



**Minutes of Ordinary Meeting
Held Wednesday, 29 October 2025**

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

Present

Cr Jason Wendt	(Mayor)
Cr Helen Brieschke	(Deputy Mayor)
Cr Michael Bishop	(Councillor)
Cr Brett Freese	(Councillor)
Cr Tiara Hurley	(Councillor)
Cr Sally Jess	(Councillor)
Cr Steph Laycock	(Councillor)
Mr A Johnson	(Chief Executive Officer)
Mr Gary Love	(Acting Director Operations)
Mr L Hannan	(Director Planning and Development)
Mrs P Banditt	(Senior Finance Officer)
Mrs K Jones	(Director HR and Customer Service)
Mr D Rowe	(Director Corporate and Community Services)
Mrs H Golinski	(Minute Secretary / Executive Assistant)
Mrs M Janke	(Communications Manager)
Observer	
Mrs M Jelf	(Development Services Manager)
Mr M O'Connor	(Senior Planner)

• C O N T E N T S

Application for Permit to Occupy – Owen Road, Eskdale	258	Development Application No. 26340 – 5305 Brisbane Valley Highway, Esk. 187	
Application for Temporary Entertainment Event – New Sun Rising	235	Enterprise Resource Planning.....	282
Business arising out of minutes of previous meeting	3	Green Urban Infrastructure Initiative (GUII) Funding Approval	233
Closure of Meeting	289	Items for reports for future meetings ...	289
Confirmation of Minutes	3	Leave of Absence	3
Consideration of notified motions	289	Major Amendment to the Somerset Region Planning Scheme – Major Amendment 2 - Draft Planning Scheme for Public Consultation	4
Corporate and Community Services Monthly Report – September 2025 ..	262	Matters of Public Interest	3
Councillor vacancy on advisory committees and community groups..	284	Mayor and Councillor Reports.....	287
Customer Service Report – September 2025	275	Meetings authorised by Council	287
Declarable Conflict of Interest - Cr Brieschke– Agenda Item 16 - Prescribed Activity – Toogoolawah Christmas Tree 2025	242	Monthly Finance Report.....	257
Declarable Conflict of Interest – Mayor Wendt – Agenda Item 10 – Development Application No. 22279 – 55 Clarendon Road, Lowood	75	Opening of Meeting.....	3
Declarations of Interest	4	Operations Report for September 2025	272
Development Application No. 12138 - Unnamed #3149 Road, Gregors Creek, 145, 191 and 192 Sinnamons Lane, Harlin	7	Planning and Development Department Monthly Report – September 2025 ..	250
Development Application No. 22279 – 55 Clarendon Road, Lowood	76	Prescribed Activity – Toogoolawah Christmas Tree 2025	243
Development Application No. 26153 – 48 Twin Lakes Road, Coominya	106	Prescribed Conflict of Interest - Cr Laycock– Agenda Item 19 - Application for Permit to Occupy – Owen Road, Eskdale.....	258
Development Application No. 26162 – 1, 3 and 5 Settlers Rise, Woolmar	147	Receipt of Petition.....	289
		Reception of notices of motion for next meeting.....	289
		Somerset Social Plan Advisory Committee – Appointment of Members	286
		Tourism and Promotions Report – September 2025	259

Opening of Meeting

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

Leave of Absence

Nil

Confirmation of Minutes**Resolution**

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT the Minutes of the Ordinary Meeting held Wednesday 8 October 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**

Friday 31 October will be the Esk District Co-operative Annual General Meeting, Mt Beppo Hall, 9.30 am and Saturday 1 November will be the Esk State School 150th Anniversary celebration, 10.00 am.

Matters of public interest – Cr Bishop

After a busy weekend that is scheduled for the Somerset Region in Esk, Lowood and Linville this weekend, I will be traveling to Canberra on Wednesday next week, to be a part of some advocacy meetings with the CEO and Mayor. We will speak with senior political and government figures about our small but important part of the nation and hopefully we will be able to raise awareness of infrastructure, social and health and environmental project opportunities being developed by the Somerset Regional Council. When I have been speaking of this trip with community members, many have been excited by the opportunities this advocacy might provide. I was also offered a great deal of advice on how the nation could be better run. I would like to thank Council for allowing me to attend and I again repeat that all costs of my trip are being funded by me personally.

Matters of public interest – Cr Freese

- Spooky Somerset – Friday 31st October at Clock Park Lowood from 3pm
- Free Tree Day – Saturday 1st November at Somerset Civic Centre & Saturday 15th November at Fernvale Community Hall
- Esk State School celebrates its 150th anniversary on sat 1st November with an official ceremony from 10:30 – 2:00pm which includes historical displays, memorabilia, student showcases, tours and live entertainment as well as the grand opening of the new sandstone seating. The Fete part of the day commences from 2pm and concludes with fireworks that evening.
- The Esk Races are on Saturday 8th November with their last meeting of the year.

- The Lowood Rodeo is also on Saturday 8th November. This popular event brings an enormous crowd to town to see this full rodeo.
- Somerset Christmas Lights Competition is now open. Entries close 26th November
- Australia Day Award Nominations are now open
- Queensland Hydro are inviting local residents to join a Kilcoy, Jimna and Surrounds Focus Group. This is a community-led consultation team helping shape the future of the Borumba Project over the next two years.
- Come and Chat at Yowie Park Kilcoy on Wednesday 5th November from 10am
- The Somerset Civic Centre welcomes the students from Virginia State School for a free morning performance featuring the school's concert and stage band, comprising of 100+, years 4, 5, 6 students, parents and staff. Following the performance, complimentary morning tea will be provided by Somerset Regional Council's seniors connection program, In Good Company, funded by the Queensland Government. This free event is on Wednesday 12th November, however bookings are required via the Civic Centre website.

Matters of public interest – Cr Jess

October

- 27 Somerset Christmas Lights Competition entries open
- 29 Mentoring for Growth Workshop, Esk Library
- 30 Make & Create: 2026 Vision Boards, Lowood Library
- 31 Spooky Somerset, Lowood

November

- 1 Free Tree Day, Somerset Civic Centre
Esk State School 150th Anniversary
- 2 Open Door Art Gallery Art Exhibition Opening, Somerset Country – Canvas and Quilts
- 5 Councillor Community Chat, Yowie Park Kilcoy
Make & Create: Beginner Gel Press Workshop, Esk Library
- 7 Glen Rock Gallery Art Exhibition – Pretty Little Things
Jim Filmer Shared Words – Lives Lived Art Exhibition, Kilcoy Information Centre
- 8 Lowood Show Society Rodeo
- 10 Make & Create: 2026 Vision Boards, Kilcoy Library
- 11 Remembrance Day
- 12 Virginia State School Community Concert, Somerset Civic Centre

Declarations of Interest

The Mayor declared an interest in agenda item 10 - Development Application No. 22279 – 55 Clarendon Road, Lowood. Cr Brieschke declared an interest in agenda item 16 - Prescribed Activity – Toogoolawah Christmas Tree 2025 and Cr Laycock declared an interest in Agenda item 19 - Application for Permit to Occupy – Owen Road, Eskdale.

The Chief Executive Officer noted a conversation with Cr Freese about item 26. The CEO noted that Cr Freese was listed (i.e. no written reference) as a referee and that there was no need to contact Cr Freese as part of the assessment; accordingly, no conflict of interest existed. Further, the person who listed Cr Freese as a referee is not a related person or close associate.

Subject:	Major Amendment to the Somerset Region Planning Scheme – Major Amendment 2 - Draft Planning Scheme for Public
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File Ref:	Consultation
Action Officer:	Somerset Region Planning Scheme – Major Amendment 2
	SP—MO

Background/Summary

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

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

The major amendment (Major Amendment 2) is a broad package of amendments that includes:

- resolving targeted issues identified over the life of the planning scheme
- cutting red tape for new dwellings, small scale tourist accommodation options, micro-food and beverage production in centre areas
- increasing the rigor of the Reconfiguring a Lot Code to control subdivisions and provide more certainty around developments
- learnings from key court decisions.

On 19 December 2024, Council resolved to authorise the Chief Executive Officer:

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

On 23 October 2025, Council received the Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations' Notice (Minister's Notice) for the State Interest Review (SIR) and the consultation strategy that must be implemented, enabling Council to proceed to Public Consultation under the MGR. The approval is conditional on Council making amendments to the table of assessment and overall outcomes for the rural zone to facilitate further tourist activity, as follows:

Condition	Timing
State Planning Policy – State Interest review: Tourism	
Amend Table 5.5.9 – Rural zone of Part 5, Section 5.5 to: <ul style="list-style-type: none"> • include Tourist attraction as code assessable, where having a gross floor area that is equal to or less [than] 500m²; and 	Prior to public consultation of the proposed amendment.

<ul style="list-style-type: none"> identify the corresponding assessment benchmarks in the Rural zone code, Filling and excavation code, Landscaping code, Services, works and infrastructure and the Transport, access and parking code. 	
Amend overall outcome (3)(f) of 6.2.9.2 Purpose and overall outcomes of the Rural zone code, to include a Tourist attraction as an example of tourism development that may be established.	Prior to public consultation of the proposed amendment.

Officers have amended the Major Amendment 2 Instrument to incorporate the changes required by the Minister's Notice, refer to Attachment 2.

The purpose of this report is to seek Council's approval of the updated amendment instrument and associated documentation, which includes changes made to satisfy the Minister's Notice.

This report also seeks Council's approval to proceed to public consultation in accordance with section 20 of the *Planning Act 2016* and Chapter 2, Part 4, Section 18 of the Minister's Guidelines and Rules (MGR).

Formal public consultation on the (updated) proposed amendment is recommended to occur from Tuesday, 4 November to Friday, 5 December 2025 inclusive (a period of 24 business days) in accordance with statutory requirements and the Minister's Notice.

The proposed period is recommended to ensure that the minimum 20 business days (as required by the MGR) are provided after all public advertisements are run in each local hard copy newspaper.

Attachments

1. Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations' Notice (Minister's Notice) for the State Interest Review (SIR)
2. Somerset Region Planning Scheme - Major Amendment 2 – Public Consultation Draft

Recommendation

THAT Council:

1. confirm that it has considered the Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations' formal notice to Council dated 22 October 2025 (Minister's Notice) of the outcome of the State Interest Review and whether public consultation may proceed, including the Ministerial conditions to be satisfied;
2. make the changes to the Major Amendment 2 Instrument as required by the Minister's Notice;
3. authorise the Chief Executive Officer to carryout public consultation on Major Amendment 2 in accordance with section 20 of the *Planning Act 2016* and Chapter 2, Part 4, Section 18 of the Minister's Guidelines and Rules; and

4. authorise the Chief Executive Officer to make any administrative and minor changes to the proposed amendment document, and any associated document (including mapping), if required, prior to commencing public consultation.

Resolution

Moved – Cr Bishop

Seconded – Cr Brieschke

“THAT Council:

1. confirm that it has considered the Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations' formal notice to Council dated 22 October 2025 (Minister's Notice) of the outcome of the State Interest Review and whether public consultation may proceed, including the Ministerial conditions to be satisfied;
2. make the changes to the Major Amendment 2 Instrument as required by the Minister's Notice;
3. authorise the Chief Executive Officer to carryout public consultation on Major Amendment 2 in accordance with section 20 of the *Planning Act 2016* and Chapter 2, Part 4, Section 18 of the Minister's Guidelines and Rules; and
4. authorise the Chief Executive Officer to make any administrative and minor changes to the proposed amendment document, and any associated document (including mapping), if required, prior to commencing public consultation.”

Carried

Vote - Unanimous

Subject:	Development Application No. 12138 - Unnamed #3149 Road, Gregors Creek, 145, 191 and 192 Sinnamons Lane, Harlin Change Application (Other Change) to Development Application for a Development Permit for Material Change of Use for Extractive Industry (Hard Rock Quarry) and Development Permit for Material Change of Use for Environmentally Relevant Activities for Extraction and Screening
File No:	DA12138 Action Officer: SP-MW
Assessment No:	05592-00000-000, 05232-80000-000 and 05232-00000-000

1.0 APPLICATION SUMMARY**Property details**

Location:	Unnamed #3149 Road, Gregors Creek, 145, 191 and 192 Sinnamons Lane, Harlin
Real property description:	Lot 88 RP28542, Lot 2 RP77219, Lot 55 RP28542, Lot 17 RP146684, Lot 30 SP258504, Lot 5 RP134429
Site area:	196.338ha – east side of Brisbane River 81.73ha – west side of Brisbane River
Current land use:	Extractive industry

Easements/encumbrances: Easement A and B on RP184561 for high voltage power lines.
Easement A on RP77219 benefits Lot 2 and Lot 88 for access to Gregors Creek Road (unused).

South East Queensland Regional Plan

Land use category: Regional landscape and rural production area

Planning scheme details

Planning scheme Somerset Region Planning Scheme (Version 4.2)
Zone: Rural zone
Precinct: Not applicable
Overlays: OM1 Agricultural land overlay
OM3 Biodiversity overlay
OM4 Bushfire hazard overlay
OM5 Catchment management overlay
OM7 Flood hazard overlay
OM8 High impact activities management area overlay
OM9 Infrastructure overlay
OM10 Landslide hazard overlay
OM12 Scenic amenity overlay

Application details

Approved development:

- Development Permit for Material Change of Use for an Extractive Industry (Hard Rock Quarry); and
- Development Permit for Material Change of Use involving Environmentally Relevant Activities (Extracting and Screening Materials):
 - ERA 16 2(c) extracting rock or other material 100,000 to 1 million tonnes per annum; and
 - ERA 16 3(b) screening rock or other material 100,000 to 1 million tonnes per annum

Proposed change:

Change Application (Other Change) for:

- Development Permit for Material Change of Use for Extractive Industry (Hard Rock Quarry); and
- Development Permit for Material Change of Use for Environmentally Relevant Activities:
 - 16 2(b) (extracting more than 100,000t but not more than 1,000,000t/year) and
 - 16 3(b) (screening more than 100,000t but not more than 1,000,000t/year)

Category of assessment: Impact assessment

Applicant details: Karreman Quarries Pty Ltd
C/- Reel Planning Pty Ltd
PO Box 2088
MILTON QLD 4064

Owner details: Karreman Quarries Pty Ltd
Date application received: 21 December 2023
Date application properly made: 6 February 2024

Referrals State Assessment and Referral Agency
(concurrency)
Powerlink (advice)

Public notification	Required
Notification period	6 September 2024 to 27 September 2024
Submissions received	One received (one opposed)

RECOMMENDED DECISION

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



**Locality Plan of Lot 88 RP28542, Lot 2 RP77219, Lot 55 RP28542, 17 RP146684, Lot 30 SP258504, Lot 5 RP134429,
Situating at Unnamed #3149 Road, Gregors Creek, 145, 191 and 192 Sinnamons Lane,
Harlin
Source: Development Assessment Mapping System, © Queensland Government**

2.0 BACKGROUND

2.1 Development Approval

On 14 September 2012 Council, at its ordinary meeting, approved Development Application No. 12138 and gave a Development Permit for Material Change of Use for Extractive Industry (Hard Rock Quarry) and Development Permit for Material Change of Use Development Permit for Material Change of Use involving Environmentally Relevant Activities (Extracting and Screening Materials) ERA 16 2(c) extracting rock or other material 100,000 to 1 million tonnes per annum and ERA 16 3(b) screening rock or other material 100,000 to 1 million tonnes per annum.

The approval was given subject to conditions, including conditions required to be imposed by the Department of Transport and Main Roads (DTMR) as a concurrence agency for the application. The applicant subsequently appealed the decision to the Planning and Environment Court, seeking amended conditions for the DTMR referral agency response.

On 16 November 2012, the Planning and Environment Court, by order, approved the development application subject to amended conditions (Court reference 3678 of 2012).

The development approval authorises an extraction pit and a processing (screening) plant. In the original application material, the (now approved) pit is described as occupying an area of 21 hectares, with nominal dimensions of 600 metres long and up to 400 metre wide, and that initial investigations as part of the original application indicate that approximately 28.5 million cubic metres (approximately 70 million tonnes) of material occur within the pit. The extraction rate is intended to fluctuate on market demand, with a maximum output of 1 million tonnes per annum, with products intended to be used in the production of road base materials and other aggregate quarry products.

The staging strategy provides for the approved pit to be developed as a series of benches into the hillside, generally working from north to south, with extraction using hard rock hillside drilling and blasting methods. At the end of the quarry's design life, the approved pit will be approximately 50m below the ground level.

The development also included a processing plant. The processing plant incorporates a series of screening plants (each enclosed in sheds for acoustic attenuation) that progressively refine the rock into required material grades, as well as moveable and temporary plant that further sorts and distributes materials on the site.

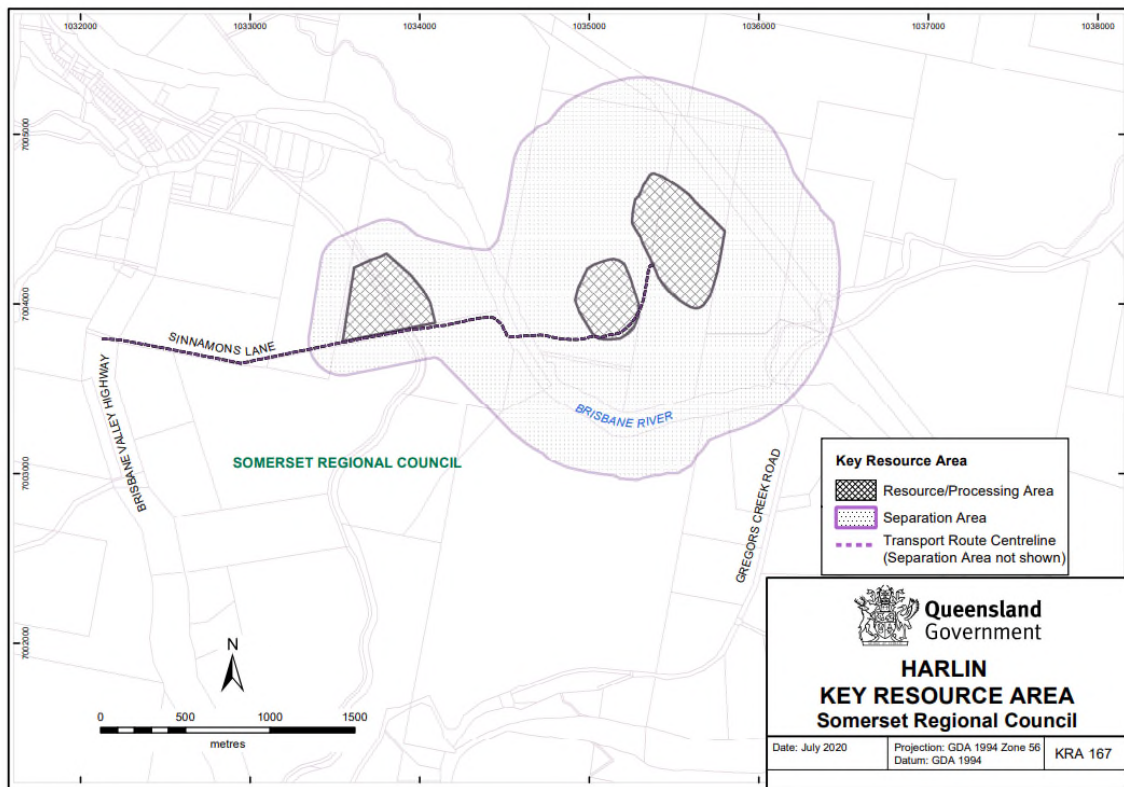
Both the quarry and the processing plant have been constructed and are operational.

2.2 Key Resource Area

The site is subject to a key resource area (KRA), KRA167, for the Harlin Key Resource Area. The key resource area was assessed by the Queensland Government in 2020, with the (then) Planning Minister deciding to declare the Key Resource Area in 2021 and incorporated the KRA into the State Planning Policy in September 2021.

The Harlin KRA includes three Resource/Processing Areas (which are shown hatched in the below image). The eastern hatched area comprises the existing extractive industry pit. The central hatched area comprises the existing processing (screening) plant. The western hatched area comprises the existing sand and gravel storage areas.

Sinnamons Lane is designated as the Transport Corridor for the KRA, and is the only road access to the site.



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3.0 PROPOSAL

3.1 Overview of Proposed Change

This change application seeks to change (other than a minor change) the development approval, by providing for an additional extraction pit (described in the application as The North Pit) and reducing the size of the approved extraction pit. This change does not seek to alter the processing plants or result in an increase in annual output for the site but will result in an extended operating life of the quarry.

The change has been proposed as the operator has carried out a review of the potential material available from the approved pit over the life of the facility and determined that, whilst the approved pit enabled a total capacity of 25.7 million tonnes (or 9.8 million cubic metres), due to geological conditions on site and structural geological modelling, a revised total capacity of only 13.6 million tonnes (or 5.2 million cubic metres) is available.

As such, the proposed change seeks to reduce the total material available from the existing approved pit to 13.6 million tonnes (a reduction of approximately 12 million tonnes, which will be exhausted within 15 years), and introduce an additional/separate pit (the North Pit) with a capacity of 25.3 million tonnes, which the applicant advises achieves a 40-year supply life.

The proposed North Pit is located entirely within Lot 88 RP28542. The southwestern edge of the pit is approximately 15m higher than the Brisbane River, whilst the ultimate floor of the pit will be approximately 85m lower than the Brisbane River. A detailed description of the excavation staging strategy is provided in section 3.4 below.

The proposal does not involve any changes to the established and operating processing (screening) plant, which will remain operational during the transition between the existing and additional (northern) pit and then ongoing once the existing pit is exhausted and rehabilitated.

The existing stockpiling areas have encroached onto Unnamed #3149 Road and Lot 55 RP28542 which do not form part of the development approval. The change application has included this property and road reserve as part of the application, with the applicant proposing to either seek a permanent road closure following decision of the application or, if the road closure is not pursued or successful, remove the stockpile material from the area.

The proposal does not seek to increase the production intensity on the site, and as such the development approval will continue to be described as (with current ERA references):

- Development Permit for Material Change of Use for Extractive Industry (Hard Rock Quarry); and
- Development Permit for Material Change of Use for Environmentally Relevant Activities:
 - ERA 16 2(b) (extracting more than 100,000t but not more than 1,000,000t/year); and
 - ERA 16 3(b) (screening more than 100,000t but not more than 1,000,000t/year).

3.2 Changes to Existing Pit

For the existing Harlin quarry pit, the change to the overall slope of the final walls reduces the life of the existing pit to less than 15 years (10-15 yrs). To replace the resources foregone and provide for the long-term supply of quality construction materials from the KRA 167 site beyond 10-15 years, Karreman has undertaken further geological investigations over their KRA 167 and surrounding rural lands.

This review and future pit planning work has produced the following proposed actions for ongoing safe and productive continuity of supply of aggregates and crushed rock products from the Harlin KRA 167:

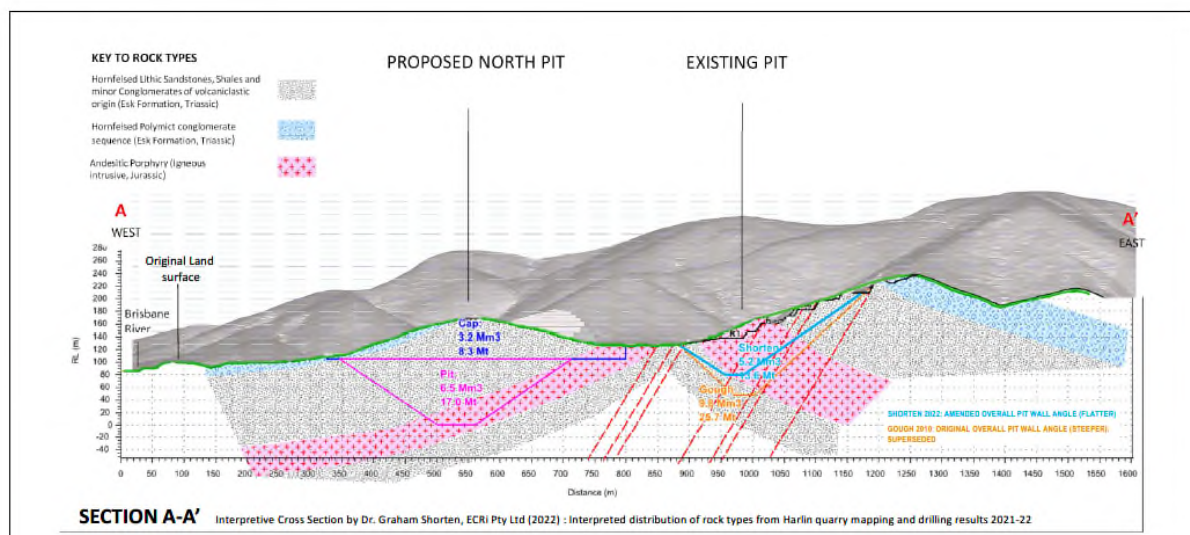
- a. *For prudence, the overall final pit wall angle for the existing hillside quarry pit should adopt a more conservative (flatter) angle of design (compared to the steeper profile of the current approval) to ensure that the quarry's progressive bench rehabilitation objectives and slope stability requirements are met (Refer Figure 3-1, below);*
- b. *This means that the amended final floor level of the hillside pit below free-draining level will be ~ 40m higher than that previously intended, and because of the flatter overall walls the recoverable approved hard rock resources at Harlin quarry (approved under the current quarry development) are effectively halved by this modification to design, thus prematurely reducing the anticipated remaining life of the quarry reserves to 10-15 years;*
- c. *The terminal benches of the existing hillside quarry will continue to be progressively rehabilitated from the top down, as per current quarry practice. The modified (shallower) overall wall slope enables wider terminal benches to be retained in the final landform;*
- d. *To replace these hard rock resources and ensure continuity of supply of hard rock quarry products, a proposed North Pit is planned, to be progressively established in more subdued terrain adjacent to the fixed crushing and screening plant (Run of Mine or 'ROM' pad that feeds the primary crusher). The development is to enable a smooth transition over time of extractive activities from the existing hillside pit to the new North Pit*

- e. *The complete transition from one source of suitable hard rock to another, is to take place methodically over an anticipated period of around 15 or so years. The change from the existing pit to the North Pit results in no intensification of quarrying activity, increase in output, traffic or emissions beyond those presently authorised for the quarry.*

The modified final wall slopes and depths for the existing pit are outlined respectively in light blue (2023 geotechnical design) and orange (2012 geotechnical design). The flatter overall 2022 design reduces the quantity of recoverable resources from the existing, approved pit by around 12 Mt. The section layout is shown in the image below.

Based on the revised layout, in 2022, there was 10 Mt remaining (13.6 Mt (Shorten, Figure 3-1) in the existing quarry pit less 3.6 Mt already extracted since commencement).

The 2023 reserve / resource estimate is 50% of the 2011 estimate (a reduction from 70,000,000 tonnes to 35,000,000 tonnes), but is considered sufficient to provide resources for approximately 50 years.



3.3 North Pit

To replace these resources which are to be left in place as part of the final landform for the hillside pit, a new 'North Pit' is proposed, which will extend the life of the Harlin quarry beyond 15 years.

The proposed North Pit is located in elevated but more subdued hard rock terrain adjacent to and Northwest of the existing crushing and screening plant and within KRA 167. Its location is strategically located midway between the existing hillside pit and the Brisbane River, providing sufficient buffer distance and immunity from flood (~320m to the normal flow bank of the Brisbane River at the proposed pit's closest point).

At full limits the North Pit in hard rock will occupy an area of ~19 ha (~21 ha in total area including ~ 2 ha of ancillary earthworks and roads / batters). The deposit contains ~ 25 Mt (million tonnes) of resources with a quarry life of ~40 years (assuming 0.6Mtpa on average). In its earlier development, the clayey and more weathered upper rock (the 'capping material') is to be extracted and used for road maintenance gravels and as binder in roadbase materials. In hard rock, the pit will consist of up to eleven benches below the quarry rim and working platform, with a nominal final floor level at RL 0m AHD. Benching

orientation (following a general 'tilted hexagonal' pattern) has been guided by structural geological considerations.

As part of a phased transition over an estimated period of ~10 to 15 years, the resources of the existing hillside pit will be depleted and replaced by those from the North Pit. The terminal benches in the existing hillside pit will continue to be progressively rehabilitated and revegetated from the upper to lower benches, as per existing quarry plans and practices for rehabilitation of terminal benches. [Rehabilitation of the terminal benches of the existing pit has already commenced on the upper benches.]

The North pit is to be progressively developed by the receding rimline method where the quarry is extended from the Southeast to the Northwest behind a topographic shield or rim afforded by the terrain and excavation, to mitigate external impacts such as noise, dust, visual impacts and blast emissions. The North Pit will be developed with 'in-floor' sumps to store and treat incident stormwater. The stormwater management systems and controls that service the existing operations will continue to service the site with the North Pit included.

The northern side of the pit will extend up the side of the hill to the north of the site to a maximum height of RL 190. The hill associated with the North Pit has a maximum height of approximately RL 165.

The existing Hillside pit extends to a height of approximately RL 250.

3.4 Staging of the North Pit Extraction Area

The submitted 'Site Based Management Plan (SBMP)' provides a series of plans and cross sections showing how the North Pit would develop. An explanation of these plans is provided below.

Stage 1 – short term concept – 5 years

The development commences from the south east, adjacent to the existing mine and primary crusher tip head, then extending north west into the hill at a level 1m lower than the existing pad (in order to prevent water from this pit discharging into the existing crushing and screening area).

Benches will be created by ripping, then by drilling and blasting, advancing in a north west direction, working behind the existing hill crest.

Initial benches will be established into the capping material and some hard rock.

The upper benches will be approximately 10m in height and involve work up to approximately RL 160, almost to the top of the hill.

The working floor of the pit will be at approximately RL 125 to prevent discharge into the existing facility. The floor will include sumps for stormwater catchment and sediment control.

Stage 2 – short to medium term concept – 10-15 years

The quarry faces and benches will be extended to the northwest. The top of the hill is removed and the hill starts to reduce in height crest of the hill, continuing to work behind the topographic rim of the hill.

The quarry will be deepened by several benches into hard rock down to approximately RL 93

Vegetation along the top of the pit will be cleared intermittently when further stripping is required to extend the pit.

Sumps will be excavated into the pit floor for stormwater catchment and sediment control.

Stage 3 – medium term concept – 15-25 years

The quarry is extended to its full lateral limit (approx 19ha).

The northern uppermost benches from RL 185 to RL 127 will be established and excavated to full extent and then progressively revegetated down to the RL 137 AHD level.

The pit will be deepened to approximately RL 81 (approximately 24m below the rim of the quarry) with broad benches and then progressively deepened to its terminal limits by benching at 12m-15m vertical intervals until reaching a RL 0m AHD level.

Sumps will be excavated into the pit floor for stormwater catchment and sediment control.

Stage 4 – long term concept – 40 years

The quarry is extended to its full vertical limit by benching at nominal 12-15m vertical intervals to the final pit floor to the final pit floor level of RL 0m.

The total excavation for the north pit would be 9.55M cubic metres or 25M tonnes.

The upper benches would be rehabilitated down to RL 105m, approximately the height of the lowest part of the rim of the pit. The two benches below the rim of the pit would be grassed.

The ramp access to the pit floor would be retained.

The floor of the quarry acts as a water storage, noting the non-porous nature of the androsite layer at the base of the pit.

Sumps will be excavated into the pit floor for stormwater catchment and sediment control.

Rehabilitation of benches

Rehabilitation of the benches would consist of removal of loose material above the bench, provision of a catch drain at the rear of the bench, installation of backfill cover over the floor of the bench for replanting, a contour drain set back from the edge of the bench, and edge protection to direct water flow back toward the centre of the bench rather than over the edge of the bench.

The benches would be replanted with a mix of initial grass cover, then understorey, and tree cover. This would include a mix of local vegetation species including narrow leaf ironbark and Queensland blue gum as koala species.

As part of a phased transition over an estimated period of 15 years, the resources of the existing hillside pit will be depleted and replaced by those from the North Pit.

The North Pit development adds an additional 25M tonnes of hard rock resources for quarrying in KRA 167, adding to the inventory of hard rock resources in SEQ, necessary to meet future community need for quarry materials.

The proponent's Executive Summary sets out the following conclusions for the development.

The proposed ongoing Harlin quarry development:

- *extends the KRA 167 quarry life by 40 years (without the North pit the Harlin quarry in KRA 167 has an estimated life of less than 15 years) enabling the continuity of supply of high quality hard rock quarry products to SE Qld, Toowoomba and the Western Downs regions;*
- *is within the KRA 167 separation area boundary and retains sufficient internal buffer (provided by Karreman-owned land) to external property boundaries;*
- *can be conducted according to established and proven quarry operational methods and environmental controls employed by the quarry along with existing supporting infrastructure and facilities (refer Dwg. Nos. KQHN PO1 and KQHN PO2) as further described in the Harlin Quarry Site Based Management Plan 2023 (SBMP 2023);*
- *can be conducted to contain emissions from blasting, noise and dust within the KRA 167 boundary (Separation Area) and comply with the quarry's existing EA conditions with respect to the maximum level of emissions or discharges permitted under the quarry's EA;*
- *is informed by the findings and recommendations from technical studies commissioned to evaluate the impacts of the proposed North Pit development (acoustics, blasting, air quality, visual amenity, ecology and hydrology studies) to minimise, control and mitigate impacts from the development; and*
- *incorporates the planning for and conduct of progressive rehabilitation of terminal upper benches for both the existing quarry and the proposed North Pit with revegetation of suitable local provenance species including koala resource trees.*

3.5 Need report

The applicant provided documentation setting out need for the proposed change to the extractive industry.

Whilst annual output fluctuates depending on the level of demand, for quarry planning purposes, an average output from the Harlin hard rock quarry of around 0.6Mt (million tonnes) per annum is considered reasonable based on recent historical and foreseeable demand.

Under the Qld State Planning Policy and Key Resource Area guidelines, extractive resources are considered regionally significant if they satisfy any one of the following:

1. The size of the resource is greater than the annual consumption in the area; or
2. The quarry site is capable of producing more than 5% of annual demand in the area; or
3. The resource can supply more than one significant part of the region; or
4. The resource has physical properties that are scarce in the region; or
5. Specialised resources are needed within the region or sub-region.

For the existing Harlin quarry and the proposed North pit (KRA 167), the hard rock resources satisfy all five of these criteria for regional significance.

The conclusions of the Need report state:

There is a strong community and economic need for the development of the Harlin quarry North Pit hard rock resources, having regard to the following:

1. *Quarry resources provide quarry products that are essential to the community. In SEQ as a whole, demand for Housing typically consumes around 30% of total quarry production, Roads around 50%, Non Residential Buildings around 14% and Other Engineered Infrastructure around 6%.*

2. *The Harlin quarry has a proven hard rock resource which has been providing a comprehensive range of quarry products over the past 10 years, including crushed coarse and fine aggregates, roadbase products (specialising in Cement Treated Base (CTB) products), and other sized rock and engineered fill products.*
3. *The quarry is well located to road infrastructure and strategically located near the geographic centroid of the Somerset LGA to access its destination markets. The strategic location of the site and the efficient use of road infrastructure delivers a sustainable economic benefit to the community. The quarry presently employs 9 people directly, and a further 6-8 as delivery truck drivers, and quarry support personnel.*
4. *The quarry sells all its products to the open, or external market, and has no 'internal' customers that consume its aggregates. It distributes its products to around nine (9) Local Government Areas in (and adjoining) the SEQ region.*
5. *In any one year about a fifth to almost half of quarry output is sold within the Somerset LGA, and the remainder to the other 8 LGA's, where the proportion of sales varies depending on the location of major projects, and local shortfalls in demand. Customers include Local Government, Roadtek, civil and earthworks contractors, concrete product and asphalt producers, landscape supply yards, agribusinesses and rural property owners.*
6. *With the North Pit, the quarry has recoverable resources (reserves) of 35 Mt, sufficient for a total quarry life of greater than 50 yrs. Without the North pit, existing reserves of 10 Mt (in 2021/22) will be depleted in around 15 years or less.*
7. *The proposed Harlin quarry extension will ensure the quarry can continue to supply hard rock quarry products, consistent with its designation as a KRA under the State Planning Policy, and its established markets and distribution capabilities within SEQ and including the Toowoomba, Western Downs and South Burnett regions.*
8. *This will provide ongoing local employment and expenditure on goods and services, and ongoing convenience, choice and competition for communities in the local and wider SEQ region.*
9. *No other suitable hard rock alternatives exist. The two nearest regionally significant undeveloped hard rock resources are Horse Mountain (KRA 144) located east of Fernvale (Somerset region, south-east portion), and Mt Cross (KRA 79) in the Lockyer Valley region, north of Helidon. These are 'greenfield' sites, and neither are approved for development. There is no certainty about if and when these other sites will be developed.*
10. *In the Somerset LGA, by 2046 a population of 40,000 is expected, which is an increase of ~ 60% from 2021. In the SEQ region, population is expected to increase from 3.9 million in 2021 to 6 million by 2046, an overall increase of around 57% for the region.*
11. *Because population growth drives demand for housing, non-residential buildings, roads and other infrastructure, demand for quarry products in SEQ is expected to almost double over the next 25 years. Assuming a long-term average annual demand per capita of 7 tonnes, demand for quarry products is anticipated to need to rise to 42 Mtpa by 2046, which is twice the 2020 level of demand met by quarries.*

12. *Given the foreseeable strong growth in the level of demand, it is logical from a planning, economic and community perspective, that ongoing community need for quarry materials should be met, wherever possible, from locations like the Harlin quarry hard rock resources, which the State recognises as being of regional significance, and which are geologically proven, supported by existing, established infrastructure and servicing established markets.*

4.0 SITE DETAILS

4.1 Description of the land

The site contains a number of irregular shaped allotments, with the land bisected by the Brisbane River, and the western side further bisected by the Brisbane Valley Rail Trail. The administration building, weighbridges, minor stockpiling, and main workshop are located on the western side of the Brisbane River. The eastern section of the site contains the existing extractive industry and processing plant as well as the proposed North Pit.

The majority of the site is gently sloping down to the Brisbane River. The northern portion of Lot 2 and Lot 88 contains moderate to steep slopes, generally sloping up to the northern boundary. There are two main ridge lines and two main gullies in this section of the site. The ridgeline which traverses the site east to west rises from 105m to 240m AHD. These parcels also include regulated vegetation and koala habitat areas.

The lots on the southern side of the Brisbane River are largely cleared of vegetation, with some scattered trees around the homestead and along banks of the river. Similarly, the vegetation on the southern portion of Lot 2 and Lot 88 (on the northern side of the river) is dispersed, typical of grazing and cropping land. The northern portion of Lot 2 and Lot 88 contains more vegetation, with concentrations around the gullies.

4.2 Access

The site has access to the Brisbane Valley Highway via Sinnamons Lane, which is constructed to a sealed two lane carriageway standard and is a no through road, currently used to access the applicant's land holding. The Brisbane Valley Highway (north and south of Sinnamons Lane) is a State Controlled Road and is a multi-combination approved route for 23 and 25 metre B-double trucks.

There is an existing single lane crossing over the Brisbane River located between Lot 88 and Lot 3 which provides access to the northern portion of the property holding. The crossing consists of concrete culverts and gravel approach roads.

The crossing is subject to inundation in flood events and extractive industry activities do not occur within the pit or the processing facility when the crossing is inundated. The facilities on the west side of the river are still usable and operational when the Brisbane River crossing is impassable.

Access to the North Pit itself will occur from the existing processing facility.

No changes are required with respect to the existing access arrangements to the external road network. A new internal road will be constructed from the existing processing facility to the new North pit.

The State Assessment and Referral Agency (SARA) was a referral agency for the change application and has assessed the application against the requirements of the State Development Assessment Provisions. SARA has not required any upgrades to the Sinnamons Lane and Brisbane Valley Highway intersection.

4.3 Connection to electricity and telecommunications

The land is within the Rural zone, and as such there is no requirement to connect the development to the reticulated electricity and telecommunications networks.

The existing extractive industry on the site however has existing connections to the reticulated electricity and telecommunications networks.

5.0 PLANNING LEGISLATION

5.1 *Planning Act 2016*

This application is a change application made under section 79 of the *Planning Act 2016*. As the change is not a minor change, the application is to be assessed and decided in accordance with section 82 of the Act.

This process requires that the application be assessed and decided as if it were a development application made today, assessed against the current assessment framework, but only to the extent of the proposed change.

This change application was made, and has been assessed, under Version 4.2 of the Somerset Region Planning Scheme (the planning scheme). The original application was assessed and decided under the Former Esk Shire Council Planning Scheme 2005. Under both planning schemes, the site is located within the Rural zone, and extractive industry requires impact assessment.

Additionally, and as described above, since the commencement of the use the site has been designated a Key Resource Area under the State Planning Policy, however this is not yet reflected in the planning scheme.

5.2 *Environmental Protection Act 1994*

Extractive industries, being environmentally relevant activities, also require licencing under the *Environmental Protection Act 1994* through as an Environmental Authority. This environmental authority, administered by the Department of the Environment, Tourism, Science and Innovation (DETSI), prescribes the operating conditions that regulate the activity for the avoidance and mitigation of harm or nuisance to the environment.

Ordinarily, a development application triggers the concurrent assessment of the environmental authority as an outcome of the State Assessment and Referral Agency referral for concurrence environmentally relevant activities. However, as this application seeks a change (other) to the development approval, that concurrent process does not apply, and the applicant is required to amend the environment authority separately to this application.

6.0 ASSESSMENT BENCHMARKS

The proposal requires assessment against the following assessment benchmarks.

6.1 *State Planning Policy 2017*

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

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

6.1.1 SPP Assessment Benchmarks – Mining and Extractive Resources

The Harlin Key Resource Area (KRA 167) has not yet been integrated into the planning scheme, (for example, it is not shown on the OM6 Extractive resources overlay map nor the SFM4 Economic development and natural resources strategic framework map).

The assessment benchmarks require that development:

- (1) within a resource / processing area of a KRA will not impede the undertaking of an existing or future extractive industry development;
- (2) of sensitive land uses and other potentially incompatible land uses is avoided within the separation area for a resource / processing area of a KRA, if it could impede the extraction of the resource;
- (3) not associated with extractive industry in the transport route separation area of a KRA does not increase the number of people working or residing in the transport route separation area unless the development mitigates the impacts of noise, dust and vibration generated by the haulage of extractive materials along the transport route;
- (4) adjacent to the transport route does not adversely affect the safe and efficient use of the transport route by vehicles transporting extractive resources.

The application is for an extractive industry within the key resource area. Whilst the proposed north pit is located within the separation area (rather than the resource area), the proposal is considered to comply with the above assessment benchmarks, as the development:

- (1) supports the ongoing use of the site for extractive industry as planned;
- (2) does not introduce new sensitive or other incompatible land uses that would impede access to the extractive resource;
- (3) is associated with extractive industry and will not increase the number of un-associated people working or living within the transport route separation area;
- (4) does not adversely affect the transport route in providing safe and efficient access to the Brisbane Valley Highway by vehicles transporting extractive resources.

6.2 South East Queensland Regional Plan

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

6.3 Schedule 10 of the *Planning Regulation 2017*

Schedule 10 of the *Planning Regulation 2017* establishes assessment triggers, requirements, and assessment benchmarks.

The proposal:

- (a) involves impacts to regulated vegetation;
- (b) involves impacts to mapped 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) involves environmentally relevant activities.

The following table describes the assessment of the proposal against the requirements prescribed in the *Planning Regulation 2017*.

Assessment matter	Comment
Clearing native vegetation (Schedule 10, part 3)	This matter is managed by the State Assessment and Referral Agency as a referral agency to the application.
Environmentally relevant activities (Schedule 10, part 5)	

State transport infrastructure (Schedule 10, part 9, division 4)	This matter is managed by Powerlink as a referral agency (advice) to the application.
Koala habitat in SEQ region (Schedule 10, part 10)	
Electricity infrastructure (Schedule 10, part 9, division 2)	

6.4 Temporary local planning instruments

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

6.5 Variation approvals

The property is not benefitted by any variation approvals.

6.6 Somerset Region Planning Scheme (Version 4.2)

6.6.1 Relevant assessment benchmarks from the planning scheme

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

- (a) Part 3 Strategic framework;
- (b) 6.2.9 Rural zone code;
- (c) 7.2.1 Agricultural land overlay code;
- (d) 7.2.1 Biodiversity overlay code;
- (e) 7.2.4 Bushfire hazard overlay code;
- (f) 7.2.5 Catchment management overlay code;
- (g) 7.2.8 High impact activities management area overlay code;
- (h) 7.2.9 Infrastructure overlay code;
- (i) 7.2.10 Landslide hazard overlay code;
- (j) 7.2.12 Scenic amenity overlay code;
- (k) 8.2.7 Extractive industry code;
- (l) 8.3.5 Services works and infrastructure code; and
- (m) 8.3.6 Transport access and parking code.

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

The site is mapped within OM003 Biodiversity overlay – Koala conservation. This map, and the provisions of the overlay code, have been superseded by new requirements within the *Planning Regulation 2017*, and as such the planning scheme provisions for koalas are taken to be of no effect. The State Assessment and Referral Agency has considered the impact of the development on Koala habitat value, as discussed later in this report.

Additionally, the site is mapped within the OM008 High impact activities management area overlay. The overlay code only applies to development that is for a high impact activity within the high impact activities management area.

High impact activities are defined in the planning scheme, which includes extractive industries except where they are located within a key resource area as shown on the OM006 Extractive resources overlay map. As the key resource area is not shown on the Extractive resources overlay map, the High impact activities management area overlay code continues to apply to the proposal. However, the proposal is consistent with the overlay code as identified in the below code assessment.

6.6.2 Strategic framework assessment

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

6.6.2.1 Settlement pattern

The proposal advances the settlement pattern of the region as it provides for ongoing employment within the Council area. The site is remote from existing towns and townships. The development does not compromise other rural activities from occurring nor compromise the role and function of Centre or Industry zoned land.

Element 3.3.10 of this theme provides specific outcomes for the development of high impact activities within the region, and seeks to ensure that the urban, rural residential, rural lifestyle and tourism focus areas are protected from impacts of high impact activities. High impact activities, such as extractive industries, must be appropriately located to protect the health, wellbeing, amenity and safety of communities and individuals from the impacts of air, noise, and odour emissions.

The proposal has demonstrated that, despite being located within the High impact activities management area, the impacts of the development on surrounding communities can be managed such that noise and dust and other amenity considerations do not unreasonably impact on neighbouring residents. The recommended conditions package provides appropriate measures for construction, operation, monitoring, and compliance of the use to address impact concerns from the extractive industry operation. The development is also subject to an Environmental Authority that addresses conditions regarding potential emissions.

It is considered that the proposal will not compromise the development potential of the rural area in either the short or long-term.

6.6.2.2 Natural environment

The site is included on Biodiversity overlay map – Koala habitat areas, however this mapping has been superseded by the State's koala habitat mapping, leaving the overlay with no regulatory effect. The site is not an area of ecological significance or protected estate as shown on the framework maps.

The proposed vegetation clearing and offset arrangement has been assessed by SARA and development conditions have been included in their response with respect to impacts to regulated vegetation and koala habitat areas.

The development is considered to have been appropriately designed to mitigate noise and odour environmental impacts subject to compliance with the Environmental Authority and submitted suite of technical reports.

6.6.2.3 Natural resources

The proposal does not impact detrimentally on any identified natural resources, including agricultural land, extractive resources, forestry, or drinking water catchments.

The development is located on a key resource area identified in the State Planning Policy that is not yet integrated into the planning scheme. Notwithstanding the KRA is not yet identified on the relevant strategic framework map, the proposal will result in the expansion of an extractive resource within a key resource area that is consistent with the specific outcomes provided in the Extractive resources element.

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

6.6.2.4 Community identity and regional landscape character

The community identity and regional landscape character of the region is not affected by the proposal, as the development does not compromise the existing or planned character of the regions centres, townships or rural living areas.

The proposed development of the North Pit will result in the gradual removal of an existing hill. The existing extractive industry will involve ongoing rehabilitation of the upper levels of the existing pit as the development continues to operate and ultimately transitions into the new pit. It is considered the development is appropriately controlled to maintain the open landscape character of the rural area subject to the recommended conditions package.

6.6.2.5 Economic development

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

The proposal supports an existing business providing rural economic opportunities. The increased lifespan of the quarry provides additional certainty for construction supplies for roadbase and other stone, gravel and sand products throughout southeast Queensland.

6.6.2.6 Infrastructure and services

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

6.6.2.7 Transport

Sinnamons Lane provides a direct link between the development site and the nearest State controlled road (Brisbane Valley Highway) and is at a standard that appropriately services the existing traffic volumes and anticipated development traffic. In accordance with the existing development approval, Sinnamons Lane is maintained by the quarry operator.

The impact to the Brisbane Valley Highway intersection, and the highway generally, has been considered by the State Assessment and Referral Agency as a referral agency, who have supported the application subject to conditions (refer to section 7.1 below).

6.6.3 Code compliance summary

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

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

Applicable code	Compliance with overall outcomes	Performance outcomes
Rural zone code	Yes	No alternative outcomes proposed
Extractive industry code	Yes	PO7, PO10, PO11

Services, works and infrastructure code	Yes	PO6
Transport access and parking code	Yes	PO10
Applicable overlay code	Compliance with overall outcomes	Performance outcomes
Agricultural land overlay code	Yes	PO1
Biodiversity overlay code	Yes	No alternatives outcomes proposed
Bushfire hazard overlay code	Yes	No alternative outcomes proposed
Catchment management overlay code	Yes	No alternatives outcomes proposed
HIA Management area overlay code	Yes	No alternative outcomes proposed
Infrastructure overlay code	Yes	No alternative outcomes proposed
Landslide hazard overlay code	Yes	PO2
Scenic amenity 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.

6.6.4 Performance outcome assessment

Extractive industry code

Performance outcome	Acceptable outcome
Managing the effects of extractive industry operations	
PO7 Noise and vibration is managed in accordance accepted standards.	AO7.1 Blasting operations are limited to between the hours of 9.00am to 5.00pm Monday to Friday. AO7.2 Extraction, crushing, screening loading and the operation of plant equipment and haulage are only to be undertaken between the hours of: (a) 6.00am and 6.00pm Monday to Friday; and (b) 8.00am and 3.00pm on Saturdays.
Applicant comments on alternative outcome Blasting will only be undertaken during standard quarry hours specified in the Queensland DEHP conditions, generally between the hours of 9:00 am to 3:00pm Monday to Friday. It is not expected that blasting would occur on Saturday, although the license conditions allow for a four hour window between 9am and 1pm. The Noise Assessment demonstrates that the proposed North Pit quarrying activities can achieve compliance with the relevant noise criteria at identified surrounding sensitive	

receptors with the provision of appropriate noise controls and noise management measures. The recommendations of the Noise Assessment will be implemented as part of the proposal.

Officer's alternative outcome assessment

While the spread of hours does not strictly comply with the hours listed in the Acceptable Outcome, the variation for Saturday for the existing pit has been approved by the State and is conditioned accordingly. It would be unrealistic to reduce the approved hours.

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

Landscaping buffering

PO10

Extractive industry buildings, machinery operating areas and access ways are sited and effectively screened from public roads, other public vantage points, and neighbouring properties. Landscaping species complement the biodiversity values of the *site* and surrounding area.

AO10.1

A landscape *buffer* of a minimum 25 metres screens site operations and incorporates the following elements where appropriate:

- (a) native plants of local origin;
- (b) known food and habitat trees and shrubs;
- (c) replication of adjacent healthy remnant habitats, including understorey vegetation; and
- (d) no declared noxious plants, weeds or invasive plants likely to displace native flora species or degrade fauna habitat.

Applicant comments on alternative outcome

There is no formal landscaping proposed or warranted. Where possible and practical, upper benches will be rehabilitated in time in accordance with the requirements of PO10 and any that of any future licensing.

Officer's alternative outcome assessment

The development has been proposed with a staged extension of the pit, including a staged reduction in the height of the hill. This will be coupled with ongoing staged rehabilitation of the existing pit consistent with the plans showing bench treatment and rehabilitation.

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

Rehabilitation

PO11

Progressive rehabilitation of the *site* is to be carried out over the life of the extractive operations to minimise the impacts on the environment and to retain the environmental values and natural appearance of the surroundings.

AO11

No acceptable outcome provided.

Applicant comments on alternative outcome

The current Site Based Management Plan (SBMP) for the existing Harlin Quarry includes a Rehabilitation Management Plan and measures to minimise impacts on the environment. The SBMP has been updated for the North Pit in accordance with the recommendations of Vegetation survey report (Appendix F) and Terrestrial Ecology Report.

Officer's alternative outcome assessment

Part of the original approval included koala offsets to address clearance of koala habitat. The proposed development includes expansion of the quarry into the area that was proposed for the koala offset planting.

SARA has provided conditions addressing alternate offset planting and management.

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

Agricultural land overlay code

Performance outcome	Acceptable outcome
PO1 Loss, fragmentation, alienation or diminished capacity of agricultural land is avoided unless: (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; (c) loss or fragmentation is minimised to the extent possible.	Where for a material change of use in the Rural zone AO1.1 Development (inclusive of the <i>development footprint</i>) is not located on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the Agricultural land overlay maps OM01a-b unless identified in Table 7.2.1.3.B . AO1.2 The <i>development footprint</i> for development other than <i>rural activities</i> identified in Table 7.2.1.3.B is equal to or less than 750m ² on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the Agricultural land overlay maps OM01a-b .

Applicant comments on alternative outcome

The proposal footprint contains a small portion of mapped Agricultural Land. While there will be unavoidable impacts on this small area, geotechnical assessments demonstrate there is no other suitable alternative site for the development.

The proposal will minimise the disruption to agricultural land as far as practicable in the context of the designation of the land as a Key Resource Area. The existing agricultural use of the land outside of extraction areas will be maintained and co-exist with the proposed development.

Over time, the site will be progressively rehabilitated to stabilise land, restore ecological and agricultural values, and provide land suitable for adaptive re-use.

The Assessment of Need prepared by EcoRoc Pty Ltd (Refer to Appendix O) demonstrates that there is an overriding need for the proposed development. The nature of the proposal, being the extraction of a resource which is fixed in location, is such that it cannot be located on an alternative site.

Officer's alternative outcome assessment

The development slightly encroaches into part of the Agricultural land Class B area on Lot 88.

The development is proposed in conjunction with the existing extractive industry and processing facility on the site which also extends across part of the Class A and Class B areas shown on the site.

Based on the existing extractive industry operation on the site as well as the State's KRA declaration, the site is unlikely to be used for agricultural purposes in the medium to long term. It is however noted that the balance of the site is used for grazing cattle.

Inclusion of the property as a KRA indicates the extractive industry is evidence of an overriding need for the development in terms of public benefit.

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

Landslide hazard overlay code

Performance outcome	Acceptable outcome
Risk of harm to people and property	
PO2 Clearing of vegetation does not worsen the potential for landslide to occur.	AO2 No clearing of <i>native vegetation</i> is undertaken within landslide hazard areas identified on the Landslide hazard overlay maps OM0010a-b .
Applicant comments on alternative outcome The proposed extractive industry is occurring wholly within the Key Regional Resource Area identified on the SPP Interactive Mapping System. In this context, there will be some unavoidable loss of vegetation and habitat due the nature of an extractive industry.	
Officer's alternative outcome assessment The gradients within the existing pit are being reduced to lower the risk of rockfall.	
The proposed North Pit development will involve the staged removal of native vegetation within the landslide hazard area in association with the staging of the extractive industry. The design of the pit faces and benches have been proposed in accordance with the Site management plan for the development. The pit will have a series of tiered benches to minimise the height of the working faces of the pit.	
It is recommended that the alternative outcome be accepted in this instance.	

Flood hazard overlay

Part of Lot 88 is subject to Potential flood hazard area. The proposed development is located outside of the areas designated as Potential flood hazard area.

Services, works and infrastructure code

Performance outcome	Acceptable outcome
Vegetation clearing	
PO6 Vegetation must be protected to ensure that: <ul style="list-style-type: none"> (a) vegetation of historical, cultural or visual significance is retained; (b) vegetation is retained for erosion prevention and slope stabilisation; 	AO6.1 No vegetation clearing (unless <i>minor operational work</i>). OR AO6.2

<p>(c) the character of the local area is maintained;</p> <p>(d) pedestrian shading is maintained;</p> <p>(e) the conservation of natural biodiversity is assisted.</p>	<p>Vegetation clearing is essential for carrying out work authorised or required under another Act.</p> <p>OR</p> <p>AO6.3 Vegetation clearing is within the path of, or within three metres of road, water supply, sewage or stormwater drainage works.</p> <p>OR</p> <p>AO6.4 Vegetation clearing is within three metres (as measured from the centre of the diameter of the tree's trunk, at ground level) of an existing building or structure.</p> <p>OR</p> <p>AO6.5 Vegetation clearing is authorised by Council and is considered as one or more of the following:</p> <ul style="list-style-type: none"> (a) actually or potentially dangerous as a result of being dead, dying or diseased, structurally unsound, or having a growth form or habit which is hazardous; (b) a threat to the safety of persons or property or the environment integrity; (c) restricting the habitability of the dwelling on the site. <p>OR</p> <p>AO6.6 Vegetation clearing is essential for the survey of the property boundary by a licensed cadastral surveyor.</p> <p>OR</p> <p>AO6.7 Vegetation clearing is undertaken to:</p> <ul style="list-style-type: none"> (a) maintain an existing fire break; (b) undertake works in order to implement an approved fire management plan; or (c) establish a fire break during a fire event or to contain fire in some other way during a fire event.
<p>Officer's alternative outcome assessment Vegetation removal has been endorsed by SARA in their regulatory role with respect to regulated vegetation and interfering with koala habitat in a KRA. SARA has included conditions regarding vegetation management on site.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	

Traffic, access and parking code

Performance outcome	Acceptable outcome
Vehicle standing and manoeuvring areas	
PO10 Vehicle standing and manoeuvring areas are of suitable standard for the intended use and the areas are constructed to a standard that avoids <i>environmental nuisance</i> .	AO10 Internal manoeuvring and standing areas of the <i>site</i> are sealed.
Officer's alternative outcome assessment The existing truck route, pit and processing area within the site are gravelled. It is not proposed to change this outcome. The Environmental Authority for the site includes conditions with respect to dust generation, including requirements for dust suppression. It is recommended that the alternative outcome be accepted in this instance.	

6.6.5 Overall outcome assessment

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

6.7 Local government infrastructure plan

6.7.1 Priority infrastructure area

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

6.7.2 Infrastructure charges

The proposed development is for Extractive industry, which is identified as being a Specialised use under *Somerset Regional Council Charges Resolution (No. 1) 2025*. The land is within Charge Area B for determining the relevant adopted charges.

For a Specialised use, "the adopted charge is the charge for another use within another development category that Council determines should apply based on that other use having a similar demand."

The development does not create additional impact on the Council trunk infrastructure networks, noting that local impacts to Sinnamons Lane are mitigated by maintained by the Quarry operator, and as such the officer recommendation is to consider the development as causing no additional impact on Council trunk infrastructure networks.

The draft infrastructure charges notice is attached.

6.7.3 Trunk infrastructure requirements

6.7.3.1 Drinking water and wastewater networks

The site is not located within the connections area or future connections area for either the drinking water and wastewater networks, and as such the development requires the provision of onsite services. These facilities are unchanged by the development proposal.

6.7.3.2 Stormwater network

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

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

6.7.3.3 Public parks and community land network

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

6.7.3.4 Transport network

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

7.0 REFERRAL

7.1 Referral agencies

7.1.1 State Assessment and Referral Agency

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, clearing of native vegetation, interfering with koala habitat in a key resource area, and environmentally relevant activities. 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.

Conditions regarding state-controlled roads include contributions to DTMR for maintenance of the state road network, commencement of operation and maintaining records documenting the quantity of material extracted and transported from site. SARA's Referral agency conditions are listed in Schedule 4 of the conditions. SARA's response from 19 May 2025 and referenced in condition 4.1 overrides the previous conditions that were listed in Schedule 6 of the Court Order.

Conditions regarding clearing of native vegetation include delivery of an environmental offset to counterbalance removal of 4.84ha of vegetation, and staged vegetation removal. SARA's Referral agency conditions are listed in Schedule 4 of the conditions. SARA's response from 19 May 2025 and referenced in condition 4.1 overrides the previous conditions that were listed in Schedule 4 of the Court Order.

Conditions regarding interfering with koala habitat include limiting to removal of 4ha of koala habitat area and 2,755 non-juvenile koala habitat trees, notification to DETSI prior to commencement of clearing, use of a spotter catcher during the clearing, and an environmental offset for the removal of koala habitat. SARA's Referral agency conditions are listed in Schedule 4 of the conditions. SARA's response from 19 May 2025 references the applicant's Koala management plan and applies additional requirements beyond the conditions of the Court Order.

Conditions regarding the Environmentally Relevant Activity also authorise the extent of the development and the impacts of the development upon prescribed environmental matters (PEM), including regulated vegetation, connectivity areas and protected wildlife habitat for koala, powerful owl and short-beaked echidna.

An application for an Other Change to an existing development approval does not trigger the concurrent assessment under section 115 of the *Environmental Protection Act 1994*. As a result, the applicant will need to apply to directly to the Department of Environment, Tourism,

Science and Innovation (DETSI) separately to amend the environmental authority (EA).

As a result, the conditions imposed as part of DERM permit number SPCE03653011 remain in place with respect to General provisions, Air, Land, Noise, Water, and Waste until such time as a separate application to amend the environmental authority is approved.

7.1.2 Powerlink

In accordance with the *Planning Regulation 2017*, the application required referral to Powerlink for matters relating to protection of electricity infrastructure. While the proposed pit is located toward the western boundary of the site, the high voltage transmission lines are located near the eastern boundary of the site.

Powerlink advised that they had no objections to the approval of the development application, subject to the imposition of the recommended development conditions. As the agency is limited to giving advice only, Council can decide whether to include the recommended conditions. It is the officer's recommendation that the advice agency conditions be included as per the referral agency response.

7.2 Third party advice

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

8.0 PUBLIC NOTIFICATION

8.1 Notification requirements

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

- (a) public notification was served to all adjoining landowners on 3 September 2024;
- (b) a notice was published in the Lockyer and Somerset Independent newspaper on 5 September 2024;
- (c) a notice in the prescribed form was placed on the premises on 5 September 2024 and maintained for the minimum period of 15 business days until 28 September 2024.

Council received the notice of compliance on 30 September 2024, confirming that public notification had been undertaken in accordance with the statutory requirements.

8.2 Matters raised in submissions

During the public notification period, Council received one submission.

The matters raised in the submissions are outlined below:

Submission concern – Offset area

The proposed extension is in an area dedicated as an off-set area under a previous quarry application to the Somerset Regional Council; where will the koalas go now?

Applicant response

As identified in the Attexo response to the information request from the State Assessment & Referral Agency (SARA), there is an outstanding offset (conditioned by the State) for impacts to vegetation being classified as RE12.12.12. The proposed offset location however has since been identified to be RE12.11.7 which means that it was unsuitable to achieve the requirements of the condition/offset. Alternative offset locations (with appropriate vegetation types to satisfy the condition) have been identified.

While the conditioned offset did not relate to Koalas, we note the Terrestrial Ecology Report lodged with the application included the following comments in relation to that species: No koalas have been recorded on the subject land during the 2011, 2012, 2022 and 2023 surveys, despite concerted targeted effort.

- the proposed North Pit is not located in an area that is considered environmentally significant and is an area adjacent to the existing quarry into regrowth ironbark and farmland;
- targeted surveys and observations over many years reveals that there are very low activity levels within the North Pit area. While the vegetation in the location of the North Pit is, by definition, koala habitat, the preferred habitat (ground-truthed by targeted surveys and observations) is along the river where higher activity levels have been recorded. This preferred habitat along the river will not be disturbed;
- the proposed North Pit will not fragment any corridor for fauna and benches will be progressively rehabilitated. The proposed extraction area does not form part of an area between “highly connected” patches. The vegetated ridgelines and gullies to the north/northwest (to be retained) provide better, more suitable connected habitat; and
- the location of the proposed North Pit is not considered significant for koalas, with high levels of activity found elsewhere in the locality and in areas to be retained and better connected with dense bushland. Safe koala passage through the landscape will be maintained because the corridor areas are not proposed to be disturbed.

Officer comment

The area of core koala habitat affected by the proposed North Pit has an area of approximately 2ha. A larger area of koala habitat is located to the north on the higher land above the proposed North Pit and the existing hillside pit.

Conditions have been applied by SARA with respect to offset plantings to address the State’s requirements for vegetation removal associated with the proposed extractive industry.

Submission concern – Interference with gullies

The proposed extension will interfere with gullies channelling water into the Brisbane River. I believe that approval from the Department of Natural Resources (DNR) must be obtained before any interference with a watercourse can progress? I did not see any approval by DNR in the application.

Applicant response

As described in the Stormwater Management Plan lodged with the application, diversion drains/bunds will be used to prevent clean water from entering disturbed areas and sediment basins. In this way there will be no interference to gullies channelling water into the Brisbane River.

Officer comment

Management of water on site is subject to an existing Environmental Authority (EA) which is managed by the Department of the Environment, Tourism, Science and Innovation (DETSI). A revised EA will be required through DETSI to accommodate the proposed North Pit.

- The current EA prohibits the release of contaminated water to land or waters and does not nominate release locations. It is expected this requirement will be retained as a part of any updated EA.

- The applicant has stated that an amendment to the EA will be sought to include a request to change the conditions to clarify and regulate the release of stormwater from site and its quality.
- It is considered that the risk to water environmental values can be appropriately managed through the applicant's proposed mitigation measures and the conditions of the EA.

The State's Development Assessment Mapping System identifies an existing watercourse located in proximity to the western boundary of the site. Part of this watercourse is identified within the Queensland waterways for waterway barrier works designation. Of the four categories of waterways, this waterway is classified as Stream order 1 which is the lowest category. The northernmost extent of the waterway is approximately 70m from the western boundary of the site. Where measuring along the western boundary, the northernmost extent of the waterway concludes approximately 415m north of where the western boundary meets the property boundary that adjoins the Brisbane River.

While the watercourse drains land further to the north, beyond the extent of the designated section of the watercourse and to the north of the proposed North Pit, works in the undesignated section of the watercourse would not trigger an application to the State for works that may affect that part of the watercourse.

Waterway barrier works that affect a designated watercourse do not trigger referral to the State as part of Material change of use.

While the western rim of the North Pit is adjacent to the designated watercourse, the ultimate extent of the North Pit does not impact on the alignment of that watercourse, nor does it include any waterway barrier works that trigger referral to the State.

A separate drainage line is located to the east of the proposed pit. This drainage line is not identified as a Queensland waterway where it is in proximity to the proposed pit. The drainage line flows to the east of the processing area and west of the existing extractive industry. The northmost section of the drainage line commences immediately south of the existing haul road between the pit and the processing area.

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

Submission concern – Impact on submitters property

- Why are measurements being taken from the boundary line of the Key Resource Area 167 (KRA) and not property boundary lines? The KRA is inside my freehold property boundary line. A KRA does not extinguish the rights of freehold property boundary lines.
- The proposed boundary is within KRA 167, but the separation area boundary is insufficient and the internal buffer IS NOT all provided by Karreman-owned land as claimed on page 4; my freehold land has been included in measurements taken to justify the pit position.

Applicant response

It is unknown what measurements the submitter is referring to in this instance. Relevantly the technical reports lodged with the application demonstrate that there will be no unacceptable impacts on the nearest sensitive receivers as a result of the proposed development (for example from blasting, noise, dust, etc).

The separation area boundary shown as KRA 167 was set by the State Government. The State Planning Policy (and Council's planning scheme) restrict new sensitive uses from occurring within the separation area. On this basis, while the entire extent of KRA separation area does not fall on Karreman owned land, it is an appropriate boundary to measure impacts on existing or future sensitive uses.

Officer comment

A number of KRAs across the state have been established over land that is currently undeveloped but contain a resource that requires protection to enable future extractive industry. The quarry was approved and commenced operation prior to the declaration of the KRA167 over the site. KRA167 reflected the extent of the approval rather than the extent of the resource.

The proposed extractive industry is located within KRA167 but outside of the KRA Resource/Processing Area. The outer extent of a KRA includes the Separation Area associated with the Resource/Processing area. The proposed extractive industry is located within the Separation Area for the KRA.

The State interest guidance material for Mining and extractive resources defines a Separation area as follows:

The separation area is the area surrounding the resource/processing area required to maintain separation from people who may be affected by residual impacts such as noise, dust and ground vibrations of existing or future extractive operations in the resource/processing area.

The minimum distance is 200 metres for resources that do not require blasting or crushing to extract (sand, gravel and clay) and 1,000 metres for hard rock resources where blasting and crushing of material is required.

An extractive resource might extend beyond the boundary of the resource/processing area and, where this occurs, an extractive industry could take place in the separation area, provided that the function of the separation area is not compromised.

In some cases the separation area may be less than the minimum distances in consideration of local features such as topography or existing development commitments for incompatible land uses.

The submitter is correct in that the separation area for KRA167 extends into their property. The planning framework enables separation and other impact mitigation areas to be declared over freehold parcels (and other tenures) that are not under the same ownership.

The State's decision to declare the KRA results in restrictions on development for sensitive land uses within the area of the KRA, irrespective of the tenure of the land. Any sensitive land use proposed within a KRA will require a planning approval, and the application must demonstrate that a sensitive use does not impact on the ability for the resource to be extracted.

The application is considered to have appropriately addressed the relevant environmental standards to enable approval, noting that the operation of the quarry will be authorised under an amended Environmental Authority given by the State.

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

Submission concern – Proximity to boundary

The final North Pit footprint will be approximately 100m from my property boundary line with water and excavation targeted in a north westerly direction (pages 7,8); which is directly in line with my property.

Officer comment

In this circumstance the staged development of the new pit is designed to locate the initial extractive operation on the east side of the hill, retaining the western face of the hill during the early to mid-stages of the operation before undertaking a staged removal of the western side of the hill.

The staged removal of the western side of the hill is not proposed within the first 10 years of the approval.

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

Submission concern – Noise and dust

The closeness of the proposed pit to my boundary will substantially increase the noise and dust on my property. External impacts such as noise, dust, visual impacts and blast emission will not be mitigated by the terrain and excavation (pages 1, 2, 8); no factual evidence is given to support this claim. The pit is too close to the property boundary line for this to be a reality.

Applicant Response

The visual, blasting, noise and dust reports conclude that there will be no unacceptable adverse impacts.

Officer comment

The application has demonstrated compliance with the relevant environmental management requirements as part of the referral for the environmentally relevant activity. The management and mitigation of these environmental impacts will also be subject to an Environmental Authority given by the Queensland Government.

Compliance with the requirements of an environmental authority requires no unreasonable adverse impact (including environmental nuisance or harm) can occur at adjoining sensitive receptors as required by the *Environmental Protection Act 1994* and its subordinate instruments.

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

Submission concern – Proximity to property

There is no mention of a minimum distance that a mine must be from a neighbouring property line. This distance needs to be taken into consideration to prevent noise and dust pollution to neighbouring properties.

Officer comment

The nearest part of the proposed development is approximately 120m from the western property boundary. The nearest buildings on the adjoining property to the west are approximately 1000 metres from the nearest part of the proposed pit.

It is noted the haul route for the existing pit to the processing facility is approximately 20m from the adjoining property to the east.

The submitter is correct in that there are no minimum distances for an extractive industry to be from a property boundary, nor from a sensitive receptor. Instead, site specific assessments are required to be carried out by suitably qualified persons that demonstrate that the extraction and processing activities do not adversely affect neighbouring sensitive receptors. The application has demonstrated compliance with the relevant requirements (as assessed by the State Assessment and Referral Agency, with Department of the Environment, Tourism, Science and Innovation as a technical agency).

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

Submission concern – Changes to watercourses

The watercourse will be altered, and water that is currently going into the Brisbane River will instead end up in the pit as contaminated water. This will reduce the water level in the river, reducing the amount of water available for cattle, wildlife and river conservation.

Officer comment

The development does not impact on the alignment of the watercourse to the west of the proposed pit. There is a separate drainage line to the west of the proposed pit.

It is counterproductive for the applicant to allow a working extractive industry to fill with water.

As part of the rehabilitation concept, the proponent concludes the final void will partly fill with water for rural uses. It is proposed to establish plantings on the benches within the parts of the site that cannot drain externally, while still providing a ramp to the bottom of the pit.

The development proposes the pit will be ultimate extent of the pit does not impact on the alignment of any of the watercourses on the site. The pit is ultimately proposed with a that watercourse, nor does it include any waterway barrier works that trigger referral to the State.

Part of the documents submitted with the application included an assessment of risk of emissions and contaminants to groundwater or surface waters. The main conclusion of the assessment was “The overall risk posed by the North Pit with regard to natural or accidental groundwater or surface water interaction, connectivity, depletion, drawdown, contamination, acid drainage or pollution of some other kind, is considered ...to be very low.” This is based on a review of a number of factors including the geological setting of the development, surface and drilling investigations, weathering effects in the area, permeability, pollutants in the resource, and Brisbane River flow and security.

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

8.0 CHANGES TO DEVELOPMENT CONDITIONS

A review of the conditions of the development approval (Court order) has been carried out, and changes are required to the development conditions to reflect the amended development, including the additional pit, and also improve certainty and clarity of the development conditions.

It is recognised the existing Environmental Authority remains in place with respect to state managed operational criteria until such time as an amended Environmental Authority is given.

A replacement development conditions package has been prepared that appropriately carries forward relevant conditions from the development approval with new development conditions to support the requested changes.

9.0 OTHER RELEVANT MATTERS

9.1 Public interest

Fundamentally, the public has an interest in upholding the expectations that are laid out in planning instruments, including the State Planning Policy and the planning scheme. The Queensland Court of Appeal has previously expressed a view that the planning scheme is to be taken as an expression of the public interest for development assessment.

The State Planning Policy sets out the expectation that land is to be used for extractive industry purposes, as this provides the maximum benefit of utilising a known natural resource at a site with existing extraction infrastructure. The declaration of the site as a key resource area confirms that the extractive resource is regionally significant and of a sufficient scale to supply material over an extended lifetime, and that the resource should be protected from other uses that are inconsistent with extractive industries.

The public also has an interest that development does not result in environmental degradation, and that impacts on adjoining sensitive places are avoided and mitigated appropriately. The application has demonstrated compliance with all of the relevant technical standards

Given the planning framework identifies the land as an regionally significant extraction and processing facility, and the application has demonstrated compliance all of the relevant assessment benchmarks for environmental impacts, the officer's recommendation is that the proposed development is in the public interest.

9.2 Balanced decision advancing the Planning Act

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

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

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

The application has considered short-term and long-term environmental effects, ensuring that the extraction does not result in serious or irreversible environmental damage. The proposed changes do not compromise the long-term liveability of the Somerset Region or introduce impacts that would degrade the quality of life or the environment for future generations.

The development of extractive industries in well separated areas that are largely secluded and separated from urban areas and townships is an important component of increasing economic development at a regional scale.

In considering the suitability of the development for future generations and long-term effects, officers consider the balanced decision is to support the proposed changes, and approve the change application.

10.0 CONCLUSION

The application is a change application (other change) to a development approval for:

- Development Permit for Material Change of Use for Extractive Industry (Hard Rock Quarry); and
- Development Permit for Material Change of Use for Environmentally Relevant Activities:
 - 16 2(b) (extracting more than 100,000t but not more than 1,000,000t/year); and
 - 16 3(b) (screening more than 100,000t but not more than 1,000,000t/year).

The proposed development is for a new pit that will ultimately replace the existing pit on the site while not increasing the throughput of material extracted and processed on site. The proposal has demonstrated compliance with relevant assessment benchmarks from the State Planning Policy and the Somerset Region Planning Scheme (Version 4.2), with any alternative outcomes outlined within this report.

The application has been assessed by the State Assessment and Referral Agency and Powerlink, with both agencies supporting the proposed changes subject to the imposition of reasonable and relevant development conditions under their respective jurisdictions.

The ongoing operation of the quarry will be further regulated by an Environmental Authority under the *Environmental Protection Act 1994* which provides for greater certainty that the impact of the development on the environment and to surrounding sensitive receptors is appropriate managed and mitigated in line with regulatory requirements.

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

- (a) consistent with the intent of the State Planning Policy 2017;
- (b) consistent with the intent of the Somerset Region Planning Scheme (Version 4.2); and
- (c) achieving the outcomes identified in the applicable assessment benchmarks for which the application was required to be assessed.

The officer's recommendation is to support the requested changes and approve the change application, subject to the below changes to the development conditions package.

11.0 ATTACHMENT

1. Court Order No 3678 of 2012 dated 16 November 2012 and revised conditions package with the Court Order.
2. Proposed North Pit – Harlin Quarry, prepared by Reel Planning, dated 12 July 2024
3. Existing Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P01, Rev D, dated 15 July 2024.
4. Proposed Future Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P02, Rev D, dated 15 July 2024.
5. Interpreted Distribution of Rock Types 1 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev B, dated 21 May 2023.
6. Interpreted Distribution of Rock Types 2 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev A, dated 15 May 2023.
7. North Pit – Topography 3D, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P04, Rev A, dated 15 May 2023.
8. North Pit - Major Structural Geology, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P05, Rev A, dated 15 May 2023.
9. North Pit - Development Concept: Short-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P06, Rev A, dated 15 May 2023.
10. North Pit - Development Concept: Short to Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P07, Rev A, dated 15 May 2023.

11. North Pit - Development Concept: Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P08, Rev A, dated 15 May 2023.
12. North Pit - Development Concept: Long-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P09, Rev A, dated 15 May 2023.
13. 3D Conceptual North Pit - Pre-Quarrying Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P010, Rev A, dated 15 May 2023.
14. 3D Conceptual North Pit - Short Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P011, Rev A, dated 15 May 2023.
15. 3D Conceptual North Pit - Short to Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P012, Rev A, dated 15 May 2023.
16. 3D Conceptual North Pit – Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P013, Rev A, dated 15 May 2023.
17. 3D Conceptual North Pit – Long-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P014, Rev A, dated 15 May 2023.
18. 3D Conceptual North Pit - Rehabilitation (Long-Term Development), drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P015, Rev B, dated 15 July 2024.
19. 3D Conceptual North Pit - Cross Sections A-A', B-B' and C-C', drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P016, Rev A, dated 15 May 2023.
20. Bench Rehabilitation: Concept Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P017, Rev A, dated 22 May 2023.
21. Bench Rehabilitation: Concept Vegetated Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P018, Rev A, dated 22 May 2023.
22. Site Based Management Plan, prepared by Ecoroc, dated 9 August 2024.
23. Noise Impact Assessment, Proposed Quarry Extension, Job No. 22-174, prepared by MWA Environmental, dated 23 October 2023.
24. Dust Assessment, Proposed Quarry Extension, Job No. 22174, prepared by MWA Environmental, dated 3 November 2023.
25. Extension - Stormwater Management Plan, Reference 23020259-R01-V05, prepared by Water Technology Pty Ltd, dated 20 August 2024.
26. Terrestrial Ecology – Fauna Report, North Pit – Harlin Quarry, prepared by Gondwana Ecology Group, dated 18 August 2024.
27. Blast Management Plan and Control – Karreman Quarry, Project Number HP2302-1, prepared by Heilig & Partners Pty Ltd, dated 21 April 2023.
28. Visual Impact Assessment – Proposed North Pit, File No. L2304005, prepared by Larchus, dated 18 October 2023.
29. Harlin Quarry: Assessment of risk of emissions and contaminants to groundwater or surface waters including the Brisbane River due to the construction of the North Pit, prepared by Ecoroc Pty Ltd, dated 10 August 2023.
30. Traffic Technical Advice, Reference: 10755, prepared by Traffic Transport Plus, dated 21 December 2023.
31. Assessment of Need for Harlin Quarry North Pit Development, prepared by Ecoroc Pty Ltd, dated 14 December 2023.
32. SARA Referral Agency Response - 145, 191, 192 Sinnamons Lane, Harlin and Unnamed Road #3149, Gregors Creek, Ref 2402-39258 SRA, dated 19 May 2025.
33. Powerlink Referral Agency Response, Ref DA5619 (MSLink2500,2501), dated 4 April 2024.
34. Draft infrastructure charges notice

RECOMMENDATION

THAT Council:

1. approve Change Application (Change Other) to Development Approval No. 12138 for a Development Permit for Material Change of Use for Extractive Industry (Hard Rock

Quarry) and Development Permit for Material Change of Use for Environmentally Relevant Activities 16 2(b) (extracting more than 100,000t but not more than 1,000,000t/year) and 16 3(b) (screening more than 100,000t but not more than 1,000,000t/year) on land situated at Unnamed #3149 Road, Gregors Creek, 145, 191 and 192 Sinnamons Lane, Harlin, formally described as Lot Lot 88 RP28542, Lot 2 RP77219, Lot 55 RP28542, 17 RP146684, Lot 30 SP258504, Lot 5 RP134429, 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 83(8) of the *Planning Act 2016*.

DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE		
SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development in accordance with the material contained in Development Application Numbered 12138, supporting documentation, plans and reports, except where amended by these conditions of approval.	At all times
1.1	<p>Carry out the development in accordance with the material contained in Development Application No. 12138, including subsequent change applications, incorporating supporting documentation, plans and reports, except where amended by these conditions of approval.</p> <p>Plans and reports associated with the North Pit prevail over previous plans and reports to the extent of any inconsistency.</p>	At all times.
1.1.A	<p>Approved Plans and Documents for Existing Pit and Processing Facility</p> <p>Court Order No 3678 of 2012 dated 16 November 2012 and revised conditions package with the Court Order.</p> <p>The revised profile of the existing pit will be generally in accordance with the “Shorten 2022: Amended Overall Pit Wall Angle (Flatter)” profile on the Interpreted Distribution of Rock Types Section A-A’ (prepared by Shorten 2022), Drawing No. KQHN_P03_1, Issue B, dated 15 May 2023.</p>	At all times.
1.1.B	<p>Approved Plans and Documents for North Pit</p> <p>Proposed North Pit – Harlin Quarry, prepared by Reel Planning, dated 12 July 2024</p> <p>Existing Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P01, Rev D dated 15 July 2024.</p> <p>Proposed Future Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P02, Rev D dated 15 July 2024.</p>	At all times.

Interpreted Distribution of Rock Types 1 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev B, dated 21 May 2023.	
Interpreted Distribution of Rock Types 2 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev A, dated 15 May 2023.	
North Pit – Topography 3D, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P04, Rev A, dated 15 May 2023.	
North Pit - Major Structural Geology, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P05, Rev A, dated 15 May 2023.	
North Pit - Development Concept: Short-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P06, Rev A, dated 15 May 2023.	
North Pit - Development Concept: Short to Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P07, Rev A, dated 15 May 2023.	
North Pit - Development Concept: Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P08, Rev A, dated 15 May 2023.	
North Pit - Development Concept: Long-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P09, Rev A, dated 15 May 2023.	
3D Conceptual North Pit - Pre-Quarrying Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P010, Rev A, dated 15 May 2023.	
3D Conceptual North Pit - Short Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P011, Rev A, dated 15 May 2023.	
3D Conceptual North Pit - Short to Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P012, Rev A, dated 15 May 2023.	
3D Conceptual North Pit – Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P013, Rev A, dated 15 May 2023.	
3D Conceptual North Pit – Long-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P014, Rev A, dated 15 May 2023.	
3D Conceptual North Pit - Rehabilitation (Long-Term Development), drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P015, Rev B dated 15 July 2024.	
3D Conceptual North Pit - Cross Sections A-A', B-B' and C-C', drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P016, Rev A, dated 15 May 2023.	
Bench Rehabilitation: Concept Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P017, Rev A, dated 22 May 2023.	
Bench Rehabilitation: Concept Vegetated Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P018, Rev A, dated 22 May 2023.	
Site Based Management Plan, prepared by Ecoroc, dated 9 August 2024.	

	Noise Impact Assessment, Proposed Quarry Extension, Job No. 22-174, prepared by MWA Environmental, dated 23 October 2023.	
	Dust Assessment, Proposed Quarry Extension, Job No. 22174, prepared by MWA Environmental, dated 3 November 2023.	
	Extension - Stormwater Management Plan, Reference 23020259-R01-V05, prepared by Water Technology Pty Ltd, dated 20 August 2024.	
	Terrestrial Ecology – Fauna Report, North Pit – Harlin Quarry, prepared by Gondwana Ecology Group, dated 18 August 2024.	
	Blast Management Plan and Control – Karreman Quarry, Project Number HP2302-1, prepared by Heilig & Partners Pty Ltd, dated 21 April 2023.	
	Visual Impact Assessment – Proposed North Pit, File No. L2304005, prepared by Larchus, dated 18 October 2023.	
	Harlin Quarry: Assessment of risk of emissions and contaminants to groundwater or surface waters including the Brisbane River due to the construction of the North Pit, prepared by Ecoroc Pty Ltd, dated 10 August 2023.	
	Traffic Technical Advice, Reference: 10755, prepared by Traffic Transport Plus, dated 21 December 2023	
	Assessment of Need for Harlin Quarry North Pit Development, prepared by Ecoroc Pty Ltd, dated 14 December 2023.	
1.2	A legible copy of this development approval package is to be made available on the premises.	At all times.
1.3	Pay to Council any outstanding charges or expenses levied by Council over the subject site.	Prior to commencement of the use.
1.4	<p>Unless specified in a Referral Agency's conditions of approval the hours of operation shall be:</p> <ul style="list-style-type: none"> Monday to Friday: 6.30am to 5.00pm Saturday: 6.30am to 3.00pm Sunday and Public Holidays – no work permitted <p>No activities generating audible noise shall be conducted onsite outside the above hours.</p>	At all times.
1.5	Provide three (3) onsite vehicular parking spaces for employees and visitors in accordance with Council's Planning Scheme Policy No. 3 – Standards for Provision and Construction of Parking Areas.	Prior to commencement of the use.
1.6	The vehicular parking area is to be constructed and maintained to all weather standards.	At all times.

1.7	Provide onsite directional signage for vehicles entering the site and accessing the Site Office and Amenities building.	Prior to commencement of the use; and at all times.
SCHEDULE 2 – Environmental Assessment Manager		
No	Condition	Timing
	GENERAL	
2.1	Unless authorised by an Environmental Authority, and notwithstanding any other condition of this development approval, this development approval does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance or harm beyond the boundaries of the development site.	At all times.
2.2	Unless permitted by an Environmental Authority, no change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times.
2.3	The approval holder must not implement any management plan prepared as a condition of this development permit, or amend any management plan, where such implementation or amendment would result in a contravention of any condition of this development approval, unless to achieve the intent of an Environmental Authority.	At all times.
2.4 2.4	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto Sinnamons Lane and to prevent dust nuisance.	At all times.
2.5 2.2	Provide Portable Sewerage Disposal Facilities onsite within L88 RP28542 or L2 RP77219 during times of operations for employees and visitors. The Onsite Portable Sewerage Disposal Facilities are to be kept in a clean environment.	At all times.
2.3	The Applicant shall comply with the Site Based Management Plan (SBMP) prepared by Ecoroc Pty Ltd dated 29 February 2012. The Site Based Management Plan shall be amended, as necessary, with approval given by Council.	At all times
	SITE BASED MANAGEMENT PLAN	
2.6	The Applicant shall comply with the Site Based Management Plan (SBMP) prepared by Ecoroc Pty Ltd dated 9 August 2024.	At all times.

	The Site Based Management Plan shall be amended, as necessary, with approval given by Council.	
2.7	<p>The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least:</p> <p>(a) immediately after a potential or actual source of environmental contamination, that is not already identified in the Plan, is realised; or otherwise</p> <p>(b) Every two years after the commencement of the use.</p> <p>Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately.</p>	At all times.
2.4	<p>All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations. Weed Management shall comply with the Revised Vegetation Management Plan reference RP10812-1 prepared by RPS Australia East Pty Ltd dated May 2012. The Revised Vegetation Management Plan shall be amended, as necessary, with approval given by Council.</p> <p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <p>i) Milling;</p> <p>ii) Chipping and/or mulching</p> <p>iii) Disposal at an approved waste disposal facility.</p> <p>iv) Burning provided fire permits are in place.</p> <p>Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	Prior to and following commencement of use
2.8	<p>All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.</p> <p>(a) Weed Management shall comply with the Site Based Management Plan, Harlin Quarry Sinnamons Lane, prepared by Ecoroc, dated 9 August 2024.</p> <p>(b) Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <p>i) Milling;</p> <p>ii) Chipping and/or mulching</p> <p>iii) Disposal at an approved waste disposal facility.</p> <p>iv) Burning provided fire permits are in place.</p>	Prior to and following commencement of use.

	(c) Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	
2.9 2.5	Vegetation above and below disturbed areas is to be retained to prevent silt laden runoff from entering and leaving the site.	At all times.
2.6	All unpaved areas that have been disturbed and are not part of the Quarry Pit or Crushing and Screening Platform are to be restored/revegetated in accordance with the Revised Vegetation Management Plan reference RP108012-1 prepared by RPS Australia East Pty Ltd dated May 2012. The Revised Vegetation Management Plan shall be amended, as necessary, with approval given by Council.	At all times
2.10	(a) All unpaved areas that have been disturbed and are not part of the Quarry Pit or Crushing and Screening Platform (and where not conflicting with part (b) of this condition) are to be restored/revegetated in accordance with the Revised Vegetation Management Plan reference RP108012-1 prepared by RPS Australia East Pty Ltd dated May 2012. (b) Areas that require revegetation or augmented planting to reduce visual impact are to be restored/revegetated in accordance with Figure 12 of the Visual Impact Assessment – Proposed North Pit, File No. L2304005, prepared by Larchus, dated 18 October 2023.	At all times.
	NOISE	
2.11	<u>North Pit</u> The approved development must be operated in line with the assumptions contained in the report titled “Noise Impact Assessment – Proposed Quarry Extension, Sinnamons Lane, Harlin’ dated 23 October 2023 and Report L04825/ES/22-174.”	At all times.
2.12	The approved development must be operated in line with hours of operation are: a. 6am to 7am – Limited operations, primarily for despatch of quarry products. b. 7am to 6pm - Full operation (extraction with rock drilling, processing and product sales); <ul style="list-style-type: none"> No rock drilling is to occur during the 6am to 7am period. Existing fixed crushing and screening plant and associated enclosures to remain or any upgrades shall not to materially increase noise emissions above the levels of the existing plant. 	At all times.

	Retain topographical screening where possible between extraction activities and surrounding residential dwellings.																									
2.13	<p>Noise from the activity must not exceed the levels contained in the schedule below:</p> <p>Table 2: Noise Criteria – $L_{Aeq,adt,15min}$ dB(A)</p> <table><tr><th rowspan="2">LOCATION</th><th colspan="3">$L_{Aeq,adj,15min}$ CRITERIA - dB(A)</th></tr><tr><th>Monday to Saturday 6am-7am (Dispatch Only)</th><th>Monday to Friday 7am-6pm</th><th>Saturday 7am-4pm</th></tr><tr><td>At a Noise Sensitive Place</td><td>37</td><td>40</td><td>40</td></tr></table>	LOCATION	$L_{Aeq,adj,15min}$ CRITERIA - dB(A)			Monday to Saturday 6am-7am (Dispatch Only)	Monday to Friday 7am-6pm	Saturday 7am-4pm	At a Noise Sensitive Place	37	40	40	At all times.													
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	Monday to Saturday 6am-7am (Dispatch Only)	Monday to Friday 7am-6pm	Saturday 7am-4pm																							
At a Noise Sensitive Place	37	40	40																							
2.14	<p>Noise Schedule Noise from the activity must not exceed the levels contained in the schedule below:</p> <table><tr><th colspan="2">Time Varying Noise – $L_{Aeq}(1hr)$</th></tr><tr><th>Time period</th><th>External Noise dB(A)Limit</th></tr><tr><td>7am to 6pm (day)</td><td>Background + 5dBA</td></tr><tr><td>6pm to 10pm (evening)</td><td>Background + 5dBA</td></tr><tr><td>10pm to 7am (night)</td><td>Background + 5dBA</td></tr><tr><th colspan="2">Component Noise L_{A90T}</th></tr><tr><td>7am to 6pm (day)</td><td>Background + 0dBA</td></tr><tr><td>6pm to 10pm (evening)</td><td>Background + 0dBA</td></tr><tr><td>10pm to 7am (night)</td><td>Background + 0dBA</td></tr><tr><th colspan="2">Sleep Disturbance L_{Amax}</th></tr><tr><th>Time Period</th><th>External Noise dB(A) Limit</th></tr><tr><td>10pm to 7am (night)</td><td>52</td></tr></table>	Time Varying Noise – $L_{Aeq}(1hr)$		Time period	External Noise dB(A)Limit	7am to 6pm (day)	Background + 5dBA	6pm to 10pm (evening)	Background + 5dBA	10pm to 7am (night)	Background + 5dBA	Component Noise L_{A90T}		7am to 6pm (day)	Background + 0dBA	6pm to 10pm (evening)	Background + 0dBA	10pm to 7am (night)	Background + 0dBA	Sleep Disturbance L_{Amax}		Time Period	External Noise dB(A) Limit	10pm to 7am (night)	52	
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10pm to 7am (night)	52																									
	DUST CONTROL																									
2.15	<p>North Pit The approved development must be operated in line with the assumptions contained in the report titled “Dust Assessment – Proposed Quarry Extension, Sinnamons Lane, Harlin, 3 November 2023 and Report L06725/AS/22174.”</p>	At all times.																								

2.16	North Pit The release of dust or particulate matter resulting from the approved development must not cause an environmental nuisance at sensitive or commercial place.	At all times.
2.17	North Pit The approved development must be managed using all reasonable and practicable measure to minimise the release of windblown dust to the atmosphere. Reasonable and practicable measures may include but not be limited to: (a) The restriction of vehicular movement within the approved place to designated access routes. (b) Minimisation of exposed surface areas to that within the current area of operation. (c) Rehabilitation of completed areas as soon as reasonable and practicable following completion of excavation or other earthworks. (d) Transfer of materials in a moist state where possible. (e) Adoption of industry best practice environmental management for the extraction and processing of aggregates. (f) Use of water carts as necessary on-site access roads. (g) Hight traffic area should be sealed to prevent the creation of dust. (h) Any unsealed traffic area must be maintained, at all time, in a condition the minimises the potential for the release of wind-blown or traffic generated dust to occur, and (i) Water sprays installed and operated on the stockpiles as necessary to minimise the release of dust and particulate matter to the atmosphere.	At all times.
2.18	North Pit The approval holder must take all reasonable and practicable measures necessary to prevent spillage of loss of particulate matter or windblown dust from trucks used for transporting aggregates from the approved place. Reasonable and practicable measure may include, but are not limited to: (a) Wetting down loads prior to transport. (b) Having the entire load covered with tarpaulin or similar material for the duration of transport, and (c) Clearing of spillage from side rails, tail gates and draw bars of trucks prior to departure from the approved place and prior to departure from the premises to which the load was delivered.	At all times.
	WASTE	
2.19	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.

2.20	All general waste produced as part of the operation of the development must be disposed of through either: (a) The number of standard waste services as determined by Council; or (b) A private agreement with a licensed waste disposal contractor through an exemption granted by Council.	At all times.
2.21	No waste is to be burned or buried on the subject site	At all times.
SCHEDULE 3 – Engineering <i>Assessment Manager</i>		
No	Condition	Timing
3.1	Bear the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Prior to Commencement of use.
3.2	Repair any damage to Council infrastructure that occurs during any works carried out in association with the approved development.	Prior to Commencement of use.
3.3	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.
3.4	The Applicant shall comply with the requirements of the Department of Transport and Main Roads (TMR). A copy of the written approval is to be submitted to Council once operational works are completed.	Prior to Commencement of use.
3.5	All vehicles shall enter and leave the site in a forward gear.	At all times.
3.6	All works on or adjacent to roadways must be adequately signed in accordance with the “Manual for Uniform Traffic Control Devices – Part 3, Works on Roads”. Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works.
3.7	The Applicant is responsible for construction and maintenance of all internal road networks to an all weather standard.	At all times.
3.8	The Applicant is 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.	Prior to Commencement of use.
3.9	All operations are to avoid disturbance to and operations of	At all times.

	the Brisbane Valley Rail Trail.	
3.10	The Applicant is responsible for all maintenance costs of maintaining Sinnamon's Lane as a minimum 7m wide roadway from the road carriageway of the Brisbane Valley Highway to the Brisbane Valley Rail Trail (Lot 2 on RP7686 and RP7687), whether carried out by Council or otherwise. Maintenance shall be completed to the satisfaction of Council within such reasonable time, as determined by Council. If maintenance is to be undertaken by Council, the Applicant may enter into a maintenance infrastructure agreement with Council to maintain the roadway.	For the life of the approved use.
	OUTDOOR LIGHTING	
3.11	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways; • Providing graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land as required to the outcome specified above; • Directing lighting onto the subject land and away from neighbouring properties; • Using shrouding devices to preclude light overspill onto surrounding properties where necessary; and • Not operating lighting that uses sodium lights or flare plumes. 	At all times.
	STORMWATER	
3.12	<p><u>Existing Pit</u></p> <p>(a) Prepare a detailed Revised Site-Based Stormwater Management Plan (SBMP), which is to be signed off by a suitably qualified Engineer, and submitted to Council for prior approval. Details should include the following:</p> <ul style="list-style-type: none"> • Detailed modelling of expected flows (quantity) and velocity on the site • Detailed description, including plans, of the proposed treatment train to maintain water quality. This includes the location and treatment of any swales, culverts, rock check dams, basins / ponds in relation to catchment boundaries, and also the location and treatment of any discharge points. The treatment train must be of appropriate design and capacity to capture and treat runoff from all disturbed areas of the site, including the quarrying pit, all access routes and haulage roads, and stockpile area (temporary or long-term) and the crushing / screening / processing area. Details of the frequency and process for dredging settlement ponds (as mentioned in the Site Based Management 	During Operational Works Phase; and Prior to commencement of use.

	<p>Plan dated February 2012), should also be provided. No stockpiles or dredged material are to remain on the site for any significant duration, or outside of stormwater capture / treatment boundaries.</p> <ul style="list-style-type: none"> • Appropriate sizing of settlement basins. Basins must be constructed at the maximum size required for adequate stormwater treatment of runoff for the lifetime of each relevant stage of the quarry. • The location of and manner in which extracted or scoured materials (top soils / rock etc) are to be stockpiled to avoid any risk to water quality of nearby watercourses. Any treatments such as grassing or covering should be specified. • A groundwater monitoring plan, detailing the location of testing points and frequency of testing, as well as water quality parameters, limits and procedures for exceedances. <p><u>North pit</u> (b) Carry out the stormwater management in accordance with Stormwater Management Plan, Reference 23020259-R01-V05, prepared by Water Technologies, dated 20 August 2024.</p>	
	STORMWATER	
3.13	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
3.13	Stormwater Drainage and flows are to have a no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
3.14	Convey stormwater flows through the development from the upstream catchment.	At all times.
	STORMWATER RE-USE	
3.15	The development must incorporate a stormwater re-use system utilising stormwater detention structures and/or tanks to ensure water is re-used throughout the site to supply amenities, facilities, erosion control, landscaping areas, dust control and the like.	Prior to commencement of use.
	EROSION AND SEDIMENT CONTROL	
3.16	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction during the course of operations. The site shall be maintained in a clean orderly state. The Applicant is to ensure that erosion from the site is contained on site. Should proposed controls prove to be ineffective, Council will require the Applicant to install additional measures.	At all times.
3.17	The Applicant is to ensure that erosion control devices and ponds function properly. The erosion control devices are to be periodically cleaned to remove silt deposits and material	At all times.

	removed shall be used on the property. Should Council determine that erosion or sediment damage has occurred on the site, downstream of the site or adjacent to the site, the Applicant will be responsible for the restoration work.	
3.18	Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and prevented from entering the road and/or drainage system.	At all times.
	REHABILITATION	
3.19	Prepare a Revised Site Excavation and Rehabilitation Plan (ERP) by a suitably qualified ecologist, and submit to Council for approval. The Site Excavation and Rehabilitation Plan should detail progressive rehabilitation and revegetation of the quarry pit, processing areas, the Brisbane River riparian buffer and other disturbed areas following the completion of each stage of extraction, and abandonment of the site. The plan should include details on the species used, maturation times and any maintenance requirements.	Prior to commencement of operations
3.19	<p><u>Existing pit</u></p> <p>(a) Prepare a Revised Rehabilitation Plan by a suitably qualified ecologist, and submit to Council for approval. The Site Excavation and Rehabilitation Plan should detail progressive rehabilitation and revegetation of the existing quarry pit generally consistent with conditions L17 to L20 of Schedule C of the ERA conditions.</p> <p>The plan should include details on the species used, maturation times and any maintenance requirements.</p> <p><u>North pit</u></p> <p>(b) Carry out rehabilitation in accordance with the recommendations of the Visual impact assessment, prepared by Larchus and the Bench rehabilitation: Concept landform, drawn by Ecoroc Consulting Engineers, Drawing Nos. KQHN_P017 and KQHN_P018, Rev A, dated 22 May 2023.</p>	<p>(a) Prior to commencement of operations and to be maintained.</p> <p>(b) To be maintained.</p>
3.20	Should the use cease for any reason whatsoever the Applicant or any successor in title to the land shall be responsible for the rehabilitation of the land to the satisfaction of the Administering Authority prior to vacation of the site or within such reasonable time thereafter, as determined by the Administering Authority under DERM Permit number: SPCE03653011.	At all times.
	INFORMAL HAULAGE	
3.21	All vehicular activity for the approved activity is limited to the designated haulage and access routes shown on the approved Plans of Development.	At all times.

	ACCESS ROUTE OVER BRISBANE RIVER	
3.22	Certification must be given to Council by a Registered Professional Engineer in Queensland (RPEQ) that the access road/route across the Brisbane River is designed and constructed to minimize frequent erosion and sedimentation caused by rainfall and/or flooding.	Prior to commencement of the use.
3.23	The access road/route across the Brisbane River is to be maintained in accordance with the certified design standards.	At all times.
SCHEDULE 4 – REFERRAL AGENCY STATE ASSESSMENT AND REFERRAL AGENCY (SARA) Concurrence Agency Status		
4.1	Comply with the requirements of the referral agency response 2402-39258 SRA dated 19 May 2025, or as amended.	As indicated in the referral agency response.
SCHEDULE 4 – REFERRAL AGENCY DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT (DERM) Concurrence Agency Status		
4.1	Department of Environment & Resource Management (DERM) concurrence agency response involving ERAs titled: DERM Permit number: SPCE03653011, pages 1-23, dated 8 June 2012;	
4.2	Department of Environment & Resource Management (DERM) concurrence agency response involving ERAs titled: DERM Permit number: SPCE03653011, pages 1-23, dated 8 June 2012; or a subsequently approved Environmental Authority.	
The above response will be attached to Council's Decision Notice for DA12138.		
SCHEDULE 5 – REFERRAL AGENCY DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT (DERM) Advice Agency Status		
5.1	Department of Environment & Resource Management (DERM) advice agency response titled: Queensland Heritage response: DERM Permit number: SPAR03653211 dated 10 January 2012 – no impact on the heritage values of Yimbun Railway Tunnel (QHR602637); and	
5.2	Department of Environment & Resource Management (DERM) advice agency response titled: DERM Advice number: SPAR03653311 – Referable Wetland , pages 1-2 – 091217.	
5.3	Department of Environment & Resource Management (DERM) – Contaminated Land Unit (CLU) advice agency response. Referenced: SPCL03653111/Ecotrack No: 240726/File No: BNE46161 dated 4 January 2012.	
The above responses from DERM will be attached to Council's Decision Notice for DA12138.		
SCHEDULE 6 – REFERRAL AGENCY DEPARTMENT OF TRANSPORT & MAIN ROADS (TMR)		

<i>Concurrence Agency Status</i>	
6.1	Department of Transport and Main Roads (DTMR) concurrence agency response referenced TMR11-000825 dated 21 June 2012 – conditions apply
6.2	Department of Transport and Main Roads (DTMR) concurrence agency response to applicant's request to change concurrence agency response dated 17 August 2012 – reference TMR11-000825 – request refused
The above responses will be attached to Council's Decision Notice for DA12138.	
SCHEDULE 7 – REFERRAL AGENCY POWERLINK QUEENSLAND <i>Advice Agency Status</i>	
7.1	Power Link Queensland advice agency response (conditions apply) referenced MSLink2500 & MSLink 2501 (11/545/6) dated 12 January 2012 Power Link Queensland advice agency response acknowledging minor change to application referenced MSLink 2500 & MSLink 2501 (11/545/6) dated 20 April 2012.
7.1	<u>2025 approval</u> Powerlink Queensland advice agency response (conditions apply) referenced MSLink 2500 and MSLink 2501 dated 4 April 2024.
SCHEDULE 8 ADVISORY NOTES	
No.	Advice
8.1	All works shall be carried out in accordance with the <i>Workplace, Health & Safety Act</i> (as amended) and the workplace Health and Safety Regulation (as amended).
8.2	All Operational Work is to comply with relevant codes for design and construction.
8.3	Separate development approval is required for any building work and plumbing/ drainage works.
8.4	All building work is to comply with the provisions contained in the <i>Building Act</i> , the Building Regulation, the Building Code of Australia, the Queensland Development Code and relevant Australian Standards.
8.5	All plumbing and drainage work is to comply with the provisions contained in the <i>Queensland Sewerage and Water Supply Act</i> , Standard Sewerage Law and the Standard Water Supply Law; the relevant Australian Standards including AS/NZS 3500 – National Plumbing and Drainage Code and Council Policies and requirements.
8.6	The Applicant has the Right of Appeal to the Planning & Environment Court regarding the conditions of this approval. Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.
8.7	This approval has effect in accordance with the provisions of the <i>Sustainable Planning Act 2009</i> (SPA)

8.8	The Sustainable Planning Act 2009 states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval."
SCHEDULE 8 —INTERPRETATION AND ADVICE	
Assessment Manager	
No.	Note
INTERPRETATION	
8.1	<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>
8.2	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".
8.3	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".
8.4	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.
8.5	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.
8.6	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.
8.7	<p>(a) Where a condition specifies "Existing pit", "Existing development" or "Processing facility", the condition refers to the quarry approved as part of the 2012 court order.</p> <p>(b) Where a condition specifies "North pit", the condition specifically references the new pit considered as part of the change application.</p> <p>(c) Where neither the Existing pit or the North pit is specified, the condition applies</p>

	to all of the development.
	ADVICE
8.8	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.
8.9	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.</p> <p>Information about the cultural heritage duty of care is available at gld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
8.10	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
8.11	<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</p>

	<p>Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>
8.12	<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>
8.13	<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 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>
8.14	<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>
8.15	<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>
	CONTAMINATED LAND
8.16	<p>It is a requirement of the <i>Environmental Protection Act 1994</i> that if an owner or occupier of land becomes aware that a Notifiable Activity (as defined by Schedule 3 of the Environmental Protection Act 1994) is being carried out on the land, or that the land has been affected by a hazardous contaminant, they must, within 20 business days after becoming so aware, give notice to the Department of Environment, Tourism, Science and Innovation, Contaminated Land Unit.</p>

Attachments for the Decision Notice include:

- Proposed North Pit – Harlin Quarry, prepared by Reel Planning, dated 12 July 2024

- Existing Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P01, Rev C, dated 10 July 2023.
- Proposed Future Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P02, Rev C, dated 10 July 2023.
- Interpreted Distribution of Rock Types 1 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev B, dated 21 May 2023.
- Interpreted Distribution of Rock Types 2 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev A, dated 15 May 2023.
- North Pit – Topography 3D, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P04, Rev A, dated 15 May 2023.
- North Pit - Major Structural Geology, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P05, Rev A, dated 15 May 2023.
- North Pit - Development Concept: Short-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P06, Rev A, dated 15 May 2023.
- North Pit - Development Concept: Short to Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P07, Rev A, dated 15 May 2023.
- North Pit - Development Concept: Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P08, Rev A, dated 15 May 2023.
- North Pit - Development Concept: Long-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P09, Rev A, dated 15 May 2023.
- 3D Conceptual North Pit - Pre-Quarrying Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P010, Rev A, dated 15 May 2023.
- 3D Conceptual North Pit - Short Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P011, Rev A, dated 15 May 2023.
- 3D Conceptual North Pit - Short to Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P012, Rev A, dated 15 May 2023.
- 3D Conceptual North Pit – Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P013, Rev A, dated 15 May 2023.
- 3D Conceptual North Pit – Long-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P014, Rev A, dated 15 May 2023.
- 3D Conceptual North Pit - Rehabilitation (Long Term Development), drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P015, Rev B, dated 15 July 2024.
- 3D Conceptual North Pit - Cross Sections A-A', B-B' and C-C', drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P016, Rev A, dated 15 May 2023.
- Bench Rehabilitation: Concept Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P017, Rev A, dated 22 May 2023.
- Bench Rehabilitation: Concept Vegetated Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P018, Rev A, dated 22 May 2023.
- Site Based Management Plan, prepared by Ecoroc, dated 9 August 2024.
- Noise Impact Assessment, Proposed Quarry Extension, Job No. 22-174, prepared by MWA Environmental, dated 23 October 2023.
- Dust Assessment, Proposed Quarry Extension, Job No. 22174, prepared by MWA Environmental, dated 3 November 2023.
- Extension - Stormwater Management Plan, Reference 23020259-R01-V05, prepared by Water Technology Pty Ltd, dated 20 August 2024.
- Terrestrial Ecology – Fauna Report, North Pit – Harlin Quarry, prepared by Gondwana Ecology Group, dated 18 August 2024.
- Blast Management Plan and Control – Karreman Quarry, Project Number HP2302-1, prepared by Heilig & Partners Pty Ltd, dated 21 April 2023.
- Visual Impact Assessment – Proposed North Pit, File No. L2304005, prepared by Larchus, dated 18 October 2023.

- Harlin Quarry: Assessment of risk of emissions and contaminants to groundwater or surface waters including the Brisbane River due to the construction of the North Pit, prepared by Ecoroc Pty Ltd, dated 10 August 2023.
- Traffic Technical Advice, Reference: 10755, prepared by Traffic Transport Plus, dated 21 December 2023.
- Assessment of Need for Harlin Quarry North Pit Development, prepared by Ecoroc Pty Ltd, dated 14 December 2023.
- SARA Referral Agency Response - 145, 191, 192 Sinnamons Lane, Harlin and Unnamed Road #3149, Gregors Creek, Ref 2402-39258 SRA, dated 19 May 2025.
- Powerlink Referral Agency Response, Ref DA5619 (MSLink2500,2501), dated 4 April 2024.

This completes the report for Development Application DA12138.

Resolution		
Moved – Cr Hurley		
Seconded – Cr Bishop		
“THAT Council:		
<ol style="list-style-type: none"> 1. approve Change Application (Change Other) to Development Approval No. 12138 for a Development Permit for Material Change of Use for Extractive Industry (Hard Rock Quarry) and Development Permit for Material Change of Use for Environmentally Relevant Activities 16 2(b) (extracting more than 100,000t but not more than 1,000,000t/year) and 16 3(b) (screening more than 100,000t but not more than 1,000,000t/year) on land situated at Unnamed #3149 Road, Gregors Creek, 145, 191 and 192 Sinnamons Lane, Harlin, formally described as Lot 88 RP28542, Lot 2 RP77219, Lot 55 RP28542, 17 RP146684, Lot 30 SP258504, Lot 5 RP134429, 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 83(8) of the <i>Planning Act 2016</i>.” 		
DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE		
SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development in accordance with the material contained in Development Application Numbered 12138, supporting documentation, plans and reports, except where amended by these conditions of approval.	At all times
1.1	Carry out the development in accordance with the material contained in Development Application No. 12138, including subsequent change applications, incorporating supporting documentation, plans and reports, except where amended by these conditions of approval.	At all times.

	Plans and reports associated with the North Pit prevail over previous plans and reports to the extent of any inconsistency.	
1.1.A	Approved Plans and Documents for Existing Pit and Processing Facility Court Order No 3678 of 2012 dated 16 November 2012 and revised conditions package with the Court Order. The revised profile of the existing pit will be generally in accordance with the “Shorten 2022: Amended Overall Pit Wall Angle (Flatter)” profile on the Interpreted Distribution of Rock Types Section A-A’ (prepared by Shorten 2022), Drawing No. KQHN_P03_1, Issue B, dated 15 May 2023.	At all times.
1.1.B	Approved Plans and Documents for North Pit Proposed North Pit – Harlin Quarry, prepared by Reel Planning, dated 12 July 2024 Existing Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P01, Rev D dated 15 July 2024. Proposed Future Site Layout, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P02, Rev D dated 15 July 2024. Interpreted Distribution of Rock Types 1 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev B, dated 21 May 2023. Interpreted Distribution of Rock Types 2 of 2, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P03_1, Rev A, dated 15 May 2023. North Pit – Topography 3D, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P04, Rev A, dated 15 May 2023. North Pit - Major Structural Geology, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P05, Rev A, dated 15 May 2023. North Pit - Development Concept: Short-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P06, Rev A, dated 15 May 2023. North Pit - Development Concept: Short to Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P07, Rev A, dated 15 May 2023. North Pit - Development Concept: Medium-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P08, Rev A, dated 15 May 2023. North Pit - Development Concept: Long-Term, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P09, Rev A, dated 15 May 2023.	At all times.

3D Conceptual North Pit - Pre-Quarrying Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P010, Rev A, dated 15 May 2023.	
3D Conceptual North Pit - Short Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P011, Rev A, dated 15 May 2023.	
3D Conceptual North Pit - Short to Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P012, Rev A, dated 15 May 2023.	
3D Conceptual North Pit – Medium-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P013, Rev A, dated 15 May 2023.	
3D Conceptual North Pit – Long-Term Development, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P014, Rev A, dated 15 May 2023.	
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3D Conceptual North Pit - Cross Sections A-A', B-B' and C-C', drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P016, Rev A, dated 15 May 2023.	
Bench Rehabilitation: Concept Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P017, Rev A, dated 22 May 2023.	
Bench Rehabilitation: Concept Vegetated Landform, drawn by Ecoroc Consulting Engineers, Drawing No. KQHN_P018, Rev A, dated 22 May 2023.	
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Visual Impact Assessment – Proposed North Pit, File No. L2304005, prepared by Larchus, dated 18 October 2023.	
Harlin Quarry: Assessment of risk of emissions and contaminants to groundwater or surface waters including the Brisbane River due to the construction of the North Pit, prepared by Ecoroc Pty Ltd, dated 10 August 2023.	

	Traffic Technical Advice, Reference: 10755, prepared by Traffic Transport Plus, dated 21 December 2023	
	Assessment of Need for Harlin Quarry North Pit Development, prepared by Ecoroc Pty Ltd, dated 14 December 2023.	
1.2	A legible copy of this development approval package is to be made available on the premises.	At all times.
1.3	Pay to Council any outstanding charges or expenses levied by Council over the subject site.	Prior to commencement of the use.
1.4	<p>Unless specified in a Referral Agency's conditions of approval the hours of operation shall be:</p> <ul style="list-style-type: none"> Monday to Friday: 6.30am to 5.00pm Saturday: 6.30am to 3.00pm Sunday and Public Holidays – no work permitted <p>No activities generating audible noise shall be conducted onsite outside the above hours.</p>	At all times.
1.5	Provide three (3) onsite vehicular parking spaces for employees and visitors in accordance with Council's Planning Scheme Policy No. 3 – Standards for Provision and Construction of Parking Areas.	Prior to commencement of the use.
1.6	The vehicular parking area is to be constructed and maintained to all weather standards.	At all times.
1.7	Provide onsite directional signage for vehicles entering the site and accessing the Site Office and Amenities building.	Prior to commencement of the use; and at all times.
SCHEDULE 2 – Environmental		
<i>Assessment Manager</i>		
No	Condition	Timing
	GENERAL	
2.1	Unless authorised by an Environmental Authority, and notwithstanding any other condition of this development approval, this development approval does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance or harm beyond the boundaries of the development site.	At all times.
2.2	Unless permitted by an Environmental Authority, no change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times.

2.3	The approval holder must not implement any management plan prepared as a condition of this development permit, or amend any management plan, where such implementation or amendment would result in a contravention of any condition of this development approval, unless to achieve the intent of an Environmental Authority.	At all times.
2.4 2.4	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto Sinnamons Lane and to prevent dust nuisance.	At all times.
2.5 2.2	Provide Portable Sewerage Disposal Facilities onsite within L88 RP28542 or L2 RP77219 during times of operations for employees and visitors. The Onsite Portable Sewerage Disposal Facilities are to be kept in a clean environment.	At all times.
2.3	The Applicant shall comply with the Site Based Management Plan (SBMP) prepared by Ecoroc Pty Ltd dated 29 February 2012. The Site Based Management Plan shall be amended, as necessary, with approval given by Council.	At all times
	SITE BASED MANAGEMENT PLAN	
2.6	The Applicant shall comply with the Site Based Management Plan (SBMP) prepared by Ecoroc Pty Ltd dated 9 August 2024. The Site Based Management Plan shall be amended, as necessary, with approval given by Council.	At all times.
2.7	The approved Site-Based Management Plan must provide provisions for a review of this Plan to be carried out at least: (c) immediately after a potential or actual source of environmental contamination, that is not already identified in the Plan, is realised; or otherwise (d) Every two years after the commencement of the use. Changes, to procedures and operations for carrying out the approved development realised by any review process, must be implemented immediately.	At all times.
2.4	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. Weed Management shall comply with the Revised Vegetation Management Plan reference RP10812-1 prepared by RPS Australia East Pty Ltd dated May 2012. The Revised Vegetation Management Plan shall be amended, as necessary, with approval given by Council.	Prior to and following commencement of use

	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <p>i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. iv) Burning provided fire permits are in place.</p> <p>Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	
2.8	<p>All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.</p> <p>(d) Weed Management shall comply with the Site Based Management Plan, Harlin Quarry Sinnamons Lane, prepared by Ecoroc, dated 9 August 2024.</p> <p>(e) Where vegetation is removed, the vegetation waste shall be disposed of by: v) Milling; vi) Chipping and/or mulching vii) Disposal at an approved waste disposal facility. viii) Burning provided fire permits are in place.</p> <p>(f) Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	Prior to and following commencement of use.
2.9 2.5	<p>Vegetation above and below disturbed areas is to be retained to prevent silt laden runoff from entering and leaving the site.</p>	At all times.
2.6	<p>All unpaved areas that have been disturbed and are not part of the Quarry Pit or Crushing and Screening Platform are to be restored/revegetated in accordance with the Revised Vegetation Management Plan reference RP108012-1 prepared by RPS Australia East Pty Ltd dated May 2012.</p> <p>The Revised Vegetation Management Plan shall be amended, as necessary, with approval given by Council.</p>	At all times
2.10	<p>(a) All unpaved areas that have been disturbed and are not part of the Quarry Pit or Crushing and Screening Platform (and where not conflicting with part (b) of this condition) are to be restored/revegetated in accordance with the Revised Vegetation Management Plan reference RP108012-1 prepared by RPS Australia East Pty Ltd dated May 2012.</p>	At all times.

	<p>(b) Areas that require revegetation or augmented planting to reduce visual impact are to be restored/revegetated in accordance with Figure 12 of the Visual Impact Assessment – Proposed North Pit, File No. L2304005, prepared by Larchus, dated 18 October 2023.</p>												
	NOISE												
2.11	<p>North Pit The approved development must be operated in line with the assumptions contained in the report titled “Noise Impact Assessment – Proposed Quarry Extension, Sinnamons Lane, Harlin’ dated 23 October 2023 and Report L04825/ES/22-174.”</p>	At all times.											
2.12	<p>The approved development must be operated in line with hours of operation are:</p> <p>a. 6am to 7am – Limited operations, primarily for despatch of quarry products.</p> <p>b. 7am to 6pm - Full operation (extraction with rock drilling, processing and product sales);</p> <ul style="list-style-type: none">No rock drilling is to occur during the 6am to 7am period.Existing fixed crushing and screening plant and associated enclosures to remain or any upgrades shall not to materially increase noise emissions above the levels of the existing plant. <p>Retain topographical screening where possible between extraction activities and surrounding residential dwellings.</p>	At all times.											
2.13	<p>Noise from the activity must not exceed the levels contained in the schedule below:</p> <p>Table 2: Noise Criteria – $L_{Aeq,adj,15min}$ dB(A)</p> <table><tr><th rowspan="2">LOCATION</th><th colspan="3">$L_{Aeq,adj,15min}$ CRITERIA - dB(A)</th></tr><tr><th>Monday to Saturday 6am-7am (Dispatch Only)</th><th>Monday to Friday 7am-6pm</th><th>Saturday 7am-4pm</th></tr><tr><td>At a Noise Sensitive Place</td><td>37</td><td>40</td><td>40</td></tr></table>	LOCATION	$L_{Aeq,adj,15min}$ CRITERIA - dB(A)			Monday to Saturday 6am-7am (Dispatch Only)	Monday to Friday 7am-6pm	Saturday 7am-4pm	At a Noise Sensitive Place	37	40	40	At all times.
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At a Noise Sensitive Place	37	40	40										

2.14	<p>Noise Schedule Noise from the activity must not exceed the levels contained in the schedule below:</p> <table><tr><th colspan="2">Time Varying Noise – $L_{Aeq}(1hr)$</th></tr><tr><th>Time period</th><th>External Noise dB(A)Limit</th></tr><tr><td>7am to 6pm (day)</td><td>Background + 5dBA</td></tr><tr><td>6pm to 10pm (evening)</td><td>Background + 5dBA</td></tr><tr><td>10pm to 7am (night)</td><td>Background + 5dBA</td></tr><tr><th colspan="2">Component Noise L_{A90T}</th></tr><tr><td>7am to 6pm (day)</td><td>Background + 0dBA</td></tr><tr><td>6pm to 10pm (evening)</td><td>Background + 0dBA</td></tr><tr><td>10pm to 7am (night)</td><td>Background + 0dBA</td></tr><tr><th colspan="2">Sleep Disturbance L_{Amax}</th></tr><tr><th>Time Period</th><th>External Noise dB(A) Limit</th></tr><tr><td>10pm to 7am (night)</td><td>52</td></tr></table>	Time Varying Noise – $L_{Aeq}(1hr)$		Time period	External Noise dB(A)Limit	7am to 6pm (day)	Background + 5dBA	6pm to 10pm (evening)	Background + 5dBA	10pm to 7am (night)	Background + 5dBA	Component Noise L_{A90T}		7am to 6pm (day)	Background + 0dBA	6pm to 10pm (evening)	Background + 0dBA	10pm to 7am (night)	Background + 0dBA	Sleep Disturbance L_{Amax}		Time Period	External Noise dB(A) Limit	10pm to 7am (night)	52	
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	DUST CONTROL																									
2.15	<p><u>North Pit</u> The approved development must be operated in line with the assumptions contained in the report titled “Dust Assessment – Proposed Quarry Extension, Sinnamons Lane, Harlin, 3 November 2023 and Report L06725/AS/22174.”</p>	At all times.																								
2.16	<p><u>North Pit</u> The release of dust or particulate matter resulting from the approved development must not cause an environmental nuisance at sensitive or commercial place.</p>	At all times.																								
2.17	<p><u>North Pit</u> The approved development must be managed using all reasonable and practicable measure to minimise the release of windblown dust to the atmosphere. Reasonable and practicable measures may include but not be limited to:</p> <p>(j) The restriction of vehicular movement within the approved place to designated access routes.</p> <p>(k) Minimisation of exposed surface areas to that within the current area of operation.</p> <p>(l) Rehabilitation of completed areas as soon as reasonable and practicable following completion of excavation or other earthworks.</p> <p>(m) Transfer of materials in a moist state where possible.</p>	At all times.																								

	<p>(n) Adoption of industry best practice environmental management for the extraction and processing of aggregates.</p> <p>(o) Use of water carts as necessary on-site access roads.</p> <p>(p) Hight traffic area should be sealed to prevent the creation of dust.</p> <p>(q) Any unsealed traffic area must be maintained, at all time, in a condition the minimises the potential for the release of wind-blown or traffic generated dust to occur, and</p> <p>(r) Water sprays installed and operated on the stockpiles as necessary to minimise the release of dust and particulate matter to the atmosphere.</p>	
2.18	<p>North Pit The approval holder must take all reasonable and practicable measures necessary to prevent spillage of loss of particulate matter or windblown dust from trucks used for transporting aggregates from the approved place. Reasonable and practicable measure may include, but are not limited to:</p> <p>(d) Wetting down loads prior to transport.</p> <p>(e) Having the entire load covered with tarpaulin or similar material for the duration of transport, and</p> <p>(f) Clearing of spillage from side rails, tail gates and draw bars of trucks prior to departure from the approved place and prior to departure from the premises to which the load was delivered.</p>	At all times.
	WASTE	
2.19	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.
2.20	<p>All general waste produced as part of the operation of the development must be disposed of through either:</p> <p>(c) The number of standard waste services as determined by Council; or</p> <p>(d) A private agreement with a licensed waste disposal contractor through an exemption granted by Council.</p>	At all times.
2.21	No waste is to be burned or buried on the subject site	At all times.
SCHEDULE 3 – Engineering		
<i>Assessment Manager</i>		
No	Condition	Timing
3.1	Bear the cost of all works carried out to infrastructure, services and public utilities, including any alterations resulting from compliance with these conditions whether carried out by Council, or otherwise.	Prior to Commencement of use.
3.2	Repair any damage to Council infrastructure that occurs	Prior to

	during any works carried out in association with the approved development.	Commencement of use.
3.3	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.
3.4	The Applicant shall comply with the requirements of the Department of Transport and Main Roads (TMR). A copy of the written approval is to be submitted to Council once operational works are completed.	Prior to Commencement of use.
3.5	All vehicles shall enter and leave the site in a forward gear.	At all times.
3.6	All works on or adjacent to roadways must be adequately signed in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works.
3.7	The Applicant is responsible for construction and maintenance of all internal road networks to an all weather standard.	At all times.
3.8	The Applicant is 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.	Prior to Commencement of use.
3.9	All operations are to avoid disturbance to and operations of the Brisbane Valley Rail Trail.	At all times.
3.10	The Applicant is responsible for all maintenance costs of maintaining Sinnamon's Lane as a minimum 7m wide roadway from the road carriageway of the Brisbane Valley Highway to the Brisbane Valley Rail Trail (Lot 2 on RP7686 and RP7687), whether carried out by Council or otherwise. Maintenance shall be completed to the satisfaction of Council within such reasonable time, as determined by Council. If maintenance is to be undertaken by Council, the Applicant may enter into a maintenance infrastructure agreement with Council to maintain the roadway.	For the life of the approved use.
	OUTDOOR LIGHTING	
3.11	<p>The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by:</p> <ul style="list-style-type: none"> • Not causing nuisance by way of light spill or glare at adjacent properties and roadways; • Providing graduated intensity lighting with lower level 	At all times.

	<p>brightness at the perimeter of the subject land and higher intensities at the centre of the subject land as required to the outcome specified above;</p> <ul style="list-style-type: none"> • Directing lighting onto the subject land and away from neighbouring properties; • Using shrouding devices to preclude light overspill onto surrounding properties where necessary; and • Not operating lighting that uses sodium lights or flare plumes. 	
	STORMWATER	
3.12	<p><u>Existing Pit</u></p> <p>(c) Prepare a detailed Revised Site-Based Stormwater Management Plan (SBMP), which is to be signed off by a suitably qualified Engineer, and submitted to Council for prior approval. Details should include the following:</p> <ul style="list-style-type: none"> • Detailed modelling of expected flows (quantity) and velocity on the site • Detailed description, including plans, of the proposed treatment train to maintain water quality. This includes the location and treatment of any swales, culverts, rock check dams, basins / ponds in relation to catchment boundaries, and also the location and treatment of any discharge points. The treatment train must be of appropriate design and capacity to capture and treat runoff from all disturbed areas of the site, including the quarrying pit, all access routes and haulage roads, and stockpile area (temporary or long-term) and the crushing / screening / processing area. Details of the frequency and process for dredging settlement ponds (as mentioned in the Site Based Management Plan dated February 2012), should also be provided. No stockpiles or dredged material are to remain on the site for any significant duration, or outside of stormwater capture / treatment boundaries. • Appropriate sizing of settlement basins. Basins must be constructed at the maximum size required for adequate stormwater treatment of runoff for the lifetime of each relevant stage of the quarry. • The location of and manner in which extracted or scoured materials (top soils / rock etc) are to be stockpiled to avoid any risk to water quality of nearby watercourses. Any treatments such as grassing or covering should be specified. • A groundwater monitoring plan, detailing the location of testing points and frequency of testing, as well as water quality parameters, limits and procedures for exceedances. <p><u>North pit</u></p> <p>(d) Carry out the stormwater management in accordance with Stormwater Management Plan,</p>	<p>During Operational Works Phase; and Prior to commencement of use.</p>

	Reference 23020259-R01-V05, prepared by Water Technologies, dated 20 August 2024.	
	STORMWATER	
3.13	Stormwater Drainage and flows are to have a no worsening effect on adjoining, upstream, or downstream landholders.	At all times
3.13	Stormwater Drainage and flows are to have a no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
3.14	Convey stormwater flows through the development from the upstream catchment.	At all times.
	STORMWATER RE-USE	
3.15	The development must incorporate a stormwater re-use system utilising stormwater detention structures and/or tanks to ensure water is re-used throughout the site to supply amenities, facilities, erosion control, landscaping areas, dust control and the like.	Prior to commencement of use.
	EROSION AND SEDIMENT CONTROL	
3.16	Erosion and sedimentation controls shall be implemented, as necessary, and shall be maintained to Council's satisfaction during the course of operations. The site shall be maintained in a clean orderly state. The Applicant is to ensure that erosion from the site is contained on site. Should proposed controls prove to be ineffective, Council will require the Applicant to install additional measures.	At all times.
3.17	The Applicant is to ensure that erosion control devices and ponds function properly. The erosion control devices are to be periodically cleaned to remove silt deposits and material removed shall be used on the property. Should Council determine that erosion or sediment damage has occurred on the site, downstream of the site or adjacent to the site, the Applicant will be responsible for the restoration work.	At all times.
3.18	Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and prevented from entering the road and/or drainage system.	At all times.
	REHABILITATION	
3.19	Prepare a Revised Site Excavation and Rehabilitation Plan (ERP) by a suitably qualified ecologist, and submit to Council for approval. The Site Excavation and Rehabilitation Plan should detail progressive rehabilitation and revegetation of the quarry pit, processing areas, the Brisbane River riparian buffer and other disturbed areas following the completion of each stage of extraction, and abandonment of the site. The plan should include details on the species used, maturation times and any maintenance requirements.	Prior to commencement of operations

3.19	<p><u>Existing pit</u> (c) Prepare a Revised Rehabilitation Plan by a suitably qualified ecologist, and submit to Council for approval. The Site Excavation and Rehabilitation Plan should detail progressive rehabilitation and revegetation of the existing quarry pit generally consistent with conditions L17 to L20 of Schedule C of the ERA conditions.</p> <p>The plan should include details on the species used, maturation times and any maintenance requirements.</p> <p><u>North pit</u> (d) Carry out rehabilitation in accordance with the recommendations of the Visual impact assessment, prepared by Larchus and the Bench rehabilitation: Concept landform, drawn by Ecoroc Consulting Engineers, Drawing Nos. KQHN_P017 and KQHN_P018, Rev A, dated 22 May 2023.</p>	<p>(c) Prior to commencement of operations and to be maintained.</p> <p>(d) To be maintained.</p>
3.20	Should the use cease for any reason whatsoever the Applicant or any successor in title to the land shall be responsible for the rehabilitation of the land to the satisfaction of the Administering Authority prior to vacation of the site or within such reasonable time thereafter, as determined by the Administering Authority under DERM Permit number: SPCE03653011.	At all times.
	INFORMAL HAULAGE	
3.21	All vehicular activity for the approved activity is limited to the designated haulage and access routes shown on the approved Plans of Development.	At all times.
	ACCESS ROUTE OVER BRISBANE RIVER	
3.22	Certification must be given to Council by a Registered Professional Engineer in Queensland (RPEQ) that the access road/route across the Brisbane River is designed and constructed to minimize frequent erosion and sedimentation caused by rainfall and/or flooding.	Prior to commencement of the use.
3.23	The access road/route across the Brisbane River is to be maintained in accordance with the certified design standards.	At all times.
SCHEDULE 4 – REFERRAL AGENCY STATE ASSESSMENT AND REFERRAL AGENCY (SARA) Concurrence Agency Status		
4.1	Comply with the requirements of the referral agency response 2402-39258 SRA dated 19 May 2025, or as amended.	As indicated in the referral agency response.

SCHEDULE 4 – REFERRAL AGENCY**DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT (DERM)****Concurrence Agency Status**

4.1	Department of Environment & Resource Management (DERM) concurrence agency response involving ERAs titled: DERM Permit number: SPCE03653011, pages 1-23, dated 8 June 2012;
4.2	Department of Environment & Resource Management (DERM) concurrence agency response involving ERAs titled: DERM Permit number: SPCE03653011, pages 1-23, dated 8 June 2012; or a subsequently approved Environmental Authority.

The above response will be attached to Council's Decision Notice for DA12138.

SCHEDULE 5 – REFERRAL AGENCY**DEPARTMENT OF ENVIRONMENT & RESOURCE MANAGEMENT (DERM)****Advice Agency Status**

5.1	Department of Environment & Resource Management (DERM) advice agency response titled: Queensland Heritage response: DERM Permit number: SPAR03653211 dated 10 January 2012 – no impact on the heritage values of Yimbun Railway Tunnel (QHR602637); and
5.2	Department of Environment & Resource Management (DERM) advice agency response titled: DERM Advice number: SPAR03653311 – Referable Wetland , pages 1-2 – 091217.
5.3	Department of Environment & Resource Management (DERM) – Contaminated Land Unit (CLU) advice agency response. Referenced: SPCL03653111/Ecotrack No: 240726/File No: BNE46161 dated 4 January 2012.

The above responses from DERM will be attached to Council's Decision Notice for DA12138.

SCHEDULE 6 – REFERRAL AGENCY**DEPARTMENT OF TRANSPORT & MAIN ROADS (TMR)****Concurrence Agency Status**

6.1	Department of Transport and Main Roads (DTMR) concurrence agency response referenced TMR11-000825 dated 21 June 2012 – conditions apply
6.2	Department of Transport and Main Roads (DTMR) concurrence agency response to applicant's request to change concurrence agency response dated 17 August 2012 – reference TMR11-000825 – request refused

The above responses will be attached to Council's Decision Notice for DA12138.

SCHEDULE 7 – REFERRAL AGENCY**POWERLINK QUEENSLAND****Advice Agency Status**

7.1	Power Link Queensland advice agency response (conditions apply) referenced MSLink2500 & MSLink 2501 (11/545/6) dated 12 January 2012 Power Link Queensland advice agency response acknowledging minor change to application referenced MSLink 2500 & MSLink 2501 (11/545/6) dated 20 April 2012.
7.1	2025 approval

	Powerlink Queensland advice agency response (conditions apply) referenced MSLink 2500 and MSLink 2501 dated 4 April 2024.
SCHEDULE 8 ADVISORY NOTES	
No.	Advice
8.1	All works shall be carried out in accordance with the <i>Workplace, Health & Safety Act</i> (as amended) and the workplace Health and Safety Regulation (as amended).
8.2	All Operational Work is to comply with relevant codes for design and construction.
8.3	Separate development approval is required for any building work and plumbing/drainage works.
8.4	All building work is to comply with the provisions contained in the <i>Building Act</i>, the Building Regulation, the Building Code of Australia, the Queensland Development Code and relevant Australian Standards.
8.5	All plumbing and drainage work is to comply with the provisions contained in the <i>Queensland Sewerage and Water Supply Act</i>, Standard Sewerage Law and the Standard Water Supply Law; the relevant Australian Standards including AS/NZS 3500 — National Plumbing and Drainage Code and Council Policies and requirements.
8.6	The Applicant has the Right of Appeal to the Planning & Environment Court regarding the conditions of this approval. Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.
8.7	This approval has effect in accordance with the provisions of the <i>Sustainable Planning Act 2009</i> (SPA)
8.8	The <i>Sustainable Planning Act 2009</i> states that any change to the use or the scale or intensity of the approved use requires the submission of a new development application and subsequent development approval."
SCHEDULE 8 —INTERPRETATION AND ADVICE	
Assessment Manager	
No.	Note
INTERPRETATION	
8.1	Notes contained within a development condition are part of the condition. Interpretation notes in this schedule form part the development conditions. Advice notes contained within a development condition are not part of the condition and are provided for additional guidance specific to the condition. Advice statements contained within this schedule are provided for guidance about the development. Advice statements are not exhaustive and are provided to assist applicants in meeting their obligations under other instruments.

8.2	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”.
8.3	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”.
8.4	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.
8.5	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.
8.6	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.
8.7	<p>(a) Where a condition specifies “Existing pit”, “Existing development” or “Processing facility”, the condition refers to the quarry approved as part of the 2012 court order.</p> <p>(b) Where a condition specifies “North pit”, the condition specifically references the new pit considered as part of the change application.</p> <p>(c) Where neither the Existing pit or the North pit is specified, the condition applies to all of the development.</p>
ADVICE	
8.8	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.
8.9	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p>

	<p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.</p> <p>Information about the cultural heritage duty of care is available at gld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
8.10	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
8.11	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>
8.12	<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>
8.13	<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 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>
8.14	<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>
8.15	<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>
	CONTAMINATED LAND
8.16	<p>It is a requirement of the <i>Environmental Protection Act 1994</i> that if an owner or occupier of land becomes aware that a Notifiable Activity (as defined by Schedule 3 of the Environmental Protection Act 1994) is being carried out on the land, or that the land has been affected by a hazardous contaminant, they must, within 20 business days after becoming so aware, give notice to the Department of Environment, Tourism, Science and Innovation, Contaminated Land Unit.</p> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>

Declarable Conflict of Interest – Mayor Wendt – Agenda Item 10 - Development Application No. 22279 – 55 Clarendon Road, Lowood

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:

1. The CEO has brought to my attention the substance of a recent conversation I had with a representative of the applicant, during which I expressed my personal preference for lot sizes in Lowood to be greater than 450 square metres;
2. The application before Council includes proposed development showing some lots having an area of 450 square metres; and
3. Consequently, there may be a perception that there exists a conflict between my personal interests (being my personal views about lot sizes) and the public interest (being my responsibility as a councillor to participate in the Council decision on this matter for the overall benefit of Council's local government area)."

I wish to participate in the decision in relation to this matter for the following reason/s -

1. The extensive local knowledge I hold as a Councillor and the interest is not considered to be sufficient to undermine my ability to form an impartial view and exercise my vote in the public interest.

I acknowledge that eligible Councillors must now determine, pursuant to section 150ES of the Local Government Act 2009 whether I:

- May participate in the decision about the matter, including by voting on the matter; or
- Must leave the meeting, including any area set aside for the public, and stay away from the meeting while the eligible Councillors discuss and vote on the matter.

Resolution

Moved – Cr Hurley

Seconded – Cr Bishop

“THAT Mayor Wendt is not required to leave the meeting and may remain and participate and vote on this matter by reason of his extensive local knowledge he holds as a Councillor and the interest is not considered to be sufficient to undermine his ability to form an impartial view and exercise his vote in the public interest.”

Carried

Vote - Unanimous

Subject:	Development Application No. 22279 – 55 Clarendon Road, Lowood
	Change Application (Other Change) to Development Permit for Reconfiguring a Lot by Subdivision (one lot into 95 lots)
File No:	DA22279
Assessment No:	Action Officer: SP-MW 02816-00000-000

1.0 APPLICATION SUMMARY

Property details

Location:	55 Clarendon Road, Lowood
Real property description:	Lot 1 RP159873
Site area:	8.5796ha
Current land use:	Currently vacant, formerly improved with dwelling and associated infrastructure. Stages 1-3 of development approval currently under construction
Easements/encumbrances:	Nil identified

South East Queensland Regional Plan

Land use category:	Urban footprint
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Planning scheme details

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	Emerging community zone
Precinct:	Not applicable
Desired settlement pattern:	Future residential
Overlays:	OM1 Agricultural land overlay OM3 Biodiversity overlay OM4 Bushfire hazard overlay OM8 High impact activities management area overlay

Application details

Approved development	Subdivision (one into 88 lots)
Proposed change:	Subdivision (one into 95 lots)
Original approval date:	9 November 2022, ordinary meeting
Category of assessment:	Impact assessment
Applicant details:	Northwood Estate Trust C/- Statewide Town Planning 3/123 Link Road, VICTORIA POINT QLD 4165
Owner details:	Northwood Estate Pty Ltd
Date application received:	25 October 2024
Date application properly made:	17 December 2024

Referrals

State Assessment and Referral Agency

Public notification

Required

Notification period

26 March 2025 to 15 April 2025

Submissions received

None received

RECOMMENDED DECISION

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



Locality Plan of Lot 1 RP159873
Situated at 55 Clarendon Road, Lowood

2.0 PROPOSAL

This Change Application seeks to change a Development Approval for a Development Permit for Reconfiguring a Lot by Subdivision (one lot into 88 lots), on land at 55 Clarendon

Road, Lowood, formally described as Lot 1 RP159873. The development approval is to be delivered in five stages, with the proposed change increasing the number of lots within Stages 4 and 5 from 44 to 51. Stages 1 to 3, which comprise 44 lots and is currently under construction, is not affected by this change application (other than amending an easement).

This change application is made under Version 4.2 of the Somerset Region Planning Scheme (the planning scheme), with the original application assessed and decided under Version Four. The site is located within the Emerging community zone and is within an area designated as Future residential under the Desired Settlement Pattern for Lowood. The application is required because reconfiguration creating lots smaller than 10ha within the Emerging community zone is assessable development subject to Impact assessment.

The original approval consists of lots with a minimum lot size of 600m². The proposed involves the introduction of lots with lot sizes varying between 450m² and 599m² as well as retention of a number of lots that are 600m² or larger.

The change request originally proposed an increase of 10 lots from 88 to 98 lots including 30 small lots. Owing to a number of matters including road widths and the number of proposed small lots, Council sought a reduction in the number of small lots. The applicant submitted a revised plan with 95 lots including 22 small lots, an increase of seven lots over the approved layout.

The proposed lot composition remains generally rectangular with a suitable front to depth ratio that facilitates the intended residential redevelopment of the site. The following lot composition, comparing the approved development and the proposed layout is tabulated below:

Lot size	Approved development – Stages 4-5 (and Stages 1-5)	Proposed development – Stages 4-5 (and Stages 1-5)
450m ² – 499m ²	0 (0)	18 (18)
500m ² – 599m ²	0 (0)	4 (4)
600m ² – 699m ²	37 (67)	15 (44)
700m ² – 799m ²	2 (3)	6 (8)
800m ² or larger	5 (18)	8 (21)
Total	44 (88)	51 (95)

The development also includes the following changes:

- Removal of Lot 900 which comprised a 2,755m² strip of open space behind Lots 1-12;
- Widening of the road adjacent to Lot 202 RP884485 to entirely construct a 20m wide road reserve within the subject land;
- Widening of the access easement from 6 metres to 8 metres across Lot 37 in favour of Lot 36 within Stage 2, with the intent of creating a more suitable lot for developing a Dual occupancy on proposed Lot 36.
- Widening of Pepperberry Circuit to reflect the original approval. The western section of Pepperberry Circuit has been constructed with a 16m wide road reserve, with a similar width road reserve constructed at the eastern end of Stage 3. The amended plan has increased the width of the road reserve for the balance of Pepperberry Circuit to the required 20m width. However, as a result of part of the road already being constructed, the road reserve gradually widens adjacent to proposed Lots 14 and 25, and an extension of the 16m road reserve width adjacent to Lots 9 and 68. The seal width across both sections of road is 8 metres, meaning it is only the overall road reserve which is impacted by the change.

3.0 SITE DETAILS

3.1 Description of the land

The site is a generally rectangular shaped allotment with frontage to Clarendon Road along the northern and eastern boundaries and Macadamia Drive along the southern boundary. The north east corner is truncated to accommodate a sweeping curve along Clarendon Road. The site is currently vacant, however was previously improved with a dwelling house and associated buildings and structures.

Surrounding lots to the south are within the General residential zone and have been developed for residential purposes. The lot to the west is within the Emerging community zone and also identified as potentially suitable for future residential development on the Desired Settlement Pattern map. This lot is currently vacant and is benefitted by a development approval for an eight lot subdivision, however this approval is in part dependent upon the delivery of the approval subject of this application.

The lots to the north and east (on the opposite side of Clarendon Road) are within the Rural zone and have been typically improved with dwelling houses and associated buildings on larger lots.

The lot slopes to the north and west and ultimately drains to a dam on the property to the west. Access to the development is proposed via Macadamia Drive and Clarendon Road. Access to Stages 2 and 3 involves an upgraded and widened Macadamia Drive, which has functioned as a three quarter road for since the construction of the associated estate. The second access, which provides a more direct access, is via Clarendon Road, and is located adjacent to the western boundary of the site and is provided in Stage 4. Stage 1, which consists of only one lot and contains the original house on the property will gain access from Clarendon Road.

Under Council's road hierarchy, Macadamia Drive is an Access Street and Clarendon Road is a Trunk Collector. The development will require further Operational Works approval for the roadworks, earthworks, stormwater and other infrastructure works necessary to deliver the development.

3.2 Site approval history

There is an existing approval for residential subdivision over the site. Approval DA22779 was issued for a Development Permit for Reconfiguring a lot (one lot into 88 lots over five stages) on the site.

The existing applications and approvals over the site are detailed below.

Reference:	Decision date:	Description:
DA22279	8 February 2023 (Council)	Reconfiguring a Lot – one into 88 lots
DA23471	20 September 2023 (Council Building Certifier)	Building approval – demolition of sheds and outbuildings.
DA23728	27 July 2025 (delegated authority)	Operational works – Earthworks and Roadworks – Stages 1-5
DA24316	12 December 2024 (delegated authority)	Operational works – Electrical reticulation – Stages 1-3
DA25732	23 January 2025 (delegated authority)	Operational works – Landscape design – Stages 1-3
DA25793	30 July 2025 (delegated authority)	Dual occupancy – Lot 52
DA25794	30 July 2025 (delegated authority)	Dual occupancy – Lot 64

DA25795	30 July 2025 (delegated authority)	Dual occupancy – Lot 83
DA25796	30 July 2025 (delegated authority)	Dual occupancy – Lot 87
DA25797	30 July 2025 (delegated authority)	Dual occupancy – Lot 85
DA25798	31 July 2025 (delegated authority)	Dual occupancy – Lot 86
DA25799	1 August 2025 (delegated authority)	Dual occupancy – Lot 65
DA25800	1 August 2025 (delegated authority)	Dual occupancy – Lot 82
DA25801	1 August 2025 (delegated authority)	Dual occupancy – Lot 84
DA26228	17 September 2025 (Council)	Dual occupancy – Lot 36
DA26229	17 September 2025 (Council)	Dual occupancy – Lot 37

3.3 Connection to electricity and telecommunications

The land is within the Emerging community 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 applicant has made a change application for an ‘other change’ in accordance with sections 78 and 79 of the *Planning Act 2016*. The application is to be assessed and decided in accordance with section 82 of the Act.

In assessing and deciding the change application, the application is to be assessed against the provisions that apply to a development application for the proposed development including the changes when the change application was made and must be considered in the context of the approved development.

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. An assessment of the development against an assessment benchmark from the Regulation was required and is discussed below. Where a referral agency undertakes an assessment against a matter as required by the Regulation, this is discussed in section 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.

5.3.1 Schedule 12A – Reconfiguring a lot

The proposal involves the subdivision of land involving new road in the Emerging community zone, and under the provisions of schedule 10, part 14, requires assessment against the assessment benchmarks within Schedule 12A of the *Planning Regulation 2017*.

The proposal involves minimal changes to the approved road layout and does not require additional or amended development conditions relating to the Schedule 12A assessment.

5.4 Temporary local planning instruments

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

5.5 Variation approvals

The property is not benefitted by any variation approvals.

5.6 Somerset Region Planning Scheme (Version 4.2)

5.6.1 Relevant assessment benchmarks from the planning scheme

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

- (a) Part 3 Strategic framework;
- (b) 6.2.3 Emerging community zone code;
- (c) 7.2.1 Agricultural land overlay code;
- (d) 7.2.3 Biodiversity overlay code;
- (e) 7.2.4 Bushfire hazard overlay code;
- (f) 7.2.8 High impact activities management area overlay code;
- (g) 8.3.4 Reconfiguring a lot code;
- (h) 8.3.5 Services works and infrastructure code; and
- (i) 8.3.6 Transport access and parking code.

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

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

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

5.6.2 Strategic framework assessment

The development application has been assessed against the strategic framework of the planning scheme and is considered to support Council's strategic intent for the region. The proposed changes are consistent with the planning intention as considered in the assessment of the original application.

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
Reconfiguring a lot code	Yes	PO1, PO2, PO13
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	No alternative outcomes proposed
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Bushfire hazard overlay code	Yes	No alternative outcomes proposed

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

5.6.4 Performance outcome assessment

Reconfiguring a lot code

Performance outcome	Acceptable outcome	
Lot size and subdivision design		
PO1 <i>Lot size and dimensions:</i> (a) provide sufficient area for the siting and construction of buildings and structures; (b) provide for safe vehicular and pedestrian access; (c) respond appropriately to site characteristics including slope of the land and topography; and (d) are consistent with the intended character of the zone.	AO1.1 The minimum <i>lot</i> size and dimensions complies with Table 8.3.4.3.B – Minimum Lot Size and Dimensions. AO1.2 <i>Lots</i> in the General residential zone, Rural residential zone and Emerging community zone have an average slope of less than 12.5 percent.	
Extract of Table 8.3.4.3.B—Minimum lot sizes and dimensions		
Zone/Precinct	Minimum Lot Size	Minimum frontage
General residential zone (other than the park residential precinct)	600 square metres; or minimum lot size of 450 square metres where part of a planned estate with a diversity of lot sizes.	18 metres

Performance outcome		Acceptable outcome	
Emerging community zone	10 hectares	200 metres	
Alternative outcome assessment The minimum lot size in the Emerging community zone is 10ha. The development approval was given based on the alignment of the proposed development with the requirements of the General residential zone (other than the Park residential precinct) design standards. The proposal provides for an increase in lots in Stages 4 and 5 51 residential lots, with lots ranging in size from 450m ² to 820m ² . Table 8.3.4.3B – Minimum Lot Size and Dimensions provides for a minimum lot size in the General residential zone (other than the park residential precinct) of '600 square metres; or minimum lot size of 450 square metres where part of a planned estate with a diversity of lot sizes.' The proposed change seeks to introduce 22 lots with lot sizes between 450-599m ² , which are provided for in the General residential zone if forming part of a master planned estate. These small lots, whilst only provided in stages 4 and 5, are considered in the context of the entire estate, and are considered to provide an appropriate mix of allotment types and, ultimately, housing types. The overall development results in 23% of lots smaller than 600m ² . The proposed lot layout provides sufficient area for the siting and construction of houses, safe vehicular and pedestrian movement, and are consistent with the planning intention and design standards for new estates in the General residential zone. It is recommended that the alternative outcome be accepted in this instance.			
P02 Lot frontage width and access driveways for irregularly shaped allotments provide a safe vehicle entry and exit.		A02 Irregularly shaped allotments have: (a) an average width not less than the minimum frontage for a rectangular allotment; and (b) the minimum frontage of the allotment is not less than one half the minimum frontage for a rectangular allotment.	
Alternative outcome assessment The majority of the 450m ² lots have a 15m street frontage. Lots 75 and 76 both exceed 800m ² . Lot 76 is proposed to be served by a 6m wide easement, which is not wide enough to accommodate a future Dual occupancy, when a 5.5m wide driveway is proposed. Apart from a wider section at the front, proposed Lot 97 has a rear width of 12.65m. Each of these lots ensure safe vehicle entrance and egress, as required by the performance outcome. It is recommended that the alternative outcome be accepted in this instance.			
Movement network and access			

Performance outcome	Acceptable outcome
PO13 Rear <i>lot</i> access is appropriately managed to reduce vehicular conflict and provide legal access.	AO13.1 The minimum width of an access handle for rear lots is: (a) 6 metres for residential activities; and (b) 8 metres for other activities.
Alternative outcome assessment Proposed Lot 76 is proposed with an area exceeding 800m ² and a 6m wide easement. Lot 75 and 76 have a combined frontage of approximately 12.77m. The applicant has not provided detail of the proposed driveway, location of services and how bins would be managed on collection day. Additional conditions are recommended to control easement width, driveway width for Lot 75, and bin pads for Lots 74 to 77. It is recommended that the alternative outcome be accepted in this instance, noting that assessment against this performance outcome does not provide tacit support for a future dual occupancy on either lot.	

5.6.5 Overall outcome assessment

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

5.7 Local government infrastructure plan

5.7.1 Priority infrastructure area

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

5.7.2 Infrastructure charges

An infrastructure charges notice was given with the development approval. The proposed changes will alter the levied charges given on the notice, and accordingly an amended infrastructure charges notice is required to be given.

The proposed development is for a subdivision, which adopts a charge consistent with a three or more-bedroom dwelling under the *Somerset Regional Council Charges Resolution (No. 1) 2025*. The land is within Charge Area A for determining the relevant adopted charges.

The original approval was subject to infrastructure charges under *Charges Resolution (No. 1) 2022*. As Stages 1 to 3 are unchanged in this application, the amended infrastructure charges notice preserves the levied charges for stages 1 to 3 (i.e. the amended notice shows the current value of the levied charge, as increased using the method in the resolution and shown on the original notice).

The draft amended 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 proposed change does not amend the requirement for the development to be connected to the reticulated drinking water and wastewater networks. No changes to the development conditions are recommended, which 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 included on the development approval 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.

The conditions of approval addressed the requirement for an intersection of the internal road connecting to Clarendon Road. This condition is imposed under section 145 of the Act and as such there would be no offsets for the works against the infrastructure charges payable.

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 impacts on state controlled roads (development exceeding state transport thresholds). SARA advised that they had no objections to the approval of the development application, subject to the imposition of development conditions. SARA's referral agency response will be attached to Council's decision notice and a copy has been attached to this report for Council's reference.

The referral agency response for this change application will replace the previously given referral agency response.

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

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

- (a) a notice was published in The Sentinel newspaper on 26 March 2025;

- (b) a notice in the prescribed form was placed on the premises on 23 March 2025 and maintained for the minimum period of 15 business days; and
- (c) a notification was served to all adjoining landowners on 24 March 2025.

The public notification period was from 26 March 2025 to 15 April 2025.

Council received the notice of compliance on 22 April 2025, confirming that public notification had been undertaken in accordance with the statutory requirements.

No submissions were received during the public notification period.

7.2 Matters raised in submissions

No comments or submissions were received.

8.0 CHANGES TO DEVELOPMENT CONDITIONS

The change application will require amendments to the development condition package. The following amendments to the development conditions are recommended:

- (a) Condition 1.1, along with the Table of Approved Plans and Documents, be amended to incorporate the amended proposal plans;
- (b) Condition 1.4 and 1.7 be amended to replace references to 'Licenced Surveyor' with 'Registered Cadastral Surveyor' to align with current standards;
- (c) Condition 1.6 be amended to reflect the current amount of the state valuations cost recovery fee;
- (d) New Condition 1.9 and 1.10 be imposed to ensure delivery of access easements to the identified standards;
- (e) Condition 2.4 be amended to provide the transfer of the stormwater basin lot is via fee simple, rather than dedication as a reserve, in accordance with the land titling requirements;
- (f) New Condition 2.4A be imposed to require the feature landscaping area be incorporated into the road reserve, rather than being a freehold lot, given the size, dimension and limited potential use of the land;
- (g) New Condition 2.34 and 2.35 be imposed to provide the design standard for the shared driveway for Lots 75 and 76, and bin pads Lots 74 to 77;
- (h) Unnumbered condition restricting access to Clarendon Road be numbered Condition 2.36 and amended to require compliance at all times;
- (i) Condition 3.1 be amended to reflect the latest State Assessment and Referral Agency response.

9.0 OTHER RELEVANT MATTERS

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

10.0 REASONS FOR THE RECOMMENDED DECISION

Council officers have undertaken the assessment of the application as required by section 82 of the Planning Act 2016. The assessment of the proposed development has determined it to be generally:

- (a) consistent with the intent of the Somerset Region Planning Scheme (Version 4.2); and
- (b) achieving the outcomes identified in the applicable assessment benchmarks for which the application was required to be assessed, including where compliance is achieved by the imposition of the recommended development conditions.

As such, the officers' recommendation is for the development application to be approved, subject to the recommended development conditions within this report.

Should Council decide to refuse the development application, Council must provide reasons for the decision to satisfy section 63(5) of the Planning Act 2016.

11.0 CONCLUSION

This change application seeks to amend stages 4 and 5 of an approved residential subdivision, with the introduction of lots less between 450m² and 600m². The changed development generally satisfies the relevant assessment benchmarks from the State Planning Policy and the Somerset Region Planning Scheme (Version 4.2), with any alternative outcomes outlined within this report.

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

12.0 ATTACHMENTS

1. Layout Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 29 September 2025
2. Staging Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 2 of 2 – prepared by Statewide Survey Group, dated 29 September 2025
3. Layout Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 26 September 2025.
4. Staging Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 2 of 2, prepared by Statewide Survey Group, dated 26 September 2025.
5. Approved Plan of Proposed Land Reconfiguration – Plan No. 9483-400-01 – Revision C – prepared by Statewide Survey Group – dated 21 March 2022 (for Stages 1-3)
6. Approved Staging Plan – Plan No. 9483-STAGE – Revision A – prepared by Statewide Survey Group (for Stages 1-3)
7. SARA Referral Agency Response – Reference 2501-44411 SRA - prepared by State Assessment and Referral Agency, dated 25 March 2025
8. Engineering Report and Stormwater Management Plan – Project No. 21471 – Revision A – prepared by vT Consulting Engineers, dated May 2022
9. Draft Amended Infrastructure Charges Notice

RECOMMENDATION

THAT Council:

1. approve Change Application (Change Other) to Development Approval No. 22279 and give a Development Permit for Reconfiguring a Lot by Subdivision (one lot into 95 lots) on land situated at 55 Clarendon Road, Lowood, formally described as Lot 1 RP159873, 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 83(8) of the *Planning Act 2016*.

SCHEDULE 1 – GENERAL CONDITIONS		
<i>Assessment Manager</i>		
No	Condition	Timing
1.4	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times.

	1. Plan of proposed land reconfiguration – Reference 9483-400-01 – Revision C – prepared by Statewide Survey Group – dated 21 March 2022 2. Staging Plan – Reference 9483-STAGE Revision A – prepared by Statewide Survey Group 3. Engineering Report and Stormwater Management Plan – Reference 21471 Revision A – prepared by vT Consulting Engineers – dated May 2022	
1.1	<p>Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.</p> <ol style="list-style-type: none"> 1. Layout Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 29 September 2025 2. Staging Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 2 of 2 – prepared by Statewide Survey Group, dated 29 September 2025 3. Layout Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 26 September 2025. 4. Staging Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 2 of 2, prepared by Statewide Survey Group, dated 26 September 2025. 5. Engineering Report and Stormwater Management Plan – Project No. 21471 – Revision A – prepared by vT Consulting Engineers – dated May 2022. 	At all times.
1.2	<p>The Applicant is to complete each stage of the development in sequence in accordance with the approved plans.</p> <p>The Plan of Survey for a stage will not be endorsed until the Applicant has received endorsement of the Plan of Survey for the preceding stage.</p>	As indicated.
1.3	Comply with the relevant provisions of the Somerset Region Planning Scheme (Version Four), Planning Scheme Policies and Local Laws.	At all times.
1.4	A Registered Cadastral Surveyor must install new Survey Marks in their Prior to Council's correct positions in accordance with the Survey Plan and the endorsement of the work must be certified in writing.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.5	Pay to Council any outstanding rates or charges or	Prior to Council's

	expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	approval of each stage of the Plan of Subdivision.
1.6	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources. Currently, the amount is set at \$41 per allotment.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.6	Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources. Currently, the amount is set at \$49 per allotment.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.7	Provide certification from a Registered Cadastral Surveyor that all services (e.g. water, sewerage, drainage, electricity, telecommunications) are wholly contained within the lot that they serve.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.8	Remove any services made redundant as a result of the development and reinstate the land.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.9	Provide an 8m wide access and services easement across Lot 37 in favour of Lot 36. Copies of the signed easement documentation are to be provided to Council as part of the request for the approval of the Plan of Subdivision.	As part of the registration of the Plan of Subdivision for Stage 2.
1.10	Provide an 8m wide access and services easement across Lot 75 in favour of Lot 76. Copies of the signed easement documentation are to be provided to Council as part of the request for the approval of the Plan of Subdivision.	As part of the registration of the Plan of Subdivision for Stage 4.
SCHEDULE 2 – ENGINEERING <i>Assessment Manager</i>		
No	Condition	Timing
	ENGINEERING	
2.1	Design and construct all works in accordance with Planning Scheme Policy 4 – Design Standards and Council's <i>Standard Drawings</i> applicable at the time of the lodgement of the Operation works approval for each stage.	At all times.
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these	At all times

	conditions.	
2.3	<p>Provide RPEQ certification that the design and construction of all civil components of the Operational Work associated with the development are completed in accordance with the approved drawings, designs, schedules and specifications, the conditions of approval for the Development incorporating any approved amendments, and within specified tolerances or, where not specified, within generally accepted tolerance, also in accordance with relevant certificates, sound engineering principles and practices and that the works are fit for the purpose for which they are intended.</p> <p>The responsible RPEQ shall provide the required certifications and checklists required by Council, including, but not limited to:</p> <p>Certifications</p> <ul style="list-style-type: none"> - Consulting Engineer's Certificate <p>Checklists</p> <ul style="list-style-type: none"> - Operational Works Lodgement Requirements - Requirements for the Lodgement of Pavement Design Report - Pre-On-Maintenance Inspection Checklist of Works - Formal On-Maintenance Requirements - Off Maintenance Requirements <p>In accordance with Schedule 6 of Somerset Regional Council's Planning scheme – Version 4.2 Administrative Amendment – dated 17 December 2021</p>	Prior to Council's approval of the Plan of Subdivision for the relevant stage of the development.
	OPEN SPACE/PARK/LANDSCAPING	
2.4	<p>Dedicate all land shown as park, open space, and drainage on the proposal plan of subdivision as drainage reserve only.</p> <p>The reserve is to be dedicated at no cost to Council.</p>	<p>Prior to Council's approval of each stage of the Plan of Subdivision for the applicable stage.</p>
2.4	<p>Transfer to Council Proposed Lot 500 for the purpose of stormwater drainage in accordance with the approved layout plan and stormwater management plan.</p> <p>The land is to be transferred in fee simple and at no cost to Council.</p> <p>Copies of the transfer documents are to be provided to Council as part of the request for the approval of the Plan of Subdivision.</p>	As part of the registration of the Plan of Subdivision for Stage 2.
2.4A	Dedicate the area shown as Proposed Landscape Feature Area as road.	As part of the registration of the Plan of Subdivision for

		Stage 4.
	GENERAL SERVICES	
2.5	Connect each lot to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority.	Prior to Council's approval of the Plan of Subdivision for the relevant stage of the development.
2.6	Provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.	Prior to Council's approval of the Plan of subdivision for the applicable stage.
2.7	Provide written evidence from a RPEQ that electricity/ telecommunication/ water supply drawings have been coordinated with the civil engineering design details, to ensure there are no service clashes.	Prior to Council's approval of the Plan of subdivision for the applicable stage.
	EARTHWORKS	
2.8	Carry out all earthworks in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.9	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.10	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on properties without providing Council with written permission from the respective property owner(s).	At all times.
	ROADWORKS	
2.11	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.12	Provide road reserve and carriageway widths in accordance with Planning Scheme Policy 4 – Design Standards (Table SC6.5.8.1.2.3 and Council's Standard drawing. The applicant is to provide a revised lot layout plan reflecting the road hierarchies for approval.	Prior to Council's approval of the Plan of Subdivision.
2.13	Road carriageway widths are to be in accordance with the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.

2.14	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Austrroads Guide to Temporary Traffic Management</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works.
2.15	Provide 6m x 3 chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to Council's approval of the Plan of subdivision.
2.16	Provide sufficient road reserve area to allow for the provision of a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to Council's approval of the Plan of subdivision.
2.17	Provide verge and access in accordance with <i>Somerset Regional Council Planning Scheme</i> .	As part of Operational Works.
VEHICLE ACCESS		
2.18	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.19	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.
STORMWATER		
2.20	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.21	Stormwater Drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.22	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.23	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.

2.24	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
	EROSION AND SEDIMENT CONTROL	
2.25	Erosion and sedimentation controls shall be implemented, as necessary, 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"> • Be required to install additional measures. • Be responsible for the restoration work. Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.	At all times.
2.26	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.
2.27	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
2.28	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of Operational Works.
	STREET TREES	
2.29	Plant at least one street tree per 15m, along each side of all roads.	Prior to Council's approval of the plan of subdivision for the applicable stage.
	FOOTPATHS	
2.30	Provide 1.5m wide (minimum) footpaths along one side, for the full length of Access Streets and Collector Streets in accordance with SRC Planning Scheme requirements. <i>The applicant is to provide a revised lot footpath plan reflecting the location of the required footpaths and associated road crossings to Council for approval</i>	Prior to Council's approval of the plan of subdivision for the applicable stage.
	STREET NAMES	

2.31	Submit a list of names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council.	Prior to Council's approval of the plan of subdivision for the applicable stage.
	STREET LIGHTING	
2.32	Design and install street lighting in accordance with AS1158 – <i>Code of Practices for Public Lighting</i> as follows: i) Local streets and minor collectors (1 to 50 lots) – Lighting Category P5 ii) Collector Roads – Lighting Category P4. Install all street lighting on the same side as footpaths, where applicable. Obtain certification of street lighting installation by a Registered Professional Engineer Queensland (RPEQ).	Prior to Council's approval of the plan of subdivision for the applicable stage.
	KERB AND CHANNEL	
2.33	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with Planning Scheme Policy 4 – Design Standards.	As part of Operational Works.
	DESIGN OF LOTS 75 AND 76	
2.34	Provide a concrete driveway with a pavement width of 5.5 metres within Proposed Easement B on Proposed Lot 75 to serve Lots 75 and 76. The driveway is to be constructed from back of kerb to the common boundary of Lot 75 and 76. The driveway is to be detailed in the Operational Works application for roadworks for Stage 4.	Prior to Council's approval of the Plan of Subdivision for Stage 4.
2.35	Provide bin pads to serve proposed Lots 74 to 77 in front of Lots 74 to 77. Bin Pads are to be detailed in the Operational Works application for roadworks for Stage 4.	Prior to Council's approval of the Plan of Subdivision for Stage 4. Bin pads are to be maintained at all times once installed.
	ACCESS	
	Direct access to Clarendon Road is not to be provided except for Lots 33,34 and 35.	
2.36	Direct access to Clarendon Road is not to be provided except for Lots 33, 34 and 35.	At all times.

SCHEDULE 3 - REFERRAL AGENCY CONDITIONS		
Referral agency response given under section 56 of the <i>Planning Act 2016</i>		
Pursuant to section 62 of the <i>Planning Act 2016</i> , the assessment manager must, other than to the extent a referral agency's response provides advice, comply with all referral agencies' responses and include conditions exactly as stated in the response. The following referral agency responses have been received and are attached to the Decision Notice.		
3.4	Comply with the requirements of the referral agency response 2205-28690 SRA dated 10 June 2022 or as amended.	As indicated in the attached referral agency response.
3.1	Comply with the requirements of the referral agency response 2501-44411 SRA dated 25 March 2025, or as amended.	As indicated in the attached referral agency response.
3.2	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 request for endorsement of the Plan of Subdivision.
SCHEDULE 4 – ADVICE		
<i>Assessment Manager</i>		
This approval has effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> .		
Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the plan of subdivision is not provided to the local government within the 'currency period' – being four (4) years starting the day the approval takes effect.		
The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the <i>Planning Act 2016</i> .		
The <i>Planning Act 2016</i> provides for a person to make a change to this development application outside the applicant's appeal period, following the process outlined in chapter 3, part 5, subdivision 2 of the Act.		
Separate development approval is required for any building work and plumbing/drainage works necessitated by the conditions contained in this approval.		
The Plan of Subdivision will not be released until all works are completed to Council's satisfaction or uncompleted works are suitably bonded.		

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”.

Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

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

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants

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

Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.”

Attachments for the Decision Notice include:

The following approved plans, as amended by this change application:

- Layout Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 29 September 2025
- Staging Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 2 of 2 – prepared by Statewide Survey Group, dated 29 September 2025
- Layout Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 26 September 2025.
- Staging Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 2 of 2, prepared by Statewide Survey Group, dated 26 September 2025.

The following approved plans (not forming part of this change application):

- Engineering Report and Stormwater Management Plan – Project No. 21471 – Revision A – prepared by vT Consulting Engineers – dated May 2022

The following referral agency responses:

- SARA Referral Agency Response – Reference 2501-44411 SRA - prepared by State Assessment and Referral Agency, dated 25 March 2025

This completes the report for Change Application No. 22279.

Resolution	Moved – Cr Brieschke	Seconded – Cr Freese
<p>“THAT Council:</p> <ol style="list-style-type: none"> 1. approve Change Application (Change Other) to Development Approval No. 22279 and give a Development Permit for Reconfiguring a Lot by Subdivision (one lot into 95 lots) on land situated at 55 Clarendon Road, Lowood, formally described as Lot 1 RP159873, 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 83(8) of the <i>Planning Act 2016</i>.” 		

SCHEDULE 1 – GENERAL CONDITIONS

Assessment Manager

No	Condition	Timing
1.1	<p>Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.</p> <ol style="list-style-type: none"> 4. Plan of proposed land reconfiguration – Reference 9483-400-01 – Revision C – prepared by Statewide Survey Group – dated 21 March 2022 5. Staging Plan – Reference 9483-STAGE Revision A – prepared by Statewide Survey Group 6. Engineering Report and Stormwater Management Plan – Reference 21471 Revision A – prepared by vT Consulting Engineers – dated May 2022 	At all times.
1.1	<p>Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.</p> <ol style="list-style-type: none"> 6. Layout Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 29 September 2025 7. Staging Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 2 of 2 – prepared by Statewide Survey Group, dated 29 September 2025 8. Layout Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 26 September 2025. 	At all times.

	<p>9. Staging Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 2 of 2, prepared by Statewide Survey Group, dated 26 September 2025.</p> <p>10. Engineering Report and Stormwater Management Plan – Project No. 21471 – Revision A – prepared by vT Consulting Engineers – dated May 2022.</p>	
1.2	<p>The Applicant is to complete each stage of the development in sequence in accordance with the approved plans.</p> <p>The Plan of Survey for a stage will not be endorsed until the Applicant has received endorsement of the Plan of Survey for the preceding stage.</p>	As indicated.
1.3	Comply with the relevant provisions of the Somerset Region Planning Scheme (Version Four), Planning Scheme Policies and Local Laws.	At all times.
1.4	A Registered Cadastral Surveyor must install new Survey Marks in their Prior to Council's correct positions in accordance with the Survey Plan and the endorsement of the work must be certified in writing.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.5	Pay to Council any outstanding rates or charges or expenses that are a charge over the subject land levied by Council; and/or levied but not fully paid over the subject land.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.6	<p>Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources.</p> <p>Currently, the amount is set at \$41 per allotment.</p>	<p>Prior to Council's approval of each stage of the Plan of Subdivision.</p>
1.6	<p>Pay to Council the applicable amount at the time of request for plan of subdivision endorsement for the issue of new valuations by the Department of Resources.</p> <p>Currently, the amount is set at \$49 per allotment.</p>	Prior to Council's approval of each stage of the Plan of Subdivision.
1.7	Provide certification from a Registered Cadastral Surveyor that all services (e.g. water, sewerage, drainage, electricity, telecommunications) are wholly contained within the lot that they serve.	Prior to Council's approval of each stage of the Plan of Subdivision.

1.8	Remove any services made redundant as a result of the development and reinstate the land.	Prior to Council's approval of each stage of the Plan of Subdivision.
1.9	Provide an 8m wide access and services easement across Lot 37 in favour of Lot 36. Copies of the signed easement documentation are to be provided to Council as part of the request for the approval of the Plan of Subdivision.	As part of the registration of the Plan of Subdivision for Stage 2.
1.10	Provide an 8m wide access and services easement across Lot 75 in favour of Lot 76. Copies of the signed easement documentation are to be provided to Council as part of the request for the approval of the Plan of Subdivision.	As part of the registration of the Plan of Subdivision for Stage 4.
SCHEDULE 2 – ENGINEERING <i>Assessment Manager</i>		
No	Condition	Timing
	ENGINEERING	
2.1	Design and construct all works in accordance with Planning Scheme Policy 4 – Design Standards and Council's <i>Standard Drawings</i> applicable at the time of the lodgement of the Operation works approval for each stage.	At all times.
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times
2.3	Provide RPEQ certification that the design and construction of all civil components of the Operational Work associated with the development are completed in accordance with the approved drawings, designs, schedules and specifications, the conditions of approval for the Development incorporating any approved amendments, and within specified tolerances or, where not specified, within generally accepted tolerance, also in accordance with relevant certificates, sound engineering principles and practices and that the works are fit for the purpose for which they are intended. The responsible RPEQ shall provide the required certifications and checklists required by Council, including, but not limited to: Certifications - Consulting Engineer's Certificate Checklists - Operational Works Lodgement Requirements	Prior to Council's approval of the Plan of Subdivision for the relevant stage of the development.

	<ul style="list-style-type: none"> - Requirements for the Lodgement of Pavement Design Report - Pre-On-Maintenance Inspection Checklist of Works - Formal On-Maintenance Requirements - Off Maintenance Requirements <p>In accordance with Schedule 6 of Somerset Regional Council's Planning scheme – Version 4.2 Administrative Amendment – dated 17 December 2021</p>	
	OPEN SPACE/PARK/LANDSCAPING	
2.4	<p>Dedicate all land shown as park, open space, and drainage on the proposal plan of subdivision as drainage reserve only.</p> <p>The reserve is to be dedicated at no cost to Council.</p>	<p>Prior to Council's approval of each stage of the Plan of Subdivision for the applicable stage.</p>
2.4	<p>Transfer to Council Proposed Lot 500 for the purpose of stormwater drainage in accordance with the approved layout plan and stormwater management plan.</p> <p>The land is to be transferred in fee simple and at no cost to Council.</p> <p>Copies of the transfer documents are to be provided to Council as part of the request for the approval of the Plan of Subdivision.</p>	<p>As part of the registration of the Plan of Subdivision for Stage 2.</p>
2.4A	<p>Dedicate the area shown as Proposed Landscape Feature Area as road.</p>	<p>As part of the registration of the Plan of Subdivision for Stage 4.</p>
	GENERAL SERVICES	
2.5	<p>Connect each lot to a reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority.</p>	<p>Prior to Council's approval of the Plan of Subdivision for the relevant stage of the development.</p>
2.6	<p>Provide written evidence (e.g. connection certificate) from each particular service provider stating either that each lot has been connected to applicable service, is available at a standard connection, or has a current supply agreement.</p>	<p>Prior to Council's approval of the Plan of subdivision for the applicable stage.</p>
2.7	<p>Provide written evidence from a RPEQ that electricity/ telecommunication/ water supply drawings have been coordinated with the civil engineering design details, to ensure there are no service clashes.</p>	<p>Prior to Council's approval of the Plan of subdivision for the applicable stage.</p>

	EARTHWORKS	
2.8	Carry out all earthworks in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation.	At all times.
2.9	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.10	Any fill, cut and other stored material must be contained within properties comprising the development application. Fill cannot be placed on properties without providing Council with written permission from the respective property owner(s).	At all times.
	ROADWORKS	
2.11	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel (including drainage and associated works) in accordance with <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.12	Provide road reserve and carriageway widths in accordance with Planning Scheme Policy 4 – Design Standards (Table SC6.5.8.1.2.3 and Council's Standard drawing. The applicant is to provide a revised lot layout plan reflecting the road hierarchies for approval.	Prior to Council's approval of the Plan of Subdivision.
2.13	Road carriageway widths are to be in accordance with the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.14	All works on or adjacent to roadways must be adequately signed in accordance with the " <i>Austrroads Guide to Temporary Traffic Management</i> ". Any Road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of and during construction of works.
2.15	Provide 6m x 3 chord truncations on property boundaries at all road intersections. Remove all improvements and obstructions from the area of the corner truncation(s) and area of dedicated road.	Prior to Council's approval of the Plan of subdivision.
2.16	Provide sufficient road reserve area to allow for the provision of a sealed vehicle turn around area with a minimum 9m radius at the end of any terminating roads that are to be constructed as part of a future stage of development.	Prior to Council's approval of the Plan of subdivision.
2.17	Provide verge and access in accordance with <i>Somerset Regional Council Planning Scheme</i> .	As part of Operational Works.

	VEHICLE ACCESS	
2.18	All vehicular access for new allotments shall provide convenient and safe access and egress from the site in accordance with <i>Somerset Region Planning Scheme</i> .	At all times.
2.19	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.
	STORMWATER	
2.20	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.21	Stormwater Drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.22	Design and construction of all stormwater drainage works must comply with the relevant section/s of the Queensland Urban Drainage Manual (QUDM) and the <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.23	Where stormwater cannot be discharged to the kerb and channel, provide inter-allotment drainage in accordance with Queensland Urban Drainage Manual (QUDM) and <i>Somerset Region Planning Scheme</i> .	As part of Operational Works.
2.24	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
	EROSION AND SEDIMENT CONTROL	
2.25	Erosion and sedimentation controls shall be implemented, as necessary, 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"> • Be required to install additional measures. • Be responsible for the restoration work. Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.	At all times.

2.26	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.
2.27	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
2.28	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimize disturbance during construction work.	As part of Operational Works.
	STREET TREES	
2.29	Plant at least one street tree per 15m, along each side of all roads.	Prior to Council's approval of the plan of subdivision for the applicable stage.
	FOOTPATHS	
2.30	Provide 1.5m wide (minimum) footpaths along one side, for the full length of Access Streets and Collector Streets in accordance with SRC Planning Scheme requirements. <i>The applicant is to provide a revised lot footpath plan reflecting the location of the required footpaths and associated road crossings to Council for approval</i>	Prior to Council's approval of the plan of subdivision for the applicable stage.
	STREET NAMES	
2.31	Submit a list of names for all new roads, along with the reasons for selecting such names, for the road names to be considered and approved by Council.	Prior to Council's approval of the plan of subdivision for the applicable stage.
	STREET LIGHTING	
2.32	Design and install street lighting in accordance with AS1158 – <i>Code of Practices for Public Lighting</i> as follows: iii) Local streets and minor collectors (1 to 50 lots) – Lighting Category P5 iv) Collector Roads – Lighting Category P4. Install all street lighting on the same side as footpaths, where applicable. Obtain certification of street lighting installation by a Registered Professional Engineer Queensland (RPEQ).	Prior to Council's approval of the plan of subdivision for the applicable stage.
	KERB AND CHANNEL	
2.33	Dedicate, design and construct all new roads as illustrated on the approved plans, with concrete kerb and channel	As part of Operational Works.

	(including drainage and associated works) in accordance with Planning Scheme Policy 4 – Design Standards.	
	DESIGN OF LOTS 75 AND 76	
2.34	<p>Provide a concrete driveway with a pavement width of 5.5 metres within Proposed Easement B on Proposed Lot 75 to serve Lots 75 and 76. The driveway is to be constructed from back of kerb to the common boundary of Lot 75 and 76.</p> <p>The driveway is to be detailed in the Operational Works application for roadworks for Stage 4.</p>	<p>Prior to Council's approval of the Plan of Subdivision for Stage 4.</p>
2.35	<p>Provide bin pads to serve proposed Lots 74 to 77 in front of Lots 74 to 77.</p> <p>Bin Pads are to be detailed in the Operational Works application for roadworks for Stage 4.</p>	<p>Prior to Council's approval of the Plan of Subdivision for Stage 4.</p> <p>Bin pads are to be maintained at all times once installed.</p>
	ACCESS	
	Direct access to Clarendon Road is not to be provided except for Lots 33,34 and 35.	
2.36	Direct access to Clarendon Road is not to be provided except for Lots 33, 34 and 35.	At all times.
SCHEDULE 3 - REFERRAL AGENCY CONDITIONS		
Referral agency response given under section 56 of the <i>Planning Act 2016</i>		
Pursuant to section 62 of the <i>Planning Act 2016</i> , the assessment manager must, other than to the extent a referral agency's response provides advice, comply with all referral agencies' responses and include conditions exactly as stated in the response. The following referral agency responses have been received and are attached to the Decision Notice.		
3.4	Comply with the requirements of the referral agency response 2205-28690 SRA dated 10 June 2022 or as amended.	As indicated in the attached referral agency response.
3.1	Comply with the requirements of the referral agency response 2501-44411 SRA dated 25 March 2025, or as amended.	As indicated in the attached referral agency response.
3.2	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 request for endorsement of the Plan of Subdivision.

SCHEDULE 4 – ADVICE*Assessment Manager*

This approval has effect in accordance with the provisions of section 71 of the *Planning Act 2016*.

Currency Period - Pursuant to section 85 of the *Planning Act 2016* the approval will lapse if the plan of subdivision is not provided to the local government within the 'currency period' – being four (4) years starting the day the approval takes effect.

The applicant may make representations (change representations) about a matter in this development application within the applicant's appeal period under the process established in chapter 3, part 5, subdivision 1 of the *Planning Act 2016*.

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.

Separate development approval is required for any building work and plumbing/drainage works necessitated by the conditions contained in this approval.

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

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".

Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.

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

The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants

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

Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit."

Carried

Vote -

Attachments for the Decision Notice include:

The following approved plans, as amended by this change application:

- Layout Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 29 September 2025
- Staging Plan – Project Stages 1-5, Plan No. 9483-410 – Revision H – Sheet 2 of 2 – prepared by Statewide Survey Group, dated 29 September 2025
- Layout Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 1 of 2 – prepared by Statewide Survey Group, dated 26 September 2025.
- Staging Plan – Project Stages 4-5, Plan No. 9483-415 – Revision F – Sheet 2 of 2, prepared by Statewide Survey Group, dated 26 September 2025.

The following approved plans (not forming part of this change application):

- Engineering Report and Stormwater Management Plan – Project No. 21471 – Revision A – prepared by vT Consulting Engineers – dated May 2022

The following referral agency responses:

- SARA Referral Agency Response – Reference 2501-44411 SRA - prepared by State Assessment and Referral Agency, dated 25 March 2025

This completes the report for Change Application No. 22279.

Subject:	Development Application No. 26153 – 48 Twin Lakes Road, Coominya
	Development Application for a Development Permit for Material Change of Use for Warehouse (caravan storage)
File No:	DA26153
Assessment No:	Action Officer: SP-MW
	04016-00000-000

1.0 APPLICATION SUMMARY

Property details

Location:	48 Twin Lakes Road, Coominya
Real property description:	Lot 59 RP135414
Site area:	4.121ha
Current land use:	Dwelling house and secondary dwelling
Easements/encumbrances:	Nil identified

South East Queensland Regional Plan

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

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	Rural zone
Precinct:	Not applicable
Overlays:	OM3 Biodiversity overlay OM4 Bushfire hazard overlay OM8 High impact activities management area overlay

Application details

Proposal:	Development Application for a Development Permit for Material Change of Use for Warehouse (caravan storage)
Category of assessment:	Impact assessment
Applicant details:	Mark Sewell and Lisa Sewell 48 Twin Lakes Road COOMINYA QLD 4311
Owner details:	Mark C and Lisa K Sewell
Date application received:	24 April 2025
Date application properly made:	13 May 2025

Referrals	None required
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Public notification	Required
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Notification period	16 July 2025 to 5 August 2025
Submissions received	One received (one opposed)

RECOMMENDED DECISION

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



**Locality Plan of Lot 59 RP135414
Situated at 48 Twin Lakes Road, Coominya**

2.0 PROPOSAL

This development application seeks approval for a Development Permit for Material Change of Use for Warehouse (caravan storage), on land at 48 Twin Lakes Road, Coominya, formally described as Lot 59 RP135414.

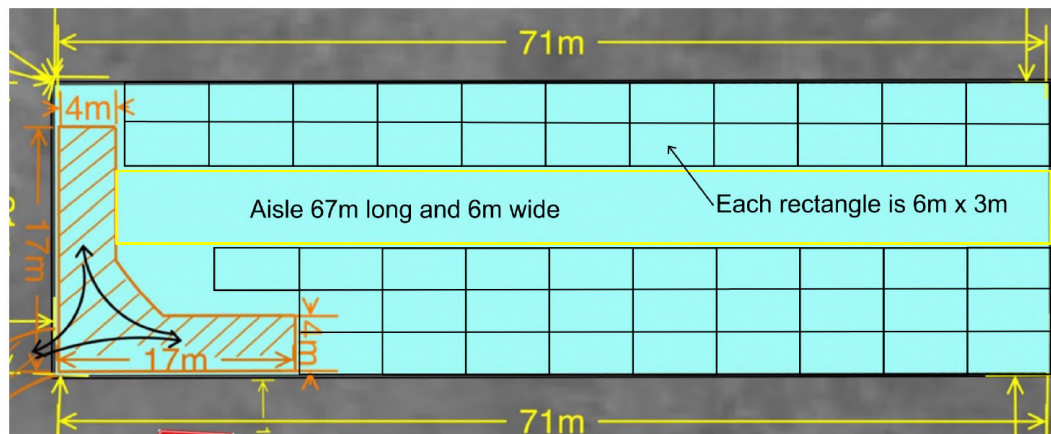
The application is made under Version 4.2 of the Somerset Region Planning Scheme (the planning scheme). The site is located within the Rural zone. The application is required because Warehouse is not a listed use in the Table of uses for the Rural zone and is therefore subject to Impact assessment.

The proposed caravan storage area proposes storage for up to 60 caravans and comprises an unroofed storage area of 1,491m², measuring 71m east-west and 21m north-south. The storage area will be sited 15m from the southern boundary of the property and approximately 170m from Twin Lakes Road.

The applicant originally proposed a use with up to 100 caravans and a use area of approximately 8,000m² however this was reduced in scale after the applicant discussed the application with the State Assessment and Referral Agency.

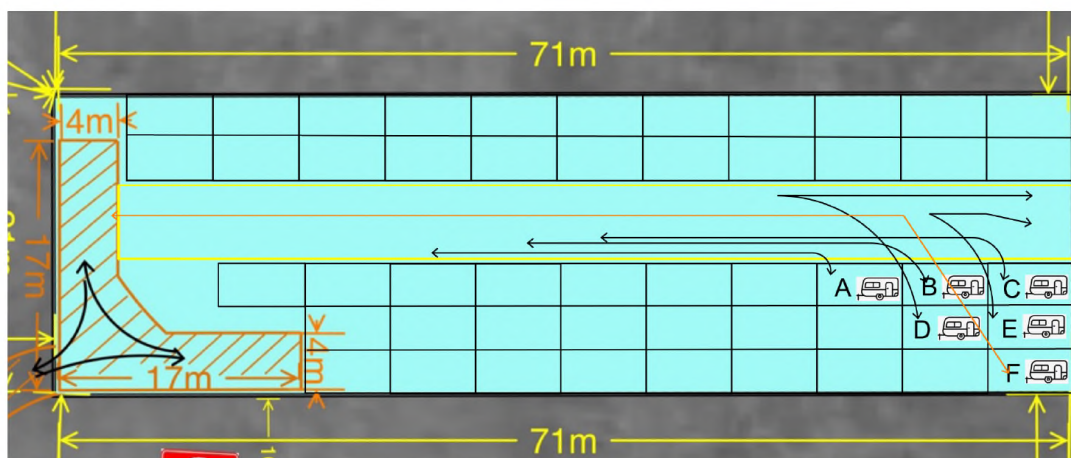
The development is proposed to be served by a 3.5m wide driveway adjacent to the southern boundary of the site. The facility is proposed to operate 7 days a week, between 7:00am and 6:00pm.

The caravan storage area is proposed to comprise two rows of van parking spaces to the north of the central 6m wide manoeuvring aisle and three rows of van parking spaces to the south of the central manoeuvring aisle as per the image below.



Caravans are proposed to be brought to site, unhitched within the Y head at the western end of the storage area and manually parked by using a portable electric caravan mover or dolly to manoeuvre the caravan into a stacked position. Collecting the caravan would result in using the caravan mover to bring the caravan to the loading/unloading Y head. The use of the mover would reduce the extent of swept paths for the vans as it would not be necessary to provide vehicle swept paths for the tow vehicle. The caravans would be manoeuvred through the storage area by the operator rather than the van owner.

The stacking of caravans may result in multiple caravan movements to enable access to vans that have been tandem parked or parked three deep as per the image below, based on the spaces being 6m long and 3m wide.



It is noted the above example is a worst-case scenario in the event that all vans were generally the same size. The above example would require eleven caravan movements to access caravan F and then repark caravans A-E. Depending upon the size of different vans, there may be some overlap between spaces and more vans may therefore need to be moved. The applicant has referenced the potential for storage of caravans varying in length between 14 and 32 feet (4.2m to 9.8m).

The applicant proposes a row of bushy shrublike plants inside the southern boundary of the site to screen the facility from the lots to the south.

No charging facilities are proposed on site, as such, it will not be possible to keep services running to the caravans when they are parked on site.

No security lighting has been proposed for the facility.

The applicant has proposed an access by appointment system where caravan owners pre-book an appointment enabling drop off or collection of their caravan.

The development does not include a business component involving hiring out the caravans by third parties for use off site.

3.0 SITE DETAILS

3.1 Description of the land

The site is a regular shaped allotment with frontage to Twin Lakes Road at the western boundary. The site contains a dwelling house and a secondary dwelling and outbuildings in the western third of the property. The lot has a frontage to Twin Lakes Road of 140.4m and the lot narrows to 53.2m at the rear of the site.

Surrounding lots are also within the Rural zone and are typically improved with dwelling houses and associated buildings and structures. The lot slopes generally to the south. The site contains a very low ridge which helps to screen the facility from Twin Lakes Road.

Access to the site will be via a new crossover to Twin Lakes Road, which is an Access Street in Council's road hierarchy. As the development is for an industrial use, the crossover will require a Road Access Application from Council's Operations Department.

3.2 Site approval history

Reference:	Decision date:	Description:
DA25212	14 January 2025 (Council's delegate)	Dwelling house (secondary dwelling)

3.3 Connection to electricity and telecommunications

The land is within the Rural zone, and as such there is no requirement to connect the development to the reticulated electricity and telecommunications networks.

The existing house and secondary dwelling are connected to these infrastructure networks. Any requirement to extend services to the proposed use could be accessed via the existing services.

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*.

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

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

5.0 ASSESSMENT BENCHMARKS

The proposal requires assessment against the following assessment benchmarks.

5.1 State Planning Policy 2017

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

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

5.2 South East Queensland Regional Plan

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

5.3 Schedule 10 of the *Planning Regulation 2017*

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

The proposal:

- (a) does not impact on any regulated vegetation;
- (b) does not impact on any koala habitat areas;
- (c) is located within a koala priority area, however Schedule 11 does not apply to the development;
- (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.

5.3.1 Schedule 11 – Koala habitat areas

The proposal involves development on premises in a koala priority area not interfering with koala habitat, and under the provisions of Schedule 10, Part 10, requires assessment against the assessment benchmarks within Schedule 11 of the Regulation.

No koala trees are proposed to be removed as a part of the development.

5.4 Temporary local planning instruments

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

5.5 Variation approvals

The property is not benefitted by any variation approvals.

5.6 Somerset Region Planning Scheme (Version 4.2)

5.6.1 Relevant assessment benchmarks from the planning scheme

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

- (a) Part 3 Strategic framework;
- (b) 6.2.9 Rural zone code;
- (c) 7.2.3 Biodiversity overlay code;
- (d) 7.2.4 Bushfire hazard overlay code;

- (e) 7.2.8 High impact activities management area overlay code;
- (f) 8.2.9 Industrial activities code;
- (g) 8.3.5 Services works and infrastructure code; and
- (h) 8.3.6 Transport access and parking code.

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

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

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

5.6.2 Strategic framework assessment

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

5.6.2.1 Settlement pattern

The proposal advances the settlement pattern of the region as it provides for a use in the Rural zone that does not compromise other rural activities from occurring nor compromise the role and function of Centre or Industry zoned land.

The strategic framework seeks that land in this area is protected from inappropriate interim development that would create the potential for future land use conflict between rural activities and future urban development

The proposed development is located in an area of 4ha lots. This subdivision of smaller rural lots is not typical of the area west of Coominya. There are a number of approved rural industrial types of uses in the area including an extractive industry approximately 1.2km the south of Rocky Gully Road, 1.5km to an approved but undeveloped extractive industry to the southeast, and within 3km of six poultry farms. Those uses are however more remote from sensitive land uses than the proposed use. The recommended conditions package provides appropriate measures for development and operation of the use.

The development does not include the construction of commercial or industrial buildings but would function as an open air storage facility. As such, the development does not permanently change the function of the area.

The site is not located within an industrial area. The use is in some ways akin to a home based business albeit at a significantly larger scale in that it involves a relatively low rate of visitation to the site in that only the caravan owners will be attending the site and on an appointment basis only.

5.6.2.2 Natural environment

Part of the site is included on Biodiversity overlay map – Koala habitat areas, however this mapping has been superseded by the State's koala habitat mapping, leaving the overlay with no regulatory effect. State mapping lists the site within the Priority koala area, however

the site is not subject to Core koala habitat. The site is not an area of ecological significance or protected estate as shown on the framework maps.

5.6.2.3 Natural resources

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

5.6.2.4 Community identity and regional landscape character

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

5.6.2.5 Economic development

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

5.6.2.6 Infrastructure and services

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

5.6.2.7 Transport

The proposed location of the caravan storage facility provides little locational advantage with respect to accessibility and facilities (distances below are derived using Google Maps):

- Proximity to State-controlled roads. The site is 7 kilometres from Coominya Connection Road, 11 kilometres from Brisbane Valley Highway and 12 kilometres from Gatton Esk Road.
- Proximity to towns. The site is approximately 6 kilometres from the outskirts of Coominya, 22km from Lowood, 29km from Fernvale, 30km from Esk and Plainland, 34km from Gatton and 48km from Toogoolawah.
- Proximity to larger urban centres. The site is approximately 54km from Ipswich, 66km from Toowoomba and 90km from Brisbane CBD.
- Recreational facilities. The facility is approximately 3.5km from Lake Atkinson Resort, 5.3km for Atkinson Dam Holiday Park, 24km from Wivenhoe Dam and 56km from Somerset Dam.

Other similar facilities are typically located in proximity to main roads or relatively easily accessible to urban areas.

Element 3.9.2 – Road Network references “The road network is protected from inappropriate development in order to maintain efficient access to the employment opportunities, services and facilities provided in town centres and industrial development areas and is augmented by active transport options in towns.”

Specific outcome 3.9.2.1(e) states: “The hierarchy designation and function of the road is maintained by appropriate adjacent land use.”

Twin Lakes Road is listed on Council's road hierarchy as “Access Street – Minor”. Twin Lakes Road serves 18 lots. The proposed driveway to serve the proposed use is located approximately 380m from the intersection of Rocky Gully Road which is listed on the road hierarchy as a Collector street.

Owing to what will be very low numbers of traffic movements associated with this use, it is considered the use is generally suitable for access from Twin Lakes Road. While the use is considered to be in the industrial suite of uses, the use does not generate truck or heavy vehicle traffic but the traffic generated by the use comprises cars, SUVs or 4WDs towing a caravan.

It is therefore considered the use is generally suitable for the road network.

5.6.3 Code compliance summary

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

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

Relevant code	Compliance with overall outcomes	Performance outcomes
Rural zone code	Yes	PO13, PO14
Industrial activities code	Yes	PO1, PO2, PO6
Landscaping code	Yes	PO7, PO10
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	PO10
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Biodiversity overlay code	Yes	No alternative outcomes proposed
Bushfire hazard overlay code	Yes	PO4

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

5.6.4 Performance outcome assessment

Rural zone code

Performance outcome	Acceptable outcome
Amenity	

Performance outcome		Acceptable outcome	
PO13 The design, location and operation of development does not result in any undue adverse impact on the amenity of the locality, having regard to: (a) hours of operation; (b) lighting; (c) noise; (d) dust, odour and other airborne emissions; (e) public health and safety; (f) traffic generation; (g) the use of <i>advertising devices</i> ; (h) visual amenity; and (i) overlooking and privacy.		AO13 No acceptable outcome provided.	
PO14 Development must take into account and seek to ameliorate any existing negative environmental impacts, having regard to: (a) noise; (b) hours of operation; (c) traffic; (d) lighting; (e) <i>advertising devices</i> ; (f) visual amenity; (g) privacy; (h) odour; or (i) emissions.		AO14 No acceptable outcome provided.	
Alternative solution Proposed Shrubs For Vegetation and Screening Caravan Storage Screening – Myoporum Insulare (Boobialla) The proposed planting of Myoporum Insulare will serve to: • Screen the caravan storage area from neighbouring properties • Maintain rural visual amenity • Provide a natural buffer to reduce visual impact without introducing structures Planting Configuration • Spacing: 1.5 m apart in a single row. • Area: Planted along the boundary - please refer to the site plan for the location of the plants. • Maintenance: Light formative pruning during establishment; trimmed annually for dense growth This configuration ensures a continuous screen within 2–3 years. Growth Expectations With regular watering and maintenance, Myoporum Insulare will form a dense, evergreen hedge that visually screens caravans up to 2.5 m high.			
Timeframe	Estimated Height	Estimated Width	Notes

Performance outcome			Acceptable outcome
1 year	0.8 – 1.2 m	0.6 – 1.0 m	Establishing, moderate coverage
3 years	2.0 – 2.5 m	1.5 – 2.0 m	Dense hedge developing
5 years	3.0 – 4.0 m	2.0 – 3.0 m	Full screening, trimmed to desired size
<p>Alternative outcome assessment</p> <p>The applicant proposes a 140m long vegetative screen along the southern boundary.</p> <p>The success of this screening would require ongoing maintenance, watering and management. The speed of growth is dependent upon the standard of care.</p> <p>It is likely the vegetation would take several years to grow to a point that would screen the development satisfactorily.</p> <p>If the development was operating to capacity, properties to the south would see a storage yard of caravans approximately 70m in length with caravans parked nose to tail until landscaping had reached a suitable height.</p> <p>It is recommended that landscaping be provided in proximity to the boundary but that this be augmented by a solid timber fence, approx. 5m from the southern boundary, behind the landscaping in order to provide screening from day 1. The fence can be removed once the landscaping has achieved maturity.</p> <p>Through discussion with the applicant, advice was provided that it was intended for the fence be setback 7m from the southern property boundary and a 22m long return at the eastern end of the storage facility.</p> <p>It is recommended that the alternative outcome be accepted with the inclusion of the additional screening measuring (fence) being conditioned.</p>			

Bushfire hazard overlay code

Performance outcome	Acceptable outcome
Water supply for fire fighting purposes	
<p>PO4</p> <p>(a) In Medium (potential intensity) Bushfire Hazard Areas as identified on Bushfire hazard overlay map OM-004a-b, development maintains the safety of people and property by providing an adequate (with sufficient flow), accessible and reliable water supply for fire-fighting purposes.</p>	<p>AO4</p> <p>For uses involving new or existing development (including buildings and structures) in areas of Medium (potential intensity) Bushfire Hazard as identified on Bushfire hazard overlay map OM-004a-b, each lot has:</p> <p>(a) a reliable reticulated water supply that has sufficient flow and pressure characteristics for fire fighting purposes at all times (minimum pressure and flow in 10 litres a second at 200kPa); or</p> <p>(b) an accessible on-site dam or tank with fire fighting fittings, or a swimming pool of not less than 40,000 litres; or</p>

Performance outcome	Acceptable outcome
	(c) pumps that produce water pressure output from a dam, tank or swimming pool, which are able to be operated without reticulated power.
<p>Alternative solution</p> <p>The applicant has proposed the following methods to prevent fire:</p> <p>a) <i>Fire Risk Overview</i> <i>The facility stores multiple caravans in a confined area, which presents potential fire risks, including rapid fire spread between adjacent caravans. Fire extinguishers provide the primary immediate response capability on-site.</i></p> <p>b) <i>Fire Prevention Measures</i></p> <ul style="list-style-type: none"> <i>Adequate spacing (approximately 40cm) maintained between caravans to reduce fire spread.</i> <i>Parking that ensures clear access around each caravan.</i> <i>Regular maintenance and cleaning of the site to reduce combustible materials such as dry vegetation or rubbish.</i> <i>Clear signage with emergency number 000 at Y Head.</i> <p>c) <i>Fire Fighting Equipment</i></p> <ul style="list-style-type: none"> <i>Multiple portable fire extinguishers will be installed throughout the site:</i> <i>3 units distributed evenly along the 71m length, positioned on the southern side of site, ensuring no point on site is more than 30 metres from an extinguisher.</i> <i>Extinguishers rated for Class A, B, and C fires to address the range of likely fire types (ordinary combustibles, flammable liquids, electrical).</i> <i>Extinguishers will be mounted in visible, easily accessible locations with clear signage.</i> <i>Regular inspections and maintenance will be performed to ensure functionality.</i> <p>d) <i>Emergency Procedures</i></p> <ul style="list-style-type: none"> <i>Staff will receive fire safety and emergency response training.</i> <i>Clear protocols established for contacting Queensland Fire and Emergency Services (QFES)</i> <i>immediately upon detecting a fire.</i> <i>Emergency contact numbers will be prominently displayed on-site at the Y Head.</i> <p>Alternative outcome assessment</p> <p>Part of the development is located within a Potential impact buffer to an area of Medium (potential intensity) Bushfire Hazard.</p> <p>The applicant has proposed a minimal firefighting strategy consisting of three fire extinguishers and the services of the local rural bushfire brigade.</p> <p>The storage yard site is partially within the Potential impact buffer to a Medium potential bushfire hazard area. The applicant has proposed three x nine litre fire extinguishers on the site. This is an increase from the one x nine litre fire extinguisher proposed as part of the response to Council's information request.</p>	

Performance outcome	Acceptable outcome
<p>Council officers have concerns about the firefighting capability of this option, noting that no tank fire fighting supply is proposed to protect the caravans on site. Officers have concerns about the proposed fire management strategy in that:</p> <ul style="list-style-type: none"> • Vans are not typically constructed from non-flammable or fire retardant materials; • A 40cm separation between vans would provide no fire mitigation, or opportunity to prevent fire spreading between vans; • Vans are likely to include potential fuel sources such as gas bottles and/or lithium batteries. <p>By comparison, a storage facility in a building exceeding 500m² would require a sprinkler system, and a storage facility in an area that is serviced with reticulated water would typically include access to a hydrant.</p> <p>Council typically conditions 45,000 litre firefighting supply for a dwelling house in areas with high bushfire hazard.</p> <p>Conditions have been recommended addressing additional fire management beyond the applicant's proposed solution. These conditions include the provision of two 45,000 litre tanks, with relevant fire coupling connections, with one tank at each end of the facility.</p> <p>Through discussions with the applicant it is proposed to provide two 10,000 litre tanks instead of the two 45,000 litre tanks recommended by the conditions. It is considered that the two 45,000 litre tanks are more appropriate.</p> <p>As discussed, it is recommended that additional requirements be included to ensure the alternative outcome can be accepted.</p>	

Industrial activities code

Performance outcome	Acceptable outcome
Site layout, scale, and intensity	
<p>PO1</p> <p>The <i>development</i> incorporates a <i>site</i> layout, scale, and intensity that:</p> <p>(b) provides an efficient use of the <i>site</i>;</p> <p>(c) enhances the streetscape and softens the visual appearance;</p> <p>(d) ensures that <i>sensitive land uses</i> and public open spaces are not adversely affected; and</p> <p>(e) does not result in overdevelopment.</p>	<p>AO1.5</p> <p>Landscaping is provided along the street frontage of the <i>premises</i>, and has a minimum width of 2 metres (excluding access ways) in the Industry zone or 10 metres in the High impact industry zone.</p> <p>AO1.6</p> <p>A minimum of 10 percent of the <i>site</i> is provided as landscaped open space.</p>
<p>Alternative solution</p> <p>It is proposed to use <i>Myoporum insulare</i> (Boobialla) as screening vegetation along the southern boundary. Plants will be spaced at 1.5m centres and are anticipated to grow to a height of 2-2.5m in 3 years and 3-4m in 5 years. Subject to regular watering and maintenance, the planting would form a continuous screen within two to three years.</p> <p>Alternative outcome assessment</p> <p>The storage yard is proposed over 150m from the Twin Lakes Road frontage of the site. A landscape strip along the front of the site is not relevant to the proposal as the site is also not located in the Industry zone or High impact industry zone.</p>	

Performance outcome	Acceptable outcome
<p>The site is proposed to be landscaped with screening vegetation along approximately 140m of the southern boundary of the property. Based on a 2m width this would correspond to approximately 280 square metres of screening landscaping which is more than 10% of the storage yard area.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
Fencing	
<p>PO2 Boundary fencing provides security to the <i>site</i> and promotes passive surveillance and fencing is designed and constructed of robust materials resistant to graffiti.</p>	<p>AO2 Security fencing is provided that is: (a) a maximum height of 1.8 metres; and (b) a minimum of 75 percent visually transparent.</p>
<p>Alternative outcome assessment The proponent has provided no detail of boundary fencing beyond the use of the existing 1.2m high rural dog mesh fence and use of Maremma dogs for security purposes.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
Operational impacts	
<p>PO6 Noise is managed in accordance accepted standards and the use is of a scale, intensity, and duration that has minimal impacts on the surrounding area, <i>sensitive land uses</i>, and the enjoyment of public open spaces.</p>	<p>AO6 Activities occur between 7am to 6pm Monday to Friday and 7am to 2pm on Saturdays. No operations occur on Sundays or public holidays.</p>
<p>Alternative solution The customer will simply arrive and either drop off or pick up their caravan and immediately leave the premises.</p> <p>The operational impacts will be only one caravan to be picked up or dropped off at a time. Customers will book a time with us to enter the property.</p> <p>There will be no industrial or commercial activity taking place on the site. It will be solely for mums and dads to drop off and pick up their caravan.</p> <p>Alternative outcome assessment The applicant indicates proposed use from 7am to 6pm, seven days per week.</p> <p>It is considered the most likely times customers will visit the site are in the lead up to or the end of weekends and holidays, in particular Fridays, Sundays and Mondays.</p> <p>Twin Lakes Road is not of a width to facilitate on-street parking while waiting to pick up or drop off a caravan, noting the road pavement is effectively one lane wide.</p> <p>The use of an electric dolly will minimise the extent of noise. The applicant does not however appear to have considered the potential need to keep tyres pumped up and potential compressor noise associated with this. Should the application be approved, conditions requiring mitigation of nuisance will be included.</p>	

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

Landscaping code

Performance outcome	Acceptable outcome
Landscape buffering	
P07 Landscape buffering effectively separates incompatible land uses and appropriately mitigates the visual impact of <i>development</i> .	A07 Vegetated <i>buffer</i> strips to common boundaries and street frontages include a combination of trees and shrubs and, where appropriate, earth mounds.

Alternative solution

It is proposed to use *Myoporum insulare* (Boobialla) as screening vegetation along the southern boundary. Plants will be spaced at 1.5m centres and are anticipated to grow to a height of 2-2.5m in 3 years and 3-4m in 5 years. Subject to regular watering and maintenance, the planting would form a continuous screen within two to three years.

Alternative outcome assessment

The development proposes approximately 140m of landscaping along the southern boundary of the site. The applicant's advice indicates the proposed planting will take between 3 and 5 years to form a continuous visual buffer to the south.

In the interim, the site would be highly visible from the properties to the south.

The provision of mounding may provide a more immediate visual mitigation, however this is likely to result in concentration of overland flow at the ends of the mound, noting the proposed vegetative screen is only 5m from the southern boundary of the site.

A concession that removes the need for mounding would be to provide a screen fence behind the screen planting with a 20cm gap at the bottom to avoid the ponding or redirection of overland flow. The fence would then screen the storage area from the properties to the south until the planting is established and has grown to a mature height.

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

Species

P010 Plants selected for landscaping: (a) are fit for the intended purpose; (b) are suitable for local environmental conditions; and (c) are low maintenance.	A010.1 Native species or locally endemic species are used. A010.2 Drought resistant species are utilised. A010.3 Low maintenance species are utilised. A010.4 Species that have the potential to become an environmental weed or are known to be toxic to people or animals are not used in any circumstance.
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Alternative outcome assessment

Performance outcome	Acceptable outcome
<p>The applicant has proposed Boobialla as a screening plant. While this is a native species it is typically a coastal plant and not locally endemic to the Somerset region. Its northernmost range considered to typically extend to north-eastern New South Wales as per the image below from <i>The Australasian Virtual Herbarium</i>. Boobialla is considered to be generally drought resistant and low maintenance.</p> <p>It is recommended that the alternative outcome be accepted in this instance however it is recommend the planting be augmented with a screen fence until the planting is established and forms a visual barrier.</p>	

Transport, access and parking code

The front fence of the property is approximately 7.5m from the road pavement of Twin Lakes Road. Based on the use being proposed to serve vehicles towing caravan, there is currently insufficient distance between the edge of road pavement and the front fence. The applicant has indicated potential for caravans up to 10.5m in length to attend the site. The applicant has proposed the gate to the facility to be set back 16.8m from Twin Lakes Road road reserve to ensure there is sufficient distance to enable a vehicle and caravan to be fully stationary within the driveway access without encroaching onto the road pavement of Twin Lakes Road.

While the applicant has contended the use will only have one customer's vehicle attending at any time, and that appointments will be booked, there is potential for appointments to occur back to back. Given the narrow nature of the proposed driveway and the potential for customers to attend in a back to back scenario, it is considered reasonable to include a passing/standing bay in the driveway to enable vehicles to pass on site rather than standing in Twin Lakes Road or waiting in the gateway.

Performance outcome	Acceptable outcome
Vehicle standing and manoeuvring areas	
PO10 Vehicle standing and manoeuvring areas are of suitable standard for the intended use and the areas are constructed to a standard that avoids <i>environmental nuisance</i> .	AO10 Internal manoeuvring and standing areas of the <i>site</i> are sealed.
Alternative solution None	
Alternative outcome assessment The applicant had not specifically detailed what was proposed for the treatment of the storage yard area, however their site plan referenced a grassed area for proposed caravan storage and hard stand for the turn around area only	
<p>It was considered whether hard stand should only be provided for the main manoeuvring areas, being the Y head at the western end of the facility and the access through the storage area.</p> <p>Officers consider retaining a grassed surface over the balance of the storage yard area does not provide a suitable outcome in that the grass would require additional mowing/whipper snipping etc. Given the caravans are proposed to be parked close to one another and may be parked for several months between uses, it would be difficult to manoeuvre a mower between the caravans.</p>	

Performance outcome	Acceptable outcome
A condition has been recommended to provide hard stand within the storage yard.	

5.6.5 Overall outcome assessment

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

5.7 Local government infrastructure plan

5.7.1 Priority infrastructure area

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

5.7.2 Infrastructure charges

The proposed development is for Warehouse, which is identified as being an Other industry under *Somerset Regional Council Charges Resolution (No. 1) 2025*. The land is within Charge Area B for determining the relevant adopted charges.

Other industry is calculated on a charge unit per square metre of Gross Floor Area however the development only involves use area as no buildings are proposed.

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

5.7.3 Trunk infrastructure requirements

5.7.3.1 Drinking water and wastewater networks

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

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

There is no adopted charge for the public parks and community land network applicable as the proposal is outside of the relevant service catchments.

5.7.3.4 Transport network

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

6.0 REFERRAL

6.1 Referral agencies

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

The applicant originally proposed a use with up to 100 caravans and a use area of approximately 8,000m². This exceeded the 1,500m² use area that triggers referral to the State Assessment and Referral Agency (SARA). SARA advised an industrial development of that scale in the RLRPA would be likely to be refused by SARA. After receipt of advice from SARA, the applicant reduced the size of the development to less than 1,500m² to avoid referral to SARA.

The applicant has not provided detail how the perimeter of the storage area will be identified. As such, the area will require identification and a form of demarcation to ensure the storage area does not exceed the 1500m² threshold that triggers referral to the State Assessment and Referral Agency.

Officers have recommended conditions to formalise the extent of the storage area in order to prevent scope creep.

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

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

- (a) a notice was published in The Sentinel newspaper on 16 July 2025;
- (b) a notice in the prescribed form was placed on the premises on 16 July 2025 and maintained for the minimum period of 15 business days; and
- (c) a hand delivered notification was served to all adjoining landowners by 16 July 2025.

The public notification period was from 16 July 2025 to 5 August 2025.

Council received a response from the owners that actions had been undertaken the notice of compliance on Friday 8 August 2025, advising that public notification had been undertaken in accordance with the statutory requirements.

7.2 Matters raised in submissions

During the public notification period, Council received one submission.

The matters raised in the submissions are outlined below:

Submission concern – Surrounding development

The proposed development is adjacent to numerous rural housing 4-hectare allotments.

Officer comment

The property is one of a number of four hectare lots adjacent to Twin Lakes Road and Rocky Gully Road. These lots were created in 1975 and are currently used primarily as

rural retreat lots, with the exception of 75 Twin Lakes Road which contains a number of greenhouses.

The proposed storage yard is located approximately 170m from Twin Lakes Road. The yard is proposed approximately 120m from the house on the lot to the north, 150m from the house on the lot to the southeast, approximately 330-350m to the two houses on the lots directly south of the storage yard and approximately 220m to the house to the southwest.

Conditions are included regarding proposed screening of the development from the lots to the south. The lot to the north is largely screened by existing vegetation.

Submission concern – Encroachment of urban activities

There is a need to protect natural rural landscapes from encroachment by urban development activities.

Officer comment

The development of part of the site as a storage yard has the potential to encourage other similar urban uses into what are currently rural areas. While these types of uses typically require larger areas due to the bulky nature of caravans, this sort of use is more consistent with an Industry zone than a Rural zone use.

Submission concern – No benefit

There is no evidence of any economic, social or environmental benefit to the community.

Officer comment

The development has not included an Economic needs analysis. The applicant has provided a relatively generic description of the proposal primarily referencing “mums and dads” who do not have sufficient space on their property to store a caravan.

The applicant has indicated a potential of 180 caravan trips per year based on 60 caravans and three trips per year based on typical caravan owner behaviour.

The applicant indicates the service would provide “... a valuable service to residents and travelling visitors in the southern part of the Somerset Shire, particularly those in areas such as Lowood and surrounding rural communities like the Village Gardens Retirement Community, where secure caravan storage is not available”.

It is queried whether 180 trips per annum would constitute any economic or social benefit to the community.

While the proposed use is land intensive due to the size of caravans, the scale of the development is relatively small based on the maximum numbers of caravans that can be parked within a 1,500m² area. The use of cars, SUVs and 4WDs picking up and dropping off of caravans, rather than trucks or heavy vehicles reduces the potential impacts of the development.

This is not considered a reason for refusal.

Submission concern – Commercial activity/business

The proposed development would allow a commercial activity/business in our rural residential landscape.

Officer comment

The site is within the Rural zone. The subject lot and the majority of surrounding lots are approximately 4ha in area. While the lots are in the Rural zone, they are largely considered to be rural retreat type of lot, consisting of a house, outbuildings and a reasonably large yard area.

The proposed use is not consistent with the typical uses considered in the Rural zone, hence the application being subject to Impact assessment and therefore enabling public consideration of the proposal.

Any future applications would be assessed on its merits and against the relevant provisions of the planning scheme. This is not considered a reason for refusal.

Submission concern – Effect on property values

There will be an adverse effect on adjoining property values regarding any potential future sale/s.

Officer comment

The submitter raises that the approval of the facility may result in a reduction of land value to adjoining or neighbouring properties.

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

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

This is not a reason to refuse the application.

Submission concern – Scale of development

The number of units proposed to be stored onsite (60) is a huge amount for what is described as a small undertaking and will create a visual blot on our rural landscape.

Officer comment

The applicant had not provided sufficient information to demonstrate how 60 caravans could be stored on site. When the applicant provided sufficient information, it was apparent the applicant could only store a maximum of 50 small caravans within a 1,500m² area if it was proposed to use an electric jockey wheel to manoeuvre caravans within the storage yard (as this avoids the need for reversing a car with an attached caravan through the storage yard). The maximum number of caravans would reduce further if larger caravans were stored on site or if vehicles were used to manoeuvre caravans through the storage yard.

Should the application be approved, conditions requiring the provision of fencing and landscaping to screen the development are proposed.

This is not considered a reason for refusal.

Submission concern – Screening of development

The proposed screening of the storage area will not effectively screen all visual or physical activities within the storage area for a considerable time frame.

Officer comment

Council officers have concerns about the ability to use vegetation to satisfactorily screen a use. Vegetation takes time to mature. The applicant's own information indicates it would take between three and five years to provide a vegetative screen to the south.

As discussed previously, should the application be approved a more formalised screen fence would be required to provide an additional screen until the vegetation has opportunity to grow into a vegetative screen.

This is not considered a reason for refusal.

Submission concern – Caravan movements

The estimation of average storage unit (caravan) movements indicates at least one (1) daily movement, which equates to movements seven (7) days a week, every week of the calendar year.

Officer comment

The applicant has indicated only one customer will be in attendance at any one time. The applicant indicates the majority of caravan users will only use their caravans 2-3 times a year, therefore resulting in relatively low numbers of vehicle movements directly associated with the facility. The proposed development may include days with no caravan movements and other days with multiple caravan movements. It is likely that there will be days in proximity to holiday periods when there will be higher numbers of vehicle movements, however the applicant is proposing visit by appointment only and conditions have been proposed to limit numbers of customers on site at any one time.

This is not considered a reason for refusal.

Submission concern – Potential future expansion of business

There is no evidence of the prevention of any future expansion if this activity is allowed.

Officer comment

Shaping SEQ (the SEQ Regional Plan) has thresholds that trigger referral of an application to the State Assessment and Referral Agency (SARA). The use has a proposed use area of 1,491m², just below the 1,500m² threshold.

The applicant originally lodged a larger development on site which was referred to SARA. SARA provided advice that application with a use area exceeding 1,500m² would be likely to be refused. The applicant subsequently reduced the size of the application.

If supported, a condition would be recommended to create a formalised boundary to the storage area. Bollards would be proposed at small enough centres to prevent vans from being manoeuvred outside the extent of the storage yard.

It is noted the applicant has only referenced storage of caravans. The application does not provide for boat storage. While not a part of this application, it is considered that expanding the use in future to enable boat storage would generate additional traffic and impacts on adjoining owners as this typically involves single day or weekend use. If the current application is approved, Council would require a separate application for this type of use to address this scope creep.

This is not considered to be a reason to refuse the application.

Submission concern – Koala habitat

The known Koala habitat in our immediate region will be irrevocably affected.

Officer comment

The site and surrounding properties are located within the Priority koala habitat area under the State's koala mapping, however none of the subject property is subject to Core koala habitat. A number of properties in the subdivided estate include areas of Core koala habitat.

The proposed storage yard is located on a cleared part of the site and no vegetation clearing is proposed for this use. A gap is proposed under the screen fence which would enable koalas to walk under if required.

The applicants have dogs on site to assist with security, however dogs and koalas do not always interact positively.

This is not considered to be a reason to refuse the application.

Submission concern – Non-commercial

The proposers stated in a hand delivered sheet quote - 'non-commercial' to try to minimise the warehouse impact. This is obviously incorrect as monetary transactions will occur.

Officer comment

It is considered the use is commercial in function, however should the application be approved, conditions will be included regarding the operation of the facility. The commercial nature is not considered as part of the conditions, as the use itself is what is being assessed.

8.0 OTHER RELEVANT MATTERS

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

9.0 CONCLUSION

The proposed development is for a Development permit for a Material change of use for a Warehouse (caravan storage). 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 based on reasonable and relevant conditions.

10.0 ATTACHMENTS

1. Site Plan, drawn by applicant, received by Council dated 12 June 2025 as annotated.
2. Indicative layout of storage area, drawn by applicant, received by Council dated 29 July 2025 as annotated.
3. Draft infrastructure charges notice

RECOMMENDATION

THAT Council:

1. approve Development Application No. 26153 for a Development Permit for Material Change of Use for Warehouse (caravan storage) on land situated at 48 Twin Lakes

Road, Coominya, formally described as Lot 59 RP135414, 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 CONDITION		
<i>Assessment Manager</i>		
No	Condition	Timing
1.1	Carry out the development generally in accordance with the material contained in the development application, supporting documentation and the plan(s) listed below, except where amended by these conditions of approval.	At all times.
	Site Plan, drawn by applicant, received by Council dated 12 June 2025 as annotated.	
	Indicative layout of storage area, drawn by applicant , received by Council dated 29 July 2025 as annotated.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times.
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase.
1.4	Pay to Council any outstanding rates, charges or expenses that are a charge over the subject land levied by Council' and/or levied but not fully paid over the subject land.	Prior to the commencement of use.
	Scale of development	
1.5	The maximum site area for the caravan storage is 1,500m ² .	At all times.
1.6	The maximum number of caravans to be stored within the storage area is 60.	At all times.
1.7	All caravans stored on site must be legally registered. <i>Note: Unregistered caravans cannot be parked/stored on site.</i>	At all times.
1.8	The approved hours of operation for the storage facility are 7:00am to 6:00pm, Sunday to Saturday.	At all times.
1.9	Customer visits to site are by appointment only.	At all times.
1.10	The operator of the business is to maintain a visitation register to confirm operation of the business in accordance with the conditions of approval.	At all times.
1.11	The approval does not allow for the on-site servicing, detailing or washdown of caravans on site.	At all times.

1.12	The approval does not allow for the sales or rental of caravans from the site.	At all times.
1.13	Provide bollards around the perimeter of the storage yard. Bollards are to be provided at 2.0 metre centres. <i>Note: The placement of bollards at 2.0m centres is to prevent encroachment of the storage yard beyond the 1,500m² threshold that triggers referral to the State Assessment and Referral Agency.</i>	Prior to the commencement of use and maintained at all times.
1.14	The applicant is to provide evidence of installation of the bollards.	Prior to the commencement of use.
1.15	No buildings, awnings, or structures associated with the operation of the caravan storage facility are to be constructed unless indicated in approved plans.	At all times.
1.16	A pre-commencement inspection of the facility is required prior to commencement of use to demonstrate compliance with conditions of approval. <i>Note: Council will provide written advice confirming if the use is compliant prior to commencement of use.</i>	Prior to the commencement of use.
1.17	An ongoing annual inspection is required for the first three years after commencement of use.	As conditioned.
	Landscaping	
1.18	Install landscaping generally consistent with the approved landscaping plan.	Prior to commencement of the use and to be retained.
1.19	Construct a 2.0m high timber fence to screen the storage yard from properties to the south, to be constructed at the developer's cost. The fence is to include the following criteria. <ul style="list-style-type: none"> (a) The fence is to be constructed 7m from the southern boundary of the site for the full length of the storage yard, with 10m extensions beyond the eastern and western end of the yard. The southern alignment of the fence will have a length of 91m. The fence shall be 10m from the southern edge of the storage yard. (b) Construct a 22m long return fence in a northern direction at the eastern end of the fence to screen the yard from properties to the southeast. The fence shall be 10m from the eastern end of the storage yard. (c) Construct a return at the western end of the fence to screen the development from properties to the south west. The fence shall be 10m from the western end of 	Prior to commencement of the use and to be maintained at all times.

	the storage yard and extend to the southern edge of the access road. (d) The fence is to be provided with a 200mm gap at the bottom of the fence to prevent concentration of overland flow.	
1.20	All buildings, structures, fittings, fixtures and grounds are maintained: <ul style="list-style-type: none"> • In a serviceable condition, and • In a state of good repair and efficient action, and • In a clean, sanitary condition, and • Free of accumulated disused materials, and • Free of vermin and pest infestations. 	At all times.
	Services And Connections	
1.21	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 the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.22	Remove any services made redundant as a result of the development and reinstate the land.	Prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
	Entrance treatment	
1.23	Provide a gate set back a minimum of 16.8m from the front boundary of the property to Twin Lakes Road. Provide security mechanisms that enable remote opening and closing of the gate by the operator.	Prior to commencement of use and maintained at all times.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	Engineering	
2.1	All works are to be designed and constructed in accordance with the requirements of the <i>Somerset Region Planning Scheme</i> .	At all times.
2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
	Vehicle access	

2.3	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.
2.4	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> .	At all times.
2.5	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.
2.6	All vehicles shall enter and leave the site in a forward gear.	At all times.
2.7	All manoeuvring areas shall enable access to a Class 2 vehicle in accordance with <i>Austroads Standards</i> .	At all times.
2.8	The Applicant is to provide a minimum 3.5m wide access driveway from the property boundary to caravan storage area.	Prior to Commencement of use and maintained at all times.
2.9	Provide one passing/standing bay along the driveway, that enables vehicles to pass one another on the driveway. The passing bay is to be 15m long and the driveway is to widen to 5.5m for the length of the passing bay.	Prior to Commencement of use and maintained at all times.
2.10	Access driveway is to be constructed of a minimum 100mm deep roadbase Type 2.3, or above for the entire length.	Prior to Commencement of use and maintained at all times.
2.11	The proposed caravan storage area to be constructed to an all-weather standard. <i>NOTE: All-weather standard is capable of being traversed by a two wheel drive vehicle during and after a storm event with no significant damage or deformation to the access. Maintenance will be performed to preserve the access as all weather.</i>	Prior to Commencement of use and maintained at all times.
	Car parking	
2.12	Any staff parking is required within the bounds of the storage yard. <i>Note: This condition is imposed to prevent encroachment of the storage yard beyond the 1,500m² threshold that triggers referral to the State Assessment and Referral Agency.</i>	At all times

	Stormwater	
2.13	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.14	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.15	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.16	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
	Erosion and sediment control	
2.17	<p>Erosion and sedimentation controls shall be implemented, in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the applicant 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.
2.18	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.19	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.
2.20	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling; ii) Chipping and/or mulching iii) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a</p>	At all times.

	result of the operations shall be disposed of to an approved disposal facility.	
2.21	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
	Fire fighting	
2.22	<p>(a) Provide two 45,000 litre static water supplies for firefighting purposes.</p> <p>(b) Provide a tank at each end of the facility.</p> <p>(c) Locate the tank within 15 metres of the facility; and</p> <p>(d) Construct the tank either</p> <ul style="list-style-type: none"> (ii) Underground; or (iii) Above ground from non-combustible materials. 	Prior to the Commencement of use and to be maintained.
2.23	<p>(a) Provide a medium rigid vehicle (15 tonne fire appliance) clear access within 6m of the tank.</p> <p>(b) Shielding of tanks and pumps shall be protected from bushfire attack in accordance with AS2304:2011 Water storage tanks for fire protection systems.</p> <p>(c) If the site is serviced by a rural fire brigade, the tanks shall be provided with rural fire brigade tank fittings of a 50-millimetre ball valve and male camlock coupling and, if underground, an access hole of 200 millimetres (minimum) to accommodate suction lines.</p>	Prior to Commencement of use and to be maintained.
2.24	<p>Provide six (6) fire extinguishers in and in proximity to the facility as specified:</p> <p>(a) Provide three (3) of the six fire extinguishers located consistent with the site plan.</p> <p>(b) Provide three (3) additional fire extinguishers located in proximity to the northern edge of the facility.</p>	Prior to Commencement of use and to be maintained.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No.	Condition	Timing
	General	
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	Disposal of solid or liquid waste from caravans is to occur off-site at an approved waste disposal point.	At all times.
3.5	All solid, semi-solid and liquid waste generated from the construction of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times.
3.6	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
3.7	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times.
3.8	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase.
	Lighting	
3.9	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.
	Waste management	
3.10	All general waste produced as part of the operation must be disposed of through the number of standard waste services as determined by Council.	At all times.
3.11	The applicant must provide an impervious, screened area which is drained as required by Council, where all waste containers are placed.	At all times.

3.12	All construction / demolition waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
	Complaint log	
3.13	All complaints received by the applicant relating to operations at the storage yard must be recorded in a register with the following details: <ul style="list-style-type: none"> a) nature, time and date of complaint; b) type of communication (telephone, letter, personal etc.); c) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded); d) response and investigation undertaken as a result of the complaint; e) name of person responsible for investigating complaint; and f) action taken as a result of the complaint investigation and signature of responsible person. 	At all times.
3.14	Any record of complaints, received by the holder of the development approval: <ul style="list-style-type: none"> a) Must not be disposed of within five (5) years of the date the record was made; and b) Be made available to an authorised officer of Council upon demand by that Officer. 	At all times.
SCHEDULE 4 – ADVICE		
<i>Assessment Manager</i>		
No.	Note	
	When approval takes effect	
4.1	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.	
4.2	Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the currency period - being six (6) years starting the day the approval takes effect.	
	General	
4.3	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> .	
4.4	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.	

4.5	<p>The Applicant has the Right of Appeal to the Planning & Environment Court regarding the conditions of this approval.</p> <p>Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.</p>
	Property access
4.6	<p>Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.</p> <p>The application form for a property access approval may be downloaded from Council's website at somersest.qld.gov.au/our-services/roads.</p> <p>The landowner must have the property access approval in place prior to commencing works on the crossover.</p>
	Aboriginal Cultural Heritage Act
4.7	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current <i>Aboriginal Cultural Heritage Act</i>.</p> <p>Information about the cultural heritage duty of care is available at qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
	Fire ants

4.8	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
	Infrastructure charges
4.9	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>
	General
4.10	All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
4.11	Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.
4.12	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> .

Attachments for the Decision Notice include:

1. Site Plan, drawn by applicant, received by Council dated 12 June 2025 as annotated.
2. Indicative layout of storage area, drawn by applicant , received by Council dated 29 July 2025 as annotated.

This completes the report for Development Application No. 26153.

Resolution

Moved – Cr Jess

Seconded – Cr Bishop

“THAT Council:

1. approve Development Application No. 26153 for a Development Permit for Material Change of Use for Warehouse (caravan storage) on land situated at 48 Twin Lakes Road, Coominya, formally described as Lot 59 RP135414, 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 CONDITION*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 plan(s) listed below, except where amended by these conditions of approval.	At all times.
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	Indicative layout of storage area, drawn by applicant, received by Council dated 29 July 2025 as annotated.	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme, Planning Scheme Policies and Local Laws.	At all times.
1.3	A legible copy of this development approval package is to be available on the premises at all times during construction.	At all times during the construction phase.
1.4	Pay to Council any outstanding rates, charges or expenses that are a charge over the subject land levied by Council' and/or levied but not fully paid over the subject land.	Prior to the commencement of use.
	Scale of development	
1.5	The maximum site area for the caravan storage is 1,500m ² .	At all times.
1.6	The maximum number of caravans to be stored within the storage area is 60.	At all times.
1.7	All caravans stored on site must be legally registered. <i>Note: Unregistered caravans cannot be parked/stored on site.</i>	At all times.
1.8	The approved hours of operation for the storage facility are 7:00am to 6:00pm, Sunday to Saturday.	At all times.
1.9	Customer visits to site are by appointment only.	At all times.

1.10	The operator of the business is to maintain a visitation register to confirm operation of the business in accordance with the conditions of approval.	At all times.
1.11	The approval does not allow for the on-site servicing, detailing or washdown of caravans on site.	At all times.
1.12	The approval does not allow for the sales or rental of caravans from the site.	At all times.
1.13	Provide bollards around the perimeter of the storage yard. Bollards are to be provided at 2.0 metre centres. <i>Note: The placement of bollards at 2.0m centres is to prevent encroachment of the storage yard beyond the 1,500m² threshold that triggers referral to the State Assessment and Referral Agency.</i>	Prior to the commencement of use and maintained at all times.
1.14	The applicant is to provide evidence of installation of the bollards.	Prior to the commencement of use.
1.15	No buildings, awnings, or structures associated with the operation of the caravan storage facility are to be constructed unless indicated in approved plans.	At all times.
1.16	A pre-commencement inspection of the facility is required prior to commencement of use to demonstrate compliance with conditions of approval. <i>Note: Council will provide written advice confirming if the use is compliant prior to commencement of use.</i>	Prior to the commencement of use.
1.17	An ongoing annual inspection is required for the first three years after commencement of use.	As conditioned.
Landscaping		
1.18	Install landscaping generally consistent with the approved landscaping plan.	Prior to commencement of the use and to be retained.
1.19	Construct a 2.0m high timber fence to screen the storage yard from properties to the south, to be constructed at the developer's cost. The fence is to include the following criteria. (e) The fence is to be constructed 7m from the southern boundary of the site for the full length of the storage yard, with 10m extensions beyond the eastern and western end of the yard. The southern alignment of the fence will have a length of 91m. The fence shall be 10m from the southern edge of the storage yard.	Prior to commencement of the use and to be maintained at all times.

	<p>(f) Construct a 22m long return fence in a northern direction at the eastern end of the fence to screen the yard from properties to the southeast. The fence shall be 10m from the eastern end of the storage yard.</p> <p>(g) Construct a return at the western end of the fence to screen the development from properties to the south west. The fence shall be 10m from the western end of the storage yard and extend to the southern edge of the access road.</p> <p>(h) The fence is to be provided with a 200mm gap at the bottom of the fence to prevent concentration of overland flow.</p>	
1.20	<p>All buildings, structures, fittings, fixtures and grounds are maintained:</p> <ul style="list-style-type: none"> • In a serviceable condition, and • In a state of good repair and efficient action, and • In a clean, sanitary condition, and • Free of accumulated disused materials, and • Free of vermin and pest infestations. 	At all times.
	Services And Connections	
1.21	<p>Connect the development to the reticulated electricity and telecommunications networks to the standards of the relevant service provider.</p> <p>The connection must be underground, unless the connection can be made via an existing overhead connection with no additional service or property poles.</p>	Prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
1.22	<p>Remove any services made redundant as a result of the development and reinstate the land.</p>	Prior to the commencement of the use, whichever occurs first, and then to be maintained at all times.
	Entrance treatment	
1.23	<p>Provide a gate set back a minimum of 16.8m from the front boundary of the property to Twin Lakes Road.</p> <p>Provide security mechanisms that enable remote opening and closing of the gate by the operator.</p>	Prior to commencement of use and maintained at all times.
SCHEDULE 2 – ENGINEERING		
<i>Assessment Manager</i>		
No	Condition	Timing
	Engineering	
2.1	<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.

2.2	Bear the costs of works carried out to Council and utility services infrastructure and assets, including any alterations and repairs resulting from compliance with these conditions.	At all times.
	Vehicle access	
2.3	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.
2.4	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> .	At all times.
2.5	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.
2.6	All vehicles shall enter and leave the site in a forward gear.	At all times.
2.7	All manoeuvring areas shall enable access to a Class 2 vehicle in accordance with <i>Austroads Standards</i> .	At all times.
2.8	The Applicant is to provide a minimum 3.5m wide access driveway from the property boundary to caravan storage area.	Prior to Commencement of use and maintained at all times.
2.9	Provide one passing/standing bay along the driveway, that enables vehicles to pass one another on the driveway. The passing bay is to be 15m long and the driveway is to widen to 5.5m for the length of the passing bay.	Prior to Commencement of use and maintained at all times.
2.10	Access driveway is to be constructed of a minimum 100mm deep roadbase Type 2.3, or above for the entire length.	Prior to Commencement of use and maintained at all times.
2.11	The proposed caravan storage area to be constructed to an all-weather standard. <i>NOTE: All-weather standard is capable of being traversed by a two wheel drive vehicle during and after a storm event with no significant damage or deformation to the access. Maintenance will be performed to preserve the access as all weather.</i>	Prior to Commencement of use and maintained at all times.
	Car parking	
2.12	Any staff parking is required within the bounds of the storage yard.	At all times

	<i>Note: This condition is imposed to prevent encroachment of the storage yard beyond the 1,500m² threshold that triggers referral to the State Assessment and Referral Agency.</i>	
	Stormwater	
2.13	Ensure Stormwater drainage is delivered to a lawful point of discharge	At all times.
2.14	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of this development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.15	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.16	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
	Erosion and sediment control	
2.17	<p>Erosion and sedimentation controls shall be implemented, in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the applicant 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.
2.18	Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining streets during the course of the project, and to prevent dust nuisance.	At all times.
2.19	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.
2.20	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> iv) Milling; v) Chipping and/or mulching 	At all times.

	vi) Disposal at an approved waste disposal facility. No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	
2.21	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
	Fire fighting	
2.22	(e) Provide two 45,000 litre static water supplies for firefighting purposes. (f) Provide a tank at each end of the facility. (g) Locate the tank within 15 metres of the facility; and (h) Construct the tank either (ii) Underground; or (iii) Above ground from non-combustible materials.	Prior to the Commencement of use and to be maintained.
2.23	(a) Provide a medium rigid vehicle (15 tonne fire appliance) clear access within 6m of the tank. (d) Shielding of tanks and pumps shall be protected from bushfire attack in accordance with AS2304:2011 Water storage tanks for fire protection systems. (e) If the site is serviced by a rural fire brigade, the tanks shall be provided with rural fire brigade tank fittings of a 50-millimetre ball valve and male camlock coupling and, if underground, an access hole of 200 millimetres (minimum) to accommodate suction lines.	Prior to Commencement of use and to be maintained.
2.24	Provide six (6) fire extinguishers in and in proximity to the facility as specified: (a) Provide three (3) of the six fire extinguishers located consistent with the site plan. (b) Provide three (3) additional fire extinguishers located in proximity to the northern edge of the facility.	Prior to Commencement of use and to be maintained.
SCHEDULE 3 – ENVIRONMENTAL		
<i>Assessment Manager</i>		
No.	Condition	Timing
	General	
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	Disposal of solid or liquid waste from caravans is to occur off-site at an approved waste disposal point.	At all times.
3.5	All solid, semi-solid and liquid waste generated from the construction of this approved development must be collected and disposed of by Council's contractor or other Council approved waste collector unless otherwise approved by Council.	At all times.
3.6	All construction / demolition or other waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
3.7	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Burn or bury waste generated in association with this development approval at or on the development site; nor ▪ Allow waste generated in association with this development approval to burn or be burnt or buried at or on the development site; nor ▪ Stockpile any waste on the development site. 	At all times.
3.8	The holder of this development approval must not: <ul style="list-style-type: none"> ▪ Release stormwater runoff into a roadside gutter/swale, stormwater drain or water that results in a build-up of sand, silt or mud in the gutter, drain or water; or ▪ Deposit sand, silt or mud in a roadside gutter, stormwater drain or water; or in a place where it could reasonably be expected to move or be washed into a roadside gutter/swale, stormwater drain or water and result in a build-up of sand, silt or mud in the gutter, drain or water. 	During construction phase.
	Lighting	
3.9	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.
	Waste management	

3.10	All general waste produced as part of the operation must be disposed of through the number of standard waste services as determined by Council.	At all times.
3.11	The applicant must provide an impervious, screened area which is drained as required by Council, where all waste containers are placed.	At all times.
3.12	All construction / demolition waste is to be removed from the site and deposited at an approved waste disposal facility in a manner acceptable to Somerset Regional Council unless otherwise authorised by Council.	During construction phase.
Complaint log		
3.13	All complaints received by the applicant relating to operations at the storage yard must be recorded in a register with the following details: g) nature, time and date of complaint; h) type of communication (telephone, letter, personal etc.); i) name, contact address and contact telephone number of complainant (Note: if the complainant does not wish to be identified then "Not identified" is to be recorded); j) response and investigation undertaken as a result of the complaint; k) name of person responsible for investigating complaint; and l) action taken as a result of the complaint investigation and signature of responsible person.	At all times.
3.14	Any record of complaints, received by the holder of the development approval: c) Must not be disposed of within five (5) years of the date the record was made; and d) Be made available to an authorised officer of Council upon demand by that Officer.	At all times.
SCHEDULE 4 – ADVICE		
<i>Assessment Manager</i>		
No.	Note	
	When approval takes effect	
4.1	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.	
4.2	Currency Period - Pursuant to section 85 of the <i>Planning Act 2016</i> the approval will lapse if the first change of the use under the approval does not start within the currency period - being six (6) years starting the day the approval takes effect.	
	General	

4.3	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> .
4.4	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.
4.5	<p>The Applicant has the Right of Appeal to the Planning & Environment Court regarding the conditions of this approval.</p> <p>Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.</p>
	Property access
4.6	<p>Landowners are responsible for the construction and maintenance of any vehicular access for the property, from the road carriageway to property boundary in accordance with Council's standards.</p> <p>The application form for a property access approval may be downloaded from Council's website at someset.qld.gov.au/our-services/roads.</p> <p>The landowner must have the property access approval in place prior to commencing works on the crossover.</p>
	Aboriginal Cultural Heritage Act
4.7	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current <i>Aboriginal Cultural Heritage Act</i>.</p> <p>Information about the cultural heritage duty of care is available at qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
	Fire ants

4.8	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
	Infrastructure charges
4.9	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>
	General
4.10	All works shall be carried out in accordance with the <i>Workplace, Health and Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
4.11	Separate development approval is required for any building work and plumbing/drainage work necessitated by the conditions contained in this approval.
4.12	<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> <p style="text-align: right;"><u>Carried</u></p> <p><i>Vote - Unanimous</i></p>

Subject:	Development Application No. 26162 – 1, 3 and 5 Settlers Rise, Woolmar
	Development Application for a Development Permit for a Material Change of Use for Child Care Centre (79 places)
File No:	DA26162 Action Officer: SP-MW

Assessment No:	81416-40000-000
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1.0 APPLICATION SUMMARY

Property details

Location:	1, 3 and 5 Settlers Rise, Woolmar
Real property description:	Lots 1 and 2 SP199004 and Lot 76 SP218473
Site area:	4,343m ²
Current land use:	Vacant land (and temporary sales office)
Easements/encumbrances:	EMT B in Lot 1 EMT C in Lot 2, EMT M in Lot 76

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:	General residential zone
Precinct:	Not within a precinct
Overlays:	OM8 High impact activities management area overlay

Application details

Proposal:	Child care centre (79 places)
Category of assessment:	Impact assessment
Applicant details:	Gemstone Industrial No. 1 Pty Ltd C/- Innovative Planning Solutions PO Box 1043 MAROOCHYDORE QLD 4558
Owner details:	Gemstone Industrial No 4 Pty Ltd
Date application received:	29 April 2025
Date application properly made:	29 April 2025

Referrals	None required
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Public notification	Required
Notification period	22 August 2025 to 12 September 2025
Submissions received	None received

RECOMMENDED DECISION

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



**Locality Plan of Lot Lots 1 and 2 SP199004 and Lot 76 SP218473
Situated at 1, 3 and 5 Settlers Rise, Woolmar**

2.0 PROPOSAL

This development application seeks approval for a Development Permit for Material Change of Use for Child Care Centre, on land at 1, 3 and 5 Settlers Rise, Woolmar, formally described as Lots 1 and 2 SP199004 and Lot 76 SP218473.

The proposal seeks to establish a new 79 place childcare on vacant land. Part of the site is currently being used as a sales office. The proposal involves a single storey building with a gross floor area of 748m² and maximum height of approximately 5.4 metres. The centre will contain five childcare activity rooms, various supporting rooms, and an outdoor play area. The outdoor play areas are enclosed with acoustic barriers located on the north, east and western boundaries. All proposed acoustic barriers comprise two-metre-high fencing. The centre proposes to operate Monday to Friday 6.30am to 6.30pm.

The proposal provides for 18 new parking spaces, including the accessible parking space. The planning scheme requires the provision of 16 spaces for the childcare centre (including any accessible spaces).

The application was accompanied by technical reporting for acoustics, engineering services and traffic impact assessment. 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 General residential zone. The application is required because the proposed childcare centre requires the lodgement of an Impact assessable application.

3.0 SITE DETAILS

3.1 Description of the land

The site consists of three irregular shaped allotments with frontage to Settlers Rise along the northwestern boundary. The three lots form a roughly trapezoidal area. The site currently contains a demountable temporary sales office.

The lots to the west and on the opposite side of Settlers Rise are also within the General residential zone and have been improved with dwelling houses and associated buildings and structures. The lot to the south forms a buffer to the industrial land to the south. The lot to the east encompasses a grassed slope between the site and Hedley Drive. The lot slopes generally to the north, however the lots have generally been previously profiled to form two level pads. The front of the site, facing Settlers Rise contains an existing sewer easement.

Access to the site will be via a new crossover to Settlers Rise, which is an Access Street in Council's road hierarchy. As the development is for a child care centre, the crossover will require a Road Access Application from Council's Operations Department.

3.2 Connection to electricity and telecommunications

The land is within the General residential 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

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

- (a) Part 3 Strategic framework;
- (b) 6.2.4 General residential zone code;
- (c) 7.2.8 High impact activities management area overlay code;
- (d) 8.2.5 Community activities code;
- (e) 8.3.2 Filling and excavation code;
- (f) 8.3.3 Landscaping code;
- (g) 8.3.5 Services works and infrastructure code; and
- (h) 8.3.6 Transport access and parking code.

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

The site is mapped within 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

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

5.6.2.1 Settlement pattern

The proposal advances the settlement pattern of the region as while it is not a consistent use in the General residential zone, it provides a service which is intended to support the immediate residential catchment.

The proposal has demonstrated that it can operate without adverse impacts on surrounding existing uses and as the only remaining vacant land in this section of an established estate, it is not going to impact on the future development of the immediate or broader surrounds.

5.6.2.2 Natural environment

The site is not identified as containing any matters of environmental significance.

5.6.2.3 Natural resources

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

5.6.2.4 Community identity and regional landscape character

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

5.6.2.5 Economic development

The proposal does not impact on the continued development of Council's town centres network, as it provides for an additional childcare facility to support the anticipated growth in the local economy.

5.6.2.6 Infrastructure and services

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

5.6.2.7 Transport

The application material has included a Traffic Impact Assessment, which has demonstrated that the proposed development when considered in the broader context of the immediate locality will not result in an adverse impact on the local road network.

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
General residential zone code	Yes	No alternative outcomes proposed
Community activities code	Yes	PO1, PO10
Filling and excavation code	Yes	No alternative outcomes proposed
Landscaping code	Yes	No alternative outcomes proposed
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	PO4, PO7
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Not applicable	-	-

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 activities code

Performance outcome	Acceptable outcome
Location	
PO1 The <i>development</i> is: (a) highly accessible to the intended catchment; (b) in proximity to other community or recreational activities, where practicable; and (c) located to avoid conflict with potentially incompatible land uses.	AO1 <i>Community activities</i> are co-located with other community activities or community focal points such as shopping centres, educational establishments, or recreational activities.
Alternative outcome proposed The proposed development does not comply with AO1 as it is not co-located with other community activities or community focal points. A performance based solution is therefore sought. The proposal is considered to comply with PO1 for the following reasons. The subject site is located at the entrance to the Hedley Park Estate, a growing residential development within the local catchment area. The subject site is positioned within close proximity to a range of services and facilities located within the township of Kilcoy. The proposed development will greatly improve childcare choice, availability and amenity. Any impacts on the existing network would be expected to be minor, ameliorated over time and outweighed by the positive economic benefits to the local community of improved local childcare options.	
Alternative outcome assessment The proposed child care site near the entrance to the Hedley Park Estate provides a convenient pick up and drop off location with limited common boundaries to sensitive land uses. The development application material included an acoustic report which has demonstrated that the facility can operate without adversely impacting the adjoining land uses. It is recommended that the alternative outcome be accepted in this instance.	
Hours of operation	
PO10 The hours of operation do not create <i>environmental nuisance</i> or detrimentally impact on the amenity of the locality.	AO10 The hours of operation occur only between 7am and 6pm Monday to Friday where adjacent to a <i>sensitive land use</i> or where adjoining land in the: (a) General residential zone; (b) General residential zone - park residential precinct; (c) Rural residential zone; and (d) Emerging community zone.
Alternative outcome assessment	

Performance outcome	Acceptable outcome
<p>The use is proposed to operate between 6:30am and 6:30pm Monday to Friday. The application material includes a Noise Impact Assessment which considers the proposed hours of operation and confirms the activity can occur without causing a nuisance. The hours of operation are consistent with standard operation of such a facility.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	

Transport, access and parking code

Performance outcome	Acceptable outcome
Impacts on residential streets	
<p>PO4 Non-residential activities do not impact on the amenity of land zoned or intended for residential purposes.</p>	<p>AO4 Non-residential activities do not use residential streets for access or haulage purposes.</p>
<p>Alternative outcome proposed The proposal does not comply with AO4 as accessed is proposed via the existing access point on Settlers Rise, which is a residential street. A performance based solution is therefore sought. The proposal will not result in negligible impacts to adjoining residential uses. Based on the predicted noise levels and subjective assessment of the site and surrounds for all time periods, noise impacts at the residential receiver locations are predicted to comply with the assessment criteria on the condition the following acoustic treatments are implemented. Therefore, the proposal is considered to comply with PO4.</p> <p>Alternative outcome assessment Settlers Rise is an Access Street. The child care centre is however located at the end of the street closest to the Collector Street (Hedley Drive). Traffic entering the facility from the east only has to pass one residential property on the opposite side of Settlers Rise. The amended TIA confirms that the “post development” scenario does not result in the roundabout operating outside of its practical design.</p> <p>Noise attenuation treatments and recommended conditions are proposed to minimise impacts of the proposed development.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
Car parking locations and treatments	
<p>PO7 Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.</p>	<p>AO7.1 Car parking is located behind or within a building.</p>
<p>Alternative outcome proposed The proposed development does not comply with AO7.1 as the car parking area is located in front of the building. A performance based solution is therefore sought for the car parking location. The proposal is considered to comply with PO7 for the following reasons:</p> <ul style="list-style-type: none"> • The proposal has been designed to be compatible with the local character and amenity of the area. • The proposal will not have significant detrimental impacts on the amenity of surrounding residents as it is sufficiently separated from existing residential properties and will incorporate appropriate acoustic attenuation measures and landscaping to all site boundaries. 	

Performance outcome	Acceptable outcome
<p>Alternative outcome assessment</p> <p>The parking is located toward the front of the site, in front of the proposed building.</p> <p>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.</p> <p>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.</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 Child care centre, which is identified as being an Educational establishment 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

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.

The application material was supported by a TIA, Council's Information request sought clarification on a number of matters included in the TIA and an amended version was subsequently provided. The amended TIA has considered the surrounding residential estate and its intended growth, as well as the nearby approved retirement facility and confirms that the four way roundabout at the intersection of Settlers Rise/Hedley Drive/Travellers Rest will continue post development to operate below its practical capacity the AM and PM peak hours. An assessment of the D'Aguilar Highway/Esk-Kilcoy Road/Showgrounds Road intersection has indicated that the additional development traffic is not expected to increase the safety risk and has therefore not proposed any mitigation measures be required at the intersection.

6.0 REFERRAL

6.1 Referral agencies

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

6.2 Third party advice

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

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

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

- (a) a notice was published in the Lockyer Valley & Somerset Independent newspaper on 21 August 2025;
- (b) a notice in the prescribed form was placed on the premises on 21 August 2025 and maintained for the minimum period of 15 business days; and
- (c) a notification was served to all adjoining landowners on 20 August 2025.

The public notification period was from 22 August 2025 to 12 September 2025.

Council received the notice of compliance on 15 September 2025, confirming that public notification had been undertaken in accordance with the statutory requirements.

7.2 Matters raised in submissions

No comments or submissions were received.

8.0 OTHER RELEVANT MATTERS

Need

8.1 Need for additional long day care opportunities

The application material includes a needs assessment prepared by a suitably qualified person. The needs assessment confirms that there is an undersupply of long day care options within the Kilcoy locality. It is anticipated that this facility will service the immediate

catchment of Hedley Park, but will also cater for the current undersupply in the broader catchment. It is considered that the proposed development has provided sufficient justification regarding need.

Community expectation

8.2 Reasonable expectations of the community

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

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

The application was impact assessable and no submissions were received during the public notification period. While the subject land is zoned residential and the proposed use is not consistent with this zone, it has been demonstrated that the development will service the growing residential population in the immediate surrounds. Further, the application material has identified the development can occur without adverse impacts on the existing neighbourhood when consideration is given to acoustic and traffic generation. Overall, it is considered that the community would anticipate that services that directly support a residential community would be established.

9.0 CONCLUSION

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 ATTACHMENT

1. Proposal plans
2. Childcare needs assessment
3. Acoustic report
4. Engineering Services report
5. Engineering plans
6. Traffic impact assessment report
7. Statement of landscape intent
8. Draft infrastructure charges notice

RECOMMENDATION

THAT Council:

1. approve Development Application No. 26162 for a Development Permit for a Material Change of Use for a Child Care Centre (79 places) on land situated at 1, 3 and 5 Settlers Rise, Woolmar, formally described as Lots 1 and 2 SP199004 and Lot 76 SP218473, 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
GENERAL		
1.1	<p>Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including where amended by Council), except as amended by these development conditions.</p> <p>Overall Site Plan, drawn by Raymond Design, reference RD24020 Issue B, Sheet 04, dated 15 July 2025</p> <p>Part Site Plan, drawn by Raymond Design, reference RD24020 Issue B, Sheet 05, dated 15 July 2025</p> <p>Floor Plan, drawn by Raymond Design, reference RD24020 Issue A, Sheet 06, dated 15 April 2025</p> <p>Elevations, drawn by Raymond Design, reference RD24020 Issue A, Sheet 07, dated 15 April 2025</p> <p>Fence Details, drawn by Raymond Design, reference RD24020 Issue A, Sheet 11, dated 15 April 2025</p> <p>Refuse & Playstore Details, drawn by Raymond Design, reference RD24020 Issue A, Sheet 12, dated 15 April 2025</p> <p>Statement of Landscape Intent, prepared by Zone Landscape Architecture, Reference L25041, Rev. A, dated 8 April 2025.</p> <p>Engineering Services Report, prepared by QLD Orion Group, reference Q25-0014-ESR O1 Rev A, dated March 2025</p> <p>Traffic Impact Assessment, prepared by Premise, reference P003038-R01 Rev.B, dated 5 August 2025</p> <p>Acoustic Report – Proposed Child Care Centre – 1-5 Settlers Rise, Woolmar, prepared by Acoustic Works, reference Report No. 2025107 R01D 1-5 Settlers Rise, Woolmar ENV.doc, and dated 5 September 2025.</p>	At all times.
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.
USE OF PREMISES – CENTRE AND COMMUNITY ACTIVITIES		
1.6	Unless otherwise approved by Council, provide the development in accordance with the following: (a) Childcare centre (79 places)—749m ² gross floor area.	At the commencement of the use.
1.7	The maximum number of places at the childcare centre is 79.	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	The refuse storage area is to be: <ul style="list-style-type: none"> (a) located no less than 1.5 metres from the side boundary; (b) oriented so that access to the bins occurs from inside the lot (i.e. not directly to the street); (c) enclosed on three sides with walls having a minimum height of 0.2 metres above the refuse receptacles; (d) have a gate or other means of enclosure to prevent access outside hours; and (e) completed with: <ul style="list-style-type: none"> (i) colours and materials that match the external facades of the main building; or (ii) a mural, painting, or other public art opportunity; or (iii) another colour material or finish 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.
1.17	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 are 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.

SERVICES AND CONNECTIONS

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.

SCHEDULE 2—ENGINEERING

Assessment Manager

No.	Condition	Timing
OPERATIONAL WORKS		
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	As part of the operational works application.

	Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	
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.
LANDSCAPING		
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: <ul style="list-style-type: none"> Comply with the <i>Somerset Region Planning Scheme</i>. To enhance the appearance of the development internally and externally. To make a positive contribution to the streetscape; To screen unsightly objects from public view; To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; To ensure common areas are useable; To provide long term erosion protection; To integrate with existing vegetation and other natural features of the site and adjoining lands; and To provide adequate vehicle sightlines and road safety. The Landscape Plan must also detail:	As part of Operational works for Landscaping Works Application.

	<ul style="list-style-type: none"> The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; The number and size of plants; The typical planting detail including preparation, backfill, staking and mulching. The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by the Engineering Services Manager. Any amendments approved by the Engineering Services Manager are taken to be a part of the approved Landscape Plan. All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work. Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: <ul style="list-style-type: none"> Using trees which have a clean trunk height of at least 1.8 metres (at maturity); Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; A minimum of 70% of landscaped areas must be retained as a permeable surface. <p>Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times.</p>	
EARTHWORKS		
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.
VEHICLE ACCESS		
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.
PARKING AND MANOEUVERING		
2.17	Provide on-site car parking for 18 vehicles, including 1 space 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 (b) appropriately marked and signposted where they cross internal driveways.	As part of Operational Works Application.
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.
STORMWATER		
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"> • Quantity and quality of stormwater to be released from the development; • All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; • The potential impact of these sources; • Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; • Measures to be implemented to prevent the likelihood of stormwater contamination; and • Maintenance schedule. 	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	<p>Containments or contaminated water must not be directly or indirectly released from the Premises to surface water or groundwater at or outside the premises except for:</p> <p>(a) uncontaminated overland stormwater flow; or</p> <p>(b) uncontaminated stormwater to the stormwater system.</p>	At all times.
STORMWATER RE-USE		
2.30	The development must incorporate a stormwater re-use system utilising 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.

EROSION AND SEDIMENT CONTROL		
2.31	<p>Erosion and sedimentation controls shall be implemented in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.32	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 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.
2.35	<p>All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.</p> <p>Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.</p>	At all times.
2.36	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ol style="list-style-type: none"> Milling; Chipping and/or mulching Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as</p>	At all times.

	a result of the operations shall be disposed of to an approved disposal facility.	
SCHEDULE 3—ENVIRONMENTAL HEALTH		
Assessment Manager		
No.	Condition	Timing
GENERAL HEALTH		
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.
LIGHTING		
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.
NOISE		
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 1-5 Settlers Rise Woolmar Acoustic Report</i> dated 5 September 2025 prepared by Acoustic Works.	At all times.
3.7	Acoustic barriers must be provided in accordance with Figure 4 of the approved acoustic report prepared by Acoustic Works. The 2.4m acoustic barrier must be constructed above the finished ground level on the subject site or floor level of adjoining residence (whichever is higher). Acoustic barriers must be constructed using materials that achieve a minimum surface density of 10kg/m ² , and which preclude the use of colorbond fencing.	Prior to commencement of the use and to be maintained at all times.
3.8	Provide certification from a suitably qualified acoustic consultant that the acoustic barriers have been installed in	Prior to obtaining a Certificate of Occupancy or

	accordance with the specifications of Condition 3.7 above and the approved acoustic report prepared by Acoustic Works.	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, $L_{Aeq,adj,T}$, when measured at any affected noise sensitive place must not exceed:</p> <p>(a) the background noise level + 5dBA for daytime hours (7am to 6pm);</p> <p>(b) the background noise level + 5dBA for evening hours (6pm to 10pm);</p> <p>(c) the background noise level + 5dBA for night time hours (10pm to 7am); or</p> <p>(d) the noise limits specified in Table A, whichever is greater.</p> <p>Table A: Noise Limits $L_{Aeq,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{Aeq,T}$ dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>49</td></tr><tr><td>Evening (6pm – 10pm)</td><td>42</td></tr><tr><td>Night (10pm - 7am)</td><td>36</td></tr></table>	Period	Noise Limit $L_{Aeq,T}$ dBA	Day (7am - 6pm)	49	Evening (6pm – 10pm)	42	Night (10pm - 7am)	36	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA									
Day (7am - 6pm)	49									
Evening (6pm – 10pm)	42									
Night (10pm - 7am)	36									
3.10	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, $L_{A90,T}$, when measured at any affected noise sensitive place must not exceed:</p> <p>(a) the background noise level + 0dBA for daytime hours (7am to 6pm);</p> <p>(b) the background noise level + 0dBA for evening hours (6pm to 10pm);</p> <p>(c) the background noise level + 0dBA for night time hours (10pm to 7am); or</p> <p>(d) the noise limits specified in Table B, whichever is the greater.</p> <p>Table B: Noise Limits $L_{A90,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{A90,T}$ dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>44</td></tr><tr><td>Evening (7am – 6pm)</td><td>37</td></tr><tr><td>Night (10pm - 7am)</td><td>31</td></tr></table>	Period	Noise Limit $L_{A90,T}$ dBA	Day (7am - 6pm)	44	Evening (7am – 6pm)	37	Night (10pm - 7am)	31	At all times.
Period	Noise Limit $L_{A90,T}$ dBA									
Day (7am - 6pm)	44									
Evening (7am – 6pm)	37									
Night (10pm - 7am)	31									
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 condition 3.10 and 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 use of the staff breakout area must be limited to the daytime period between 7am to 6pm	At all times
3.15	Pool fencing or similar construction materials must be installed in accordance with Figure 4 of the approved acoustic report prepared by Acoustic Works, to restrict children accessing the western boundary of the site.	Prior to commencement of the use and to be maintained at all times.
3.16	Building construction and mechanical ventilation must be in accordance with sections 8.2 and 8.3 of the approved acoustic report prepared by Acoustic Works.	Prior to commencement of the use and to be maintained at all times.
	WATER	
3.17	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">• Uncontaminated overland stormwater flow;• Uncontaminated stormwater to the stormwater system;• Contaminants lawfully released to sewer; or• A release in accordance with a condition of this development approval.	At all times.
	WASTE	
3.18	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.
3.19	All general waste produced as part of the operation of the development must be disposed of through either: <ul style="list-style-type: none">• The number of standard waste services as determined by Council; or• A private agreement with a licensed waste disposal contractor through an exemption granted by Council.	At all times.
3.20	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">• waste, except in waste containers;• recycled matter, except in containers;• grease, or• other visible matter.	At all times.
SCHEDULE 4—INTERPRETATION AND ADVICE		
Assessment Manager		
No.	Note	
INTERPRETATION		
4.1	Notes contained within a development condition are part of the condition. Interpretation notes in this schedule form part the development conditions.	

	<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>
4.2	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”.
4.3	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”.
4.4	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.
4.5	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.
4.6	A reference within a development condition to a “Certificate of Occupancy” includes an “Interim Certificate of Occupancy”. Where a Certificate of Occupancy is not required, the reference is taken to be a “Final Inspection Certificate” or any other similar document finalising the works.
ADVICE	
4.7	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.
4.8	<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>

	Information about the cultural heritage duty of care is available at qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care
4.9	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
4.10	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>
4.11	<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>
4.12	<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>
4.13	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.
4.14	No licensable food preparation activities are permitted under this Development Approval unless the operator holds a current Food Business Licence for the activity under the <i>Food Act 2006</i> or any superseding legislation as published from time to time.
4.15	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 <i>Environmental Protection Act 1994</i> .
4.16	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:

- Overall Site Plan, drawn by Raymond Design, reference RD24020 Issue B, Sheet 04, dated 15 July 2025
- Part Site Plan, drawn by Raymond Design, reference RD24020 Issue B, Sheet 05, dated 15 July 2025
- Floor Plan, drawn by Raymond Design, reference RD24020 Issue A, Sheet 06, dated 15 April 2025
- Elevations, drawn by Raymond Design, reference RD24020 Issue A, Sheet 07, dated 15 April 2025
- Fence Details, drawn by Raymond Design, reference RD24020 Issue A, Sheet 11, dated 15 April 2025
- Refuse & Playstore Details, drawn by Raymond Design, reference RD24020 Issue A, Sheet 12, dated 15 April 2025
- Statement of Landscaping Intent, prepared by Zone Landscape Architecture, Reference L25041, Rev. A, dated 8 April 2025.
- Engineering Services Report, prepared by QLD Orion Group, reference Q25-0014-ESR O1 Rev A, dated March 2025
- Traffic Impact Assessment, prepared by Premise, reference P003038-R01 Rev.B, dated 5 August 2025
- Acoustic Report – Proposed Child Care Centre – 1-5 Settlers Rise, Woolmar, prepared by Acoustic Works, reference Report No. 2025107 R01D 1-5 Settlers Rise, Woolmar ENV.doc, and dated 5 September 2025

This completes the report for Development Application No. 26162.

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT Council:

1. approve Development Application No. 26162 for a Development Permit for a Material Change of Use for a Child Care Centre (79 places) on land situated at 1, 3 and 5 Settlers Rise, Woolmar, formally described as Lots 1 and 2 SP199004 and Lot 76 SP218473, 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
GENERAL		
1.1	<p>Undertake the development generally in accordance with the material contained in the application, supporting documentation, and the approved plans and documents listed below (including where amended by Council), except as amended by these development conditions.</p> <p>Overall Site Plan, drawn by Raymond Design, reference RD24020 Issue B, Sheet 04, dated 15 July 2025</p> <p>Part Site Plan, drawn by Raymond Design, reference RD24020 Issue B, Sheet 05, dated 15 July 2025</p> <p>Floor Plan, drawn by Raymond Design, reference RD24020 Issue A, Sheet 06, dated 15 April 2025</p> <p>Elevations, drawn by Raymond Design, reference RD24020 Issue A, Sheet 07, dated 15 April 2025</p> <p>Fence Details, drawn by Raymond Design, reference RD24020 Issue A, Sheet 11, dated 15 April 2025</p> <p>Refuse & Playstore Details, drawn by Raymond Design, reference RD24020 Issue A, Sheet 12, dated 15 April 2025</p> <p>Statement of Landscape Intent, prepared by Zone Landscape Architecture, Reference L25041, Rev. A, dated 8 April 2025.</p> <p>Engineering Services Report, prepared by QLD Orion Group, reference Q25-0014-ESR O1 Rev A, dated March 2025</p> <p>Traffic Impact Assessment, prepared by Premise, reference P003038-R01 Rev.B, dated 5 August 2025</p> <p>Acoustic Report – Proposed Child Care Centre – 1-5 Settlers Rise, Woolmar, prepared by Acoustic Works, reference Report No. 2025107 R01D 1-5 Settlers Rise, Woolmar ENV.doc, and dated 5 September 2025.</p>	At all times.
1.2	The development must comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2) and	At all times.

	Local Laws, to the extent they have not been varied by this Development Approval.	
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.
USE OF PREMISES – CENTRE AND COMMUNITY ACTIVITIES		
1.6	Unless otherwise approved by Council, provide the development in accordance with the following: (b) Childcare centre (79 places)—749m ² gross floor area.	At the commencement of the use.
1.7	The maximum number of places at the childcare centre is 79.	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"> (f) located no less than 1.5 metres from the side boundary; (g) oriented so that access to the bins occurs from inside the lot (i.e. not directly to the street); (h) enclosed on three sides with walls having a minimum height of 0.2 metres above the refuse receptacles; (i) have a gate or other means of enclosure to prevent access outside hours; and (j) completed with: <ul style="list-style-type: none"> (iv) colours and materials that match the external facades of the main building; or (v) a mural, painting, or other public art opportunity; or (vi) another colour material or finish 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.
1.17	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 are 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.
SERVICES AND CONNECTIONS		
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.
SCHEDULE 2—ENGINEERING		
Assessment Manager		
No.	Condition	Timing
OPERATIONAL WORKS		
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"> Plans and specifications must be prepared and certified with the Operational Work application. Certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	As part of 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.
LANDSCAPING		
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: <ul style="list-style-type: none"> Comply with the <i>Somerset Region Planning Scheme</i>. To enhance the appearance of the development internally and externally. To make a positive contribution to the streetscape; To screen unsightly objects from public view; To contribute to an environment by providing shade to reduce glare, heat absorption and radiation; 	As part of Operational works for Landscaping Works Application.

	<ul style="list-style-type: none"> • To ensure common areas are useable; • To provide long term erosion protection; • To integrate with existing vegetation and other natural features of the site and adjoining lands; and • To provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> • The typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; • The number and size of plants; • The typical planting detail including preparation, backfill, staking and mulching. • The developer must prepare and landscape the site in accordance with the approved Landscape Plan, or as otherwise approved in writing by the Engineering Services Manager. Any amendments approved by the Engineering Services Manager are taken to be a part of the approved Landscape Plan. • All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development works and any ensuing defects liability period. • Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work. • Landscaping provided within the front boundary setback of the subject land and around car parking areas within the subject land must allow visibility into the site by: <ul style="list-style-type: none"> ○ Using trees which have a clean trunk height of at least 1.8 metres (at maturity); ○ Using shrubs with a maximum height of 0.75 metres, in order to retain sight lines; ○ A minimum of 70% of landscaped areas must be retained as a permeable surface. <p>Landscape areas must be maintained, and the site must remain in a clean and tidy state at all times.</p>	
EARTHWORKS		
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.	At all times.

	Fill cannot be placed on adjacent properties without providing Council with written permission from the respective property owner(s).	
VEHICLE ACCESS		
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.
PARKING AND MANOEUVERING		
2.17	Provide on-site car parking for 18 vehicles, including 1 space 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: (c) finished with alternative colours or patterns to vehicle manoeuvring areas; and (d) appropriately marked and signposted where they cross internal driveways.	As part of Operational Works Application.
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.

STORMWATER		
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"> • Quantity and quality of stormwater to be released from the development; • All sources of potential contamination (including but not limited to the actual and potential release of all contaminants; • The potential impact of these sources; • Impact of the release of stormwater from the development on the quality and integrity of the receiving environment; • Measures to be implemented to prevent the likelihood of stormwater contamination; and • Maintenance schedule. 	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	<p>Containments or contaminated water must not be directly or indirectly released from the Premises to surface water or groundwater at or outside the premises except for:</p> <p>(c) uncontaminated overland stormwater flow; or</p>	At all times.

	(d) uncontaminated stormwater to the stormwater system.	
STORMWATER RE-USE		
2.30	The development must incorporate a stormwater re-use system utilising 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.
EROSION AND SEDIMENT CONTROL		
2.31	<p>Erosion and sedimentation controls shall be implemented in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • Be required to install additional measures. • Be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.32	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 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.
2.35	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.	At all times.

	Note: The General Biodiversity Obligation under the <i>Biosecurity Act 2014</i> applies to the control of weed species.	
2.36	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> iv) Milling; v) Chipping and/or mulching vi) Disposal at an approved waste disposal facility. <p>No incineration of vegetation or waste will be permitted at the site. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
SCHEDULE 3—ENVIRONMENTAL HEALTH		
Assessment Manager		
No.	Condition	Timing
GENERAL HEALTH		
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.
LIGHTING		
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.
NOISE		
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 1-5 Settlers Rise Woolmar Acoustic Report</i> dated 5 September 2025 prepared by Acoustic Works.	At all times.

3.7	<p>Acoustic barriers must be provided in accordance with Figure 4 of the approved acoustic report prepared by Acoustic Works. The 2.4m acoustic barrier must be constructed above the finished ground level on the subject site or floor level of adjoining residence (whichever is higher).</p> <p>Acoustic barriers must be constructed using materials that achieve a minimum surface density of 10kg/m², and which preclude the use of colorbond fencing.</p>	Prior to commencement of the use and to be maintained at all times.								
3.8	<p>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.</p>	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, $L_{Aeq,adj,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none">(e) the background noise level + 5dBA for daytime hours (7am to 6pm);(f) the background noise level + 5dBA for evening hours (6pm to 10pm);(g) the background noise level + 5dBA for night time hours (10pm to 7am); or(h) the noise limits specified in Table A, whichever is greater. <p>Table A: Noise Limits $L_{Aeq,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{Aeq,T}$ dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>49</td></tr><tr><td>Evening (6pm – 10pm)</td><td>42</td></tr><tr><td>Night (10pm - 7am)</td><td>36</td></tr></table>	Period	Noise Limit $L_{Aeq,T}$ dBA	Day (7am - 6pm)	49	Evening (6pm – 10pm)	42	Night (10pm - 7am)	36	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA									
Day (7am - 6pm)	49									
Evening (6pm – 10pm)	42									
Night (10pm - 7am)	36									
3.10	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, $L_{A90,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none">(e) the background noise level + 0dBA for daytime hours (7am to 6pm);(f) the background noise level + 0dBA for evening hours (6pm to 10pm);(g) the background noise level + 0dBA for night time hours (10pm to 7am); or(h) the noise limits specified in Table B, whichever is the greater. <p>Table B: Noise Limits $L_{A90,T}$ dBA</p> <table><tr><th>Period</th><th>Noise Limit $L_{A90,T}$ dBA</th></tr><tr><td>Day (7am - 6pm)</td><td>44</td></tr></table>	Period	Noise Limit $L_{A90,T}$ dBA	Day (7am - 6pm)	44	At all times.				
Period	Noise Limit $L_{A90,T}$ dBA									
Day (7am - 6pm)	44									

	Evening (7am – 6pm)	37	
	Night (10pm - 7am)	31	
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 condition 3.10 and 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 use of the staff breakout area must be limited to the daytime period between 7am to 6pm		At all times
3.15	Pool fencing or similar construction materials must be installed in accordance with Figure 4 of the approved acoustic report prepared by Acoustic Works, to restrict children accessing the western boundary of the site.		Prior to commencement of the use and to be maintained at all times.
3.16	Building construction and mechanical ventilation must be in accordance with sections 8.2 and 8.3 of the approved acoustic report prepared by Acoustic Works.		Prior to commencement of the use and to be maintained at all times.
	WATER		
3.17	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"> • Uncontaminated overland stormwater flow; • Uncontaminated stormwater to the stormwater system; • Contaminants lawfully released to sewer; or • A release in accordance with a condition of this development approval. 		At all times.
	WASTE		
3.18	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.
3.19	All general waste produced as part of the operation of the development must be disposed of through either: <ul style="list-style-type: none"> • The number of standard waste services as determined by Council; or • A private agreement with a licensed waste disposal contractor through an exemption granted by Council. 		At all times.

3.20	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">waste, except in waste containers;recycled matter, except in containers;grease, orother visible matter.	At all times.
SCHEDULE 4—INTERPRETATION AND ADVICE		
Assessment Manager		
No.	Note	
INTERPRETATION		
4.1	<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>	
4.2	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”.	
4.3	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”.	
4.4	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.	
4.5	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.	
4.6	A reference within a development condition to a “Certificate of Occupancy” includes an “Interim Certificate of Occupancy”. Where a Certificate of Occupancy is not required, the reference is taken to be a “Final Inspection Certificate” or any other similar document finalising the works.	
ADVICE		
4.7	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.	

4.8	<p>The <i>Aboriginal Cultural Heritage Act 2003</i> establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The Cultural Heritage Duty of Care lies with the person or entity conducting an activity.</p> <p>Penalty provisions apply for failing to fulfil the Cultural Heritage Duty of Care.</p> <p>Persons proposing an activity that involves additional surface disturbance beyond that which has already occurred at the proposed site need to be mindful of the Cultural Heritage Duty of Care requirement.</p> <p>Details on how to fulfil the Cultural Heritage Duty of Care are outlined in the Cultural Heritage Duty of Care Duty Guidelines gazetted with the Act.</p> <p>Council strongly advises that you obtain a copy of the Cultural Heritage Duty of Care Guidelines and seek further information on the responsibilities of proponents under the terms of the current Aboriginal Cultural Heritage Act.</p> <p>Information about the cultural heritage duty of care is available at qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
4.9	<p>Parts of the Somerset Region are within Fire Ant Biosecurity Zones.</p> <p>If you are working with organic materials, you are legally obliged to check the fire ant biosecurity zones and use fire ant-safe practices before moving them to a new location (<i>Biosecurity Regulation 2016</i>).</p> <p>If you are unable to do so, you must apply for a biosecurity instrument permit.</p> <p>Penalties can also apply to individuals and businesses that do not use fire ant-safe practices before moving materials.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Biosecurity Zones as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
4.10	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>

4.11	<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>
4.12	<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>
4.13	<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>
4.14	<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>
4.15	<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>
4.16	<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>

Subject: Development Application No. 26340 – 5305 Brisbane Valley Highway, Esk
Development Application for a Development Permit for Material Change of Use for Low Impact Industry and Warehouse (Energex Depot)

File No:	DA26340	Action Officer: SP-MJ
Assessment No:	00388-00000-000	

1.0 APPLICATION SUMMARY

Property details

Location:	5305 Brisbane Valley Highway, Esk
Real property description:	Lot 2 RP157185
Site area:	4.049 hectares
Current land use:	Dwelling house
Easements/encumbrances:	Lot A SP205158 (water infrastructure)

South East Queensland Regional Plan

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

Planning scheme	Somerset Region Planning Scheme (Version 4.2)
Zone:	Rural zone
Precinct:	Not applicable
Overlays:	OM1 Agricultural land overlay OM4 Bushfire hazard overlay OM5 Catchment management overlay OM8 High impact activities management area overlay OM9 Infrastructure overlay OM12 Scenic amenity overlay OM13 Stock route management overlay

Application details

Proposal:	Low Impact Industry and Warehouse (Energex Depot)
Category of assessment:	Impact assessment
Applicant details:	Energex Limited C/- Reel Planning Pty Ltd 1 / 9 Camford Street MILTON QLD 4064
Owner details:	Energex Limited
Date application received:	25 June 2025
Date application properly made:	25 June 2025

Referrals	State Assessment and Referral Agency
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Public notification	Required
Notification period	27 August 2025 to 18 September 2025
Submissions received	No submissions received

RECOMMENDED DECISION

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



**Locality Plan of Lot 2 RP157185
Situated at 5305 Brisbane Valley Highway, Esk**

2.0 PROPOSAL

This development application seeks approval for a Development Permit for Material Change of Use for Low Impact Industry and Warehouse (Energex Depot), on land at 5305 Brisbane Valley Highway, Esk, formally described as Lot 2 RP157185.

The application is made under Version 4.2 of the Somerset Region Planning Scheme (the planning scheme). The site is located in the Rural zone.

The proposal is for a new Energex depot to replace the existing Energex facilities within Esk. The proposed Energex depot is a somewhat bespoke use that provides for the storage of materials, equipment and vehicles used to service the electricity network in the Somerset region. Further, it is to accommodate two types of crews: construction and maintenance crews, who undertake the construction and maintenance of the electricity network in the region; and rapid response crews, who undertake emergency response work on the electricity network and customer premises in the region.

The proposal includes the following components:

- (a) A single storey industrial building (identified on the proposed plans as Building 2), with a height of 8.9m and Gross floor area of 399m², comprising:
 - internal parking areas for two elevated working platform vehicles (EWPs);
 - storage for equipment, tools and materials, for field and maintenance work;
 - live line wash area;
 - transformer work area; and
 - a small work area;
- (b) External hardstand surrounding the industrial building, including areas designated for:
 - parking other Energex vehicles (including various trucks with lifting and other equipment);
 - wash bay;

- refuse storage;
 - skip bin storage;
 - pole racking and training area;
 - trailer parking; and
 - other external storage (including one shipping container with a GFA of 15m², used on a permanent basis for storage).
- (c) Single storey administrative building (identified on the proposed plans as Building 1), with a maximum height of 4.7m and a GFA of 342m², comprising:
- administrative spaces, including a work area, conference room and communications room;
 - various utility areas;
 - internal and external areas for employee breaks, for all employees on site; and
 - staff amenities for employees on site.
- (d) 31 car parking spaces (including 2 x people with disability car parking spaces).

The total GFA of the proposal is 756m², with the total hard stand area (including driveways and circulation areas) of 9,791m².

Access to the site is to be from the Brisbane Valley Highway. The nearest proposed building (Building 1) to the Brisbane Valley Highway is to be set back approximately 50m from the road frontage. The nearest proposed building (Building 2) to the adjoining site to the east is set back approximately 35m from the boundary. The nearest proposed building (Building 1) to the adjoining site to the west is set back approximately 75m from the boundary. The nearest proposed building (Building 2) to the adjoining site to the south is set back approximately 120m from the boundary.

The proposed hard stand area extends to within approximately 60m from the boundary to the west, 60m from the boundary to the south, and 3m from the boundary to the east. The proposal includes acoustic fencing along the eastern and western boundaries of the proposal, in accordance with the recommendations of the submitted Updated Noise Impact Assessment. The proposal also includes landscaping and stormwater management. It is proposed that a security fence extends along the perimeter of the site.

The proposal is supported by an Operational Management Plan that details the proposed activity on the site. The application material indicates that activity will typically occur between 7am and 4.30pm Monday to Friday. However, the proposed hours of operation are:

- (a) 6am until 6pm Monday to Friday.
- (b) 6am until 6pm Saturday and Sunday (noting that the requirement to work Saturdays and Sundays is irregular and infrequent).
- (c) 24 hours access, seven (7) days a week in the case of emergencies.

The depot would operate at a capacity of 25 staff, although additional travelling crews may need to be accommodated on an irregular basis, such as for activities associated with severe weather events.

The proposal would consolidate Energex operations and serve a critical role in maintaining the Energex local electrical infrastructure network in the region, including as an operational base during natural hazards and other emergencies. Energex advise that the distribution network in the Somerset Region is designed such that the depot must be located in Esk, to ensure rapid response times in the event of issues with the distribution network.

3.0 SITE AND SURROUNDINGS

3.1 Description of the land

The site is a 4.049ha, roughly rectangular shaped lot with frontage to the Brisbane Valley Highway to the north. The frontage to the Brisbane Valley Highway is approximately 180m. The site has a width of approximately 160m. The western boundary is approximately 290m and the eastern boundary is appropriately 210m.

A Dwelling house and domestic outbuildings were previously located in the north-eastern part of the site. The Dwelling house had direct vehicular access to the Brisbane Valley Highway, via an existing driveway. These structures have recently been removed from the site (Council reference DA26378).

There is scattered vegetation over the site, with more concentrated vegetation in the southern and south-western part of the site. The site generally slopes from east to west. The north-eastern part of the site is gently undulating. The south-western part of the site, which contains a vegetated gully, is significantly more undulating.

There is an easement, associated with the Esk Water Treatment Plant and Western Corridor Recycled Water Project, that transverses the northern part of the site. The site does not have existing connections to water or sewer. The site has an existing electricity and telecommunications connection.

3.2 Description of the surroundings

The site adjoins the eastern boundary of the Esk urban area. It is located on the south-eastern 'gateway' to Esk, along the Brisbane Valley Highway.

To the north of the site, on the northern side of the Brisbane Valley Highway, are residential lots (to the north-west) and rural lots (to the north-east). To the south and east of the site is rural land. There are no rural activities being conducted on adjoining land, other than limited grazing.

To the immediate west of the site, the land is in the Low-density residential zone. Adjoining the southern part of the western boundary of the site are Dwelling houses on 1,000m² – 2,000m² lots. Adjoining the northern part of the western boundary of the site the land is in public ownership, including 1,000m² lots owned by Council, and infrastructure for the Queensland Bulk Water Supply Authority (Seqwater).

The site is approximately 1km to the south-east of central Esk. Strategically, the site has good access to the strategic road network to service the Somerset Region and the relevant Energex distribution network.

3.3 Site approval history

Reference:	Decision date:	Description:
DA14681	13 October 2014 - Council	New Carport
DA26378	03 July 2025 – Private Certifier	Demolition of Dwelling

3.4 Connection to electricity and telecommunications

The land is within the Rural zone; however, the use is to connect to the reticulated electricity and telecommunications networks.

4.0 PLANNING LEGISLATION

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

In accordance section 45 of the Act, impact assessment is an assessment that:

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

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

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

In accordance with section 60 of the Act, for impact assessable development, the assessment manager, after carrying out the assessment, must decide:

- (a) to approve all or part of the application; or
- (b) to approve all or part of the application, but impose conditions on the approval; or
- (c) to refuse the application.

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 following provides a summary of the assessment of the proposal with regard to the SPP.

State interest	Assessment
Planning for liveable communities and housing	
Housing supply and diversity	Not relevant. The proposal is not for housing and does not impact on housing provision.
Liveable communities	Complies. The proposal supports an effective electricity infrastructure network. The proposal has been designed, and conditions are recommended, to protect the character and amenity of the area.
Planning for economic growth	
Agriculture	Generally complies. The proposal would result in the theoretical loss of land for agricultural production. However, the land has already been fragmented and is not of a scale to support viable agricultural production. The site adjoins the urban area and is on the outer edge of the area of agricultural land. It is not considered the proposal would adversely affect the long-term viability or growth of the agricultural sector.
Development and construction	Complies. The proposal supports an effective electricity infrastructure network.

Mining and extractive resources	Not relevant. The proposal is not located on or near a key resource area or otherwise involve mining or extractive industry.
Tourism	Complies. The proposal supports an effective electricity infrastructure network. The proposal has been designed, and conditions are recommended, to protect the character and amenity of the area.
Planning for environment and heritage	
Biodiversity	Complies. The site contains areas of protected vegetation intersecting a watercourse and some protected vegetation in the southern and south-western part of the site. The design and location of the proposal avoids these parts of the site.
Coastal environment	Not relevant. The site is not located in a coastal environment.
Cultural heritage	Not relevant. The site is not a heritage place or located in a recognised heritage area.
Water quality	Complies. The proposal includes a stormwater management plan and has been designed to manage stormwater appropriately, including a proposed stormwater retention basin in the north-western part of the site. Conditions are recommended to protect water quality.
Planning for safety and resilience to hazards	
Emissions and hazardous activities	Complies. The proposal does not involve hazardous activities. Noise emissions associated with the proposal are to be mitigated through proposed acoustic fencing and conditions are recommended to protect the amenity of the sensitive uses.
Natural hazards, risk and resilience	Complies. The site is subject to bushfire hazard. The proposal is supported by a Bushfire management plan, which recommends a range of mitigation measures to manage bushfire risk to an acceptable level. These mitigation measures are reflected in the recommended conditions of approval.
Planning for infrastructure	
Energy and water supply	Complies. The proposal supports an effective electricity infrastructure network.
Infrastructure integration	Complies. The proposal supports an effective electricity infrastructure network
Transport infrastructure	Complies. The proposal is supported by a Traffic Impact Assessment. The proposal is well aligned with its location along the strategic road network and would not adversely affect the safety or efficiency of the road network.
Strategic airports and aviation facilities	Not relevant. The site is not in proximity to strategic airports or aviation facilities.
Strategic ports	Not relevant. The site is not in proximity to strategic port land.

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

5.2 South East Queensland Regional Plan

The site is located within the Regional landscape and rural production area under the regional plan. The following provides a summary of the assessment of the proposal, with regard to the Regional Plan.

Regional interest	Assessment
Part A – Outcomes and strategies	

Grow	Complies. The proposal supports an effective electricity infrastructure network to underpin growth.
Prosper	Complies. The proposal supports an effective electricity infrastructure network to underpin the prosperity of the Region. The proposed use of the land is compatible with its location.
Connect	Complies. The proposal is well aligned with its location along the strategic road network and would not adversely affect the safety or efficiency of the road network.
Sustain	Generally complies. The design and location of the proposal avoids areas of biodiversity value on the site. The proposal, including proposed landscaping, has been designed to protect the character and amenity of the area. The land is mapped as Class A and B Agricultural land under the State SPP mapping. However, the land has already been fragmented and is not of a scale to support viable agricultural production. The site adjoins the urban area and is on the outer edge of the area of agricultural land. It is not considered the proposal would adversely affect the long-term viability or growth of the agricultural sector.
Live	Complies. The proposal has been designed, and conditions are recommended, to protect the character and amenity of the area.
Part B – Regional Growth Pattern	
Regional landscape and rural production area	Generally complies. The proposal involves urban development in the Regional landscape and rural production area. However, the proposal is a somewhat bespoke (light industry/warehouse) use that serves a community need in supporting the electricity infrastructure network in the region. Further, there is a planning need to locate on the site in the context that the existing industrial zoned land in Esk is currently utilised or is flood affected and unsuitable for the proposed use. The site adjoins the Urban footprint and is a sequentially appropriate expansion of urban activities in Esk.
Part C – Sub-regional directions	
Western sub-region	Complies. The proposal is consistent with the Western sub-region outcomes.

The application has been assessed against the provisions of the regional plan, and the proposal is considered generally to comply, to the extent relevant.

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

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

- (a) Part 3 Strategic framework;
- (b) 6.2.9 Rural zone code;
- (c) 7.2.1 Agricultural land overlay code;
- (d) 7.2.4 Bushfire hazard overlay code;
- (e) 7.2.5 Catchment management overlay code;
- (f) 7.2.9 Infrastructure overlay code;
- (g) 7.2.12 Scenic amenity overlay code;
- (h) 7.2.13 Stock route management overlay code;
- (i) 8.2.9 Industrial activities code;
- (j) 8.3.5 Services works and infrastructure code; and
- (k) 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

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

Outcomes	Assessment
Settlement Pattern	<p>Generally complies. The proposal is a logical expansion of the Esk urban area, which responds to a community and planning need. The proposal is a somewhat bespoke (light industry/warehouse) use that serves a community need in supporting the electricity infrastructure network in the region. Further, there is a planning need to locate the use on the site in the context that the existing industrial zoned land in Esk is currently utilised or is flood affected and unsuitable for the proposed use. The site adjoins the existing urban area and is a sequentially appropriate expansion of urban activities in Esk.</p> <p>The site is subject to bushfire hazard. The proposal is supported by a Bushfire management plan, which recommends a range of mitigation measures to manage bushfire risk to an acceptable level. These mitigation measures are reflected in the recommended conditions of approval.</p>

Natural environment	Complies. The proposed has been sited and designed to avoid important ecological areas. Noise emissions associated with the proposal are to be mitigated through proposed acoustic fencing and recommended conditions of approval, to protect the amenity of sensitive uses.
Natural resources	<p>Generally complies. The proposal would result in the theoretical loss of land for agricultural production. However, the land has already been fragmented and is not of a scale to support viable agricultural production. The site adjoins the urban area and is on the outer edge of the area of agricultural land. It is not considered the proposal would adversely affect the long-term viability or growth of the agricultural sector. The proposal responds to a community and planning need for the use.</p> <p>The proposal is supported by a stormwater management plan and has been designed to manage stormwater appropriately, including a proposed stormwater retention basin in the north-western part of the site. Conditions are recommended to protect water quality.</p>
Community identity and regional landscape character	Generally complies. The proposal would form a southern 'gateway' to Esk. The design of the proposal, which is set back from the Brisbane Valley Highway, and proposed landscaping, would maintain the character and amenity of the area. Whilst the proposal involves an 'industrial' facility in the Esk Image Management Area, the proposal would maintain the 'open' character of the area. Conditions are recommended regarding landscaping, outdoor lighting, and the materials and finishes of the proposed buildings, to protect the character and amenity of the area.
Economic development	Complies. The proposal supports an effective electricity infrastructure network to underpin the economic development and prosperity of the Region. The existing Industrial zoned areas of Esk are unsuitable for the use because of the need for the use to continue to operate during flood events.
Infrastructure and services	Complies. The proposal supports an effective electricity infrastructure network to underpin the growth, prosperity and liveability of the Region. The proposal will be serviced by all urban services. It is supported by a stormwater management plan and has been designed to manage stormwater appropriately.
Transport	Complies. The proposal is supported by a Traffic Impact Assessment. The proposal is well aligned with its location along the strategic road network and would not adversely affect the safety or efficiency of the road network.

5.6.3 Code compliance summary

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

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

Relevant code	Compliance with overall outcomes	Performance outcomes
Rural zone code	Yes	No alternative outcomes proposed
Industrial activities code	Yes	PO3, PO6
Services works and infrastructure code	Yes	No alternative outcomes proposed
Transport access and parking code	Yes	PO5, PO7
Relevant overlay code	Compliance with overall outcomes	Performance outcomes
Agricultural land overlay code	Yes	PO1
Bushfire hazard overlay code	Yes	Yes
Catchment management overlay code	Yes	PO4
Infrastructure overlay code	Yes	PO7
Scenic amenity overlay code	Yes	Yes
Stock route management overlay code	Yes	Yes

The assessment of the development proposal against the performance outcomes of the applicable codes is discussed below.

5.6.4 Performance outcome assessment

Industrial activities code

Performance outcome	Acceptable outcome
PO3 Office and sales areas remain subordinate to the primary industrial use.	AO3.1 Areas for administration or sales purposes do not exceed 20 percent of the <i>gross floor area</i> of the industrial building. OR AO3.2 Where no industrial building is provided, standalone buildings for office and sales purposes do not exceed 150 square metres of <i>gross floor area</i> .
Alternative outcome assessment The proposal is a somewhat bespoke (Light industry and Warehouse) use. The office component of the use is considered subordinate to the Light industry/Warehouse (Energex depot). It is recommended that the alternative outcome be accepted in this instance.	
PO6	AO6

Performance outcome	Acceptable outcome
Noise is managed in accordance accepted standards and the use is of a scale, intensity, and duration that has minimal impacts on the surrounding area, <i>sensitive land uses</i> , and the enjoyment of public open spaces.	Activities occur between 7am to 6pm Monday to Friday and 7am to 2pm on Saturdays. No operations occur on Sundays or public holidays.
Alternative outcome assessment <p>The proposal has particular operational requirements. The standard hours of operation are to be 6am to 6pm Monday to Friday, with some infrequent use on weekends and 24-hour use in responding to emergencies and severe weather events.</p> <p>The proposal is supported by a Noise Impact Assessment. Various conditions are recommended to protect nearby sensitive uses from noise impacts.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	

Transport, access and parking code

Performance outcome	Acceptable outcome
P05 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: <ul style="list-style-type: none"> (a) the amount and type of vehicular traffic; (b) the type of use and traffic generation; (c) the current and future on-street parking arrangements; (d) proximity to intersections; and (e) available sight distances 	A05.1 Where the <i>site</i> has two street frontages, vehicular access is provided from the minor street. A05.2 Direct access is not provided to an arterial or higher order <i>road</i> .
Alternative outcome assessment <p>The proposal takes direct access from the Brisbane Valley Highway. The proposal is supported by a Traffic Impact Assessment. The proposal is well aligned with its location along the strategic road network and would not adversely affect the safety or efficiency of the road network.⁵⁶</p> <p>Additionally, the State Assessment and Referral Agency have considered the proposed access arrangements and determined they are acceptable and have require the imposition of conditions should the applicable be approved.</p> <p>It is recommended that the alternative outcome be accepted in this instance.</p>	
P07 Car parking location minimises impacts on the streetscape and contributes to the intended character of the zone and locality.	A07.1 Car parking is located behind or within a building. A07.2 The location of visitor parking is discernible from the street or alternatively appropriate signage is provided.

Performance outcome	Acceptable outcome
Alternative outcome assessment The proposed car parking is between the proposed buildings and the Brisbane Valley Highway. Landscaping is proposed, and a range of conditions are recommended, to protect the visual amenity and character of the area. It is recommended that the alternative outcome be accepted in this instance.	

Agricultural land overlay code

Performance outcome	Acceptable outcome
PO1 Loss, fragmentation, alienation or diminished capacity of agricultural land is avoided unless: <ul style="list-style-type: none"> (a) an overriding need exists for the development in terms of public benefit; (b) no suitable alternative site exists; (c) loss or fragmentation is minimised to the extent possible. 	Where for a material change of use in the Rural zone AO1.1 Development (inclusive of the <i>development footprint</i>) is not located on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the Agricultural land overlay maps OM01a-b unless identified in Table 7.2.1.3.B . AO1.2 The <i>development footprint</i> for development other than <i>rural activities</i> identified in Table 7.2.1.3.B is equal to or less than 750m ² on land identified as Agricultural land Class A or Class B or Important Agricultural Areas on the Agricultural land overlay maps OM01a-b . Where for Reconfiguring a Lot in the Rural zone AO1.3 Reconfiguring a lot does not result in the creation of a lot with an area less than 100 hectares on land identified as Agricultural Land Class A or Class B or Important Agricultural Areas on the Agricultural land overlay maps OM01a-b .
Alternative outcome assessment The proposal would result in the theoretical loss of land for agricultural production. However, the land has already been fragmented and is not of a scale to support viable agricultural production. The site adjoins the urban area and is on the outer edge of the area of agricultural land. It is not considered the proposal would adversely affect the long-term viability or growth of the agricultural sector. The proposal responds to a community and planning need for the use. The proposal would replace the existing Energex depot sites in Esk. Energex advise that the distribution network in the Somerset Region is designed such that the depot must be located in Esk, to ensure rapid response times in the event of issues with the distribution network. There is no other suitably zoned land in Esk to accommodate the proposed use. The existing Industrial zoned land in Esk is flood affected, which has been determined to be unacceptable for the proposed use as the nature of the use requires it to operate throughout flood events. The loss of rural land is minimised in the context that the site	

Performance outcome	Acceptable outcome
adjoins the urban area and the balance land in the south-west of the site generally is to be maintained in its natural state.	
It is recommended that the alternative outcome be accepted in this instance.	

Catchment management overlay code

Performance outcome	Acceptable outcome
P04 Development in the Higher Risk Catchment Area is undertaken in a sustainable manner that: <ul style="list-style-type: none"> (a) contributes to maintaining and improving the water quality of the major drinking water storages; and (b) will not have an adverse impact on the environment. 	Where within the Higher Risk Catchment Area identified on Catchment management overlay maps OM005a-b AO4.1 For development other than a <i>dwelling house</i> located within the Higher Risk Catchment Area the water quality impacts of the proposal are addressed in a catchment management analysis report undertaken in accordance with Planning Scheme Policy 3 – Catchment Management Analysis Guidelines
Alternative outcome assessment The proposal is supported by a stormwater management plan and has been designed to manage stormwater appropriately, including a proposed stormwater retention basin in the north-western part of the site. Conditions are recommended to protect water quality. It is recommended that the alternative outcome be accepted in this instance.	

Infrastructure overlay code

Performance outcome	Acceptable outcome
P07 <i>Development</i> does not adversely impact on existing and planned <i>water pipeline</i> infrastructure.	A07 <i>Development</i> is not located within a <i>water pipeline</i> easement as identified on the Infrastructure overlay maps OM009a-g .
Alternative outcome assessment The Infrastructure overlay map shows a water pipeline along the eastern boundary of the site. The Applicant has made representations that the pipe is within the boundary of the adjoining land to the east. Urban Utilities mapping shows a water pipeline transversing the site (generally east-west) and connecting to the water pump station on the adjoining land to the west. The Urban Utilities mapping aligns with the easement that transverses the site. The proposal does not include buildings within the water pipeline easement area; the easement area transverses the proposed driveways and walkways associated with the proposed use. The easement area would remain accessible, as necessary. It is recommended that the alternative outcome be accepted in this instance.	

5.7 Local government infrastructure plan

5.7.1 Priority infrastructure area

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

5.7.2 Infrastructure charges

The proposed development is for Low impact industry and Warehouse, which is identified as being Other industry 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 for the drinking water network, but outside of the connections area and future connections area for the wastewater network. However, the Applicant has obtained a Service Advice Notice from Urban Utilities confirming there is sufficient capacity in the network to service the site for water and wastewater. The site is to be serviced by extending the existing infrastructure along Brisbane Valley Highway to the north-west corner of the site.

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 it has no objection 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 received correspondence from Seqwater (as an adjoining landowner) regarding matters relating to water quality within the drinking water catchment. Seqwater indicated it did not have significant concerns regarding the proposal and indicated it did not intend to

make a formal submission. However, Seqwater sought further details regarding the potential for chemical storage on the premises. The Applicant has provided further details regarding a limited range of chemicals to be stored on the site, including small scale quantities of vehicle fuels and oils, and aerosols for vehicle maintenance. A standard condition is recommended regarding the storage of flammable and combustible materials.

7.0 PUBLIC NOTIFICATION

7.1 Notification requirements

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

- (a) a notice was published in The Somerset News Sentinel newspaper on 27 August 2025;
- (b) a notice in the prescribed form was placed on the premises on 27 August 2025 and maintained for the minimum period of 15 business days; and
- (c) a notification was served to all adjoining landowners on 25 August 2025.

The public notification period was from 28 August 2025 to 18 September 2025.

Council received the notice of compliance on 19 September 2025, confirming that public notification had been undertaken in accordance with the statutory requirements.

7.2 Matters raised in submissions

No comments or submissions were received.

8.0 RELEVANT MATTERS

There is some non-compliance with detailed provisions of the planning scheme, particularly with regard to the location of the proposal outside the urban area and the identification of the site as good quality agricultural land. There are a range of relevant matters to be considered in the assessment of the proposal.

8.1 Community and planning need

The proposal is a beneficial use in the public interest. The proposal would consolidate Energex operations and serve a critical role in maintaining the Energex electrical infrastructure network in the region. It would also serve as an operational base during natural hazards and other emergencies.

The proposal would replace the existing Energex depot sites in Esk. Energex advise that the distribution network in the Somerset Region is designed such that the depot must be located in Esk, to ensure rapid response times in the event of issues with the distribution network.

It is considered there is no other suitably zoned land in Esk to accommodate the proposed use. The existing Industrial zoned land in Esk is flood affected. The nature of the use requires it to operate throughout flood events. In the above context, there is a strong community need and planning need for the proposal.

8.2 Reasonable community expectations

Reasonable community expectations should be considered objectively in the context of the planning scheme, amongst other matters. The proposal is a logical and orderly expansion of the Esk urban area for a somewhat bespoke (Low-impact industry and Warehouse) use for the Energex depot. The impacts of the use can be managed comfortably within the boundaries of the site. The proposal was publicly advertised, and no submissions were received.

In the context of the community and planning need for the proposed use, the physical suitability of the site for the proposal, and the complete lack of submissions during the public notification period, the proposal is considered to be consistent with reasonable community expectations for development in the area.

8.3 Conditions and absence of adverse impacts

The potential impacts of the use may be mitigated through conditions of approval. A detailed suite of conditions is recommended. The impacts of the use may be contained within the site. The proposal, subject to the recommended conditions, would result in an absence of adverse impacts.

In the above context, relevant matters weigh heavily in favour of approving the proposed development.

9.0 CONCLUSION

The proposed development is for a Development Permit for Material Change of Use for Low Impact Industry and Warehouse (Energex Depot).

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

10.0 ATTACHMENTS

1. Site Plan, Drawing No. SDO-01, Revision J, prepared by Elia Architecture, dated 17/04/2025
2. Floor Plan – Building 1, Drawing No. SD1-01, Revision F, prepared by Elia Architecture, dated 04/05/2022
3. Floor Plan – Building 2, Drawing No. SD1-02, Revision C, prepared by Elia Architecture, dated 04/05/2022
4. Roof Plan – Building 1, Drawing No. SD1-03, Revision C, prepared by Elia Architecture, dated 04/05/2022
5. Roof Plan – Building 2, Drawing No. SD1-04, Revision D, prepared by Elia Architecture, dated 04/05/2022
6. Elevations – Building 1, Drawing No. SD3-01, Revision C, prepared by Elia Architecture, dated 04/05/2022
7. Elevations – Building 1, Drawing No. SD3-02, Revision C, prepared by Elia Architecture, dated 04/05/2022
8. Elevations – Building 2, Drawing No. SD3-03, Revision D, prepared by Elia Architecture, dated 04/05/2022
9. Elevations – Building 2, Drawing No. SD3-04, Revision C, prepared by Elia Architecture, dated 04/05/2022
10. Overall Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025
11. Blow-Up Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025
12. Proposed Planting Schedule, Revision D, prepared by Agla, dated 14/08/2025
13. Traffic Impact Assessment, Revision 4, prepared by PSA Consulting, dated 30/06/2025
14. Updated Noise Impact Assessment, Revision 2, prepared by MWA Environmental, dated 15/08/2025
15. Bushfire Management Plan, prepared by Land and Environment Consultants, dated 01/07/2025
16. Stormwater Management Plan, Revision 2, prepared by Water Technology, dated 25/06/2025
17. Civil Engineering Services Report, Revision A, prepared by Hurley Consulting Engineers, dated 25/06/2025

18. Concept Servicing Layout Plan, Drawing No. C25026A-SK-C100, prepared by Hurley Consulting Engineers, Revision B, dated 28/07/2025
19. Concept Bulk Earthworks and Levels Plan, Drawing No. C25026A-SK-C200, prepared by Hurley Consulting Engineers, Revision C, dated 14/08/2025
20. Proposed Energex Esk Depot: Operational Management Plan, Letter from Energex dated 12 August 2025
21. State Assessment and Referral Agency referral agency response
22. Draft infrastructure charges notice.

RECOMMENDATION

THAT Council:

1. approve Development Application No. 26340 for a Development Permit for Material Change of Use for Low Impact Industry and Warehouse (Energex Depot) on land situated at 5305 Brisbane Valley Highway, Esk, formally described as Lot 2 RP157185, 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
	Approved Plans and Documents	
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.	At all times.
	1. Site Plan, Drawing No. SDO-01, Revision J, prepared by Elia Architecture, dated 17/04/2025	
	2. Floor Plan – Building 1, Drawing No. SD1-01, Revision F, prepared by Elia Architecture, dated 04/05/2022	
	3. Floor Plan – Building 2, Drawing No. SD1-02, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	4. Roof Plan – Building 1, Drawing No. SD1-03, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	5. Roof Plan – Building 2, Drawing No. SD1-04, Revision D, prepared by Elia Architecture, dated 04/05/2022	
	6. Elevations – Building 1, Drawing No. SD3-01, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	7. Elevations – Building 1, Drawing No. SD3-02, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	8. Elevations – Building 2, Drawing No. SD3-03, Revision D, prepared by Elia Architecture, dated 04/05/2022	
	9. Elevations – Building 2, Drawing No. SD3-04, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	10. Overall Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025	

	11. Blow-Up Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025	
	12. Proposed Planting Schedule, Revision D, prepared by Agla, dated 14/08/2025	
	13. Traffic Impact Assessment, Revision 4, prepared by PSA Consulting, dated 30/06/2025	
	14. Updated Noise Impact Assessment, Revision 2, prepared by MWA Environmental, dated 15/08/2025	
	15. Bushfire Management Plan, prepared by Land and Environment Consultants, dated 01/07/2025	
	16. Stormwater Management Plan, Revision 2, prepared by Water Technology, dated 25/06/2025	
	17. Civil Engineering Services Report, Revision A, prepared by Hurley Consulting Engineers, dated 25/06/2025	
	18. Concept Servicing Layout Plan, Drawing No. C25026A-SK-C100, prepared by Hurley Consulting Engineers, Revision B, dated 28/07/2025	
	19. Concept Bulk Earthworks and Levels Plan, Drawing No. C25026A-SK-C200, prepared by Hurley Consulting Engineers, Revision C, dated 14/08/2025	
	20. Proposed Energex Esk Depot: Operational Management Plan, Letter from Energex dated 12 August 2025	
	General	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2), Planning Scheme Policies and Local Laws.	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.	During construction works.
1.4	All development conditions of this Development Approval must be complied with at no cost to Council, unless stated otherwise in these development conditions.	At all times.
1.5	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.
	Defined Uses and Operational Management Plan	
1.6	The approved use and ancillary activities must at all times comply with the definitions of Low impact industry and Warehouse, as defined in the Somerset Region Planning Scheme, Version 4.2, and <i>Planning Regulation 2017</i> , as set out below:	At all times.

	<p>Low impact industry means the use of premises for an industrial activity –</p> <ul style="list-style-type: none"> (a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and (b) that a local planning instrument applying to the premises states is a low impact industry; and (c) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity. <p>Warehouse means the use of premises for-</p> <ul style="list-style-type: none"> (a) Storing or distributing goods, whether or not carried out in a building; or (b) The wholesale of goods, if the use is ancillary to the use in paragraph (a). 	
1.7	The use of premises is carried out in accordance with the Operational Management Plan, detailed in the letter from Energex, dated 12 August 2025, except where amended by these conditions of approval or otherwise agreed in writing by Council.	At all times.
	Hours of Operation	
1.8	<p>Undertake the development in accordance with the following operational hours (including all loading and unloading activities and on-site refuse collection):</p> <ul style="list-style-type: none"> (a) 6am to 6pm Monday to Friday; and (b) 6am to 6pm Saturday and Sunday, where for no more than 28 Saturdays or Sundays per calendar year, unless otherwise agreed in writing by Council. <p>Notwithstanding the above, during an emergency event, such as responding to a natural hazard or a serious weather event, the approved use may operate 24-hours per day, seven (7) days per week, as a disaster coordination centre and to undertake functions directly associated with responding to the emergency.</p>	At all times.
	No provision for staging	
1.9	The development must occur in one stage.	At all times.
	Landscaping	

1.10	<p>Submit a Landscape Plan to Council, for approval, for all landscaping associated with the development.</p> <p>The Landscape Plan must:</p> <ul style="list-style-type: none"> (a) be generally in accordance with the approved Overall Landscape Concept Plan, Blow-Up Landscape Concept Plan and Proposed Planting Schedule; (b) be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction. <p>The Landscape Plan must address the performance criteria listed below:</p> <ul style="list-style-type: none"> (a) comply with the Planning Scheme Policy 4 – Design Standards; (b) enhance the appearance of the development internally and externally; (c) make a positive contribution to the streetscape; (d) screen unsightly objects from public view; (e) contribute to the environment by providing shade to reduce glare, heat absorption and radiation; (f) ensure common areas are useable; (g) provide long term erosion protection; (h) integrate with existing vegetation and other natural features of the site and adjoining lands; and (i) provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> (a) the typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; (b) the number and size of plants; and (c) the typical planting detail, including preparation, backfill, staking and mulching. 	Prior to the commencement of the use.
1.11	Landscape the site in accordance with the Landscape Plan approved by Council under Condition 1.10.	Prior to the commencement of the use and thereafter at all times.
1.12	Provide certification from a suitably qualified Landscape Architect, horticulturist or other person experienced in landscape design and construction, that the landscaping is in accordance with Condition 1.10.	Prior to the commencement of the use.
1.13	No tree in the road reserve is to be removed, with the exception of the tree identified for removal on the Landscape Concept Plan Revision D dated 14/08/2025 which conflicts with the location of the western driveway, unless agreed in writing by Council.	At all times.
	Materials	

1.14	Submit a Schedule of colours, materials and finishes to Council, for approval, that: (a) is generally in accordance with the approved plans; and (b) protects and enhances the visual amenity of the site and surroundings.	Prior to obtaining any development permit for building work.
1.15	Construct the development in accordance with the Schedule of colours, material and finishes approved by Council under Condition 1.14.	Prior to the commencement of the use and thereafter at all times.
	Outdoor Lighting	
1.16	Submit an Outdoor Lighting Plan to Council, for approval, for all outdoor lighting associated with the development. The Outdoor Lighting Plan must achieve the following outcomes: (a) protect the visual amenity and character of the area; (b) protect the amenity of neighbouring properties; (c) provide for the safety of occupants and visitors of the development; and (d) provide outdoor lighting in accordance with relevant Australian Standards, including AS1158 and AS4282.	Prior to the commencement of the use.
1.17	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> • providing lighting that is designed, installed and regulated in accordance with relevant Australian Standards, including AS1158 and AS4282; • not causing nuisance by way of light spill or glare at roadways or any premises outside the boundary of the property to which this approval relates; • providing graduated intensity lighting with lower-level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land; • directing lighting onto the subject land and away from neighbouring properties; • using shrouding devices to preclude light overspill onto surrounding properties where necessary; and • not operating lighting that uses sodium lights or flare plumes. 	At all times.
1.18	Implement outdoor lighting on the site in accordance with the Outdoor Lighting Plan approved by Council under Condition 1.16.	Prior to the commencement of the use and thereafter at all times.

1.19	Provide certification from a suitably qualified Lighting Engineer, or other person experienced in outdoor lighting design and construction, that the outdoor lighting is in accordance with the Outdoor Lighting Plan approved by Council under Condition 1.16 and the outdoor lighting conditions of this approval.	Prior to the commencement of the use.
	Bushfire Management	
1.20	An asset protection zone (APZ) is established and maintained along the southern and western perimeter of the development, as shown in Figure 6.1 of the approved Bushfire Management Plan. The APZ is established and maintained in accordance with the recommendations in section 6.1 of the approved Bushfire Management Plan.	Prior to the commencement of the use and thereafter at all times.
1.21	Grass cover in the northern part of the site, as identified in Figure 6.1 of the approved Bushfire Management Plan, is maintained with low cut grass at a height of less than 300mm.	At all times.
1.22	Fire fighting water supply is provided in accordance with the requirements of section 6.4 of the approved Bushfire Management Plan.	Prior to the commencement of the use and thereafter at all times.
1.23	Access and egress is provided in accordance with the requirements of section 6.5 of the approved Bushfire Management Plan.	Prior to the commencement of the use and thereafter at all times.
1.24	Provide certification, from an appropriately qualified landscape architect, or other suitably qualified professional, that the landscaping of the proposal complies with Part 5 of Bushfire resilient Building Guidance for Queensland Homes (QRA 2020).	Prior to the commencement of the use.
1.25	Provide certification, from an appropriately qualified bushfire risk professional, that the development has been constructed in accordance with all recommendations of the approved Bushfire Management Plan.	Prior to the commencement of the use.
SCHEDULE 2—ENGINEERING		
Assessment Manager		

	General	
2.1	Obtain Operational Works approval from Council for all operational works associated with the approved development, including earthworks, erosion and sediment control, roadworks, car parking and access, landscaping, civil works, clearing and stormwater drainage.	Prior to the commencement of Operational Work.
2.2	All works are to be designed and constructed in accordance with the Somerset Region Planning Scheme, Planning Scheme Policy 4 – Design Standards and Council's Standard Drawings.	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	The design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> plans and specifications must be prepared and certified with the Operational Work application; and certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	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. All operational work must be carried out in accordance with the approved plans and documents and in accordance with relevant further approval(s).	Prior to the commencement of the use.
	Services	
2.6	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 the commencement of the use.
2.7	Provide written evidence (e.g. connection certificate) from Urban Utilities that the connection to the reticulated drinking water and wastewater networks are available and that all requirements of Urban Utilities have been satisfied.	Prior to the commencement of the use.
2.8	Connect the development to the reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant regulatory authority. Where the proposed development fronts an existing overhead electricity or telecommunication service, development may connect directly to such service, to the approval and requirements of the service provider.	Prior to the commencement of the use.
2.9	Provide written evidence (e.g. certificate of supply or agreement) from the relevant service provider that the approved development has been	Prior to the commencement

	connected to the reticulated electricity and telecommunications networks, to the standards of the relevant service provider.	of the use.
	Earthworks	
2.10	All earthworks are to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation. A copy of the test results is to be submitted to Council.	Prior to the commencement of the use.
2.11	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.12	Any fill, cut and other stored material must be contained within property comprising the development application. Fill cannot be placed on an adjacent property without providing Council with written permission from the respective property owner.	At all times.
2.13	Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.	At all times.
	Roadworks	
2.14	All works on or adjacent to roadways must be adequately signed in accordance with the “ <i>Austroads Guide to Temporary Traffic Management</i> ”. Any road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of, and during construction of, works.
	Vehicle Access	
2.15	The development shall be constructed to ensure safe and convenient vehicle access and egress from the site in accordance with the approved plans and documents and Planning Scheme Policy 4 – Design Standards.	Prior to the commencement of the use and thereafter at all times.
2.16	All vehicles shall enter and leave the site in a forward gear.	At all times.
	Parking	
2.17	Provide on-site car parking for 31 vehicles, including the applicable disability spaces, in accordance with the approved plans and documents and Planning Scheme Policy 4 – Design Standards. All car parking and circulation areas are to be provided with a sealed surface, line marking and be designed in accordance with AS2890 and Planning Scheme Policy 4 – Design Standards.	Prior to the commencement of the use and thereafter at all times.
2.18	All manoeuvring areas shall enable access to a 25 metre semi articulated vehicle in accordance with <i>Austroads</i> design manual and Australian Standard AS:2890.	Prior to the commencement of the use and

		thereafter at all times.
2.19	All internal pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	Prior to the commencement of the use and thereafter at all times.
2.20	Bicycle parking is provided in accordance with the Australian Standards AS2890.3 and Austroads Guide to Traffic Management Part 11: Parking.	Prior to the commencement of the use and thereafter at all times.
	Stormwater	
2.21	Stormwater Drainage shall be constructed generally in accordance with the approved Stormwater Management Plan, dated 25 June 2025.	As part of Operational Works application.
2.22	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.
2.23	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times.
2.24	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of the approved development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.25	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.26	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.
2.27	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.
	Erosion and Sediment Control	
2.28	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ).	As part of Operational Works application.
2.29	Implement all relevant sediment and erosion control measures and temporary fencing as identified on the approved engineering drawings as part of the operational works.	At all times until completion of the development.

	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.	
2.30	<p>Erosion and sedimentation controls shall be implemented in accordance with current IECA best practice, and shall be maintained to Council's satisfaction at all times during the course of the project. Should Council determine that proposed controls are ineffective or a downstream drainage system has become silted, the developer will:</p> <ul style="list-style-type: none"> • be required to install additional measures; and • be responsible for the restoration work. <p>Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.</p>	At all times.
2.31	Implement measures 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.
	Vegetation Removal	
2.32	<p>Where vegetation is removed, the vegetation waste shall be disposed of by:</p> <ul style="list-style-type: none"> i) Milling. ii) Chipping and/or mulching. iii) Disposal at an approved waste disposal facility. iv) Burning provided fire permits are in place. <p>Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.</p>	At all times.
2.33	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
2.34	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work.	At all times.
	Waste	
2.35	All wastes are to be managed in accordance with the relevant legislation and regulations with regulated waste to be disposed of at a licensed facility and general solid waste to be disposed of at approved landfill sites with the contractor covering all costs incurred for the receipt and management of the waste.	At all times.
SCHEDULE 3—ENVIRONMENTAL HEALTH		
Assessment Manager		
	General	
3.1	Notwithstanding any other condition of this development approval, this	At all times.

	development approval does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance or harm beyond the boundaries of the development site.	
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 storage of any flammable and combustible materials and liquids complies with AS 1940:2004:- <i>The Storage and Handling of Flammable and Combustible Liquids</i> .	At all times.
	Noise	
3.5	Unless otherwise required by the conditions of this approval, the approved development must be constructed and operated in accordance with the approved acoustic report titled <i>Updated Noise Impact Assessment – Energex Depot – 5305 Brisbane Valley Highway, Esk</i> , dated 15 August 2025 and prepared by MWA Environmental.	At all times.
3.6	Racking shelves above 2.5 metres high must be lined with rubber inserts on the racks to reduce impact noise.	At all times.
3.7	Bin collection must be limited to daytime hours of 7am to 6pm.	At all times.
3.8	All site vehicles must be fitted with and use broadband reverse beepers or equivalent low noise generating technology applicable in the night-time period of 10pm to 7am. Note: This condition does not apply to the construction period.	At all times.
3.9	Power tools (e.g. chainsaws, angle grinders) must not be used outdoors. Note: This condition does not apply to the construction period.	At all times.
3.10	Wash bay activities must be limited to the day and evening periods of 7am to 10pm.	At all times.
3.11	Pole training must be limited to the daytime period of 7am to 6pm.	At all times.
3.12	Acoustic barriers must be provided in accordance with Figure 5 of the approved acoustic report prepared by MWA Environmental. The acoustic barrier height is to be measured either above the top of the retaining wall or the height above the adjacent pavement level, whichever is the higher point. Acoustic barriers must be gap free and constructed of materials	Prior to the commencement of the use thereafter at all times.

	achieving a minimum surface area density of 12.5kg/m ² .															
3.13	<p>Time-varying noise from the approved development must be limited such that the A-weighted noise level, $L_{Aeq,adj,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"> (a) the background noise level + 5dBA for daytime hours (7am to 6pm); (b) the background noise level + 5dBA for evening hours (6pm to 10pm); (c) the background noise level + 5dBA for night time hours (10pm to 7am); or (d) the noise limits specified in Table A, whichever is greater. <p>Table A: Noise Limits $L_{Aeq,T}$ dBA</p> <table> <tr> <th rowspan="2">Period</th><th colspan="2">Noise Limit $L_{Aeq,T}$ dBA</th></tr> <tr> <th>'North Grouped' Receptors¹</th><th>'South Grouped' Receptors²</th></tr> <tr> <td>Day (7am - 6pm)</td><td>44</td><td>39</td></tr> <tr> <td>Evening (6pm – 10pm)</td><td>42</td><td>39</td></tr> <tr> <td>Night (10pm - 7am)</td><td>32</td><td>31</td></tr> </table>	Period	Noise Limit $L_{Aeq,T}$ dBA		'North Grouped' Receptors ¹	'South Grouped' Receptors ²	Day (7am - 6pm)	44	39	Evening (6pm – 10pm)	42	39	Night (10pm - 7am)	32	31	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA															
	'North Grouped' Receptors ¹	'South Grouped' Receptors ²														
Day (7am - 6pm)	44	39														
Evening (6pm – 10pm)	42	39														
Night (10pm - 7am)	32	31														
3.14	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, $L_{A90,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"> (a) the background noise level + 0dBA for daytime hours (7am to 6pm); (b) the background noise level + 0dBA for evening hours (6pm to 10pm); (c) the background noise level + 0dBA for night time hours (10pm to 7am); or (d) the noise limits specified in Table B, whichever is the greater. <p>Table B: Noise Limits $L_{A90,T}$ dBA</p> <table> <tr> <th rowspan="2">Period</th><th colspan="2">Noise Limit $L_{A90,T}$ dBA</th></tr> <tr> <th>'North Grouped' Receptors³</th><th>'South Grouped' Receptors⁴</th></tr> <tr> <td>Day (7am - 6pm)</td><td>39</td><td>34</td></tr> <tr> <td>Evening (6pm – 10pm)</td><td>37</td><td>34</td></tr> <tr> <td>Night (10pm - 7am)</td><td>27</td><td>26</td></tr> </table>	Period	Noise Limit $L_{A90,T}$ dBA		'North Grouped' Receptors ³	'South Grouped' Receptors ⁴	Day (7am - 6pm)	39	34	Evening (6pm – 10pm)	37	34	Night (10pm - 7am)	27	26	At all times.
Period	Noise Limit $L_{A90,T}$ dBA															
	'North Grouped' Receptors ³	'South Grouped' Receptors ⁴														
Day (7am - 6pm)	39	34														
Evening (6pm – 10pm)	37	34														
Night (10pm - 7am)	27	26														
3.15	Noise from the approved development must not exceed the sleep disturbance criterion of L_{Amax} 52 dB(A) external to a bedroom window.	At all times.														
3.16	<p>Provide certification from a suitably qualified acoustic consultant that:</p> <ul style="list-style-type: none"> (a) acoustic barriers have been installed in accordance with the specifications of Condition 3.12 above and the approved acoustic report prepared by MWA Environmental; and (b) rubber inserts on racks above 2.5m have been installed in 	Prior to the commencement of the use.														

¹ As identified in the approved Updated Noise Impact Assessment

² As identified in the approved Updated Noise Impact Assessment

³ As identified in the approved Updated Noise Impact Assessment

⁴ As identified in the approved Updated Noise Impact Assessment

	accordance with the approved acoustic report prepared by MWA Environmental; and (c) the development achieves the noise limits contained in Conditions 3.13 and 3.14 of this approval and the approved acoustic report prepared by MWA Environmental.	
	Water	
3.17	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"> • Uncontaminated overland stormwater flow; • Uncontaminated stormwater to the stormwater system; • Contaminants lawfully released to sewer; or • A release in accordance with a condition of this development approval. 	At all times.
	Waste	
3.18	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.
3.19	All general waste produced as part of the operation of the development must be disposed of through either: <ul style="list-style-type: none"> (a) the number of standard waste services as determined by Council; or (b) a private agreement with a licensed waste disposal contractor through an exemption granted by Council. 	At all times.
3.20	No waste is to be burned or buried on the subject site.	At all times.
SCHEDULE 4—REFERRAL AGENCIES		
As Indicated		
The following referral agency responses have been received and are attached to the Decision Notice.		
	State Assessment and Referral Agency referral agency response	
4.1	Comply with the requirements of the referral agency response 2507-47024 SRA dated 26 August 2025, or as amended.	As indicated in the referral agency response.
4.2	Provide certification to Council, from a suitably qualified person or from the relevant agency, demonstrating that the requirements of the referral agency response have been met.	Prior to the commencement of the use.
SCHEDULE 5—ADVICE		
Assessment Manager		
5.1	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.	
5.2	The Applicant has the Right of Appeal to the Planning & Environment Court regarding the conditions of this approval.	

	Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.
5.3	Separate development approval is required for Operational Works.
5.4	Separate development approval is required for any building work and plumbing/drainage works necessitated by the conditions contained in this approval.
5.5	All works shall be carried out in accordance with the <i>Workplace, Health & Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
5.6	All Operational Work is to comply with relevant codes for design and construction.
5.7	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> .
5.8	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> .
5.9	<p>Biosecurity Queensland shall be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
5.10	<p>Any works within or adjacent to waterways may require approval by the Department of Agriculture and Fisheries as per the Fisheries Act 1994.</p> <p>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</p>
5.11	<p>The current Aboriginal Cultural Heritage Act 2003 should be adhered to.</p> <p>The Aboriginal Cultural Heritage Act establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The cultural heritage duty of care lies with the person or entity conducting an activity.</p> <p>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 www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
5.12	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p>

Attachments for the Decision Notice include:

- Site Plan, Drawing No. SDO-01, Revision J, prepared by Elia Architecture, dated 17/04/2025
- Floor Plan – Building 1, Drawing No. SD1-01, Revision F, prepared by Elia Architecture, dated 04/05/2022
- Floor Plan – Building 2, Drawing No. SD1-02, Revision C, prepared by Elia Architecture, dated 04/05/2022
- Roof Plan – Building 1, Drawing No. SD1-03, Revision C, prepared by Elia Architecture, dated 04/05/2022
- Roof Plan – Building 2, Drawing No. SD1-04, Revision D, prepared by Elia Architecture, dated 04/05/2022
- Elevations – Building 1, Drawing No. SD3-01, Revision C, prepared by Elia Architecture, dated 04/05/2022
- Elevations – Building 1, Drawing No. SD3-02, Revision C, prepared by Elia Architecture, dated 04/05/2022
- Elevations – Building 2, Drawing No. SD3-03, Revision D, prepared by Elia Architecture, dated 04/05/2022
- Elevations – Building 2, Drawing No. SD3-04, Revision C, prepared by Elia Architecture, dated 04/05/2022
- Overall Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025
- Blow-Up Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025
- Proposed Planting Schedule, Revision D, prepared by Agla, dated 14/08/2025
- Traffic Impact Assessment, Revision 4, prepared by PSA Consulting, dated 30/06/2025
- Updated Noise Impact Assessment, Revision 2, prepared by MWA Environmental, dated 15/08/2025

- Bushfire Management Plan, prepared by Land and Environment Consultants, dated 01/07/2025
- Stormwater Management Plan, Revision 2, prepared by Water Technology, dated 25/06/2025
- Civil Engineering Services Report, Revision A, prepared by Hurley Consulting Engineers, dated 25/06/2025
- Concept Servicing Layout Plan, Drawing No. C25026A-SK-C100, prepared by Hurley Consulting Engineers, Revision B, dated 28/07/2025
- Concept Bulk Earthworks and Levels Plan, Drawing No. C25026A-SK-C200, prepared by Hurley Consulting Engineers, Revision C, dated 14/08/2025
- Proposed Energex Esk Depot: Operational Management Plan, Letter from Energex dated 12 August 2025.
- State Assessment and Referral Agency referral agency response
- Draft infrastructure charges notice

This completes the report for Development Application No. 26340.

Resolution	Moved – Cr Brieschke	Seconded – Cr Freese
<p>“THAT Council:</p> <ol style="list-style-type: none"> 1. approve Development Application No. 26340 for a Development Permit for Material Change of Use for Low Impact Industry and Warehouse (Energex Depot) on land situated at 5305 Brisbane Valley Highway, Esk, formally described as Lot 2 RP157185, 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 <i>Planning Act 2016</i>.” 		

SCHEDULE 1—GENERAL CONDITIONS		
Assessment Manager		
No.	Condition	Timing
	Approved Plans and Documents	
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.	At all times.
	1. Site Plan, Drawing No. SDO-01, Revision J, prepared by Elia Architecture, dated 17/04/2025	
	2. Floor Plan – Building 1, Drawing No. SD1-01, Revision F, prepared by Elia Architecture, dated 04/05/2022	
	3. Floor Plan – Building 2, Drawing No. SD1-02, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	4. Roof Plan – Building 1, Drawing No. SD1-03, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	5. Roof Plan – Building 2, Drawing No. SD1-04, Revision D, prepared by Elia Architecture, dated 04/05/2022	

	6. Elevations – Building 1, Drawing No. SD3-01, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	7. Elevations – Building 1, Drawing No. SD3-02, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	8. Elevations – Building 2, Drawing No. SD3-03, Revision D, prepared by Elia Architecture, dated 04/05/2022	
	9. Elevations – Building 2, Drawing No. SD3-04, Revision C, prepared by Elia Architecture, dated 04/05/2022	
	10. Overall Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025	
	11. Blow-Up Landscape Concept Plan, Revision D, prepared by Agla, dated 14/08/2025	
	12. Proposed Planting Schedule, Revision D, prepared by Agla, dated 14/08/2025	
	13. Traffic Impact Assessment, Revision 4, prepared by PSA Consulting, dated 30/06/2025	
	14. Updated Noise Impact Assessment, Revision 2, prepared by MWA Environmental, dated 15/08/2025	
	15. Bushfire Management Plan, prepared by Land and Environment Consultants, dated 01/07/2025	
	16. Stormwater Management Plan, Revision 2, prepared by Water Technology, dated 25/06/2025	
	17. Civil Engineering Services Report, Revision A, prepared by Hurley Consulting Engineers, dated 25/06/2025	
	18. Concept Servicing Layout Plan, Drawing No. C25026A-SK-C100, prepared by Hurley Consulting Engineers, Revision B, dated 28/07/2025	
	19. Concept Bulk Earthworks and Levels Plan, Drawing No. C25026A-SK-C200, prepared by Hurley Consulting Engineers, Revision C, dated 14/08/2025	
	20. Proposed Energex Esk Deport: Operational Management Plan, Letter from Energex dated 12 August 2025	
	General	
1.2	Comply with the relevant provisions of the Somerset Region Planning Scheme (Version 4.2), Planning Scheme Policies and Local Laws.	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.	During construction works.
1.4	All development conditions of this Development Approval must be complied with at no cost to Council, unless stated otherwise in these development conditions.	At all times.
1.5	Repair any damage to existing infrastructure (e.g. kerb and channel, footpath, or roadway) that may have occurred as part of the	At all times.

	development. Any damage that is deemed to create a hazard to the community, must be repaired immediately.	
	Defined Uses and Operational Management Plan	
1.6	<p>The approved use and ancillary activities must at all times comply with the definitions of Low impact industry and Warehouse, as defined in the Somerset Region Planning Scheme, Version 4.2, and <i>Planning Regulation 2017</i>, as set out below:</p> <p>Low impact industry means the use of premises for an industrial activity –</p> <ul style="list-style-type: none"> (d) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and (e) that a local planning instrument applying to the premises states is a low impact industry; and (f) that complies with any thresholds for the activity stated in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity. <p>Warehouse means the use of premises for-</p> <ul style="list-style-type: none"> (c) Storing or distributing goods, whether or not carried out in a building; or (d) The wholesale of goods, if the use is ancillary to the use in paragraph (a). 	At all times.
1.7	The use of premises is carried out in accordance with the Operational Management Plan, detailed in the letter from Energex, dated 12 August 2025, except where amended by these conditions of approval or otherwise agreed in writing by Council.	At all times.
	Hours of Operation	
1.8	<p>Undertake the development in accordance with the following operational hours (including all loading and unloading activities and on-site refuse collection):</p> <ul style="list-style-type: none"> (c) 6am to 6pm Monday to Friday; and (d) 6am to 6pm Saturday and Sunday, where for no more than 28 Saturdays or Sundays per calendar year, unless otherwise agreed in writing by Council. <p>Notwithstanding the above, during an emergency event, such as responding to a natural hazard or a serious weather event, the approved use may operate 24-hours per day, seven (7) days per week, as a disaster coordination centre and to undertake functions directly associated with responding to the emergency.</p>	At all times.

	No provision for staging	
1.9	The development must occur in one stage.	At all times.
	Landscaping	
1.10	<p>Submit a Landscape Plan to Council, for approval, for all landscaping associated with the development.</p> <p>The Landscape Plan must:</p> <ul style="list-style-type: none"> (c) be generally in accordance with the approved Overall Landscape Concept Plan, Blow-Up Landscape Concept Plan and Proposed Planting Schedule; (d) be prepared by a suitably qualified and experienced Landscape Architect, horticulturist, or other person experienced in landscape design and construction. <p>The Landscape Plan must address the performance criteria listed below:</p> <ul style="list-style-type: none"> (j) comply with the Planning Scheme Policy 4 – Design Standards; (k) enhance the appearance of the development internally and externally; (l) make a positive contribution to the streetscape; (m) screen unsightly objects from public view; (n) contribute to the environment by providing shade to reduce glare, heat absorption and radiation; (o) ensure common areas are useable; (p) provide long term erosion protection; (q) integrate with existing vegetation and other natural features of the site and adjoining lands; and (r) provide adequate vehicle sightlines and road safety. <p>The Landscape Plan must also detail:</p> <ul style="list-style-type: none"> (d) the typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on site; (e) the number and size of plants; and (f) the typical planting detail, including preparation, backfill, staking and mulching. 	Prior to the commencement of the use.
1.11	Landscape the site in accordance with the Landscape Plan approved by Council under Condition 1.10.	Prior to the commencement of the use and thereafter at all times.
1.12	Provide certification from a suitably qualified Landscape Architect, horticulturist or other person experienced in landscape design and construction, that the landscaping is in accordance with Condition 1.10.	Prior to the commencement of the use.

1.13	No tree in the road reserve is to be removed, with the exception of the tree identified for removal on the Landscape Concept Plan Revision D dated 14/08/2025 which conflicts with the location of the western driveway, unless agreed in writing by Council.	At all times.
	Materials	
1.14	Submit a Schedule of colours, materials and finishes to Council, for approval, that: (c) is generally in accordance with the approved plans; and (d) protects and enhances the visual amenity of the site and surroundings.	Prior to obtaining any development permit for building work.
1.15	Construct the development in accordance with the Schedule of colours, material and finishes approved by Council under Condition 1.14.	Prior to the commencement of the use and thereafter at all times.
	Outdoor Lighting	
1.16	Submit an Outdoor Lighting Plan to Council, for approval, for all outdoor lighting associated with the development. The Outdoor Lighting Plan must achieve the following outcomes: (e) protect the visual amenity and character of the area; (f) protect the amenity of neighbouring properties; (g) provide for the safety of occupants and visitors of the development; and (h) provide outdoor lighting in accordance with relevant Australian Standards, including AS1158 and AS4282.	Prior to the commencement of the use.
1.17	The outdoor lighting of the development must mitigate adverse lighting and illumination impacts by: <ul style="list-style-type: none"> • providing lighting that is designed, installed and regulated in accordance with relevant Australian Standards, including AS1158 and AS4282; • not causing nuisance by way of light spill or glare at roadways or any premises outside the boundary of the property to which this approval relates; • providing graduated intensity lighting with lower-level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land; • directing lighting onto the subject land and away from neighbouring properties; • using shrouding devices to preclude light overspill onto 	At all times.

	<p>surrounding properties where necessary; and</p> <ul style="list-style-type: none"> not operating lighting that uses sodium lights or flare plumes. 	
1.18	Implement outdoor lighting on the site in accordance with the Outdoor Lighting Plan approved by Council under Condition 1.16.	Prior to the commencement of the use and thereafter at all times.
1.19	Provide certification from a suitably qualified Lighting Engineer, or other person experienced in outdoor lighting design and construction, that the outdoor lighting is in accordance with the Outdoor Lighting Plan approved by Council under Condition 1.16 and the outdoor lighting conditions of this approval.	Prior to the commencement of the use.
	Bushfire Management	
1.20	<p>An asset protection zone (APZ) is established and maintained along the southern and western perimeter of the development, as shown in Figure 6.1 of the approved Bushfire Management Plan.</p> <p>The APZ is established and maintained in accordance with the recommendations in section 6.1 of the approved Bushfire Management Plan.</p>	Prior to the commencement of the use and thereafter at all times.
1.21	Grass cover in the northern part of the site, as identified in Figure 6.1 of the approved Bushfire Management Plan, is maintained with low cut grass at a height of less than 300mm.	At all times.
1.22	Fire fighting water supply is provided in accordance with the requirements of section 6.4 of the approved Bushfire Management Plan.	Prior to the commencement of the use and thereafter at all times.
1.23	Access and egress is provided in accordance with the requirements of section 6.5 of the approved Bushfire Management Plan.	Prior to the commencement of the use and thereafter at all times.
1.24	Provide certification, from an appropriately qualified landscape architect, or other suitably qualified professional, that the landscaping of the proposal complies with Part 5 of Bushfire resilient Building Guidance for Queensland Homes (QRA 2020).	Prior to the commencement of the use.

1.25	Provide certification, from an appropriately qualified bushfire risk professional, that the development has been constructed in accordance with all recommendations of the approved Bushfire Management Plan.	Prior to the commencement of the use.
SCHEDULE 2—ENGINEERING		
Assessment Manager		
	General	
2.1	Obtain Operational Works approval from Council for all operational works associated with the approved development, including earthworks, erosion and sediment control, roadworks, car parking and access, landscaping, civil works, clearing and stormwater drainage.	Prior to the commencement of Operational Work.
2.2	All works are to be designed and constructed in accordance with the Somerset Region Planning Scheme, Planning Scheme Policy 4 – Design Standards and Council's Standard Drawings.	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	The design and construction of civil components of the Operational Work are to be certified by a Registered Professional Engineer Queensland (RPEQ), including: <ul style="list-style-type: none"> plans and specifications must be prepared and certified with the Operational Work application; and certification that the works have been undertaken in accordance with the approved plans, specifications and to Council's requirements. 	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. All operational work must be carried out in accordance with the approved plans and documents and in accordance with relevant further approval(s).	Prior to the commencement of the use.
	Services	
2.6	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 the commencement of the use.
2.7	Provide written evidence (e.g. connection certificate) from Urban Utilities that the connection to the reticulated drinking water and wastewater networks are available and that all requirements of Urban Utilities have been satisfied.	Prior to the commencement of the use.
2.8	Connect the development to the reticulated water supply, sewer infrastructure, underground electricity supply, and telecommunications utilities in accordance with acceptable standards of the relevant	Prior to the commencement of the use.

	regulatory authority. Where the proposed development fronts an existing overhead electricity or telecommunication service, development may connect directly to such service, to the approval and requirements of the service provider.	
2.9	Provide written evidence (e.g. certificate of supply or agreement) from the relevant service provider that the approved development has been connected to the reticulated electricity and telecommunications networks, to the standards of the relevant service provider.	Prior to the commencement of the use.
	Earthworks	
2.10	All earthworks are to be constructed in accordance with AS3798. Fill material is to be placed, compacted, and tested by a suitably qualified inspection and testing organisation. A copy of the test results is to be submitted to Council.	Prior to the commencement of the use.
2.11	Contaminated material must not be used as fill on the site. Any filling must be undertaken using inert materials only.	At all times.
2.12	Any fill, cut and other stored material must be contained within property comprising the development application. Fill cannot be placed on an adjacent property without providing Council with written permission from the respective property owner.	At all times.
2.13	Dust emissions or other air pollutants must not extend beyond the boundary of the site and cause a nuisance to surrounding properties.	At all times.
	Roadworks	
2.14	All works on or adjacent to roadways must be adequately signed in accordance with the “ <i>Austroads Guide to Temporary Traffic Management</i> ”. Any road or lane closure must be applied for in writing to Council, and all conditions of that approval complied with during construction of the works.	Prior to commencement of, and during construction of, works.
	Vehicle Access	
2.15	The development shall be constructed to ensure safe and convenient vehicle access and egress from the site in accordance with the approved plans and documents and Planning Scheme Policy 4 – Design Standards.	Prior to the commencement of the use and thereafter at all times.
2.16	All vehicles shall enter and leave the site in a forward gear.	At all times.
	Parking	
2.17	Provide on-site car parking for 31 vehicles, including the applicable disability spaces, in accordance with the approved plans and documents	Prior to the commencement

	and Planning Scheme Policy 4 – Design Standards. All car parking and circulation areas are to be provided with a sealed surface, line marking and be designed in accordance with AS2890 and Planning Scheme Policy 4 – Design Standards.	of the use and thereafter at all times.
2.18	All manoeuvring areas shall enable access to a 25 metre semi articulated vehicle in accordance with <i>Austroads</i> design manual and Australian Standard AS:2890.	Prior to the commencement of the use and thereafter at all times.
2.19	All internal pedestrian pathways shall be appropriately marked and signposted where they cross internal driveways.	Prior to the commencement of the use and thereafter at all times.
2.20	Bicycle parking is provided in accordance with the Australian Standards AS2890.3 and <i>Austroads</i> Guide to Traffic Management Part 11: Parking.	Prior to the commencement of the use and thereafter at all times.
	Stormwater	
2.21	Stormwater Drainage shall be constructed generally in accordance with the approved Stormwater Management Plan, dated 25 June 2025.	As part of Operational Works application.
2.22	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.
2.23	Ensure Stormwater drainage is delivered to a lawful point of discharge.	At all times.
2.24	Stormwater drainage and flows are to have no increase in peak discharge immediately downstream of the approved development for a selected range of storm durations, and a selected range of AEP's up to the defined flood event.	At all times.
2.25	Stormwater drainage and flows are to have no actionable nuisance effect on adjoining, upstream, or downstream landholders.	At all times.
2.26	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.
2.27	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.

	Erosion and Sediment Control	
2.28	Prepare an Erosion and Sediment Control Plan designed by a Registered Professional Engineer Queensland (RPEQ).	As part of Operational Works application.
2.29	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.	At all times until completion of the development.
2.30	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"> • be required to install additional measures; and • be responsible for the restoration work. Should the developer fail to complete the works determined by Council within the specified time, the Council will complete the work and recover all costs from the developer associated with the work.	At all times.
2.31	Implement measures 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.
	Vegetation Removal	
2.32	Where vegetation is removed, the vegetation waste shall be disposed of by: <ul style="list-style-type: none"> v) Milling. vi) Chipping and/or mulching. vii) Disposal at an approved waste disposal facility. viii) Burning provided fire permits are in place. Waste other than vegetation waste, generated as a result of the operations shall be disposed of to an approved disposal facility.	At all times.
2.33	All declared weeds and pests are to be removed from the subject land and kept clear of such nuisance varieties during the course of operations.	At all times.
2.34	Apart from declared weeds and pests, areas with trees, shrubs and landscaping currently existing on the subject land must be retained where possible and action taken to minimise disturbance during construction work.	At all times.
	Waste	
2.35	All wastes are to be managed in accordance with the relevant legislation	At all times.

	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.	
SCHEDULE 3—ENVIRONMENTAL HEALTH		
Assessment Manager		
	General	
3.1	Notwithstanding any other condition of this development approval, this development approval does not authorise any release of contaminants that causes, or is likely to cause, an environmental nuisance or harm beyond the boundaries of the development site.	At all times.
3.2	No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm.	At all times.
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 storage of any flammable and combustible materials and liquids complies with AS 1940:2004:- <i>The Storage and Handling of Flammable and Combustible Liquids</i> .	At all times.
	Noise	
3.5	Unless otherwise required by the conditions of this approval, the approved development must be constructed and operated in accordance with the approved acoustic report titled <i>Updated Noise Impact Assessment – Energex Depot – 5305 Brisbane Valley Highway, Esk</i> , dated 15 August 2025 and prepared by MWA Environmental.	At all times.
3.6	Racking shelves above 2.5 metres high must be lined with rubber inserts on the racks to reduce impact noise.	At all times.
3.7	Bin collection must be limited to daytime hours of 7am to 6pm.	At all times.
3.8	All site vehicles must be fitted with and use broadband reverse beepers or equivalent low noise generating technology applicable in the night-time period of 10pm to 7am. Note: This condition does not apply to the construction period.	At all times.
3.9	Power tools (e.g. chainsaws, angle grinders) must not be used outdoors. Note: This condition does not apply to the construction period.	At all times.
3.10	Wash bay activities must be limited to the day and evening periods of 7am to 10pm.	At all times.
3.11	Pole training must be limited to the daytime period of 7am to 6pm.	At all times.

3.12	<p>Acoustic barriers must be provided in accordance with Figure 5 of the approved acoustic report prepared by MWA Environmental.</p> <p>The acoustic barrier height is to be measured either above the top of the retaining wall or the height above the adjacent pavement level, whichever is the higher point.</p> <p>Acoustic barriers must be gap free and constructed of materials achieving a minimum surface area density of 12.5kg/m².</p>	Prior to the commencement of the use thereafter at all times.														
3.13	<p>Time-varying noise from the approved development must be limited such that the A-weighted noise level, $L_{Aeq,adj,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"> (e) the background noise level + 5dBA for daytime hours (7am to 6pm); (f) the background noise level + 5dBA for evening hours (6pm to 10pm); (g) the background noise level + 5dBA for night time hours (10pm to 7am); or (h) the noise limits specified in Table A, whichever is greater. <p>Table A: Noise Limits $L_{Aeq,T}$ dBA</p> <table> <tr> <th rowspan="2">Period</th><th colspan="2">Noise Limit $L_{Aeq,T}$ dBA</th></tr> <tr> <th>'North Grouped' Receptors⁵</th><th>'South Grouped' Receptors⁶</th></tr> <tr> <td>Day (7am - 6pm)</td><td>44</td><td>39</td></tr> <tr> <td>Evening (6pm – 10pm)</td><td>42</td><td>39</td></tr> <tr> <td>Night (10pm - 7am)</td><td>32</td><td>31</td></tr> </table>	Period	Noise Limit $L_{Aeq,T}$ dBA		'North Grouped' Receptors ⁵	'South Grouped' Receptors ⁶	Day (7am - 6pm)	44	39	Evening (6pm – 10pm)	42	39	Night (10pm - 7am)	32	31	At all times.
Period	Noise Limit $L_{Aeq,T}$ dBA															
	'North Grouped' Receptors ⁵	'South Grouped' Receptors ⁶														
Day (7am - 6pm)	44	39														
Evening (6pm – 10pm)	42	39														
Night (10pm - 7am)	32	31														
3.14	<p>Component (continuous steady-state) noise from the approved development must be limited such that the A-weighted noise level, $L_{A90,T}$, when measured at any affected noise sensitive place must not exceed:</p> <ul style="list-style-type: none"> (e) the background noise level + 0dBA for daytime hours (7am to 6pm); (f) the background noise level + 0dBA for evening hours (6pm to 10pm); (g) the background noise level + 0dBA for night time hours (10pm to 7am); or (h) the noise limits specified in Table B, whichever is the greater. <p>Table B: Noise Limits $L_{A90,T}$ dBA</p> <table> <tr> <th rowspan="2">Period</th><th colspan="2">Noise Limit $L_{A90,T}$ dBA</th></tr> <tr> <th>'North Grouped' Receptors⁷</th><th>'South Grouped' Receptors⁸</th></tr> <tr> <td>Day (7am - 6pm)</td><td>39</td><td>34</td></tr> <tr> <td>Evening (6pm – 10pm)</td><td>37</td><td>34</td></tr> <tr> <td>Night (10pm - 7am)</td><td>27</td><td>26</td></tr> </table>	Period	Noise Limit $L_{A90,T}$ dBA		'North Grouped' Receptors ⁷	'South Grouped' Receptors ⁸	Day (7am - 6pm)	39	34	Evening (6pm – 10pm)	37	34	Night (10pm - 7am)	27	26	At all times.
Period	Noise Limit $L_{A90,T}$ dBA															
	'North Grouped' Receptors ⁷	'South Grouped' Receptors ⁸														
Day (7am - 6pm)	39	34														
Evening (6pm – 10pm)	37	34														
Night (10pm - 7am)	27	26														

⁵ As identified in the approved Updated Noise Impact Assessment

⁶ As identified in the approved Updated Noise Impact Assessment

⁷ As identified in the approved Updated Noise Impact Assessment

⁸ As identified in the approved Updated Noise Impact Assessment

3.15	Noise from the approved development must not exceed the sleep disturbance criterion of L _{Amax} 52 dB(A) external to a bedroom window.	At all times.
3.16	Provide certification from a suitably qualified acoustic consultant that: (d) acoustic barriers have been installed in accordance with the specifications of Condition 3.12 above and the approved acoustic report prepared by MWA Environmental; and (e) rubber inserts on racks above 2.5m have been installed in accordance with the approved acoustic report prepared by MWA Environmental; and (f) the development achieves the noise limits contained in Conditions 3.13 and 3.14 of this approval and the approved acoustic report prepared by MWA Environmental.	Prior to the commencement of the use.
	Water	
3.17	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"> • Uncontaminated overland stormwater flow; • Uncontaminated stormwater to the stormwater system; • Contaminants lawfully released to sewer; or • A release in accordance with a condition of this development approval. 	At all times.
	Waste	
3.18	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.
3.19	All general waste produced as part of the operation of the development must be disposed of through either: (c) the number of standard waste services as determined by Council; or (d) a private agreement with a licensed waste disposal contractor through an exemption granted by Council.	At all times.
3.20	No waste is to be burned or buried on the subject site.	At all times.
SCHEDULE 4—REFERRAL AGENCIES		
As Indicated		
The following referral agency responses have been received and are attached to the Decision Notice.		
	State Assessment and Referral Agency referral agency response	
4.1	Comply with the requirements of the referral agency response 2507-47024 SRA dated 26 August 2025, or as amended.	As indicated in the referral agency response.
4.2	Provide certification to Council, from a suitably qualified person or from the relevant agency, demonstrating that the requirements of the referral agency response have been met.	Prior to the commencement of the use.

SCHEDULE 5—ADVICE	
Assessment Manager	
5.1	This approval takes effect in accordance with the provisions of section 71 of the <i>Planning Act 2016</i> , and development may commence in accordance with section 72.
5.2	<p>The Applicant has the Right of Appeal to the Planning & Environment Court regarding the conditions of this approval.</p> <p>Should the Applicant notify Council in writing that the conditions of approval are accepted without dispute and that the right of appeal to the Court will not be exercised, the Decision Notice may be taken to be the development permit.</p>
5.3	Separate development approval is required for Operational Works.
5.4	Separate development approval is required for any building work and plumbing/drainage works necessitated by the conditions contained in this approval.
5.5	All works shall be carried out in accordance with the <i>Workplace, Health & Safety Act (as amended)</i> and the <i>workplace Health and Safety Regulation (as amended)</i> .
5.6	All Operational Work is to comply with relevant codes for design and construction.
5.7	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> .
5.8	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> .
5.9	<p>Biosecurity Queensland shall be notified on 13 25 23 of proposed development(s) occurring in the Fire Ant Restricted Area before earthworks commence. It should be noted that works involving movements of soil associated with earthworks may be subject to movement controls and failure to obtain necessary approvals from Biosecurity Queensland is an offence.</p> <p>It is a legal obligation to report any sighting or suspicion of fire ants within 24 hours to Biosecurity Queensland on 13 25 23.</p> <p>The Fire Ant Restricted Area as well as general information can be viewed on the DAF website www.daf.qld.gov.au/fireants</p>
5.10	<p>Any works within or adjacent to waterways may require approval by the Department of Agriculture and Fisheries as per the Fisheries Act 1994.</p> <p>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</p>
5.11	The current Aboriginal Cultural Heritage Act 2003 should be adhered to.

	<p>The Aboriginal Cultural Heritage Act establishes a Duty of Care for Indigenous Cultural Heritage. This applies on all land and water, including freehold land. The cultural heritage duty of care lies with the person or entity conducting an activity.</p> <p>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 www.qld.gov.au/firstnations/environment-land-use-native-title/cultural-heritage/cultural-heritage-duty-of-care</p>
5.12	<p>An Infrastructure Charges Notice accompanies this Development Approval and Levied Charges are applicable. Details of the current value of the Levied Charge, how the Levied Charges were calculated, how the Levied Charge may be escalated, and when payment of the Levied Charge is required can be found on the Infrastructure Charges Notice or the accompanying information notice.</p> <p>From 1 July 2014, Infrastructure Charges related to the water supply and wastewater network are given by and paid to the Central SEQ Distributor-Retailer Authority, trading as Urban Utilities, and are separate from this Development Approval and the accompanying Infrastructure Charges Notice.</p> <p>Additional advice about the Infrastructure Charges Notice may be sought from Council's planning section, on (07) 5424 4000 or mail@somerset.qld.gov.au.</p> <p style="text-align: right;"><i>Carried</i></p> <p><i>Vote - Unanimous</i></p>

Subject: Green Urban Infrastructure Initiative (GUII) Funding Approval File Ref: Grants and Subsidies – Programs - GUII Action Officer: PPM
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Background/Summary

Council has received a letter of approval for its application to the South East Queensland (SEQ) City Deal – Green Urban Infrastructure Initiative (GUII) for Stage 1 of the Lowood Futures Strategy - Green Botanic Core Stage 1. The funding approval awarded to Council is for \$1,548,835.00.

The total cost of the Green Botanic Core Stage 1 is an estimated \$4.16 million. This estimate was provided at a detailed concept stage and is considered to be a P50 estimate. Council's required financial co-contribution is a matching \$1,548,835.00 (i.e. 50/50), with the balance of the total cost provided via Council's existing funding commitment under the National Emergency Management Australia – Disaster Ready Fund (DRF) for Heatwave mitigation/mature tree planting. Importantly, Council will not require any adjustment to the 25/26FY

budget due to Council's commitment to the DRF this financial year (\$200,000 SRC/\$200,000 DRF2).

The final scope of Stage 1 will be confirmed following the conclusion of public consultation and preparation of construction drawings and cost estimates. This will also allow Council to not exceed approved budget or vary / expand where deemed appropriate.

Prior to this announcement Council has not resolved to match the GUII funding. Council's co-contribution will be required in the 26/27FY with project construction and planting to be completed by 30 June 2027. It is recommended that Council prioritise to funding the 50% proportion of the project funding next financial year, subject to final cost estimates being prepared by AECOM based on construction drawings, and subject to any amendment to project scope to ensure that the GUII funding and Council commitment required to complete Stage 1 does not exceed the approved budget.

The Somerset Regional Council funding approved by the SEQ City Deals – Green Urban Infrastructure Initiative represents 15% of the overall funding available of \$10 million in SEQ.

Council is actively pursuing additional opportunities for funding to deliver the balance of the Lowood Futures Strategy - Green Botanic Core, such as, the pending round 2 of the Federal Government Thriving Suburbs program and Urban Precincts Partnership Program.

Attachments

Green Urban Infrastructure Initiative – Notification of funding

Recommendation

THAT Council:

1. note the approved funding for Council's application to the South East Queensland (SEQ) City Deal – Green Urban Infrastructure Initiative; and
2. authorise the Chief Executive Officer to execute necessary Funding Agreements and Project Funding Schedules; and
3. prioritise Council's financial co-contribution as part of the 26/27 Budget considerations; and
4. advocate to the Federal Government for funding opportunities for the balance of the Lowood Futures Strategy - Green Botanic Core.

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT Council:

1. note the approved funding for Council's application to the South East Queensland (SEQ) City Deal – Green Urban Infrastructure Initiative; and
2. authorise the Chief Executive Officer to execute necessary Funding Agreements and Project Funding Schedules; and
3. prioritise Council's financial co-contribution as part of the 26/27 Budget considerations; and
4. advocate to the Federal Government for funding opportunities for the balance of the Lowood Futures Strategy - Green Botanic Core.”

Carried

Vote - Unanimous

Subject:	Application for Temporary Entertainment Event – New Sun Rising
File:	Environmental Management/Reports/Environmental Health Reports
Action Officer:	EHO-BW

Background/Summary

Council has received a temporary entertainment event application from Wizards of Kingston Pty Ltd to conduct a music event at Lot 2 Sunday Creek Road, Jimna (Ref: 1788595). The proposed event is called New Sun Rising and is described as a multi-day camping and music event.

The event is proposed to be operated from Tuesday 30 December 2025 to Friday 2 January 2026. Gates will open from 12 noon on 30 December 2025 and patrons will depart the venue from 2 January 2026.

The maximum expected ticketed attendance for the event is 500 persons.

As part of the application material, the applicant has provided a range of supporting documents, including an Event Management Plan. The supporting documents have been attached to this report.

The proposed event will include two stages with the following operating hours:

- Tuesday 30 December 2025:
 - Primary Stage – 3pm to 12 midnight
 - Secondary Stage – 4pm to 12 midnight
- Wednesday 31 December 2025:
 - Primary Stage – 11am to 12 midnight
 - Secondary Stage – 2pm to 12 midnight
- Thursday 1 January 2026:
 - Primary Stage – 11am to 10pm
 - Secondary Stage – 2pm to 10pm

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

Assessment of Application

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

Criteria – LL, section 9(1)(a)	If the prescribed activity requires a separate approval under an Act, a law of the Commonwealth or the local government's planning scheme - the separate approval has been granted; and
Officer Comment	<p>The applicant has advised that no alcohol will be sold at the event. The event will allow BYO alcohol for adults 18+ years of age. A liquor permit will not be required from the Office of Liquor and Gaming Regulation.</p> <p>Council's planning department have advised that there are no planning requirements for this site provided that the use does not occur for more than 7 days in the calendar year.</p>

Criteria – LL, section 9(1)(b)	The proposed operation and management of the prescribed activity is adequate to protect public health, safety and amenity and prevent environmental harm; and
Officer Comment	<p>Medical Council requested comment from the Queensland Ambulance Service (QAS) about the proposed event. QAS have requested that if the event is approved, the event organiser submits an event notification to all emergency services which includes:</p> <ul style="list-style-type: none"> • Detailed site mapping; • Signage of emergency access point to the event site; • Key contact listing; and • Medical plan from private medical provider. <p>These requirements will form part of the conditions of approval if the event is approved.</p> <p>Security The applicant has advised that 3 security officers provided through Pro Max Security will be engaged for the event.</p> <p>Council requested comment from the Queensland Police Service (QPS) in relation to the event. QPS did not have any issues with the proposed event.</p> <p>Post Event Report A condition of approval will require the approval holder to submit to Council, within 14 days of the event, a Post Event Report detailing:</p> <ul style="list-style-type: none"> • Total number of paying attendees, artists and staff; • Any incidents during the event relating to public health and safety and the outcomes of those incidents; • Any incidents during or associated with the event where the Queensland Police Service, Queensland Ambulance Service or Queensland Fire and Emergency Services assistance was required, and the outcomes of those incidents.
Criteria – LL, section 9(1)(c)	If the prescribed activity is the commercial use of a local government controlled area or road - the grant of the approval is consistent with the objective of the local government of restriction of the commercial use of local government controlled areas and roads, where such activities are permitted, in recognition of the fact that the activities may otherwise enjoy an unfair commercial advantage over competitive activities conducted from fixed premises in the local government area for which rates and other charges are paid, and to which planning and other regulatory legislation applies;
Officer Comment	Not applicable.
Criteria – LL, section 9(1)(d)	The proposed operation and management of the prescribed activity would be consistent with any additional criteria prescribed for the activity under a subordinate local law for this paragraph; and
Officer Comment	<i>Subordinate Local Law 1.12 (Operation of Temporary Entertainment Events) 2011</i> prescribes criteria for the proposed activity. An assessment against that criterion is provided below.
Criteria – LL, section 9(1)(e)	The grant of the approval would be consistent with the purpose of any relevant local law; and
Officer	The approval would be generally consistent with Council's Local Laws.

Comment	
Criteria – LL, section 9(1)(f)	If the application relates to trust land - the grant of the approval would be consistent with the terms and conditions of the trust; and
Officer Comment	The subject land is not trust land.
Criteria – LL, section 9(1)(g)	If the application relates to a prescribed activity mentioned in section 5(b) - the grant of the approval would be consistent with any requirements or criteria specified in the relevant <i>Local Government Act</i> in relation to the approval.
Officer Comment	Not applicable.
Criteria – SLL, Section 4(1)	The design and construction of the place of the temporary entertainment event must be safe and appropriate to the nature of the entertainment proposed and the number of people expected to attend the place.
Officer Comment	<p>The expected maximum attendance rate for the event is 500 people. It is likely that enough space is available to accommodate the expected attendance.</p> <p>Conditions of approval will require the operator to ensure appropriate electrical safety standards are complied with, and that any scaffolding or temporary shade structures are installed by appropriately qualified persons.</p>
Criteria – SLL, section 4(2)	Entertainment provided at the place must not unreasonably detract from the amenity of the area in which the entertainment is, or is proposed to be, situated.
Officer Comment	Due to the location of the proposed event, it is not anticipated that the amenity of the surrounding area will be adversely impacted. Further assessment regarding potential dust, light and noise nuisance impacts has been provided below.
Criteria – SLL, section 4(3)	Entertainment provided at the place must not generate significant noise, dust or light pollution or other significantly adverse effects on the surrounding neighbourhood.
Officer Comment	<p>The proposed event will involve amplified music as part of the entertainment that is provided. Dust and light emissions are expected to be minimal.</p> <p>The applicant has submitted a generic noise management plan prepared by Palmer Acoustics (Project Number 6259) which outlines noise limits for each stage. This plan has been used for other events held at this site. The applicant has also submitted their own Noise Management Plan for the event which references the generic noise management plan. Both documents acknowledge that music from the event must be inaudible to the nearest neighbouring properties during the nighttime period from 12midnight to 7am. Regular noise monitoring will be undertaken by the event operator to ensure noise limits for each stage are kept to the required levels.</p> <p>The applicant has also advised that stage operating times will be clearly communicated to patrons before the event begins, particularly in relation to the 12midnight stage cutoff on New Year's night.</p> <p>Given the small scale of the event and the nightly closure of the stages at</p>

	12 midnight, it is not anticipated that the amenity of the surrounding area will be adversely impacted.
Criteria – SLL, section 4(4)	There must be enough toilets and sanitary conveniences provided for the event.
Officer Comment	The applicant has provided an Event Management Plan for the event which includes a section for amenities. Final amenities numbers will be adjusted based on attendance and in line with Council's guidelines.
Criteria – SLL, section 4(5)	Adequate provision must exist for the disposal of waste generated by the use of the place for the temporary entertainment event.
Officer Comment	The proposed event will provide marked waste and recycling stations with waste collection throughout the event. General removal of waste will be the responsibility of the event organiser who will engage a skip bin service. A condition of approval will require the approval holder to provide an appropriate number of waste bins for the event.
Criteria – SLL, Section 4(6)	Adequate provision must exist for people and (if relevant) vehicles to enter and leave the place of the temporary entertainment event.
Officer Comment	The event will be operated entirely off the Council controlled road. Sunday Creek Road is sealed up to the property entrance to the site. Negative affects to Council's assets are not anticipated. Road signage associated with the event will be conditioned if an approval is granted. Council's Operations Department have reviewed the application and have provided appropriate conditions of approval.

Attachments

1. Event Management Plan
2. Noise Management Plan
3. Risk Management Plan
4. Emergency Management Plan

Recommendation

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

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approved temporary entertainment event must be carried out generally in accordance with the application material provided to Council, except where varied by the conditions of this approval.
1.2	The approval holder must: <ul style="list-style-type: none"> • Display the approval in the manner, and at the locations, specified by the local government; and • Produce the approval for inspection by an authorised person on demand.
1.3	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.4	The temporary entertainment event is limited to the operation of a music event with a maximum attendance of 500 people on Lot 2 SP228062, Sunday Creek Road Jimna, from Tuesday 30 December 2025 to Friday 2 January 2026.

1.5	The approval holder must provide and maintain the following number of toilets, sanitary conveniences and showers for the event: Males: 3 toilets; 8 urinals; 2 hand basins; 1 shower per 100 persons Females: 13 toilets; 2 hand basins; 1 shower per 100 persons Unisex: at least 1 unisex toilet for patrons with a disability at each group of toilet facilities
1.6	The approval holder must provide an appropriate number of waste bins that are to be serviced by an appropriately licensed waste contractor. The number of waste bins provided must be sufficient to accept all waste generated by the event, including waste from attendees, event staff, and food vendors.
1.7	The approval holder must maintain insurance that is applicable to the activity including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20 million dollars. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. The insurance certificate of currency must be submitted to Council by Friday 23 May 2025.
1.8	<p>The approval holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval.</p> <p>“Losses” include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.</p>
1.9	The temporary entertainment event must not cause an environmental nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.10	Noise associated with the event must not exceed the following levels at a sensitive receptor: (a) before 7am, if the use causes audible noise; or (b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or (c) from 10pm to midnight, if the use causes noise of more than the lesser of the following— (i) 50dB(A); (ii) 10dB(A) above the background level.
1.11	The operation of the temporary entertainment event must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.
1.12	The approval holder must provide appropriate lighting to all areas of the temporary entertainment event to ensure the safety of the public.
1.13	All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times: <ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.14	The approval holder must ensure that a food licence issued under the <i>Food Act 2006</i> is obtained (to the extent that it is required) by any entities selling food at the event.

1.15	The approval holder must ensure that the temporary entertainment event is run generally in accordance with the approved Event Management Plan, except where varied by conditions of this approval.
1.16	The approval holder is to provide a contact number for any complaints received during the event and adhere to the complaints management process identified in the Noise Management Plan prepared by Palmer Acoustics (Project Number 6259).
1.17	The approval holder must ensure that all electrical installations or distributions to be utilised for the event is installed and signed off by a licenced electrician.
1.18	The approval holder must ensure that the construction of any structures onsite, including temporary stages and shade sails, are installed by appropriately qualified persons holding riggers licences with Workplace Health and Safety Queensland.
1.19	The approval holder must have a minimum of 3 licensed security staff to be available on site at all times for the duration of the event.
1.20	The approval holder must provide an event notification for all emergency services to include the following: <ul style="list-style-type: none"> • Detailed site mapping; • Signage of emergency access point to the event site; • Key contact listing; and • Medical plan from private medical provider.
1.21	The approval holder must submit to Council, within 14 days of the event, a Post Event Report detailing: <ul style="list-style-type: none"> • Total number of paying attendees, artists and staff; • Any incidents during the event relating to public health and safety and the outcomes of those incidents; • Any incidents during or associated with the event where the Queensland Police Service, Queensland Ambulance Service or Queensland Fire Emergency Services assistance was required and the outcomes of those incidents. • The complaints received as per the complaints management process.
2.0	OPERATIONS
2.1	Adequate vehicle access and parking space must be provided on site and should be to an all-weather standard (in accordance with Council Planning Scheme definition).
2.2	Any directional signage from Kilcoy-Murgon Road must be an approved event sign, in accordance with Council local laws. The directional signage must not be erected sooner than the morning of the event and must be taken down the night after the event is finished.
2.3	Any signs placed on State-controlled roads will require relevant State Government approval/s.

Resolution

Moved – Cr Jess

Seconded – Cr Freese

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

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approved temporary entertainment event must be carried out generally in accordance with the application material provided to Council, except where varied by the conditions of this approval.
1.2	The approval holder must:

	<ul style="list-style-type: none"> • Display the approval in the manner, and at the locations, specified by the local government; and • Produce the approval for inspection by an authorised person on demand.
1.3	The operation of the temporary entertainment event must not unreasonably detract from the amenity of the area in which the place is located.
1.4	The temporary entertainment event is limited to the operation of a music event with a maximum attendance of 500 people on Lot 2 SP228062, Sunday Creek Road Jimna, from Tuesday 30 December 2025 to Friday 2 January 2026.
1.5	<p>The approval holder must provide and maintain the following number of toilets, sanitary conveniences and showers for the event:</p> <p>Males: 3 toilets; 8 urinals; 2 hand basins; 1 shower per 100 persons</p> <p>Females: 13 toilets; 2 hand basins; 1 shower per 100 persons</p> <p>Unisex: at least 1 unisex toilet for patrons with a disability at each group of toilet facilities</p>
1.6	The approval holder must provide an appropriate number of waste bins that are to be serviced by an appropriately licensed waste contractor. The number of waste bins provided must be sufficient to accept all waste generated by the event, including waste from attendees, event staff, and food vendors.
1.7	The approval holder must maintain insurance that is applicable to the activity including without limitation, a public liability insurance policy which provides indemnity for each individual occurrence in an amount not less than \$20 million dollars. The insurance certificate must cover the permit holder and the Somerset Regional Council against any claims whatsoever arising from the operation of the event. The insurance certificate of currency must be submitted to Council by Friday 23 May 2025.
1.8	<p>The approval holder must indemnify and keep indemnified, the Somerset Regional Council, their officers, employees and agents (the indemnified) against any or all losses suffered or incurred (except to the extent that any losses are caused through the negligent act or omission of the indemnified) in connection with the erection, existence or operation of the works or activities, the subject of this approval.</p> <p>“Losses” include liabilities, losses, damages, expenses and costs (including legal costs on a full indemnity basis and whether incurred or awarded) of any kind or nature, whether arising in contract or tort (including, but not limited to, negligence) or under a statute; and also include loss or profits, loss of revenue, loss of anticipated saving, loss of opportunity, pure economic loss and loss of data any other consequential special or indirect loss or damage.</p>
1.9	The temporary entertainment event must not cause an environmental nuisance as defined by the <i>Environmental Protection Act 1994</i> .
1.10	<p>Noise associated with the event must not exceed the following levels at a sensitive receptor:</p> <p>(a) before 7am, if the use causes audible noise; or</p> <p>(b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or</p> <p>(c) from 10pm to midnight, if the use causes noise of more than the lesser of the following—</p> <p>(i) 50dB(A);</p> <p>(ii) 10dB(A) above the background level.</p>
1.11	The operation of the temporary entertainment event must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.
1.12	The approval holder must provide appropriate lighting to all areas of the temporary entertainment event to ensure the safety of the public.
1.13	All buildings, structures, vehicles, facilities or equipment used in the operation of the temporary entertainment event must be maintained at all times:

	<ul style="list-style-type: none"> • In good working order. • In good state of repair. • In a clean and sanitary condition.
1.14	The approval holder must ensure that a food licence issued under the <i>Food Act 2006</i> is obtained (to the extent that it is required) by any entities selling food at the event.
1.15	The approval holder must ensure that the temporary entertainment event is run generally in accordance with the approved Event Management Plan, except where varied by conditions of this approval.
1.16	The approval holder is to provide a contact number for any complaints received during the event and adhere to the complaints management process identified in the Noise Management Plan prepared by Palmer Acoustics (Project Number 6259).
1.17	The approval holder must ensure that all electrical installations or distributions to be utilised for the event is installed and signed off by a licenced electrician.
1.18	The approval holder must ensure that the construction of any structures onsite, including temporary stages and shade sails, are installed by appropriately qualified persons holding riggers licences with Workplace Health and Safety Queensland.
1.19	The approval holder must have a minimum of 3 licensed security staff to be available on site at all times for the duration of the event.
1.20	<p>The approval holder must provide an event notification for all emergency services to include the following:</p> <ul style="list-style-type: none"> • Detailed site mapping; • Signage of emergency access point to the event site; • Key contact listing; and • Medical plan from private medical provider.
1.21	<p>The approval holder must submit to Council, within 14 days of the event, a Post Event Report detailing:</p> <ul style="list-style-type: none"> • Total number of paying attendees, artists and staff; • Any incidents during the event relating to public health and safety and the outcomes of those incidents; • Any incidents during or associated with the event where the Queensland Police Service, Queensland Ambulance Service or Queensland Fire Emergency Services assistance was required and the outcomes of those incidents. • The complaints received as per the complaints management process.
2.0	OPERATIONS
2.1	Adequate vehicle access and parking space must be provided on site and should be to an all-weather standard (in accordance with Council Planning Scheme definition).
2.2	Any directional signage from Kilcoy-Murgon Road must be an approved event sign, in accordance with Council local laws. The directional signage must not be erected sooner than the morning of the event and must be taken down the night after the event is finished.
2.3	Any signs placed on State-controlled roads will require relevant State Government approval/s.
	<p style="text-align: right;"><u>Carried</u></p> <p><i>Vote – Unanimous</i></p>

Declarable Conflict of Interest - Cr Brieschke– Agenda Item 16 - Prescribed Activity – Toogoolawah Christmas Tree 2025

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 16 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 9.49am.

Subject:	Prescribed Activity – Toogoolawah Christmas Tree 2025
File Ref:	Environmental Management – Reports - Environmental Health Reports
Action Officer:	EHO-BW

Background/Summary

Council has received an application (Ref: 1791045) from the Toogoolawah Christmas Tree Sub Committee of the Toogoolawah and District Progress Association Inc. to hold a public place activity, specifically a Christmas Street Carnival. The carnival is proposed to take place on Cressbrook Street, Toogoolawah between Gunyah Street and Dingyarra Street, on Saturday 13 December 2025. Setup would start at 11.30am, with the event commencing at 4.30pm and closing at 8.30pm. Pack-up and dismantling would take place from 8.30pm until 10.30pm.

The applicant has advised that 1000 persons are expected to attend the event. Entertainment will be provided in the form of amusement rides and musical performances. The event will also include the arrival of Santa via parachute in McConnel Park.

A fireworks display will be conducted by a licenced contractor. A fireworks exclusion zone will be installed behind the railway station and will include the council RV rest area, which will be closed prior to the event.

The Committee will hold a BBQ and will provide a food van. Two dessert vans and approximately 25 market stalls are also expected to attend. No alcohol will be served at the event.

It is noted that Council has approved similar Christmas Street Carnivals in this location in past years.

Council regulates this activity through *Local Law No.1 (Administration) 2011*, and *Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011*.

Assessment of Application

Under section 9 of *Local Law No. 1 (Administration) 2011*, Council may grant an approval for an application for undertaking regulated activities on local government-controlled areas and roads only if it is satisfied that:

Criteria – LL, section 9(1)(a)	If the prescribed activity requires a separate approval under an Act, a law of the Commonwealth or the local government's planning scheme - the separate approval has been granted; and
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Officer Comment	<p>The applicant has provided a temporary road closure permit obtained from Queensland Police.</p> <p>The applicant has provided the details of a fireworks contractor licenced under the <i>Explosives Act 1999</i> who will be responsible for the fireworks display.</p>
Criteria – LL, section 9(1)(b)	The proposed operation and management of the prescribed activity is adequate to protect public health, safety and amenity and prevent environmental harm; and
Officer Comment	<p>The applicant has submitted a traffic management plan developed by an appropriately qualified person.</p> <p>The applicant has provided copies of the following to Council:</p> <ul style="list-style-type: none"> • engineer's inspection reports for the amusement rides; and • a Certificate of Registrable Plant for the amusement rides; and • a Certificate of Currency for Public Liability Insurance for each ride operator; and • Hazard Identification and risk assessment for the amusement rides. <p>Issues relating to amenity and environmental nuisance will be addressed below.</p>
Criteria – LL, section 9(1)(c)	If the prescribed activity is the commercial use of a local government controlled area or road - the grant of the approval is consistent with the objective of the local government of restriction of the commercial use of local government controlled areas and roads, where such activities are permitted, in recognition of the fact that the activities may otherwise enjoy an unfair commercial advantage over competitive activities conducted from fixed premises in the local government area for which rates and other charges are paid, and to which planning and other regulatory legislation applies;
Officer Comment	The event is a community event run by a not-for-profit organisation.
Criteria – LL, section 9(1)(d)	The proposed operation and management of the prescribed activity would be consistent with any additional criteria prescribed for the activity under a subordinate local law for this paragraph; and
Officer Comment	<i>Subordinate Local Law 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011</i> prescribes criteria for the proposed activity. An assessment against that criterion is provided below.
Criteria – LL, section 9(1)(e)	The grant of the approval would be consistent with the purpose of any relevant local law; and
Officer Comment	The approval would be generally consistent with Council's Local Laws.
Criteria – LL, section 9(1)(f)	If the application relates to trust land - the grant of the approval would be consistent with the terms and conditions of the trust; and
Officer Comment	The event will be held on a local government-controlled road and the proposed use is generally consistent with the terms and conditions of the trust.
Criteria – LL, section 9(1)(g)	If the application relates to a prescribed activity mentioned in section 5(b) - the grant of the approval would be consistent with any requirements or criteria specified in the relevant <i>Local Government</i>

	Act in relation to the approval.
Officer Comment	Not applicable.
Criteria – SLL, section 4(1)	The prescribed activity for which the approval is sought must not unduly interfere with the proper use of the local government-controlled area or road.
Officer Comment	A temporary road closure permit has been obtained from Queensland Police permitting the closure of the road.
Criteria – SLL, section 4(2)	There must be a public demand for the prescribed activity in respect of which the approval is sought.
Officer Comment	It is considered that there is a public demand for the event.
Criteria – SLL, section 4(3)	The physical characteristics of the local government-controlled area or road must be suitable for the prescribed activity.
Officer Comment	The area intended for use is suitable for the purposes of a street festival. Adequate space is available to accommodate the various rides, amusements, and stalls, including the expected number of attendees at the event.
Criteria – SLL, section 4(4)	The prescribed activity must not cause nuisance, inconvenience, or annoyance to – (a) The occupier of any land which adjoins the location of the prescribed activity; or (b) Vehicular traffic; or (c) Pedestrian traffic.
Officer Comment	<p>Onstage entertainment will consist of a church band and a solo musical performance. The event will close at 8.30pm, after which time there may be some noise relating to pack up and dismantling of equipment.</p> <p>A condition of approval will require that no nuisance, as defined by the <i>Environmental Protection Act 1994</i>, is caused by the event.</p> <p>The applicant has advised that surrounding residents will be informed of the time and date of the fireworks display. The applicant has also advised that the Committee will ensure that access to the RV rest area is closed prior to the event. The Committee installs signs 2 weeks prior to the event advising of the fireworks and closure date, as well as advertising the event on Wiki Camps and social media. The applicant has advised that this process has worked well for previous events.</p> <p>Vehicular and pedestrian traffic are not expected to be inconvenienced by the event.</p>
Criteria – SLL, section 4(5)	The prescribed activity must not have a detrimental effect on the amenity of the surrounding area.
Officer Comment	<p>It is unlikely that the proposed event will unreasonably detract from the amenity of the surrounding area.</p> <p>Conditions of approval would require the applicant to not cause a nuisance as defined in the <i>Environmental Protection Act 1994</i>, and to ensure the area is left in a tidy condition after the event has concluded.</p>
Criteria – SLL, section	If the prescribed activity is the holding of a public place activity on a local government controlled area or road –

4(8)	<p>(a) The undertaking of the prescribed activity must not generate significant noise, dust, or light pollution or other significantly adverse effects on the surrounding area; and</p> <p>(b) There must be enough toilets and sanitary conveniences, complying with standards and requirements imposed by the local government, for the use of the public; and</p> <p>(c) Adequate provision must exist for the disposal of waste generated by the undertaking of the prescribed activity; and</p> <p>(d) Adequate provision must exist for people and (if relevant) vehicles to enter and leave the site of the prescribed activity.</p>
Officer Comment	<p>(a) Noise – noise is likely to be generated through the operation of rides, amusements and stage entertainment throughout the night. The event will cease at 8.30pm. Noise nuisance will be appropriately conditioned if the event is approved.</p> <p>Dust – No dust nuisance is expected for this event.</p> <p>Light – Light nuisance will be appropriately conditioned if the event is approved.</p> <p>(b) Required numbers for toilets and sanitary conveniences will be conditioned if the event is approved.</p> <p>(c) A requirement for adequate waste facilities will be conditioned if the event is approved. The applicant has asked for Council to supply 10 community bins for use during the event.</p> <p>(d) The submitted traffic management plan has been developed to provide safe access to the event site.</p>

Operations Department Assessment

Council's Operations Department has assessed the traffic management plan and have no objection. Council can also assist with the provision of 10 community bins and providing access to power supply at the public toilet area.

Attachments

1. Site plan
2. Traffic Management Plan Maps

Recommendation

THAT Council approve the application to hold a public place activity, subject to the conditions listed below:

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval is limited to Cressbrook Street, Toogoolawah, between Gunyah Street and Dingyarra Street, as identified on the approved site plan and application material.
1.2	The approval is limited to operation on Saturday 13 December 2025 between the hours of 4.30pm and 8.30pm. Set-up may start from 11.30am and pack-up and dismantling is to be completed by 10.30pm.
1.3	The approval holder must:

	<ul style="list-style-type: none">• Display the approval in the manner, and at the locations, specified by the local government; and• Produce the approval for inspection by an authorised person on demand.																		
1.4	The activity must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.																		
1.5	The activity must not unreasonably detract from the amenity of the area in which the event is located.																		
1.6	The activity must not create a safety risk.																		
1.7	All buildings, structures, vehicles, facilities, or equipment used in the operation of the event must be maintained at all times: <ul style="list-style-type: none">• In good working order; and• In good state of repair; and• In a clean and sanitary condition.																		
1.8	<div>The approval holder must provide and maintain the following number of toilets and sanitary conveniences:</div> <table><tr><td></td><td colspan="3">Males</td><td colspan="2">Females</td></tr><tr><td>Patrons</td><td>WC</td><td>Urinals</td><td>Hand Basins</td><td>WC</td><td>Hand Basins</td></tr><tr><td><1000</td><td>2</td><td>3</td><td>3</td><td>7</td><td>3</td></tr></table>		Males			Females		Patrons	WC	Urinals	Hand Basins	WC	Hand Basins	<1000	2	3	3	7	3
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1.10	The activity must not cause a nuisance as defined by the <i>Environmental Protection Act 1994</i> .																		
1.11	Noise associated with the event must not exceed the following levels at a sensitive receptor: (a) before 7am, if the use causes audible noise; or (b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or (c) from 10pm to midnight, if the use causes noise of more than the lesser of the following— (i) 50dB(A). (ii) 10dB(A) above the background level.																		
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1.14	The approval holder must ensure that all litter and debris is collected and appropriately disposed of following the closure of the event.																		
1.15	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.																		
1.16	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.																		

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1.17	The approval holder must obtain an engineer's inspection report for each ride. A copy of the report must be provided to Council prior to the event.
1.18	The approval holder must provide a Certificate of Registrable Plant for each ride, issued through Workplace Health and Safety Queensland. Each certificate must be provided to Council prior to the event.
1.19	The approval holder must receive a Certificate of Currency for Public Liability Insurance for each amusement operator, fireworks display operator, and skydiving operator. 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.
1.20	The approval holder is permitted to use McConnel Park, Toogoolawah as a parachute drop zone for the event.
2.0	OPERATIONS
2.1	A temporary road closure permit has been obtained from Queensland Police for the temporary road closure. A copy of the permit has been provided to Council.
2.2	The approval holder must comply with the traffic management plan for the event which has been submitted as part of the application material.
3.0	FIREWORKS DISPLAY
3.1	The Proposed fireworks display must only be conducted by a contractor licenced under the <i>Explosives Act 1999</i> .
3.2	The approval holder must ensure that no persons other than the designated fireworks personnel enter the fireworks exclusion zone. This will require the organiser to erect signage and temporary fencing in the RV area to prevent access.

Resolution

Moved – Cr Hurley

Seconded – Cr Freese

"THAT Council approve the application to hold a public place activity, subject to the conditions listed below:"

No.	CONDITION
1.0	ENVIRONMENTAL/ LOCAL LAW
1.1	The approval is limited to Cressbrook Street, Toogoolawah, between Gunyah Street and Dingyarra Street, as identified on the approved site plan and application material.
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1.4	The activity must not create a traffic nuisance or increase an existing traffic nuisance or detrimentally affect the efficiency of the road network in which the activity is undertaken.

1.5	The activity must not unreasonably detract from the amenity of the area in which the event is located.					
1.6	The activity must not create a safety risk.					
1.7	All buildings, structures, vehicles, facilities, or equipment used in the operation of the event must be maintained at all times: <ul style="list-style-type: none">• In good working order; and• In good state of repair; and• In a clean and sanitary condition.					
1.8	The approval holder must provide and maintain the following number of toilets and sanitary conveniences:					
		Males			Females	
	Patrons	WC	Urinals	Hand Basins	WC	Hand
	<1000	2	3	3	7	3
1.9	The approval holder must ensure sufficient lighting and illumination is provided throughout the event area.					
1.10	The activity must not cause a nuisance as defined by the <i>Environmental Protection Act 1994</i> .					
1.11	Noise associated with the event must not exceed the following levels at a sensitive receptor: (a) before 7am, if the use causes audible noise; or (b) from 7am to 10pm, if the use causes noise of more than 70dB(A); or (c) from 10pm to midnight, if the use causes noise of more than the lesser of the following— (i) 50dB(A). (ii) 10dB(A) above the background level.					
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1.13	The approval holder must keep and maintain in and about the event area, adequate waste disposal facilities; for example, bins, that are to be serviced by an appropriately licensed waste contactor.					
1.14	The approval holder must ensure that all litter and debris is collected and appropriately disposed of following the closure of the event.					
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1.17	The approval holder must obtain an engineer’s inspection report for each ride. A copy of the report must be provided to Council prior to the event.					

1.18	The approval holder must provide a Certificate of Registrable Plant for each ride, issued through Workplace Health and Safety Queensland. Each certificate must be provided to Council prior to the event.
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2.2	The approval holder must comply with the traffic management plan for the event which has been submitted as part of the application material.
3.0	FIREWORKS DISPLAY
3.1	The Proposed fireworks display must only be conducted by a contractor licenced under the <i>Explosives Act 1999</i> .
3.2	The approval holder must ensure that no persons other than the designated fireworks personnel enter the fireworks exclusion zone. This will require the organiser to erect signage and temporary fencing in the RV area to prevent access. <div style="text-align: right;"><u>Carried</u></div>
Vote - Unanimous	

Cr Brieschke returned to the meeting at 9.51am.

Subject:	Planning and Development Department Monthly Report – September 2025
File Ref:	Governance/Reporting/Officer Reports
Action Officer:	DPAD, ESM, SP, NRMO, BRO, DCC, PPM

Report

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

Planning

	September 2024	September 2025	FYTD
Building Works assessable against the Planning Scheme	6	17	42
Material Change of Use	4	2	9
Reconfiguring a Lot	1	7	12
Operational Works	1	4	13
Combined Applications	-	-	5
Referral Applications	2	3	14
Total	14	33	95
Decided			
Refused - Council	-	-	-
Refused - Delegated Authority	-	-	-
Approved - Council	1	4	7
Approved - Delegated Authority	19	31	96

Total	20	35	103
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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

On the 10 October 2025 the Appellant filed a Notice of Discontinuance in the Planning and Environment Court Registry withdrawing the Appeal.

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

	September 2024	September 2025	FYTD
Status			
Accepted Applications	93	97	203
Approved - Council	6	3	8
Approved - Private Certifier	67	75	181
Referral Applications	3	3	9

Plumbing

	September 2024	September 2025	FYTD
Status			
Approved	36	24	85
Info Request	0	4	13
Total	36	28	99
Plumbing Inspections	117	115	304

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
- Unlawful Use of Premises
- Breach of Conditions of Approval.

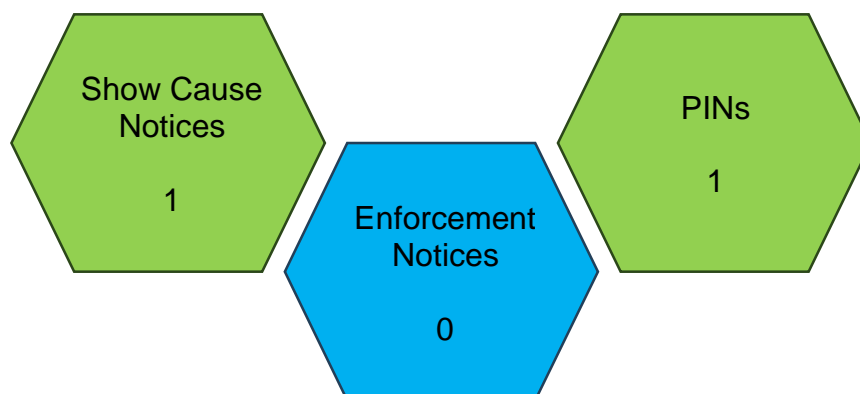
Activities located in Esk, Toogoolawah, Coal Creek, Winya, Glamorgan Vale, Fernvale, Hazeldean, Kilcoy.

Current Building, Planning and Plumbing Compliance Matters

The following are numbers of open investigations in September

- Unlawful Plumbing Work: 3
- Building Complaints: 40
- Planning matters: 45

Notices Issued – September 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

A total of 10 users completed the training during the month of September.

Swimming Pool Water Quality Monitoring

Water sampling was conducted at Council's swimming pools located at Kilcoy and Lowood 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 1.

Pest Management Invasive Animal Control - September 2025

Wild Dogs

1080 Baits

282.5Kg



0

Scalps presented

Area's baiting: Monsildale, Glamorgan Vale, Fernvale, Bryden, Biarra, Eskdale, England Creek, Crossdale, Sheep Station Creek, Mount Kilcoy, Winya, Lower Cressbrook, Kingaham, Yabba.

Feral Pigs

1080 Grain

0Kg



Area's baiting: -

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

Lantana
Chemically
Treated
0.2ha

Lantana
Mechanical
Removal
0ha

Herbicide
Applied
30,657
litres

Fire Ant Suppression – Council Land

- There were no reports of fire ant nests on Council land within the Fire Ant Suppression Area during the month. Public reports are made directly to the National Fire Ant Eradication Program which are then sent them through to Council for action.

Other Pest Weed Treatments

Mother of Millions	Fernvale, Lowood, Toogoolawah, Prenzlau, Marburg, Wivenhoe Pocket
Annual Ragweed	Gregors Creek, Hazeldean, Moore, Toogoolawah, Caboonbah
Giant Rats Tail Grass	Coominya, Kilcoy, Wivenhoe Pocket
Fireweed	Fernvale, Glamorgan Vale,
Leucaena	Crossdale, Bryden, Caboonbah, Linville, Moore, Lowood, Fernvale, Prenzlau
Yellow Bells	Moore, Linville, Bryden
African Box Thorn	Prenzlau
Lantana	Toogoolawah, Jimna, Kingham, Colinton, Harlin
Element 15 (DTMR infrastructure)	All DTMR roadside furniture treated
Element 5 (DTMR invasive plants)	Funding available
Council infrastructure	All local bridge vegetation treated

Lantana Chemical Subsidy Program

The first round of the 2025/26 lantana subsidy program has been closed at 54 applicants.

Compliance under the *Biosecurity Act 2014*:

	August 2025	September 2025
Information notices	-	-
Biosecurity Orders	-	-
Enter and Clear action	-	-

Natural Resource Management – August / September

Land for Wildlife

- Delivery of a Cultural Heritage workshop designed for Land for Wildlife members with Redleaf Environmental – 6 August 2025.
- Land for Wildlife officer training – Eucalypt and affiliates – 6 August 2025.
- Land for Wildlife Steering Committee representation – 20 August 2025
- 2 New properties welcomed into the Land for Wildlife program in Esk.



Somerset Flora and Fauna



- Ongoing delivery of the Healthy Land and Water (DETSI funded) Koala Threat Management Initiative Grant awarded to Council, including VMS and VAS signage to support Koala awareness on roads within the region, and Koala disease investigation/s with the University of Sunshine Coast.
- Delivery of the Restore and Reconnect (Koala) Projects (DETSI funded) to support habitat restoration in Somerset – this program will facilitate pest management work at Mt Glenrock and Sandy Creek, Esk and support further plantings along the Brisbane Valley Rail Trail.
- Officer representation on the Pest Management Working Group (Council) – 26 August 2025.
- Office meeting with Wildlife Preservation Society of Queensland regarding Platypus and eDNA sampling 29 September 2025.

Catchment Management

- Resilient Rivers Project Updates:
 - A maintenance program is ongoing across all (6) Black Snake Creek properties (Somerset) treated through this program since inception.
 - Progress continues on the Mid Brisbane River Reserves project across multiple sites. Civil work components of the funding are approximately 90% complete at this time. Pest management and assisted natural regeneration will be ongoing until June 2026.
 - The Somerset Fish Habitat Revitalisation Project has commenced, with initial on-ground delivery locations being confirmed/negotiated, preliminary baseline monitoring of catchment locations, and appointment of contractors in respect of fish passage assessment.



Offsets – Planting

Delivery of Council's Capital Works Offsets:

- A maintenance contract is ongoing to support all of Somerset Regional Councils Brisbane Valley Rail Trail offset delivery.
- Recent plantings at Eskdale Road, Toogoolawah, and Moore Station, Moore, are currently under establishment maintenance.
- Planning for the next phase of funded planting is underway, with anticipated delivery at Colinton, Toogoolawah and Coominya.

Collaborations

- Officer representation at a Queensland Fire and Biodiversity consortium meeting regarding community engagement in Jimna - 4 August 2025.
- Officer participation in the State led review of the Ecosystem Health Monitoring Program review – 18 August and 11 September 2025.
- Officer meeting with the Somerset Wivenhoe Fish Stocking Association regarding Resilient Rivers project delivery and partnership – 19 August 2025.
- Meeting with Seqwater regarding alignment and collaboration on regional Fish passage investigation/assessment – 19 August 2025.
- Meeting with Meridian Urban (Consultants) regarding fire risk assessment project/s 25 August 2025.



- Facilitation of Greenhide (Bushcare) working Bee with Friends of the Forest, Moore – 8 September 2025.
- Fuel load assessment (fire) at Mt Glenrock with Qld Fire and Biodiversity Consortium – 12 September 2025.

Economic Development

Major Projects

- Small Business Friendly Annual Report submitted to the Small Business Commissioner's Office.
- Funding application for the Lowood Green Botanic Core from the *Green Urban Infrastructure Initiative* (GUII) under the SEQ City Deal awaiting approval.
- Final detailed concept designs approved for public consultation by Council on 27 August 2025. Public consultation commenced 22 September 2025. Consultation to end 21 November 2025.
- Lowood Futures Strategy, Stage 1 - Station Street Car Park, and Kilcoy Streetscape Revitalisation, Stage 1 - Aston Park Precinct, construction commenced week beginning 22 September 2025.



Events

- Workforce Evolve workshop presented by Business Chamber Queensland - 17 September 2025.
- *Next Month:* In-person, confidential, '**Mentoring for Growth**' sessions, Esk – 29 October

Stakeholder Engagement

- BDO attendance at:
 - Meeting with Somerset Business Chamber 17 and 24 September
- 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 15 interactions throughout the region.



Somerset Regional Council Grant Finder – September 2025



Registrations

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



Alerts

- 2,580 emails sent
- 249 people with active alerts
- Email alerts sent to people requesting specific profile of grants



Grants

- 2,938 grants available worth \$88.8B
- Total number of grants available within our portal.

Recommendation

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

Resolution

Moved – Cr Hurley

Seconded – Cr Brieschke

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

Carried

Vote - Unanimous

Subject: Monthly Finance Report
File Ref: Monthly Reporting/ Finance
Action Officer: CFO

Summary

The purpose of this report is to present the Financial Reporting Package for the year-to-date period ending 2 October 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.

Explanation

The Financial Reporting Package for the year-to-date period ending 2 October 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 – 2 October 2025

Recommendation

THAT the Monthly Financial Report for the year-to-date period ending 2 October 2025 be received.

Resolution

Moved – Cr Bishop

Seconded – Cr Hurley

“THAT the Monthly Financial Report for the year-to-date period ending 2 October 2025 be received.”

Carried

Vote - Unanimous

Prescribed Conflict of Interest - Cr Laycock– Agenda Item 19 - Application for Permit to Occupy – Owen Road, Eskdale

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

The nature of my interest is as follows

My mother is the applicant for the permit to occupy.

In accordance with section 150EM of the Local Government Act 2009 I must leave the meeting and stay away from the meeting while this matter is discussed and voted on.

Cr Laycock left the meeting at 10.04am.

Subject:	Application for Permit to Occupy – Owen Road, Eskdale
File Ref:	SRC / Council Properties / Leasing-Out / 2025-2026 – Council Land and Buildings
Action Officer:	CAO

Background/Summary

Council has received a request to consent to an application for a Permit to Occupy (Permit) over part of Lot 112 on CA311276 (Lot A on AP11389) Owen Road, Eskdale.

There was a previous Permit to Occupy to allow access to the adjacent property in two names. Due to a recent change in ownership, the adjacent property is now in one name. That Permit over the lot has been surrendered as a result.

The request has been received from the owner of an adjacent property who wishes to make application to the Department of Natural Resources and Mines, Manufacturing and Regional and Rural Development for a new Permit to be issued in their name alone to allow for access to their property.

Before the application can be lodged, consent from Council is required.

Council officers have reviewed the request and offer no objection to the issuing of new Permit.

A Permit to Occupy is a licence issued by the State to individuals seeking to utilise unallocated state land or a road for a specific purpose. It does not grant an interest in the land.

Attachments

1. **Confidential** – Correspondence from the Applicant seeking Council's consent to the new Permit to Occupy
2. **Confidential** – Map showing the location of the Permit to Occupy relative to the freehold land owned by the Applicant.

Recommendation

THAT Council:

1. consent to the issuing of Permit to Occupy over part Lot 112 on C311276 (Lot A on AP11389) located on Owen Road, Eskdale to the applicant for access; and
2. authorise the Chief Executive Officer to execute all documentation pertaining to this matter.

Resolution

Moved – Cr Brieschke

Seconded – Cr Hurley

“THAT Council:

1. consent to the issuing of Permit to Occupy over part Lot 112 on C311276 (Lot A on AP11389) located on Owen Road, Eskdale to the applicant for access; and
2. authorise the Chief Executive Officer to execute all documentation pertaining to this matter.”

Carried

Vote - Unanimous

Cr Laycock returned to the meeting at 10.05am.





Subject:	Tourism and Promotions Report – September 2025
File Ref:	Tourism – Promotions
Action Officer:	CTM

Background/Summary













The following is the September 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
 Esk VIC	103	91	45	18	40	2	299
 Fernvale VIC	242	181	119	19	70	14	645
 Kilcoy VIC	134	157	254	45	130	11	731
 The Condensery	52	74	35	2	5	3	191

Motivators

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

Active Volunteers 	
Esk	11
Fernvale	20
Kilcoy	9
TOTAL	40

Digital Media Facebook



Website



Followers: 4,935
Views: 31,424
Viewers: 12,339
Engagement: 526
Link clicks: 26

Page Views: 4,959
Visitors: 2,152 new, 282 returning
Peak Time: Thursday, 4 September 2025
Most Popular Pages: Home page, Events, Kilcoy Showground, Markets
Device type: Desktop 40%, Mobile 58%, Tablet 2%

Instagram



Followers: 2,088
Reach: 974
Views: 11,186

Glen Rock Art Gallery (Esk Visitor Information Centre)

The Glen Rock Gallery hosted an exhibition by local water colourist Susan Wellingham. Susan works out of her garden art studio and is intrigued by the natural world painting in an impressionist style. Capturing the 'feeling' rather than the details, Susan creates work that is delicate, calming, ethereal and evocative.

Volunteer Famil

The September Volunteer Famil was held on Wednesday, 24 September in the Toowoomba Region. 33 Volunteers from Esk, Fernvale, Kilcoy and The Condensery enjoyed a talk and guided tour of the Cobb & Co Museum. The volunteers also heard from a member of the Toowoomba Region's Tourism Team who launched their new Visitor Guide and explained the key attractions at the Carnival of Flowers before being able to explore the Queen's Park Botanical Gardens and Spring Bluff Railway Station, which included the passing of a heritage train and grain train during the visit.

The next Famil is planned for December 2025, to coincide with International Volunteers Day.

Tourism Operator Development

The Agritourism Development Mentoring Program had the official wrap up event on Thursday, 18 September at Cumquats Australia's farm. Each of the mentees provided an overview of their proposed Agritourism product and discussed ways to collaborate in the future. As part of the program, mentees will have the opportunity to check in with the mentors and Council officers in February 2026 to see how they are progressing. Positive feedback has been received by the mentees about the program, with the mentees keen to meet quarterly to discuss their projects and collaborate to grow Agritourism within the region.

Tourism Trade Shows

Council has secured a site at the Moreton Bay Expo in Redcliffe from 13-15 February 2026 again with Lockyer Regional Council to promote both our regions to this highly engaged target market.

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.

Marketing Campaigns

A spring campaign is being developed and planned to be released for the October long weekend, with an online guide and consumer e-newsletter to be distributed and a print guide available later in October.

Experience Somerset will be participating in the Queensland Country Tourism Drive campaign to start in November and run over summer. The campaign will consist of a social media campaign, prize offering and TV segment on Channel 7's Weekender.

Attachments

Nil.

Recommendation

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

Resolution	Moved – Cr Jess	Seconded – Cr Hurley
	“THAT Council receive the Tourism and Promotions Report for September 2025, and the contents be noted.”	
	<i>Vote - Unanimous</i>	
		<u><i>Carried</i></u>

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

Background/Summary

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

Records

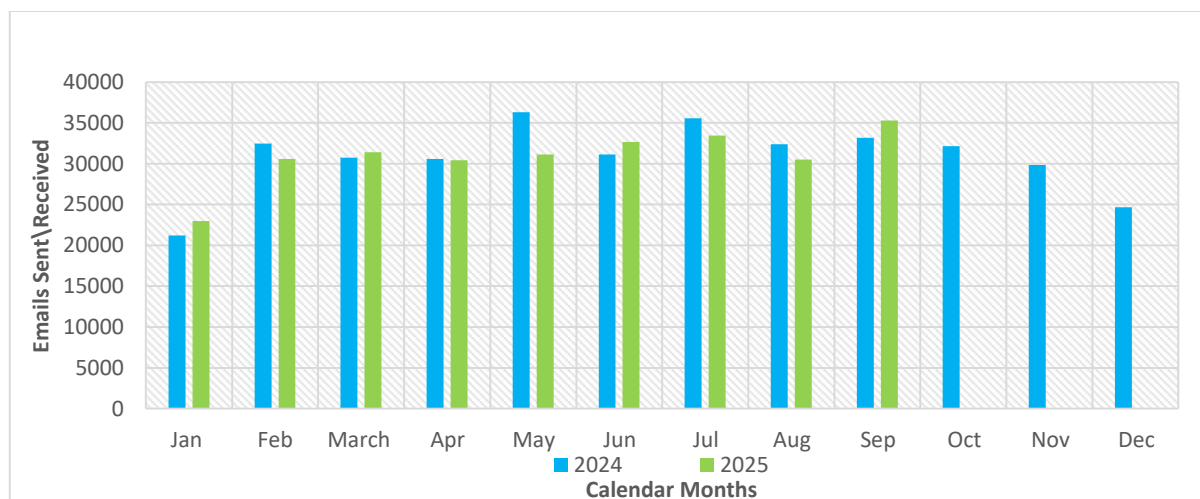
Documentation – At a Glance – September 2025

Inward/Actioned Documents – 4,053	Outward Correspondence – 1,851
Customer Service Requests – 535	Councillor Requests – 16
Emails Processed by the Records Team	
Corporate Mailbox - mail@ - 10,900	Internal Only Records Email – 12,354
Decision Notices/Workshop Outcomes –	Tender/Quotation –
Decision Notices – 66	Tenders – Tenders Zero (0)
Workshop Actions – 24	Numbered Quotations – Zero (0)

Total Documents Registered for the month of September 2025 – 12,708

Email Traffic

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



Graph: Monthly total records – 2024 versus 2025

Information and Communication Technology (ICT)

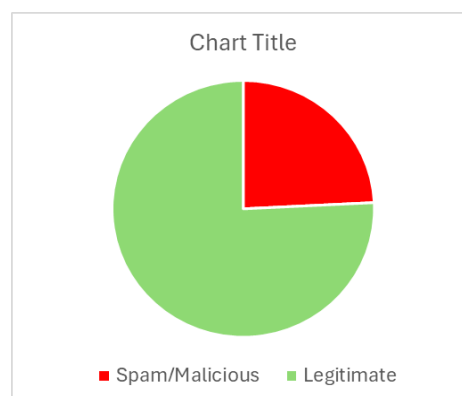
The incoming email total for this period was 44,264 of which 10,723 were subsequently blocked by our email security systems.

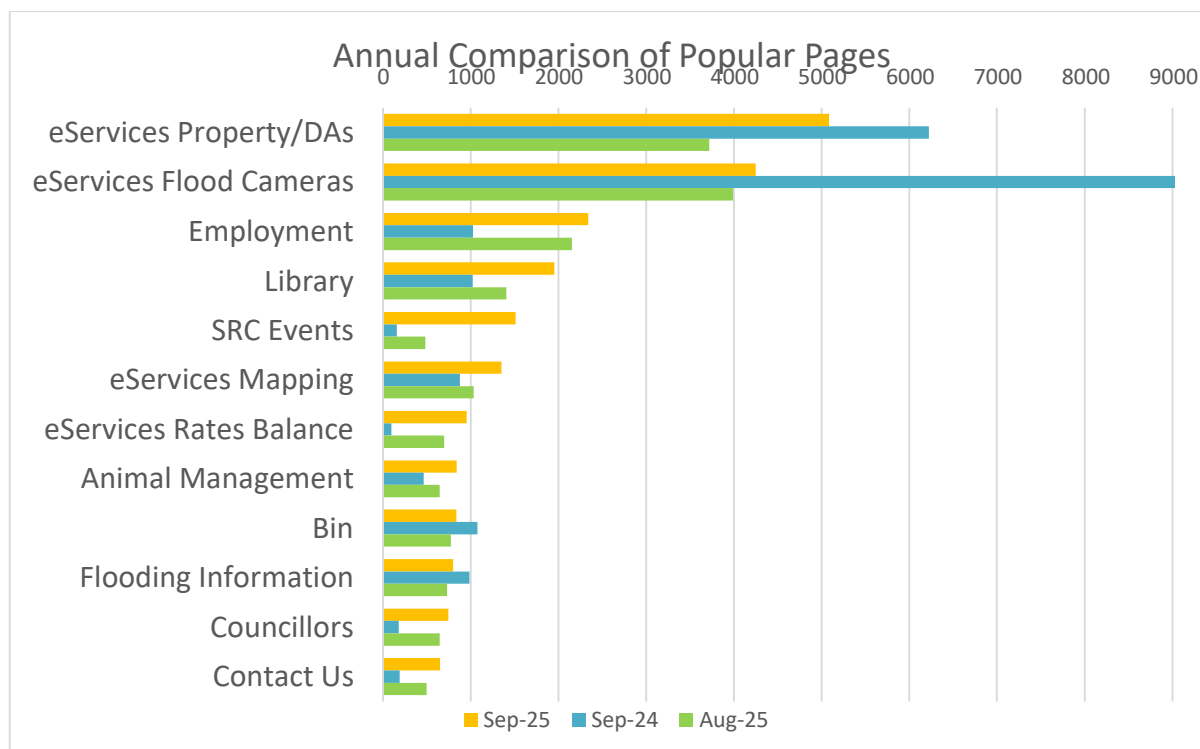
Council continues to carry out internal quarterly phishing tests to help maintain cybersecurity awareness. Staff members who do not pass the test will be offered additional training to support compliance and enhance their understanding.

The primary corporate website (someset.qld.gov.au) received 48,857 page views for September, a 4% increase, eServices (eservices.someset.qld.gov.au) received 25,525, an increase of 9% in views.




Graph: Visitation of Corporate Website – 2025 vs 2024.

The primary corporate website (someset.qld.gov.au) received 48,857 page views for September, a 4% increase, eServices (eservices.someset.qld.gov.au) received 25,525, an increase of 9% in views.





Arts and Culture

		
Attendance at Cultural Venues	Events	Community Partnerships
8,623	89	1

Events

The 2025 Mayoral Gala Charity Ball was held on Saturday, 13 September 2025 at the Somerset Civic Centre, attracting approximately 260 guests.

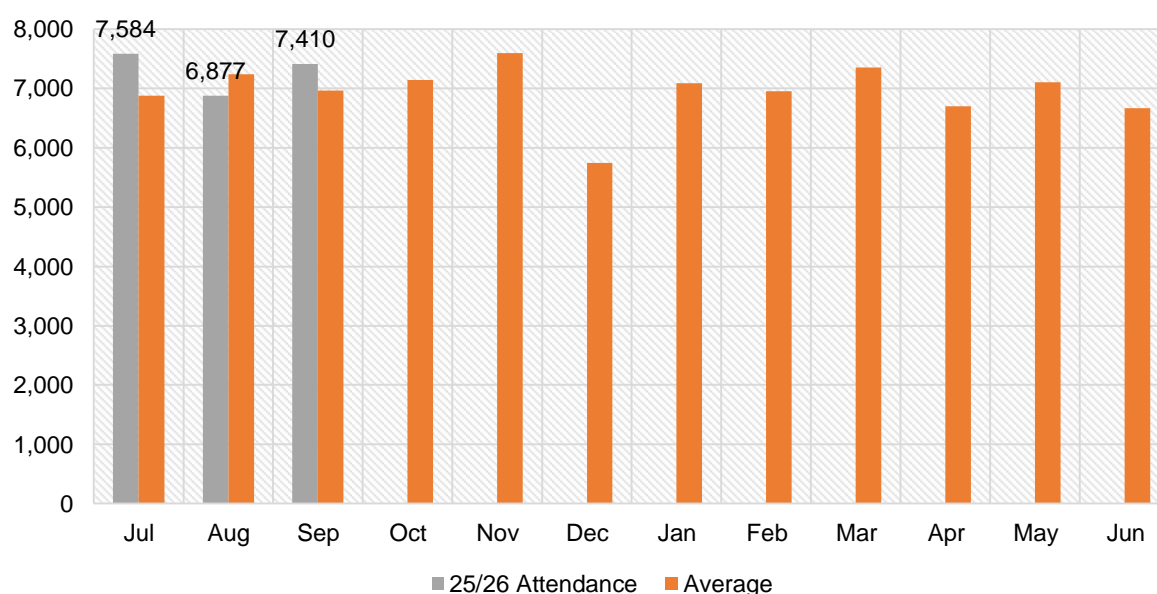
Attendees enjoyed a three-course meal and drinks package, accompanied by performances from ARIA Award-winning artist Karise Eden, The Con Artists Jazz Orchestra, and the Baker Boys Band. Raffles and auctions were well supported, contributing significantly to fundraising outcomes.

Preparations for the third Kilcoy Multicultural Carnival, scheduled for Friday, 24 October 2025, at Yowie Park, Kilcoy, are well underway. The event is supported by Kilcoy Global Foods and funded by the Queensland Government. Consultation with community leaders has commenced, and planning is progressing positively.

Somerset Libraries

				
	Visitation	Outreach	Events	New members

Physical Items Circulated				
12,404	7,410	381	62	70

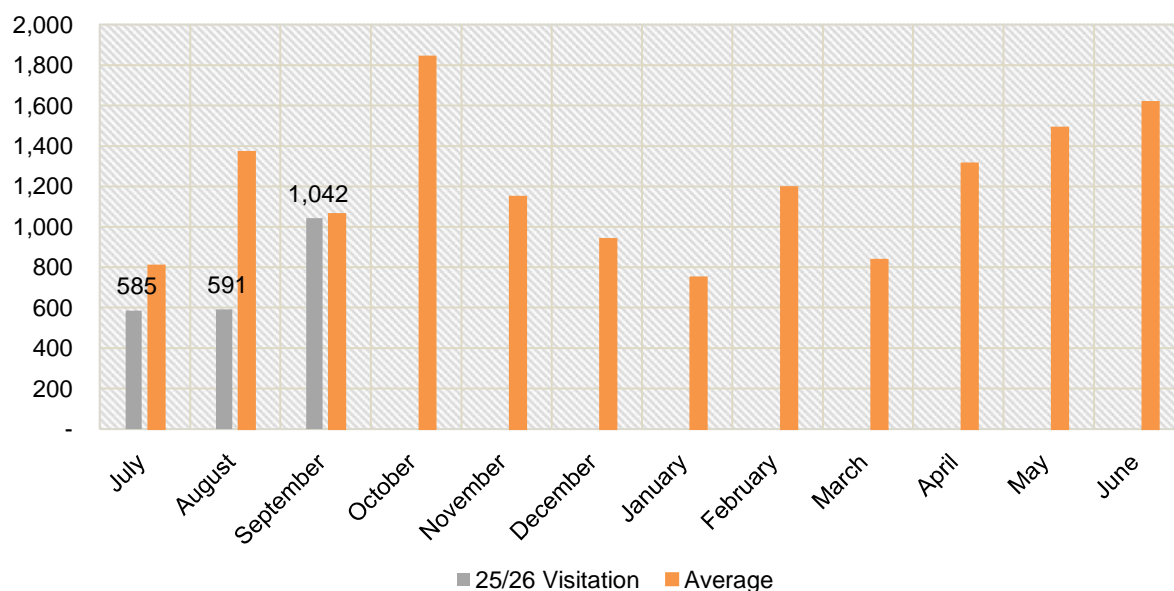


Graph: Monthly Attendance of Somerset Libraries - 2025-26 versus Average

- Libraries across Somerset were active throughout September, hosting a total of 63 events that attracted 685 attendees at library branches and a further 381 attendees at outreach activities.
- The Spring School Holiday Program proved popular, engaging 71 children and 41 adults in creative sessions such as stop motion movie-making and stress ball workshops, with additional activities scheduled for October.
- Kilcoy Library commenced weekly English Conversation classes, drawing 25 participants in the first month.
- Promotion of the Somerset Stories heritage website continued through instructional sessions at library branches, assisting community members to explore the site and contribute local content. Library staff also attended the Back to Toogoolawah community celebration and delivered a presentation to the Toogoolawah District History Group, with further sessions planned. The Somerset Stories site recorded 249 users during September - an 82% increase on the previous month.
- Use of digital collections remains strong, with 372 eBooks, 483 eAudiobooks, and 395 eMagazines borrowed through BorrowBox in September.

Somerset Civic Centre




		
Visitation	Private/Council Events	Programmed Events
1,042	27	0

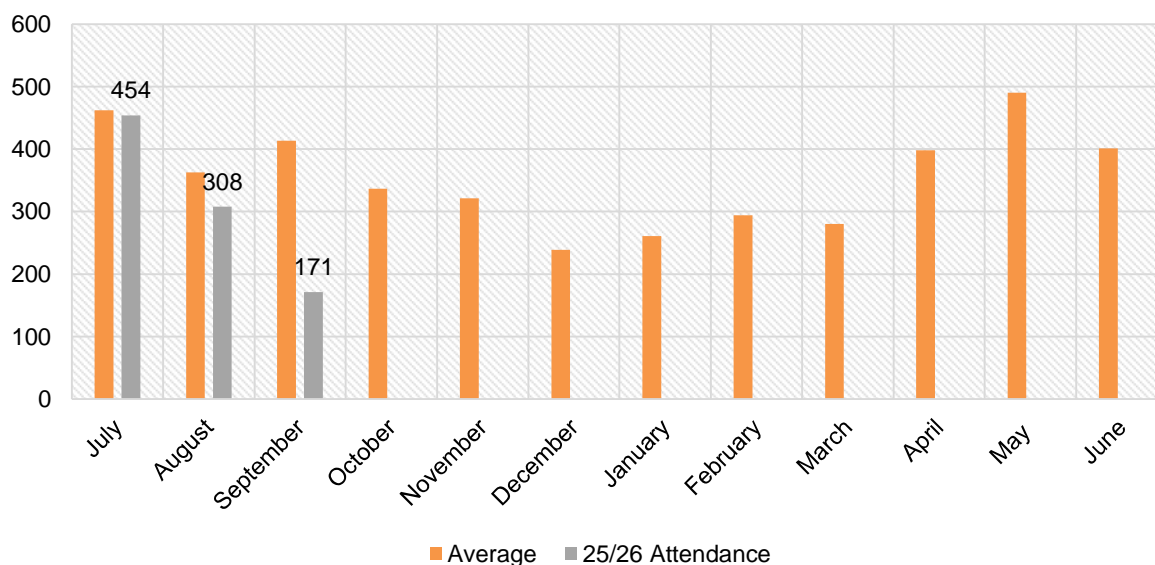


Graph: Monthly Attendance of Civic Centre - 2025-26 versus Average

- Regular community programs continued throughout September, including weekly dance classes, Tai Chi sessions, acting workshops and choir rehearsals; all maintaining consistent attendance levels.
- The venue hosted several Council events during the month, including the Mayoral Gala Charity Ball and Citizenship Ceremonies. In preparation for the Gala Ball, general maintenance and presentation works were undertaken, including repainting of the stage and a comprehensive internal and external deep clean of the facility.
- Social media engagement increased significantly compared to the previous month, with total views reaching 87,406 (up 42%). This included 8,275 organic post views (up 26%) and 79,131 paid marketing views (up 44%), reflecting improved online reach and audience engagement.

The Condensery

		
Visitation	Public programs	Exhibitions in development
171	0	8



Graph: Monthly Attendance of the Condensery - 2025-26 versus Average

Exhibitions and Events

- The Condensery received over 40 artist submissions for the upcoming 2026 Bomb Shelter exhibition. Applications are currently under review by a selection panel, with recommended artists to be presented to the Arts, Culture and Heritage Advisory Committee in November 2025.
- The gallery was closed for one week during September to accommodate the exhibition changeover. Two new exhibitions opened on 20 September 2025 – These Stories Will Be Different by Zanny Begg and holemtaet hemia (hold this / hold this tightly) by Shari O'Dwyer. Begg's exhibition features three (3) major video works exploring contested histories: The City of Ladies (2017, with Elise McLeod), The Beehive (2018), and Stories of Kannagi (2019). O'Dwyer's work draws on her father's experiences in Queensland's sugar cane fields, reflecting on memory, heritage, and labour.
- Local Somerset artists continue developing works for the upcoming exhibition The Show, which invites artists to creatively document each of the region's agricultural shows. The exhibition will explore themes of nostalgia, community identity, and the evolving role of the 'local show' in regional life.

Youth Engagement and Community Development

Throughout September, a range of initiatives were undertaken to strengthen community engagement, support youth development, and advance strategic partnerships across the Somerset Region.

- **Blue Light Partnership**
Collaboration with the Blue Light team is underway to co-host the December Christmas Event at the Somerset Civic Centre. Additionally, the Blue Light crew has been invited to DJ at the Spooky Somerset event, enhancing the entertainment offering for young attendees.
- **Student Council Engagement**
Ongoing engagement with student councils across the region has provided valuable insights into current needs and opportunities for future collaboration. Discussions are

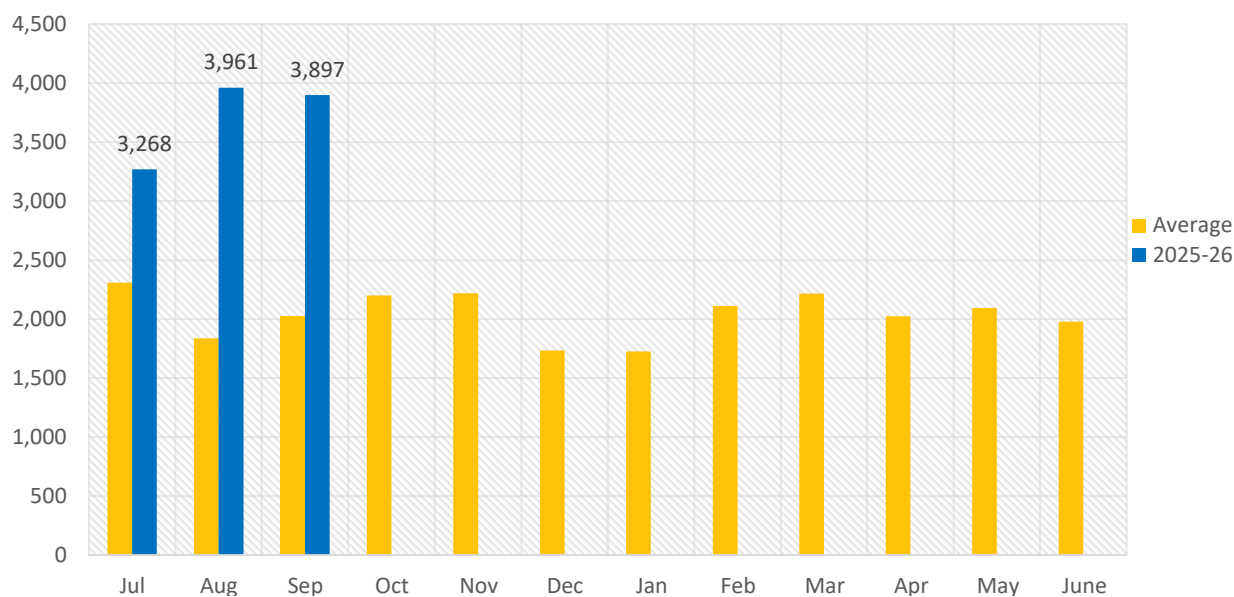
progressing with Esk State School regarding potential joint activities to foster student leadership and community involvement.

- **Community Development Conference (CDC)**
Preparations for the CDC are advancing, with the award nomination form, event webpage, and online ticketing scheduled to launch on 13 October. Drafts of the updated toolkit are underway, and CPR Group has been confirmed as a presenter. A key element of the CDC will be the award presentation, with certificates recognising impact, engagement and leadership in Somerset community groups. Discussions around the event program are ongoing to ensure a dynamic and informative experience.
- **School Holiday Program**
Activities including extreme laser tag, gymnastics, movie nights, and sausage sizzles were delivered at no cost to families. Feedback from attendees highlighted the program as a highly enjoyable and accessible community offering.
- The annual Teddy Bears Picnic was held in Esk during the school holidays. Stall holders from 15 organisations attended and provided information to parents and activities for children. Positive feedback was received from both service providers and families.
- In the senior's space, a morning tea was held to acknowledge Dementia Action Week. 12 people attended including people with dementia and carers. Suggestions to help make Somerset more dementia friendly were discussed.
- Council, through the Neighbourhood Centre Initiative, received an additional \$10,000 for emergency relief to be made available to Somerset residents this financial year. There has been an increase in demand for support from young families and older persons who are finding it challenging when additional unexpected bills arrive.

Sport and Recreation

Fernvale Indoor Sports Centre (PCYC Fernvale).

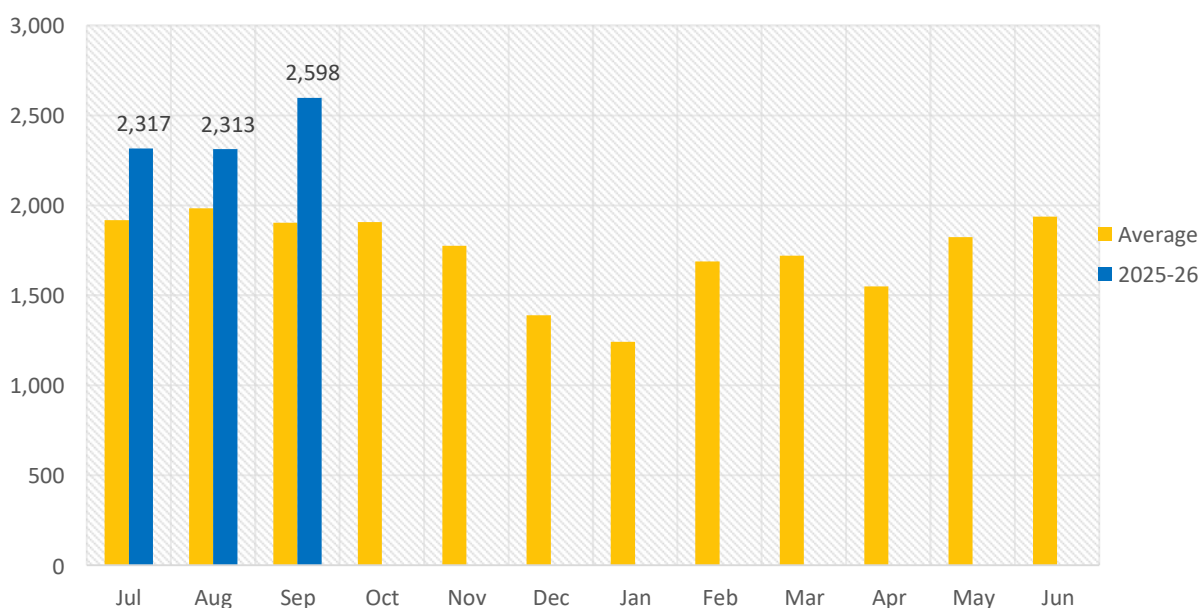
- Record Monthly Attendance for September (3,897).
- Comparative to Monthly Historical Average – POSITIVE +1,684 (Average – 2,213).
- Gym Membership Change – NEGATIVE -25 (Current Membership – 1,134).
- 633 participants in Gymnastics.
- 186 participants in Little n Active Program.
- 201 participants in PCYC policing programs.
- 294 participants in Playtime sessions providing activity and coordination for infants.
- Three minor incidents to report. No further action required by Council.



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

Kilcoy Indoor Sports Centre

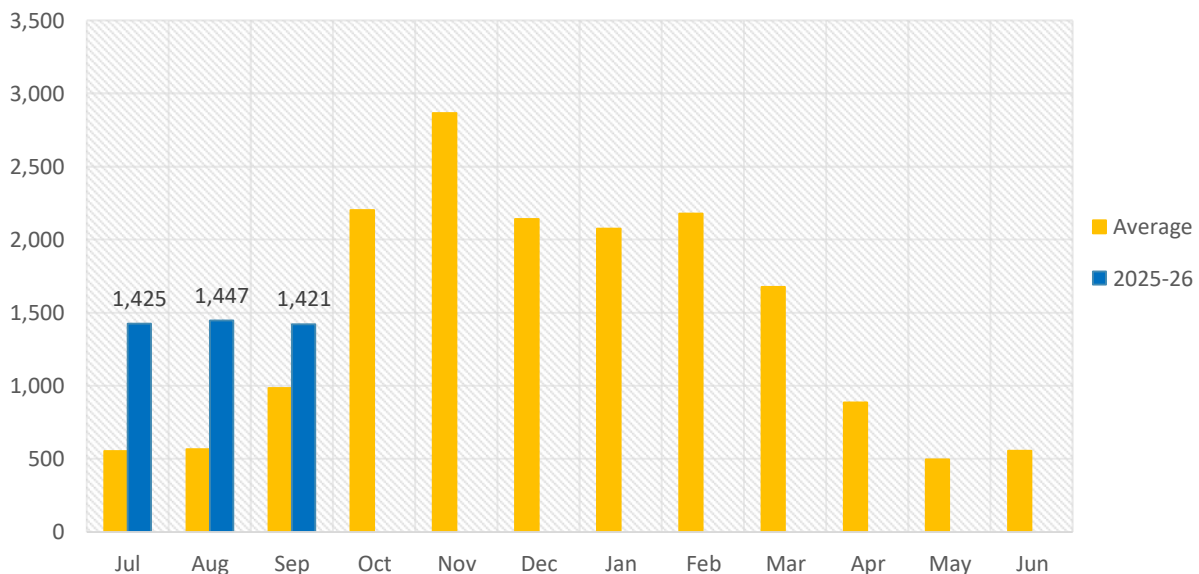
- Record Monthly Attendance for September (2,598).
- Comparative to Monthly Historical Average – POSITIVE +693 (Average –1,905).
- Gym Membership Change – POSITIVE +1 (Current Membership – 156).
- 422 participants in Gymnastics.
- 95 participants in Play Group.
- 90 participants in All Abilities Program.
- 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

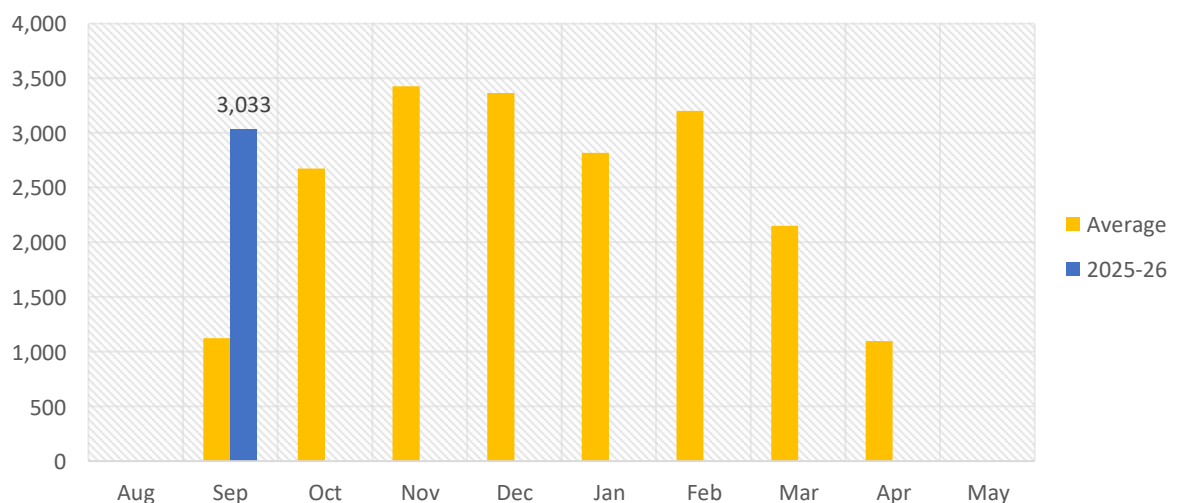
- The Toogoolawah Swimming Pool Upgrade Project works are progressing. The pool is currently closed to allow this work to take place.
- During this time the gym continues to operate as per standard season opening times.
- Record Monthly Attendance for September (1,421).
- Comparative to Monthly Historical Average – POSITIVE +435 (Average – 986).
- Gym Membership Change – POSITIVE +4 (Current Membership – 149).
- 125 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

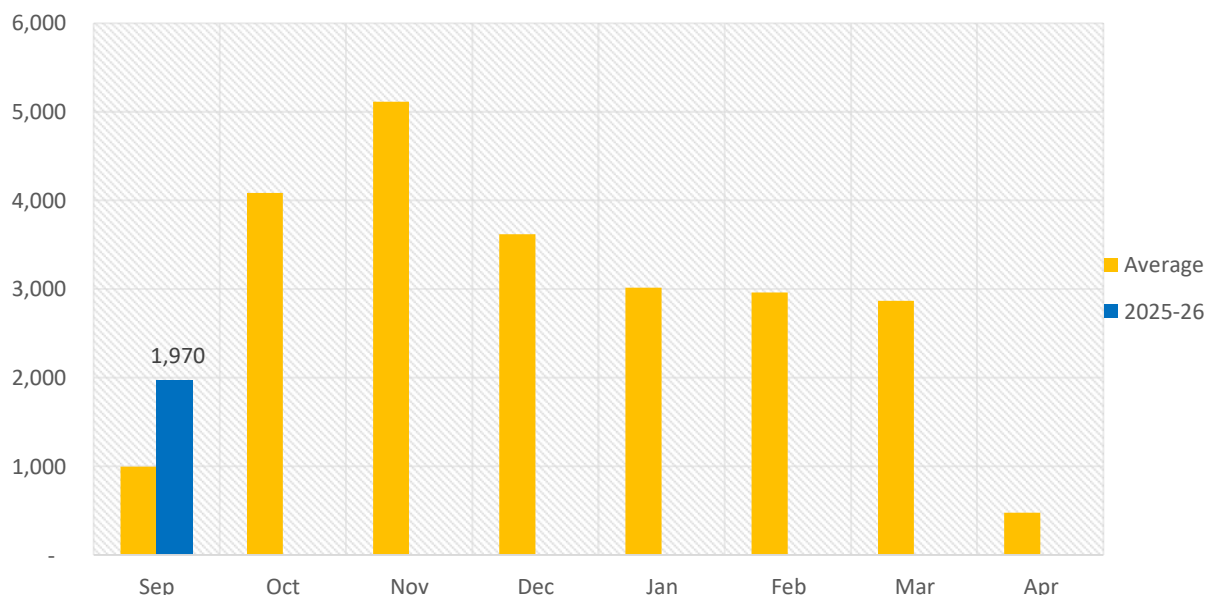
- Lowood Swimming Pool reopened on 6 September.
- Comparative to Monthly Historical Average – POSITIVE +2,180 (Average – 1,123).
- 358 Learn to Swim Participants.
- 175 participants in Aqua Aerobics Programs.
- Nil incidents to report.



Graph: Monthly Attendance of the Lowood Swimming Pool – 2025-26 versus Average

Kilcoy Aquatic Centre

- Kilcoy Aquatic Centre reopened on 20 September.
- Off season capital works were completed, including demolition and removal of existing bulk chlorine storage tanks and dosing pumps, provision of a salt electrochlorination system, including circulation pumps, pipework and controls, replacement of the sand and media in the filters, and upgrading of the existing hydrochloric acid storage tank and pump.
- Comparative to Monthly Historical Average – POSITIVE +973 (Average – 997).
- 358 Learn to Swim Participants.
- One minor incident reported. No further action required by Council.

*Sport & Recreation Highlights and Projects*

- The Sport and Recreation Officer (SRO) continues to promote active and healthy lifestyles in the community by attending community events. This included an Under 8s Day event, held at Toogoolawah State School, as well as the Teddy Bears Picnic event.
- The SRO, together with the Youth and Community Development Officer, delivered the Sport and Movie Magic events at Kilcoy Indoor Sports Centre on September 22 and Fernvale Indoor Sports Centre on September 23 as part of the Spring School Holiday Program. The two events were well attended with approximately 300 community members in attendance to take part in free laser tag circuits, free gymnastics, and a free big screen movie "Mind Craft" and community BBQ.
- The Toogoolawah Community Gym Extension Project, co-funded by the Queensland Government Minor Infrastructure and Inclusive Facilities Fund, commenced in September.
- Work is progressing 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.

- Work continues on the Toogoolawah Swimming Pool Upgrade project, co-funded by the Queensland Government's Southeast Queensland Community Stimulus Program and Somerset Regional Council.

Attachments

Nil.

Recommendation

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

Resolution

Moved – Cr Hurley

Seconded – Cr Laycock

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

Carried

Vote - Unanimous

The meeting adjourned at 10.11am for a break and resumed at 10.15am.

Subject:	Operations Report for September 2025
File Ref:	Governance – Reporting – Officer Reports
Action Officer:	CSSA

Background/Summary

Monthly Update report for the Operations Directorate is as follows:

Design Projects

- The design plans are issued for construction for the drop off and parking area for Minden State School Construction is scheduled for December school holidays;
- A draft design for the water main relocation on Main Street, Lowood has been completed and is being reviewed by Urban Utilities;
- The design plans for the shared path on Clive Street are currently being readied for issue for construction;
- The design plans for the “Lions Car Park” are being updated following comments received during the development application information request process; and
- Concept design plans are currently being prepared for submission to the next round of the School Transport Infrastructure Program (STIP) which will be submitted by 30 October 2025.

Operational Works Applications

- Banffs Lane, Coominya – Extension Request;
- Lindemans Road, Lowood – Earthworks and roads associated with 31 lot subdivision;
- Vogler Road, Vernor – Landscaping for subdivision; and
- Burns Street, Fernvale – Civil works associated to a Material Change of Use application for new building and associated car parking.

Department of Transport and Main Roads (TMR) Works

- Soil testing for the Ottaba section of the Brisbane Valley Highway has been completed as part of pre-construction investigations to inform the pavement strengthening design; and

- Council engineers are reviewing the intersections upgrade design plans and are providing technical comments to TMR engineers for consideration. The two intersections at review are:
 - Brisbane Valley Highway and Forest Hill Fernvale Road at Fernvale; and
 - Brisbane Valley Highway with Dingyarra Street and Brisbane Valley Highway and Mount Beppo Road at Toogoolawah.

Maintenance Management (Works and Engineering Services Activities):

- The habitat rehabilitation project continues at Jesse Wickman Park, Minden with mulching being undertaken following a crown lift of trees occurring, to improve visibility in the area;
- Grading maintenance works on Monsildale Creek Road; and
- Grading maintenance works on Kilcoy Murgon Road.

Projects Completed last month (Works and Engineering Services Projects):

Project Name	Description
Forest Hill Fernvale Road - shared footpath	Shared footpath and stormwater work from Sea Eagle Drive to Lowood Minden Road. Completion Date: 26-Sep-25 Delivery by external contractors The project was completed behind time but well under budget.
Toogoolawah State School - bus bays and stormwater	Provide a bus bay on both sides of Cressbrook Street, barrier kerb with underground drainage pipes. Provide 2m wide concrete footpath to connect new bus bays to existing path networks. Asphalt overlay. Completion Date: 02-Oct-25 Delivery by Council crews and contractors Project exceeded budget due to scope creep and ran marginally behind time.
Moore 1A Overland Flow Flood Risk Mitigation	Stabilisation works on Bishop Street, Moore and drainage on Linville Road, Moore. Completion Date: 18-Sep-25 Delivery by external contractors The project was completed slightly behind program and under budget.

Capital Projects Underway (Works and Engineering Services Projects):

Refer to attachment 1 for photographs of recently completed projects and/or projects underway.

Project Name & Description	Description
Lester Kropp Bridge, Neurum Road, Villeneuve.	New Bridge over the Stanley River at Villeneuve Completed on Ground: 15% Estimated Completion Date: 30-Jun-26 Delivery by external contractors <ul style="list-style-type: none"> • All geotechnical investigations are completed;

	<ul style="list-style-type: none"> • Installation of temporary bridge structure is completed; and • Piling works are progressing well
Muckerts and McCulkins Lanes, Fernvale.	<p>Construction of road from Old Fernvale Road to Fairneyview Fernvale Road. Completed on Ground 35% Estimated Completion Date: 30-Jun-26 Council is the principal contractor</p> <ul style="list-style-type: none"> • Bulk earthworks are progressing well 80% complete.
Sawmill Lane, Toogoolawah	<p>Strengthen and widen road to suit heavy vehicles. Completed on Ground - 90% Estimated Completion Date: 10-Oct-25 Delivery by external contractors</p> <ul style="list-style-type: none"> • Project is running on time.
Station Street, Lowood – car park	<p>Construction of new car park in Station Street, Lowood. Completed on Ground - 40% Estimated Completion Date: 5-Dec-25 Delivery by external contractors</p> <ul style="list-style-type: none"> • Earthworks are progressing well; and • First section of pavement has been constructed
Aston Park, Kilcoy – car park	<p>Construction of new car park in Aston Park, Kilcoy. Completed on Ground - 40% Estimated Completion Date: 5-Dec-25 Delivery by external contractors</p> <ul style="list-style-type: none"> • Earthworks are progressing well, with contractor dealing with a few soft spots following recent rain.

Queensland Reconstruction Authority Funded Works

- 2024 December Storm Event - Emergent Works (Completed) and REPA comments.
 - All Emergent Works have been completed on the ground, and an Immediate Reconstruction Works (IRW) claim has been submitted for assessment with approximate value of \$600,000;
 - The Strategic Concept Reports for the 11 x landslip sites have been completed. However, only Gregors Creek Road and Fulham Road will progress to individual Reconstruction of Essential Public Assets (REPA) submissions. All other landslip sites did not require any significant works. Several sites have already been completed and will be included with other general drainage and earthworks Queensland Reconstruction Authority (QRA) submissions as required; and
 - 69 sealed pavement sites have been inspected and measured. These will be compiled into a REPA submission, which will include 35 impacted culverts requiring repair or replacement.
- 2025 March TC Alfred - Emergent Works (Completed) and REPA comments.
 - Emergent works have been finalised; and
 - A large REPA claim is not anticipated for this event.

Waste Management

- Kerbside Collection Contract – Ipswich Waste:-

- General waste services – 85% presentation rate YTD.
- Recycling services – 63% presentation rate YTD.
- Waste to Landfill (Tonnes) – Leviable
 - September 2025 – 924.30t (2.2t was exempt)
 - Year to Date (YTD) – 2,732.30t
 - Previous YTD – 2,269.28t
- Kerbside Recycling (Tonnes)
 - September 2025 – 100.82t
 - Year to Date (YTD) – 302.46t
 - Previous YTD – 286.38t

Customer Service Requests

Customer Services Requests **All of Council**

- September 2025 - 434
- Year to Date (YTD) – 1,332
- Previous YTD – 1,144

Customer Services Requests **Operations Only**

- September 2025 - 310
- Year to Date (YTD) - 900
- Previous YTD - 790

Attachments

Photographs

Recommendation

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

Resolution

Moved – Cr Hurley

Seconded – Cr Brieschke

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

Carried

Vote - Unanimous

Subject:	Customer Service Report – September 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 September 2025 is provided below for Council's information.

Summary for September 2025



3,383

**TOTAL
PHONE
CALLS**



3,277

**PHONE CALLS
RECEIVED DURING
BUSINESS
HOURS**



149

**PHONE CALLS
RECEIVED
AVERAGE
PER DAY**



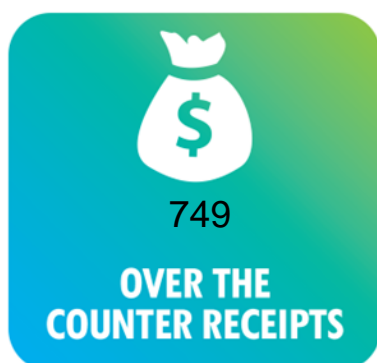
23

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



11

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



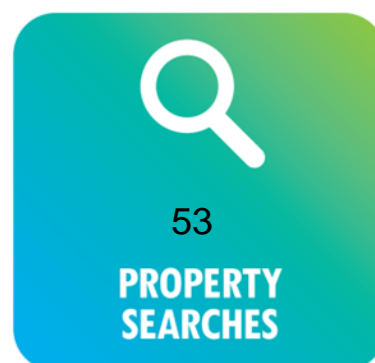
749

**OVER THE
COUNTER RECEIPTS**



626

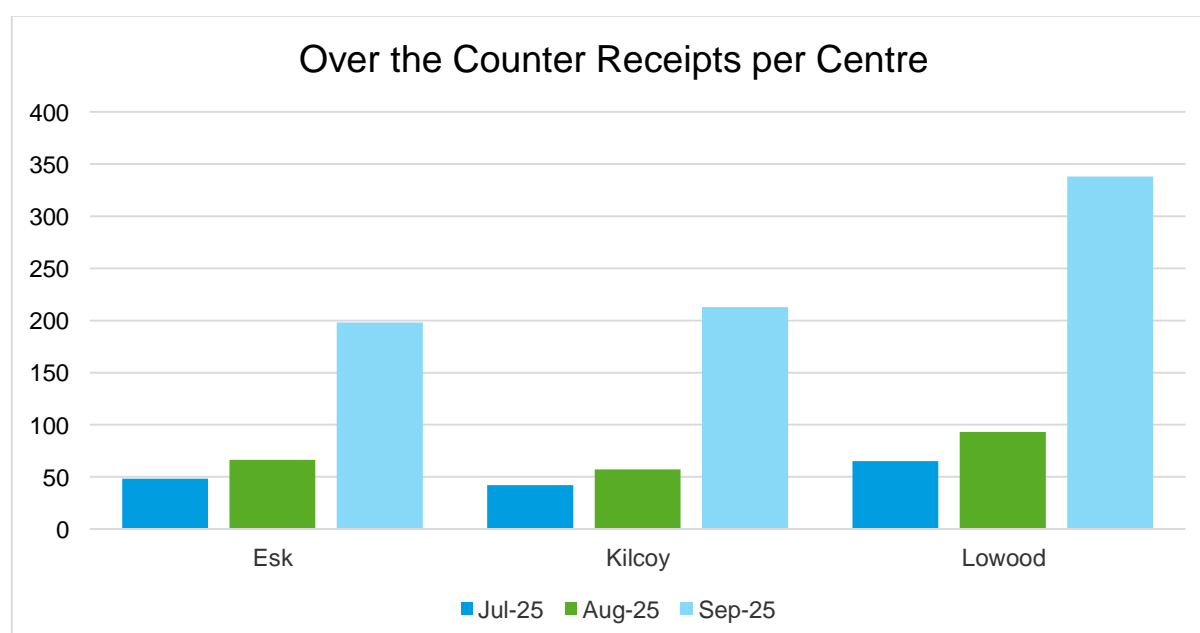
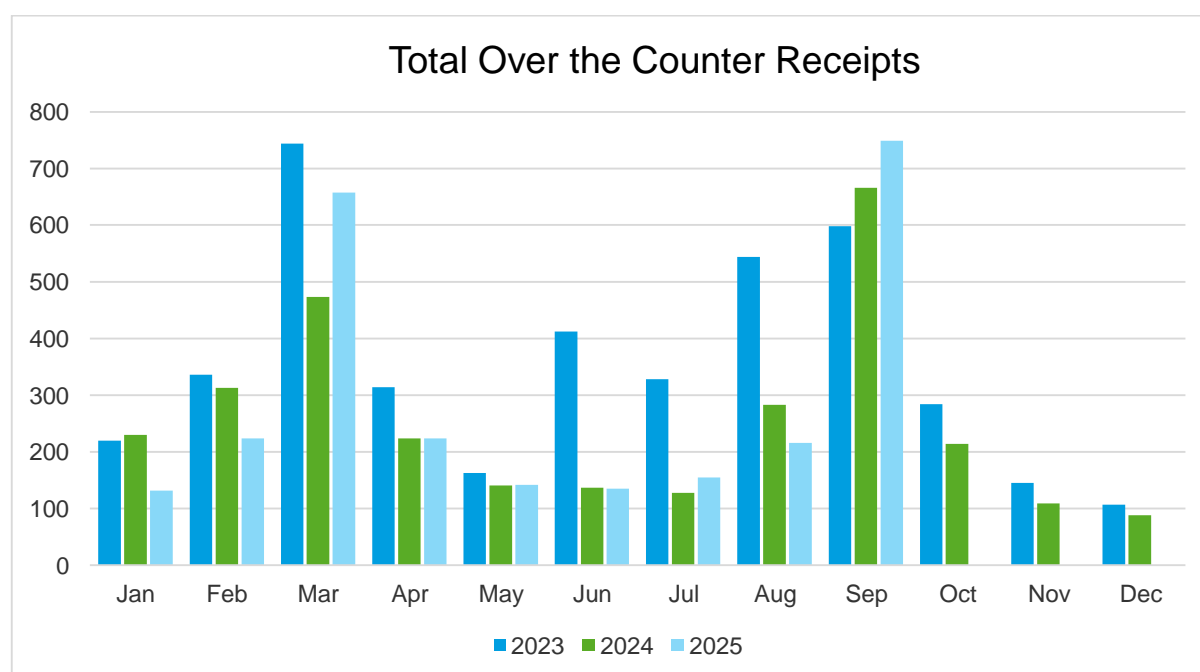
**QGAP
TRANSACTIONS**



53

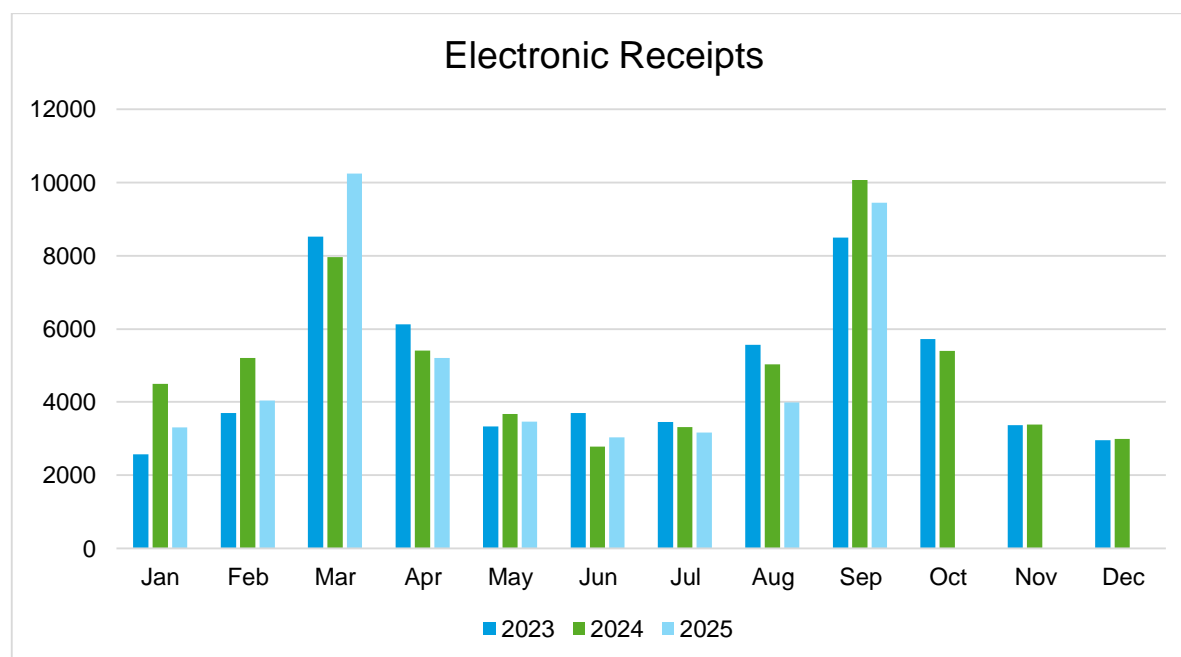
**PROPERTY
SEARCHES**

The below table shows the number of Council financial transactions that were taken over the counter at each of the customer service centres in the region for September 2025. These numbers include payments that were posted into the Council. In total there was 749 financial transactions across the three customer service centres with 198 at Esk Administration Centre, 213 at Kilcoy Customer Service Centre and 338 at Lowood Customer Service Centre. This increase was due to rates discount period closing end of September.

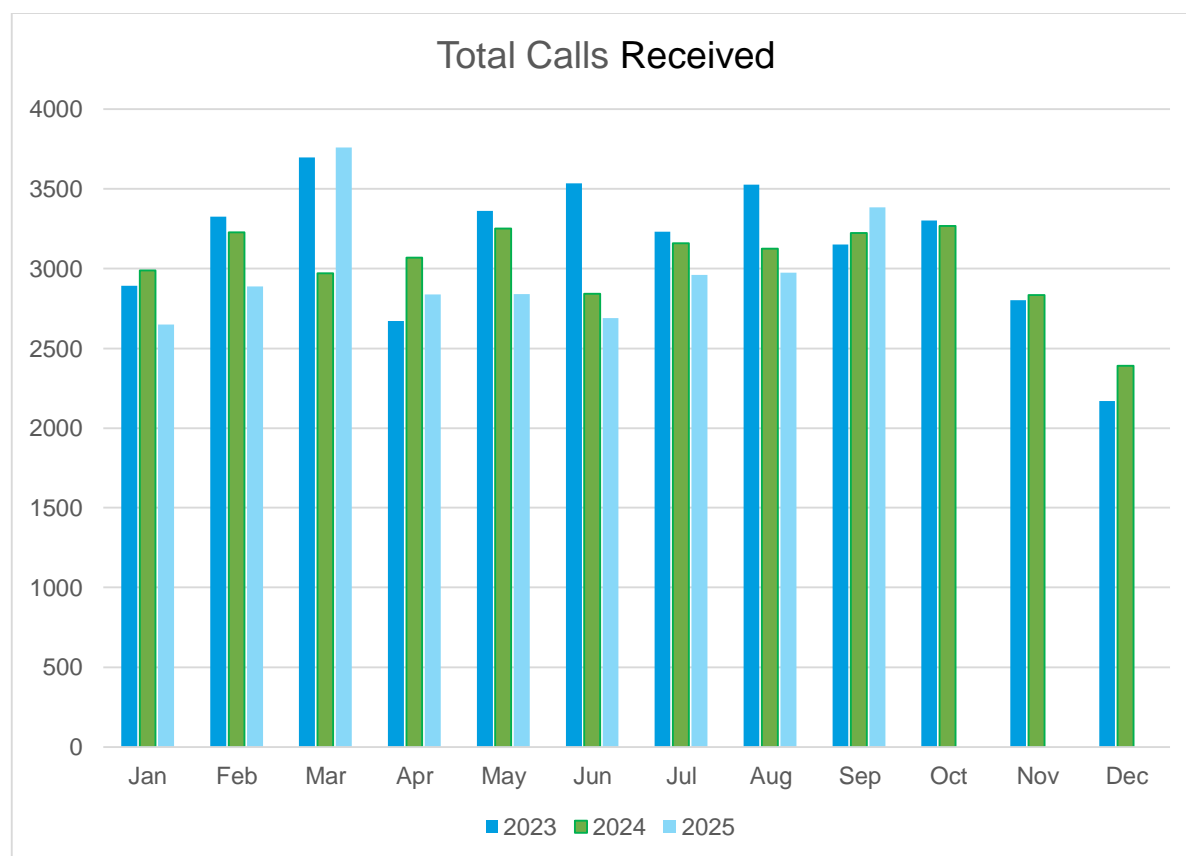


The below table illustrates all other financial transactions (excluding over the counter receipts) received at Council and processed by the finance department. These are BPay and EFT (electronic funds transfer) transactions for payments such as rates, animal registration etc. For the month of August there were 9,451 transactions. Compared to August 2025 there

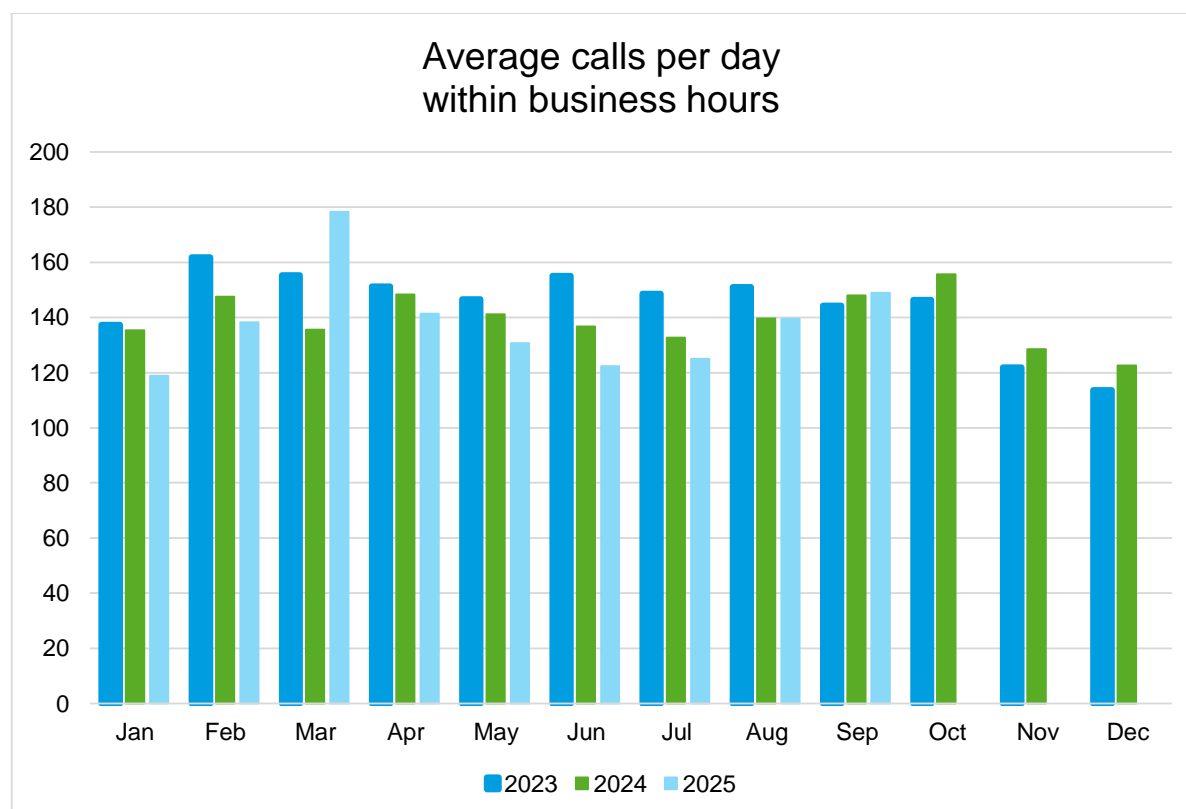
was an increase of 5,468 transactions, this increase was due to rates being issued in August and due end of September.



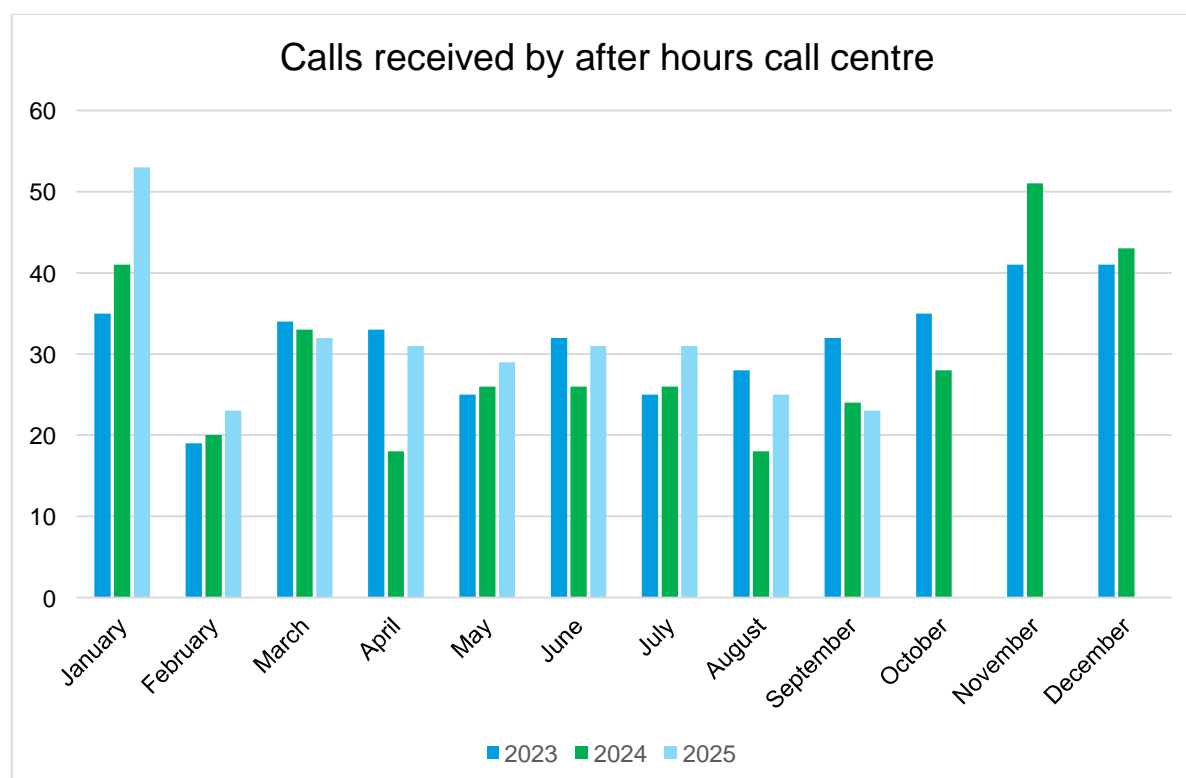
Below are the total number of calls received into the Council main phone line (07 5424 4000), including out of hours, compared to previous calendar years. Calls received does not include internal calls made within Council, or outbound calls. There were 3,383 calls received for the month September 2025. This is an increase of 409 calls compared to August 2025. Compared to September 2024 there was an increase of 160 calls for the month. This rise maybe attributed to SMS reminder messages sent to ratepayers during the month.



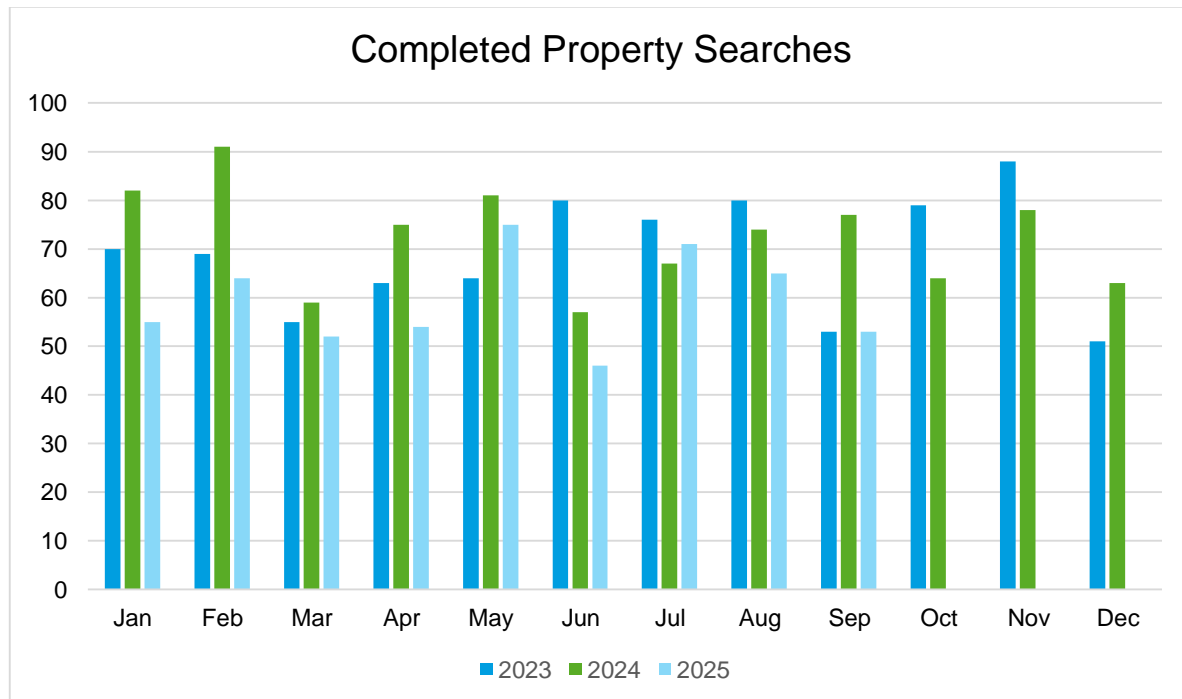
Listed below is a comparison of the average calls received per day within business hours. On average there were 149 calls received each business day for September 2025, which was an increase of 9 calls on average per day from August 2025.



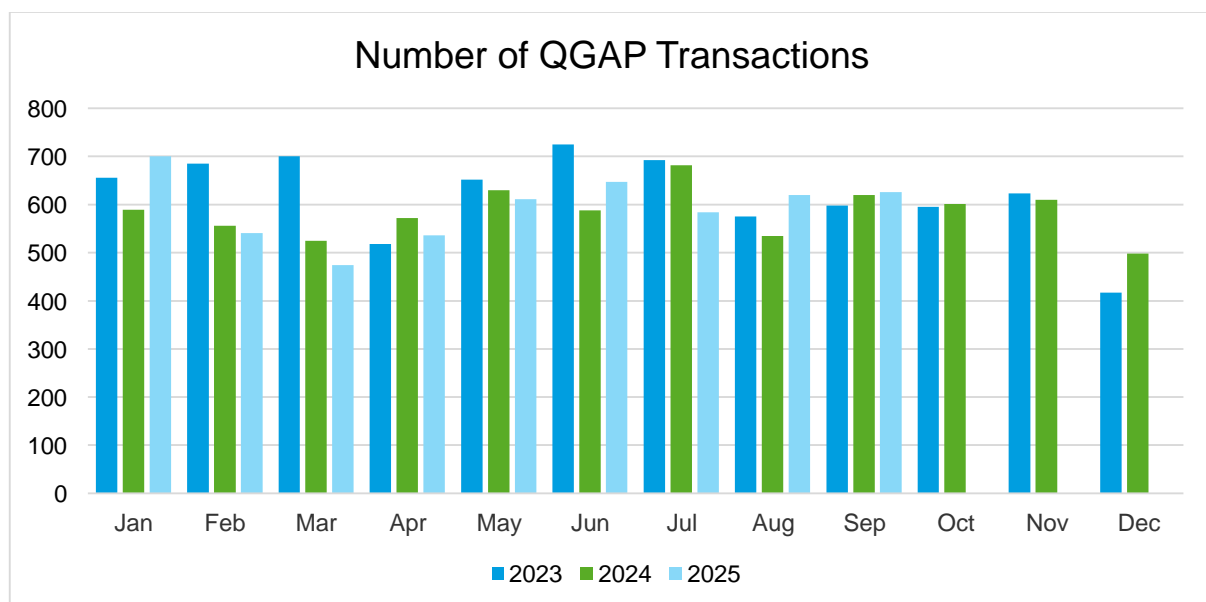
There were 3,383 calls received during business hours and 106 out of hours. Out of the 106 calls received out of hours, 23 calls were transferred to the afterhours call centre.



For the month of August 2025 there were 53 property searches completed for prospective purchasers. This decreased by 12 completed searches for the month compared to August 2025.



There were 626 Queensland Government Agent Program (QGAP) transactions for the Lowood QGAP agency in August 2025. On average there were 28 transactions per business day.



Other services

Customer Service team also contributed to administrative support, graphic design and development, mail outs, 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 Mayoral Gala Charity Ball at the Somerset Civic Centre.

Attachments

Nil

Recommendation

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

Resolution

Moved – Cr Bishop

Seconded – Cr Jess

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

Carried

Vote - Unanimous

Subject:	Enterprise Resource Planning
File Ref:	Organisational Review
Action Officer:	CEO

Background/Summary

The purpose of this report is to provide an overview of the process undertaken to review Council's Enterprise Resource Planning (ERP) system, to highlight key findings, and to outline the opportunities for organisational improvement.

Over the last twelve months, Council Officers participated in the *CEO Kitbag* program, delivered through the Local Government Managers Association. This program supported Council's senior leadership and management team (known as the Team Somerset Management Committee) to assess performance against legislative requirements and best practice in local government.

The process strengthened team collaboration, promoted shared understanding of Council's operations, and identified key areas for improvement. Two priority projects were agreed upon:

- A review of the organisational structure, and
- A review of Council's ERP planning and systems.

This report focuses on the ERP Planning Review.

Review Process

An independent assessment of Council's ERP system was undertaken to evaluate how well current systems support day-to-day operations, user needs, and strategic objectives. The process included:

- Identifying Council's business objectives and the functions expected of an ERP system,

- Mapping systems and tools across all areas of Council's operations,
- Consulting with senior officers and system users, and
- Assessing performance, integration, and user satisfaction.

Findings

The review confirmed that, while Council continues to deliver quality services to the community, this success has relied heavily on the dedication and innovation of staff who have developed additional processes to compensate for system limitations.

However, the review also highlighted that the current ERP systems are no longer contemporary or sustainable. Key findings included:

- The core system is nearing end-of-life and carries risks related to vendor support and compatibility with future technology,
- Heavy reliance on manual processes introduces inefficiencies and data integrity risks,
- The system lacks integration with other modern platforms, limiting data-driven decision making and customer focused services, and
- User feedback indicates frustration with accessibility, reporting, and outdated functionality.

Next Steps

Council Officers have been examining potential pathways for transition to a modern ERP solution that better meets the needs of both staff and the community. Discussions have been held with other local governments undertaking similar projects to share insights and lessons learned.

A modern ERP system will provide:

- Improved efficiency and integration across Council operations,
- Greater data security and reliability,
- Enhanced reporting and customer service capabilities, and
- Stronger alignment with legislative and strategic objectives, and
- Importantly, protect Council's business continuity.

It is proposed that Council proceed to procure a suitable ERP solution and develop a detailed implementation plan for the transition to a new ERP system. This plan will consider project governance, change management, resourcing, and timelines to ensure business continuity throughout the transition.

Council's current systems have served the organisation well, but they are now at high risk of failure and do not meet contemporary standards. Implementing a modern ERP system represents a significant step toward improving efficiency, transparency, and service delivery for the Somerset community.

Attachments

Nil

Recommendation

THAT Council

1. authorises the Chief Executive Officer to progress the replacement of Council's Enterprise Resource Planning system through direct negotiation via the Local Government Association of Queensland Local Buy arrangement, and
2. support the allocation of appropriate financial resources to ensure a successful transition and sustainable long-term system performance, to be considered as part of a future budget review.

Resolution

Moved – Cr Bishop

Seconded – Cr Freese

“THAT Council:

1. authorises the Chief Executive Officer to progress the replacement of Council's Enterprise Resource Planning system through direct negotiation via the Local Government Association of Queensland Local Buy arrangement, and
2. support the allocation of appropriate financial resources to ensure a successful transition and sustainable long-term system performance, to be considered as part of a future budget review.”

Carried

Vote - Unanimous

Subject:	Councillor vacancy on advisory committees and community groups
File Ref:	Community Relations - Community Consultation
Action Officer:	ESO -RK

Background/Summary

Due to the resignation of former Councillor Isidro vacancies exist on several Council advisory committees and community groups. With the recent by-election now complete a need exists to fill the various vacancies.

The vacancies that require filling are listed below:

Council Advisory Committees

- Kilcoy Recreation Grounds Advisory Committee
- Economic Development and Tourism Advisory Committee
- Arts Culture and Heritage Advisory Committee
- Local Disaster Management Group
- Environmental Recovery Sub Group
- Mount Glen Rock Steering Committee
- Kilcoy Streetscape Advisory Committee.

Community Group representation (where invited)

- Somerset Chamber of Commerce
- Kilcoy Progress Association
- Borumba Hydro Community Reference Group.

Following discussions via Mayor Wendt, it is proposed that the vacancies will be filled by varying Councillors as per the below recommendation.

Attachments

Nil.

Recommendation

THAT Council:

1. Appoint Councillor Laycock as Council's representative to the Kilcoy Recreation Grounds Advisory Committee, Economic Development and Tourism Advisory Committee and Mount Glen Rock Steering Committee and Kilcoy Streetscape Advisory Committee.
2. Appoint Councillor Laycock as Council's representative to the Arts Culture and Heritage Advisory Committee and appoint Councillor Jess as the Chairperson.
3. Appoint Councillor Laycock as a Council representative to the Local Disaster Management Group and Environmental Recovery Sub Group.
4. Appoint Councillor Laycock to provide Council representation to the Somerset Chamber of Commerce.
5. Appoint Councillor Bishop to provide Council representation to the Kilcoy Progress Association.
6. Appoint Councillor Freese to provide Council representation to the Borumba Hydro Community Reference Group.

Resolution	Moved – Cr Bishop	Seconded – Cr Brieschke
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“THAT Council:

1. Appoint Councillor Laycock as Council's representative to the Kilcoy Recreation Grounds Advisory Committee, Economic Development and Tourism Advisory Committee and Mount Glen Rock Steering Committee and Kilcoy Streetscape Advisory Committee.
2. Appoint Councillor Laycock as Council's representative to the Arts Culture and Heritage Advisory Committee and appoint Councillor Jess as the Chairperson.
3. Appoint Councillor Laycock as a Council representative to the Local Disaster Management Group and Environmental Recovery Sub Group.
4. Appoint Councillor Laycock to provide Council representation to the Somerset Chamber of Commerce.
5. Appoint Councillor Bishop to provide Council representation to the Kilcoy Progress Association.

6. Appoint Councillor Freese to provide Council representation to the Borumba Hydro Community Reference Group."

Carried

Vote - Unanimous

Subject:	Somerset Social Plan Advisory Committee – Appointment of Members
File Ref:	Community Services – Meeting – (Minutes – Agenda) – 2024 – 2028 Somerset Social Plan Advisory Committee
Action Officer:	CTM

Background/Summary

Council recently received two resignations for positions in the Somerset Social Plan Advisory Committee (the Committee). At its meeting on 27 August 2025, Council resolved to revise the Terms of Reference for the Committee.

Council called for Expressions of Interest (EOIs) for representation for two committee positions in September 2025. EOIs closed on 30 September 2025. These were promoted through Council's website and notices placed in the Lockyer and Somerset Independent and The Sentinel. Interagency members, which include government and non-government agency representatives were advised of the opportunity to participate by email.

A summary of the EOIs submitted is provided as a confidential attachment to this report.

Since advertising for the positions an additional community member position has become available due to the resignation of a Committee member. Once accepted by the Committee at the next meeting on 11 November 2025, another Committee position will become available. It is proposed that this position be filled from the current EOIs.

A panel reviewed all EOIs and found the following submissions to best reflect the requirements of the roles and responsibilities:

- Ms Kerrin Meinhardt (Interagency Representative) and
- Ms Barbara Dougherty (Community Representative).

Attachments

1. Expressions of Interest Advertisement
2. CONFIDENTIAL – Somerset Social Plan Advisory Committee EOIs Summary
3. CONFIDENTIAL – Somerset Social Plan Advisory Committee EOIs

Recommendation

THAT Council appoint the following members to the Somerset Social Plan Advisory Committee: Ms Kerrin Meinhardt and Ms Barbara Dougherty.

Resolution

Moved – Cr Brieschke

Seconded – Cr Bishop

"THAT Council appoint the following members to the Somerset Social Plan Advisory Committee: Ms Kerrin Meinhardt and Ms Barbara Dougherty."

Carried

*Vote - Unanimous***Meetings authorised by Council**

Nil

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

September

- 24 Tour of Muckets and McCulkins Lanes, Fernvale
Council Ordinary meeting – Community meeting at Fernvale
Council Workshop meeting
- 25 Teddy Bears Picnic, Somerset Civic Centre
Swearing In Ceremony for new Councillor Steph Laycock

October

- 8 Council Briefing
Council Ordinary meeting
Council Workshop meeting
- 9 Brisbane Valley Interagency meeting, Lowood State School
Queensland Country Tourism presentation, Split Yard Social, Fernvale
- 13 HMAQ SEQ Local Government Subcommittee meeting, Teams
- 14 Valley of the Lakes 15th Anniversary celebration, Esk
Urban Utilities Shareholder Update meeting, Esk
- 15 SES meeting, Esk
- 20 LGAQ Conference, Gold Coast
- 21 LGAQ Conference, Gold Coast
- 22 LGAQ Conference and Annual General meeting, Gold Coast
- 23 Toogoolawah State High School Awards Ceremony
- 24 Community meeting at Alkira Aged Care Facility
Kilcoy Multicultural Festival
- 25 Brisbane Valley History Expo, Esk
- 28 Kilcoy Interagency meeting

I would like to thank Council for providing the opportunity to attend the Local Government Association of Queensland (LGAQ) Annual Conference last week. This event gathered representatives from all 77 Councils across Queensland and was held at the Gold Coast. During the conference, delegates participated in a comprehensive trade show and engaged in a packed program of informative sessions. Additionally, the LGAQ Annual General Meeting offered a platform for Councils to raise motions seeking assistance with Council-related matters, including requests for increased operational funding from both State and Federal governments.

Of particular note, out of the 133 motions put forward at the meeting, seven addressed the pressing issues of homelessness, housing supply and affordability, highlighting the ongoing concerns faced by local communities throughout Queensland.

Last week, I attended the Multicultural Festival at Kilcoy with the Mayor and Councillor Bishop. The festival drew a substantial crowd, reflecting the strong community interest and support for cultural celebration in our region.

Attendees enjoyed an array of vibrant performances that showcased the talents and traditions of our First Nation Peoples, as well as cultural displays from communities representing Vanuatu, Timor, Fiji, the Philippines and Papua New Guinea.

These performances provided a unique opportunity to appreciate the rich diversity within our local area and to foster greater understanding and connection between cultures.

I wish to extend my sincere gratitude to all the performers, whose dedication and artistry were central to the festival's success and acknowledge the efforts of our Council's staff who's hard work ensured the event ran smoothly and professionally to the enjoyment of everyone in attendance.

Cr Bishop – Councillor Report

Apart from attending all the markets in the Somerset Region, it has been a busy time. I would like to particularly thank the officers and community for the multicultural festival in Kilcoy on Friday. The community have given strongly positive feedback and the many visiting social service providers were also very appreciative to the opportunity to meet locals and promote their services. I would like to acknowledge Shayne Neuman our Federal MP who again came and supported our community. It is exciting that two of the long-term Bangladeshi refugees who have been so very strongly supported by the Kilcoy community will soon be able to become Australian citizens and I know that many people in Kilcoy will be hoping that others may also achieve their citizenship. I would also like to thank the Mayor Jason Wendt for his speech and participation in the event. His emu dance was impressive.

October

- 9 Brisbane Valley Interagency Meeting
- 13 Kilcoy District Progress Alliance Meeting
- 14 Lowood Community Action Group
Urban Utilities Shareholder Update Meeting
Valley of Lakes Garden Club 15th anniversary celebration civic centre
- 15 Somerset Business Chamber After Dark Meeting Fernvale
Councillor Chat at Coominya
- 17 Seniors Expo Esk Civic Centre
- 23 Toogoolawah State High School Awards night
- 24 Alkira public Meeting
63rd Kilcoy State High School Awards night
Multicultural festival Kilcoy
- 25 Somerset Writers Group
- 28 Kilcoy Interagency Meeting

Cr Freese – Councillor Report

October

- 15 Queensland Country Tourism - Drive Tourism Campaign Media Launch – Rosalie House
Somerset Wivenhoe Fish Stocking Association Meeting
- 20–22 LGAQ State conference – Broadbeach
- 23 Welcome to Sounds of Connection: A QMF Regional Partnerships Breakfast
Toogoolawah State High School Awards Night
- 24 In the Pink Extravaganza at the Lowood Open Door Gallery
- 25 Brisbane Valley History Expo at the Civic Centre
50 Years of Leukaemia Foundation – Lowood Open Door Gallery
Lowood Masonic Lodge Installation Dinner

Cr Jess – Councillor Report

October

- 9 Queensland Country try Networking Event, Splityard Social Fernvale
- 15 Councillor Community Chat, Coominya
SES Training
- 16 Lockyer Valley Art Exhibition Opening, Nature's Canvas
- 17 Somerset Seniors Month Event
- 18 Kilcoy Free Tree Day

- 20-21 LGAQ Conference
- 23 Toogoolawah State High School Awards Celebration
- 24 Kilcoy State High School Awards Celebration
Open Door Gallery In the Pink Gala Night
- 25 Brisbane Valley History Expo
Lockyer and Brisbane Valley Branch Leukaemia Foundation High Tea
Lowood Lodge Installation Banquet

Cr Laycock – Councillor Report

Over the last month I have attended some very informative sessions with Queensland Country Tourism as well as getting some hands-on experience with Cr Jess and the Deputy Mayor at the State Emergency Service here in Esk. The LGAQ conference was very informative, some of the highlights being the media training, conflicts of interest training and young Councillors cohort.

Cr Wendt – Councillor Report

The Region's schools are in awards season at the moment. In the past two weeks I have attended both Toogoolawah and Kilcoy State High School awards nights. These have been exceptionally well run and have been a real highlight for me to see what has been achieved by the students. Congratulations to not only the award recipients but also the schools for the achievements.

Resolution

Moved – Cr Hurley

Seconded – Cr Laycock

“THAT the verbal and written reports of Mayor Wendt and Councillors Brieschke, Bishop, Freese, Hurley, Jess and Laycock be received.”

Carried

Vote - Unanimous

Receipt of Petition

Nil

Consideration of notified motions

Nil

Reception of notices of motion for next meeting

Nil

Items for reports for future meetings

Nil

Closure of Meeting

Summary

There being no further business, the Mayor, Cr Jason Wendt closed the meeting at 10.48am.