



**MINUTES OF THE
SPECIAL MEETING OF COUNCIL
29 MAY 2020**

ORDER OF BUSINESS:

1.	ATTENDANCE	2
2.	APOLOGIES.....	2
3.	DECLARATIONS OF CONFLICTS OF INTEREST	2
3.1	Conflict of Interest - Cr McNally - Agenda Item 5.1	2
4.	EXECUTIVE SERVICES REPORTS.....	3
4.1	Draft Budget 2020/2021.....	3
5.	SUSTAINABLE DEVELOPMENT REPORTS.....	3
5.1	Material Change of Use - Corporation of the Roman Catholic Diocese of Toowoomba, 64A Guy Street, 47B-47C Wood Street, Warwick.....	3
5.1.1	Material Change of Use - Corporation of the Roman Catholic Diocese of Toowoomba, 64A Guy Street, 47B-47C Wood Street, Warwick.....	4

Meeting In Camera

Meeting Out Of Camera

6.1	RFQ 20_239 - Recruitment of Chief Executive Officer	14
-----	---	----

**MINUTES OF THE SPECIAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 29 MAY 2020 IN THE
WARWICK TOWN HALL, PALMERIN STREET, WARWICK AT 9:00AM**

1. ATTENDANCE

Present: Crs Pennisi (Chair), Bartley, Gale, Giori, Gow, McDonald, McNally, Tancred and Windle

Officers: Jane Stroud (Acting Chief Executive Officer), Seren McKenzie (Director Infrastructure Services), Craig Magnussen (Acting Director Sustainable Development), Andrew Page (Manager Finance and Information Technology) Marion Seymour (Minute Secretary)

2. APOLOGIES

3. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
5.1 And 5.1.1	Material Change of Use – Corporation of the Roman Catholic Diocese of Toowoomba, 64A Guy Street, 47B-47C Wood Street, Warwick	Cr McNally declared that a perceived conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>), may exist due to her membership of St Mary's Parish Warwick. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest and asked Council to consider her participation in the discussion and vote on this matter. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.

3.1 Conflict of Interest - Cr McNally - Agenda Item 5.1

Resolution

Moved Cr S Tancred

Seconded Cr S Windle

THAT Cr McNally has declared a perceived Conflict of Interest in Agenda Item 5.1 due to her membership of St Mary's Parish Warwick, and notwithstanding the declared perceived conflict of interest, Cr McNally may participate in discussion on the matter and vote.

Carried

4. EXECUTIVE SERVICES REPORTS

4.1 Draft Budget 2020/2021

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council:-

1. Receive the Draft Budget for 2020/21.
2. Receive the Draft Revenue Statement for 2020/21.
3. Receive the Draft Fees and Charges for 2020/21.
4. Place the Draft Budget, Draft Revenue Statement and the Draft Fees and Charges for 2020/2021 on public exhibition for 14 days to receive feedback from the community.

Carried

Cr McNally declared that a perceived conflict of interest in Agenda Items 5.1 and 5.1.1 (as defined in section 175 of the Local Government Act 2009), may exist due to her membership of St Mary's Parish Warwick. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest and asked Council to consider her participation in the discussion and vote on this matter. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.

5. SUSTAINABLE DEVELOPMENT REPORTS

5.1 Material Change of Use - Corporation of the Roman Catholic Diocese of Toowoomba, 64A Guy Street, 47B-47C Wood Street, Warwick

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council further consider the information and conditions provided in relation to the application for Reconfiguration of a Lot (4 into 2 lots) and Material Change of Use for the purpose of a Service station on land at 64A Guy Street & 47B-47C Wood Street, Warwick, described as Lot 20 RP133205, Lot 82 W134636, Lots 1 and 2 RP64891, Parish of Warwick, County of Merivale.

Carried

Cr McNally voted for the motion

The Mayor accepted a call for a Division on the motion from the floor and the following votes were recorded:

For: Crs R Bartley, A Gale, M Giori, C Gow, J McNally, V Pennisi, S Tancred and S Windle (8)

Against: Cr C McDonald (1)

Accordingly the Mayor declared the motion carried.

5.1.1 Material Change of Use - Corporation of the Roman Catholic Diocese of Toowoomba, 64A Guy Street, 47B-47C Wood Street, Warwick

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT the application for Reconfiguration of a Lot (Realignment of boundaries - 4 into 2 lots) and Material Change of Use for the purpose of a Service station on land at 64A Guy Street & 47B-47C Wood Street, Warwick, described as Lot 20 RP133205, Lot 82 W134636, Lots 1 and 2 RP64891, Parish of Warwick, County of Merivale, be approved subject to conditions.

Schedule 1 - Southern Downs Regional Council Conditions for the purpose of Reconfiguring a Lot

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plans submitted with the application, and subject to the final development being amended in accordance with the conditions of this approval.

Plan Name	Plan No.	Date
Proposed Reconfiguration (4 into 2), Sheet 1 of 2, prepared by Parkinson Surveyors	14463	19 November 2019
Proposed Reconfiguration (4 into 2), Sheet 2 of 2, prepared by Parkinson Surveyors	14463	19 November 2019

2. Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.
3. All conditions of Schedule 1 of this Development Permit must be complied with prior to the signing of the Plan of Subdivision.

Building and Site Design

4. A Building Approval is required prior to the removal of any buildings on the site.
No existing building is to extend over more than one lot or is to be located closer to any boundary than required under an applicable code in the Planning Scheme or in the Building Code of Australia.

Dedications

5. An area of land 2.0 metres wide, along the Acacia Avenue frontage of proposed Lot 4 is to be dedicated for road purposes at no cost to Council. Any fencing or other private infrastructure is to be removed from within the dedicated area.

Easements and Covenants

6. A 3.0 metre wide easement for sewerage purposes is to be provided over proposed Lot 3 in favour of Council. A copy of the easement documentation is to be submitted to Council for approval prior to the use of the site commencing.

Fencing, Landscaping and Buffers

7. All structures and their foundations must be wholly contained within private allotments. (see advisory note).

Advisory Notes

- (i) **Building Approval is to be obtained** for the demolition of any buildings in accordance with the *Planning Act 2016* for the proposed work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval.
- (ii) Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.
- (iii) The General Environmental Duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke,

beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

- (iv) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.

Aboriginal Cultural Heritage

- (v) All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the "cultural heritage duty of care"). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

Approval Times

- (vi) In accordance with the *Planning Act 2016*, this approval will lapse four years from the day the approval takes effect, unless the Plan of Subdivision is submitted to Council within the currency period. **Council will NOT approve the plan unless all conditions of this approval have been complied with to the satisfaction of Council and within the currency period of the approval.**
- (vii) The approved Plan of Subdivision must be lodged for registration in the Office of the Registrar of Titles within six months of the date of Council's Compliance Certificate and approval of the Plan of Subdivision. If the Plan of Subdivision is not registered within this timeframe, Council's approval of the Plan of Subdivision will lapse. Council may reapprove the Plan of Subdivision subject to payment of the applicable fee.

Schedule 2 - Southern Downs Regional Council Conditions for the purpose of a Material Change of Use

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plans submitted with the application, and subject to the final development being amended in accordance with the conditions of this approval.

Plan Name	Plan No.	Date
Existing Site Plan prepared by Verve Building Design Co.	19011-DA01-A	17 December 2019
Proposed Site Plan prepared by Verve Building Design Co.	19011-DA02-A	17 December 2019
Proposed Building Floor Plan prepared by Verve Building Design Co.	19011-DA06-A	17 July 2019
Building Elevations and Perspectives prepared by Verve Building Design Co.	19011-DA03-A	17 December 2019
Building Elevations and Perspectives prepared by Verve Building Design Co.	19011-DA04-A	17 December 2019
Building Elevations and Perspectives prepared by Verve Building Design Co.	19011-DA05-A	17 December 2019
Signage Plan and Details prepared by Verve Building Design Co.	19011-DA7-A	17 December 2019
19 AC Swept Paths prepared by PTT Traffic &Transport Engineering	SK-001	10 December 2019
RCV Swept Paths prepared by PTT Traffic &Transport Engineering	SK-002	10 December 2019
19M AV Swept Paths with Kerb Widening prepared by PTT Traffic &Transport Engineering	SK-003	10 December 2019

2. Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.
3. All conditions of Schedule 1 of this Development Permit must be complied with prior to commencing the use.

Easements and Covenants

4. A 3.0 metre wide easement for stormwater purposes is to be provided over proposed Lot 3 in favour of Council. A copy of the easement documentation is to be submitted to Council for approval prior to the use of the site commencing.

Land Use and Planning Controls

5. This approval allows for the use of the site for the following uses only:
 - Service station and shop ancillary to the use, on proposed Lot 3.
 - Fuel quantities are not to exceed three (3) 110 kilolitre fuel tanks.

This Development Permit does not allow for any maintenance, servicing or washing of vehicles onsite.

6. The Material Change of Use the subject of this Development Permit must be completed within a period of six (6) years starting the day this Development Permit takes effect. The development permit will lapse in respect of each aspect of the Material Change of Use that has not been completed within this period.
7. The development shall generally operate between the hours of 6.00am to 10.00pm, Mondays to Sundays, including public holidays.

Building and Site Design

8. All drainage (including sewer connections, stormwater drainage and interallotment drainage) and services (including electricity and telephone) associated with the existing buildings on the land are to be decommissioned and capped off.

ALTERNATIVELY,

All drainage (including sewer connection, stormwater drainage and interallotment drainage) and services (including electricity and telephone) associated with the existing buildings on the land are to be relocated so that they are wholly contained within proposed Lot 3, or easements provided over this private drainage and services. A plan, drawn by a suitably qualified person, showing all drainage and services associated with the existing dwelling is to be submitted to Council to demonstrate compliance with this requirement.

9. Any public conveniences such as toilets, telephones, outdoor seating and car parking areas are to be well lit, well maintained and clearly visible.
10. All buildings are to be setback at least 6.0 metres from the eastern property boundary.
11. All buildings are to be located behind the building line of St Mary's Hall from Wood Street.
12. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
13. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

14. During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at the Warwick Waste Facility.
15. The loading and/or unloading of delivery and other service vehicles (including general waste collection vehicles) is limited between the hours of 7.00am and 7.00pm, Monday to Saturday, and between the hours of 9.00am and 6.00pm on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
16. A sufficient number of suitable waste receptacles must be provided on site at all times. Waste receptacles must be regularly serviced to prevent unsightly accumulations of waste or environmental harm being caused. A waste collection contractor must be engaged to supply suitable waste and recycling receptacles and service waste and recycling receptacles.
17. No materials or goods associated with the development are to be displayed or stored within the car park or landscaped areas, or outside the boundaries of the site.
18. The cleaning of plant, equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow

paths.

19. Advertising Devices relating to the Service station may **only** be erected on the subject land, i.e. proposed Lot 3. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.

Advertising Devices in excess of 2.0 metres high and wider than 1.2 metres will require Building Approval i.e. pylon sign.

20. Any external lighting must be installed so that light shines down and away from adjacent properties and roads, and does not exceed 8 lux at the property boundary.
21. **A Site Based Management Plan (SBMP) must be submitted to and approved by Council, prior to the use of the site commencing.** The approved SBMP is to be implemented. The SBMP must identify all sources of environmental nuisance and/or environmental harm, including but not limited to the actual and potential release of all contaminants, the potential impact of these sources and what actions will be taken to prevent the likelihood of environmental nuisance and/or environmental harm being caused. The SBMP must also provide for the review and continued improvement in the overall environmental performance of all activities that are carried out.
22. The underground fuel tank and delivery vehicle shall be fitted with "Vapour Recovery System" equipment in accordance with Australian Standard (AS) 1940 2004, AS 2809.2:2008, AS 4897:2008 and AS 4977:2008.

Fencing, Landscaping and Buffers

23. A 3.2 metre high solid, acoustic fence shall be erected along the north and eastern side boundaries, to mitigate noise and provide visual screening. This fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the road boundary.
24. An acoustic wall along the northern side of the diesel fuel forecourt, extending from the ground to the underside of the canopy is to be constructed to a height of 5.1 metres facing the forecourt, with a truck canopy extending towards the south over the diesel fuel court.
25. The design, colours, materials and treatments of fencing along the northern and eastern property boundary of proposed Lot 3 are to be in accordance with the area, considering the adjoining residence, and sympathetic to the neighbouring Local Heritage Place. **Details of the design, colours and materials of fencing and treatments are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The fence is to be constructed in the approved design, colours and materials.
26. Retaining structures, fencing and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure.
27. All earthworks, including batters must be fully contained within the site.
28. Landscaping along the Wood Street and Guy Street frontages is to achieve a width of no less than 3.0 metres.

Landscaping of trees and shrubs are not to exceed a height of 1.0 metre within 1.5 metres of the vehicle crossovers along the Wood Street and Guy Street frontages.
29. The existing street tree outside of Lot 1 RP42491 is to be removed to improve sight distance. The disturbed area is to be appropriately backfilled, levelled to match the surrounding ground level and seeded.
30. Landscaped areas are to be provided on the site in accordance with Plan No. 19011-DA02 – A, dated 17 December 2019, prepared by Verve Building Design Co.
31. **A Landscaping Plan is to be submitted to and approved by Council's Planning Department prior to the commencement of the use.** The Landscaping Plan is to be prepared by an appropriately qualified person, and must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. Root barriers are to be installed around trees that are located within 3.0 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Car Parking and Vehicle Access

32. All vehicular access to the site must be via the Wood Street entrance only.
33. The designs of the left-out exits from Guy Street are to be angled to discourage vehicles using these access points for entry movements.
34. Signage reading 'No Entry' is to be visible upon approaching the Service station from the north.
35. Internal way finding signage is to be erected to ensure directions internally and upon exiting the site are clear and provides guidance to motorists.
36. A raised pedestrian refuge is to be provided between the entry and exit lanes of the Wood Street crossover, within the footpath portion.
37. Speed bumps are to be provided at both of the Wood Street and Guy Street exits to reduce the speed of exiting vehicles. The speed bumps are to be provided wholly within the property, in close proximity to the boundary.
38. 'KEEP CLEAR' road marking is to be provided on Guy Street in line with the new access points, and immediately in front of the Heavy Vehicle only driveway entry area to ensure that a light vehicle egressing the site to Wood Street that the travel path is kept clear, prior to the use commencing.
39. All vehicles movements to and from the site are to be in forward gear, this includes all service vehicles.
40. The internal driveways are to be designed and constructed to allow a 10.4 metre service vehicle to enter and leave the site in forward gear.
41. The most southern parallel carpark outside of Lot 1 RP42491 is to be decommissioned prior to the use commencing. This includes the removal of the line marking associated with the car park.
42. Car parking shall be provided on site in accordance Plan No. 19011-DA02-A, dated 17 December 2019 prepared by Verve Building Design Co. All car parking, driveway and loading areas shall be constructed, sealed, line marked, drained, laid out and regularly maintained.
43. All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
44. Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
45. All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
46. Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
47. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted. A vehicle loading area with associated driveway and access to accommodate a semi-trailer/B-Double must be provided on site in accordance with AS2890.2 – 2002 (Off-street parking - Commercial vehicle facilities).

Roadworks

48. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Infrastructure Services.
49. Signage must be provided along the internal driveway so that it can be easily read when exiting the property via motor vehicle whether day or night. This signage is to clearly demonstrate, via images and text, the correct side of the road to drive on in Australia. (Council's Planning Department can provide details regarding Council's standard).
50. A truncation on the south-western corner of the site (corner of Wood Street and Guy Street) may be required, following compliance with the conditions outlined in Schedule 3, to ensure appropriate

footpath width in this location and to not compromise pedestrian movement.

Stormwater Drainage

51. The design, construction and operation of the stormwater drainage system must comply with the water quality objectives stated in the Assessment Benchmarks – Water Quality and Appendix 2 of the State Planning Policy.
52. A stormwater drainage system serving the development is to be constructed and the stormwater disposed of to a lawful point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). Where the finished levels of a proposed allotment are such that stormwater runoff from all or part of the allotment cannot be gravity discharged to the street, an underground drainage line shall be provided to discharge the runoff from the allotment. Where necessary, suitable easements may be required over adjoining properties. The easements shall be provided to Council, at the developer's cost. All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM).

Site stormwater runoff must be collected, detained and discharged where appropriate in a manner that does not increase the quantity or concentration of stormwater flow in comparison to the pre-development condition. Where necessary, suitable easements to lawful points of discharge, which may include surrounding properties, shall be provided to Council, at the developer's cost.

Water Supply and Waste water

53. A reticulated water supply system, up to and including water meters, is to be provided to service the building. This system is to be connected to Council's water supply system.
54. A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.
55. The development is to comply with Council's policy *Works Near Water Supply and/or Sewerage Infrastructure Policy*, which requires an application to be submitted to Council for approval, prior to the commencement of the works. It is not desirable to build over the infrastructure; alternative arrangements should be sought.

Electricity, Street Lighting and Telecommunications

56. Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
57. LED street lighting shall be provided in accordance with AS/NZS 1158 - Lighting for Roads and Public Spaces.

Operational Works

58. All operational works are to be accepted on-maintenance prior to the use of the land commencing. (See advisory note below).

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Sustainable Development, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Planning Act 2016* and would have to comply with the requirements of the Planning Scheme.
- (iii) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (iv) The operator must at all times comply with the *Environmental Protection Act 1994*.
- (v) **Building Approval is to be obtained** for the demolition of any buildings in accordance with the *Planning Act 2016* for the proposed work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval.

- (vi) Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.
- (vii) The General Environmental Duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke, beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.
- (viii) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.
- (ix) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of a Service station. Applications for Design Approval and Approval to Operate (including applications for licence under the *Food Act 2006*) are to be submitted to and approved by Council for the food premise, prior to the issue of a Development Permit for Building Work.
- (x) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (xi) **Building Approval is to be obtained** for a Class 6 building and the acoustic fencing in accordance with the *Planning Act 2016* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing**.
- (xii) The applicant is to permit Council officers access to the site in accordance with the powers of entry provisions of the *Local Government Act 2009*, subject to 48 hours notice and reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.
- (xiii) The disposal of waste classified as Trade Waste under the *Plumbing and Drainage Act 2002* is to be in accordance with Council's Trade Waste Policy.
- (xiv) The supply of water for human consumption, food preparation, food utensil washing or personal hygiene, including the supply of water for drinking water, showers, baths, hand basin and kitchen sinks, must be connected to a drinking water supply, in accordance with the *Plumbing Code of Australia* and the *Australian Drinking Water Quality Guidelines* produced by the *National Health and Medical Research*.
- (xv) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Planning Act 2016*. This application must be submitted with the following:
 - DA Form 1;
 - The relevant fee in accordance with Council's Schedule of General Fees and Charges;
 - Detailed design drawings, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);
 - A car parking plan showing the location and dimension of all parking areas, details of the proposed pavement treatment, including speed bumps and pedestrian refuge along Wood Street, and full engineering specifications of layout, construction, sealing, drainage and line marking;
 - A plan showing ingress and egress wheel and swept turning paths, and proposed signage and line marking;
 - Details of the truncation on the corner of Guy Street and Wood Street to achieve compliance with the conditions of this approval;
 - Stormwater Management Plan;
 - A geotechnical report addressing the filling of the site and make recommendations as to how it will be possible for such filling to achieve compliance with AS3798-2007 (as amended) "*Guidelines on Earthworks for Commercial and Residential Developments*".

Operational Works shall be subject to a 12 months Defect Liability Period commencing from the day the works are accepted on-maintenance. A bond will be held by Council as security, and refunded following a defect-free inspection at the end of the Defect Liability Period.

- (xvi) An Erosion and Sediment Control Plan (ESCP) must be submitted for approval with the application for Operational Works. The ESCP must demonstrate that release of sediment-laden stormwater is avoided for the nominated design storm, and minimised when the nominated design storm is exceeded, by addressing the objectives in Table A (Construction phase - stormwater management design objectives) in Appendix 2 of the State Planning Policy for drainage control, erosion control, sediment control and water quality outcomes.
- (xvii) Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- (xviii) All Development Permits for Operational Works and Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (xix) All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.
- (xx) Any retaining structures above one metre in height must be separately certified for structural adequacy by a Registered Professional Engineer of Queensland at design submission and also on completion of construction for compliance with the design.

A detailed inspection and as constructed record must be provided to Council by a Registered Professional Engineer of Queensland, prior to acceptance of the works, including certification that the wall's foundation ground conditions nominated in the design were inspected and achieved during construction.

The approved design and/or construction of the retaining walls must not be modified or altered without Council's prior written approval.

Aboriginal Cultural Heritage

- (xxi) All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the "cultural heritage duty of care"). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

Schedule 3 - Department of State Development, Manufacturing, Infrastructure and Planning's conditions as a Concurrence agency

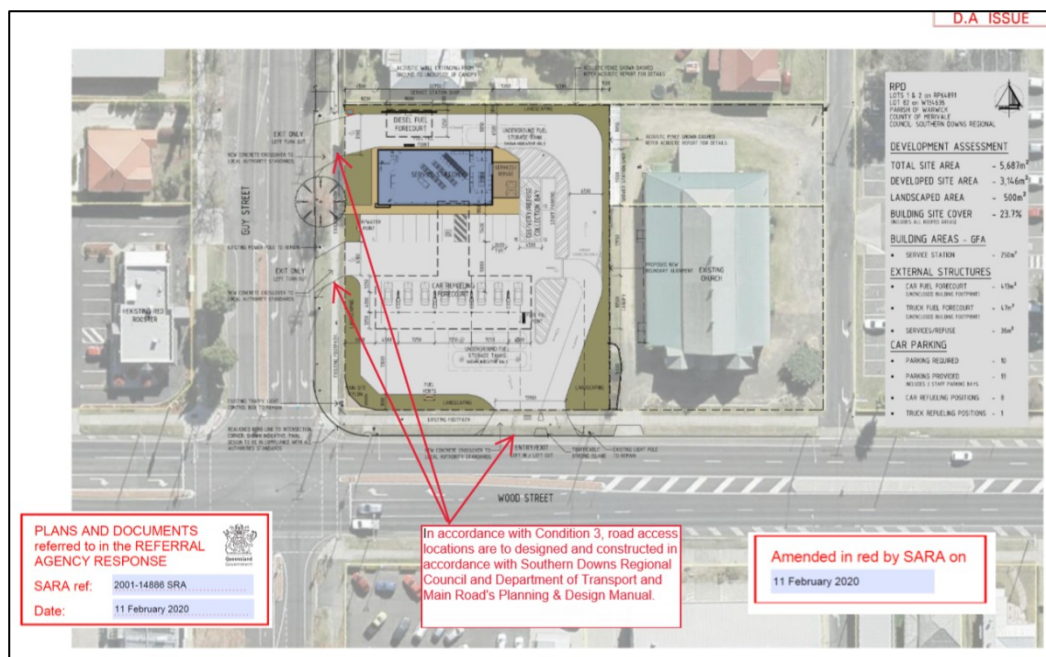
Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use - Service Station. Reconfiguring a lot for – four (4) into two (2) lot boundary realignment		
Schedule 10, Part 9, Division 4, Subdivision 1, Table 1; Schedule 10, Part 9, Division 4, Subdivision 2, Table 1; Schedule 10, Part 9, Division 4, Subdivision 2, Table 3; Schedule 10, Part 9, Division 4, Subdivision 2, Table 4 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Transport and Main Roads (DTMR) to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road or the land supporting this infrastructure, or cause similar adverse impacts.	At all times.
2.	(a) The development must be generally in accordance with the 'Engineering Report & Stormwater Management Plan' prepared by Vt Consulting Engineers Pty Ltd, dated 12/12/2019, reference Document No. 19042-ENG-B (Revision B).	At all times.
3.	(a) The road access locations are to be located generally in accordance with the Proposed Site Plan prepared by Verve Building Design Co dated 17.12.2019, reference Drawing No. 19011-DA02. (b) The road accesses must be designed and constructed in accordance with the applicable commercial access/crossover standards of Southern Downs Regional Council and DTMR Road Planning & Design Manual (2nd Edition).	(a) At all times. (b) Prior to the commencement of use.
4.	Signage and line marking are to be installed in accordance with the Traffic Impact Assessment prepared by Pekol Traffic & Transport dated DEC-19, project number 19-288 (Rev. B), specifically: <ul style="list-style-type: none"> Figure 3.4 (Signage and Line Marking) Signage must be in accordance with the DTMR's Manual of Uniform Traffic Control Devices.	Prior to the commencement of use.
5.	(a) Road works comprising kerb widening must be provided generally in accordance with the Traffic Impact Assessment prepared by Pekol Traffic & Transport dated DEC-19, project number 19-288 (Rev. B), specifically: <ul style="list-style-type: none"> Section 5.0 (Road Safety Assessment) Figure 5.2 (Proposed Kerb Widening at Wood Street / Guy Street Intersection). (b) The road works must be designed in accordance with DTMR Road Planning and Design Manual (2nd Edition) and any other design material referenced therein.	Prior to the commencement of use.
6.	(a) A truncation area of 6 metres x 6 metres at the south-western corner of the site (corner of Wood Street and Guy Street) must be kept clear of any permanent buildings, structures and improvements (including car parks, landscaping and advertising signs) above and below ground at all times.	(a) At all times (b) Prior to submitting the Plan of Survey to the local government

2001-14886 SRA

(b) The truncation area is to be dedicated as road reserve.	for approval.
---	---------------



Carried

Cr McNally voted for the motion

The Mayor accepted a call for a Division on the motion from the floor and the following votes were recorded:

For: Crs A Gale, M Giori, C Gow, J McNally, V Pennisi, S Tancred and S Windle (7)

Against: Crs R Bartley and C McDonald (2)

Accordingly the Mayor declared the motion carried.

6. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 275(1) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public and move 'into Committee' to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

Recommendation

THAT the meeting be closed to the public and move into committee to discuss the following items, which are considered confidential in accordance with Section 275(1) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

6.1 RFQ 20_239 - Recruitment of Chief Executive Officer

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(a) of the *Local Government Regulation 2012*, as it contains information relating to the appointment, dismissal or discipline of employees.

10:00AM The Acting Chief Executive Officer left the meeting.

Meeting In Camera

Resolution

Moved Cr C Gow

Seconded Cr Windle

THAT the meeting move into closed session for the purpose of discussing employee matters.

Carried

The meeting moved into closed session at 10:02am.

10:02AM The Manager People and Culture and Procurement Coordinator joined the meeting.

10:02AM The Acting Director Sustainable Development left the meeting.

Presentation from Recruitment Agencies for the Chief Executive Officer position.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12:55pm.

Carried

6.1 RFQ 20_239 - Recruitment of Chief Executive Officer

Resolution

Moved Cr S Tancred

Seconded Cr C Gow

THAT Council:-

1. Appoint Davidson Recruitment Pty Ltd for the purpose of recruitment of the Chief Executive Officer.
2. Delegate responsibility to the Mayor and Deputy Mayor to work with the contracted recruitment agency to determine a suitable Total Remuneration Package (TRP) for the Chief Executive Officer role, but to remain within a maximum of 10% of the TRP of the former Chief Executive Officer.
3. Delegate to the Mayor and Deputy Mayor to work with the preferred recruitment agency to proceed with recruitment through to the stage of short listing of candidates, at which time interviews will be held with all Councillors to finalise the appointment of the successful Chief Executive Officer.
4. The process of recruitment will be followed as per the proposal submitted by Davidson Recruitment Pty Ltd.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 1:03pm.