



**MINUTES OF THE
ORDINARY COUNCIL MEETING
13 MARCH 2024**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 13 MARCH 2024 IN THE
COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Cr McNally offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

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

Officers: Dave Burges (Chief Executive Officer), Leon Love (Director Customer and Organisational Services), Scott Riley (Director Planning and Environmental Services), Gurbindar Singh (Chief Financial Officer), Mark Watt (Land Management Consultant), Angela O'Mara (Manager Planning and Development) and Marion Seymour (Minute Secretary)

3. APOLOGIES

3.1 Apology - Cr Gliori

Resolution

Moved Cr C Gow

Seconded Cr R Bartley

THAT the apology of Cr Gliori be received and leave of absence granted.

Carried

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 21 February 2024

Resolution

Moved Cr A Gale

Seconded Cr J McNally

THAT the minutes of the Ordinary Council Meeting held on Wednesday 21 February 2024 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Ordinary Council Meeting 21 February 2024

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Nil

7. MAYORAL MINUTE

7.1 Mayoral Minute

Resolution

Moved Mayor V Pennisi

Seconded Cr C McDonald

THAT the attached Mayoral Minute be received.

Carried

Attachments

1. Mayor Pennisi's Mayoral Minute - **Attached to the Minutes Under Separate Cover**

Presentation from the Mayor recognising the contributions of Cr McNally and Cr Giori to the Southern Downs community during their tenure as Councillors

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr S Windle

Seconded Cr S Tancred

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

10.1 Organisation Information Reports March 2024

Resolution

Moved Cr A Gale

Seconded Cr S Windle

THAT Council note the contents of the Information Reports.

Carried

10.2 Granite Belt Alliance Meeting Minutes 15 January 2024

Resolution

Moved Cr S Windle

Seconded Cr S Tancred

THAT Council receive the draft Granite Belt Alliance Meeting Minutes from the meeting held on 15 January 2024.

Carried

11. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

11.1 Financial Services - Financial Report as at 29 February 2024

Resolution

Moved Cr C Gow

Seconded Cr A Gale

THAT Council receive and note the Financial Report as at 29 February 2024.

Carried

11.2 Local Housing Action Plan

Resolution

Moved Cr S Tancred

Seconded Cr C Gow

THAT Council adopt the SDRC Local Housing Action Plan, as presented.

Carried

Attachments

1. Local Housing Action Plan - **Attached to the Minutes Under Separate Cover**

11.3 Disposal of land described as Lot 2 on SP287028, located at 6 Gus Mauch Road, MASSIE - Warwick Aerodrome

Resolution

Moved Cr C Gow

Seconded Cr A Gale

THAT Council:

1. Pursuant to section 236(2) of the *Local Government Regulation 2012*, apply an exception to the disposal of a valuable non-current asset other than by tender or auction for land located at 111 Massie Bony Mountain Road, Massie and described as Lot 2 on SP287028 (the Land);
2. Pursuant to section 236(1)(c)(vii) of the *Local Government Regulation 2012*, approve the disposal of the Land to the current lessee at market value given the land is used as an airport or related purposes; and
3. Authorise the Chief Executive Officer to finalise the terms and conditions of the sale and relevant Titles Queensland land transfer documents.

Carried

11.4 Local Recovery and Resilience Plan - Bushfires 2023

Resolution

Moved Cr S Windle

Seconded Cr C Gow

THAT Council receive the Local Recovery and Resilience Plan – Bushfires 2023 and note the contents.

Carried

12. INFRASTRUCTURE SERVICES REPORTS

Nil

13. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

13.1 Material Change of Use – Aushomes Pty Ltd C/- IB Town Planning: 11-13 Junabee Road, Warwick

Resolution

Moved Cr A Gale

Seconded Cr S Tancred

THAT the application for Material Change of Use for the purpose of Dual occupancy, located at 11-13 Junabee Road, Warwick, described as Lot 1 SP296397, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

- 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
Estate Plan – prepared by Aus Homes Pty. Ltd.	Issue 3 Sheet 0.1	10 November 2023
Site Plan – prepared by Aus Homes Pty. Ltd.	Issue 3 Sheet 1.0	10 November 2023
Floor Plan – prepared by Aus Homes Pty. Ltd.	Issue 3 Sheet 2.0	10 November 2023
Dimensions – prepared by Aus Homes Pty. Ltd.	Issue 3 Sheet 2.1	10 November 2023
Elevations – prepared by Aus Homes Pty. Ltd.	Issue 3 Sheet 3.0	10 November 2023
Elevations – prepared by Aus Homes Pty. Ltd.	Issue 3 Sheet 3.1	10 November 2023

- 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.

Building and Site Design

- A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
- 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

- During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at an approved waste management facility.
- All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
- One set of wheelie bins (one general waste and one recycling bin) must be provided for each unit. The wheelie bins are to be stored within the courtyard of each dwelling unit and screened from view from all roads and public places. A concrete pad is to be provided for the two bins in an appropriate location within each courtyard.

Fencing, Landscaping and Buffers

- A screen fence 1.8 metres high shall be erected along the side and rear boundaries of Lot 10

SP334355, and to define each courtyard, to provide visual screening. This screen 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 forward of the building line.

9. Fencing areas are to be provided on the in accordance with *Site Plan, Issue 3 Sheet 1.0, dated 10 November 2023*, prepared by *Aus Homes Pty. Ltd.*
10. A three (3) metre wide landscaped area is to be planted along the eastern boundary of Lot 10 SP334355 as to provide a visual buffer. A one (1) metre wide landscaped area is to be provided along the northern, southern and western boundaries of Lot 10 SP334355 as to provide a visual buffer. These areas are to be densely planted with trees and shrubs.
11. **A Landscaping Plan is to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** 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 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.
12. Retaining structures and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure.
13. All earthworks, including batters must be fully contained within the site.

Car Parking and Vehicle Access

14. Vehicle access is to be constructed to Lot 10 SP334355 in accordance with Council's standard. (Council's Development Engineer can provide details regarding Council's standard.)
15. At least four (4) car parking spaces are to be provided on site. At least two (2) of these car parking spaces are to be covered. All car parking and driveway areas shall be sealed, drained and regularly maintained. The concrete driveway must be treated with stencil or aggregate or similar, and connect from Crebra Court.

Roadworks

16. 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.

Stormwater Drainage

17. The proposed development must have a lawful point of discharge determined in accordance with the *Queensland Urban Drainage Manual (QUDM)*. A stormwater management plan, including plans for any proposed stormwater infrastructure, may be required to demonstrate compliance with QUDM. Any required stormwater management plan must be prepared by a suitably qualified RPEQ and submitted for endorsement by Council prior to the commencement of the use.

For any proposed use where it cannot be satisfactorily demonstrated that storm-water associated with the use can be directed to the frontage kerb or alternative lawful point of discharge, an inter-allotment drainage system must be designed and constructed in accordance with QUDM.

Inter-allotment drainage systems and overland flow paths, including those affecting adjacent properties, must be wholly contained within easements. Easements are to have a minimum width of three (3) metres, and be provided to Council at no cost to Council.

Water Supply and Waste water

18. 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. A separate water connection (including water meter) is to be provided for each dwelling unit within the development.

19. A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system. A separate sewerage connection is to be provided for each dwelling unit.

Pedestrian Works

20. A 1.5 metre wide concrete footpath is to be constructed along the Crebra Court frontage of the site, in a location suitable to the Director Infrastructure Services.

Electricity, Street Lighting and Telecommunications

21. Underground electricity connections must be provided to the proposed development to the standards of the relevant authorities.
22. 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 NBN Co in exchange for the provision of fibre within that infrastructure network. Prior to commencement of the use, written advice is to be provided from NBN Co that the telecommunications infrastructure network has been installed in accordance with NBN Co's specifications.

Infrastructure Charges Notice

23. 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) 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.
- (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) From 1 July 2022 in Southern Downs Regional Council area Queensland Development Code MP4.2 will be applicable for any new class 1 buildings. Rainwater tanks with a minimum capacity of 5,000 litres are required for all new dwellings in water reticulated areas. Tanks are to be plumbed to service toilets, washing machines and an outdoor tap in accordance with the *Plumbing and Drainage Act 2018*. Appropriate area on the subject lot will be required to ensure compliance with these mandatory provisions.
- (ix) The Flood hazard overlay is based on a 1% Annual Exceedance Probability (AEP) flood event. An event of this size may occur, on average, once every 100 years, however it may occur more frequently. Flood events may also be larger than the 1% AEP and therefore areas located outside of the overlay are not guaranteed of flood immunity.
- (x) 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.
- (xi) 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.
- (xii) A Compliance Permits for Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.

Telecommunications in New Developments

- (xiii) For information for developers and owner builders, on important Commonwealth telecommunication rules that need to be complied with, visit www.infrastructure.gov.au/tind

Aboriginal Cultural Heritage

- (xiv) 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

Carried

13.2 Proposed Ministerial Infrastructure Designation - Win Housing Solutions and Community Housing Ltd.

Resolution

Moved Cr C Gow

Seconded Cr J McNally

THAT Council make a submission regarding the Ministerial Infrastructure Designation proposal relating to the construction of Social and Affordable Housing on land at 9 Law Road, Warwick, described as Lot 1 RP159801, in relation to infrastructure servicing, building design, carparking, waste storage and collection, connectivity, flood hazard overlay and public transport.

Carried

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

Nil

15. NOTICES OF MOTION

Nil

16. GENERAL BUSINESS

16.1 CR TANCRED - APOLOGY

IN RELATION TO OIA MATTER NUMBER C/24/00060 AND IN ACCORDANCE WITH SECTION 4.6 OF THE COUNCILLORS INVESTIGATION POLICY PL-CS085, CR TANCRED APOLOGISED TO THE MEMBER OF THE PUBLIC FOR RAISING HIS VOICE IN A COUNCILLOR INFORMATION SESSION ON 15 DECEMBER 2023.

17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

Nil

MEETING CLOSURE

There being no further business, the meeting closed at 10:20am.