



**MINUTES OF THE  
ORDINARY COUNCIL MEETING  
24 MAY 2023**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF  
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 24 MAY 2023  
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,  
61 MARSH STREET, STANTHORPE AT 9:00AM**

**ACKNOWLEDGEMENT TO COUNTRY**

**1. PRAYERS & CONDOLENCES**

Rev Peter Evans from Stanthorpe Presbyterian Church offered a prayer for the meeting and Council acknowledged condolences.

**2. ATTENDANCE**

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

Officers: Dave Burges (Chief Executive Officer), Leon Love (Director Customer and Organisational Services), Gary Murphy (Director Infrastructure Services), Scott Riley (Director Planning and Environmental Services), Michael Bell (Manager Corporate Services), Angela O'Mara (Manager Planning and Development) via Teams, and Marion Seymour (Minute Secretary)

**3. APOLOGIES**

Nil

**4. READING AND CONFIRMATION OF MINUTES**

**4.1.1 Ordinary Council Meeting Minutes 10 May 2023 - Amendment**

**Resolution**

**Moved Cr C McDonald**

**Seconded Cr J McNally**

THAT the Ordinary Council Meeting Minutes held on Wednesday 10 May be amended:

1. To include the letter from Granite Belt Sustainable Action Network under General Business, requesting that the Chamber of Commerce motion made at the Granite Belt Alliance meeting held 20 March 2023 was in violation of the Terms of Reference for that organisation and that GBSAN requested that the motion be declared null and void and not recorded in the minutes of that meeting.
2. To reflect that Cr McDonald advised that she would be leaving the meeting prior to Agenda Item 14.

**Lost**

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

*For: Crs C McDonald, J McNally and S Windle (3)*

*Against: Crs R Bartley, A Gale, C Gow, V Pennisi, S Tancred and M Gliori (6)*

*Accordingly the Mayor declared the motion lost.*

#### 4.1 Ordinary Council Meeting - 10 May 2023

##### Resolution

**Moved Cr S Tancred**

**Seconded Cr A Gale**

THAT the minutes of the Ordinary Council Meeting held on Wednesday, 10 May 2023 be adopted.

**Carried**

*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, V Pennisi and S Tancred (6)*

*Against: Crs C McDonald, J McNally and S Windle (3)*

*Accordingly the Mayor declared the motion carried.*

*9:37am Public Speakers Request from Ann Ragh, on behalf of Nadine Horneman, in relation to Agenda Item 11.5, Library services in Killarney*

#### 5. ACTIONS FROM COUNCIL MEETINGS

##### 5.1 Actions from Ordinary Council Meeting 26 April 2023

##### Resolution

**Moved Cr A Gale**

**Seconded Cr C Gow**

THAT Council receive the report and note the contents.

**Carried**

#### 6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
13.1	Material Change of Use – 54 Rene Lane, Mount Tully	Mayor Pennisi declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) of the <i>Local Government Act 2009</i> ) as a result of his short term accommodation business. Although Mayor Pennisi has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias as this matter due to his approval and operation of a short term accommodation business. Therefore, Mayor Pennisi will choose to remain in the meeting, however he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Mayor Pennisi participated in the discussion and voting on this matter.

9:42am *The Deputy Mayor took the Chair to deal with Mayor's Pennisi's declarable conflict of interest.*

## **6.1 Conflict of Interest - Mayor Pennisi – Agenda Item 13.1**

### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Tancred**

THAT Council, following the declarable conflict of interest by Mayor Pennisi in Agenda Item 13.1, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

9:44am *The Mayor resumed the Chair.*

## **7. MAYORAL MINUTE**

### **7.1 Review of Councillor Representation on Internal and External Committees**

#### **Resolution**

**Moved Cr J McNally**

**Seconded Cr S Windle**

THAT Council review the representation of Councillors appointed to all Internal and External Committees at the June 2023 Council Information Session.

**Carried**

## **8. READING AND CONSIDERATION OF CORRESPONDENCE**

### **8.1 Correspondence**

#### **Resolution**

**Moved Cr R Bartley**

**Seconded Cr S Windle**

THAT the report of the Chief Executive Officer in relation to Correspondence be received.

**Carried**

## **9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**

Nil

## 10. EXECUTIVE SERVICES REPORTS

*In accordance with Section 8.7 of Council's Meeting Policy, Cr McDonald moved the following Procedural Motion.*

### 10.1.1 Procedural Motion - Correspondence from Granite Belt Sustainable Action Network Resolution

**Moved Cr C McDonald**

THAT the attached letter tabled by Cr McDonald from Granite Belt Sustainable Action Network dated 29 March 2023 in relation to the meeting of Granite Belt Alliance held 20 March 2023 be received.

**Carried**

### 10.1 Granite Belt Alliance Meeting Minutes 20 March 2023

#### Resolution

**Moved Cr R Bartley**

**Seconded Cr A Gale**

THAT Council receive the draft Granite Belt Alliance Meeting Minutes from the meeting held on 20 March 2023.

**Carried**

## 11. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

### 11.1 Financial Services - Financial Report as at 30 April 2023

#### Resolution

**Moved Cr R Bartley**

**Seconded Cr S Tancred**

THAT Council receive and note the Financial Report as at 30 April 2023.

**Carried**

*In accordance with Section 8.7 of Council's Meeting Policy, Cr Gliori moved the following Procedural Motion.*

### 11.2.1 Procedural Motion - RADF Development Fund 2022/2023

#### Resolution

**Moved Cr M Gliori**

THAT Council separate the recommendations for Agenda Item 11.2.

**Carried**

## 11.2 Regional Arts Development Fund 2022/23 - Application for Recommendation

### Resolution

**Moved Cr M Gliori**

**Seconded Cr S Windle**

THAT Council approve the four (4) grant applications for funding under the Regional Arts Development Fund (RADF) 2022/23 program namely:

- a. Greg Huglin for \$9,948.00 for the project titled 'Youth Screen Production Industry Immersions and Red-Carpet Community Screening Event';
- b. Warwick Art Gallery for \$5,115.00 for the project titled 'Exhibitions and Public Programs';
- c. Royal Queensland Bush Children's Health Scheme (BUSHkids) for \$2,000.00 for the project titled 'Children's Nature Play Area';
- d. Sari Braithwaite for \$10,000.00 for the project titled 'Ride and Swing' (working title).

**Carried**

### 11.2.2 RADF Guidelines Amendment

#### Resolution

**Moved Cr J McNally**

**Seconded Cr C Gow**

THAT Council adopt the attached amended Southern Downs Regional Council 2022-2023 RADF Guidelines effective immediately, noting that the amendments in the guidelines will not be retrospective.

**Carried**

#### Attachments

1. Amended SDRC 2022-2023 RADF Guidelines - **Attached to the Minutes Under Separate Cover**

*10:33am Presentation of Recognition of Volunteer Certificate to Cheryl Garland.*

*10:35am Presentation of Certificate to Michael and Gail Smail in recognition of their 24 years of service at the Stanthorpe Swimming Pool.*

*The meeting adjourned for morning tea at 10:40am and reconvened at 11:00am at which time there were present Crs Pennisi, Bartley, McNally, Windle, Gliori, Gow, Tancred, Gale and McDonald*

## 11.3 Minutes of the Audit and Risk Management Committee held 23 February 2023

### Resolution

**Moved Cr S Tancred**

**Seconded Cr A Gale**

THAT Council receive and note the minutes from the Audit and Risk Management Committee meeting held on 23 February 2023.

**Carried**



#### **11.4 Application for Permanent Road Closure – Between Kenilworth Street and Grove Avenue, Morgan Park – Adjacent to Lot 3 on SP218449**

##### **Resolution**

**Moved Cr J McNally**

**Seconded Cr M Gliori**

THAT:

1. Pursuant to section 99(1) of the *Land Act 1994*, Council offer no objection to the application for a permanent road closure over road reserve between Kenilworth Street and Grove Avenue, Morgan Park, being adjacent to Lot 3 on SP218449.
2. The Chief Executive Officer be authorised to finalise easement conditions and signing of proposed survey plans resulting from this closure.

**Carried**

#### **11.5 Library Services in Killarney**

##### **Resolution**

**Moved Cr J McNally**

**Seconded Cr S Tancred**

THAT Council:

1. Establish a Community Book Exchange at the Killarney Co-Op to provide a browsing collection of library items to the Killarney district as soon as possible; and
2. Implement the Regional Access Library Program as an enhanced delivery service to Killarney regional communities that may include:
  - a. fortnightly *Drop off/Pick up* of library items at a central, secure space;
  - b. fortnightly *Homerun* to members;
  - c. once a month *Pop-up Services*; and
  - d. quarterly *Outreach Programs*.
3. Consideration and planning for establishing a Killarney Library shopfront is undertaken in accordance with Council Resolution item 11.3, dated 22 February 2023, and that a report in relation to this be considered at the December 2023 Ordinary Council Meeting.

**Carried**

## 12. INFRASTRUCTURE SERVICES REPORTS

### 12.1 Smart Reticulation and Network Monitoring - Smart Meter Installation

#### Resolution

**Moved Cr C Gow**

**Seconded Cr A Gale**

THAT Council resolve that:-

1. Pursuant to section 235(a) of the Local Government Regulation 2012, it is satisfied that there is only 1 supplier who is reasonably available for the Smart Reticulation and Network Monitoring Project involving Smart Meter Installation and associated software; and
2. Pursuant to section 235(b) of the Local Government Regulation 2012, due to the specialised nature of the work, it would be impractical or disadvantageous to request quotes or tenders for the Smart Reticulation and Network Monitoring Project involving Smart Meter Installation and associated software; and
3. The Smart Meter Installation be awarded to Taggle Pty Ltd for the amount of \$3,210,708.78 (three million, two hundred and ten thousand, seven hundred and eight dollars and seventy-eight cents) excluding GST, for the installation of hardware and software; and
4. The Chief Executive Officer be delegated to approve reasonable and necessary variations to the contract.

**Carried**

*Mayor Pennisi declared a declarable conflict of interest in Agenda Item 13.1 as defined in Section 150EQ(4)(a) of the Local Government Act 2009 and following a resolution from Council remained in the room for the discussion and vote.*

## 13. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

### 13.1 Material Change of Use - 54 Rene Lane, Mount Tully

#### Resolution

**Moved Cr S Tancred**

**Seconded Cr S Windle**

THAT the application for Material Change of Use for the purpose of Short-term accommodation (Six – Two Bedroom Individual Cabins up to 24 people) on Lot 12 SP137896, located at 54 Rene Lane, Mount Tully, be approved subject to the following conditions:

#### **Schedule 1 - Southern Downs Regional Council Conditions**

##### **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	Drawing No.	Date
Site Plan prepared by C Consulting Engineers	221823 MCU01	2 March 2023
Floor Plan prepared by C Consulting Engineers	221823-DA-1	8 December 2022
Floor Plan Elevations prepared by C Consulting Engineers	221823-DA-2	8 December 2022

3D images prepare by C Consulting Engineers	221823-DA-1	8 December 2022
Amended Landscaping Plan prepared by the applicant	-	-

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.

### Land Use and Planning Controls

3. This approval allows for the use of the cabins for the following uses only:
- Short-term accommodation
4. The maximum number of guests accommodated in any one cabin at any one time must not exceed four (4) persons and the total number of guests to the site must not exceed 24 persons.
5. The Short-term accommodation (each cabin) is to be rented as a whole, not as individual rooms.
6. No person is to reside in any building identified for short term accommodation for more than 45 days consecutively, or more than 90 days in any 12 month period. The approved accommodation must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises.
7. A copy of a Fire Safety Plan is to be provided in each Short-term accommodation cabin.

### Building and Site Design

8. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
9. A copy of the Form 21 (Final Inspection Certificate) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

### Amenity and Environmental Controls

10. During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at the Stanthorpe Waste Management Facility.
11. 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.
12. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
13. 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.
14. Advertising Devices relating to the Short-term accommodation may **only** be erected on the subject land, i.e. Lot 12 SP137896. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the character of the surrounding area. 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.
15. 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.
16. Lighting is to be located and orientated to minimise negative impacts on wildlife. Lighting must not produce a level of luminance that exceeds 1 lux within or at the boundary of areas identified in the Biodiversity areas overlay.

17. All cleared or lopped timber and vegetation must be processed on site by wood chipping, mulching or similar method. Any processing of trees or vegetation must be carried out in a safe manner and without any adverse environmental impacts from noise or dust emissions, and in accordance with any requirements under the *Environmental Protection Act 1994*.

### **Fencing, Landscaping and Buffers**

18. Landscaped areas are to be provided on the site in accordance with approved Amended Landscaping Plan prepared by the applicant.

Landscaping must include plants endemic to the area, known food and habitat trees and shrubs, and replicates adjacent healthy remnant habitats, including understorey vegetation.

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 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**

19. Vehicle access is to be maintained to the site in accordance with Council's standard. (Council's Development Engineer can provide details regarding Council's standard.)
20. All vehicular access to and from the site must be via Rene Lane only. Access to or from the property is not to be obtained via the unmade road reserve which adjoins the northern boundary.
21. A 3.0 metre wide all-weather driveway is to be constructed from Rene Lane to the car parking area for each cabin. The vehicle entrance/driveway/carpark areas may remain gravel, provided they are appropriately maintained and do not cause a dust nuisance. If complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) or the vehicle entrance and driveway become eroded with material becoming deposited outside of the site or potholes form that would increase noise associated with vehicle movements, the entrance/driveway/carpark areas shall be constructed in sealed to Council's standards.
22. At least two car parking spaces are to be provided adjacent to each cabin. Provision is to be made for disabled parking. Parking is not to be in tandem.  
  
All car parking, driveway and loading areas shall be constructed, drained, laid out and regularly maintained.
23. The car park area is to be defined by a low physical barrier along the edge of the car parking area and driveways.

### **Water Supply and Waste water**

24. Each Short-term accommodation cabin is to be provided with at least 50,000 litres of water storage, which includes the provision of water for emergency fire fighting purposes.  
  
On site water supply may include the provision of a bore, dams, water storage tanks or a combination of these.
25. All sewage generated from this property must be disposed of by means of an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - *On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code* and the *Standard Plumbing and Drainage Regulation 2019*.
26. The site must be provided with a water storage reservoir having a minimum of 5,000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:

- (a) the domestic take off from the tank is at or above the 5000 litre point; and
- (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

All fire fighting connections are to be carried out in accordance with the *Plumbing and Drainage Act 2018*.

### **Electricity, Street Lighting and Telecommunications**

27. Reticulated electricity connections must be provided to the proposed development to the standards of the relevant authorities.

*Alternatively,*

Each cabin is equipped with an adequate on-site energy supply with a system capacity of at least 6.5kWh/day and back up for at least 4 days. Fuel generators are not provided for required energy supply or required back up.

28. In accordance with the Federal Government's National Broadband Network (NBN) initiatives, the Developer (at the Developer's expense) is to install telecommunications infrastructure, such as lead-in conduits (LIC) or a fibre ready pit and pipe network (including trenching and ducting, design and third party certification), to NBN Co's specifications, to allow for the installation of Fibre-to-the-Premises (FTTP) broadband services. Any fibre provider may be used, provided they meet NBN specifications and open access requirements. Ownership of the infrastructure is to be transferred to Telstra in exchange for the provision of fibre within that infrastructure network. Prior to commencement of the use, written advice is to be provided from Telstra that the telecommunications infrastructure network has been installed in accordance with NBN Co's specifications.

### **Infrastructure Charges Notice**

29. Payment is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice. If payment is made more than two years after the date of the Infrastructure Charges Notice, the charge will increase in line with the Road and Bridge Construction Index for Queensland.

### **Advisory Notes**

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environmental Services, 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 your responsibility to notify Council when a development, or part of, is nearing completion and ready for commencement of the use. The commencement of use is when the Infrastructure Charges associated with your development are to be paid, unless paid earlier.
- (iv) 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.
- (v) An application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.19 (Rental Accommodation Other Than Excluded Accommodation) 2011.
- (vi) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2018* 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.

- (vii) **Building Approval is to be obtained** for a Class 1a 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 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing.**
- (viii) 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.
- (ix) 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*.
- (x) No clearing of remnant vegetation or regulated regrowth vegetation is to occur under this approval. A Development Permit for Operational Works must be obtained from the Department of Infrastructure, Local Government and Planning for the clearing of any remnant vegetation, unless exempt under Schedule 21 of the *Planning Regulation 2017*.
- (xi) This area is expressly identified as being potentially impacted by lawful non-residential uses. In commencing a residential use, the owner(s) acknowledges and accepts that the use may be potentially impacted by emissions from the lawful non-residential use. It is the responsibility of the property owner(s) to take all measures necessary to ensure that the proposed development is developed and maintained in such a way as to mitigate odour, dust and noise impacts from the surrounding lawful non-residential use. These measures must be undertaken at the expense of the property owner(s).
- (xii) Council will not be sealing Rene Lane as a result of any dust complaints received.
- (xiii) Prior to constructing or upgrading an access, an application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011.
- (xiv) 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.
- (xv) All Development Permits for Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (xvi) 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.
- (xvii) This approval for Short-term Accommodation may potentially affect your rates and charges levied on your property. The potential impact may include, but is not limited to:
  - General Rates may change to a commercial category
  - State Emergency Management Levy may change classes
  - Sewerage Access Charges may change to a different category
  - Domestic Waste Collection may be removed and require a separate waste collection

direct from a waste collection provider

For further information, please contact Council's Revenue section on 1300 697 372.

### **Aboriginal Cultural Heritage**

(xviii) 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](http://www.datsip.qld.gov.au)

**Carried**

*Mayor Pennisi voted for the motion.*

## **13.2 Review of the Darling-Downs Moreton Rabbit Board Annual Payment Calculation**

### **Resolution**

**Moved Cr J McNally**

**Seconded Cr C Gow**

THAT Council respond to the LGAQ on the Options Paper delivered as part of the Review of the Darling Downs- Moreton Rabbit Board Annual Payment Calculation with the following position:

1. Support is provided to Option 4 only, as there is no increase to the proposed annual payment required by Southern Downs Regional Council without State Government contribution; and
2. Support advocacy to the Queensland Government to contribute to the funding of the DDMRB to reduce costs to local governments.

**Carried**

## **13.3.1 Referral of Agenda Item 13.3 Proposed New Planning Scheme for the Southern Downs Regional Council Local Government Area to In Camera Discussion**

### **Resolution**

**Moved Cr C Gow**

**Seconded Cr M Gliori**

THAT Council refer Agenda Item 13.3 Proposed New Planning Scheme for the Southern Downs Regional Council Government Area to In Camera discussions in accordance with Section 254J(3)(g) of the Local Government Regulations 2012.

**Carried**

### **13.4 Request to Waive Planning Application Fees, Infrastructure Charges and Infrastructure Requirements - PID 26215**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr J McNally**

THAT Council, in accordance with Section 109 of the *Planning Act 2016*:

1. Waive 50% of the Planning Application fees to be paid in accordance with Council's Schedule of General Fees and Charges 2022/23, in relation to the proposed two staged subdivision and associated Multiple dwelling development; and
2. Refuse the request to waive 100% of the Planning Application fees for the development;
3. Refuse the request to waive applicable Infrastructure Charges for the development;
4. Refuse the request for infrastructure provision to be considered prior to the assessment of the application to allow an appropriate assessment to be undertaken; and
5. Recommend the applicant apply for a Ministerial Infrastructure Designation (MID) to allow appropriate consideration of the proposal for affordable / social housing as it is the responsibility of State and Federal Governments.

**Carried**

### **14. REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES**

#### **14.1 Border Regional Organisation of Councils Meeting 19 May 2023**

On 19 May I attended the Border Region of Councils (BROC) meeting which was hosted by the Balonne Shire Council and held at St George.

The meeting was well attended with most member councils represented along with various other agencies.

Key matters discussed included:

#### **Disaster Management**

- QPS re upcoming cross-border disaster exercise being held on 13 July 2023 at St George
- Bureau of Meteorology QLD & NSW re change of ownership of flood gauges to BOM
- NSW Reconstruction Authority re NSW are going to change their processes to become more efficient and be based on the Queensland model
- NSW SES – re feedback on the 2022 floods including them providing assistance to Qld communities

#### **Guest Speaker**

Keiran Mau, Lonergan Projects. Keiran Mau has had extensive experience in delivery of flood damage programs on behalf of the Queensland Reconstruction Authority, Department of Transport and Main Roads and numerous Local Governments.



### Agency Updates

- Laura Colley – Inland Rail Regional Liaison Officer for the Department of Infrastructure, Transport, Regional Development, Communications and the Arts
- Jo Tait - Australian Rail Track Corporation (ARTC)
- Jennifer Rix – Director, Regional Development Australia (Darling Downs & South West).

The next BROC meeting is to be held in August at Cunnamulla.

### Resolution

**Moved Cr A Gale**

**Seconded Cr C Gow**

THAT the verbal report of Cr Gale for the Border Regional Organisation of Councils Meeting held 19 May 2023 be received.

**Carried**

### 15. NOTICES OF MOTION

Nil

### 16. GENERAL BUSINESS

Nil

### 17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 254J(3) 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 254J(3) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

#### 13.3 Proposed New Planning Scheme for the Southern Downs Regional Council Local Government Area

##### Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

### **Meeting In Camera**

#### **Resolution**

**Moved Cr C Gow**

**Seconded Cr R Bartley**

THAT the meeting move into closed session.

**Carried**

*The Meeting moved into closed session at 12:12pm.*

### **Meeting Out Of Camera**

#### **Resolved**

THAT the meeting resume in open session at 12:34am.

**Carried**

### **13.3 Proposed New Planning Scheme for the Southern Downs Regional Council Local Government Area**

#### **Resolution**

**Moved Cr R Bartley**

**Seconded Cr C Gow**

THAT Council requests a State interest review of the proposed draft planning scheme for the Southern Downs Regional Council Local Government Area, subject to the following amendment:

1. Transferable Development Rights Draft Policy: The lot interchange be one for one.

**Carried**

### **MEETING CLOSURE**

There being no further business, the meeting closed at 12:34pm.