026 to 30 June 2026 period be granted as rates remission for assessment 02593-10000-000 through the Community Assistance Grants budget allocation.



**Resolution**

Moved – Cr Hurley

Seconded – Cr Bishop

“THAT the application as summarised in this report be approved for funding and \$1,336.65 for the 1 January 2026 to 30 June 2026 period be granted as rates remission for assessment 02593-10000-000 through the Community Assistance Grants budget allocation.”

Carried*Vote - Unanimous*

<b>Subject:</b>	<b>Community Assistance Grants 2025 - 2026 Summary of Applications - Funding Round One Closed 27 August 2025</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations</b>
<b>Action Officer:</b>	<b>CAG</b>

**Background/Summary**

A total of fourteen applications were received for community assistance grants for round one (1) of 2025 - 2026 financial year. Three applications will be listed as separate items for consideration in the agenda due to conflicts of interest and three were ineligible for this round.

The budget allocation for 2025-2026 financial year is \$182,516.1

Available funds as of 2 September 2025 are approximately \$174,016.00. The total recommended for funding from this round is \$20,577.95 (plus in-kind support). The amount of Community Assistance Grants contained in this report is \$13,713.00. Three applications are listed for separate consideration.

This would leave a remaining available balance of approximately \$128,666.10 (less in-kind support) for the remainder of the financial year should all recommendations be approved as recommended.

Community assistance grants applications are summarised below.

<b>Doc #</b>	<b>Applicant</b>	<b>Amount requested</b>	<b>Amount recommended for approval</b>
<a href="#">1748814</a>	Esk State School P and C Association	\$ 5,500 + 20 bins	\$1,500 + 20 bins
<a href="#">1771505</a>	Fernvale Community Church (auspiced by The Lions Club of Fernvale Inc.) –	\$ 3,600	\$1,500
<a href="#">1774496</a>	Kilcoy District Progress Alliance Inc.	\$ 761.80	\$ 750
<a href="#">1775597</a>	Kilcoy Residents Special Events Association Inc	\$ 3,500 + 20 bins	\$ 3,000 + 20 bins
<a href="#">1765320</a>	Lions Club of Brisbane Valley Esk Inc	\$ 2,524.50	\$ 1,500
<a href="#">1774562</a>	Lions Club of Lowood Inc	\$ 1,426	\$ 713
<a href="#">1772278</a>	Lowood Show Society Inc	\$ 2,000	\$ 1,500

<a href="#">1774809</a>	The West Moreton Landcare Group Inc	\$ 5,500	\$ 3,250
<b>Total</b>		<b>\$24,812.30</b>	<b>\$ 13,713.00</b>

### Attachments

Individual applications for funding through the Community Assistance Grant scheme are attached for information only.

### Recommendation

THAT community assistance grants applications for round one (1) of 2025 - 2026 financial year as summarised in this report and set out in attached information only reports be approved  
for funding and \$13,713.00 plus in-kind support be granted through the Community Assistance Grants budget allocation; plus GST if applicable.

### Resolution

Moved – Cr Brieschke

Seconded – Cr Bishop

“THAT community assistance grants applications for round one (1) of 2025 - 2026 financial year as summarised in this report and set out in attached information only reports be approved  
for funding and \$13,713.00 plus in-kind support be granted through the Community Assistance Grants budget allocation; plus GST if applicable.”

Carried

*Vote - Unanimous*

## INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report

Subject: Community Assistance Grants 2025-2026 – Esk State School P and C Association

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1748814

Action Officer: CAG

### Background/Summary

To assist with hosting the Esk State School 150th anniversary fete.

Amount requested:	\$5,500 + 20 bins
Total cost of project:	\$30,095.00
Amount recommended to be granted:	\$1,500 Large scale event + in-kind support of 20 community bins

### Attachments

Nil

### Recommendation

THAT the application as summarised in this report be recommended for funding and \$1,500 Large scale event + in-kind support of 20 community bins be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with hosting the Esk State School 150th anniversary fete.

**INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report**

Subject: Community Assistance Grants 2025-2026 – Fernvale Community Church

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1771505

Action Officer: CAG

**Background/Summary**

To assist with hosting Fernvale Carols in the Park event.

Amount requested:	\$3,600
Total cost of project:	\$3,600
Amount recommended to be granted:	\$1,500 Large scale event

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$1,500 Large scale event be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with hosting Fernvale Carols in the Park event.

**INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report**

Subject: Community Assistance Grants 2025-2026 – Kilcoy District Progress Alliance

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1774496

Action Officer: CAG

**Background/Summary**

To assist with hosting a free sausage sizzle in Yowie Park for the official turning on of the Christmas lights.

Amount requested: \$761.80  
Total cost of project: \$761.80  
Amount recommended to be granted: \$750 Small scale event

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$750 Small scale event be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with hosting a free sausage sizzle in Yowie Park for the official turning on of the Christmas lights.

**INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report**

Subject: Community Assistance Grants 2025-2026 – Kilcoy Residents Special Events Association Inc

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1775597

Action Officer: CAG

**Background/Summary**

To assist with hosting the annual Kilcoy Christmas Carnival on Saturday 6 December.

Amount requested:	\$3,500 + 20 bins
Total cost of project:	\$24,318.04
Amount recommended to be granted:	\$3,000 Large scale regional event + in-kind support of 20 community bins

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$3,000 Large scale regional event + in-kind support of 20 community bins be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with hosting the annual Kilcoy Christmas Carnival on Saturday 6 December.

**INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report**

Subject: Community Assistance Grants 2025-2026 – Lions Club of Brisbane Valley Esk Inc

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1765320

Action Officer: CAG

**Background/Summary**

To assist with hosting the 'Lighting Up of Esk Christmas Tree'.

Amount requested:	\$2,524.50
Total cost of project:	\$3,524.50
Amount recommended to be granted:	\$1,500 Large Scale Event

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$1,500 Large Scale Event be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with hosting the 'Lighting Up of Esk Christmas Tree'.

**INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report**

Subject: Community Assistance Grants 2025-2026 – Lions Club of Lowood

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1774562

Action Officer: CAG

**Background/Summary**

To assist with purchasing items to assemble in care packages for locals going through cancer therapy.

Amount requested:	\$1,426.82
Total cost of project:	\$1,426.82
Amount recommended to be granted:	\$713.40

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$713.40 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with purchasing items to assemble in care packages for locals going through cancer therapy.



**INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report**

Subject: Community Assistance Grants 2025-2026 – Lowood Show Society Inc

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1772278

Action Officer: CAG

**Background/Summary**

To assist with prize money for the 2025 Lowood Rodeo.

Amount requested:	\$2,000
Total cost of project:	not given
Amount recommended to be granted:	\$1,500 Large Scale Event

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$1,500 Large Scale Event be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with prize money for the 2025 Lowood Rodeo.

**INFORMATION ONLY - SOMERSET REGIONAL COUNCIL - Officer's Report**

Subject: Community Assistance Grants 2025-2026 – The West Moreton Landcare Group Inc

File Ref: Community Relations – Sponsorships – Donations - Doc Id 1774809

Action Officer: CAG

**Background/Summary**

To assist with purchasing 2x 22500lt poly water tanks.

Amount requested:	\$5,500.00
Total cost of project:	\$6,500.00
Amount recommended to be granted:	\$3,250.00

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$3,250 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with purchasing 2x 22500lt poly water tanks.

**Declarable Conflict of Interest – Agenda Item 33 – Community Assistance Grants 2025-2026 – Glamorgan Vale Community Hall Association Incorporated – Cr Freese**

I inform this meeting that I have a declarable conflict of interest in this matter as defined by section 150EN of the Local Government Act 2009.

This declarable conflict of interest arises because I am an executive member of Glamorgan Vale Community Hall Association Inc.

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

Cr Freese left the meeting at 12.09pm.

<b>Subject:</b>	<b>Community Assistance Grants 2025-2026 – Glamorgan Vale Community Hall Association Inc</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations - Doc Id 1775099</b>
<b>Action Officer:</b>	<b>CAG</b>

### Background/Summary

To assist with the costs associated with hosting the annual Glamorgan Vale Christmas Carnival on the 30 November including the supply of 10 wheelie bins for the event.

Amount requested:	\$1,500.00 + in-kind support of 10 community bins
Total cost of project:	\$10,699.85
Amount recommended to be granted:	\$1,500.00 – Large scale event + in-kind support of 10 community bins

*Funding for events held within the Somerset Region will be considered at the following levels:*

**Small scale event up to \$750**

- o 100 or less patrons expected; or*
- o Restricted to a particular group of patrons (e.g. membership required)*

**Large scale event up to \$1,500**

- o 100 – 1000 patrons expected to attend*
- o The first annual event for a group/organisation*
- o Event will be advertised throughout the Somerset Region*

**Annual Agricultural Shows up to \$2,000**

- o Restricted to annual agricultural shows held within the Somerset Region.*

**Large scale regional event up to \$3,000**

- o An event with 1000 or more patrons expected*
- o Evidence of previous event success provided (i.e. not a first annual event). First or previous annual events are to have met the criteria of a large scale event.*
- o Unrestricted attendance*
- o Event will be advertised throughout the Somerset Region*

### Attachments

Nil

### Recommendation

THAT the application as summarised in this report be recommended for funding and \$1,500.00 – Large scale event + in-kind support of 10 community bins be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with hosting the annual Glamorgan Vale Christmas Carnival on the 30 November including the supply of 10 wheelie bins for the event.

### Resolution

Moved – Cr Jess

Seconded – Cr Bishop

“THAT the application as summarised in this report be recommended for funding and \$1,500.00 – Large scale event + in-kind support of 10 community bins be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the costs associated with hosting the annual Glamorgan Vale Christmas Carnival on the 30 November including the supply of 10 wheelie bins for the event.”

Carried

*Vote - Unanimous*

Cr Freese returned to the meeting at 12.10pm.

**Declarable Conflict of Interest - Cr Brieschke– Agenda Item 34 - Community Assistance Grants 2025-2026 - Mt Beppo Public Hall Committee and Agenda Item 35, Community Assistance Grants 2025 – 2026, Toogoolawah Christmas Tree (auspiced by the Toogoolawah & District Progress Assoc Inc)**

I inform this meeting I have a declarable conflict of interest in this matter (as defined in section 150EN of the Local Government Act 2009).

This declarable conflict of interest arises in agenda item 34 because I hold the position of Secretary on the executive committee of the Toogoolawah and District Progress Association Inc and the Association has provided a letter of support for this application and in agenda item 35 because I hold the position of Secretary on the executive committee of the Toogoolawah and District Progress Association Inc. of which the Toogoolawah Christmas Tree Committee is a sub committee.

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

Cr Brieschke left the meeting at 12.11pm.

<b>Subject:</b>	<b>Community Assistance Grants 2025-2026 – Mount Beppo Public Hall Committee</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations - Doc Id 1772094</b>
<b>Action Officer:</b>	<b>CAG</b>

**Background/Summary**

To assist with purchasing a commercial dishwasher for the kitchen of the Mount Beppo Public Hall.

Amount requested:	\$5,202.00
Total cost of project:	\$4,729.89
Amount recommended to be granted:	\$2,364.95

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$2,364.95 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with purchasing a commercial dishwasher for the kitchen of the Mount Beppo Public Hall.

**Resolution**

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT the application as summarised in this report be recommended for funding and \$2,364.95 be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with purchasing a commercial dishwasher for the kitchen of the Mount Beppo Public Hall.”

Carried

Vote - Unanimous

<b>Subject:</b>	<b>Community Assistance Grants 2025-2026 – Toogoolawah Christmas Tree (Auspiced by Toogoolawah &amp; District Progress Association)</b>
<b>File Ref:</b>	<b>Community Relations – Sponsorships – Donations - Doc Id 1775626</b>
<b>Action Officer:</b>	<b>CAG</b>

**Background/Summary**

To assist with the 2025 Toogoolawah Christmas Tree Carnival.

Amount requested:	\$3,000.00
Total cost of project:	\$51,397.30
Amount recommended to be granted:	\$3,000.00 Large scale regional event

*Funding for events held within the Somerset Region will be considered at the following levels:*

**Small scale event up to \$750**

- o 100 or less patrons expected; or*
- o Restricted to a particular group of patrons (e.g. membership required)*

**Large scale event up to \$1,500**

- o 100 – 1000 patrons expected to attend*
- o The first annual event for a group/organisation*
- o Event will be advertised throughout the Somerset Region*

**Annual Agricultural Shows up to \$2,000**

- o Restricted to annual agricultural shows held within the Somerset Region.*

**Large scale regional event up to \$3,000**

- o An event with 1000 or more patrons expected*
- o Evidence of previous event success provided (i.e. not a first annual event). First or previous annual events are to have met the criteria of a large scale event.*
- o Unrestricted attendance*
- o Event will be advertised throughout the Somerset Region*

**Attachments**

Nil

**Recommendation**

THAT the application as summarised in this report be recommended for funding and \$3000 Large scale regional event be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the 2025 Toogoolawah Christmas Tree Carnival subject to the necessary Somerset Regional Council approvals.

**Resolution**

Moved – Cr Jess

Seconded – Cr Hurley

“THAT the application as summarised in this report be recommended for funding and \$3000 Large scale regional event be granted through the Community Assistance Grants budget allocation; plus GST if applicable, to assist with the 2025 Toogoolawah Christmas Tree Carnival subject to the necessary Somerset Regional Council approvals.”

*Vote - Unanimous*

*Carried*

Cr Brieschke returned to the meeting at 12.13pm.

#### **Meetings authorised by Council**

Nil

#### **Mayor and Councillor Reports**

##### **Cr Brieschke – Councillor Report**

September

- 10 Council Ordinary meeting  
Council Workshop meeting
- 11 Esk Hospital Auxiliary Annual/General meeting, Somerset Civic Centre  
Meeting with residents regarding aged care service
- 16 Local Disaster Management meeting via Teams  
Somerset Schools Cup 2025, Toogoolawah State High School
- 17 Chat with a Councillor, Jimna
- 18 Citizenship Ceremony, Somerset Civic Centre  
Agritourism Mentoring Program Wrap Up, at Cumquats Australia, Mt Beppo. I was thoroughly impressed on the professionalism of the program and wanted to place on record my thanks to the organisers and the host for the event.
- 19 SE Qld Local Government Forum, Brisbane

##### **Cr Bishop – Councillor Report**

Apart from markets and informal community meetings...

September

- 13 Mayoral Gala Charity Ball
- 16-17 Somerset Garden Competition
- 18 Citizenship Ceremony at Somerset Civic Centre  
Agri Tourism Mentor Program Wrap Up
- 23 SRC Garden Competition Awards at Civic Centre

##### **Cr Jess – Councillor Report**

September

- 13 Mayoral Gala Charity Ball
- 16-17 Somerset Garden Competition  
Congratulations to the entrants of the Garden competition. The gardens were truly inspirational and the transformation of the gardens from last year to this have been outstanding. The reason behind those who garden makes me want to get out into the garden.
- 18 Regional Development Australia Ipswich and West Moreton Meeting
- 19 COMSEQ Local Government Forum
- 23 Somerset Garden Competition Awards Presentation

##### **Cr Freese – Councillor Report**

September

- 3 Councillor Community Chat at Fernvale Memorial Park
- 6 Back to Toogoolawah Markets
- 7 Community Movie Screening at Kilcoy Visitor Information Centre
- 13 Mayoral Gala Charity Ball at the Somerset Civic Centre

- 17 Councillor Community Chat at Jimna Base Camp
- 18 Citizenship Ceremony at Somerset Civic Centre  
Agri Tourism Mentor Program Wrap Up
- 19 2025 SEQ Local Government Forum Brisbane
- 23 SRC Garden Competition Awards at Civic Centre

### Cr Wendt – Councillor Report

The Mayor announced the receipt of notification from the Electoral Commission of Queensland the results of the Somerset Regional Council by-election as Stephanie Laycock.

<b>Resolution</b>	Moved – Cr Bishop	Seconded – Cr Hurley
	“THAT the verbal and written reports of Mayor Wendt and Councillors Brieschke, Bishop, Freese, Hurley and Jess be received.”	
	<i>Carried</i>	
	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

### Confidential Closed Session

<b>Resolution</b>	Moved – Cr Bishop	Seconded – Cr Freese
	“THAT Council in accordance with Section 254J(3)(g) move into a closed session to discuss agenda item 42 - Tender 1411 – Sale or Lease of Fernvale Site for the Establishment of a Private School at 12.20pm.”	
	<i>Carried</i>	
	Vote - Unanimous	

<b>Resolution</b>	Moved – Cr Bishop	Seconded – Cr Brieschke
	“THAT Council move out of a closed session at 12.38 pm and be once again open to the public.”	
	<i>Carried</i>	
	Vote - Unanimous	

<b>Subject:</b>	<b>Tender 1411 – Sale or Lease of Fernvale Site for the Establishment of a Private School</b>
<b>File Ref:</b>	<b>Council Properties - Planning - Fernvale School – Brouff Road Fernvale</b>
<b>Action Officer:</b>	<b>DCORP</b>

### Confidential Closed Session

In accordance with section 254J (1) of the *Local Government Regulation 2012* Council may close a council meeting to the public. Section 254J (3) states further, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its Councillors or members consider it necessary to close the meeting to discuss one or more of the following matters:

- (g) Negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

### Recommendation

THAT Council, in 2026, tender the sale or lease of the proposed school site at Fernvale being Lot 1 RP28833 and Lot 1 RP 141219 located on Brouff Road, and that the Tender be conditional upon:

1. A commitment by Council to the terms and conditions of the Sale Option including the Contract of Sale and Special Conditions, Deed of Covenant and Significant User Agreement and the terms and conditions of the Lease Option including Agreement to Lease, Lease and Significant User Agreement whichever option accepted by Council following a Tender process, and confirm that these documents form the basis of the Tender and any future negotiations with the successful Tenderer, subject to agreed amendments.
2. A commitment by Council to contribute 50 per cent of the total external infrastructure costs or \$5 million, whichever is lesser, subject to the education provider entering into an infrastructure agreement with Council and other terms considered reasonable by the Chief Executive Officer.
3. A commitment by Council to provide \$100,000 toward the preparation of a development permit for the Variation Approval and Material Change of Use Approval for the establishment of a school on Lot 1 on RP28833 and Lot 1 on RP 141219.
4. The price component of the Tender will be decided by an assessment of the annual contributions toward the operations and maintenance of the Fernvale Sports Park and a consideration of the proposed purchase price of Lot 1 on RP28833 and Lot 1 on RP 141219, should a Tender response be for the sale of the Lots.
5. The qualitative component of the Tender will be decided by utilising the data provided by the Tenderers through the Tender process.

### Resolution

Moved – Cr Bishop

Seconded – Cr Hurley



“THAT Council, in 2026, tender the sale or lease of the proposed school site at Fernvale being Lot 1 RP28833 and Lot 1 RP 141219 located on Brouff Road, and that the Tender be conditional upon:

1. A commitment by Council to the terms and conditions of the Sale Option including the Contract of Sale and Special Conditions, Deed of Covenant and Significant User Agreement and the terms and conditions of the Lease Option including Agreement to Lease, Lease and Significant User Agreement whichever option accepted by Council following a Tender process, and confirm that these documents form the basis of the Tender and any future negotiations with the successful Tenderer, subject to agreed amendments.
2. A commitment by Council to contribute 50 per cent of the total external infrastructure costs or \$5 million, whichever is lesser, subject to the education provider entering into an infrastructure agreement with Council and other terms considered reasonable by the Chief Executive Officer.
3. A commitment by Council to provide \$100,000 toward the preparation of a development permit for the Variation Approval and Material Change of Use Approval for the establishment of a school on Lot 1 on RP28833 and Lot 1 on RP 141219.
4. The price component of the Tender will be decided by an assessment of the annual contributions toward the operations and maintenance of the Fernvale Sports Park and a consideration of the proposed purchase price of Lot 1 on RP28833 and Lot 1 on RP 141219, should a Tender response be for the sale of the Lots.
5. The qualitative component of the Tender will be decided by utilising the data provided by the Tenderers through the Tender process.”

Carried

*Vote - Unanimous*

#### Closure of Meeting

##### **Summary**

There being no further business, the Mayor, Cr Jason Wendt closed the meeting at 12.40 pm.

## APPENDIX A



# Somerset

## REGIONAL COUNCIL

Policy Title	Policy, Procedure and Form Development Framework			
Policy Number	EX005			
Date of Adoption	**insert date of Council resolution			
Effective Date	**insert.			
Document Custodian	Governance and Business Improvement Officer			
Review Date	**insert.			
Associated Documents	EX010 Human Rights Policy C021 Style Guide HR001 Code of Conduct			
Relevant Legislation	<a href="#">Local Government Act 2009</a> <a href="#">Human Rights Act 2019</a> <a href="#">Code of Conduct for Councillors in Queensland</a> (s150D Local Government Act 2009)			
VERSION DETAILS (see end of document for Revision History)	Date of Council Decision	Decision Notice (Doc Id.)	Effective Date	Notes
Original Adoption	**insert.	**insert.	**insert.	Changes in work practices

## 1. PURPOSE

The purpose of this policy is to establish the framework for a corporate approach to developing and reviewing *Policies, Procedures, Protocols* and *Forms*. It will provide guidance on the the approval process and instructions on how to develop and review these on an ongoing basis.

## 2. SCOPE

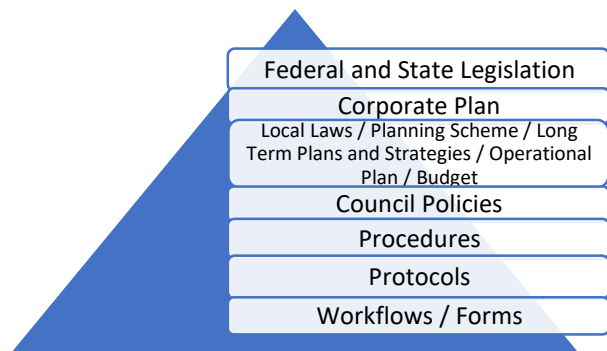
All *Policies, Procedures, Protocols* and *Forms* must be developed, actioned, monitored and reviewed in accordance with this policy.

This policy does not apply to documents specified in the P-486 WHS Document Control WHS System Procedure.

## 3. HIERARCHY OF CORPORATE DOCUMENTS

The hierarchy of *Corporate Documents* is demonstrated in Figure 1 – Hierarchy of Corporate Documents.

For example, where there is conflict with an Act or Regulation, the legislation overrides the *Policy* or *Procedure*. Where there is conflict with a *Policy*, the *Policy* overrides the *Procedure*.



## 4. DOCUMENT TYPES – DEFINITION AND ROLE

### 4.1 Policies

*Policies* are strategic documents adopted by Council, have high level direction, a long-term focus and are applied across Council as a whole. They support quality outcomes and reduce risk by establishing standards and internal controls.

*Policies* set out principles for Council's activities derived from the Local Government Principles<sup>1</sup>, legislation, national or industry standards, best practice, community expectations and Council's Corporate Plan.

It is the role of *Policy* to:

- set standards and a position of Council;
- ensure compliance with legal and statutory responsibilities;
- guide Council towards achieving the key outcomes in its Corporate Plan;
- provide a framework for consistent, transparent decision making;
- guide *Elected Members* and *Staff* when undertaking Council business;
- improve the management of risk.

*Policies* support efficient, consistent decision making for recurring matters. They are long-term in nature and not intended for reactive or one-off decisions. A *Policy* sets Council's position but does not prescribe detailed actions, as these are addressed in *Procedures*.

### 4.2 Procedures

*Procedures*, adopted by the *CEO*, describe how a *Policy* is implemented and set required standards of operation. Where possible, they are developed as *Workflows* in

<sup>1</sup> [s4](#), Local Government Act 2009.

Council's *EDRMS*. A *Procedure* identifies processes to follow, roles and responsibilities, required approvals, forms or documents to use and timeframes.

#### **4.3 Protocols**

*Protocols*, adopted by the relevant *Director*, provide step by step instructions for tasks or role requirements. They may apply to all *Staff*, specific teams or individual positions.

#### **4.4 Forms**

Forms, usually linked to a *Procedure* or *Protocol*, capture information required to complete a process or task. They are approved by the *CEO* or relevant *Director*.

### **5. PRINCIPLES OF CORPORATE DOCUMENT DEVELOPMENT**

#### **5.1 Content**

Content will:

- be consistent with and support the achievement of the core values and strategic goals outlined in Council's Corporate Plan,
- ensure a single core value or strategic goal is not upheld at the expense of another,
- ensure compliance with legislative and industry requirements
- be consistent with Council's resolutions
- provide transparent and effective decision-making processes in the public interest
- clearly articulate expectations and accountability
- clearly assign responsibility for actions and outcomes
- provide for sustainable development and management of assets and infrastructure
- show due consideration of risk mitigation
- consider precautionary measures in order to minimise potential harm
- show consideration and regard for any potential limitations on human rights (refer to EX010 Human Rights Policy)
- align with related *Corporate Documents*, including *Directly Related Documents* and *Associated Documents*
- be written in clear, concise English
- include in the definitions section a clear description of terminology, or a reference to the legislated definition relied upon.

#### **5.2 Functionality**

*Corporate Documents* will be developed so that their content is functionally grouped and identifiable as a suite of documents.

A *Document Custodian* will be designated for all *Corporate Documents*. The *Document Custodian* responsible for a *Policy* will also be responsible for all *Directly Related Documents* to ensure a wholistic and practical approach to policy implementation is undertaken.

The *Document Custodian* responsible for a *Protocol* must have particular knowledge of content to be included in a new or amended *Protocol* due to the nature of their role and duties as outlined in their position description and in accordance with Council's Organisational Structure.

It is the responsibility of the *Document Custodian* to assess any areas of overlap, contradiction, or integration with other existing or draft *Associated Documents* and to find a solution to these with the designated *Document Custodians* for the *Associated Documents*.

*Registers* may need to be developed or maintained to support functions outlined in a *Corporate Document*. These will be listed in the *Corporate Document Register* with a designated custodian/s.

## 6. STAGES OF DEVELOPMENT

The five stages of development are:

<b>Stage 1 – Needs Identification</b>
This stage includes identifying the matter to be addressed and seeking authority to proceed. The need for a <i>Corporate Document</i> may arise for the following reasons: <ul style="list-style-type: none"> <li>- as a result of legislation</li> <li>- a directive from Council, <i>CEO</i> or <i>Directors</i></li> <li>- to formalise a strategic position or program</li> <li>- to mitigate risk</li> <li>- address a gap in knowledge or</li> <li>- introduce a new system or function.</li> </ul>
<b>Stage 2 – Development</b>
This stage incorporates research, drafting documents (including supporting documents), consultation and consideration of human rights. Consideration should also be given to identifying how the effectiveness or 'success' of the <i>Corporate Document</i> will be measured as collection of data can assist with decision making, as well as <i>Policy</i> and <i>Procedure</i> review.
<b>Stage 3 – Endorsement</b>
This stage includes notifying the stakeholders of the requirement to evaluate the final draft of the <i>Corporate Document</i> and submitting it for approval. <i>Policies</i> are to be adopted by Council at an <i>Ordinary Council Meeting</i> . <i>Procedures</i> , <i>Protocols</i> and associated <i>Form/s</i> are to be endorsed by the <i>CEO</i> or relevant <i>Director</i> .
<b>Stage 4 – Implementation</b>
This stage is ongoing and includes such activities as activating the <i>Corporate Document</i> , notification, distribution, awareness and education. The <i>Document Custodian</i> is responsible for any reporting responsibilities identified, unless otherwise stated in the <i>Corporate Document</i> .
<b>Stage 5 – Review</b>
The review date will be a maximum of three (3) years from the date of adoption or approval. The <i>Document Custodian</i> is responsible for completing the review process prior to the scheduled review date. At a minimum, each <i>Directly Related Document</i> will be reviewed when the <i>Policy</i> is due for review. However, more frequent review of <i>Procedures</i> and <i>Protocols</i> is encouraged in order to incorporate operational efficiencies and improvements. <b>MORATORIUM – The scheduled review date will be applied to <i>Corporate Documents</i> adopted after this policy takes effect. This moratorium will be removed upon the completion of the Policy Review Strategy proposed outcomes.</b>

## 7. REPORTING

The specific measures that will determine the success and effectiveness of the policy include:

### *Quarterly*

The *Corporate Document Register Custodians* will prepare content for a report submitted to the quarterly Team Somerset Management Committee meeting. This report will include:

EX005 Policy Framework

Effective Date: **\*\*/\*\*/\*\*\*\***

Review Date: **\*\*/\*\*/\*\*\*\***

- how many documents are current, within 6 months of their review period expiring, or overdue for review
- contributions from the *Document Custodians* with identified reporting responsibilities
- outline feedback received e.g. identified inconsistencies in practice or with other documents, proposed improvements, suggested amendments for consideration, etc.

#### *Annually*

The *Corporate Document Register Custodians* will prepare content for the July Corporate and Community Services monthly report to be presented at the *Ordinary Council Meeting*, which collates the data submitted in the Team Somerset Management Committee quarterly reports during the previous financial year.

## 8. DEFINITIONS

Term	Definition
<i>Associated Documents</i>	are the policies, procedures, forms, registers and any other document that share related content or integrate with another.
<i>CEO</i>	the Chief Executive Officer of Somerset Regional Council
<i>Corporate Document/s</i>	include <i>Policies, Procedures, Protocols, Forms, Registers</i> and <i>Workflows</i> .
<i>Corporate Document Register</i>	means EX005-R-01 Corporate Document Register
<i>Corporate Document Register Custodian/s</i>	EA to the Mayor and Chief Executive Officer and Governance and Business Improvement Officer
<i>Director/s</i>	include Director Planning and Development, Director Operations, Director HR and Customer Service, Director Corporate and Community Services and Chief Financial Officer
<i>Directly Related Documents</i>	are the procedures, forms, registers and any other document that are directly created or maintained to support the implementation of a <i>Policy</i> .
<i>Document Custodian</i>	the designated position responsible for a <i>Corporate Document/s</i> .
<i>Elected Members</i>	the Mayor, Deputy Mayor and Councillors.
<i>EDRMS or Electronic Document Records Management System</i>	is MagiQ Documents software.
<i>Form/s</i>	are a means of seeking and obtaining information required to complete a process, function or task.
<i>Ordinary Council Meeting</i>	is the public meeting of Council that occurs at least once each month (usually fortnightly). <sup>2</sup>

<sup>2</sup> [s257 of the Local Government Regulation 2012](#). Note that there may be some instances in which [s254J of the Local Government Regulation 2012](#) apply.

<i>Policy / Policies</i>	are strategic documents adopted by Council, have high level direction, a long-term focus and are applied across Council as a whole.
<i>Procedure/s</i>	outline how a <i>Policy</i> is implemented at an operational level and / or prescribe an expected standard of operation or output.
<i>Protocol/s</i>	provide step by step, detailed information on how to perform a function (in what order), complete a task, or perform a role requirement.
<i>Register/s</i>	a document containing information or data that is developed or maintained to support functions outlined in a <i>Corporate Document</i> .
<i>Staff</i>	includes a person employed by Somerset Regional Council on a permanent, temporary or casual basis and, also, includes a person engaged to perform standard employee functions under a contract for services (e.g. contractor, consultant, etc.).
<i>Workflow/s</i>	a function available within Council's <i>EDRMS</i> , which progresses a matter through various actionable steps until completion. These steps may include instructions on how to complete the step, and may be actioned by a nominated member of <i>Staff</i> , multiple <i>Staff</i> , or specified teams.

## 9. ENDORSEMENT

This policy was adopted by the Somerset Regional Council at the Ordinary Meeting of **\*\*insert date** and has subsequently been endorsed for application from **\*\*insert effective date** by the Chief Executive Officer.

Signed: ..... Date: .....  
Name: .....  
Title: Chief Executive Officer

## 10. REVISION HISTORY

REVISION HISTORY	Date of Council Decision	Decision Notice (Doc Id.)	Effective Date	Notes
Originally adopted by Council (date)	<b>**insert.</b>	<b>**insert.</b>	<b>**insert.</b>	Changes in work practices



## APPENDIX B



# Somerset

## REGIONAL COUNCIL

<b>Policy Title</b>	Child Safety Policy			
<b>Policy Number</b>	C006			
<b>Date of Adoption</b>	24 September 2025			
<b>Effective Date</b>	1 October 2025			
<b>Document Custodian</b>	Director Corporate and Community Services			
<b>Review Date</b>	30 September 2028			
<b>Associated Documents</b>	C018 Administration Action Complaints Policy EX007 Investigation Policy EX010 Human Rights Policy HR001 Code of Conduct HR013 Recruitment and Selection Policy <a href="#">Code of Conduct for Councillors in Queensland</a>			
<b>Relevant Legislation</b>	<a href="#">Child Protection Act 1999</a> <a href="#">Child Safe Organisations Act 2024</a> <a href="#">Criminal Code Act 1899</a> <a href="#">Working With Children (Risk Management and Screening) Act 2000</a> <a href="#">Working With Children (Risk Management and Screening) Regulation 2011</a> <a href="#">Workplace Health and Safety Act 2011</a>			
<b>VERSION DETAILS</b> (see end of document for Revision History)	<b>Date of Council Decision</b>	<b>Decision Notice (Doc Id.)</b>	<b>Effective Date</b>	<b>Notes</b>
<b>Original Adoption</b>	24 September 2025		1 October 2025	Legislative changes. Replacing C036 Working with Children Policy (Doc Id. 1509229).

## 1. PURPOSE

*Children* are an integral part of our community and Somerset Regional Council (Council) provide various spaces, services, activities and events for *Children*.

Council aims to provide a safe environment that protects and promotes the rights, interests and wellbeing of all *Children*. This is supported through Council's approach to the development and delivery of spaces, services, activities and events, embedding *Child Safety* in organisational culture and governance, consistent demonstration of a safe and respectful culture and by adhering to the requirements of relevant regulatory authorities.

Council is committed to the *Universal Principal* and *Child Safe Standards*. The purpose of this policy is to implement *Child safe* practices throughout Council that are guided by the *Universal Principal* and *Child Safe Standards*.

## 2. SCOPE

This policy applies to *Elected Members, Staff, Volunteers* and *Contingent Workers* that have *Direct Contact* and *Indirect Contact* with *Children*.

Examples of Council activities or business that involve *Direct Contact* with *Children* include the delivery of services, activities and events for *Children* and Council activities or business that involve contact with *Children*.

Activities or business that involve *Indirect Contact* with *Children* include decision making, development, planning and other activities across Council where *Child Safety* is recognised as a shared responsibility that is prioritised and regularly reviewed to support a culture of safety, respect and consistency.

## 3. GUIDING PRINCIPLES

Council observes the *Universal Principal* and *Child Safe Standards* to foster *Child Safety* and wellbeing. The 10 *Child Safe Standards* are:

1. Leadership and Culture: Child safety and wellbeing is embedded in the entity's organisational leadership, governance and culture
2. Voice of Children: Children are informed about their rights, participate in decisions affecting them and are taken seriously
3. Family and Community: Families and communities are informed and involved in promoting child safety and wellbeing
4. Equity and Diversity: Equity is upheld and diverse needs respected in policy and practice
5. People: People working with children and young people are suitable and supported to reflect child safety and wellbeing values in practice
6. Complaints Management: Processes to respond to complaints and concerns are child focused
7. Knowledge and Skills: Staff and volunteers of the entity are equipped with the knowledge, skills and awareness to keep children safe through ongoing education and training
8. Physical and Online Environments: Physical and online environments promote safety and wellbeing and minimise the opportunity for children to be harmed

9. Continuous Improvement: Implementation of the Child Safe Standards is regularly reviewed and improved
10. Policy and Procedures: Policies and procedures document how the entity is safe for children.<sup>1</sup>

#### 4. STATEMENT OF COMMITMENT

Council is committed to *Child Safety*.

*Elected Members, Staff, Volunteers and Contingent Workers* of Council will treat all *Children* with respect and understanding and will work together to ensure *Child Safety* is a shared responsibility.

#### 5. CODE OF CONDUCT

The [Code of Conduct for Councillors in Queensland](#) and Council's HR001 Code of Conduct are the guiding documents for the standard of conduct towards *Children*. In addition, those working directly and indirectly with *Children* must be aware of Council's standards of appropriate conduct, as outlined in the *Child Safety Procedures*, as well as relevant sections of the *Child Safety Procedures* as appropriate to individual roles.

##### **C006-P-01 Child Safety Procedures – Suspicions or Disclosures of Harm**

This document outlines the appropriate course of action following a reasonable suspicion or disclosure of *Harm*. Note that the *Child Protection Act 1999* and the *Criminal Code Act 1899* form the standard for *Child* protection practice direction, along with advice from the Queensland Government<sup>2</sup>.

##### **C006-P-02 Child Safety Procedures.**

This procedure must be considered and implemented when planning and undertaking services, activities and events that are attended by *Children* (including those that are open to the entire community). This procedure includes details about appropriate conduct and handling of complaints.

*Contingent Workers* who attend spaces, services, activities or events that may include *Children* must be aware of this policy, the *Child Safety Procedures* and Council's commitment to *Child Safety*. Such *Contingent Workers* will be expected to act as appropriate role models to all *Children* in character, conduct, language and respectful relationships.

#### 6. IMPLEMENTATION AND TRAINING

Council will provide adequate support to *Elected Members, Staff, Volunteers and Contingent Workers* to demonstrate a commitment to *Child Safety*. This will include:

1. Recruitment and selection processes will be in line with existing Council policies and follow legislative requirements (refer HR013 Recruitment and Selection Policy).
2. All *Elected Members, Staff, Volunteers and Contingent Workers* must adhere to C006 Child Safety Policy in recognition of the role everyone plays in *Child Safety*.

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<sup>1</sup> [s9](#), *Child Safe Organisations Act 2024*.

<sup>2</sup> As at 19 August 2025, administered by the Department of Families, Seniors, Disability Services and Child Safety.

3. All *Elected Members, Staff and Volunteers* will adhere to induction processes that include Council's C006 Child Safety Policy and *Child Safety Procedures*.
4. *Contingent Workers* of Council will be informed of their obligations to *Child Safety* through Contractor/Vendor documents and be made aware of the C006 Child Safety Policy and *Child Safety Procedures*.
5. *Elected Members, Staff, Volunteers and Contingent Workers* of Council who have any form of *Direct Contact* with *Children* in their role will adhere to regulatory authority requirements as necessary.
  - a) Relevant persons are required to hold and produce an original *Blue Card* for verification by Council. A *Blue Card* must be provided prior to commencing any work with *Children*. *Blue Cards* held by Council *Elected Members, Staff and Volunteers* must be linked to Council as per Blue Card Services requirements. Note that:
    - i. not all environments involving *Children* will require a person to hold a *Blue Card*;
    - ii. where a person is likely to work with *Children* for more than 7 days per calendar year, a *Blue Card* must be sought immediately<sup>3</sup>; and
    - iii. members of Council's Executive Leadership Team must obtain a *Blue Card*.
  - b) Council will keep a register of *Blue Card* details of *Elected Members, Staff, Volunteers* and will ensure *Blue Cards* remain current (C006-R-01 Queensland Working with Children Check Blue Card Register).
  - c) Where *Contingent Workers* work directly with *Children*, Council *Staff* will be responsible for ensuring *Blue Card* details are provided and will register these details, as well as the details of when the *Contingent Worker* worked with *Children* in Council's *Electronic Document Records Management System*.
6. *Elected Members, Staff and Volunteers* of Council will receive appropriate training regarding *Child Safety* on an ongoing basis. Training should aim to support:
  - appropriate responses to complaints and concerns of *Child* abuse and neglect;
  - embedding *Child Safety* in organisational leadership, governance and culture;
  - the reflection of *Child Safety* values in practice; and
  - the overall safety of *Children* with consistent demonstration of a safe and respectful culture.

## 7. BREACHES OF POLICY

*Elected Members, Staff, Volunteers and Contingent Workers* who interact with *Children* will be responsible for complying with this policy, *Child Safety Procedures* and relevant Codes of Conduct. Breaches will be acted upon as appropriate to their role.

For *Elected Members*, breaches will be considered under the [Code of Conduct for Councillors in Queensland](#) and the EX007 Investigation Policy.

For *Staff, Volunteers and Contingent Workers*, breaches will be considered under the HR001 Code of Conduct and the C018 Administration Action Complaints Policy and acted upon as follows:

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<sup>3</sup> [s156](#), *Working with Children (Risk Management and Screening) Act 2000*; The State of Queensland, *Blue cards for local government* (published 22 July 2025) < [Blue cards for local government | Your rights, crime and the law | Queensland Government](#) >.

1. Where it is considered that a minor infringement has been made, the person will be informed by their immediate supervisor of the infringement and reminded of the correct procedure.
2. Continual minor infringements are to be brought to the notice of the Director Corporate and Community Services and may result in suspension of duties and involvement.
3. Any major infringement must be brought to the notice of the Chief Executive Officer immediately. The person may be suspended from their position, duties and involvement.
4. Where the infringement involves acts of an illegal nature the matter will be referred to the responsible authority for investigation, and the person suspended from their position immediately. Verified illegal acts will result in termination of employment/work.
5. All staff will have the right of natural justice; the right to defend any allegations made against them and to have their employment and/or involvement protected from unproven allegation. Notwithstanding the principles of natural justice, Council will adopt a “*Child Safety* first” approach and will suspend any worker’s involvement if there is an unacceptable risk.

## 8. DEFINITIONS

Term	Definition
<i>Blue Card/s</i>	is a Queensland Working With Children Check blue card, which is administered by the Queensland Government Blue Card Services.
<i>Child / Children</i>	An individual or individuals under 18 years.
<i>Child Safety Procedures</i>	include C006-P-01 Child Safety Procedure – Suspicions or Disclosures of Harm, C006-P-02 Child Safety Procedure and C006-P-03 Child and Youth Risk Management Strategy, as amended from time to time.
<i>Child Safe Standards</i>	as per definition in the <i>Child Safe Organisations Act 2024</i> . <sup>4</sup>
<i>Child Safety</i>	as defined by Queensland Family and Child Commission (QFCC), refers to the preservation and protection of children’s safety, wellbeing and cultural safety in its broadest sense. <sup>5</sup>
<i>Contingent Worker/s</i>	refers to any contractor, vendor or other person employed by, or working at the request of, Somerset Regional Council at a service, activity or event.
<i>Direct Contact</i>	refers to involvement with supervising <i>Children</i> or having direct contact with <i>Children</i> during any service, activity or event that is targeted at <i>Children</i> and that are not open to the entire community; such work would require a <i>Blue Card</i> .
<i>Elected Members</i>	the Mayor, Deputy Mayor and Councillors.

<sup>4</sup> [s9](#) and [Schedule 3 Dictionary](#), *Child Safe Organisations Act 2024*.

<sup>5</sup> Queensland Family and Child Commission: Child Safe Organisations, *Guidelines for implementing the Universal Principle and Child Safe Standards Queensland* (published 28 April 2025), The State of Queensland < [Guidelines for implementing the Universal Principle and Child Safe Standards in Queensland](#) >.

<i>Electronic Records System or EDRMS</i>	is MagiQ Documents software.
<i>Harm</i>	has the same meaning as defined in the <i>Child Protection Act 1999</i> . <sup>6</sup>
<i>Indirect Contact</i>	refers to not directly supervising or engaging with <i>Children</i> . This might include involvement in decision making, development and planning across Council.
<i>Staff</i>	includes a person employed by Somerset Regional Council on a permanent, temporary or casual basis and, also, includes a person engaged to perform standard employee functions under a contract for services (e.g. contractor, consultant, etc.).
<i>Universal Principal</i>	as per definition in the <i>Child Safe Organisations Act 2024</i> . <sup>7</sup>
<i>Volunteer/s</i>	A person who provides time, skills and service to Council without financial payment other than the option to claim reimbursement of out of pocket expenses in accordance with Council's C017 Volunteer Reimbursement Policy.

## 9. ENDORSEMENT

This policy was adopted by the Somerset Regional Council at the Ordinary Meeting of 24 September 2025 and has subsequently been endorsed for application from 1 October 2025 by the Chief Executive Officer.

Signed: ..... Date: .....

Name: .....

Title: Chief Executive Officer

<sup>6</sup> [Schedule 3 Dictionary](#) and [s9](#), *Child Protection Act 1999*.

<sup>7</sup> [s11\(2\)](#) and [Schedule 3 Dictionary](#), *Child Safe Organisations Act 2024*.

## 10. REVISION HISTORY

REVISION HISTORY	Date of Council Decision	Decision Notice (Doc Id.)	Effective Date	Notes
Original Adoption	24 September 2025		1 October 2025	Legislative changes. Replacing C036 Working with Children Policy (Doc Id. 1509229).



## APPENDIX C



# Somerset

## REGIONAL COUNCIL

Policy Title	Human Rights Policy			
Policy Number	EX010			
Date of Adoption	*insert			
Effective Date	*insert			
Document Custodian	Chief Executive Officer			
Review Date	*insert			
Associated Documents	C006 Child Safety Policy C014 Local Law Making Process Policy C018 Administration Action Complaints Policy C028 Complaints About the Public Official Policy EX005 Policy, Procedure and Form Development Framework EX007 Investigation Policy			
Relevant Legislation	Human Rights Act 2019			
VERSION DETAILS (see end of document for Revision History)	Date of Council Decision	Decision Notice (Doc Id.)	Effective Date	Notes
Originally adopted by Council (date)	*insert	*insert	*insert	Review of legislative compliance with Human Rights Act 2019.

## 1. PURPOSE

The purpose of this policy is to assist all areas of Council with meeting our *Human Rights* obligations. This includes:

- protecting and promoting *Human Rights* by ensuring that *Human Rights* are considered when making, interpreting and applying laws, developing policies, and providing services to our community; and
- giving proper consideration to *Human Rights* when making decisions and
- managing *Human Rights* complaints in accordance with legislative requirements.

## 2. SCOPE

This policy applies to all *Elected Members* and *Staff*.

It should be noted that the *Human Rights Act 2019* specifies that all individuals in Queensland have *Human Rights*<sup>1</sup>. A corporation does not have *Human Rights*<sup>2</sup>.

## 3. PROPER CONSIDERATION OF HUMAN RIGHTS

The *Human Rights Act 2019* (the Act) requires Council, as a *Public Entity*, to act, decide and make *Statutory Provisions* in a way *Compatible with Human Rights*. An act, decision or *Statutory Provision* is *Compatible with Human Rights* if the act, decision or provision:

- does not limit a *Human Right*; or
- limits a *Human Right* only to the extent that is reasonable and demonstrably justifiable in accordance with section 13 of the Act<sup>3</sup>.

It is unlawful for a *Public Entity* to act or make a decision that is not *Compatible with Human Rights*, or fail to give proper consideration to a *Human Right* relevant to the decision<sup>4</sup>. Council must be able to demonstrate proper consideration was given to *Human Rights* at the time of making the decision and show evidence of proper consideration<sup>5</sup>. A higher standard of consideration is expected when the decision will significantly impact a number of people<sup>6</sup>. To assist in meeting this requirement, EX010-F-01 Documentation of Human Rights Considerations, should be completed and considered by each party to the decision and registered to Council's *EDRMS* when making decisions to adopt:

- Council's corporate plan
- planning scheme and amendments
- long term plans and strategies
- a local law or subordinate local law
- operational plan
- budget
- a *Policy*
- a *Procedure*.

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<sup>1</sup> s11, [Human Rights Act 2019](#).

<sup>2</sup> s11, [Human Rights Act 2019](#).

<sup>3</sup> s8, [Human Rights Act 2019](#).

<sup>4</sup> s58, [Human Rights Act 2019](#).

<sup>5</sup> Queensland Human Rights Commission (2024). *Conduct of public entities: Proper consideration*. Retrieved from < [QHRC : Giving proper consideration to human rights](#) > on 11 June 2025.

<sup>6</sup> Queensland Human Rights Commission (2024). *Conduct of public entities: Proper consideration*. Retrieved from < [QHRC : Giving proper consideration to human rights](#) > on 11 June 2025.

For clarity, each party to a decision for the above documents includes each individual *Elected Member*, with the exception of a *Procedure* which will be decided by the *CEO*.

If *Human Rights* are properly considered when a *Policy* or *Procedure* are made, it may be sufficient to properly apply the *Policy* or *Procedure*<sup>7</sup>.

#### **4. HUMAN RIGHTS COMPLAINTS**

Under the Act, an individual who believes a *Public Entity* has breached their *Human Rights* obligations has the right to complain<sup>8</sup>. There are two ways a person can make a complaint:

- direct to Council;
- with the Queensland Human Rights Commission.

An individual must first raise a complaint directly with Council<sup>9</sup>. Upon receipt of the complaint, the *Human Rights* complaint *Workflow* will commence and the *Complaints Register Custodian* will send the complaint to an appropriate *Director/s* for action.

A record of the complaint will be entered into Council's Complaints Register.

##### **4.1 Direct to Council**

For efficacy, it is recommended that *Human Rights* complaints to Council:

- be written
- state the complainant's name and address for service; and
- include enough details to indicate the alleged contravention.

*Directors* are responsible for oversight, investigation and responding to complaints with their teams, having regard to the relevant area of operation and expertise.

Council has 45 business days to respond to the complaint<sup>10</sup>.

If the complaint has not been responded to, or the individual is not satisfied with Council's response, a formal complaint can be made to the Queensland Human Rights Commission (QHRC).

##### **4.2 Queensland Human Rights Commission (QHRC)**

A person may only make a *Human Rights* complaint to the commissioner if:

- the person has made a complaint to the *Public Entity*
- at least 45 business days have lapsed since the complaint was made to the *Public Entity*
- the person has not received a response, or has received a response the person considers to be inadequate<sup>11</sup>.

A *Human Rights* complaint referred to the commissioner must:

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<sup>7</sup> Queensland Human Rights Commission (2024). *Conduct of public entities: Proper consideration*. Retrieved from < [QHRC : Giving proper consideration to human rights](#) > on 11 June 2025.

<sup>8</sup> Part 4, Division 2 Human rights complaints, [Human Rights Act 2019](#).

<sup>9</sup> s65, [Human Rights Act 2019](#).

<sup>10</sup> s65(1)(b), [Human Rights Act 2019](#).

<sup>11</sup> s65, [Human Rights Act 2019](#).

- be written
- state the complainant's name and address for service; and
- include enough details to indicate the alleged contravention<sup>12</sup>.

Further information relating to QHRC's complaint process is available: <https://www.qhrc.qld.gov.au>.

It should be noted that a proceeding for an offence against the *Human Rights Act 2019* is by way of summary proceeding under the *Justices Act 1886* on complaint of the commissioner, or a person authorised by the commissioner for that purpose.<sup>13</sup>

## 5. REPORTING

The specific measures that will determine the success and effectiveness of the policy include:

- completion of training by *Elected Members* and *Staff* that builds understanding of the requirements of the *Human Rights Act 2019*, to be undertaken upon commencement of new *Staff* or *Elected Members* and after each review of this policy (every 3 years);
- the number of *Human Rights* complaints received and how long it takes to respond to the complaint.

### Quarterly

The *Complaints Register Custodians* will prepare content for a report submitted to the quarterly Team Somerset Management Committee meeting. This contribution will include:

- percentage of *Staff* and *Elected Members* required to undertake the training module
- percentage of *Staff* and *Elected Members* that completed the training module (establishes compliance with training requirements)
- percentage of correct / incorrect answers given during completion of the training module, where possible (establishes understanding of content)
- the number of EX010-F-01 Documentation of Human Rights Consideration forms completed as part of a decision making process (establishes compliance with legislative requirements)
- the number of *Human Rights* complaints received, and how long is taken to respond to the complaint (establishes compliance with legislative requirements).

### Annually

The *Complaints Register Custodians* will prepare content for the Corporate and Community Services July monthly report to be presented at the Ordinary Council meeting, which collates the data submitted in the quarterly reports submitted to the Team Somerset Management Committee the previous financial year (establishes effectiveness of contents and ability to implement).

## 6. DEFINITIONS

Term	Definition
CEO	the Chief Executive Officer of Somerset Regional Council
Compatible with Human Rights	as per definition in the <i>Human Rights Act 2019</i> <sup>14</sup> .

<sup>12</sup> s67, [Human Rights Act 2019](#).

<sup>13</sup> s101, [Human Rights Act 2019](#); s226 [Anti-Discrimination Act 1991](#).

<sup>14</sup> s8, [Human Rights Act 2019](#).

<i>Complaints Register Custodians</i>	Executive Assistant to the Mayor and CEO and Governance and Business Improvement Officer
<i>Director/s</i>	include Director Planning and Development, Director Operations, Director HR and Customer Service, Director Corporate and Community Services and Chief Financial Officer
<i>Elected Members</i>	the Mayor, Deputy Mayor and Councillors
<i>Electronic Document Records Management System or EDRMS</i>	is MAGIQ Documents software.
<i>Human Right/s</i>	as per definition in the <i>Human Rights Act 2019</i> <sup>15</sup> .
<i>Policy / Policies</i>	are strategic documents adopted by Council, have high level direction, a long-term focus and are applied across Council as a whole.
<i>Procedure/s</i>	outline how a <i>Policy</i> is implemented at an operational level and / or prescribe an expected standard of operation or output.
<i>Public Entity</i>	as per definition in the <i>Human Rights Act 2019</i> <sup>16</sup> .
<i>Staff</i>	includes a person employed by Somerset Regional Council on a permanent, temporary or casual basis and, also, includes a person engaged to perform standard employee functions under a contract for services (e.g. contractor, consultant, etc.).
<i>Statutory Provision/s</i>	as per definition in the <i>Human Rights Act 2019</i> <sup>17</sup>
<i>Workflow/s</i>	a function available within Council's <i>EDRMS</i> , which progresses a matter through various actionable steps until completion. These steps may include instructions on how to complete the step and may be actioned by a nominated member of <i>Staff</i> , multiple <i>Staff</i> , or specified teams.

## 7. ENDORSEMENT

This policy was adopted by the Somerset Regional Council at the Ordinary Meeting of **\*insert date** and has subsequently been endorsed for application from **\*insert effective date** by the Chief Executive Officer.

Signed: .....

Date: .....

Name: .....

Title: Chief Executive Officer

<sup>15</sup> s7, [Human Rights Act 2019](#).

<sup>16</sup> s9, [Human Rights Act 2019](#).

<sup>17</sup> 'statutory provision', Schedule 1 Dictionary, [Human Rights Act 2019](#); 'statutory instrument', Schedule 1 Meaning of commonly used words and expressions, [Acts Interpretation Act 1954](#); 'statutory instrument', s7, [Statutory Instruments Act 1992](#).

## 8. REVISION HISTORY

REVISION HISTORY	Date of Council Decision	Decision Notice (Doc Id.)	Effective Date	Notes
Originally adopted by Council (date)	*insert	*insert	*insert	Review of legislative compliance with <i>Human Rights Act 2019</i> .

## APPENDIX D



## **Terms of Reference**

### **Fernvale Recreation Grounds Advisory Committee**

#### **Purpose**

Fernvale Recreation Grounds Advisory Committee (the Committee) is established, as an advisory committee, in accordance with Section 264 of the Local Government Regulation 2012.

The purpose of the Committee is:

- to provide advice to Council on matters concerning the operation, maintenance and development of the Fernvale Recreation Grounds, also known as Col Powell Park (32 Banks Creek Road, Fernvale); and
- to assist Council coordinating activities and resolving issues between stakeholders and / or other users.

#### **Membership**

The membership of the Committee shall comprise:

- Two (2) elected representatives of the Council
- Two (2) representatives of the Fernvale Campdraft Association Inc.
- Two (2) representatives of the Lowood Fernvale District Hack & Pony Club

A Council representative shall chair the meeting. Observers may attend by invitation.

#### **Delegated Powers**

The Committee has no delegated powers or decision-making authority. Furthermore, section 257 of the *Local Government Act 2009* does not allow for such delegation.

The Committee proposes recommendations to the Council. Council retains the decision-making authority.

Council's decision-making authority may be exercised by the Ordinary Meeting of Council, the Chief Executive Officer or an officer with the appropriate delegation / functional responsibility.

#### **Frequency of Meetings**

The Committee shall meet, as a minimum, on a six (6) monthly basis. The time, date and location of meetings shall be determined by the Committee.

#### **Agenda**

Representatives shall be responsible for the placing of their issues on the agenda ten (10) days prior to the next meeting.

The agenda for each meeting shall be circulated to all representatives at least seven (7) days prior to the day of the meeting.

#### **Reporting**

The Committee is not required to keep minutes of its meetings. However, report/s outlining the deliberations and recommendations shall be prepared at the conclusion of each meeting. Preparation of the report shall be the responsibility of the Council officer assigned to the Committee. Reports shall be distributed to the Chief Executive Officer and to the Director assigned responsibility for the function of this Committee. A copy of the report is to be circulated to all stakeholders following its receipt by Council.

### **Review**

These Terms of Reference should be reviewed each two (2) years and within six (6) months of each general Council election. Council may, by resolution, vary these Terms of Reference at any time.

DRAFT

## APPENDIX E



## **MEMORANDUM OF UNDERSTANDING**

### **PURPOSE:**

To provide the stakeholders named with an understanding and agreement on the usage of, and the areas of responsibility associated with the Fernvale Recreation Grounds, also known as Col Powell Park.

The agreement allows for the community's needs and expectations in providing recreational activities for all interested groups within the Somerset region and association groups.

Upon agreement and signature by the relevant stakeholders this memorandum will become public documentation.

### **JUSTIFICATION:**

With the stakeholders being elected volunteers representing their common interest group, it is expected that this document forms the basis of negotiations to reach an agreement on the usage of areas of responsibilities and any future development of the Fernvale Recreation Grounds.

### **STAKEHOLDERS:**

Somerset Regional Council (Council)  
Fernvale Campdraft Association Inc. (FCA)  
Lowood Fernvale District Hack & Pony Club (LFPC)

### **GROUND'S LOCATION, AREA AND TITLE:**

Title:	Fernvale Recreation Grounds (Col Powell Park)
Street Address:	32 Banks Creek Road, Fernvale
Lot and RP No.:	7 RP214853
Parish:	North
Area e.g. Acres/Hectares:	8.094 Ha

### **ATTACHMENTS:**

A site plan of the grounds located at Banks Creek Road, Fernvale inclusive of the existing structures, facilities and services and agreed areas of responsibility.

### **REVIEWS:**

The stakeholders agree to review this document and any other relevant documents as required at a Fernvale Recreation Grounds Advisory Committee meeting.

### **PUBLIC SAFETY:**

Risk assessments for the facility should be conducted and documented by the stakeholders for their respective use and responsibilities under this agreement to minimise, as much as reasonably possible, any risk of injury or harm to the public, volunteers and staff. FCA and LFPC are responsible for completing all risk assessments associated with the delivery of their events.

A copy of the Certificate of Currency relating to public liability insurance must be held by each relevant stakeholder for a minimum of \$20 million. A copy of this certificate is to be produced each year and emailed to Somerset Regional Council.

**STAKEHOLDER MEETINGS:**

The parties agree to hold meetings per the Terms of Reference for the Fernvale Recreation Grounds Advisory Committee.

**DISPUTE RESOLUTION:**

Should a matter require urgent attention where a decision must be made, the matter shall be referred to Council for determination and necessary action.

**AREAS OF RESPONSIBILITY:****A. Fernvale Campdraft Association:**

- i. The stockyards – top yards included.
- ii. The announcers/scorers box.
- iii. The unloading ramp.
- iv. The arena.

**B. Lowood Fernvale District Hack & Pony Club**

- i. Dressage / pony club arena
- ii. LFPC storage shed
- iii. LFPC storage cage
- iv. LFPC yard

**C. General Areas**

- v. The general grounds around the loading ramp
- vi. The general ground to the right of the current driveway as you drive in.
- vii. All other common areas

All general areas will require the three (3) parties to meet and discuss any proposed alterations of the current use. This will be a decision by the majority.

**Responsibilities –**

This will become the basis of the Memorandum of Understanding.

1. Maintenance of grounds:-
  - (i) Maintenance of arena fences
  - (ii) Maintenance and responsibility of ground inside the arena
  - (iii) Maintenance/responsibility of perimeter fences
3. Electricity to grounds and improvements
4. Bookings for use of the grounds
5. Availability for other groups to use the grounds – procedures
6. Amenities block maintenance
7. Communication requirements
8. Procedure to alter any current agreement or charges, including termination
9. Responsibility of any ground equipment e.g. harrows

**1. Maintenance of Grounds****a) Maintenance of Arena Fence**

- FCA have higher requirements regarding keeping cattle within this area and have to date maintained, improved and replaced the arena fence.
- Responsibility rests with Council.

**b) Maintenance and Responsibility of ground inside the Arena**

- The FCA and Council will collaboratively work together to maintain the arena surface.
- It is the responsibility of the FCA to ensure that the surface of the arena is prepared in line with required standards / guidelines for their competition purposes, including ripping / harrowing.
- The FCA will assist Council in monitoring the surface.
- Council will assist the FCA in maintaining the ground following significant weather events.
- Council will consult with the FCA regarding any external hires of the ground and incorporate advice from the FCA into requirements for hirers to meet with regards to maintenance of the surface. Where reasonable, Council will ensure that the FCA advice regarding management and preparation of the arena surface is followed by the hirer.
- Council will provide assistance to the FCA to maintain vegetation on the arena surface. Council will provide mowing / slashing services to the site. Council will endeavour to provide maintenance services once per month. This is not guaranteed.

**c) Maintenance and Responsibility for perimeter fences**

- There must be a perimeter fence at all times (safety requirement). Council is responsible for maintaining the perimeter fence.

**3. Electricity to grounds, charges and payment of account**

Council to be billed directly.

**4. Bookings for current active parties to use the grounds**

By 31 January each year, all parties are to advise Council at [mail@somerset.qld.gov.au](mailto:mail@somerset.qld.gov.au) of their annual requirements. Council will then email back to each party a completed list of compiled bookings and update the record monthly and email the current calendar.

Any other bookings required through the year must also be made through Council in an effort to minimise double bookings and incompatible activities. No one will have the right to take bookings without confirmation. Bookings cannot be confirmed until the booking deposit is paid to Council.

All correspondence will meet with the communication requirements as outlined below.

**5. Availability for other groups to use the grounds – procedures**

- i. Bookings will be made through Council.
- ii. Bookings will become permanent once the booking deposit has been paid to Council.
- iii. Hire Booking Form and Conditions of Hire to be supplied to each hirer.

**6. Amenities block maintenance**

Council is responsible for maintenance of the amenities block. Should any issues arise that require Council's attention, stakeholders may contact Council by phone on 5424 4000 or by email at [mail@somerset.qld.gov.au](mailto:mail@somerset.qld.gov.au) and lodge a customer service request. Stakeholders may also raise issues at an Advisory Committee meeting.

**7. Communication requirements**

All future communication must be in writing. Bookings are to be finalised by completing the facility hire form and association fees being paid. We must keep in mind that Somerset Regional Council has requested that the majority of parties must agree before any issues proceed. Stakeholders will work together to ensure this happens.

**8. Procedure to alter current agreement or changes, including termination**

The Stakeholders agree to review this agreement, and any other relevant documents as required.

Should a Stakeholder wish to amend this agreement, they must first ensure the matter is discussed at an Advisory Committee meeting by adding an item to the meeting agenda per the Terms of Reference for the Fernvale Recreation Grounds Advisory Committee.

If a Stakeholder fails to comply to a breach notice to Council's satisfaction, Council may by notice in writing cancel the agreement.

If a Stakeholder is found to be conducting an activity which is illegal, Council may by notice in writing cancel the agreement.

**9. Responsibility of any ground equipment e.g. harrows**

Harrows remain the property of the FCA. The harrows will be housed in the FCA container.

## SIGNATORIES

Signed on behalf of the Fernvale Campdraft Association Inc. this day of 2025 )

by

in the presence of:

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$$\begin{pmatrix} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{pmatrix}$$

President

---

Signed on behalf of Lowood Fernvale District Hack & Pony Club )  
this day of 2025 )

by

in the presence of:

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)
)
)
)
)
)

President

---

Signed on behalf of Somerset Regional Council )  
this day of 2025 )

by Mr Andrew Johnson

in the presence of:

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)
)
)
)
)
)
)
)

Chief Executive Officer

---



# ATTACHMENT



Map Zoom Width: 0.4248 km  
1:9,420

Tuesday, 5 November 2024



## Disclaimer

This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Council nor the Department of Natural Resources and Mines makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason. © The State of Queensland (Department of Natural Resources and Mines), © Somerset Regional Council.



PO Box 117  
2 Redbank St  
Esk QLD 4112  
Ph. 07 5424 4000

## APPENDIX F

## SCHEDULE OF CONDITIONS

1.	The Fernvale Rural Fire Brigade park event is to be held between the hours of 10am and 8pm only on Saturday, 22 November 2025.					
2.	Setting up of the event is approved to start at 7am on Saturday, 22 November 2025.					
3.	All displays and vehicles are to be removed from the site by 9pm on Saturday, 22 November 2025.					
4.	The area is to be kept in a clean and tidy state and the approval holders are required to adequately provide for the collection and disposal of waste generated by the event.					
5.	The approval holder must provide and maintain the following number of toilets and sanitary conveniences for the projected number of people attending the event as per your application. <b>Source: SRC Entertainment Events – Toilet Facilities</b>					
	<b>Males</b>				<b>Ladies</b>	
		WC	Urinals	Hand Basins	WC	Hand Basins
	<500	1	2	2	6	2
	<b>Reducing toilet facilities for short duration events</b>					
	8 hours plus			100%		
	6-8 hours			80%		
	4-6 hours			75%		
	Less than 4 hours			70%		
6.	It is noted that the public toilet facilities are available in Fernvale Memorial Park and can be used towards the requirements of 5 above. The approval holder will be required to keep the public toilet facilities clean and stocked up with supplies during and after the event. Further, the toilets within the Fernvale Visitor Information Centre are not available to be used by patrons at this event, patrons must be directed to the public toilets within Fernvale Memorial Park, or any other temporary amenities provided for this event.					
7.	Noise is to be kept to a minimum and as such not to cause a nuisance for neighbouring properties.					
8.	All temporary signage for the event must be displayed on private property only and are only to be displayed fourteen (14) days before the event and all signage must be removed from display one day after the event.					
9.	There is to be no vehicular access into the park unless for setting up and removing displays.					
10.	Parking is not permitted on the western side of the Brisbane Valley Rail Trail.					
11.	The approval holder must provide all necessary equipment and take all practical measures to ensure the safety of the people attending the activity.					
12.	The approval holder must ensure that the design and construction of all structures that form part of the activity are safe and appropriate to the nature of the activity proposed and the number of people expected to attend.					
13.	The activity must not detrimentally affect the amenity of the area subject of this approval.					

14.	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 \$20,000,000. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. A certificate of currency must list Somerset Regional Council as an interested party and must be submitted to Council prior to the operation of the event.
15.	The permit 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.
16.	The approval holder will be responsible for ensuring that all operators of activities at this event have current public liability insurance in an amount of not less than \$20,000,000. The approval holder is required to have a copy of all public liability certificates of currencies on hand during the event.
17.	The approval holder must undertake a risk assessment prior to conducting any event on the licenced area identifying any possible risks of hosting this event within the Licensed Area and strategies for mitigating any risk identified and will provide a risk management plan to the Council no later than 14 days prior to hosting the event and will obtain written acknowledgement from all event participants in favour of the Council and the State, where required, that they are using the Licenced Area at their own risk.
18.	If food is to be sold at the event for profit, a food business licence must be obtained from Council. Some exemptions do apply for non-profit organisations; please contact Council’s Environmental Health Section for further information.

## SCHEDULE OF CONDITIONS

18.	The Fernvale Rural Fire Brigade park event is to be held between the hours of 10am and 8pm only on Saturday, 22 November 2025.					
19.	Setting up of the event is approved to start at 7am on Saturday, 22 November 2025.					
20.	All displays and vehicles are to be removed from the site by 9pm on Saturday, 22 November 2025.					
21.	The area is to be kept in a clean and tidy state and the approval holders are required to adequately provide for the collection and disposal of waste generated by the event.					
22.	The approval holder must provide and maintain the following number of toilets and sanitary conveniences for the projected number of people attending the event as per your application. <b>Source: SRC Entertainment Events – Toilet Facilities</b>					
	<b>Males</b>				<b>Ladies</b>	
		WC	Urinals	Hand Basins	WC	Hand Basins
	<500	1	2	2	6	2

	<b>Reducing toilet facilities for short duration events</b>	
	8 hours plus	100%
	6-8 hours	80%
	4-6 hours	75%
	Less than 4 hours	70%
23.	It is noted that the public toilet facilities are available in Fernvale Memorial Park and can be used towards the requirements of 5 above. The approval holder will be required to keep the public toilet facilities clean and stocked up with supplies during and after the event. Further, the toilets within the Fernvale Visitor Information Centre are not available to be used by patrons at this event, patrons must be directed to the public toilets within Fernvale Memorial Park, or any other temporary amenities provided for this event.	
24.	Noise is to be kept to a minimum and as such not to cause a nuisance for neighbouring properties.	
25.	All temporary signage for the event must be displayed on private property only and are only to be displayed fourteen (14) days before the event and all signage must be removed from display one day after the event.	
26.	There is to be no vehicular access into the park unless for setting up and removing displays.	
27.	Parking is not permitted on the western side of the Brisbane Valley Rail Trail.	
28.	The approval holder must provide all necessary equipment and take all practical measures to ensure the safety of the people attending the activity.	
29.	The approval holder must ensure that the design and construction of all structures that form part of the activity are safe and appropriate to the nature of the activity proposed and the number of people expected to attend.	
30.	The activity must not detrimentally affect the amenity of the area subject of this approval.	
31.	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 \$20,000,000. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. A certificate of currency must list Somerset Regional Council as an interested party and must be submitted to Council prior to the operation of the event.	
32.	The permit 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.	
33.	The approval holder will be responsible for ensuring that all operators of activities at this event have current public liability insurance in an amount of not less than \$20,000,000. The approval holder is required to have a copy of all public liability certificates of currencies on hand during the event.	

34.	The approval holder must undertake a risk assessment prior to conducting any event on the licenced area identifying any possible risks of hosting this event within the Licensed Area and strategies for mitigating any risk identified and will provide a risk management plan to the Council no later than 14 days prior to hosting the event and will obtain written acknowledgement from all event participants in favour of the Council and the State, where required, that they are using the Licenced Area at their own risk.
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