

# Agenda



## ORDINARY MEETING OF COUNCIL

### AGENDA

16 MARCH 2022

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**1. MEETING OPENED****1.1 Acknowledgement of Country**

*The traditional owners of the land on which the meeting is held to be acknowledged.*

**1.2 Opening Prayer**

*A minute's silence to be held for those persons recently deceased followed by the opening prayer.*

**2. LEAVE OF ABSENCE**

*No Leave Of Absence.*

**3. CONDOLENCES/GET WELL WISHES****3.1 Condolences/Get Well Wishes**

**Author:** Bella Greinke, Council Business Officer

**Responsible Officer:** Ian Church, Chief Executive Officer

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**Officer's Recommendation:**

**THAT letters of condolence be forwarded to the families of recently deceased persons from within, or associated with, the Lockyer Valley region.**

**Attachments**

There are no attachments for this report.



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**4. DECLARATION OF ANY PRESCRIBED CONFLICT OF INTERESTS/DECLARABLE CONFLICTS OF INTEREST BY COUNCILLORS****4.1 Declaration of Prescribed Conflict of Interest on any Item of Business**

Pursuant to Chapter 5B, Part 2 of the *Local Government Act 2009*, a councillor who has a prescribed conflict of interest in an issue to be considered at a meeting of a local government, or any of its committees must:

- (a) inform the meeting of the prescribed conflict of interest in the matter, including the following about the interest –
  - i. if it arises because of a gift, loan or contract, the value of the gift, loan or contract
  - ii. if it arises because of an application or submission, the subject of the application or submission
  - iii. the name of any entity other than the councillor that has an interest in the matter
  - iv. the nature of the councillor's relationship with the entity that has an interest in a matter
  - v. details of the councillor's and any other entity's interest in the matter; and
- (b) leave the meeting room, including any area set aside for the public, and stay out of the meeting room while the matter is being discussed and voted on unless the subject councillor has written notice from the Minister to participate in the matter.

**4.2 Declaration of Declarable Conflict of Interest on any Item of Business**

Pursuant to Chapter 5B, Part 3 of the *Local Government Act 2009*, a councillor who has a declarable conflict of interest in a matter to be considered at a meeting of the local government or any of its committees must inform the meeting about the personal interest in the matter, including the following particulars about the interests:

- (a) the nature of the interests
- (b) if it arises because of the councillor's relationship with a related party:
  - i. the name of the related party to the councillor
  - ii. the nature of the relationship of the related party to the councillor
  - iii. the nature of the related party's interest in the matter
- (c) if it arises because of a gift or loan from another person to the councillor or a related party:
  - i. the name of the other person
  - ii. the nature of the relationship of the other person to the councillor or related party
  - iii. the nature of the other person's interest in the matter
  - iv. the value of the gift or loan and the date the gift or loan was made.
- (d) how the councillor intends to handle the matter i.e. leave the meeting or proposes to stay in a meeting.

**5. MAYORAL MINUTE**

*No Mayoral Minute.*

**6. CONFIRMATION OF MINUTES****6.1 Confirmation of Ordinary Meeting Minutes 16 February 2022****Author:** Ian Church, Chief Executive Officer**Responsible Officer:** Ian Church, Chief Executive Officer

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**Officer's Recommendation:**

**THAT the minutes of the Ordinary Meeting of Lockyer Valley Regional Council held on Wednesday 16 February 2022 be taken as read and confirmed.**

**Attachments**

There are no attachments for this report.

**7. BUSINESS ARISING FROM MINUTES**

*No Business Arising from Minutes.*

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**8. COMMITTEE REPORTS****8.1 Receipt of Minutes of the Friends of Das Neumann Haus Meeting held on 24 February 2022****Author:** Lisette New-Sippel, Tourism Officer**Responsible Officer:** Amanda Pugh, Group Manager Community & Regional Prosperity

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**Officer's Recommendation:**

**THAT Council receive and note the unconfirmed minutes of the Friends of Das Neumann Haus committee meeting held on 24 February 2022, as attached to this report.**

**Attachments**

**1** [!\[\]\(5361750c22c4e047a52f4eac1ec2d4cc\_img.jpg\)](#) Minutes - Friends of Das Neumann Haus Committee Meeting 24 February 2022 2 Pages

**MINUTES OF THE FRIENDS OF DAS NEUMAN HAUS MEETING HELD ON  
FEBRUARY 24<sup>TH</sup> 2022**

**APOLOGIES:** Corrie Verbeeten, Lisette New, Keryn Quinn, and Karl Woldt

**ATTENDING:** Shaye (LVRC Rep) Councillar Brett Qualischefski, Linda Naggs, Meg Wright, Julie Austin, Marian Davis, Sue Williams, Trisha Dick, Dot Windolf, Hannah Choi, Leonor Bellini, Peta Merrick, Maria Larkman, Angela Worrall

**MEETING COMMENCED AT 9.10AM**

Minutes of previous meeting were read. Moved Julie Austin, and seconded Marian Davis.

**BUSINESS ARISING:**

Sue Williams has purchased a new landline phone. Cost \$199 will be reimbursed.

Front door buzzer has been repaired by LVRC workmen, which is loud enough for us to hear.

The Box of information forms on our district, has been checked, and now all the various leaflets are on display in Visitor Guide Cabinet.

**TREASURERS REPORT:**

As at today our bank balance stands at \$29,939.22. Sue Williams reimbursement will come out of this. All our accounts are up to date.

**GENERAL BUSINESS:**

Colleen from LVRC has given us a number of wonderful Gatton and District, history information books to sell. \$16 each.

Heritage Festival will be on Saturday April 9<sup>th</sup>. (all day.) Volunteers need to attend please.

Shayne from LVRC has a number of Black and White Postcards of Old Laidley. They will cost us 75cents each card. Shayne will also put together a box of suitable Lockyer Valley Souvenirs for us to purchase, and then re sell. We might be able to contact the Laidley Pioneer Village to find if they are interested in taking some of the items for their own shop. Shayne has very kindly said she will check out what is available for us. Sue will speak to the Pioneer Village people.

Gary from the Lavender Farm is meeting Shayne soon, and she will let him know we are interested in selling some of his Lavender Products, also promoting his Lavender Farm.

Our wonderful Cleaner has been relieved of her duties due to her being unvaxed. Peta, our fellow volunteer, will also take a break from the roster until the situation with the Covid Vaccine changes. She knows we want her back asap!!

Due to the requirements for our staff to check all entries into the Haus for Covid vaccinations, our William Street entrance will be closed, and traffic will be re directed to enter via the Patrick Street door. Signs will explain why.

We are happy to announce we reopen on Thursday March 3<sup>rd</sup>. at 10am. It will be wonderful to be back at work.

Shayne has supplied us with a large box of new Lockyer Valley Visitors Guides. All vols are encouraged to read them. Visitors will be encouraged as well to take one.

Corrie and Dot have put their heads together, and designed a very good "Volunteer Information Leaflet" and application form. Dot checked a few items, and will make a couple of changes. It will enable us to give them to any one who is keen on joining our team, or even shows a bit of interest. One item to be changed is that where the Blue Card is mentioned, we need to add "Working with Children". Thankyou to Dot and Corrie. This really needed to be done.

Marian met with the President of the Lockyer Valley Tourist Association, Mel Porter. She informed Marian of the merging of the Laidley Chamber of Commerce, and the LVTA. This is a very important merger, and our Council LVRC are supporting it, and may even provide an Officer to work with the newly combined group to promote, and liaise with other businesses.

Shayne has advised LVRC will publicize the reopening of Das Neuman Haus in the local paper. Also, the Council have plans to alter the signs outside, showing the days we are open. The days will be Thursday, Friday, Saturday and Sunday.

Sue passed around our March Roster.

Being no further business, the meeting closed at 10am.

**Next Meeting Thursday March 17<sup>th</sup> 9am**

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**9. DEPUTATIONS/PRESENTATIONS**

*No Deputations/Presentations.*

**10. EXECUTIVE OFFICE REPORTS****10.1 Summary of Council Actual Performance v Budget - 28 February 2022**

**Author:** Dee Stewart, Coordinator Accounting Services

**Responsible Officer:** Ian Church, Chief Executive Officer

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**Purpose:**

The purpose of this report is to provide Council with an update of Council's financial performance against budget for the financial year to 28 February 2022.

**Officer's Recommendation:**

**THAT Council receive and note the Summary of Council Actual Financial Performance versus Budget to 28 February 2022 as attached to this report.**

**Executive Summary**

In accordance with Section 204 of the *Local Government Regulation 2012*, a financial report summarising the progress of Council's actual performance against budget is to be presented to Council. This report provides a summary of Council's financial performance against budget for the financial year to 28 February 2022.

At 28 February 2022, revenues are over target and expenditures are under target. The net recurrent result/Operating surplus/(Deficit) at the end of February is \$16.12 million. This is high in comparison to the anticipated net recurrent result/Operating surplus/(Deficit) at year end. This is expected due to the timing of the second rates levy. It will decline as the year progresses.

**Proposal**

Monthly reporting of Council's financial performance is a legislative requirement and reinforces sound financial management practices throughout the organisation. The following report provides a summary of Council's financial performance against budget to 28 February 2022.

**Operating Revenue** - Year to date target \$51.54 million actual \$53.55 million or 103.90%

At 28 February 2022, overall operating revenue for the year to date is above target.

Rates and Utility Charges (Gross) on target

The second rates levy for 2021-2022 was raised in February 2022 with a due date of 11 March 2022. Rates are on target with budget. Rates will be closely monitored throughout the year regarding cash flow and overdue balances as well as whether growth targets are being achieved as forecast. The second rates levy is due on 11 March 2022. Increased focus is being placed on collection, with the recent flood event impacting large portions of the region. 36.54% of the rates levy was collected as at 4th March 2022. The collection rate will increase significantly as the due date is reached.

**Fees and Charges over budget by \$1.09 million**

The favourable variances in fees and charges relates predominately to higher than expected income from development fees \$0.47 million and higher than expected income from plumbing and building fees, childcare fees, waste fees and rates search fees. This line item is also showing as above budget due to an accounting transaction processed to recognise Child Care and Library debtors. These debtors are now brought into Council's corporate software to provide more control and monitoring of these debts in line with Council's debt recovery processes. The fees and charges budget has been reviewed and will be adjusted as part of the next budget review.

**Operating Grants and Subsidies over budget by \$0.43 million**

Operating grants and subsidies are over budget due to the receipt of \$0.31 million from QRA for emergency works under disaster recovery funding arrangements. The budget will be updated as part of the next budget review.

**Other Revenue over budget by \$0.45 million**

Other revenue is performing above budget mostly due to higher than expected revenue from facilities, change of ownership fees and a refund for water and sewerage charges that were incorrectly billed.

**Operating Expenditure - Year to date target \$39.10 million Actual \$37.43 million or 95.73%**

At 28 February 2022, overall operating expenditure for the year is under budget by \$1.67 million with most variations a result of timing differences and any significant changes in budget will be brought forward at the March budget review.

**Goods and Services under budget by \$1.30 million**

Goods and services are under budget due to timing differences. The timing differences are mostly associated with waste expenditure and is not of a concern at this time of the year. There is also an underspend on goods and services due to the delay in delivery of number of operational projects including ICT and Resilient Rivers projects. Offsetting these underspends is an overspend on materials and services on civil operations and flood restoration works due to a heavier focus on maintenance and flood restoration activities this year to date. This will be monitored for adjustments against capital as the year progresses. There will be a large transfer of budget to the operational expenses due to the recent flooding event as it is Council's main focus over the coming months. This increase in expenditure will be partially offset by QRA funding. There is also an overspend on legal fees and facilities contractors which are to be reviewed as part of the next budget review.

**Capital Project Expenditure – Year to date target \$10.60 million Actual \$8.82 million or 83.16%**

At 28 February 2022, Council has expended \$10.60 million on its capital works program with a further \$4.11 million in committed costs for works currently in progress. Work is required over the coming months to revise the timing of budget to align to the program of works to be delivered. Consideration needs to be given to grant timing, adverse weather impacts and resourcing/supply delays to ensure the deliverability of the program. The capital works program will be reviewed for deliverability and timing of projects as part of the next budget review.

The main expenditure is \$8.46 million within Infrastructure Group with a significant amount being capital expenditure on the renewal and upgrade of roads.

Additional detail is provided in the capital works program within the attachment.

**Statement of Financial Position**

The Statement of Financial Position provides information on the breakdown of Council's assets and liabilities at a point in time. At 28 February 2022, Council had \$58.59 million in current assets compared to \$14.14 million in current liabilities with a ratio of 4.14:1. This means that for every dollar of current liability, there is \$4.14 in assets to cover it. As at 28 February Council has a large amount of trade and other receivables due to the outstanding rates balances. This will drop significantly as the rates are collected closer to the 11 March due date.

**Statement of Cash Flows**

The Statement of Cash Flows provides information on the amount of cash coming in and going out. As at 28 February 2022, there has been a net cash inflow of \$4.46 million with \$10.55 million inflow from operating activities; and a net cash outflow of \$5.31 million from investing activities including capital revenue and expenditure.

The Statement of Cash Flows is important as it shows the real movement in Council's cash balances, as opposed to the accounting movements shown in the Statement of Income and Expenditure. To maintain adequate working capital, it is estimated that Council needs around \$11.00 million cash at any one time. As at 28 February, Council's cash balance was \$38.81 million. Unexpended grant funds which is restricted to be spent in accordance with the terms of the grant is at \$2.32 million.

OptionsOption 1

THAT Council receive and note the Summary of Council Actual Financial Performance versus Budget to 28 February 2022.

Or

Option 2

THAT Council do not receive the Summary of Council Actual Financial Performance versus Budget to 28 February 2022.

Previous Council Resolutions

Nil

Critical Dates

Nil

**Strategic Implications**Corporate Plan

Leadership and Council

Outcome:

5.1 Undertake robust and accountable financial, resource and infrastructure planning and management to ensure affordable and sustainable outcomes for our community.

5.7 Compliant with relevant legislation



### Finance and Resource

Monitoring of budgets and actuals will remain important if Council is to achieve the financial results adopted as part of the 2021-22 Budget, with any variations or anomalies to be investigated and action taken as appropriate. Financial impacts in relation to economic impacts because of the COVID-19 health pandemic will be monitored and reported to Council as information becomes available

### Legislation and Policy

In accordance with section 204 of the *Local Government Regulation 2012*, a financial report summarising the progress of Council's actual performance against budgeted performance is to be provided to Council.

### Risk Management

Key Corporate Risk Category:	FE2
Reference and Risk Description:	Finance and Economic Decision making governance, due diligence, accountability and sustainability.

### Consultation

#### *Internal Consultation*

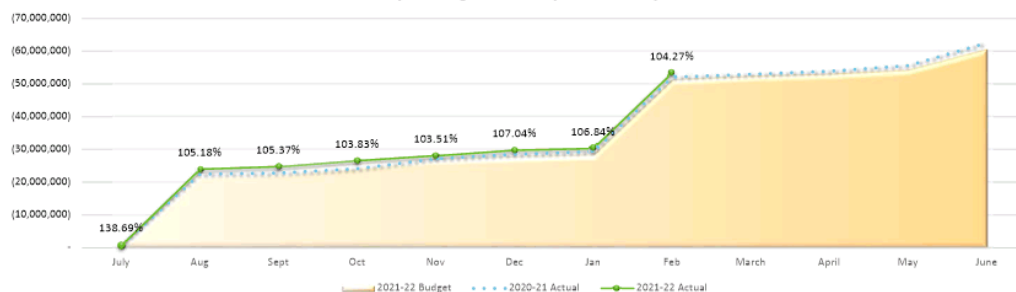
- Managers and Group Managers
- Finance Team

### **Attachments**

1 [!\[\]\(4b7a79268f6ba26c1471d4232fffa85a\_img.jpg\)](#) Monthly Financial Statements - February 2022 19 Pages

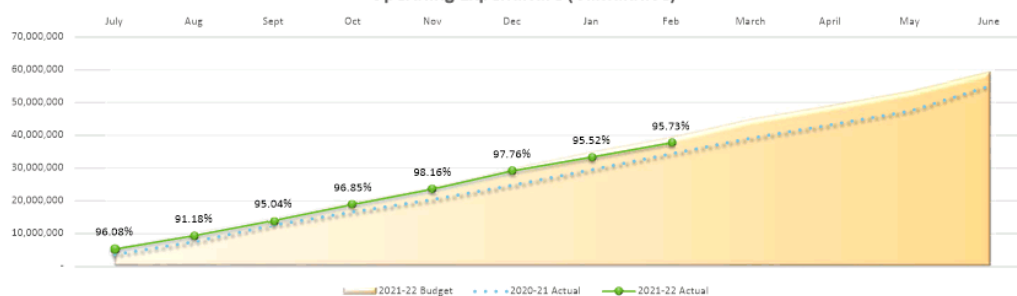
**LOCKYER VALLEY REGIONAL COUNCIL**  
**Operating Revenue and Expenditure Dashboard**  
**For the Period Ending 28th February, 2022**

Operating Revenue (Cumulative)



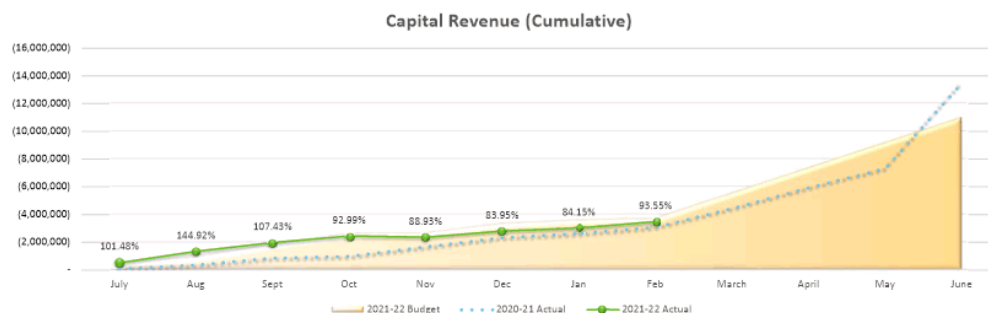
REVENUE TO DATE	Rates and Utility Charges (Gross)	Discount	Charges and Fees	Interest	Operating Grants and Subsidies	Operating Contributions and Donations	Revenue - Contract/Recoverable Works	Other Revenue	Profit from Investments	Total
Actual	(42,982,828)	1,247,664	(4,117,111)	(607,140)	(4,745,862)	(239,015)	(520,172)	(1,775,719)	-	(53,740,184)
Budget	(43,006,447)	1,237,000	(3,026,644)	(541,760)	(4,123,660)	(241,000)	(515,000)	(1,321,983)	-	(51,539,494)
Variance	(23,618)	(10,664)	1,090,467	65,380	622,202	(1,985)	5,172	453,736	-	2,200,690
Target %	99.95%	100.86%	136.03%	112.07%	115.09%	99.18%	101.00%	134.32%	-	104.27%
Movement to Prior Month Target %	→	→	↓	↓	→	→	→	→	→	↓

Operating Expenditure (Cumulative)



EXPENDITURE TO DATE	Employee Costs	Goods and Services	Finance Costs	Depreciation	Total
Actual	17,444,534	11,802,271	599,844	7,585,699	37,432,347
Budget	17,799,785	13,101,331	590,443	7,608,880	39,100,439
Variance	355,251	1,299,060	(9,401)	23,182	1,668,092
Target %	98.00%	90.08%	101.59%	99.70%	95.73%
Movement to Prior Month Target %	→	↑	→	→	→

**LOCKYER VALLEY REGIONAL COUNCIL**  
**Interim Capital Revenue and Expenditure Dashboard**  
**For the Period Ending 28th February, 2022**



REVENUE TO DATE by Type	Capital Grants, Subsidies and Contributions	Profit (Loss) on Disposal of Non Current Assets	Total
Actual	(3,834,663)	337,200	(3,497,463)
Budget	(3,988,460)	250,000	(3,738,460)
Variance	(153,796)	(87,200)	(240,997)

Target %

96.14%

134.88%

93.55%

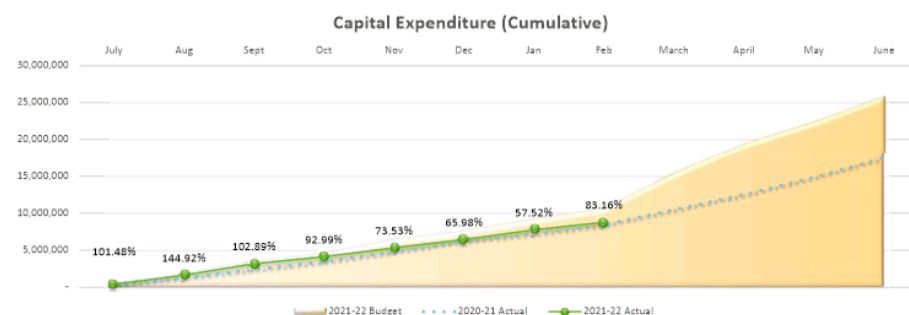
Movement to Prior  
Month Target %

→

→

→

Note: Graph above is  
reflecting capital grants and  
subsidies and developer  
contributed assets only



EXPENDITURE TO DATE by Group	People, Customer and Corporate Services	Infrastructure	Community and Regional Prosperity	Total
Actual	306,679	8,455,630	56,019	8,818,327
Budget	573,379	9,944,252	86,000	10,603,631

Target %

53.49%

85.03%

65.14%

83.16%

Movement to Prior  
Month Target %

→

↓

→

↓

Lockyer Valley Regional Council (Whole Council)  
Statement of Comprehensive Income  
For the Period Ending February 2022

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<b>Income</b>					
<b>Revenue</b>					
<b>Recurrent Revenue</b>					
Rates and Utility Charges (Gross)	43,004,780	42,982,828	43,006,447	23,618	0.05%
Discount	(1,841,377)	(1,247,664)	(1,237,000)	10,664	-0.86%
Charges and Fees	4,963,655	4,117,111	3,026,644	(1,090,467)	-36.03%
Interest	883,000	607,140	541,760	(65,380)	-12.07%
Operating Grants and Subsidies	8,139,411	4,745,862	4,123,660	(622,202)	-15.09%
Operating Contributions and Donations	921,000	239,015	241,000	1,985	0.82%
Revenue - Contract/Recoverable Works	738,000	520,172	515,000	(5,172)	-1.00%
Other Revenue	1,991,450	1,775,719	1,321,983	(453,736)	-34.32%
Profit from Investments	1,980,000	-	-	-	0.00%
<b>Total Recurrent Revenue</b>	<b>60,779,919</b>	<b>53,740,184</b>	<b>51,539,494</b>	<b>(2,200,690)</b>	<b>-4.27%</b>
<b>Capital Revenue</b>					
Capital Grants, Subsidies and Contributions	11,221,901	3,834,663	3,988,460	153,796	3.86%
<b>Total Revenue</b>	<b>72,001,820</b>	<b>57,574,847</b>	<b>55,527,954</b>	<b>(2,046,893)</b>	<b>-3.69%</b>
Capital Income	-	-	-	-	0.00%
<b>Total Income</b>	<b>72,001,820</b>	<b>57,574,847</b>	<b>55,527,954</b>	<b>(2,046,893)</b>	<b>-3.69%</b>
<b>Expenses</b>					
<b>Recurrent Expenses</b>					
Employee Costs	26,075,076	17,444,534	17,799,785	355,251	2.00%
Goods and Services	20,422,143	11,802,271	13,101,331	1,299,060	9.92%
Finance costs	1,123,890	599,844	590,443	(9,401)	-1.59%
Depreciation	11,413,320	7,585,699	7,608,880	23,182	0.30%
<b>Total Recurrent Expenses</b>	<b>59,034,429</b>	<b>37,432,347</b>	<b>39,100,439</b>	<b>1,668,092</b>	<b>4.27%</b>
Capital Expenses	-	1,174,426	-	(1,174,426)	0.00%
Loss on Sale	250,000	337,200	250,000	(87,200)	-34.88%
<b>Total Expenses</b>	<b>59,284,429</b>	<b>38,943,973</b>	<b>39,350,439</b>	<b>406,466</b>	<b>1.03%</b>
<b>Net Recurrent Result/Operating Surplus/(Deficit)</b>	<b>1,745,491</b>	<b>16,307,837</b>	<b>12,439,055</b>	<b>(3,868,781)</b>	<b>-31.10%</b>
<b>NET RESULT AFTER CAPITAL ITEMS</b>	<b>12,717,391</b>	<b>18,630,874</b>	<b>16,177,515</b>	<b>(2,453,359)</b>	<b>-15.17%</b>

Lockyer Valley Regional Council (Executive Office)  
Statement of Comprehensive Income  
For Period Ending February 2022

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<b>Income</b>					
<b>Revenue</b>					
<b>Recurrent Revenue</b>					
Rates and Utility Charges (Gross)	34,368,218	34,336,594	34,369,885	33,291	0.10
Discount	(1,597,000)	(1,116,074)	(1,097,000)	19,074	(1.74)
Charges and Fees	230,205	344,641	116,205	(228,436)	(196.58)
Interest	839,000	584,627	512,427	(72,200)	(14.09)
Operating Grants and Subsidies	4,321,521	2,340,610	2,086,966	(253,644)	(12.15)
Operating Contributions and Donations	21,000	-	11,000	11,000	100.00
Revenue - Contract/Recoverable Works	-	88	-	(88)	-
Other Revenue	1,160,000	899,485	725,000	(174,485)	(24.07)
Profit from Investments	1,980,000	-	-	-	-
<b>Total Recurrent Revenue</b>	<b>41,322,944</b>	<b>37,389,970</b>	<b>36,724,483</b>	<b>(665,488)</b>	<b>(1.81)</b>
<b>Capital Revenue</b>					
Capital Grants, Subsidies and Contributions	144,800	32,294	30,000	(2,294)	(7.65)
<b>Total Revenue</b>	<b>41,467,744</b>	<b>37,422,264</b>	<b>36,754,483</b>	<b>(667,782)</b>	<b>(1.82)</b>
Capital Income	-	-	-	-	-
<b>Total Income</b>	<b>41,467,744</b>	<b>37,422,264</b>	<b>36,754,483</b>	<b>(667,782)</b>	<b>(1.82)</b>
<b>Expenses</b>					
<b>Recurrent Expenses</b>					
Employee Costs	4,635,142	2,460,604	2,563,920	103,317	4.03
Goods and Services	3,192,236	1,899,814	2,271,341	371,526	16.36
Finance costs	294,749	175,930	166,748	(9,182)	(5.51)
Depreciation	9,637,940	6,427,959	6,425,293	(2,665)	(0.04)
<b>Total Recurrent Expenses</b>	<b>17,760,067</b>	<b>10,964,307</b>	<b>11,427,303</b>	<b>462,996</b>	<b>4.05</b>
Capital Expenses	-	-	-	-	-
Loss on Sale	250,000	337,200	250,000	(87,200)	(34.88)
<b>Total Expenses</b>	<b>18,010,067</b>	<b>11,301,507</b>	<b>11,677,303</b>	<b>375,796</b>	<b>3.22</b>
<b>Net Recurrent Result/Operating Surplus/(Deficit)</b>	<b>23,562,877</b>	<b>26,425,664</b>	<b>25,297,180</b>	<b>(1,128,483)</b>	<b>(4.46)</b>
<b>NET RESULT AFTER CAPITAL ITEMS</b>	<b>23,457,677</b>	<b>26,120,758</b>	<b>25,077,180</b>	<b>(1,043,577)</b>	<b>(4.16)</b>

Lockyer Valley Regional Council (People and Business Performance)

Statement of Comprehensive Income

For Period Ending February 2022

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<b>Income</b>					
<b>Revenue</b>					
<b>Recurrent Revenue</b>					
Rates and Utility Charges (Gross)	7,461,364	7,471,914	7,461,364	(10,550)	(0.14)
Discount	(244,377)	(131,590)	(140,000)	(8,410)	6.01
Charges and Fees	534,500	442,899	334,417	(108,482)	(32.44)
Interest	43,000	21,639	28,667	7,027	24.51
Operating Grants and Subsidies	465,500	390,309	365,500	(24,809)	(6.79)
Operating Contributions and Donations	50,000	53,124	50,000	(3,124)	(6.25)
Other Revenue	526,000	454,056	350,000	(104,056)	(29.73)
<b>Total Recurrent Revenue</b>	<b>8,835,987</b>	<b>8,702,352</b>	<b>8,449,947</b>	<b>(252,405)</b>	<b>(2.99)</b>
<b>Capital Revenue</b>					
Capital Grants, Subsidies and Contributions	1,320,000	86,384	90,000	3,616	4.02
<b>Total Revenue</b>	<b>10,155,987</b>	<b>8,788,736</b>	<b>8,539,947</b>	<b>(248,789)</b>	<b>(2.91)</b>
Capital Income	-	-	-	-	-
<b>Total Income</b>	<b>10,155,987</b>	<b>8,788,736</b>	<b>8,539,947</b>	<b>(248,789)</b>	<b>(2.91)</b>
<b>Expenses</b>					
<b>Recurrent Expenses</b>					
Employee Costs	5,544,457	3,911,805	3,763,709	(148,096)	(3.93)
Goods and Services	9,515,842	4,848,004	5,846,876	998,872	17.08
Finance costs	243,243	126,463	124,024	(2,439)	(1.97)
Depreciation	579,940	390,904	386,627	(4,277)	(1.11)
<b>Total Recurrent Expenses</b>	<b>15,883,482</b>	<b>9,277,175</b>	<b>10,121,235</b>	<b>844,059</b>	<b>8.34</b>
Capital Expenses	-	-	-	-	-
Loss on Sale	250,000	337,200	250,000	(87,200)	(34.88)
<b>Total Expenses</b>	<b>16,133,482</b>	<b>9,614,376</b>	<b>10,458,435</b>	<b>756,859</b>	<b>7.24</b>
<b>Net Recurrent Result/Operating Surplus/(Deficit)</b>	<b>(7,047,495)</b>	<b>(574,823)</b>	<b>(1,671,287)</b>	<b>(1,096,464)</b>	<b>65.61</b>
<b>NET RESULT AFTER CAPITAL ITEMS</b>	<b>(5,977,495)</b>	<b>(825,640)</b>	<b>(1,918,488)</b>	<b>(1,005,648)</b>	<b>52.42</b>

Lockyer Valley Regional Council (Community and Regional Prosperity)  
Statement of Comprehensive Income  
For Period Ending February 2022

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<b>Income</b>					
<b>Revenue</b>					
<b>Recurrent Revenue</b>					
Rates and Utility Charges (Gross)	311,058	310,181	311,058	877	0.28
Charges and Fees	3,832,950	3,110,828	2,332,022	(778,806)	(33.40)
Interest	1,000	873	667	(207)	(31.02)
Operating Grants and Subsidies	996,750	695,392	665,337	(30,055)	(4.52)
Operating Contributions and Donations	850,000	185,891	180,000	(5,891)	(3.27)
Revenue - Contract/Recoverable Works	-	4,400	-	(4,400)	-
Other Revenue	70,450	62,707	58,650	(4,057)	(6.92)
<b>Total Recurrent Revenue</b>	<b>6,062,208</b>	<b>4,370,273</b>	<b>3,547,734</b>	<b>(822,540)</b>	<b>(23.18)</b>
<b>Capital Revenue</b>					
Capital Grants, Subsidies and Contributions	-	27,500	-	(27,500)	-
<b>Total Revenue</b>	<b>6,062,208</b>	<b>4,397,773</b>	<b>3,547,734</b>	<b>(850,040)</b>	<b>(23.96)</b>
Capital Income	-	-	-	-	-
<b>Total Income</b>	<b>6,062,208</b>	<b>4,397,773</b>	<b>3,547,734</b>	<b>(850,040)</b>	<b>(23.96)</b>
<b>Expenses</b>					
<b>Recurrent Expenses</b>					
Employee Costs	6,840,755	4,809,278	4,724,910	(84,368)	(1.79)
Goods and Services	4,101,097	1,570,936	2,542,529	971,594	38.21
Finance costs	6,000	(591)	4,047	4,638	114.61
Depreciation	26,540	14,366	17,693	3,327	18.80
<b>Total Recurrent Expenses</b>	<b>10,974,392</b>	<b>6,393,988</b>	<b>7,289,179</b>	<b>895,191</b>	<b>12.28</b>
Capital Expenses	-	-	-	-	-
Loss on Sale	250,000	337,200	250,000	(87,200)	(34.88)
<b>Total Expenses</b>	<b>11,224,392</b>	<b>6,731,189</b>	<b>7,539,179</b>	<b>807,991</b>	<b>10.72</b>
<b>Net Recurrent Result/Operating Surplus/(Deficit)</b>	<b>(4,912,184)</b>	<b>(2,023,715)</b>	<b>(3,741,446)</b>	<b>(1,717,731)</b>	<b>45.91</b>
<b>NET RESULT AFTER CAPITAL ITEMS</b>	<b>(5,162,184)</b>	<b>(2,333,415)</b>	<b>(3,991,446)</b>	<b>(1,658,030)</b>	<b>41.54</b>

Lockyer Valley Regional Council (Infrastructure)  
Statement of Comprehensive Income  
For Period Ending February 2022

	Current Annual Budget	Actuals YTD	Budget YTD	Variance Amount YTD	Variance % YTD
<b>Income</b>					
<b>Revenue</b>					
<b>Recurrent Revenue</b>					
Rates and Utility Charges (Gross)	864,140	864,140	864,140	-	-
Charges and Fees	366,000	218,744	244,000	25,256	10.35
Operating Grants and Subsidies	2,355,640	1,319,550	1,005,857	(313,693)	(31.19)
Revenue - Contract/Recoverable Works	738,000	515,685	515,000	(685)	(0.13)
Other Revenue	235,000	359,470	188,333	(171,136)	(90.87)
<b>Total Recurrent Revenue</b>	<b>4,558,780</b>	<b>3,277,588</b>	<b>2,817,330</b>	<b>(460,258)</b>	<b>(16.34)</b>
<b>Capital Revenue</b>					
Capital Grants, Subsidies and Contributions	9,757,101	3,688,485	3,868,460	179,974	4.65
<b>Total Revenue</b>	<b>14,315,881</b>	<b>6,966,074</b>	<b>6,685,790</b>	<b>(280,283)</b>	<b>(4.19)</b>
Capital Income	-	-	-	-	-
<b>Total Income</b>	<b>14,315,881</b>	<b>6,966,074</b>	<b>6,685,790</b>	<b>(280,283)</b>	<b>(4.19)</b>
<b>Expenses</b>					
<b>Recurrent Expenses</b>					
Employee Costs	9,054,722	6,258,785	6,747,245	488,460	7.24
Goods and Services	3,612,968	3,483,518	2,440,586	(1,042,932)	(42.73)
Finance costs	579,898	298,042	295,625	(2,418)	(0.82)
Depreciation	1,168,900	752,470	779,267	26,797	3.44
<b>Total Recurrent Expenses</b>	<b>14,416,488</b>	<b>10,792,814</b>	<b>10,262,722</b>	<b>(530,092)</b>	<b>(5.17)</b>
Capital Expenses	-	1,174,426	-	(1,174,426)	-
Loss on Sale	250,000	337,200	250,000	(87,200)	(34.88)
<b>Total Expenses</b>	<b>14,666,488</b>	<b>12,304,440</b>	<b>10,512,722</b>	<b>(1,791,718)</b>	<b>(17.04)</b>
<b>Net Recurrent Result/Operating Surplus/(Deficit)</b>	<b>(9,857,708)</b>	<b>(7,515,226)</b>	<b>(7,445,392)</b>	<b>69,834</b>	<b>(0.94)</b>
<b>NET RESULT AFTER CAPITAL ITEMS</b>	<b>(350,607)</b>	<b>(5,338,367)</b>	<b>(3,826,932)</b>	<b>1,511,434</b>	<b>(39.49)</b>



**LOCKYER VALLEY REGIONAL COUNCIL**  
**STATEMENT OF FINANCIAL POSITION**  
**As at 28 February, 2022**

	<b>2021-2022 Annual Budget</b>	<b>2021-2022 YTD Actual</b>
<b><u>Current Assets</u></b>		
Cash assets and cash equivalents	29,150,000	26,808,278
Cash investments	-	12,000,000
Trade and other receivables	6,060,000	18,842,980
Inventories	740,000	524,370
Contract Receivable	-	401,066
Non-current assets classified as held for sale	-	10,000
<b>Total Current Assets</b>	<b>35,940,000</b>	<b>58,586,694</b>
<b><u>Non Current Assets</u></b>		
Trade and other receivables	14,740,000	14,734,969
Equity investments	33,570,000	32,262,384
Investment properties	1,610,000	1,605,000
Property, plant and equipment	543,800,000	530,148,708
Intangible assets	2,470,000	108,440
<b>Total Non Current Assets</b>	<b>596,190,000</b>	<b>578,859,500</b>
<b>TOTAL ASSETS</b>	<b>632,130,000</b>	<b>637,446,194</b>
<b><u>Current Liabilities</u></b>		
Trade and other payables	12,700,000	2,951,155
Provisions	560,000	8,066,727
Borrowings	1,660,000	801,818
Contract Liability Grants	-	2,317,098
<b>Total Current Liabilities</b>	<b>14,920,000</b>	<b>14,136,798</b>
<b><u>Non Current Liabilities</u></b>		
Provisions	28,350,000	28,692,592
Borrowings	18,320,000	19,986,960
<b>Total Non Current Liabilities</b>	<b>46,670,000</b>	<b>48,679,552</b>
<b>TOTAL LIABILITIES</b>	<b>61,590,000</b>	<b>62,816,350</b>
<b>NET COMMUNITY ASSETS</b>	<b>570,530,000</b>	<b>574,629,844</b>
<b><u>Community Equity</u></b>		
Retained surplus (deficiency)	412,865,000	399,310,342
Asset revaluation surplus	155,920,000	155,923,222
Reserves	-	3,088,444
Current Surplus/(Deficit)	1,745,000	16,307,837
<b>TOTAL COMMUNITY EQUITY</b>	<b>570,530,000</b>	<b>574,629,844</b>

**LOCKYER VALLEY REGIONAL COUNCIL**  
**Statement of Cash Flows**  
**For the Period Ending 28 February, 2022**

	<b>2021-2022 Annual Budget</b>	<b>2021-2022 YTD Actuals</b>
<b><u>Cash flows from operating activities:</u></b>		
<b><u>Receipts</u></b>		
Receipts from customers	62,080,000	45,398,096
Dividend received	-	-
Interest received	880,000	607,140
<b><u>Payments</u></b>		
Payments to suppliers and employees	(52,970,000)	(34,940,203)
Interest expense	(1,010,000)	(518,807)
<b>Net cash inflow (outflow) from operating activities</b>	<b>8,990,000</b>	<b>10,546,226</b>
<b><u>Cash flows from investing activities:</u></b>		
Capital grants, subsidies and contributions	11,220,000	3,351,945
Payments for property, plant and equipment	(25,920,000)	(9,162,453)
Payments for investment property	-	-
Net transfer (to) from cash investments	1,350,000	-
Proceeds from sale of property plant and equipment	480,000	500,134
<b>Net cash inflow (outflow) from investing activities</b>	<b>(12,860,000)</b>	<b>(5,310,374)</b>
<b><u>Cash flows from financing activities:</u></b>		
Repayment of borrowings	(1,580,000)	(778,403)
Proceeds from borrowings	-	-
<b>Net cash inflow (outflow) from financing activities</b>	<b>(1,580,000)</b>	<b>(778,403)</b>
<b>Net increase (decrease) in cash and cash equivalents held</b>	<b>(5,460,000)</b>	<b>4,457,448</b>
Cash and cash equivalents at beginning of the financial year	34,600,000	34,350,830
<b>Cash and cash equivalents at end of the financial year</b>	<b>29,150,000</b>	<b>38,808,278</b>

LOCKYER VALLEY REGIONAL COUNCIL  
For Period Ended February, 2021

CAPITAL WORKS PROGRAM SUMMARY

	Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget
<b>INFRASTRUCTURE</b>					
Capital Program Delivery	13,750,626	5,568,754	1,912,672	7,481,426	6,269,200
Cemetery	72,600	59,881	5,553	65,434	7,166
Facilities	3,255,396	940,188	877,838	1,818,027	1,437,369
Fleet	4,097,941	1,289,787	933,191	2,222,978	1,874,963
Parks & Open Spaces	814,317	597,018	147,090	744,108	70,209
<b>Total for Group</b>	<b>\$ 21,990,880</b>	<b>\$ 8,455,629</b>	<b>\$ 3,876,344</b>	<b>\$ 12,331,973</b>	<b>\$ 9,658,907</b>

PEOPLE AND BUSINESS PERFORMANCE

Disaster Management	168,300	32,294	89,419	121,713	46,587
Information Communication Technology	444,500	139,476	80,172	219,648	224,852
Legal Services	254,950	-	-	-	254,950
Public Order & Safety	232,500	15,117	465	15,582	216,918
Transfer Stations	1,427,000	107,499	33,568	141,067	1,285,933
Waste Collection	30,000	12,294	-	12,294	17,706
<b>Total for Group</b>	<b>\$ 2,557,250</b>	<b>\$ 306,679</b>	<b>\$ 203,625</b>	<b>\$ 510,303</b>	<b>\$ 2,046,947</b>

COMMUNITY AND REGIONAL PROSPERITY

Community Wellbeing	8,300	-	-	-	8,300
Gatton Child Care Centre	75,000	12,791	25,263	38,054	36,946
Growth & Policy	-	-	-	-	-
Regional Development	1,286,000	43,227	-	43,227	1,242,773
<b>Total for Group</b>	<b>\$ 1,369,300</b>	<b>\$ 56,019</b>	<b>\$ 25,263</b>	<b>\$ 81,281</b>	<b>\$ 1,288,019</b>
<b>Total for Council</b>	<b>\$ 25,917,430</b>	<b>\$ 8,818,327</b>	<b>\$ 4,105,231</b>	<b>\$ 12,923,558</b>	<b>\$ 12,993,872</b>

LOCKYER VALLEY REGIONAL COUNCIL  
For Period Ended February, 2022

CAPITAL WORKS PROGRAM

INFRASTRUCTURE

Cost Centre: Parks & Open Spaces

Program: Parks and Open Spaces Projects

Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget	Total Amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
46,000	1,305	26,676	27,981	18,019	-	46,000	70	0	
Forest Hill Place Renewals									
Hatton Vale/Fairways Park Stage1A (BRRF)	272,988	228,851	3,607	232,458	40,530	-	100	100	
Hatton Vale/Fairways Park Stage1C (URCS)	57,445	58,502	1,013	59,515	(2,070)	-	100	100	
Hvale/Fairways Park Stage 1B & 1D (URCS)	356,884	292,669	36,569	329,238	27,646	-	100	100	
Jean Biggs Park Playground Improvements	55,000	4,453	74,725	79,178	(24,178)	55,000	100	0	Current overspend as the Winnett Progress Association is contributing funds towards this project.

LBR Shelter and Table setting Renewal  
Parks and Open Spaces Projects Total

26,000	11,238	4,500	15,738	10,262	-	26,000	100	0	
814,317	597,018	147,090	744,108	70,209	687,317	127,000			

Cost Centre: Capital Program Delivery

Program: Asphalt Resheet Programme

3,000	2,656	-	2,656	344	3,000	-	100	100	
20/21 Asphalt Resheet Program (LRCl1)									
87,120	-	-	-	87,120	87,120	-	N/A	N/A	
21/22 Asphalt Renewal Garton CBD (LRCl1)									
505,029	41,455	190,779	232,233	272,796	505,029	-	100	50	
21/22 Asphalt Renewal Garton CBD (LRCl2)									
595,149	44,111	190,779	234,889	360,260	595,149	-			

Asphalt Resheet Programme Projects Total

Program: Bridge Renewal Programme  
Connollys Bridge Rehabilitation (LRCl2)  
Bridge Renewal Programme Projects Total

300,000	290,667	564	291,232	8,769	300,000	-	100	99	
300,000	290,667	564	291,232	8,769	300,000	-			

Program: Culvert Renewal Programme  
21/22 Culvert Renewal Program (non-fund)  
21/22 Culvert Renewal Program (SEDCSP)  
Culvert Renewal Programme Projects Total

204,000	174,260	69	174,329	29,671	-	204,000	100	100	
380,000	118,904	7,337	126,241	253,759	380,000	-	70	40	
584,000	293,164	7,406	300,570	283,430	380,000	204,000			

Program: Footpath Renewal Programme  
21/22 Footpath Missing Links (SEDCSP)

129,903	758	6,127	6,885	123,018	118,000	11,903	75	0	
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	Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget	Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
<b>21/22 Footpath Renewal Program (SEOCSP)</b>										
Murphys Creek Road, Footpath (LR1 2)	210,000	4,217	28	4,246	205,754	210,000	-	50	0	
<b>Footpath Renewal Programs Total</b>	60,000	43,618	1,036	44,654	15,346	60,000	-	100	95	
	399,903	48,593	7,191	55,785	344,118	388,000	11,903			
<b>Program: Floodway Renewal Programme</b>										
20/21 Floodway Renewal Program - Design	5,428	7,733	-	7,733	(2,305)	-	5,428	100	N/A	
21/22 Floodway Renewal Program (SEOCSP)	383,000	44,851	41,520	86,371	296,629	383,000	-	25	0	
<b>Floodway Renewal Programme Projects Total</b>	388,428	52,584	41,520	94,104	294,324	383,000	5,428			
<b>Program: Gravel Resheet Programme</b>										
20/20/2021 Gravel Resheet Program (RTR)	18,412	161	-	161	18,251	18,412	-	100	100	
21/22 Gravel Resheet Program	900,000	339,682	189,371	529,053	370,947	-	900,000	N/A	35	
<b>Gravel Resheet Programme Projects Total</b>	918,412	339,843	189,371	529,214	389,198	18,412	900,000			
<b>Program: Kerb &amp; Channel Renewal Programme</b>										
21/22 Kerb and Channel Renewal (SEOCSP)	300,000	389	-	389	299,611	300,000	-	0	0	
<b>Kerb &amp; Channel Renewal Programme Projects Total</b>	300,000	389	-	389	299,611	300,000	-			
<b>Program: Other Infrastructure Projects</b>										
22/23 Future Design	248,000	-	-	-	248,000	-	248,000	10	N/A	To be funded from underspend on Bus Shelter Western Drive.
Bus Shelter Drayton St (BSSP + PTAP)	-	9,110	980	10,090	(10,090)	-	-	15	0	
<b>Bus Shelter Western Dr &amp; Turner St (BSSP)</b>	16,006	2,912	-	2,912	13,094	16,006	-	100	100	
Cycle Network Garton (PCNP)	450,000	5,825	-	5,825	444,175	225,000	225,000	0	0	Discontinued
Digital Signage (LER)	450,000	-	-	-	450,000	425,000	25,000	5	0	
Flagstone Cr/Lockyer Cr Rd (HVSPP)	750,000	429,424	23,195	452,619	297,381	375,000	375,000	100	40	
Flagstone Creek Rd/Carpendale Rd (HVSPP)	789,500	589,888	90,844	680,733	108,767	375,000	414,500	100	90	Discontinued
Garton Central Drainage Upgrade - Design	2,000	1,138	-	1,138	863	-	2,000	0	0	
Garton Industrial Estate (HVSPP)	565,898	94,394	115,717	210,112	355,786	282,343	283,555	100	0	
Gehrke Road/Lonkeet Road (BS)	448,677	50,700	510	51,210	397,467	448,677	-	50	0	
Grantham Scrub/Grantham Winwill (HVSPP)	334,440	30,624	15,089	45,713	288,727	167,220	167,220	80	0	
Laidley LED Street Lighting (LGSP)	205,538	239,105	-	239,105	(33,567)	150,000	55,538	100	100	This project is slightly over budget due to an increase in contract price for underground conduit repair and refurbishing an extra light pole.
<b>Laidley LED Street Lighting (URCS)</b>	60,711	43,976	-	43,976	16,735	60,711	-	100	100	
<b>Murphys Creek Road - Footpath (LR1)</b>	64,497	1,163	-	1,163	63,334	64,497	-	100	100	

Program	Budget	Actual	Committed	Total		Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
				(includes committed costs)	Remaining Budget					
North Street / East Street, Gatton (BS)	362,565	75,536	985	76,520	286,045	362,500	65	90	0	
Safe Schools Program - TIDS 21/22	60,000	-	-	-	60,000	30,000	30,000	100	0	
Safe Schools Project Kentville School TIDS	2,000	1,884	-	1,884	116	2,000	-	100	100	
Spencer Street/East Street, Gatton (BS)	90,080	4,845	11,396	16,242	73,838	90,080	-	60	0	
Woodlands Rd & Rangeview Drive (BS)	61,000	61,357	-	61,357	(357)	61,000	-	100	100	
Other Infrastructure Projects Total	4,960,912	1,641,882	258,716	1,900,599	3,060,313	3,135,034	1,825,878			
Program: Pavement Renewal Programme										
Brightview Road Rehabilitation	11,334	25,558	-	25,558	(14,224)	-	11,334	90	N/A	This project is slightly over budget due to an increase in design fees.
Cemetery Road/Victor Court Intersection	-	475	-	475	(475)	-	-	0	0	To be funded from Future Design budget.
Flagstone Creek Rd Rehabilitation	13,589	21,451	-	21,451	(7,862)	-	13,589	70	0	
Gehrke Road, Plainland - TIDS 21/22	600,000	20,639	11,396	32,035	567,965	300,000	300,000	100	0	
Lawlers Road/Sandy Creek Intersection	-	95	-	95	(95)	-	-	5	N/A	
Mountain Rd/Range Crescent Intersection	-	9,418	-	9,418	(9,418)	-	-	5	N/A	
Orton Street	-	665	-	665	(665)	-	-	0	N/A	
Postmans RidgeRd, Pavement Renewal (TIDS)	109,768	103,514	-	103,514	6,254	109,768	-	100	100	
Sandy Creek/Fords Road Intersection	-	3,509	-	3,509	(3,509)	-	-	0	N/A	To be funded from Future Design budget.
Summerholm Road Rehabilitation	245,099	263,025	-	263,025	(17,926)	-	245,099	100	95	The overspend on this project is due to an increase in project management and traffic control costs. There was also additional works done to protect the road during rain events.
Tenthill Creek Road	-	6,860	-	6,860	(6,860)	-	-	5	N/A	To be funded from Future Design budget.
William Street, Gatton	-	570	-	570	(570)	-	-	N/A	N/A	
William Street, Gatton - Pavement Rehab	100,000	11,057	-	11,057	88,943	-	100,000	10	N/A	
Pavement Renewal Programme Projects Total	1,079,790	466,837	11,396	478,233	601,557	409,768	670,022			
Program: Pavement Widening Programme										
Granham Scrub Road - TIDS 21/22	750,000	53,903	191,199	245,102	504,898	375,446	374,554	80	0	
Lake Clarendon Way Widening (RTR)	119,372	302,002	23,199	325,201	(205,829)	119,372	-	100	95	Awaiting pavement

	Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget	Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
<b>Stockyard Creek Road Widening - Design</b>										
Woodlands Rd Pavement Rehab (LRCL2)	50,000	5,703	4,650	10,353	39,647	-	50,000	5	N/A	testing to determine ultimate pavement design. This design to determine future costs. This project will require extra budget and we are looking at external funding opportunities. Councillor workshop is booked later in Q3.
<b>Pavement Widening Programme Projects Total</b>	350,000	198,044	19,499	217,543	132,457	350,000	-	100	80	
	1,269,372	559,652	238,546	798,198	471,174	844,818	424,554			
<b>Program: Seal/Renewal Programme</b>										
2020/2021 Reseal Program (RTR)	70,721	53,310	-	53,310	17,411	70,721	-	100	100	
21/22 Bitumen Reseal Program (RTR)	1,700,000	659,861	951,947	1,611,807	88,193	927,079	772,921	N/A	60	
<b>Seal Renewal Programme Projects Total</b>	1,770,721	713,171	951,947	1,665,117	105,604	997,800	772,921			
<b>Program: Seal Road Upgrade Programme</b>										
Twidales Rd Heildon Spa Upgrade (SEQCSP)	230,000	133,425	15,234	148,660	81,340	230,000	-	100	95	
<b>Seal Road Upgrade Programme Projects Total</b>	230,000	133,425	15,234	148,660	81,340	230,000	-			
<b>Program: Stormwater Renewal Programme</b>										
21/22 Swater - Railway St Heildon SEQCSP	68,000	7,938	-	7,938	60,062	68,000	-	95	N/A	Exceeded estimate due to Urban Utilities requirements and approvals required numerous redesigns and increase in scope of works. Variations throughout project to accommodate issues that were encountered during construction.
Stormwater Pipe Relining (SEQCSP)	60,000	389	-	389	59,611	60,000	-	0	0	
Whittle Street, Garton Drainage (URCS)	825,939	976,109	-	976,109	(150,170)	700,000	125,939	100	100	
<b>Stormwater Renewal Programme Projects Total</b>	953,939	984,436	-	984,436	(30,497)	828,000	125,939			
<b>Cost Centre: Fleet</b>										
<b>Program: Fleet Projects</b>										
21/22 Earthmoving Equipment Replacement	1,170,000	-	384,700	384,700	785,300	-	1,170,000	Not Applicable	Not Applicable	
21/22 Light Commercial Replacement	45,000	45,762	60	45,822	(822)	-	45,000	Not Applicable	Not Applicable	

	Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget	Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
21/22 Mowers Replacement	205,000	-	228,364	228,364	(23,364)	-	205,000	Not Applicable	Not Applicable	
21/22 Passenger Vehicles	85,000	54,221	33,670	87,891	(2,891)	-	85,000	Not Applicable	Not Applicable	
21/22 Tractors Replacement	80,000	-	-	-	80,000	-	80,000	Not Applicable	Not Applicable	
21/22 Trailers Replacement	275,000	48,798	318	49,117	225,883	-	275,000	Not Applicable	Not Applicable	
21/22 Trucks Replacement	690,000	46,784	-	46,784	643,216	-	690,000	Not Applicable	Not Applicable	
Earthmoving Equipment	237,027	236,981	66	237,047	(20)	70,000	167,027	Not Applicable	Not Applicable	
Light Commercial Vehicles	438,935	302,510	136,498	439,008	(73)	140,000	298,935	Not Applicable	Not Applicable	
Mower Fairways Park Kensington Grove	30,000	-	-	-	30,000	-	30,000	Not Applicable	Not Applicable	
Passenger Vehicles	25,075	-	25,075	25,075	0	20,000	5,075	Not Applicable	Not Applicable	
SES Vehicles & Plant (SES Support Grant)	39,989	43,198	-	43,198	(3,209)	18,490	21,499	Not Applicable	Not Applicable	
Trailers	135,972	87,935	457	88,391	47,581	10,000	125,972	Not Applicable	Not Applicable	
Trucks	600,943	423,600	123,983	547,583	53,360	120,000	480,943	Not Applicable	Not Applicable	
Utility for Fairways Park	40,000	-	-	-	40,000	-	40,000	Not Applicable	Not Applicable	
<b>Fleet Projects Projects Total</b>	<b>4,097,941</b>	<b>1,289,787</b>	<b>993,191</b>	<b>2,222,978</b>	<b>1,874,963</b>	<b>378,490</b>	<b>3,719,451</b>			
<b>Cost Centre: Cemetery</b>										
<i>Program: Cemetery Projects</i>										
Gatton Cemetary Seam Strip Instal (SEOCSP)	33,000	29,627	3,416	33,044	(44)	33,000	-	100	85	
Gatton Cemetery Bollard Renewal (SEOCSP)	6,600	-	-	-	6,600	6,600	-	0	0	
Laidley Cemetery Seam Strip(SECSP)	33,000	30,254	2,136	32,390	610	33,000	-	100	100	
<b>Cemetery Projects Projects Total</b>	<b>72,600</b>	<b>59,881</b>	<b>5,553</b>	<b>65,434</b>	<b>7,166</b>	<b>72,600</b>	<b>-</b>			
<b>Cost Centre: Facilities</b>										
<i>Program: Facilities Projects</i>										
Bore Infrastructure Improvements(SEOCSP)	112,600	31,027	18,369	49,396	63,204	112,600	-	100	60	
Cahill Park Machinery Shed (SEOCSP)	117,000	46,418	28,388	74,807	42,193	117,000	-	100	30	
Community Facilities Work Packages	57,000	25,173	450	25,623	31,377	-	57,000	80	50	
Corrective Electrical Upgrades	19,394	21,113	-	21,113	(1,719)	-	19,394	100	100	
Electrical Infrastructure Program	178,000	6,459	28,177	34,636	143,364	-	178,000	40	20	
Gatton Depot Action Plan	36,000	1,115	-	1,115	34,885	-	36,000	60	0	
Gatton Depot Fuel Tank	250,000	96,314	142,824	239,138	10,863	-	250,000	100	20	
Gatton S/Hall Compliance Upgrade (BBRF)	-	2,052	-	2,052	(2,052)	-	-	100	100	
Gatton S/Grounds Masterplan Work (W4QLD)	98,028	104,936	2,361	107,298	(9,270)	98,028	-	100	100	
Gatton Shire Hall Improvements (BOR)	50,184	19,285	-	19,285	30,899	-	50,184	100	100	
Gatton Showgrounds Equestrian Centre	19,679	10,560	-	10,560	9,119	-	19,679	100	100	
Gatton Showgrounds Program	125,000	15,347	48,033	63,380	61,620	-	125,000	75	50	
Grantham Butter Factory Upgrade (LER)	58,000	4,001	6,834	10,835	47,165	58,000	-	80	50	



	Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget	Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
GS&AC Replacement Chlorine Tanks	30,000	-	-	-	30,000	-	30,000	0	0	
Heildon Hall Upgrade (LER)	47,700	-	48,018	48,018	(318)	47,700	-	90	10	
Hydraulic Renewal Program	105,000	2,291	6,325	8,616	96,384	-	105,000	10	0	
Laidley Rec Grounds Program	116,000	10,959	-	10,959	105,041	-	116,000	90	10	
Laidley Rec Reserve Entry Upgrade (RCI)	52,756	52,322	-	52,322	434	52,756	-	100	100	
Laidley Saleyards Program (SEOCSP)	114,000	15,350	-	15,350	98,650	114,000	-	80	0	
Lake Apex Amphitheatre (SEOCSP)	400,000	32,777	120	32,897	367,103	400,000	-	100	0	
Lake Apex Youth Node Upgrade (LRIC2)	491,395	143,036	394,626	537,663	(46,268)	491,395	-	95	60	Variations required due to change of scope due to soil conditions and poor construction of previous skate park components. A variation request will be submitted to the funding body.
LV&AC Revitalisation (SEOCSP)	506,000	258,086	147,203	405,289	100,711	406,000	100,000	80	50	
Murphy Creek Hall & Toilet Demolition	41,000	39,731	-	39,731	1,269	-	41,000	100	100	
Nielsen's Place Shade Structure	7,019	-	6,110	6,110	909	-	7,019	100	100	
Pool Heating Program Garton pool	185,000	-	-	-	185,000	-	185,000	100	0	
Solar to Garton Depot Workshop	25,000	363	-	363	24,637	-	25,000	50	0	
Springbrook Park Entry Upgrade	13,641	1,473	-	1,473	12,168	-	13,641	60	N/A	To be revised at next budget amendment.
<b>Facilities Projects Projects Total</b>	<b>3,255,396</b>	<b>940,188</b>	<b>877,838</b>	<b>1,818,027</b>	<b>1,437,369</b>	<b>1,897,479</b>	<b>1,357,917</b>			
<b>Total for Group</b>	<b>\$ 21,990,880</b>	<b>\$ 8,455,629</b>	<b>\$ 3,876,344</b>	<b>\$ 12,331,973</b>	<b>\$ 9,658,907</b>	<b>\$ 11,845,867</b>	<b>\$ 10,145,013</b>			
<b>PEOPLE AND BUSINESS PERFORMANCE</b>										
<b>Cost Centre: Legal Services</b>										
<i>Program: Legal Services Projects</i>										
Realignment, subdivid, sale Tryhorn St	254,950	-	-	-	254,950	-	254,950	10	0	Increased budget allocation being sought at next budget review to cover infrastructure costs
<b>Legal Services Projects Projects Total</b>	<b>254,950</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>254,950</b>	<b>-</b>	<b>254,950</b>			
<b>Cost Centre: Disaster Management</b>										

	Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget	Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
<b>Program: Disaster Management Projects</b>										
Flood Warning System Upgrade	23,500	-	-	-	23,500	-	23,500	0	0	Pending outcome of 2022/23 QLD Resilience & Risk Reduction Funding application.
Upgrade Flood Cameras Equipmen (SECQSP)	144,800	32,294	89,419	121,713	23,087	144,800	-	100	20	Installation of upgraded camera week commenced 7/02/2022
<b>Disaster Management Projects Projects Total</b>	<b>168,300</b>	<b>32,294</b>	<b>89,419</b>	<b>121,713</b>	<b>46,587</b>	<b>144,800</b>	<b>23,500</b>			
<b>Cost Centre: Information Communication Technology</b>										
<b>Program: Information Communication Technology Projects</b>										
Cyber Security	170,000	39,584	19,273	58,857	111,143	-	170,000	60	30	
Network Perimeter Security (Firewalls)	100,000	37,251	-	37,251	62,749	-	100,000	50	60	
Switches Renewal	10,500	-	10,500	10,500	-	-	10,500	100	100	Work completed in previous years, awaiting invoice.
UPS Renewal	16,000	-	-	-	16,000	-	16,000	0	0	
<b>Information Communication Technology Projects Projects Total</b>	<b>296,500</b>	<b>76,835</b>	<b>29,773</b>	<b>106,608</b>	<b>189,892</b>	<b>-</b>	<b>296,500</b>			
<b>Program: Public Order and Safety Projects</b>										
Building Security Systems	128,000	62,642	50,399	113,041	14,959	-	128,000	80	30	
GIS GDA2020	20,000	-	-	-	20,000	-	20,000	30	0	
<b>Public Order and Safety Projects Projects Total</b>	<b>148,000</b>	<b>62,642</b>	<b>50,399</b>	<b>113,041</b>	<b>34,959</b>	<b>-</b>	<b>148,000</b>			
<b>Cost Centre: Waste Collection</b>										
<b>Program: Waste Collection Projects</b>										
Garbage Truck Turnaround	30,000	12,294	-	12,294	17,706	-	30,000	0	10	
<b>Waste Collection Projects Projects Total</b>	<b>30,000</b>	<b>12,294</b>	<b>-</b>	<b>12,294</b>	<b>17,706</b>	<b>-</b>	<b>30,000</b>			
<b>Cost Centre: Transfer Stations</b>										
<b>Program: Transfer Station Projects</b>										
Gatton Landfill Cell 5 (SECQSP)	1,320,000	86,384	33,568	119,953	1,200,047	1,320,000	-	10	0	
Laidley Landfill Capping Design	30,000	-	-	-	30,000	-	30,000	5	0	

	Budget	Actual	Committed	Total (includes committed costs)	Remaining Budget	Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
<b>Oil Buildings Upgrade and Maintenance</b>	25,000	21,114	-	21,114	3,886	-	25,000	100	100	
<b>Old Garton Landfill Capping</b>	30,000	-	-	-	30,000	-	30,000	5	0	
<b>Waste Management Signage Review</b>	22,000	-	-	-	22,000	-	22,000	10	0	
<b>Transfer Station Projects Total</b>	1,427,000	107,499	33,568	141,067	1,285,933	1,320,000	107,000			
<b>Cost Centre: Public Order &amp; Safety</b>										
<i>Program: Public Order and Safety Projects</i>										
<b>CCTV Cyber Security Improvements</b>	75,000	4,472	-	4,472	70,528	-	75,000	80	20	
<b>Garton Depot CCTV</b>	9,500	10,645	465	11,110	(1,610)	-	9,500	100	100	
<b>LVRC CCTV</b>	148,000	-	-	-	148,000	-	148,000	70	0	
<b>Public Order and Safety Projects Total</b>	232,500	15,117	465	15,582	216,918	-	232,500			
<b>Total for Group</b>	\$ 2,557,250	\$ 306,679	\$ 203,625	\$ 510,304	\$ 2,046,946	\$ 1,464,800	\$ 1,092,450			
<b>COMMUNITY AND REGIONAL PROSPERITY</b>										
<b>Cost Centre: Regional Development</b>										
<i>Program: Regional Developments Projects</i>										
<b>Lake Apex Desilting Early Design Works</b>	36,000	43,227	-	43,227	(7,227)	-	36,000	45	0	
<b>Strategic Land Acquisition</b>	1,250,000	-	-	-	1,250,000	-	1,250,000	0	0	
<b>Regional Developments Projects Total</b>	1,286,000	43,227	-	43,227	1,242,773	-	1,286,000			
<b>Cost Centre: Community Wellbeing</b>										
<i>Program: Community Wellbeing Projects</i>										
<b>Sound Level Meter</b>	8,300	-	-	-	8,300	-	8,300	0	0	
<b>Community Wellbeing Projects Total</b>	8,300	-	-	-	8,300	-	8,300			
<b>Cost Centre: Garton Child Care Centre</b>										
<i>Program: Garton Child Care Projects</i>										
<b>Garton Childcare Centre Refurbishment</b>	75,000	12,791	25,263	38,054	36,946	-	75,000	80	40	
<b>Garton Child Care Projects Total</b>	75,000	12,791	25,263	38,054	36,946	-	75,000			

	Total					Total amount of Funding	Council Contribution	Design Completion %	Construction Completion %	Comments
	Budget	Actual	Committed	(includes committed costs)	Remaining Budget					
Total for Group	\$ 1,369,300	\$ 56,019	\$ 25,263	\$ 81,281	\$ 1,288,019	\$ -	\$ 1,369,300			
Total for Council	\$ 25,917,430	\$ 8,818,327	\$ 4,105,231	\$ 12,923,558	\$ 12,993,872	\$ 13,310,667	\$ 12,606,763			

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**10.2****Advocacy for Change to Inland Rail Alignment****Author:** Stephen Hart, Senior Advisor Advocacy**Responsible Officer:** Ian Church, Chief Executive Officer

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**Purpose:**

This report is to update Councillors on advocacy for an alternate Inland Rail alignment around Gatton and to seek confirmation of that approach to reduce the negative impacts of the Inland Rail project on the town of Gatton.

**Officer's Recommendation:**

**THAT Council endorse continued advocacy for a change in the proposed Inland Rail Alignment at Gatton to seek both a reduction of the number of residents affected by Inland Rail construction and operation and a minimisation of the extent of the impacts on residents.**

**Executive Summary**

The Council Submission on the Inland Rail projects raised a considerable number of significant concerns and also specifically recommended that the Coordinator-General (CoG) require Australian Rail Track Corporation (ARTC) reconsider the alignment around Gatton. The CoG can only assess the design as submitted and, while able to condition any approval to mitigate impacts, would be unable to specify an alternate alignment. In order to see the alignment change Council will need to advocate with agencies across Government and ARTC. This advocacy work has been undertaken with a range of key decision makers. It is noted that this advocacy may introduce reputational risk to Council. However, it is recommended that this advocacy continue to mitigate as far as possible the impacts of the proposed railway on our community.

**Proposal**

Australian Rail Track Corporation (ARTC) proposes to develop Inland Rail a freight railway from Melbourne to Brisbane. The Inland Rail Project is arguably the biggest infrastructure project to be ever undertaken in the Lockyer Valley. The Helidon to Calvert (H2C) project is a new railway approximately 47 km in length with both greenfield and brownfield corridors. It will extend from Helidon heading eastwards to the north of Grantham, through Gatton, Forest Hill and the northern parts of Laidley to leave the Lockyer Valley via a tunnel through the Little Liverpool Range.

In 2018 Council adopted a Position Paper that identified 5 key principles to be considered in the design of Inland rail.

These principles are, that with respect to the proposed Inland Rail projects, there should be:

1. No loss of connectivity (where the proposed corridor severs existing access, alternate access should be provided of comparable or better standard).
2. No flood impacts (from new rail corridors and where existing rail corridor is utilised the opportunity should be taken to improve flood resilience).
3. Mitigated amenity impacts (noise, vibration, light, visual, dust, smell).
4. Limited (as far as possible) loss of good quality agricultural land.
5. Promotion of integrated transport planning (to allow for future passenger transport and the support for active transport).

In 2021 ARTC prepared a Reference Design and a Draft Environmental Impact Statement for the H2C project. The EIS identified a range of significant impacts that can be grouped into:

- Land use and Tenure
- Social Impacts
- Land and Water Resources
- Traffic and Transport
- Infrastructure Impacts
- Flood issues
- Amenity (Noise, Air quality, Visual)

In the Council review of the EIS it was found that all of the principles outlined in the Position Paper were compromised to varying degrees. Further, it appears that nowhere else on the alignment between Melbourne and Brisbane are townships and communities so directly affected by new railway line, with so little benefit, with such high frequency of trains.

In Council's view the EIS understates the impacts and considers that the impacts of the existing reference design alignment are so substantial that it would not be possible to mitigate these on the current alignment through Gatton.

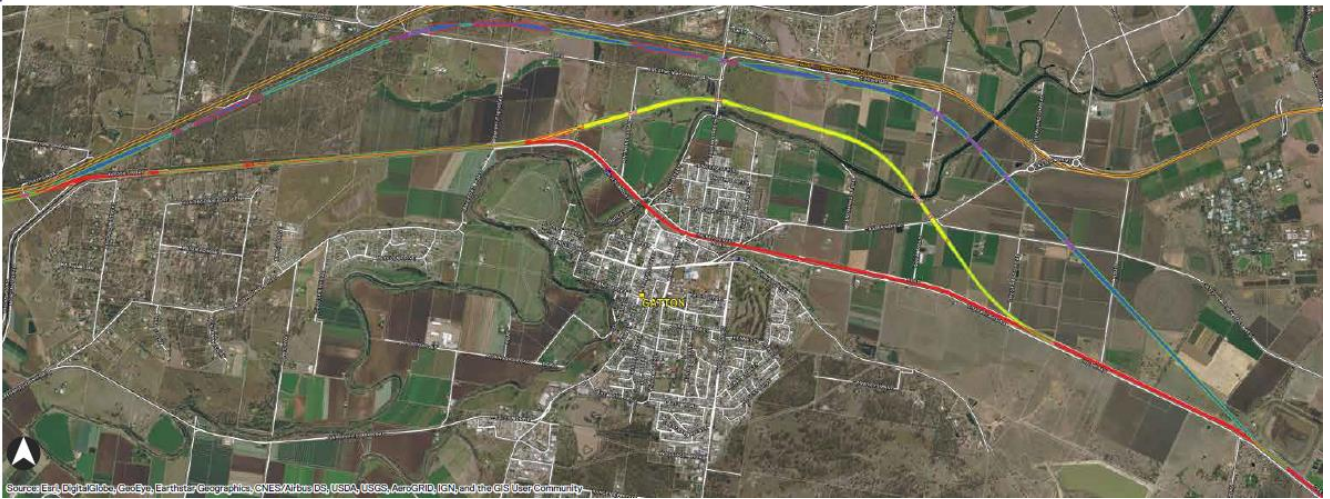
Accordingly, the position adopted in the CoG submission was that the impacts to the communities, particular in the towns of Gatton and Forest Hill are too significant for the project to be approved on the current alignment. The Submission requested that the CoG require ARTC to revisit the alignment and consider alternative alignments particularly around the townships of Gatton and Forest Hill.

In subsequent meetings with the COG and her office it was advised that the COG can only assess the design as submitted by the proponent. While able to condition any approval to mitigate impacts, the CoG would be unable to specify an alternate alignment. Accordingly, since that time Council has been advocating on the alignment with ARTC, the State Government, the Australian Government's Department of Infrastructure, Transport, Regional Development and Communications as well as the Deputy Prime Minister in his role as Minister for the Infrastructure portfolio.

It is considered that an alignment outside of community centres, particularly Gatton, would substantially reduce the number of residents impacted and reduce significantly the extent of the impacts for many. This is particularly for impacts such as noise, flooding, severance and construction impacts.

In 2018 ARTC considered alternate options around Gatton as shown below. Council is of the view that either of these alternatives would lessen the number of residents affected and the quantum of the impacts.

It should be noted that an option to change the alignment would impact on a different group of residents. It would be undesirable for those land holders situated on, or near, the ultimately selected alternate alignment. However, the total number of residents affected by significant noise, safety issues, severance and construction impacts would be substantially reduced. The extent of the impacts would also be significantly reduced for the vast majority of residents.



### Options

The alternative option is to accept the existing alignment through the centre of Gatton and continue to advocate for the CoG to condition the project to reduce the impacts. It is considered this is a second-best option as, even after mitigation strategies, there would be higher residual impacts on far more residents.

### Previous Council Resolutions

Council have previously adopted a Position Paper on Inland Rail that identified 5 key principles to be applied in the development of the Inland Rail project.

At the 21 April 2021 Meeting Council resolved to engage consultants to conduct a thorough technical review of the EIS for the H2C Section of Inland Rail.

That review led to the Council resolution of 16 June 2021 to make a Submission on the H2C project which advocated for an alternate alignment.

### **Strategic Implications**

#### Corporate Plan

2.1 Encourage opportunities for the Lockyer Valley to drive economic and community outcomes.

2.2 Maximise opportunities through engagement and partnership with stakeholders to achieve a strong resilient economy.

#### Finance and Resource

There are no budget implications arising from this recommendation.

#### Legislation and Policy

The EIS was undertaken pursuant to the *State Development and Public Works Organisation Act (1971)* and addresses matters identified pursuant to the *Environmental Protection and Environmental Biodiversity Conservation Act 1999*.

Council has previously adopted the Inland Rail Position Paper that specifies key policy principle in the project consideration.

**Risk Management**

The Inland Rail H2C project will clearly impact on Council and Lockyer Valley communities. These communities will face significant risks associated with the impacts outlined above. An alignment out of the town centre would mitigate some of those risks. Advocating for a change to the alignment does introduce an additional reputational risk for Council as, while a majority of residents will benefit from such a change, a different group of residents will be impacted. The recommendation aims to address the risks identified and to mitigate the impacts as far as possible.

**Consultation***Portfolio Councillor Consultation*

The preferred alternate alignment has been discussed with key officers and Councillors during the development of the H2C EIS submission and was raised in that associated Council Report.

*Internal Consultation*

Relevant officers attended the workshop prior to the H2C Submission and specialist consultants from Range Environmental and Infinitum Partners provided additional advice during the development of that Submission.

*External Consultation*

ARTC did some level of consultation of alternate alignments in 2018. No formal external consultation has been undertaken by Council on alternative alignments.

**Attachments**

There are no attachments for this report.



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**11. PEOPLE, CUSTOMER & CORPORATE SERVICES REPORTS****11.1 Application for Permanent Road Closure - Part of Coleman Road, Mount Berryman within Property No. 212550****Author:** Julie Lyons, Property Officer**Responsible Officer:** Dan McPherson, Group Manager People, Customer and Corporate Services

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**Purpose:**

The purpose of this report is to consider an application for the permanent road closure of the road reserve within Property No. 212550.

**Officer's Recommendation:**

**THAT with respect to the request received from the Solicitors acting for the owners of Property No. 212550 for Council's views as road manager in relation to the proposed permanent road closure of the road reserve within Property No. 212550, Council resolve to respond to the Applicant by completing the Part C Statement in relation to an application under the *Land Act 1994* to request the Department of Resources consider the application and the following views of Council:**

- (a) the road closure area is not required to provide legal or practical access to any land parcels; and**
- (b) if the application is approved, the road closure area should be amalgamated into Property No. 212550.**

**Executive Summary**

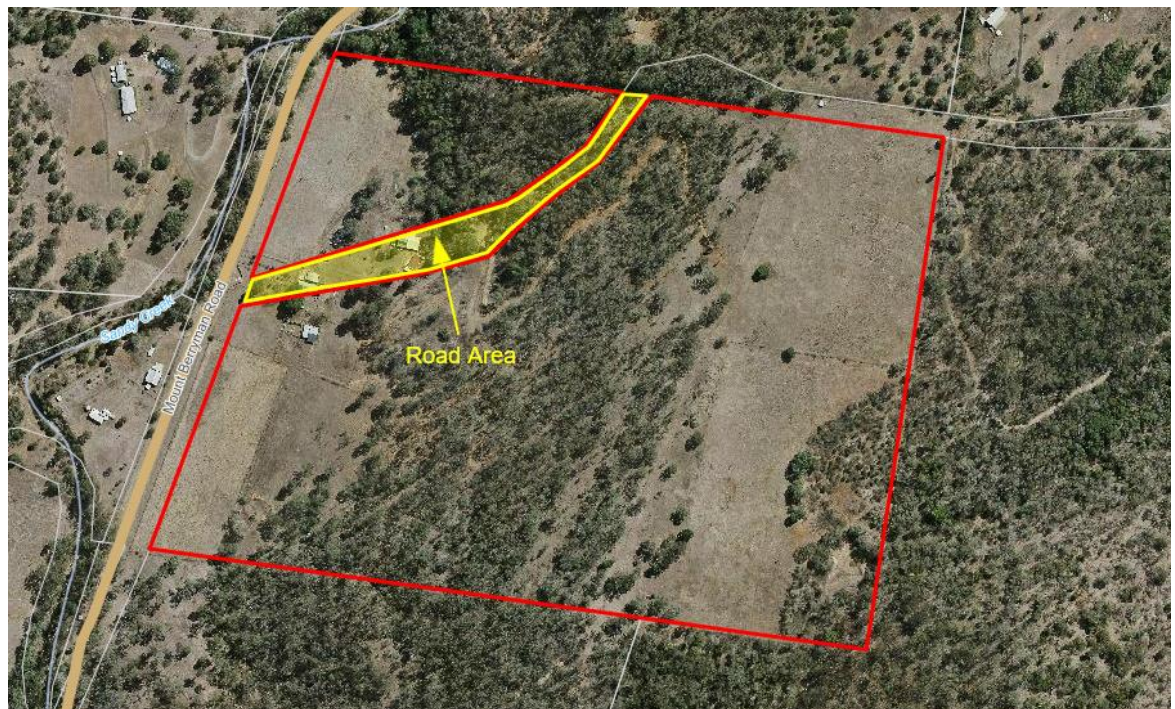
The purpose of this report is to consider an application for the permanent road closure of the road reserve within Property No. 212550.

**Proposal**

On 17 February 2022, Council received a request from the Solicitors acting for the owners of Property No. 212550 (Applicant) for Council to provide its views in relation to the proposed application for permanent road closure of the road reserve within Property No. 212550. This is a pre-requisite step before an application can be lodged with the Department of Resources (DR) for consideration. Council is required to complete the "Part C Statement in relation to an application under the *Land Act 1994* over State Land" with its views so that the relevant form can be submitted with the application.

The area of road to be permanently closed is shown below:

Area Approximately 9800m<sup>2</sup>



As shown on the above Aerial Map there are historical structures (encroachments) on the road reserve and the permanent road closure will rectify this issue. The area of road proposed to be closed does not provide legal access to any other surrounding property.

An Aerial Map showing the proposed road closure area is **Attachment 1** to this Report.

The Recommendation in this Report will enable the Applicant to make a formal application for permanent road closure to the DR for consideration. Ultimately, whether or not the application is approved is a decision that rests with the DR.

The DR is responsible for publishing the proposed road closure and engaging with any other interested parties and agencies to determine whether there are any objections to the application.

Any objections received by the DR may be viewed by other parties interested in the proposed road closure in accordance with the provisions of the *Right to Information Act 2009*.

#### Options

- Option 1      Council doesn't object to the Application for Permanent Road Closure
- Option 2      Council objects to the Application for Permanent Road Closure and provides reasons

#### **Strategic Implications**

#### Corporate Plan

Lockyer Leadership and Council

- 5.2      Excellence in customer service to our community
- 5.7      Compliant with relevant legislation

### Finance and Resource

No financial or resource implications for Council have been identified.

If the application is successful, the DR will notify Council of any update to the land areas and values for rating purposes.

### Legislation and Policy

If the Application is successful, the Applicants will be required to purchase the closed road area at market value from the DR. The Applicants will be required to amalgamate the road closure area into their adjoining property, Property No. 212550.

Council's consideration of this application, and the issue of the completed Part C Statement in relation to an application under the *Land Act 1994* over State land with Council's views, comply with the DR's policy requirements for the assessment of such application.

### Risk Management

Key Corporate Risk Code and Category: LCL1

Key Corporate Risk Descriptor: Legal Compliance and Liability  
Compliance management – regulatory or contract compliance,  
litigation, liability and prosecution

### Consultation

#### *Internal Consultation*

- ✓ Community and Regional Prosperity
- ✓ People, Customer and Corporate Services
- ✓ Infrastructure
- ✓ Finance

The above teams were given the opportunity to consider this report and no concerns or issues have been raised with the Application for Permanent Road Closure.

### **Attachments**

[1](#) Attachment 1 1 Page





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**11.2 Application for Permanent Road Closure - Part of Road Reserve adjoining Property No. 287640****Author:** Julie Lyons, Property Officer**Responsible Officer:** Dan McPherson, Group Manager People, Customer and Corporate Services

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**Purpose:**

The purpose of this report is to consider an application for the permanent road closure of the road reserve adjoining Property No. 287640.

**Officer's Recommendation:**

**THAT with respect to the request received from the owners of Property No. 287640 for Council's views as road manager in relation to the proposed permanent road closure of the road reserve adjoining Property No. 287640, Council resolve to respond to the Applicant by completing the Part C Statement in relation to an application under the *Land Act 1994* to request the Department of Resources consider the application and the following views of Council:**

- (a) the road closure area is not required to provide legal or practical access to any land parcels; and**
- (b) if the application is approved, the road closure area should be amalgamated into Property No. 287640.**

**Executive Summary**

The purpose of this report is to consider an application for the permanent road closure of the road reserve adjoining Property No. 287640.

**Proposal**

On 21 February 2022, Council received a request from the owners of Property No. 287640 (Applicant) for Council to provide its views in relation to the proposed application for permanent road closure of the road reserve adjoining Property No. 287640. The Applicants have advised the area of closed road would be included into their adjoining land for residential use.

This is a pre-requisite step before an application can be lodged with the Department of Resources (DR) for consideration. Council is required to complete the "Part C Statement in relation to an application under the *Land Act 1994* over State Land" with its views so that the relevant form can be submitted with the application.

The area of road to be permanently closed is shown below in yellow:

Area Approximately 1000m<sup>2</sup>





An Aerial Map showing the proposed road closure area is **Attachment 1** to this Report.

The Recommendation in this Report will enable the Applicant to make a formal application for permanent road closure to the DR for consideration. Ultimately, whether or not the application is approved is a decision that rests with the DR.

The DR is responsible for publishing the proposed road closure and engaging with any other interested parties and agencies to determine whether there are any objections to the application.

Any objections received by the DR may be viewed by other parties interested in the proposed road closure in accordance with the provisions of the *Right to Information Act 2009*.

#### Options

- Option 1 Council doesn't object to the Application for Permanent Road Closure
- Option 2 Council objects to the Application for Permanent Road Closure and provides reasons

#### **Strategic Implications**

##### Corporate Plan

Lockyer Leadership and Council

- 5.2 Excellence in customer service to our community
- 5.7 Compliant with relevant legislation

### Finance and Resource

No financial or resource implications for Council have been identified.

If the application is successful, the DR will notify Council of any update to the land areas and values for rating purposes.

### Legislation and Policy

If the Application is successful, the Applicants will be required to purchase the closed road area at market value from the DR. The Applicants will be required to amalgamate the road closure area into their adjoining property, Property No. 287640.

Council's consideration of this application, and the issue of the completed Part C Statement in relation to an application under the *Land Act 1994* over State land with Council's views, comply with the DR's policy requirements for the assessment of such application.

### Risk Management

Key Corporate Risk Code and Category: LCL1

Key Corporate Risk Descriptor: Legal Compliance and Liability  
Compliance management – regulatory or contract compliance, litigation, liability and prosecution

Key Corporate Risk Code and Category: IA1

Key Corporate Risk Descriptor: Infrastructure and Assets  
Planning, managing and maintaining assets for the future

### Consultation

#### *Portfolio Councillor Consultation*

Councillor Qualischefski attended a meeting on site on 18 February 2022 to discuss the large volume of storm water runoff from a number of neighbouring properties that flow into the Cochrane Street gutter and onto the Applicants property and to view the culvert the Applicant constructed to divert the water away from the proposed house site on the Applicants property.

#### *Internal Consultation*

- ✓ Community and Regional Prosperity
- ✓ People, Customer and Corporate Services
- ✓ Infrastructure
- ✓ Finance

The Manager of Infrastructure Delivery attended a meeting on site on 18 February 2022 to discuss the large volume of storm water runoff from a number of neighbouring properties that flow into the Cochrane Street gutter and onto the Applicants property and to view the culvert the Applicant constructed to divert the water away from the proposed house site on the Applicants property. The Application for Permanent Road Closure was also discussed which the Manager of Infrastructure Delivery supports.

No concerns or issues have been raised with the Application for Permanent Road Closure.

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**Attachments**

1 [↓](#) Attachment 1 1 Page





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**11.3 Request to purchase Property No's 176060, 234390 & 193270****Author:** Julie Lyons, Property Officer**Responsible Officer:** Dan McPherson, Group Manager People, Customer and Corporate Services

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**Purpose:**

The purpose of this Report is to enable Council to consider a request by an adjoining landowner to purchase Property No's 176060, 234390 & 193270.

**Officer's Recommendation:**

**THAT Council resolve to advise the Applicant that Council has no interest in disposing of Property No's 176060, 234390 & 193270 at this time.**

**Executive Summary**

The purpose of this Report is to enable Council to consider a request by an adjoining landowner to purchase Property No's 176060, 234390 & 193270 situated at Otto Road, Glenore Grove (the Land).

**Proposal**

On 3 January 2022 Council received a request from an adjoining landowner of Property No. 176080 (Applicant) seeking Council's advice as to whether or not Council would be prepared to sell the Land.

The Land was previously utilised as a sandstone quarry however has not been used for some time.

The Land is shown below:

Area	Approximately 7.8 hectares (shown in yellow)
Tenure	Freehold
Zoning	Rural Residential/Rural Landscape



Flood Risk

Nil



TLPI 2020 applies

No

The Applicant has advised:

- that some of the Land was originally owned by his family who agreed to sell a portion of their Land to Council;
- his family still own land on Otto Road and has done so for several generations;
- he has had discussions with a Councillor recently who advised the Land would be required to be rehabilitated in the future if Council retained ownership;
- he is concerned if the Land is left in its current state it may become subject to trespassing and illegal use which may become an ongoing public liability risk for Council as the site is uneven and potentially dangerous.
- he is willing to gradually repair and rehabilitate the Land;
- there is dilapidation around the current fencing (including the shared boundary fence between the Land and his family properties) which will require some repair.

An Aerial Map showing the location of the Land and the Applicant's land is **Attachment 1** to this Report.

### Options

Option 1 – Council advise the Applicant that Council has no interest in disposing of the Land.

Option 2 – Council advise the Applicant that Council wish to dispose of the Land by way of either Auction or Tender as set out in Part 3 Division 2 of the *Local Government Regulation 2012* and Council's Procurement Policy.

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### Previous Council Resolutions

Resolution Number: 20-24/0459 – Apply the exception from tendering contained in Section 236(1)(c)(iv) of the Local Government Regulation 2012 to lease part of Lot 1 on SP 232938 to an adjoining landowner.

### **Strategic Implications**

#### Corporate Plan

Lockyer Leadership and Council

5.2 Excellence in customer service to our community

5.7 Compliant with relevant legislation

#### Finance and Resource

No finance and resource implications on Council have been identified in relation to the Recommendation (Option 1) in the Report.

If Council wish to pursue Option 2 Council would need to amend the budget to remediate the Land. The approximate cost to remediate the Land is \$650,000.00. There would also be valuation costs of approximately \$2,000.00 to \$4,000.00 to determine the market value of the land once remediated and Tender/Auction Costs of approximately \$1,500.00.

#### Legislation and Policy

The Land is on Council's Environmental Authority EPPR00620313 and any plans to change the activity on the Land or dispose of the Land requires that remediation be undertaken by Council first. The responsibility to remediate the Land cannot be passed onto the Applicant.

The Land is also identified in Council's Waste Reduction and Recycling Plan as a possible location for an eastern resource recovery centre.

If Council wish to remediate and dispose of the Land disposal will occur by either auction or tender to meet Council's obligations for the disposal of land as set out in Part 3 Division 2 of the *Local Government Regulation 2012* and Council's Procurement Policy.

The exception to dispose of the Land pursuant to Section 236(1)(c)(iv) of the *Local Government Regulation 2012* (disposal to an adjoining landowner) to enable disposal to occur hasn't been included as an option as the intent of this exception is to cover situations where, for genuine physical or economic reasons, a parcel of Council owned land (usually small and irregular in size) is able to be disposed of to an adjoining owner who is usually the only realistic purchaser of that land for amalgamation with their property. Given the size of the Land in this case, it is likely to attract interest from other parties through a tender or auction process. If Council does pursue Option 2 and the Land doesn't sell at tender or auction, there is an ability for Council to apply the exception in s 236(1)(a) to sell the Land to a party that offers more than the highest tender or auction bid that was received.

#### Risk Management

Key Corporate Risk Code and Category: LCL1

Key Corporate Risk Descriptor: Legal Compliance and Liability  
Compliance management – regulatory or contract compliance, litigation, liability and prosecution

Key Corporate Risk Code and Category: IA1

Key Corporate Risk Descriptor: Planning, managing and maintaining assets for the future

### Consultation

#### *Internal Consultation*

- ✓ Community and Regional Prosperity
- ✓ People, Customer and Corporate Services
- ✓ Infrastructure
- ✓ Finance

Group Manager Infrastructure has advised his preference is to retain the Land due to the potential use for the disposal of fill from road activities.

Manager Waste Services has advised the Land is on Council's Environmental Authority and any plans to change the activity on the Land or dispose of it would require remediation to be undertaken by Council first. The Land is also identified in Council's Waste Reduction and Recycling Plan as a possible location for an eastern resource recovery centre.

### **Attachments**

1 [📄](#) Attachment 1 1 Page





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## 12. COMMUNITY & REGIONAL PROSPERITY REPORTS

### 12.1 Councillor Involvement in Development Applications Policy

**Author:** Amanda Pugh, Group Manager Community & Regional Prosperity

**Responsible Officer:** Amanda Pugh, Group Manager Community & Regional Prosperity

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**Purpose:**

The purpose of this report is to seek Council's adoption of the Councillor Involvement in Development Applications Policy.

**Officer's Recommendation:**

**THAT Council adopt the Councillor Involvement in Development Applications Policy, as attached to this report.**

### Executive Summary

The Councillor Involvement in Development Applications Policy has been developed to assist Councillors in their engagement with developers, lobbyists, consultants and/or submitters in relation to matters that are relevant to Planning and Development in particular Development Applications.

As a result of findings from a recent Councillor Conduct Inquiry involving Councillors from Livingstone Shire Council, the Councillor Involvement in Development Applications policy has been developed to assist Councillors in their engagement with developers.

### Proposal

On 28 October 2021, the Councillor Conduct Tribunal provided reasons for its decision in relation to a complaint made regarding Councillor misconduct. As a result of the decision, it is considered appropriate that a policy be developed to guide Councillor involvement in the Development Application process.

The Councillor Involvement in Development Applications Policy has been prepared for Council's consideration. The objective of the policy is:

- To establish how Councillors should interact with developers, consultants, lobbyists and submitters in relation to Development Applications as prescribed by the *Planning Act 2016*.
- To assist Councillors in their decision-making process in relation to development applications by avoiding conflicts of interest.
- To provide ethical guidance for Councillors when dealing with developers, consultants, lobbyists and submitters.
- To promote transparency, equity and public accountability in relation to interactions between Councillors and developers, consultants, lobbyists and submitters.
- To ensure that all decisions are legal, ethical and impartial and to ensure that decisions are also seen to be legal, ethical and impartial in the eyes of the community.

Having a policy of this nature facilitates good governance outcomes and is consistent with the legislative requirements relating to Councillors and lobbyists in the *Local Government Act 2009*, the *Planning Act 2016* and the *Integrity Act 2019*.

Options

1. Adopt the Councillor Involvement in Development Applications Policy.
2. Reject adoption of the policy for further development.

Previous Council Resolutions

Nil

Critical Dates

Nil

**Strategic Implications**Corporate Plan

- 5.3 Actively engage with the community to inform council decision making process.
- 5.4 Commit to open and accountable governance to ensure community confidence and trust in Council and our democratic values.
- 5.7 Compliant with relevant legislation.

Finance and Resource

Nil

Legislation and Policy

- *Local Government Regulations 2012*
- *Planning Act 2016*
- *Public Sector Ethics Act 1994*
- *Integrity Act 2009*
- Communicating and Meeting with Lobbyists Guideline
- Acceptable Requests by Councillors for Advice or Information Policy
- Developer, Lobbyist, Consultant and/or Submitter Engagement Register

Risk Management

Nil

Consultation

The Group Manager Community and Regional Prosperity discussed the proposed policy with Councillors, following the Council Meeting 16 February 2022. Engagement was also undertaken with the Mayor and Portfolio Councillor.

*Internal Consultation*

The Manager Planning Policy and Community Wellbeing, Planning Officers and the Senior Governance Officer were consulted in the preparation of the policy and as a result, provided feedback.

*External Consultation*

Nil

*Community Engagement*

Nil

**Attachments**

- [1](#) [Councillor Involvement in Development Applications Policy](#) 7 Pages





## STRATEGIC

# COUNCILLOR INVOLVEMENT IN DEVELOPMENT APPLICATIONS

## Head of Power

Local Government Act 2009

### Related Legislation

Local Government Regulations 2012

Planning Act 2016

Public Sector Ethics Act 1994

Integrity Act 2009

### Key Supporting Council Document

Lockyer Valley Regional Council Corporate Plan (2017-2022):

5.7 Compliant with relevant legislation

## Definitions

<i>CEO</i>	Council's Chief Executive Officer.
<i>Council</i>	Lockyer Valley Regional Council.
<i>Councillor</i>	Mayor and Councillors of Lockyer Valley Regional Council.
<i>Council Officer</i>	All employees of Lockyer Valley Regional Council whether employed on a contract, permanent, temporary or part-time arrangement.
<i>Conflict of Interest</i>	Refers collectively to "prescribed conflicts of interest" and "declarable conflicts of interest" as defined under the <i>Local Government Act 2009</i> .
<i>Consultant</i>	An individual or entity engaged on behalf of the developer for a Development Application or proposed Development Application as applicant and includes an individual or entity engaged as a consultant on behalf of the developer and/or landowner for the Development Application or proposed development


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	application. The term also includes those engaged to prepare technical/specialist reports for a development application.
<i>Development Application</i>	An application for development that requires assessment against the provisions of the local government planning scheme(s) and other local planning instrument(s).
<i>Developer</i>	An applicant for a Development Application or a prospective applicant for a Development Application and/or their advisors and representatives. If the applicant is a body corporate, the term includes office holders and employees of the applicant. If the applicant is a partnership, the term includes partners and employees of the applicant.
<i>Developer, Lobbyist, Consultant and/or Submitter Engagement Register</i>	A register of engagements between Councillors and/or Developers, Lobbyists and Submitters in relation to Development matters that is kept and maintained by Council.
<i>Interaction</i>	A pre-arranged engagement in relation to a development matter and includes meetings either virtually, by phone or in person and written correspondence.
<i>Lobbyist</i>	Has the same meaning as defined in the <i>Integrity Act 2009</i> , that is a person or entity who carries out lobbying for a third-party client.
<i>Submitter</i>	A person who has made a submission, or who may make a submission, about a Development Application during the application process, whether the submission is properly made or not as provided under the <i>Planning Act 2016</i> .

## Policy Objective

The objective of this policy is:

- To establish how Councillors should interact with developers, consultants, lobbyists and submitters in relation to Development Applications as prescribed by the *Planning Act 2016*.
- To assist Councillors in their decision-making process in relation to development applications by avoiding conflicts of interest.
- To provide guidance for Councillors when dealing with developers, consultants, lobbyists and submitters.
- To promote transparency, equity and public accountability in relation to interactions between Councillors and developers, consultants, lobbyists and submitters.
- To ensure that all decisions are legal, ethical and impartial and to ensure that decisions are also seen to be legal, ethical and impartial in the eyes of the community.

## Policy Statement

This policy applies to Councillors and is consistent with the legislative requirements relating to Councillors and lobbyists in the *Local Government Act 2009*, the *Planning Act 2016* and the *Integrity Act 2009*.

This policy does not apply to social interactions between Councillors and other persons who are developers, consultants, lobbyists or submitters; however, a Councillor should carefully consider the implications of social

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interactions with developers, consultants, lobbyists and submitters. Councillors should be mindful of their obligations to avoid conflicts of interests and to ensure that perceived or actual conflicts of interests are disclosed at the appropriate time.

Council is committed to representing the public interests of the region. Free and open access to Councillors and Council, is vital to efficient and effective local government.

Council aims to ensure that all decisions are legal, ethical and impartial and in accordance with the local government principles, and the responsibilities of Councillors as identified in the *Local Government Act 2009*.

Councillors engage with many people in the community in relation to a broad range of matters. Councillors play an important role in supporting economic development in the region and representing and synthesising community views.

The Development Assessment process is a legal process as prescribed by the *Planning Act 2016*. It must be transparent, unbiased, unfettered and legally correct. The provisions as outlined by the *Planning Act 2016* and the *Planning Regulation 2017* require that the Assessment Manager does not pre-determine applications prior to the required assessment being undertaken.

Developers, lobbyists, consultants and submitters seek access to Councillors to discuss potential and existing development applications and other projects for a range of reasons. The community has a clear expectation that these interactions are undertaken transparently and in the public interest.

It is expected that Councillors may interact with developers, lobbyists, consultants or submitters on development related matters. Council recognises that adopting a structured approach to these interactions will significantly reduce the risk of perceived or actual conflict(s).

Further, this policy does not apply to Councillor interactions with the community in relation to the making or amending of planning schemes or planning instruments.

### Councillor Roles in the determining of Development Applications

The *Planning Act 2016* and the *Economic Development Act 2012* prescribes the circumstances in which Council decides a development application. In some circumstances, Council delegates the authority to do this through the CEO, who may delegate this authority to an appropriate officer.

In accordance with Council's delegations register, which may be amended from time to time, Council will decide the following applications and all other applications will generally be decided by the Group Manager Community and Regional Prosperity, Manager Planning, Policy and Community Wellbeing or the Coordinator Development Assessment by delegation.

### Lockyer Valley Regional Council Councillors currently decide the following Development Application types:

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- Development Application Variation Requests;
- Development Application Refusals;
- Impact assessable Development Applications that receive submissions;
- Development Applications where the applicant is Council;
- Any other Development Applications that the Coordinator Development Assessment, Manager Planning, Policy and Community Wellbeing or Group Manager Community and Regional Prosperity or the Chief Executive Officer determines should go to Council:
  - Economically significant Development Applications;
  - Development Applications that are of a sensitive nature (i.e. poultry farms).

### Guidelines for Councillor Interactions with Developers, Lobbyists, Consultants and Submitters

1. Councillor(s) should seek to ensure that, wherever practicable, another Councillor(s) and a senior member of the Planning, Policy and Community Wellbeing team are present at any interaction with developers, lobbyists, consultants or submitters where development related matters are to be discussed.
2. When interacting with a developer, lobbyists, consultant or submitter about development related matters, Councillors should, wherever practicable:
  - a. State that any opinions expressed by the Councillor(s) are personal to the Councillor and do not in any way represent a formal Council view.
  - b. Make clear that they can provide general information on the application process but cannot give definitive advice about a proposed development's prospects for approval.
  - c. Suggest that the developer, lobbyist, consultant or submitter seek independent professional advice where relevant.
  - d. Encourage the developer, lobbyists, and/or consultant to seek advice and utilise Council's Pre-lodgement Meeting process to seek the views of Council Officers in relation to the application requirements.
3. Councillors are not to discuss matters that may relate to any Development Application by the developer or consultant that are under appeal. A written record of the interaction must be prepared each time a Councillor interacts with a developer, lobbyist, consultant or submitter about a development related matter. This record must be prepared by the Councillor and include, at a minimum:
  - The date of the interaction;
  - The format of the interaction;
  - The names of all parties or persons involved in the interaction/s;
  - A detailed summary of the matters raised with the Councillor(s) including a copy of any material provided at the meeting; and
  - A detailed summary of the advice provided by the Councillor(s) and staff involved.

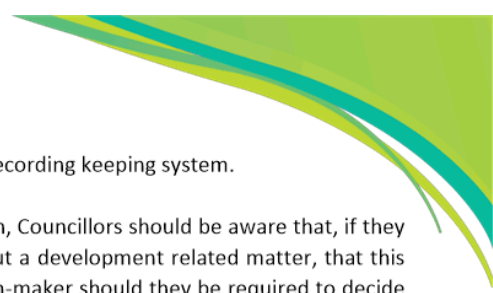
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4. A record of this interaction will be kept in Council's electronic recording keeping system.
  5. Whilst Councillors are entitled to express their personal opinion, Councillors should be aware that, if they express a personal opinion, whether positive or negative, about a development related matter, that this may impact on the perception of their impartiality as a decision-maker should they be required to decide a development application. Councillors should consider any triggers requiring declaration of an actual or perceived conflict of interest at the time the application is to be decided by the Council. If expressing an opinion before an officer assessment report is available, Councillors should clearly state that a final decision can only be made after all relevant material has been prepared and considered.

### Councillor Engagement with developers, lobbyists, consultants and/or submitters prior to the lodgement of a Development Application

6. During interactions with developers, lobbyists, consultants and/or submitters prior to the lodgement of a Development Application with Council, Councillors should not feel inhibited in promoting the benefits of developing in the region and encouraging responsible and appropriate development and investment. Councillors may also feel able to express their understanding of community views and attitudes in relation to development related matters.
7. When interacting with a developer, lobbyists, consultants and/or submitters about a potential development, Councillors should consider and abide by paragraphs 2-4 of this policy, particularly for larger or potentially more controversial developments.
8. Councillors should not feel inhibited or unable to discuss publicly known information about a potential development with the public.
9. It should be noted that Pre-lodgement meetings are considered confidential and cannot be discussed outside of Council.

### Councillor Engagement with developers, lobbyists, consultants and/or submitters during the pre-lodgement phase of a Development Application (application is being prepared for lodgement)

10. Councillors are able to attend formal pre-lodgement meetings between developers and Council Officers and must have regard to paragraphs 2-4 of this policy. It is noted that Councillors receive a weekly report of Development Activity in the region which includes information in relation to Applications lodged, Applications decided and pre-lodgement meetings held.
11. Any requests for information from Council Officers should be in accordance with the Council Policy: Acceptable Requests by Councillors for Advice or Information Policy (ECM: 3945251).

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Superseded/Revoked: NA

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### Councillor Engagement with developers, lobbyists, consultants and/or submitters post lodgement and during the Assessment of the Development Application (after the application is lodged)

12. Once a Development Application is lodged with Council and is under assessment by Council Officers, Councillors should not initiate or seek to be involved in meetings with developers, lobbyists, consultants and/or submitters about the application that is under assessment. Councillors may seek information about the Development Application, in accordance with the Council Policy: Acceptable Requests by Councillors for Advice or Information Policy (ECM: 3945251).
13. Councillors must not direct, or attempt to direct, a Council Officer in the course of their duties to assess and report on a Development Application that is under assessment.
14. If a Councillor is invited to and agrees to engage in an interaction with a developer, lobbyist, consultant and/or submitter during the assessment stage, Councillors must have another Councillor or Councillors attend with them as well as the Group Manager Community and Regional Prosperity or Manager Planning Policy and Community Wellbeing. Additionally, details in relation to the interaction, as set out in paragraph 3 of this policy, should be conveyed by Councillors to the CEO so this information can be captured in Council's Developer, Lobbyist, Consultant and/or Submitter Engagement Register.

### Councillor Engagement with developers, lobbyists, consultants and/or submitters during the Development Application Decision Part (Part 5 of the DA Rules when an application is being decided)

15. If the Development Application is being decided by Council Officers under delegation, it is generally not appropriate for Councillors to interact with a developer, lobbyist, consultant and/or submitter about the development application. Councillors may convey any comment received and/or refer developers, lobbyists, consultants and/or submitters to the CEO or the Group Manager Community and Regional Prosperity or Manager Planning Policy and Community Wellbeing.
16. If the Development Application is to be decided by Council, and not by Council Officers under delegation, Councillors are advised not to interact with a developer, lobbyist, consultant and/or submitters leading up to the meeting where the decision is to be made. Should a Councillor interact with a developer, lobbyist, consultant and/or submitters, Councillors must consider the guidelines as outlined in paragraphs 2-4 of this policy. Councillors must convey and record any comments received to the CEO, the Group Manager Community and Regional Prosperity or the Manager Planning Policy and Community Wellbeing and all Councillors.


Group: Community & Regional Prosperity  
Unit: Planning, Policy & Community Wellbeing  
Approved: Ordinary Meeting (Resolution Number XX-XX/XXXX)

Date Approved: XX/XX/XXXX  
ECM: 4238564

Effective Date: 00/00/2022  
Version: 1  
Review Date: 31/03/2025

Superseded/Revoked: NA

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17. After Council Officers have prepared a report and made a recommendation and that report has been listed on the Council Meeting agenda, Councillors may seek additional information from Officers to ensure their duties are properly discharged when deciding the application. The request for information can be made to the CEO, Group Manager Community and Regional Prosperity or the Manager Planning Policy and Community Wellbeing.
  18. Council Officers may opt to have a Council Workshop Item listed on the Agenda of a Council Workshop should Officers deem that necessary and beneficial to Councillors. It should be noted that this is not a decision-making forum but an informal opportunity to provide information to Councillors in relation to the Development Application.
  19. As required by the Planning Act 2016, Councillors must ensure they genuinely consider the development application, any submissions to the application, the Council Officers Delegated Report; including the assessment and recommendations by Council Officers, prior to making a decision on the proposed development.
  20. Confidentiality must be maintained for any information that, if released, could prejudice the interests of Council or another party.

### Councillor Engagement with developers, lobbyists, consultants and/or submitters post Development Decision and Appeal (after the application has been decided)

21. Once a decision has been made, Councillors are required to respect the decision of Council.
22. Once a decision has been made and until such time as any appeal period is finished, Councillors must not engage with a developer, lobbyist, consultant and/or submitter in relation to the matter and in the case of an appeal, this also includes appellants or co-respondents to an appeal. Councillors may interact with these parties where that interaction is in relation to a different matter.
23. Councillors must not seek to influence the manner in which conditions of a development approval are applied.

### Related Documents

- Communicating and Meeting with Lobbyists Guideline
- Acceptable Requests by Councillors for Advice or Information Policy
- Developer, Lobbyist, Consultant and/or Submitter Engagement Register

Group: Community & Regional Prosperity  
Unit: Planning, Policy & Community Wellbeing  
Approved: Ordinary Meeting (Resolution Number XX-XX/XXXX)

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Superseded/Revoked: NA

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**12.2 Proposal to Make a Temporary Local Planning Instrument Flood Regulation****Author:** Prudence Earle, Senior Strategic Planner**Responsible Officer:** Amanda Pugh, Group Manager Community & Regional Prosperity

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**Purpose:**

Council regulates development within flood affected areas through a Temporary Local Planning Instrument (TLPI). An updated TLPI has been prepared to roll over the instrument until the proposed Lockyer Valley Planning Scheme is adopted and to address administrative errors identified with the current TLPI. The new TLPI is being presented for Council's consideration, prior to being submitted to the Minister for approval.

**Officer's Recommendation:****THAT Council decide to make Temporary Local Planning Instrument 2022 Flood Regulation;****And further;****THAT, in accordance with the Minister's Guidelines and Rules, the Temporary Local Planning Instrument 2022 Flood Regulation be submitted to the Minister for approval.****Executive Summary**

A proposed TLPI for flood regulation has been prepared to replace the current TLPI when it ceases to have effect on the 20 July 2022. The proposed TLPI addresses minor legislative changes and administrative errors in the current TLPI. It is recommended that Council decides to make the TLPI and submit the proposed TLPI to the Minister for approval.

**Proposal**

Since 2 January 2013, Council has regulated development within flood prone areas through a Temporary Local Planning Instrument (TLPI). Under the *Planning Act 2016*, TLPIs have effect for a maximum period of 2 years. There has been a series of TLPIs since 2013.

Temporary Local Planning Instrument 01/2020 (the current TLPI) took effect in July 2020. A review of the current TLPI has been undertaken and a new TLPI (the proposed TLPI) has been prepared to roll over the instrument until the proposed Lockyer Valley Planning Scheme is adopted. The proposed TLPI also incorporates minor corrections and changes to terminology and phrasing to provide greater clarity and consistency to reflect current legislation. The proposed TLPI has been prepared to make interpreting and implementing flood regulations clearer and therefore will have a positive impact on development assessment processes. The proposed TLPI does not change the policy position or the context of the current TLPI. The proposed TLPI is attached to this report.

There is no change proposed to the flood mapping associated with the TLPI

**Process for Making a TLPI**

The process for making a TLPI is stipulated under the Minister's Guidelines and Rules as follows:

1. Council decides to make a TLPI.
2. Council submits the proposed TLPI to the Minister, who may request further information.
3. The Minister decides if the proposed TLPI satisfies the Act.
4. If the Minister approves the making of the TLPI, Council is given a notice to this effect.



5. Council decides to either adopt or not to proceed with the proposed TLPI.
6. If Council decides to adopt the proposed TLPI, a public notice is published.
7. Within 10 days of adopting the TLPI, Council must give the chief executive a copy of the public
8. notice and a copy of the TLPI.

If Council resolves to make the proposed TLPI, it will be submitted to the Minister for their consideration

#### Options

If Council does not resolve to make a new TLPI the current document will cease to have effect on 20 July 2022.

Under the *Planning Act 2016*, Council would have to assess all development that is in the Flood Hazard mapping under the State Planning Policy 2017 (SPP). The flood map area under the SPP is less refined and covers a more extensive area than the current mapping under the TLPI. Not making a TLPI would increase the requirements for flood assessment across the region. This would trigger assessment of uses and development that would not currently require assessment under the TLPI.

If Council resolves to make a new TLPI the current processes in place for regulating development in flood prone areas will be carried forward.

#### Previous Council Resolutions

No previous Council resolutions have been made in relation to the proposed TLPI.

#### Critical Dates

The current TLPI expires on 20 July 2022, therefore it is critical that the new TLPI be adopted before this date.

#### **Strategic Implications**

##### Corporate Plan

Lockyer Planned, Item 4.3 A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

##### Finance and Resource

There will be minor costs associated with public notification of the adoption of the TLPI.

##### Legislation and Policy

The proposed TLPI does not represent a major change to Council policy. A TLPI is a statutory local planning instrument under the *Planning Act 2016*. A TLPI may suspend or otherwise affect the operation of a planning scheme, and therefore takes precedence over a planning scheme. A TLPI must be made in accordance with the *Planning Act 2016* and the Minister's Guidelines and Rules.

If Council adopts the proposed TLPI, at that time Council will also need to repeal the current TLPI, unless it has already ceased.

The proposed Lockyer Valley Planning Scheme will incorporate provisions relating to flood hazard, including mapping developed from the latest flood modelling. When the new planning scheme is adopted, the TLPI in effect at the time will be repealed

##### Risk Management

Under the *Planning Act 2016*, a person may claim compensation because of an adverse planning change. An adverse planning change is one that reduces the value of an interest in premises. The Act states that a planning change made to reduce a material risk of serious harm to persons or property for natural events (e.g.

flooding) is not an 'adverse planning change'. Therefore, there is no risk that the making of a new TLPI for flood regulation will lead to a claim of compensation.

Furthermore, the proposed TLPI does not constitute a major change to Council policy and there are no changes to the flood mapping that are to be used with the proposed TLPI. The proposed TLPI, therefore represents a low risk to Council.

### Consultation

#### *Portfolio Councillor Consultation*

The portfolio Councillor has been made aware of the proposal to make a new TLPI for flood regulation.

#### *Internal Consultation*

The proposed TLPI has been prepared following consultation with planning staff. No comments were received from:

- Finance operations; and
- Governance and Property.

#### *External Consultation*

If Council adopts the proposed TLPI, a public notice must be published advising of the making of the TLPI, and the purpose and general effect of the TLPI.

### **Attachments**

- 1 [!\[\]\(adb0331d22f78481623cc605df40612a\_img.jpg\)](#) Proposed Temporary Local Planning Instrument 2022 Flood Regulation 21 Pages

LOCKYER VALLEY REGIONAL COUNCIL

Temporary Local Planning Instrument 2022 Flood Regulation

**1. Short Title**

- 1.1 This temporary local planning instrument (TLPI) may be cited as Temporary Local Planning Instrument 2022 Flood Regulation.

**2. Purpose**

- 2.1 The purpose of this TLPI is to:
- (a) provide improved flood regulation based on the identification of a Flood hazard overlay for the Lockyer Valley Region; and
  - (b) to protect life and property by ensuring development, other than commercial and industrial development (excluding Service stations), appropriately responds to, or is avoided in response to, the risk of flood hazard present on a site.

**3. Commencement**

- 3.1 This TLPI commences on ## #### 2022.

**4. Expiry**

- 4.1 In accordance with section 23 of the *Planning Act 2016*, this TLPI has effect for two (2) years from the date of commencement, unless repealed sooner.

**5. Application of the TLPI**

- 5.1 This TLPI applies to the Lockyer Valley local government area.
- 5.2 This TLPI affects the operation of the following planning schemes:
- (a) Gatton Shire Planning Scheme 2007; and
  - (b) Laidley Shire Planning Scheme 2003.
- 5.3 This TLPI applies to development on land shown on the Flood hazard overlay maps in Appendix E being the flood hazard area, investigation area or overland flow path, unless:
- (a) The development is for commercial and/or industrial development that is a defined use listed in the table below:

Defined uses under the Gatton Shire Planning Scheme	Defined uses under the Laidley Shire Planning Scheme
Animal product processing	Bulk retail
Art, crafts and antiques	Car repair station
Catering shop	Catering room
Commercial premises (excluding veterinary services)	Commercial premises
Extractive industry	Extractive industry
Health care premises	General store
Hotel (where not including accommodation)	Hotel (where not including accommodation)
Industry	Industry
Off-street car park	Junk yard
Rural service industry	Light industry
Service trade	Medical/paramedical centre
	Medium industry

Defined uses under the Gatton Shire Planning Scheme	Defined uses under the Laidley Shire Planning Scheme
Shop Showroom Transport depot Transport terminal Warehouse	Noxious, offensive and hazardous industry Passenger terminal Refreshment service Road freight depot Roadside stall Rural processing Shop Transport depot Truck stop (where not including accommodation) Warehouse

- (b) The development is Building work that is:
- (i) additions to a class 1 building where the additions constitute less than 50% of the floor area of the existing building;
  - (ii) alterations that are not additions to the floor area of an existing building;
  - (iii) raising an existing building;
  - (iv) repairing an existing building;
  - (v) adding an extra storey above an existing part of a building; or a Class 10 building or structure.

## 6. Relationship with the Planning Schemes

- 6.1 If a planning scheme to which this TLPI applies is inconsistent with this TLPI, the TLPI prevails to the extent of any inconsistency.

## 7. Effect

- 7.1 The TLPI affects the operation of the Gatton Shire Planning Scheme and the Laidley Shire Planning Scheme by:

- (a) introducing a Flood hazard overlay and Flood hazard overlay maps (see Appendix E);
- (b) suspending and replacing provisions of the Gatton Shire Planning Scheme (see Appendix A);
- (c) suspending and replacing provisions of the Laidley Shire Planning Scheme (see Appendix B);
- (d) identifying categories of development and categories of assessment for development within the Flood hazard overlay (see Appendix C); and
- (e) introducing a new Flood hazard overlay code which includes assessment benchmarks for development within the Flood hazard overlay (see Appendix D).

- 7.2 The TLPI designates the flood hazard area and the defined flood level for the purposes of the Building Code of Australia and the Queensland Development Code.

## 8. Flood hazard area and defined flood level

- 8.1 In accordance with Section 8 of the *Building Regulation 2021*:
- (a) the Flood hazard overlay map (Appendix E) is designated as the flood hazard area; and
  - (b) the defined flood level is declared to be the level to which it is reasonably expected flood waters may rise during a defined flood event. The defined flood level for a location within the Flood hazard overlay will be determined by Council based on the latest flood data available.

## 9. Interpretation

- 9.1 Unless otherwise defined in this TLPI, the Gatton Shire Planning Scheme or the Laidley Shire Planning Scheme, the terms used in this TLPI have the same meaning as defined in the *Planning Act 2016*.

9.2 In this TLPI the following terms have the meaning below:

**defined flood level** the level to which it is reasonably expected flood waters may rise (see Section 8 of the *Building Regulation 2021*) and section 8.1(b) of this TLPI).

**defined flood event** means a flood event that would result in the extent of flooding shown on the Flood hazard overlay maps in Appendix E.

**flood hazard overlay** means the area identified on the Flood hazard overlay maps in Appendix E as being a defined flood event, investigation area or overland flow path.

**flood investigation area** means the area on the Flood hazard overlay maps in Appendix E identified as flood investigation area. Land within the flood investigation area is known to be, or has the potential to be, flood affected and be subject to a defined flood event, that has not yet been quantified.

**flood risk assessment** means a study that determines the extent, nature and type of flood risk consistent with the States Guide for Flood Studies and Mapping in Queensland, Department of Natural Resources and Mines and Australian Disaster Resilience Handbook 7 Managing the Floodplain: A Guide to Best Practice in Flood Risk Management in Australia.

**floor area**, for a building, means the gross area of all floors in the building measured over the enclosing walls other than the area of a verandah, roofed terrace, patio, garage or carport in or attached to the building.

**habitable room** has the same meaning as in the National Construction Code.

**high flood hazard area** means the area on the Flood hazard overlay maps identified as high hazard. Development of land in this area may pose an unacceptable risk to life and property during a defined flood event. During a defined flood event:

- (a) major to extreme risk to life is likely;
- (b) able bodied adults cannot walk safely; and
- (c) light frame buildings can structurally fail.

**low flood hazard area** means the area on the Flood hazard overlay maps identified as low hazard. Development of this land, after application of relevant mitigation actions, is not considered to pose any significant risk to life or property during a defined flood event. During a defined flood event:

- (a) there is no significant risk to life; and
- (b) property is only at risk when exposed and in direct contact with flood waters.

**medium flood hazard area** means the area on the Flood hazard overlay maps identified as medium hazard. Development of land in this area may pose a risk to life and property during a defined flood event. During a defined flood event:

- (a) able bodied adults may not be able to walk safely;
- (b) cars can float and precautions must be taken; and
- (c) only large vehicles (trucks) may be able to travel safely.

**overland flow path** means an area on the Flood hazard overlay maps identified as overland flow path.

**rural area** means an area that:

- (a) if in the Gatton Shire Planning Scheme area, is located in the Rural agriculture zone, Rural general zone or Rural uplands zone; or

- (b) if in the Laidley Shire Planning Scheme area, is located in the Rural agricultural land area, Rural landscape area or Rural uplands land area.

**sport and recreation** means the use of premises for any activity, purpose or pursuit which includes, but is not limited to the following: archery, athletics, basketball, baseball, boating, bowling (other than indoor bowling), children's playgrounds, commercial or community swimming pools (uncovered), cycling tracks, football, gardens, golf, hockey, netball, outdoor cricket, parks, picnic areas, playing fields, soccer, softball, tennis.

**vulnerable persons** means persons who are identified as having a high degree of susceptibility and low resilience to flood hazard, including unaccompanied minors, the infirmed, the mentally and physically disabled and elderly.

#### 10. Advisory notes

- 10.1 It is a matter of common law that any owner of a property who develops or alters their property in any way, owes a duty of care to ensure that changes caused by the development do not cause adverse impacts in relation to flood.
- 10.2 Council has flood models for some localities within the Region. These flood models can be obtained for undertaking flood hazard assessments, subject to the execution of a Data Sharing Agreement and payment of the applicable fee.
- 10.3 If approval is issued by Council for building work within the Flood hazard overlay, building materials and surface treatments used below the defined flood level should be resilient to water damage and should not include wall cavities.
- 10.4 The [Flood Resilient Building Guidance for Queensland Homes](#) is a joint initiative of the Queensland Government, Brisbane City Council, Ipswich City Council, Lockyer Valley Regional Council, Somerset Regional Council and Seqwater and should be consulted when designing buildings to be located in a flood hazard area.

APPENDIX A EFFECT OF THE TEMPORARY LOCAL PLANNING INSTRUMENT  
ON THE GATTON SHIRE PLANNING SCHEME

Scheme Reference	Effect of Temporary Local Planning Instrument
Page 11 Section 3.1(3) Desired environmental outcomes, Item (i)	Suspend (i) and replace with revised (i) as follows: (i) Planning and design takes into account the potential adverse effects from natural hazards such as bushfire, landslip or flooding. <b>The adverse effects of flood on development:</b> (a) in the high and medium flood hazard areas are avoided; and (b) in the low flood hazard area are minimised to the greatest extent practicable and development is designed to provide protection to persons and property.
Pages 184-185 Services and infrastructure code 6.25 Specific outcome and probable solutions for code assessable development, Probable solution A2.2	Suspend A2.2 and replace with revised A2.2 as follows: A2.2 Where <b>Council's</b> a reticulated sewerage service is not available: <del>(a) the minimum size of a lot is 3,000m<sup>2</sup> or the minimum size lot for a specific zone, whichever is the greater;</del> <del>(b) the proposed on-site effluent disposal system is located on the allotment in accordance with the <i>Plumbing and Drainage Act 2018. Standard Sewerage Law 2001 and AS1547-2000;</i></del> <del>(c) the proposed on-site effluent disposal system is located on land which:</del> <del>(i) has slopes less than 10%; or</del> <del>(ii) the land is terraced to receive the full disposal area;</del> <del>(iii) is situated above the Q10 flood level;</del> <del>(iv) is above the level of 5 metre AHD;</del> <del>(v) contains soils with permeability greater than 0.05m/day and less than 3.5m/day;</del> <del>(vi) contains soils which do not include mainly sand, gravel or fractured rock;</del> <del>(vii) is more than 0.6 metres of the seasonally high water table;</del> <del>(viii) is more than 1.0 metre above bedrock;</del> <del>(d) the lot contains an area capable of supporting a land application area sized in accordance with the Interim Code of Practice for On-site Sewerage Facilities;</del> <del>(e) at least 100% of the design area is available on the lot and reserved for waste disposal application; and</del> <del>(f) the effluent irrigation area is not separated from the effluent source by features such as gullies, creeks, dams, roads, driveways etc.</del>
Page 200 Accommodation unit and dual occupancy code 6.47 Specific outcomes and probable solutions for code assessable development, Specific outcome P3 and Probable solutions A3.1-A3.3	Suspend P3 and A3.1-A3.3, and replace with revised P3 and A3.1 as follows: P3 The finished floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. <b>An acceptable level of flood immunity is provided for new accommodation units and dual occupancy units.</b> A3.1 The finished floor level of habitable rooms is a minimum of 300mm above the defined flood level. <b>Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</b> <del>A3.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</del> <del>A3.3 Within the Withcott town area, the habitable floor level is RL 235m AHD plus 300mm.</del>
Page 205 Annexed unit code 6.51 Specific outcome and probable solutions for code assessable development, Specific outcome P1 and Probable solutions A1.1-1.6	Suspend P1 and A1.1-A1.6, and replace with revised P1 and A1.1 as follows: P1 The finished floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. <b>An acceptable level of flood immunity is provided for a new annexed unit.</b> A1.1 The finished floor level of habitable rooms is a minimum of 300mm above the defined flood level. <b>Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</b> <del>A1.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</del>



Scheme Reference	Effect of Temporary Local Planning Instrument																					
	<p><del>A1.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</del></p> <p><del>A1.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</del></p> <p><del>A1.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</del></p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p><del>A1.6 Otherwise, no probable solution is provided</del></p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Page 209 Caravan and relocatable home parks code 6.55 Specific outcome and probable solutions for code assessable development, Probable solution A3.1	<p>Suspend A3.1, and replace with revised A3.1 as follows:</p> <p>A3.1 A site provides for all residential buildings and structures and access to them, on stable land that is located at least 300mm above the defined flood level and flood free land away from scenically or environmentally sensitive areas.</p>																					
Page 211 Caretaker's residence code 6.59 Specific outcome and probable solutions for code assessable development, Specific outcome P2 and Probable solutions A2.1-2.6	<p>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</p> <p>P2 <del>The finished floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a new caretaker's residence.</del></p> <p>A2.1 <del>The finished floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</del></p> <p><del>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</del></p> <p><del>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</del></p> <p><del>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</del></p> <p><del>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</del></p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table> <p><del>A2.6 Otherwise, no probable solution is provided</del></p>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Page 213 Dwelling house code 6.62 Specific outcomes and probable solutions for code assessable development, Specific outcome P2 and	<p>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</p> <p>P2 <del>The finished floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a new Dwelling House.</del></p>																					



Scheme Reference	Effect of Temporary Local Planning Instrument																					
Probable solutions A2.1-2.6	<div><div>A2.1 The finished floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</div><div><del>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</del></div><div><del>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</del></div><div><del>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</del></div><div><del>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</del></div><table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table><div><del>A2.6 Otherwise, no probable solution is provided</del></div></div>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Pages 217-218 Motel code 6.70 Specific outcome and probable solutions for code assessable development, Specific outcome P2 and Probable solutions A2.1-A2.6	<div>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</div> <div><div>P2 A new motel is designed to be a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a new motels.</div><div><div>A2.1 The finished floor level is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</div><div><del>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</del></div><div><del>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</del></div><div><del>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</del></div><div><del>A2.5 Within the Grantham village area, level not less than the level of the closest land listed in the table below, plus 300mm.</del></div><table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td>Lot 1 RP150034</td><td>50 Anzac Avenue</td><td>116.16</td></tr><tr><td>Lot 1 RP92488</td><td>Gatton-Helidon Road</td><td>116.221</td></tr><tr><td>Lot 3 RP108240</td><td>9 Anzac Avenue</td><td>117.324</td></tr><tr><td>Lot 7 RP25735</td><td>3 Harris Street</td><td>117.995</td></tr><tr><td>Lot 8 RP25736</td><td>8 Harris Street</td><td>117.843</td></tr><tr><td>Lots 15-16 RP25732</td><td>35 Harris Street</td><td>118.4</td></tr></table><div><del>A2.6 Otherwise, no probable solution is provided</del></div></div></div>	RPD	Address	AHD (m)	Lot 1 RP150034	50 Anzac Avenue	116.16	Lot 1 RP92488	Gatton-Helidon Road	116.221	Lot 3 RP108240	9 Anzac Avenue	117.324	Lot 7 RP25735	3 Harris Street	117.995	Lot 8 RP25736	8 Harris Street	117.843	Lots 15-16 RP25732	35 Harris Street	118.4
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Page 220 Small lot house code 6.74 Specific outcomes and probable solutions for code assessable development, Specific outcome P1 and Probable solutions A1.1-A1.6	<p>Suspend P1 and A1.1-A1.6, and replace with revised P1 and A1.1 as follows:</p> <p><b>P1 The finished floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. An acceptable level of flood immunity is provided for a small lot house.</b></p> <p><b>A1.1 The finished floor level of habitable rooms is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</b></p> <p><del><b>A1.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</b></del></p> <p><del><b>A1.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</b></del></p> <p><del><b>A1.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</b></del></p> <p><del><b>A1.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</b></del></p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td><b>Lot 1 RP150034</b></td><td><b>50 Anzac Avenue</b></td><td><b>116.16</b></td></tr><tr><td><b>Lot 1 RP92488</b></td><td><b>Gatton-Helidon Road</b></td><td><b>116.221</b></td></tr><tr><td><b>Lot 3 RP108240</b></td><td><b>9 Anzac Avenue</b></td><td><b>117.324</b></td></tr><tr><td><b>Lot 7 RP25735</b></td><td><b>3 Harris Street</b></td><td><b>117.995</b></td></tr><tr><td><b>Lot 8 RP25736</b></td><td><b>8 Harris Street</b></td><td><b>117.843</b></td></tr><tr><td><b>Lots 15-16 RP25732</b></td><td><b>35 Harris Street</b></td><td><b>118.4</b></td></tr></table> <p><del><b>A1.6 Otherwise, no probable solution is provided</b></del></p>	RPD	Address	AHD (m)	<b>Lot 1 RP150034</b>	<b>50 Anzac Avenue</b>	<b>116.16</b>	<b>Lot 1 RP92488</b>	<b>Gatton-Helidon Road</b>	<b>116.221</b>	<b>Lot 3 RP108240</b>	<b>9 Anzac Avenue</b>	<b>117.324</b>	<b>Lot 7 RP25735</b>	<b>3 Harris Street</b>	<b>117.995</b>	<b>Lot 8 RP25736</b>	<b>8 Harris Street</b>	<b>117.843</b>	<b>Lots 15-16 RP25732</b>	<b>35 Harris Street</b>	<b>118.4</b>
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Page 238 Service station and car wash code 6.82 Specific outcome and probable solutions for code assessable development, Specific outcome P2 and Probable solutions A2.1-A2.6	<p>Suspend P2 and A2.1-A2.6, and replace with revised P2 and A2.1 as follows:</p> <p><b>P2 A new service station and car wash is designed to minimise risk from the adverse effects of flooding to the greatest extent practicable. An acceptable level of flood immunity is provided for a new service station and car wash.</b></p> <p><b>A2.1 The finished floor level is a minimum of 300mm above the defined flood level. Within the Gatton town area, the habitable floor level is RL 102.041 plus 300mm.</b></p> <p><del><b>A2.2 Within the Helidon town area, the habitable floor level is RL 135 AHD plus 300mm.</b></del></p> <p><del><b>A2.3 Within the Withcott town area, the habitable floor level is RL235m AHD plus 300mm.</b></del></p> <p><del><b>A2.4 Within the Murphys Creek village area, the habitable floor level is RL250m AHD plus 300mm.</b></del></p> <p><del><b>A2.5 Within the Grantham village area, a level not less than the level of the closest land listed in the table below, plus 300mm.</b></del></p> <table><tr><th>RPD</th><th>Address</th><th>AHD (m)</th></tr><tr><td><b>Lot 1 RP150034</b></td><td><b>50 Anzac Avenue</b></td><td><b>116.16</b></td></tr><tr><td><b>Lot 1 RP92488</b></td><td><b>Gatton-Helidon Road</b></td><td><b>116.221</b></td></tr><tr><td><b>Lot 3 RP108240</b></td><td><b>9 Anzac Avenue</b></td><td><b>117.324</b></td></tr><tr><td><b>Lot 7 RP25735</b></td><td><b>3 Harris Street</b></td><td><b>117.995</b></td></tr><tr><td><b>Lot 8 RP25736</b></td><td><b>8 Harris Street</b></td><td><b>117.843</b></td></tr><tr><td><b>Lots 15-16 RP25732</b></td><td><b>35 Harris Street</b></td><td><b>118.4</b></td></tr></table> <p><del><b>A2.6 Otherwise, no probable solution is provided</b></del></p>	RPD	Address	AHD (m)	<b>Lot 1 RP150034</b>	<b>50 Anzac Avenue</b>	<b>116.16</b>	<b>Lot 1 RP92488</b>	<b>Gatton-Helidon Road</b>	<b>116.221</b>	<b>Lot 3 RP108240</b>	<b>9 Anzac Avenue</b>	<b>117.324</b>	<b>Lot 7 RP25735</b>	<b>3 Harris Street</b>	<b>117.995</b>	<b>Lot 8 RP25736</b>	<b>8 Harris Street</b>	<b>117.843</b>	<b>Lots 15-16 RP25732</b>	<b>35 Harris Street</b>	<b>118.4</b>
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Page 252 Intensive animal industries, animal product processing industries, kennels and catteries code 6.91 Specific outcome	<p>Suspend A2.1, and replace with revised A2.1 as follows:</p> <p><b>A2.1 Facilities are developed on a site which:</b></p> <ul style="list-style-type: none"><li>(a) has land with slopes less than 10%;</li><li>(b) <b>is above the defined flood level is not on land subject to flooding at a frequency of greater than 1 in 50 years;</b></li><li>(c) is otherwise not low-lying;</li><li>(d) has sealed road access;</li></ul>																					

Scheme Reference	Effect of Temporary Local Planning Instrument
and probable solutions for code assessable development, Probable solution A2.1	<p>(e) is provided with a reliable water supply and has a capacity to store a minimum of <b>2 days'</b> supply; and</p> <p>(f) is connected to an electricity supply.</p>
Pages 260-261 Reconfiguring a lot code 6.107 Specific outcome and probable solutions for code assessable development, Specific outcome P1 and Probable solutions A1.1-A1.6	Suspend P1 and A1.1-A1.6.
Pages 267-268 Reconfiguring a lot code 6.107 Specific outcome and probable solutions for code assessable development, Specific outcome A19.4	<p>Suspend A19.4, and replace with revised A19.4 as follows:</p> <p>A19.4 Where <del>connection to Council's</del> a reticulated sewerage service is not available:</p> <p>(a) the minimum size of a lot is 3,000m<sup>2</sup> or the minimum size lot for a specific zone, whichever is the greater; and</p> <p><del>(b) each lot is connected to an approved common effluent drainage scheme, and where that is not available:</del></p> <p><del>(i) each lot disposes waste on-site for the specified used; and</del></p> <p><del>(ii) the proposed on-site effluent disposal system is located on the allotment in accordance with the Standard Sewerage Law 2001 and AS1547-2000; and</del></p> <p><del>(iii) the proposed on-site effluent disposal system is located on land which:</del></p> <p><del>I. has slopes less than 10% OR the land is terraced to receive the full disposal area;</del></p> <p><del>II. is situated over the Q10 flood level;</del></p> <p><del>III. is above the 5 metre AHD;</del></p> <p><del>IV. contains soils with permeability greater than 0.05m/day and less than 3.5m/day;</del></p> <p><del>V. contains soils which do not include mainly sand, gravel or fractured rock;</del></p> <p><del>VI. is more than 0.6 metres of the seasonally high water table;</del></p> <p><del>VII. is more than 1.0 metre above bedrock;</del></p> <p><del>(b) (c) each lot contains an area capable of supporting a land application area sized in accordance with the Plumbing and Drainage Act 2018. Interim Code of Practice for On-site Sewerage Facilities;</del></p> <p><del>(d) an area of up to 100% of the design area is available on each lot and reserved for waste disposal application;</del></p> <p><del>(e) the effluent irrigation area is a minimum of 50 metres from features such as gullies, waterways and wetlands.</del></p>
Page 272 Reconfiguring a lot code 6.107 Specific outcomes and probable solutions for code assessable development, Specific outcome P37	<p>Suspend P37, and replace with revised P37 as follows:</p> <p>P37 In addition to provisions at P14 and P15, the <del>major</del> drainage network has the capacity to control stormwater flows under normal conditions, and <del>allowing for a 100% design blockage of inlets, minor system blockage conditions for a 1 in 100 ARI year rainfall event</del> so that:</p> <p>(a) no dwelling is inundated <del>during a 1 in 100 year flood,</del></p> <p><del>(b) habitable rooms have floor levels 250 mm above the estimated flood level resultant from a 1 in 100 year flood are protected,</del></p> <p><del>(b) (c) overland flow paths floodways</del> are restricted to areas where there is minimal risk of damage to life or property; and</p> <p>(c) <del>(d)</del> runoff is directed to a lawful point of discharge through competently designed and constructed outlet works.</p>

Scheme Reference	Effect of Temporary Local Planning Instrument
Page 274 Reconfiguring a lot code 6.107 Specific outcome and probable solutions for code assessable development, Specific outcome A43.1	Suspend A43.1, and replace with revised A43.1 as follows: A43.1 New lots resulting from the realignment have a minimum area of 1.0 hectare, and <b>contain:</b> (a) <b>each contains a flood free building sites located above the defined flood level;</b> (b) <b>have</b> slopes less than 20%; (c) <b>have</b> effluent disposal areas; and (d) maintain a viable land size for ongoing agricultural use if on good quality agricultural land.

APPENDIX B  
EFFECT OF TEMPORARY LOCAL PLANNING INSTRUMENT ON  
THE LAIDLEY SHIRE PLANNING SCHEME

Scheme Reference	Effect of Temporary Local Planning Instrument
Page 12 Section 3.1(3)k Desired environmental outcomes	Suspend k, and replace with revised k as follows: k. The adverse effects from natural and other hazards, including flooding and bushfires, are minimised. <b>The adverse effects of flood on development:</b> (i) <b>in the high and medium flood hazard areas are avoided; and</b> (ii) <b>in the low flood hazard area are minimised to the greatest extent practicable and development is designed to provide protection to persons and property.</b>
Page 65 Table 23B, Flood inundation areas (Overlay Map F)	Suspend Table 23B.
Page 68 Table 24B, Flood inundation areas (Overlay Map F)	Suspend Table 24B.
Page 82 Section 6.7.3, Specific outcomes and acceptable solutions for the areas of natural and environmental significance overlay code	Suspend 6.7.3, and replace with revised 6.7.3 as follows: 6.7.3 Specific outcomes and acceptable solutions for the areas of natural and environmental significance overlay code The Overlay Maps for Areas of Natural and Environmental Significance (Maps E1, E2, <del>F</del> , G1, G2) are the maps that apply for this Code. They include areas with steep or unstable lands, dryland salinity, areas identified as wetlands, <del>flood-prone</del> , bush-fire prone or ecologically significant.
Page 83 Table 1 – Specific outcomes and acceptable solutions for the areas of natural and environmental significance overlay code, Item 1	Suspend 1, and replace with revised 1 as follows: 1. Buildings and development are protected from potential conflict, such as: <ul style="list-style-type: none"> <li>• bushfire;</li> <li>• steep or unstable land;</li> <li>• ridgelines;</li> <li>• remnant vegetation – regeneration;</li> <li>• high visual quality;</li> <li>• erosion;</li> <li>• dryland salinity;</li> <li>• wetlands;</li> <li>• <del>flood-prone land;</del></li> <li>• water quality;</li> <li>• permanent or intermittent streams;</li> <li>• major drainage lines;</li> <li>• wildlife corridors.</li> </ul>
Page 84 Table, Flood inundation areas	Suspend table.
Page 101 Table 6 – Specific outcomes and acceptable solutions for the residential uses code, Acceptable solution 4.1	Suspend 4.1, and replace with revised 4.1 as follows: 4.1 <b>The finished floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level. Where a lot is on floodable land, the minimum flood level for habitable rooms is 300mm above the Q100 flood line on the allotment;</b> and
Page 120 Table 5 – Specific outcomes and acceptable solutions for the on-site effluent disposal code, Acceptable solution 2.2	Suspend 2.2.

Scheme Reference	Effect of Temporary Local Planning Instrument
Page 192 Overlay Map F – Areas of natural and environmental significance – Flood inundation areas	Suspend Overlay Map F.

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**APPENDIX C**  
**CATEGORIES OF DEVELOPMENT AND CATEGORIES OF ASSESSMENT**  
**FOR FLOOD HAZARD OVERLAY**

**1. Categories of development and categories of assessment for the Flood hazard overlay**

- (1) The categories of development and categories of assessment for development within the Flood hazard overlay are identified in Column 2 of Table 1.
- (2) If development is identified in the planning scheme as having a different category of development or category of assessment than under Table 1 below, the highest level of assessment applies as follows:
  - (a) Accepted development subject to requirements prevails over Accepted development;
  - (b) Code assessment prevails over Accepted development subject to requirements and Accepted development; and
  - (c) Impact assessment prevails over Code assessment, Accepted development subject to requirements and Accepted development.

**2. Assessment benchmarks for development within the Flood hazard overlay**

- (1) The relevant assessment benchmarks for development within the Flood hazard overlay are identified in Column 3 of Table 1.

**Table 1 Categories of development and categories of assessment**

Column 1 Type of development or use	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
<b>Material change of use</b>		
<b>Agriculture</b>	<b>Accepted development</b> if no building work is proposed.	
	<b>Accepted development subject to requirements</b> if – (a) not Accepted development; and (b) the use complies with all relevant Acceptable outcomes identified in the Assessment benchmark column.	Flood hazard overlay code
	<b>Code assessment</b> in all other circumstances.	Flood hazard overlay code
<b>Sport and Recreation</b>	<b>Accepted development</b> if no building work is proposed.	
	<b>Accepted development subject to requirements</b> if – (a) not Accepted development; and (b) the use complies with all relevant Acceptable outcomes identified in the Assessment benchmark column.	Flood hazard overlay code
	<b>Code assessment</b> in all other circumstances.	Flood hazard overlay code
<b>All other uses</b>	<b>Accepted development</b> if no building work is proposed.	
	<b>Accepted development subject to requirements</b> if – (a) not Accepted development; and	Flood hazard overlay code



Column 1 Type of development or use	Column 2 Categories of development and assessment	Column 3 Assessment benchmarks for assessable development and requirements for accepted development
	(b) the use complies with all relevant Acceptable outcomes identified in the Assessment benchmark column.	
	<b>Code assessment</b> in all other circumstances.	Flood hazard overlay code
<b>Reconfiguring a lot</b>		
<b>Reconfiguring a lot</b>	<b>Code assessment</b> if the site area is located within an area identified as a high, medium or low flood hazard area, an investigation area, or an overland flow path.	Flood hazard overlay code
<b>Building works</b>		
<b>Carrying out building works not associated with a material change of use</b>	<b>Accepted development subject to requirements</b> if complies with all relevant Acceptable outcomes identified in the Assessment benchmark column.	Flood hazard overlay code
	<b>Code assessment</b> in all other circumstances.	Flood hazard overlay code
<b>Operational works</b>		
<b>Carrying out operational works associated with Reconfiguring a lot or a Material change of use</b>	<b>Code assessment</b> if the site area is located within an area identified as a high, medium or low flood hazard area, investigation area, or overland flow path.	Flood hazard overlay code
<b>Carrying out operational works for filling or excavating, where not associated with reconfiguring a lot or a material change of use</b>	<b>Accepted development</b> if the works are associated with bona fide agricultural activities.	
	<b>Code assessment</b> if – (a) not Accepted development; and (b) the site is located in a rural area, and the extent of cut or fill exceeds 10m <sup>3</sup> ; or (c) the site is located within an area other than a rural area.	Flood hazard overlay code
<b>Advertising device, where not associated with a material change of use</b>	<b>Code assessment</b> if the site area is located within an area identified as a high, medium or low flood hazard area, investigation area, or overland flow path.	Flood hazard overlay code
<b>Other development</b>		
<b>All other development</b>	<b>Accepted development</b>	

APPENDIX D  
FLOOD HAZARD OVERLAY CODE

1. Application

This code applies to Accepted development subject to requirements and Assessable development involving land wholly or partially within the Flood hazard overlay as identified on the Flood hazard overlay maps in Appendix E.

2. Purpose

- (a) The purpose of this code is to manage development outcomes in the floodplain so that risk to life, property, community and the environment during flood events is minimised, and to ensure that development does not increase the potential for flood damage on the site or to other property.

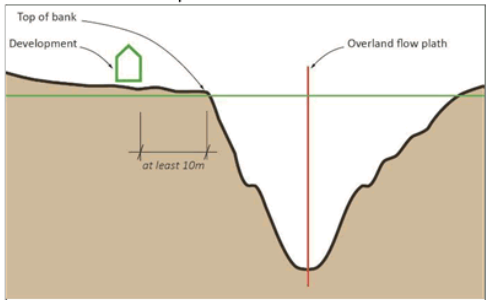
3. Compliance with the Flood hazard overlay code

Development that complies with the purpose of the code, complies with the code.

Accepted development that complies with the acceptable outcomes of the code, complies with the purpose of the code.

Assessable development that complies with the Performance outcomes of the code, complies with the purpose of the code.

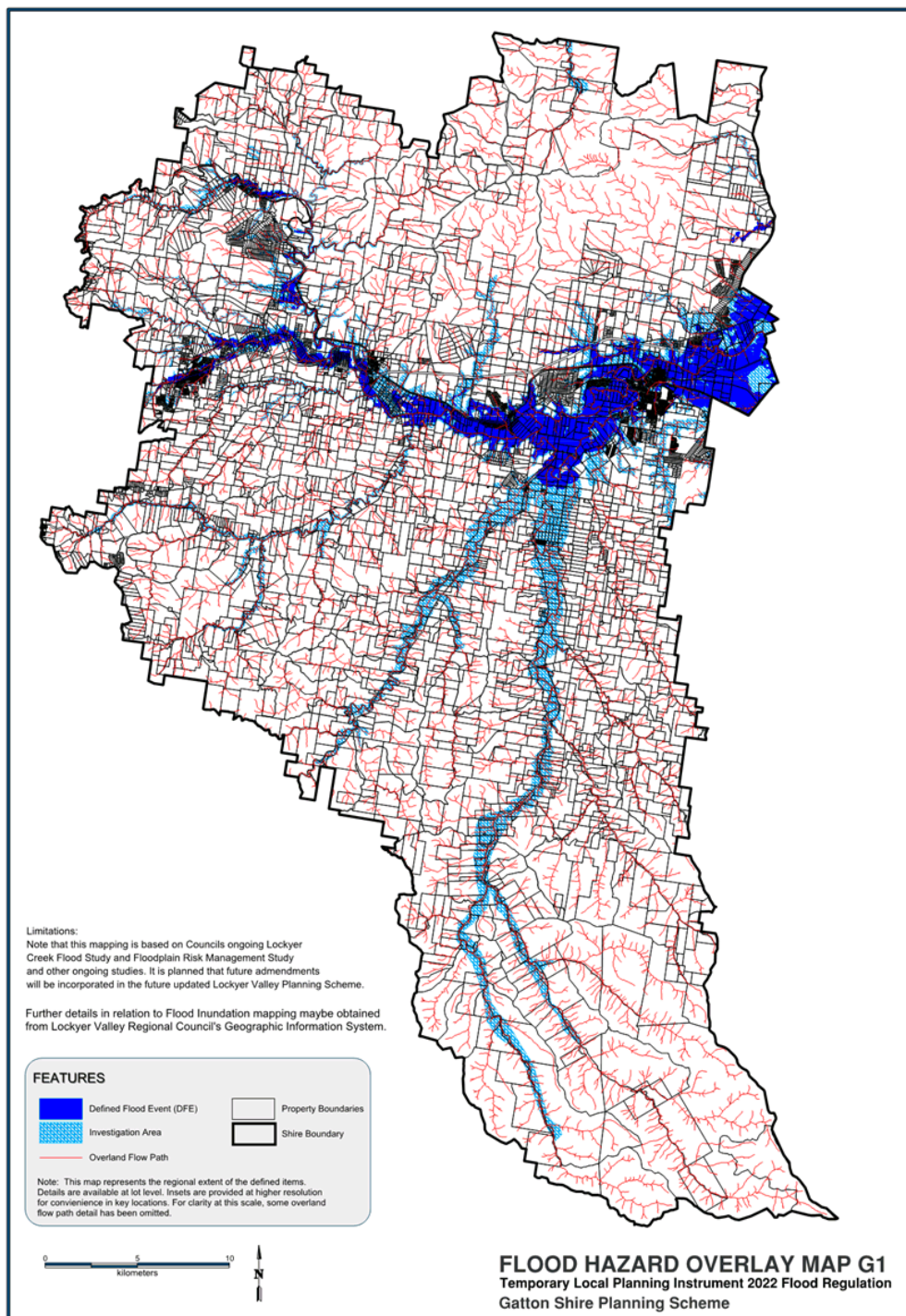
4. Assessment benchmarks

Column 1 Performance outcomes	Column 2 Acceptable outcomes
<b>For Accepted development subject to requirements</b>	
<b>PO1</b> To the greatest extent practicable, development avoids flood hazard areas or areas known to be, or have the potential to be, affected by flood inundation such as the flood investigation area or overland flow paths.	<b>AO1.1</b> Development does not occur on land identified as: (a) high flood hazard area; or (b) medium flood hazard area.
	<b>AO1.2</b> If located on land in a flood investigation area or overland flow path, a local flood risk assessment, prepared by a suitably qualified person and approved by Council, determines that the development site is not exposed to high or medium flood hazard.
	<b>AO1.3</b> Development is located at least 10m from the top of bank of an overland flow path. 
<b>For Accepted development subject to requirements and Assessable development</b>	

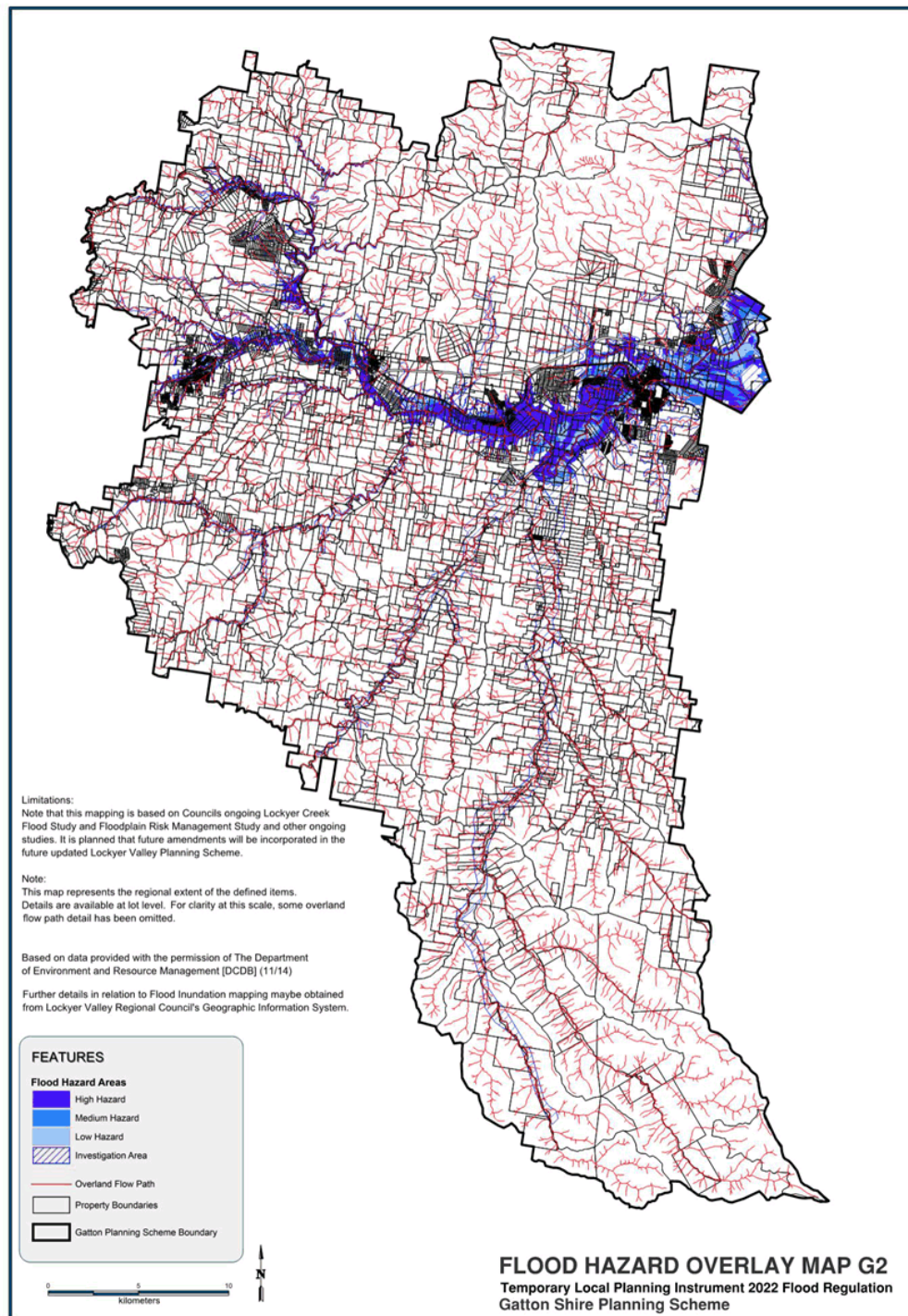
Column 1 Performance outcomes	Column 2 Acceptable outcomes
<p><b>PO2</b> Development for vulnerable persons is avoided in the low flood hazard area. Where development cannot be avoided, risks associated with flooding are mitigated to an acceptable level.</p> <p>Note — Development that provides for vulnerable persons may include annexed units, apartments, child care centres, community care centres, community uses, education establishments, health care services, hospitals, residential care facilities and retirement facilities.</p>	<p><b>AO2.1</b> A new building or structure is sited on the highest part of the lot.</p> <p><b>AO2.2</b> Development does not alter the ground level to achieve flood immunity.</p> <p><b>AO2.3</b> The finished floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level.</p> <p><b>AO2.4</b> The understorey area below the finished floor level of any habitable room is left open, to not impede flood inundation.</p> <p><b>AO2.5</b> If understorey screening is provided, it must allow for the flow through of floodwater, and provide a minimum 50% permeability (e.g. using vertical battens with a batten width gap between battens).</p> <p><b>AO2.6</b> The understorey may be used for parking of vehicles or storage of items that are capable of being easily moved above the defined flood level.</p> <p><b>AO2.7</b> Utilities and services not regulated by the Queensland Development Code MP 3.5 or the <i>Plumbing and Drainage Act 2018</i> (e.g. air conditioners, electrical services and generators, gas systems and bottles), are located a minimum of 300mm above the defined flood level.</p> <p><b>AO2.8</b> Development does not alter the predevelopment profile of the site or interfere with an overland flow path.</p> <p><b>AO2.9</b> Development does not expose vulnerable persons to flood hazard.</p>
<p><b>PO3</b> In the flood investigation area and overland flow paths, development:</p> <ul style="list-style-type: none"> <li>(a) minimises risk from the adverse effects of flooding to the greatest extent practicable; and</li> <li>(b) only occurs where it is designed to respond to the hazard level applicable to the site.</li> </ul> <p>Note—Land in the flood investigation area is susceptible to some degree of flooding. Detailed modelling of this land has not been undertaken. A site specific assessment is required to determine the hazard classification of the land, and its suitability for development.</p>	<p><b>AO3</b> In a flood investigation area or overland flow path:</p> <ul style="list-style-type: none"> <li>(a) written advice is obtained from Council stating that the latest data available to Council confirms that the site is not subject to flooding; or</li> <li>(b) a local flood risk assessment, prepared by a suitably qualified person and approved by Council, determines that the development site is not exposed to high, medium or low flood hazard; or</li> <li>(c) where a local flood risk assessment, prepared by a suitably qualified person and approved by Council, determines that the development site is exposed to low flood hazard, the development satisfies AO2.1-AO2.9; or</li> <li>(d) where a local flood risk assessment, prepared by a suitably qualified person and approved by Council, determines that the development site is exposed to high or medium flood hazard, the development satisfies AO4 or PO4.</li> </ul>

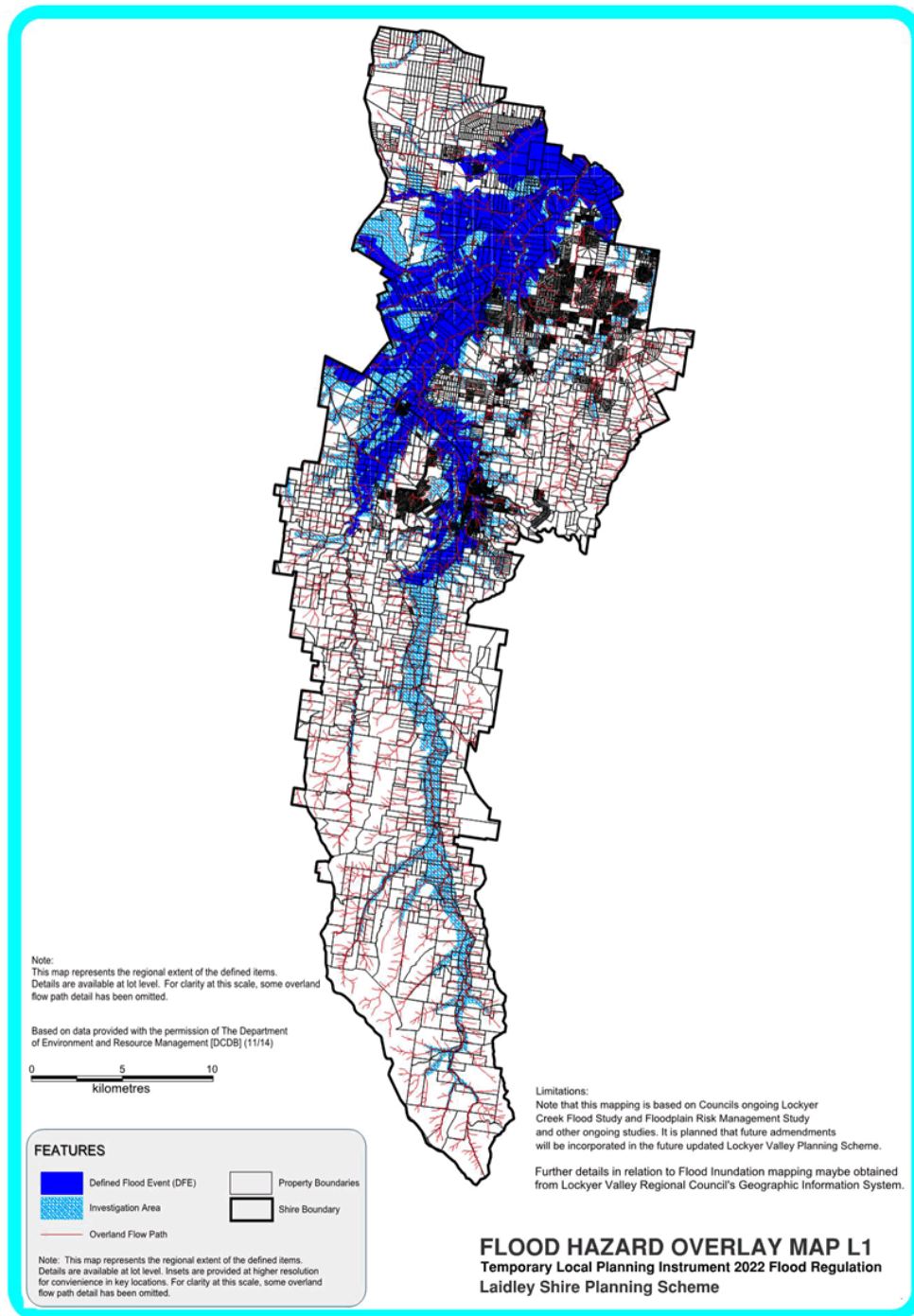
Column 1 Performance outcomes	Column 2 Acceptable outcomes
<b>PO4</b> Development avoids medium or high flood hazard areas. Where development cannot be avoided, risks associated with flooding are mitigated to an acceptable level.	<b>AO4</b> In a medium or high flood hazard area, a local flood risk assessment is prepared by a suitably qualified person to demonstrate that the risks associated with flooding, including (but not limited to): (a) risk of isolation; (b) risk to road access; (c) risk to life; (d) risk to property; (e) off-site impacts; and (f) are mitigated to an acceptable level.
<b>PO5</b> Reconfiguration of a lot responds to flooding potential and maintains personal safety at all times.  Note — Applicants are advised to refer to the Queensland Government's Evacuation: Responsibilities, Arrangements and Management Manual — M.1.190.	<b>AO5.1</b> Each lot includes an area for the construction of buildings and structures that is located above the defined flood level that: (a) if in the Gatton Shire Planning Scheme area and: (i) located in the Emerging communities zone, Urban residential zone or Village zone — comprises the entire lot; (ii) located in the Park residential zone or Rural residential zone — is a minimum of 1500m <sup>2</sup> in area (exclusive of access handle) with a minimum dimension of 20m; (b) if in the Laidley Shire Planning Scheme area and: (i) located in the Residential expansion area, Urban residential area, Urban residential (small lots) area or Village area — comprises the entire lot; (ii) located in the Rural residential area — is a minimum of 1500m <sup>2</sup> in area (exclusive of access strip) with a minimum dimension of 20m; (c) if in any other area — is of an adequate size and shape to accommodate any buildings and outbuildings that would be anticipated.  <b>AO5.2</b> Development provides at least one road access to service the development which is higher than the defined flood level and capable of remaining passable for evacuation.

APPENDIX E  
FLOOD HAZARD OVERLAY MAPS

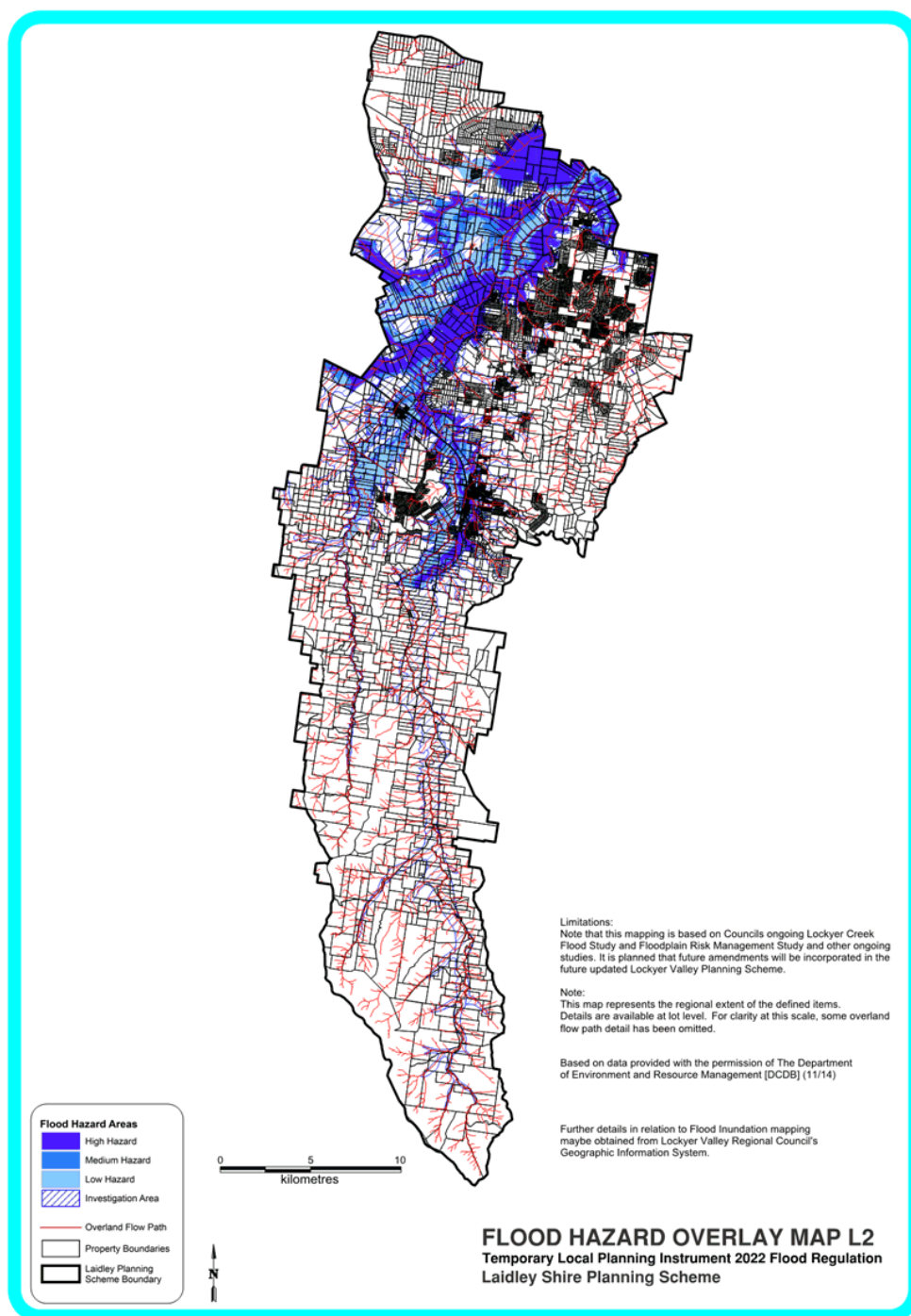












## 12.3

**OW2022/0003 Application for Development Permit for Operational Works for Advertising Device at Edward Street, Laidley**

**Author:** Tammee Van Bael, Planning Officer  
**Responsible Officer:** Annette Doherty, Acting Group Manager Community and Regional Prosperity

**Purpose:**

The purpose of this report is to consider an application (OW2022/0003) for a Development Permit for Operational Works for an Advertising Device on Lot 210 SP140941 at Edward Street, Laidley.

The application has been assessed in accordance with the requirements of the *Planning Act 2016* and it is recommended that the application be approved in accordance with the Officer's Recommendation.

**Officer's Recommendation:**

**THAT the application (OW2022/0003) for a Development Permit for Operational Works for an Advertising Device on Lot 210 SP140941 at Edward Street, Laidley be approved subject to the following conditions:**

**APPROVED PLANS**

The following plans are Approved Plans for the development:

**Approved Plans**

Plan No.	Rev.	Plan Name	Date
-	-	Site Plan, prepared by Lockyer Valley Regional Council	10/03/2022
-	-	Laidley Recreational Reserve / Laidley Sports Complex Proposed LED Sign – Patrick Street, Laidley, prepared by Outdoor Intelligence Pty Ltd T/A Oi-LED Screens	Received 2 February 2022

**REFERENCED DOCUMENTS**

Not Applicable.

**PROPERTY NOTES**

Not Applicable.

**VARIATION APPROVAL**

Not Applicable.

**FURTHER PERMITS REQUIRED**

- Development Permit for Building Work

**CURRENCY PERIOD OF APPROVAL**

The currency period for this development approval is two (2) years starting the day that this development approval takes effect. (Refer to Section 85 "Lapsing of approval at end of currency period" of the *Planning Act 2016*.)

**ASSESSMENT MANAGER CONDITIONS**

NO.	CONDITION	TIMING
1.	Undertake the development generally in accordance with the approved plans. These plans will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to the erection of any advertising devices and at all times.
2.	Maintain the approved development in accordance with the approved drawing(s) and/or document, and any relevant Council or other approval required by conditions.	At all times.

**Alterations and/or Relocations**

3.	Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development.	At all times.
4.	Replace existing Council infrastructure (including but not limited to any street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works.	At all times.

**Advertising Device**

5.	This approval is for one (1) double sided LED Advertising Device with a signface of 1.92m x 1.6m on each side.	At all times.
6.	The overall height of the sign must not exceed 4m.	At all times.
7.	Any illumination of the advertising device must be in accordance with the <i>Australian Standard 4282 Control of Obtrusive Effect of Outdoor Lighting</i> .	At all times.
8.	Where illuminated from within, the advertising device must not flash, blink or pulse	At all times.
9.	Any advertising on the Advertising Device is limited to advertisements associated with the uses on the subject site. No third party advertising is permitted.	At all times.
10.	Submit certification from a suitably qualified and experienced structural engineer (Registered Professional Engineer Queensland) demonstrating that the Advertising Device has been designed and constructed to withstand the impacts of the high hazard flood.	Upon completion of any building works.

**ADVISORY NOTES**

- (i) The Advertising Device must comply with the requirements of the Department of Transport and Main Road's (DTMR) Roadside Advertising Manual.
- (ii) All works associated with this approval may not start until all subsequent approvals have been obtained, and its conditions complied with.

(iii) Any additions or modifications to the approved use (not covered in this approval) may be subject to further application for development approval.

**(iv) Fire ants**

Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the fire ant biosecurity zone before operational works commence. It should be noted that works involving fire ant carrier materials 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](#).

**(v) Biosecurity**

Ensure all invasive pest weed species under the *Biosecurity Act 2014* are removed appropriately prior to removing trees on site.

Everyone is obligated under the *Biosecurity Act 2014* to take all reasonable and practical steps to minimise the risks associated with invasive plants under their control. More information on restricted and invasive plants as well as your general biosecurity obligation (GBO) can be viewed on the [Business Queensland website](#).

**(vi) Cultural heritage**

The *Aboriginal Cultural Heritage Act 2003* requires anyone who carries out a land use activity to exercise a duty of care. Further information on cultural heritage duty of care is available on the [Department of Aboriginal and Torres Strait Islander Partnerships](#) (DATSIP) website.

The DATSIP has established a [register and database](#) of recorded cultural heritage matters, which is also available on the Department's website.

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during construction or operation of the development, the *Aboriginal Cultural Heritage Act 2003* requires all activities to cease. Please contact DATSIP for further information.

## Executive Summary

This report considers a development application (OW2022/0003) for a Development Permit for Operational Works for an Advertising Device at Edward Street, Laidley. The following table summarises the application details.

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	Lockyer Valley Regional Council
<b>Landowner:</b>	Lockyer Valley Regional Council
<b>Proposal:</b>	Development Permit for Operational Works for Advertising Device
<b>Properly Made Date:</b>	2 February 2022

<b>Street Address:</b>	Edward Street, Laidley
<b>RP Description:</b>	Lot 210 SP140941
<b>Assessment Type:</b>	Code
<b>Number of Submissions:</b>	Not Applicable – Code Assessable
<b>State Referral Agencies:</b>	Not Applicable
<b>Referred Internal Specialists:</b>	<ul style="list-style-type: none"> <li>Development Engineer</li> </ul>
<b>Prelodgement Meeting:</b>	Not Applicable
<b>Information Request:</b>	Not Applicable
<b>Further Advice:</b>	Not Applicable
<b>Decision Due Date:</b>	6 April 2022

This application is code assessable and has been brought to a Council meeting for a decision due to the application having been lodged by Council.

The application has been assessed in accordance with the requirements of the *Planning Act 2016*. The development complies with the applicable assessment benchmarks, subject to reasonable and relevant conditions.

### Background / Site History

The subject site has historically been used for Sport and Recreation purposes, involving a number of various sports. There are a number of existing buildings, other structures and sporting fields used in association with the Sport and Recreation use.

### Site Details

<b>SITE AND LOCALITY DESCRIPTION</b>	
<b>Land Area:</b>	18.0238Ha
<b>Existing Use of Land:</b>	Sport & Recreation
<b>Road Frontage:</b>	Patrick Street: 304m Edward Street: 623m Coates Street: 430m Whites Road: 236m
<b>Significant Site Features:</b>	Existing sporting fields
<b>Topography:</b>	Level
<b>Surrounding Land Uses:</b>	Residential, Community Facilities

### Proposal

The application seeks approval for a Development Permit for Operational Works for an Advertising Device at Edward Street, Laidley. The applicant proposes an Advertising Device as follows:

- Located along the Patrick Street road frontage;
- double sided LED sign 1.92m x 1.6m in size; and
- total height of 4m.



Advertising will be limited to information in relation to the current users of the Laidley Recreation Grounds. There will be no third party advertising.



Figure 1: Site Plan

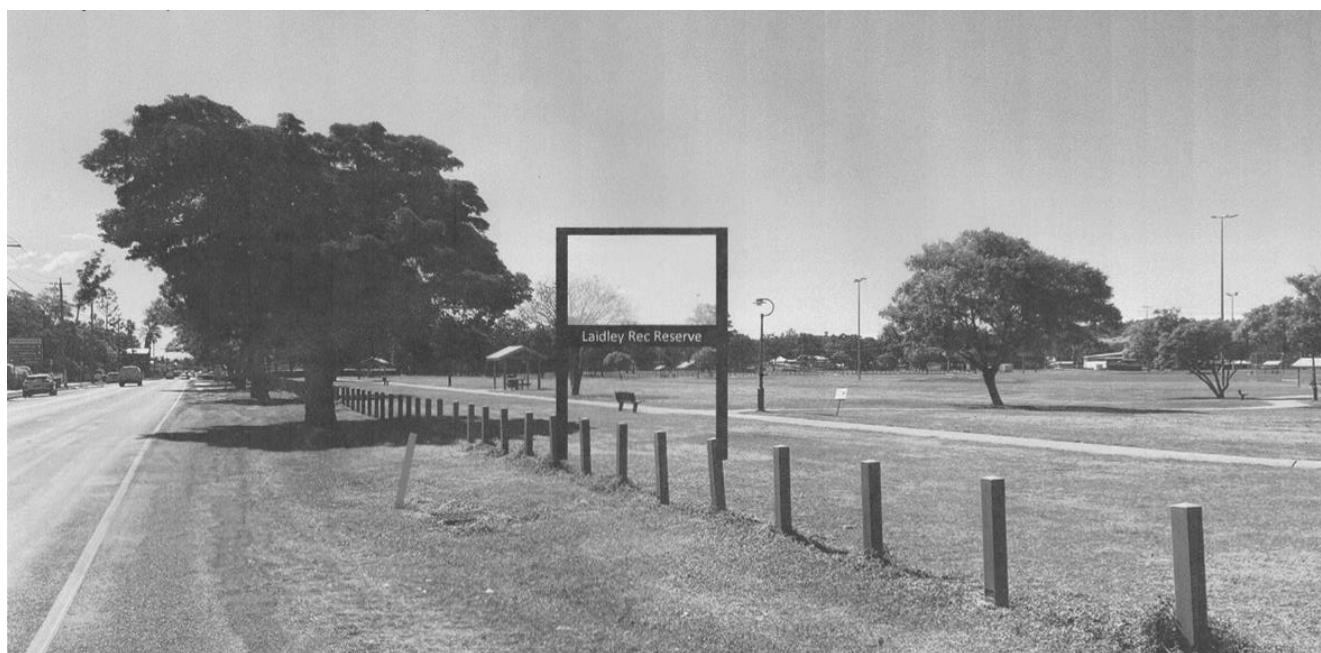


Figure 2: Proposed Sign

**ASSESSMENT:****Framework for Assessment**Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

**Assessment Benchmarks Pertaining to the *Planning Regulation 2017***

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

<b>PLANNING REGULATION 2017 DETAILS</b>	
<b>Assessment Benchmarks:</b>	<ul style="list-style-type: none"> <li>• State Planning Policy (Agriculture, Biodiversity, Water Quality, Natural Hazards, Risk &amp; Resilience, and Transport Infrastructure)</li> </ul>
<b>SEQ Regional Plan Designation:</b>	Urban Footprint

State Planning Policy

The proposed development is for an Advertising Device and is consistent with the outcomes of the State Planning Policy.

**Assessment Benchmarks Pertaining to the Planning Scheme**

The applicable planning scheme for the application is *Laidley Shire Planning Scheme 2003*. The following sections relate to the provisions of the Planning Scheme.

<b>Planning Scheme:</b>	Laidley Shire Planning Scheme 2003
<b>Zone:</b>	Open Space and Reserves
<b>Overlay/s:</b>	Bushfire Risk Area – Medium <i>Temporary Local Planning Instrument 2020 (Flood Regulation)</i> (TLPI) – Low, Medium & High Hazard, Flood Investigation Area and Overland Flow Paths
<b>Consistent/Inconsistent Use:</b>	Not Applicable
<b>Assessment Benchmarks:</b>	Advertising Devices Code Open Space and Reserve Area Code Areas of Natural and Environmental Significance Overlay Code TLPI Flood Hazard Overlay Code



### Assessment Benchmarks – Planning Scheme Codes

The application has been assessed against each of the applicable codes and found to be compliant or can be conditioned to comply. The pertinent issues arising out of the assessment against the codes are discussed below:

#### Zone Code

##### *Open Space and Reserve Area Code*

The proposed Advertising Device is intended to advertise information in association with the Sport and Recreation uses carried out on the subject site. The proposed Advertising Device will not impact upon any areas of significance that includes biodiversity, vegetation, recreational, historical or scenic values. The proposed Advertising Device will not impact upon the functions of the Sport and Recreation uses. The proposed development is therefore compliant with the outcomes of the Code.

#### Development Codes

##### *Advertising Devices Code*

There are two (2) existing signs at the Laidley Recreation Reserve, located 13m and 25m to the south of the proposed Advertising Device advertising the Laidley State High School (third party signage) and Laidley Soccer Club (on premises signage), respectively. There are also two (2) existing signs along the western side of Patrick Street advertising the Laidley Uniting Church (on premises signage) and are located approximately 40m and 75m from the proposed Advertising Device. The proposed Advertising Device is small in scale being 1.92m x 1.6m, which is generally consistent with the nearby signs. The Advertising Device will be limited to advertising information in association with the existing Sport and Recreation uses on the property. The proposed Advertising Device is not considered to detract from the amenity of the area and is compatible with the streetscape and character of the locality.

The signface for each side of the Advertising Device will be 3.072m<sup>2</sup>, which is less than the maximum 4m<sup>2</sup> as stated in Acceptable Solution 2.1(b) of the Code. The Advertising Device will be wholly located within the subject site.

The Advertising Device is not located in close proximity to any vehicular entries therefore will not adversely impact upon the movement of vehicular traffic. The Advertising Device is setback from the nearest footpath by approximately 3.5m and does not overhang the footpath, therefore will not obstruct pedestrian or cyclist movements.

The Advertising Device is proposed to have an LED signface, therefore is required to comply with the Department of Transport and Main Road's (DTMR) Roadside Advertising Manual, which includes specifications to ensure the Advertising Device does not create glare or nuisance to traffic. An Advice Note has been recommended stating that the Advertising Device must meet the requirements of DTMR Roadside Advertising Manual. The proposed development is therefore compliant with the outcomes of the Code.

#### Overlay Codes

##### *Areas of Natural and Environmental Significance Overlay Code*

The subject site is partially located within the Medium Bushfire Risk overlay; however, the proposed Advertising Device is not located within this mapped area. Therefore, no further assessment is required against this Code.

**Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument**

The proposed Advertising Device is located within the High Hazard area of the *Temporary Local Planning Instrument 2020 (Flood Regulation)* (TLPI). A condition has been recommended requiring a Registered Professional Engineer Queensland (RPEQ) to provide certification that the Advertising Device can withstand the flooding impacts. This will ensure that the Advertising Device does not increase the potential for flood damage on or off the site. The proposed development is therefore compliant with the outcomes of the Code.

**Adopted Infrastructure Charges Resolution**

As the development is for Operational Works, infrastructure charge do not apply under the *Lockyer Valley Adopted Infrastructure Charges Resolution (No. 5) 2021*.

**Consultation**Internal Consultation

The application was internally referred to Council's Development Engineering section. A condition was recommended in relation to RPEQ certification that the Advertising Device can withstand flooding impacts.

Options

Option A: Approve the development subject to reasonable and relevant conditions

Option B: Approve the development in part subject to reasonable and relevant conditions

Option C: Refuse the development

Critical Dates

A decision on the application must be made by Council by 6 April 2022.

**Strategic Implications**Corporate Plan

Lockyer Planned 4.3 – A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

Finance and Resource

Should the decision be contested in the Planning and Environment Court financial implications may occur.

Legislation and Policy

The application has been assessed in accordance with the requirements of the *Planning Act 2016*. Legal implications arising from the recommendation provided in this report are that the applicant may appeal the decision to the Planning and Environment Court.

Risk Management

The application has been assessed in accordance with the *Planning Act 2016*. Any risks have been mitigated through the appropriate assessment of the application in accordance with legislative requirements and the recommendation of reasonable and relevant conditions.

**Attachments**

There are no attachments for this report.

**12.4 Application for Development Permit for Material Change of Use for a Caravan Park and Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) at 7 Jones Road and 656 Toowoomba Connection Road, Withcott**

**Author:** Scott Hambleton, Contract Planner

**Responsible Officer:** Annette Doherty, Acting Group Manager Community and Regional Prosperity

**Purpose:**

The purpose of this report is to consider an application (MC2020/0051 & RL2020/0029) for a Development Permit for Material Change of Use for a Caravan Park and Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) on Lot 5 RP903407 & Lot 1 SP110788 at 7 Jones Road and 656 Toowoomba Connection Road, Withcott.

The application has been assessed in accordance with the requirements of the *Planning Act 2016* and it is recommended that the application be approved in accordance with the Officer's Recommendation.

**Officer's Recommendation:**

**THAT the application (MC2020/0051 & RL2020/0029) for a Development Permit for Material Change of Use for a Caravan Park and Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) on Lot 5 RP903407 & Lot 1 SP110788 at 7 Jones Road and 656 Toowoomba Connection Road, Withcott be approved subject to the following conditions:**

**APPROVED PLANS**

The following plans are Approved Plans for the development:

**Approved Plans – RECONFIGURING A LOT COMPONENT**

Plan No.	Rev.	Plan Name	Date
20155.01	-	<i>Proposed Boundary Realignment</i> , prepared by Project Urban	11/08/20

**Approved Plans – MATERIAL CHANGE OF USE COMPONENT**

Plan No.	Rev.	Plan Name	Date
DA-A-104	B	<i>Cabin Details (as amended in red by Council)</i> , prepared by Quattro Architecture	9/8/21

**Plans Requiring Amendment - MATERIAL CHANGE OF USE COMPONENT**

Plan No.	Rev.	Plan Name	Date
DA-A-100	p	<i>Proposed Site Plans</i> , prepared by Quattro Architecture	1/12/21
<b>Amendments</b>		<ol style="list-style-type: none"> <li>Relocate the garbage collection area to an area internal to the site, along the visitor driveway exit, screened from the public road.</li> <li>Clearly delineate the location of the site manager's office.</li> </ol>	

	3. Clearly identify the location of the onsite manager's portable home.		
DA-A-103	B	<i>Wellness Retreat</i> , prepared by Quattro Architecture	9/8/21
<b>Amendments</b>	1. Clearly delineate the location of the site manager's office.		

**Documents Requiring Amendment - MATERIAL CHANGE OF USE COMPONENT**

Document No.	Rev.	Plan Name	Date
R200104_Withcott_Tourist_Park-FloodStudy_03 (Flood Risk Management Plan and Flood Emergency Plan)	3	<i>Flood Study</i> , prepared by Acor Consultants	09/12/21
<b>Amendments</b>	1. Update the Flood Risk Management Plan and Flood Emergency Plan as specified in condition 35 and 36.		
BR200104	3	<i>Site Based Stormwater Management Plan</i> , prepared by ACOR Consultants Pty Limited	04/05/21
<b>Amendments</b>	2. Update the Site Based Stormwater Management Plan as specified on condition 44.		

**REFERENCED DOCUMENTS**

The following documents are referenced in the assessment manager conditions:

**Referenced Documents - MATERIAL CHANGE OF USE COMPONENT**

Document No.	Rev.	Document Name	Date
2021288 R01D 7 Jones Road Withcott ENV	R01D	<i>Acoustic Report</i> , prepared by Acousticworks	22/07/21
R200104_Withcott_Tourist_Park-FloodStudy_03 (Flood Impact Assessment)	03	<i>Flood Study</i> , prepared by Acor Consultants	09/12/21
-	-	<i>PMF Estimates provided by Council</i> , prepared by Council Officers	01/02/22

**PROPERTY NOTES**

Not Applicable.

**VARIATION APPROVAL**

Not Applicable.

**FURTHER PERMITS REQUIRED**

- Development Permit for Building Work
- Development Permit for Operational Work
- Compliance Permit for Plumbing Work
- Development Permit for Landscaping

**CURRENCY PERIOD OF APPROVAL**

The currency period for this development approval is:

- Material change of use component - six (6) years starting the day that this development approval takes effect.
- Reconfiguring a lot component – four (4) years starting the day that this development approval takes effect.

(Refer to Section 85 “Lapsing of approval at end of currency period” of the *Planning Act 2016*.)

**ASSESSMENT MANAGER CONDITIONS****RECONFIGURING A LOT COMPONENT**

No.	Condition	Timing
<b>GENERAL</b>		
1.	Undertake the development generally in accordance with the approved plans. These plans will form part of the approval, unless otherwise amended by conditions of this approval.	Prior to lodgement of a request for sealing of survey plan of subdivision.
2.	Maintain the approved development in accordance with the approved drawing(s) and/or document, and any relevant Council or other approval required by conditions.	At all times.
3.	Submit certification from a licensed surveyor or suitably qualified person that: <ul style="list-style-type: none"> <li>a) All existing and new service connections (electricity, telecommunications, etc.) to an existing building or private property pole is wholly contained within the lot it serves, or located within an easement that provides for the location of services; and</li> <li>b) Any connections and/or infrastructure made redundant by the development is removed with the land reinstated.</li> </ul>	Prior to lodgement of a request for sealing of survey plan of subdivision.
4.	Remove any services made redundant as a result of the development and reinstate the land.	Prior to lodgement of a request for sealing of survey plan of subdivision.

**PLAN SEALING REQUIREMENTS**

5.	All conditions must be complied with prior to the plan of survey being sealed by Council.	Prior to lodgement of a request for sealing of survey plan.
6.	Submit an assessment to Council detailing the development’s compliance with each condition of this approval (reconfiguring a lot component) or agreed variation.	Upon lodgement of a request for sealing of survey plan.
7.	Provide certification from a Licensed Surveyor that the lots created accord with the approved plan.	Upon lodgement of a request for sealing of survey plan.

**ALTERATIONS AND/OR RELOCATIONS**

8.	Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or	At all times.
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	other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council.	
9.	Replace existing Council infrastructure (including but not limited to any street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as a result of construction works.	At all times.
<b>ELECTRICITY &amp; TELECOMMUNICATIONS</b>		
10.	Provide evidence (e.g. Certificate of Supply) demonstrating that electricity supply has been provided to proposed Lot 5.	Prior to lodgement of a request for sealing of survey plan of subdivision.
11.	Provide evidence (eg. Certificate of Supply) confirming that the telecommunication services have been provided to proposed Lot 5.	Prior to lodgement of a request for sealing of survey plan of subdivision.
<b>STORMWATER</b>		
12.	All works associated with this development must be undertaken without resulting in stormwater damage or nuisance to surrounding and/or neighbouring properties or infrastructure.	At all times.
13.	Maintain existing overland flow paths	At all times.
<b>EARTHWORKS</b>		
14.	Earthworks are not permitted associated with this Boundary Realignment without prior approval from the Council.	At all times
<b>ACCESS</b>		
15.	Access to the proposed Lot 5 is to be from Jones Road only.	At all times
16.	Maintain the existing access from Warrego Highway for proposed Lot 3.	At all times
<b>MATERIAL CHANGE OF USE COMPONENT</b>		
NO.	CONDITION	TIMING
<b>GENERAL</b>		
1.	Undertake the development generally in accordance with the approved plans and referenced documents. These plans and documents will form part of the approval, unless otherwise amended by conditions of this approval.	At all times.
2.	Maintain the approved development in accordance with the approved drawing(s) and/or document, and any relevant Council or other approval required by conditions.	At all times.
3.	This approval is for a 'Caravan Park' as defined in the <i>Gatton Shire Planning Scheme 2007</i> , limited to 42 portable homes. For the purposes of 'short-term accommodation' a visitor to the park is permitted to stay no longer than 30 consecutive calendar days.	At all times.
4.	Keep a register of each visitor's length of stay (ie. Check in/ check out date) and make the register available at the request of Council.	At all times.
5.	Development Approval for Building Work is required for buildings and structures in accordance with the <i>Building Act 1975</i> .	Prior to the commencement of any building work.

6.	A Final Certificate for Assessable Building Work must be issued prior to the occupation/use of buildings and structures.	Prior to occupation/use of buildings and structures.
7.	The development shall be provided with an approved Environmentally Relevant On-Site Sewage Facility.	Prior to commencement of use.
<b>BUILDING DESIGN AND LANDSCAPING</b>		
8.	Submit a schedule of colours, materials and finishes for approval by Council. The schedule is to include a variety of colours, materials and finishes to avoid monotonous building design for the portable homes. Colours, materials and finishes are to be compatible with the surrounding landscape.	Prior to commencement of any building works.
9.	Implement the approved schedule of colours, materials and finishes.	Prior to commencement of use.
10.	<p>Submit to Council for approval an Operational works – Development Permit for Landscaping. The landscaping is to be provided throughout the development footprint and along the street frontage in accordance with the requirements of the Landscaping Code and Planning Scheme Policy No. 11 of the <i>Gatton Shire Planning Scheme 2007</i>. The application must provide at a minimum the following:</p> <ul style="list-style-type: none"> <li>(a) Details and extent of fencing on the northern and southern boundaries to a maximum height of 1.8m (if proposed). No fencing is permitted within or near Gatton Creek; and</li> <li>(b) Details and extent of fencing along the Jones Road frontage which must be provided to a maximum height of 1.8m, and setback behind a densely landscaped buffer a minimum width of 3m for the entire length of the street frontage which is to screen the development;</li> <li>(c) All fencing (including replacement of existing fencing) shall be a minimum 50% permeability that allows floodwater to move through with minimum impediment to flow (minimising potential for debris collection);</li> <li>(d) Details and extent of all on-site landscaping including species which are suitable for the climate;</li> <li>(e) Details of any entry statements, if proposed;</li> <li>(f) Street trees at a rate of 1 tree/ 10m of road frontage;</li> <li>(g) Include landscaping between the visitor car park area and the Jones Road frontage;</li> <li>(h) Relocated bin storage areas are to be suitably screened or landscaped.</li> </ul>	To be submitted as part of an Operational Works application.
11.	Ensure any advertising devices are designed and installed in accordance with the relevant planning scheme in effect at the time, including obtaining a development approval where required.	At all times.
12.	Design the fully connected and protected access facility/platform and access walkway ramps identified in the approved plans of the development to accord with Condition 31 and 32.	In conjunction with the development application for operational work.
13.	The fully connected and protected access facility/platform and access points/ramps (which includes the proposed carpark/refuge area) must be provided with handrails to separate occupants from the flood waters and allow free movement between all structures	In conjunction with the development application for operational work



	including the carpark, office and recreational facility at one level. Design handrails for the proposed structure to ensure they are in compliance with current child safety standards and will restrict easy access to the area affected during flood operations. All entries must be provided with lockable gates that can be controlled by the facility manager. This also includes vehicular accesses.	
<b>COMMUNAL FACILITIES</b>		
14.	<p>(a) Develop rules governing the use of communal facilities to ensure the use of the facilities does not cause nuisance to residents and visitors both within and outside of the Caravan Park.</p> <p>(b) Display the rules governing the use of common facilities at appropriate locations within the Caravan Park.</p> <p>(c) Limit the use of communal facilities to between 7am-10pm.</p>	Prior to commencement of use.
15.	Provide laundry and clothes drying facilities internally to each portable home or otherwise in a communal area which is screened from view of any public road and easily accessible by visitors.	Prior to commencement of use.
<b>SAFETY AND SECURITY</b>		
16.	At suitable locations within the site, provide sufficient directional signage clearly directing users of the site and emergency vehicles to the portable homes, communal areas, and site office. The signage shall be constructed from permanent and durable materials.	Prior to commencement of use and at all times.
17.	Provide firefighting services and infrastructure throughout the development in accordance with relevant standards.	Prior to commencement of use and at all times..
18.	<p>Flood warning and advisory signage is required to be provided throughout the development, including:</p> <p>(a) Depth markers of a minimum height of 1.5m erected at strategic locations in accordance with the Flood Risk Management Plan including pedestrian and vehicle egress locations from the site to Jones Road;</p> <p>(b) Flash flooding and flood isolation advisory signage in accordance with the Flood Risk Management Plan mounted generally adjacent to the pedestrian depth marker referred to in part (a) of this condition in a prominent position.</p> <p>The configurations and wording of the above shall be approved by Council. These shall be kept free of obstructions at all times.</p>	Prior to commencement of use and at all times.
19.	Clear and appropriately marked, signed, and direct all-weather evacuation routes shall be provided for pedestrians and vehicles from the potential flood impact areas to allow rapid movement/evacuation to the protected elevated areas in the event of flooding in accordance with Flood Risk Management Plan and Flood Emergency Management Plan.	Prior to commencement of use and at all times.
<b>NOISE</b>		
20.	Carry out the development in accordance with Section 8 recommendations of the Acoustic Report prepared by Acousticworks dated 22 July 2021.	Prior to commencement of use and to be maintained at all times.

21.	Submit certification from a suitably qualified person that any mechanical plant is designed and installed to comply with the noise criteria stated in Section 6.1 of the Acoustic report.	Prior to commencement of use.
<b>LIGHTING</b>		
22.	Install lighting in accordance with <i>AS4282-1997 (Control of obtrusive effects of outdoor lighting)</i> or as amended.	Prior to commencement of use.
23.	Install lighting for pedestrian areas in accordance with <i>AS 1158.3.1 Pedestrian Area (Category P) Lighting – Performance and installation design requirements</i> or as amended.	Prior to commencement of use and at all times.
24.	Provide certification to Council from a suitably qualified professional that lighting for pedestrian areas and outdoor lighting has been installed in accordance with condition 22 and 23.	Prior to commencement of use and at all times.
<b>PUBLIC UTILITIES</b>		
25.	Connect the development to electricity, telecommunication, and water supply reticulation services.	Prior to the commencement of use
26.	Provide evidence (e.g. connection certificates / current supply agreement) from applicable service providers the development is connected to electricity and telecommunication services.	Prior to commencement of use.
27.	Provide a Connection Certificate from the distributor-retailer, trading as Urban Utilities, that Lot 5 has been connected to reticulated water.	Prior to commencement of use.
<b>ALTERATIONS AND/OR RELOCATIONS</b>		
28.	Any alteration or relocation in connection with or arising from the development to any service, installation, plant, equipment or other item belonging to or under the control of the telecommunications authority, electricity authority or Council or other person engaged in the provision of public utility services is to be carried out with the development and at no cost to Council.	At all times.
29.	Replace existing Council infrastructure (including but not limited to any street trees and footpaths) to a standard which is consistent with Council's standards should this infrastructure be damaged as part of construction works.	At all times.
<b>DAMAGE TO SERVICES AND ASSETS</b>		
30.	Any damage caused to existing services and assets as a result of the development works must be repaired at no cost to the asset owner at the following times: (a) Where the damage would cause a hazard to pedestrian or vehicle safety, immediately; or (b) here otherwise, upon completion of the works associated with the development.  Any repair work which proposes to alter the alignment or level of existing services and assets must first be referred to the relevant service authority for approval.	At all times.
<b>FLOOD HAZARD AREAS</b>		
31.	The Habitable Floor Level (HFL) must be the higher of the Defined Flood Event (DFE) plus freeboard or the Probable Maximum Flood (PMF). Estimates of the PMF are detailed in the attached "PMF Estimates provided by Council 01/02/22". The HFL must be	At all times.

	<p>established from the approved developed flood scenario outputs generally as documented in the Flood Impact Assessment.</p> <p>Any area below the habitable floor level (HFL) must be free from obstruction so as not to impede the flow of water.</p> <p>The landform and surface finish (including proposed vegetation) of the subject site must be implemented and maintained in the condition detailed in the approved Flood Impact Assessment Report. This is to avoid unintended blockages or debris holding points that have not been accounted for in the developed flood analysis.</p>	
32.	The proposed accommodation units, recreational facility, office and elevated access network (including the carpark/ refuge area) must comply with the requirements of the Queensland Development Code (QDC) MP3.5 – Construction of Buildings in Flood Hazard Areas. The habitable floor level (HFL) must be applied to these elements.	Prior to commencement of construction.
33.	Utilities/services not regulated by Condition 32 or other regulations (e.g. air conditioning, electrical services, gas and the like) must be located above the minimum habitable floor level.	Prior to commencement of use and at all times.
34.	The building application must include engineering analysis and be certified by a Registered Professional Engineer of Queensland (RPEQ) demonstrating compliance with P1 to P3 of QDC MP3.5 Construction of Buildings in Flood Hazard Areas.	In conjunction with the development application for building works.
<b>FLOOD RISK MANAGEMENT PLAN (FRMP) AND FLOOD EMERGENCY PLAN (FEMP)</b>		
35.	<p>The Flood Risk Management Plan (FRMP) framework is approved in-principle, subject to the following amendments which are to be submitted to Council in an amended Flood Risk Management Plan for the proposed development prepared by an RPEQ:</p> <ul style="list-style-type: none"> <li>(a) Ensure that the plan addresses all necessary measures to implement the proposed strategy of separating and isolating people, vehicles and vulnerable property and providing services above the water on a safe fully connected and protected access facility/platform for the duration of flood operations in the flood hazard area.</li> <li>(b) Include a flood warning and advisory strategy.</li> <li>(c) Include details regarding management of occupants and vehicles before, during and after flood events (ie. movement to and implementation of the place of safety).</li> <li>(d) Include details relating to considering and addressing flood preparedness and response.</li> <li>(e) Provide an updated risk management assessment and response/actions that reduces the risk from identified hazards to a tolerable level.</li> <li>(f) Include measures regarding familiarisation, review and updating of the plan and procedures for change of ownership/tenancy/operations, procedures for seeking advice/changes/approvals from Council.</li> </ul>	In conjunction with the development application for Operational Work.

	<p>Note: The intention of the FRMP is to set up the overall strategic planning framework, tasks, procedures and criteria for establishing the operational responses detailed in the FEMP.</p> <p>Note: the plan shall be prepared in accordance with current accepted engineering practices in relation to flood risk management and the proposed use.</p>	
36.	<p>The Flood Emergency Plan (FEMP) framework is approved in-principle, subject to the following amendments which are to be submitted to Council in an amended Flood Emergency Plan for the proposed development prepared by an RPEQ:</p> <ul style="list-style-type: none"> <li>(a) Revision and updates to reflect items documented in the Flood Risk Management Plan, as amended and approved.</li> <li>(b) Include details on operational roles and responsibilities (i.e.. training of staff, role redundancy, backup staff, briefing and management of staff and customers, periodic and regular flood drills and refresher training, maintenance of documentation and awareness measures and logging/record keeping of operational actions, reporting framework to Council).</li> <li>(c) Include details regarding awareness and preparation in the event of a flood event (i.e. knowing the risk, understanding the vulnerability, preparation requirements for the wet season, documentation and planning, provision of an emergency kit, management of pets/animals)</li> <li>(d) Include trigger criteria and flood emergency responses (i.e. when to leave, when to stay, risk management of property and people and services management)</li> <li>(e) Include post event action planning (i.e. steps to reoccupy after an event/move back, management of clearances required e.g. electrical services inspection, refuse management, structural safety inspections, water quality); and</li> <li>(f) Include measures regarding familiarisation, review and updating of the plan and procedures for change of ownership/tenancy/operations. Procedures for seeking advice/changes/approvals from the Council's delegate.</li> </ul> <p>Note: the plan shall be prepared in accordance with current accepted engineering practices in relation to flood risk management and the proposed use.</p>	In conjunction with the development application for operational work.
37.	Implement the approved Flood Risk Management Plan (FRMP) and approved Flood Emergency Plan (FEMP).	Prior to commencement of use and at all times thereafter.
38.	The approved Flood Risk Management Plan (FRMP) and approved Flood Emergency Plan (FEMP) must be kept in prominent locations in the proposed development structures.	At all times.
39.	The owner, facility manager and relevant staff as required by the approved Flood Risk Management Plan (FRMP) and approved Flood Emergency Plan (FEMP) shall familiarise themselves with each plan.	At all times.

	In the case that the use approved under this development permit is sold or leased to a new person or an entity, the current owner/s or agent/s who own or manage the approved use shall be responsible to ensure the new owner or the agent is aware of the requirements and responsibilities relating to each plan. The owner or agent shall hold a formal register signed by the new owner or the agent confirming they have been briefed on and provided with a copy of the current version of each Flood Risk Management Plan and Flood Emergency Plan. The Register shall be made available for inspection upon request from the Council's delegate.	
40.	After each significant creek flooding event where the Flood Risk Management Plan (FRMP) and/or Flood Emergency Plan (FEMP) is activated or every two (2) years an internal review must be undertaken on the operation of the FRMP and FEMP including the status of the systems and processes, a summary of operations and management of the plan/s with recommendations on improvements and necessary updates. This is to be made available for inspection by Council Officers when requested.	As specified in the wording of the condition.
41.	The Flood Risk Management Plan (FRMP) and Flood Emergency Plan (FEMP) must be formally reviewed through submission to Council every five (5) years including providing outcomes and updates from internal review required by Condition 40.	5 years from the date the use commences and at every 5 year thereafter.
42.	<p>A flood warning system must be designed and installed generally in accordance with the Withcott Tourist Park Flood Study, as amended in accordance with this approval. Details of the system must be submitted to Council for review and approval. The system is to be designed, installed, operated and managed in accordance with the following requirements:</p> <ul style="list-style-type: none"> <li>(a) A water level sensor must be installed as part of this system at an appropriate location in a resilient location and connected to a warning alarm/system in the site manager's office and portable cabin.</li> <li>(b) The approved system must be installed, tested and maintained in accordance with this approval.</li> <li>(c) Records of water levels must be available in real time and a permanent record kept along with relevant rainfall readings to allow improvement of future operational management.</li> <li>(d) Operational records must be available for inspection by Council Officers when requested.</li> <li>(e) Council may request flood intelligence during flood operations.</li> <li>(f) Emergency and operational contact details must be kept up to date in the relevant documentation provided to Council.</li> </ul>	Prior to commencement of use and to be maintained at all times.
<b>STORMWATER DRAINAGE</b>		
43.	All works associated with this development must be undertaken without resulting in stormwater damage, ponding or nuisance to surrounding and/or downstream properties or infrastructure.	At all times.
44.	Submit to Council an updated Site Based Stormwater Management Plan incorporating the approved site layout plan.	In conjunction with the lodgement of a

		development permit for operational works.
45.	Design all necessary internal and external stormwater drainage to service the development. Such drainage works must be designed by a suitably experienced Registered Professional Engineer Queensland (RPEQ) and constructed in accordance with the <i>Queensland Urban Drainage Manual 2017</i> and Council's Planning Scheme	In conjunction with the lodgement of a development permit for operational works.
46.	Construct stormwater drainage and stormwater quality management devices in accordance with the development permit for operational works.	Prior to the commencement of use, and to be maintained thereafter.
47.	Submit an Erosion and Sediment Control Plan designed in accordance with the International Erosion Control Association (Australasia) Best Practice Erosion and Sediment Control Guidelines.	In conjunction with a development application for operational works.
<b>EARTHWORKS AND RETAINING WALLS</b>		
48.	No earthworks are permitted except for works incorporated in the ACOR Flood Impact Assessment (FIA). Such works shall not alter the predevelopment profile of the site or otherwise interfere with the overland flowpath/s.	At all times.
49.	Design earthworks in accordance with changes to ground levels adopted in ACOR Flood Impact Assessment (FIA). Refinement of the earthworks and structure design must be undertaken during detailed design to avoid the generation of localised impact/hazard areas due to obstruction or configuration (i.e., streamlining is to be considered and addressed).	In conjunction with the development application for operational work.
50.	Unless otherwise required by conditions of this approval, earthworks associated with this development must be designed in accordance with: <ul style="list-style-type: none"> <li>(a) <i>Gatton Shire Planning Scheme 2007 Earthworks Code</i>;</li> <li>(b) Australian Standard AS3798 <i>Guidelines for Earthworks for Commercial and Residential Developments</i> (Level 1 Supervision);</li> <li>(c) Australian/New Zealand Standard AS/NZS1170 <i>Structure design actions</i>; and</li> <li>(d) Australian Standard AS4678 <i>Earth-retaining structures</i> and include relevant drainage.</li> </ul>	In conjunction with a development application for operational works.
51.	A minimum 100mm capping layer of good quality, non-dispersive soil is required on all areas disturbed during the earthworks operation or otherwise approved by the Council. The capping treatment and procedure must form a part of the erosion and sediment control plan for the site.	Prior to On Maintenance inspection.
52.	Erosion and sediment control measures designed in accordance with the International Erosion Control Association's Best Practice Erosion and Sediment Control 2008, must be implemented and maintained to prevent the tracking of sediment to and from the site onto the adjoining properties including street and stormwater drainage network.	During construction and on-maintenance period and the establishment period of the landscaping.

53.	Construct all earthworks in accordance with the development permit for operational works.	Prior to the commencement of use.
<b>CAR PARKING, VEHICULAR ACCESS AND DRIVEWAYS</b>		
54.	Design all car park access, parking and manoeuvring areas to be imperviously sealed and designed (including linemarking) in accordance with <i>AS/NZS2890.1 Parking facilities Part 1: Off-street car parking</i> , <i>AS/NZS2890.6 Parking facilities Part 6: Off-street parking for people with disabilities</i> and <i>AS2890.2 Parking facilities Part 2: Off-street commercial vehicle facilities</i> to facilitate the safe and efficient movement of vehicles.	In conjunction with the lodgement of a development permit for operational works.
55.	Design all vehicle manoeuvring and car parking areas to provide a concrete, asphalt or a two-coat bitumen seal, subject to the following amendments;  (a) Locate garbage collection and loading/unloading areas to an internal location as marked in the approved plans of the development.  (b) Reduce the driveway crossover to a width that is sufficient to accommodate entry and exit crossovers only.	In conjunction with the lodgement of a development permit for operational works.
56.	Ensure that loading and unloading operations are conducted wholly within the site and all vehicles enter and exit the site in a forward direction.	At all times.
57.	Provide loading bay facilities for service vehicles that are designed in accordance with Australian Standard 2890.2 – <i>Off-street Commercial Vehicle Facilities</i> .	At all times.
58.	Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.	At all times.
59.	Design vehicular entry and exit crossovers at the locations indicated on the approved plans generally in accordance with the Institute of Public Works Engineering Australasia's standard drawing number RS-051 <i>Vehicle Crossings Heavy Duty</i> (general wide configuration). Ensure that sealed crossover splays are designed to accommodate turning movements of the largest design vehicle.	In conjunction with the lodgement of a development permit for operational works.
60.	Design any new crossovers such that the edge of the crossover is no closer than one (1) metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (e.g. power pole, telecommunications pit), road infrastructure (e.g. street sign, street tree, etc). Ensure the re-location of any infrastructure services to meet the above criteria as required.	In conjunction with the lodgement of a development permit for operational works.
61.	Provide 65 car parking spaces including one (1) car parking space for people with disabilities. The parking areas for people with disabilities must be appropriately located closest to the building entry.	In conjunction with the lodgement of a development permit for operational works.



62.	Line mark the car park aisles and circulation driveways within the development with directional arrows on the pavement to enable all vehicles to enter and leave the site in a forward gear.	Prior to the commencement of use, and to be maintained thereafter.
63.	Signage and line marking must be provided in accordance with <i>AS1742 Manual of Uniform Traffic Control Devices</i> and in accordance with the Manual of Uniform Traffic Control Device (MUTCD).	Prior to the commencement of use, and to be maintained thereafter.
64.	Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.	At all times.
65.	Remove the redundant crossover and reinstate the verge to Council's standard.	Prior to the commencement of use.
66.	Construct crossovers, carparking, line marking and traffic signage in accordance with the development permit for operational works.	Prior to the commencement of works.
<b>EXTERNAL ROAD WORKS</b>		
67.	Design roadworks for the full frontage of the site along Jones Road to Collector Street standard in accordance with the Lockyer Valley Regional Council (LVRC) road hierarchy table, relevant Austroads' Standards, and Council's <i>Gatton Planning Scheme 2007</i> including: (a) Widening of the existing bitumen to provide an ultimate width of 7.5m with smooth jointing to the existing pavement; (b) Concrete mountable kerb; (c) Re-profiling of the existing verge; (d) Formation of a grassed verge by turfing the full width of the verge; (e) Works to direct flows from the existing table drain to the new kerb and channel and back to the table drain downstream; (f) Scour protection with grouted rock pitching at flow transition locations; and (g) 1: 10 tapers to existing road pavement.	In conjunction with a development application for operational works.
68.	Design re-location works for any existing underground service infrastructure and traffic signage along Jones road frontage of the site to an alignment compatible with required road widening works.	In conjunction with a development application for operational works.
69.	Design re-location works for any existing above ground service infrastructure along Jones road frontage of the site to a suitable alignment as required further to a risk assessment prepared by a suitably qualified RPEQ in accordance with Austroads Guide to Road Design Part 6, Roadside Design, Safety and Barriers for clearance and treatments for roadside hazards.  Note: Approval from relevant asset owners must be obtained prior to commencement of re-location works.	In conjunction with a development application for operational works.
70.	Install and/or relocate any street signs and/or line marking in accordance with the Manual of Uniform Traffic Control Device (MUTCD).	Prior to the commencement of use.
71.	Install new or relocated signage in accordance with the IPWEAQ standard drawing no. RS 131. All new signage shall be coated with Class 1 retro-reflective material in accordance with AS1743: Road signs – Specifications.	Prior to the commencement of use.

72.	Construct all roadworks in accordance with the development permit for operational works.	Prior to the commencement of use.
<b>REQUIREMENTS FOR OPERATIONAL WORKS APPLICATIONS</b>		
73.	<p>Submit and obtain approval for a development application for Operational Works for External road works, Crossovers, Earthworks, Stormwater Drainage, Stormwater Quality Management, Signage, Line Marking and Erosion and Sediment Control addressing the requirements of this development approval. The application must include as a minimum the following:</p> <ul style="list-style-type: none"> <li>(a) Development application form/s;</li> <li>(b) Application fees (design checking as well as inspection) in accordance with Council's Fees and Charges schedule current during the time of lodgement;</li> <li>(c) Detailed design drawings addressing the requirements of this development approval that have been prepared and signed by a suitably experienced and current Registered Professional Engineer Queensland (RPEQ) with their name and registration number;</li> <li>(d) Erosion and sediment control measures in accordance with "Best Practice Erosion and Sediment Control" published by the International Erosion Control Association (Australia) for both the construction (including vegetation clearing) and operational (maintenance) phases of the development. Due consideration must be given to dispersive soil types within this region; and</li> <li>(e) Engineering Certification by the RPEQ that the design complies with the conditions of this approval as well as relevant engineering standards and best practice.</li> </ul>	Prior to the commencement of construction works.
74.	<p>Engage a suitably experienced and current Registered Professional Engineer Queensland (RPEQ) to prepare and submit engineering Certification that includes the following:</p> <ul style="list-style-type: none"> <li>(a) The development application number, type of works, location, name/stage(s) of development (where applicable);</li> <li>(b) Date of certification;</li> <li>(c) Name of certifying individual, the name of engineering consultancy that the certifying individual works for, and the name of developer;</li> <li>(d) A full schedule of the latest set of detailed design drawings;</li> <li>(e) State applicable Planning Scheme that design is compliant with, including the relevant Codes/Schedules/Specifications;</li> <li>(f) State applicable design standards/guides that it has been designed and checked to be compliant with;</li> <li>(g) State that the design is compliant with the development permit – include relevant preceding development permit number;</li> <li>(h) State that there are appropriate procedures for supervising, inspection, testing in place to deliver the infrastructure to assure the quality of works and will actively ensure that these procedures will be followed during the construction of the works; and</li> </ul>	In conjunction with a development application for operational works.

	(i) Signature, name and RPEQ number of certifying individual.	
75.	No works must commence until approval for operational works has been obtained from Council.	At all times.
<b>ENGINEERING CERTIFICATES</b>		
76.	Submit to Council a RPEQ Certificate of Supervision stating that approved development works have been constructed under the direct supervision of a suitably qualified Registered Professional Engineer Queensland (RPEQ), in accordance with the conditions of approval and in accordance with the approved engineering design and specifications.	Prior to the commencement of use

#### ADVISORY NOTES

- (i) Council will issue an Infrastructure Charges Notice. These charges are required to be paid prior to the commencement of use.
- (ii) All works associated with this approval may not start until all subsequent approvals have been obtained, and its conditions complied with.
- (iii) Any additions or modifications to the approved use (not covered in this approval) may be subject to further application for development approval.

#### (iv) Fire ants

Biosecurity Queensland should be notified on 13 25 23 of proposed development(s) occurring in the fire ant biosecurity zone before operational works commence. It should be noted that works involving fire ant carrier materials 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](#).

#### (v) Biosecurity

Ensure all invasive pest weed species under the *Biosecurity Act 2014* are removed appropriately prior to removing trees on site.

Everyone is obligated under the *Biosecurity Act 2014* to take all reasonable and practical steps to minimise the risks associated with invasive plants under their control. More information on restricted and invasive plants as well as your general biosecurity obligation (GBO) can be viewed on the [Business Queensland website](#).

#### (vi) Cultural heritage

The *Aboriginal Cultural Heritage Act 2003* requires anyone who carries out a land use activity to exercise a duty of care. Further information on cultural heritage duty of care is available on the [Department of Aboriginal and Torres Strait Islander Partnerships](#) (DATSIP) website.

The DATSIP has established a [register and database](#) of recorded cultural heritage matters, which is also available on the Department's website.

Should any aboriginal, archaeological or historic sites, items or places be identified, located or exposed during construction or operation of the development, the *Aboriginal Cultural Heritage Act 2003* requires all activities to cease. Please contact DATSIP for further information.

#### Advice for Urban Utilities

On 1 July 2014, Urban Utilities became the assessment manager for the water and wastewater aspects of development applications. An application will need to be made directly to Urban Utilities for water supply connections for the proposed development.

#### Executive Summary

This report considers a development application (MC2020/0051 & RL2020/0029) for a Development Permit for Material Change of Use for a Caravan Park and Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) on Lot 5 RP903407 & Lot 1 SP110788 at 7 Jones Road and 656 Toowoomba Connection Road, Withcott.

The boundary realignment seeks to increase the area of Lot 1 (existing Withcott shopping centre) from 6,254m<sup>2</sup> to 9,018m<sup>2</sup> and decrease Lot 5 from 2.1642ha to 1.859ha. Lot 5 will accommodate the proposed Caravan Park.

The Caravan Park is proposed to contain forty-two (42) raised portable cabins which will be on stumps to achieve suitable flood immunity. The entire development will be accessed via raised walkways. The development includes an amenities and wellness building which will also include the site office. Sixty-five (65) car parking spaces are proposed.

The following table summarises the application details.

<b>APPLICATION SUMMARY</b>	
<b>Applicant:</b>	Withcott Tourist Park Pty Ltd C/- Project Urban
<b>Landowner:</b>	Saponi Pty Ltd
<b>Proposal:</b>	Development Permit for Material Change of Use for a Caravan Park and Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots)
<b>Properly Made Date:</b>	25 September 2020
<b>Street Address:</b>	7 Jones Road and 656 Toowoomba Connection Road, Withcott
<b>RP Description:</b>	Lot 5 RP903407 and Lot 1 SP110788
<b>Assessment Type:</b>	Impact
<b>Number of Submissions:</b>	Fifty-two (52) properly made submissions
<b>State Referral Agencies:</b>	State Assessment and Referral Agency (SARA)
<b>Referred Internal Specialists:</b>	<ul style="list-style-type: none"> <li>• Development Engineer</li> <li>• Building Officer</li> <li>• Plumbing Officer</li> <li>• Environmental Health Officer</li> </ul>
<b>DA Stage:</b>	Part 5: Decision

<b>Information Request:</b>	Yes: 2 November 2020 - Response received 12 May 2021. Final information provided 25 January 2022.
<b>Decision Due Date:</b>	18 March 2022

The application has been assessed in accordance with the requirements of the *Planning Act 2016*. The development complies with the applicable assessment benchmarks, subject to reasonable and relevant conditions.

### Background / Site History

The location of the Caravan Park development occurs on vacant land. The boundary realignment involves a lot containing the Withcott shopping centre.

### Site Details

<b>SITE AND LOCALITY DESCRIPTION</b>	
<b>Land Area:</b>	2.7608 Ha
<b>Existing Use of Land:</b>	Withcott shopping centre + Vacant land
<b>Road Frontage:</b>	Jones Road: approx. 150m Toowoomba Connection Road: approx. 40m
<b>Significant Site Features:</b>	Gatton Creek traverses the site in the north-east
<b>Topography:</b>	Sloping from the south down to the north-west with Gatton Creek being the lowest part of the site
<b>Surrounding Land Uses:</b>	Commercial activities directly adjoining and low-density residential to the east

### Proposal

The application seeks approval for a Development Permit for Material Change of Use for a Caravan Park and Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots) on Lot 5 RP903407 and Lot 1 SP110788 at 7 Jones Road, Withcott and 656 Toowoomba Connection Road, Withcott.

The boundary realignment seeks to increase the area of Lot 1 (existing Withcott shopping centre) from 6,254m<sup>2</sup> to 9,018m<sup>2</sup> and decrease Lot 5 from 2.1642ha to 1.859ha. Lot 5 will accommodate the proposed Caravan Park.

The Caravan Park is proposed to contain forty-two (42) raised portable cabins which will be on stumps to achieve suitable flood immunity. Each portable cabin includes two (2) bedrooms, a bathroom, kitchen, living and terrace area which enables it to be self-contained. The entire development will be accessed via raised walkways. The development includes an amenities and wellness building which will also include the site office.

Sixty-five (65) car parking spaces are proposed to be provided within a sealed car park area which is also elevated off ground level through a combination of filling and use of stumps. Visitors will walk from the car park to their respective portable cabin. As proposed, the entire development is considered flood-free and has demonstrated no adverse impacts to adjacent properties. Significant flood modelling has occurred to support the development application and the recommendations of this report include an array of flood mitigation measures to ensure suitable flood design and disaster response management.

As a result of the need for the entire development to be raised off ground level there are no caravan or tent sites proposed.

The following table describes the key development parameters for the proposal.

<b>MATERIAL CHANGE OF USE</b>	<b>DEVELOPMENT PARAMETERS</b>	
	<b>Required</b>	<b>Proposed</b>
<b>Gross Floor Area (GFA)</b>	Not specified	Each cabin approx. 51m <sup>2</sup> GFA Wellness block approx. 88m <sup>2</sup> GFA 42 cabins x 51m <sup>2</sup> : 2,147m <sup>2</sup> + 88m <sup>2</sup> = 2,235m <sup>2</sup> total
<b>Building Height/ Storeys</b>	Max. 11m	Single storey approx. 3m
<b>Setbacks</b>	<ul style="list-style-type: none"> <li>• 0m to Jones Road</li> <li>• 3m to northern boundary</li> <li>• 3m to western boundary</li> </ul>	<ul style="list-style-type: none"> <li>• Approx. 3.4m to Jones Road</li> <li>• Approx. 5m to northern boundary</li> <li>• Approx. 81m to western boundary</li> </ul>
<b>Site Cover</b>	Not specified	12%
<b>Parking</b>	1 space per cabin (ie. 42 cabin spaces) + 1 car wash bay per 10 cabin sites	65 car parking spaces (42 cabin spaces + 13 visitor spaces). No car wash bay.
<b>Landscaping</b>	Required	To be provided under a landscaping plan

<b>RECONFIGURING A LOT</b>	<b>DEVELOPMENT PARAMETERS</b>
<b>Number of Proposed Lots</b>	2
<b>Size of Proposed Lots</b>	Lot 1: from 6,254m <sup>2</sup> to 9,018m <sup>2</sup> Lot 5: from 2.1642ha to 1.859ha
<b>Easements</b>	Existing easements but unaffected by the application
<b>Covenants</b>	Not applicable

## ASSESSMENT:

### Framework for Assessment

#### Categorising Instruments for Statutory Assessment

For the *Planning Act 2016*, the following Categorising Instruments may contain Assessment Benchmarks applicable to development applications:

- the *Planning Regulation 2017*
- the Planning Scheme for the local government area
- any Temporary Local Planning Instrument
- any Variation Approval

Of these, the planning instruments relevant to this application are discussed in this report.

### Assessment Benchmarks Pertaining to the *Planning Regulation 2017*

The following Assessment Benchmarks from the *Planning Regulation 2017* are applicable to this application:

<b>PLANNING REGULATION 2017 DETAILS</b>	
<b>Assessment Benchmarks:</b>	<ul style="list-style-type: none"> <li>State Planning Policy (Agriculture, Biodiversity, Water Quality and Natural Hazards, Risk and Resilience)</li> </ul>
<b>SEQ Regional Plan Designation:</b>	Urban Footprint

#### State Planning Policy

##### *Agriculture*

The site is included in an Important Agricultural Area and identified as containing Agricultural Land Classification – Class A and B. It is noted the site is included in the Urban Footprint of the *South East Queensland Regional Plan* and within the Commercial Zone of the *Gatton Planning Scheme 2007*. Its ability to be utilised for agricultural purposes without causing annoyance or adverse impacts to existing nearby activities is limited. The ability for the site to function for agricultural purposes is therefore redundant given the site's urban locality and developed surrounding neighbourhood. It is noted that this site is currently only 2.16ha and will be reduced to 1.86ha as a result of the boundary realignment. The site is not contiguous to other land that has not already been developed for non agricultural purposes. These factors contribute to reducing the capability of the site to be used for economically viable agriculture.

##### *Biodiversity*

The site is mapped as containing Matters of State Significance – Regulated Vegetation (intersecting a watercourse). The development is however separated from the mapped watercourse by a distance of approximately 80m. The separation area will be left in its natural state. Accordingly, the development avoids adverse impacts to the Matters of State Significance.

##### *Water Quality*

The development has demonstrated through a Stormwater Quality and Quantity Management Plan that water quality issues are addressed in accordance with the requirements of the State Planning Policy. Specifically, a stormwater treatment train including bio retention basins are proposed to treat stormwater prior to it discharging from the site. The treatment train ensures water quality meets requirements of the State Planning Policy. Conditions are included to provide for detailed stormwater design at the operational works stage, although the concept detail is supported in-principle by Council's Development Engineering officers.

##### *Natural Hazards, Risk and Resilience*

The site is included in a Flood hazard area – Local Government flood mapping area. Refer to discussion under section 'Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument' for information on how the development is appropriate for the flood risk.

The site is also included in a Bushfire Prone area (Potential Impact Buffer). The location of the development footprint itself is separated from the area of medium potential bushfire intensity by approximately 50m. The site is also located in an urban area and the mapped medium potential bushfire intensity feature is an isolated patch of vegetation. The site layout facilitates emergency egress as well as easy access for firefighting should this ever be necessary. In addition, no buildings or structures are proposed directly adjacent to the vegetation beside the Caravan Park.

The development has demonstrated it will mitigate the risks to people and property to an acceptable level consistent with the requirements of the State Planning Policy.



### South East Queensland Regional Plan

The development is for an Urban Activity inside the Urban Footprint and is consistent with the purpose of the Regional Plan.

### **Assessment Benchmarks Pertaining to the Planning Scheme**

The applicable planning scheme for the application is *Gatton Shire Planning Scheme 2007*. The following sections relate to the provisions of the Planning Scheme.

<b>Planning Scheme:</b>	<i>Gatton Shire Planning Scheme 2007</i>
<b>Zone:</b>	Commercial Zone
<b>Overlay/s:</b>	Cultural Heritages Places and Precincts Overlay
<b>Consistent/Inconsistent Use:</b>	Inconsistent
<b>Assessment Benchmarks:</b>	Reconfiguration of a Lot Code Commercial Zone Code Caravan and Relocatable Home Parks Code Building Work Code Landscaping Code Lighting Code Services and Infrastructure Code Vehicle Access, Parking and On-Site Movement Code Cultural Heritages Places and Precincts Overlay Code <i>Temporary Local Planning Instrument 2020 (Flood Regulation)</i>

### Desired Environmental Outcomes

The Desired Environmental Outcomes (DEOs) are:

- Environment
- Character and Landscape Quality
- Settlement Pattern, Amenity and Safety
- Access to Services, Facilities and Employment Opportunities
- Cultural Heritage
- Economic Development and Natural Resource Management

#### *Environment*

The proposal is well separated from environmental features namely Gatton Creek. The proposal will dispose of waste appropriately in accordance with relevant standards. Accordingly, the development will protect the environment as required by this outcome.

#### *Character and Landscape Quality*

The proposal does not impact significant natural features as it is well setback from the creek. In addition, the site has a low cultural heritage value (refer to discussion under Cultural Heritages Places and Precincts Overlay Code) which is not adversely affected by the proposal. Accordingly, the development protects the character and landscape qualities of the land.

#### *Settlement Pattern, Amenity and Safety*

The outcome requires housing options to be provided to meet the needs of community members and to be designed to take account of effects of natural hazards. The proposal provides an alternate form of short-term

accommodation for tourists and travellers and a need for this type of accommodation has been demonstrated. The proposal has been suitably designed to account for natural hazards as discussed in other sections of this report. The proposal demonstrates compliance with these DEOs.

#### *Access to Services, Facilities and Employment Opportunities*

The site is well located within the Withcott centre, near a major road, proximate to but not within a residential community which enables the development to provide efficient access to services, facilities and will provide additional employment opportunities to support the construction and operation of the use. Accordingly, the proposal is in compliance with this DEO.

#### *Cultural Heritage*

The planning scheme identifies a “House” as a place of cultural heritage on the vacant Lot 5 RP903407 (Caravan Park lot). However, aerial imagery of the subject site dating back to 2001 confirm a “House” has not existed on the property since this time. Accordingly, the extent of the cultural heritage place identification is uncertain. In the absence of clarity on the issue, and the fact a “House” does not appear to have existed since 2001, the value of the site as a place of cultural heritage is low. Therefore, the proposal does not negatively impact cultural heritage places.

#### *Economic Development and Natural Resource Management*

Part of the DEO states “*Low-impact tourism activities based on the scenic and rural values of the Shire are encouraged to contribute to the economic growth of the Shire*”. The proposal supports tourism activities by providing short-term accommodation for tourists or travellers. The site is located within short driving distance to several national parks and walking/ mountain bike trails which supports Council’s Tourism Strategy 2021-2026. The proposal is also low-impact being situated on raised stumps with a site cover of 12%. Accordingly, the proposal is in accordance with the DEO.

#### Assessment Benchmarks – Planning Scheme Codes

The application requires Impact Assessment and must be assessed against the Planning Scheme as a whole. The following codes are most relevant to assessment of the application:

- Reconfiguration of a Lot Code
- Commercial Zone Code
- Caravan and Relocatable Home Parks Code
- Building Work Code
- Landscaping Code
- Lighting Code
- Services and Infrastructure Code
- Vehicle Access, Parking and On-Site Movement Code
- Cultural Heritages Places and Precincts Overlay Code

The application has been assessed against each of the applicable codes and found to be compliant or can be conditioned to comply. The pertinent issues arising out of assessment against the codes are discussed below:

#### Reconfiguration of a Lot Code

The boundary realignment seeks to increase the area of Lot 1 (existing Withcott shopping centre) from 6,254m<sup>2</sup> to 9,018m<sup>2</sup> and decrease Lot 5 from 2.1642ha to 1.859ha. Lot 5 will accommodate the proposed Caravan Park.

The realignment creates lots which exceed the minimum lot size for the Commercial Zone. In addition, the boundary realignment provides additional land area to the shopping centre which supports its possible future expansion (subject to future application).

Each lot will be provided with its own infrastructure connections either existing (for the shopping centre) or new from the Caravan Park development.

The shopping centre will continue to be setback approximately 5m from the eastern boundary which exceeds the minimum 3m requirement. In addition, the rear setback of the shopping centre will be increased from 0m (currently) to approximately 60m which complies with the minimum 6m requirement.

The shopping centre lot contains existing easements generally towards Toowoomba Connection Road frontage. There are no changes required or proposed to the existing easements.

In summary, the boundary realignment supports the efficient use of land and infrastructure as required by the code.

#### Commercial Zone Code

Relevant overall outcomes of the Commercial Zone Code include:

- *Commercial uses in the Shire are accommodated in the Commercial zone, which identifies locations that are suited for a range of commercial development, including retail uses in the central parts towns of Gatton, Withcott and Helidon.*
- *The convenience of and accessibility to commercial facilities is maintained and enhanced by new development.*
- *Non-commercial uses may be appropriate in the Commercial zone where they do not adversely impact on the viability or operation of commercial uses.*

The proposal further supports commercial activities in Withcott with the expansion of the shopping centre site to support future activities. Further, the Caravan Park is proposed over land included in the Commercial Zone. It is noted that non-commercial uses may be appropriate in the zone where they do not adversely impact the viability of existing commercial uses. The proposed Caravan Park will not impact the viability and in fact will support the ongoing viability of the Withcott centre by providing tourists and travellers with an accommodation option which is within walking distance to the centre. While it is noted the use does not accord with the specific outcomes of the code, which are centred around commercial uses, the proposal is considered to accord with the relevant overall outcomes for the reasons identified above.

#### Caravan and Relocatable Home Parks Code

The overall outcomes of the Caravan and Relocatable Home Parks Code include:

- *development is established on suitable sites that take into account the location, size and physical characteristics of the site;*
- *achieve a high standard of amenity and visual interest in layout and design; and*
- *adequately located to enable convenient access to communal facilities.*

The development is on a suitably sized and located site for a Caravan Park being on a large lot, within walking distance to services and amenities, and very close proximity to a main road, and not within a residential neighbourhood. The physical characteristics of the site, being flood prone land, have been investigated in detail and through the design response including raised portable cabins, flood free access, flood evacuation plans and operational management plans it has been demonstrated that the site is suitable for the proposed use.

The development will also provide a high standard of amenity and visual interest in layout and design as the cabins will be oriented in different layouts so as not to appear monotonous. A schedule of materials, colours and finishes is recommended to be provided to further enhance visual amenity. Also, to meet relevant flood levels, there will be minor articulation in height which will provide visual interest. There is a need for a landscape plan to be provided to Council to further enhance visual amenity which is included as a recommendation of this report.

In terms of open space and recreation areas, the proposal includes an amenities and wellness building which includes a massage and spa treatment service for visitors. In addition, an area of approximately 7,000m<sup>2</sup> of open space and recreation is provided at the rear of cabins which is able to be accessed as a kick about or open grassed area. This area exceeds the minimum 10 percent of the total area of the site in accordance with code requirements.

The vehicle parking area is separated from the raised pedestrian pathways to ensure safe movement and separation of vehicles and pedestrians. There is an internal service road at ground level which is again separated from the raised pathways to ensure safety.

Regarding communal facilities, it is a recommendation of this report that the bin storage area be relocated to an area internal to the facility which is closer to patrons to improve streetscape amenity (by removing bins) and aid site accessibility. Ablution facilities are located within each cabin and as such there is no need for a communal ablution facility. Conditions are provided to ensure laundry and clothes drying facilities are provided within each cabin or otherwise in a communal area which is screened from the street and easily accessible.

Through the design of the development and the recommendations of this report, the proposal complies with the code.

#### Building Work Code

The Building Work Code requires a maximum building height of 11m for the zone and minimum setbacks of 0m to the front, and 3m to the side and rear boundaries. The development complies with all of these requirements and is therefore consistent with the code.

#### Landscaping Code

The Landscaping code seeks to ensure that new development includes landscaping to a standard which will contribute to and strengthen the amenity and attractiveness of the Shire. As previously noted, conditions will be included requiring a landscape plan be provided at operational works stage which is consistent with the landscaping code. The landscape plan is required to address fencing location and design, streetscape landscaping, internal landscaping, entry statements, street trees, landscaping to screen the car park area, the relocated bin storage area and screening requirements. The plan will address Performance Outcome P1 and P2 of the code. Therefore, the proposal will comply with the code.

#### Lighting Code

The Lighting Code seeks to ensure lighting associated with new development contributes to and strengthens the Shire image. Conditions will be included which require lighting to be installed in accordance with Australian Standards to ensure lighting is appropriate for the space and does not cause nuisance impacts. Through the recommendations of this report, the proposal will comply with the code.

#### Services and Infrastructure Code

The code seeks to ensure standards of water, wastewater, stormwater, electricity and roads are adequate for the development and are efficient.

The code requires frontage works to be provided for development including road upgrades. Council's Development Engineers have recommended conditions for the construction of the entire Jones Street frontage. A traffic impact assessment has confirmed the broader existing road network is adequate for the development.

The development will be connected to reticulated water. Wastewater will be provided by way of on-site effluent treatment area which is subject to an Environmentally Relevant Activity approval which is a separate approval outside of the planning application process. The development has demonstrated it will manage stormwater quality and quantity impacts to appropriate standards. Recommendations of this report include various conditions requiring appropriate infrastructure connections and standards including for electricity and telecommunications infrastructure connections. Through the recommendations of this report, the proposal will comply with the code.

#### Vehicle Access, Parking and On-Site Movement Code

The code seeks to ensure vehicle access and manoeuvring is adequate, safe and convenient and sufficient, car parking is provided for the development.

The proposal exceeds the minimum car parking requirements by providing 65 car parking spaces (42 cabin spaces and 13 visitor spaces). The code only requires 42 spaces to be provided. The code also requires a car wash bay to be provided, however in this instance as the cars are to be located in a communal car parking area, separated from the location of the cabins on a raised platform, and a car wash bay is not considered necessary. All car parking spaces are to be clearly marked and are easily accessible by guests and visitors from the frontage of the site.

Vehicle manoeuvring and circulation has been demonstrated with turning templates which Council's Development Engineers confirm are adequate for the proposal. This includes waste servicing internal to the site. The proposal complies with the outcomes of the code.

#### Cultural Heritages Places and Precincts Overlay Code

The planning scheme identifies a "House" as a place of cultural heritage on the vacant Lot 5 RP903407 (Caravan Park lot). However, aerial imagery of the subject site dating back to 2001 confirm a "House" has not existed on the property since this time. Accordingly, the extent of the cultural heritage place identification is uncertain. In the absence of clarity on the issue, and the fact a "House" does not appear to have existed since 2001, the value of the site as a place of cultural heritage is low. Therefore, new development on the vacant site is not considered to compromise the cultural heritage values of the Shire in accordance with the requirements of the code.

#### **Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument**

The subject site is located within the High, Medium and Low Flood Hazard Areas under the *Temporary Local Planning Instrument 2020 (Flood Regulation)* (TLPI). The location of the relocatable cabins is mostly contained to the Low Flood Hazard Area.

Flood modelling has been prepared which considers the development of the 42 raised cabins, the amenities/wellness building raised on stumps, the internal service access track at ground level, and the elevated car park to the south also raised through a combination of fill and stumps.

The proposed building and structures (cabins and amenities/wellness building) will be flood resilient and on stumps (footings and poles) with floor levels set above the Defined Flood Level (DFL) plus at least 300 mm freeboard. Underfloor areas will be open (no sides) to allow flood flows to pass beneath the floor level.

Pedestrian access between the cabins and the elevated carpark/refuge area will be via elevated boardwalks on stumps that are above the DFL plus at least 300 mm freeboard.

The proposed carpark is to be elevated and act as a flood-free refuge area above the defined flood level area. The southern part of the carpark is to be on fill and the northern part as a suspended concrete slab.

The modelling has demonstrated to the satisfaction of Council officers that the development will not create adverse flood impacts on nearby properties or dwellings.

In addition to the flood modelling, the applicant has prepared a Flood Risk Management Plan (FRMP) to describe flood conditions, and a flood risk assessment for the Defined Flood Event (DFE). The FRMP identifies that the flood risks from the development have been mitigated to an acceptable level.

A Flood Emergency Management Plan (FEMP) has also been prepared for the development. The FEMP identifies:

- The applicant intends to install a water level alert system for Gatton Creek within the property boundary which will be designed, installed and maintained by the applicant where an alarm will sound in the site office and onsite manager's cabin when the alert level is triggered;
- On-site flood warning signs are to be provided on-site;
- Caravan Park staff are to be trained in flood preparedness and advise all patrons about possible flood events; and
- In the event of a flood, patrons are to 'remain in place' or move to the 'covered evacuation area' until flood waters recede.

Council officers have reviewed the scope of an initial FRMP and FEMP and approve the scope in-principle, subject to further detail and refinement which largely deals with operational and technical matters. The recommendations of this report provide for the amendment of both documents.

In considering the extensive flood modelling, flood risk management plan and flood emergency management plan, the proposal has demonstrated the development manages outcomes in the floodplain so that risk to life, property, community and the environment during flood events is minimised in accordance with the requirements of the TLPI.

#### **Adopted Infrastructure Charges Resolution (Applicable Only to Material Change of Use Component)**

Infrastructure charges are payable for the Caravan Park in accordance with the following table. The charge rate is dependent upon the number of bedrooms in each cabin with this proposal seeking to provide two (2) bedroom cabins. A credit applies for the existing vacant allotment which would be able to reasonably establish a Dwelling House without incurring infrastructure charges. The calculation is therefore as follows:

LOCKYER VALLEY REGIONAL COUNCIL				
Charge Type	Description	Demand Units	Rate	TOTAL
<b>PROPOSED DEMAND</b>				
Charge	Accommodation (Short-Term)	42 units with 2 bedrooms	\$5,312.97	\$223,144.74
TOTAL PROPOSED DEMAND				\$223,144.74
<b>EXISTING DEMAND</b>				

Credit	Dwelling with 3 or more bedrooms	1	\$13125.00	-\$13,125.00
TOTAL EXISTING DEMAND CREDIT				-\$13,125.00
TOTAL PAYABLE				\$210,019.74

## Consultation

### Internal Consultation

The application was internally referred to Council's Development Engineer, Building Officer, Plumbing Officer, and Environmental Health Officer. Building and Plumbing confirmed future approvals for building and plumbing works are required. Development engineering reviewed and following a request for further information have recommended reasonable and relevant conditions. Environmental Health reviewed and following a request for further information are satisfied with the noise reporting.

### Referral Agencies

The application was referred to the following Referral Agencies in accordance with the *Planning Act 2016* and the *Planning Regulation 2017*:

Referral Status	Referral Agency and Address	Referral Trigger	Response
Referral Agency	State Assessment and Referral Agency (SARA)	<p>Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1 - Infrastructure - state transport infrastructure (threshold)</p> <p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 3, Item 1 - Development within 25m of a state-controlled road (reconfiguring a lot)</p> <p>Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 - Development within 25m of a state-controlled road (material change of use)</p>	The agency provided its response on 21 December 2020 (Reference No. 2010-19213 SRA) confirming no requirements. A copy of the response is attached.

### State Assessment and Referral Agency (SARA)

SARA reviewed the application for matters including impacts to State transport infrastructure. SARA advised it had no requirements related to the development proposal.

### Public Notification

The application was publicly notified for 15 business days from 18 May to 8 June 2021 in accordance with the requirements of the *Planning Act 2016*. Fifty-two (52) properly made submissions were received.

The following table provides a summary and assessment of the issues raised by submitters.



ISSUES	COMMENTS
Adverse impacts to neighbourhood character	<p>The development is located in the Commercial zone on a vacant site. The planning scheme reasonably anticipates development, of an intensive nature, on the land. The Commercial Zone Code also anticipates non-commercial activities within the zone. The location is appropriate for a Caravan Park because services and amenities are within walking distance, it is proximate to a major arterial road, and it is located at the beginning of a residential neighbourhood to ensure traffic and impacts are not generated through the neighbourhood.</p> <p>It is noted the proposal will also have substantial landscaping and frontage works to improve the streetscape along the frontage.</p> <p>Whilst the development may have some impact on neighbourhood character it is not anticipated to be detrimental in recognition of the zone of the land and the streetscape outcomes.</p>
Concerns the proposal is too dense for the site	The proposal is for 42 portable cabins over a land area of 1.859ha which represents a site cover of only 12%. This is not considered excessively dense for the site.
Adverse impacts arising as a result of increased traffic	A traffic impact assessment has been provided for the development which demonstrates traffic impacts from the development are appropriate for the local road network. The Department of Transport and Main Roads has also considered the impacts to State roads and identified no concerns. Traffic impacts from the development are therefore suitable.
There is no need for the proposal	An economic needs assessment has been provided which demonstrates there is currently no comparable short-term accommodation in Withcott and that the development will encourage overnight stays in Withcott capturing local spending. The development would not threaten existing or planned accommodation facilities. The proposal also aligns with the <i>Lockyer Valley Tourism Destination Plan 2018 – 2033</i> . In summary, the proposal will continue the ongoing prosperity of Withcott.
Concern about length of stays	Length of stays are limited to a maximum of 30 consecutive calendar days to ensure customers are genuine tourists/ travellers. The conditions of approval ensure long-term accommodation is not provided.
Concerns about stormwater impacts	The development has demonstrated through a stormwater quality and quantity management plan that stormwater is addressed in accordance with the requirements of the <i>State Planning Policy</i> and the <i>Gatton Planning Scheme 2007</i> . The stormwater management solution ensures no adverse stormwater impacts on nearby properties.
Increase in crime rates and a loss in the feeling of safety	The development will have a positive streetscape interface with fencing and substantial landscaping with access and egress limited to the vehicle access points. The existing streetscape will

	continue to be overlooked by passing vehicles and adjacent dwellings to discourage crime.
Unacceptable development due to flood risks	The proposal has demonstrated through extensive flood modelling and flood risk management plans the 42 proposed cabins and occupants would not be susceptible to unacceptable flood risk. For more information, refer to the section 'Assessment Benchmarks Pertaining to a Temporary Local Planning Instrument'.
Firefighting safety issues due to lack of onsite water storage	Recommendations of this report include conditions to ensure firefighting services and infrastructure are included throughout the development. The site will be connected to reticulated water to ensure adequate water supply is available.
A lack of public transport to support the development	Lockyer Valley has limited public transport. However, it is not reasonable to expect this development to provide a public transport service when it has services and amenity within walking distance.
A lack of public open space to support the development	The proposal provides significant areas of open space behind the portable cabins. It is noted this area is not public, however as it is within the site boundary it will ensure the users of the Caravan Park have sufficient area to recreate and not solely rely on local parks or similar which are utilised by residents.
Concerns with environmental impacts arising from wastewater disposal	The proposal will provide on-site wastewater disposal in accordance with relevant plumbing legislation and standards.
Concerns with impacts on water quality	The development has demonstrated through a stormwater quality and quantity management plan that water quality issues are addressed in accordance with the requirements of the <i>State Planning Policy</i> . Specifically, a stormwater treatment train including bio retention basins is proposed to treat stormwater prior to it discharging from the site.
Concerns with location of garbage storage area	In response to submissions regarding this item, a condition has been included requiring that the garbage storage area is relocated internally to the site to ensure it is not within sight from the street.
Non-compliances with parts of the <i>Gatton Shire Planning Scheme 2007</i> including the Commercial Zone Code, Reconfiguring a Lot Code, Caravan and Relocatable Home Parks Code.	The developments compliance with the planning scheme and these specific codes have been discussed in preceding sections of this report. These sections of the report document that the development has demonstrated compliance, or can be conditioned to comply, with the relevant Planning Scheme codes and provisions.
Concerns with previous iterations of the proposal and proximity to the creek	The proposal has been amended in response to submissions and further advice requests to significantly scale back the development footprint and now it is appropriately separated from Gatton Creek.
Lack of pedestrian pathways to support walking	A footpath exists on the opposite side of Jones Road which is sufficient for the road typology and the neighbourhood.
Negative impacts to property values	Property values are unable to be considered by Council in the course of assessing a development application as outlined in the <i>Planning Act 2016</i> .

Support for the proposal citing benefits to local business and an appropriate site for the development	The comments of support for the proposal are noted.
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Options

Option A: Approve the development subject to reasonable and relevant conditions

Option B: Approve the development in part subject to reasonable and relevant conditions

Option C: Refuse the development

Critical Dates

A decision on the application must be made by Council by 18 March 2022.

**Strategic Implications**Corporate Plan

Lockyer Planned 4.3 – A development assessment process that delivers quality development that is consistent with legislation, best practice and community expectations.

Finance and Resource

There could be a financial implication should the decision be contested in the Planning and Environment Court.

Legislation and Policy

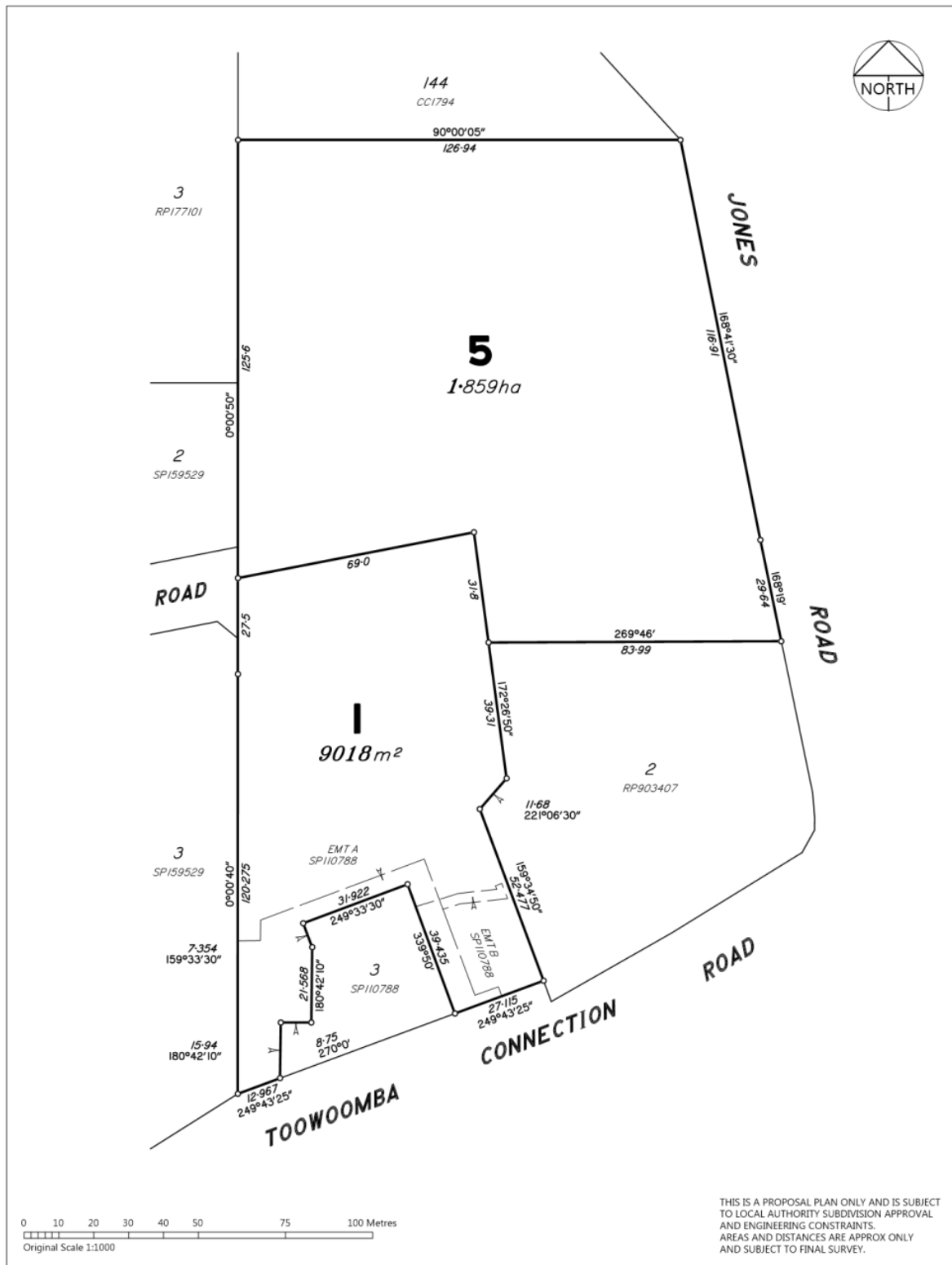
The application has been assessed in accordance with the requirements of the *Planning Act 2016*. Legal implications arising from the recommendation provided in this report are that the applicant and/or submitter/s may appeal the decision to the Planning and Environment Court.

Risk Management

The application has been assessed in accordance with the *Planning Act 2016*. Any risks have been mitigated through reasonable and relevant conditions.

**Attachments**

<a href="#">1</a>	MC20200051_RL20200029 - Boundary Realignment Plan - Plan to be approved	1 Page
<a href="#">2</a>	MC20200051_RL20200029 - Cabin Layout - Plan to be approved	1 Page
<a href="#">3</a>	MC20200051_RL20200029 - Site Plan and Wellness Centre - Plan to be amended	2 Pages
<a href="#">4</a>	MC20200051_RL20200029 - PMF Estimates - Referenced Documents	10 Pages
<a href="#">5</a>	MC20200051_RL20200029 - List of Properly Made Submitters	1 Page
<a href="#">6</a>	MC20200051_RL20200029 - Flood Risk Management and Flood Emergency Plan - Document to be amended	75 Pages



WITHCOTT TOURIST PARK PTY LTD  
DATE 110820 DWG NO. 20155.01 SCALE 1:1000 @ A3 SHEET 1 OF 1

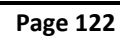
PROPOSED BOUNDARY REALIGNMENT  
OF LOT 1 ON SP110788 & LOT 5 ON RP903407  
7 JONES ROAD, WITHCOTT

NOTES	REVISION	DATE	DESCRIPTION

**PROJECT URBAN**

Sunshine Coast  
tel. 07 5443 2844  
info@ProjectUrban.com.au  
www.ProjectUrban.com.au  
Project Urban Pty Ltd  
ACN 608 895 923 ABN 57 608 895 923



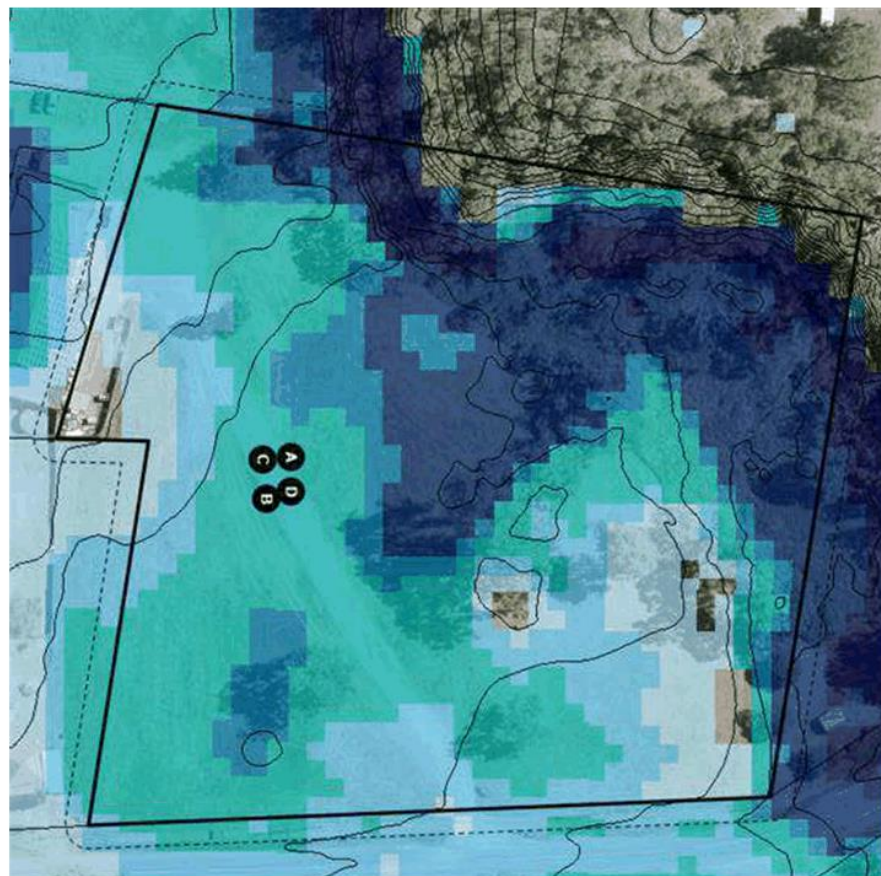








PMF ESTIMATES PROVIDED BY  
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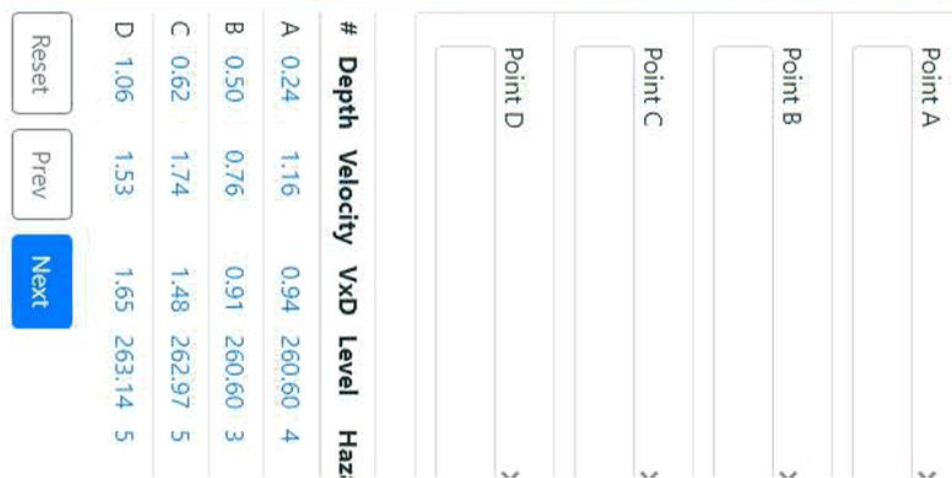
**Selected flood event:**  
PMF flood event

Point A	X
Point B	X
Point C	X
Point D	X

#	Depth	Velocity	VxD	Level	Hazar
A	0.81	1.96	1.72	263.47	5
B	0.82	1.70	1.43	263.36	5
C	0.67	1.80	1.49	263.44	5
D	0.78	1.89	1.63	263.42	5

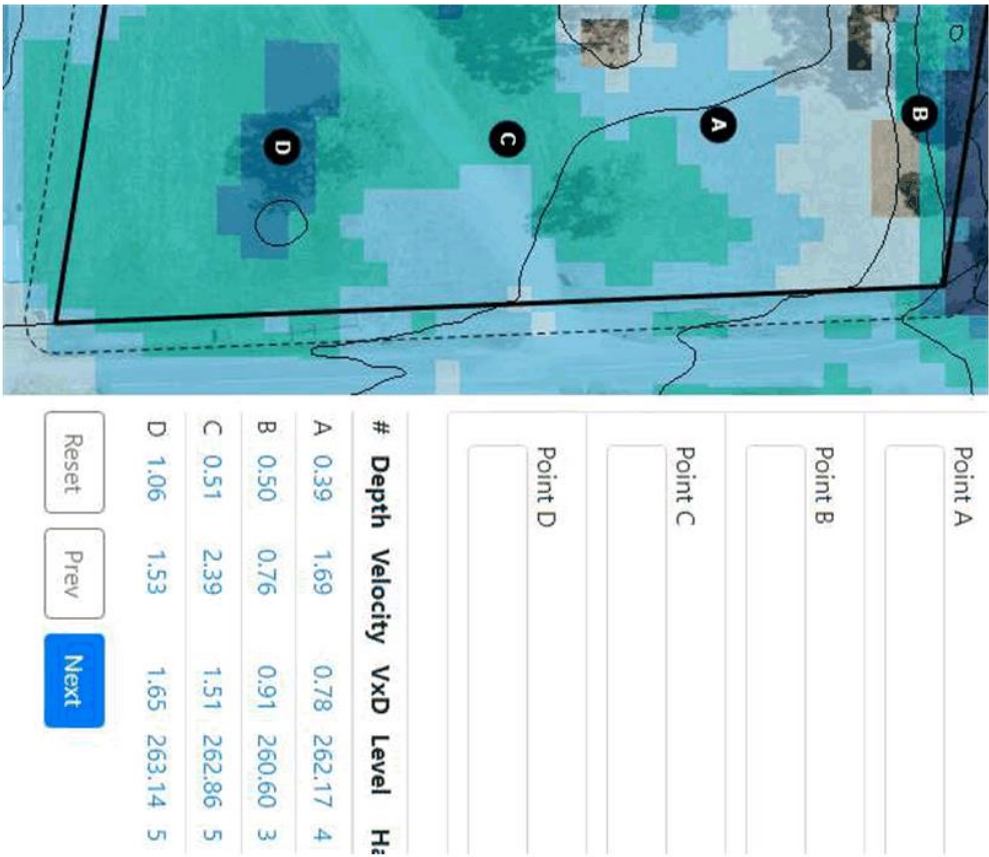
Reset Prev Next

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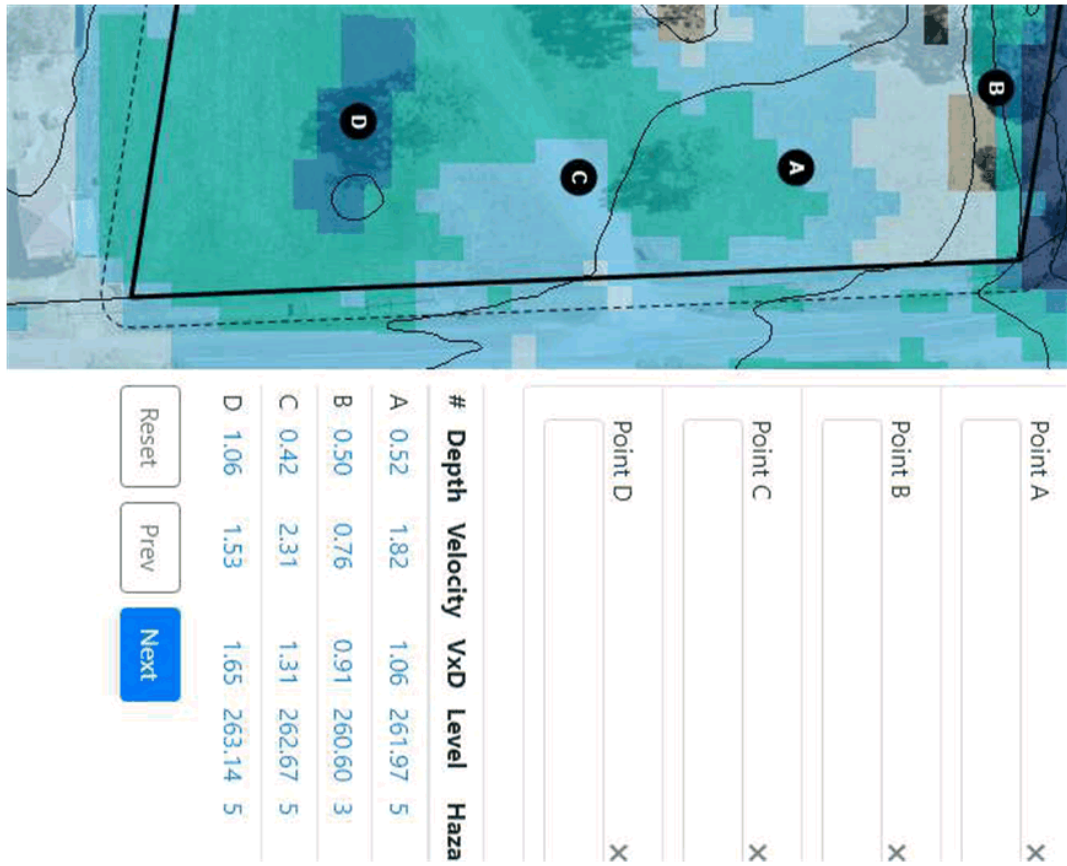


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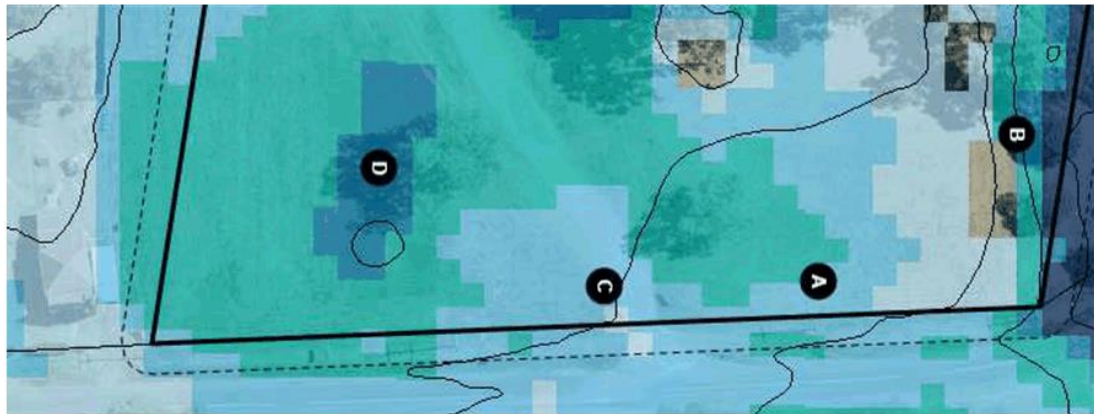




PMF ESTIMATES PROVIDED BY  
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PMF ESTIMATES PROVIDED BY  
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Point A

Point B

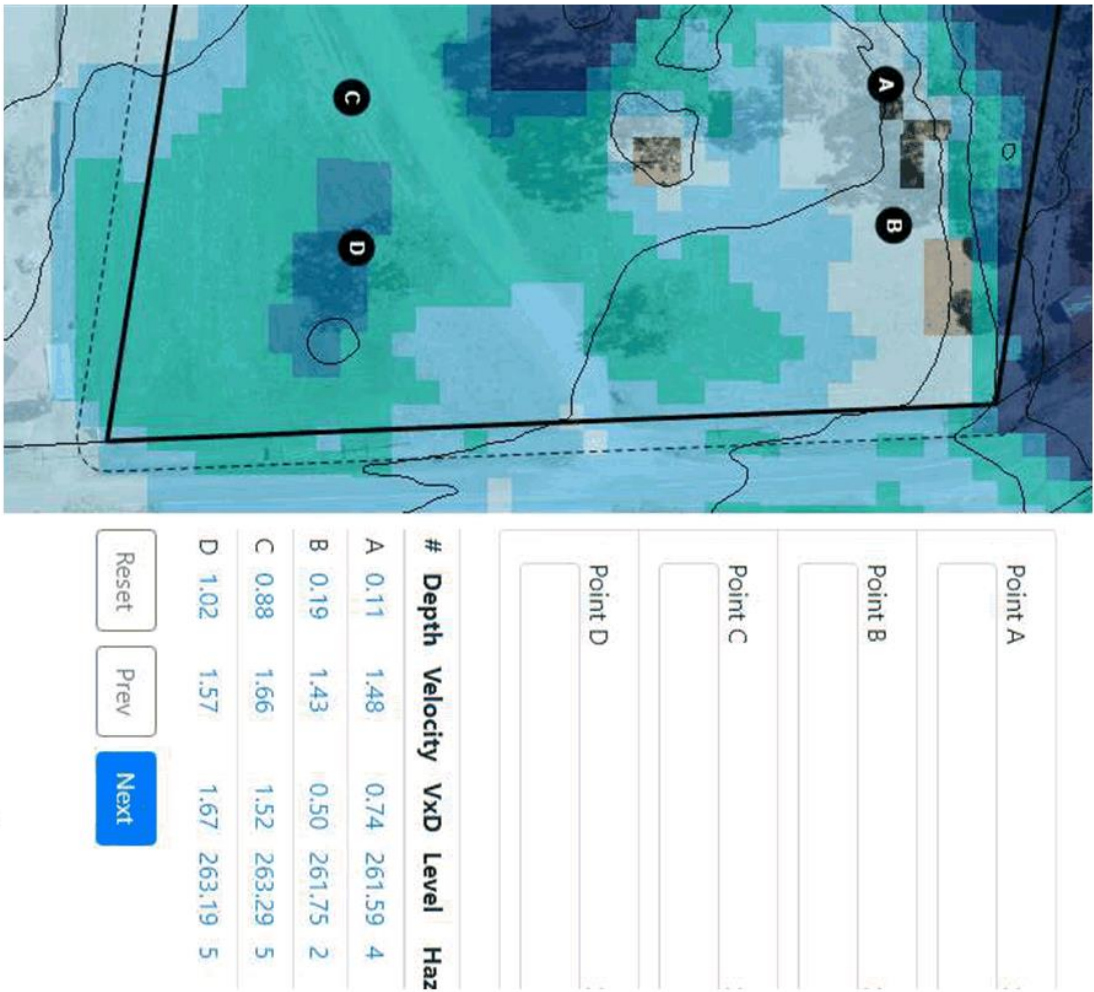
Point C

Point D

#	Depth	Velocity	VxD	Level	Haz
A	0.42	2.21	1.13	261.68	5
B	0.50	0.76	0.91	260.60	3
C	0.34	2.03	0.98	262.41	4
D	1.06	1.53	1.65	263.14	5

Reset Prev Next

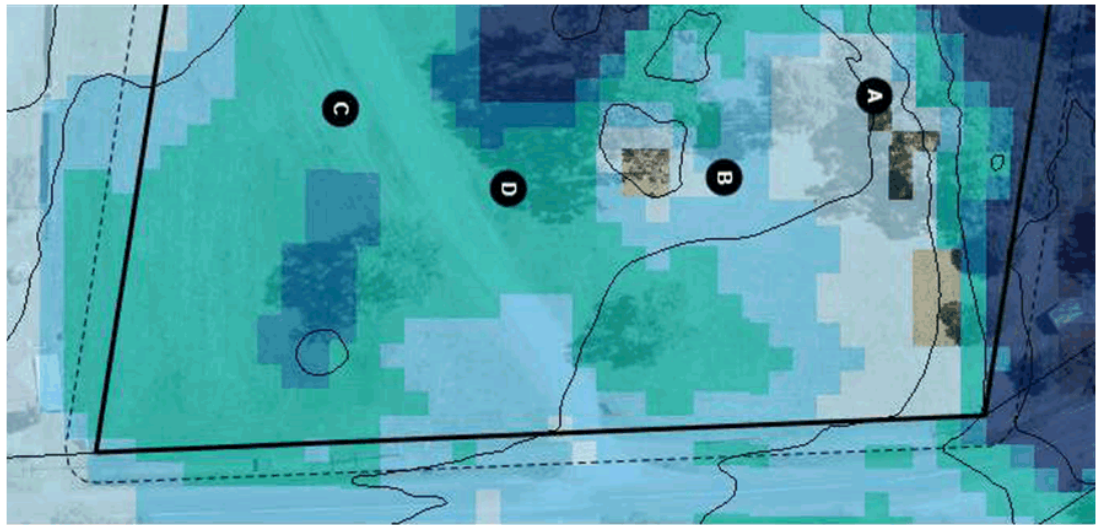
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PMF ESTIMATES PROVIDED BY  
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PMF flood event

Point A

X

Point B

X

Point C

X

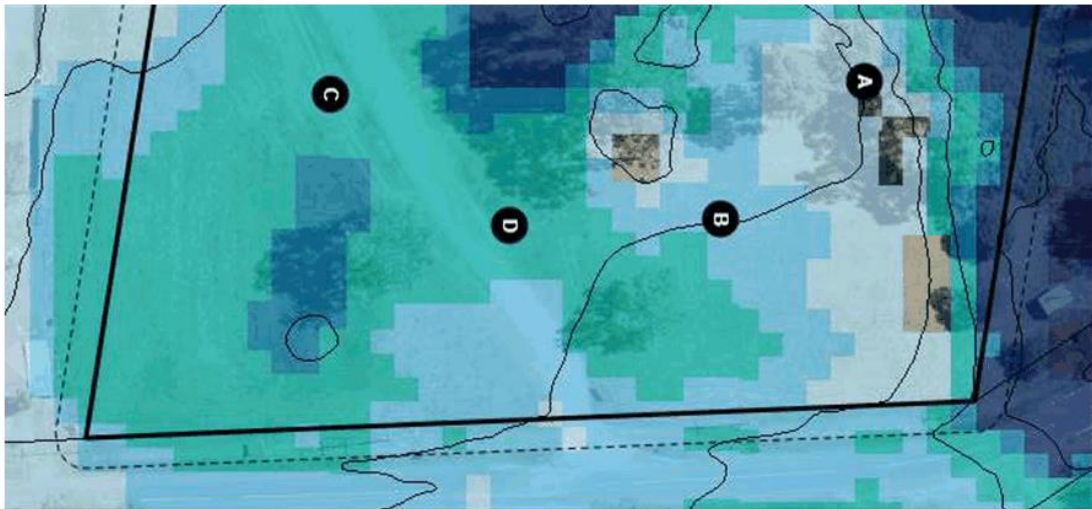
Point D

X

#	Depth	Velocity	VxD	Level	Haze
A	0.11	1.48	0.74	261.59	4
B	0.29	1.85	0.81	262.61	4
C	0.88	1.66	1.52	263.29	5
D	0.76	2.13	1.78	263.27	5

Reset Prev Next

PMF ESTIMATES PROVIDED BY  
COUNCIL 01/02/22



PMF flood event

Point A

Point B

Point C

Point D

#	Depth	Velocity	VxD	Level	Ha
A	0.11	1.48	0.74	261.59	4
B	0.38	1.75	0.79	262.30	4
C	0.88	1.66	1.52	263.29	5
D	0.60	2.19	1.51	263.08	5

Reset

Prev

Next

LIST OF PROPERLY MADE SUBMITTERS	
Submitter Name	Postal Address
Charlotte Farrell	354 Mackenzie Street, Rangeville Q 4350
Brett Gaffney	13 Kimdonn Dr Withcott, QLD 4352
Brenda Standley	14 Vista Court , Withcott 4352
Aimee Lancaster	8 Pepperwood Place, Withcott 4352
Carolyn Adele Leek	16 Kimdonn Drive, Withcott 4352
Andrew Moody	61 Wandin Rd, Withcott 4352
Chloe Zeidler	1 Kate Court, Withcott 4352
Chantal & Jessica Covington	3 Biggs Road, Withcott 4352
Andrea Mulhare	98 Glencoe Road, Withcott 4352
Debby Carrier	66 Wandin Road, Withcott 4352
D and D Grevell	75 Jones Road Withcott 4352
David Leddington-Hill	122 Glencoe Road Withcott Queensland 4352
Eloise Wingett	7 Pepperwood Place, Withcott 4352
Clint Greenway	1 Porteus Road, Withcott 4352
Donald Watson	66 Wandin Road, Withcott 4352
Claire Torkington	20 O'Neils Road, Withcott 4352
Dean Heit	24 Diana Crescent, Postmans Ridge QLD 4352
Katrina Scarborough	4 Pamela Court Withcott QLD 4352
Kerry J. Kelly	66 Parkridge Drive Withcott 4352
Kane Neideck	17 Belmore Drive Withcott 4352
Ian Goldworthy	52 Wandin Street Withcott 4352
Katrina Hockey	14 O'Neils Road Withcott 4352
Judith Goldsworthy	52 Wandin Street Withcott 4352
Joseph Ryan	27 Berghofer Drive Withcott 4352
Lisa Whittington	5 Pepperwood Place, Withcott 4352
Maria Julieta Rossi	35 Porteus Road Withcott QLD 4352
Michelle McKenzie	6 Twilight Court, Withcott 4352
Jim McDonald MP	PO Box 88 Gatton QLD 4343
Lacey Maree Maguire	3 Greenwood Place Withcott 4352
Leeanne Joyce Burley	57 Ma Ma Lilydale Road, Ma Ma Creek 4347
Lachlan Lobwein	12 Pamela Court, Withcott 4352
Melisha Blazely	61 Wandin Rd, Withcott 4352
Leigh Gray	122 Diana Crescent, Postmands Ridge 4352
Nikkita Gaffney	13 Kimdonn Dr Withcott, QLD 4352
Natalie Brunner	5 Vista Court, Withcott 4352
Phil whittington	5 Pepperwood Place, Withcott 4352
Michelle Vaughan	363 Thomas Road, Upper Lockyer 4352
Millicent Anne Askew	22 Bauhinia Street, Gatton 4343
Rebecca Greenyway	1 Porteus Road, Withcott 4352
Peter Rohr	7 Pepperwood Place, Withcott 4352
Peta Lowman	5 Panorama Court, Gowrie Junction QLD 4352
Renee Halley	8 Belmore Drive, Withcott 4352
Paula Gill	9 Post Office Road, Blanchview 4352
Rod & Narelle Wilks	41 Wandin Road, Withcott 4352
Vicki Etherington	68 Parkridge Drive Withcott 4352
Timothy Brunner	5 Vista Court, Withcott, QLD 4352
Robert Lancaster	8 Pepperwood Place, Withcott 4352
Thomas Paten	8 Pepperwood Place, Withcott 4352
Rodney David Burley	57 Ma Ma Lilydale Road, Ma Ma Creek 4347
Timothy John Askew	2 Bauhinia Street, Gatton 4343
Timothy James Maguire	3 Greenwood Place Withcott 4352
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CONSULTANTS

## Withcott Tourist Park

### Flood Study

Prepared for: Withcott Tourist Park Pty Ltd

Document no: BR200104\_Withcott\_Tourist\_Park-FloodStudy\_03

Revision no: 03



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#### Revisions

Revision	Description	Date	Prepared by	Approved by	Signature
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02	Final – for DA	4 May 2021	Karl Umlauff	Shane Suffolk	
03	Revised layout	9 Dec 2021	Karl Umlauff	Shane Suffolk	

#### Review Panel

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## 1 Introduction

ACOR Consultants (QLD) Pty. Ltd. & Project Urban have been engaged to prepare a Flood Study comprising a Flood Impact Assessment (FIA), Flood Risk Management Plan (FRMP) and Flood Emergency Management Plan (FEMP) to support the Development Application for the proposed 'Withcott Tourist Park' development at 7 Jones Road, Withcott.

This report forms part of the response to Council's Information Request dated 2 November 2020 (Application ID: MC2020/0051 & RL2020/0029).

## 2 Objective

The objective of this Flood Study is to support the development application and obtain Council's approval of the Flood Study by:

- Presenting changes to flood characteristics in the vicinity of the proposed development,
- Assessing the proposed development against relevant planning instruments and policies,
- Proposing flood planning measures specific to the proposed development.

## 3 Scope

The scope of this Flood Study is as follows:

- Respond to flood related items raised by LVRC in the Information Request dated 2 November 2020,
- Prepare a Flood Impact Assessment (FIA) to:
  - Describe flood model (TUFLOW) parameters representing existing conditions.
  - Describe the flood characteristics on and adjacent to the site for existing conditions (as per the TUFLOW model) for the January 2011 flood event using the TUFLOW model purchased from LVRC,
  - Develop and describe flood model (TUFLOW) parameters representing proposed development conditions,
  - Undertake TUFLOW model simulations for proposed development conditions for the January 2011 flood event,
  - Describe the flood characteristics for proposed development conditions for the January 2011 flood event, and
  - Prepare flood impact maps demonstrating the changes to the flood characteristics.
- Prepare a Flood Risk Management Plan (FRMP) to:
  - Describe the flood risk for existing and proposed conditions
  - Propose flood preparedness measures for the development such as avoidance, resilience and mitigation measures,
  - Assess the development against the *Temporary Local Planning Instrument 2020 – Flood Regulation* (TLPI),
  - Assess the development against benchmarks for *Natural hazards, risk and resilience - Flood* (State Planning Policy 2017),
- Prepare a Flood Emergency Management Plan (FEMP) proposing:
  - Flood planning measures such as warning, response and recovery measures.



#### 4 Site description

The subject lot (the 'site') is known as Lot 5 RP 903407, has an area of 21 377 m<sup>2</sup> and is bounded by Jones Road to the east and private lots to the north, west and south.

Gatton Creek traverses the site in a meandering nature in the western and northern portion of the site. The existing site is mainly clear of vegetation apart from several large trees in the centre and northern part of the lot, and vegetation on the left bank of Gatton Creek. The figure below shows the site and its surrounds.

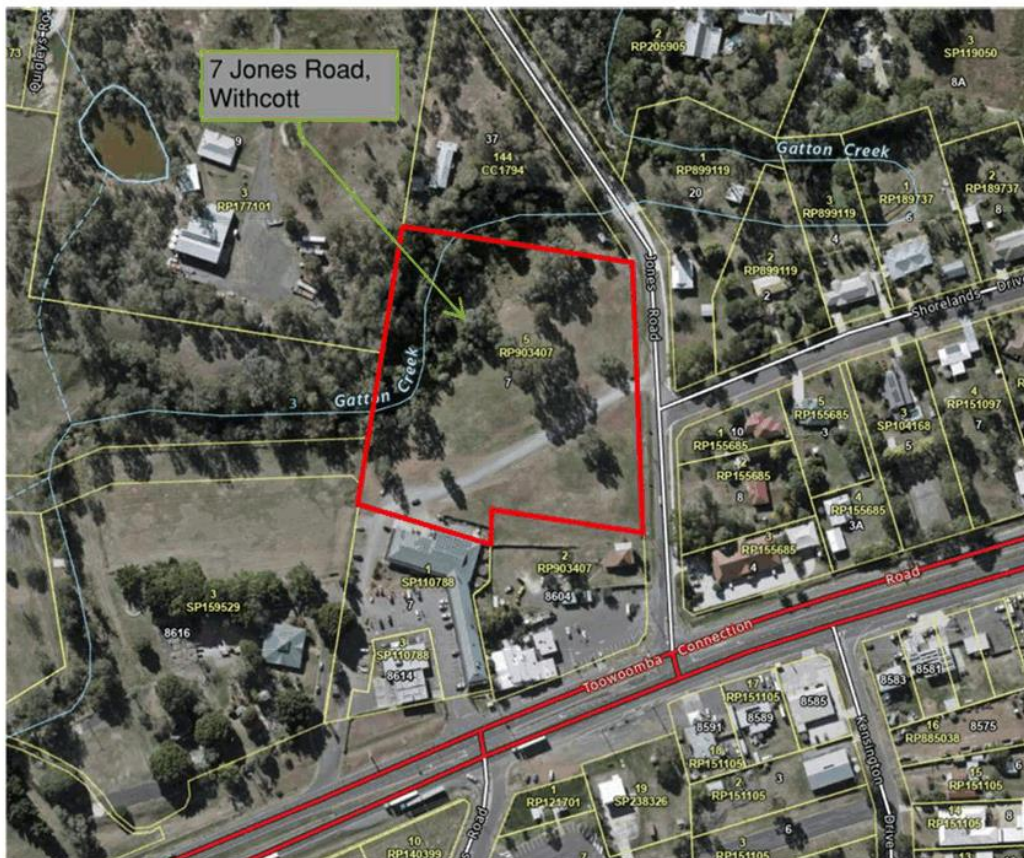


Figure 4-1 7 Jones Road, Withcott and local area (QLD Globe)

The site's contours (200 mm intervals from 2015 LiDAR terrain) are shown on the figure below. Ground elevations on the site range from approximately 258 m AHD at the invert of Gatton Creek to 263.20 m AHD near the centre of the site. The upper left bank elevations of Gatton Creek at the site's western boundary are up to 272.50 m AHD.





Figure 4-2 Site contours (200 mm intervals) and elevations



## 5 Responses to items in LVRC Information Request

A summary of issues raised by Council in the Information Request dated 2 November 2020 and the response are provided in the following table.

Table 5-1 Summary of responses to issues in LVRC Information Request

Issue	Item or Information Required in LVRC Information Request	Response
Flooding	'...any future buildings as a mitigation strategy against impacts on the development and others would at least need to adopt a stumps strategy.'	Any proposed building structures on the site will be on stumps (footings and poles) with habitable floor levels above the Defined Flood Event (DFE) level (plus freeboard) or Probable Maximum Flood (PMF) level.
Flooding	'... Based on flood hazard category level, it is unsafe in certain areas of the premises for vehicles and buildings.'	Vehicles and buildings will not be proposed in locations with high flood hazard, and therefore intensification of development is avoided in these areas.
Flooding	'... It is likely that the proposed use would be accessed by children and older persons, being the most vulnerable category for the flood hazard levels mapped for the premises.'	Vulnerable persons will be allocated to specific building/accommodation structures close to the proposed evacuation building.
Flooding	'... the presence of caravans.'	The tourist park development does not propose the site to be used for caravans.
Flooding	<b>1. Provide an assessment against the TLPI and demonstrate that the proposed development complies with the TLPI, in particular how it is proposed to provide sufficient protection from flooding issues for vulnerable persons. Common law requirements may also need to be considered in relation to impacts on adjacent property – clarify the management of such issues.</b>	Refer to section 8.
Flooding	<b>2. Demonstrate that the proposed development complies with the Assessment Benchmarks for Natural Hazards, Risk and Resilience under the State Planning Policy 2017.</b>	Refer to section 8.
Flooding	<b>3. Submit a Flood Impact Assessment prepared by a suitably qualified RPEQ of flood risk management considerations and measures adopted relating to the proposed use including but not limited to the following:</b> a) Flood planning – avoidance, resilience and mitigation measures (on the site and external to the site), flood warning system, flood operational plan, flood recovery of the site. Mitigation measures should consider creek bank rehabilitation and restoration;	Refer to section 7, section 8 and section 9.
Flooding	<b>b) Demonstration that the proposed development satisfies requirements of items 1 &amp; 2;</b>	Refer to section 8.
Flooding	<b>c) Demonstrate that there will be no adverse flood impacts on site and adjacent upstream/downstream properties due to proposed earthworks due to the topography of the site. It is noted that it is likely that earthworks would be required to facilitate the proposed use;</b>	Major earthworks are not proposed as part of this development. Minor surface grading (smoothing of existing terrain) is proposed in the development area for the tourist park. The mountain bike track is not proposed as part of this development.
Flooding	<b>d) Demonstration that there will be no adverse impacts or actionable nuisance to all neighbouring, upstream, adjacent and downstream properties.</b>	Refer to section 7.



Issue	Item or Information Required in LVRC Information Request	Response
Flooding	<b>e) Demonstrate that the pathway (pedestrian/cycle) connection to the adjacent retail centre and mountain bike track have appropriate flood immunity, and address requirements in section 12 of QUDM 2016 in relation to hazard.</b>	Pathway (pedestrian/cycle) connection to the adjacent retail centre and mountain bike track are not proposed as part of this development.  The mountain bike track is not proposed as part of this development.
Flooding	<b>f) Demonstrate that the proposed wire fencing along the creek would be designed to ensure that it will not impede debris and pose a danger, or alternatively remove proposed wire fencing;</b>	Fencing along the creek is not proposed.
Flooding	<b>g) Submit 2D flood modelling data files in ASC file format for Council review.</b>	Attached as part of the Flood Study.
Stormwater Quality	The Lockyer Valley Region is within the SEQ Water drinking water catchment. The applicant must address water quality management requirements in the Development Guidelines Water Quality Management in Drinking Water Catchments and Assessment benchmarks – water quality under the current State Planning Policy as applicable.  <b>4. Submit a detailed Stormwater Quantity and Quality Management Report prepared by a suitably qualified RPEQ. The report must include, but not be limited to, the following:</b> <b>a) Investigation on providing water quality treatment for a site impacted by flooding;</b> <b>b) Recommendations on water quality treatment measures and suitable locations within the site; and</b> <b>c) 'MUSIC' modelling data files for Council review.</b>	Refer to <i>Site-Based Stormwater Quantity and Quality Management Report</i> .
Earthworks	Based on the contours it appears that the pump track and some of the tent camping areas are close to the creek and at lower elevations and are likely to require fill. No indicative Earthworks Plan was provided.  <b>5. Provide an indicative Earthworks Plan to show how close the cut and fill is to the creek.</b>	Major earthworks are not proposed as part of this development. Minor surface grading (smoothing of existing terrain) is proposed in the development area for the tourist park. No significant cut/fill is proposed.  The mountain bike track (pump track) and tent camping are not proposed as part of this development.  The Operational Works application will include a site grading plan.





## 6 Criteria

The assessment will be based on the current versions of the following publications:

- Temporary Local Planning Instrument 2020 - Flood Regulation (TLPI)
- Natural hazards, risk and resilience - Flood (DILGP (2017))
- Queensland Urban Drainage Manual. Fourth Edition, 2017. Institute of Public Works Engineering Australasia. Queensland Government.



## **7 Flood Impact Assessment**

### **7.1 Introduction**

This Flood Impact Assessment (FIA) forms part of the documentation to support the Development Application for the proposed 'Withcott Tourist Park' development at 7 Jones Road, Withcott.

This report forms part of the response to Council's Information Request dated 2 November 2020 (Application ID: MC2020/0051 & RL2020/0029).

### **7.2 Design flood event**

LVRC (verbal correspondence from Quentin Underwood) has advised that the defined flood event for Withcott is the January 2011 hydrological event. The existing and proposed conditions for the site have been assessed using the January 2011 flood scenario in the TUFLOW model as provided by LVRC. Defined flood levels for the assessment are for the January 2011 event scenario.

The January 2011 rainfall intensities for this flood event at Withcott were estimated to be in excess of a 1:2000 (0.05%) AEP event (Jacobs, 2014).

### **7.3 Existing conditions**

#### **7.3.1 Existing development**

The existing site has no structures on the land. The site is comprised predominantly of open space and grass. Several large trees are on the lot. Dense vegetation along the invert and right bank of Gatton Creek through the site has been cleared. The left bank of Gatton Creek comprises dense vegetation.

Refer to Appendix E 11Appendix E Drawings for the site survey plan and existing site plan.

#### **7.3.2 Hydraulic model (TUFLOW) parameters**

The existing conditions TUFLOW model parameters (per the model provided by LVRC) at the site are shown in the figure below. The figure shows the 2d\_mat roughness polygons and other 2d\_z shapes. The parameters directly over the site is the 2d\_mat\_wit\_Dense\_Veg\_220 roughness polygon and the 2d\_with\_zlg\_001 lines and points that enforce the creek invert.

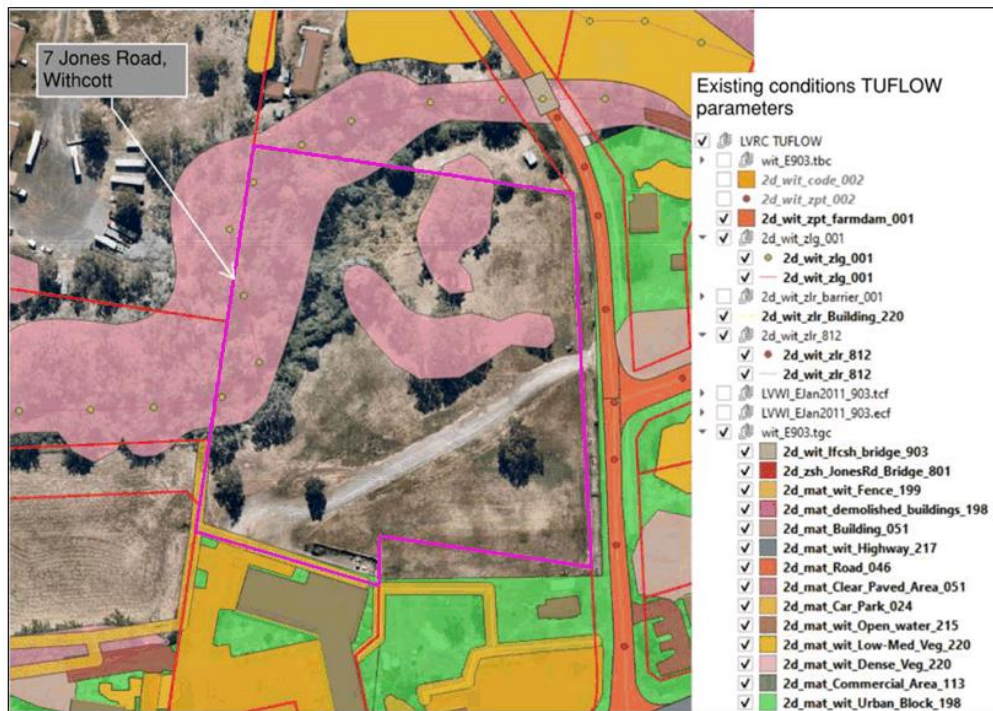


Figure 7-1 Existing conditions TUFLOW parameters per TUFLOW model provided by LVRC  
(LVWI\_EJan2011\_903.tcf)



### 7.3.3 Flood characteristics

The existing conditions flood characteristics are described and presented below.

#### Flood hazard

The existing conditions flood hazard at and around the site is shown in the figure below. The western half of the site is classified as 'high hazard' and the eastern half is mostly classified as 'medium hazard' and 'low hazard'.

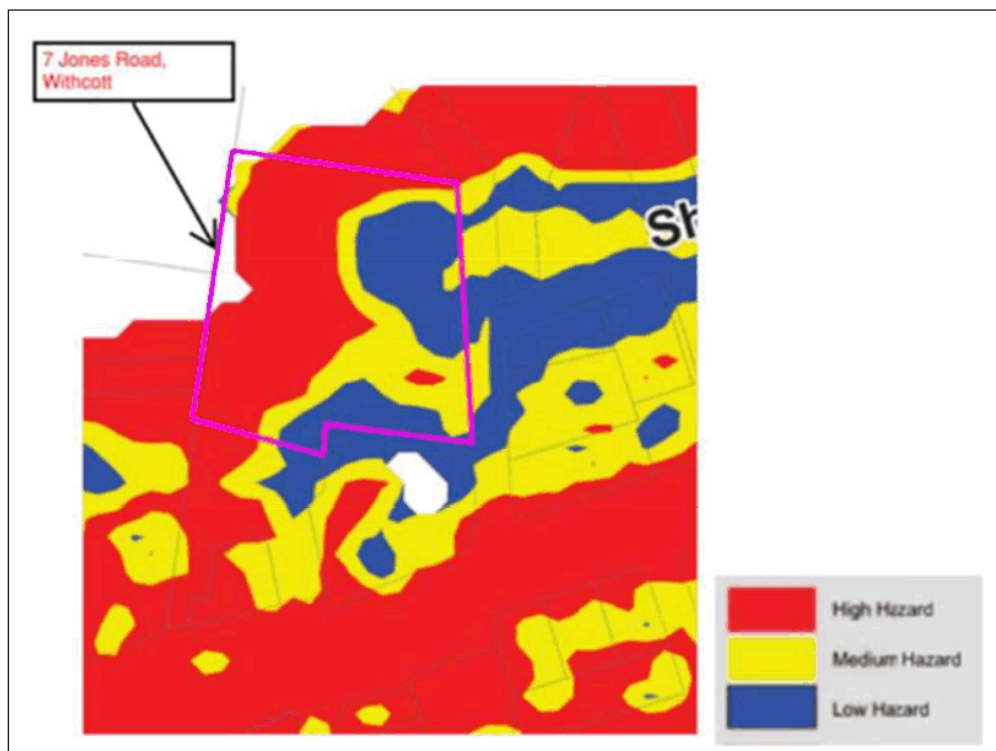


Figure 7-2 Existing conditions flood hazard (extracted from TLPI MAP F2-B (Withcott))

The depth.velocity product value ranges for the LVRC hazard categories were approximated from the extents of the hazards to produce the flood hazard map for the January 2011 event for both existing and proposed conditions. The depth.velocity product values that were determined are as follows:

- Low hazard: 0 to 0.40 m<sup>2</sup>/s
- Medium hazard: 0.40 to 0.60 m<sup>2</sup>/s
- High hazard: greater than 0.60 m<sup>2</sup>/s.

The flood hazard map generated using the depth.velocity product values for the January 2011 event for existing conditions is presented below. Note the extents of the different flood hazard categories are not an exact re-production of the extents in TLPI MAP F2-B (Withcott) shown above.

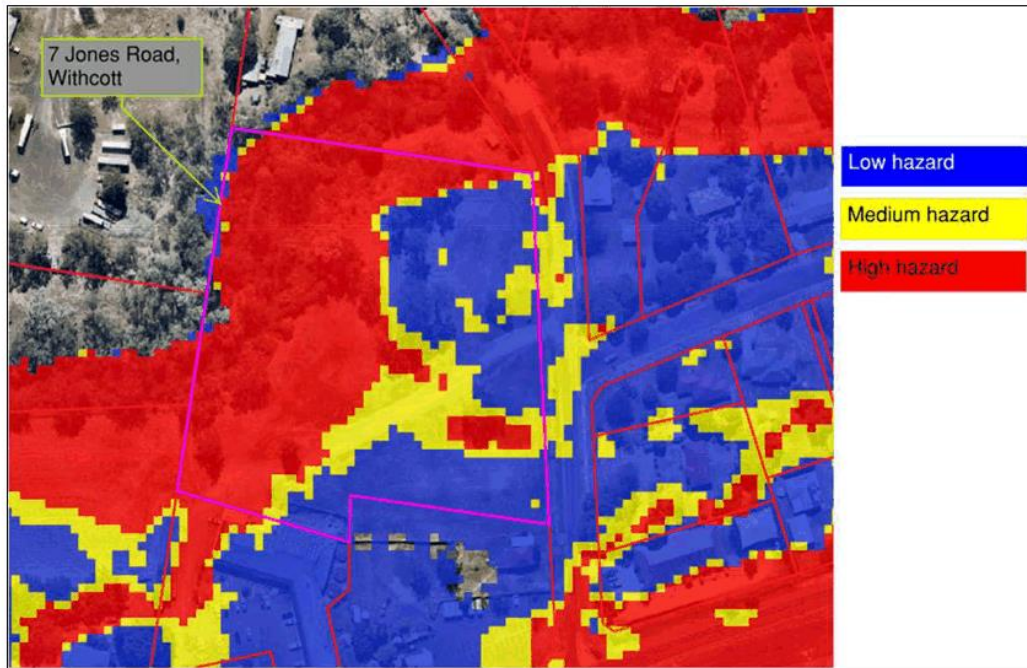


Figure 7-3 Existing conditions flood hazard using derived LVRC flood hazard depth velocity product values





#### Flood depth

The figure below shows the flood depths during the January 2011 flood event (DFE). The depths on the eastern half of the site (generally in the 'low' flood hazard area) range between 0.1 – 0.5 m.

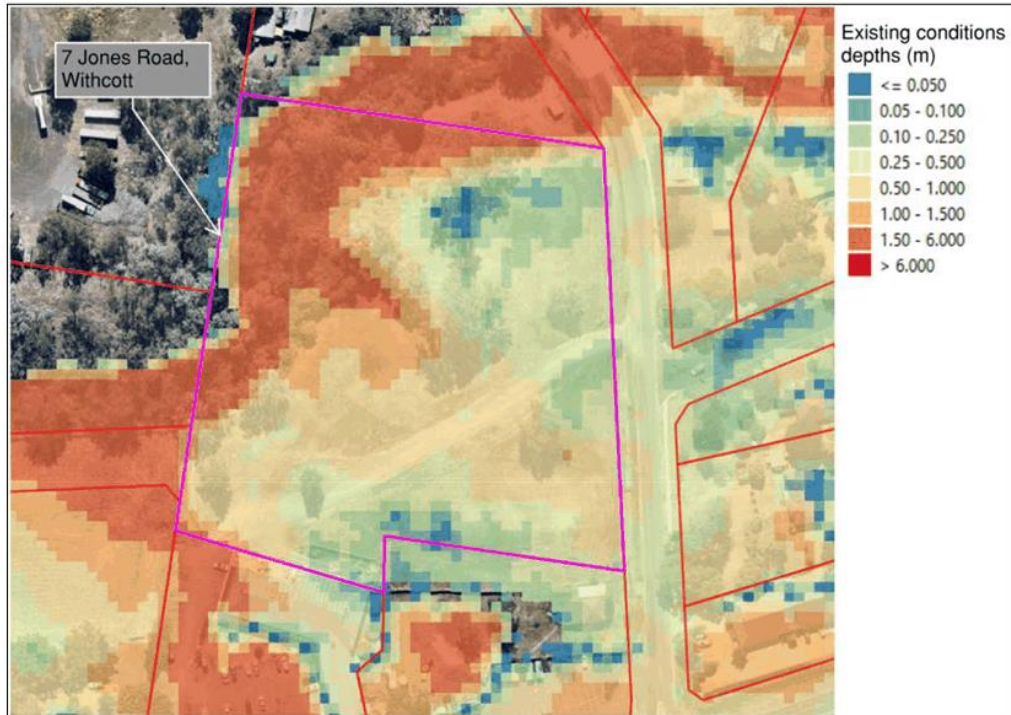


Figure 7-4 Existing conditions flood depth



#### Flood velocity

The figure below shows the maximum velocity during the January 2011 flood event (DFE). The highest velocities are in the creek on the western half of the site. The maximum velocities on the eastern half of the site are predominantly up to 0.5 m/s but can reach up to approximately 1.5 m/s.

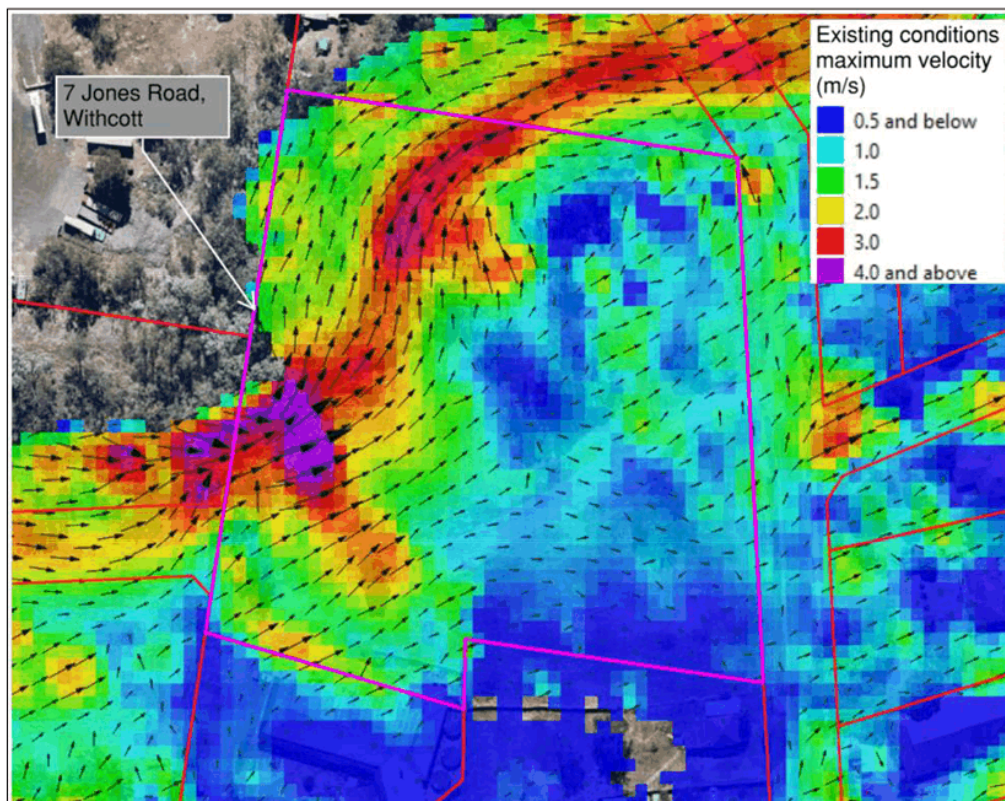


Figure 7-5 Existing conditions maximum velocity

#### Flood warning time

The model results for the January 2011 event show that:

- flood discharge over the site at the eastern boundary commences approximately 50 minutes after flow commences in Gatton Creek 2 km upstream,
- flood discharge over the site at the eastern boundary commences approximately 30 minutes after flow commences in Gatton Creek at the upstream end of the site, and
- flood discharge over the site at the eastern boundary takes approximately 40 minutes to reach the peak discharge after commencement of flow.





## 7.4 Proposed conditions

### 7.4.1 Proposed development

The proposed development comprises 42 accommodation sites where cabins on stumps will be installed. An amenities/wellness building also on stumps and internal service access track are also part of the development. The southern portion of the site is proposed as an elevated carpark and flood refuge area. The elevated carpark will ensure that vehicles are not located within floodwaters during the Defined Flood Event.

Pedestrian connectivity between the elevated carpark, cabins and amenities/wellness building is provided by boardwalks on stumps.

Vehicles will enter the carpark area via an up-ramp from Jones Road and will egress the elevated carpark via a down-ramp to Jones Road.

Due to the high flood hazard conditions in existing conditions on the western half of the site, the development area will be confined to the eastern half of the site (as shown in the figure below) where existing conditions flood hazard is generally 'low' (refer to Figure 7-3).

Refer to Appendix E Drawings for the proposed site plan.



Figure 7-6 Proposed 'No development area' and 'Development area'



The proposed building structures (cabins and amenities/wellness building) will be flood resilient and on stumps (footings and poles) with floor levels set above the Defined Flood Level plus at least 300 mm freeboard. Under-floor areas will be open (no sides) to allow flood flows to pass beneath the floor level.

Pedestrian access between the cabins and the elevated carpark/refuge area will be via elevated boardwalks on stumps that are above the DFL plus at least 300 mm freeboard.

The proposed carpark is to be elevated and act as a flood-free refuge area above the defined flood level area. The southern part of the carpark is to be on fill and the northern part as a suspended concrete slab. These areas are shown on the figure below and described as follows:

- The fill level of the southern part of the carpark area will be above the defined flood level plus 300 mm freeboard. This area is subject to lower peak flood velocities and conveyance than the proposed northern part of the carpark area due to flow constraints caused by the existing commercial building to the south-west and is more suitable for fill. The footprint of the fill area was shaped and located to minimise the blockage to flow conveyance.
  - The fill area was added to the TUFLOW model as a 2d\_z shape to represent blockage.
- The underside of the suspended slab of the northern part of the carpark area will be above the defined flood level plus 300 mm freeboard so as not to block the flow conveyance. This area is subject to higher peak flood velocities and conveyance than the proposed southern part of the carpark area and is more suitable for a suspended slab that allows flow conveyance under the slab. The sides below the suspended slab will remain open so as not to cause a restriction to flow conveyance.
  - The suspended slab was added to the TUFLOW model as a 2d\_lfcsh (layered flow constriction) shape with factors representing pier blockage and slab soffit (invert) level
  - The entry and exit ramps were added to the TUFLOW model as a 2d\_zsh (elevation) shape to represent blockage caused by the ramps.

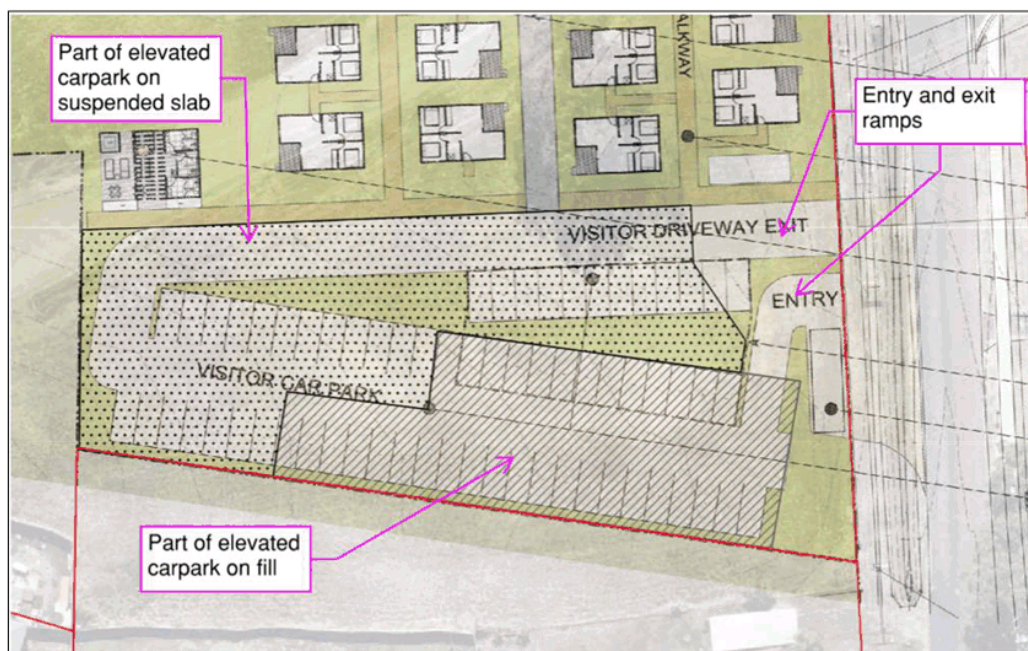


Figure 7-7 Proposed elevated carpark area





#### 7.4.2 Hydraulic model (TUFLOW) parameters

The proposed conditions TUFLOW model parameters at the site are shown in the figure below. The figure shows the 2d\_mat roughness polygons representing developed conditions.

Roughness polygons for existing conditions that were not amended for proposed conditions are not shown (refer Figure 7-1). The 2d\_z shapes in the existing conditions model were not amended and are not shown.

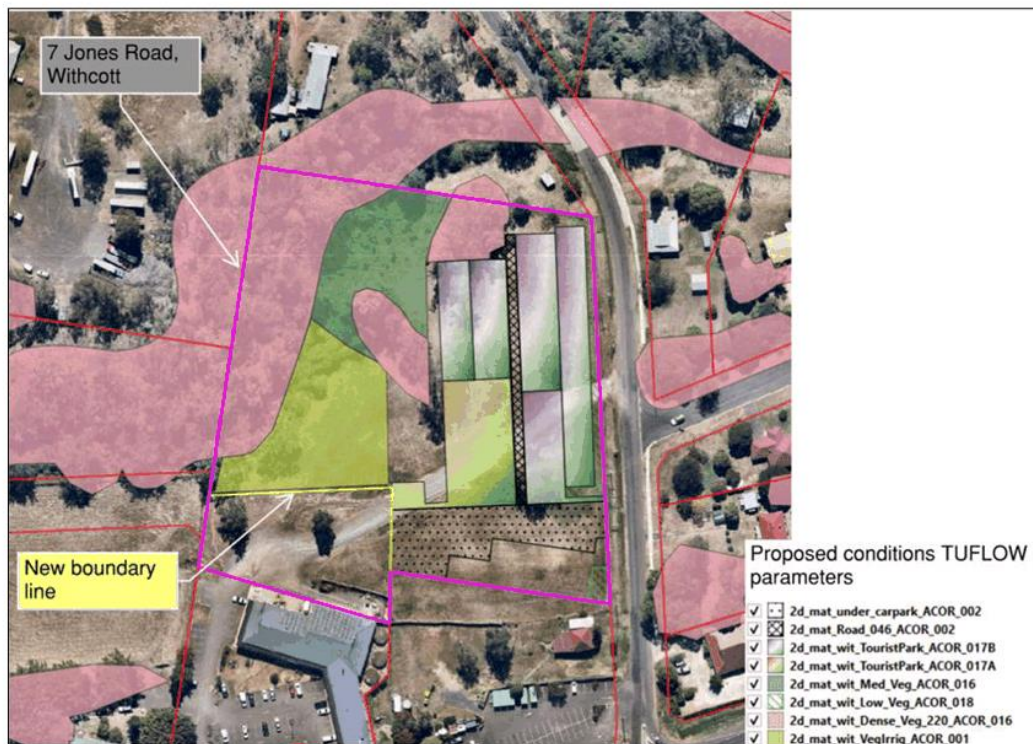


Figure 7-8 Proposed conditions TUFLOW parameters (LWVI\_EJan2011\_903\_ACOR\_DEV\_011.tcf)



The table below presents the adopted Mannings n roughness values for the roughness polygons representing the proposed development.

TUFLOW model iterations of proposed conditions Mannings n roughness values were undertaken to produce a scenario to minimise impacts on surrounding properties.

Table 7-1 Mannings n roughness values for proposed conditions

Roughness polygon	Manning n	Comments
2d_mat_wit_Dense_Veg_220_ACOR_016	0.15	Existing dense vegetation in creek to be reinstated.
2d_mat_wit_VegIrrig_ACOR_001	y1 = 0.3 m, n1 = 0.1 y2 = 1.0 m, n2 = 0.06	y1 = 0.3 (below 0.3 m (long grass), n1=0.1 y2 = 1.0 (above 1.0 m (long grass folds over and has less impact on flow), n2=0.06
2d_mat_wit_Med_Veg_ACOR_016	y1 = 0.3 m, n1 = 0.07 y2 = 1.0 m, n2 = 0.05	y1 = 0.3 (below 0.3 m (intermittent shrubs), n1=0.07 y2 = 1.0 (above 1.0 m (intermittent shrubs have less impact on flow), n2=0.05
2d_mat_Road_046_ACOR_002	0.025	Gravel
2d_mat_wit_TouristPark_ACOR_017A	y1 = 0.05 m, n1 = 0.15 y2 = 0.25 m, n2 = 0.08	y1 = 0.05 (below 0.05 m (50 mm rock)), n1=0.15 y2 = 0.25 (above 0.25 m (cabin/boardwalk stumps)), n2=0.08
2d_mat_wit_TouristPark_ACOR_017B	y1 = 0.2 m, n1 = 0.15 y2 = 0.25 m, n2 = 0.08	y1 = 0.2 (below 0.2 m (150-200 mm rock)), n1=0.15 y2 = 0.25 (above 0.25 m (cabin/boardwalk stumps)), n2=0.08
2d_mat_wit_Low_Veg_ACOR_018	0.03	Maintained grass.



#### 7.4.3 Flood characteristics

The proposed conditions flood characteristics are described and presented below.

##### Flood hazard

Similar to exiting conditions, the LVRC derived flood hazard classification was applied to the depth.velocity product to produce the proposed conditions flood hazard in the figure below. Risk and response to flood hazard conditions under proposed conditions will be managed and are described in the Flood Risk Management Plan and Flood Emergency Management Plan.

The figure below shows the southern part of the proposed carpark (fill area) has no hazard as the carpark is above the flood level. The northern part of the proposed carpark (suspended slab area) has flow beneath it.

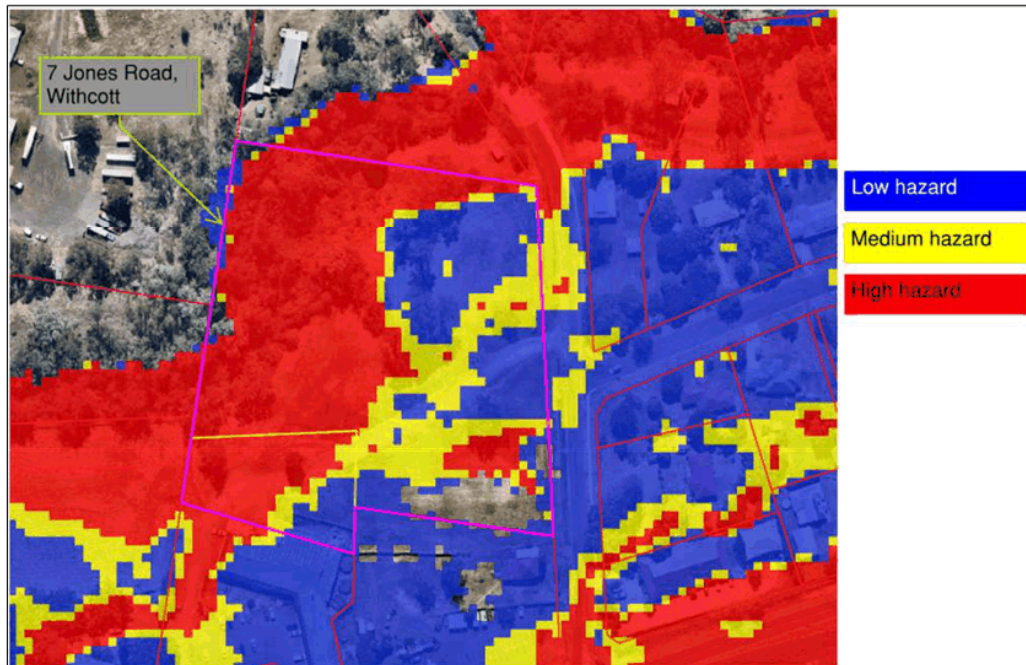


Figure 7-9 Proposed conditions flood hazard using derived LVRC flood hazard depth.velocity product values

##### Flood depth

Changes to flood depths are presented in the next section.



#### 7.4.4 Flood impact maps

Presentation of the changes to water levels and flood extents on existing conditions as a result of the proposed development was undertaken by preparation of flood impact maps for the January 2011 flood event (DFE), being:

- An afflux map (flood level difference calculation by subtraction of the existing conditions water surface levels from the proposed conditions water surface levels), and
- A 'was wet, now dry; was dry, now wet' map.

The flood impact map is presented in the figure below.

The flood impact map shows that the proposed conditions roughness causes minor impacts outside the lot boundary. A description of the flood impact map is as follows:

- The flood impacts to the model domain are constrained to the site and the immediate vicinity of the site,
- There are reductions in water surface level of generally 0.01 – 0.075 m within the site
- There are reductions in water surface level of generally 0.01 – 0.075 m within lots on the eastern side of Jones Road (south of Shorelands Drive), which is due to the proposed vehicle ramp to the elevated carpark area
- There are reductions in water surface level of generally 0.075 – 0.15 m within Jones Road near the intersection of Shorelands Drive, which is due to the proposed vehicle ramp to the elevated carpark area
- There are minor increases in water surface level of generally 0.01 – 0.04 m within lots on the eastern side of Jones Road (north of Shorelands Drive)
- There are minor increases in water surface level of generally 0.01 – 0.05 m within Jones Road north of the intersection of Shorelands Drive
- There are minor increases in water surface level of generally 0.01 – 0.06 m within the development area of the site, which is a result of changes to roughness and the carpark fill area for the proposed development
- There are minor increases in water surface level of generally 0.01 – 0.075 m within Gatton Creek on the site
- There is a small area of increase in water surface level of generally 0.075 – 0.09 m within the lot to the south of the site
- The areas within the site where there are increases in water surface level are 'low' or 'medium' flood hazard
- There are no areas where there is an increase in flood extent.



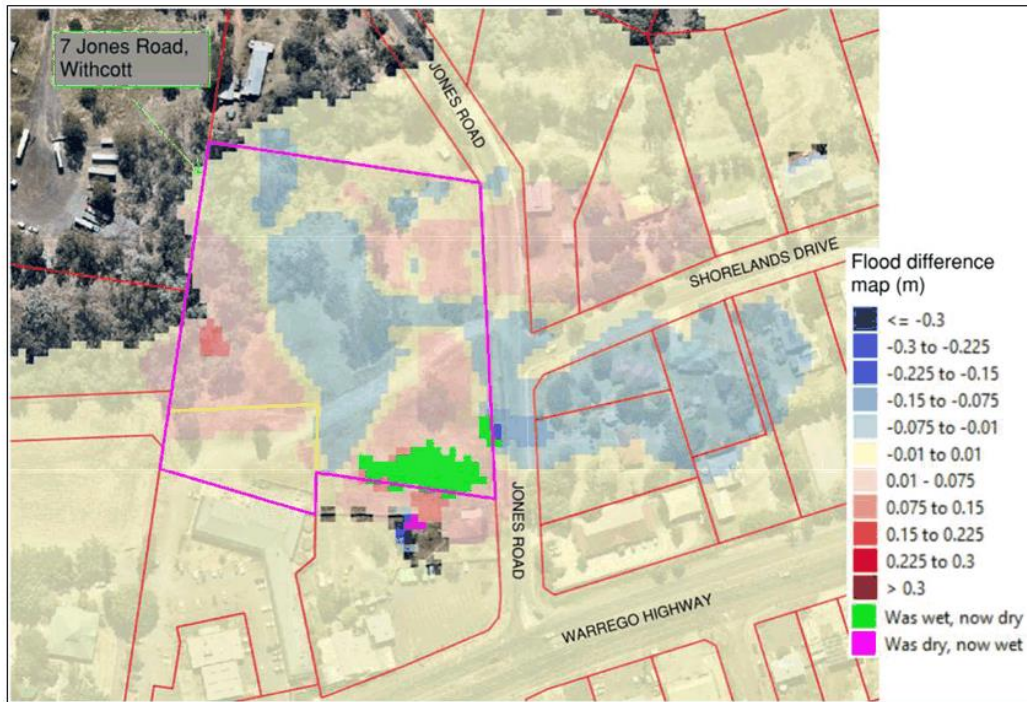


Figure 7-10 Flood impact map for proposed conditions versus existing conditions



## 8 Flood Risk Management Plan

### 8.1 Introduction

This Flood Risk Management Plan for the proposed development describes the flood conditions (source of flooding and characteristics) and a flood risk assessment (flood likelihood, risk and consequences) for the Defined Flood Event (DFE).

Proposed *flood preparedness* measures including avoidance, resilience and mitigation measures for the development and a recommended *flood operational plan* are described in this section.

In addition, the Flood Emergency Management Plan (Flood planning) in section 9 describes the proposed *flood warning, flood response* and *flood recovery* measures that form the basis of risk reduction for the proposed development.

The Flood Risk Management Plan and Flood Emergency Management Plan (Flood planning) will then be assessed to describe the overall risk as acceptable, tolerable or intolerable (refer to section 10).

### 8.2 Flood conditions

#### 8.2.1 Source of flooding

The main source of flooding that impacts the site is creek/waterway flooding of Gatton Creek. In large flood events including the DFE, floodwaters break out of Gatton Creek (upstream of Withcott in the vicinity of Toowoomba Connection Road and Tabletop Road) and are conveyed over the floodplain towards and through Withcott. Floodwaters during the DFE traverse the site.

#### 8.2.2 Flooding characteristics

A description of the flood characteristics in the vicinity of the site is presented in section 7.3.

### 8.3 Flood risk assessment

This section describes the flood likelihood, flood risk to the site under existing and proposed conditions, and the potential consequences of flooding for the proposed development.

An assessment of the proposed development against the *Temporary Local Planning Instrument 2020 - Flood Regulation (TLPI)* and the benchmarks for *Natural hazards, risk and resilience - Flood (DILGP (2017))* is provided in later sections.

#### 8.3.1 Flood likelihood

The January 2011 flood event is the Defined Flood Event (DFE) for assessment of proposed development. The rainfall intensities for this flood event at Withcott were estimated to be in excess of a 1:2000 (0.05%) AEP event (Jacobs, 2014).

For the purposes of this risk assessment, the flood likelihood remains constant for both existing and proposed conditions.

#### 8.3.2 Flood risk

The exposure to flood risk for existing and proposed development conditions are presented in the table below.



Table 8-1 Existing and proposed conditions flood risk exposure

Item	Existing conditions exposure	Proposed conditions exposure
Flood mitigation <sup>1</sup> measures	There are no flood mitigation measures in place for existing conditions.	Flood mitigation measures are not proposed as part of this development on or off site.
Use of site and patronage	Vacant site with no development.	Tourist Park with up to 42 sites comprising accommodation cabins, an amenities/wellness building, all on stumps (piers and poles). Pedestrian access between the cabins and the elevated carpark/refuge area will be via elevated boardwalks on stumps that are above the DFL plus at least 300 mm freeboard. Elevated carpark and flood refuge area; part fill and part suspended slab. It is expected the total patronage (if all cabins are full) would be 168 persons (maximum of 4 per cabin).
Flood immunity		
Bridges/culverts	The immunity of the Jones Road culvert crossing of Gatton Creek is unknown.	No changes to flood immunity are expected.
Roads	Jones Road flood immunity (south of Gatton Creek culverts) is unknown but is approximately the 10% AEP.	No changes to flood immunity are expected.
Building floor levels	Vacant site with no development.	Accommodation cabins to have finished floor levels (FFLs) set above the defined flood level plus freeboard.
Floods larger than DFE	Not assessed.	Not assessed.
Flood hazard	Eastern half of site mostly low hazard, with some medium hazard area. Western half of site high hazard within Gatton Creek.	Similar to existing conditions. Refer to section 7.4.3.
Isolated areas	Site likely to be isolated in events rarer than the 2% AEP.	Same as existing conditions.
Warning time	Flow over the eastern boundary of the site commences approximately 30 minutes after flow commences in Gatton Creek at the upstream end of the site (DFE).	Same as existing conditions.
Duration of inundation	Approx. 2.4 hours (DFE).	Same as existing conditions.
Flood resilience	Vacant site with no development.	Proposed buildings structures will be structurally resilient (resilient footings and stumps). Other flood resilience measures are proposed (below).
Flood warning system	None.	Water level sensor in Gatton Creek adjacent to site is proposed with link to proposed office building/manager's cabin where an alarm sounds when water level rises. Refer to section 9.2.
Emergency management		Refer to section 9 for:
Emergency management plan	None.	Flood Emergency Management Plan.
Evacuation centre	None.	Evacuation/refuge building.
Evacuation	None.	Evacuation plan.
Flood operational plan	None.	Refer to section 9.
Vulnerable and non-vulnerable persons	None.	Vulnerable persons to use cabins closest to the elevated carpark and flood refuge area.

<sup>1</sup>Flood mitigation is defined for the purposes of this report as – Physical structures (such as attenuation/detention basins, levees, diversions) on or off site, intended to reduce or eliminate risks, or lessen the actual or potential effects or consequences of an event.



### 8.3.3 Flood consequences

The consequence categories, definitions, levels and descriptions that are used for the consequence assessment are presented in the next table.

The potential consequences of flooding on the proposed development and the proposed risk reduction measures are described in the table thereafter.



Table 8-2 Consequence assessment categories, definitions, levels and descriptions

Consequence category	Consequence level >		Consequence description	Consequence description	Consequence description	Consequence description	Consequence description
	Definition	None (0)					
		insignificant (1)	Minor (2)	Moderate (3)	Major (4)	Severe (5)	
	Patrons/customers are impacted in terms of injury, illness.	No injuries. Near miss events.	<ul style="list-style-type: none"><li>• Injury or illness requiring first aid treatment.</li><li>• Medical Treatment/ Suitable Duties Injury or illness.</li><li>• Short term illness.</li></ul>	<ul style="list-style-type: none"><li>• Professional medical treatment.</li><li>• Lost Time Injury or illness&lt;4 days.</li><li>• Short term disability</li></ul>	<ul style="list-style-type: none"><li>• Serious / Hospitalisation Injury Long term&gt; 4 days Lost Time Injury or illness.</li><li>• Long term disability.</li></ul>	Permanent disability.	<ul style="list-style-type: none"><li>• Fatality.</li><li>• Terminal illness.</li></ul>
Health and safety			<ul style="list-style-type: none"><li>• No long term affect to the delivery of services (&lt;1 hr).</li><li>• inability to deliver commercial services to customers for &lt;1 hour.</li></ul>	<ul style="list-style-type: none"><li>•inability to deliver commercial services to customers for 1 - 3 days.</li></ul>	<ul style="list-style-type: none"><li>• inability to deliver commercial services to customers for 4 - 7 days</li></ul>	<ul style="list-style-type: none"><li>• inability to deliver commercial services to customers for 8 - 14 days</li></ul>	<ul style="list-style-type: none"><li>• Inability to deliver commercial services to customers for &gt; 14 days</li></ul>
Service delivery	Regular business performance is impacted.	No interruption to business operations or patronage					
Financial	Financial losses or unplanned expenditure is incurred.	No financial loss	Up to \$10k capital loss	Between \$10k and \$50k capital loss	Between \$50k and \$250k capital loss	Between \$250k and \$500k capital loss	Over \$500k capital loss OR Total loss of venue structures.
Business reputation	The business brand and or reputation value is impacted in terms of stakeholder and trust in the ability to deliver expectations.	No noticeable loss of reputation.	<ul style="list-style-type: none"><li>• Standard Complaints</li><li>• Notification of potential adverse media/ social media coverage.</li></ul>	<ul style="list-style-type: none"><li>• Minimal stakeholder interest/concern.</li><li>• Adverse localised community concern.</li><li>• Isolated local adverse media/social story.</li></ul>	<ul style="list-style-type: none"><li>• Short term (1 week) loss of confidence among some key stakeholders.</li><li>• Adverse widespread community concern.</li><li>• Short-term local adverse media/social media coverage.</li></ul>	<ul style="list-style-type: none"><li>• Medium term (1 month) loss of confidence among key stakeholders.</li><li>• Sustained state and national adverse media/ social media coverage.</li></ul>	<ul style="list-style-type: none"><li>• Long term (3 month) loss of confidence among key stakeholders.</li><li>• Short term state and/or national adverse media/ social coverage.</li></ul>





Table 8-3 Proposed conditions flood consequences, consequence levels and risk reduction measures for the Defined Flood Event

Consequence category	Definition of consequence category	Consequence description	Initial consequence level	Initial consequence description	Proposed risk reduction measures	Residual consequence level	Residual consequence level description
Health and safety	Patrons/customers are impacted in terms of injury, illness.	Consequence #1A Person could be swept into floodwater in Gailton Creek during flow conditions when hazard reaches dangerous levels.	Severe	Fatality	Flood Preparedness measures per Flood Risk Management Plan Flood Warning and Response measures per Flood Emergency Management Plan	Insignificant	Injury or illness requiring first aid treatment Short term illness.
Health and safety	Patrons/customers are impacted in terms of injury, illness.	Consequence #1B Medium hazard conditions within development area could be difficult for persons to wade through.	Severe	Fatality	Flood Preparedness measures per Flood Risk Management Plan Flood Warning and Response measures per Flood Emergency Management Plan	Insignificant	Injury or illness requiring first aid treatment Short term illness.
Health and safety	Patrons/customers are impacted in terms of injury, illness.	Consequence #1C Persons at risk in accommodation or site buildings.	Severe	Fatality	Flood Preparedness measures per Flood Risk Management Plan Flood Warning and Response measures per Flood Emergency Management Plan	None	No injuries. Near miss events.
Financial	Financial losses or unplanned expenditure is incurred.	Consequence #2 Scour of building footings by floodwater.	Minor	Between \$10k and \$50k capital loss	Flood Preparedness measures per Flood Risk Management Plan. Structural resilience for footings/piers.	Insignificant	Up to \$10k capital loss
Financial	Financial losses or unplanned expenditure is incurred.	Consequence #3 Damage to buildings.	Severe	Over \$500k capital loss OR Total loss of venue structures.	Flood Preparedness measures per Flood Risk Management Plan	Insignificant	Up to \$10k capital loss
Service delivery	Regular business performance is impacted.	Consequence #4 Inability to deliver commercial services to customers.	Severe	Inability to deliver commercial services to customers for > 14 days.	All above measures.	Moderate	Inability to deliver commercial services to customers for 4 - 7 days
Business reputation	The business brand and/or reputation value is impacted in terms of stakeholder and trust in the ability to deliver expectations.	Consequence #5 Long term loss of confidence among patrons/customers. Short term state and/or national adverse media/ social coverage.	Severe	Long term (3 month) loss of confidence among key stakeholders. Short term state and/or national adverse media/ social coverage.	All above measures.	Insignificant	Standard Complaints Notification of potential adverse media/ social media coverage.

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### 8.3.4 Summary

Based on the flood likelihood of the DFE being 1:2000 (0.05%) AEP, and residual consequence levels after risk reduction measures have been implemented, the flood risk assessment of the proposed development shows the highest risk rating is 'Medium' for Consequence #4, 'Low' for Consequences #1A, #1B, #2, #3 and #5 and 'None' for Consequence #1C. Refer to the table below for the risk assessment.

Table 8-4 Proposed development risk assessment summary

Likelihood of flooding	AEP range	Consequence level					
		(0) None	(1) Insignificant	(2) Minor	(3) Moderate	(4) Major	(5) Severe
Very frequent to Frequent (4)	> 1 in 10						
Frequent to Infrequent (3)	1 in 100 to 1 in 10						
Infrequent to Rare (2)	1 in 1000 to 1 in 100						
Rare to Extremely Rare (1)	1 in 10000 to 1 in 1000	Consequence #1C	Consequence #1A, #1B, #2, #3, #5		Consequence #4		
Extreme (0)	1 in 1 000 000 to 1 in 10 000						

Risk rating	None	Low	Medium	High	Critical
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## 8.4 Flood preparedness

This section presents the proposed measures for the development to reduce the consequences of flooding across multiple categories (refer to section 8.3.3).

### 8.4.1 Avoidance measures

Measures to avoid flood damage to property and risk to safety will be provided as follows:

- Development is proposed on land that is generally outside 'high' flood hazard areas
- Relevant avoidance measures are proposed for the proposed buildings (refer to section 8.4.2 Resilience measures and finished floor levels below)
- Building structures will only be in areas where maximum velocity is less than 1.5 m/s (Business Queensland, 2013). Alternative solutions for building structures are proposed for sites in areas where maximum velocity is greater than 1.5 m/s (refer to section 8.4.2). Maximum velocities were obtained from the TUFLOW model for the January 2011 DFE.
- Setting of finished floor levels of all buildings above the Defined Flood Level plus freeboard
- Finished floor levels of cabins for non-vulnerable persons will provide at least 300 mm freeboard above the Defined Flood Level (January 2011 flood level)
- Vulnerable persons will be allocated to cabins adjacent to the elevated carpark and flood refuge area.

Refer to Appendix E.2 and E.3 showing proposed site plans and minimum building finished floor levels. Existing ground levels are shown to assist with understanding the height of the floor above ground.

### 8.4.2 Resilience measures

Proposed buildings are to be designed and built according to the following guidelines and standards:

- a) Construction of buildings in flood hazard areas. Version 2012.3 (Australian Building Codes Board, 2012)
- b) MP 3.5 – Construction of buildings in flood hazard areas 2013 (Business Queensland, 2013)
- c) Flood Resilient Building Guidance for Queensland Homes (2019).

Proposed measures for the development are as follows and based on the DFE characteristics:

- Building materials and surface treatments used below the DFL will be resilient to water damage and will not include walls (and therefore no wall cavities)
- Debris actions will be considered in the structural design of footings and stumps (below the DFL)
- Footing system design will account for instability and decrease in structural capacity associated with soil properties when wet, erosion and scour, liquefaction, and subsidence resulting from the flood actions, depending on the geotechnical characteristics of the site
- Footing system design will provide the required support to prevent flotation, collapse or significant permanent movement resulting from flood actions
- Stairways below the DFE plus 300 mm freeboard that are attached to buildings must be structurally adequate and not reduce the structural capacity of the building during the DFE
- Decks (if proposed) will be above the DFL plus at least 300 mm freeboard
- Materials used for structural purposes and located below the DFL plus at least 300 mm freeboard must be capable of resisting damage, deterioration, corrosion or decay taking into account the likely time the material would be in contact with flood water and the likely time it would take for the material to subsequently dry out



- Where maximum velocity is greater than 1.5 m/s (design to be undertaken by a suitably qualified and experienced structural engineer (RPEQ)):
  - footings of stumps will be designed to an adequate depth,
  - stumps will be steel and designed with an adequate cross-sectional area and wall thickness, and
  - erosion protection will be designed and provided around stumps and under cabins to withstand flow velocities.
- Utilities such as electrical meters, switches, switchboards, electrical points and hot water systems will be set above the DFL plus 300 mm freeboard
  - Buried systems will be placed at a depth sufficient to prevent damage due to scour and erosion during the DFE
  - Electrical conduits and cables installed below the DFL plus 300 mm freeboard will be waterproofed or placed in waterproofed enclosures
- Backflow prevention devices (reflux valves) will be installed in cabins to protect occupants from sewage backflow.
- Egress from the a deck, door, window or the like will be available to allow a person in the building to be rescued by emergency services personnel, if rescue during a flood event up to the DFE is required.

The development has been assessed against Part 3 Performance requirements and acceptable solutions of *MP 3.5 – Construction of buildings in flood hazard areas* (Business Queensland, 2013) for Performance Requirements P1, P2 and P3 (per Table 1 Application of MP 3.5) in Appendix D

#### 8.4.3 Mitigation measures

Flood mitigation is defined for the purposes of this report as – Physical structures (such as attenuation/detention basins, levees, diversions) on or off site, intended to reduce or eliminate risks, or lessen the actual or potential effects or consequences of an event.

Flood mitigation measures are not proposed as part of this development on or off site.

#### 8.5 Assessment against Temporary Local Planning Instrument 2020 - Flood Regulation (TLPI)

Refer to Appendix B Assessment against Temporary Local Planning Instrument 2020 – Flood Regulation (TLPI).

#### 8.6 Assessment against benchmarks for *Natural hazards, risk and resilience - Flood (DILGP (2017))*

Refer to Appendix C Assessment against benchmarks for *Natural hazards, risk and resilience - Flood (DILGP (2017))*.



## 9 Flood Emergency Management Plan (Flood planning)

### 9.1 Introduction

Various Flood Warning measures are available for flood planning and can be tailored specific to the development. The proposed measures are presented in this section.

### 9.2 Flood operational plan

It is recommended a Flood Operational Plan specific to the Tourist Park be prepared for management covering the following sections of this report i.e. Flood Warning, Flood Response and Flood Recovery. The onsite manager, staff and back-up managers are to be trained and familiar with the Flood Operational Plan. Ongoing training in application of the flood response measures is to be undertaken.

### 9.3 Flood warning

#### 9.3.1 Alerts and weather monitoring

The following existing warning systems are available and will be utilised by the Tourist Park onsite manager:

- LVRC Disaster Dashboard <http://disaster.lvrc.qld.gov.au/>
- The following internet sites enable users to subscribe to an inclement weather early warning system. Alert messages are received by SMS from the Early Warning Network (EWN) for LVRC residents. The site manager should arrange a polygon to be drawn around the site boundary to enable severe weather and other hazard warnings to be sent to mobile phones within the site. Note this is a paid subscription service through EWN and is recommended be engaged by the Tourist Park business with EWN. The onsite manager and back-up manager are to subscribe to and be familiar with:
  - <https://www1.ewn.com.au/lockyer/register.aspx>
  - <http://www.ewn.com.au/location-based-warning-system.aspx>
  - <http://www.ewn.com.au/flood-rainfall-monitoring-alerts.aspx>
  - [http://www.ewn.com.au/support/weather\\_alerting\\_faq.aspx](http://www.ewn.com.au/support/weather_alerting_faq.aspx)
  - <http://m.ewn.com.au/weather-charts/australia-weather-thunderstorm-potential.aspx>
- Bureau of Meteorology Marburg radar loop
  - <http://www.bom.gov.au/products/IDR503.loop.shtml#skip>
- Bureau of Meteorology Mt Stapylton radar loop
  - <http://www.bom.gov.au/products/IDR663.loop.shtml#skip>
- Bureau of Meteorology MetEye Weather Forecast Service
  - The Bureau's online MetEye tool helps you visualise local weather observations and forecasts, for any location in Australia. Forecasts in MetEye are fine-tuned by Bureau forecasters to best represent expected weather. Forecasts are routinely updated twice a day. It allows users to:
    - search for your location and save favourite locations
    - get a three-hourly forecast for the seven days ahead
    - choose from a map-based or text view (refer figures below)
    - view current conditions including the rain radar.
  - Withcott Weather <http://www.bom.gov.au/places/qld/withcott/>
  - Withcott Forecast <http://www.bom.gov.au/places/qld/withcott/forecast/>



- Withcott Detailed Forecast <http://www.bom.gov.au/places/qld/withcott/forecast/detailed/>
- A water level alert system for Gatton Creek (within the property boundary) will be designed and installed where an alarm will sound in the site office and onsite manager's cabin.
- Alternatively, or in addition to the water level alert system, rainfall (pluviograph) gauges that record data in real time with telemetry alerts to data validation service providers (such as EWN) can be installed in the catchment upstream of the site. Data validation service providers can then confirm/validate the data with 30 seconds and send immediate, pre-determined alert/warning messages to specific subscribed users i.e. a particular depth of rainfall ('X mm' has fallen within a certain time period ('Y' minutes) that may result in flash flooding of 'Z' creek.

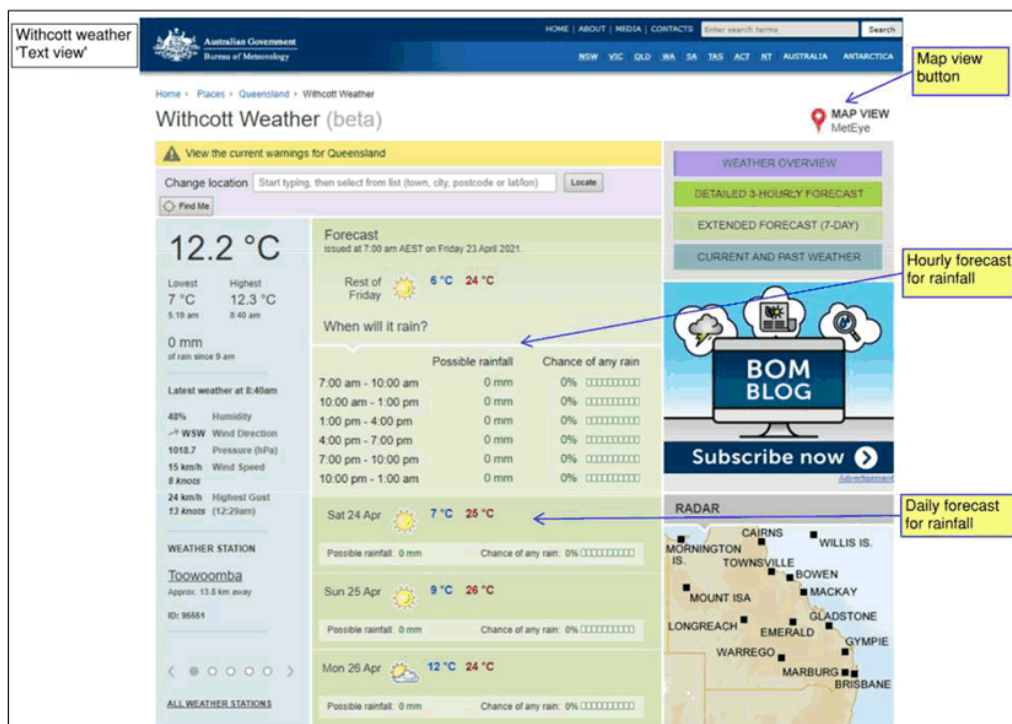


Figure 9-1 Example MetEye 'text view' forecast for Withcott



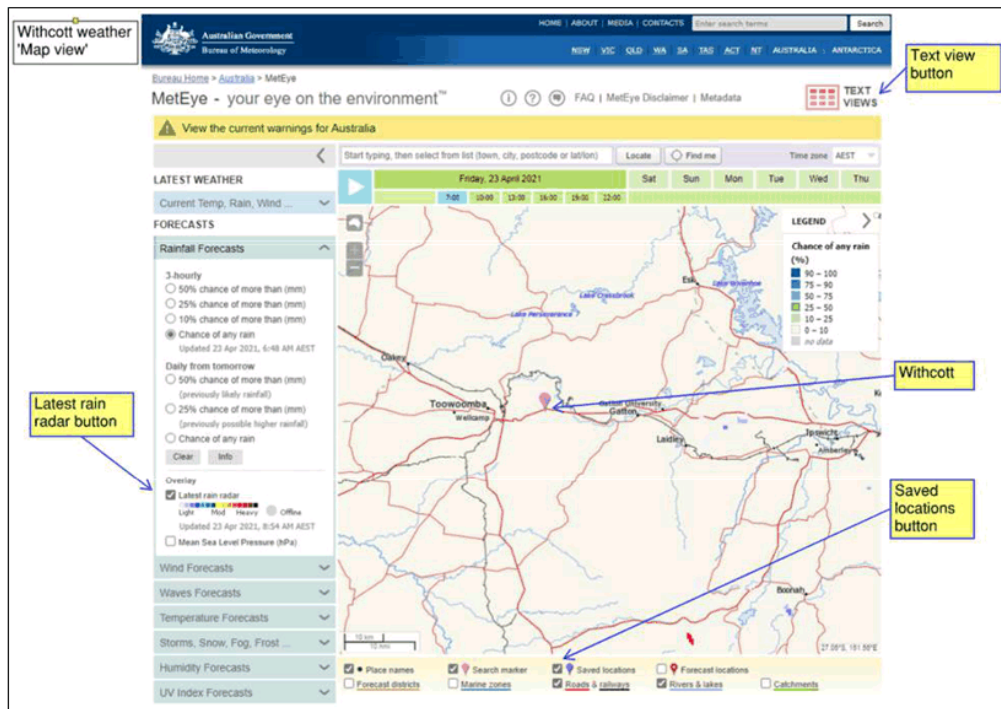


Figure 9-2 Example MetEye 'Map view' forecast for Withcott

### 9.3.2 Signage

Flood warning signs will be devised to alert site patrons and visitors that the site is subject to flooding with short warning time and to retreat to the cabins and 'remain in place' until flood waters recede and given 'all clear' by onsite manager.



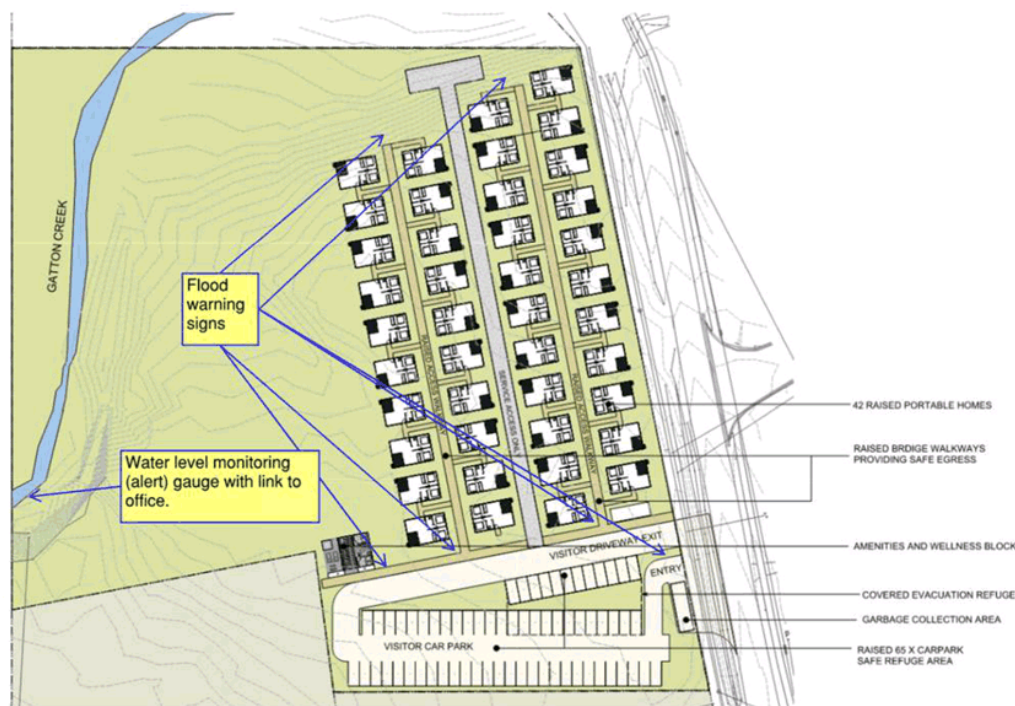


Figure 9-3 Proposed flood warning signs and water level (alert) gauge

### 9.3.3 Tourist Park patron education and awareness

Tourist Park staff will inform patrons upon check-in:

- The site is subject to flooding with short warning time,
- An alarm will sound in the office when water level in creek reaches 1 m deep,
- Advice is to 'remain in place' in cabin or move to evacuation/refuge building until flood waters recede and given 'all clear',
- Not to enter floodwaters on foot or attempt to drive vehicle through floodwater,
- If flood waters rise at night, then staff will door-knock cabins to inform occupants of situation and to 'remain in place'.

### 9.3.4 Messages

The Flood Operational Plan will incorporate warning messaging appropriate to the development and patrons according to *Warning Message Construction: Choosing your words. Guideline 1. Key considerations for writing effective warning messages.* (AIDR, 2018).

It is recommended that upon check-in, patrons sign a duty of disclosure' acknowledging potential flood risks on site and flood response procedures are to be followed in the event of potential or imminent flood conditions.



The flood conditions for this site require that warning messages need to be constructed beforehand because there will be insufficient time to devise them once the rain event has begun. Messages will have a largely generic content, with reference being made to:

- the rain that has already fallen,
- the potential for further rain, as indicated in weather forecasts,
- the areas of greatest risk (low-lying areas especially near Gatton Creek), and
- that people should remain in place in cabins or the evacuation/refuge building.

Based on flood conditions in the DFE people will be advised to take shelter in buildings rather than leave.

## **9.4 Flood response**

### **9.4.1 Elevated carpark and covered refuge area**

An elevated carpark and covered refuge area are proposed that will be above the Defined Flood Level plus at least 300 mm freeboard for patrons/customers and visitors to shelter in the unlikely event of floodwater traversing the site. The area will provide shelter from inclement weather and be sufficiently large for the number of people in the Tourist Park. The elevated carpark will ensure that vehicles are not located within floodwaters during the Defined Flood Event, so patrons of the Tourist Park will not be tempted to access their vehicles to move them out of floodwater.

### **9.4.2 Evacuation**

It is considered that sheltering in place (i.e. stay inside accommodation buildings or move to the evacuation/refuge building) is the most appropriate recommendation for the following reasons:

- Limited warning time available at this location,
- Site flooding could occur during the night while patrons are sleeping,
- Flooding of Warrego Highway occurs during the DFE
- Other hazards could exist during the flood event.

Evacuation offsite is not recommended or proposed.

A detailed flood response plan can be developed in the Operational Works phase and will utilise current guidelines as detailed in section 11.



### 9.4.3 Triggers and actions

The earliest trigger to prompt emergency response and actions by the Tourist Park staff is the issue of a Flood Warning received through the Early Warning Network. The 'Emergency actions' table for the proposed development specific to the subject site is provided within Table 9-1.

Table 9-1 Emergency actions

Time after issuance of Flood Warning or flood condition	Responsibility for action	Action
0 hours <ul style="list-style-type: none"> <li>Weather hazard alert received from early warning system</li> <li>Rainfall alert for catchment received by Tourist Park staff</li> </ul>	Tourist Park staff	<ul style="list-style-type: none"> <li>Tourist Park staff relays Flood Warning message to other staff then to tourist park patrons and visitors: <ul style="list-style-type: none"> <li>This will include providing advice to 'remain in place' in site buildings and elevated carpark/refuge area.</li> </ul> </li> </ul>
Anytime after 0 hours <ul style="list-style-type: none"> <li>Water level alert for flow in Gatton Creek received by site staff</li> <li>Rainfall alert for catchment received by site staff</li> </ul>	Tourist Park staff	<ul style="list-style-type: none"> <li>Tourist Park staff relays water level alert message to staff then to tourist park patrons and visitors: <ul style="list-style-type: none"> <li>This will include providing advice to 'remain in place' in site buildings.</li> </ul> </li> <li>Tourist Park staff monitors water levels visually and weather conditions via Bureau of Meteorology radar.</li> <li>Tourist Park staff relays ongoing and changing weather and water level conditions to staff, patrons and visitors.</li> </ul>
Anytime after water level alert for flow in Gatton Creek has sounded.	Tourist Park staff	<ul style="list-style-type: none"> <li>Tourist Park staff monitors water levels visually and weather conditions via Bureau of Meteorology radar.</li> <li>If flood levels continue to rise and start to inundate tourist park area: <ul style="list-style-type: none"> <li>Inform staff, patrons and visitors to 'remain in place' in site buildings</li> <li>Inform vulnerable persons (if in the open) to move to evacuation/refuge building or to their cabin.</li> </ul> </li> </ul>
Anytime water level fully inundates tourist park ground surface	Tourist Park staff	<ul style="list-style-type: none"> <li>Tourist Park staff monitors water levels visually and weather conditions via Bureau of Meteorology radar.</li> <li>If flood levels continue to rise and fully inundate tourist park area: <ul style="list-style-type: none"> <li>Inform staff, patrons and visitors to 'remain in place' in site buildings.</li> </ul> </li> </ul>
After water levels start to recede.	Tourist Park staff	<ul style="list-style-type: none"> <li>Tourist Park staff monitors water levels visually and weather conditions via Bureau of Meteorology MetEye, radar and Early Warning Network.</li> <li>If flood levels start to recede: <ul style="list-style-type: none"> <li>Inform staff, patrons and visitors to 'remain in place' in site buildings until water levels recede from Tourist Park ground surface, no further rain is expected and given all clear by onsite manager.</li> </ul> </li> </ul>

### 9.5 Flood recovery

A flood recovery plan can be developed for the Tourist Park in the Operational Works phase and will utilise current guidelines.



## 10 Conclusions and recommendations

### 10.1 Flood Impact Assessment

The Flood Impact Assessment has adopted the existing conditions hydraulic model as provided by Lockyer Valley Regional Council (LVRC) and undertaken hydraulic simulations for proposed conditions. Proposed conditions for the Withcott Tourist Park were represented by modification of surface roughness of the terrain, elevation shape for the carpark on fill, layered flow constriction shape for the carpark on suspended slab, and vehicle ramps to the elevated carpark. The report has defined the nature and extent of all proposed works, including the intended location of works. The flood event simulated was the Defined Flood Event (DFE), being the January 2011 event with boundary conditions per the TUFLOW hydraulic model provided by LVRC.

Urban development usually modifies the naturally occurring or existing drainage regime and can potentially alter the flood characteristics in the local area. All reasonable measures have been taken to minimise the effect of such changes.

It was demonstrated in the study and in the results of the flood impact assessment that:

- The changes to flood hazard are minor and the proposed development area on the site is generally outside the 'high' flood hazard category,
- There is immaterial change to the peak discharge, volume or duration of the flow,
- The flood impacts on surrounding properties caused by the proposed development are considered negligible in the context of the Defined Flood Event being the 1 in 2000 AEP (rare/extremely rare likelihood),
- There is not an unlawful or unreasonable interference with any person's use or enjoyment of surrounding land.

It is concluded that the proposed development and the alterations to the flow regime are reasonable.

The following recommendations are made:

1. Based on the flood impact assessment (and satisfaction of other development assessment requirements), it is recommended that the development application be approved.
2. The proposed development shall not propose any significant earthworks to the Tourist Park accommodation area.
3. Existing dense vegetation in creek to be reinstated.
4. The development shall be in accordance with the Acceptable Outcomes (AO) in Column 2 of Appendix D of the TLPI.

### 10.2 Flood Risk Management Plan

The Flood Risk Management Plan presented the flood conditions, a flood risk assessment, and recommended flood preparedness measures for the proposed development. The exposure of people to flood risk will increase however the proposed accommodation cabins will provide refuge above flood waters in the event of the DFE. New buildings will be designed to withstand flood forces through structurally resilient footings and stumps and erosion protection measures. Other risk reduction measures for the development are proposed and described.

The flood risk assessment for the proposed development found that the risk rating after risk reduction measures are implemented was 'low' for most consequences and 'medium' for another consequence.

Assessments against the Temporary Local Planning Instrument 2020 – Flood Regulation (TLPI) and the benchmarks for *Natural hazards, risk and resilience - Flood* (DILGP (2017)) was undertaken appropriately with responses Performance Outcomes and/or Acceptable Outcomes.

It is concluded that the proposed flood preparedness measures are effective in lowering the initial consequence levels to provide an acceptable risk rating for the development.



The following recommendations are proposed:

1. The development is to implement the Flood Preparedness measures per section 8.4.
2. Proposed buildings are to have finished floor levels at least 300 mm above the defined flood level for non-vulnerable persons.
3. Minimum building finished floor levels are to be provided per the drawings provided in Appendix E .
4. Proposed buildings are to be designed and built according to guidelines for construction of buildings in flood hazard areas (refer to section 9.3):
  - (a) Flood Resilient Building Guidance for Queensland Homes (2019)
  - (b) MP 3.5 - Construction of buildings in flood hazard areas 2013 (Queensland Development Code)
  - (c) Construction of Buildings in Flood Hazard Areas 2012 (ABCB)

### 10.3 Flood Emergency Management Plan (Flood planning)

The Flood Emergency Management Plan (Flood planning) section presents various flood warning and flood response measures that can be tailored to site location and proposed development. These are considered to be appropriate and adequate to reduce flood risk at the site.

The following recommendations are proposed:

1. A flood-free elevated carpark and covered refuge area above the Defined Flood Level plus 300 mm freeboard.
2. The development is to implement the Flood Warning, Flood Response and Flood Recovery measures per section 9.

### 10.4 Tolerability

Implementation of the recommended measures outlined in this report for the proposed tourist park development are considered effective to reduce the flood risk to tolerable for the defined flood event. Tolerable risk is defined as (DILGP, 2017):

*A tolerable risk is a risk that, following an understanding of the likelihood and consequences, is low enough to allow the exposure to continue, and at the same time high enough to require new treatments or actions to reduce risk. Society can live with this risk but believes that, as much as is reasonably practical, steps should be taken to reduce the risk further.*





## 11 References

- Australian Building Codes Board (2012). Construction of buildings in flood hazard areas. Version 2012.3. ABCB Standard. **Available online:** [https://www.hpw.qld.gov.au/\\_data/assets/pdf\\_file/0017/12914/abcb-standard-construction-buildings-in-flood-hazard-areas.pdf](https://www.hpw.qld.gov.au/_data/assets/pdf_file/0017/12914/abcb-standard-construction-buildings-in-flood-hazard-areas.pdf) Accessed: 8 April 2021.
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- Business Queensland (2017). Installation of sewerage reflux valves on flood affected properties. **Available online:** [https://www.hpw.qld.gov.au/\\_data/assets/pdf\\_file/0024/5874/installingseweragerefluxvalvesonfloodaffectedproperties.pdf](https://www.hpw.qld.gov.au/_data/assets/pdf_file/0024/5874/installingseweragerefluxvalvesonfloodaffectedproperties.pdf) Accessed: 8 April 2021.
- DILGP (2017). State Planning Policy – state interest guidance material. Natural hazards, risk and resilience – Flood. **Available online:** <https://dsdmipprd.blob.core.windows.net/general/spp-guidance-natural-hazards-risk-resilience-flood.pdf> Accessed: 16 April 2021. The State of Queensland, Department of Infrastructure, Local Government and Planning.
- Jacobs (2015). Withcott- Gatton Creek Capacity Improvements. Lockyer Valley Regional Council. Concept Design and Investigations. QE06692-001\_ALL\_ECR-PR\_00\_003 | FINAL REV 1. PU001407. 14 Jan 2015.
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## Appendix A LVRC Information Request



Lockyer Valley Regional Council  
26 Railway Street, PO Box 82, Gatton Qld 4343  
All official correspondence to be addressed to the CEO  
Telephone 1300 005 872 | Facsimile (07) 5462 3269  
Email mailbox@lvrc.qld.gov.au | www.lockyervalley.qld.gov.au

Application ID: MC2020/0051 & RL2020/0029  
Enquiries: Miriam Sharp  
Your Reference: 20155  
Contact: 5462 0678

2 November 2020

Withcott Tourist Park Pty Ltd  
C/- Project Urban  
PO Box 6380  
MAROOCHYDORE BC QLD 4558

Dear Amanda

### Information Request *Planning Act 2016*

I refer to your application and advise that Council requires further information to satisfactorily assess the proposal.

#### APPLICATION DETAILS

Application No:	MC2020/0051 & RL2020/0029
Proposal:	Development Permit for Material Change of Use for a Caravan Park; and Development Permit for Reconfiguring a Lot – Boundary Realignment (2 Lots into 2 Lots); and Development Permit for Environmentally Relevant Activity 63
Street Address:	656 Toowoomba Connection Road WITHCOTT QLD 4352; and 7 Jones Road WITHCOTT QLD 4352
Real Property Description:	Lot 5 RP903407 Lot 1 SP110788
Planning Scheme:	Gatton Shire Planning Scheme 2007

#### INFORMATION REQUIRED

The information requested is set out below:

##### Issue – Flooding

The subject property is affected by the Defined Flood Event and an Overland flow path as identified on Overlay Map F1 of the *Temporary Local Planning Instrument 2020 (Flood regulation)* and Section 13 of the *Building Regulation 2006*. The application does not contain an assessment against the *Temporary Local Planning Instrument 2020 – Flood Regulation (TLPI)*.



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The site was significantly affected by flooding in the 2011 flood event i.e. high volume, fast flowing variable depth water ran across the site as it is located in the Gatton Creek. The peak flow ran for some time, there was no warning of this event – buildings were damaged, cars and trucks were swept away on the adjacent road network. Any proposed use must be consistent and manage the risk posed by these conditions.

The prelodgement meeting last year was based on various uses other than a caravan park for the subject premises. Council provided comment at the time that flooding had occurred in this area/location without much warning time for evacuation, and that any future buildings as a mitigation strategy against impacts on the development and others would at least need to adopt a stumps strategy.

The lodged application now proposes the use to be a caravan park. This would require the development of permanent service buildings and the presence of caravans and potentially permanent cabins sited on the ground. It is likely that the proposed use would be accessed by children and older persons, being the most vulnerable category for the flood hazard levels mapped for the premises. Based on flood hazard category level, it is unsafe in certain areas of the premises for vehicles and buildings. A standard consideration in flood risk management, when looking at areas of high vulnerability to flooding, is that use intensification is avoided in such areas.

#### Information Required

- 1 Provide an assessment against the TLPI and demonstrate that the proposed development complies with the TLPI, in particular how it is proposed to provide sufficient protection from flooding issues for vulnerable persons. Common law requirements may also need to be considered in relation to impacts on adjacent property – clarify the management of such issues.
- 2 Demonstrate that the proposed development complies with the Assessment Benchmarks for Natural Hazards, Risk and Resilience under the *State Planning Policy 2017*.
- 3 Submit a Flood Impact Assessment prepared by a suitably qualified RPEQ of flood risk management considerations and measures adopted relating to the proposed use including but not limited to the following:
  - a) Flood planning – avoidance, resilience and mitigation measures (on the site and external to the site), flood warning system, flood operational plan, flood recovery of the site. Mitigation measures should consider creek bank rehabilitation and restoration;
  - b) Demonstration that the proposed development satisfies requirements of items 1 & 2;
  - c) Demonstrate that there will be no adverse flood impacts on site and adjacent upstream/downstream properties due to proposed earthworks due to the topography of the site. It is noted that it is likely that earthworks would be required to facilitate the proposed use;
  - d) Demonstration that there will be no adverse impacts or actionable nuisance to all neighbouring, upstream, adjacent and downstream properties.

Note: Based on the legal advice received by Council, potential impacts due to a proposed development should be regarded as unsatisfactory (and may result in an actionable nuisance) if:

- i. any increase in flood level afflux of greater than 10mm on nearby properties (as defined above);



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- ii. there is a material increase in the duration of inundation of flood water on nearby properties.
- e) Demonstrate that the pathway (pedestrian/cycle) connection to the adjacent retail centre and mountain bike track have appropriate flood immunity, and address requirements in section 12 of QUDM 2016 in relation to hazard;
- f) Demonstrate that the proposed wire fencing along the creek would be designed to ensure that it will not impede debris and pose a danger, or alternatively remove proposed wire fencing; and
- g) Submit 2D flood modelling data files in ASC file format for Council review.

Note: Council could provide available flood modelling data files for the area under a data sharing agreement for a current fee of \$1,500 (fee may be subject to change and fee at the time of application would be applied).

#### Issue – Stormwater Quality

The Lockyer Valley Region is within the SEQ Water drinking water catchment. The applicant must address water quality management requirements in the Development Guidelines Water Quality Management in Drinking Water Catchments and Assessment benchmarks – water quality under the current State Planning Policy as applicable.

#### Information Required

- 4 Submit a detailed Stormwater Quantity and Quality Management Report prepared by a suitably qualified RPEQ. The report must include, but not be limited to, the following:
  - a. Investigation on providing water quality treatment for a site impacted by flooding;
  - b. Recommendations on water quality treatment measures and suitable locations within the site; and
  - c. 'MUSIC' modelling data files for Council review.

#### Issue – Earthworks

Based on the contours it appears that the pump track and some of the tent camping areas are close to the creek and at lower elevations and are likely to require fill. No indicative Earthworks Plan was provided.

#### Information Required

- 5 Provide an indicative Earthworks Plan to show how close the cut and fill is to the creek.

#### Issue – Access

Section 5.5 of the Traffic Engineering Assessment Report states that *'Vehicle access is proposed with a separation which meets the requirements of the Australian Standard at Figure 3.1 of that document.'* Clarification and information is required on the standard referred to and how the proposed works conforms to the standard.

#### Information Required

- 6 Demonstrate on a scaled plan that adequate separation has been provided for the proposed access point with respect to Shorelands Drive and provide more detailed document reference to the standard.



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Issue

It is unclear how many additional car parking spaces are to be provided. The proposal plans include 5 spaces, the Traffic Engineering Assessment Report refers to 8 additional spaces, and the planning report states there are to be an additional 15 spaces.

Information Required

- 7 Clarify the additional car parking spaces to be provided. Ensure that the proposal plan identifies the correct number and location.

Issue

On-site effluent disposal information is incomplete. The Waste Water Management Plan recommends the utilisation of an AES system, but does not address the method of waste water disposal over the required Land Application Area.

Information Required

- 8 Provide the total number of Equivalent Persons for the site including staff.  
9 Provide the method of effluent disposal over the entire land application area.

Issue

It has not been demonstrated that there is demand for a Tourist Park in this location.

Information Required

- 10 Demonstrate that there is demand for a Tourist Park in this location. This may be done through an Economic Needs Assessment prepared by a suitably qualified professional.

Issue

There are a number of sensitive receptors located in close proximity to the subject site. It has not been demonstrated what the potential impact from the proposed development is on these sensitive receptors, in particular in relation to noise and lighting. No Noise Impact Assessment or Light Assessment was provided with the application.

Information Required

- 11 Provide a Noise Impact Assessment, focusing on how the development will mitigate the additional noise impacts on sensitive uses within 200m of the subject land. The report is to be prepared by a suitably qualified professional.  
12 Provide a Light Assessment, focusing on how the development will mitigate the potential light impacts on sensitive uses within 200m of the subject land. The report is to be prepared by a suitably qualified professional.

**End of Information Request**

Under the provisions of the *Development Assessment Rules 2017*, you have three (3) options available in response to this Information Request. You may give the assessment manager (in this instance Council):

- (a) all of the information requested; **or**  
(b) part of the information requested; **or**



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(c) a notice that none of the information will be provided.

For any response given in accordance with items (b) and (c) above, you may also advise Council that it must proceed with its assessment of the development application.

Please be aware that under the *Development Assessment Rules 2017*, the applicant is to respond to any Information Request within **three (3) months** of the request. If you do not respond to the Information Request within this time period, or, within a further period agreed between the applicant and Council, it will be taken that you have decided not to provide a response. In the event of no response being received, Council will continue with the assessment of the application without the information requested.

Council prefers that all of the information requested be submitted as one package. If any additional matters arise as a result of the information submitted, or, as a result of public notification (where applicable), you will be advised accordingly.

Should any referral agency make an information request, you are reminded of your obligation to provide council with a copy of the information response provided to that referral agency.

You may wish to follow the progress of this application using "Track an Application" on Council's [website](#).

Should you have any further queries in relation to the above, please do not hesitate to contact Miriam Sharp on the above number.

Yours faithfully



Kim Calio  
MANAGER PLANNING, POLICY AND COMMUNITY WELLBEING



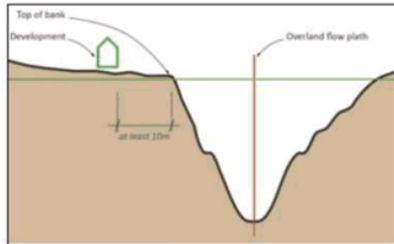
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## Appendix B Assessment against Temporary Local Planning Instrument 2020 – Flood Regulation (TLPI)

### TLPI (2020) APPENDIX D FLOOD HAZARD OVERLAY CODE

Assessment benchmarks (TLPI 2020)		Response
Column 1 Performance outcomes	Column 2 Acceptable outcomes	
For Accepted development subject to requirements		
<b>PO1</b> To the greatest extent practicable, development avoids areas known to be, or have the potential to be, affected by flooding.	<b>AO1.1</b> Development does not occur on land identified as: (a) high flood hazard area; or (b) medium flood hazard area.	Development is proposed on land that is mostly within 'low' flood hazard.  Refer to AO4 and PO4 response.
	<b>AO1.2</b> If located on land in a flood investigation area or overland flow path, a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is not exposed to high or medium flood hazard.	Flood impact assessment shows most of the proposed 'development area' is not exposed to high flood hazard. Some of the development area is on the edge of the high flood hazard area.
	<b>AO1.3</b> Development is located at least 10m from the top of bank of an overland flow path.	Top of bank is not defined in this area.
		



Assessment benchmarks (TLPI 2020)		Response
Column 1 Performance outcomes	Column 2 Acceptable outcomes	
For Accepted development subject to requirements and Assessable development		
<b>PO2</b> In the low flood hazard area, development that provides for vulnerable persons is avoided, otherwise development minimises risk from the adverse effects of flooding to the greatest extent practicable.  Note — Development that provides for vulnerable persons may include annexed units, apartments, child care centres, community care centres, community uses, education establishments, health care services, hospitals, residential care facilities and retirement facilities.	<b>AO2.1</b> A new building or structure is sited on the highest part of the lot.  <b>AO2.2</b> Development does not involve the filling of land to achieve flood immunity.  <b>AO2.3</b> The floor level of any habitable room of a proposed building or extension to an existing building is a minimum of 300mm above the defined flood level.  <b>AO2.4</b> The area below habitable rooms is left open so as to not impede flood inundation.  <b>AO2.5</b> If understorey screening is provided, it must allow for the flow through of floodwater, and provide a minimum 50% permeability (e.g. using vertical battens with a batten width gap between battens).  <b>AO2.6</b> The understorey may be used for parking of vehicles or storage of items that are capable of being easily moved in the event of a flood.  <b>AO2.7</b> Utilities and services not regulated by the Queensland Development Code MP 3.5 or the <i>Plumbing and Drainage Act 2018</i> (e.g. air conditioners, electrical services, gas), are located a minimum of 300mm above the defined flood level.  <b>AO2.7</b> Development does not alter the predevelopment profile of the site or interfere with an overland flow path.  <b>AO2.8</b> Development does not expose vulnerable persons to flood hazard.	<p>New buildings (on stumps) are located on the highest part of the lot.</p> <p>Development involves filling of land for the carpark/refuge area and impacts have been presented and assessed in the flood study.</p> <p>Floor levels of buildings will be a minimum of 300 mm above the DFL.</p> <p>The proposed buildings will be on stumps (no sides) to allow flood water to pass beneath.</p> <p>No sides are proposed for the underfloor area of buildings or the suspended carpark slab on stumps.</p> <p>No parking or storage of items is proposed under the buildings.</p> <p>All utilities and services will be at least 300 mm above the DFL.</p> <p>Proposed development alters the predevelopment profile of the site and impacts have been presented and assessed in the flood study..</p> <p>Vulnerable persons will be protected from flood hazard by FFLs above the Probable Maximum Flood (PMF) level.</p>
<b>PO3</b> In the flood investigation area and overland flow paths, development: (a) minimises risk from the adverse effects of flooding to the greatest extent practicable; and (b) only occurs where it is designed to respond to the hazard level applicable to the site.  Note—Land in the flood investigation area is susceptible to some degree of flooding. Detailed modelling of this land has not been undertaken. A site specific assessment is required to determine the hazard classification of the land, and its suitability for development.	<b>AO3</b> In a flood investigation area or overland flow path: (a) written advice is obtained from Council stating that the latest data available to Council confirms that the site is not subject to flooding; or (b) a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is not exposed to high, medium or low flood hazard; or (c) where a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is exposed to low flood hazard, the development satisfies AO2.1-AO2.8; or (d) where a local flood study, prepared by a suitably qualified person and approved by Council, determines that the development site is exposed	<p>(a) Not applicable.</p> <p>(b) Not applicable.</p> <p>(c) The flood impact assessment shows approximately half the proposed 'development area' is within a 'low' flood hazard area. Refer to AO2.1 – AO2.8.</p> <p>(d) The flood impact assessment shows part of the proposed 'development area' is within 'medium' or 'high' flood hazard area. Refer to Flood Risk Management Plan describing risk mitigation.</p>
	to high or medium flood hazard, the development satisfies AO4 or PO4.	



Assessment benchmarks (TLPI 2020)		Response
<p><b>PO4</b> In areas of medium or high flood hazard, development is avoided. Where development cannot be avoided, risks associated with flooding are mitigated to an acceptable level.</p>	<p><b>AO4</b> In a medium or high flood hazard area, a report prepared by a suitably qualified person is provided demonstrating that the risks associated with flooding, including (but not limited to): (a) risk of isolation; (b) risk to road access; (c) risk to life; (d) risk to property; and (e) off-site impacts; are mitigated to an acceptable level.</p>	Refer to Flood Risk Management Plan describing risk mitigation for items (a) through (e).
<p><b>PO5</b> Reconfiguration of a lot responds to flooding potential and maintains personal safety at all times.</p> <p>Note — Applicants are advised to refer to the Queensland Government's Evacuation: Responsibilities, Arrangements and Management Manual — M.1.190.</p>	<p><b>AOS.1</b> Each lot includes an area for the construction of buildings and structures that is located above the defined flood level that: (a) if in the Gatton Shire Planning Scheme area and: (i) located in the Emerging communities zone, Urban residential zone or Village zone — comprises the entire lot; (ii) located in the Park residential zone or Rural residential zone — is a minimum of 1500m<sup>2</sup> in area (exclusive of access handle) with a minimum dimension of 20m; (b) if in the Laidley Shire Planning Scheme area and: (i) located in the Residential expansion area, Urban residential area, Urban residential (small lots) area or Village area — comprises the entire lot; (ii) located in the Rural residential area — is a minimum of 1500m<sup>2</sup> in area (exclusive of access strip) with a minimum dimension of 20m; (c) if in any other area — is of an adequate size and shape to accommodate any buildings and outbuildings that would be anticipated.</p> <p><b>AOS.2</b> Development provides at least one road access to service the development which is higher than the defined flood level and capable of remaining passable for evacuation.</p>	<p>The site is within the Gatton Shire Planning Scheme area and is zoned Commercial. (a) Not applicable (b) Not applicable (c) The lot is of an adequate size and shape to accommodate buildings and elevated carpark/refuge area.</p> <p>The development has road access to Jones Road and Shorelands Drive which are generally within a 'low' flood hazard area.</p>



## Appendix C Assessment against benchmarks for Natural hazards, risk and resilience - Flood (DILGP (2017))

### C.1 DILGP (2017) Table 7 assessment benchmarks

Assessment benchmarks (DILGP (2017))		Response
Table 7: Assessment benchmarks for accepted and assessable development		
<b>Performance outcome</b>	<b>Acceptable outcome</b>	
<b>PO1</b> Development is resilient to flood events by ensuring design and built form accounts for the potential risks of flooding.	<b>AO1.1</b> A new building or extension to an existing building is not located in a high hazard or high risk area.	Development is proposed on land that is generally outside 'high' flood hazard area.
	<b>AO1.2</b> A new residential building in the flood hazard area provides a finished habitable floor level to at least the level specified in table 9.  <b>OR</b> Where a finished habitable floor level is not prescribed, a new building is: a) not located in the flood hazard area; or b) located on the highest part of the site to minimise entrance of floodwaters.	New habitable buildings will have FFLs set at least 300 mm above the DFL. Refer Appendix B
	<b>AO1.3</b> A new non-residential building (other than Class 10 buildings) in the flood hazard area: 1. provides a finished floor level to at least the level specified in table 9.  <b>OR</b> Where a finished floor level is not prescribed, a new non-residential building (other than Class 10 buildings) is: a) not located in the flood hazard area; or b) located on the highest part of the site to minimise entrance of floodwaters.	Any new non-residential buildings will have FFL set at least 300 mm above the DFL (non-vulnerable persons).
<b>PO2</b> Development: a) ensures occupants are prepared for flood events; and b) avoids release of hazardous materials into floodwaters.	<b>AO2.1</b> Materials stored on site: a) are readily able to be moved in a flood event; and b) where capable of creating a safety hazard by being shifted by floodwaters, are contained to minimise movement in times of flood.  <i>Note: A business should ensure that the necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to allow enough time to transfer stock to the upstairs level of the building or elsewhere).</i>	(a) Materials stored on site will be stored at least 300 mm above the DFL and will therefore not need to be moved prior to a flood event. (b) Materials will be stored at least 300 mm above the DFL.
	<b>AO2.2</b> Development ensures: a) the manufacture or storage in bulk of hazardous materials is located at least above the flood planning level in table 9; or b) structures used for the manufacture or storage of hazardous materials in bulk are designed to prevent the intrusion of floodwaters.	(a) Development does not involve the manufacture or storage of hazardous materials. (b) Development does not involve the manufacture or storage of hazardous materials.





## C.2 DILGP (2017) Table 8 assessment benchmarks

Assessment benchmarks (DILGP (2017))		Response
Table 8: Assessment benchmarks for assessable development		
<b>Performance outcome</b>	<b>Acceptable outcome</b>	
<b>Risk-compatible land use</b>		
<b>PO1</b> Development is compatible with the level of risk associated with the natural hazard, such that: a) urban development in the high hazard or high risk area is avoided b) urban development in the medium or low hazard or risk areas mitigates the flood risk c) community infrastructure is located to minimise risk to people and property.	<b>AO1.1</b> Development in high hazard or high risk areas is limited to non-urban uses.  <b>AO1.2</b> Development in medium or low hazard/risk areas is consistent with the overall outcomes of the applicable zone.  <b>AO1.3</b> Community infrastructure is located in accordance with the community infrastructure flood immunity standards specified in table 12.	<p>Development is proposed on land that is generally outside 'high' flood hazard area.</p> <p>Development will minimise flood impacts by having proposed buildings on stumps and floor levels set above the DFL plus 300 mm freeboard.</p> <p>An elevated carpark/refuge area is proposed that will have FFLs set above the DFL plus 300 mm freeboard.</p>
<b>Resilient built form</b>		
<b>PO2</b> Development is resilient to flood events by ensuring design and built form take appropriate account of the potential risks of flooding.	<b>AO2.1</b> A new building or extension to an existing building is not located in a high hazard or high risk area.  <b>AO2.2</b> A new residential building in the flood hazard area provides a finished habitable floor level to at least the level specified in table 9.  <b>OR</b>  Where a finished habitable floor level is not prescribed, a new building is: a) not located within the flood hazard area; or b) located on the highest part of the site to minimise entrance of floodwaters.  <b>AO2.3</b> A new non-residential building (other than Class 10 buildings) in the flood hazard area: a) provides a finished floor level to at least the level specified in table 9  <b>OR</b>  Where a finished floor level is not prescribed, a new non-residential building (other than Class 10 buildings) is: a) not located in the flood hazard area; or b) located on the highest part of the site to minimise entry of floodwaters.	<p><u>AO2.1 response:</u> Development is proposed on land that is generally outside 'high' flood hazard area.</p> <p><u>PO2 response:</u> Proposed buildings (footings and poles) will be resilient to flood water.</p> <p>Any new non-residential buildings will have FFL set at least 300 mm above the DFL.</p> <p>Any new non-residential buildings will have FFL set at least 300 mm above the DFL.</p>



Assessment benchmarks (DILGP (2017))		Response
Table 8: Assessment benchmarks for assessable development		
<p><b>PO3</b> Development ensures that a use which requires an interface with the public realm (including a commercial or residential use) maintains a functional and attractive relationship with the adjacent street frontage.<sup>14</sup></p>	<p><b>AO3.1</b> Development for a residential use where pier and pole construction is utilised: a) if understorey screening is provided it is a minimum of 50% permeable to allow for the flow of floodwater through the understorey.</p> <p><b>AO3.2</b> Development for a commercial building or structure maintains an active street frontage through: a) providing clear pedestrian access from any adjacent footpath to the floor level of the commercial activity;</p>	<p><b>AO3.1 response:</b> All proposed buildings will be pier and pole construction with no understorey screening allowing for 100% permeability for flow of floodwater.</p> <p><b>AO3.2 response:</b> Not applicable to this development.</p>
	<p>b) providing a retail or food and beverage use, if consistent with the purpose of the applicable zone and precinct, which interfaces with and overlooks the street;</p> <p>c) urban design treatments that screen the understorey of the building from view from the adjacent street frontage but do not impede flood flow.</p>	
<p><b>Siting, access and isolation</b> <b>PO4</b> Development siting and layout responds to flooding potential and maintains personal safety at all times.</p>	<p><b>AO4.1</b> A lot for an urban purpose: a) is not located in the flood hazard area; or b) has a ground level above the DFE.</p> <p><b>AO4.2</b> Development complies with the filling requirements of table 10.</p> <p><b>AO4.3</b> Development in a greenfield area protects a flood conveyance area by providing an easement or reserve over the area of the premises up to the DFE.</p> <p><b>AO4.4</b> The road and/or pathway layout in the development provides a safe and clear evacuation path: a) to ensure persons are not physically isolated from an adjacent flood-free urban area; b) by locating entry points into the reconfiguration above the DFE and avoiding cul-de-sacs or other non-permeable layouts; and c) in the form of at least one evacuation route that meets the requirements of table 11 during floods up to the DFE.</p> <p><b>AO4.5</b> Development allows for an area within the development site at or above the flood planning level with sufficient space to accommodate the likely population of the development in safety for a relatively short time until flash flooding subsides (if applicable) or people can be evacuated.</p> <p><b>AO4.6</b> Development ensures that: a) signage is provided on a road or pathway indicating the position and path of all safe evacuation routes off the premises; b) if the premise contains or is within 100m of a waterway, hazard-warning signage and depth indicators are provided at each key hazard point, such as at a waterway crossing or an entrance to a low-lying reserve.</p>	<p><b>PO4 response:</b> Flood resilient buildings only on piers and poles with FFLs above the DFL plus 300 mm freeboard are proposed.</p> <p><b>AO4.2 response:</b> Filling is proposed as part of development and has been assessed in the flood study.</p> <p><b>PO4 response:</b> Flood resilient buildings only on piers and poles with FFLs above the DFL are proposed.</p> <p><b>PO4 response:</b> Elevated boardwalks allow for clear evacuation paths to areas of no flood hazard and proposed elevated carpark/refuge area.</p> <p><b>AO4.5 response:</b> An elevated carpark/refuge area with adequate floor space for development population with FFL set above the DFL plus 300 mm freeboard is proposed.</p> <p><b>AO4.6 response:</b> (a) Signage will be provided per 'evacuation plan' provided in Appendix E. Hazard warning signage will be provided adjacent to the proposed path access to Gatton Creek and at other prominent locations provided in Appendix E.</p>





Assessment benchmarks (DILGP (2017))		Response
Table 8: Assessment benchmarks for assessable development		
<b>Infrastructure and utilities</b> <b>PO5</b> Utilities/infrastructure in a site (including roads electricity, gas, water supply, wastewater and telecommunications) supports community resilience during flood events.		<b>AO5.1 (a), (b) and (c) response:</b> Utilities such as electrical meters, switchboards, electrical points and hot water systems will be set above the DFL.
<b>AO5.1</b> Utilities infrastructure components that are likely to fail to function as a result of intrusion of floodwaters or are likely to result in contamination from floodwaters are: a) not located in the flood hazard area; b) located above the flood planning level; or c) located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.		
<b>AO5.2</b> In new subdivisions and large master planned developments/redevelopments, arterial, sub-arterial or major collector roads are located above a suitable flood immunity level. <sup>15</sup>		<b>AO5.2 response:</b> Not applicable to this development.
<b>Disaster management and recovery and business continuity</b> <b>PO6</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities, and ensures occupants are prepared for flood events.		<b>AO6.1 response:</b> Development is proposed so occupants at site can 'remain in place' in buildings (FFLs above the DFL plus 300 mm freeboard) from the commencement of flooding. Warning time is not sufficient for evacuation off site.
<b>AO6.1</b> Development is located to support self-evacuation of people, and ensure sufficient warning time for the nature of the use.		
<b>AO6.2</b> Development does not: a) shorten warning time for other uses in the floodplain; b) impact on the ability of traffic to use evacuation routes, or unreasonably increase traffic volumes on evacuation routes.		<b>AO6.2 response:</b> (a) Development does not shorten warning time for other users of the floodplain. (b) Development does not impact evacuation routes or unreasonably increase traffic volumes.
<b>AO6.3</b> Materials stored on site: a) are readily able to be moved in a flood event to a flood-free area; and b) where capable of creating a safety hazard by being shifted by floodwaters, are contained in order to minimise movement in times of flood.  <i>Note: Businesses should ensure that necessary emergency and continuity plans are in place to account for the potential need to evacuate personnel and to relocate property prior to a flood event (e.g. to allow enough time to transfer stock to the upstairs level of a building or elsewhere).</i>		<b>AO6.3 response:</b> (a) Materials stored on site will be stored at least 300 mm above the DFL and will therefore not need to be moved prior to a flood event. (b) Materials will be stored at least 300 mm above the DFL.



Assessment benchmarks (DILGP (2017))		Response
Table 8: Assessment benchmarks for assessable development		
<b>Hazardous processes or materials</b> <b>PO7</b> Development avoids the release of hazardous materials into floodwaters.		<b>AO7.1 response:</b> (a) Development does not involve the manufacture or storage of hazardous materials. <b>AO7.2 response:</b> Development does not involve the manufacture or storage of hazardous materials.
<b>AO7.1</b> Materials manufactured or stored on site are not hazardous or noxious, or comprise materials that may cause a detrimental effect on the environment if discharged in a flood event. <b>OR</b> <b>AO7.2</b> If a DFE level is adopted, structures used for the manufacture or storage of hazardous materials are: a) located above the DFE level, or b) designed to prevent the intrusion of floodwaters.  If a flood level is not adopted, hazardous materials and their manufacturing equipment are located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters.  <b>Note:</b> Refer to the Work Health and Safety Act 2011 and associated Regulation and Guidelines, the Environmental Protection Act 1994 and the relevant building assessment provisions under the Building Act 1975 for requirements related to the manufacture and storage of hazardous substances. Information is provided by Business Queensland on the requirements for storing and transporting hazardous chemicals, available at: <a href="http://www.business.qld.gov.au/running-business/protecting-business/risk-management/hazardous-chemicals/storing-transporting">www.business.qld.gov.au/running-business/protecting-business/risk-management/hazardous-chemicals/storing-transporting</a>		
<b>Flood conveyance and behaviour</b> <b>PO8</b> Development directly, indirectly and cumulatively avoids: a) any increase in water-flow velocity or flood level; b) an increase the potential for flood damage either on site or on other properties; and c) reducing flood-warning times for any part of the floodplain.		<b>PO8 response:</b> (a) The flood impacts are constrained to the site and the immediate vicinity of the site. Refer to Section 7 of report. (b) Proposed buildings (footings and poles) will be resilient to flood water. Development does not increase potential for flood damage off site. (c) Development does not shorten warning time for other parts of the floodplain.
<b>AO8.1</b> Works in an urban area associated with a proposed development do not involve: a) any physical alteration to a watercourse or floodway including vegetation clearing; or b) a net increase in filling (including berms/mounds).  <b>Note:</b> Berms/mounds are considered to be an undesirable built form outcome and are not supported. <b>OR</b> <b>AO8.2</b> Works (including buildings and earthworks) in non-urban areas either: a) do not involve a net increase in filling greater than 50m <sup>3</sup> ; <b>OR</b> <b>AO8.3</b> Development: a) complies with the filling requirements of table 10; b) maintains the flood storage capacity on the subject site; c) does not increase the volume, velocity, concentration or flow-path alignment of stormwater flow across sites upstream, downstream or in the general vicinity; d) avoids acceleration or retardation of flows or any reduction in flood-warning times elsewhere on the floodplain; and e) does not increase stormwater ponding on sites upstream, downstream or in the general vicinity of the subject site.  <b>Note:</b> The local government may request a hydraulic and hydrology report, prepared by a suitably qualified professional, to demonstrate compliance with this performance outcome/acceptable outcome.		



Assessment benchmarks (DILGP (2017))		Response
Table 8: Assessment benchmarks for assessable development		
<b>Community infrastructure</b>		
<b>PO9</b> Development involving community infrastructure, if necessary for the specific type of community infrastructure proposed: a) avoids areas or circumstances of intolerable risk; b) remains functional to serve community need during and immediately after a flood event, if required; c) is designed, sited and operated to avoid adverse impacts on the community or the environment due to the impacts of flooding on infrastructure, facilities or access and egress routes; d) retains essential site access during a flood event; and e) is able to remain functional even when other infrastructure or services may be compromised in a flood event.	<b>AO9.1</b> Community infrastructure is located in accordance with the community infrastructure flood-immunity standards specified in table 12.	<b>AO9.1 response:</b> Community infrastructure is not proposed as part of this development.
	<b>AO9.2</b> Infrastructure components that are likely to fail to function as a result of intrusion of floodwaters or are likely to result in contamination from flood waters are: a) not located in the flood hazard area; b) located above the flood planning level; or c) located on the highest part of the site to enhance flood immunity and designed to prevent the intrusion of floodwaters; and d) are designed and constructed to resist hydrostatic and hydrodynamic forces as a result of inundation by flood.	<b>AO9.2 response:</b> Refer to Appendix C Appendix C.2 and report section 8.4.2.
	<b>AO9.3</b> Uses involving vulnerable persons or community infrastructure that must operate during and immediately after a flood event have direct access to low hazard evacuation routes as defined in table 11.	<b>AO9.3 response:</b> Development is proposed so vulnerable occupants on site can 'remain in place' in habitable buildings and elevated carpark/refuge area (FFLs above the DFL) from the commencement of flooding. Warning time is not sufficient for evacuation off site.



### C.3 DILGP (2017) Table 9 assessment benchmarks

Assessment benchmarks (DILGP (2017))			Response
Table 9: Flood Hazard Overlay Code – Flood planning levels for finished floors (residential and non-residential development) and levels for hazardous chemicals			
Part of flood hazard area	Freeboard	Flood planning level	
<p>Area with Level 2 or 3 mapping</p> <p><i>Note: These areas may be broken down into hazard or risk areas on the basis of the outcomes from the risk assessment.</i></p>	<p>For example, 300mm or 600mm, or other locally appropriate freeboard</p> <p><b>Notes:</b></p> <ol style="list-style-type: none"> <li>1. A local government should select a suitable freeboard based on local circumstances. In some areas, flood information may be less precise, thus a higher freeboard may be necessary to address uncertainties in modelling and climate change.</li> <li>2. A local government may also wish to set different freeboards in different parts of the flood hazard area depending on flood risk.</li> </ol>	<p>Defined Flood Event + freeboard</p> <p><i>Note: In the part of the flood hazard area defined by Level 1 mapping (such as an 'investigation area') a local government may choose to:</i></p> <ol style="list-style-type: none"> <li>a) set a historic flood level known for the area as the DFE plus a conservative freeboard; or</li> <li>b) require site-based determination of the DFE by the applicant.</li> </ol> <p><i>In these circumstances a local government may apply these measures selectively across the floodplain, or for only certain aspects of development.</i></p>	<p>Habitable buildings for non-vulnerable persons will have FFLs set at least 300 mm above the DFL.</p> <p>Any new non-residential buildings will have FFL set at least 300 mm above the DFL (amenities/wellness block).</p>
<p><i>Note: If the premises are subject to another overlay or overlay component that states a planning level, the planning level that provides the highest level of immunity applies.</i></p>			

### C.4 DILGP (2017) Table 10 assessment benchmarks

Assessment benchmarks (DILGP (2017))		Response
Table 10: Flood Hazard Overlay Code – Fill requirements		
Part of flood hazard area	Fill level	
An area subject to Level 2 or Level 3 mapping	<p>To be determined by local government</p> <p><b>Note:</b> Local governments may wish to provide more detailed requirements or advice in relation to the appropriateness of filling in key areas of the floodplain. Matters to be addressed can include:</p> <ol style="list-style-type: none"> <li>a) avoiding any filling (either across the floodplain or in high hazard or risk areas, for example);</li> <li>b) allowing filling in high hazard or risk areas where only for the purposes of public infrastructure or otherwise as directed by an approved floodplain management plan;</li> <li>c) setting an appropriate fill level for areas where, strategically, filling may be acceptable, such as the DFE or the Flood Planning Level; and/or</li> <li>d) setting different fill levels across the floodplain, if necessary to achieve a local intent.</li> </ol>	<p>Development involves filling of land for the carpark/refuge area and impacts have been presented and assessed in the flood study.</p>
Further investigation area	<p>Filling permissible where complying with PO</p> <p><b>Note:</b> In the absence of detailed flood information for a certain area, local governments may wish to take a more performance based approach to the regulation of filling and undertake case-by-case assessments based on suitable hydraulic and hydrology reports.</p>	





### C.5 DILGP (2017) Table 11

Assessment benchmarks (DILGP (2017))					Response
Table 11: Flood Hazard Overlay Code – Flood evacuation route requirements					
Criteria	Degree of Flood Hazard				
	Low	Medium	High	Extreme	
Wading ability	If necessary children and the elderly could wade. (Generally, safe wading velocity depth product is less than 0.25.)	Fit adults can wade. (Generally, safe wading velocity depth product is less than 0.4.)	Fit adults would have difficulty wading. (Generally, where wading velocity depth product is less than 0.6.)	Wading is not an option.	Elevated boardwalks allow for clear evacuation paths to areas of no flood hazard and proposed elevated carpark/refuge area. Signage will be provided per section 9.3.2.
Evacuation distances	< 200 metres	200 – 400 metres	400 – 600 metres	> 600 metres	
Maximum flood depths	< 0.3 metres	< 0.6 metres	< 1.2 metres	> 1.2 metres	Hazard warning signage will be provided adjacent to the proposed path access to Gatton Creek and at other prominent locations provided in section 9.3.2.
Maximum flood velocity	< 0.4 metres per second	< 0.8 metres	< 1.5 metres	> 1.5 metres	
Typical means of egress	Sedan	Sedan early, but 4WD or trucks later	4WD or trucks only in early stages, boats or helicopters	Large trucks, boats or helicopters	
Timing	Ample for flood forecasting. Warning and evacuation routes remain passable for twice as long as evacuation time.	Evacuation routes remain trafficable for 1.5 times as long as the evacuation time.	Evacuation routes remain trafficable for only up to minimum evacuation time.	There is insufficient evacuation time.	Development is proposed so occupants at site can 'remain in place' in buildings (FFLs above the DFL) from the commencement of flooding. Warning time is not sufficient for evacuation off site.
<b>Note:</b> The evacuation times for various facilities or areas would (but not necessarily) be included in the Counter Disaster Plan (flooding). Generally, safe wading conditions assume even walking surfaces with no obstructions, steps, soft underfoot, etc.					

### C.6 DILGP (2017) Table 12

Assessment benchmarks (DILGP (2017))			Response
Table 12: Flood Hazard Overlay Code – Community infrastructure standards			
Development type	Community/floodplain context	Minimum immunity	
Select from table 18.	Select from table 18.	Select from table 18.	An elevated carpark/refuge area is proposed that will have FFLs set above the DFL plus 300 mm freeboard.



### C.7 DILGP (2017) Table 13 assessment benchmarks

Assessment benchmarks (DILGP (2017))		Response
Table 13: Assessment benchmarks		
Performance outcome	Acceptable outcome	
<b>PO</b> Development is compatible with the level of risk associated with the natural hazard, so that: a) urban development in the high hazard or high risk area is avoided; b) urban development in the medium or low hazard or risk areas mitigates the flood risk; and c) community infrastructure is located to minimise risk to people and property.	<b>AO</b> Development is compatible with the level of risk associated with the natural hazard, such that: a) residential uses, including tourism and short-term accommodation uses, are not located in a high or medium hazard/risk area (e.g. a tourist park); b) commercial and industrial development occurs only in a medium or low hazard/risk area; c) urban development in the medium or low hazard or risk area mitigates the flood risk; and d) community infrastructure involving vulnerable uses is not located in the flood hazard area.	(a) Development is proposed on land that is generally outside 'high' flood hazard area. (b) Not applicable. (c) Refer to Flood Risk Management Plan. (d) Community infrastructure is not proposed as part of this development. Any new non-residential buildings will have FFL set at least 300 mm above the DFL.
<b>PO</b> Development siting a layout responds to flooding potential and maintains personal safety at all e3times.	<b>AO</b> Development siting and layout responds to flooding potential and maintains personal safety at all times, so that: a) no new urban lots are located in a high hazard/risk area; b) lots in a medium or low hazard/risk area provides a ground level above the DFE; c) rural and rural residential lots provide sufficient area outside the DFE to accommodate the required minimum lot size.  <i>Note: Local governments may also wish to include locality-specific detail in the POs where there is a need for a specific development outcome identified by the flood risk assessment in that area.</i> <b>AO</b> Development siting and layout responds to flooding potential and maintains personal safety at all times, so that: (a) the road layout avoids isolation in a flood hazard event and does not impede evacuation; (b) vehicular access during a flood hazard event is enabled; (c) provision is made for on-site sheltering during a flood event; and (d) signage is provided to enable community members to have a clear understanding of the nature of the flood risk in the area.	Refer to Appendix C Appendix C.2.
<b>PO</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities.	<b>PO</b> The development supports, and does not unduly burden, disaster management response or recovery capacity and capabilities for all floods up to the DFE (or the PMF, if desired).	Refer to Appendix C Appendix C.2.





#### C.8 DILGP (2017) Table 14

Assessment benchmarks (DILGP (2017))		Response
Table 14: Development in isolated areas/flood islands only		
<b>Performance outcome</b> <b>PO</b> Development that involves a vulnerable use avoids locating that use in an isolated area/flood island area.	<b>Acceptable outcome</b> <b>AO</b> The vulnerable-use component of development is not located in an isolated area/flood island area identified on the flood hazard overlay map.	Refer to other assessment tables and Flood Risk Management Plan.

#### C.9 DILGP (2017) Table 15

Assessment benchmarks (DILGP (2017))		Response
Table 15: Development in overland flow paths		
<b>Performance outcome</b> <b>PO</b> Development siting and design is resilient to overland flow events, accommodates existing flow path characteristics and minimises risk to people, property and infrastructure.	<b>Acceptable outcome</b> <b>AO</b> A building in an overland flow path area provides a finished floor level to at least the overland flow planning level specified in table E.3.  <i>Note: A report from a suitably qualified professional may be required to determine the overland flow planning level at the subject site.</i> <b>AO</b> Development avoids channelising or otherwise altering existing flow paths on the site.  <b>OR</b> Development occurs in accordance with an approved site-based stormwater management plan.	Development is not within an overland flow path.

#### C.10 DILGP (2017) Table 16

Assessment benchmarks (DILGP (2017))		Response
Table 16: Realignment/rearrangement of boundaries		
<b>Performance outcome</b> <b>PO</b> Development layout does not increase the risk to existing or future people, property or infrastructure located on the premises or other premises.	<b>Acceptable outcome</b> <b>AO</b> Development ensures there is sufficient area outside the flood hazard area to accommodate the intended use(s).  <b>AO</b> Development ensures that building envelopes avoid areas of high hazard or risk.  <b>AO</b> Development ensures that the entry points into the development are located to provide a safe and clear evacuation route path that meets the requirements of table 11 during floods up to the DFE.	The lot is of an adequate size and shape to accommodate buildings and carpark. Refer to Flood Risk Management Plan.



### C.11 DILGP (2017) Table 17

Assessment benchmarks (DILGP (2017))			Response
Table 17: Building assessment provisions			
Scenario	Planning provisions	Building provisions	Refer to Refer to Flood Risk Management Plan and Flood Emergency Management Plan.
1. Where Level 2 or 3 mapping has been undertaken.	Include relationship with the building assessment provisions to declare a DFE and DFL.  Include provisions that reflect or enhance the example planning provisions and model code herein.	Trigger Queensland Development Code (QDC) provisions that address: <ul style="list-style-type: none"> <li>• structural stability</li> <li>• floor levels</li> <li>• utilities above DFL</li> <li>• infrastructure above DFL</li> <li>• backflow devices.</li> </ul>	
2. Where level 1 flood mapping is the only mapping available, Level 2 data inputs are available but Level 2 mapping has not been undertaken (no depth or velocity information available).	Include relationship with the building assessment provisions to state a DFL which could be based on: <ul style="list-style-type: none"> <li>• a particular height in Australian Height Datum (AHD)</li> <li>• a particular height above natural ground level</li> <li>• above a historical event that was recorded by an authority, or</li> <li>• above a historical event recorded by a local resident and supported by a statutory declaration.</li> </ul> Include provisions stated in scenario 1.	Trigger QDC provisions that address: <ul style="list-style-type: none"> <li>• floor levels</li> <li>• utilities above DFL</li> <li>• infrastructure above DFL</li> <li>• backflow devices.</li> </ul> Apply standard structural stability requirements.	
3. Where Level 1 flood mapping is the only mapping available, Level 2 data inputs are not available.	Include relationship with the building assessment provisions to set a finished floor level and include provisions stated in scenario 1.  Trigger QDC provisions that relate to a finished floor levels.	Apply standard structural stability requirements.	
4. Where Level 1 flood mapping is the only mapping available or where the potential for flooding is unknown.	Use zoning to determine the appropriate land uses and include provisions stated in scenario 2.	No building provisions triggered.	



C.12 DILGP (2017) Table 18

Assessment benchmarks (DILGP (2017))				Response
Table 18: Minimum flood immunity standards for infrastructure				
Infrastructure type	Settlement context <sup>a</sup>	Floodplain context <sup>a</sup>	Minimum immunity	
<b>Transport infrastructure</b>				
Any transport infrastructure as defined by the Regulation	All	All	No specific recommended flood level, but development proponents should ensure that the infrastructure is optimally located and designed to achieve suitable levels of service, having regard to the processes and policies of the administering government agency.	
<b>Needing to operate during and immediately after a flood event (Figure 3)</b>				
Hospitals and associated institutions	All	High hazard or limited warning (e.g. less than 24 hours)	Locate outside PMF or other available extreme event (such as 0.2% AEP, <sup>18</sup> at a minimum).	
Emergency services facility (including police facilities)		High hazard and longer warning	Locate outside 0.2% AEP <sup>19</sup>	
Water cycle management infrastructure (water treatment plant)		Lower hazard and longer warning	OR Building floor levels above 0.2% AEP <sup>20</sup> + freeboard.	
Facilities utilised as an evacuation or recovery facility in addition to their normal function (e.g. sporting facility, community centre, meeting hall)				
<b>Involving vulnerable persons (Figure 4)</b>				
Retirement village	Small non-coastal town/rural settlement	High hazard or limited warning (e.g. less than 24 hours)	Locate outside PMF or other available extreme event (such as 0.2% AEP, at a minimum).	Refer to Appendix C Appendix C.6.
Residential care facility		High hazard and longer warning	Locate outside 1% AEP.	
Facility where an education and care service under the Education and Care Services National Law (Queensland) is				



Assessment benchmarks (DILGP (2017))				Response
Table 18: Minimum flood immunity standards for infrastructure				
operated or a childcare service under the <i>Child Care Act 2002</i> is conducted  Correctional facility  Education establishment		Lower hazard and longer warning	Locate outside 1% AEP  OR  Building floor levels above 1%AEP + freeboard.	
	Small coastal town/ settlement	High hazard or limited warning (e.g. less than 24 hours)	Locate outside PMF or other available extreme event (such as 0.2% AEP).	
		High hazard and longer warning	Locate outside PMF or other available extreme event (such as 0.2% AEP)  OR  Building floor levels above extreme event (such as 0.2% AEP).	
		Lower hazard and longer warning	Locate outside 1% AEP  OR  Building floor levels above 1% AEP + freeboard.	
	Larger urban centre (non-coastal)	High hazard or limited warning (e.g. less than 24 hours)	Locate outside PMF or other available extreme event (such as 0.2% AEP).	
		Lower hazard or longer warning	Locate outside 1% AEP.	
	Larger urban centre (coastal)	High hazard or limited warning (e.g. less than 24 hours)	Locate outside PMF or other available extreme event (such as 0.2% AEP).	
		High hazard and longer warning	Locate outside PMF or other available extreme event (such as 0.2% AEP)  OR  Building floor levels above extreme event (such as 0.2% AEP) + freeboard.	
		Lower hazard and longer warning	Locate outside 1% AEP  OR  Building floor levels above 1%AEP + freeboard.	



Assessment benchmarks (DILGP (2017))				Response
Table 18: Minimum flood immunity standards for infrastructure				
Needing to operate soon after a flood event (Figure 5)				
Cemetery and crematorium	All	High hazard or limited warning (e.g. less than 24 hours)	Locate outside 1% AEP.	
Sporting facility, community centre, meeting hall (where not used as an evacuation or recovery facility)		High hazard and longer warning	Locate outside 1% AEP	
Waste management facilities		Lower hazard and longer warning	OR Building floor levels above 1% AEP + freeboard	
Storage and works depots and similar facilities, including administrative facilities associated with the provision or maintenance of the community infrastructure mentioned in this part				
Facilities with potential primarily for property loss				
Gallery, museum, library and any other similar community/cultural facility/use	All	High hazard or limited warning (e.g. less than 24 hours)	Locate outside 0.5% AEP.	Not applicable.
		High hazard and longer warning	Locate outside 1% AEP	
		Lower hazard and longer warning	OR Building floor levels above 1% AEP + freeboard.	
Other infrastructure				
Any other infrastructure as defined by the Regulation	All	All	Unless stated through other infrastructure.	





## Appendix D Assessment against Performance requirements and acceptable solutions (MP 3.5 Construction of buildings in flood hazard areas)

MP 3.5 Performance requirement and Acceptable solution		Proposed solution
<b>Part 3 Performance requirements and acceptable solutions</b>		
<b>PERFORMANCE REQUIREMENT</b>		<b>ACCEPTABLE SOLUTION</b>
<b>Design and construction of buildings</b>		
<b>P1</b>	<p>A <i>building</i> must be designed, constructed, connected and anchored so that, in the event of a flood up to the <i>DFL</i>, it—</p> <p>(a) resists flotation, collapse or significant permanent movement, resulting from—</p> <p>(i) <i>hydrostatic action</i>; and</p> <p>(ii) <i>hydrodynamic action</i>; and</p> <p>(iii) erosion and scouring; and</p> <p>(iv) wind; and</p> <p>(v) any other action; and</p> <p>(b) safeguards occupants and other people against illness and injury caused by flood water affecting the <i>building</i>.</p>	<p>The <i>building</i> complies with sections 2.3, 2.5 - 2.8 and section 2.10 of the <i>national flood standard</i>, and—</p> <p>(a) if the <i>building</i> is a <i>class 1 building</i> and the local government has declared, under section 13 of the <i>Building Regulation 2006</i>, the <i>finished floor level</i> for a <i>class 1 building</i>—the <i>finished floor level</i> of the <i>building</i> complies with the level declared; or</p> <p>(b) otherwise—the <i>finished floor level</i> of the <i>building</i> complies with section 2.4 of the <i>national flood standard</i>.</p> <p>Note—</p> <p>Where A1 does not apply (refer to the provision in this part with the heading 'Limitations'), an alternative solution will be required in order to ensure it complies with P1. To formulate an alternative solution, the services of a <i>competent person</i> may be required.</p>
		<p>Buildings will be designed and constructed to withstand flood forces and impacts through:</p> <ul style="list-style-type: none"><li>Compliance with national flood standard <i>Construction of buildings in flood hazard areas. Version 2012.3</i> (Australian Building Codes Board, 2012).</li><li>Finished floor levels above defined flood level</li><li>Footings and poles structurally adequate</li><li>Erosion protection around stumps and under cabins</li><li>Reflux valves installed on cabins to prevent sewage backflow.</li></ul> <p>Therefore, complying with Acceptable Solution A1.</p> <p>Details will be provided in Operational Works application.</p>
<b>PERFORMANCE REQUIREMENT</b>		<b>ACCEPTABLE SOLUTION</b>
<b>Design and location of utilities</b>		
<b>P2</b>	<p>Utilities associated with a <i>building</i>, other than an electrical meter for a <i>class 1 building</i>, must be designed or located to reduce the effects of flood water on the <i>utilities</i> in the event of a flood up to the <i>DFL</i>.</p>	<p>(1) Utilities associated with a <i>class 1 building</i>, other than an electrical meter for the <i>building</i>, are located above—</p> <p>(a) if the local government has declared, under section 13 of the <i>Building Regulation</i>, the <i>finished floor level</i> for a <i>class 1 building</i>—the level declared; or</p> <p>(b) otherwise—the <i>flood hazard level</i>.</p> <p>(2) Utilities associated with a <i>building</i> other than a <i>class 1 building</i> are located above the <i>flood hazard level</i>.</p> <p>Note—</p> <p>Electrical installations may be installed by a person only if the person is a licensed electrician. Electrical meters must be installed in accordance with electrical entity requirements.</p>
		<p>Utilities for the proposed Class 1 buildings will be located above the DFL, therefore complying with Acceptable Solution A2.</p>



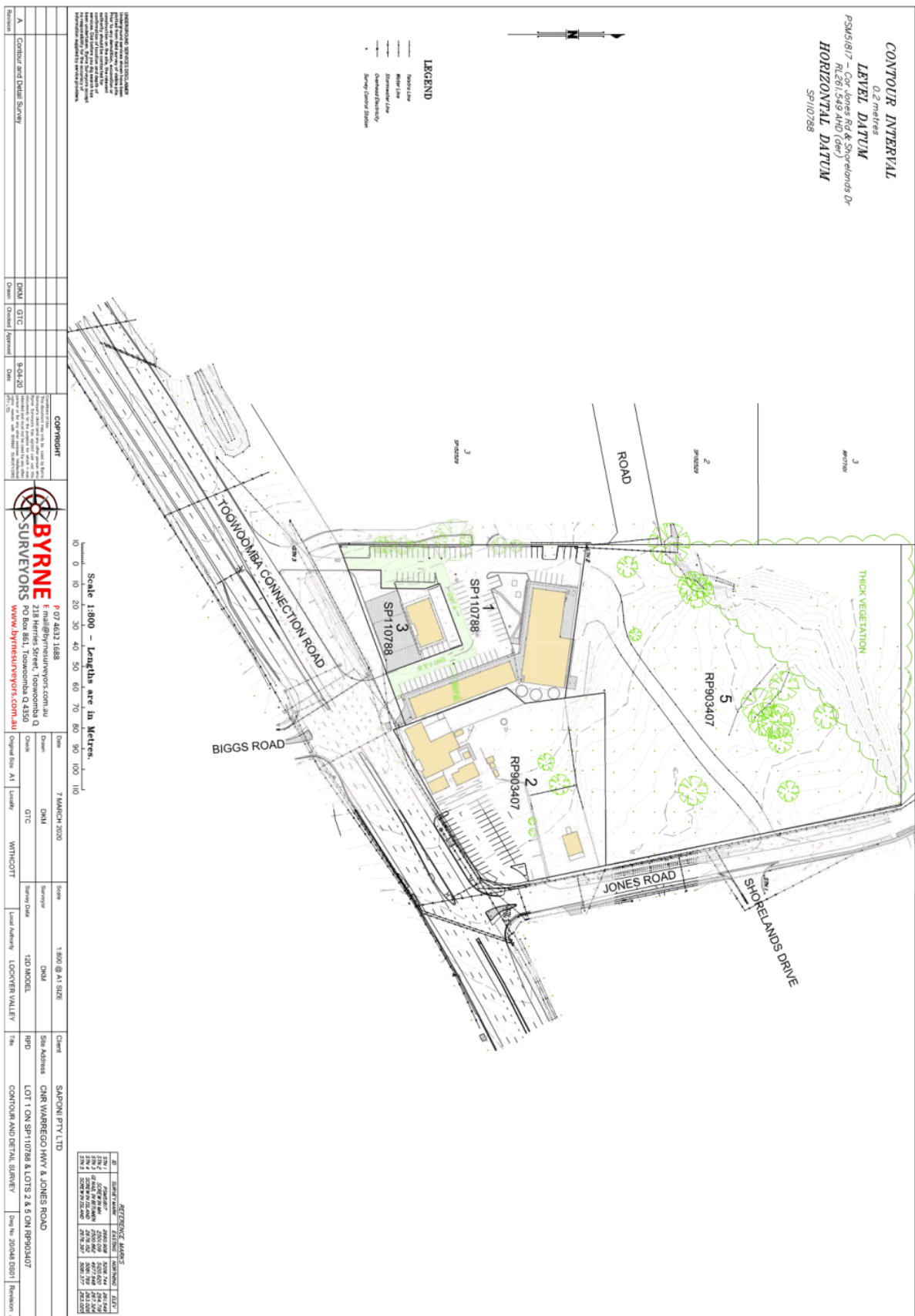


MP 3.5 Performance requirement and Acceptable solution		Proposed solution
<p><b>Protection from backflow from sanitary drains</b></p> <p><b>P3</b> A building with a sanitary drain must be protected from backflow so that in the event of a flood up to the DFL the effects of flood water on the building are reduced.</p> <p><b>A3</b> (1) A building with a sanitary drain is protected from backflow by a reflux valve fitted between the building and—</p> <p>(a) if the building has an onsite sewerage facility—the on-site sewerage facility; or</p> <p>(b) otherwise—the connection point.</p> <p>(2) Also, a reflux valve fitted under subsection (1) is accessible for maintenance in accordance with AS3500.2:2003, section 4.5.</p> <p>Note— A reflux valve may be fitted by a person only if the person is licensed to fit the valve under the Plumbing and Drainage Act 2002.</p>		<p>The buildings will be designed and constructed to comply with Acceptable solution A3.</p>



## Appendix E Drawings

### E.1 Site survey plan





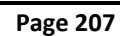








## **E.2 Existing and proposed site plans**









### E.3 Proposed minimum building finished floor levels

Proposed building finished floor levels (Set at DFL plus minimum of 300 mm freeboard). Existing ground surface contour levels are also shown.



## 12.5 Regional Arts Development Fund - Round 2 of the 2021/22 Grant Program

**Author:** Nicole Kilah, Coordinator Libraries & Galleries

**Responsible Officer:** Annette Doherty, Acting Group Manager Community and Regional Prosperity

### Purpose:

The purpose of this report is to present the recommendations of the Regional Arts Development Fund (RADF) Committee regarding funding through Round 2 of the 2021/22 RADF Grant program.

### Officer's Recommendation:

**THAT Council endorse the recommendations of the Regional Arts Development Fund (RADF) Committee and allocate RADF funds totalling \$7,064 to the following applicants:**

- Lockyer Community Centre \$6,150
- Lockyer Valley Dance Centre \$914

### Executive Summary

Applications for Round 2 of the 2020/21 Regional Arts Development Fund (RADF) opened on 17 January and closed on 21 February 2022. Three applications were received requesting in excess of \$9,500 of funding. The RADF Committee ('the Committee') has recommended two applicants receive RADF funding.

### Proposal

Each application was checked against the eligibility criteria and then assessed by the Committee against Local and State RADF Priorities including Reach, Impact, Viability, Quality and Value for Money.

Due to the recent flooding, each Committee member completed an assessment online or responded via email regarding each application.

The applications received and the recommendations for funding are:

Project / Initiative Title	Applicant	Total project cost	Requested funding   %	Recommended Funding
Lockyer Art & Culture Project	Lockyer Community Centre	\$9,500	\$6,150   64.7%	\$6,150
Professional Development	Mr Mark Sullivan	\$4,000	\$2,500   62.5%	Nil
Lockyer Valley Dance Centre	Lockyer Dance Workshops 2022	\$2,264	\$914   40.3%	\$914
<b>TOTAL</b>		<b>\$15,764</b>	<b>\$9,564</b>	<b>\$7,064</b>

The application for professional development by Mark Sullivan was not recommended for funding because the applicant lives outside the region and there was little evidence that this project would benefit the Lockyer Valley community.

### Options

1. That Council endorses the recommendations of the RADF Committee for funding.

2. That Council endorses the recommendations of the RADF Committee for funding, but subject to amendments.
3. That Council does not provide RADF funding for these projects.

#### Previous Council Resolutions

#### **Ordinary Meeting 17 March 2021 (20-24/0267)**

THAT Council allocate \$16,000 (ex GST) in its 2021/22 Annual Budget to the Regional Arts Development Fund (RADF) to support Council's funding application to Arts Queensland to assist and support local arts and cultural projects.

#### Critical Dates

The earliest a project could commence under this found round is 1 April 2022.

#### **Strategic Implications**

##### Corporate Plan

*Lockyer Community 1.5* - Events and activities that bring together and support greater connectivity in the community.

##### Finance and Resource

Council's grant application to Arts Queensland for RADF funding included an allocation of \$20,000 for Round 2. There were fewer applications than expected in this round. The RADF Committee will meet to discuss options to ensure the budget is fully allocated by the end of the financial year.

##### Legislation and Policy

The applications received under Round 2 of the 2021/22 RADF Grants Program have been assessed in accordance with the RADF Guidelines.

##### Risk Management

Key Corporate Risk Code Category:	Environment and Community (EC1)
Corporate Risk Category Description:	Environment and the community, including sustainable development, social and community wellbeing, relationships, public health, recreation, regional profile and identity

#### Consultation

##### *Councillor Consultation*

Cr Hagan and Cr Holstein are Council's representatives on the RADF Committee and were involved in the assessment of the applications.

##### *Community Engagement*

Round 2 of the 2021/22 RADF Grant Program was promoted in local newspapers as well as on social media channels.

The RADF Committee consists of community members who were nominated or expressed an interest. They assessed the applications.

#### **Attachments**

There are no attachments for this report.



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**13. INFRASTRUCTURE REPORTS****13.1 Request for Maintenance to Road Reserve off Mount Sylvia Road, Mount Sylvia**

**Author:** John Keen, Group Manager Infrastructure  
**Responsible Officer:** John Keen, Group Manager Infrastructure

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**Purpose:**

This report is to provide Council with updated information in relation to the road reserve providing access to Lot 132 CH 312362 off Mount Sylvia Road in accordance with Council Resolution 20-24/0489, 15 December 2021 and seek approval to include this section of road on Council's road register.

**Officer's Recommendation:**

**THAT Council approve the inclusion of "un-named road No. 18" onto the Roads Register.**

**Executive Summary**

Council considered the extension of the maintenance limits to the road reserve off Mt Sylvia Road to provide access for Lot 132 CH312362 at its Ordinary Meeting of 15 December 2021. Council sought further information to determine the request and this report provides that.

Council does not have any statutory obligation to maintain a road, however once advised of a safety issue it then has a duty of care to ensure that the road is made safe. Currently, this section of road reserve is not included in Council's Roads Register. To assist with identification of this road segment, Council has temporarily identified the road as "Un-named Road No. 18".

The length of road is approximately 680 lineal metres. If the road is included in the Roads Register Council will be able to undertake an inspection regime and manage risks associated with the road more effectively. The property owners have asked Council to continue maintenance as per historical practices to the road reserve off Mount Sylvia Road due to damage caused by third parties which has resulted in it becoming impassable at times, in inclement weather in its current state.

**Proposal**

The reserve serves as an access for five (5) land parcels which are used for various agricultural practices including cropping and grazing, with Lot 132 CH312362 having a residential dwelling on it.

The owners of Lot 132 CH312362 have raised a number of issues with the condition of the road that have affected their ability to gain access and provide a safe road environment, dating back to 2013. Council has undertaken maintenance to correct some of these issues.

The farming practices have at times impacted the road surface and raised safety concerns for the road users. In circumstances where Council is not aware of any risk created by the condition of part of the road, it would be open to Council to not undertake any maintenance on the road.

The property owners of Lot 132 CH312362 (Figure 1 red outline) would like approximately 670m of “Un-named Road No. 18” maintained in order to have all weather access to their property (Figure 1 blue line). The property owners have requested maintenance grading on a routine or an as needs basis, and the inclusion of gravel only when necessary. The blue section of the road reserve also serves access to Lot 4 RP3260 and other surrounding farms however the farms can be accessed via alternative formalised entries.



Figure 1 - Location

Council has previously undertaken minimal maintenance on this section of the road reserve in the past however in 2014 Council conducted maintenance work which included grading, gravel and road drainage works where required. The works conducted in 2014 cost Council approximately \$10,000.00.

In December 2019, third parties caused damage to the drainage infrastructure Council re-formed in 2014, making the road the lowest point, causing it to be impassable in inclement weather in its current state. The remediation of the roadside drainage and damage to the road caused by the third parties is not subject to this report and will be dealt with at an operational level.

#### Options

1. Council does not approve the inclusion of “Un-named Road No.18’ onto the Roads Register
2. Council approves the inclusion of “Un-named Road No.18’ onto the Roads Register

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### Previous Council Resolutions

Ordinary Meeting of Council: 24 April 2019

Resolution Number: 16-20/1320

*"THAT Council decline the request to extend the maintenance limits on the road reserve off Mount Sylvia Road for access to lot 132 CH312362."*

Ordinary Meeting of Council: 15 December 2021

Resolution Number: 20-24/0489

*"THAT Council resolve to defer item 13.1 "Request for Maintenance to Road Reserve off Mount Sylvia Road, Mount Sylvia" to the next Ordinary Meeting to allow time to obtain further information."*

### Critical Dates

There are no critical dates associated with the contents of this report.

### **Strategic Implications**

#### Corporate Plan

Lockyer Planned

4.2 – Provision of fit for purpose infrastructure which meets the current and future needs of the region.

Lockyer Leadership and Council

5.1 – Undertake robust and accountable financial, resource and infrastructure planning and management to ensure affordable and sustainable outcomes for our community.

#### Finance and Resource

The inclusion of "Unnamed road No.18" onto Council's Roads Register will incur a minimal cost for routine inspections each year in line with Council's road inspection regime. Ad hoc maintenance to ensure the safety of the road for users will require an initial investment estimated at \$5,000 with further works depending on the performance of the road and the impacts of the road from users and weather.

#### Legislation and Policy

Council's *Provision of Transport Network policy* and *Use of Roads policy* relate to this report.

The recommendation made in this report is contrary to the resolution of Council at the meeting held on 19 April 2019. As a result, consideration was given to the application of Section 262 of the Local Government Regulation 2012, Repeal or Amendment of Resolutions. Where a Council passes a subsequent resolution which is self-contained and legally competent in itself (without there being any necessity to refer back to the earlier resolution to explain or establish the legal authority for what is subsequently being done), case law suggests that the second resolution will be valid and operative according to its terms, despite the fact that the effect of implementing the later resolution is to repeal or alter an earlier resolution on the same subject, and despite the fact that there has been no compliance with this section.<Type text...>

#### Risk Management

Key Corporate Risk Category:	IA1
Reference & Risk Descriptor:	Infrastructure and Assets Planning, managing and maintaining assets for the future.

Key Corporate Risk Category:	FE1
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Reference & Risk Descriptor: Finance and Economic  
Financial sustainability to support the achievement of strategy, goals  
and objectives in the medium to long term.

Consultation

*Councillor Consultation*

Councillors were consulted at Councillor Workshop held 7 December 2021.

Deputation was held between Council and the owners of Lot 132 CH 312362 on Wednesday 19 January 2022.

**Attachments**

There are no attachments for this report.

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**13.2 Request to Lease part of Property No. 154230 – Application of Section 236(1)(b)(ii) of the Local Government Regulation 2012**

**Author:** Brock Donlan, Coordinator Community and Sports; Julie Lyons, Property Officer  
**Responsible Officer:** John Keen, Group Manager Infrastructure

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**Purpose:**

The purpose of this report is to consider a request received from Brave Companion Dog Rescue Inc to enter into a Lease over part of Property No. 154230 and if granted, apply the statutory exception from tendering in Section 236(1)(b)(ii) of the Local Government Regulation 2012.

**Officer's Recommendation:**

**THAT with respect to the request by the Brave Companion Dog Rescue Inc to enter into a lease over part of Property No. 154230, Council resolve to:**

- A. Apply the exception contained in Section 236(1)(b)(ii) of the Local Government Regulation 2012 to enable a lease to be offered to a community organisation; and**
- B. Delegate authority to the Chief Executive Officer to negotiate a Lease on terms satisfactory to Council.**

**Executive Summary**

The purpose of this report is to consider a request received from Brave Companion D

og Rescue Inc ("Brave Companion") to enter into a Lease over part of Property No. 154230 situated at 2109 Rosewood Laidley Road, Laidley ("the Facility") for the purpose of operating a dog rescue facility and discharge Council's statutory obligations before formal tenure is offered.

**Proposal**

Brave Companion is a long-standing organisation within the Lockyer Valley community. They are composed entirely of volunteers.

Brave Companion previously had a lease over the Facility which expired on 31 July 2021. The Lease was not renewed after advice from Brave Companion that they were not continuing with operations once all the dogs were rehomed and concerns from the RSPCA that the Facility was unsuitable for the intended purpose.

On 25 January 2022 an email was received from Brave Companion requesting to recommence operations at the Facility.

On 9 September 2021 Council emailed Brave Companion advising that due to the advice from RSPCA that the Facility was unsuitable for the intended purpose, utilising the Facility without undertaking necessary works would not be the right thing to do and Council did not have the budget for the required repairs and upgrades. Brave Companion was also advised that a new Lease may be considered if they were willing to fund the upgrades or apply for a grant to fund the upgrades to the Facility.



On 11 February 2022 Brave Companion made a deputation to Council proposing to enter into a Lease for an initial 1 year term with the option to extend for 1 year, over the Facility to recommence their operations. In addition, advising that before their closure they undertook the necessary upgrades to the Facility to suit their ongoing business operations.

On 4 March 2022 RSPCA met with Council to inspect the Facility to ensure compliance for Brave Companion's intended purpose.

The Facility is shown in yellow below:

Area	Approximately 240 m <sup>2</sup>
Tenure	Freehold
Zoning	Industrial



#### Options

Option 1 – Apply statutory exception from tendering in Section 236(1)(b)(ii) if the Local Government Regulation 2012 and offer a Lease to Brave Companion.

Option 2 – Enter into a simplified tenure agreement.

Option 3 – Advise Brave Companion that Council rejects their request and provide reasons.



### Previous Council Resolutions

Resolution Number 16-20/1482 – Apply the exception contained in Section 236(1)(c)(iii) of the Local Government Regulation 2012 for the purpose of renewing the lease of the land to the existing tenant.

### **Strategic Implications**

#### Corporate Plan

##### Lockyer Community

1.2 Council optimises the use of its open spaces and facilities by improving access to and the quality of facilities for individuals and groups for culture, recreational and community activities.

##### Lockyer Leadership and Council

5.7 Compliant with relevant legislation.

#### Finance and Resource

There has been no costs budgeted for the Facility however Brave Companion paid for all the upgrades which include:

- Grid type gate erected in front of the roller door so it can be open all day for better air flow
- Extra whirlybirds installed in roof
- Whole building has been pressure washed after we managed to eradicate the pigeons
- Fluorescent lights replaced in ceiling.

The annual rental has not been discussed with Brave Companion however it is proposed to charge in line with the State Rental Category for Charities and small sporting or recreational clubs with the minimum rent being \$134.00 per annum excluding GST.

Brave Companion will be responsible for their own legal costs (if any) incurred in reviewing and signing the lease. If the lease, including any option periods, is for a total period of less than 3 years, there is no requirement for the lease to be registered with Titles Queensland. In this event, a survey plan would not be required and no survey fees would be payable.

Brave Companion will also be required to obtain public liability insurance, be responsible for all outgoings, maintenance, and improvements.

If the recommendation is accepted the Lease will be prepared internally by Council's Property Officer.

#### Legislation and Policy

If Option 1 is preferred and a lease is to be offered, this will constitute a disposal of an interest in land for the purposes of the Local Government Regulation 2012. Before a lease can be offered, Council either needs to invite tenders or resolve to apply a relevant statutory exception under Section 236 of the Regulation. The only relevant exception is contained in Section 236(1)(b)(ii) of the Regulation where a lease is being offered to a community organisation.

The recommendation being made is to apply this exception to enable a lease to be offered.

#### Risk Management

Key Corporate Risk Code and Category: LCL1

Key Corporate Risk Descriptor: Legal Compliance and Liability  
Compliance management – regulatory or contract compliance,  
litigation, liability and prosecution

- Reputational risk – Council not allowing Brave Companion to continue, may cause tension within the community due to the local support they receive.
- Financial risk – If any future damage occurs at the Facility Council may be responsible for ongoing costs including operational costs.
- Operational Risk – If volunteers of Brave Companion decline to volunteer there may be a community expectation that Council will take on the responsibility to continue the operation of the Facility.

#### Consultation

##### *Portfolio Councillor Consultation*

All councillors have been consulted and have met with Brave Companion Dog Rescue Inc on 11 February 2022.

##### *Internal Consultation*

- ✓ Community and Regional Prosperity
- ✓ People, Customer and Corporate Services
- ✓ Infrastructure
- ✓ Finance

Councillor Workshop – 11 February 2022

##### *External Consultation*

- RSPCA inspected the Facility to ensure compliance on 4 March 2022.
- Council has met with the President of Brave Companion and other representatives to discuss the ongoing arrangement.
- Meeting onsite with RSPCA, LVRC and Brave Companion to discuss the Facility. Multiple meetings and communications have occurred with Brave Companion.

#### **Attachments**

There are no attachments for this report.

**14. ITEMS FOR INFORMATION**

*No Information Items.*

**15. CONFIDENTIAL ITEMS**

*No Confidential Items.*

**16. MEETING CLOSED**