



SOUTHERN DOWNS REGIONAL COUNCIL ORDINARY COUNCIL MEETING

Dear Councillors

Your attendance is hereby requested at the Ordinary Council Meeting to be held in the Council Chambers, Southern Downs Regional Council, 64 Fitzroy Street, Warwick on **Wednesday, 20 November 2024 at 9:00AM.**

Notice is hereby given of the business to be transacted at the meeting.

Steve Johnston

ACTING CHIEF EXECUTIVE OFFICER

14 November 2024

Attendances:

11:00am Deputations – Agenda Item 15.4

12:30pm Kerry Phillips, Audit & Risk Management Committee Chair (Lunch and Meeting)

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WEDNESDAY, 20 NOVEMBER 2024 Ordinary Council Meeting

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1. **ACKNOWLEDGEMENT OF COUNTRY**
2. **PRAYER & CONDOLENCES**
3. **ATTENDANCE AND APOLOGIES**
4. **READING AND CONFIRMATION OF MINUTES**

4.1 Ordinary Council Meeting - 16 October 2024

Recommendation

THAT the minutes of the Ordinary Council Meeting held on Wednesday 16 October 2024 be adopted.

4.2 Special Council Meeting - 13 November 2024


Recommendation

THAT the minutes of the Special Council Meeting held on Wednesday 13 November 2024 be adopted.

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Ordinary Council Meeting 16 October 2024

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council receive the report and note the contents.

REPORT

The purpose of this report is to provide a summary of Actions resulting from resolutions from the Ordinary Council Meeting held 16 October 2024.

A copy of the Actions Report is attached.

ATTACHMENTS

1. Actions from Ordinary Council Meeting 16 October 2024[↓](#)



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING 16 OCTOBER 2024

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
16/10/2024	5.1	Actions from Council Meetings September 2024	Johnston, Steve	21 Oct 2024 11:38am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:38:55 AM - Noted.	21/10/2024
16/10/2024	6.1	Conflict of Interest - Cr McDonald - Agenda Item 12.2	Johnston, Steve	21 Oct 2024 11:39am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:39:02 AM - Noted.	21/10/2024
16/10/2024	6.1	Conflict of Interest - Cr Pidgeon - Agenda Item 12.2	Johnston, Steve	21 Oct 2024 11:39am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:39:09 AM - Noted.	21/10/2024
16/10/2024	8.1	Procedural Motion - Notice of Motion - Public Attendance at Councillor Information Sessions	Johnston, Steve	21 Oct 2024 11:39am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:39:29 AM - Noted.	21/10/2024
16/10/2024	8.1	Notice of Motion - Public Attendance at Councillor Information Sessions	Johnston, Steve	21 Oct 2024 11:39am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:39:49 AM - Noted the matter is laying on the table.	21/10/2024
16/10/2024	9.1	Correspondence	Johnston, Steve	21 Oct 2024 11:40am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:40:01 AM - Noted.	21/10/2024
16/10/2024	12.1	Acting Chief Executive Officer - Status Report	Johnston, Steve	21 Oct 2024 11:40am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:40:14 AM - Noted.	21/10/2024
16/10/2024	12.2	Organisation Information Reports	Johnston, Steve	21 Oct 2024 11:40am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:40:50 AM - Noted.	21/10/2024



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING 16 OCTOBER 2024

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
16/10/2024	12.2.1	Organisation Information Reports - Southern Downs Youth Council Meeting 22 August 2024	Bell, Michael	21 Oct 2024 12:47pm Bell, Michael - Completion Completed by Bell, Michael (action officer) on 21 October 2024 at 12:47:22 PM - Noted and referred to officer to action through a future report.	21/10/2024
16/10/2024	12.3	Quarterly Organisation Information Reports October 2024	Johnston, Steve	21 Oct 2024 11:41am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:41:04 AM - Noted.	21/10/2024
16/10/2024	12.4	Appointment of Selection Panel for Chief Executive Officer Recruitment	Woolley, Dianne	07 Nov 2024 12:11pm Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Woolley, Dianne (action officer) on 07 November 2024 at 12:11:07 PM - Details of the Council decision have been provided to the recruitment agency.	7/11/2024
16/10/2024	12.5	Review of Councillor Portfolios	Johnston, Steve	21 Oct 2024 11:42am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:42:16 AM - Portfolio details and Policy have been updated.	21/10/2024
16/10/2024	12.6.1	Acceptance of Late Agenda Item	Johnston, Steve	21 Oct 2024 11:42am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:42:28 AM - Noted.	21/10/2024
16/10/2024	12.6	Southern Downs Women Support Centre, Willow Tree 37 - Appointment of Councillor Representatives	Johnston, Steve	21 Oct 2024 11:47am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:47:34 AM - Southern Downs Women Support Centre advised, and Councillor Portfolio Policy updated	21/10/2024
16/10/2024	13.1	Financial Services - Financial Report as at 30 September 2024	Dowie, Brooke	17 Oct 2024 2:41pm Dowie, Brooke - Completion Completed by Dowie, Brooke (action officer) on 17 October 2024 at 2:41:40 PM - September Finance Report noted.	17/10/2024



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING 16 OCTOBER 2024

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
16/10/2024	13.2	First Quarter Budget Review 2024-25	Dowie, Brooke	17 Oct 2024 3:04pm Dowie, Brooke - Completion Completed by Dowie, Brooke (action officer) on 17 October 2024 at 3:04:37 PM - 1st Quarter Budget Review Adopted, noting Council is yet to make a decision re: Gunns Cottage. Budget rollover completed.	17/10/2024
16/10/2024	13.3	Adoption of Amended Fees and Charges 2024-25	Betts, Melissa	17 Oct 2024 2:56pm Betts, Melissa - Completion Completed by Betts, Melissa (action officer) on 17 October 2024 at 2:56:37 PM - Fees & charges have been updated by Helen Gross	17/10/2024
16/10/2024	13.4	Review of Policies	Gross, Helen	28 Oct 2024 1:44pm Gross, Helen - Completion Completed by Gross, Helen (action officer) on 28 October 2024 at 1:44:43 PM - Policies sent to governance officer for inclusion on the register and uploaded to the website	28/10/2024
16/10/2024	13.5	Public Asset Naming Proposal - Matthew Denny	Bell, Michael	21 Oct 2024 5:49am Bell, Michael - Completion Completed by Bell, Michael (action officer) on 21 October 2024 at 5:49:49 AM - Noted and referred to the Manager Sustainability and Strategy for next step (community engagement).	21/10/2024
16/10/2024	13.6	Eastern Suburbs Junior Rugby League Warwick Inc. - Lease - At Lot 46 ML1315, located at Jackie Howe Drive, WARWICK	Glode, Patrina	31 Oct 2024 2:02pm Glode, Patrina - Completion Completed by Glode, Patrina (action officer) on 31 October 2024 at 2:02:07 PM - no action required. Was an information update.	31/10/2024
16/10/2024	13.7	Review of Policies	Armstrong, Belinda	08 Nov 2024 4:27pm Malolo, Alisi - Completion Completed by Malolo, Alisi on behalf of Armstrong, Belinda (action officer) on 08 November 2024 at 4:27:18 PM - Policies uploaded	8/11/2024
16/10/2024	18.1	Procedural Motion - Meeting Adjournment	Johnston, Steve	21 Oct 2024 11:42am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Johnston, Steve (action officer) on 21 October 2024 at 11:42:52 AM - Noted.	21/10/2024



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING 16 OCTOBER 2024

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
16/10/2024	14.1	Warwick Walking Network Plan Adjustments	Jacobson, Anneke	18 Oct 2024 3:03pm Jacobson, Anneke Adjusted Warwick Walking Network Plan emailed to TMR Walking Grants, updated version uploaded to SDRC website, updated Walking Network Priority Routes layer on Intramaps. 18 Oct 2024 3:10pm Jacobson, Anneke - Completion Completed by Jacobson, Anneke (action officer) on 18 October 2024 at 3:10:47 PM - Updated Walking Network Plan sent to TMR Walking Grants, updated version uploaded to SDRC website, Intramaps layer has been updated by Assets.	18/10/2024
16/10/2024	15.1	Material Change of Use - 134 Bisley Street, Warwick	O'Mara, Angela	21 Oct 2024 9:02am O'Mara, Angela - Completion Completed by O'Mara, Angela (action officer) on 21 October 2024 at 9:02:11 AM - Decision Notice issued.	21/10/2024
16/10/2024	15.2	Reconfiguring a Lot – Gary Hayes & Partners Pty Ltd , 216-218 Pratten Street, Warwick	O'Mara, Angela	21 Oct 2024 9:02am O'Mara, Angela - Completion Completed by O'Mara, Angela (action officer) on 21 October 2024 at 9:02:21 AM - Decision Notice issued.	21/10/2024
16/10/2024	15.3	Minor Change to Material Change of Use – Darryl J Wiggins and Roslyn E Wiggins ATF DJ & RE Wiggins Super Fund C/-Revolution Town Planning, 143 Old Stanthorpe Road, Morgan Park	O'Mara, Angela	21 Oct 2024 9:02am O'Mara, Angela - Completion Completed by O'Mara, Angela (action officer) on 21 October 2024 at 9:02:40 AM - Decision Notice issued.	21/10/2024
16/10/2024	15.4	Minor Change to Reconfiguring a Lot – Sharon E and Victor F Pennisi, 132-140 Eukey Road, Stanthorpe	Collier, Tonya	28 Oct 2024 10:49am Watt, Jenny - Completion Completed by Watt, Jenny on behalf of Collier, Tonya (action officer) on 28 October 2024 at 10:49:10 AM - Decision Notice & Statement of Reasons emailed to Applicant	28/10/2024
16/10/2024	15.5	Minor change applications Gary Hayes & Partners Pty Ltd - 11-25 Carmody Street, Warwick	Collier, Tonya	28 Oct 2024 10:55am Watt, Jenny - Completion Completed by Watt, Jenny on behalf of Collier, Tonya (action officer) on 28 October 2024 at 10:55:02 AM - Withdrawn	28/10/2024



ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING 16 OCTOBER 2024

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
16/10/2024	15.6	Request to Reduce Building Application Fee - PID 66050	Ripphausen, Skye	06 Nov 2024 1:19pm Ripphausen, Skye - Completion Completed by Ripphausen, Skye (action officer) on 06 November 2024 at 1:19:40 PM - Customer was notified and the 50% refund of building application fees has been processed.	6/11/2024
16/10/2024	17.1	Request for Capital Assistance Loan	Gross, Helen	28 Oct 2024 11:06am Gross, Helen - Completion Completed by Gross, Helen (action officer) on 28 October 2024 at 11:06:05 AM - Letter written and emailed to Southern Downs Steam Railway	28/10/2024
16/10/2024	17.2	Write Off Unrecoverable Overdue Debtor Accounts	Gow, Lachlan	06 Nov 2024 3:16pm Gow, Lachlan - Completion Completed by Gow, Lachlan (action officer) on 06 November 2024 at 3:16:35 PM - Debts written off and accounts made inactive	6/11/2024
16/10/2024	17.3	Burial on Private Land - Fee Waiver	Collingwood, Chris	06 Nov 2024 12:11pm Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Collingwood, Chris (action officer) on 06 November 2024 at 12:11:42 PM - Letter written to applicant to inform that Council has waived any further fees for the burial on private property.	6/11/2024

6. DECLARATIONS OF CONFLICTS OF INTEREST

7. MAYORAL MINUTE

Nil

8. NOTICES OF MOTION

Nil

9. READING AND CONSIDERATION OF CORRESPONDENCE

Nil


10. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

11. PORTFOLIO REPORTS

11.1 Portfolio Report - Cr Harslett: Inspired Communities

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council's Inspired Communities Portfolio Report be received.

REPORT

Cr Harslett has provided a Portfolio Report providing an update on aspects of her Inspired Communities Portfolio, including Libraries, Art Galleries, Community Grants, Regional Arts Development Fund, Civic Events and Southern Downs Youth Council.

Attached is a copy of the Portfolio Report.

ATTACHMENTS

1. Portfolio Report - Inspired Communities [↓](#)



13 NOVEMBER 2024 UPDATE

LIBRARIES

The role of libraries in our communities is ever-changing and our Southern Downs Libraries want to be innovative and current with the services on offer. A survey will soon be released seeking public feedback on what our residents are looking for in their libraries.

In late October, local historian Deb Wheeler delivered a free workshop exploring the use of Trove and other digital tools when conducting historical research. Later this month, author Susan Mackie will share her insights on creative writing and a career in the literary world.

For more information on our libraries, collections, school holiday activities, workshops and new books, residents can visit www.southerndowns.spydus.com

ART GALLERIES

Both the Warwick and Stanthorpe Art Galleries continue to host extraordinary exhibitions showcasing creative talent from within the region and beyond. I wish to acknowledge the significant work that the galleries also do in supporting and promoting other arts and performing groups and individuals as part of their role as leaders of the Southern Downs Arts Community. From musical performances to book launches and everything in between, our Art Galleries are a vital hub for so many of the Southern Downs' creative residents.

MOU's are under negotiation between both SDRC & WAG and SDRC & SRAG. These documents have been due for updating for some time and negotiations are ongoing as it is the wish of all parties that we do this properly such that the greatest possible benefit can be derived for everyone, including the wider arts community.

COMMUNITY GRANTS

The 2024-25 budget allocation for our *Grants to Community* program is now fully expended. The purpose of this program is to offer financial assistance to community members and not-for-profit community organisations for their facilities and activities. A list of approved applicants is attached to this report.



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REGIONAL ARTS DEVELOPMENT FUND

The Regional Arts Development Fund (RADF) is a partnership between the State Government and SDRC which promotes the role and value of arts, culture and heritage as key drivers to: support diversity and inclusivity; grow strong regions and provide training, education and employment opportunities for Queensland artists, creatives and local community groups. Applications are now open for 2024-25 RADF funding. Forms and guidelines can be found on our website.

A panel of community representatives has been selected to assess these applications. The panel comprises four residents with interests in a variety of creative areas (two residing in northern and two in southern localities of the Southern Downs Region), a representative each from the Warwick and Stanthorpe Regional Art Galleries and one SDRC Community Development staff member. This panel will make their recommendations for funding to the Manager of Community Services for approval. This is an amended process from the previous Council term and allows for greater community input into the distribution of funds and will also create a more streamlined process, allowing funds to reach our creative sector more efficiently.

CIVIC EVENTS

REMEMBRANCE DAY

Across the region, on November 11th at 11am, our region paused to remember the sacrifices of all those who have fought for and defended our nation. SDRC coordinated events in Warwick and Stanthorpe however many other organisations, schools and communities around the region, also held Remembrance Day Services. This widespread display of respect and reverence is both heartfelt and humbling and I thank all community members who were involved in each and every one of these ceremonies.

AUSTRALIA DAY

It is with pleasure that I am able to announce that the 2025 Australia Day Southern Downs Regional Citizen of the Year Awards Ceremony will be hosted by Dalveen Primary School. As these will be the first combined regional awards, a venue as close to the geographical centre of the Southern Downs was chosen and it is hoped that the residents will take this opportunity to support one of our regional villages.

Nominations for the awards are currently open and will close at the end of this month, with forms available on SDRC's website. Award categories are:

- Junior Cultural Person of the Year
- Cultural Person of the Year
- Junior Sports Person of the Year
- Sports Person or Sports Administrator of the Year
- Junior Citizen of the Year
- Citizen of the Year
- Community Event of the Year



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Southern Downs
REGIONAL COUNCIL

MATT DENNY STREET PARADE AND WARWICK RODEO STREET PARADE

In recent months SDRC staff have helped to deliver two unique street parades. The first was in Allora in honour of Olympic Discus Bronze Medallist, Matt Denny. Congratulations to the Community Development team of Michael, Tiarnie, Gwen and Alexis for providing all the support required by the Allora community on a very tight timeline. Thank you to the community of Allora for your organisation of the event and your support of your emerging sporting talent over many years!

The second was the annual Warwick Rodeo Street Parade with this year's theme Boots & Blooms. Congratulations to the Economic Development team of Gary, Amanda and Carolyn for this vibrant and iconic event. There was a wonderful array of floats, bands, street characters and animals waving the flag for their schools, businesses and community groups. Thank you to all participants for your involvement in this on-going tradition.

SOUTHERN DOWNS YOUTH COUNCIL

Throughout 2024, a group of year 10 students representing the schools across our region have been meeting to learn about the functions of local government and investigating and discussing topical issues for our youth. Congratulations to all of the participants, their parents and teachers and to Sue and the SDRC team who have facilitated these meetings.

In 2025, the program will take a slightly altered approach with greater input and mentorship from elected Councillors and a more structured program which will take the students on a learning journey of formulating, framing and presenting youth driven initiatives, culminating in recommendations being made by students at a live Council meeting. Schools are currently nominating and electing their student representatives for the 2025 cohort.



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Southern Downs
REGIONAL COUNCIL

ATTACHMENT A – TABLE OF GRANTS

Application ID	Applicant Organisation Name	Project Title	Amount Approved
CG-2425-002	Southern Downs Suicide Prevention Network	Out of the Shadows Walk	\$ 1,972.30
CG-2425-004	Ballandean Hall and Sports Club	Festival of Small Halls	\$ 2,000.00
CG-2425-006	Warwick AFC Inc	Security upgrade Redbacks clubhouse	\$ 2,000.00
CG-2425-008	Warwick Fish Stocking Association	Purchase of grass line trimmers day use area Leslie Dam	\$ 1,997.00
CG-2425-009	Granite Borders Landcare Committee	Stanthorpe Eco Expo 2024	\$ 1,474.00
CG-2425-010	Rotary Club of Stanthorpe	Saving electricity by installing solar panels on our shed	\$ 2,000.00
CG-2425-011	Anglican Parish of Warwick	St. Mark's Sound System Upgrade	\$ 1,999.00
CG-2425-012	Warwick Gliding Club	Glider runway refurbishment	\$ 2,000.00
CG-2425-014	Killarney Bowls Club Inc	New Signage	\$ 1,835.20
CG-2425-015	Stanthorpe Blue Water Fishing & Restocking Club Inc	Restocking native fish fingerlings in the Severn River and tributaries	\$ 2,000.00
CG-2425-016	Granite Belt Sustainable Action Network	Southern Downs Bird Places Brochure	\$ 1,974.95
CG-2425-017	Glen Aplin Memorial Hall and Sports Club	Air conditioning for the hall	\$ 2,000.00
CG-2425-019	Killarney & District Historical Society Inc.	Engineer's Report for Heritage Shed Solar Panels	\$ 1,155.00
CG-2425-020	Bullecourt Boulder Bounders Orienteering Club Inc	Support for the 2024 Qld Orienteering Championships at Dalveen	\$ 1,575.50
CG-2425-023	Goomburra Town Hall Committee Inc	Developing GTH Workspace for Volunteers and Safety	\$ 1,988.72
CG-2425-025	Wildlife Disaster Rescue and Recovery Inc	Providing uniforms and safe workwear	\$ 2,000.00
CG-2425-027	Rose City Probus	Rose City Probus 4 Club Fellowship Meeting	\$ 1,521.98
CG-2425-028	Killarney Branch CWA	Kitchen Flooring	\$ 2,000.00
CG-2425-029	Mountain Maid Wild Dog Control Assn Inc.	Trapping Workshop	\$ 2,000.00
CG-2425-031	Warwick & District Dirt Bike Club	Safety First with UHF radio's - "Copy That"	\$ 2,000.00
CG-2425-032	Condamine Headwater Landcare Group	CHLG Nursery Expansion	\$ 2,000.00
CG-2425-037	Granite Belt Local Chaplaincy Committee	2024 Chaplaincy Gala Dinner	\$ 2,000.00
CG-2425-040	Southern Downs Refugee and Migrant Network	Everyone Belongs: Music unites us for Harmony Week	\$ 1,985.00
CG-2425-041	Granite Belt Support Network	Disability Dance Academy Workshops	\$ 1,225.75
CG-2425-043	Warwick Swimming Club Inc.	Oncore Swim Clinic	\$ 2,000.00
CG-2425-045	The Darling Downs Harness Racing Club	Harness on the Grass at the Warwick Turf Club	\$ 1,430.00
CG-2425-047	Warwick East Bowls Club	Purchase of Umpire's Kit	\$ 679.73
CG-2425-053	Allora Men's Shed Inc.	BBQ recreation area paving	\$ 2,000.00
TOTAL			\$ 50,814.13



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Southern Downs
REGIONAL COUNCIL

12. EXECUTIVE SERVICES REPORTS

12.1 Organisation Information Reports

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council note the contents of the Organisation Information Reports.

REPORT

Background

These reports are placed in the agenda for the information of Councillors on operational matters.

Report

Relevant Information Reports are provided as attachments to this covering report, and include:

1. Customer and Organisational Services Monthly Status Report October 2024
2. Southern Downs Youth Council Meeting 17 October 2024
3. YMCA Monthly Report September 2024
4. Infrastructure Services Monthly Status Report October 2024
5. Planning and Environmental Services Monthly Status Report October 2024

FINANCIAL IMPLICATIONS

Where relevant and unless noted otherwise, budget provisions have been made for the operational and capital issues discussed in the reports.

RISK AND OPPORTUNITY

Risk

That Councillors are not adequately informed of operational matters that may be of interest.

That members of the public are not adequately informed of operational matters that may be of interest.

Opportunity

These reports present an opportunity to the organisation to demonstrate progress of a wide range of deliverables.

COMMUNITY ENGAGEMENT

Internal Consultation

Consultation is undertaken where deemed appropriate on various matters that may be included in the Information Reports.

External Consultation

Consultation is undertaken where deemed appropriate on various matters that may be included in the Information Reports.

LEGAL / POLICY

Legislation / Local Law

Nil

Corporate Plan

Various matters included in the Information Reports contribute to the realisation of Council's Corporate Plan themes of *People, Places, Prosperity* and *Performance*.

Policy / Strategy


Various matters included in the Information Reports contribute to the realisation of Council's policies and strategies.

ATTACHMENTS

1. Customer and Organisational Services Monthly Status Report October 2024 [↓](#)
2. Southern Downs Youth Council Meeting 17 October 2024 [↓](#)
3. YMCA Monthly Report September 2024 [↓](#)
4. YMCA WIRAC Monthly Financial Report September 2024 (Confidential - Provided to Councillors only)
5. YMCA Stanthorpe Monthly Financial Report September 2024 (Confidential - Provided to Councillors only)
6. Infrastructure Services Monthly Status Report October 2024
7. Planning and Environmental Services Monthly Status Report October 2024

0.0 INFO REPORT | Customer & Organisational Services Monthly Status Report

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council receive and note the Customer & Organisational Services Monthly Status Report for the month of October 2024

REPORT

The Customer and Organisational Services Directorate has responsibility for the operational aspects of a range of functions within and external to Council.

Major Projects Update

Project Name	Status
Warwick Saleyards Redevelopment	Stage 2 has now reached practical completion. Raised buyer walkways are in place and pen split on the Eastern side is well underway. Scales replacement will commence 2 December.



Community Services

Disaster Management

Fire Season

Further fires have occurred across the Southern Downs, many as a result of lighting strikes. Council reminds residents:

- Bushfires pose a very real threat to the Southern Downs region.
- Prepare your home, property and family now and have your Bushfire Survival Plan in place, before bushfire strikes.
- There are simple things you can do now to prepare your property, like clearing gutters, closing gaps in decks and floors, reducing vegetation around the home and trimming low-lying branches.

Heat Wave

From Monday 4 November through to Thursday 7 November the Bureau of Meteorology issued as heat wave warning for many parts of the State, including parts of the Southern Downs. As the region continues through the warmer summer months, the community is reminded that heat waves are part of our landscape, and as such, during heat wave warnings the community should note and follow that"

- Severe heatwaves can be dangerous for many people, especially older people, babies, children, pregnant and breastfeeding women, people with medical conditions and people who are unwell.
- The community should seek a place to keep cool, such as your home, a library, community centre or shopping centre.
- Close your windows and draw blinds, curtains or awnings early in the day to keep the heat out of your home.
- If available, use fans or air-conditioners to keep cool.

For information on staying safe during a heatwave go to the [QLD Department of Health web page](#).

Libraries

For the month of October Council libraries had the following visitation:

	Stanthorpe	Warwick	Allora
Total	2731	4082	470

During the same period, the following loan interactions occurred:

Branch	Total loans	Self Service	% by self service
Allora	763	8	1.05%
Stanthorpe	3869	2593	67%
Warwick	6696	1389	20.7%
Web (renewals)	3820	n/a	n/a
Total	15148	3990	26.3%

Corporate Services

Land Management

The Land Management Team continue to deal with a high number of queries relating to land matters, leasing, road re-alignments and easements. A review is being undertaken of community and sporting leases due for renewal. Settlement administration are being finalised for the final parcel of freehold vacant land recently approved for disposal by Council, being the land-locked parcels sold to adjoining landowners.

Lease Category	Current Leases
Aerodrome	2
Commercial	3
Community	92
Grazing	36
Special Purpose	12
Telecommunication	9
Total Current Leases	154

Land Sales	Note	Number
Settlements		3
Under negotiation/contract stage	1	1
Total for period		4

Note 1: 1 x vacant land as per Council Resolution on 17.08.2024;

Warwick Saleyards

October saw a total of five (5) cattle sales and five (5) sheep sales, showing good numbers for the month

Cattle Sales for September		Sheep Sales for September	
Date	Head Number	Date	Head Number
01/10	872	02/10	2191
08/10	1091	09/10	1616
15/10	1435	16/10	2704
22/10	1429	23/10	1653
29/10	976	30/10	1804

Details of all sales and average prices are available on the MLA website.

Update:

Now that the Works for Queensland funding has been approved details of stage 3 & 4 upgrades are being finalised with staff and agent input to refine final scope.

Governance

- Recruitment for the Governance Officer position is currently underway
- Collation of the Annual Report 2023/24

Complaints, Right to Information, Information Privacy Matters

- Queensland's information access and privacy laws are changing on 1 July 2025 (effective to Local Government on 1 July 2026). Governance staff will be attending staged training facilitated by OIC

Request type	Current status
Administrative action complaint	2 current.
Ombudsman matter for review	Nil
Right to Information	1 current

Policies and Procedures status as at 31 October 2024

Details	Current	Past Review Date	Under Review	Draft*	To be rescinded or superseded
Policies- strategic and Operational	75	19	19	9	1
Procedures – strategic and Operational	32	60	4	6	0

- All outstanding/non-current policies have been circulated to Managers for updating and presentation to Council within three months.

Insurance

The governance team continues to work to process new claims, provide relevant information for new and existing claims, together with processing non-insurance related claims against Council.

MONTHLY SUMMARY	Oct 2024
<u>Claim Description - Motor Vehicles</u>	
Motor vehicle claims in progress	15
Existing claims carried over from previous month	15
Finalised (claim accepted by Council's insurer)	0
<u>Claim Description - Property</u>	
Property claims in progress	5
Existing claims carried over from previous month	4
Finalised (claim accepted by Council's insurer)	1
<u>Claim Description - Liability</u>	
Liability claims in progress	3
Existing claims carried over from previous month	3
Finalised (claim accepted by Council's insurer)	0
<u>Claims Summary</u>	
Accidental damage	1
Animal	3

Changing Lanes	1
Collided with stationary vehicle	2
Failed to give way	1
Failed to stop	1
Found damaged	2
Fraud & dishonesty	2
Reversing	1
Road Surface/Potholes	1
Sewer discharge/burst pipe	1
Struck Stationary object	4
Uneven surface	0
Tree Failure	1
Total	21

Customer Service

Statistics for the month of:	October 2024
Phones	3360
Counter – Stanthorpe	726
Counter – Warwick	1535
Counter – Allora	22
Customer Service Emails	349
MERIT Requests vi app, web and phone	651
MERIT via after hours provider	44

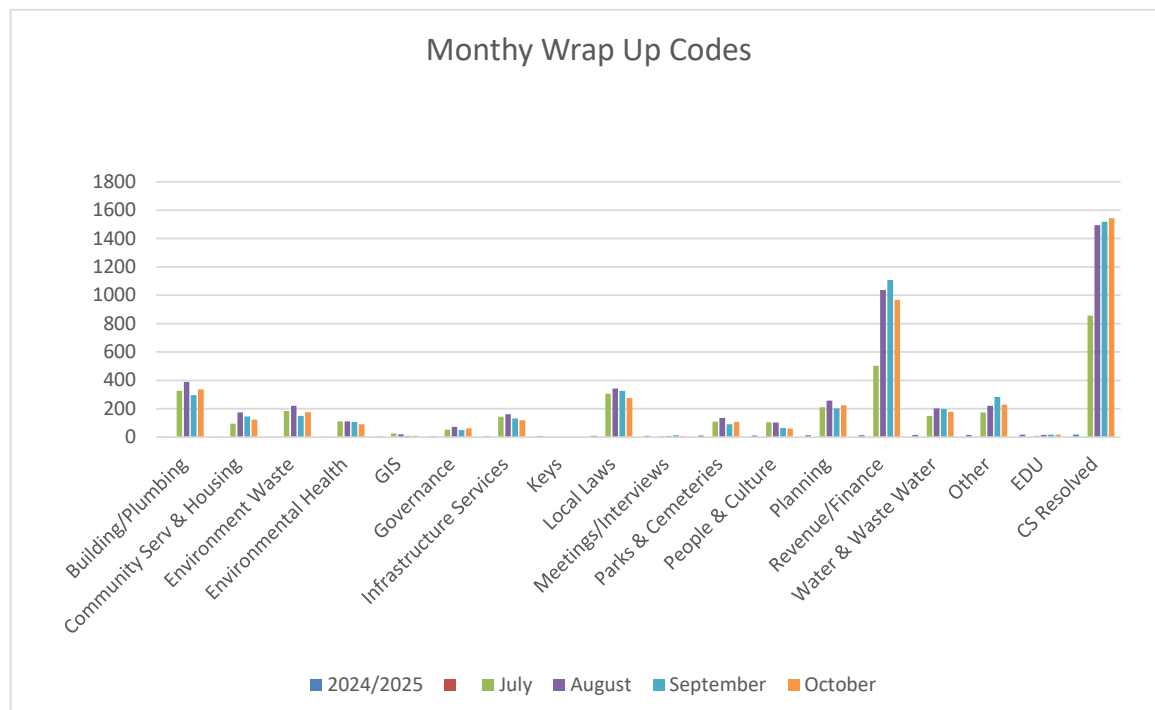


Figure 1. This shows the comparison of monthly telephone wrap up codes for the quarter. The team took a total of circa 3000 phone calls in October, a third of those relating to revenue/finance (rates) enquiries.

Sustainability & Strategy

Asset Management

Asset Management team prepared the Grants Commission annual reporting, delivered more capitalisation outcomes, and continued development of a roads re-sheeting tool to support the decision-making process for re-sheet or sealed roads. The Water Asset Management Plans refresh project is also a priority for the team with the reviews of drafts undertaken. The team also supported the LGIP development providing valuation data for inclusion in the plan. Work continues of data collection and validation for the Open Space and Facilities assets.

Flood Studies

Calibration reports were provided for consideration and Peer Review (QRA Peer Reviewer) with minor feedback provided. The data sharing to Transport and Main Roads (TMR) has begun to support the broader Darling Downs Flood Impacts studies being completed by TMR.

GIS

The GIS team focus has been to support the LGIP development process and Planning Scheme mapping. Assisted Works department in Property Searches, Water department for drainage plans, and specific maps for tasks. Surveys were undertaken of new infrastructure for inclusion on the GIS, including streetscapes, footpaths, stormwater and open space assets. The work post migration to the cloud environment of the GIS continues with work arounds required to maintain user functionality. Draft Planning Scheme mapping has been received and is being imported into the system for internal use.

Project Management Office (PMO)

The Project Management Office is working with the Waste team to establish and deliver waste projects required by regulation. The projects will be being reported by others. The team has also been supporting Community Services to deliver their project outcomes that will be reported by others.

Financial Services

Finance

- The asset related policies have been reviewed by the Audit and Risk Committee and adopted by Council, they have been sent to Governance for inclusion on the policy register inclusion on Council's website.
- The first quarter budget review has been completed and adopted by Council. The budget figures in Council's financial system now reflects the adopted quarter 1 budget.
- Council staff are starting the process for the comprehensive valuation of the artwork and other infrastructure asset classes for the 2024-25 financial year.
- The financial statements and external audit have been finalised with the final management report and management representation letter going to the November 2024 Council meeting
- The first half yearly rate notices were due on 11 October 2024. The rate notice template has been updated to be easier to read and water consumption is now included on the rate notice rather than on a separate notice. At the due date, 85.52% of the charges issued were received (payments and discounts). This is the best level of payments received in the last 6 rating periods (3 financial years), only outdone by the 2020/21 FY, being the first year of going to 6 monthly notice issues and having a covid-19 concession. Excluding the 2020/21 FY, this is the best level of payments received since 2013/14 annual notice.

- There have been approx. 400 payment agreements entered into for approx. \$750,000 with 365 being interest free (for current financial year rates & charges only).
- Reminder notices for properties that have an outstanding amount were issued on 31 October 2024.
- The Finance Team is still working with an external service provider to improve supplier payment processes to mitigate risk of fraud, this has progressed well and nearly reached completion

Information Technology

- The rollout of the ICT Procedure Framework has commenced, with the support of the ICT Steering Committee. The new framework incorporates elements of AI security.
- Council has completed the transition of the Enterprise Budgeting Module, with a go-live date of 13 November 2024.
- Council is reviewing the scope of works for further TechnologyOne module upgrades in line with the transition roadmap. These upgrades aim to improve efficiency, transparency and reporting.
- Other IT and cybersecurity related initiatives or projects are progressing and being monitored by the ICT Steering Committee
- Scoping and design works are underway for the 2024/2025 upgrade to the CCTV network.

Procurement

- The draft Fuel Management Procedure has been signed off, Procurement staff to proceed with implementation and establish a reconciliation process.
- Council's Stores and Procurement high level review is completed and an action plan is being developed.
- Training on Procurement, the use of Local Buy and Vendor Panel is currently being provided to targeted teams with a broader refresher to be held later in the year.
- Updating templates. Draft procurement/ evaluation plans/ procurement risk assessments are now under review.
- Bunnings purchases procedure to be signed off and distributed.
- Contracts register is being updated and reviewed to achieve better visibility around variations/ contract terms/ commitments/ outstanding PO's.
- Procurement Policy is currently being distributed for stakeholder feedback and is scheduled to go to next Council meeting.
- Tech One Contracts Demos are being organised for procurement staff in preparation for implementation.


October 2024 Reporting - Procurement	
Procurement Stats	
Number of Tenders Released	6
Contract number	Description
25_009	Testing of Fire Equipment and General Training
22_015a	ROPS for Trade Services - Refresh
25_022	Supply of Avgas
25_017	Collection of Household Chemicals from Warwick & Stanthorpe Waste Facilities
25_004	SDRC Lift Maintenance
25_038	HVAC Mechanical Maintenance and Servicing
Number of Tenders in progress	6
Contract number	Description
25_009	Testing of Fire Equipment and General Training
22_015a	ROPS for Trade Services - Refresh
25_022	Supply of Avgas
25_017	Collection of Household Chemicals from Warwick & Stanthorpe Waste Facilities
25_004	SDRC Lift Maintenance
25_038	HVAC Mechanical Maintenance and Servicing
Number of RFQ's Released	4
Contract number	Description
25_027	Warwick Water Treatment Plant - Design of Distribution Centre
25_019	Jardine Reservoir Condition Assessment
25_029	Seismic Hazard Assessment for Connolly Dam
25_018	Cemetaries Master Plan
Number of RFQ's in progress	8*
Number of Contract Numbers Issued	13
Number of Purchase Orders Raised After Invoice Date	21
Inductions done	0
*this figure does not include RFQs we have reviewed but were released by other departments	

ATTACHMENTS

Nil

INFO REPORT | Southern Downs Youth Council Meeting - 17 October 2024

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Sport and Recreation Officer	ECM Function No/s:

Recommendation

THAT Council receive and note the minutes from the Southern Downs Youth Council Meeting on 17 October 2024.

REPORT

Background

Southern Downs Youth Council (SDYC) is an advisory committee whose role is to represent the voice of young people who live, work, study or volunteer in the Southern Downs region, and to provide input into Council activities and decisions.

The SDYC program aims to provide young people with opportunities to:

- develop a better understanding of the role and function of local government, our community and local issues;
- 'have a voice' - raise issues, exchange ideas, discuss community issues, provide input into Council planning, programs and services and influence local government decision-making processes; and
- have genuine and regular communication about issues that are important to them directly with the Council.

Report

On 17 October 2024, the Southern Downs Youth Council attended their final meeting for the year, at the Stanthorpe Civic Centre from 9.30am to 1.00pm.

The students were presented with a gift from Council and thanked for their contributions throughout the year.

LEGAL / POLICY

Corporate Plan

Goal 1 Our People


Outcome: 1.1 Communities trust us to engage with them and advocate on their behalf.

Objective: 1.1.2 Implement effective and genuine community consultation processes that enable participation, engagement and collaboration.

1.1.3 Build confidence in our communities by being visible, empathetic and by actively listening.




ATTACHMENTS

1. Southern Downs Youth Council Minutes - 17 October 2024



Southern Downs
REGIONAL COUNCIL

Southern Downs *A great place to live, work, play and stay.*
PO Box 26 Warwick QLD 4370
64 Fitzroy Street Warwick QLD 4370
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 1300 MY SDRC (1300 697 372)

MINUTES OF THE SOUTHERN DOWNS YOUTH COUNCIL
Held at the Stanthorpe Civic Centre, on
Thursday, 17 October 2024 at 9:30am

ORDER OF BUSINESS:

1. ACKNOWLEDGEMENT TO COUNTRY, WELCOME AND HOUSEKEEPING	2
2. PRESENT & APOLOGIES	2
3. AGENDA ITEM 1 – ICE BREAKER.....	2
4. AGENDA ITEM 2 – GUEST SPEAKER – DEANNE LAWRIE	2
5. AGENDA ITEM 3 – SDRC CHRISTMAS 2024 MARKETING ACTIVITY	6
6. AGENDA ITEM 4 – YOUTH COUNCIL 2024 PROGRAM EVALUATION	7
7. AGENDA ITEM 5 – GENERAL BUSINESS.....	9
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9. CLOSE	9
10. UPDATES FROM PREVIOUS MEETING	10

1. ACKNOWLEDGEMENT TO COUNTRY, WELCOME AND HOUSEKEEPING

The Sport & Recreation Officer, Sue Organ, welcomed the Youth Council students, Councillors and teachers to the Stanthorpe Civic Centre Supper Room. The traditional *original* custodians of the land were acknowledged.

Fire evacuation procedures, housekeeping and health and safety processes were also presented.

2. PRESENT & APOLOGIES

Present:

Youth Council Membership

Allora P-10 State School – Will Ballangarry

Assumption College Warwick – Eleanor Krueger, Lachlan Corney and Emmaline Newley

Killarney P-10 State School – Ebony Diete

Scots PGC – Belle Meek

Stanthorpe State High School – Samuel Park and Penny Andreatta

St Joseph's School – Eden Shatte and Lillian Kendall

Warwick Christian College – Roland Delatado and Tiahli Rogers

Warwick State High School – Dylan Dwan and Freya Monk

Observers

Southern Downs Regional Council – Mayor, Cr Melissa Hamilton

Southern Downs Regional Council – Deputy Mayor, Cr Sheryl Windle

Southern Downs Regional Council – Cr Morwenna Harslett

Southern Downs Regional Council – Cr Sarah Deane

Southern Downs Regional Council – Adrian Green (Co-facilitator)

Southern Downs Regional Council – Sue Organ (Minute Secretary, Co-facilitator)

Apologies:

Allora P-10 State School – Hannah Norman

Killarney P-10 State School – Cameron McKinney

Scots PGC – Oliver Swift

3. AGENDA ITEM 1 – ICE BREAKER

The students participated in their first ice breaker for the day 'Secret Identity'.

4. AGENDA ITEM 2 – GUEST SPEAKER – DEANNE LAWRIE

The Sport and Recreation Officer, Sue Organ introduced Deanne Lawrie, Regional and Remote Community Engagement Officer from the Elder Abuse Prevention Unit.

Deanne informed the students that the Elder Abuse Prevention Unit operates the Elder Abuse Helpline in Queensland. The program is part of UnitingCare Community's Older Persons Programs, and promotes the issue of elder abuse and encourages people to reach out if they are being mistreated. Data from the Helpline indicates that the majority of calls received involve a family member mistreating an older person.

Some statistics include:

- 90% of calls are because family members are committing the abuse.
- 70% to 80% of the abusers are the adult children of the older person.
- 14% of people over 65 experience abuse. That is 1 in 6 Queenslanders over 65 years of age experience elder abuse.

- 5% of people over 65 years live in a nursing home.
- Types of abuse include:
 - Financial abuse - misusing someone else's money without their consent.
 - Psychological abuse – calling people names or putting them down. The older person can be made to feel as if they don't have the ability to make their own decisions.
 - Physical abuse – hitting or pushing an older person.
 - Social abuse – stopping people from going to activities. Not letting them see family or friends.
 - Sexual abuse – making inappropriate comments to an older person.
 - Neglect – not providing proper care to someone (not feeding them).

What is Ageism?

- Stereotyping, discriminating and mistreating someone based on their age. It might start for some people in the workplace when they turn 50. It might happen to someone in their teens.
- Not all younger people are the same and neither are all older people. We need to respect people regardless of their age and treat them how we would like to be treated with dignity, respect and kindness.

How can you help?

- Reach out to an older person and check if they are okay. If you suspect they are being mistreated talk to someone about it or call the Elder Abuse Helpline on 1300 65 11 92.

The students were then asked to participate and answer the following questions. Their answers are as follows:

Question 1: Think about an older person in your life that you really value. What is it about them or that they do that you appreciate?

- Hard worker
- Family values
- Sensible
- Gives great advice
- Kind soul
- Always ready to lend a hand
- Listens
- Supportive
- Encourages me to be the best version of myself
- Welcoming
- Caring
- Give up their time to spend with me
- Willingness to do anything for me
- Always helping out my family
- Talk to me about anything
- Listen and watches
- Offers advice
- Share
- Trust

- Makes sure we are happy
- Willing to drive me places
- Cooks for us
- Accepting
- Checks in with us
- Congratulates me on everything

The Mayor introduced herself to the students and gave an example of an older person in her life who she values. The Mayor acknowledged Cr Windle and Cr Harslett's work throughout the year and thanked the students for their participation in the Program. The Mayor asked the students if they had any questions for here and then a group photograph was taken towards the end of the session.

Question 2: Tell me about a time when you feel your age was used against you? How did it make you feel?

- Lack of trust in workplace as younger person.
- Doctor addresses my parent and not me at an appointment.
- Learner driver – mistrust on road.
- Judged by one person who then warns others.
- Between 13 and 14 years we are still considered a child.
- People think we are less capable because we are young.
- In high school sometimes treated like a child.
- If one person makes a mistake then everyone gets treated the same.
- Older family members think you are still young and don't ask your opinion.
- Co-workers who don't think you can do a good job because of you age.
- Older people make judgements about you because you are young.
- Walking around town after school and feeling judged.
- Given the worst jobs at work.
- Being expected to know what you are doing in the future.

The student's feelings associated with these events include:

- Angry
- Annoyed
- Sadness
- What you say doesn't matter
- Discouraged
- Not being heard
- Not trustworthy
- Disempowered
- Not fair

Question 3: Is there an older person in your life that you may have witnessed experiencing ageism? What happened?

- When Wills are not followed/executed by family members.
- When family members say it isn't about the money, when it actually is.
- Stealing from an older person.
- Health care workers not communicating directly with the older person, but through family members.
- Hearing people say "you had a Seniors moment" when an older person has just had a mind blank (which we all have).
- Overcharging older people when doing maintenance work around the house.

Question 4: If you could share information with your school / community that might help someone experiencing elder abuse what would it be? Is there something you could do?

- Advertise Elder Abuse Helpline 1300 651 192 (Queensland only).
- Promote positive, respectful behaviours towards people of all ages.
- Talk about what is Elder Abuse.
- Posters around town and school.
- Be aware of the types of abuse.
- Increase awareness.
- Tell people they are not alone.
- Reach out.
- Be respectful.
- Ask an older person how they are going. Take an interest in their life.
- Encourage schools to continue with visits to Nursing Homes (St Joseph's and Assumption College have run programs recently).
- Information sessions where young people and older people can connect.
- Smile and say hello to an older person.
- Be open minded and listen.
- Help older people know if they are experiencing abuse where to go.
- Listening to someone is very powerful.
- Be upfront and instigate respect.
- Encourage Youth Council to break down barriers with older people.

Prior to morning tea, Cr Harslett addressed the students. They were thanked for their contributions throughout the year and encouraged to take the time to complete the evaluation form honestly. Cr Harslett requested that the students make any suggestions or improvements to the Program, so they can be discussed with staff prior to the 2025 cohort commencing. Cr Harslett also encouraged the students to nominate their peers, community groups, and/or a local event for the 2025 Citizen of the Year Awards. The categories are:

- Citizen of the Year Award
- Junior Citizen of the Year Award
- Sportsperson or Sports Administrator of the Year Award
- Junior Sportsperson of the Year
- Cultural Citizen of the Year Award
- Junior Cultural Citizen of the Year Award
- Community Event of the Year Award

The meeting adjourned for morning tea at 10.45am.

The meeting resumed at 11:05am.

5. AGENDA ITEM 3 – SDRC CHRISTMAS 2024 MARKETING ACTIVITY

The Youth Council were asked to participate in a Marketing Activity to promote the 2024 SDRC Carols in the Park. The below information has been passed on to Council's Communications & Marketing team and the Community Services team.

Some of the calls to action included:

- Come have a dance and good time.
- It's almost time for Carols again.
- Be part of the Christmas Magic.
- See you there for some Festive Fun.
- Come on down and sing the tunes.
- Christmas vibes for Christmas times.
- Santa Clause is coming to town.
- Come to Carols.
- Christmas Carols in the park.
- Come join our Christmas dress up contest.
- Join us for a fun filled Carols with activities.
- It's the most wonderful time of the year.
- Come join us for some festive fun.
- Those jingle bells are ringing again.
- Jingle bells and Carols for all.
- All we want for Christmas is you.

Some of the hashtags were:

- #danceparty
- #haveagoodtime
- #christmas
- #jollyphpirit
- #santaclause
- #carolsinthepark
- #christmasfun
- #merrychristmas
- #holidaycheer
- #sdr
- #christmascheer
- #comeondown
- #carols
- #christmasspirit
- #holidayspirit
- #don'tmissout
- #santa
- #joinusforfun
- #christmasonthesoutherndowns
- #santaishere
- #jinglebells
- #awesomecarols

6. AGENDA ITEM 4 – YOUTH COUNCIL 2024 PROGRAM EVALUATION

The students were provided with an Evaluation Form to complete. Cr Windle also added an extra question at the end of the Evaluation Form on behalf of Cr Joel Richters.

The question was are the Youth Council members willing to attend a meeting outside of school hours?

Only nine (9) students responded to the question. Three (3) students said yes to attending a meeting outside of school hours. Six (6) students said they liked the idea, they thought it would be beneficial, but it would be hard to attend a meeting due to a conflict with extracurricular activities held after school and getting to the meeting.

Overall feedback was received from fifteen (15) out of the seventeen (17) students. Two students were absent from the final meeting.

Two (2) students said that the Youth Council delivered in only some areas of their expectations, eleven (11) students said it delivered on their expectations and two (2) students said the program delivered beyond their expectations.

Three (3) students said they have a basic understanding of how Council operates. Six (6) students said they have a solid understanding of how Council operates and six (6) said they have a comprehensive understanding of how Council operates.

When asked how engaging the meetings were, one (1) student said they were often unengaged and another one (1) student said they were sometimes engaged but sometimes unengaged. Six (6) students said they were mostly engaged and seven (7) students said they were almost always engaged.

The group agreed unanimously that they had appropriate opportunities to engage and be heard.

Half the group felt that the right number of meetings were held throughout the year and the other half said there were too few meetings.

All but one student said the meetings were the right length of time. One (1) student said they were too short.

It was agreed unanimously that the Youth Council meetings were held at the right time of the day.

They were asked more specific questions about the program and their answers are as follows:

General Feedback

What did you most enjoy?

- Ice-breakers and being able to meet other people and obviously the food.
- Ice-breakers and the group work as it allowed us to get to know one another.
- Opportunity to engage with Councillors.
- Group work.
- Getting to know other students from other schools.
- Ice-breakers were fun.
- Ice-breakers let us have fun and relaxed us.
- Opportunity to engage with students from other schools.

- Interacting with students from other school, especially hearing their perspective on issues.
- Socialising and gaining an understanding of parts of our region.
- The food, the people I got to meet and become friends with along the way and the activities.
- The people, the ice-breakers and the discussions.
- Getting the opportunity to engage with the Councillors and getting to know them better, especially through ice-breakers.
- The way everyone worked together and the food.
- I enjoyed learning about Council and how it runs and learning about different businesses and activities from guest speakers and meeting new people.
- Getting to meet new people, learning about different aspects of the community, the activities and the good free food.

What did you least enjoy?

- Leaving.
- Some Agenda items (Waste).
- Some presentations were too long.
- Some guest speakers were not engaging.
- Not enough regional issues.
- Not enough youth-based talks.
- Touching someone else's rubbish during the waste session (even though it was insightful).
- Having ice-breakers at every meeting – they became slightly annoying but still fun.
- Long periods of sitting.
- How short the meetings felt.
- Not having meetings as often as I would like.

How would you improve the program?

- Have representatives from the year before coming to the first meeting of the year to make it more comfortable.
- More group work.
- Longer sessions.
- More engaging presentations.
- More fun teenage activities outside of meetings.
- More moving around – why not talk about agenda's while walking.
- More regional problems discussed.
- More meetings throughout the year.
- Giving members a list of things to bring up in school assemblies to show what we are about and let them know what is happening and find out what youth want to see. Then the Youth Council members could bring these ideas to meetings.
- Possibly having the day change every so often so we don't miss the same lessons at school.
- Maybe take away some ice-breakers.
- More talks from people in the region with concerns to give us more insight e.g. Borderline.
- Orientate towards issues that young people feel they are experienced in.
- Have the students be able to communicate with each other through email or have a group chat.
- More ice-breakers.
- Have more meetings as it was disappointing that we gathered more confidently each meeting and now we have to leave.
- Less talking and more activities with chocolates.

Content, Delivery and Administration

- The timing was great as there was ample time to understand the agenda items as well as engage with fellow students.
- Possibly employ a two-year program.
- Combined transport to meetings.
- More orientated towards youth issues.
- Delivery was amazing.
- Nice to interact with previous members to have them help us settle into the program.
- Attendance at a Council meeting.
- Activities and the order they were in was well spread out.
- Meeting timings were good.
- Administration was solid.
- Most of the content was beneficial however I would have enjoyed agenda items surrounding some sport, academics, leadership and drama topics.
- Sometimes in the delivery things felt like they went on forever.

7. AGENDA ITEM 5 – GENERAL BUSINESS

Cr Windle gave an update on the most recent Council meeting and some of the Economic Development projects that are currently being put in front of Council. Larger projects of this nature mean more employment within the region and allow young people to stay in the region.

Cr Windle thought back to the beginning of the year where she discussed with the students that there is no such thing as a silly question. She has enjoyed watching the students ask questions throughout the year and participate in the meetings. She encouraged the students to never be afraid to put your ideas forward. This year's group has been an awesome team of year 10's and she has enjoyed working with them. The student's level of maturity blows her away and the future is in really good hands. Cr Windle encouraged the students to keep working hard and to chase their dreams. Take every opportunity in life and the future is yours for the taking.

8. AGENDA ITEM 6 - THANK YOU PRESENTATIONS

Cr Windle presented each of the students with a Certificate of Recognition, a book and a gift certificate as Council's appreciation for their commitment to the 2024 Youth Council Program.

9. CLOSE

The students were reminded that Carols in the Park and the Citizen of the Year Awards are still to come and that it would be great if the Youth Council members would like to participate and help out at these events.

Sue took the opportunity to thank the students for their dedication and commitment to the Youth Council Program for 2024. She thanked them for pushing themselves outside of their comfort zone from day one and continuing to do so throughout the year. Sue thanked the students for giving up their school time to participate in the Youth Council program and for showing leadership and respect at all times.

The students were encouraged to stay in touch with one another and to promote the program to their peers for next year. Sue wished the students well in their upcoming exams and for their senior schooling years as they transition into year's 11 and 12.

Adrian thanked the students for participating in the 2024 Youth Council Program. He told the students they should feel proud of their contributions on behalf of themselves, their school, their peers and the Southern Downs region.

He reiterated what Cr Windle said that the future of the region is in good hands with the calibre of such amazing young people this year.

On behalf of Southern Downs Regional Council Adrian wished the students well in their continuing studies. He also thanked the Mayor, Deputy Mayor, Cr Harslett and SDRC staff for their attendance, input and participation.

Dylan Dwan from Warwick State High School, then thanked everyone from SDRC for an amazing year. He said he appreciated the friendliness, and the warm and welcoming environment that was Youth Council 2024. He personally had learnt a lot from the experience and enjoyed making new friendships with students from other schools.

The students broke for lunch and the meeting closed at 12:25pm.

10. UPDATES FROM PREVIOUS MEETING

Update on Signage in Sporting Fields being used as off leash areas


- Council's staff in Parks and Operations and Environmental Services have been working with Council's Media and Communications team to design signage for the sporting fields that have in the past been used as off leash areas. The signage has been designed and orders are currently being placed for these signs.

Update on Community Theatre Group

- After distribution and discussion at the Youth Council meeting, Toowoomba based Empire Youth Arts have received interest and uptake in their program from two Warwick based schools.

INFO REPORT | YMCA Monthly Report - September 2024

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Community Services Coordinator	ECM Function No/s:

Recommendation

THAT Council receive the September 2024 monthly report from the Brisbane Young Men's Christian Association ("YMCA") in relation to the operation of the Warwick Indoor Recreation & Aquatic Centre ("WIRAC") and the Stanthorpe Fitness Centre and Pool.

REPORT

A requirement of the contract with the YMCA for the management of the WIRAC and the Stanthorpe Fitness Centre and Pool, is an obligation that the YMCA supply monthly reports relating to the operations of the facilities.

The YMCA has indicated several maintenance and/or capital items within the reports. To assist, Council officers have provided some commentary below on the status of each of these items.

WIRAC

Works currently forecast for completion over the next couple of months include:

- Modifications to the aquatic hall air handling system that was part of works executed in 2023.
- Grandstand ceiling - previous repairs have had paint peel due to heat and humidity
- Hydrotherapy pool stainless steel handrails
- Hydrotherapy pool wall painting – two-week extension required to complete these works.

Stanthorpe Fitness Centre and Pool

Works currently in progress

- Men's and Lady's bathroom refurbishment – Local contractor engaged to estimate cost to complete work with a view of placing this into next FY capital program.
- Carpark line-marking subject to water leakage investigation and scope of rectification works required. A carpark re-seal and line-marking to be included in scope of works. A Business case is being prepared for 25/26 capital budget submission. If completed separately will be general maintenance for the YMCA to complete.

Attached to this Council report are the September 2024 monthly reports from YMCA.

FINANCIAL IMPLICATIONS

Current works are reactive. Ongoing investment in renewal programs is needed to maintain the service level at each site.

Council has engaged a contractor to complete a safety audit on all four (4) pools, with the outcome and subsequent recommendations to be built into next financial year's budget.

ATTACHMENTS

1. YMCA WIRAC Monthly Report September 2024
2. YMCA Stanthorpe Monthly Report September 2024
3. YMCA WIRAC Monthly Financial Report September 2024 (Excluded from agenda - Provided under separate cover)
4. YMCA Stanthorpe Monthly Financial report September 2024 (Excluded from agenda - Provided under separate cover)



YMCA Warwick (WIRAC) Monthly report for September 2024





EXECUTIVE SUMMARY

September saw strong performance across multiple areas at the centre, with a focus on program participation, facility improvements, and member engagement. Membership promotions, school swimming, and special events drove new member registrations and strong attendance figures, especially in fitness and aquatic programs. The launch of new initiatives like the Junior Futsal competition and Cancer Survivor Program contributed to increased community involvement. Facility improvements continued with gym equipment upgrades and essential maintenance work, including progress on the hydrotherapy pool and discussions with the council about air quality in the aquatic hall. Financial performance and attendance reflected the centre's ongoing growth and commitment to providing quality services to the community.

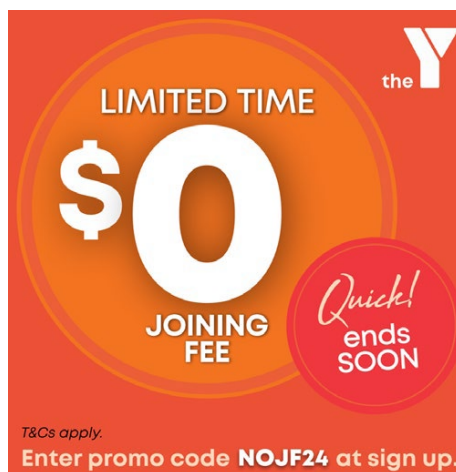
Programs and Services

Membership Promotion

For the month of September, we had a \$0 joining fee promotion available on 12mth Min Term Direct Debit options only. This deal attracted 10 new members.

\$15.95wk - Standard.

\$13.94wk – Concession





Junior Futsal Competition

The Junior futsal competition planned to commence in October has attracted 100 registered players ranging from ages 8 to 16 years.
The competition kicks off on Monday 21st October for 8 weeks.



TIME	COURT 1	COURT 2
3:30-4:15	8/9's	8/9's
4:15-5:00	8/9's	10/11's
5:00-5:45	12/13's	10/11's
5:45-6:30	12/13's	12/13's
6:30-7:15	14/16's	SPARE

School swimming

School swimming is going strong this Term with several Schools booked in. It is estimated over 600 students attended lessons during the month.

Holiday Activities

During the holiday period, we hosted Inflatable Days, which were a big hit with participants. The Pool Inflatable drew in a large crowd, while the dry land Inflatable (jumping castle) also provided fun and entertainment for a smaller but enthusiastic group of children.



HOLIDAY ACTIVITIES

TUESDAYS 11 AM - 1 PM
Tuesday 17th Sept — POOL INFLATABLE
Tuesday 24th Sept

WEDNESDAYS 11 AM - 1 PM
Wednesday 18th Sept — JUMPING CASTLE
Wednesday 25th Sept

ONLY **\$5.20** PER CHILD

the YMCA (NSW)
201-202-203-204-205
67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000



Staff Training

This month, we conducted Lifeguard Renewal Courses to refresh staff skills and re-certify them for the next 12 months. Several team members successfully completed the training, with an additional course scheduled for December to ensure full staff compliance.



Health and Wellness

Cancer Survivor Program

The FREE 12-week cancer survivors program started on the 9th of September with 15 participants registered.



The Cancer Survivor is a 12-week program designed for cancer survivors who have become



deconditioned or chronically fatigued from their treatment and /or disease. The YMCA has created this program as a research-based physical activity and well-being group to help adult cancer survivors achieve their holistic health goals.

Attendance – September 2024

SEPTEMBER

		Jun-24	Jul-24	Aug-24	Sep-24
Fitness Attendance	Members	3733	3329	4205	4384
	Casuals & Visit passes	73	111	124	103
	24 hr Access	1273	1581	1527	1348
	Personal Training	112	44	116	128
	Group Fitness	1888	2227	1764	2209
Total		7079	7292	7736	8172
Aquatics Attendance	Members	inc above	inc above	inc above	inc above
	Casual	749	1798	2624	2016
	Aquatic Sports Ability	15	48	79	76
	Learn to swim	834	591	708	856
	Squad	62	145	94	121
	School Swim	0	302	517	635
	Physio's	30	25	14	4
	Aqua Aerobics	581	518	326	700
Total		2271	3427	4362	4408
Stadium	Junior Futsal	0	0	0	0
	Schools	229	80	729	243
	Sports Ability	77	48	79	66
	Pickleball	118	44	199	198
	Taekwondo	0	0	0	
	Basketball	193	450	567	322
	Netball	450	900	900	
	Social Badminton	15	28	29	20
Total		1082	1550	2503	849
OTHER					
Total		0	0	0	0
Overall Monthly Attendance		10432	12269	14601	13429



2024 Year to Date: 120408

Attendance – September 2024

Overall attendance has seen an increase in some areas:

- **Fitness Attendance:** 8172 (Up from 7736 in August)
- **Aquatic Attendance:** 4408 (Up from 4362 in August)
- **Stadium Attendance:** 849 (Reduced from 2503 in August) *School holidays and Netball season finished*
- **Total Monthly Attendance:** 13429 (Slightly down from 14601 in August)
- **Year-to-Date Overall Attendance:** 120,408

These figures demonstrate growth and engagement in both fitness and aquatic programs.



FACILITY UPKEEP AND IMPROVEMENTS

Gym Equipment Upgrade

The additional Spin bikes arrived this month increasing our capacity in Spin Classes. Also, the additional equipment for the Gym will be delivered in two stages, with the following pieces expected in October:

- Seated Calf Machine
- Plate-loaded Standing Calf Machine
- Hyperextension Bench
- Preacher curl Bench
- Supine Press Bench

The 5 upright Bikes are expected to be delivered in November.

MAINTENANCE

Hydrotherapy Pool

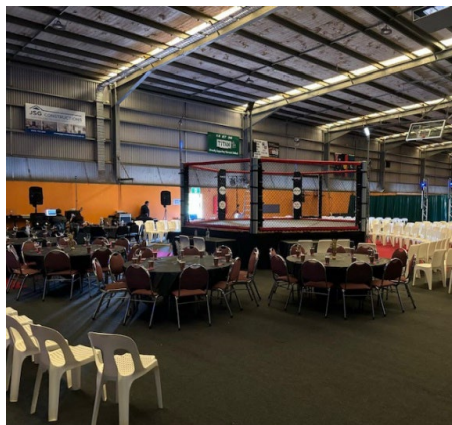
Works continue in this area with expected completion late October. An additional two weeks were required to complete necessary painting.

Air quality, air flow and heat build up in Main Aquatic Hall

After further discussions with Council the repairs to the Chiller and Fan will be included in the next stage of works.

BUSINESS DEVELOPMENT

Two major events will take place next month, boosting visibility and engagement at the centre. The Electoral Commission has hired the courts for voting on October 25th, and the "Grow Strong MMA" Fight Night is set to attract a significant crowd. These events are expected to generate additional revenue and raise the centre's profile.

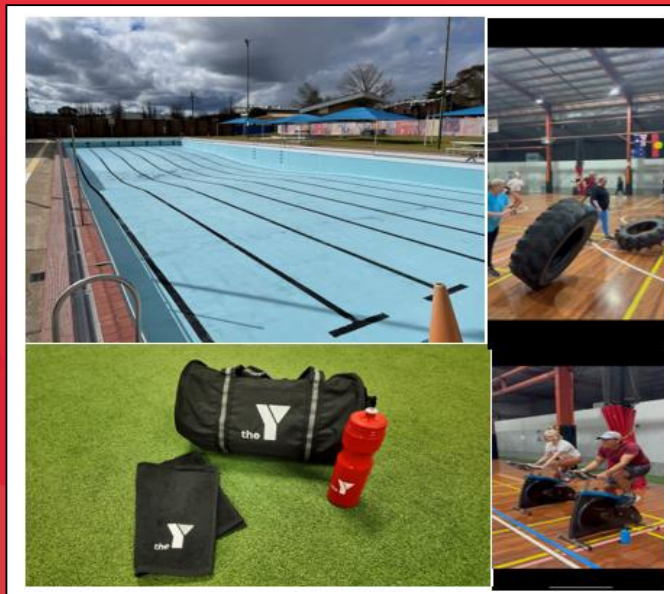


Furthermore, the Warwick Swimming Club will resume pool hire for their Friday night Club Nights, which will bring in regular activity and help maintain community engagement within the aquatic space.



CONCLUSION

The centre continues to see growth in attendance and engagement across both fitness and aquatics programs. Facility improvements, such as new gym equipment and ongoing maintenance, position the centre for continued success. With upcoming events and partnerships, the centre is set to further enhance community participation and financial performance in the coming months. Through strategic promotions and program expansions, we remain committed to providing a high-quality experience for all members and visitors.



YMCA Stanthorpe

Monthly report for September 2024





EXECUTIVE SUMMARY

As we approach the start of the new pool season, excitement builds with the official launch set for September 30th at 5:30 AM. The season will feature a full range of programs including swimming lessons, squad training, aqua aerobics, and school programs. Our highly trained and fully certified pool team is ready to deliver exceptional service. The pool itself has undergone a transformation with a fresh coat of paint, offering a renewed and inviting atmosphere.

Memberships are on the rise, with a steady influx of both new and returning members. Additionally, the 24/7 gym access continues to be a popular attraction, with members embracing the flexibility it provides. The upcoming season promises to be a vibrant and active period for our community.

PROGRAMS AND SERVICES

Health and Wellness

- Memberships went up from 432 financial members at the August, to 492 financial members at the end of September. This is due to the 24/7 going live and the pool starting again.
- 45 members expired or cancelled during the month.

The Stanthorpe YMCA is very excited to announce to the community that we will be officially launching Gym Play, starting on the 3rd of October at 10am. This program will run every Thursday at 10am and will go for an hour. We have also expressed interest in doing a second day for Gym Play. We have had an overwhelming response on our Thursday program.





Aquatics

The YMCA was excited to announce to the community that the pool had been painted and ready for the pool season. This upgrade will surely bring joy and excitement to our swimmers. We extend our thanks to the Council for organising this capital upgrade.

We have officially launched our new Learn to Swim Program for the community, we are expecting a really busy season ahead for our program. Almost every School has booked in for Swimming lessons for Term 4. Swimming carnivals for Term 4 have also been booked in.

All our Lifeguards are up to date with their qualifications as they did their update course on the 20th of September at WIRAC. Our two new Lifeguards have completed their course and are now ready to go.

Hire Groups

- 16 hire hours occurred during the month, which was 2 hours down than last month. Futsal and Netball Competitions have kick off.

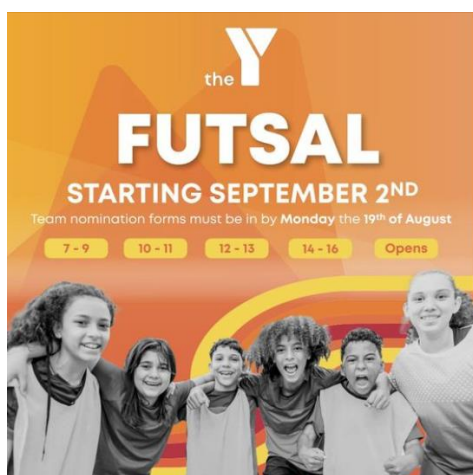
Sports Competitions

Futsal:

Season 2 2024 Futsal Competition has kicked off. We have had 28 team register for the competition.

Netball:

Netball has started, we have had 6 teams register for this Competition.





ATTENDANCE

The total attendance recorded for the month amounted to 4574 individuals, this is up from last month as we have 24/7 live and regular sports have returned. Fitness attendance has gone down and class and gym users have gone down due to school holidays. We are expecting a hike in gym numbers as we will soon see warmer weather come in as well as pool swimmers jumping back into the pool.

		Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25
Fitness Attendance	Members	2076	2065	1967									
	Casuals	340	310	261									
	24 hr Access	301	408	430									
	Group Fitness	1300	1307	1238									
	Total	4017	4090	3896	0	0	0	0	0	0	0	0	0
Aquatics Attendance	Season & Visit pass	0	0	8									0
	Casual	0	0	16									0
	Spectator	0	0	0									0
	Learn to swim	0	0	15									0
	Squad	0	0	0									0
	School Swim	0	0	0									0
	School Carnivale	0	0	0									0
	School Break ups	0	0	0									0
	Aqua Aerobics	0	0	0									0
	Total	0	0	39	0	0	0	0	0	0	0	0	0
Stadium	Indoor Soccer	0	0	370									
	Netball	0	0	72									
	Table Tennis	55	51	58									
	Pickleball	68	75	76									
	Social Basketball	24	28	35									
	Social Badminton	32	28	28									
	Total	179	182	639	0	0	0	0	0	0	0	0	0
Hireage in Hours	Court	14	6	4									
	Room	15	12	12									
	Total	29	18	16	0	0	0	0	0	0	0	0	0
Overall Monthly Attendance		4196	4272	4574	0	0	0	0	0	0	0	0	0
Year to date Overall Attendance							13042						



FACILITY UPKEEP, MAINTENANCE AND IMPROVEMENTS

1. New TV Antenna

A new antenna has been installed, so all of our TV's within the centre and on the equipment (Cardio equipment) are now working well.

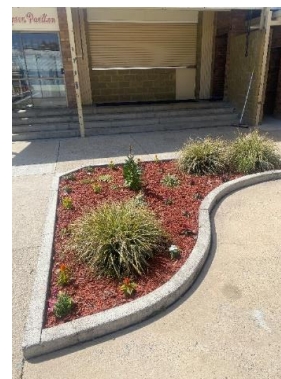
2. Pool Plant Equipment

YMCA has booked in the appropriate companies to services the 50m heat pump system and also the calibration systems for both the wading and 50m pool. Works have now been completed. We are now just waiting on Lister Irrigation to service our pumps in the plant room. We are hoping to have this completed by early October.



3. Pool Garden Bed

The Pool Garden Bed has had a makeover with fresh new plants and mulch to make a fresh new look for our new pool season.



4. Water Fountain



YMCA would like to say a big thank you to SDRC for purchasing a brand-new water fountain. We have had a lot of positive response from the public about the water coming out of the new system.



Council Facility Maintenance:

1. Men's and Lady's bathrooms – Fitness Centre Area

YMCA would like to say a big thank you to SDRC for organising Wilco Buildings to come in and have a look at redoing the bathrooms. This is long overdue, so the Y and the community are excited to hear of a timeline for the completion of this upgrade.



2. Carpark

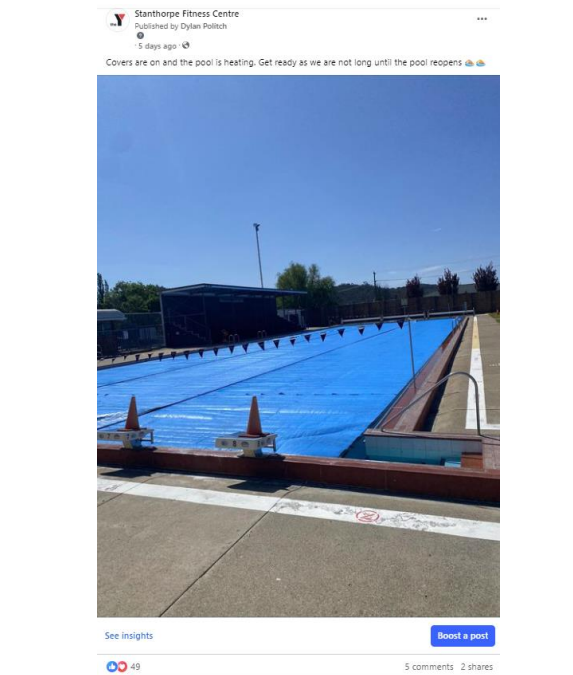
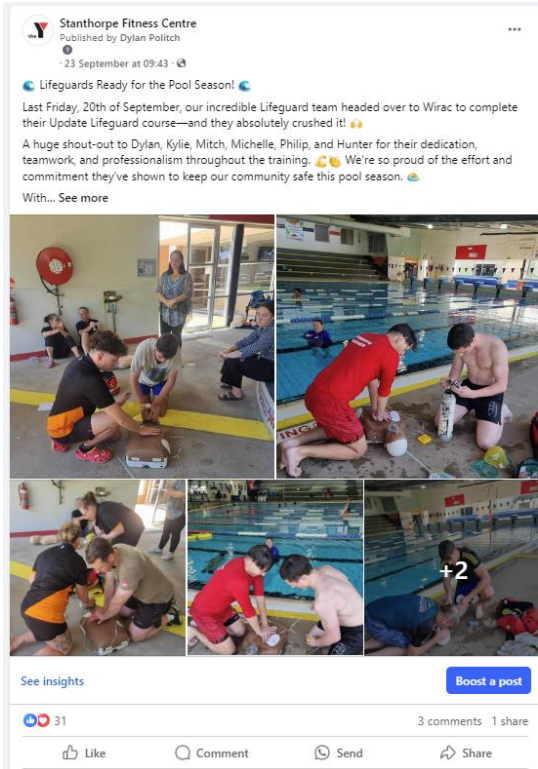
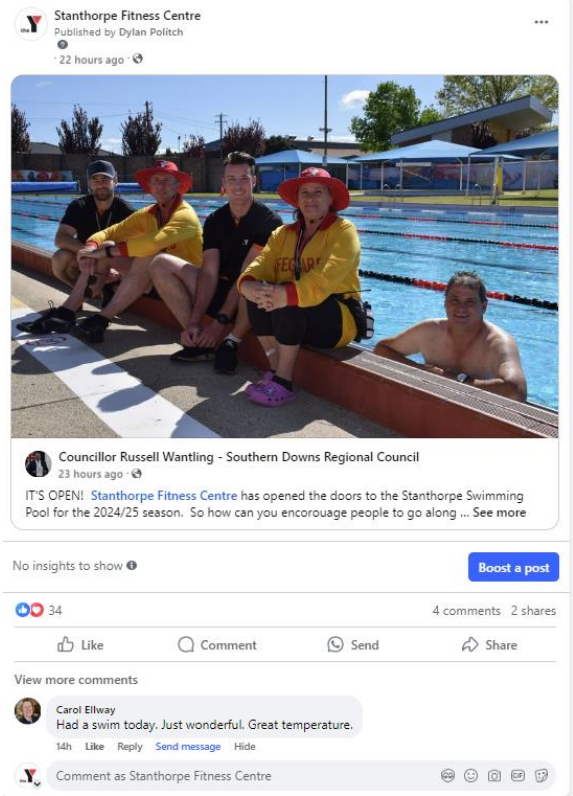
As per previous months reports, the Y would like to request to the relining of the carpark as they are very faded. The condition of the car park is getting worse as time goes on. We have had a few complaints about customers can't seeing the line very well.





Community Engagement:

We have been actively connecting with the community through Facebook, where our posts have received positive engagement. Additionally, we have received several favourable reviews on Google.



POOL OPENING HOURS


MONDAY	5:30am to 6:00pm
TUESDAY	5:30am to 7:00pm
WEDNESDAY	5:30am to 6:00pm
THURSDAY	5:30am to 7:00pm
FRIDAY	5:30am to 5:30pm
SATURDAY	9:00am to 5:00pm
SUNDAY	12:00pm to 5:00pm

the Y



Infrastructure Services Monthly Status Report

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Director Infrastructure Services	ECM Function No/s:

Recommendation

THAT Council receives and notes the Infrastructure Services Monthly Status Report for October 2024, dated 20 November 2024.

REPORT

The Infrastructure Services Directorate has responsibility for capital works planning, design and delivery and multiple operational functions, which are outlined below.

Works

- Reseal program commenced and in good progress to be completed end of November 2024.
- Easey Street downstream drainage project variation approved for revised scope – scheduling resourcing for delivery by June 2026.
- Flood Warning cameras and gauges (new) – commenced and scheduling in progress.
- Swanfels Road drainage completed. Team working with Grants team to reallocate surplus funding.
- Old Stanthorpe Road – Team assessing delays to complete the project on time. Project is progressing well. Completion is estimated by end of November 2024. The team has lost six days due to wet weather. Budget is tracking well.
- Footpath replacement and missing links works in progress – no delays.
- East Street rehabilitation commenced and in progress.
- Bracker/Tooth/Marden intersection – Awaiting Telstra to complete lowering the lines for construction works to commence.
- Yangan Reservoir minor rectification works in progress.
- Various designs are underway (Glen/Willi Blackspot, Bracker Road rehabilitation, Fairwill Drive rehabilitation and stormwater, Railway Street rehabilitation, Tannymorel Road widening).
- Flood recovery submissions are in progress. The Queensland Reconstruction Authority has commenced approval and have received approx. \$3.2 M and team scheduling works for delivery along with routine maintenance. Additional funds being assessed.
- The Maintenance team is carrying on business as usual such as slashing, pot hole patching, road side drainage works and routine maintenance, grading.

Refer Attachment:-

24-25 Works Department Financial Report 2024-11-01

Parks & Operations

- First tranche of playground renewal/remediation works completed at Leslie and Weeroona Parks. Further work to commence in the new calendar year at priority sites.
- A project coordination group has been established between Parks, Facilities and the Stanthorpe RSL Sub-Branch to initiate work on the DVA grant funded cenotaph precinct upgrades.
- A final workshop has been conducted with staff to formulate a comprehensive report on optimisation of the Stanthorpe Depot, aligning with future works to rebuild the Sewerage Treatment Plant (STP).
- A Project Management Plan and Procurement documents are being developed to urgently progress the purchase and installation of a new air conditioning system at Stanthorpe Admin Building, to replace a unit which has now failed.
- Quotes have been obtained to replace initial portions of fence posts containing asbestos at Warwick Cemetery.
- Draft plans have been developed for the minor refurbishment of the Warwick Depot Administration offices as 'Stage Zero', with ongoing work to develop the business case for proposed major renovation stages across future years.
- Project Management Plans drafted for the Parks and Operations Capital Programs of work funded for FY24/25.
- Public toilet block security and condition audit partially complete with the southern end of the region to be compiled by end of November 2024. This will inform priorities for the Public Toilet Security Infrastructure project.
- Council's fleet GPS capability has now ceased functioning due to closure of the Telstra 3G network. A proof of concept activity is underway to support development of a revised business case for the rollout of a comprehensive GPS/Telematics solution across the whole Council fleet.
- An independent Chain of Responsibility gap analysis has been booked for January 2025 to identify areas for improvement with our compliance with the Heavy Vehicle National Law.

Refer Attachment:-

Parks and Operations Capital Projects Monthly Report – November 2024

Water

Capital Projects

- Warwick Smart Meter Installation –
 - New Smart Meters installed in Warwick – 759 (total 7,876 to date).
 - Leaks ceased – 89 (total 739 to date). Potential kL water saved over a year – 112,610 (total 680,079 to date). Potential saving to the customers over a year – \$364,856 (total \$2,022,336 to date).
 - Customer registrations onto the portal – 78 (total 868 to date).
- Unity Water Stanthorpe Monitoring Program - Monitoring Stanthorpe Demand Management Areas (DMA) through our current installed Smart Meters for one year and providing reports on potential issues. Program has been extended to the end of April 2025. Project nominated for an AWA award, but unfortunately was not successful. An additional physical leak detection sweep found 21.7ML/annum of leaks, 5ML of this on the customer side.
- Stanthorpe Sewer Pump Station Upgrade – Emergency storage tanks for three SPSs. Contract awarded. Construction underway, delays due to finding excessive rock. External funding deadline approved for 31 December 2024. Contractor working to a mid-November 2024 deadline. Still on target even though excessive rock was found in excavations.
- ALARP (as low as reasonably practicable) Study for Connolly Dam – The Dam Regulator requires a final Safety Review Report to be submitted by 31 December 2025. The core drilling of the dam wall is complete and samples have been sent off for testing. Awaiting the final

report. Hydrological study complete, awaiting report. Seismic hazard assessment put the market to obtain three quotes. Presentation to Council on status to be made.

- Toowoomba to Warwick (T2W) Pipeline Project – Operations and Maintenance (O&M) monthly meetings continue. SEQ Water operational costings currently under review. Working on all required agreements. Presentation being prepared for Council.
- Leslie Dam Delivery Main - Due to the size of this project it will be carried over into the 2024/25 financial year. Design completed for some connection details and construction on these can commence. Issued for Construction (IFC) drawings have been received for the two main piers allowing construction of these to commence. Contractor has started on site. Planned completion of all project stages August 2025.
- Stanthorpe STP Upgrade – Progressing a revised Environmental Authority (EA) with the Regulator. A consultant is assisting with the preparation of the EA application. Design funded in 2024/25, with construction subject to grant funding in future years. Quotes for the Design phase received and evaluation underway to be presented to Council.
- Yangan Reservoir Project – Installation of water mains complete. Survey Plans of new Lot and Easement complete. Access track complete. Planned completion of project is December 2024. There will be some minor works after the reservoir is built such as fences and control systems.
- Connolly Dam Inlet Project – This project is for both desilting around the outlet and for concept design to replace the outlet pipe. Desilting works underway. Inspection of tower, pipe and tunnel complete. Consultant working on concept design.
- Storm King Dam Re-tensioning – tender awarded. Works waiting on the final report.
- Freestone reservoir repairs – this project is to install a liner in the reservoir to address a large crack that is causing the reservoir to leak. The specification has been prepared and went out to tender in late October 2024.
- SCADA Outages with 3G and 4G - integration works and associated equipment costs.


Drought Resilience Project – Monthly Update

	Project Objective	Status Update
Activity 1	Developing water supply from bores in the Cunningham Alluvium to Warwick	Complete
Activity 2	Development of the Allora Borefield (Dalrymple Creek Alluvium)	Complete
Activity 3	Water supply from Connolly Dam to the Warwick Water Treatment Plant (WTP)	Complete
Activity 4	Blending and Pre-treatment Facility - Warwick WTP Upgrade	Detailed design is progressing. HAZOP meeting held in October, design to be ready by end of November for tendering.
Activity 5	Extraction of water from below the minimum operating level (MOL) at Leslie Dam by SDRC (about 74% of dead storage)	The pumps arrived in October 2024. The contractor has completed the 100% design stage, under review. Designing a switchboard on a trailer to allow this to be mobile.
Activity 6	Investigation of market availability of groundwater entitlements, test bore locations and system integration.	Complete

PARKS & OPERATIONS CAPITAL PROJECTS MONTHLY REPORT - NOVEMBER 2024							
Project	Total Project Funding	Full Year Expense Budget	Year to Date Expense Actual	Commitments	Actual + Commitments	Expense Variance (Budget less Actual+Comms)	Comments
107249 - Plant Replacement Program	\$9,757,710.00	\$9,757,710.00	\$1,285,764.00	\$645,014.00	\$2,136,277.00	\$7,621,433.00	Annual procurement underway
107805 - Playground Management Program	\$210,000.00	\$210,000.00	\$260.00	\$17,386.00	\$22,866.00	-\$2,866.00	Annual procurement underway
107804 - Community Infrastructure - LCPH							Annual procurement underway
107711 - Water Truck Replacement	\$380,000.00	\$380,000.00	\$0.00	\$0.00	\$0.00	\$380,000.00	Future stages of safety upgrades/repairs will be delivered under Community Infrastructure - Open Spaces program of work
107713 - Trimble GPS Grade Control Equipment	\$300,000.00	\$300,000.00	\$0.00	\$0.00	\$0.00	\$300,000.00	Trucks delivered and procurement of upgraded water tanks underway
107789 - Depot and Administration Building	\$590,000.00	\$590,000.00	\$0.00	\$0.00	\$0.00	\$590,000.00	Procurement underway after review of business requirements and specifications with Works Department
107804 - Community Infrastructure - Memorials	\$20,000.00	\$20,000.00	\$0.00	\$0.00	\$0.00	\$20,000.00	Business case being developed for Warwick Depot Office Refurbishment component of this program. Project Management Plan finalised for all other aspects of the program of work. Annual procurement underway
107805 - Community Infrastructure - Open Spaces	\$433,000.00	\$433,000.00	\$0.00	\$0.00	\$0.00	\$433,000.00	Project Management Plans finalised
107806 - Community Infrastructure - Buildings	\$160,000.00	\$160,000.00	\$0.00	\$0.00	\$0.00	\$160,000.00	Project Management Plans finalised
TOTAL	\$11,757,710.00	\$11,757,710.00	\$1,285,764.00	\$970,399.00	\$2,259,163.00	\$9,498,547.00	

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Planning & Environment Monthly Status Report

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date:
	Managers – Planning & Environmental Services	ECM Function No/s:

Recommendation

THAT Council notes the operational details as outlined in the Planning & Environmental Services Monthly Status Report

REPORT

Planning and Development

- The Manager Planning & Development attended the Medicare Mental Health Clinic co-design process on 10 October 2024, with a follow-up meeting held on 24 October 2024, which also involved Community Development. Subsequently two Directors from the Primary Health Network (PHN) presented at the Councillor Information Session on 13 November 2024.
- Works are progressing in relation to the Leyburn tennis court project, which is being funded through LRCI funding. The multi-purpose court has now been painted and line marked, the playground equipment has been relocated to the site and sandstone blocks will be located around the equipment. Fencing and other works are yet to be completed but are progressing.
- The backflow prevention register program is continuing with 451 devices now tagged and 191 devices which have been previously identified.

Environmental Services


- Council has been successful in receiving \$143,976 in funding through the Queensland Government Let's Get it Sorted (LGIS) Partnership Program. This will be to deliver a community wide education and behaviour change intervention program to address contamination items in yellow lid bins.
- To help celebrate National Recycling Week, Council participated in the Garage Sale Trial for the first time this year. 27 garage sales were registered, which is fantastic involvement from the community to help prevent items being disposed to landfill.
- Final preparations are underway to make spray units and boxthorn pullers available for hire to residents to assist with pest management activities on their properties. These will be made available after the pest management field day, to be held on the 4 December 2024 at the Warwick Animal Pound.
- Planning is underway for the for the next round of coordinated wild dog and pig baiting, to occur on the 26-28 November 2024
- Council's Environmental Health Officer conducted mosquito surveillance in Stanthorpe in response to a request from the Darling Downs Public Health unit to monitor for the presence of *Aedes aegypti*, the mosquito which carries the dengue fever virus.

ATTACHMENTS

Nil

12.2 Council Statutory Meeting Schedule for January to December 2025

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council adopt the attached Schedule for Council Statutory Meetings for January to December 2025.

REPORT

Report

In accordance with section 257 of the *Local Government Regulations 2012* Council is required to meet at least once in each month.

Council currently holds one Ordinary Council Meeting on the third Wednesday of each month. It is proposed that scheduling will continue for 2025, with the exception of the January Ordinary Meeting which is proposed to be held on the fourth Wednesday of that month due to the Christmas and New Year holiday period.

A decision regarding the schedule of Council Information Sessions and/or Council Workshops will be made in the near future.

Attached is the proposed schedule for Council Statutory Meetings for January to December 2025.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

Nil

COMMUNITY ENGAGEMENT

Internal Consultation

Nil.

External Consultation

Nil.

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009

Local Government Regulation 2012

Corporate Plan

Corporate Plan 2021 - 2026

Policy / Strategy

Council Meetings Policy PL-CS036

Legal

There appears to be no legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Calendar for Council Statutory Meetings 2025 [↓](#)



Southern Downs
REGIONAL COUNCIL

SCHEDULE FOR COUNCIL STATUTORY MEETINGS


January to December 2025

MONTH	ORDINARY COUNCIL MEETING
January	22/1/2025 Warwick
February	19/2/2025 Stanthorpe
March	19/3/2025 Warwick
April	16/4/2025 Stanthorpe
May	21/5/2025 Warwick
June	18/6/2025 Stanthorpe
July	16/7/2025 Warwick
August	20/8/2025 Stanthorpe
September	17/9/2025 Warwick
October	15/10/2025 Stanthorpe
November	19/11/2025 Warwick
December	17/12/2025 Stanthorpe

13. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

13.1 Financial Services - Financial Report as at 31 October 2024

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Management Accountant	ECM Function No/s:

Recommendation

THAT Council receive and note the Financial Performance Report as at 31 October 2024

REPORT

Background

The Finance Team have prepared the Financial Performance Report for October 2024.

Report

Income Statement

Revenue

Operational revenue of \$56.4M is \$2.2M over budget compared to YTD budget of \$54.2M with the main variations being:

- Utility Charges received YTD are \$460K under budget due to water consumption being less than anticipated;
- Fees and Charges received YTD are \$664.7K over budget due to higher than anticipated cattle and sheep sales, waste disposal fees, septic disposal fees and application fees;
- Road Maintenance Performance Contract revenue received YTD is more than anticipated due to the timing of the final FY2023/24 claims being received this financial year;
- Grants and Subsidies are over budget YTD due to the timing of flood recovery event funding being received.

Expenses

Operational expenditure of \$37.9M is under budget by \$22K.

Variations include:

- Employee costs are \$171K under budget. Employee allocation between capital and operating projects along with vacancies will continue to be reviewed by Officers
- Materials and Services are under budget by \$528K. This includes lag time involved with processing of invoices related to waste contracts. Council will continue to monitor these and have started accruing some of the larger expenses and reviewing the phasing of budgets as part of the budget review.

- Depreciation is over budget by \$570K. End of year asset rollover has now been finalised. Council will review and update depreciation assumptions to reflect all capitalisation and valuation movements throughout the year.
- Finance costs are \$108K over budget due to Audit Fees accrual journal not aligning with budget. Timing to be reconsidered at Q2 budget review.

Capital Grants

Revenue from capital grants is over budget by \$6.5M. The timing of the receipt of capital grants can vary and dependent on the progress of projects. Budget phasing will be realigned to revised project milestones.

Balance Sheet

As at 31 October 2024, Council had \$78.4M in cash at bank and investments. The total of outstanding loans, both the current and non-current portions is \$11.8M.

Capital Works in Progress

Capital works expenditure at 31 October 2024 was \$12.8M which is 18.3% of the adopted capital works budget of \$70M. There were committed costs of \$8.8M meaning \$21.6M has been spent or committed, representing 30.9% of the adopted budget.

Southern Downs Regional Council
Capital Works Projects by Asset Class
As At 31 October 2024

	Budget	YTD Expenditure	% Spent	Committed	Spent and Committed	% Spent and Committed
Land & Land Improvements	-	19,318	-	13,175	32,493	-
Buildings	3,018,928	449,900	14.9%	1,184,099	1,633,999	54.1%
Plant & Equipment	10,479,710	1,331,278	12.7%	848,013	2,179,291	20.8%
Roads, Drains & Bridges	16,912,517	2,545,521	15.1%	1,585,202	4,130,722	24.4%
Water	15,196,376	3,387,197	22.3%	2,325,940	5,713,137	37.6%
Sewerage	9,067,673	3,256,939	35.9%	1,104,698	4,361,637	48.1%
Other Assets	15,373,232	1,843,707	12.0%	1,749,861	3,593,569	23.4%
Total	70,048,436	12,833,861	18.3%	8,810,988	21,644,849	30.9%

FINANCIAL IMPLICATIONS

The 2024/25 First Quarter Budget was adopted by Council on the 16th October 2024. The Second Quarter budget review is set to take place in December 2024.

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

Nil

COMMUNITY ENGAGEMENT

Internal Consultation

Nil

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009 and Local Government Regulation 2012

Corporate Plan

Goal 4 Our Performance

Outcome: 4.4 Council has embedded risk management, good governance, transparency and accountability into what we do.

Objective: 4.4.2 Ensure our long-term financial sustainability is a pillar of our decision making.
 4.4.3 Our asset management is smart, effective and efficient with robust project selection pathways.

Policy / Strategy

Operational Plan 2024/25

Legal

There appears to be no legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Financial Performance Report - 31 October 2024 [📄](#)



Southern Downs
REGIONAL COUNCIL

Performance Report

October 2024

Southern Downs Regional Council Income Statement

October 2024

	Phased 2025 YTD Actual \$	Phased 2025 YTD Budget \$	YTD Variance \$	YTD Variance %	Annual 2025 Budget \$	Annual 2025 Forecast \$
Revenue from ordinary activities						
General Rates	20,795,779	20,744,114	51,665	0.2%	41,486,562	41,486,562
Rural fire brigade levy	141,285	139,350	1,935	1.4%	278,700	278,700
Utility Rates and Charges	16,690,658	17,150,225	(459,567)	(2.7%)	34,290,451	34,290,451
Less Discounts	(1,224,299)	(1,239,428)	15,129	(1.2%)	(2,478,856)	(2,478,856)
Rates on Council properties	(409,974)	(305,652)	(104,321)	34.1%	(816,599)	(816,599)
	35,993,449	36,488,609	(495,160)	-1.4%	72,760,258	72,760,258
Fees and Charges	3,292,627	2,627,902	664,725	25.3%	7,632,453	7,632,453
Interest	1,145,605	1,168,973	(23,367)	(2.0%)	3,531,824	3,531,824
Contract & Sales Revenue	1,648,164	810,905	837,259	103.2%	2,439,716	2,439,716
Rent and Other Income	508,936	503,649	5,287	1.0%	1,508,266	1,508,266
Government Grants and Subsidies	9,705,984	8,544,221	1,161,763	13.6%	11,804,168	11,804,168
Internal Revenue	4,103,171	4,087,906	15,265	0.4%	12,263,718	12,263,718
Total Operating Revenue	56,397,936	54,232,165	2,165,771	4.0%	111,940,403	111,940,403
Expenses from ordinary activities						
Employee Costs	10,252,413	10,423,292	(170,879)	(1.6%)	30,997,394	30,997,394
Materials and Services	17,037,698	17,566,128	(528,430)	(3.0%)	51,174,571	51,174,571
Depreciation and Amortisation	8,516,373	7,946,650	569,723	7.2%	23,464,106	23,464,106
Finance Costs	315,901	208,383	107,518	51.6%	942,531	942,531
Internal Charges	1,753,989	1,753,989	0	0.0%	5,261,968	5,261,968
Total Operating Expenses	37,876,374	37,898,442	(22,068)	(0.1%)	111,840,570	111,840,570
Operating Surplus/(Deficit) before capital items	18,521,562	16,333,723	2,187,840	13.39%	99,833	99,833
Other Capital Amounts						
Capital Grants, Contributions and Donations	6,638,585	166,667	6,471,918	3883.1%	19,041,516	19,041,516
Other capital income and (expenses)	10,002	(1,903,000)	1,913,002	(100.5%)	(4,628,000)	(4,628,000)
Net Result Surplus/(Deficit)	25,170,150	14,597,389	10,572,760	72.4%	14,513,349	14,513,349

Southern Downs Regional Council

Balance Sheet

October 2024

	Phased 2025 YTD Actual \$	Annual 2025 Budget \$	YTD Variance \$	YTD Variance %
Current Assets				
Cash assets & Investments	78,442,138	43,317,000	35,125,138	81.1%
Receivables	17,894,364	15,859,997	2,034,367	12.8%
Assets held for sale	590,486	590,000	486	0.1%
Inventories	1,123,423	988,003	135,419	13.7%
	98,050,410	60,755,000	37,295,410	61.4%
Non-Current Assets				
Investment Property	204,680	205,000	(320)	(0.2%)
Property, plant and equipment	1,001,640,576	1,045,839,000	(44,198,424)	(4.2%)
Other Financial Assets	149,482	154,000	(4,518)	(2.9%)
Capital works in progress	21,984,742	15,000,000	6,984,742	46.6%
Intangible Assets	140,584	154,000	(13,416)	(8.7%)
	1,024,120,064	1,061,352,000	(37,231,936)	(3.5%)
TOTAL ASSETS	1,122,170,475	1,122,107,000	63,475	0.0%
Current Liabilities				
Creditors and other payables	13,760,998	16,517,000	(2,756,002)	(16.7%)
Provisions	8,621,968	8,850,000	(228,032)	(2.6%)
Interest bearing liabilities	1,979,456	2,337,000	(357,544)	(15.3%)
	24,362,421	27,704,000	(3,341,578)	(12.1%)
Non-Current Liabilities				
Interest bearing liabilities	9,859,061	15,451,000	(5,591,939)	(36.2%)
Provisions	8,619,810	8,767,000	(147,190)	(1.7%)
Other Payables	1,738,577	3,227,000	(1,488,423)	(46.1%)
	20,217,448	27,445,000	(7,227,552)	(26.3%)
TOTAL LIABILITIES	44,579,869	55,149,000	(10,569,131)	(19.2%)
NET COMMUNITY ASSETS	1,077,590,606	1,066,958,000	10,632,606	1.0%
Community Equity				
Asset Revaluation Reserve	378,300,559	378,327,000	(26,441)	(0.0%)
Retained surplus	699,290,047	688,631,000	10,659,047	1.5%
TOTAL COMMUNITY EQUITY	1,077,590,606	1,066,958,000	10,632,606	1.0%

Southern Downs Regional Council Cash Flow Statement

October 2024

	Phased 2025 YTD Actual \$	Phased 2025 YTD Budget \$	YTD Variance \$	YTD Variance %	Annual 2025 Budget \$
Cashflows from operating activities					
Receipts from customers	41,868,610	40,233,069	1,635,541	4.1%	85,903,027
Payments to suppliers and employees	(46,034,266)	(33,845,472)	(12,188,794)	36.0%	(83,215,096)
Investment and interest revenue received	1,038,038	1,168,973	(130,935)	(11.2%)	3,530,889
Rental Income	508,936	503,649	5,287	1.0%	647,423
Non-capital grants and contributions	9,705,984	8,544,221	1,161,763	13.6%	11,997,152
Borrowing costs	-	-	-	0.0%	(643,982)
Other cashflows from operating activities	(429,580)	-	(429,580)	0.0%	-
Net Cash Operating Activities	6,657,722	16,604,439	(9,946,717)	43.5%	18,219,414
Cashflows from Investing Activities					
Sale of property, plant and equipment	10,002	-	10,002	0.0%	1,079,000
Grants, subsidies, contributions and donations	6,638,585	166,667	6,471,918	3883.1%	19,041,364
Proceeds from investing activities	29,064,418	-	29,064,418	0.0%	-
Net purchase of investment securities	(5,000,000)	-	(5,000,000)	0.0%	-
Purchase of property, plant and equipment	(12,833,861)	(16,104,100)	3,270,239	(20.3%)	(70,015,397)
Payments for intangible assets	-	-	-	0.0%	(33,000)
Net Cash Investing Activities	17,879,144	(15,937,433)	33,816,578	3862.8%	(49,928,033)
Cash Flows from Financing Activities					
Proceeds from/repayment of borrowings and advances	(650,172)	(1,367,500)	717,328	(52.5%)	5,470,782
Net Cash Financing Activities	(650,172)	(1,367,500)	717,328	(52.5%)	5,470,782
Net increase in cash and cash and equivalent held	23,886,694	(700,494)	24,587,189	(3510.0%)	(26,237,837)
Cash at beginning of period	54,555,444	63,816,000	(9,260,556)	(14.5%)	69,555,000
Cash at end of period	78,442,138	63,115,506	15,326,633	24.3%	43,317,163

Southern Downs Regional Council
Sustainability Ratios
As At 31 October 2024

	Key Ratios	Calculation	Budget	YTD Actual	Target Ratio	On Target ?	Overview
Financial Capacity	Council Controlled Revenue Ratio	((Net Rates, Levies and Charges + Fees and Charges) / Total Operating Revenue) (%)	72.55%	70.39%	N/A	✓	Council-controlled revenue is an indicator of a Council's financial flexibility, ability to influence its operating income, and capacity to respond to unexpected financial shocks.
	Population Growth Ratio	(Prior year estimated population / previous year estimated population) - 1	0.28%	0.28%	N/A	✓	Population growth is a key driver to a Council's operating income, service needs, and infrastructure requirements into the future.
Operating Performance	Operating Surplus Ratio	(Net Operating Surplus / Total Operating Revenue) (%)	0.09%	32.8%	> 0.0% to < 10.0%	✗	The operating surplus ratio is an indicator of the extent to which operating revenues raised cover operational expenses only or are available for capital funding purposes.
	Operating Cash Ratio	(Net Operating Surplus + Depreciation + Finance Costs) / Total Operating Revenue (%)	21.89%	48.50%	> 0%	✓	The operating cash ratio indicates that a Council is generating surplus cash from its core operations, which suggests that Council has the ability to self-fund its capital expenditure requirements.
Liquidity	Unrestricted Cash Expense Cover Ratio	(Total Cash and Equivalents + Current Investments + Available Ongoing QTC Working Capital Facility Limit - Externally Restricted Cash) / Total Operating Expenditure - Depreciation and Amortisation - Finance Costs) x 12	7	28	Greater than 4 months	✓	The unrestricted cash expense cover ratio is an indicator of the unconstrained liquidity available to a Council to meet ongoing and emergent financial demands, which is a key component to solvency. It represents the number of months a Council can continue operating based on currently monthly expenses.
Asset Management	Asset Sustainability Ratio	(Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)	147.6%	72.9%	> 90%	✗	This is an approximation of the extent to which the infrastructure assets managed by the Council are being replaced as these reach the end of their useful lives.
	Asset Consumption Ratio	Written Down Replacement Cost of Depreciable Infrastructure Assets / Current Replacement Cost of Depreciable Infrastructure Assets	64.1%	64.4%	> 60%	✓	The asset consumption ratio approximates the extent to which Council's infrastructure assets have been consumed compared to what it would cost to build a new asset with the same benefit to the community.
	Asset Renewal Funding Ratio	Total of Planned Capital Expenditure on Infrastructure Asset Renewals over 10 Years / Total Required Capital Expenditure on Infrastructure Asset Renewals over 10 Years			Commencing 2025/26		The asset renewal funding ratio measures the ability of a Council to fund its projected infrastructure asset renewal/replacement in the future
Debt Servicing Capacity	Debt Leverage Ratio	(Book Value of Debt / (Total Operating Revenue - Total Operating Expenditure + Depreciation and Amortisation))	0.75	0.44	Tier 4 = 0 - 3 times	✓	This is an indicator of Council's ability to repay its existing debt. It measures the relative size of the Council's debt to its operating performance.
Other	Working Capital Ratio	(Current Assets / Current Liabilities)	2.19:1	4.02 : 1	> 1:1	✓	This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.
	Net Financial Liabilities Ratio	((Total Liabilities - Current Assets) / Total Operating Revenue)	(5.0%)	(94.8%)	<=60%	✓	This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.

Comments on Ratio Results.

The reported ratios are taken from the Department of Local Government guidelines on sustainable financial management. When looking at ratios it is important to acknowledge that they represent a snapshot in time and that anomalies in the reported results are not taken in isolation. The targets are those provided by the Department as a preferred range and results outside those ranges will require further consideration.

However these ratios represent Council's position at a single point in time and should not be considered in isolation. Ratios should be considered over the long term.

	YTD Actual \$	YTD Budget \$	Variance \$	Variance %	FY Budget \$	Notes
Executive Services Operating Statement						
Operating Revenue						
Operating Grants and Subsidies	223,655	93,000	130,655	140.5%	230,600	Note 1
Sundry Revenue	12,030	8,687	3,343	38.5%	21,030	
Internal Revenue	215,463	215,463	(0)	(0.0%)	646,390	
Total Operating Revenue	451,149	317,150	(133,998)	42.3%	898,020	
Operating Expenses						
Employee Costs	1,417,437	1,255,027	162,410	0.0%	4,026,225	
Materials	233,845	251,378	(17,532)	12.9%	856,766	
Contracts and Services	215,963	221,415	(5,452)	(2.5%)	917,545	
Depreciation and Amortisation	4,086	4,087	(1)	(0.0%)	12,129	
Plant Hire	47,522	38,906	8,617	22.1%	112,468	
Other Expenses	390,262	434,772	(44,510)	(10.2%)	1,190,316	
Rates on Council Properties	1,991	1,765	226	12.8%	3,529	
Internal Charges	58,145	58,145	(0)	(0.0%)	174,435	
Total Operating Expenses	2,369,252	2,265,494	103,758	(17.2%)	7,293,413	
Operating Surplus/Deficit	(1,918,103)	(1,948,344)	30,240	(1.6%)	(6,395,393)	

Note 1 Trainee Subsidies received YTD more than anticipated - budget to be realigned with actuals

	YTD Actual \$	YTD Budget \$	Variance \$	Variance %	FY Budget \$	Notes
Customer and Organisational Services Operating Statement						
Operating Revenue						
Rates and Utility Charges	18,264,034	18,224,229	39,805	0.2%	36,446,792	
Fees and Charges	741,151	614,095	127,056	20.7%	1,712,545	Note 1
Operating Grants and Subsidies	2,255,386	2,064,153	191,233	9.3%	3,949,209	Note 2
Interest Received	1,145,605	1,168,973	(23,367)	(2.0%)	3,531,824	
Leasing and Rent	218,336	208,097	10,238	4.9%	624,292	
Sundry Revenue	131,339	100,165	31,173	31.1%	318,846	
Internal Revenue	1,269,996	1,269,996	(0)	(0.0%)	3,809,988	
Total Operating Revenue	24,025,847	23,649,709	376,138	1.6%	50,393,496	
Operating Expenses						
Employee Costs	2,097,703	2,459,066	(361,363)	(14.7%)	7,211,354	Note 3
Materials	3,748,491	2,881,233	867,258	30.1%	6,046,449	Note 4
Contracts and Services	857,943	774,046	83,897	10.8%	3,237,727	
Finance Costs	142,852	46,501	96,350	207.2%	295,005	
Depreciation and Amortisation	616,679	492,488	124,191	25.2%	1,457,911	Note 5
Plant Hire	65,219	146,022	(80,803)	(55.3%)	432,950	
Other Expenses	471,286	562,650	(91,364)	(16.2%)	1,107,950	
Rates on Council Properties	89,560	53,351	36,209	67.9%	189,505	
Internal Charges	221,602	221,602	0	0.0%	664,806	
Total Operating Expenses	8,311,335	7,636,959	674,376	8.8%	20,643,656	
Operating Surplus/Deficit	15,714,512	16,012,750	(298,238)	(1.9%)	29,749,840	

Note 1 Cattle and Sheep Sales more than anticipated YTD

Note 2 Flood Recovery funds for the February 2022 Event received this financial year due to timing of claims assessed and processed by QRA - \$260K

Note 3 Employee Costs actuals YTD less than anticipated - Superannuation, Leave Provisions and Workers Compensation budget phasing not aligned with actuals

Note 4 Workers Compensation Insurance paid in October - not aligned with budget phasing

Note 5 Depreciation expense more than anticipated. To be reviewed at Q2 Budget

	YTD Actual \$	YTD Budget \$	Variance \$	Variance %	FY Budget \$	Notes
Infrastructure Services Operating Statement (Excludes Water and Wastewater)						
Operating Revenue						
Fees and Charges	279,569	270,443	9,126	3.4%	811,329	
Operating Grants and Subsidies	5,594,799	4,745,321	849,478	17.9%	5,934,613	Note 1
Leasing and Rent	2,160	4,160	(2,000)	(48.1%)	12,480	
Recoverable Works	1,648,164	810,905	837,259	103.2%	2,439,716	Note 2
Sundry Revenue	15,303	9,806	5,497	56.1%	29,418	
Internal Revenue	2,617,712	2,602,447	15,265	0.6%	7,807,340	
Total Operating Revenue	10,157,707	8,443,082	1,714,625	20.3%	17,034,896	
Operating Expenses						
Employee Costs	3,725,542	3,458,343	267,199	7.7%	10,297,364	Note 3
Materials	2,016,167	2,184,739	(168,572)	(7.7%)	6,174,318	Note 4
Contracts and Services	1,710,930	1,506,827	204,103	13.5%	4,578,103	Note 5
Finance Costs	55,131	51,801	3,330	6.4%	207,203	
Depreciation and Amortisation	5,147,480	4,900,774	246,705	5.0%	14,432,890	Note 6
Plant Hire	1,447,961	1,373,086	74,875	5.5%	3,981,669	
Other Expenses	-	-	-	0.0%	152,500	
Rates on Council Properties	274,745	226,958	47,786	21.1%	558,759	
Internal Charges	259,580	259,580	-	0.0%	778,741	
Total Operating Expenses	14,637,536	13,962,109	675,426	4.8%	41,161,548	
Operating Surplus/Deficit	(4,479,828)	(5,519,027)	1,039,199	(18.8%)	(24,126,652)	

Note 1	Flood Recovery funds for January 2024 event received YTD earlier than anticipated - \$854K
Note 2	Road Maintenance Performance Contract revenue received YTD more than anticipated due to timing of claims being received for the 2023/24 FY - \$1.38M
Note 3	Employee Costs actuals YTD more than anticipated.
Note 4	Diesel YTD actuals less than anticipated
Note 5	Road Maintenance Performance Contract expenses YTD more than anticipated
Note 6	Depreciation expense more than anticipated. To be reviewed at Q2 Budget

	YTD Actual \$	YTD Budget \$	Variance \$	Variance %	FY Budget \$	Notes
Planning and Environmental Services Operating Statement						
(Excludes Waste)						
Operating Revenue						
Fees and Charges	830,837	674,200	156,637	23.2%	2,022,600	Note 1
Operating Grants and Subsidies	78,000	78,000	-	0.0%	78,000	
Sundry Revenue	2,922	2,067	855	41.4%	6,200	
Total Operating Revenue	911,759	754,267	157,493	20.9%	2,106,800	
Operating Expenses						
Employee Costs	1,420,986	1,504,315	(83,329)	(5.5%)	4,284,113	
Materials	539,004	91,247	447,757	490.7%	757,157	Note 2
Contracts and Services	160,794	346,600	(185,805)	(53.6%)	1,256,466	Note 3
Depreciation and Amortisation	7,052	7,382	(331)	(4.5%)	21,907	
Plant Hire	52,357	130,968	(78,611)	(60.0%)	378,353	
Other Expenses	-	23,000	(23,000)	(100.0%)	43,000	
Rates on Council Properties	1,985	1,640	345	21.0%	3,774	
Internal Charges	65,807	65,807	(0)	(0.0%)	197,421	
Total Operating Expenses	2,247,986	2,170,960	77,026	3.5%	6,942,191	
Operating Surplus/Deficit	(1,336,226)	(1,416,693)	80,467	(5.7%)	(4,835,391)	

Note 1 Application Fees received YTD more than anticipated
Note 2 Darling Downs Moreton Rabbit Board Annual Precept Paid - not aligned with budget phasing
Note 3 Environmental Local Laws and Pest Management expenses YTD less than anticipated

	YTD Actual \$	YTD Budget \$	Variance \$	Variance %	FY Budget \$	Notes
Water Services Operating Statement						
Operating Revenue						
Rates and Utility Charges	8,089,282	8,597,177	(507,895)	(5.9%)	17,194,355	Note 1
Fees and Charges	257,274	135,209	122,065	90.3%	405,627	Note 2
Operating Grants and Subsidies	-	24,000	(24,000)	(100.0%)	72,000	
Sundry Revenue	26,287	21,333	4,953	23.2%	64,000	
Total Operating Revenue	8,372,843	8,777,719	(404,877)	(4.6%)	17,735,982	
Operating Expenses						
Employee Costs	984,580	1,105,857	(121,277)	(11.0%)	3,255,322	Note 3
Materials	1,035,586	1,434,902	(399,316)	(27.8%)	3,676,068	Note 4
Contracts and Services	310,144	321,746	(11,602)	(3.6%)	1,015,238	
Finance Costs	51,693	49,610	2,083	4.2%	198,442	
Depreciation and Amortisation	1,541,430	1,372,556	168,873	12.3%	4,070,298	Note 5
Plant Hire	103,720	111,522	(7,802)	(7.0%)	322,250	
Rates on Council Properties	4,935	5,347	(412)	(7.7%)	10,803	
Internal Charges	622,695	622,695	-	0.0%	1,868,085	
Total Operating Expenses	4,654,783	5,024,236	(369,453)	(7.4%)	14,416,507	
Operating Surplus/Deficit	3,718,060	3,753,483	(35,423)	(0.9%)	3,319,475	

- Note 1 Water Consumption actuals less than anticipated
Note 2 Septic Disposal Fees and Water Sales YTD more than anticipated
Note 3 Employee Costs actuals YTD less than anticipated.
Note 4 Bulk Water costs YTD less than anticipated
Note 5 Depreciation expense more than anticipated. To be reviewed at Q2 Budget

	YTD Actual \$	YTD Budget \$	Variance \$	Variance %	FY Budget \$	Notes
Sewerage Services Operating Statement						
Operating Revenue						
Rates and Utility Charges	5,404,611	5,335,000	69,611	1.3%	10,660,000	
Fees and Charges	232,351	180,590	51,760	28.7%	420,257	
Total Operating Revenue	5,636,962	5,515,590	121,371	2.2%	11,080,257	
Operating Expenses						
Employee Costs	396,892	481,024	(84,131)	(17.5%)	1,461,581	Note 1
Materials	321,779	373,990	(52,211)	(14.0%)	1,121,970	
Contracts and Services	309,197	554,058	(244,861)	(44.2%)	1,662,173	Note 2
Finance Costs	48,527	44,001	4,526	10.3%	176,004	
Depreciation and Amortisation	1,111,042	1,086,669	24,373	2.2%	3,223,584	
Plant Hire	41,710	48,795	(7,085)	(14.5%)	141,000	
Rates on Council Properties	30,517	10,712	19,805	184.9%	37,602	
Internal Charges	282,990	282,990	-	0.0%	848,969	
Total Operating Expenses	2,542,654	2,882,239	(339,585)	(11.8%)	8,672,884	
Operating Surplus/Deficit	3,094,308	2,633,352	460,956	17.5%	2,407,373	

Note 1 Employee Costs actuals YTD less than anticipated.

Note 2 Sewerage Treatment Contractor actuals not aligned with budget

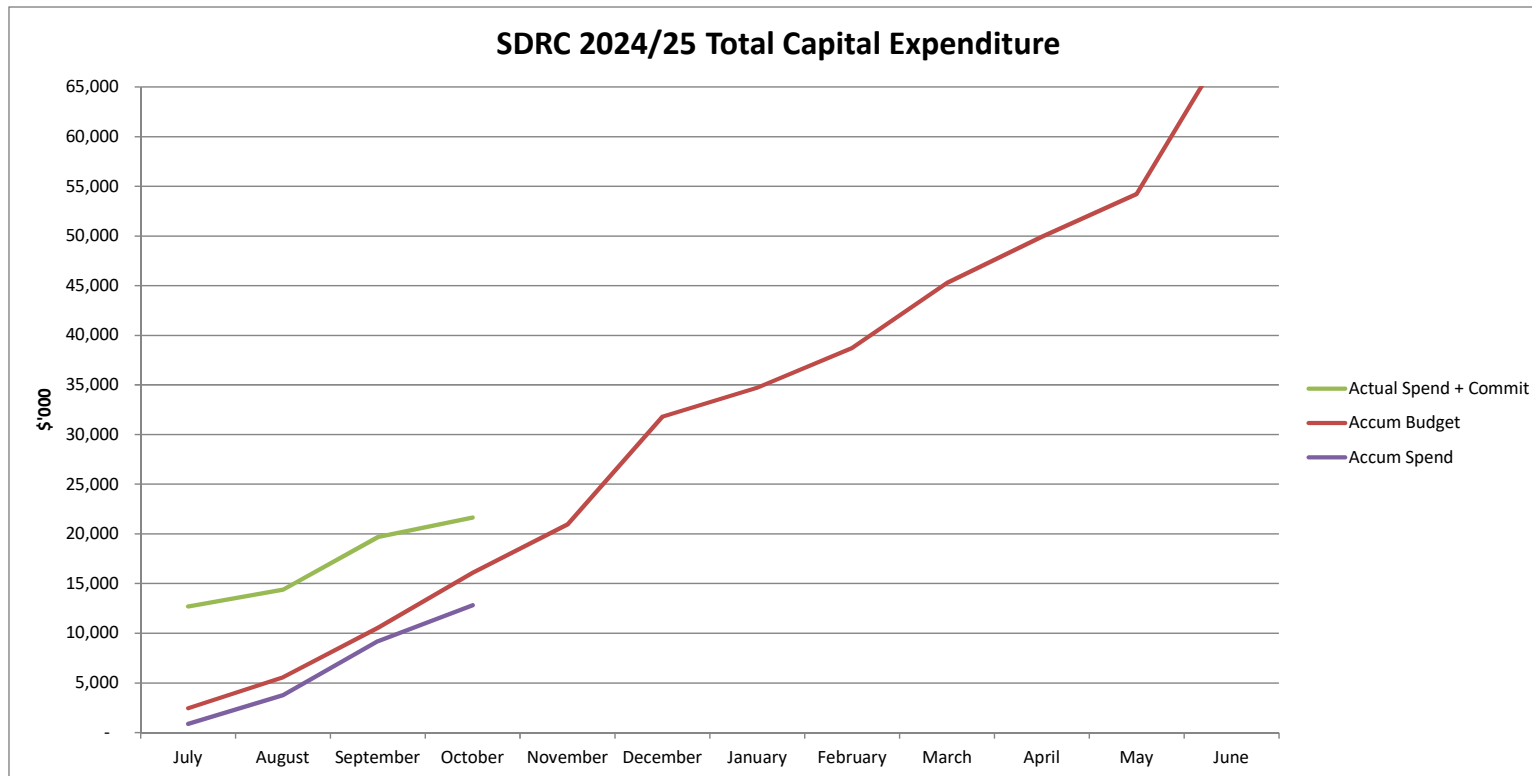
	YTD Actual \$	YTD Budget \$	Variance \$	Variance %	FY Budget \$	Notes
Waste Services Operating Statement						
Operating Revenue						
Rates and Utility Charges	4,645,495	4,637,855	7,640	0.2%	9,275,710	
Fees and Charges	951,445	753,365	198,080	26.3%	2,260,095	Note 1
Operating Grants and Subsidies	1,554,144	1,539,746	14,398	0.9%	1,539,746	
Sundry Revenue	100,559	149,333	(48,774)	(32.7%)	432,000	
Total Operating Revenue	7,251,644	7,080,299	171,344	2.4%	13,507,551	
Operating Expenses						
Employee Costs	209,273	159,660	49,612	31.1%	461,434	
Materials	599,836	962,976	(363,140)	(37.7%)	2,852,929	Note 2
Contracts and Services	2,349,340	2,776,279	(426,940)	(15.4%)	9,115,956	Note 3
Finance Costs	17,698	16,469	1,229	7.5%	65,878	
Depreciation and Amortisation	88,604	82,692	5,912	7.1%	245,386	
Plant Hire	8,642	14,971	(6,329)	(42.3%)	43,250	
Rates on Council Properties	6,241	5,880	362	6.2%	12,627	
Internal Charges	243,170	243,170	(0)	(0.0%)	729,511	
Total Operating Expenses	3,522,803	4,262,098	(739,294)	(17.3%)	13,526,970	
Operating Surplus/Deficit	3,728,840	2,818,201	910,639	32.3%	(19,419)	

- Note 1 Waste Disposal Fees YTD more than anticipated
- Note 2 Waste Facility Administration actuals YTD less than anticipated
- State Government Waste Levy payment for October outstanding
- Note 3 Waste Management Facilities actuals YTD less than anticipated
- October accounts outstanding. Budget phasing to be aligned with invoicing.

**Southern Downs Regional Council
Capital Works Projects by Asset Class
As At 31 October 2024**

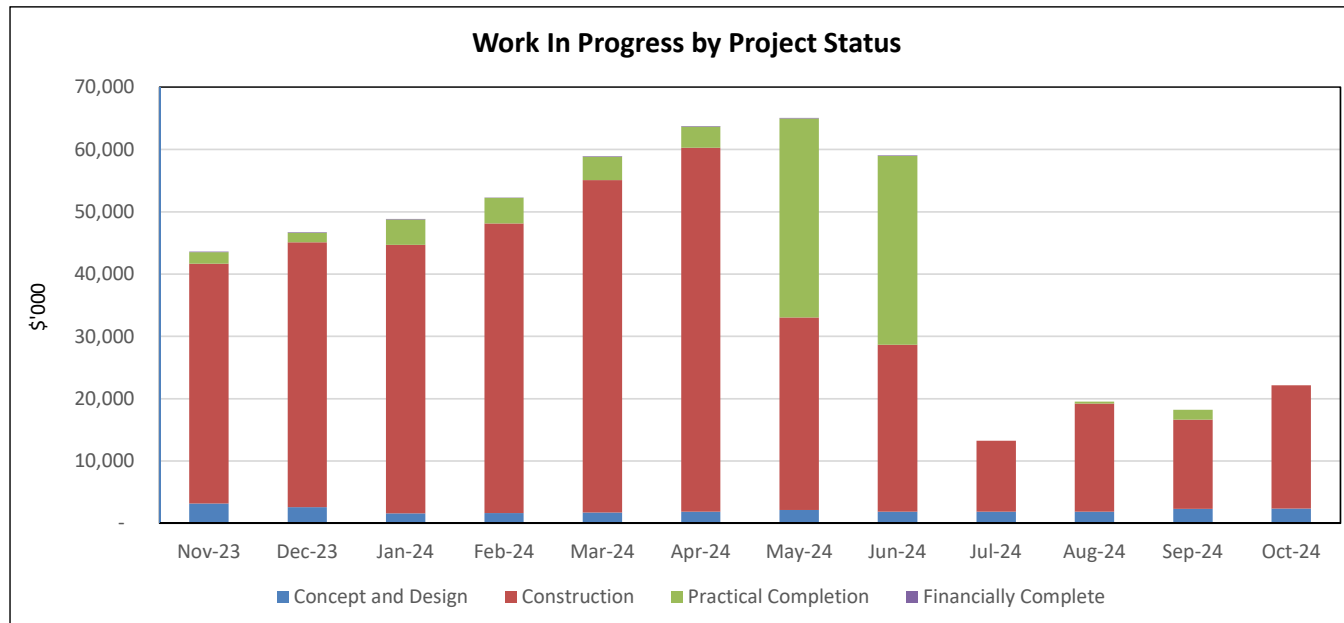
	Budget	YTD Expenditure	% Spent	Committed	Spent and Committed	% Spent and Committed
Land & Land Improvements	-	19,318	-	13,175	32,493	-
Buildings	3,018,928	449,900	14.9%	1,184,099	1,633,999	54.1%
Plant & Equipment	10,479,710	1,331,278	12.7%	848,013	2,179,291	20.8%
Roads, Drains & Bridges	16,912,517	2,545,521	15.1%	1,585,202	4,130,722	24.4%
Water	15,196,376	3,387,197	22.3%	2,325,940	5,713,137	37.6%
Sewerage	9,067,673	3,256,939	35.9%	1,104,698	4,361,637	48.1%
Other Assets	15,373,232	1,843,707	12.0%	1,749,861	3,593,569	23.4%
Total	70,048,436	12,833,861	18.3%	8,810,988	21,644,849	30.9%

Southern Downs Regional Council
Capital Expenditure
As At 31 October 2024



Capital committed costs as at 31 October 2024 is \$8.8 Million

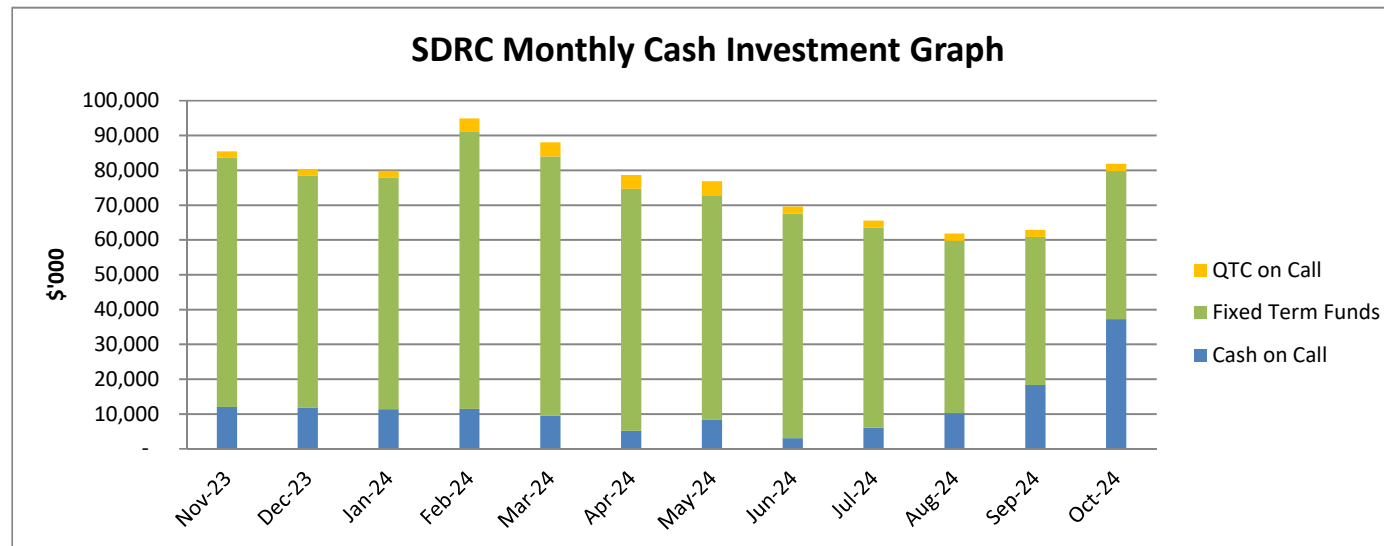
**Southern Downs Regional Council
Work in Progress (WIP) Status Report
As At 31 October 2024**



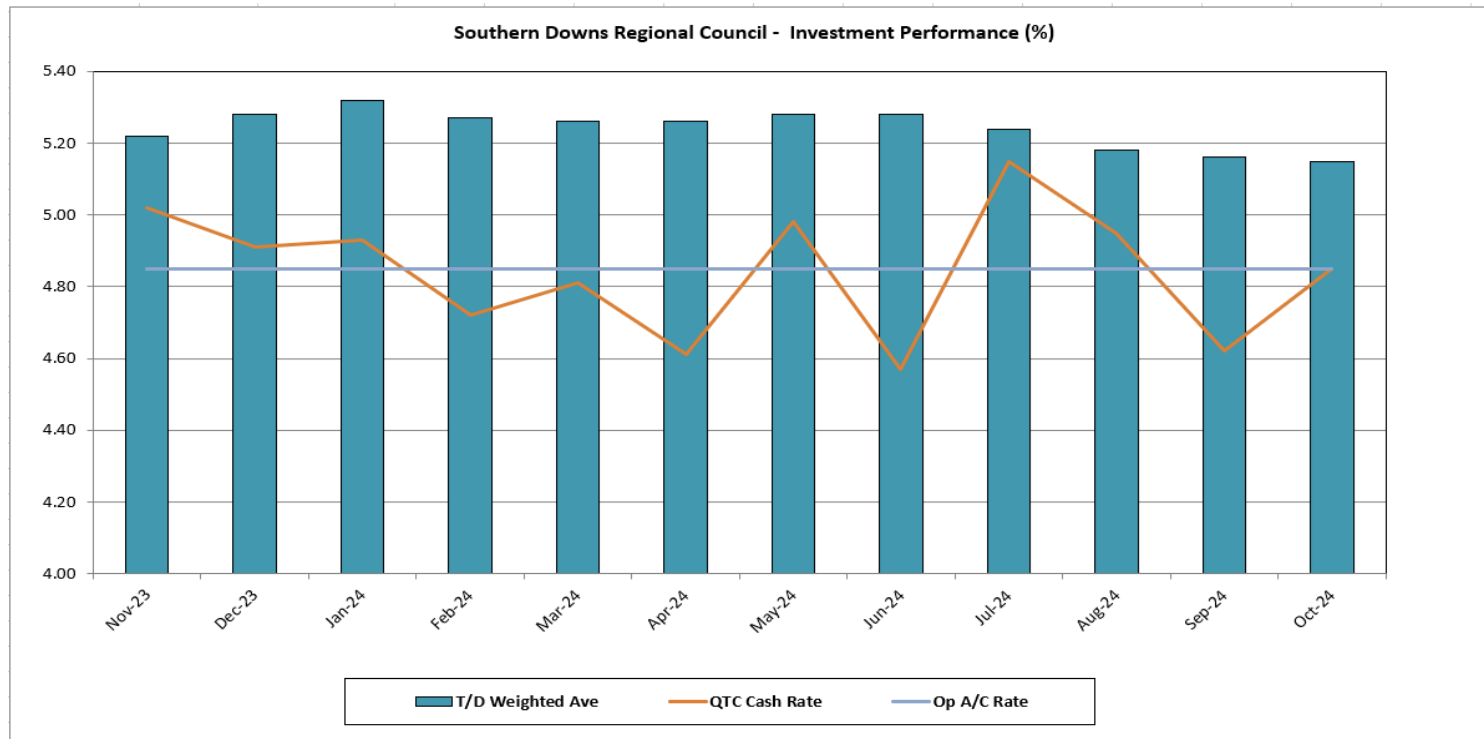
Project status' were reviewed and updated in October 2024.

The Finance Team will continue to work with Department Managers and Asset Management Team to review and update project status'.

**Southern Downs Regional Council
Total Monthly Cash Investment Register
As At 31 October 2024**



Southern Downs Regional Council
Investment Performance
As At 31 October 2024




**Southern Downs Regional Council
Borrowings Report
As At 31 October 2024**

QTC Loan Account	Balance	Payout Date
CBD Redevelopment Stage 2	420,601	Mar-28
Market Square Pump Station	196,280	Mar-28
General	1,420,346	Mar-28
General 2009	672,563	Mar-28
General 2009/10	102,208	Mar-28
General 2010/11	1,543,744	Mar-28
General 2011/12	2,715,398	Jun-32
General 2012/13	1,565,075	Dec-32
Warwick Sewerage Treatment Plant	252,267	Jun-26
Allora Water Main	2,950,035	Mar-34
Total Loan Balance	<u>11,838,517</u>	

13.2 Closing Report and Management Letter - 2023-2024

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Financial Services Coordinator	ECM Function No/s:

Recommendation

THAT Council receive and note the Final Management Letter and Closing Report relating to the 2023-24 external audit.

REPORT

In September 2024, Council's external auditors (Crowe) conducted an audit in accordance with the external audit plan issued on 8 February 2024. The audit assessed the design and implementation of Council's internal controls and whether they are operating effectively.

Council received a closing report on 10 October 2024 (copy attached) which was presented to the Audit and Risk Committee together with the draft financial statements. This report clearly articulates Council's control environment, financial statement maturity and status of current / past audit issues. Council has since received the final management letter (copy attached) from the Queensland Audit Office.

The areas of audit focus were the valuation of infrastructure assets, treatment of significant capital expenditure, grant revenue recognition, probity propriety and compliance considerations and landfill restoration provision.

The audit identified approximately \$20.1 million worth of road, stormwater, other infrastructure and artwork assets where an indexation to the asset value was not applied. This was considered by management to be immaterial (either to the financial statements as a whole or to individual line items) and the auditors agreed with this assessment and is considered to be an uncorrected quantitative misstatement. The materiality threshold for assets in the 2023-24 audit was \$44.7 million.

Council had a total of nine prior year issues identified in previous audits. This audit resulted in five of those issues being resolved and one issue being downgraded from a significant deficiency to deficiency.

As per the 2024 Final Management Letter, an unmodified audit opinion on the 2023-24 financial statements has been issued. The reports are attached for Council's noting.

FINANCIAL IMPLICATIONS

There are no major financial implications from the result of the 2023-24 audit.

RISK AND OPPORTUNITY

Risk

The accuracy of the financial statements in the area of asset valuations.

Opportunity

Business process improvement opportunities have been identified to assist in addressing deficiencies previously identified.

COMMUNITY ENGAGEMENT

Internal Consultation

Nil.

External Consultation

External Auditors; Audit and Risk Management Committee

LEGAL / POLICY

Legislation / Local Law

Section 213 of the *Local Government Regulations 2012* states:

- (1) This section applies if the auditor-general gives the mayor of a local government a copy of the auditor general's observation report about an audit of the local government's financial statements.
- (2) An auditor-general's observation report, about an audit of a local government's financial statements, is a report about the audit prepared under section 54 of the Auditor-General Act 2009 that includes observations and suggestions made by the auditor-general about anything arising out of the audit.
- (3) The mayor must present a copy of the report at the next ordinary meeting of the local government.

Corporate Plan

Goal 4 Our Performance

4.4.2. Ensure our long-term financial sustainability is a pillar of our decision making

Policy / Strategy

Operational Plan 2023/24

Develop a Financial Sustainability Strategy

Legal

Council have met their legal obligations for financial reporting and the external audit.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. External Audit Closing Report 2023-24 [↓](#)
2. SDRC Closing Report [↓](#)



2024 FINAL MANAGEMENT REPORT

Southern Downs Regional Council

30 October 2024



Cr Melissa Hamilton
Mayor
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

Dear Cr Hamilton

Final management report for Southern Downs Regional Council

We have completed our 2024 financial audit for Southern Downs Regional Council. QAO has issued an unmodified audit opinion on your financial statements.

The purpose of this report is to update you on any matters that have arisen since we presented our interim report to you on 22 May 2024.

Reporting on issues identified after the closing report

I can confirm that we have not identified significant issues since the presentation of our closing report to the audit committee. The issues and other matters we have formally reported to management and an update on management's actions taken to resolve these issues is included as Appendix A.

Please note that under section 213 of the Local Government Regulation 2012, you must present a copy of this report at your council's next ordinary meeting.

Report to parliament

Each year, we report the results of all financial audits and significant issues to parliament.

We intend to include the results of our audit of Southern Downs Regional Council in our report to parliament on the Results of the Local Government Sector. We will comment on the results of our audit, any significant internal control issues, and the overall results for the sector, including major transactions and events. We will discuss the proposed report content with your entity contact and continue to consult as we draft it. Formally, entities have an opportunity to comment on our report, and for these comments to be included in the final version tabled in parliament.

Audit fee

The final audit fee for this year is \$126,380, exclusive of GST. This fee is in line with the amount estimated in our external audit plan.

We would like to thank you and your staff for your engagement in the audit this year and look forward to working with your team again next year.

If you have any questions about this report or would like to discuss any matters regarding our services and engagement, please do not hesitate to contact me on 07 4614 2266 or Taf Mudarikwa, on 07 4614 2234

Yours sincerely

Bruce Preston
Partner (Crowe Australia)

Queensland Audit Office
Level 13, 53 Albert Street, Brisbane Qld 4000
PO Box 15396, City East Qld 4002

Phone 07 3149 6000
Email gao@gao.qld.gov.au
Web www.gao.qld.gov.au
 Queensland Audit Office (QAO)

Appendix A1 – Status of issues

Internal control issues

This section provides an update on the significant control deficiencies and other matters we have identified. It includes a response from management.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.



D Deficiency

24-IR1 – Untimely review of Council policies

Observation

During our interim testing we noted a number of council policies which were overdue for renewal / review. We understand that a project is currently in progress to bring these policies up to date and approved for use – with several scheduled to be approved this month.

Implication

Council policies should be reviewed regularly to ensure that policies continue to be relevant and updated.

QAO recommendation

We recommend that all Council policies be reviewed in line with policy review expectations. Considering the number of policies and procedures maintained by Council the review of policies may have different priorities and may not be required on a uniform basis (i.e. every 3 years), as such, management may wish to articulate the cadence of these reviews, and how extensions are granted where considered appropriate.

Management response

The policy register is currently being transferred to an online cloud-based system which will allow transparency of timeframes with the addition of tasks assigned to the relevant Manager both for prompting and action. Additionally, the policy framework is also under current review which will also provide much needed clarity moving forward.

Responsible officer: Manager Corporate Services

Status: Work in progress

Action date: 30 September 2024

Appendix A2 – Matters previously reported

The following table summarises all control deficiencies, financial reporting issues and other matters that have previously been raised some of which may have been reported as resolved in the closing report. The listing includes issues from our report this year and those issues raised in prior years.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.








Internal control issues

Ref.	Rating	Issue	Status
23-IR1	D	Lack of review of masterfile changes – rates revenue (Risk rating reduced) Audit was unable to sight evidence of an established process and cadence of review relating to rates revenue masterfile changes. Subsequent to the Interim report dated 30 June 2023, this matter was updated to a significant rating as a result of further moderation across the sector.	Work in progress: Audit notes the progress made and can confirm evidence of the implemented changes. However, these improvements were primarily enacted after 30 June 2024. As a result, we anticipate this matter will likely be resolved and closed in the June 2025 audit. Responsible officer: Chief Financial Officer Action date: 30/06/2024 Revised action date: 30/09/2024
23-IR2	D	Insufficient contract management processes Council did not have a centralised contract management process, including a central contract register. A contract register could maintain details such as contracts awarded to vendors, key contact KPI's and how these are monitored, progress tracking, fee escalations, scope variations and overall vendor performance.	Work in progress: Management is planning to implement a new system in 2025 to address the insufficient contract management processes. Currently, an Excel file is being used to track changes. Responsible officer: Chief Financial Officer Action date: 30/06/2025
23-IR2	D	Capitalisation of capital work in progress Approximately \$13 million of completed projects in Capital Work-in-progress were not transferred to PPE asset classes at 30 June 2021.	Completed: Audit notes improvements with the reduction of the WIP balance to \$10.8m (\$28.1m: 2023). We have assessed the movements in the current, while \$79m was transferred to other PPE categories, an additional \$62m was added this year. Overall, progress is satisfactory, and we will continue to monitor this. Responsible officer: Principal Asset Engineer / Chief Financial Officer Action date: 30/09/2023 Revised action date: N/A

2024 Final management report

Financial reporting issues

Ref.	Rating	Issue	Status
24-FR3		Trust Accounts – planning balances The trust account register for planning balances, primarily consisting of Housing and Subdivision Bonds, includes amounts dating back to 1997. The total value of these balances is \$1.9 million.	Work in progress: The Planning team has provided Council with a number of recommendations in June 2024 which are now being implemented gradually which should result in reduction in Housing Bonds especially. The Finance team will continue to work with other Departments as required to assist in addressing other minor amounts. Responsible officer: Financial Services Coordinator Action date: 30/09/2023 Revised action date: 30/06/2025
23-FR1		Prior period errors – (Grant revenue - contract assets and liabilities & Property, plant and equipment) Prior period errors were noted in respect of infrastructure and contract assets and liabilities relating to the recognition of grant revenue.	Resolved Audit found no issues in the current year in relation to grant revenue – contract assets and liabilities. PPE valuations found assets noted during the year however, these were immaterial and consistent with sector.
20-FR1		Assessment of grant agreements for accounting treatment Minimal qualitative assessment of revenue recognition in accordance with AASB 15 Revenue or AASB 1058 Income of Not-for-Profit Entities.	Resolved Upon reviewing the current year's grant assessments, the audit found no issues.
20-FR2		Documented assessment of control of Council buildings There were a number of unique arrangements in place with individual clubs and a variety of formal and informal agreements.	Resolved Upon reviewing contracts in the current year, audit found no issues.
18-FR2		Trust Accounts – Non-planning balances The trust account register included amounts dating back to 1997.	Resolved Non-planning trust balances have been dealt with by management. We have closed this is an issue and raised a new issue that relates to the planning trust balances. Responsible officer: Financial Services Coordinator Action date: 30/09/2023 Revised action date N/A

Appendix A3 – Climate-related financial disclosures

Next year audit planning considerations	Potential effect on your reporting obligations	Potential effect on your audit
<p>On 9 September 2024, the Australian Parliament passed legislation to enact Australia’s mandatory climate-related financial disclosure regime.</p> <p>Entities that report under the Corporations Act 2001 and meet specific criteria are required to comply with the legislation and the reporting requirements in the standards.</p>	<p>Queensland Treasury will determine the application to Queensland public sector entities that aren’t reporting under the Corporations Act, such as departments and statutory bodies.</p> <p>Councils are not included in the scope of the Commonwealth legislation. Therefore, you are not a mandatory reporting entity. However once Queensland Treasury issues advice on this reporting, the Department of Housing, Local Government, Planning and Public Works may issue their own guidance for councils to follow.</p>	<p>We will work with management to assess Queensland Treasury and Department of Housing, Local Government, Planning and Public Works requirements and guidance, as applicable.</p>



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2024 CLOSING REPORT

Southern Downs Regional Council

10 October 2024



Mr Steve Johnston
Acting Chief Executive Officer
Southern Downs Regional Council
PO Box 26
WARWICK QLD 4370

Dear Mr Johnston

2024 Closing report

We present our closing report for Southern Downs Regional Council ("Council") for the financial year ended 30 June 2024. It includes the results of our audit, the status of audit issues, identified audit misstatements, and other matters.

Our audit was conducted in accordance with our external audit plan. We confirm that up to the date of this report, we have maintained our independence obligations in relation to our conduct of this audit.

Our closing report is not the Auditor-General's observation report that needs to be tabled in a council meeting as required under section 213 of the Local Government Regulation 2012.

Expected opinion

We expect to issue an unmodified opinion on the financial statements. Our audit opinion is subject to completion of our audit. We have included the key outstanding matters to be finalised below, and will provide an update on these matters at the audit and risk management committee meeting.

Control environment

In our interim report, we assessed that your internal control environment does support an audit strategy, allowing us to place reliance on your entity's controls related to revenue, specifically concerning differential rates charges. Our reliance focused on verifying that the valuations recorded in the PCS system align with those provided by the Department of Natural Resources, ensuring accuracy in this revenue stream. We have confirmed that there has been no change to our initial assessment. Please refer to section 3 *Status of issues* for further details.

Materiality \$1.004 million

Decrease to planning materiality to \$1.073 million.

Estimated final fees

\$126,380

Outstanding matters

Item	Responsibility
Solicitors representations – (Collin, Biggers & Paisley and HWL Ebsworth Lawyers)	Management
Financial statements review – quality check over final version	Audit
Subsequent events update – review of transactions and events to date of signing	Management and Audit
Management representation letter – to be signed with the financial statements	Management
Financial report certification – signing of the financial statements by management	Management

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Phone 07 3149 6000
Email qao@qao.qld.gov.au
Web www.qao.qld.gov.au
 Queensland Audit Office (QAO)

QAO is keen to hear your views about the audit services we provide and will seek your feedback via an online survey. This survey will help us understand what is working well and where there are opportunities for us to improve our engagement with you.

Thank you for your time this year, it has been a pleasure to work with you. If you have any questions or would like to discuss this report, please contact me on 07 4616 2266 or Taf Mudarikwa on 07 4616 2234.

Yours sincerely



Bruce Preston
Engagement leader

Enc.

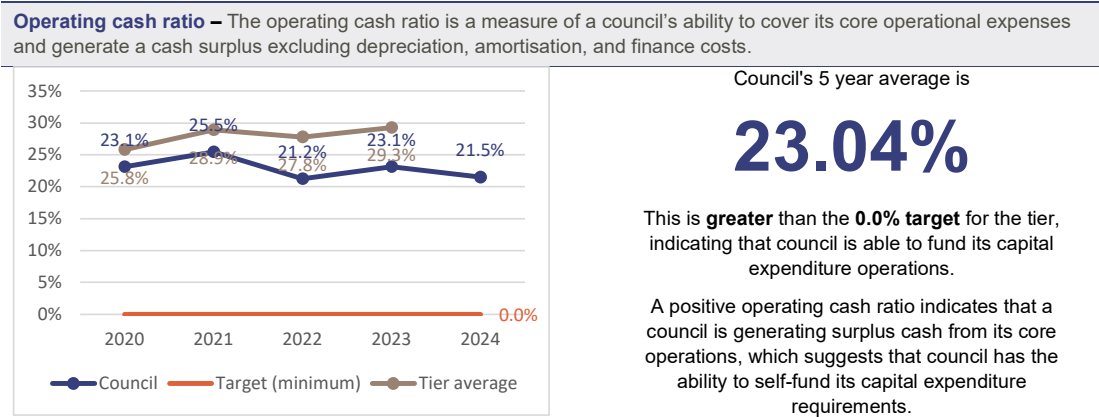
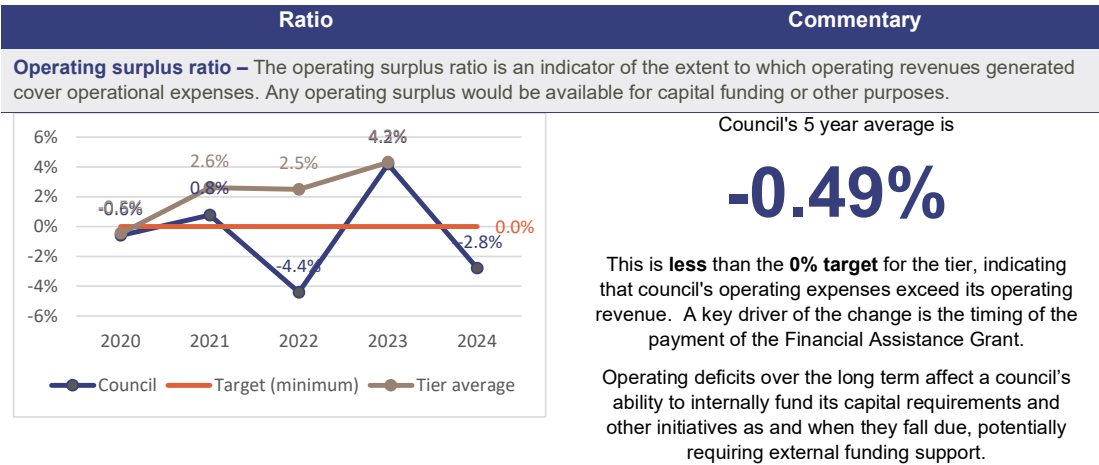
cc. Cr Melissa Hamilton, Mayor
Ms Kerry Phillips, Chair of the Audit and Risk Committee

1. Financial sustainability assessment

Councils are required to report a variety of metrics under the Financial Management (Sustainability) Guideline 2024 (the [guideline](#)) issued by the Department of Housing, Local Government, Planning and Public Works (the department).

The department has also published a risk framework with the guideline; however, the risk framework does not assign an overall risk of financial sustainability. Accordingly, we have not assessed council's financial sustainability.

As required under the Local Government Regulation 2012, we have audited the accuracy of these ratios in line with the guideline and will issue an audit opinion on the current year financial sustainability statements. Our audit opinion does not include 3 contextual ratios disclosed by council in the current year financial sustainability statements.



2024 Closing report

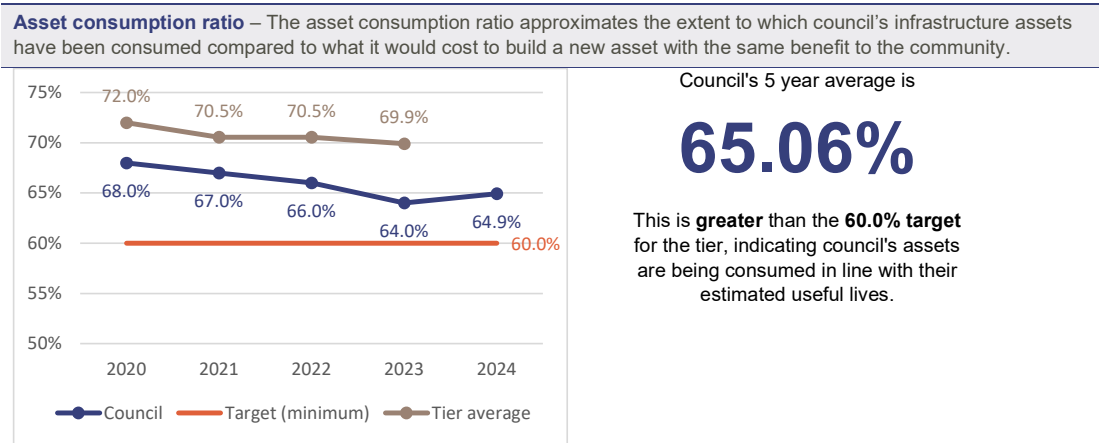
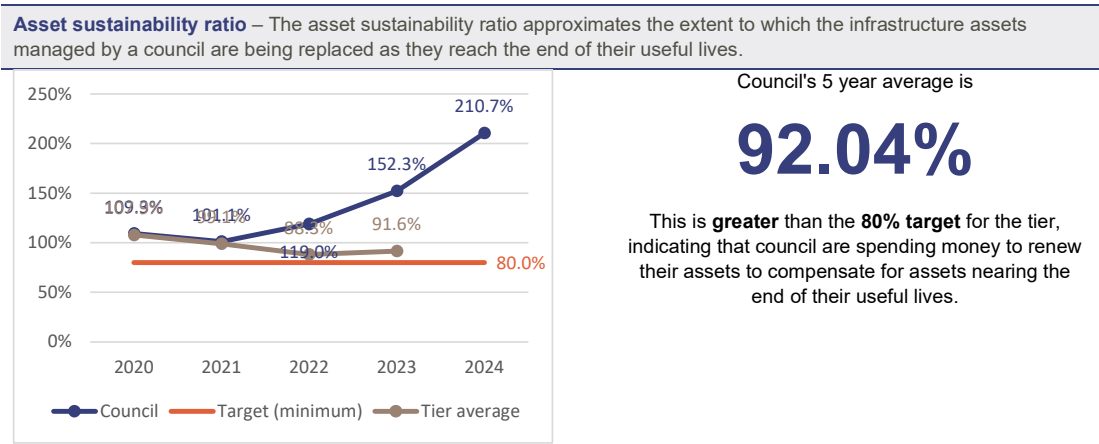
Ratio	Commentary
Unrestricted cash expense cover ratio – The unrestricted cash expense cover ratio is an indicator of the unconstrained liquidity available to a council to meet ongoing and emergent financial demands, which is a key component to solvency. It represents the number of months a council can continue operating based on current monthly expenses.	

Council's unrestricted cash expense cover ratio at 30 June 2024 is

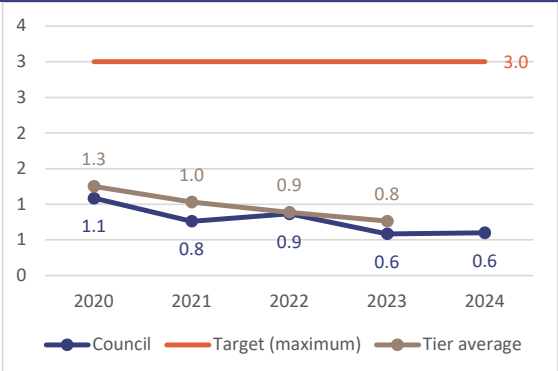
9.7 months

This is **greater** than the **4 months** target for the tier, indicating that council has sufficient cash available to fund future planned and unplanned expenses.

A higher unrestricted cash expense cover ratio indicates that a council has sufficient free cash available to contribute to the cost of future planned and unplanned expenditures such as infrastructure investment or disaster recovery.



2024 Closing report

Ratio	Commentary																								
Leverage ratio – The leverage ratio is an indicator of a council's ability to repay its existing debt. It measures the relative size of the council's debt to its operating performance.																									
 <table><tr><th>Year</th><th>Council</th><th>Target (maximum)</th><th>Tier average</th></tr><tr><td>2020</td><td>1.1</td><td>3.0</td><td>1.3</td></tr><tr><td>2021</td><td>0.8</td><td>3.0</td><td>1.0</td></tr><tr><td>2022</td><td>0.9</td><td>3.0</td><td>0.9</td></tr><tr><td>2023</td><td>0.6</td><td>3.0</td><td>0.8</td></tr><tr><td>2024</td><td>0.6</td><td>3.0</td><td>0.6</td></tr></table>	Year	Council	Target (maximum)	Tier average	2020	1.1	3.0	1.3	2021	0.8	3.0	1.0	2022	0.9	3.0	0.9	2023	0.6	3.0	0.8	2024	0.6	3.0	0.6	<p>Council's leverage ratio at 30 June 2024 is</p> <p>0.8 times</p> <p>This is less than the 3.0 times target for the tier, indicating council's ability to repay its debts.</p>
Year	Council	Target (maximum)	Tier average																						
2020	1.1	3.0	1.3																						
2021	0.8	3.0	1.0																						
2022	0.9	3.0	0.9																						
2023	0.6	3.0	0.8																						
2024	0.6	3.0	0.6																						

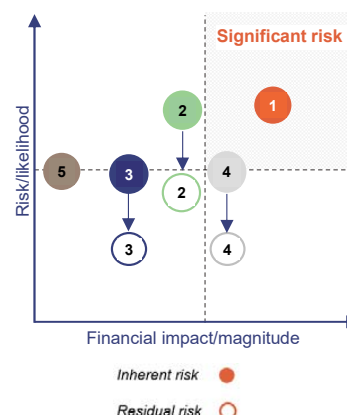
2. Audit conclusions

Areas of audit focus

Our external audit plan identified items that present the greatest risk of material error to the financial statements.

This chart displays the inherent risk for the identified areas of audit focus, together with considering the effectiveness of your internal controls (residual risk), and the financial impact (magnitude).

Our overall conclusions on these areas of audit focus are outlined in the table below.



Risk	Description of risk	Audit conclusion
1	Valuation of infrastructure assets: <ul style="list-style-type: none"> Comprehensive valuation of these assets by an external valuer is planned for the financial year ending 30 June 2024. Property, plant and equipment (mainly comprising of infrastructure assets) is the most material balance in the financial statements, \$893m. Valuation involves significant estimates and judgements Limited market-based evidence of fair value due to the specialised nature of the assets (comparable items are rarely sold). 	Testing performed We conducted audit procedures that included: <ul style="list-style-type: none"> assessing the competence, objectivity and qualification of the valuation specialist; assessing the appropriateness of the methodology and the assumptions used in the valuation process; assessing the adequacy of management's review of the valuation process; evaluating the relevance, completeness and accuracy of source data used in the valuation process; and assessing the appropriateness of accounting entries posted as well as disclosures in the financial statements. consideration was given to Council's methodology for ensuring completeness of asset information, and the identification of asset renewals and additions. Results and conclusion Based on the results of the procedures performed, we have obtained sufficient appropriate evidence that the balances and disclosures in Note 12 are not materially misstated.
2	Treatment of significant capital expenditure Council's 2022/23 capital expenditure totalled \$35m and is expected to increase in the 2023/24 year. Key risks relate to: <ul style="list-style-type: none"> appropriate classification of expenses between operating and capital works; timely recognition of assets based on practical completion and related 	Testing performed We performed audit procedures that included: <ul style="list-style-type: none"> Targeted procurement testing relating to material contracts; performing detailed tests over a sample of purchases to ensure they have been capitalised or expensed appropriately and classified appropriately as new assets or renewals; reviewing the application of cost allocation

2024 Closing report

Risk	Description of risk	Audit conclusion
	<p>depreciation; and</p> <ul style="list-style-type: none"> impacts of expenditure classification on financial sustainability ratios. 	<p>models and the methodology for cost allocation;</p> <ul style="list-style-type: none"> scrutinising operating expense accounts for project costs that should be capitalised; and reviewing procedures performed by Council to ensure work-in-progress balances have been commissioned on a timely basis in the fixed asset register and depreciated from the time of completion. <p>Results and conclusion</p> <p>Based on the results of the procedures performed, we have obtained sufficient appropriate evidence that the balances and disclosures in Note 12 are not materially misstated.</p>
3	<p>Grant revenue recognition</p> <p>A significant portion of Council's revenue is in the form of grants (2023: \$44m, 2022: \$30m).</p> <ul style="list-style-type: none"> These grants have several conditions attached and are complex to account for under AASB 15 and AASB 1058. Noted misstatements in the prior year audit. Classification impacts on financial sustainability ratios. 	<p>Testing performed</p> <p>We conducted audit procedures that included:</p> <ul style="list-style-type: none"> reviewing Council's classification of grants between recurrent and capital revenue; assessing management's processes and controls to ensure revenue has been appropriately recognised in accordance with the accounting standards AASB 15 and AASB 1058; and testing a sample of grant programs and assessing if their recognition was appropriate. <p>Results and conclusion</p> <p>Based on the results of the procedures performed, we have obtained sufficient appropriate evidence that the balances and disclosures in Note 3 are not materially misstated.</p>
4	<p>Probity, propriety and compliance considerations</p> <ul style="list-style-type: none"> As a local government entity management has a responsibility to consider its adherence to additional public sector considerations relating to the appropriateness of decision making. <p>Council undertakes large projects where legislative requirements guide tendering and probity process</p>	<p>Testing performed</p> <p>We performed audit procedures that included:</p> <ul style="list-style-type: none"> assessing controls over procurement and contract management, including compliance with legislative requirements; performing tests of detail over a sample of expense transactions to ensure they comply with the <i>Local Government Regulations 2012</i> and Council's procurement policy; reviewing controls over credit cards and Councillor reimbursements; assessing vendor masterfile change controls; reviewing delegation of authority and approval workflows; and performing targeted analytics over expenditure. <p>Results and conclusion</p> <p>Based on the results of the procedures performed, we have obtained sufficient appropriate evidence that relevant balances and disclosures are not materially misstated.</p>
5	<p>Landfill restoration provision</p> <p>Key risks are as follows:</p> <p>Valuation of provisions involves significant estimates and judgements in the areas of estimated costs and extent of remediation, timing of restoration works and long-term</p>	<p>Testing performed</p> <p>We conducted audit procedures that included:</p> <ul style="list-style-type: none"> assessing the assumptions, judgements and estimates used in determining the provision; checking the accuracy and completeness of the inputs to the calculations; and

2024 Closing report

Risk	Description of risk	Audit conclusion
interest rates.	<ul style="list-style-type: none"> assessing compliance with AASB137 <i>Provisions, Contingent Liabilities and Contingent Assets</i>. <p>Results and conclusion</p> <p>Based on the results of the procedures performed, we have obtained sufficient appropriate evidence that the balances and disclosures in Note 17 are not materially misstated.</p>	

Commonwealth certificates

Each year, we are required under the relevant legislation and Commonwealth Government funding arrangement to provide an audit opinion on the following grants:

Grant acquittal	Status of the audit
Roads to Recovery	As at the date of this report, we have not completed our audit of the Roads to Recovery acquittal.
Local Roads and Community Infrastructure Program	As at the date of this report, we have not completed our audit of the LRCI acquittals for Phase(s) 2, 3, and 4.

Materiality

We reassessed our audit materiality thresholds based on your year-end financial statement balances, and these have changed since we communicated them in the external audit plan. We used these thresholds in finalising our audit and assessing misstatements.

Overall materiality	\$1,004,000 (per external audit plan \$1,073,000)
Performance materiality	\$803,200 (per external audit plan \$1,019,350)
Clearly trivial threshold	\$100,400 (per external audit plan \$107,300)
Specific – property, plant and equipment¹	\$44,690,000
Specific clearly trivial threshold¹	\$4,469,000

Note: ¹ Specific materiality is only applicable to the valuation assertion of property, plant and equipment and to the associated asset revaluation surplus balances.

Evaluation of quantitative misstatements

At the date of this report, we have identified quantitative misstatements of \$20,089,566 that remain uncorrected by management against the specific PPE materiality. If corrected, these would result in an increase in net assets.

Details of these corrected and uncorrected misstatements are included in section 6 *Misstatements*.

Evaluation of disclosure misstatements

At the date of this report, we have not identified misstatements in disclosures that required correction to the financial statements.

3. Status of issues

Internal control issues

The following table identifies the number of deficiencies in internal controls and other matters we have identified. Details of the deficiencies we identified during our final audit are outlined further in this section. Refer to section 5 *Matters previously reported* for the status of previously raised issues.

Year and status	Significant deficiencies	Deficiencies	Other matters*
Current year issues	-	-	-
Prior year issues – unresolved	1	2	-
Risk rating reduced	(1)	1	-
Total issues	-	3	-

Note: *Queensland Audit Office only tracks resolution of other matters where management has committed to implementing action.

No new control deficiencies and other matters have been identified since our last interim report dated 22 May 2024. It includes a response from those charged with governance.

Financial reporting issues

This table identifies the number of financial reporting issues we raised. Refer to section 5 *Matters previously reported* for the status of previously raised financial reporting issues.

Year and status	High risk	Moderate risk	Low risk
Current year issues	-	-	-
Prior year issues – unresolved	-	-	1
Total	-	-	1

The following section details new financial reporting issues identified as since our last interim report dated 22 May 2024. It includes a response from those charged with governance.

Our risk ratings are as follows. For more information and detail on our rating definitions, please see the webpage here: www.qao.qld.gov.au/information-internal-controls or scan the QR code.



Financial reporting issues

H

High

M

Medium

L

Low

4. Other required information

We are required to report certain matters to those charged with governance. The table below provides a summary of the matters we usually communicate at the end of our audit.

Matters for QAO to consider	How these were addressed
Disagreements with management	During our audit, we received full cooperation from management and had no unresolved disagreements over the application of accounting principles and the scope of our audit.
Significant difficulties	We did not encounter any significant difficulties during the audit.
Compliance with laws and regulations	We did not identify any instances of non-compliance with laws and regulations having a material effect on the financial report.
Matters significant to related parties	We did not identify any significant matters relating to related parties during the audit.
Changes to accounting policies	We confirm there were no significant changes to accounting policies during the period.
Other matters significant to the oversight of the financial reporting process	We did not identify any significant matters relating to the financial reporting process during the audit.
Fraud and illegal acts	<p>We enquired of management regarding:</p> <ul style="list-style-type: none"> knowledge of any fraud or suspected or alleged fraud affecting the entity involving management, employees who have significant roles in internal control, or others where fraud could have a material effect on the financial report knowledge of any allegations of fraud, or suspected fraud, affecting the financial information. <p>In addition to the above enquiries, we have also undertaken certain testing that we had detailed in our external audit plan and we are not aware of any fraud or illegal acts during our audit.</p>
Accounting for estimates and judgements	<p>We have identified 4 key accounting estimates for Southern Downs Regional Council which relates to the significant judgements and estimates for Revenue Recognition, Valuation and depreciation of Property, Plant and Equipment, Provisions, Contingent Liabilities. Based on our audit procedures, we note the following regarding judgement and estimates:</p> <ul style="list-style-type: none"> There has been no significant changes in how management has performed its estimation and assessed any associated uncertainties compared to prior year. Management experts have been used by management in respect of asset valuations and associated estimates. We did not engage an auditor's experts. We did not identify any indicators of management bias. We did not encounter any difficulties in obtaining sufficient audit evidence to support management's estimates and judgements. Accounting policies in place appropriately reflect the accounting treatment of relevant estimates. <p>The methodology adopted in determining the estimates are materially in accordance with accounting standards</p>
Written representations we are requesting	We are required to obtain written representations from management, and where appropriate, those charged with governance. Our requested written representations are included with this report. We have discussed these with management, and they are comfortable to make these representations. Those charged with governance should also make appropriate enquiries of management to be satisfied with the written representations made.

2024 Closing report






Matters for QAO to consider	How these were addressed
Other information in the entity's annual report	We performed audit procedures to verify the other information in the entity's annual report as required by Australian Auditing Standard ASA 720 <i>The Auditor's Responsibilities Relating to Other Information</i> . Our review examined whether financial and non-financial information in the annual report are consistent with the financial report.

5. Matters previously reported

The following table summarises control deficiencies, financial reporting issues and other matters that we previously reported this year in our interim report and unresolved issues we raised in prior years.

Ref.	Rating	Issue	Status and comment
24-IR1	D	Untimely review of Council policies Some council policies were not reviewed within the scheduled renewal/review timeframes.	Work in progress: While some policies are still in the process of being updated, we note that management has put measures in place to rectify this issue. We will continue to monitor the progress to ensure timely completion of this task. Responsible officer: Manager Corporate Services Action date: 30/09/2024 Revised Action date: 30/06/2025
23-IR1	D	Lack of review of masterfile changes – rates revenue (Risk rating reduced) Audit was unable to sight evidence of an established process and cadence of review relating to rates revenue masterfile changes. Subsequent to the Interim report dated 30 June 2023, this matter was updated to a significant rating as a result of further moderation across the sector.	Work in progress: Audit notes the progress made and can confirm evidence of the implemented changes. However, these improvements were primarily enacted after 30 June 2024. As a result, we anticipate this matter will likely be resolved and closed in the June 2025 audit. Responsible officer: Chief Financial Officer Action date: 30/06/2024 Revised action date: 30/09/2024
23-IR2	D	Insufficient contract management processes Council did not have a centralised contract management process, including a central contract register. A contract register could maintain details such as contracts awarded to vendors, key contact KPI's and how these are monitored, progress tracking, fee escalations, scope variations and overall vendor performance.	Work in progress: Management is planning to implement a new system in 2025 to address the insufficient contract management processes. Currently, an Excel file is being used to track changes. Responsible officer: Chief Financial Officer Action date: 30/06/2025
23-IR3	D	Capitalisation of capital work in progress Approximately \$13 million of completed projects in Capital Work-in-progress were not transferred to PPE asset classes at 30 June 2021.	Resolved: Audit notes improvements with the reduction of the WIP balance to \$10.8m (\$28.1m: 2023). In 2024 \$79m was transferred from WIP to other PPE categories. \$62m was added to WIP this year. The reduction in active WIP is in line with our recommendation.

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Ref.	Rating	Issue	Status and comment
24-FR1		Trust Accounts – planning balances The trust account register for planning balances, primarily consisting of Housing and Subdivision Bonds, includes amounts dating back to 1997. The total value of these balances is \$1.9 million.	Work in progress: The Planning team has provided Council with a number of recommendations in June 2024 which are now being implemented gradually which should result in reduction in Housing Bonds especially. The Finance team will continue to work with other Departments as required to assist in addressing other minor amounts Responsible officer: Financial Services Coordinator Action date: 30/09/2023 Revised action date: 30/06/2025
23-FR1		Prior period errors – (Grant revenue - contract assets and liabilities & Property, plant and equipment) Prior period errors were noted in respect of infrastructure and contract assets and liabilities relating to the recognition of grant revenue.	Resolved Audit found no issues in the current year in relation to grant revenue – contract assets and liabilities. PPE valuations found assets noted during the year however, these were immaterial and consistent with sector.
20-FR1		Assessment of grant agreements for accounting treatment Minimal qualitative assessment of revenue recognition in accordance with AASB 15 Revenue or AASB 1058 Income of Not-for-Profit Entities.	Resolved Upon reviewing the current year's grant assessments, the audit found no issues.
20-FR2		Documented assessment of control of Council buildings There were a number of unique arrangements in place with individual clubs and a variety of formal and informal agreements.	Resolved Upon reviewing contracts in the current year, audit found no issues.
18-FR2		Trust Accounts – Non-planning balances The trust account register included amounts dating back to 1997.	Resolved Non-planning trust balances have been dealt with by management. We have closed this is an issue and raised a new issue that relates to the planning trust balances. Responsible officer: Financial Services Coordinator Action date: 30/09/2023 Revised action date: 30/06/2025

6. Misstatements

Summary of uncorrected quantitative misstatements

Our audit identified the following quantitative misstatements, which we reported to management. Management has assessed these misstatements as not material (either to the financial statements as a whole or to individual line item presentations). We concur with management's assessment.

#	Details	Profit or loss Dr/(Cr)	Asset Dr/(Cr)	Liabilities Dr/(Cr)	Equity Dr/(Cr)
		\$'000	\$'000	\$'000	\$'000
1	<i>Indexation for the year not applied during the FY2024</i>				
	Road Network	-	14,935	-	-
	Asset Revaluation Reserve – Roads and Bridges	-	-	-	(14,935)
	Stormwater Network	-	4,023	-	-
	Asset Revaluation Reserve – Stormwater	-	-	-	(4,023)
	Other Infrastructure		991		
	Asset Revaluation Reserve – Other Infrastructure				(991)
	Artwork	-	139	-	-
	Asset Revaluation Reserve – Artwork	-	-	-	(139)
	Total	-	20,089	-	(20,089)

7. Next year planning considerations

Climate-related financial disclosures

Next year audit planning considerations	Potential effect on your reporting obligations	Potential effect on your audit
<p>On 9 September 2024, the Australian Parliament passed legislation to enact Australia's mandatory climate-related financial disclosure regime.</p> <p>Entities that report under the Corporations Act 2001 and meet specific criteria are required to comply with the legislation and the reporting requirements in the standards.</p>	<p>Queensland Treasury will determine the application to Queensland public sector entities that aren't reporting under the Corporations Act, such as departments and statutory bodies.</p> <p>Councils are not included in the scope of the Commonwealth legislation. Therefore, you are not a mandatory reporting entity. However once Queensland Treasury issues advice on this reporting, the Department of Housing, Local Government, Planning and Public Works may issue their own guidance for councils to follow.</p>	<p>We will work with management to assess Queensland Treasury and Department of Housing, Local Government, Planning and Public Works requirements and guidance, as applicable.</p>

Increase to Queensland Audit Office basic fee rates

In accordance with s.56A of the *Auditor-General Act 2009* (the Act), QAO is required to obtain approval from the Cost of Living and Economics parliamentary committee before increasing our basic fee rates.

On 31 July 2024, the committee approved a 10 per cent increase to our rates, effective as of 1 October 2024. We appreciate the impact this change may have for some of our clients and it is important we explain why it is needed.

The committee undertook a rigorous review prior to its approval. It recognised the efforts we have made in previous years to find cost efficiencies but accepted these efficiencies are being outpaced by evolving market conditions.

The audit services QAO provides are fixed by legislation and professional requirements. To deliver these services, we need to be able to attract and retain appropriately qualified staff in a competitive labour market. If we cannot generate sufficient revenue, we may not be able to discharge our mandate under the Act without impacting the quality or level of our services.

Since 2012–13, increases to our hourly rates have not kept pace with the increased costs facing all organisations. Over the past 10 years, public sector award wages have increased by 24 per cent, the consumer price index has increased 32 per cent but our audit fees only increased by 12 per cent.

This 2024 increase of 10 per cent to our basic fee rates reflects:

- an 8.79 per cent increase in employee expenses due to ongoing salary increases from state government certified agreements, and payments for additional benefits, following government decisions on parental leave
- risks to how we can resource our audits with suitably qualified auditors from a competitive labour market
- changes in the audit landscape, including additional quality requirements following recent changes to Australian auditing standards and professional requirements, and climate-related reporting and assurance
- increased information technology costs and information systems security to effectively manage increasing cyber risk.

2024 Closing report

We expect this to impact our future fees, and we will discuss with impacted entities in due course. The increase will not affect our 2023–24 audits; we are including this update in your closing report to provide early notice ahead of next year's planning.

Please do not hesitate to contact me if you have questions. We remain committed to delivering efficient, quality, and timely audit services for your entity.

The Cost of Living and Economic Committee's report is available on Queensland Parliament's website:

[Publications | Queensland Parliament](#).



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13.3 Information, Communications & Technology Steering Committee Terms of Reference

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Information Technology Coordinator	ECM Function No/s:

Recommendation

THAT Council endorse the revisions to the ICT Steering Committee Terms of Reference.

REPORT

Background

As an outcome of an ICT review conducted in December 2022, the ICT Steering Committee was established as a governance layer sitting atop the ICT decision-making process. The purpose of the committee is to ensure that ICT policies, practices and projects align with the strategic priorities of Council. The Terms of Reference establish the governing principles of the committee.

Report

As a result of organisational changes in the last six months, the terms of reference have been reviewed to ensure Council is adequately represented via the standing members of the committee. There have been no changes to the governing principles, responsibilities or overall purpose of the committee. However, the following changes are proposed:

Item 2: Outcomes and Structure

Additional reporting requirement: Report meeting minutes to Council via the Ordinary Meeting Agenda

Item 5.1: Standing Members

Inclusion of Portfolio Councillor – Governance

Conclusion/Summary

The notable changes are designed to improve collaboration, increase transparency and assist in ensuring strategic alignment across the organisation.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

By including Councillor representation and visibility, the recommendations and decisions of the committee will be more closely aligned with those of the strategic goals of the Council.

COMMUNITY ENGAGEMENT

Internal Consultation

Executive Leadership Team

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Nil

Corporate Plan

Goal 4 Our Performance

Outcome: 4.1 Our customers want to do business with us.

Objective: 4.1.2 Embed a culture of continuous improvement focusing on creating value through innovation and technological advancement, reducing waste and improving efficiency.

Outcome: 4.4 Council has embedded risk management, good governance, transparency and accountability into what we do.

Objective: 4.4.1 Provide assurance through effective governance, audit and risk management practices.

4.4.2 Ensure our long-term financial sustainability is a pillar of our decision making.

Outcome: 4.6 Our leaders are authentic.

Objective: 4.6.1 Our elected members are collaborative and actively work with Executive Management to deliver desired outcomes.

Policy / Strategy

ICT Strategy 2023-2026 -1.1 - To provide appropriate guidance to support the governance of IT service delivery and projects.

Legal

There appears to be no legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. ICT Steering Committee Terms of Reference November 2024 [↓](#)

Leadership Framework Terms of Reference Information Technology Steering Committee



Southern Downs
REGIONAL COUNCIL

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TERMS OF REFERENCE

Entity	Information Technology Steering Committee				
Purpose	The Information Technology Steering Committee will ensure the following outcomes: <ul style="list-style-type: none">IT Investment is directed to activities with greatest alignment to Council’s strategic objectivesIT risk profile is commensurate with Council’s risk appetiteIT projects are delivered in full and managed in a professional way and in accordance with sound project management principlesThe organisation is educated and ready to adopt project deliverables to achieve planned benefitsTo ensure that inefficient processes and practices are changed or improved to realise the benefits of new technology, processes and practices				
Custodian	Director Customer and Organisational Services		ECM	3734094	
Category	Executive		Information technology		
Head of Power	Management direction		Click or tap here to enter text.		
Membership	Appointer	Executive Leadership Team			
	Core	Portfolio Councillor - Governance Director Customer and Organisational Services Director Infrastructure Services Manager Financial Services Manager People and Safety Manager Sustainability and Strategy Manager Planning and Development Manager Works Manager Parks & Operations IT Coordinator			
	Associate	CEO Director Planning and Environmental Services			
Chair	Directorate Customer and Organisational Services				
Secretary	Executive Assistant – Director CAOS				
Term	Ongoing				
Meetings	Frequency	Quarterly			
	Location	Warwick or Stanthorpe office			
	Day/time	Thursday at 10am (Preferred)			
	Duration	Generally, 2 hours			
	Quorum	50% of Membership			
Reporting	Minutes	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	To;	Executive Leadership Team IT Steering Committee, Council
	Meeting Report	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	To;	Click or tap here to enter text.
	Performance Report	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	To;	Click or tap here to enter text.

Duties	1.	To guide the establishment of Council's IT strategic plan, initiatives, projects and policies and gain approval of same through ELT
	2.	To provide ongoing strategic direction to the provision of IT services and projects and to ensure they align with Council's broader objectives and priorities
	3.	To prioritise IT projects to meet the needs of internal and external customers and ensure alignment with Council's planning and priorities
	4.	To initiate reviews of current and future technologies to identify opportunities to increase the efficiency and effectiveness of IT resources and ensure Council maintains an awareness of current IT trends and their abilities to deliver further management and operational improvements
	5.	To conduct annual reviews of all current IT projects including their planning and performance
	6.	To ensure that projects meet acceptable standards in terms of governance, risk and project management prior to their approval and throughout delivery. This will include reviews of regular status performance updates
	7.	To unanimously advocate Council's endorsed IT strategic direction across the entire Council organisation
Order of Business	1.	Apologies
	2.	Actions Arising and Confirmation of Minutes
	3.	ICT Status Update
	4.	Tech One CIA Transition
	5.	Project Updates
	6.	General Business
	7.	Next Meeting Date
Subordinates	ICT Project Management Group	
	Information Services Working Group	



Southern Downs

A great place to live, work, play and stay.

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[Southern Downs online](#)

13.4 Operational Plan 2024-2025 Quarterly Review - July to September 2024

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Corporate Services	ECM Function No/s:

Recommendation

THAT Council receive and note the contents of the Operational Plan Quarterly Review – July 2024 to September 2024.

REPORT

Report

The *Local Government Act 2012* requires that Council prepare and adopt an Operational Plan for each financial year. The *Local Government Regulation 2012* requires that Council must make assessments of its progress towards implementing its operational plan at regular intervals of not more than three months and that it must discharge its responsibilities in a way that is consistent with the annual operational plan.

FINANCIAL IMPLICATIONS

Nil.

RISK AND OPPORTUNITY

Risk

Nil.

Opportunity

Nil.

COMMUNITY ENGAGEMENT

Internal Consultation

Council's Senior Leadership Team are responsible for various actions within the 2024-2025 Operational Plan and consult with their respective staff to complete and report on progress of the actions.

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009 (Qld) s. 104

Local Regulation 2012 (Qld) ss. 174-175

Corporate Plan

Goal 4 Our Performance

Outcome: 4.4 Council has embedded risk management, good governance, transparency and accountability into what we do.

Objective: 4.4.1 Provide assurance through effective governance, audit and risk management practices.

Policy / Strategy

Nil

Legal

There appears to be no legal implications associated with this report.

HUMAN RIGHTS


A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Operational Plan 2024/25 - Quarter 1 (Excluded from agenda - Provided under separate cover) [⇒](#)

13.5 Review of Policies

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Corporate Services	ECM Function No/s:

Recommendation

THAT Council adopt the reviewed and amended policies as presented:

1. PL-GV012 Advertising Expenditure Policy
2. PL-IS071 CCTV Objectives and Operating Policy
3. PL-CS084 Community Housing Policy
4. PL-CS079 Community Housing Notifications Policy
5. PL-GV011 Entertainment & Hospitality Expenditure Policy
6. PL-IS104 Fleet Replacement Lifecycle Policy
7. PL-CS075 Grants to Community Policy
8. PL-IS092 Infrastructure and Public Place Naming Policy
9. PL-ES48 Infrastructure and Public Place Naming Procedure
10. PL-CS107 Public Art Policy
11. PL-CS084 Public Art Procedure
12. PL-CS091 Public Interest Disclosure Policy
13. PL-CS024 Reimbursement of Expenses & Provision of facilities for Councillors
14. PL-EX082 Social Media and Digital Engagement Policy
15. PL-CS077 Southern Downs Youth Policy
16. PL-IS023 Works Near Council's Water and/or Sewer Infrastructure Policy
17. PL-CS062 Rate Exemption by Resolution
18. PL-FS076 Rate Concessions Policy
19. PL-FS010 Procurement Policy

REPORT

Report

Manager Corporate Services is currently undertaking a review of Strategic Policies to ensure compliance, and any existing gaps to improve business processes across Council.

The attached policies were presented to a Council information Session on 30th October, and subsequent changes made to the presented policies after discussion amongst elected members.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

Inadequate or ineffective policies lead to poor organizational governance

Opportunity

Business process improvements and improved organizational governance.

COMMUNITY ENGAGEMENT

Internal Consultation

Section managers, coordinators were consulted regarding required changes before presentation to Councillor Information Session on 30th October.

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009

Local Government Regulation 2012

Various legislation pursuant to each policy attached.

Corporate Plan

Goal 4 Our Performance

Outcome: 4.4 Council has embedded risk management, good governance, transparency and accountability into what we do.

Objective: 4.4.1 Provide assurance through effective governance, audit and risk management practices.

Policy / Strategy

As attached

Legal

Upon assessment of each policy, there appears to be no legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.


ATTACHMENTS

1. Advertising Expenditure Policy (Excluded from agenda - Provided under separate cover)⇒
2. CCTV Objectives and Operating Policy (Excluded from agenda - Provided under separate cover)⇒
3. Community Housing Policy (Excluded from agenda - Provided under separate cover)⇒
4. Community Housing Notifications Policy (Excluded from agenda - Provided under separate cover)⇒

5. Entertainment & Hospitality Expenditure Policy (Excluded from agenda - Provided under separate cover)⇒
6. Fleet Replacement Lifecycle Policy (Excluded from agenda - Provided under separate cover)⇒
7. Grants to Community Policy (Excluded from agenda - Provided under separate cover)⇒
8. Infrastructure and Public Place Naming Policy (Excluded from agenda - Provided under separate cover)⇒
9. Infrastructure and Public Place Naming Procedure (Excluded from agenda - Provided under separate cover)⇒
10. Public Art Policy (Excluded from agenda - Provided under separate cover)⇒
11. Public Art Procedure (Excluded from agenda - Provided under separate cover)⇒
12. Public Interest Disclosure Policy (Excluded from agenda - Provided under separate cover)⇒
13. Reimbursement of Expenses & Provision of facilities for Councillors (Excluded from agenda - Provided under separate cover)⇒
14. Social Media and Digital Engagement Policy (Excluded from agenda - Provided under separate cover)⇒
15. Southern Downs Youth Policy (Excluded from agenda - Provided under separate cover)⇒
16. Works Near Council's Water and/or Sewer Infrastructure Policy (Excluded from agenda - Provided under separate cover)⇒
17. Rate Exemption by Resolution (Excluded from agenda - Provided under separate cover)⇒
18. Rate Concessions Policy (Excluded from agenda - Provided under separate cover)⇒
19. Procurement Policy (Excluded from agenda - Provided under separate cover)⇒

13.6 Relinquishment of Trusteeship - Lot 51 and Lot 52 on Crown Plan L181, 13-18 Perceval Street LEYBURN

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Land Management Officer	ECM Function No/s:

Recommendation

THAT Council:

1. Advise the Department of Resources that Council resolves to relinquish trusteeship of the following reserves, described as:
 - a. Lot 51 on Crown Plan L181; and
 - b. Lot 52 on Crown Plan L181; and
2. Delegate authority to the Chief Executive Officer for all negotiations in relation to the relinquishment of above-mentioned reserves.

REPORT

Background

Council is Trustee of a number of parcels of land within the region, some of which are no longer required for Council purposes.

Currently two reserves located at 13-17 Perceval Street, Leyburn, have been identified that can be relinquished back to the Department of Resources, detailed as follows:

Lot 51 on Crown Plan L181 and Lot 52 on Crown Plan L181.

Report

The land is a reserve for the purpose of a Pound and is current occupied by the Leyburn Town Rural Fire Brigade - Queensland Fire Department (QFD). They have held various past Trustee Leases with Council over these Lots, located at 13-17 Perceval Street, Leyburn. The current Lease expired on the 22 September 2024.

Council's Land management officer has been consulting with the representatives from QFD, who have confirmed that they wish to renew their tenure and are in the process of providing Council with a copy of the draft lease. QFD have also confirmed that once Council relinquishes their Trusteeship over the above lots, they will apply to take this over directly from the Department of Resources.

Department of Resources have advised that any proposal for Council to relinquish trusteeship of the reserve needs to be submitted in writing for consideration.

Conclusion/Summary

It is recommended that Council give consent for Council Officers to liaise with the Department of Resources in relation to relinquishing trusteeship over the reserves, described as Lot 51 and Lot 52 on Crown Plan L181, located at 13-17 Perceval Street, Leyburn.

FINANCIAL IMPLICATIONS

Upon relinquishment Council will no longer receive revenue from the Lease of these lots, currently at \$250.00 including GST per annum.

RISK AND OPPORTUNITY

Risk

Minimal risks exist with this decision as it meets legislative requirements.

Opportunity

Council has the opportunity to Relinquish the reserve back to the Department and would not have to maintain the land.

COMMUNITY ENGAGEMENT

Internal Consultation

The option was suggested by Councilor Richters and discussed during a Councilor Information session on the 11 of September 2024.

External Consultation

Representative from Department of Resources and the Queensland Fire Department have been consulted regarding the trusteeship relinquishment process.

LEGAL / POLICY

Legislation / Local Law

Local Government Regulation 2012, Land Title Practice Manual, Land Title Act 1994 and Land Act 1994.

Corporate Plan

Goal 2 Our Places

Outcome: 2.1 Public places and open spaces are safe, well maintained and liveable.

Objective: 2.1.1 Partner with relevant agencies to ensure community safety and resilience in relation to disaster management of bushfires, floods and other natural disasters.

Policy / Strategy

Council Tenure Policy PL-RP001

Legal

There appears to be no legal issues associated with this report.

HUMAN RIGHTS


A Human Rights assessment has been undertaken.

ATTACHMENTS

Nil

13.7 Minutes of the Audit & Risk Management Committee held 23 May 2024 and Audit Chair Final Report

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Corporate Services	ECM Function No/s:

Recommendation

THAT Council receive and note:

1. The minutes from the Special Audit and Risk Management Committee meeting held on 14 October 2024; and
2. The report from the Chair of the Audit and Risk Management Committee for the 2023-24 year.

REPORT

For the information of Councillors, please find attached the minutes and attachments from the Special Audit and Risk Management Committee (ARMC) meeting held on 14 October 2024.

Additionally, the Chairperson of the Audit & Risk Management Committee, Ms Kerry Phillips will present the Committee's 2023-24 Annual report.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

Nil

COMMUNITY ENGAGEMENT

Internal Consultation

Manager Corporate Services

External Consultation

Chair Audit & Risk Management Committee

LEGAL / POLICY

Legislation / Local Law

The ARMC is established under the authority of section 105 of the *Local Government Act 2009*. The *Local Government Regulation 2012* provides further detail about audit committees.

Corporate Plan

Goal 4 Our Performance

Outcome: 4.4 Council has embedded risk management, good governance, transparency and accountability into what we do.

Objective: 4.4.1 Provide assurance through effective governance, audit and risk management practices.

Policy / Strategy

Audit & Risk Committee Charter

Legal

There appears to be no legal implications.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Minutes of the Special Audit and Risk Management Committee meeting held 14 October 2024 [↓](#)
2. Chair Report - Audit & Risk Management Committee [↓](#)



MINUTES OF THE SPECIAL MEETING OF AUDIT & RISK MANAGEMENT COMMITTEE 14 OCTOBER 2024



ORDER OF BUSINESS:

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5.	BUDGETING & FINANCIAL PERFORMANCE	2
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5.2	Queensland Audit Office - Closing Report	2
6.	NEXT MEETINGS.....	3
	Thursday 23 rd January 2025 commencing at 9:00 am	
7.	CLOSURE	3



Minutes of the Meeting
Held at 64 Fitzroy Street, Warwick on 14 October 2024 at 10:00 AM

OPEN MEETING

The Chair declared the meeting open at 9:30 am..

1. PRESENT

Committee Members:

Kerry Phillips (Chair) (via Microsoft Teams), Melissa Jacobs (via Microsoft Teams), Anthony (Tony) Trace (via Microsoft Teams) Mayor Melissa Hamilton.

Observers:

Steve Johnston (Chief Executive Officer), Gurbindar Singh (Acting Director Customer and Organisational Services), Nick Wellwood, Director Infrastructure Services), Nicole Collett (Acting Director Planning & Development); Belinda Armstrong (Manager Corporate Services), Helen Gross (Acting Chief Financial Officer) and Bruce Preston (External Auditors – Crowe Australasia) and Dianna Keir (Governance Officer and Minute taker).

Observers via Microsoft Teams:

Carolyn Eagle	(Internal Auditors - Pacifica)
Tracy Townsend	(Internal Auditors – Pacifica)
David Adams	Queensland Audit Office
Izelle Barnard	Marketing and Communications Coordinator

2. APOLOGIES

Cr Joel Richters
Tenterfield Shire Council representative

3. DECLARATION OF CONFLICT OF INTEREST

Nil

4. INTERNAL AUDIT

4.1 Internal Audit Activity Report

Resolution

Moved Chair K Phillips

Seconded Ms M Jacobs

THAT the Audit & Risk Management Committee receive and note:

1. The Internal Audit Progress Report and Final Internal Audit Plan as presented by Pacifica; and
2. Final internal audit reports on Visitor Information Centre and Fraud Risk and Ethical Conduct Review.

Carried

Presented by Carolyn Eagle, Pacifica (Internal Auditor)

Discussion topics included:

- Visitor Information Centre final reports



- It was requested that moving forward, a report be presented to Council against the recommendations presented and the implementation status to be noted in an ongoing manner.
- Fraud Risk and Ethical Conduct final reports
 - It was requested that improvement opportunities within existing work practices (section 5 of the report) be reported to the Committee every 2nd meeting. **ACTION 341**
 - The Chair requested that ELT revisit the management responses in the final report. **ACTION 342**

10:32 am Tracy Townsend and Carolyn Eagle depart the meeting.

5. BUDGETING & FINANCIAL PERFORMANCE

5.1 Annual Financial Statements for the year ended 30 June 2024

Resolution

Moved Chair K Phillips

Seconded Mr A Trace

THAT the Audit & Risk Management Committee:

1. Receive the Audited Annual Financial Statements for the year ended 30 June 2024;
2. Endorse the contents of the Annual Financial Statements for the year ended 30 June 2024 prior to the Mayor and Acting Chief Executive Officer (CEO) signing the Management Certificate, subject to any further changes endorsed by the Queensland Audit Office.

Carried

Presented by Helen Gross, Acting Chief Financial Officer

Discussion topics:

- No changes to reports since the previous meeting of the committee;
- Minor amendments in notes. The Chair flagged that there may be a concern with note 22 – issue taken off line (subsequently reviewed by Acting Chief Financial Officer, Helen Gross and Bruce Preston, External Auditor. Some amendments made to note.

5.2 Queensland Audit Office - Closing Report

Resolution

Moved Chair K Phillips

Seconded Ms M Jacobs

THAT the Audit & Risk Management Committee receive and note:

1. Briefing paper provided by Crowe Australasia and the Queensland Audit Office (QAO)
2. 2024 Closing Report as prepared by Crowe Australasia on behalf of QAO.

Carried

Presented by Bruce Preston, Crowe Australasia (External Auditor) and David Adams, Queensland Audit Office.



6. NEXT MEETINGS

Thursday 23rd January 2025 commencing at 9:00 am

7. CLOSURE

There being no further business the meeting closed at 11:00 am.

The following information is provided in accordance with section 190 (1) (h) *Local Government Regulation 2012*.

This report is prepared as required by section 6 of the Audit and Risk Management Committee (ARMC) Charter (May 2021) and summarises the activities of the ARMC during the 2023-2024 financial year.

Background Information

Council's ARMC is established in accordance with section 105 of the *Local Government Act 2009* and sections 207 to 211 of the *Local Government Regulation 2012*. As an advisory Committee to Council, the ARMC's scope and purpose, as outlined in section 2.1.5 of the Charter, includes the regular review of the following:

- i. The Internal Audit Plan for the Internal Audit for the current financial year;
- ii. The Internal Audit Progress Report for the Internal Audit for the preceding financial year including the recommendations in the report and the actions to which the recommendations relate;
- iii. A draft of the Local Government's Financial Statements for the preceding financial year before the Statements are certified and given to the Auditor-General under section 212;
- iv. The Auditor-General's Audit Report and Auditor-General's Observation Report about the Local Government's Financial Statements for the preceding financial year;
- v. Regular review of Risk Management and Fraud and Corruption Control including endorsement of Council's Risk Management and Fraud Policies, monitoring of the review of Council's Risk Registers and monitoring that Risk Treatment Plans are implemented and reviewed;
- vi. Monitoring of all outstanding internal and external audit recommendations;
- vii. Review management's approach to maintaining an effective internal control framework (including policies, procedures and delegations), ensuring that it is sound and effective;
- viii. Review the effectiveness of the system for monitoring Council's compliance with relevant laws, regulations and government policies.

The Charter also empowers the AMRC to make recommendations to Council about any matters that the ARMC considers need action or improvement.

The ARMC is comprised of two Councillors and four external independent members, with one of the independent members as Chairperson. The committee membership during 2023-2024 included elected members Cr Jo McNally (apology February 2024) and Cr Stephen Tancred (apology October 2023) until the March 2024 election thereafter, Cr Joel Richters and Cr Russell Wantling (1 meeting) with the Mayor Melissa Hamilton attending ex officio initially and formally joining the Committee to replace Councillor Wantling commencing September 2024. Independent members for the full year were, Mrs Kerry Phillips (Chairperson), Mr Tony Trace (apology September 2023), Ms Mel Jacobs. Ms Kylie Smith and Ms Erika Bursford (apology October 2023) shared the responsibility as independent members by MOU arrangement with Tenterfield Shire Council.

Representatives from the Queensland Audit Office, Council's External Auditor, Crowe Australasia and Council's Internal Auditors O'Connor Marsden & Associates Pty Ltd (outgoing September 2023) Pacifica Chartered Accountants (incoming September 2023) are also invited to attend the meetings. Key Council staff also attend to provide information on various matters as required.

Throughout the 2023-2024 financial year, the ARMC has provided appropriate advice and recommendations on matters relevant to its Charter to assist Council in relation to the discharge of its financial and operational responsibilities.

Key Activities

During 2023-2024, the ARMC met on four occasions
- 5 September 2023, 15 February 2024 and 23 May 2024 – general meetings, 17 October 2023 a special meeting focussed on the sign off of the annual financial statements and a flying minute 13-15 November 2023 to expedite the endorsement of the Internal Audit Plan.

The Chair also delivered an annual report on the activities of the ARMC for the 2022-2023 financial year on 15 November 2023 following the annual financial statements sign off.

The Queensland Audit Office certified the 2022-23 Financial Statements without qualification within the required timeframe and prior to legislative deadline of 31 October 2023. The team Crowe Australasia have been very engaging and have endeavoured to ensure that the Chair and the committee are well briefed regarding their planning, service delivery and emerging issues. QAO in addition have continued to provide invaluable resources to assist and support Council on their risk, asset management and financial reporting journeys.

In preparation for the annual financial statements for 2023- 2024 ARMC were provided the opportunity to give feedback regarding the shell financial statements prior to distribution to external audit for feedback. Position papers regarding change of estimates – restoration provision and Indexation of Non-Current Assets were provided to ARMC for consideration.

ARMC continued monitoring of key management reports in relation to Human Resources, Work, Health and Safety, Budgeting and Finance performance, Asset Management plans, ICT updates, governance (including insurance), risk management (including Fraud control), legal and regulatory matters.

The CEO generously provided insight to the ARMC regarding the status of the operational and strategic environment and, has guided the development of detailed knowledge regarding both internal and external risk drivers.

ARMC received a detailed briefing regarding an emerging risk matter pertaining to an Asbestos Legal Claim.

ARMC reviewed a number of Council's key documents including;

- Draft ICT Recovery Plan
- Draft Strategic Internal Audit Plan - key document to guide incoming new internal audit firm
- Internal Audit Policy – PL118
- Audit and Risk Management Committee charter

Internal Audit Plan

The internal audit plan governs the activity and focus of the internal audit function and is itself based on the risk profile of Council. Specific audits undertaken during the 2023-2024 financial year were as follows:

- Fleet and Fuel Management – presented by OCM February 2024 – carryover from 2022-2023 plan
- Customer Experience Management – field work is underway
- Fraud Risk and Ethical Conduct – Draft report prepared under review
- Special Project (Mgt request) – Visitor Information Centres (Warwick and Stanthorpe)
- draft report with management

It was disappointing to not close out any of the reviews planned for the 2023-2024 year during the year, these matters will carry forward to 2024-2025.

Outstanding Audit Recommendations

During 2023- 2024 financial year the status of audit recommendations was reported to the committee under a combined register as requested.

As at May 2024, there were 85 Internal Audit recommendations outstanding and 5 External Audit recommendation outstanding, an increase from the situation as at 15 September 2022 where there were only 40 outstanding in total. These recommendations relate to the following audit reports:

EXTERNAL AUDIT (8 outstanding)

Previously reported 23/5/2024- still outstanding

- 17/18 External Audit Final Management Report
 - 1 internal control weakness low risk – in progress
- 19/20 External Audit Final Management Report
 - 2 internal control weakness low risk – in progress
- 22/23 External Audit Interim Management Report
 - 1 internal control weakness significant deficiency and 2 deficiencies – in progress
- 22/23 External Audit Final Management Report
 - 1 financial reporting weakness – medium risk - in progress

Current year reported 23/5/2024- still outstanding

23/24 External Audit Interim Management report

- 1 internal control weakness – deficiency – in progress

INTERNAL AUDIT (87 outstanding)

- Information Security (2018) – 3 moderate risk
- Review of Regulatory Services (2020)–2 low risk –

- People and Culture Functional review (2020)– 3 high risk, 8 moderate risk, 3 low risk
Regulatory Services (2020) –2 low risk
- Infrastructure Charges and Developer Contributions (2022) - 1 high risk and 1 low risk
- Cash Management (2023) - 8 moderate risk and 6 low risk
- Rates Revenue Management (2023) – 1 moderate risk and 14 low risk

New inclusions since 1 July 2023

- Environmental Compliance Management (2024)- 2 high risk and 3 moderate risk
- Fleet and Fuel Management (2024) - 24 moderate risk and 5 low risk

Focus for 2024/2025

The finalisation of the strategic internal audit plan and the annual internal audit plan for 2024-2025 mindful of the overruns from 2023- 2024 will take place. It is hoped that internal auditors Pacifica Chartered Accountants will have more success in tabling reviews regularly to meetings in the new financial year.

It is pleasing that a more robust review strategy has been undertaken in recent times to follow up registered audit recommendations. Changes in leadership will provide impetus to strive for timely completion of outstanding items There has been some pleasing progress during 2023-2024 which is a vast improvement on the prior year when progress on internal audit recommendations had completely stalled.

Ms Erika Bursford (Tenterfield Shire Council) will step off the committee and Ms Elizabeth Alley (Tenterfield Shire Council) will commence with the committee in 2025. In addition, all other independent members of the committee have completed their second tenure with ARMC and expressed interest in taking up the option to extend in alignment with the current charter. This has subsequently been addressed and tenure extended a further year for those members.

The remaining 2023-2024 internal audit reviews regarding Visitor Information centres and Fraud and Ethical conduct have been brought to the first ARMC meeting for 2024-2025. The Customer Experience review outstanding from the 2023-2024 plan is expected to be finalised and presented later this year.

The progress of the 'culture journey' the organisation is on, in particular the workforce strategy and employee sentiment remain a high strategic risk for the organisation (both reputational and HR related) and will need dedicated focus and monitoring. The ongoing struggle to attract employees remains a concern and the turnover of senior executives flow on affect to the remainder of the organisation will warrant close oversight.

Preliminary indications based on the first meeting of ARMC for this year and the subsequent special meeting has supported a very sound financial statement preparation process for 2023–2024. Changes to the elected member representation on ARMC are yielding insightful opportunities for discussion and development of recommendations to support an enhanced governance and control environment for Council.


ARMC will continue to seek assurances from the Director Infrastructure Services and the Manager Sustainability and Strategy regarding improvements to the asset management planning for Council.

The governance function has undertaken a substantial resourcing challenges again during 2023-2024 it is hoped that with more stability in the 2024-2025 that the risk management framework will have the opportunity to mature and become further imbedded in the decision-making framework for council. The reintroduction of some deep dives into risk issues is anticipated by the ARMC. The governance team is working closely with ARMC to support and foster the continued success for the 2024–2025 financial year.

14. INFRASTRUCTURE SERVICES REPORTS

14.1 Victoria Street, Warwick - Cost Sharing Arrangement - Council Contribution to TMR Asphalt Works

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Works	ECM Function No/s: 28.09, 28.53

Recommendation

THAT Council:

1. Commits to support the Cost Sharing Arrangement for Department of Transport and Main Roads to resurface the parking lanes of Victoria Street between Albion Street and Guy Street, Warwick; and
2. Allocates the necessary funding as part of the 2024-25 Quarter 2 Budget Review.

REPORT

Background

The Department of Transport and Main Roads (TMR) has secured funding to construct eight wombat (raised priority pedestrian) crossings at the two roundabouts on Victoria Street/Palmerin Street and Victoria Street/Guy Street, Warwick. Victoria Street is referred to by TMR as Warwick-Allora Road. TMR are considering resurfacing a section of Victoria Street as a complementary project to the installation of the wombat crossings.

Report

The purpose of this report is to seek Council's commitment to fund the resurfacing of the car parking lanes along Victoria Street between Albion St and Guy St.

As part of the TMR/Local Government Cost Sharing Arrangement Oct 2017, Council is responsible to fund the surfacing/resurfacing of car parking lanes adjacent to a State controlled road as shown in the below extract of the Cost Sharing Arrangement.

COST SHARING RESPONSIBILITY - PARKING						
Item	Planning	Design	Funding of Construction	Funding of Rehabilitation	Funding of Maintenance	Ownership
Parts of the carriageway other than traffic lanes, shoulders/cycle lanes that is typically used solely for parking	Joint	Joint	Local Government funds the construction of that area of carriageway that is not a traffic lane or associated shoulder/cycle lane.	Local Government funds the rehabilitation of that area of carriageway that is not a traffic lane or associated shoulder/cycle lane.	Local Government funds the maintenance of that area of carriageway that is not a traffic lane or associated shoulder/cycle lane.	TMR with the exception of parking meter equipment, in-ground sensors and signs.

TMR have approached Council to enquire as to whether Council wishes to contribute to the resurfacing component of the project from the intersection of Victoria St/Albion St to Victoria St/Guy St intersection at this time. The scope of works is depicted below. Council's area of responsibility is highlighted in blue.



TMR is in the process of tendering the full extent of the works. TMR has estimated that Council's contribution would amount to \$150,000 to resurface the car parking lanes. This amount will be confirmed once the tenders have been received and evaluated by TMR.

The parking lane of section between Albion Street and Palmerin Street was resurfaced using bitumen by TMR in 2010 and the section between Palmerin Street and Guy Street was resurfaced by TMR with bitumen in 1992. At those times Council chose not to fund the resurfacing of the parking lanes.

It would be advantageous for Council to consider contributing to this project as TMR will manage the design, day to day running of the project, procurement, certification, testing and will cover the mobilisation and demobilisation costs, site supervision, traffic management and community consultation. TMR propose to use asphalt for the parking lanes as well as the traffic lanes, which is a quality improvement for the parking lanes as they are currently two coat bitumen seal. TMR will be looking to complete any necessary pavement repairs prior to the resurfacing to ensure the finished surface is free from all defects.

If Council were to delay and conduct these works as a separate project in the future, the cost associated with these resurfacing works would be significantly higher. This would also result in double the inconvenience of the community and particularly the Warwick State High School students, parents and teachers accessing the school. There would also be a greater quality disparity between the traffic lane and parking lane. The cost to resurface will only continue to increase as will the cost of maintenance of the ageing surface.

TMR require formal commitment from Council in about December 2024 to award the contract with the intention to commence the construction works in February/March 2025.

Conclusion/Summary

Working collaboratively with TMR will be an advantage for the community by reducing the impact on stakeholders and ensuring best utilisation of public funds.

FINANCIAL IMPLICATIONS

Council currently does not have an approved capital project allocation for these works. A new budget allocation of estimated \$150,000 (subject to tender prices) will be required prior to the Quarter 2 Budget Review.

To delay the project will result in further deterioration of the parking lanes' surface, which will increase maintenance costs and will exponentially increase capital costs to resurface in the future. This would also require Council to resource the project delivery.

To contribute to TMR's project during 2024-25, Council will benefit by economies of scale and only having to contribute the cost associated with the physical works of resurfacing the car parking lane.

RISK AND OPPORTUNITY

Risk

OPR36 If state and federal transport infrastructure is not maintained and enhanced, it can result in road safety issues and/or impact on economic growth which in turn impacts on economic and social sustainability.

Mitigation – allocating the required amount of funding to contribute to TMR's project.

Opportunity

Council has an opportunity to piggyback onto TMR's project to ensure that State infrastructure is maintained for the overall benefit of the community.

COMMUNITY ENGAGEMENT

Internal Consultation

Finance Department, Works Department

External Consultation

TMR will conduct all community consultation associated with this project.

LEGAL / POLICY

Legislation / Local Law

Transport Infrastructure Act 1994

Local Government Act 2009

Corporate Plan

Goal 2 Our Places

Outcome: 2.2 Public places, services and facilities are accessible, sustainable and cost effective.

Objective: 2.2.1 Facilitate and plan for safe, accessible and affordable infrastructure, housing, health and communication services for the community, visitors and industry.

Policy / Strategy

TMR/Local Government Cost Sharing Arrangement October 2017

Legal

There are no outstanding legal issues associated with this report.

HUMAN RIGHTS


A Human Rights assessment has been undertaken.

ATTACHMENTS

Nil

14.2 Request for Water Connection to Property ID144510

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Water	ECM Function No/s:

Recommendation

THAT Council:

1. Approve the request for a water connection to property ID144510.
2. Amend the approved Rural Water Supply Area to include this lot.
3. Require the payment of a Water Infrastructure Charge for this lot.
4. Inform the applicant of this decision.

REPORT

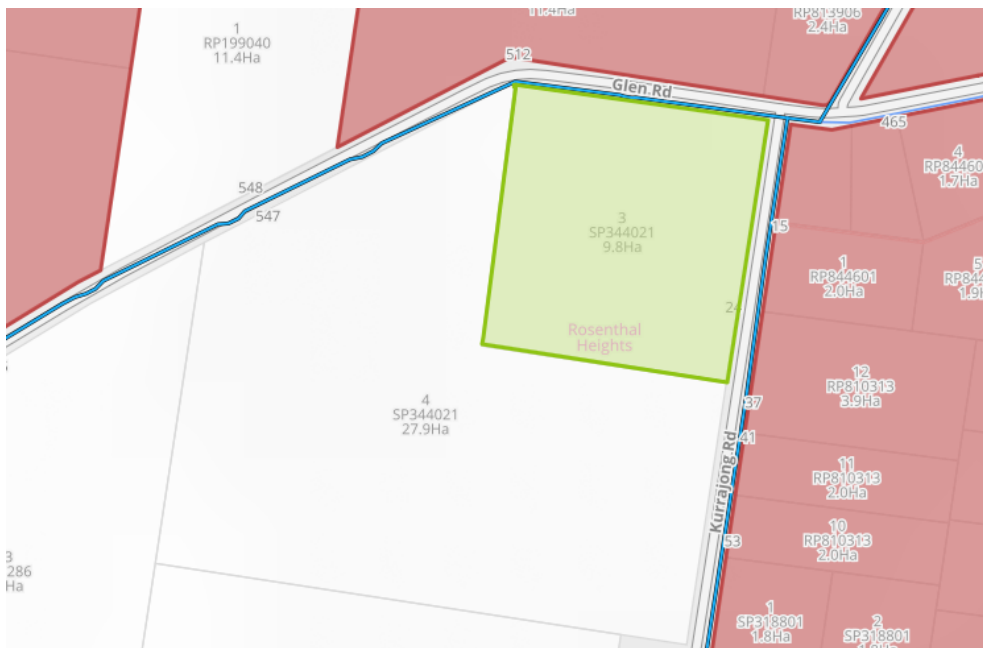
Background

The owner of property ID144510 in Warwick, Leanne J Cameron has requested a water connection. This property is outside of the approved Water Supply area, requiring Council approval.

Report

This property fronts onto two watermains. There is a 63mm PE watermain in Glen Road and 40mm PE watermain in Kurrajong Road.

The plan below shows the affected property (in green), the two watermain fronting the property and the red area is the approved Rural Water Supply area.



The watermain in Glen Road was originally constructed to provide water to a toilet block at the end of the road. Over time, connections have been approved on this watermain. Each connection reduces the level of service to the downstream customers and particularly to the toilet, for which the main was constructed. It is therefore recommended that no further connections be approved on this watermain.

The watermain in Kurrajong Road is looped, ie it is not a dead end main. Modeling the effect of downstream customers for an additional connection on this watermain showed that there will be negligible impact.

This lot is adjacent to the existing Rural Water Supply area, and extending this area to include this property will not create any expectations of other applicants in between.

This lot has never paid any access charge, therefore in accordance with Water Infrastructure Policy, it is recommended that they pay a Water Infrastructure Charge for the lot. This charge is currently \$6,020.

Conclusion/Summary

This water connection will have negligible impact on other customers. This lot is adjacent to the existing Rural Water Supply area, and extending this area to include this property will not create any expectations of other applicants in between.

It is recommended that Council approve this water connection and extend the Rural Water Supply area to incorporate this lot.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

Approving this connection allows the applicant to have a reliable water supply.

COMMUNITY ENGAGEMENT

Internal Consultation

Network Operations Coordinator

Water Admin, Finance & Procurement Officer

External Consultation

Morris Water regarding the impact of this additional lot on adjacent customers

LEGAL / POLICY

Legislation / Local Law

The Water Supply (Safety & Reliability) Act 2008 requires Council to approve and publish a plan showing the Water Supply areas.

Corporate Plan

Goal 2 Our Places

Outcome: 2.2 Public places, services and facilities are accessible, sustainable and cost effective.

Objective: 2.2.2 Develop and implement water security programs and strategies to ensure a sustainable and reliable water supply for all towns.

Policy / Strategy

This connection would fall under the Rural Water Connection Policy

Legal

There are no outstanding legal issues associated with this report.

HUMAN RIGHTS


A Human Rights assessment has been undertaken.

ATTACHMENTS

Nil

14.3 Naming of Unnamed Road - Lot 906 Plan H702 Railway Street Hendon

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Sustainability and Strategy	ECM Function No/s: 3758852

Recommendation

THAT Council name the Unnamed Road Wallahra (Option1), constructed under Operational Works Permit OPW\000194, connecting Lot 906 on Plan H702 to Railway Street Hendon.

REPORT

Background

Council resolved at the Ordinary Meeting on 21 August 2024 that Council, subject to the approval of the traditional owners of the proposed name Wollowra Lane/Road/Street, undertakes a public consultation process with the broader community, seeking public feedback on the naming the unnamed road constructed under the Operational Works Permit OPW\000194, connecting Lot 906 on Plan H702 to Railway Street Hendon.

Report

The applicant has requested “Wollowra” as their only preference for the name of the constructed road.

Accordingly, Council sought the views of the Waringhehn Aboriginal Corporation who advised that it would be culturally inappropriate to use the language of another Aboriginal group on signage located on Githabul traditional land. As an alternative, they have proposed the following names:

Option 1: Wallahra (Walah: heavy/severe frost ah/rah at, in like place of frost)

Option 2: Ngarul (meaning box tree. This tree was abundant in the Hendon area when the area was settled by Europeans)

An assessment of the two names proposed above is considered to meet the principles outlined in section 4.1.1 (a) of Council’s Roads and Places Naming Policy PL-IS092 which states that a proposed name must be ‘appropriate to the local, indigenous, geographical, environmental or physical character.’ No other names options have been provided for this application.

Conclusion/Summary

The names proposed above is assessed to meet the intent of the Roads and Places Naming Policy PL-IS092. Officers will progress this application for Option 1 in line with the policy if endorsed by Council.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

Nil

COMMUNITY ENGAGEMENT

Internal Consultation

Sustainability and Strategy – GIS Team

External Consultation

Waringhehn Aboriginal Corporation

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009, s60 (c) and (d)

Corporate Plan

Goal 2 Our Places

Outcome: 2.1 Public places and open spaces are safe, well maintained and liveable.

Objective: 2.1.2 Identify, facilitate and promote community-led place making, activation of public places and opportunities to enhance and activate the urban environment.

Outcome: 2.2 Public places, services and facilities are accessible, sustainable and cost effective.

Objective: 2.2.1 Facilitate and plan for safe, accessible and affordable infrastructure, housing, health and communication services for the community, visitors and industry.

Policy / Strategy

Roads and Places Naming Policy PL-IS092

Legal

There are no outstanding legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Response from the Waringhehn Aboriginal Corporation [↓](#)

From: [REDACTED]
Sent: Fri, 18 Oct 2024 10:47:46 +1000
To: "T1 Saas Connect" <sdr@connect.t1cloud.com>
Subject: FW: Contact with Githabul People (Waringh Waringh)

#RESPOND 3906100
#ECMALL

#QAP Default

[REDACTED]
Southern Downs Regional Council

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From: [REDACTED]
Sent: Monday, 23 September 2024 9:21 AM
To: [REDACTED]
Subject: RE: Contact with Githabul People (Waringh Waringh)

[REDACTED] Appreciate the advice. It will form part of the report to Council who make the final decision.

Cheers

[REDACTED]

[REDACTED]
Southern Downs Regional Council

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From: [REDACTED]
Sent: Monday, 23 September 2024 7:32 AM
To: [REDACTED]
Subject: Re: Contact with Githabul People (Waringh Waringh)

my comment on using Wollowra is that it would be culturally inappropriate to use another Aboriginal groups language on signage here on Githabul tradition lands.

On Thu, 19 Sep 2024 at 1:14 PM, wrote:

Thank you for providing this advice. was asking on my behalf. My Department has responsibility for naming infrastructure including roads.

Thank you for the alternate name options. We will include these in the report to Council and they are the final decision maker. Before that we go to public consultation and ask the community for their views as well. In the resolution from the meeting where we were tasked with contacting you, I have to ask for your specific view on Wollowra. Any comments would be most welcome.

Southern Downs Regional Council
t 1300 MY SDRC (1300 697 372)

www.sdroc.qld.gov.au



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From:
Sent: Thursday, 19 September 2024 8:56 AM
To:

[REDACTED]
Subject: Re: Contact with Githabul People (Waringh Waringh)

Morning [REDACTED]

I've spoken to my board and family members and we have 2 suggestions for you to consider.

Wallahra

Walah:heavy/severe frost ah/rah at,in like place of frost.

Or

Ngarul meaning box tree. This tree was abundant in the Hendon area when the area was settled by europeans.

The first suggestion is quite similar pronunciation to Wollowra just different meaning I suppose.
I would like to hear your thoughts on this?

I would like to thank you for reaching out to me for advise/input with the naming of the lane.
I think it is very important to incorporate Githabul language into local street, lane and place names.

Kind regards

[REDACTED]
Chairperson
Waringhehn Aboriginal Corporation

On Tue, 10 Sep 2024 at 1:07 PM, [REDACTED] wrote:

Hello,

I am writing to seek you advice on a proposed name for a lane in the Hendon area within Southern Downs Regional Council (SDRC) Local Government Area.

SDRC has received an application for the name "Wollowra", our understanding it is a First Nations word or name.

As such I am seeking your comment.

Regards

[REDACTED]
Southern Downs Regional Council
t 1300 MY SDRC (1300 697 372)

[REDACTED]
www.sdrc.qld.gov.au



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14.4 Naming of Unnamed Road - Lot 100 SP 249599 Homestead Road, Rosenthal Heights 4370

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Sustainability and Strategy	ECM Function No/s: 3908048

Recommendation

THAT Council undertakes a public consultation process with the broader community, seeking public feedback on the proposed name “Mulcahy” and or “Devon” for the Unnamed Road B in Sovereign Downs Stage 2, Lot 100 SP 249599 Homestead Road Rosenthal Heights 4370.

REPORT

Background

In accordance with Policy, authority for public consultation for the naming of the Unnamed Road B (refer Aerial Photo below) in this development is sought.

Report

This application is to name Road B. Officers have completed a review of the proposed names. The applicant has offered no information to support the proposed names in line with the requirement of the policy. A first preference name was provided however this name is already allocated to an existing road in the Warwick area and has not been included as an option for consultation. The names “Courtney” or “Madison” as proposed by the applicant did not meet the requirements of the policy. As such the Preferred Name options are not recommended. Officers have engaged the applicant multiple times to find names that fit the criteria without success.

Officers are proposing the name “Mulcahy” as name as it has connection to the family that owned the Rosenthal Homestead from the early 1900’s for multiple generations.

Officers are also proposing “Devon” as research shows a connection to the name Maynes to the Devon area in South West England.

Roads A, D and C will be named Maynes Street. The numbering of the existing Maynes Street properties was completed with this outcome determined previously.

Conclusion/Summary

In accordance with the *Roads and Places Naming Policy PL-IS092, clause 4.6 (3)*, Council officers are now putting forward the proposal for Council consideration to go out for official public consultation.

FINANCIAL IMPLICATIONS

Nil.

RISK AND OPPORTUNITY

Risk

Nil.

Opportunity

Nil.

COMMUNITY ENGAGEMENT

Internal Consultation

Sustainability and Strategy – GIS Team

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009, s60 (c) and (d)

Corporate Plan

Goal 2 Our Places

Outcome: 2.1 Public places and open spaces are safe, well maintained and liveable.

Objective: 2.1.2 Identify, facilitate and promote community-led place making, activation of public places and opportunities to enhance and activate the urban environment.

Outcome: 2.2 Public places, services and facilities are accessible, sustainable and cost effective.

Objective: 2.2.1 Facilitate and plan for safe, accessible and affordable infrastructure, housing, health and communication services for the community, visitors and industry.

Policy / Strategy

Legal


There are no outstanding legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.


ATTACHMENTS

1. Road Naming Application [↓](#)

 <p>Southern Downs REGIONAL COUNCIL</p> <p>Engineering Department</p>	<h2 style="text-align: center;">Southern Downs Regional Council</h2> <p>PO Box 26, WARWICK QLD 4370 64 Fitzroy Street, WARWICK QLD 4370, 61 Marsh Street, STANTHORPE QLD 4380 Telephone: 1300 MYSDRC (1300 697 372), Facsimile: 4661 0333 Email: mail@sdrc.qld.gov.au, Website: www.sdrc.qld.gov.au</p>		
<h3>Road Naming Application</h3>			
<p>To be used for naming or renaming of public or private roads. Please provide 3 names for each road and list in order of preference.</p> <p>For further details on the naming or renaming of roads, refer to Council's Road and Streets Naming Procedure which can be found at www.sdrc.qld.gov.au.</p>			
<p>Applicant/s Details</p>	<p>Full Name(s) of Applicant: [REDACTED]</p>		
	<p>Development Name & Stage: Sovereign Downs Stage 2</p>		
	<p>Postal Address [REDACTED]</p>		
	<p>Site Address: Homestead Road, Rosenthal Heights</p>		
	<p>Phone: [REDACTED]</p>		<p>Fax:</p>
	<p>Mobile Phone: [REDACTED]</p>		<p>A/H Phone:</p>
	<p>Email Address: [REDACTED]</p>		
	<p>Real Property Description: Lot Plan</p>		
<p>Proposed New Names (If insufficient space, please provide attachment)</p>	<p>Road Number 1</p>	<p>Proposed Name</p>	<p>Significance of Preferred Name</p>
	<p>1st Preference</p>	<p>Hughes Ave.</p>	
	<p>2nd Preference</p>	<p>Courtney Close</p>	
	<p>3rd Preference</p>	<p>Mayne St</p>	
	<p>Road Number 2</p>		
	<p>1st Preference</p>	<p>Madison Way</p>	
	<p>2nd Preference</p>	<p>Mayne St</p>	
	<p>3rd Preference</p>	<p>Courtney Close</p>	
	<p>Road Number 3</p>		
	<p>1st Preference</p>	<p>Courtney Close</p>	
	<p>2nd Preference</p>	<p>Madison Way</p>	
	<p>3rd Preference</p>	<p>Mayne St</p>	
	<p>Required Information</p>	<p>This information must be fully completed and accompanied by a road layout plan, including future road extensions (if applicable). Please note on the plan, the new roads numbered (1, 2, 3 etc) for identification.</p>	
<p>Signature of Applicant</p>	<p>I hereby certify that the information contained in this application (including the information in my attachment) is correct in all particulars.</p> <p>Signature: [REDACTED] Date: 26.9.24</p>		
<p>Privacy Notice</p>	<p>The information on this form is collected for purposes related to deciding this application and monitoring compliance under the <i>Information Privacy Act</i> ('the Act'). This information may be stored in Council's records database and may also be used for statistical research, information provision and evaluation of services. Your personal information may be provided to the financial institution which handles Council's financial transactions and may be disclosed to other Local Government agencies, State government and third parties for purposes related to this application and/or monitoring compliance with the Act. Except in these circumstances, personal information will only be disclosed to third parties with your consent unless otherwise required or authorised by law.</p>		

14.5 Naming of Public Asset - Allora Discus Ring and Dalrymple Park Walk

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Sustainability and Strategy	ECM Function No/s: 3932025

Recommendation

THAT Council recognise the accomplishments of Matthew Denny, Australian athlete and bronze medal winner of the discus throw at the Paris 2024 Olympics by:

1. Naming the Allora Cricket Grounds discus ring after Matthew Denny; and
2. Creating a walking path in Dalrymple Park, featuring markers that highlight the distance of the various records achieved by Matthew Denny.

REPORT

Background

At the 16 October 2024 meeting, Council resolved to undertake a public consultation process with the broader community, seeking public feedback on:

1. Naming the Allora Cricket Grounds discus ring after Matthew Denny; and
2. Creating a walking path in Dalrymple Park, featuring markers that highlight the distance of the various records achieved by Matthew Denny.

Report

In accordance with the Roads and Naming Policy section 4.6 paragraph 4, the proposals were made available for public comment for a minimum period of 21 calendar days.

The public feedback overwhelmingly supported both proposals, especially the creation of a walking path in Dalrymple Park. Attached is the feedback for Council members' consideration.

Officers also sought feedback from Mr Denny. The relevant text from his response is included below:

"Thank you so much for the kind words and the incredible proposal. I'm truly honoured by the suggestion to name the discus ring at the Allora Cricket Ground after me and to create a walking path in Dalrymple Park showcasing my records. It's humbling to think about being recognized in such a meaningful way within the community that means so much to me.

I'm happy to give my support for the proposal."

Concepts and options for the walking path will be brought to Council as they are defined. Officers will continue to liaise with Mr Denny with regards which records to include on the walk.

Conclusion/Summary

The public consultation process has demonstrated strong community support for both proposals. Council has also met the requirements of the Roads and Naming Policy. It is recommended that Council proceed with the naming of the Allora Cricket Grounds discus ring after Matthew Denny, and the creation of the walking path in Dalrymple Park with capacity to include future records Mr Denny may yet achieve.

FINANCIAL IMPLICATIONS

Should Council approve the above recommendation, a cost will be incurred for both installation and ongoing maintenance. Based on recent signage works in the Warwick CBD, the anticipated budget for installation of markings for the walk is estimated at \$2500.

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

Opportunities include instilling a sense of pride and inspiration within the community especially young athletes and promoting sports and fitness with the installation of the walking path.

COMMUNITY ENGAGEMENT

Internal Consultation

Manager Parks and Operations

External Consultation

- Online Form via Have Your Say on the Council website
- Advertisement placed on Council social media platform
- Advertisement placed in the local newspaper

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009

Corporate Plan

Goal 2 Our Places

Outcome: 2.1 Public places and open spaces are safe, well maintained and liveable.

- Objective:** 2.1.2 Identify, facilitate and promote community-led place making, activation of public places and opportunities to enhance and activate the urban environment.
- Outcome:** 2.2 Public places, services and facilities are accessible, sustainable and cost effective.
- Objective:** 2.2.1 Facilitate and plan for safe, accessible and affordable infrastructure, housing, health and communication services for the community, visitors and industry.

Policy / Strategy

Roads and Places Naming Policy PL-IS092

Legal

There are no outstanding legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Public Feedback on Matthew Denny Proposal [↓](#)

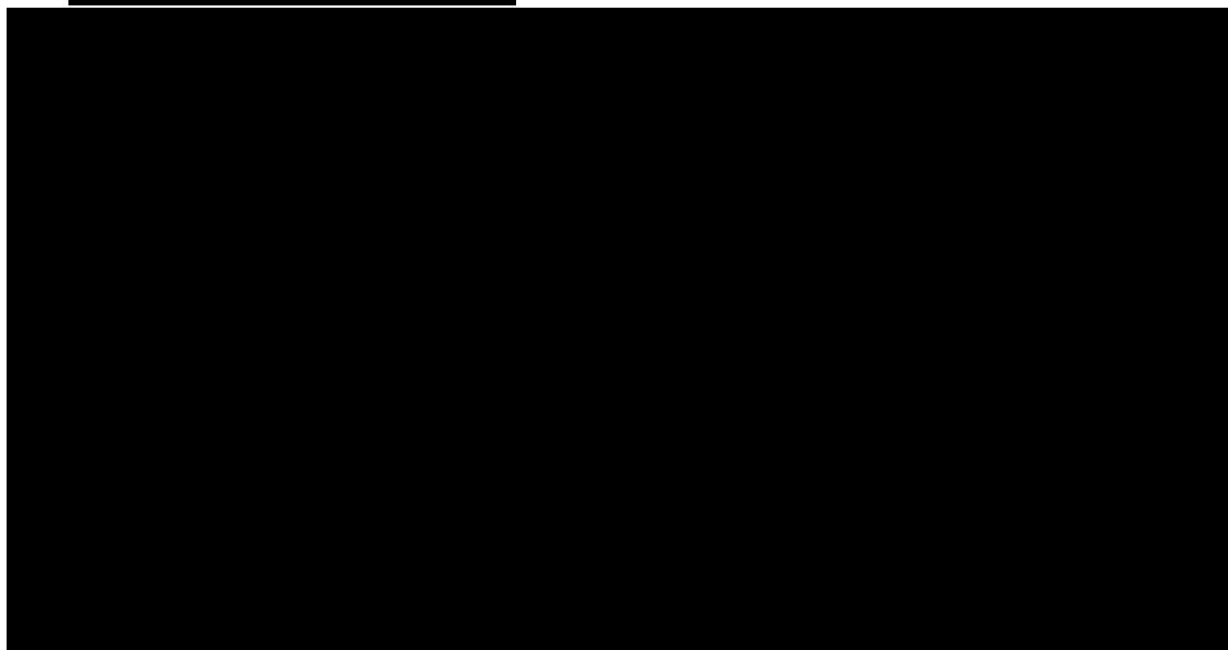
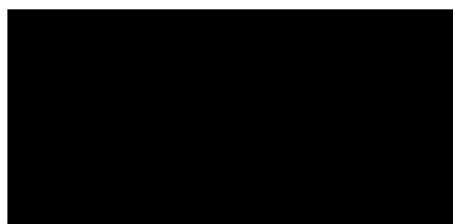
From: [REDACTED]
Sent: Mon, 21 Oct 2024 15:17:37 +1000
To: "General Enquiries" <mail@sdrc.qld.gov.au>
Subject: Matt Denny proposal

Hi team 😊

I would like to support the option for the walking track with the markers for Matt's achievements

Great idea!

Kind regards
[REDACTED]



From: "[REDACTED]"
Sent: Thu, 24 Oct 2024 13:06:43 +1000
To: "mail@sdrcl.qld.gov.au" <mail@sdrcl.qld.gov.au>
Subject: re honouring Matt Denny

2. Establishing a walking path in Dalrymple Park: Council proposes to establish a walking path in Dalrymple Park, featuring markers that highlight the distances of the various records achieved by Matt. This path will serve as a tribute to Matt's remarkable accomplishments and also promote health and fitness within the community.

No 2 thanks for our vote

[REDACTED]

From: "[REDACTED]"
Sent: Fri, 25 Oct 2024 17:33:25 +1000
To: mail@sdrc.qld.gov.au
Subject: Matt Denny feedback

Hi

I read: "Council is proud to invite community [feedback](#) on [two legacy projects](#) to celebrate our 2024 Paris Olympic bronze medalist, Matt Denny!

- Name the Allora Cricket Ground discus ring after Matt, and also
- Establish a walking path in Dalrymple Park featuring markers of Matt's record-breaking distances"

Could I please register a vote of support for both of these especially the walking path.

Kind Regards

[REDACTED]
Gladfield Qld

Sent from my Galaxy

From: [REDACTED]
Sent: Wed, 30 Oct 2024 12:34:56 +1000
To: mail@sdrc.qld.gov.au
Subject: Our olympians

Hello,
I agree that Matt Denny should be honoured for his achievements .
However our local Olympian Harriett Hudson won a bronze for rowing at the previous olympics and did exceptionally well in Paris .
She seems to be forgotten here in Warwick .
Should'nt she be equally honoured ?
Regards
[REDACTED]

Regards

Sent from my iPhone

From: [REDACTED]
Sent: Thu, 31 Oct 2024 09:16:09 +1000
To: mail@sdrc.qld.gov.au
Subject: Honouring Matthew Denny

I have read the recent article in The Allora Advertiser about honouring Matthew Denny.

My choice would be **No. 2 – Establishing a walking path in Dalrymple Park** as this would be seen by many more people, including visitors and tourists, than those attending the Allora Cricket Ground. Also as Matthew's athletic career has not ended and he also hopes to attend future Olympics and hopefully achieving more milestones, perhaps Council could consider adding those future milestones to this walking path.

Great that Council is honouring our local heroes.

Thanks and regards

[REDACTED]


From: [REDACTED]
Sent: Fri, 1 Nov 2024 10:15:38 +1000
To: "mail@sdrcl.gov.au" <mail@sdrcl.gov.au>
Subject: Legacy projects to honour Matt Denny

Hi
We think these 2 projects are a great idea.
Regards
[REDACTED]

Sent from my iPhone

14.6 Sewage Treatment Plant Stanthorpe - Design Award

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Water	ECM Function No/s:

Recommendation

THAT Council:

1. In accordance with Section 224 of the Local Government Regulation 2021 enter into a contract with Arup Australia Pty Ltd for the Sewage Treatment Plant Stanthorpe - Design; and
2. Delegate authority to the Chief Executive Officer to enter into any variations to the contract terms as deemed necessary for the duration of the contract.

REPORT

Background

Under an Environmental Protection Order (EPO) from the Department of Environment & Science (DES) Council were required to prepare a concept design for the upgrade of the Stanthorpe Wastewater Treatment Plant.

The concept design was prepared by Stantec Australia Pty Ltd and submitted to DES (now DETSI). Progressing this project, tenders were invited through Vendor Panel to prepare the detailed design and tender documentation.

Report

Southern Downs Regional Council (SDRC) invited quotations from suitably qualified respondents for the design of the Stanthorpe Waste Water Treatment Plant as described in more detail in 25_011a – Scope.

An initial Indication of Interest (Non-price only) was put to the market for the purpose of shortlisting of suitably qualified consultants who can demonstrate that they have the experience, available resources, including sub-consultants, and capacity to deliver this project.

The shortlisted consultants were invited to submit a detailed Request for Quotation (Contract 25_011a), including experience with similar design projects; capabilities in process engineering, mechanical, electrical and structural design, etc.; skilled resources, including sub-consultants if required; detailed methodology; price schedule and design program.

The contract includes the design and tender documentation and all ancillary activities such as survey and geotechnical investigations.

Tender release

The tender was released through Vendor Panel to four (4) firms shortlisted from the initial Indication of Interest process. These were sent to:-

- Arup Australia Pty Ltd
- Kellogg Brown & Root Pty Ltd
- Stantec Australia Pty Ltd
- WSP Australia Pty Ltd

Contract Period

The Contract commences on the date of award. The Consultant must complete the works by 31 January 2026.

Tender Responses

Tender responses were received from all four of the invited firms and all of these were conforming.

Tender Evaluation Panel Members

A tender evaluation panel was formed to assess the tender submissions. The evaluation panel consisted of the following members:-

Graham Sweetlove	Manager Water	Voting member
Jeremy Kok	Project Engineer Water & Wastewater	Voting member
Paul Quinlan	Capital Delivery Principal Engineer	Voting member
Kym Arnold	Procurement	Probity Officer

Evaluation Criteria

Each tender was evaluated against the following criteria as set out in the Council tender documents.

Evaluation Criteria and Definitions	Information Required	Weighting
Price	Priced schedule	45
Proposed Design Methodology	Detailed methodology including risk and assumptions	20
Proposed and Available Resource	List of resources, their roles as well as their rates	20
Proposed Sub-Consultants	Details of sub consultants and their roles	5
Experience and Capability in Waste Water Treatment Plant Design	Experience and capability in carry out work similar in nature to the proposed project.	5
Proposed Delivery Timeframe	A detailed breakdown of the program to complete the project	5

Note there was no local content weighting as there is no local capability for design of this nature.

Tender Evaluation Ranking

All the evaluation members scored each submission independently through Vendor Panel.

The scores from the evaluation were as follows:

Tenderer	Score	Ranking
Arup Australia Pty Ltd	86.3	1
Kellogg Brown & Root Pty Ltd	52.3	4
Stantec Australia Pty Ltd	52.8	3
WSP Australia Pty Ltd	70.5	2

The outcome is that the highest ranking tenderer is Arup Australia Pty Ltd, with a price of \$1,005,218.50, inclusive of GST of \$91,383.50.

Based on this Arup Australia Pty Ltd is the preferred tenderer.

Conclusion/Summary

The evaluation panel agreed to recommend the award of the contract to Arup Australia Pty Ltd. This recommendation is based on:-

- Arup Australia Pty Ltd was the highest-ranking tenderer;
- Arup Australia Pty Ltd is an international company with a wealth of experience and capability;
- Arup Australia Pty Ltd pricing is within Council's budget for this project.

FINANCIAL IMPLICATIONS

Expected total cost of this project is \$913,835.00. There is sufficient budget to award this tender.

RISK AND OPPORTUNITY

Risk

Council have to show progress with delivery of the design phase in order to address the EPO issued. Any delays could result in a directive from the Regulator with a strict deadline to conform.

Opportunity

The design of the facility with accurate cost estimates allows Council to approach State and Federal Governments for funding.

COMMUNITY ENGAGEMENT

Internal Consultation

There has been extensive consultation with technical staff as well as staff at SDRC's Stanthorpe Depot regarding the impacts of this upgrade on them.

External Consultation

This project was included in the consultation with the community on the capital budgets for this financial year. This project did receive a favourable mention.

LEGAL / POLICY

Legislation / Local Law

Council has an EPO issued by DES on the Stanthorpe Wastewater Treatment Plant, requiring this upgrade to be designed and progressed.

Corporate Plan

Goal 2 Our Places

Outcome: 2.2 Public places, services and facilities are accessible, sustainable and cost effective.

Objective: 2.2.1 Facilitate and plan for safe, accessible and affordable infrastructure, housing, health and communication services for the community, visitors and industry.

Policy / Strategy

Nil

Legal

There are no other outstanding legal matters apart from the EPO.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.


ATTACHMENTS

Nil

15. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

15.1 Material Change of Use: Gary Hayes & Partners Pty Ltd - 161 Palmerin Street, Warwick

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Planning Officer	ECM Function No/s: MCU\02535

APPLICANT:	Gary Hayes & Partners Pty Ltd
OWNER:	CDS Investments No 1 Pty Ltd
ADDRESS:	161 Palmerin Street, Warwick
RPD:	Lot 1 RP5847
ZONE:	Principal centre
PROPOSAL:	Hotel (Redevelopment of existing hotel), Short-term accommodation (six (6) units – two (2) x 3 bedroom units and four (4) x 2 bedroom units) and Shop (Two (2) x Retail tenancies)
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Nil
FILE NUMBER:	MCU\02535

RECOMMENDATION SUMMARY

THAT the application for Material Change of Use for the purpose of Hotel (Redevelopment of existing hotel), Short-term accommodation (six (6) units – two (2) x 3 bedroom units and four (4) x 2 bedroom units) and Shop (Two (2) x Retail tenancies), on land at 161 Palmerin Street, Warwick, described as Lot 1 RP5847, be approved subject to conditions, following an Infrastructure Agreement voluntarily being entered into by the developer for the payment of carparking contributions (per car parking space not provided on site) for the shortfall of six (6) carparking spaces prior to Council deciding the development application.

REPORT



Figure 1: Aerial of subject site

The subject site has an area of 1,012 square metres and is located within the central business district of the township of Warwick. The site maintains dual road frontage to Palmerin Street and Percy Street, both of which are bitumen sealed road with kerb and channel. The land currently contains a Local Heritage Place no. 95, known as the Palace Hotel. The site also contains a dining hall and a bottle shop, both attached to the Palace Hotel. The existing use of the land as a Hotel has ceased. An Access easement exists along the western boundary providing access from Percy Street to the northern adjoining lots. The Access easement connects to the Acacia Avenue carpark, to the north of the site.

As the site is located within the central business district of Warwick, the surrounding locality is predominately characterised by commercial development. The lot adjoining the western boundary of the subject site is used for residential purposes and contains three (3) Dwelling houses. Though not adjoining the subject land, Council's Acacia Avenue public carpark is located approximately 40.0 metres north of the site. The land adjacent to the subject site to the south is within the Community facilities zone, and is an Educational establishment and Place of worship.

Proposal

The applicant has proposed to demolish the existing dining hall and bottle shop extensions attached to the Hotel, and construct a three (3) storey building to be used for Short-term accommodation and a Shop. The proposed Shop will be located on the Ground Level, and will involve two (2) retail tenancies. The proposed Short-term accommodation will involve six (6) units, four (4) two (2) bedroom units and two (2) three (3) bedroom units. The Short-term accommodation units will be located on Level 1 and Level 2 of the proposed building.

The applicant has also proposed to redevelop the Palace Hotel. The redevelopment will involve the demolition of the attached dining hall and the development of a beer garden, the demolition of internal walls within Level 1 of the Hotel and the construction of two (2) function rooms, one (1) private dining room and a manager's suite on Level 1 of the existing Hotel building. The applicant has also proposed the construction of a balcony for Level 1 of the Palace Hotel. The balcony will be located along the eastern and southern elevations of the existing Hotel building, and will be located over the pedestrian footpath within the road reserves of Palmerin Street and Percy Street.

The Ground Level of the redeveloped Hotel will contain a bar and open rooms for the consumption of alcohol, an inside dining room, a cold room, male and female amenities rooms, a dry storage area, and a beer garden including outdoor dining area. The Hotel will also contain a cellar pit located under the Granite Belt Room (bar/dining room on the corner of Palmerin Street and Percy Street) under the Ground Level.

The proposed Short-term accommodation and Shop building will be connected to the existing Hotel building via a ramp connecting from Level 2 of the new building to Level 1 of the existing Palace Hotel. This will not be visible from either street frontage, and will be constructed over the outdoor dining area and beer garden for the Hotel.

The applicant has also provided a general layout of the ultimate development on the adjoining land, shown in Figure 2. However, as the adjoining land does not form part of the application, and the application is subject to Code assessment, no consideration can be given to any future development on land not included in the application. This includes any potential future carparking.

The proposal plans are as follows:

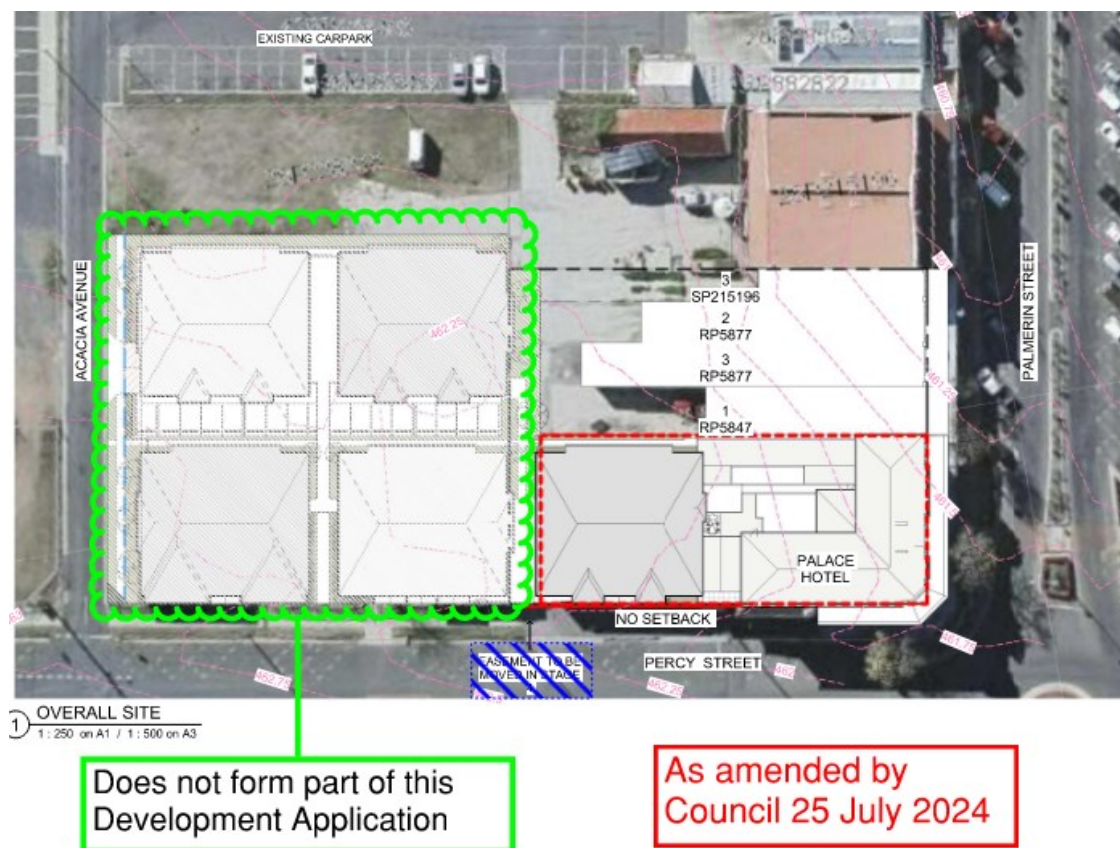


Figure 2: Proposed Overall Site Plan (Amended by Council 25 July 2024)

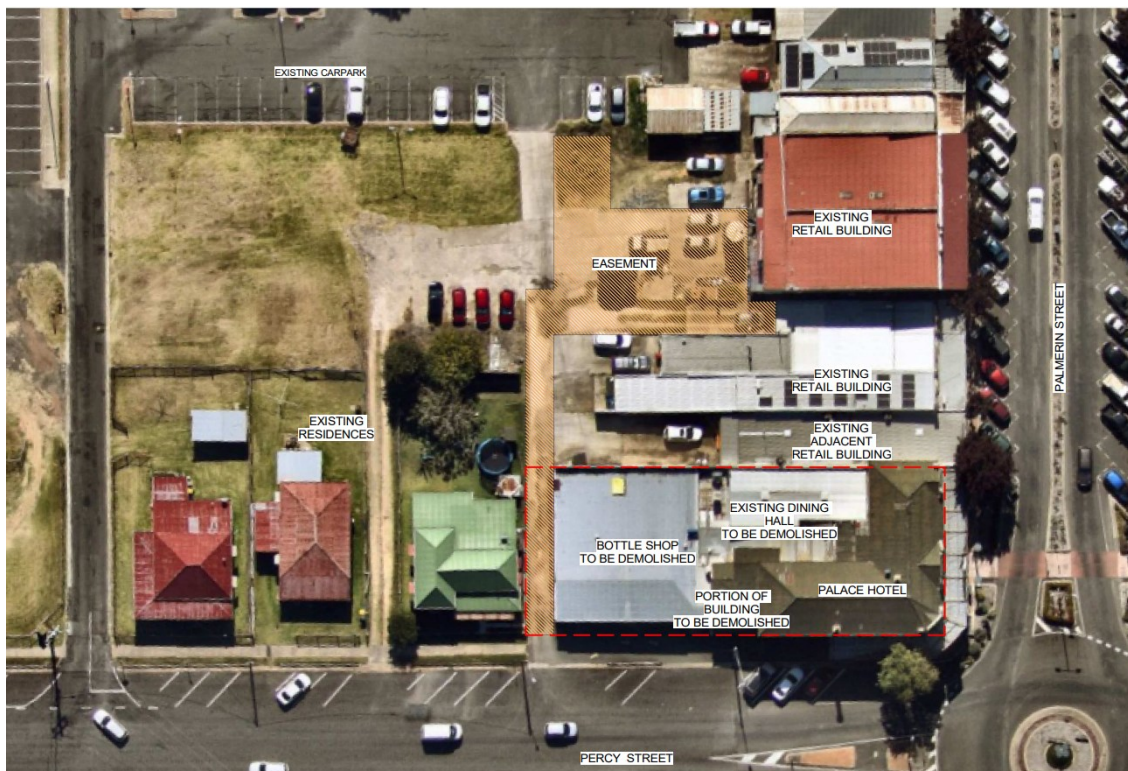


Figure 3: Proposed Site Plan – Existing

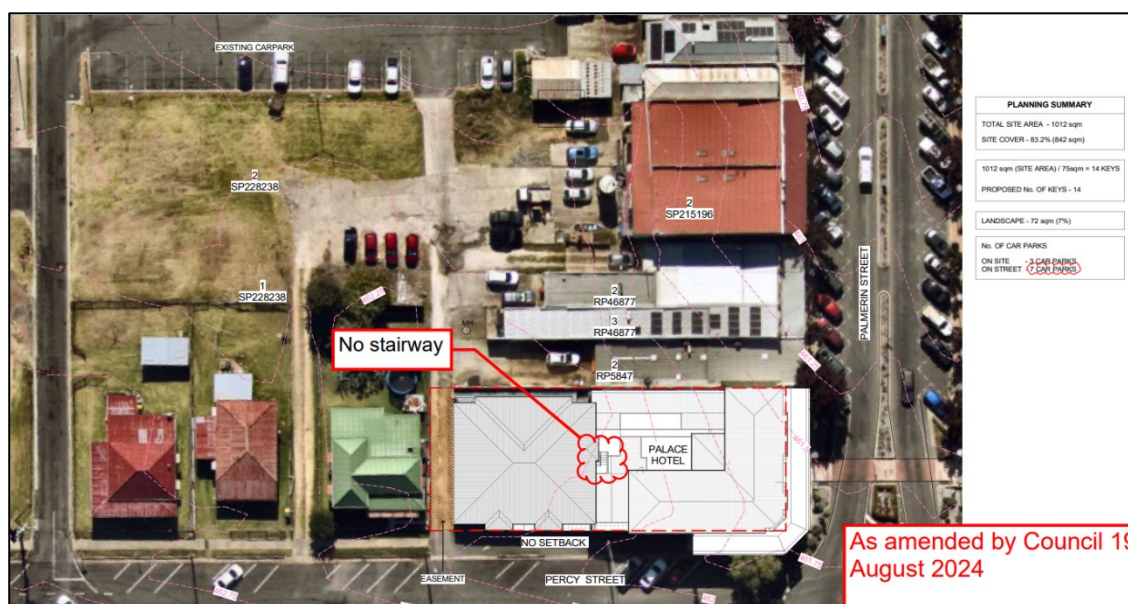


Figure 4: Site Plan – Proposed (Amended by Council 19 August 2024)

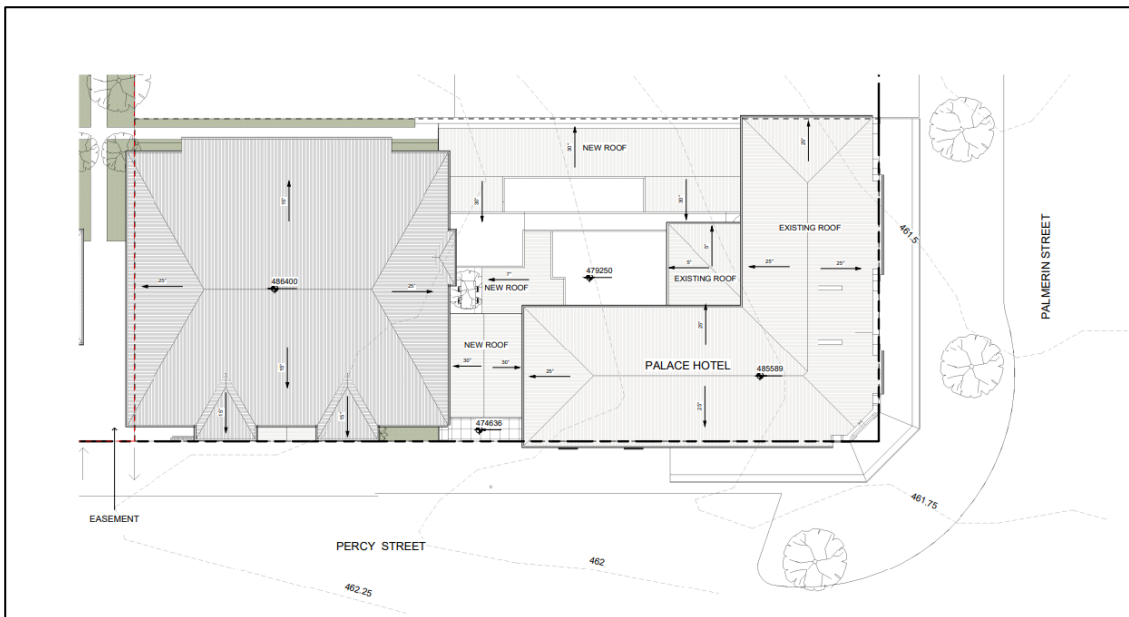


Figure 5: Site Plan – Proposed

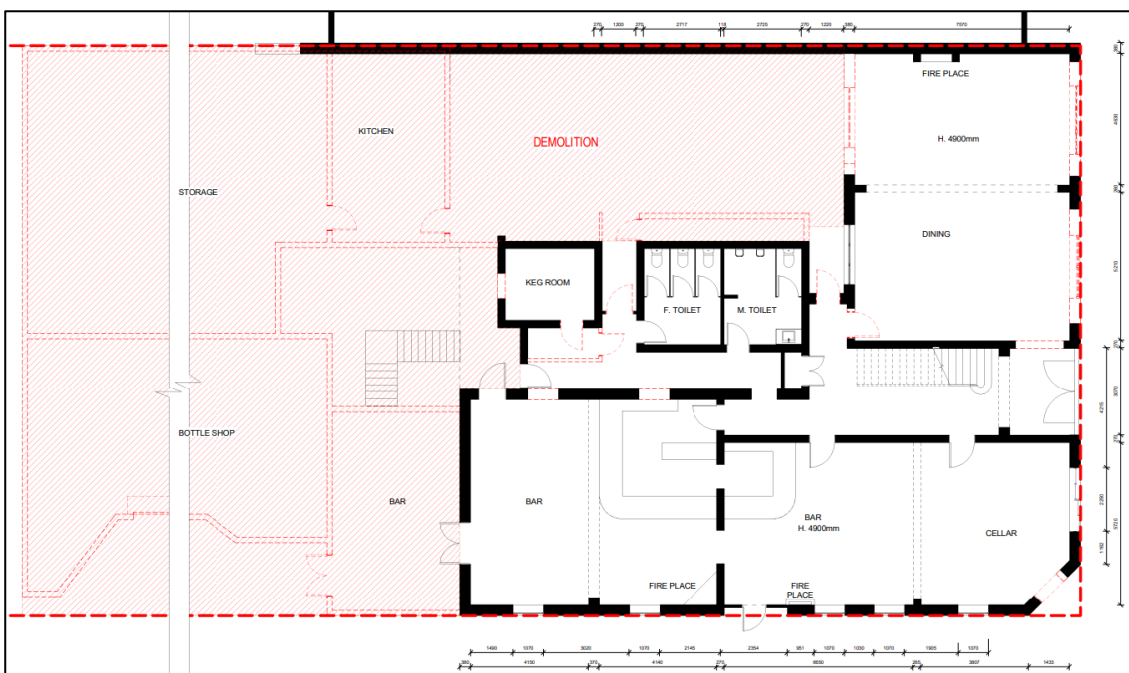


Figure 6: Existing & Demolition Plan – Ground Floor

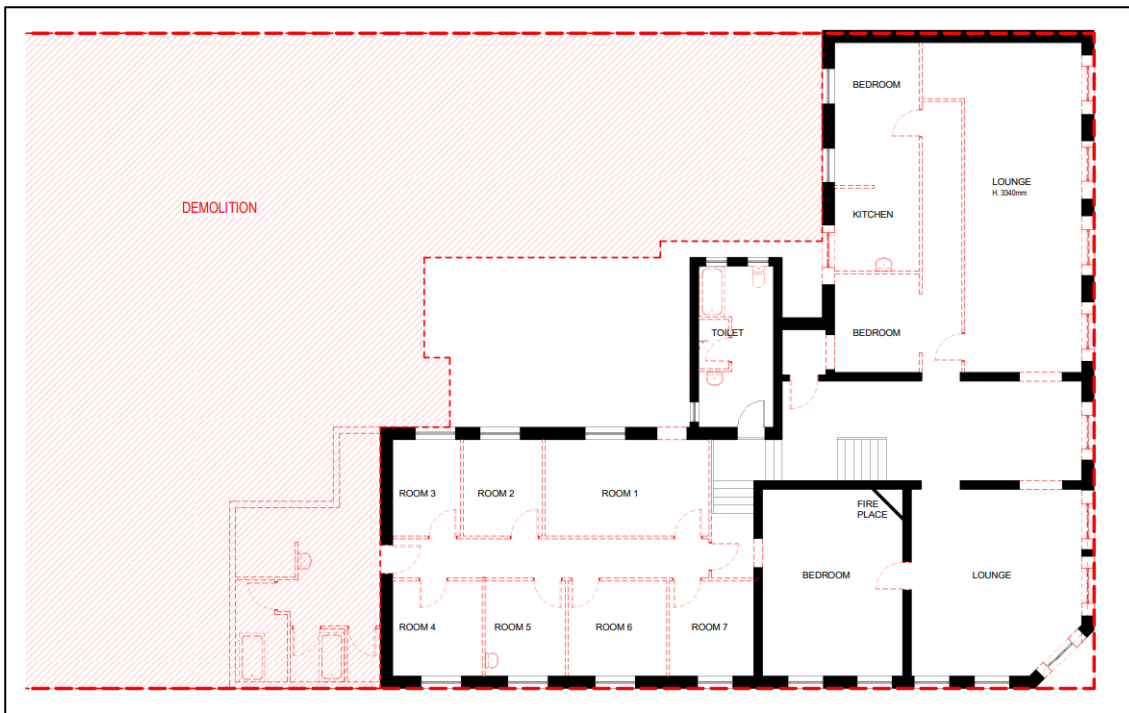


Figure 7: Floor Plan – Existing Level 1

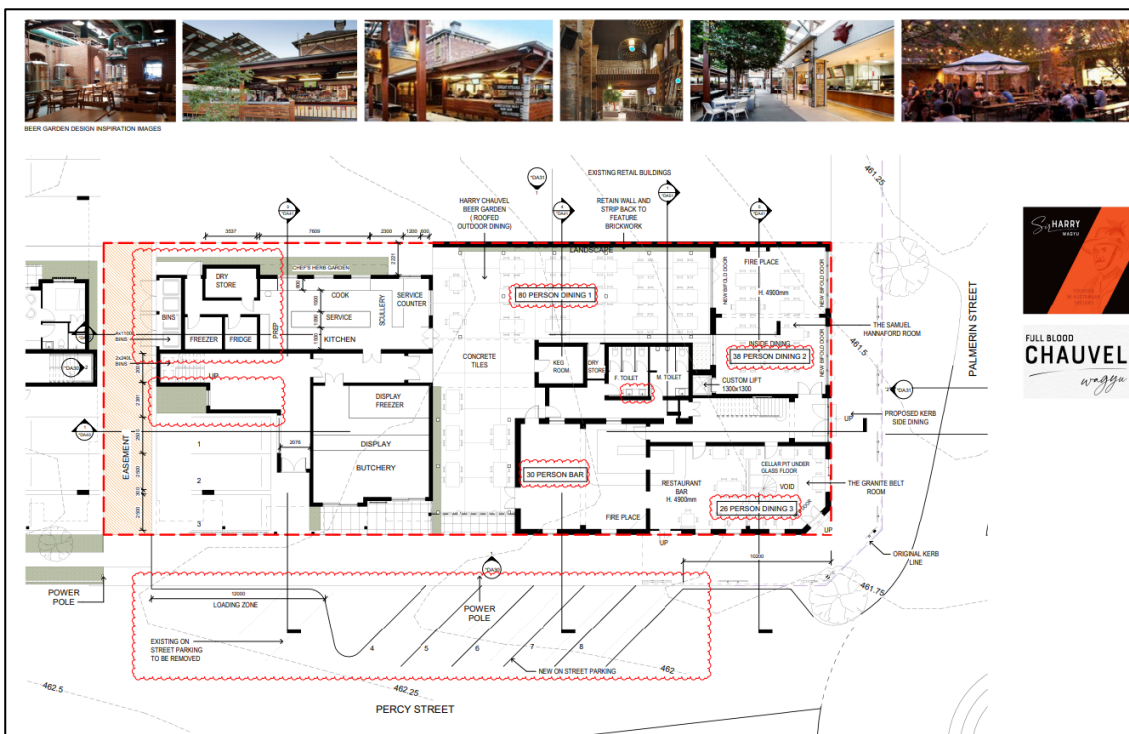


Figure 8: Floor Plan – Ground Floor

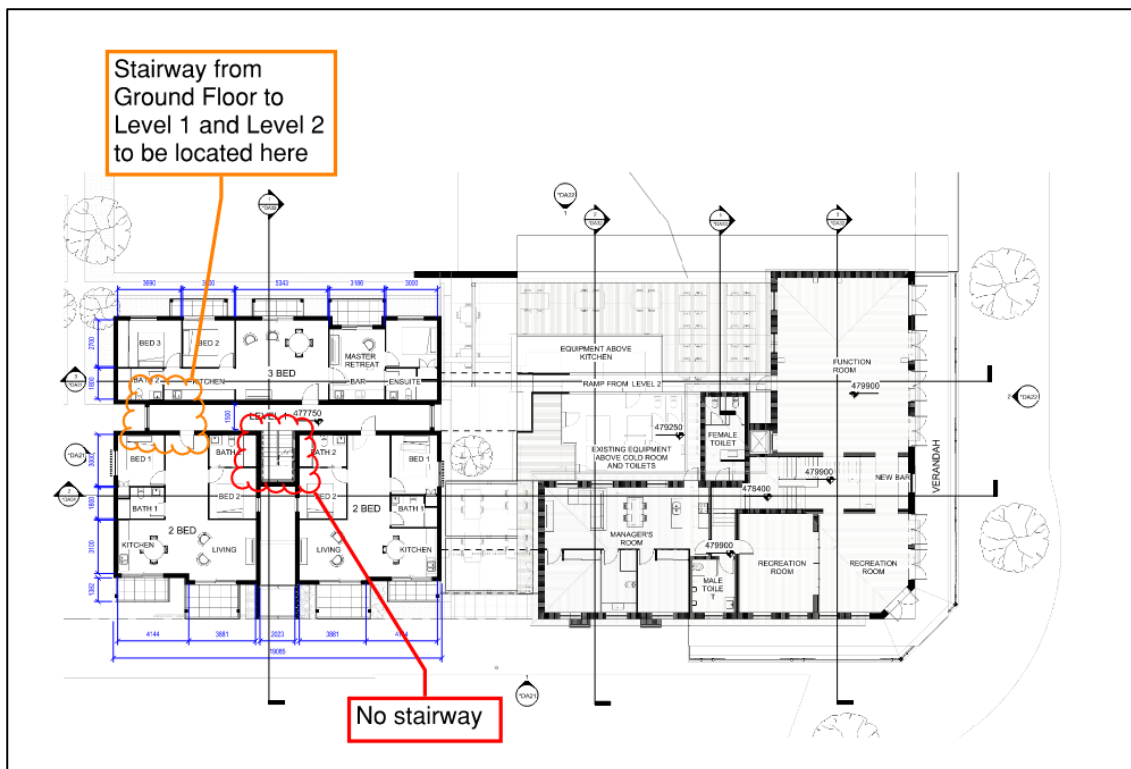


Figure 9: Floor Plan – Proposed Level 1 (Amended by Council 19 August 2024)

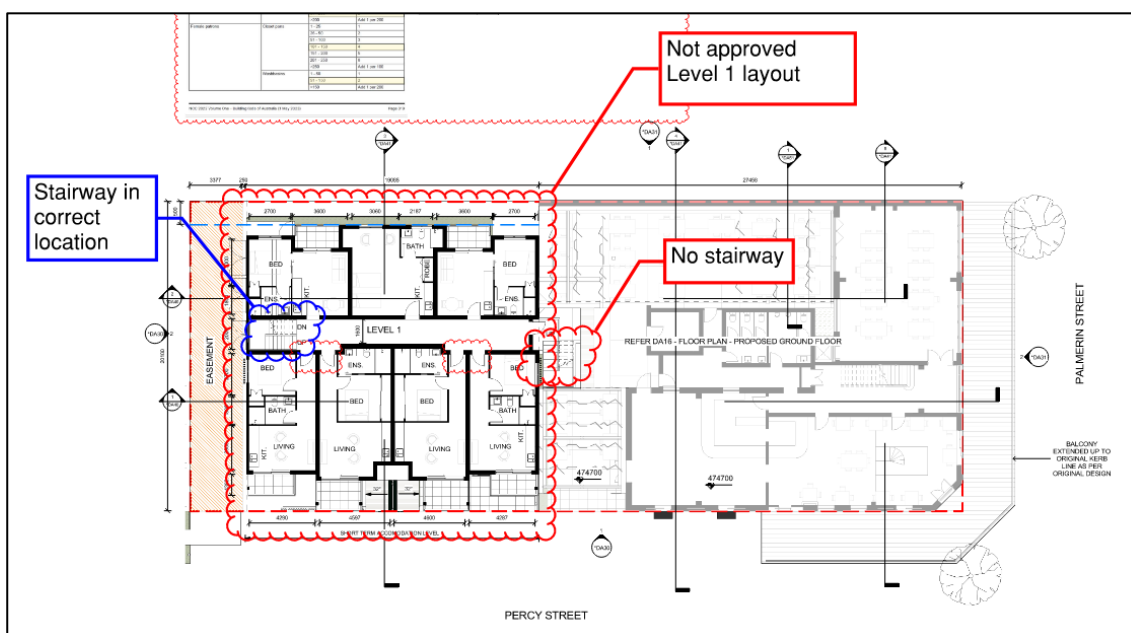


Figure 10: Floor Plan – Proposed Level 1 (Room/unit layout incorrect) (Amended by Council 19 August 2024)

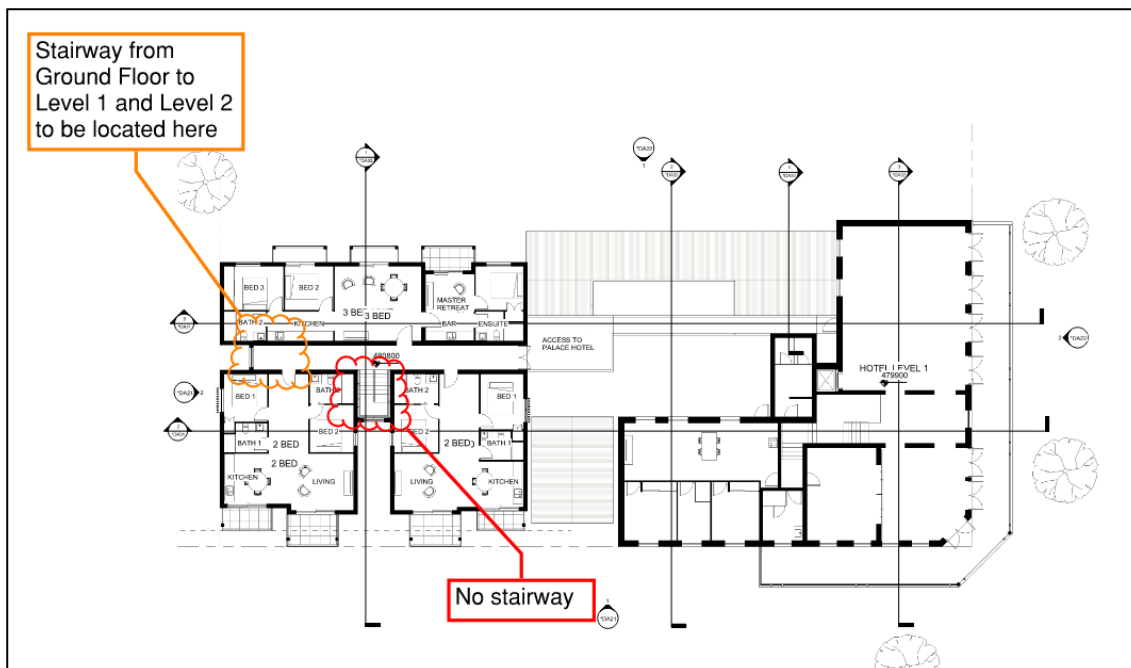


Figure 11: Floor Plan – Proposed Level 2 (Amended by Council 19 August 2024)

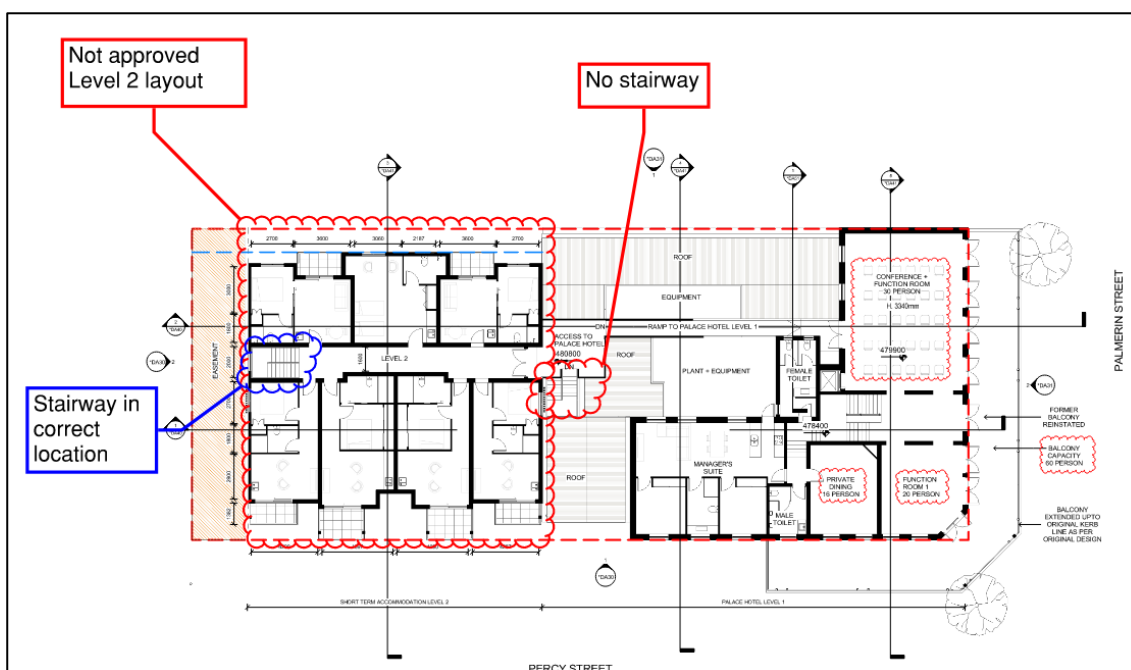


Figure 12: Floor Plan – Proposed Level 2 (Room/unit layout incorrect) (Amended by Council 19 August 2024)

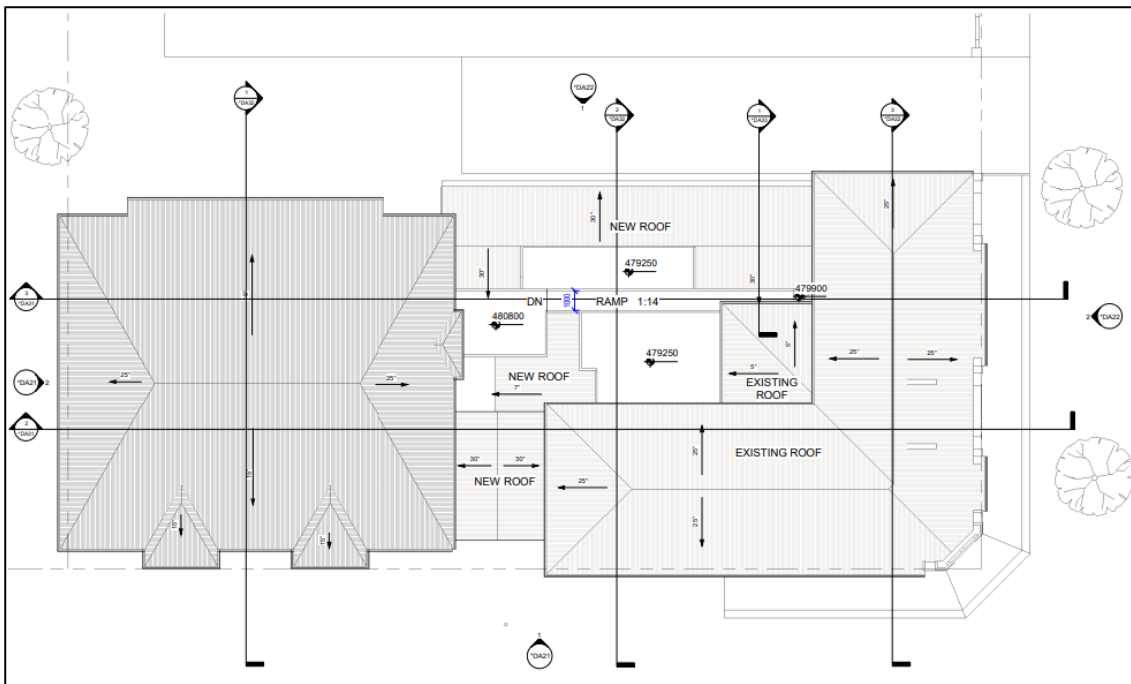


Figure 13: Floor Plan – Proposed Roof Plan

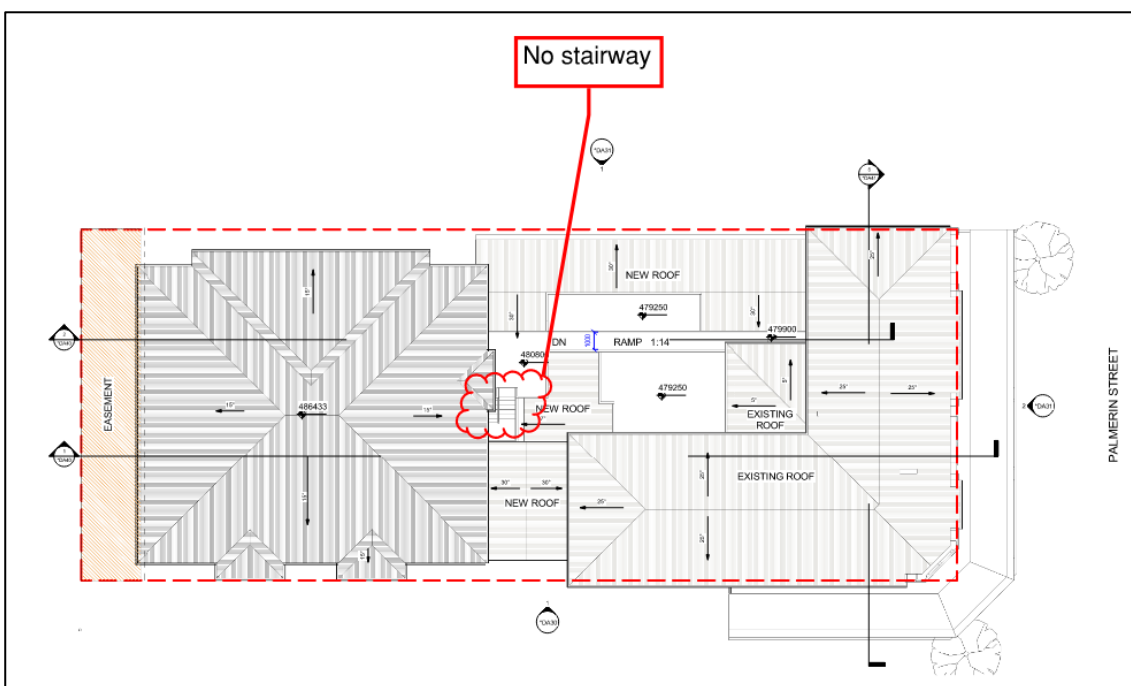


Figure 14: Floor Plan – Proposed Roof Plan (Amended by Council 19 August 2024)

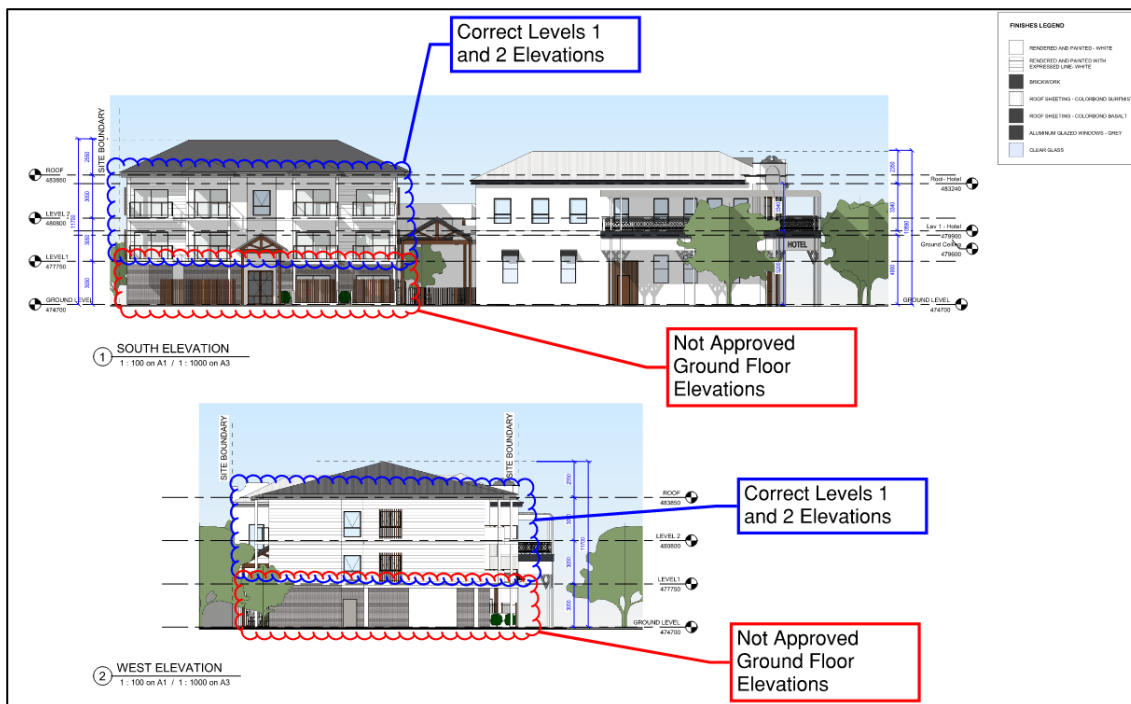


Figure 15: Southern and Western Elevations – Correct Level 1 and 2 Elevations (Amended by Council 19 August 2024)

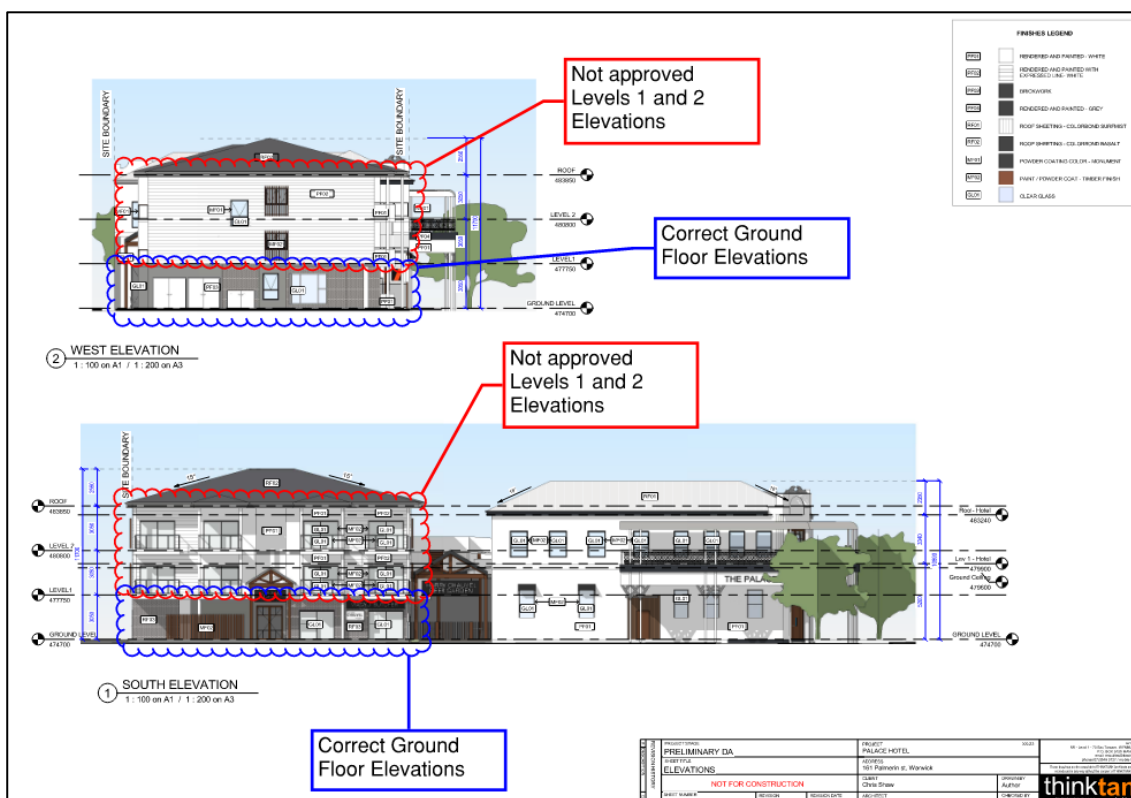


Figure 16: Southern and Western Elevations – Correct Ground Level Elevations (Amended by Council 19 August 2024)

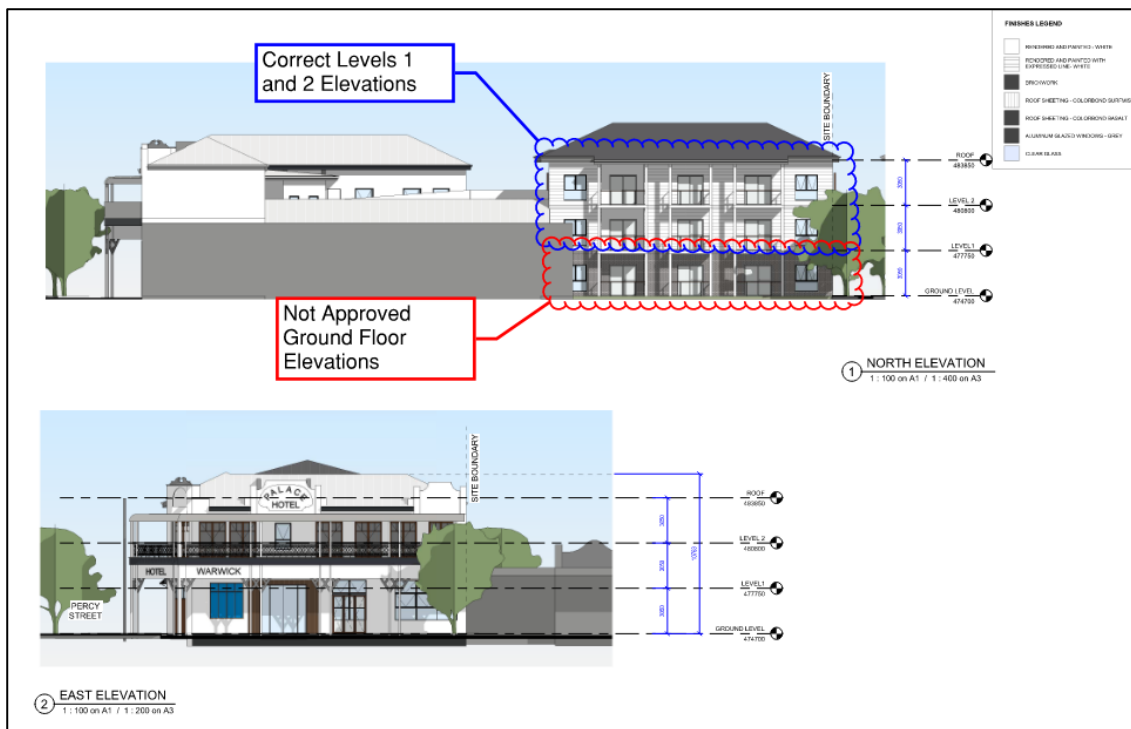


Figure 17: Northern and Eastern Elevations – Correct Level 1 and 2 Elevations (Amended by Council 19 August 2024)

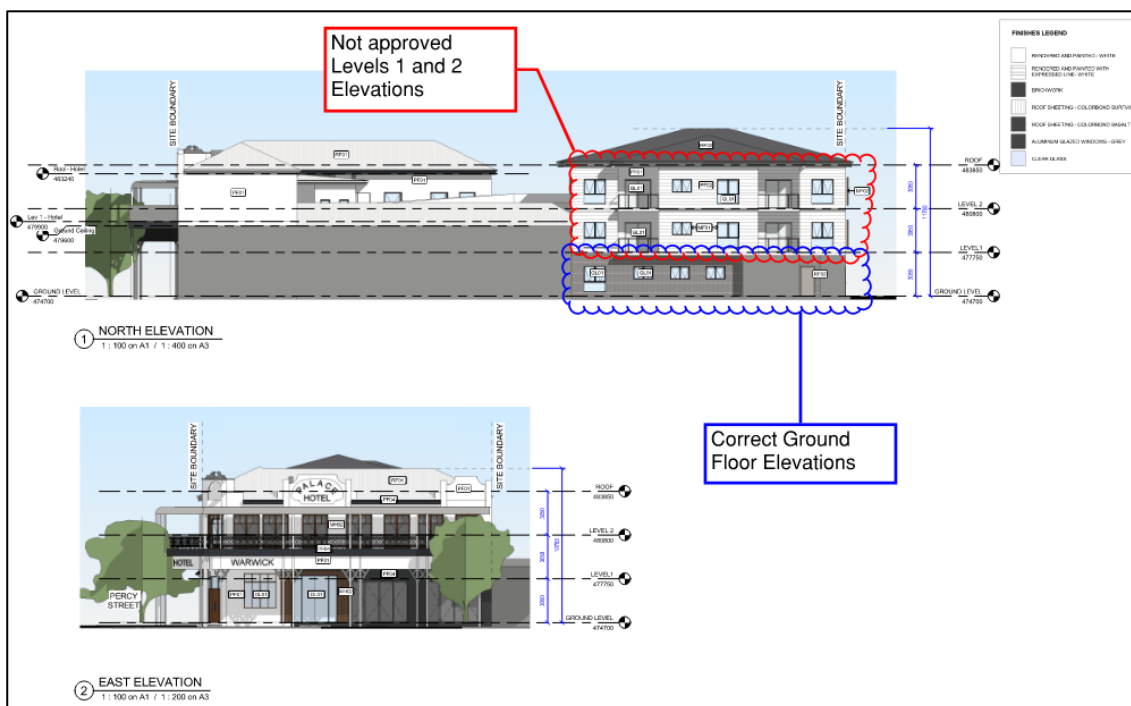


Figure 18: Northern and Eastern Elevations – Correct Ground Level Elevations (Amended by Council 19 August 2024)



Figure 21: Perspective of proposed development along Percy Street

The applicant has provided two (2) sets of conflicting plans. The applicant has confirmed that the correct Ground Floor Plan is Plan No. DA16, Rev 2, dated 4 November 2024 prepared by Think Tank Architects, shown in Figure 8, and the correct Level 1 and 2 floor plans only have a total of six (6) units (three (3) on each level). There are inconsistencies with the two (2) sets of plans, such as windows and stairways in different locations, and different room/unit layouts. As the applicant has confirmed that the Floor Plan shown in Figure 8 is the correct Floor Plan, and has not provided amended plans, the plans have been amended by Council.

Engineering Considerations

Council's Development Engineer has reviewed the documentation and has provided the following commentary:

Their assessment against the [Stormwater management code] just asks that Council impose conditions.

Our standard condition should be OK as they will either have to provide some detention and discharge to our network (kerb and channel or possible existing direct connection), or ask permission to connect directly to our network without checking the capacity of the network.

Either way, the outcome would be reasonable for the site.

Changes to impervious area for Lot 1 RP5847 are negligible and so the development should not materially impact the surrounding network and I don't think a special condition is required.

Environmental Health Considerations

Council's Regulatory Services Coordinator has reviewed the documentation and has provided the following commentary:

Toilets – existing downstairs – 3 WC Female; 1 WC, 1 WC 2 urinal men - however propose to include beer garden / function room / 2 recreation rooms.

Upstairs – 2 WC Female; 1 WC, 2 Urinal Male. Demonstrate compliance with BCA provision/s in relation to adequate toilets for number of patrons.

Toilets for food handlers?

Retail 1 & 2; cooking area – beer garden; new bar – need to be constructed and fitted out in compliance with Food Safety Standard 3.2.3

Short-term accommodation will require approval under relevant Local Law – demonstrate compliance

Discussed waste management plan in submitted documents. Solid waste storage not identified - Service vehicle access; bin cleaning; wastewater discharge (sewer); screened from public?

stormwater management (op works?) plan.

Area is on town water, sewer, stormwater – so should be manageable.

Car parking? Where? Impact on other noise sensitive premises? Discusses 3 onsite car parks. Potential noise from car movements; car doors closing; people talking – conditioned?

Plant / equipment on roof – impact on residents of S/T accommodation? Can be conditioned

Lighting – can be conditioned

Key issues

- *adequate toilets for the proposed number of patrons / food handlers;*
- *food preparation, handling, storage areas – must demonstrate compliance with food standard as above*
- *Approval for all food preparation, handling, storage areas received prior to construction or trading. Advisory clause on decision notice?*

Assessment against the Planning Scheme

Benchmarks applying to the development
<p>The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:</p> <ul style="list-style-type: none">– 6.2.9 Principal centre zone code– 8.2.6 Heritage overlay code– 9.3.7 Residential uses code– 9.4.2 Carparking and loading code– 9.4.4 Landscaping code– 9.4.5 Outdoor lighting code– 9.4.6 Physical infrastructure code– 9.4.8 Stormwater management code

Principal centre zone code

PO1 Premises are of a type and scale consistent with the role of Warwick and Stanthorpe central business districts as the key commercial and retail centres in the Southern Downs Region.

The proposed development is located on the corner of Palmerin Street and Percy Street, within the central business district of Warwick. The proposed development involves the redevelopment of the existing Hotel which maintains frontage to Palmerin Street and Percy Street, and the construction of a three (3) storey building for the purpose of Short-term accommodation and Shop along the Percy Street frontage of the site. Existing development within the vicinity of the subject site only includes either one (1) storey or two (2) storey buildings, with the two (2) storey buildings being commercial on the Ground Level and accommodation on Level 1. Though the proposed Short-term accommodation and Shop building will be three (3) storeys in an area characterised by one (1) and two (2) storey development, the height of the building is consistent with the both the existing Hotel on the site, and the existing two (2) storey development within the immediate area.

The development provides both residential and commercial uses, which is consistent with development within the central business district of Warwick.

Therefore, the proposed development is of a type and scale that is consistent with the role of the central business district of Warwick, and compliance with the Performance outcome is considered to be achieved.

AO2 *When located in Palmerin Street, Warwick, or Maryland Street, Stanthorpe, uses other than business activities or entertainment activities are located above ground storey or at the rear of commercial uses.*

The proposed redevelopment of the Hotel will maintain frontage to Palmerin Street. The proposed Hotel will include a manager's residence on Level 1 within the existing building. As the residential use is located above the ground storey, the development complies with the Acceptable outcome.

PO4 *The appearance and siting of buildings, other structures, carparking areas or signage is compatible with the local streetscape character, the style and design of nearby buildings and is respectful and sympathetic to any Local heritage place.*

Palmerin Street in the vicinity of the proposed development has a variety of development styles, predominately characterised by commercial development. The proposed development involves the construction of a three (3) storey building for the purpose of Short-term accommodation and Shop, and the redevelopment of the existing Hotel, which is a Local Heritage Place no. 95, known as the Palace Hotel. The development will also involve the demolition of non-original elements and additions to the Local Heritage Place Hotel. The original Palace Hotel was constructed in brick with external cement work (Paul Munson, 2024). The timber additions to the building do not form part of the original building (Paul Munson, 2024). On 25 July 1931, the rear wooden portion of the Palace Hotel was completely destroyed by fire believed to have originated in the kitchen (Paul Munson, 2024). As a result, at some point after 1931, the rear wooden portion of the Hotel was constructed as it exists today. This detail confirms the existing wooden extensions to the hotel are not original, and hence, do not form part of the heritage aspect of the building.

The applicant has provided a Heritage Impact Assessment Report that details the demolition and removal of all of the non-original and non-heritage elements of the building. The proposed works will result in the restoration of the Local Heritage Place, which includes reinstating the original balcony along the eastern and southern elevations of the Palace Hotel as per the original design. This ensures the redevelopment of the Hotel is compatible and complementary to the original design of the Local Heritage Place.

The carparking for the proposed Short-term accommodation and Shop building is located on the Ground Level within the footprint of the proposed Short-term accommodation and Shop building. Signage on the Palace Hotel will be consistent with similar signage along Palmerin Street. The proposed Short-term accommodation and Shop building will be 11.7 metres tall, with the existing Hotel maintaining a height of 10.89 metres. Though the proposed Short-term accommodation and Shop building will be three (3) storeys and will be taller than the existing Local Heritage Place (Palace Hotel), the design is compatible with the local streetscape and complementary to the central business district of Warwick. The proposed Short-term accommodation and Shop building will not impact the Palmerin Street frontage of the site.

Therefore, with consideration given to the above, the appearance and siting of the development is compatible with the local streetscape character, the style and design of nearby buildings and is respectful and sympathetic to any Local heritage place, and compliance is achieved with the Performance outcome.

PO5 *All uses are designed and operated to preserve or improve the physical conditions of the adjoining area including noise, light, air quality, vehicle and pedestrian generation and flow.*

The proposed Short-term accommodation and Shop building will be constructed in the location of the former bottle shop. The proposed development will improve the physical conditions of the adjoining area, both through the design of the new building incorporating recesses, balconies, large windows and a sympathetic roof form, and removing the unsympathetic former bottle shop component of the Hotel.

Conditions will be imposed to ensure noise, light and air quality generated as a result of the development are to an acceptable level within the area.

Due to the nature of the proposed development, there will be an increase in pedestrian movements within the adjoining area. As a result, it is considered necessary to require the existing bitumen footpath along the Percy Street frontage of the site to be removed and constructed in concrete, for the full width from the property boundary to the kerb and channel. Furthermore, the applicant has proposed to reinstate the balcony along the façade of the existing Hotel. The construction of the balcony will improve the physical conditions of the development for pedestrians.

The development also involves a centralised waste storage area along the western elevation of the Short-term accommodation and Shop building. The applicant has not provided any details as to how waste will be managed on-site. As a result, a condition will be imposed requiring a Waste Management Plan is provided. The plan must include details of all vehicle movements required to collect each waste type. All vehicle movements associated with waste management within the easement along the western boundary of the site must not impede access, or conflict with the terms of the easement. Evidence demonstrating this requirement must be submitted as part of the Waste Management Plan.

By imposing conditions, the development is considered to comply with the Performance outcome.

PO7 The height, site cover and setbacks for buildings all combine to respect or enhance the character and amenity of their streets and neighbouring premises via a built form that:

- (a) creates comfortable pedestrian environments;*
- (b) closely relates the building to the streets, public spaces and pedestrian routes; and*
- (c) provides an interesting and lively street frontage.*

The proposed Short-term accommodation and Shop building will have three (3) storeys and will be built to the Percy Street frontage. The site coverage of the proposed buildings is 842 square metres, equivalent to approximately 83.2 percent. The approximate site coverage for development fronting Palmerin Street between Percy Street and King Street is 80 percent. This shows the proposed development is generally of the same scale as development within the immediate vicinity, in terms of site coverage. Furthermore, the site coverage for the existing buildings is approximately 90 percent. The proposed development will reduce the site coverage of buildings within the lot. In addition, the new building will be located behind the existing hotel building when viewed from Palmerin Street.

Though the proposed Short-term accommodation and Shop building will be three (3) storeys in an area characterised by one (1) and two (2) storey development, the height of the building is consistent with the both the existing Hotel on the site, and the existing two (2) storey development within the immediate area. The proposed Short-term accommodation and Shop building will have a height of 11.7 metres, while the existing Hotel will maintain a height of 10.89 metres. While the proposed new building will be taller than the adjacent redeveloped Palace Hotel, the height of the building will closely relate to the existing building on-site.

The proposed Short-term accommodation and Shop building will be built to street alignment, ensuring the new building closely relates to the existing streetscape. The existing full width footpath located along the frontages of the site will be retained, ensuring comfortable pedestrian environments and maintaining pedestrian routes. The use of projections, recesses and overhanging balconies fronting Percy Street for the Short-term accommodation and Shop building is considered to provide an interesting and lively street frontage.

Therefore, it is considered the development respects and enhances the character and amenity of Palmerin Street and Percy Streets and neighbouring premises, thus, compliance with the Performance outcome is achieved.

PO9 Building facades incorporate elements including windows and doors that have a human scale.

The proposed Short-term accommodation and Shop building will be oriented with frontage to Percy Street. The design of the building will include windows and doors of a human scale. The development complies with the Performance outcome.

PO10

- (a) *The top level of the building and the roof form is shaped to –*
 - (i) *reduce apparent bulk and provide a visually attractive skyline; and*
 - (ii) *screen mechanical plant from view.*
- (b) *Parapets are stepped or undulated and incorporate transitional elements to achieve a graded skyline.*

The proposed Short-term accommodation and Shop building will comprise of a hipped roof design, which is consistent with the existing roof on the adjacent Palace Hotel. The proposed building will also contain balconies along the southern elevation which are covered by hipped roof projections from the hipped roof of the building. The hipped roof design of the new building, with the inclusion of the hipped roof projections over the balconies, provides a visually attractive skyline for the top level of the new building.

As aforementioned, the existing Hotel also has a hipped roof form. The applicant has proposed to retain and maintain the roof form of the existing Hotel. The existing Hotel also contains stepped parapets along the Palmerin Street frontage of the site, and on the south-eastern corner of the building. The retention of the original roof form and the parapets ensures the top level of the building reduces the apparent bulk, provides a visually attractive and graded skyline, and has the potential to screen any future mechanical plant from view.

Therefore, with consideration given to the above, the development can comply with the Performance outcome.

AO11 *In partial fulfilment of the PO - Pedestrian entrance points and windows are located to address each frontage.*

Note: Figure 4 b illustrates how this PO may be achieved.

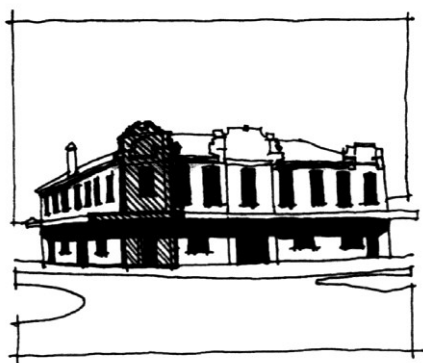


Fig.4b *Massing to accentuate corner*

PO11 *Where located on a corner site or on a site with terminating important vistas, building design expresses and emphasises the importance of its location through architectural expression and landscape treatments (including roof form, entrance location, orientation, decorative treatments and detailing).*

The proposed development is sited on the corner of Palmerin Street and Percy Street. Figure 4b is an illustration of the existing Palace Hotel from the Southern Downs Planning Scheme. The proposed development involves the redevelopment of the Palace Hotel, and will also include the construction and reinstating of a balcony along the eastern and southern elevations. The erection of the balcony further enhances the architectural expression of the building. A Minor Works application will be required to be lodged for the construction of the balcony within the road reserve of Palmerin Street and Percy Street. With conditions imposed, the development complies with the Performance outcome.

AO12 *Buildings fronting:*

- *Palmerin Street between Albert and Percy Streets, Warwick; and ...*

... are built to the street alignment. In other locations buildings are built to the street alignment or otherwise setback to the same distance as neighbouring buildings

The existing Hotel has frontage to Palmerin Street and is built to the street alignment. The proposed redevelopment of the Hotel will not alter the building setback. The development complies with the Acceptable outcome.

AO13.2 *Where a building fronts the following streets no more than 20% of the front of the building comprises blank walls at ground level.*

- *Palmerin Street between Albert and Percy Streets, Warwick; and ...*

The proposed redevelopment of the Palace Hotel will result in approximately 37 percent of the ground level comprising of blank walls. The development must comply with the Performance outcome.

PO13 *The architectural treatment of facades and elevations avoids large blank walls. Openings, windows and setbacks are used to articulate building surfaces and contribute positively to the streetscape.*

The redevelopment of the existing Hotel will involve the erection of a balcony for Level 1 of the building constructed over the existing awning. The balcony will be constructed along the Palmerin Street and Percy Street frontages of the building, and will ensure the façade and elevations of the building contribute positively to the streetscape.

While the proposed Short-term accommodation and Shop building does not have frontage to Palmerin Street, the windows and doors of the building along the frontage will contain setbacks and recesses to ensure the building avoids blank walls. This design is considered to contribute positively to the streetscape.

Therefore, as the development avoids large blank walls and is considered to contribute positively to the streetscape, compliance with the Performance outcome can be achieved.

AO14 *There is no open storage of goods or materials except those set out for display.*

The applicant has identified areas on the ground floor of the Shop building where goods and materials will be stored. Furthermore, the design of the building also includes a waste storage area along the western elevation, ensuring there is not outdoor storage of goods, materials and waste. Furthermore, the applicant has requested a condition be imposed a waste management plan is prepared and submitted to Council to alleviate any concerns about the management of waste. Conditions will be imposed to ensure compliance.

AO16

(a) *Awnings are provided over footpaths in the following streets:*

- *Palmerin Street between Albert and Percy Streets, Warwick; and*
- *Fitzroy Street between Albion and Guy Streets, Warwick; and*
- *Grafton Street between Albion and Guy Streets, Warwick; and*
- *King Street between Palmerin and Albion Streets, Warwick; and*
- *High Street, Stanthorpe, south of Lock Street; and*
- *Maryland Street, Stanthorpe.*

The awning extends along the full frontage of the site and matches the height and width of other awnings in the street.

(b) *The footpath adjoining the site is fully constructed with paving materials to the same standard and style of footpath works in the centre for the full width of the site from the kerb and channel to the property boundary.*

(c) *Specific pedestrian routes are provided, lit and clearly marked.*

(d) *Paving materials are durable, low maintenance, avoid glare and reflection and are non-slip.*

(e) *Street furniture and lighting is provided to the same standard as that adopted by Council for the area.*

The redevelopment of the existing Hotel will include the reinstating and construction of a balcony for Level 1 as per the original design of the Local Heritage Place. The balcony will be constructed along the eastern and southern elevations of the Hotel. The balcony will extend along the full frontage of Palmerin Street, and will provide an awning over the footpath that is of a consistent width and height of the existing awnings along Palmerin Street. A condition will be imposed requiring a Minor Works application is to be lodged for the construction of the balcony and awning over the footpath within the road reserves of Palmerin Street and Percy Street.

The footpaths adjoining the site along Palmerin Street and Percy Street are constructed full width of the site from the kerb and channel to the property boundary. The footpath along the Palmerin Street frontage is constructed using pavers, while the footpath along the Percy Street frontage is constructed with bitumen seal. Due to the nature of the proposed development, there will be an increase in pedestrian movements within the adjoining area. As a result, it is considered necessary to require the existing bitumen footpath along the Percy Street frontage of the site to be removed and constructed in concrete, for the full width from the property boundary to the kerb and channel.

Street furniture exists along both street frontages, and is to a standard as that adopted by Council for the area.

With conditions imposed, the development can comply with the Acceptable outcomes.

AO18 *In partial fulfilment of the PO – Developments involving car parks, display yards or other open areas at the front of the site have a landscaped setback area at least 3 m wide adjacent to the road for the full frontage excluding vehicle access points.*

The proposed development will include a car park with three (3) parking spaces within the south-western corner. The proposed carpark will be built to the southern property boundary. The development must comply with the Performance outcome.

PO18 *Landscaping enhances the quality of buildings and significant pedestrian paths and on ground car parking areas without unduly restricting the opportunities for casual surveillance.*

The proposed ground floor of the Shop and Short-term accommodation building will be provided with some landscaping strips along the frontage. A further strip of landscaping will be provided to the north of the carpark, enhancing the quality of the building. The provision of these landscaping strips along the frontage enhances the proposed Shop and Short-term accommodation building, and ensures opportunities for casual surveillance of the carpark. Conditions will be imposed to ensure compliance.

AO19 *Centralised waste storage areas are –*

- (a) located at least 5 m from any street frontage;*
- (b) of hardstand construction; and*
- (c) screened from view from a public place.*

There is no open storage of refuse.

The proposed development will include a waste storage area located along the western elevation of the Shop and Short-term accommodation building. The waste storage area will be located within the building, and will not be visible from the road. Furthermore, the applicant has requested a condition be imposed a waste management plan is prepared and submitted to Council to alleviate any concerns about the management of waste. The development can comply with the Acceptable outcome.

Heritage overlay code

AO1.1

- (a) The use retains or restores the original use of the Local heritage place; or*
- (b) The use is respectful of the original purpose of the Local heritage place.*

The subject site contains Local Heritage Place no. 95, known as the Palace Hotel, which is located on the corner of Palmerin Street and Percy Street. The original Palace Hotel was constructed in brick with external cement work (Paul Munson, 2024). The timber additions to the building do not

form part of the original building (Paul Munson, 2024). On 25 July 1931, the rear wooden portion of the Palace Hotel was completely destroyed by fire believed to have originated in the kitchen (Paul Munson, 2024). As a result, at some point after 1931, the rear wooden portion of the Hotel was constructed as it exists today. This confirms that the existing wooden extensions to the hotel are not original, and hence, do not form part of the heritage aspect of the building.

The proposed development will restore the original use of the Local heritage place as a Hotel. Conditions will be imposed ensuring any building work does not impact the Local heritage place.

With conditions imposed, the development complies with the Acceptable outcome.

AO1.2 The development:

- (a) Does not require significant modification of the Local heritage place; or*
- (b) Will ensure the conservation of the Local heritage place; or*
- (c) Is undertaken in accordance with The Burra charter: The Australian International Council on Monuments and Sites (ICOMOS) charter for places of cultural heritage significance; or*
- (d) Is undertaken in accordance with an approval or exemption certificate issued under the Queensland Heritage Act.*

The proposed development will involve the demolition on non-heritage elements attached to the Local Heritage Place. The proposed development involves the redevelopment of the Local Heritage Place to its original use, as a Hotel, ensuring the conservation of the building. The applicant has not applied for a Preliminary Approval for Building Works to a Local Heritage Place. As such, to ensure there is no significant modification of the Local Heritage Place, a condition will be imposed requiring that there is no alteration or demolition of windows or doors of the exterior of the Local heritage Place, except for the erection of the balcony. By imposing conditions, the development will not require significant modification of the Local heritage place and can comply with the Acceptable outcome.

Residential uses code

While the Table of Assessment within the Southern Downs Planning Scheme (v.5) lists the Residential uses code as an assessment benchmark for Accommodation uses, including Short-term accommodation, as per section 9.3.7.1 of the Planning Scheme, the Residential uses code does not apply to Short-term accommodation. Thus, no assessment is required and has been undertaken of this Code.

Carparking and loading code

AO1.1 *The number of parking and loading spaces is not less than the minimum number specified in Table 9.4.2.4. Where the calculation of applicable parking rates results in a fraction, the number required will be the next highest whole number. Council may accept an alternative to providing the required spaces on the development site in accordance with Planning Scheme Policy – Off Street Carparking.*

In the Principal centre zone and the District centre zone:

- (a) where a new use of an existing non-residential building occurs, no additional parking is provided, even in the circumstances where the new use would normally require more parking than the previous use in accordance with Table 9.4.2.4;*
- (b) where an existing non-residential building is extended, additional parking spaces are provided at the rate shown in Table 9.4.2.4 for the extension only.*

PO1 *Sufficient carparking is provided to accommodate the number and type of vehicles likely to be generated by the development having regard to the following:*

- (a) the nature and operation of the use;*
- (b) the likely number of users including residents and employees;*
- (c) the hours of operation and the peak parking demand periods;*
- (d) the availability of alternative parking in the vicinity including on street car parking;*

- (e) in the case of residential development, the proximity to the Principal centre zone and the facilities contained within that zone;
- (f) the feasibility of physically providing parking on site including access restrictions and size of the site; and
- (g) The provisions of Planning Scheme Policy – Off Street Carparking.

The proposed development is located within the Principal centre zone, and is for the purpose of a Hotel, Shop and Short-term accommodation. The applicant has stated the Shop and Hotel are existing uses. As a result, additional parking spaces are to be provided at the rate in Table 9.4.2.4 for the extension to the uses only.

As the development contains existing uses, credits for carparking will apply. The applicant has provided a breakdown of the existing GFA and outdoor use areas for the development, including the existing carparking credits, shown in Table 1.

Table 1: Existing Carparking Credits

Existing areas	Existing GFA and outdoor use area / bedrooms
Ground floor (Hotel and Shop)	935m ²
First floor (non-accommodation areas of Hotel)	123.5m ²
First floor accommodation bedrooms (Hotel)	10 bedrooms
Carparking credits	
Non-accommodation credits - GFA and outdoor use area credits (1 space per 25m² as per Table 9.4.2.4)	42.3
Accommodation credits	10
Total	52.3

The applicant has also provided a breakdown of the proposed GFA and outdoor use areas for the development, including the required number of carparks, shown in Table 2.

Table 2: Proposed Development

Proposed areas	Proposed GFA and outdoor use area / bedrooms
Ground floor (Hotel and Shop)	822.3m ²
First floor (non-accommodation areas of Hotel)	322.1m ²
First floor accommodation bedrooms (Hotel)	2 bedrooms
Short-term accommodation bedrooms	14 bedrooms
Carparking required	
Non-accommodation carparks - GFA and outdoor use area (1 space per 25m² as per Table 9.4.2.4)	45.8
Accommodation carparks	16
Total	61.8

The total carparking provided for development, including the carparking credits, are shown in Table 3.

Table 3: Total Carparking Provided

Carparking for development	Total credit/provided carparking
Carparking credits	52.3
On-site carparking provided	3
Additional on-street carparking provided	1
Total carparking	56.3

As shown in Table 2, the proposed development will require 61.8 carparking spaces. Table 3 details the proposed carparking, including credits, for the development, is equivalent to 52.3 spaces. Therefore, the development will result in a shortfall of six (6) carparking spaces.

The *Planning Scheme Policy – Off Street Carparking* states that the applicant can enter into a voluntary infrastructure agreement with Council to provide car parking on Council land. The applicant has only offered the following position on carparking:

Our position regarding the Infrastructure Agreement for the offsite car parking, is that it remain at four [4].

As our proposed car parking design, adjacent to the site in Percy Street, was provided to Council well before the changes to the pedestrian crossing, we should not be asked to bear any of the costs associated with the reduction in street parking. We were not consulted regarding the changed pedestrian design. Council's decision for the design would, no doubt, have considered the greatly increased availability of car parks on the southern side of Percy Street and in Palmerin Street, now that St Mary's school is no longer operating, in this area. The peak school traffic no longer exists.

The *Planning Scheme Policy – Off Street Carparking* has been within the planning scheme since it was introduced in 2012, and existed in the former Council planning schemes in a similar manner.

The intent of the policy is to allocate funds collected to improving, maintaining and creating new public car parks. There are several lots along Acacia Avenue that have not been formally constructed into a car park that could benefit from this policy.

Background

On 1 July 2024, the applicant submitted an Amended Site Plan as a result of an Information Request. The Amended Site Plan detailed additional on-street carparking and a loading and unloading bay, details of which were not originally submitted. The Amended Site Plan showed three (3) additional carparking spaces along Percy Street, resulting in the development only having a shortfall of four (4) carparking spaces.

The Amended Site Plan, however, failed to include the recent pedestrian crossing works constructed on the corner of Percy Street and Palmerin Street, and detailed the incorrect location of the existing kerb and landscaping on the corner of Percy Street and Palmerin Street. These errors meant that additional carparking spaces could be provided along Percy Street. The pedestrian crossing works were resolved by Council via the Ordinary Council Meeting on 9 March 2022. Three (3) design options were presented to Council, and Council resolved to adopt Option 2, which has subsequently been constructed, shown in Figure 22.



Figure 22: Pedestrian crossing at Percy Street and Palmerin Street intersection

While the applicant has stated they were not consulted regarding the proposed pedestrian crossings, the decision was made in an Ordinary Council Meeting, which is available to the public, and was made on 9 March 2022, well prior to the date this development application was lodged.

It is to be noted that the area referred to by the applicant as a loading/unloading area prior to the pedestrian crossing installation, was never signed nor designated as a loading zone.

A revised Site Plan was submitted to Council on 4 November 2024, along with the above justification provided, amending the errors in the previous Site Plan. The revised Site Plan, shown in Figure 8, shows only one (1) additional carparking space along Percy Street, as a result of the required loading and unloading bay.

The applicant is only willing to enter into an Infrastructure Agreement with Council for the provision of four (4) carparking spaces as a result of the development. This number was drawn from the Amended Site Plan provided, which contained errors. However, should the applicant enter into a voluntary Infrastructure Agreement with Council for the provision of four (4) carparking spaces, the development will still result in a shortfall of two (2) carparking spaces.

Recommendation

Based on the revised Site Plan provided, the development will result in a shortfall of six (6) carparking spaces. The development should enter into a voluntary Infrastructure Agreement with Council for the provision of six (6) carparking spaces on public land or adjacent roads in lieu of providing car parking spaces on-site to ensure the development does not result in a shortfall of carparking.

Under s66 (1) (b) of the *Planning Act 2016*, a development condition must not require a person to enter into an infrastructure agreement. However, s65 (2) (c) of the *Planning Act 2016* states that a development condition may include the compliance with an infrastructure agreement for the premises. This means that any Infrastructure Agreement should be executed prior to any condition referencing the agreement.

The following are options which Council can consider, if the recommendation is not supported in the current form:

- A. An Infrastructure Agreement voluntarily being entered into by the developer for the payment of carparking contributions (per car parking space not provided on site) for the shortfall of six (6) carparking spaces prior to Council deciding the development application;
- B. An Infrastructure Agreement voluntarily being entered into by the developer for the payment of carparking contributions (per car parking space not provided on site) for the shortfall of four (4) carparking spaces, as requested by the developer, prior to Council deciding the development application; or

- C. Council accepts the proposed number of carparking provided by the development despite the shortfall of carparking, for reasons provided by Council.

Lawful conditions will be imposed to ensure compliance.

It is to be noted that the development has not proposed dedicated carparking for the Short-term accommodation.

Should Council resolve to require the developer enter into an Infrastructure Agreement and the developer refuses to do so, the proposal plans will be amended to reduce either bedrooms in the Short-term accommodation or GFA for the Shop to ensure the required number of carparking spaces is equal to or less than the proposed number of carparking spaces. This will ensure there will not be a shortfall of carparking spaces and lawful development conditions can be imposed under s65 of the *Planning Act 2016*.

AO2 *Except in the case of a dwelling house, parking spaces, manoeuvring areas, queuing areas, loading, set down and pickup areas and driveways meet the design requirements of Australian Standard AS 2890.1 – Parking facilities - Off-street car parking and AS 2890.2 Parking facilities – Off-street commercial vehicle facilities.*

AO3 *Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed in accordance with Planning Scheme Policy – Carpark Construction.*

Conditions will be imposed ensuring the manoeuvring areas, queuing areas and driveways meet the design requirements of *Australian Standard AS 2890.1 – Parking facilities - Off-street car parking* and *AS 2890.2 Parking facilities – Off-street commercial vehicle facilities* and are to be constructed in accordance with *Planning Scheme Policy – Carpark Construction*. By imposing conditions, the development can comply with the Acceptable outcomes.

AO4

- (a) *The carpark is located where it can be monitored by passers by or the occupiers of the development.*
- (b) *Where the carpark is open to the public at night, lighting is provided throughout the carpark and along pedestrian access paths in compliance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces – Pedestrian area (Category P) lighting - Performance and design requirements.*

The proposed carpark will be visible from Percy Street, ensuring casual surveillance. The applicant has requested conditions relating to night lighting are imposed to ensure casual surveillance. Conditions will be imposed to ensure compliance.

AO6

- (a) *Vehicular access is located and designed in accordance with AUSTROADS – Guide to Road Design Part 4: Intersections and Crossings - General requirements for sight distance and Section 3 of AS 2890.1 Parking Facilities.*
- (b) *Only one footpath crossing is provided for each frontage to the site. Design of the driveway across the footpath is in accordance with IPWEAQ Standard Drawings for residential and commercial driveways.*
- (c) *In the Principal centre, District centre, and Specialised centre zones, wherever practical driveways are located so they abut existing driveways of adjoining development and reciprocal easements are created to reduce the sealed driveway width.*
- (d) *Footpath and kerb crossovers are located clear of existing stormwater inlet structures, water and sewerage infrastructure fittings, any other existing utility infrastructure and street trees*

The subject site contains two (2) existing footpath crossovers for the previous drive-through bottle shop, both from Percy Street. The development proposes to utilise the western crossover for access to and from the site. A condition will be imposed requiring the eastern existing crossover

from Percy Street is to be decommissioned, and the kerbing and channelling reinstated. This will ensure only one (1) vehicle crossover is provided for the Percy Street frontage of the site.

Landscaping code

The applicant has provided landscaping strips along the façade of the Shop and Short-term accommodation building to frame the outdoor area. Landscaping has also been provided north of the carpark on-site. A Landscaping Plan will be required to be submitted showing the proposed plantings.

Outdoor lighting code

To ensure compliance with the Outdoor lighting code, conditions controlling external lighting will be imposed.

Physical infrastructure code

AO1.1 *In the District centre, Industry, Low density residential, Medium density residential, Mixed use, Principal centre and Specialised centre zones, development is connected to a water reticulation system.*

Conditions will be imposed requiring a separate water connection, up to and including water metres, for the Hotel, Short-term accommodation, and each Shop tenancy. Compliance is achieved through the imposition of conditions.

AO2.1 *Except in Allora, in the District centre, Low density residential, Industry, Medium density residential, Mixed use, Principal centre, and Specialised centre zones, development is connected to a sewerage system in accordance with the Sewerage Code of Australia.*

The applicant has requested Council impose conditions on the development to ensure compliance is achieved. There is no reticulated sewerage system available within or along the frontage of the site. The existing buildings on-site are currently connected to the reticulate sewerage system to the north-west. The connection traverses the adjoining lot, being Lot 2 RP5847. To ensure compliance with the Acceptable outcome is achieved, a condition will be imposed requiring each building has a separate connection to Council's reticulated sewerage system (150mm pipes). An Operational Works application will be required for the extension of Council's reticulated sewerage to provide sewer connectivity to each building within the development. With conditions imposed, compliance is achieved.

AO4

(c) For all development other than that described in (a) and (b), the road providing access to the development is constructed in accordance Table 9.4.7.4.

The subject site contains two (2) existing vehicle crossovers used for the drive-through bottle shop. The proposed development will only utilise the western-most vehicle crossover for access to the access easement along the western boundary and the proposed carpark. As the eastern-most vehicle crossover will not be utilised, the crossover is to be removed and the kerb is to be reinstated. The kerb is to be constructed to the alignment of the kerb along Percy Street. With conditions imposed, the development can comply with the Acceptable outcome.

Stormwater management code

Council's Development Engineer has reviewed the applicant's response to the Stormwater management code and has provided the following commentary:

Their assessment against the [Stormwater management code] just asks that Council impose conditions.

Our standard condition should be OK as they will either have to provide some detention and discharge to our network (kerb and channel or possible existing direct connection), or ask permission to connect directly to our network without checking the capacity of the network.

Either way, the outcome would be reasonable for the site.

Changes to impervious area for Lot 1 RP5847 are negligible and so the development should not materially impact the surrounding network and I don't think a special condition is required.

The future increase in impervious area for Lot 1 SP228238 (not currently being assessed) will require similar review, but the end game is still going to be that I'd like them to connect to our stormwater network directly.

As such, conditions will be imposed to ensure compliance with the Code is achieved.

Infrastructure Charges

Charges Resolution (No. 4.2) 2023 commenced 13 December 2023.

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Accommodation (short term) - Short term accommodation	All	\$10,750/suite	6 units	Nil	\$64,500.00
Accommodation (short term) - Hotel (residential component)	All	\$10,750/suite	1 suite	10 suites	-\$96,750.00
Commercial (retail) - Shop	Stormwater	\$8/impervious m ²	467.6m ²	427.5m ²	\$320.80
	Other	\$138/m ² GFA	237.1m ²	336.5m ²	-\$13,717.20
Entertainment - Hotel (non residential component)	Stormwater	\$8/impervious m ²	535.5m ²	584.5m ²	-\$392.00
	Other	\$153.50/m ² GFA	457.7m ²	692m ²	-\$35,965.05
TOTAL:					\$0.00

Recommendation

THAT the application for Material Change of Use for the purpose of Hotel (Redevelopment of existing hotel), Short-term accommodation (six (6) units – two (2) x 3 bedroom units and four (4) x 2 bedroom units) and Shop (Two (2) x Retail tenancies), on land at 161 Palmerin Street, Warwick, described as Lot 1 RP5847, be approved subject to the following conditions, following an Infrastructure Agreement being executed by all parties which requires the payment of carparking contributions (per car parking space not provided on site) by the developer for the shortfall of six (6) carparking spaces prior to Council deciding the development application.

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	Plan inconsistencies
Cover Page – prepared by Think Tank Architects	DA01	1 July 2024 (Submitted to Council)	-
Street View – prepared by Think Tank Architects	DA02	1 July 2024 (Submitted to Council)	-
Overall Site Plan – prepared by Think	DA01	25 July 2024	-

Tank Architects (Amended by Council 25 July 2024)		(Amended by Council)	
Site Plan – Existing - prepared by Think Tank Architects	DA10	1 July 2024 (Submitted to Council)	-
Site Plan – Proposed - prepared by Think Tank Architects	DA03	27 March 2024 (Submitted to Council)	No stairway on DA11 Rev 1.
Site Plan – Proposed - prepared by Think Tank Architects (Amended by Council 19 August 2024)	DARFI 1 DA11 Rev 1	9 May 2024 (Amended by Council 19 August 2024)	
Floor Plan – Existing Ground Floor - prepared by Think Tank Architects	DA14	1 July 2024 (Submitted to Council)	-
Floor Plan – Existing Level 1 – prepared by Think Tank Architects	DA15	1 July 2024 (Submitted to Council)	-
Floor Plan – Proposed Ground Floor – prepared by Think Tank Architect	DA16 Rev 2	4 November 2024	-
Floor Plan – Proposed Level 1 – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DA08	19 August 2024 (Amended by Council)	Internal stairway is to be located in a location as per DA18 Rev 1. No external stairway along eastern elevation on DA18 Rev 1.
Floor Plan – Proposed Level 1 – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DARFI 1 DA18 Rev 1	9 May 2024 (Amended by Council 19 August 2024)	Room/Unit layout not approved for DA18 Rev 1. Refer to DA08 for correct room/unit layout.
Floor Plan – Proposed Level 2 – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DA09	19 August 2024 (Amended by Council)	Internal stairway is to be located in a location as per DA20 Rev 1. No external stairway along eastern elevation on DA20 Rev 1.
Floor Plan – Proposed Level 2 – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DARFI 1 DA20 Rev 1	9 May 2024 (Amended by Council 19 August 2024)	Room/Unit layout not approved for DA20 Rev 1. Refer to DA09 for correct room/unit layout.
Floor Plan – Proposed Roof – prepared by Think Tank Architects	DA10	27 March 2024 (Submitted to Council)	Stairway not approved in DA22. No external stairway along eastern elevation on DA22.
Floor Plan – Proposed Roof – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DA22	19 August 2024 (Amended by Council)	

Elevations – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DA21	19 August 2024 (Amended by Council)	Ground Floor Elevations approved only for DA30. Ground Floor Elevations not approved in DA21.
Elevations – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DA30	19 August 2024 (Amended by Council)	Level 1 and 2 Elevations approved only for DA21. Level 1 and 2 Elevations not approved in DA30.
Elevations – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DA22	19 August 2024 (Amended by Council)	Ground Floor Elevations approved only for DA31. Ground Floor Elevations not approved in DA22.
Elevations – prepared by Think Tank Architects (Amended by Council 19 August 2024)	DA31	19 August 2024 (Amended by Council)	Level 1 and 2 Elevations approved only for DA22. Level 1 and 2 Elevations not approved in DA31.
Section Detail – prepared by Think Tank Architects	DA51	1 July 2024 (Submitted to Council)	-

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 site for the following uses only:
- Hotel;
 - Short-term accommodation (six (6) units); and
 - Shop (two (2) tenancies).
4. The maximum number of guests accommodated at any one time must not exceed 28 persons.
5. 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.
6. The area of the Hotel identified on the Floor Plan - Level 2 as 'Manager's suite' is only to be used for residential purposes and is only to be occupied by the manager of the Short-term accommodation. At no point is the 'Manager's suite' able to be utilised by anyone other than the manager/caretaker of the Short-term accommodation/Hotel, or able to be rented out on a short or long term basis without the necessary approvals/permits.

Building and Site Design

7. There is to be no alteration or demolition of the windows or door of the exterior of the Local heritage Place without the necessary approvals/permits.
8. **An amended set of plans are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The revised plans must demonstrate:
 - (i) The Level 1 and Level 2 floor plans for the Short-term accommodation units, noting that there is to be a total of six (6) units – two (2) x 3 bedroom units and four (4) x 2 bedroom units;
 - (ii) The elevations for the Short-term accommodation and Shop building; and
 - (iii) The location of the internal stairways.

The design, colours and materials of the building and pavement are to be in accordance with the character of the area. **Details of the design, colours and materials of the building and pavement are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The building and pavement are to be constructed in the approved design, colours and materials.

9. A balcony and awning is to be constructed along the Palmerin Street and Percy Street frontages of the site in a location generally in accordance with the Plan No. DARFI 1, Sheet No. DA18, Rev 1, dated 9 May 2024 (Amended by Council 19 August 2024), prepared by Think Tank Architects. The balcony and awning is to be constructed from the front building line of the Hotel building to the front line of the existing awnings along Palmerin Street to create a continuous edge. The balcony and awning is to match the height and width of other awnings along Palmerin Street. The balcony is also to be constructed from the front building line of the Hotel building to the kerb line along Percy Street.

An Application Minor Works - Works Within a Road Reserve is to be submitted to Council for approval for the construction of the balcony and awning over the footpath along Palmerin Street and Percy Street, prior to the commencement of the works.

Alternatively, the façade of the Palace Hotel as it currently presents, is to generally remain unchanged, with the exception of reinstatement of the front entrance and other cosmetic works.

10. To ensure privacy for adjoining residents, any windows located on the western building elevation of the Short-term accommodation building must either:
 - (i) have a minimum window sill height of 1.5 metres above floor level;
 - (ii) be fitted with translucent glazing; or
 - (iii) be fitted with a fixed external screen.
11. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
12. 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

13. 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.
14. 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.
15. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.

16. A **Waste Management Plan** is to be submitted to and approved by Council's Planning & Environmental Service Directorate prior to the issue of any Development Permit for Building Work. The **Waste Management Plan** must include details of:
- waste types and volumes to be stored on site;
 - storage methods for each waste type;
 - how each waste type will be collected;
 - where each waste type will be stored on collection day, noting all waste storage should be sited wholly within the confines of the allotment's boundary and screened from view;
 - the vehicle movements required to collect each waste type; and
 - where each waste type will be stored at all other times.

All vehicle movements associated with waste management within the easement along the western boundary of the site must not impede access, or conflict with the terms of the easement. Evidence demonstrating this requirement must be submitted as part of the Waste Management Plan.

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. Advertising Devices relating to the Hotel, Shop and Short-term accommodation may **only** be erected on the subject land, i.e. Lot 1 RP5847. 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.
19. All equipment, goods and materials must be located in a building or screened from view from all roads, other public places and adjoining land by fencing and/or dense landscaping.
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. All areas for the preparation and servicing of food and drink are required to be constructed and fitted out in accordance with Food Standards Australia New Zealand Safe Food Australia, Standard 3.2.3 - Food Premises and Equipment.

Note: These areas include Retail Tenancies 1 and 2, all dining areas, the restaurant area and the bar area.

Fencing, Landscaping and Buffers

22. Retaining structures and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure.
23. All earthworks, including batters must be fully contained within the site.
24. Landscaping is to be provided within the building setback of the Short-term accommodation and Shop building.
25. Landscaped areas are to be provided on the site in accordance with Plan No. DA16, Rev 2, dated 4 November 2024 prepared by Think Tank Architects.
26. The landscaped areas are to be separated from any carparking area by a raised kerb that is designed to ensure that vehicles do not park on or over the landscaped area.
27. The street trees within the road reserve of Palmerin Street and Percy Street are to be retained. These trees are to be protected during construction. If it is not possible to design the development to preserve all the trees in their current locations, the tree/s must be relocated at the developer's cost. The relocation of the tree/s is to be carried out by a suitably qualified and experienced person. If the tree/s die within 12 months of the

relocation, the dead tree must be replaced with an advanced tree of the same species and height.

28. **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.

Car Parking and Vehicle Access

29. In lieu of six (6) car parking spaces being provided on site, infrastructure contributions are to be paid in accordance with [Section within IA] the executed Infrastructure Agreement, dated [insert IA date], between Southern Downs Regional Council and [CDS Investments]. Full payment is to be made to Council in accordance with the agreement prior to the use commencing.
30. The western 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.)
31. All car parking, including on-site carparking and on-street carparking, shall be provided in accordance Plan No. DA16, Rev 2, dated 4 November 2024 prepared by Think Tank Architects. All car parking, driveway and loading areas shall be sealed, line marked, drained, laid out and regularly maintained. The car parking area is not to be used for storage of goods and materials.

The manoeuvring areas, queuing areas and driveways are to meet the design requirements of *Australian Standard AS 2890.1 – Parking facilities - Off-street car parking* and *AS 2890.2 Parking facilities – Off-street commercial vehicle facilities* and are to be constructed in accordance with *Planning Scheme Policy – Carpark Construction*.

32. 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"*.
33. All vehicle operation areas must be illuminated in accordance with the requirements of *Australian Standard AS1158 "Lighting for roads and public spaces"*.
34. 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"*.
35. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary.

Alternatively,

The loading and unloading of goods related to the development may be carried out within the proposed loading and unloading bay within Percy Street, as shown in accordance with Plan No. DA16, Rev 2, dated 4 November 2024 prepared by Think Tank Architects. Confirmation that the design of the loading bay complies with the relevant Australian Standards is to be submitted to **Council's Planning Department** from a suitably qualified RPEQ prior to **prior to the issue of any Development Permit for Building Work**.

Roadworks

36. 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.

37. The redundant vehicle crossing in Percy Street (eastern vehicle crossing) is to be reinstated back to kerbing and channelling, and the footpath reinstated.

Stormwater Drainage

38. 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

39. A reticulated water supply system, up to and including water meters, is to be provided to service all tenancies. This system is to be connected to Council's water supply system.
40. The connection to Council's reticulated water supply must be a combined fire and domestic metered connection located at a point nominated by Council.
41. A sewerage reticulation system is to be provided to service all buildings. This system is to be connected to Council's wastewater sewerage system.

Pedestrian Works

42. A concrete pedestrian footpath is to be constructed along the Percy Street frontage of the site, from the edge of the kerb and channel to the property boundary.

Note: The existing bitumen sealed footpath along Percy Street is to be replaced with concrete.

Electricity, Street Lighting and Telecommunications

43. Underground electricity connections must be provided to the proposed development to the standards of the relevant authorities.
44. 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.

Operational Works

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

Infrastructure Charges Notice

46. 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) 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*.
- (vi) 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.
- (vii) 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*.
- (viii) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of the Hotel. 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.
- (ix) 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.
- (x) **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.
- (xi) **Building Approval is to be obtained** for a Class 3, 4 and 6 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) From 1 July 2022 in Southern Downs Regional Council area Queensland Development Code MP4.3 will be applicable for any new commercial buildings (class 3 to 9). Commercial buildings will require tanks of 1,500 litres capacity per required pedestal, plumbed to service toilets and outdoor 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.

- (xiii) 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*.
- (xiv) 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.
- (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 Stormwater Management Plan;
 - An Erosion and Sediment Control 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) 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.

- (xxi) **Licensing of Beverage Manufacturers Under the *Food Act 2006***

- The *Food Act 2006* (The 'Act') requires operators of all 'licensable food businesses' within Queensland to hold a 'food business licence' with the relevant local government.
- Activities such as crushing, pressing, fermenting, maturing, blending or bottling conducted at a beverage manufacturer meets the definition of manufacture in section 16(1) of The Act.
- Section 48(1)a of the Act states that a food business that involves the manufacture of food is a *licensable food business*.

For information on how to obtain a food licence under the *Food Act 2006*, please contact Council on 1300 697 372 and ask to speak to an Environmental Health Officer or via email mail@sdrcl.qld.gov.au

Telecommunications in New Developments

(xxii) 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


(xxiii) 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

ATTACHMENTS

Nil

15.2 Material Change of Use: 26 Palmerin St Pty Ltd C/- Context Planning QLD - 26 Palmerin Street, 31 Albion Street and Albert Street, Warwick

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Planning Officer	ECM Function No/s: MCU\02594 & RC\02033

APPLICANT:	26 Palmerin St Pty Ltd C/- Context Planning QLD
OWNER:	26 Palmerin St Pty Ltd
ADDRESS:	26 Palmerin Street, 31 Albion Street and Albert Street, Warwick
RPD:	Lots 1, 2, 3 and 4 RP5755, Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 2 RP51389, Lots 1 and 2 RP57839, Lot 2 RP102587 and Lot 1 RP44563
ZONE:	Principal centre
PROPOSAL:	Material Change of Use - Showroom and Low impact Industry (Motor vehicle workshop) in three (3) single storey non-residential buildings; and Reconfiguring a Lot - Access easement
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Department of Housing, Local Government, Planning and Public Works
FILE NUMBER:	MCU\02594 & RC\02033

RECOMMENDATION SUMMARY

THAT the application for Material Change of Use for the purpose of Showroom and Low impact Industry (Motor vehicle workshop) in three (3) single storey non-residential buildings; and Reconfiguring a Lot - Access easement, on land at 26 Palmerin Street, 31 Albion Street and Albert Street, Warwick, described as Lots 1, 2, 3 and 4 RP5755, Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 2 RP51389, Lots 1 and 2 RP57839, Lot 2 RP102587 and Lot 1 RP44563, be approved subject to conditions, following an Infrastructure Agreement voluntarily being entered into by the developer for the payment of carparking contributions (per car parking space not provided on site) for the shortfall of twenty-four (24) carparking spaces prior to Council deciding the development application.

REPORT

Background

On 22 February 1988, the former Warwick City Council issued Town Planning Consent on land at Palmerin Street and Albert Street, Warwick formerly described as Sub 1A & 2 & Res 2 Sub 2 & Res A & Res 1/2 Sub 3 & Res 2 & B & Sub 1 Res 1 & Sub 4/5 & of Res 1 Sub 2 Allot 13/16 Section 15 for the purpose of a Garden Landscaping Centre (File Ref: TPC 590).

On 29 October 2024, a development application for the purpose of a Realignment of boundaries (Two (2) lots into two (2) lots), on land at 26 Palmerin Street and Albert Street, Warwick, described as Lots 1, 2, 3 and 4 RP5755, Lot 1 RP5751, Lots 1 and 2 RP5756, Lot 2 RP102587, Lots 1 and 2 RP57839 and Lot 2 RP51389, was lodged to Council. The application is currently under assessment (File Ref: RC\02049).

[illegible]

The subject land is comprised of twelve (12) lots and is located within the township of Warwick. The subject land has a combined area of 8,835 square metres and maintains frontage to Palmerin Street, Albert Street and Albion Street, all of which are bitumen sealed roads with kerb and channel. Albion Street is also a State-controlled road.

The land south-west of the development site, located at 28 Palmerin Street, is a Local Heritage Place no. 75, known as the Globe Hotel.

The applicant seeks a development approval for the operation of a Showroom and Low impact industry. The proposed development area will be contained to Lots 1 and 2 RP57839, Lot 2 RP51389, Lot 2 RP102587 and Lot 1 RP44563, which has a combined area of 4,685 square metres. The proposed development area maintains frontage to Albert Street and Albion Street, and contains a concrete hardstand area which was utilised as a storage and loading area for the former hardware store and Plant Nursery.

While the applicant has included land which contains the existing building, being Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 3 RP5755 and partially within Lots 2 and 4 RP5755, in the development application, any potential development of the existing building is unlikely to require Planning Approval. As the land is within the Principal centre zone, many uses can operate in an existing building without a Planning Approval. Building Approval and Plumbing Approvals may still be required for any building or plumbing work.

The proposed Showroom and Low impact industry will involve the construction of three (3) detached buildings, to the east of the existing building. Tenancy 1 will have a Gross Floor Area (GFA) of 695.0 square metres and will have frontage to Albert Street. Tenancy 1 will be built to the street alignment, and a portion of the building will be attached to the existing building to the west. A service ramp will also be constructed between proposed Tenancy 1 and the existing building for service access.

Tenancy 2 will have a GFA of 692.0 square metres, and will be attached to the existing building within the north-western portion.

Tenancy 3 will have a GFA of 470.0 square metres and will have frontage to Albion Street. Tenancy 3 is proposed to be setback 6.0 metres from Albion Street and 0.2 metres from the northern boundary.

The applicant has also proposed the creation of an Access easement over Lot 1 RP57839, Lot 2 RP51389 and Lot 2 RP102587. The Access easement will provide access from both Albert Street and Albion Street to the loading area within the existing building (former hardware store and Plant Nursery) located along the eastern elevation.

The proposal plans are as follows:

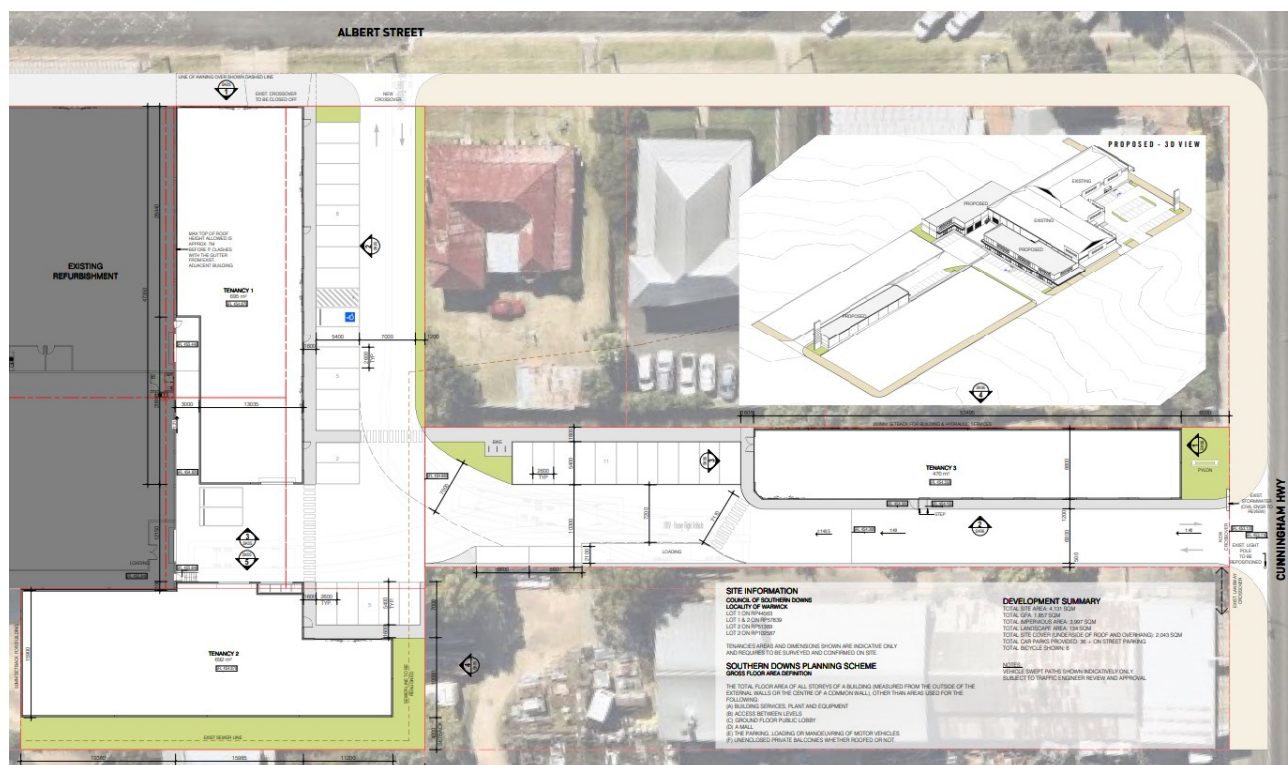


Figure 2: Proposed Site Plan

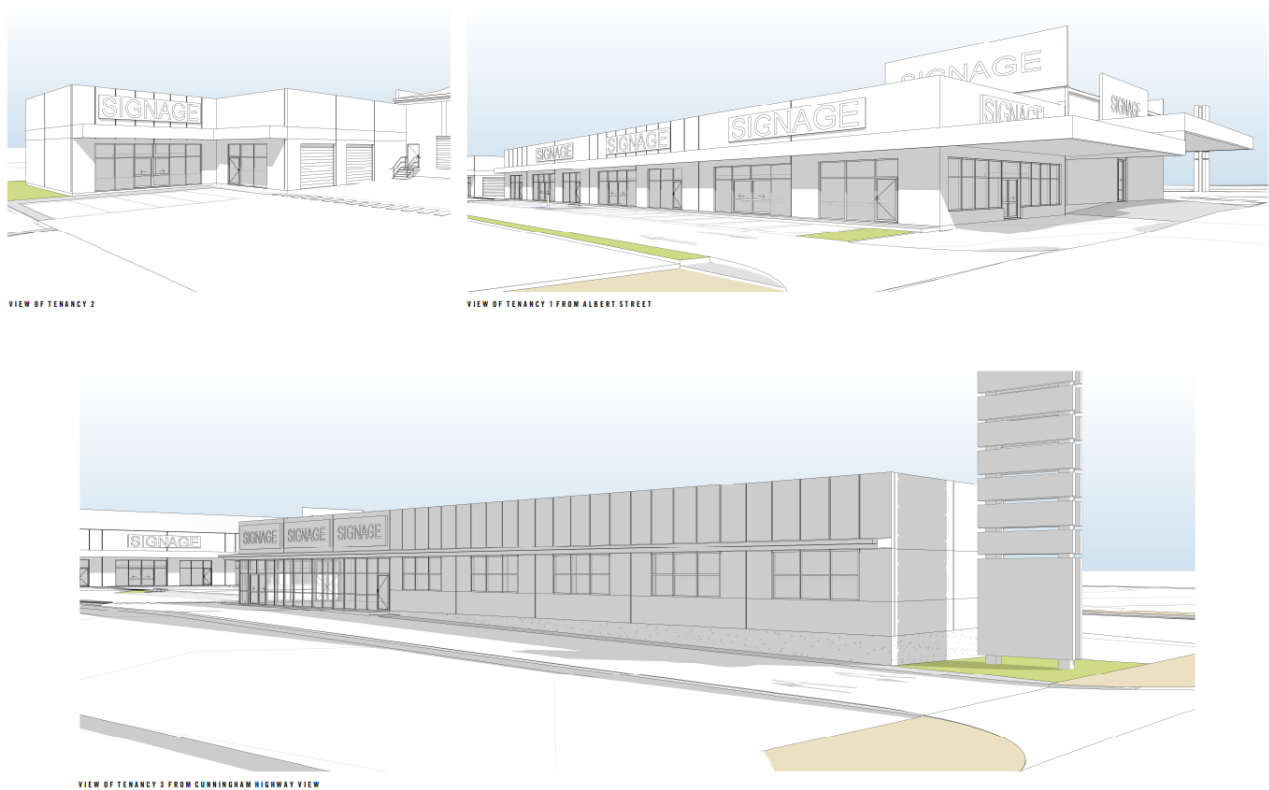


Figure 5: Proposed External Views

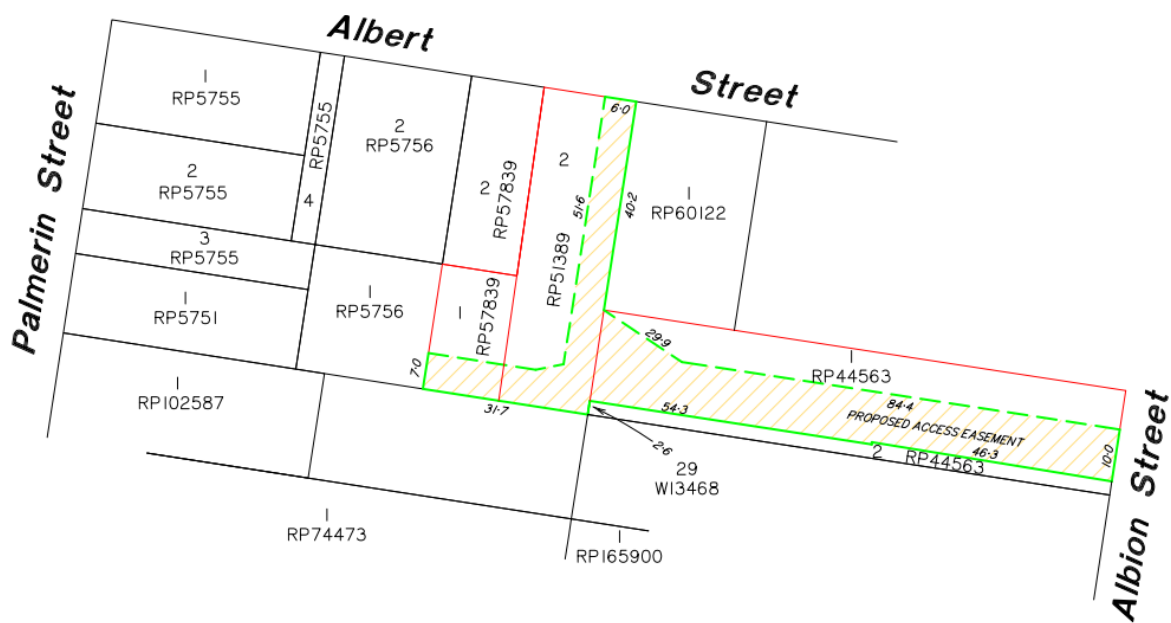


Figure 6: Proposed Access easement

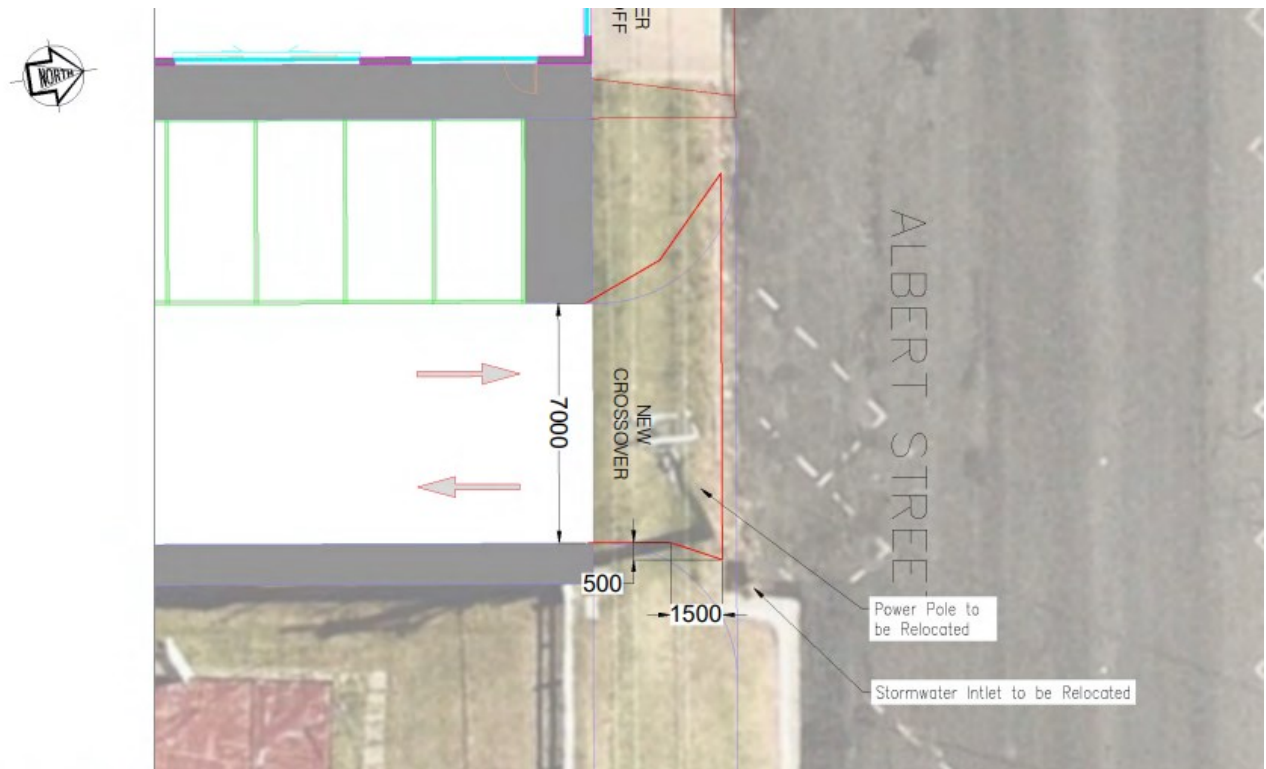


Figure 7: Proposed Albert Street Crossover

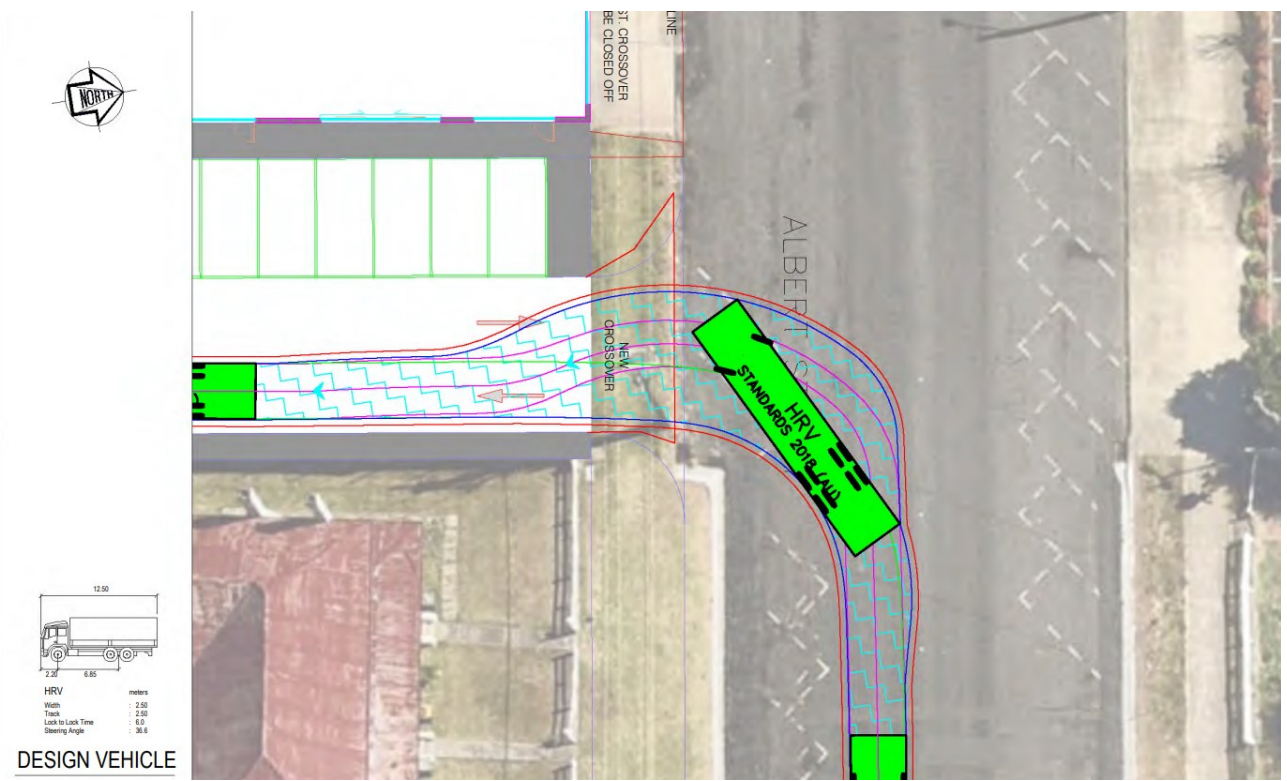


Figure 8: Albert Street Crossover - HRV Ingress Manoeuvre

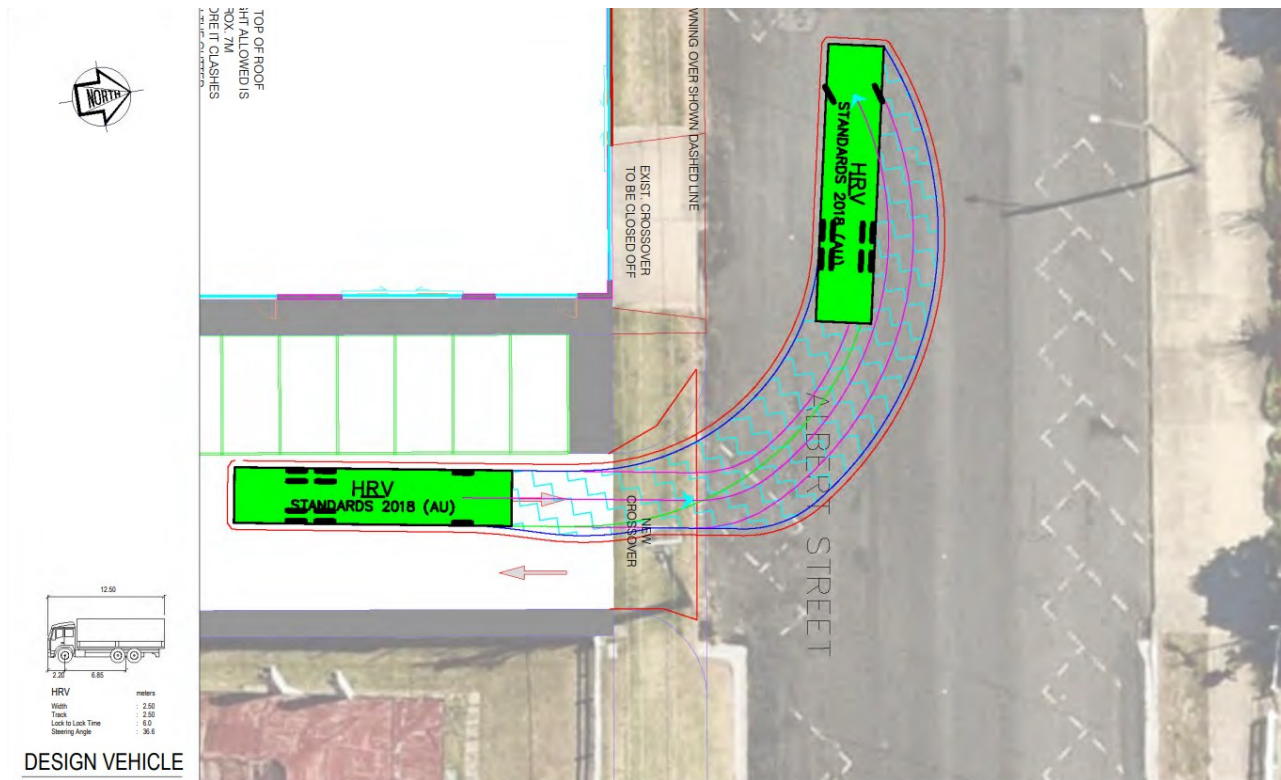


Figure 9: Albert Street Crossover - HRV Egress Manoeuvre

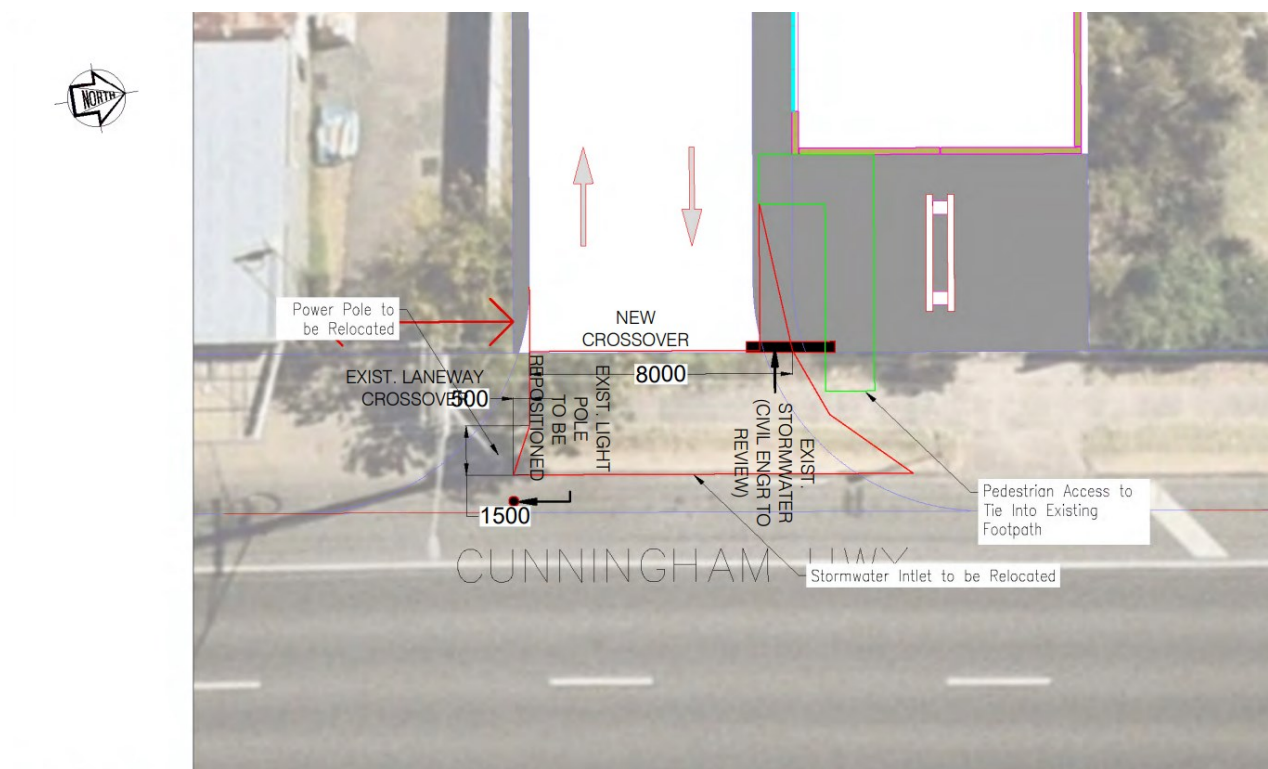


Figure 10: Proposed Albion Street Crossover

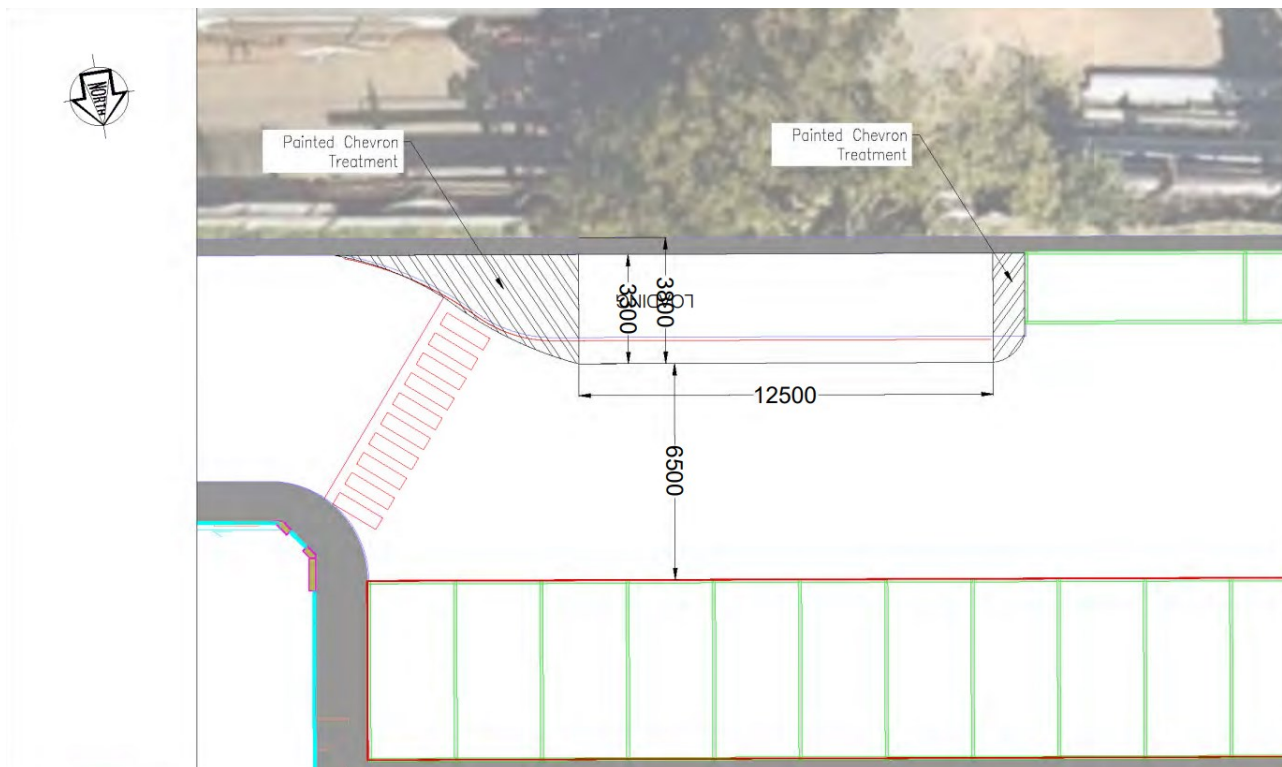


Figure 13: Albert Street Crossover - HRV Loading Zone 1

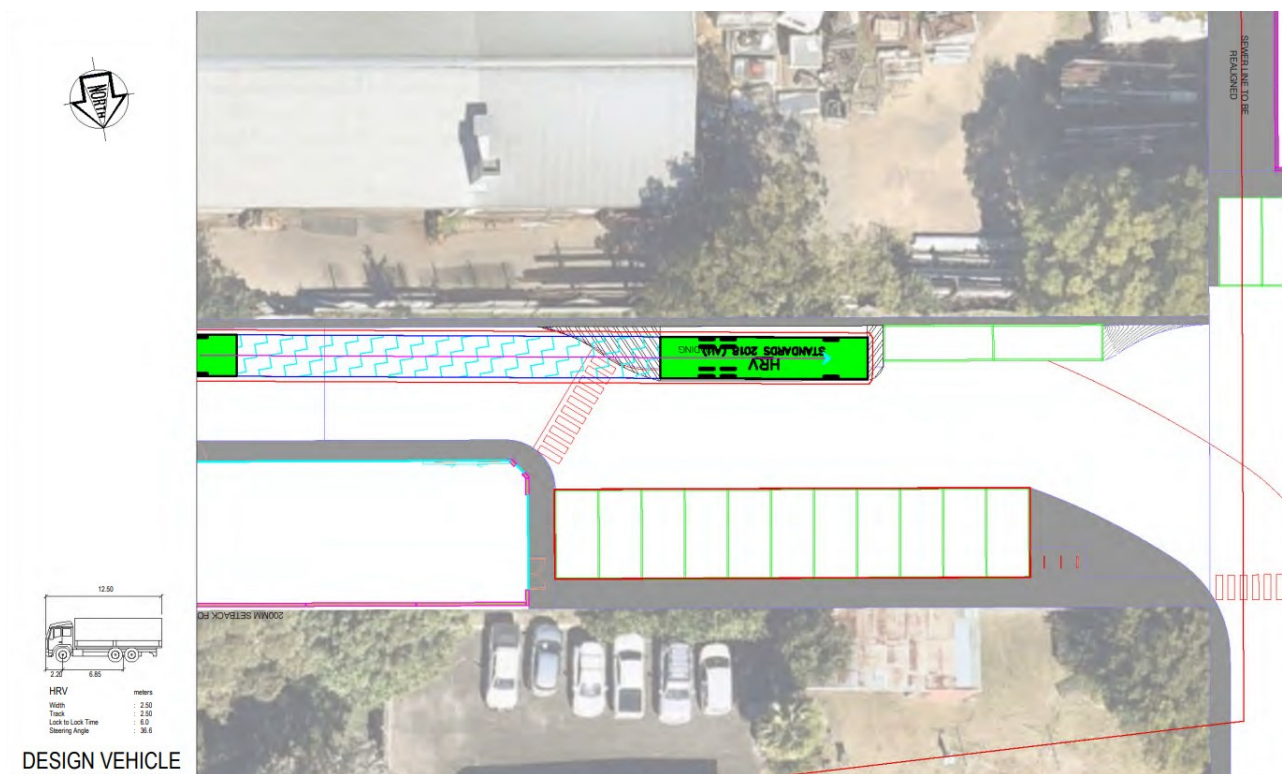


Figure 14: Albert Street Crossover - HRV Loading Zone 1 - Ingress Movement

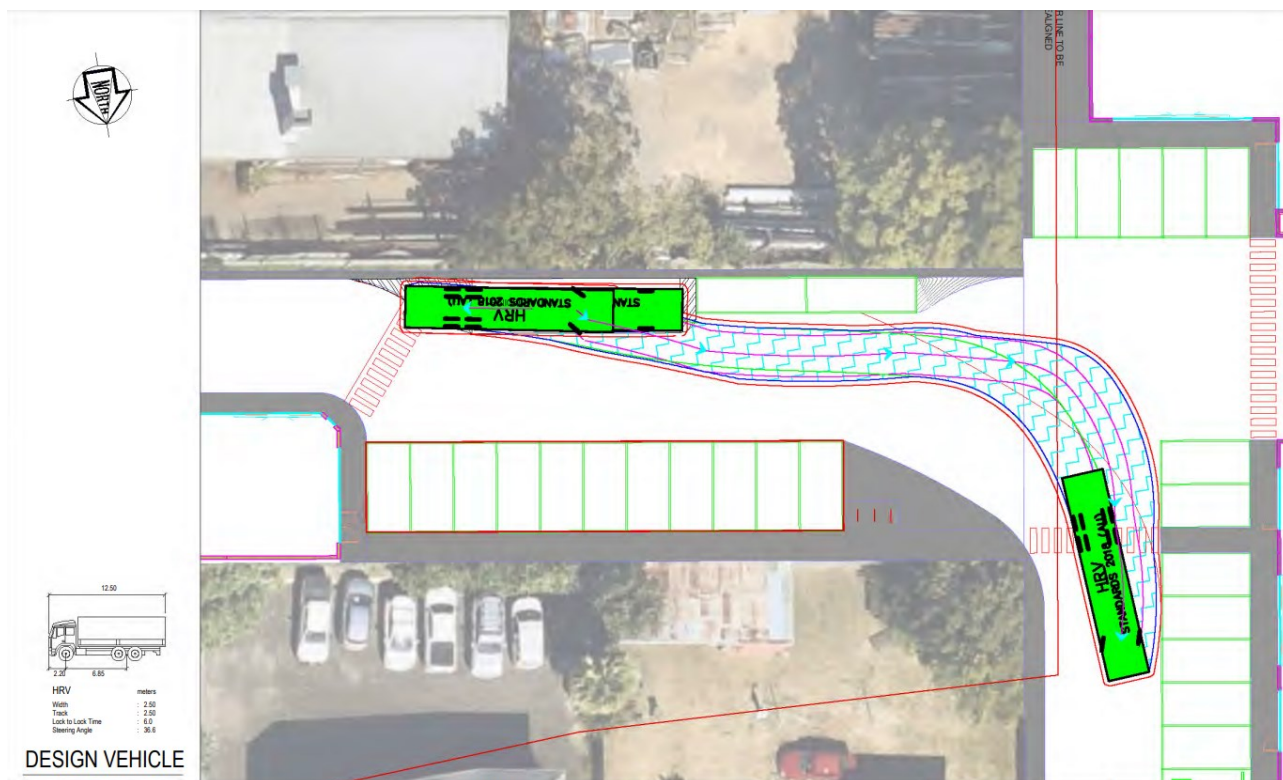


Figure 15: Albert Street Crossover - HRV Loading Zone 1 - Egress Movement

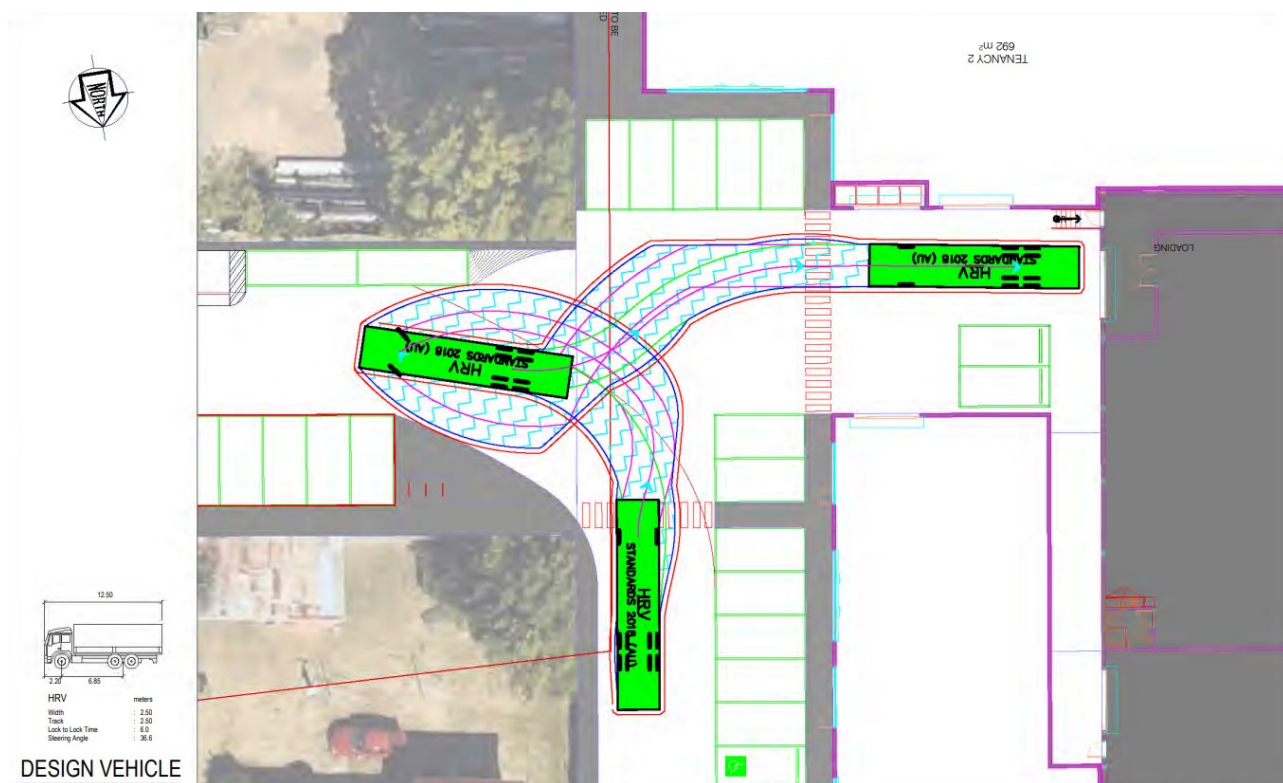


Figure 16: Albert Street Crossover - HRV Loading Zone 2 - Ingress Movement

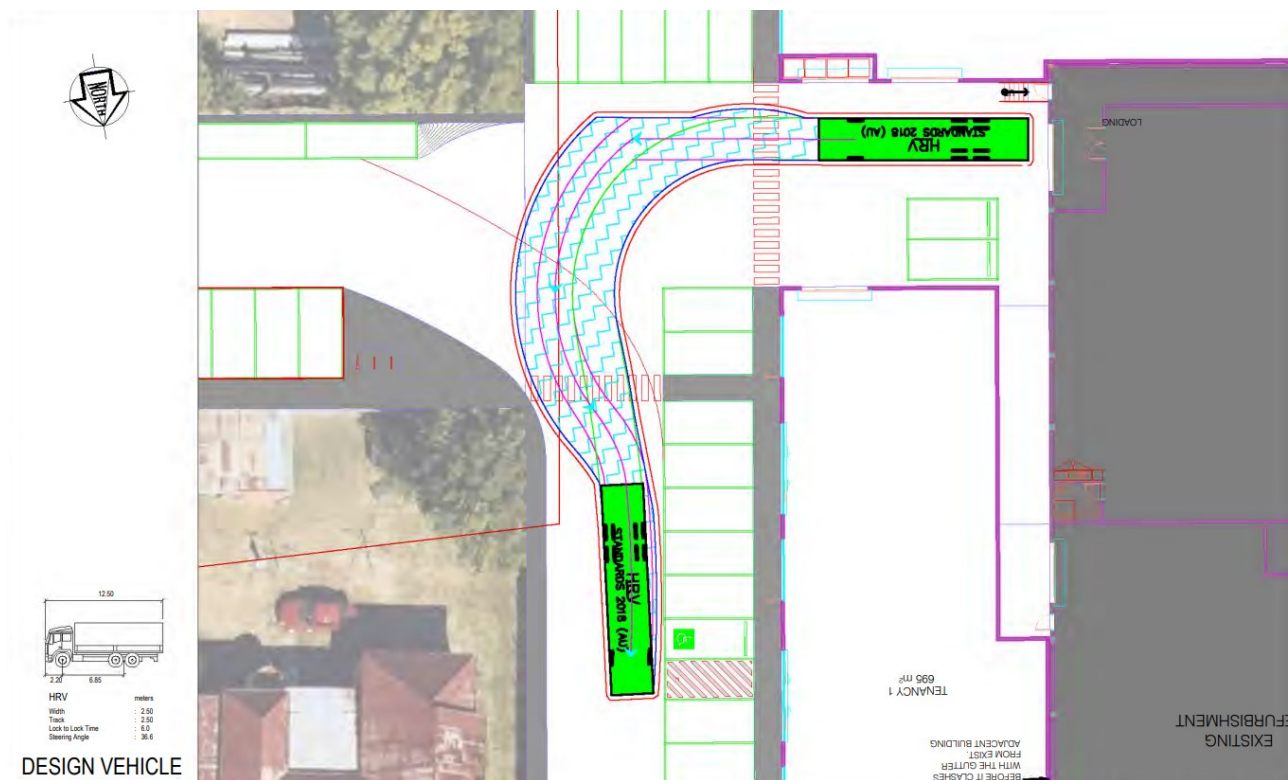


Figure 17: Albert Street Crossover - HRV Loading Zone 2 - Egress Movement

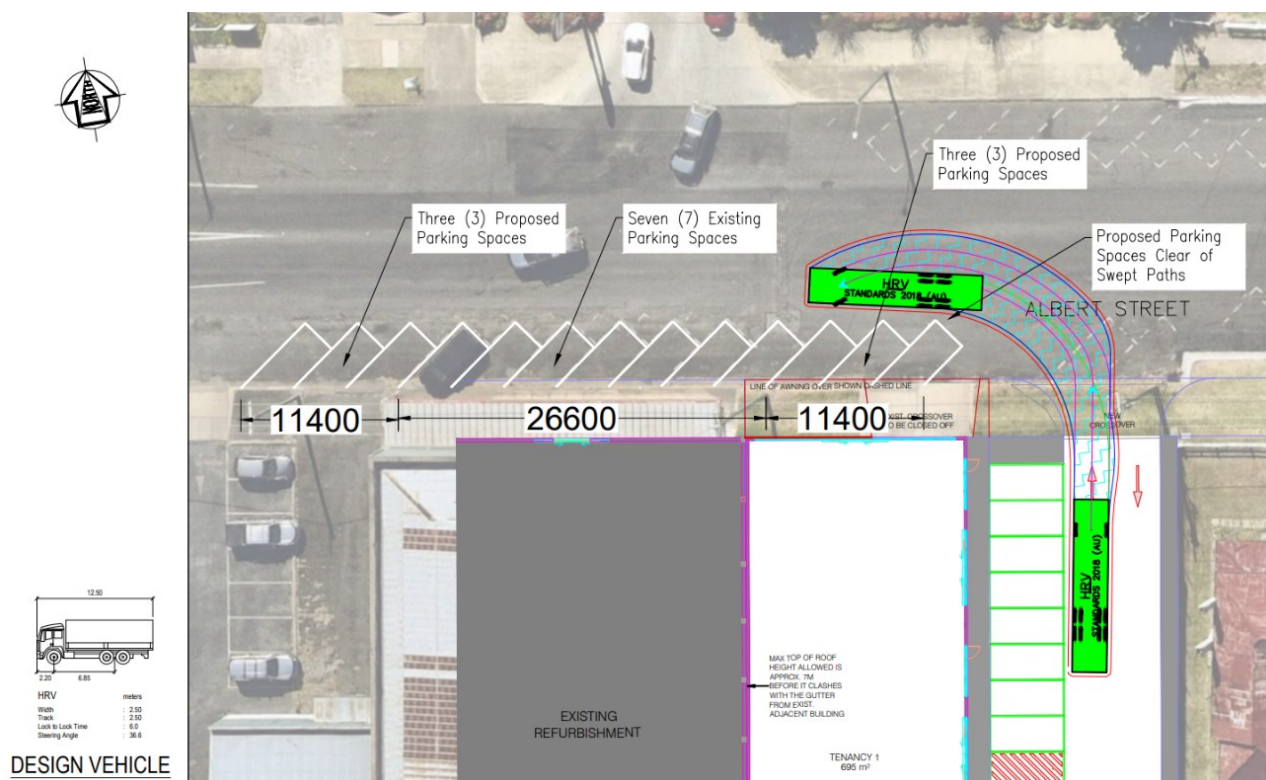


Figure 18: Proposed On-Street Carparking

The applicant is currently redeveloping the existing building to the north-west of the development site on Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 3 RP5755 and partially within Lots 2 and 4 RP5755, which includes the existing carpark on the corner of Albert Street and Palmerin Street. The existing carpark on the corner of Albert Street and Palmerin Street contains thirty (30) lawful existing carparking spaces, as per the latest Development Approval over the land (MCU\01012).

The applicant has proposed to alter the existing carpark for the creation of an additional eleven (11) carparking spaces. The carparking will result in a total of forty-one (41) carparking spaces. The carparking layout for the carpark on the corner of Albert Street and Palmerin Street is shown in Figure 19.

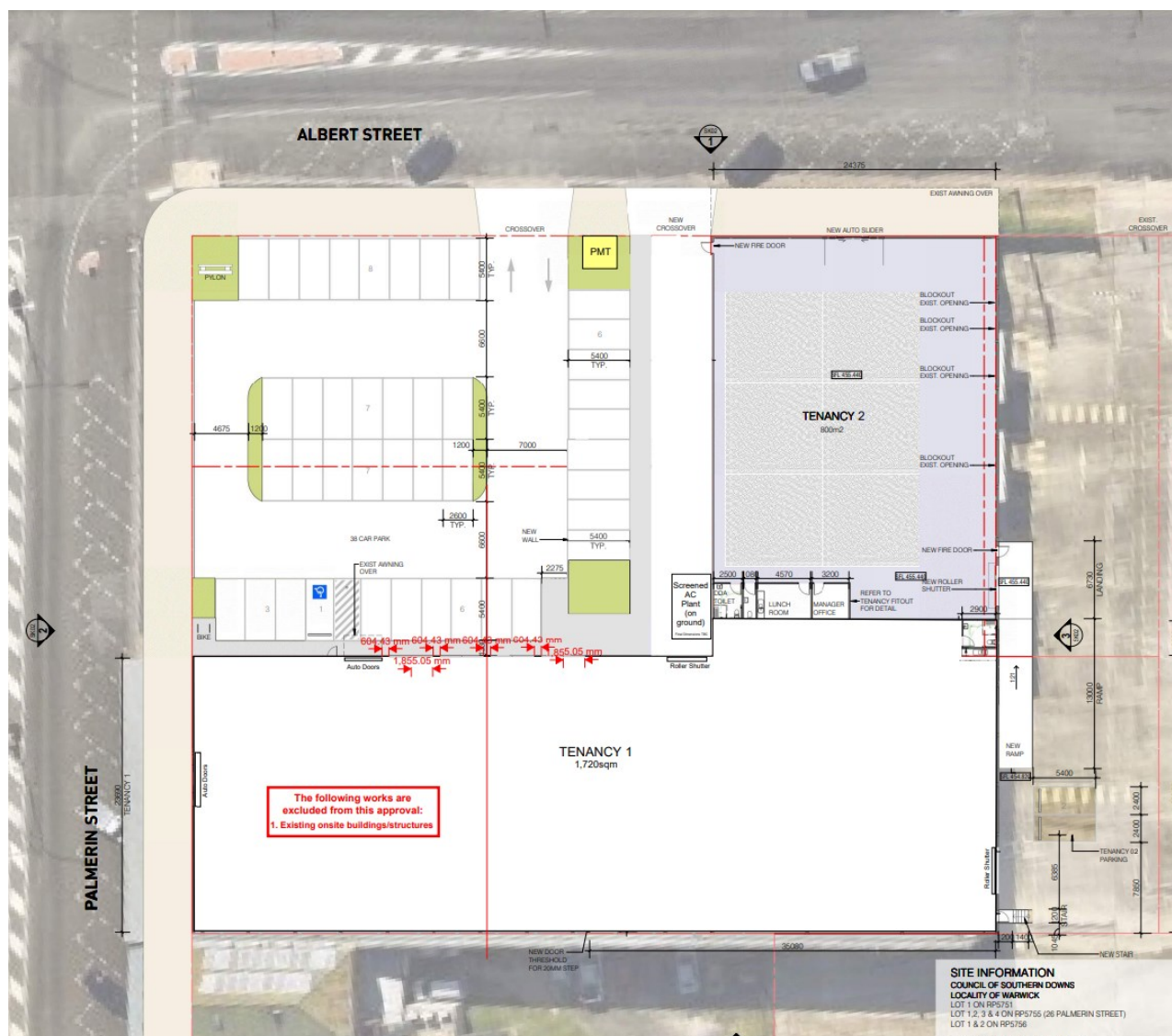


Figure 19: Carparking plan for existing building and carpark

Engineering Commentary

Council's Development Engineer has reviewed the material and has provided the following commentary:

Traffic impacts:

Peak hour trip estimate for the development is 73 trips and is considered low by the consulting engineers.

My main concern with traffic was with regard to circulation back through town on Palmerin St; the 2018 traffic count for this route was 2564, so 70 would represent less than 3% increase which I would consider acceptable without further review of off-site traffic impacts.

Albion St Access:

I will leave review of the access off Albion St to TMR. Same applies for the risk assessment (5.2).

Parking:

Parking spaces for staff and patrons are both nominated as 2.6m.

Technically for an aisle width of 6.5m, patron parking should be 2.7m, and staff parks can be reduced to 2.4m. This should be addressed, as based on experience with the client's previous development, 2.7m parking bays for patrons are expected in a regional area.

I can't see an assessment of how many parks are for staff VS patrons, but I suspect a considered review would enable select parks for staff to be marked as such, reduced in width and the extra space used to widen the customer spaces without loss of parking numbers.

Sewer:

- *Need to consider how the lots to the North-West of the development are being serviced by the new sewer*
- *4 m easement near buildings complies with policy*
- *Likely to require the new sewer that is under the carpark to be constructed from DICL, will confirm with water department at next meeting.*

Stormwater:

- *Development proposes connection to Guthrie St (must be legacy, no Guthrie St here)*
- *There are significant stormwater pipes fronting the site*
- *Direct discharge without detention is likely the best outcome overall, as stated by the SMP.*

Water:

- *Proposes to determine during detailed design. This is probably going to be fine based on the use, but we should get a demand estimate from them.*

Environmental Health Commentary

Council's Regulatory Services Coordinator has reviewed the application and has provided the following commentary:

The only issues I picked up on are in relation to the motor vehicle workshop; potential for one of the units to be used as a food / drink outlet; amenities for each separate tenancy; and potential noise from roof top plant.

In relation to the motor vehicle workshop they do discuss a Storm Sack GPT – designed to capture gross pollutants, sediment, litter and oil and grease. I'm not clear on the location of this GPT in relation to the motor vehicle workshop activities, but it would be beneficial to understand whether the MVW floor is to be graded and trapped to capture any spilt oils, greases etc; whether it is proposed to store oils etc in a bunded stored area; and how / where waste products are to be stored pending disposal. I do note proposed centralised waste storage area, but oil/grease contaminated waste may require separate facilities. These issues can be addressed through conditions but it is also beneficial if there is some consideration of these issues during the design / construction phase.

Without due consideration of the food standard requirements for the construction and fit out of a food business it sometimes becomes very difficult for the applicant to achieve compliance where consideration of plumbing / electrical fixtures / connections particularly, are not taken into account at the design stage of a building. These are difficult to retrofit if not considered during the design phase of a building.

Is it proposed to have separate amenities for each of the tenancies? Food / drink outlet may require separate facilities for food handlers, for example.

The location of any rooftop plant may create noise nuisance for adjoining sensitive receptors. Should consider potential impact / location at time of design – easier and cheaper to address at design stage rather than retrofit / relocate after construction should a noise nuisance be identified.

In short, no major issues, and as indicated, most if not all of the above, could be addressed by conditions / advisory clauses on the development approval. However, are worthy of some consideration during the design phase to ensure minimal impact / cost post construction.

Referral

The application required referral to the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) for:

- an MCU where any part of the land is within 25 metres of a State-controlled road;
- an ROL where any part of the land is within 25 metres of a State-controlled road, or involves a new or changed access between the land and the State-controlled road; and
- an ROL for Business activities with TSA $\geq 3000\text{m}^2$ (combined total)

The DHLGPPW requires conditions to attached to any approval.

Assessment against the Planning Scheme

Benchmarks applying to the development
<p>The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:</p> <ul style="list-style-type: none"> – 6.2.9 Principal centre zone code – 8.2.5 Flood hazard overlay code – 8.2.6 Heritage overlay code – 9.3.5 Industry uses code – 9.4.2 Carparking and loading code – 9.4.4 Landscaping code – 9.4.5 Outdoor lighting code – 9.4.6 Physical infrastructure code – 9.4.7 Reconfiguring a lot code – 9.4.8 Stormwater management code

Principal centre zone code

PO3 *Industry uses are small scale low impact industries that serve the day to day needs of businesses and employees in the centre and have a similar built structure to shops and offices in the centre.*

The applicant proposes to construct three (3) tenancies on the subject land. The tenancies will include a Showroom and a Low impact industry. The applicant has stated the Low impact industry will be for small scale motor vehicle repairs. While the applicant has proposed an industry use, the industry use will be a Low impact industry. Furthermore, the proposed built form of the development will be of a similar nature to the existing shops within Warwick's central business district. Conditions will be imposed to ensure the only industry uses conducted on site are Low impact industry uses (motor vehicle repairs). With conditions imposed, compliance is achieved.

PO4 *The appearance and siting of buildings, other structures, carparking areas or signage is compatible with the local streetscape character, the style and design of nearby buildings and is respectful and sympathetic to any Local heritage place.*

The subject site contains an existing building and associated carpark with frontage to Palmerin Street and Albert Street. The applicant has proposed to construct three (3) additional buildings to the east of the existing buildings on-site. Tenancy 1 will have frontage to Albert Street and will be constructed to the street alignment. Tenancy 3 will have frontage to Albion Street and will be setback 6.0 metres from the road. Tenancy 2 will be located on the southern most portion of the subject land. Tenancies 1 and 2 will be attached to the existing building. The design of the proposed tenancies utilises large windows to both reduce bulk and ensure compatibility with the surrounding existing development.

Carparking for the proposed development will be contained within Lots 1 and 2 RP57839, Lot 2 RP102587, Lot 2 RP51389 and Lot 1 RP44563. The carparking within the development area will maintain the required setbacks from boundaries and will contain landscaping throughout. Lots 1 and 2 RP57839, Lot 2 RP102587, Lot 2 RP51389 and Lot 1 RP44563 will be required to be amalgamated to ensure the carparking for the development is contained within one allotment. Signage at the front of the development will be consistent with similar signage along Albion Street.

The applicant has included Lots 1, 2 and 4 RP5755 in the application which contains the existing thirty (30) car park carpark on the corner of Albert Street and Palmerin Street. The applicant has provided a plan showing eleven (11) additional carparking spaces for the corner carpark. While the carpark layout will be altered in accordance with Figure 19, the existing setbacks will not be altered, ensuring the carparking area is compatible with the streetscape.

The subject land adjoins Local Heritage Place no. 75 to the south-west, known as the Globe Hotel. The proposed development will not alter the exterior of the existing building which adjoins the Local Heritage Place along the western boundary. The proposed development will involve the construction of a building for commercial purposes (Tenancy 2) to the east of the Local Heritage Place. The proposed development will have a maximum height of 6.5 metres, while the adjoining Local Heritage Place will maintain a height of approximately 10.0 metres, ensuring the development is respectful to the Local Heritage Place. The proposed development is located to the rear of the Local Heritage Place and will not impede the Local Heritage Place's appearance from Palmerin Street.

Therefore, the development is considered to be respectful and sympathetic to the Local Heritage Place, thus, compliance with the Performance outcome is achieved.

PO5 All uses are designed and operated to preserve or improve the physical conditions of the adjoining area including noise, light, air quality, vehicle and pedestrian generation and flow.

The proposed development will be constructed on land that was formerly used for a hardware store, associated storage of timber and Commercial Use (Plant Nursery) conducted within the existing building. The proposed development will improve the physical conditions of the area, by utilising the abandoned hardstand concrete storage area.

Conditions will be imposed to ensure noise, light and air quality generated as a result of the development are to an acceptable level within the area.

The proposed development will increase pedestrian movements within the adjoining area. A footpath will be required to be constructed along the Albert Street frontage of the site. In addition to the footpath, the applicant has proposed to erect an awning over the Albert Street frontage of the site. The awning will be provided over the footpath and will match the width of the existing awning to the west. The erection of the awning will improve the pedestrian generation and flow for the immediate area. Conditions will be imposed requiring the footpath to be constructed and an awning to be provided along the Albert Street frontage of the site, excluding the access, at the same width as the adjoining awning to the west.

By imposing conditions, compliance with the Performance outcome is achieved.

PO9 Building facades incorporate elements including windows and doors that have a human scale.

The design of the proposed buildings are contemporary in appearance and utilise large walls, with large glass panels throughout. Windows and doors provided are of a human scale. The building façades also include awnings and projections, ensuring a visually attractive skyline. Compliance with the Performance outcome is achieved.

PO10

(a) The top level of the building and the roof form is shaped to –

- (i) reduce apparent bulk and provide a visually attractive skyline; and***
- (ii) screen mechanical plant from view.***

(b) Parapets are stepped or undulated and incorporate transitional elements to achieve a graded skyline.

The applicant has stated the following in response to the Performance outcome:

PO10 Complies

Parapets are provided to screen rooftop plant and accommodate building signage envelopes.

To reduce the appearance of bulk, provide a visually attractive skyline, and screen any potential mechanical plant from view, a condition will be imposed parapets are provided for each building. The parapets are to be either stepped or undulated. All rooftop plant is not to be visible. With conditions imposed, the development can comply with the Performance outcome.

AO12 Buildings fronting:

- *Palmerin Street between Albert and Percy Streets, Warwick; and*
- *Fitzroy Street between Albion and Guy Streets, Warwick; and*
- *Grafton Street between Albion and Guy Streets, Warwick; and*
- *King Street between Palmerin and Albion Streets, Warwick; and*
- *High Street, Stanthorpe, south of Lock Street; and*
- *Maryland Street, Stanthorpe;*

are built to the street alignment. In other locations buildings are built to the street alignment or otherwise setback to the same distance as neighbouring buildings.

While the subject land maintains frontage to Palmerin Street, the proposed development will have frontage to Albert Street and Albion Street. The existing building within the subject land is built to the street alignment along Albert Street. Tenancy 1 will have frontage to Albert Street, and will be built to the street alignment, ensuring compliance with the Acceptable outcome is achieved.

There are five (5) existing buildings fronting Albion Street between Albert Street and Fitzroy Street. One (1) building is built to the street alignment along Albion Street, where as four (4) buildings maintain a setback of at least 6.0 metres from Albion Street. Tenancy 3 will be setback 6.0 metres from Albion Street. The setback from Tenancy 3 from Albion Street is considered adequate.

The development can comply with the Acceptable outcome.

AO14 *There is no open storage of goods or materials except those set out for display.*

The applicant has confirmed there will not be any open storage of goods or materials. Conditions will be imposed to ensure compliance.

AO16

(a) Awnings are provided over footpaths in the following streets:

- *Palmerin Street between Albert and Percy Streets, Warwick; and*
- *Fitzroy Street between Albion and Guy Streets, Warwick; and*
- *Grafton Street between Albion and Guy Streets, Warwick; and*
- *King Street between Palmerin and Albion Streets, Warwick; and*
- *High Street, Stanthorpe, south of Lock Street; and*
- *Maryland Street, Stanthorpe.*
- *The awning extends along the full frontage of the site and matches the height and width of other awnings in the street.*

(b) The footpath adjoining the site is fully constructed with paving materials to the same standard and style of footpath works in the centre for the full width of the site from the kerb and channel to the property boundary.

(c) Specific pedestrian routes are provided, lit and clearly marked.

- (d) Paving materials are durable, low maintenance, avoid glare and reflection and are non-slip.*
- (e) Street furniture and lighting is provided to the same standard as that adopted by Council for the area.*

As per the Acceptable outcome, a condition will be imposed requiring the footpath along the Albert Street frontage of the site is fully constructed in concrete for the full width of the site from the kerb and channel to the property boundary. The concrete pavers are to be durable, low maintenance, avoid glare and reflection and are non-slip.

Specific pedestrian routes have been provided within the development and the carpark. The pedestrian routes include clearly painted zebra crossings where crossing the carpark. Conditions will be imposed to ensure the pedestrian routes provided are clearly marked at all times to ensure pedestrian safety.

Through the imposition of conditions, the development can comply with the Acceptable outcome.

AO18 *In partial fulfilment of the PO – Developments involving car parks, display yards or other open areas at the front of the site have a landscaped setback area at least 3 m wide adjacent to the road for the full frontage excluding vehicle access points.*

PO18 *Landscaping enhances the quality of buildings and significant pedestrian paths and on ground car parking areas without unduly restricting the opportunities for casual surveillance.*

The proposed carpark within the development area will be setback 2.0 metres from the northern boundary with Albert Street. To ensure the proposed carpark remains compatible with the local streetscape character despite the reduced setback, additional densely planted landscaping treatments will be required within the setback of Tenancy 1. This will reduce any visual impacts associated with the car parking area and provide a more respectful design to nearby buildings.

The applicant has proposed the following landscaping:

- A 6.0 metre wide landscaped area along the Albion Street frontage of the site;
- A 4.0 metre wide landscaped area along the eastern and southern elevation of the Tenancy 2 building; and
- A 1.0 metre wide landscaped strip along the eastern boundary of the carpark, east of the Tenancy 1 building.

The proposed landscaping areas are considered to enhance the quality of buildings and significant pedestrian paths. The landscaped areas are to be provided on the site in accordance with the Site Plan provided. A Landscaping Plan will still be required to be submitted detailing the plant species to ensure the landscaped areas provide a level of visual amenity that is attractive and consistent with the predominant streetscape and enhances the quality of buildings within the development.

The applicant has included Lots 1, 2 and 4 RP5755 in the application which contains the existing thirty (30) car park carpark on the corner of Albert Street and Palmerin Street. The applicant has provided a plan showing eleven (11) additional carparking spaces for the corner carpark. While the carpark layout will be altered in accordance with Figure 19, the existing setbacks will not be altered, ensuring the carparking area is compatible with the streetscape. The landscaping for the carpark on the corner of Albert Street and Palmerin Street will remain generally consistent with the existing landscaping. It is considered the landscaping for the carpark on the corner of Albert Street and Palmerin Street enhances the quality of buildings and significant pedestrian paths and on ground car parking areas without unduly restricting the opportunities for casual surveillance.

With landscaping conditions imposed, it is considered compliance with the Performance outcome can be achieved.

AO19 *Centralised waste storage areas are –*

- (a) located at least 5 m from any street frontage;*
- (b) of hardstand construction; and*
- (c) screened from view from a public place.*

There is no open storage of refuse.

The applicant has provided the following response:

The development includes a centralised [waste] storage and collection point adjacent to building 2. On-site manoeuvring areas are sufficient to accommodate on-site refuse collection vehicles.

A centralised waste storage area has been provided along the northern elevation within the Tenancy 2 building. The centralised waste storage area is accessed from the eastern-most roller door within the Tenancy 2 building. A condition will be imposed ensuring all there is no unsightly accumulations of waste or environmental harm being caused from waste receptacles. There is to be no storage of waste within 5.0 metres of the street frontages. With conditions imposed, the development can comply with the Acceptable outcome.

PO21 *Development incorporates satisfactory servicing, access, circulation and parking arrangements for private transport, public transport and emergency vehicles.*

A Traffic Impact Assessment has been provided by the applicant that examines site distances, crossover locations and design, and swept path diagrams for Heavy Rigid Vehicle (HRV) ingress and egress, shown in Figures 7-17. The swept path diagrams detail that there is satisfactory servicing, access and circulation for HRV's. There is an existing power pole and stormwater inlet along the Albert Street frontage of the site in the location of the proposed new vehicle crossover. The power pole and stormwater inlet will be required to be relocated. Furthermore, the proposed access from Albion Street will result in the required relocation of an existing light pole and stormwater inlet. Conditions will be imposed accordingly.

Council's Development Engineer has reviewed the car parking arrangements and locations and has provided the following commentary:

Technically for an aisle width of 6.5m, patron parking should be 2.7m, and staff parks can be reduced to 2.4m. This should be addressed, as based on experience with the client's previous development, 2.7m parking bays for patrons are expected in a regional area.

I can't see an assessment of how many parks are for staff VS patrons, but I suspect a considered review would enable select parks for staff to be marked as such, reduced in width and the extra space used to widen the customer spaces without loss of parking numbers.

All of the 90-degree car parking bays have a width of 2.6 metres and a depth of 5.4 metres. The applicant has not nominated on the Site Plan provided which car parking spaces are for staff or patron parking. As per Australian Standard AS2890.1, the nature and operation of the proposed Showroom and Low impact industry uses warrant parking spaces for user class 3A. As the aisle width for the carparking is 6.5 metres, the width of customer and patron carparking for User class 3A is required to be 2.7 metres. Employee parking, defined as User class 1, for an aisle width of 6.5 metres is required to be at least 2.4 metres. The development will not provide carparking widths as per the Australian Standard. As such, an amended Site Plan is to be submitted identifying both staff and customer carparking. Customer carparking is to have a minimum width of 2.7 metres, as per Australian Standard AS2890.1.

By imposing conditions, the development can comply with the Performance outcome.

AO22 *Sensitive land uses are not located on:*

- (a) sites of former mining activities (e.g. disused underground mines, tunnels and shafts);*
- (b) former landfill and refuse sites; or*
- (c) contaminated land.*

Lot 1 RP44563 is included on the Environmental Management Register (EMR) as the lot once contained battery manufacturing or recycling. The proposed development intends to utilise the subject land, including Lot 1 RP44563, for the purpose of a Showroom and Low impact industry. As per the *Planning Regulation 2017*, the definition of a sensitive land use does not include a Showroom or Low impact industry. Therefore, the development can comply with the Acceptable outcome.

Flood hazard overlay



Figure 19: Flood hazard overlay

AO1

- (a) With the exception of farm sheds and outbuildings associated with an existing dwelling, new buildings are not located within the overlay area; or
- (b) New buildings are located within the overlay area only where the local government has confirmed in writing that the following criteria are met
 - (i) There is no part of the lot that is outside of the Flood hazard overlay area;
 - (ii) New buildings are located on the highest part of the lot to minimise entrance of floodwaters;
 - (iii) New buildings are located in areas of low flood hazard only as follows:
 - Maximum flood depth is 0.3 m; and
 - Maximum flood velocity is 0.4 m/s.
 - (iv) Direct access is available to low hazard evacuation routes as follows:
 - Maximum flood depth is 0.3 m;
 - Maximum flood velocity is 0.4 m/s; and
 - Evacuation distance is less than 200 m.

Note: An extension to an existing dwelling, and the replacement of an existing dwelling house with a new dwelling house, are not considered to be a material change in use of the premises (unless the increase in floor area of the dwelling house is substantial) and therefore does not require assessment against the planning scheme

PO1 Development siting and layout responds to flooding potential and maintains personal safety at all times.

The applicant has provided the following response:

The eastern portion of the site adjacent to Albion Street is identified on Flood Hazard maps and the development is designed to involve minor cut and fill works to achieve flood immunity for Building 3 on the flood affected portion, with safe evacuation available to Albion Street via portions of the site which are not inundated.

Lot 1 RP44563 is impacted by the Flood hazard overlay within the eastern portion of the lot. The proposed Tenancy 3 building and access from Albion Street will be partially sited within the Flood hazard overlay, shown in Figure 20. Approximately 75.0 square metres of the building will be located within flood waters with a depth of 0.00m to 0.25m, approximately 87.0 square metres of the building will be within flood waters with a depth of 0.25m to 0.50m, and approximately 86.0 square metres of the building will be within flood waters with a depth of 0.50m to 1.00m.

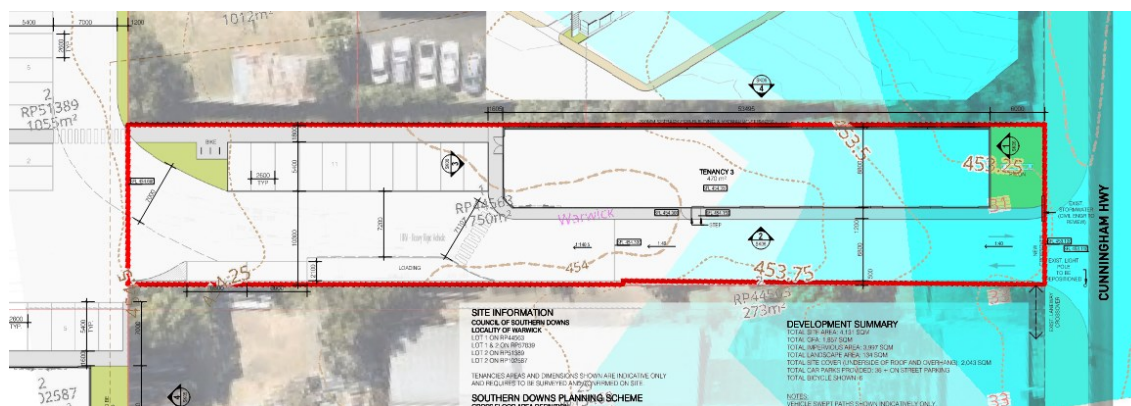


Figure 20: Flood hazard overlay within Tenancy 3

Council's additional flood mapping shows that the Flood Intensity for a 100 year flood is between 0.0 to 0.2, shown in Figure 21. The Flood Intensity is the peak velocity-depth product. The site contains the lowest level of flood intensity, as the peak velocity-depth product is not lower than 0.0 to 0.2. This ensures that part of the development sited within the Flood hazard overlay, contains the lowest level of potential flood intensity.

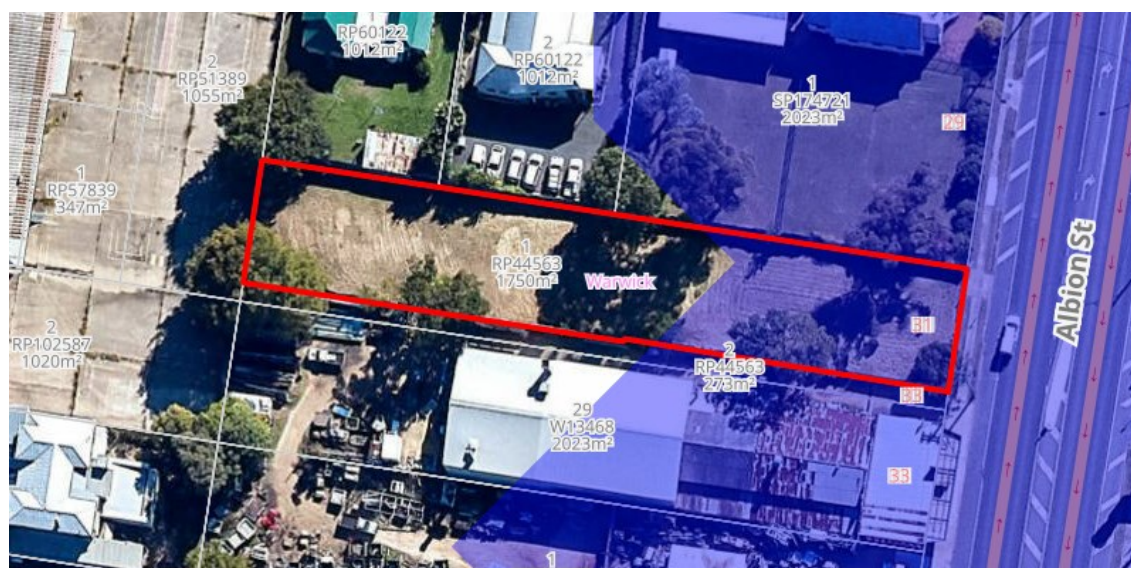


Figure 21: Flood hazard intensity

While the building is partially located within the Flood hazard overlay, and access to Albion Street is impacted by flooding, flood free access to and from the site can be achieved from Albert Street. Both the proposed development and the existing buildings can utilise the Albert Street access to the site via the proposed Access easement. This ensures there is direct access and exist routes from the site wholly outside of the Flood hazard overlay, further maintaining personal safety.

The applicant has provided a Desktop Flood Report, prepared by Naxos Engineers. Section 5.1 of the Desktop Flood Report, prepared by Naxos Engineers, states:

The building levels have been determined in accordance with Southern Downs Regional Council's Planning Scheme (Version 5) to achieve minimum flood immunity. It is noted that the proposed building floor level is approximately 750mm higher than the existing ground. Hence, any filling required will be balanced by cut along the proposed driveway. It is envisaged that this filling will not cause any nuisance to down stream properties.

Council's Development Engineer has reviewed the Desktop Flood Report and has provided the following commentary:

I have reviewed the flood impact assessment from Naxos;

- *The assessment is approved by an RPEQ*
- *Their assessment of the defined flood event level is reasonable (and by extension, their proposed floor level 300 above)*
- *S5 doesn't give much detail about the cut and fill, but our interpretation can be reinforced by application of a condition: The balance cut and fill proposed for the construction of a building pad must be carried out such that on-site flood storage volumes within the flood hazard overlay are retained for all flood events.*
- *S5.2 doesn't give much justification for the conclusion that the development will cause no discernible impacts, but the conclusion is nonetheless reasonable based on;*
 - o *The filling can only 'obstruct' the flow by a maximum of ~ 30m in an ~820m flow path, I.E ~3%, and,*
 - o *The topography and built form adjoining the development naturally ensure flood velocities are low, and so afflux due to obstacles is negligible.*

As such, I would consider that the performance outcomes of the flood hazard overlay have been addressed.

With consideration given that only a portion of the Tenancy 3 building is within the Flood hazard overlay, the mapped flood intensity within the subject land is the lowest level of flood intensity, and the site proposes a secondary access from Albert Street to allow for the safe evacuation of the development in the event of a flood, the development responds to flooding potential and maintains personal safety at all times. Therefore, the development is considered to comply with the Performance outcome.

AO2.2 *In partial fulfilment of the PO - Non-residential buildings:*

- (a) are located and designed so that floor levels (except areas used for car parking) are not subject to flooding;*
- (b) orient to the street by activating the street frontage through ground floor commercial uses or urban design treatments such as recess wall treatments, screening and landscaping;*
- (c) allow for flow through of flood waters on the ground floor; and*
- (d) electrical meter boxes, switchboards, power points and switches are located above the DFE flood level.*

Note: The relevant building assessment provisions under the Building Act 1975 apply to all building work within the overlay area and must take account of the flood potential within the area.

Note: A flood assessment report may be necessary to demonstrate compliance to the satisfaction of the assessment manager. A flood assessment report should include an assessment of the development proposal against these outcomes, and may require a specific hydraulic and hydrologic investigation undertaken by a suitably qualified professional engineer.

Note: Businesses should ensure that they have the necessary continuity plans in place to account for the potential need to relocate property prior to a flood event (e.g. allow enough time to transfer stock to the upstairs level of a building or off-site.)

PO2 *Development is resilient to flood events by ensuring that design and construction account for the potential risks of flooding.*

In addition to the Flood hazard overlay and Council's Flood Intensity mapping, the applicant has provided a Desktop Flood Report, prepared by Naxos Engineers. The flood report outlines the Defined Flood Event Level and the Existing Surface Level for the development site, and calculates the maximum Defined Flood Level for the site as RL 454.050 metres AHD. The recommendations outlined in the flood report provided are as follows:

The following minimum flooding immunity levels are proposed to be adopted:

Table 4-2 Flood Immunity and Proposed Levels

<i>Development types and design levels, assigned design floor or pavement levels</i>	<i>Minimum Flood Immunity Levels (RL mAHD)</i>	<i>Proposed Levels based on DFE Levels and 0.300 m freeboard.</i>
<i>Building Floor Level</i>	<i>454.050</i>	<i>454.350</i>
<i>Essential Electrical Services</i>	<i>454.050</i>	<i>454.350</i>

The analysis contained with the Flood Report provided recommends the floor level and the essential electrical services for the Tenancy 3 building should be located at 454.350 AHD, 300mm above the defined flood event level. This will ensure the Tenancy 3 building is resilient to flooding events by ensuring design and construction account for the potential risks of flooding. Conditions will be imposed requiring the recommendations set out in 24-165 - *Desktop Flood Report – V3, dated 30 April 2024*, prepared by Naxos Engineers are adhered to.

Council's Development Engineer has reviewed the Flood Assessment and has provided the following commentary:

I have reviewed the flood impact assessment from Naxos;

- *The assessment is approved by an RPEQ*
- *Their assessment of the defined flood event level is reasonable (and by extension, their proposed floor level 300 above)*
- *S5 doesn't give much detail about the cut and fill, but our interpretation can be reinforced by application of a condition: The balance cut and fill proposed for the construction of a building pad must be carried out such that on-site flood storage volumes within the flood hazard overlay are retained for all flood events.*
- *S5.2 doesn't give much justification for the conclusion that the development will cause no discernible impacts, but the conclusion is nonetheless reasonable based on;*
 - o *The filling can only 'obstruct' the flow by a maximum of ~ 30m in an ~820m flow path, I.E ~3%, and,*
 - o *The topography and built form adjoining the development naturally ensure flood velocities are low, and so afflux due to obstacles is negligible.*

As such, I would consider that the performance outcomes of the flood hazard overlay have been addressed.

Therefore, with consideration given to the above, with conditions imposed the development can comply with the Performance outcome.

AO3

- (a) Materials manufactured or stored on-site are not hazardous or noxious; or*
- (b) The manufacture or storage in bulk of hazardous materials takes place above the DFE flood level; and*
- (c) Material, manufacturing equipment and containers are located above the adopted flood level or where the flood level is not adopted they are located on the highest part of the site to enhance flood immunity*

The applicant has provided the following response:

No manufacturing or outdoor storage activity proposed to be undertaken on site, with all Low impact industry uses undertaken within flood immune buildings.

The Tenancy 3 building is partially impacted by the Flood hazard overlay. The Tenancy 1 and 2 buildings are not impacted by flooding. The applicant has indicated no industrial activities will be conducted within the Tenancy 3 building. This ensures there will not be any hazardous or noxious

materials manufactured or stored associated with the Low impact industry within the flood impacted building. Conditions will be imposed restricting the Low impact industry to be wholly conducted within Tenancy 1 and/or 2. With conditions imposed, compliance with the Acceptable outcome can be achieved.

Heritage overlay code

AO2 *All new buildings are setback from all street frontages at least the same distance as the Local heritage place.*

The subject land adjoins Local Heritage Place no. 75 to the south-west, known as the Globe Hotel. The Globe Hotel is built to the street alignment and maintains frontage to Palmerin Street. The proposed development will not alter the setback of the existing building, which adjoins the heritage place to the south. The development complies with the Acceptable outcome.

AO3 *All new buildings are setback from all common boundaries with the Local heritage place a distance equal to or greater than the distance the local heritage place is setback from the boundary.*

The proposed development will result in the construction of Tenancy 2 within Lot 2 RP10287, which will be setback 50mm from the common boundary with the Local Heritage Place. The Local Heritage Place maintains a setback of approximately 33.0 metres from the common boundary of Lot 2 RP10287. The development must comply with the Performance outcome.

PO3 *The development does not dominate or crowd the Local heritage place.*

The proposed development will result in the construction of Tenancy 2, located to the east of the Local Heritage Place. The proposed development, which includes Tenancy 2, will have a maximum height of 6.5 metres, while the adjoining Local Heritage Place will maintain a height of approximately 10.0 metres. Furthermore, due to the existing built form along Palmerin Street including the adjoining Local Heritage Place, the proposed development will not be visible from Palmerin Street. Therefore, it is considered the development does not dominate or crowd the Local Heritage Place, and compliance with the Performance outcome is achieved.

AO4.2 *Development has a sympathetic roof form to the adjoining Local heritage place.*

AO4.3 *Development utilises materials for external finishes to the elevations that, where visible from the street or other public place, are complementary to the materials used in the original construction of the adjoining Local heritage place. Where possible, existing materials are retained and reused.*

PO4 *The built form is respectful to and sympathetic to the adjoining Local heritage place.*

The proposal involves the construction of Tenancy 2 within Lot 2 RP102587. The proposed buildings do not have a sympathetic roof form and do not utilise the same materials as the adjoining Local Heritage Place. The adjoining Local Heritage Place has parapets along the façade. A condition will be imposed ensuring each building within the proposed development incorporate stepped or undulated parapets. The proposed Tenancy 2 building will also be setback 4.0 metres from the southern-most boundary, ensuring the building is not visible from any viewpoint fronting the Local heritage Place along Palmerin Street. The applicant has also stated that the buildings will have neutral colours. A condition will be imposed requiring the design, colours and materials of the buildings are to be in accordance with the character of the area.

A further condition will be imposed requiring the Tenancy 2 building to include a slightly hipped roof design. This will ensure the roof design of the building is sympathetic to the roof of the adjoining Local Heritage Place.

By imposing conditions, the development is considered to be sympathetic to the adjoining Local Heritage Place and compliance is achieved with the Performance outcome.

Industry uses code

AO1.1 *The land is not included in the area shown as Flood hazard area on the Flood hazard overlay maps.*

The subject site is impacted by the Flood hazard overlay within the eastern portion of Lot 1 RP44563. The development must comply with the Performance outcome.

PO1 The physical characteristics of the land are suitable for industrial use.

The proposed Tenancy 3 building will be located within Lot 1 RP44563 which is impacted by flooding. The applicant has indicated that no industrial uses will be conducted within the flood impacted building. A condition will be imposed ensuring that the Low impact industry is conducted within the Tenancy 1 and 2 buildings only. By imposing this condition, the characteristics of the land are considered suitable for the proposed Low impact industry use, and the development can comply with the Performance outcome.

AO3.1 Landscaped setback areas are to be provided along the street frontages of the site in accordance with the zone code.

The Principal centre zone code requires a landscaped setback of 3.0 metres adjacent to the road. The proposed development includes a landscaped setback of 2.0 metres along the Albert Street frontage of the site. Compliance must be achieved with the Performance outcome.

PO3 Buildings and other structures are designed and constructed in a manner that complements the existing built form in the immediate area.

The maximum height of the three (3) buildings will not exceed 6.5 metres and the maximum site coverage is 43.6%. The three (3) buildings have been designed and oriented to provide visual separation between the buildings and address the visual amenity of the street. Properties to the north-east of the subject land contain residential and non-residential development, while the majority of the land uses to the south contain commercial development. As the development is located within the Principal centre zone, where the dominant development style is for commercial activities, the proposed development is complementary to the immediate area. To further ensure the built form of the development complements the area, landscaped areas have been provided adjacent to each road frontage. In addition, landscaping has been proposed along the eastern boundary to the east of the Tenancy 1 building and along the eastern and southern elevations of the Tenancy 2 building. The proposed landscaping will soften the scale of the development. By imposing conditions, the development can comply with the Performance outcome.

AO4 The use is consistent with the objectives set out in the Environmental Protection (Noise) Policy 2008 and the Environmental Protection (Air) Policy 2008.

The applicant proposes to operate a Low impact industry (motor vehicle workshop) on the subject land. The following response has been provided by the applicant:

The site adjoins a single sensitive use on its north-eastern corner and conditions of approval related to hours of operation can address reasonable amenity expectations.

Any Low impact industry use will be required to be conducted wholly within a building. Council's Regulatory Services Coordinator has reviewed the application and has provided conditions relating to noise, air, amenity and environmental controls. As per the applicant's request, any Low impact industry use shall generally operate only between the hours of 7.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays. By imposing conditions, the development is able to remain consistent with the objectives set out in the *Environmental Protection (Noise) Policy 2019* and the *Environmental Protection (Air) Policy 2019*.

AO6.2 The visual impact of buildings, structures or land used for industry is minimised when viewed from any dwelling, other than a dwelling on the same site, through the use of methods such as mounding, landscaping and screen fencing.

The proposed development will contain a Low impact industry use. Two (2) sensitive receptors exist which adjoin the subject land; one to the north-east of the subject site described as Lot 1 RP60122, and one to the south described as Lot 1 RP74473. To ensure compliance with the Acceptable outcome, a condition will be imposed requiring fencing is to be provided in accordance with the following diagram, shown Figure 20.

In addition to the fencing, landscaping will be required throughout the development and is to be planted in areas in accordance with the Site Plan.

With conditions imposed, the visual impact of development is minimised and the development complies with the Acceptable outcome.

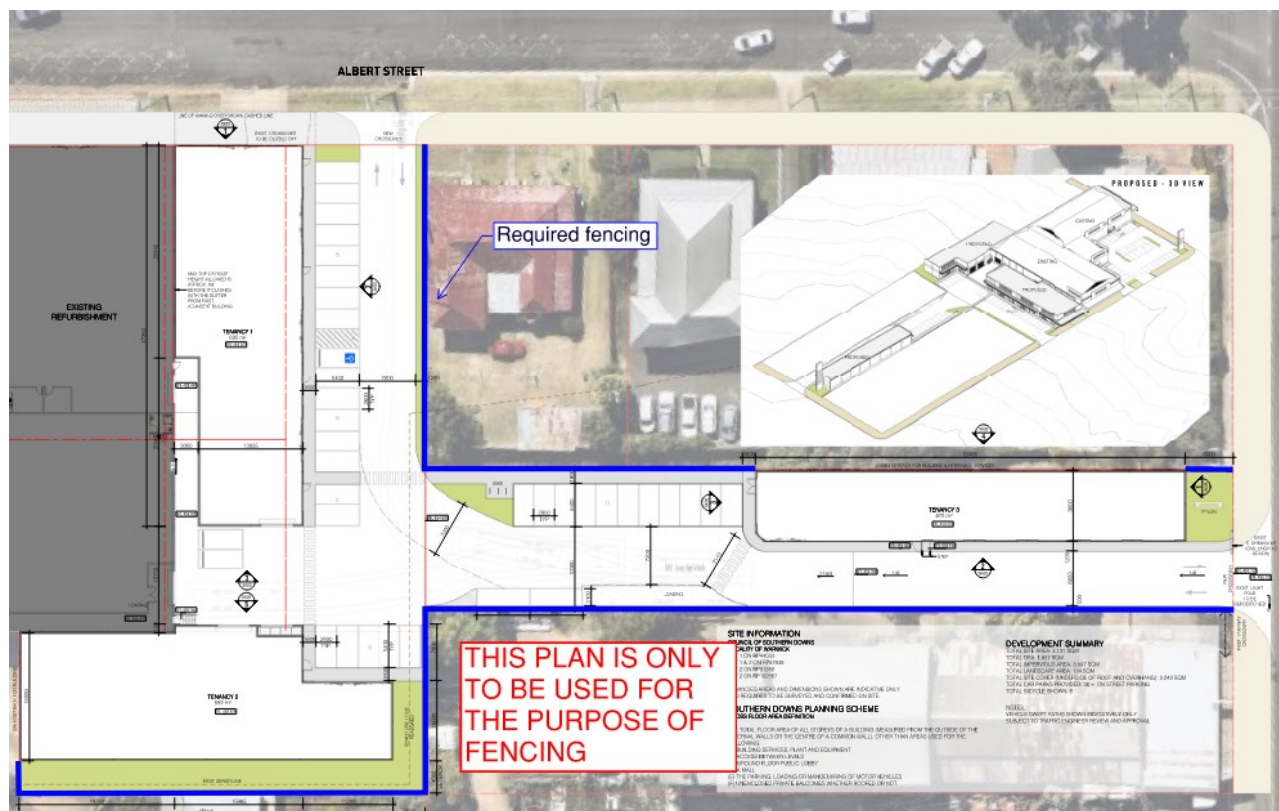


Figure 20: Required fencing plan – Prepared by Council 10 October 2024

Carparking and loading code

AO1.1 The number of parking and loading spaces is not less than the minimum number specified in Table 9.4.2.4. Where the calculation of applicable parking rates results in a fraction, the number required will be the next highest whole number. Council may accept an alternative to providing the required spaces on the development site in accordance with Planning Scheme Policy – Off Street Carparking.

In the Principal centre zone and the District centre zone:

- (a) where a new use of an existing non-residential building occurs, no additional parking is provided, even in the circumstances where the new use would normally require more parking than the previous use in accordance with Table 9.4.2.4;
- (b) where an existing non-residential building is extended, additional parking spaces are provided at the rate shown in Table 9.4.2.4 for the extension only.

PO1 Sufficient carparking is provided to accommodate the number and type of vehicles likely to be generated by the development having regard to the following:

- (c) the nature and operation of the use;
- (d) the likely number of users including residents and employees;
- (e) the hours of operation and the peak parking demand periods;
- (f) the availability of alternative parking in the vicinity including on street car parking;
- (g) in the case of residential development, the proximity to the Principal centre zone and the facilities contained within that zone;
- (h) the feasibility of physically providing parking on site including access restrictions and size of the site; and
- (i) The provisions of Planning Scheme Policy – Off Street Carparking.

The proposed development is located within the Principal centre zone and is for the purpose of Showroom and Low impact industry. As per Table 9.4.2.4, one (1) carparking space per 25m² of GFA, in addition to any outdoor use area, is to be provided to service the development. The proposed development will involve the construction of three (3) buildings with a GFA of 1,857 square metres. Therefore, the development is required to provide seventy-five (75) carparking spaces. The development has proposed to provide thirty-six (36) carparks.

In addition to the on-site carparks provided by the development, the applicant has proposed to line mark six (6) on-street carparking spaces along the Albert Street frontage of the site, shown in Figure 18. However, while six (6) additional on-street spaces have been proposed to be line-marked, the proposed vehicle crossover to Albert Street will remove two (2) previous existing spaces. Therefore, only four (4) additional on-street parking spaces will be considered to be provided by the development. As a result, the development will provide forty (40) carparking spaces.

The applicant has also proposed to increase the number of carparking spaces for the existing thirty (30) space carpark on the corner of Albert Street and Palmerin Street. The applicant has provided a plan showing eleven (11) additional carparking spaces for the corner carpark, shown in Figure 19. The applicant is able to utilise the additional carparking spaces for the existing corner carpark as the Lots 1, 2 and 4 RP5755 which contain the existing carpark, have been included in the development application. However, should the additional eleven (11) carparking spaces be included in the total carparking provided by the development, a condition will be required to be imposed ensuring the land containing the existing carpark on the corner of Albert Street and Palmerin Street is amalgamated with the development area. Alternatively, a statutory covenant is to be provided over the to retain these lots in the same ownership until such time as the use of the land ceases. This will ensure that all carparking associated with the development is contained on the same land, or held in the same ownership.

The provisions of the *Planning Scheme Policy – Off Street Carparking* states that,

As a guide, Council may accept the provision of car parking on a suitable alternative site subject to the applicant entering into a satisfactory agreement with Council that ensures that the land proposed for parking associated with the development will remain available for parking for the life of the development.

To avoid the amalgamation or the implementation of an ownership covenant over all lots, in accordance with *Planning Scheme Policy – Off Street Carparking*, an alternate condition can be imposed requiring the applicant enter into an agreement with Council that ensures eleven (11) carparking spaces located in the existing carpark on the corner of Albert Street and Palmerin Street can be utilised for carparking for the proposed development (Showroom and Low impact industry) for the life of the development. By imposing this condition, an additional eleven (11) carparking spaces can be utilised for the development.

As a result of the above, a total of fifty-one (51) carparking spaces can be provided for the development. While fifty-one (51) spaces have been provided – thirty-six (36) on site, four (4) additional on-street spaces and eleven (11) additional spaces in the existing carpark on the corner of Albert Street and Palmerin Street – the development will still result in a shortfall of twenty-four (24) carparking spaces.

The *Planning Scheme Policy – Off Street Carparking* offers an alternative to the provision of carparking provided by the development though the applicant voluntarily entering into an Infrastructure Agreement with Council to provide car parking on Council land. The applicant has stated they do not intend to enter into an Infrastructure Agreement, and have provided the following justification:

The Applicant has given due consideration to Councils request and its' interests in ensuring an equitable applicable of Planning Scheme Policies, but notes that: -

- *a reduction in the proposed gross floor area or an increase in contributions as requested will severely undermine the financial viability of the proposal;*

- *the changes are not required to achieve compliance with PO1 of the Carparking and loading code, as sufficient on-site car parking is provided based on the nature and intensity of uses proposed (and would result in a surplus of on-site car parking in any other zone);*
- *the development is not expected to result in increased demand for off-street car parking in Council owned car parking stations because: -*
 - *sufficient car parking is provided on the site;*
 - *the site is not located within easy walking distance of Council's parking stations (around 650m walking distance Acacia Avenue car parking and more than 400m for car parking in the Civic precinct - which appears to be heavily utilised for long-term parking demands by Council staff) and given the nature of the use (bulky goods and motor vehicle repairs) would be generally unsuitable for intended customers of the site; and*
 - *the immediate locality of the site has a very high proportion of on-street car parking, with more than 40 on-street spaces provided on the development side of Albert Street and on both sides of Palmerin Street generally adjacent to the Stage 1 frontage – and can readily supplement proposed on-site parking supply in rare instances of peak parking demand.*

Accordingly, the Applicant advises that they do not intend to reduce the proposed gross floor area or enter into a voluntary infrastructure agreement with Council and have instead elected to provide further documentation (attached) addressing: -

- *section 4 of Planning Scheme Policy SC6.3 - which outlines matters for consideration by Council in considering alternative outcomes in relation to the provision of on-site car parking – related to the nature and intensity of the use, its location relative to Council car parking stations and its location relative to on-street car parking; and*
- *relevant aspects of the Overall outcomes of: -*
 - *the Principal centre code, including OO2a which promotes the development of higher order business activities in Principal centres to maintain the economic viability and vitality of centres – with the enclosed desktop retail analysis suggesting that the majority of recent commercial development in Warwick is occurring outside of the Principal centre zone, whereby Principal centre parking rates (which unduly favour retail intensive uses such as supermarkets or district department stores) are undermining the potential service capacity, vitality and viability of the Centre.*
 - *The Parking and loading code, including OO2a, to demonstrate that sufficient parking is provided to meet the needs of development and in a manner that does not compromise the safety or amenity of surrounding areas.*

The Applicant remains committed to resolving this matter favourably with Council and is willing to meet with Council officers or provide any further information that is considered necessary to inform further assessment of the proposal.

The applicant has also undertaken an analysis of carparking rates for Local Government areas surrounding the Southern Downs. The presentation has been attached to this report.

Recommendation

Based on the above, the development will result in a shortfall of twenty-four (24) carparking spaces. The development should enter into a voluntary Infrastructure Agreement with Council for the provision of twenty-four (24) carparking spaces on public land or adjacent roads in lieu of providing car parking spaces on-site to ensure the development does not result in a shortfall of carparking.

Under s66 (1) (b) of the *Planning Act 2016*, a development condition must not require a person to enter into an infrastructure agreement. However, s65 (2) (c) of the *Planning Act 2016* states that a development condition may include the compliance with an infrastructure agreement for the premises. This means that any Infrastructure Agreement should be executed prior to any condition referencing the agreement.

The following are options which Council can consider, if the recommendation is not supported in the current form:

- A. An Infrastructure Agreement voluntarily being entered into by the developer for the payment of carparking contributions (per car parking space not provided on site) for the shortfall of twenty-four (24) carparking spaces prior to Council deciding the development application; or
- B. An Infrastructure Agreement voluntarily being entered into by the developer for the payment of carparking contributions (per car parking space not provided on site) for the shortfall of half the number of carparking spaces required, being twelve (12) carparking spaces, prior to Council deciding the development application; or
- C. Council accepts the proposed number of carparking provided by the development despite the shortfall of carparking, for reasons provided by Council.

Lawful conditions will be imposed to ensure compliance.

Should Council resolve to require the developer enter into an Infrastructure Agreement and the developer refuses to do so, the proposal plans will be amended to reduce GFA of the development to ensure the required number of carparking spaces is equal to or less than the proposed number of carparking spaces. This will ensure there will not be a shortfall of carparking spaces and lawful development conditions can be imposed under s65 of the *Planning Act 2016*.

AO2 *Except in the case of a dwelling house, parking spaces, manoeuvring areas, queuing areas, loading, set down and pickup areas and driveways meet the design requirements of Australian Standard AS 2890.1 – Parking facilities - Off-street car parking and AS 2890.2 Parking facilities – Off-street commercial vehicle facilities.*

As previously mentioned, Council's Development Engineer has reviewed the carparking arrangements and has determined that compliance with *Australian Standard AS 2890.1* has not been achieved. The applicant has provided carparking at a width of 2.6 metres. As per *Australian Standard AS2890.1*, the nature and operation of the proposed Showroom and Low impact industry uses warrant parking spaces for user class 3A, which requires the width of customer carparking to be at least 2.7 metres. As such, an amended Site Plan is to be submitted identifying both staff and customer carparking, with the width of customer carparks being at least 2.7 metres. Conditions will be imposed to ensure compliance.

AO3 *Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed in accordance with Planning Scheme Policy – Carpark Construction.*

Conditions will be imposed requiring the parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are sealed and are constructed in accordance with *Planning Scheme Policy – Carpark Construction*. Therefore, compliance can be achieved with the Acceptable outcome.

AO4

- (a) *The carpark is located where it can be monitored by passers by or the occupiers of the development.*
- (b) *Where the carpark is open to the public at night, lighting is provided throughout the carpark and along pedestrian access paths in compliance with Australian Standard AS 1158.3.1 – Lighting for roads and public spaces – Pedestrian area (Category P) lighting - Performance and design requirements.*

The proposed carpark will be visible from the Albert Street and Albion Street footpaths of the site, ensuring casual surveillance. The applicant has stated 'under-awning lighting' will be provided

within the development under all pedestrian walkways. Conditions will be imposed to ensure compliance.

AO6

- (a) Vehicular access is located and designed in accordance with AUSTROADS – Guide to Road Design Part 4: Intersections and Crossings - General requirements for sight distance and Section 3 of AS 2890.1 Parking Facilities.*
- (b) Only one footpath crossing is provided for each frontage to the site. Design of the driveway across the footpath is in accordance with IPWEAQ Standard Drawings for residential and commercial driveways.*
- (c) In the Principal centre, District centre, and Specialised centre zones, wherever practical driveways are located so they abut existing driveways of adjoining development and reciprocal easements are created to reduce the sealed driveway width.*
- (d) Footpath and kerb crossovers are located clear of existing stormwater inlet structures, water and sewerage infrastructure fittings, any other existing utility infrastructure and street trees.*

The applicant has proposed two (2) footpath crossovers for the development area, one from Albion Street and the other from Albert Street. The existing crossover from Albert Street will be decommissioned to ensure only one crossover is provided.

The applicant has also proposed an Access easement over the internal driveways for vehicles to access the loading and service area of the existing building. The Access easement will ensure there are no additional crossovers or driveways for the site.

There is an existing power pole and stormwater inlet along the Albert Street frontage of the site in the location of the proposed new vehicle crossover. The power pole and stormwater inlet will be required to be relocated. Furthermore, the proposed access from Albion Street will result in the required relocation of an existing light pole and stormwater inlet. Conditions will be imposed accordingly.

AO7 *Approval from the Department of Transport and Main Roads is obtained for any works (including property access) for:*

- Work within boundaries of a State-controlled road; and*
- Direct access to a State-controlled road.*

The development application was referred to the State Assessment and Referral Agency (SARA) which included an application for a road access location, under section 62A(2) of *Transport Infrastructure Act 1994*. The application for a road access was approved with conditions on 2 August 2024.

AO9

- (a) The service bays provided and their access, can accommodate, at any one time, the types of service vehicles detailed in Table 9.4.2.4.*
- (b) Service bays located wholly or partly within a building are physically separated from the rest of the building in a manner that makes it impractical to use them for storage or work areas.*
- (c) Vehicles being unloaded or loaded with goods stand completely on site and do not impede vehicle access to more than 10 parking spaces.*
- (d) Service vehicles enter and leave the site in a forward gear*

The loading and service bays have been provided to service Heavy Rigid Vehicles (HRV). A loading bay has been provided along the southern boundary of Lot 1 RP44563, and a service area has been provided along the northern elevation of the Tenancy 2 building. This service area is for the purpose of collection of waste from the centralised waste storage area and the loading and unloading of goods associated with the existing building. This service area is within the bounds of the proposed Access easement.

When service vehicles are being unloaded or loaded with goods for each loading and service area, no carparks are obstructed. Service vehicles are able to enter and leave the site in a forward gear. The development can comply with the Acceptable outcome.

AO10

- (a) The number of bicycle parking racks is not less the minimum number specified in Table 9.4.2.4 or as required by Queensland Development Code MP 4.1 whichever is the greater.*
- (b) Bicycle parking racks are designed in a manner that allows for the securing of bicycles.*
- (c) Bicycle parking racks are located either adjacent to a building or a fence or wall within the carpark.*

Note: The requirements for bicycle parking and storage facilities of the Queensland Development Code MP 4.1 apply to the construction of a new commercial office building, shopping centre, tertiary educational facility or hospital, where the floor area is greater than 2000 m², and also to additions of at least 1000 m² to these developments.

PO10 *Secure, convenient facilities for cyclists encourage the use of bicycles.*

The total number of carparks provided by the development on-site is thirty-six (36), with the number of carparking spaces provided by the development totalling fifty-one (51). As per Table 9.4.2.4, bicycle parking racks are to be provided at a rate of one (1) bike parking space per twenty (20) car parks where the car park on-site exceeds fifty (50).

The applicant has provided six (6) bicycle parking racks within the development area. While the bicycle parking racks will not be located adjacent to the building or a fence or wall, the bicycle racks are located adjacent to the pedestrian walking ways throughout the development, ensuring convenient facilities for cyclists which encourage the use of bicycles. The development is considered to comply with the Performance outcome.

Landscaping code

AO1 *In partial fulfilment of the PO – Landscaping is carried out in accordance with a planting plan prepared by a suitably qualified landscape designer that:*

PO1 *Development is landscaped in a manner which:*

- Makes a positive contribution to the streetscape and enhances the appearance of the facility;*
- Integrates natural landscape features such as rock outcrops and existing large trees and existing native vegetation;*
- Enhances buffer areas around property boundaries;*
- Compliments the relative size and nature of the development;*
- Screens the view of service, carparking and loading areas;*
- Enhances the appearance of screens and acoustic fences; and*
- Ensures the functionality of outdoor space.*

The landscaped areas are to be provided on the site in accordance with the Site Plan provided. A Landscaping Plan will be required to be submitted detailing the plant species for the landscaped areas. Conditions will be imposed to ensure that the proposed development complies with the Code.

AO5

- (a) Plant species within an electricity transmission line easement are less than 4 m high at maturity.*
- (b) Any species planted beneath a power line that connects to a building shall have a height at maturity of less than 2 m.*

- (c) *Trees and large shrubs are located a minimum of:*
 - (i) *4 m from electricity poles and pillars;*
 - (ii) *7.5 m from overhead lights;*
 - (iii) *2 m from stormwater catchment pits; and*
 - (iv) *2 m from underground services and utilities.*
- (d) *Plants are located to enable tradespersons to access, view and inspect service meters such as water and electricity meters.*
- (e) *Root barriers are installed around trees that are located within 3 m of any underground infrastructure.*

The applicant has proposed to realign the existing reticulated sewerage main that traverses the subject land to along the eastern and southern elevations of the Tenancy 2 building. The realigned sewerage line will be located in an area outlined for landscaping as per the Site Plan provided. A condition will be imposed to ensure there are no large trees or shrubs located in close proximity to sewerage line.

AO8

- (a) *Where a carpark adjoins residential premises dense planting is provided between the carpark and the boundary.*
- (b) *Runoff from carparking areas is directed to landscaped areas to minimise contaminated run off entering the stormwater system and water courses.*
- (c) *Where the number of parking spaces in an off-street parking area exceeds 10:*
 - (i) *One advanced tree with a minimum canopy at maturity of 3 m in diameter is provided for every 10 carparking spaces (or part thereof). At least half of the required number of trees is to be located within the carpark area (not around the periphery).*
 - (ii) *The landscaping comprises trees with clear trunks to a minimum height at maturity of 2 m and open, low-growing shrubs and ground covers to a maximum height of 1.2 m.*
 - (iii) *A minimum mulched area of 3 m² is provided around each tree. This area is to be planted with low growing shrubs or ground covers. The trees are to be protected by tree guards, bollards or similar.*
- (d) *The landscaped area is separated from any carparking area by a raised kerb that is designed to ensure that vehicles do not park on or over the landscaped area.*

The development area adjoins two (2) residential premises, one to the east of Lot 2 RP51389 and one to the south of Lot 2 RP102587. Landscaping has been provided along the boundaries adjoining the residential premises.

As the development involves on on-site carpark containing more than 10 carparking spaces, to ensure compliance with the Acceptable outcome a condition will be imposed requiring one (1) advanced tree with a minimum canopy at maturity of 3.0 metres in diameter is provided for every ten (10) carparking spaces (or part thereof). At least half of the required number of trees is to be located within the carpark area (not around the periphery) and a minimum mulched area of 3.0 square metres is to be provided around each tree.

Furthermore, all landscaped areas adjoining the on-site carpark are to be separated by a raised kerb that is designed to ensure that vehicles do not park on or over the landscaped area.

Landscaping conditions will be imposed accordingly.

Outdoor lighting code

The applicant has proposed to provide outdoor lighting. Conditions will be imposed to ensure compliance.

Physical infrastructure code

AO2.1 Except in Allora, in the District centre, Low density residential, Industry, Medium density residential, Mixed use, Principal centre, and Specialised centre zones, development is connected to a sewerage system in accordance with the Sewerage Code of Australia.

PO6 Where buildings or other structures are in proximity to State or Council's sewerage, stormwater or water supply infrastructure, provision is made to protect the infrastructure from physical damage and allow ongoing maintenance by Council.

The applicant has provided the following commentary:

The site is located in the Principal centre zone and engineering plans included in the enclosed infrastructure report indicates that:

- *an existing 150mm vitrified clay sewer main that traverses the site and is located below existing buildings on adjoining land to the west;*
- *a section of the existing sewer will be decommissioned and a new sewer will be constructed to divert the alignment of the sewer around the perimeter of building 2 to connect to the main on the south-western corner of the site, with the new sewer clear of structures and readily accessible for maintenance purposes;*
- *new manholes will be constructed within site boundaries where the proposed diversion connects to the existing main, with each building provided with a service connection to the new manhole located on the north-eastern corner of the site.*

Detailed design compliance to be addressed at OPW stage.

The applicant has proposed to realign the existing 150mm VC sewerage line which traverses both the development area and the subject land, being Lot 2 RP10257, Lot 1 RP5756, Lot 2 RP57839 and Lot 2 RP51389. The applicant has proposed to decommission the existing sewerage line within the subject land and realign the reticulated sewerage line to along the perimeter of the Tenancy 2 building. In accordance with *Council's Sewerage Infrastructure Policy*, a 4.0 metre wide easement will be required over the realigned 150 VC sewer main. Conditions will be imposed requiring the sewerage main to be realigned and each proposed Tenancy has a separate connection to Council's reticulated sewerage system.

A further condition will be imposed ensuring the existing building north-west of the development area remains connected to Council's reticulated sewerage system.

Reconfiguring a lot code

AO1.3 All lots have practical, legal, flood free access to an area on a site where a building can be constructed.

The applicant has proposed an Access easement within the development area for access to the loading and service area for the existing building to the north-west. The Access easement will be situated over Lot 1 RP57839, Lot 2 RP51389 and Lot 2 RP102587, and will provide access from both Albert Street and Albion Street. The creation of the Access easement will ensure there are no surplus accesses and internal driveways created to service the existing building. While the eastern portion of Lot 1 RP44563 is impacted by the Flood hazard overlay, the additional proposed vehicle crossover onto Albert Street will ensure the development maintains a practical, legal, flood free access at all times. Therefore, the development can comply with the Acceptable outcome.

Stormwater management code

Council's Development Engineer has reviewed the documentation and has provided the following response:

Stormwater:

- *Development proposes connection to Guthrie St (must be legacy, no Guthrie St here)*
- *There are significant stormwater pipes fronting the site*

- *Direct discharge without detention is likely the best outcome overall, as stated by the SMP.*

With conditions imposed and with consideration to the commentary provided by Council's Development Engineer, the development considered to comply with the Code.

Infrastructure Charges

While Lots 1 and 2 RP57839, Lot 2 RP51389 and Lot 2 RP102587 were previously used as a storage and loading area for the associated hardware store and Commercial Use (Plant nursery) located over the subject land, as the hardware store and Commercial Use (Plant nursery) use has since been abandoned Lots 1 and 2 RP57839, Lot 2 RP51389 and Lot 2 RP102587 will be treated as vacant lots. As such, credit is applicable for Lots 1 and 2 RP57839, Lot 2 RP51389 and Lot 2 RP102587 which applies for vacant land (i.e. \$21,500).

Lot 1 RP44563 is a vacant lot.

Charges Resolution (No. 4.2) 2023 commenced 13 December 2023.

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Commercial (bulky goods)	Stormwater	\$8/impervious m ²	4,551m ²	Nil	\$36,408
	Other	\$107.50/m ² GFA	1,857m ²	5 lots	\$92,127.50
TOTAL:					\$128,535.50

In accordance with Section 122 of the *Planning Act 2016*, the infrastructure charge is payable when the change of use happens.

Recommendation

THAT the application for Material Change of Use for the purpose of a Showroom and Low impact industry (Motor vehicle workshop), on land at 26 Palmerin Street, 31 Albion Street and Albert Street, Warwick, described as Lots 1, 2, 3 and 4 RP5755, Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 2 RP51389, Lots 1 and 2 RP57839, Lot 2 RP102587 and Lot 1 RP44563, be approved subject to the following conditions, following an Infrastructure Agreement being executed by all parties which requires the payment of carparking contributions (per car parking space not provided on site) by the developer for the shortfall of twenty-four (24) carparking spaces prior to Council deciding the development application.

Schedule 1 - Southern Downs Regional Council Conditions for Reconfiguring a Lot - Access easement

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plan 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 Easement – prepared by Gary Hayes and Partners Pty. Ltd.	W6248-02 Sheet 1/1	28 May 2024

2. All conditions of Schedule 1 of this Development Permit must be complied with prior to the signing of the Plan of Subdivision.

Easements and Covenants

3. An easement for access purposes is to be provided over Lot 1 RP44563 and Lots 1 and 2 RP57839 in favour of Lots 1 and 2 RP5756, Lot 1 RP5751 and Lots 1, 2, 3 and 4 RP5755. A copy of the easement documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

Car Parking and Vehicle Access

- (iii) 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.
- (iv) 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.
- (v) 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.

Aboriginal Cultural Heritage

- (vi) 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

- (vii) 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.**
- (viii) 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 Material Change of Use – Showroom and Low impact Industry (Motor vehicle workshop)

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 Development – prepared by i2c	SK04 Issue 12 2023-388	29 April 2024
Proposed Tenancy 1 and 2 Elevations – prepared by i2c	SK05 Issue 7 2023-388	29 April 2024
Proposed Tenancy 3 Elevations – prepared by i2c	SK06 Issue 6 2023-388	29 April 2024
Proposed 34 External Views – prepared by i2c	SK07 Issue 6 2023-388	29 April 2024
Albert Street O-Street Parking – prepared by Bitzios Consulting	P6467 Issue 001 Sheet 12	3 September 2024
31 Albion Street Warwick: Traffic Impact Assessment – prepared by Bitzios Consulting	P6467 Issue 002	2 May 2024
24-165 - Desktop Flood Report – prepared	24-165	30 April 2024

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.

Reconfiguration of a Lot

3. The existing allotments, being Lots 1, 2, 3 and 4 RP5755, Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 2 RP51389, Lots 1 and 2 RP57839, Lot 2 RP102587 and Lot 1 RP44563 and Lot 1 RP44563, must be amalgamated into one allotment and a new Certificate of Title issued to cover the newly created allotment prior to the use of the site commencing.

ALTERNATIVELY,

A statutory covenant is to be provided over Lots 1, 2, 3 and 4 RP5755, Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 2 RP51389, Lots 1 and 2 RP57839, Lot 2 RP102587 and Lot 1 RP44563 to retain these lots in the same ownership until such time as the use of the land for a Showroom and Low impact industry ceases. The covenant documentation is to be submitted to Council for approval.

ALTERNATIVELY,

The existing allotments, being Lots 1 and 2 RP57839, Lot 2 RP102587, Lot 2 RP51389 and Lot 1 RP44563, must be amalgamated into one allotment and a new Certificate of Title issued to cover the newly created allotment prior to the use of the site commencing.

In addition, the developer must enter into an agreement with Council that ensures eleven (11) carparking spaces on the land proposed for parking associated with the development, being the carpark on the corner of Albert Street and Palmerin Street, will remain available for parking for the life of the development.

Note: The land which contains the carpark on the corner of Albert Street and Palmerin Street is described as Lots 1, 2 and 4 RP5755.

Easements and Covenants

4. Easements must be provided over all reticulated sewerage infrastructure located within private property. The easement location(s) and width(s) must be in accordance with the requirements of the Council policy PL-132 Sewerage Infrastructure Policy.

Land Use and Planning Controls

5. This approval allows for the use of the site for the following uses only:
- ☐ Showroom; and
 - ☐ Low impact industry (Motor vehicle workshop)
6. Any Low impact industry shall generally operate only between the hours of 7.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays.
7. All activities pertaining to the Low impact industry use must be carried out within the confines of the Tenancy 1 and/or 2 building only.

Building and Site Design

8. An awning is to be constructed along the Albert Street frontage of the site in a location generally in accordance with the Plan No. SK04 Issue 12, 2023-388, dated 29 April 2024, prepared by i2c. The awning is to be constructed from the front building line of the Tenancy 1 building to the kerb and channel along Albert Street.

An Application Minor Works - Works Within a Road Reserve is to be submitted to Council for approval for the construction of the awning over the footpath along Albert Street, prior to the commencement of the works.

9. The design, colours and materials of the building are to be in accordance with the character of the area. The final design of the Tenancy 2 building must include a slightly hipped roof. Each of the buildings are to include either stepped or undulated parapets. **Details of the**

design, colours and materials of the building and pavement are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work. The buildings are to be constructed in the approved design, colours and materials.

10. The floor level and all electrical meter boxes, switchboards, power points and switches for the proposed Tenancy 3 building must have a finished floor level with at least 300 millimetres freeboard above the Defined Flood Event (Q100 Level), in accordance with the recommendations set out in *24-165 - Desktop Flood Report – V3, dated 30 April 2024*, prepared by *Naxos Engineers Pty Ltd*.
11. The balance cut and fill proposed for the construction of a building pad must be carried out such that on-site flood storage volumes within the Flood hazard overlay are retained for all flood events.
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

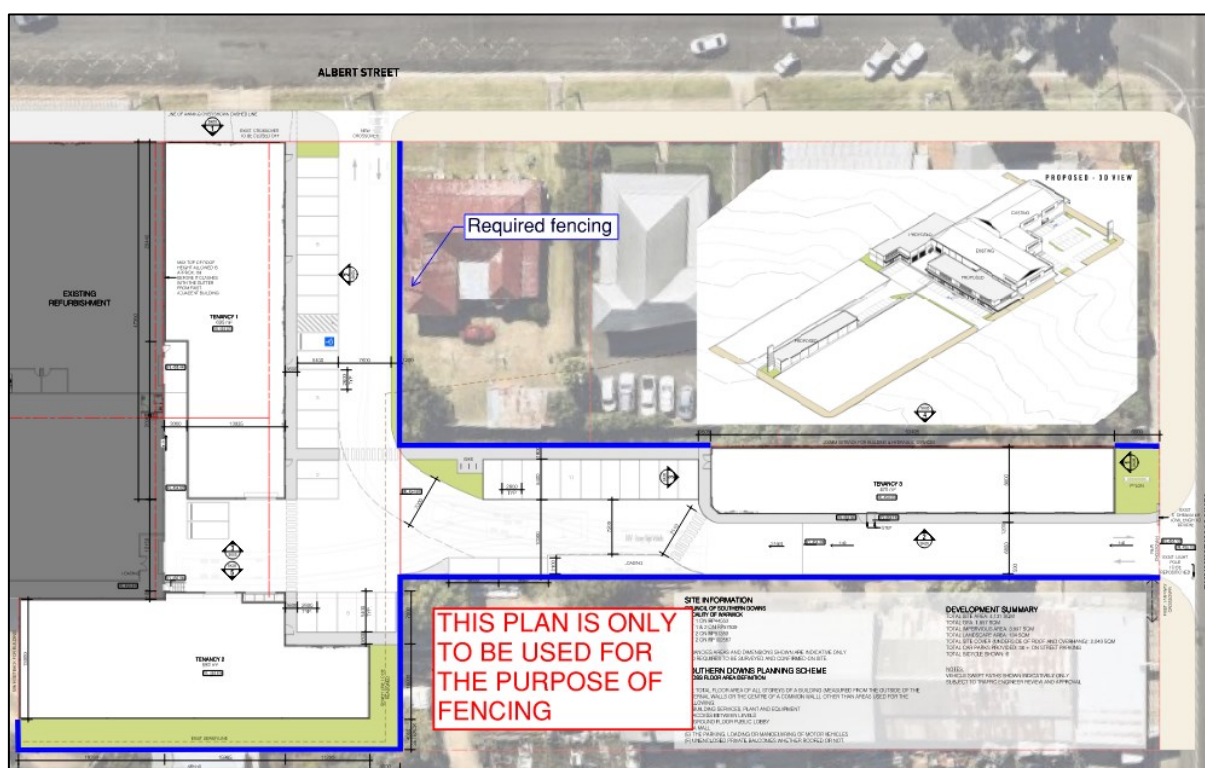
14. Any hazardous materials (e.g. oil and fuel) must be stored in a covered and bunded area. Any liquid spills that do occur must be cleaned up immediately and disposed of in an appropriate manner that ensures environmental harm does not occur. An appropriate spill kit for the management of wastes and hazardous liquids associated with the activity must be readily available at the site. Anyone operating under this approval must be trained in the use of the spill kit.
15. The ground floor of the Low impact industry (Motor vehicle workshop) is to be graded and trapped to capture any spilt oils and/or greases.
16. 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.
17. Noise levels emitted from the Low impact industry premises must not exceed 5dB(A) above the background noise levels in the locality when measured at the boundary of an affected residential dwelling and must not exceed 10dB(A) above the background noise levels in the locality when measured at the boundary of a commercial premises. This may include the need to use noise attenuating materials in the building.
18. 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.
19. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
20. 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.
21. Advertising Devices relating to the development may **only** be erected on the subject land. 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.
22. All equipment, goods and materials must be located in a building or screened from view from all roads, other public places and adjoining land by fencing and/or dense landscaping.

23. All rooftop plant is to be screened from view. No rooftop plant is to be visible from the street or ground level.
24. 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.
25. Lighting is to be provided within the development including adjacent to the internal driveways. Any lighting is to be located such that there is no interference with any residences. Details of the proposed lighting are to be submitted to and approved by Council's Planning Department prior to the issuing of any Development Permit for Building Works. Lighting is to be provided in accordance with the approved plan.

Fencing, Landscaping and Buffers

26. Fencing is to be provided in accordance with the following diagram. 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.

All fencing erected within the Flood hazard overlay is to allow for flow through of flood waters on the ground.

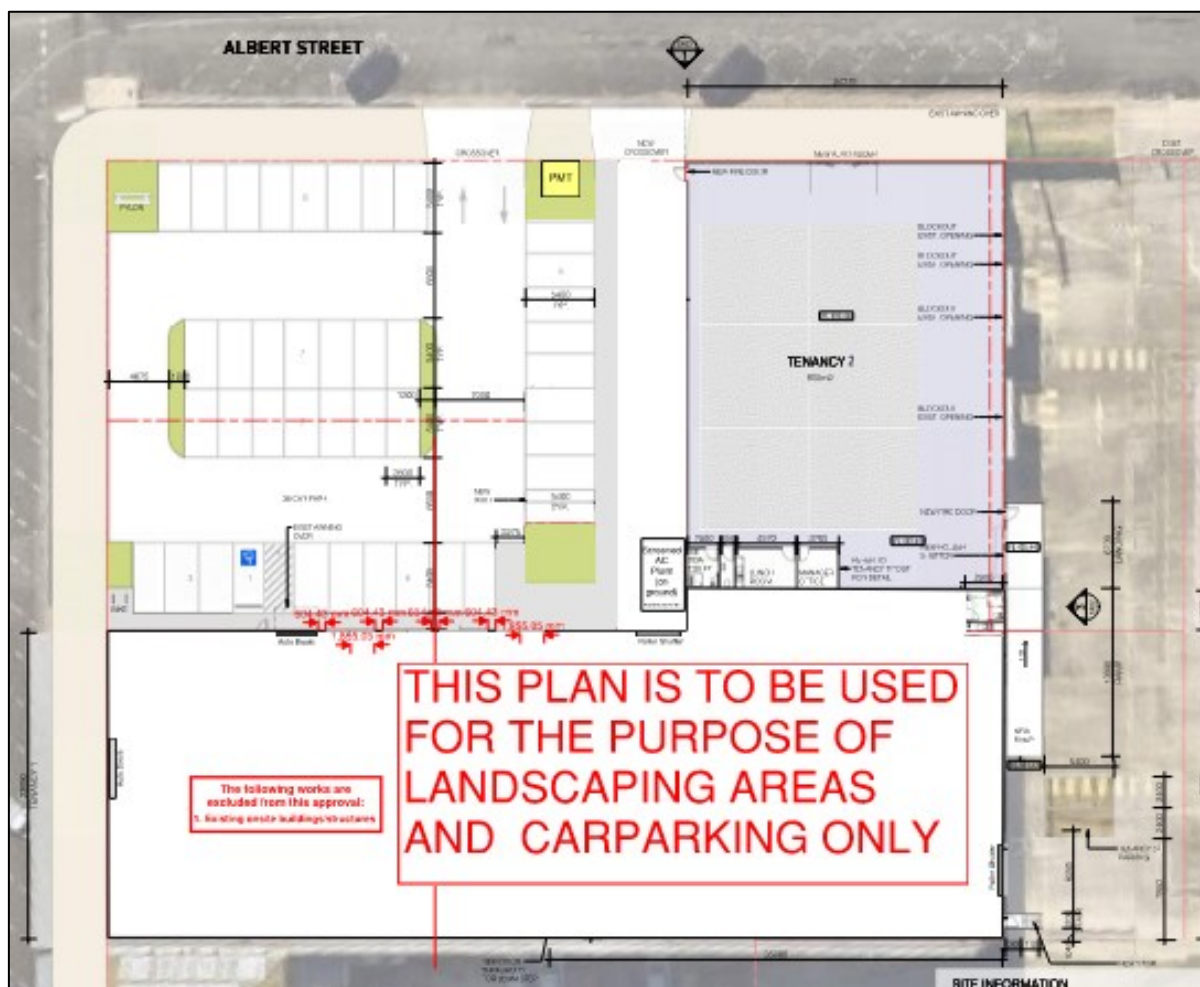


27. **Details of the proposed fencing are to be submitted to and approved by Council's Planning Department prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.
28. Retaining structures and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure.
29. All earthworks, including batters must be fully contained within the site.
30. Landscaped areas are to be provided on the site in accordance with Plan No. SK04 Issue 12, 2023-388, dated 29 April 2024, prepared by i2c.

The landscaping provided within these landscaped areas are to be densely planted and are to provide a level of visual amenity.

Landscaping within the front setback for the Tenancy 1 building is to be densely planted to reduce any visual impacts associated with the car parking area.

31. Landscaped areas are to be provided within the carpark on the corner of Albert Street and Palmerin Street in accordance with the following diagram.



32. One (1) advanced tree with a minimum canopy at maturity of 3.0 metres in diameter is provided for every ten (10) carparking spaces (or part thereof). At least half of the required number of trees is to be located within all carpark areas (not around the periphery).

For each tree, a minimum mulched area of 3.0 square metres is provided around each tree. This area is to be planted with low growing shrubs or ground covers. The trees are to be protected by tree guards, bollards or similar.
33. The landscaped areas are to be separated from any carparking area by a raised kerb that is designed to ensure that vehicles do not park on or over the landscaped area.
34. There are to be no large shrubs or trees planted within 2.0 metres of Council's sewerage line.
35. **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.

Car Parking and Vehicle Access

36. In lieu of twenty-four (24) car parking spaces being provided on site, infrastructure contributions are to be paid in accordance with [Section within IA] the executed Infrastructure Agreement, dated [insert IA date], between Southern Downs Regional Council and [26

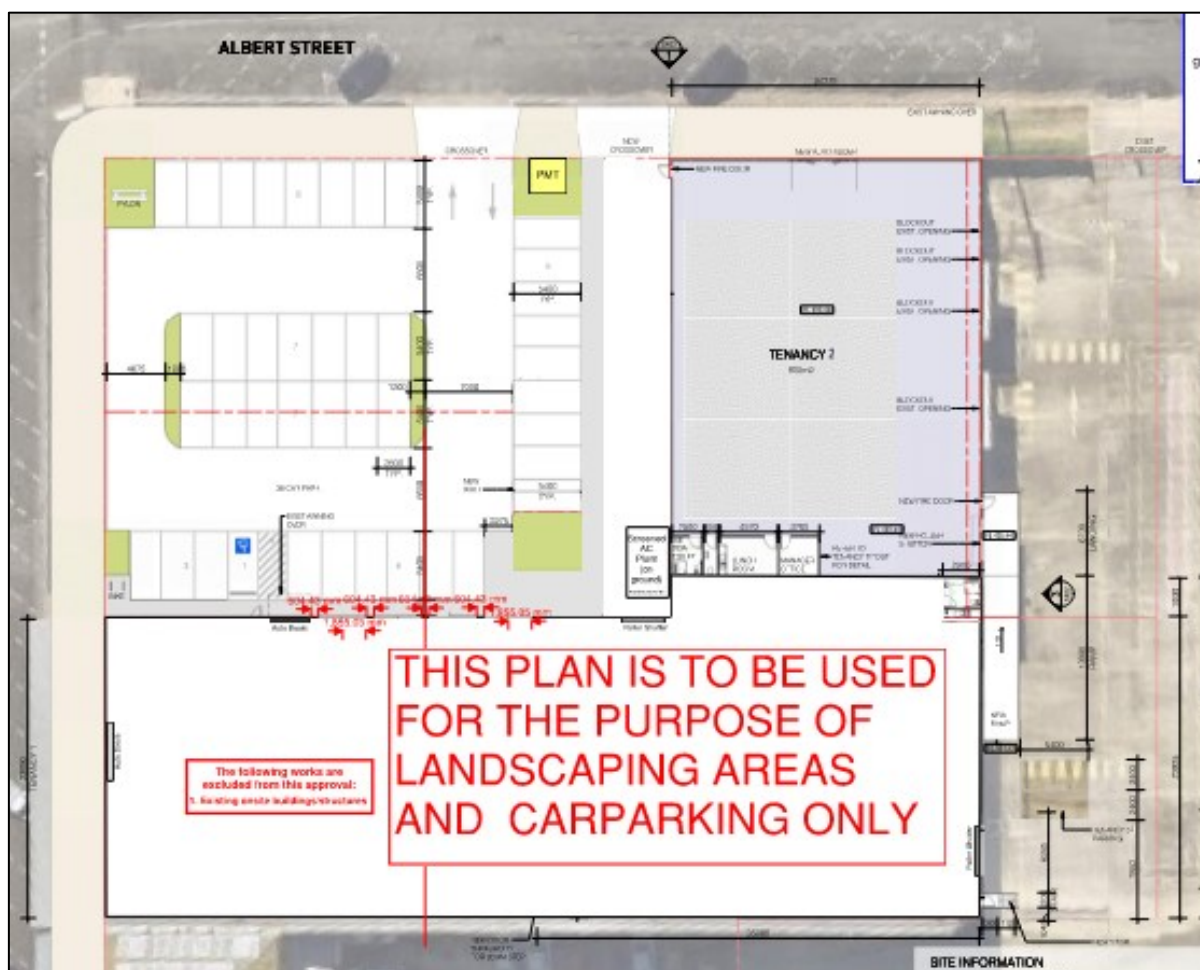
Palmerin St Pty Ltd]. Full payment is to be made to Council in accordance with the agreement prior to the use commencing.

37. Vehicle access from Albert Street is to be constructed to the site in accordance with Council's standard. (Council's Development Engineer can provide details regarding Council's standard.) The access must be constructed along Albert Street at a location which provides adequate sight distance in either direction. Such entrance roadworks are to be sealed and are to include appropriate drainage works.
38. The internal driveways are to be designed and constructed to allow an 8.8 metre service vehicle to enter and leave the site in forward gear.
39. At least thirty-six (36) car parking spaces are to be provided on site within the development area. Provision is to be made for disabled parking. All car parking, driveway and loading areas shall be sealed, line marked, drained, laid out and regularly maintained.

The manoeuvring areas, queuing areas and driveways are to meet the design requirements of *Australian Standard AS 2890.1 – Parking facilities - Off-street car parking* and *AS 2890.2 Parking facilities – Off-street commercial vehicle facilities* and are to be constructed in accordance with *Planning Scheme Policy – Carpark Construction*.

Note: The development area is defined as Lots 1 and 2 RP57839, Lot 2 RP51389, Lot 2 RP102587 and Lot 1 RP44563. The required thirty-six (36) carparking spaces does not include carparking spaces within the carpark on the corner of Albert Street and Palmerin Street.

40. Car parking shall be provided on site in accordance with the following diagram for the carpark on the corner of Palmerin Street and Albert Street only.



41. On-Street car parking shall be provided in accordance Plan No P6467 Issue 001 Sheet Number 12, dated 3 September 2024 prepared by Bitzios Consulting for on-street carparking along Albert Street only.

42. Specific pedestrian routes are provided, lit and clearly marked with the development.
43. **A Carparking Plan is to be submitted to and approved by Council's Planning and Development Department prior to the issue of any Development Permit for Building Work.** The Carparking Plan is to detail the location of both customer and staff parking.
Note: As per Australian Standard AS 2890.1 – Parking facilities - Off-street car parking, the minimum width of customer carparks for the proposed use with an aisle width of 6.5 metres is 2.7 metres. The Carparking Plan should show customer carparks with a width of at least 2.7 metres.
44. 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"*.
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.

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. The redundant vehicle crossing in Albert Street that provides access to Lot 2 RP57839 and Lot 2 RP51389 is to be decommissioned and the kerb and channelling between the pavement edge and the property boundary must be reinstated at no cost to Council. The reinstated kerb and channel is to align with the existing kerb and channel to the east and west.

Stormwater Drainage

50. The stormwater inlets along the frontage of Albert Street and Albion Street, as referenced in *31 Albion Street Warwick: Traffic Impact Assessment, P6467 Issue 002, dated 2 May 2024*, prepared by *Bitzios Consulting*, are to be relocated as so they are not impeding the proposed accesses from these streets to the development, or other existing development within the vicinity. The works are to be completed at the developer's cost.
51. 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

52. A reticulated water supply system, up to and including water meters, is to be provided to service all tenancies. This system is to be connected to Council's water supply system.
53. The connection to Council's reticulated water supply must be a combined fire and domestic metered connection located at a point nominated by Council.
54. A sewerage reticulation system is to be provided to service all buildings, generally in accordance with Plan No. 2023-388 Dwg No SK04 Issue 12 dated 29 April 2024 prepared by i2c.
55. The sewerage reticulation system is to be connected to Council's wastewater sewerage system. The system is to be located within a 4.0 metre wide easement that is clear of structures (driveways and carparking within the easement may be permitted subject to prior approval from Council's Water Department). Where a reticulated sewerage system cannot reasonably be constructed to service a particular existing building in accordance with this requirement, the existing sewer may be adopted as sanitary drainage and an easement provided for this purpose, subject to relevant plumbing and drainage approvals. A manhole or similar must be provided to delineate between the adopted sanitary drainage and the new sewer main.

Note: All buildings within the subject land, being Lots 1, 2, 3 and 4 RP5755, Lots 1 and 2 RP5756, Lot 1 RP5751, Lot 2 RP51389, Lots 1 and 2 RP57839, Lot 2 RP102587 and Lot 1 RP44563, both existing and proposed, are to have/maintain a reticulated sewerage connection.

56. 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.

Pedestrian Works

57. A concrete pedestrian footpath is to be constructed along the Albert Street frontage of the site. The footpath is to be constructed for the full width from the property boundary to the kerb and channel.

Electricity, Street Lighting and Telecommunications

58. The power poles located along Albion Street and Albert Street, as referenced in *31 Albion Street Warwick: Traffic Impact Assessment, P6467 Issue 002, dated 2 May 2024*, prepared by *Bitzios Consulting*, that conflict with the location of the proposed vehicle crossovers to the development are to be relocated to a location suitable to the relevant authorities. The works are to be completed at the developer's cost.
59. Reticulated electricity connections must be provided to the proposed development to the standards of the relevant authorities.
60. 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.

Operational Works

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

Infrastructure Charges Notice

62. 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) 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*.
- (vi) 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.
- (vii) 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*.
- (viii) **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.
- (ix) **Building Approval is to be obtained** for a Class 6, 7b and 8 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**.
- (x) From 1 July 2022 in Southern Downs Regional Council area Queensland Development Code MP4.3 will be applicable for any new commercial buildings (class 3 to 9). Commercial buildings will require tanks of 1,500 litres capacity per required pedestal, plumbed to service toilets and outdoor 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.
- (xi) 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.

- (xii) 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.
- (xiii) 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, and full engineering specifications of layout, construction, sealing, drainage and line marking;
 - ☐ A plan showing ingress and egress wheel and swept turning paths;
 - ☐ A Stormwater Management Plan;
 - ☐ If the development involves new roads, the proposed names for new roads;
 - ☐ An Erosion and Sediment Control 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.

- (xiv) 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.
- (xv) 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.
- (xvi) A Development Permit for Operational Works and a Compliance Permit for Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (xvii) 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.
- (xviii) 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.

Telecommunications in New Developments

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

Aboriginal Cultural Heritage

- (xx) 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 Housing, Local Government, Planning and Public Works’ 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 documents referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material Change of Use		
Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Transport and Main Roads 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.	<p>(a) The road access location to Albion Street is to be located generally in accordance with Proposed Development, dated 29/04/24, drawing no. SK04, Issue 12, as amended in red by SARA.</p> <p>(b) Road access works at the road access location, comprising a commercial driveway crossover restricted to left-in / left-out movements only, must be provided generally in accordance with Albion Street Crossover, dated 02.05.2024, issue 002.</p> <p>(c) The road access works must be designed and constructed in accordance with the Southern Downs Regional Council's commercial driveway crossover standards and the Department of Transport and Main Roads' <i>Road Planning & Design Manual</i> (and any external standards referenced therein).</p>	<p>(a) At all times</p> <p>(b) and (c): Prior to the commencement of use</p>
2.	<p>(a) The existing vehicular property access located between Lot 1 on RP44563 and Albion Street must be permanently closed and removed.</p> <p>(b) The kerb and channelling and footpath between the pavement edge and the property boundary must be reinstated at no cost to the Department of Transport and Main Roads'.</p>	Prior to the commencement of use
3.	<p>Signage and line marking, indicating that the Albion Street access location is restricted to left-in / left-out movements only is to be provided in proximity to the access location and be installed in accordance with the Department of Transport and Main Roads' <i>Manual of Uniform Traffic Control Devices</i>.</p> <p>Physical signage must not be installed within the state-controlled road corridor.</p>	Prior to the commencement of use
4.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management works and other works involving ground disturbance must not encroach upon or de-stabilise or cause damage to the state-controlled road corridor, including all transport infrastructure or the land supporting this infrastructure, or cause similar adverse impact.	At all times
5.	(a) Carry out the stormwater management of the development generally in accordance with the Concept Services Plan, dated	(a) At all times

08.05.2024, drawing no. SK003, revision A. (b) Submit RPEQ certification with supporting documentation to Downs.South.West.IDAS@tmr.qld.gov.au within the Department of Transport and Main Roads, confirming that the development has been constructed in accordance with part (a) of this condition.	(b) Within 20 business days of the completion of works
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Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP) (version 3.0). If a word remains undefined it has its ordinary meaning.
State-controlled roads	
2.	<p>Under section 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works on a State-controlled road. Please contact the Department of Transport and Main Roads on 07 4639 0828 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road.</p> <p>The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ).</p> <p>Please contact the Department of Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p> <p><i>Note: Reference to the approved plans imply conceptual approval only. Further modifications and inclusions are likely to be required in order for submitted detailed designs to comply with TMR standards at the roadworks application (s33 TIA) stage. In particular, detailed designs may require, but should not be limited to, necessary lane widening for provision of cycle lanes, lengthening of turn lanes, installation of lighting, signage and line marking, pavements, utilities and services, and roadsides and roadside furniture.</i></p>
(a)	An application for a Road Corridor Permit is required for any ancillary works and encroachments on the state-controlled road under section 50(2) and Schedule 6 of the <i>Transport Infrastructure Act 1994</i> and Part 5 and Schedule 1 of the <i>Transport Infrastructure (State-Controlled Roads) Regulation 2006</i> . Please contact the Department of Transport and Main Roads on 4639 0743 to make an application for a Road Corridor Permit. Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.



15.3 Condamine Sport Club - 131 Palmerin Street, Warwick - Potential Addendum to Infrastructure Agreement for Car Parking

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Planning Services Coordinator	ECM Function No/s: MCU\02574

Recommendation

THAT Council maintain the executed Infrastructure Agreement Between Southern Downs Regional Council and the Condamine Sport Club Inc.

REPORT

Background

On the 15 August 2024, Council issued a Decision Notice under Delegated Authority for an extension to a 'Club' being the Condamine Sport Club, located at 131 Palmerin Street, Warwick, described as Lot 22 SP312511. As part of this approval, the owner entered into an Infrastructure Agreement for the purpose of a car parking contribution in accordance with Schedule 6 – Planning Scheme Policies SC6.3 Off street car parking, which was executed on 8 August 2024. The Infrastructure Agreement outlined that a contribution in the amount of \$53,620.00 would be paid to Council in lieu of providing fourteen (14) car parking spaces on-site. The car parking contribution amount is specified within Council's Schedule of General fees and charges 2024/2025 on page 34 as follows:

Carparking Contributions (per car parking space not provided on site)

Fee	226	N	\$3,830.00	\$0.00	\$3,830.00
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The car parking rate for the proposed extension was calculated at a rate of 1 space per 25 square metre of Gross Floor Area (GFA) and any outdoor use area in accordance with Table 9.4.2.4 of the Car parking and loading code. This policy only applies to development within the Principal centre zone, District centre zone, Mixed use zone and Specialised centre zone to enable an alternative to car parking which is not physically being provided on the development site. This is common practice for these zones where maximum commercial opportunity is encouraged within core business areas.

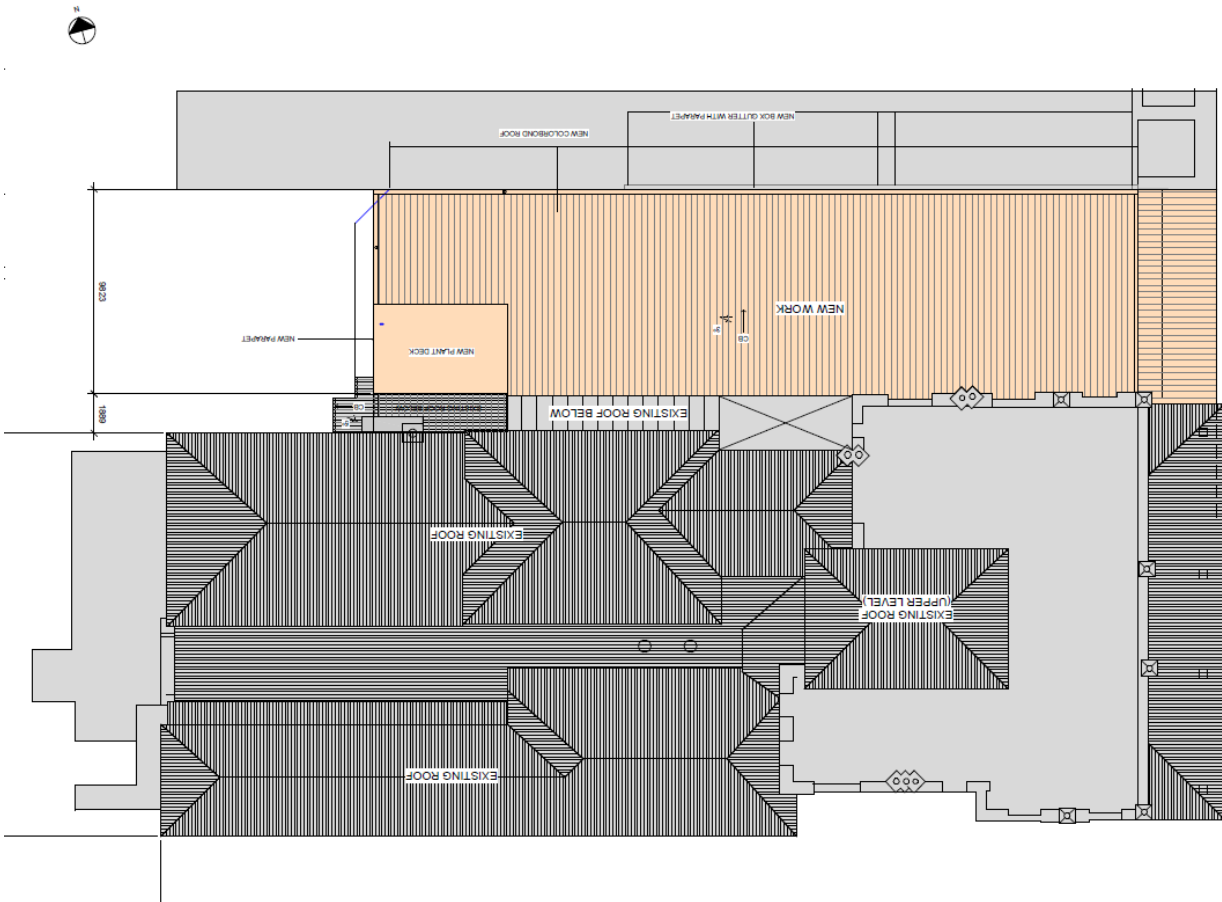
On 29 October 2024 correspondence was received by Council requesting reconsideration of the cost imposed for the car parking contribution.

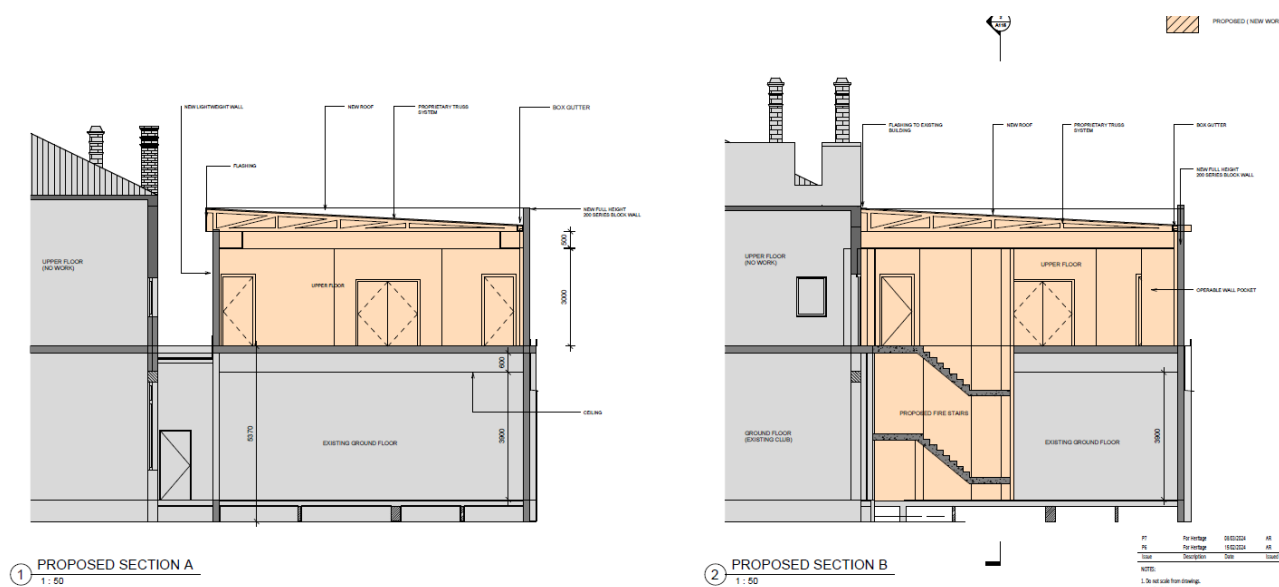
The subject property currently contains four (4) car parking spaces, as shown in Figure 1, at the rear of the site:



Figure 1: Subject Property

The approved extension will result in additional GFA on the upper level and some internal alterations with the approved plans as follows:





Report

The Condamine Sport Club supports a number of different sporting organisations within the region. Five (5) local sporting groups, being Rugby League, Hockey, Netball, Cricket and Rugby Union collectively raised enough money to open the Condamine Sport Club on the 24th July 1996. The Condamine Sport Club provides assistance to these clubs via a cash disbursement on an annual basis. Therefore this development for the extension was lodged as an extension to a 'Club' rather than an extension to a 'Hotel' because of the reasons stated above. In saying this, there is no guarantee that in the future the same provision of an extension to a Club will apply, as this will depend on the how the Club is operating at the time.

The car parking rate is calculated at a rate of 1 space per 25 square metre of Gross Floor Area (GFA) with the extension being 352 square metres in size which equals to fourteen (14) additional car parking spaces. As part of the application, the following was provided by applicant in response to car parking:

In demonstrating compliance with performance outcome P01 of the Carparking and Loading Code, the following is noted:

- The existing car parking arrangement and constraints of the site does not allow for additional car parking spaces to be added in consideration of the limited space available within the rear / western portion of the site.
- The proposed development involves maintaining the current car parking supply, including, PWD car parking spaces located in proximity to the building.
- There is a significant supply of car parking spaces within the rear / western portion of the site (between the heritage place and Acacia Avenue) and within the surrounding streets which are within walkable distance to the site, including, Palmerin Street, Grafton Street, Acacia Avenue, Percy Street, Guy Street and King Street.
- Whilst the car parking at the rear of the site and within the surrounding streets is considered sufficient to address the minor increase in gross floor area (352m²), if required, a Voluntary Infrastructure Agreement could be pursued between the applicant Council to provide additional car parking spaces within other areas of the Central Business District of Warwick.

An Infrastructure Agreement has been executed by both parties already and therefore our recommendations is to maintain the Planning Scheme Policy SC6.3 Off street car parking. If this recommendation is not supported, the follow options could be considered:

- 1) Carry out an addendum to the Infrastructure Agreement to reduce the contribution amount;
or
 - 2) Terminate the Infrastructure Agreement Between Southern Downs Regional Council and the Condamine Sport Club Inc.;
- And
Review the Planning Scheme Policy SC6.3 Off street car parking in conjunction with the associated fees and charges as outlined in the Southern Downs Planning Scheme 2012 Version 5.

Conclusion/Summary

Policy SC6.3 has been within the Planning Scheme since it was introduced in 2012. There is no option but to request additional on-street car parking to assist with catering for the car parking short fall.

The intent of the policy is to allocate the funds collected to improving, maintaining and creating new public car parks. Not all works can be grant funded and a situation where Council has contributed to a public car park is the Roger Street Car park in Stanthorpe. This public car park was partly funded under Grants and Subsidies Program where \$360,000 was received but Council had to contribute \$293,637 (total project costing \$656,637.00) to complete the project.

There are several lots along Acacia Avenue that have not been formally constructed into a car park that could benefit from this policy. An example is provided in Figure 4:

COMMUNITY ENGAGEMENT

Internal Consultation

Nil

External Consultation

Prior to the endorsement of the 2012 Planning Scheme, the public consultation of the scheme displayed the policy. This policy has not changed since 2012.

LEGAL / POLICY

Legislation / Local Law

Planning Act 2016

Southern Downs Planning Scheme

Corporate Plan

Goal 3 Our Prosperity

Outcome: 3.1 Population growth is maximised within the parameters of maintaining our locality's unique character and provision of infrastructure.

Objective: 3.1.3 Review infrastructure charges and developer incentive policies to provide a balanced and supportive approach to investment.

Outcome: 3.3 The Southern Downs is a destination of choice for business and visitors.

Objective: 3.3.1 Establish a reputation for working collaboratively with developers to deliver mutually beneficial outcomes.

Policy / Strategy

Schedule 6 – Planning Scheme Policy – SC6.3 Off Street Carparking, point 5

5.0 Alternative to provision of on site carparking

As a guide, Council may accept the provision of car parking on a suitable alternative site subject to the applicant entering into a satisfactory agreement with Council that ensures that the land proposed for parking associated with the development will remain available for parking for the life of the development.

Alternatively, the applicant may wish to enter into a voluntary infrastructure agreement with Council to provide car parking on Council land.

When Council agrees to a request to enter into a voluntary infrastructure agreement for the provision of off street parking spaces, the amount payable per car parking space is the amount specified in Council schedule of Fees and Charges at the date of the commencement of the use unless otherwise specified in the conditions of approval of the use. The amount specified in the schedule of Fees and Charges shall not exceed the estimated cost of providing a carpark including land acquisition and construction costs.

Legal

There appears to be no legal issues associated with this report. Legal advice has already been sought on how to address the already executed Infrastructure Agreement should the resolution change the amount payable or removed the payment request all together.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Submission_Condamine Sports Club Inc.[↓](#)
2. Submission_Warwick Netball Club.[↓](#)
3. Southern Downs Planning Scheme - Planning Scheme Policy - Schedule 6[↓](#)

Condamine Sports Club of Warwick Inc



To the Acting CEO, The Mayor and Councillors,

I hope this letter finds you well. I would like to thank you for your time and consideration in discussing the proposed parking fees associated with the expansion of the Condamine Sports Club. While we understand the necessity for such regulations, we kindly ask you to reconsider the costs imposed, as we strongly believe they will have a detrimental effect on both our club and the broader Southern Downs community.

As outlined in your correspondence, the Condamine Sports Club will be required to provide an additional fourteen car parks at a cost of \$3,830 per space, resulting in a total of \$53,620. This substantial fee places an undue burden on our not-for-profit organisation and undermines our capacity to contribute positively to the community. Furthermore, those extra parking bays will be an improvement in the Council car park and will not be designated for Condamine Sports Club patrons only but will be utilised by the community. Therefore, it seems like an imposition for the Condy Club to have to pay for those parks.

To provide some context, the Condamine Sports Club has a long-standing history of reinvesting its profits into the Southern Downs region. Over the past financial year alone, we have donated in excess of \$250,000 to various sporting and community initiatives, and our total contributions exceed \$1.4 million over the past seven years. These donations directly benefit local sports clubs, schools, charities, and other community organisations. It goes without saying that expenses like the proposed parking fees will significantly diminish the funds we are able to allocate to these essential causes.

The Condamine Sports Club of Warwick Inc., commonly known as The Condy, has a rich history deeply rooted in both sport and community. The club officially began trading on February 7, 1996, after five local sporting clubs—the Warwick Cowboys RLFC, Warwick Cricket Association, Warwick Netball Association, Warwick Hockey Association, and Warwick Rugby Union—collaborated and raised enough funds to establish it.

Warwick has always been a town rich in sporting culture, hosting numerous large carnivals and events over the years. This vibrant sporting scene has not only fostered local talent but also attracted many travellers and visitors, contributing significantly to the business and vitality of Warwick's CBD. Sporting events have long played a key role in connecting the town's heritage with its modern development.

129-133 Palmerin St, Warwick

www.condaminesportsclub.com.au

p 4661 1911

e admin@condaminesportsclub.com.au

Condamine Sports Club of Warwick Inc



Moreover, the Condamine Sports Club is a major employer in the region, with over 40 staff members currently on board. Upon completion of our new function area, we anticipate further employment growth, creating much-needed job opportunities for local residents.

In a community where such opportunities are increasingly limited, we hope the council recognises the potential benefits that our expansion will bring to local employment and considers this factor when setting fees for growing ventures such as ours.

In addition, we have proactively taken measures to mitigate traffic and parking congestion, offering a courtesy bus service for our patrons to reduce the number of cars needing access to our premises. This service is part of our broader strategy to ease the strain on parking infrastructure. We are currently exploring options to expand this service by adding another courtesy bus, but the imposition of these fees will force us to delay this plan, which would further benefit the community and lessen the reliance on parking spaces.

We remain steadfast in our belief that the expansion of the Condamine Sports Club will have a lasting and overwhelmingly positive impact on the Southern Downs community. Our operations are designed to foster community growth, and we are committed to continuing our legacy of support and contribution. In light of the financial implications that the proposed parking fees present, we humbly request that the Council reconsider these charges. We are seeking a reduction, a waiver, or a potential rebate that will allow us to focus on serving the community without this significant financial impediment.

We would be grateful for the Council's support and collaboration in ensuring that our club can continue to provide exceptional services and financial support to the community.

Thank you for your time and consideration of this request. We sincerely hope for a favourable outcome and remain open to discussing alternative solutions that would be beneficial to all parties involved.

Regards,

On behalf of The Committee of the Condamine Sports Club of Warwick Inc.

A handwritten signature in blue ink, appearing to read 'Ross Bell'.

Ross Bell

President

A handwritten signature in blue ink, appearing to read 'Stephen Domjahn'.

Stephen Domjahn

Club Manager

129-133 Palmerin St, Warwick
www.condaminesportsclub.com.au

p 4661 1911
e admin@condaminesportsclub.com.au

From: warwicknetball@bigpond.com
To: mail@sdrc.qld.gov.au; melissa.hamilton@sdrc.qld.gov.au; sheryl.windle@sdrc.qld.gov.au; ross.bartley@sdrc.qld.gov.au; sarah.deane@sdrc.qld.gov.au; monwenna.harslett@sdrc.qld.gov.au; cynthia.mcdonald@sdrc.qld.gov.au; carla.pidgeon@sdrc.qld.gov.au; joel.richters@sdrc.qld.gov.au; "Russell Wantling"; ceo@sdrc.qld.gov.au; stephen.johnston@sdrc.qld.gov.au
Subject: Application by Condamine Sports Club - Car Parking fee waive or reduction
Date: Wednesday, 30 October 2024 9:57:31 AM

Good morning, Madam Mayor, Acting CEO and our regions Councillors,

We are aware the Condamine Sports Club have recently submitted a letter of request for a fee waiver or significant reduction of the car parking fee aligned to their current expansion and renovations.

As one of the five affiliated sporting groups with the Condamine Sports Club, we fully support and endorse their request and share our desire for this waiver or significant fee reduction to gain a successful outcome.

The Condamine Sports Club contributes heavily to Warwick Netball (& all five clubs) every year and it is solely through their regular contributions we can offer our approximately 750 members and their families greatly reduced playing fees. These contributions also allow us to regularly update equipment, plus the constant upskilling of our Official's knowledge, training and accreditations all at no cost to our members. Regular upkeep and repairs of our Barnes Park facilities are also performed thanks to the Condamine Sports Club funding.

In fact, it is only due to the Condamine Sports Clubs contributions that Warwick Netball was able to perform a complete facilities reconstruction in 2019 valued at approximately \$800,000.

We ask their request to be viewed with favour and with vision of the significant positive impact their support of not only the five affiliated clubs, but also the wider community including the many and varied Southern Downs Regional Council area sports clubs and community groups who benefit directly thanks to the sponsorship and donations extended by the Condamine Sports Club.

Should you wish to discuss our support of the Condamine Sports Club's application please contact me directly on 0407734380.

Regards

Linda Bunch

Secretary, and on behalf of the Committee of

Warwick & District Netball Association



warwicknetball@bigpond.com



PO Box 542
Warwick Qld 4370

ABN 63 579 252 168



President – Deanna Naughten 0409 065 042



V/President – Nancy DePrada 0411 724 142



Secretary - Linda (Lou) Bunch 0407 734 380

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Schedule 6 Planning scheme policies

SC6.1 Planning scheme policy index

The table below lists all the planning scheme policies applicable to the planning scheme area.

Table SC6.1.1—Planning scheme policy index

Planning scheme policy title

Carpark construction
Off street carparking

SC6.2 Carpark construction

1.0 Scope

The purpose of the Carparking and loading code is to ensure that the provision for vehicle access and parking –

- (a) is adequate to meet the demand likely to be generated by development;
- (b) is designed to be safe and minimise adverse environmental impacts;
- (c) is constructed to a satisfactory standard in keeping with the character and standards in the locality; and
- (d) protects or improves the function, accessibility, efficiency and safety of the transport network, including the active transport network.

Acceptable outcome AO3 of the code is –

Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed in accordance with Planning Scheme Policy – Carpark Construction.

2.0 Purpose

The purpose of this policy is to establish the standards for carpark construction in accordance with the purpose of the Carparking and loading code.

3.0 Drainage

Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed as follows –

- (a) The surface has a minimum slope of 0.5% and a maximum slope of 6%.
- (b) Inlet grates are bicycle safe in accordance with AS3996,
- (c) The carpark is designed so that the overland flow path is directed away from buildings and there is no concentration of runoff onto adjoining properties.
- (d) Underground drainage systems are connected to Council's stormwater drainage system or alternatively to the kerb and channel at the frontage via a kerb connector. Where required grease and oil arrestors or other stormwater quality improvement devices are incorporated in the design to treat runoff before it enters the underground drainage system.
- (e) Where the carpark cannot be drained to the street an inter-allotment drainage system is provided that complies with the standards of the Queensland Urban Drainage Manual and necessary easements are obtained.
- (f) Downpipes from buildings do not discharge directly to the car park surface except where it can be demonstrated that the discharge is directed to a location away from parking bays and in a way that does not inhibit pedestrian and vehicular movement.

4.0 Line marking and Signage:

Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are line marked and signed in accordance with the Manual of Uniform Traffic Control Devices.

5.0 Pavement

- 5.1 Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed with a minimum base pavement thickness is 100 mm gravel or similar based on a subgrade CBR of 25.
- 5.2 Except in the case of a dwelling house and except as otherwise required in the Rural zone and the Township zone the pavement is sealed with a 2 coat bitumen seal or 25mm of hotmix asphaltic concrete or an equivalent concrete pavement.

SC6.3 Off street carparking

1.0 Scope

The purposes of the Carparking and loading code include - *to ensure that the provision for vehicle access and parking is adequate to meet the demand likely to be generated by the development.*

Performance outcome PO1 of the code is -

PO1 Sufficient carparking is provided to accommodate the number and type of vehicles likely to be generated by the development having regard to the following:

- The nature and operation of the use;
- The likely number of users including residents and employees;
- The hours of operation and the peak parking demand periods;
- The availability of alternative parking in the vicinity;
- The feasibility of physically providing parking on site including access restrictions and size of the site; and
- The provisions of Planning Scheme Policy – Off Street Carparking.

The Acceptable outcome AO1 provides in part that Council may accept an alternative to providing the required spaces on the development site in accordance with *Planning Scheme Policy – Off Street Carparking*.

2.0 Purpose

The purpose of this policy is to establish the circumstances when Council will accept or require an alternative to providing the required spaces on the development site.

3.0 Applicability

- 3.1 This policy applies to development within the Principal centre, District centre, Mixed use and Specialised centre zones.
- 3.2 Where an alternative outcome is proposed in any other zone Council may accept an offer by the applicant to enter into an infrastructure agreement to upgrade existing carparking or provision of carparking spaces on public land or on adjacent roads in lieu of provision of car parking spaces on the development site.

4.0 Matters for Council Consideration

When determining whether to accept or require an alternative to providing the required spaces on the development site Council will give consideration to the following -

- (a) The location of the development site with respect to Council owned areas of off street car parking or alternative areas of off street car parking.
- (b) The level of pedestrian accessibility between the development site and the Council owned carpark or alternative areas of off street car parking.
- (c) The amount and proportion of off street car parking proposed to be located on the development site.
- (d) Available access for off street parking and loading on the development site.
- (e) The feasibility of physically providing parking on the development site.
- (f) The nature and intensity of the proposed use.
- (g) The availability of on street parking in proximity to the site.

5.0 Alternative to provision of on site carparking


As a guide, Council may accept the provision of car parking on a suitable alternative site subject to the applicant entering into a satisfactory agreement with Council that ensures that the land proposed for parking associated with the development will remain available for parking for the life of the development.

Alternatively, the applicant may wish to enter into a voluntary infrastructure agreement with Council to provide car parking on Council land.

When Council agrees to a request to enter into a voluntary infrastructure agreement for the provision of off street parking spaces, the amount payable per car parking space is the amount specified in Council schedule of Fees and Charges at the date of the commencement of the use unless otherwise specified in the conditions of approval of the use. The amount specified in the schedule of Fees and Charges shall not exceed the estimated cost of providing a carpark including land acquisition and construction costs.

15.4 Material Change of Use –Alexander G Kuhl & Belinda J Hackney C/- NSPIRE Planning & Design, 214 Kerrick Road, Dalveen

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Planning and Development	ECM Function No/s: MCU\02600

APPLICANT:	Alexander G Kuhl & Belinda J Hackney C/- NSPIRE Planning & Design
OWNER:	Alexander G Kuhl & Belinda J Hackney
ADDRESS:	214 Kerrick Road, Dalveen
RPD:	Lot 7 on SP274061
ZONE:	Rural (Granite Plains Precinct)
PROPOSAL:	Animal keeping (dog boarding kennel and rescue facility – up to 28 dogs)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	20 submissions (Two submissions are not properly made)
REFERRALS:	Department of Housing, Local Government, Planning and Public Works
FILE NUMBER:	MCU\02600

RECOMMENDATION SUMMARY

THAT the application for Material Change of Use, Animal keeping (dog boarding kennel and rescue facility – up to 28 dogs) on land at 214 Kerrick Road, Dalveen, described as Lot 7 SP274061, Parish of Rosenthal, County of Merivale, be approved subject to conditions.

REPORT



The applicant proposes an Impact Assessable Development Application for Animal Keeping (dog boarding kennel and rescue facility – up to 28 dogs) at 214 Kerrick Road, Dalveen, formally described as Lot 7 on SP274061.

The subject property is located on Kerrick Road which is an unsealed road. The lot is partially within the Biodiversity areas, Bushfire hazard and Water resource catchments overlays. The site is not connected to Council's underground infrastructure.

Background

The site has not been subject to a Show Cause or Enforcement Notice; however, Council has received complaints regarding the use of the site. The below provides a summary of interactions between the landowner and Council to date:

- 29 May 2024 – A landowner within proximity of the site was required to complete a Barking Dogs Nuisance diary for a period of 10 consecutive days and submit the diary to Council.
- 10 June 2024 – Council Compliance Officer and Local Laws Officer visited the subject site after receiving a complaint.
- 23 June 2024 – Landowner advised Council of the following regarding the use of the site:
 - three dogs of their own require registration;
 - three of their other dogs are classified as working dogs and do not require registration; and
 - 10 dogs are rescue dogs.

The landowner also advised that they had engaged a planning consultant to prepare a development application for Animal Keeping.

- 31 July 2024 – Development application submitted to Council.
- Council has received Barking Dog Nuisance diaries for the months of June, August and September from landowners within proximity of the development.
- It is noted that the number of dogs being kept on site has been reduced pending the outcome of the development application.

Proposal

The applicant intends to build a new structure for use as a dog boarding kennel and rescue facility. The structure will board a maximum of 20 dogs, in addition to the existing eight (8) dog kennels

attached to the existing shed built by the previous landowners. The structure is to be located to the east of the existing shed.

The applicant has outlined the following information in relation to how the development will operate:

This development is to provide for much needed boarding facilities in the area as well as providing for the temporary housing of rescue dogs.

The business will be run by family members and may include one casual employee in the future. The public will normally have access to the site in business hours to drop off and pick up dogs from the boarding kennels. Rescue dogs will be brought in and distributed by the site owners.

The structure involves 18 self-contained dog kennels, with two (2) kennels large enough to board two (2) dogs each. The structure will also involve a water closet, storage room, entry/admin room, awning and a fenced outdoor run area for each kennel.

Each kennel will have an outdoor run area with a minimum area of 7.22 square metres whilst the two larger kennels will have an outdoor area of 10.754 square metres. Each outdoor run area will have a 1.8 metre high fence.

The proposal does not involve the breeding of dogs. The operation will employ a minimum of two (2) staff who will reside on site.

The following times are proposed for drop off and pick up of dogs:

- Monday – Friday 7:00am – 10:00am and 3:30pm – 5:30pm
- Saturday 7:00am – 10:00am
- Sunday 3:00pm – 5:00pm
- Public Holidays Closed

Access to the site is via an existing crossover from Kerrick Road.

The applicant has provided the following supporting information:

We will be keeping the noise levels down by keeping the dogs inside their enclosures within their designated sleeping quarters between 6pm and 7am. The dogs will be exercised daily as well as various activities depending on the day and time of year. These might include walks on lead around the property, play with toys, socialisation as appropriate. All dogs will have free time and can play within the hours of 7am and 6pm.

The dogs will have an internal and external dog run area assigned to them during their stay. The internal space will have their bedding and be a secure area for feeding. The external runs will be astro turfed and have appropriate barriers to prevent fighting or fence running. Each run will be a minimum of 1.8 metres high and there will be appropriate ventilation and also draught protection for each enclosure. There will be a dedicated food preparation space for all meals and medications as appropriate. There will be a large storage room onsite to allow all items for the dog boarding facility to be close at hand. The full structure will be on a concrete slab and will prevent any dogs from being able to dig or climb (with the enclosures fully closed in). Chance of escape will be minimised by the proposed layout and set up of the facility.

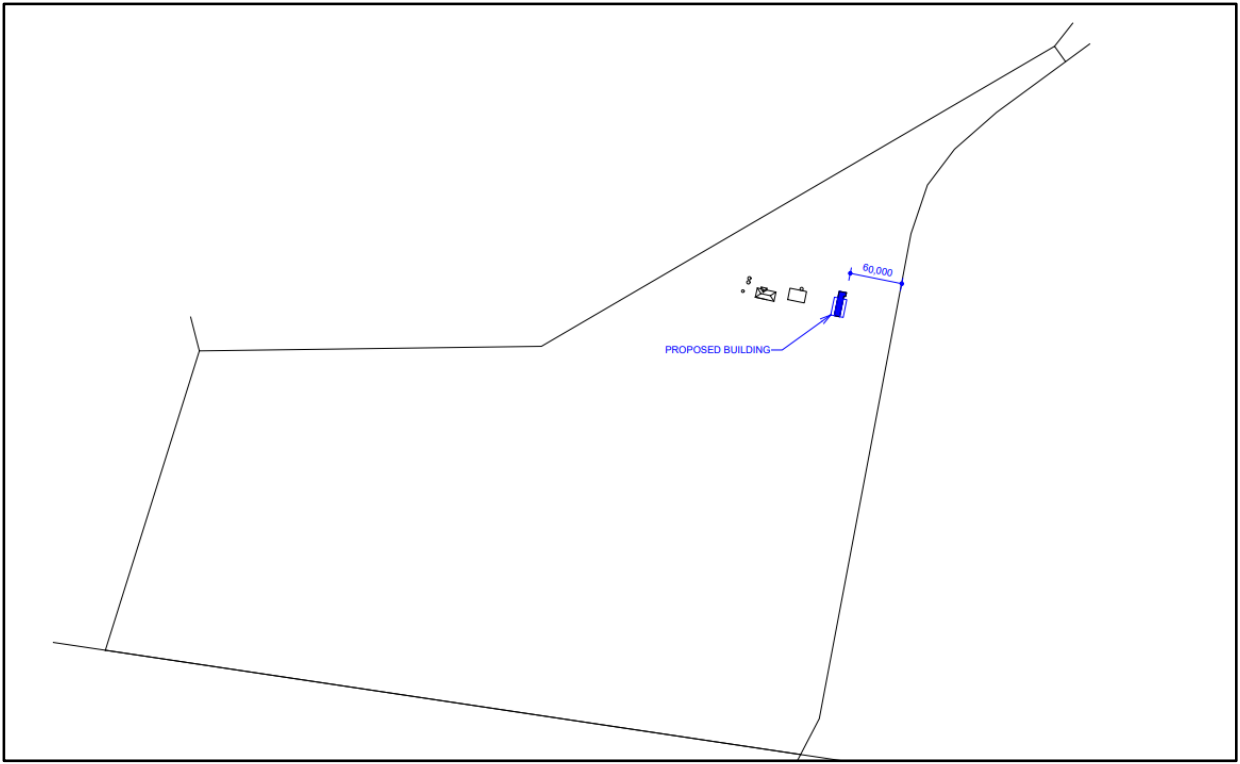


Figure 1: Proposed Site Plan

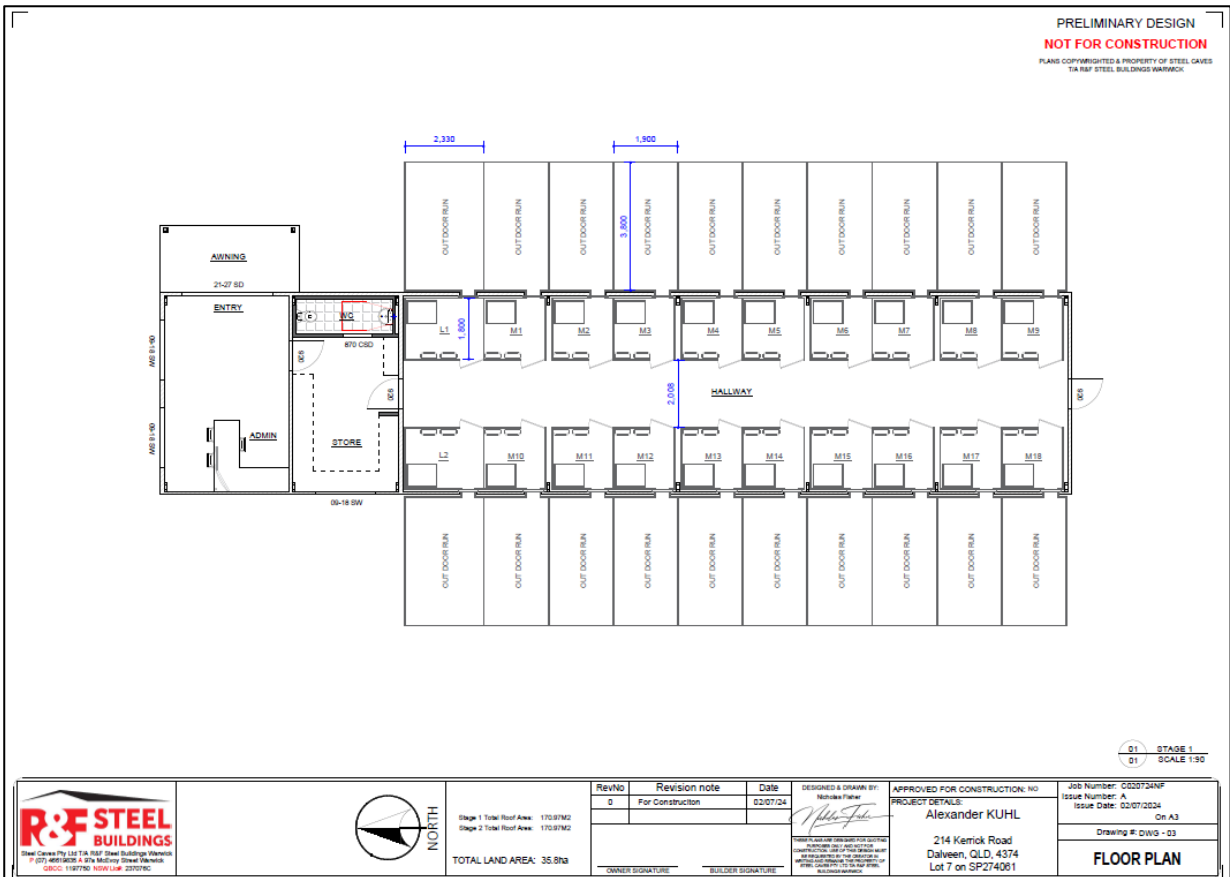


Figure 2: Proposed Floor Plan



Figure 3: Proposed Perspective

Surrounding Context

The site is located in an established rural setting characterised by large Dwelling houses on large land parcels. The location of the kennel is setback from surrounding properties, in particular:

- the closest Dwelling house to the north is approximately 350 metres away with a large expanse of mature vegetation in between the kennel and the dwelling;
- the closest Dwelling house the south east is approximately 400 metres away with an extensively vegetated lot between the kennel and the Dwelling house;
- the closest Dwelling house to the south is approximately 650 metres away; and
- the closest Dwelling house to west is approximately 1.1 kilometres away.



Figure 4: Sensitive receptors

Referral

The application required referral to the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) as the site is within 25 metres of a railway corridor. The DHLGPPW issued their referral agency response with no requirements on 10 September 2024.

It is noted that the site is mapped as containing native vegetation, however as vegetation clearing is not proposed there was not a referral for this matter.

Submissions

Public notification was carried out in accordance with the requirements of the DA Rules. During the public notification period twenty (20) submissions were received, eighteen (18) of which were properly made and two (2) which were not properly made. The applicant provided a response to the submissions raised. The following table provides a summary of the matters raised and Council's assessment response to those matters.

Attached to this report are the responses to the submissions provided by the applicant and landowner.

Matters raised in submissions	Response
-------------------------------	----------

Matters raised in submissions	Response
<p>Noise impacts</p> <p>There are already eight dog kennels on the property where noise complaints have already been issued. Residents are concerned that an increase of another 20 dogs will only exacerbate the noise disruption. The noise affects sleep of adjoining neighbours and encourages the noise of other nearby dogs.</p> <p>The proposal does not include adequate sound buffering currently or proposed. No acoustic report confirms that the potential noise will be effectively buffered through the proposed setbacks to adjoining properties.</p>	<p>Council is aware of noise complaints relating to the existing use of the site. A Council Development Compliance Officer and Local Laws Officer have visited the site to ensure that they had sufficient context to the proposed development, and a greater understanding of the current facilities and matters raised in the submissions.</p> <p>Council has also required a land owner within proximity to the site to complete Barking Dogs Nuisance diaries to gain a better understanding of potential noise impacts.</p> <p>Council's Environmental Health Officers have also reviewed the information provided to ensure that reasonable and relevant conditions can be imposed on the development to assist in mitigating noise. Conditions relating to building design, fencing, landscaping and hours of operation have been imposed to assist with mitigating noise impacts.</p> <p>The closest Dwelling house to the kennels is approximately 350 metres to the north, all other Dwelling houses are setback between 400 metres to 1.2 kilometres. There are large expanses of vegetation to the east, west and north of the site that will act as a buffer between the site and those properties.</p>
<p>Impacts on livestock/humans and wildlife</p> <p>Dog attacks on neighbouring livestock (sheep/cattle) have recently occurred in the last 12 months. The loss of livestock will impact on the incomes of local neighbours.</p> <p>Stray dogs have also threatened lives of residents and increased stress of landowners.</p> <p>Dogs will scare wildlife and native animals.</p>	<p>The paddock where the facility will be located is fully enclosed with fencing and the outdoor run areas include 1.8 metre high fencing to prevent dogs escaping.</p> <p>The applicant has advised that a minimum two (2) staff will be present onsite. This will assist with reducing the risk of dogs escaping. The operators of the facility will have a duty of care to ensure that appropriate monitoring is carried out to also reduce the potential of escaping dogs.</p> <p>Local laws officers have not received any complaints or investigated any domestic dog attacks in or around this area since January 2024.</p>

Matters raised in submissions	Response
<p>Traffic/unsealed vehicular access</p> <p>Kerrick Road is as an unsealed dirt road and the potential increase of traffic to the site will worsen the road's condition and generate dust to nearby neighbours.</p> <p>More traffic along Kerrick Road may lead to more vehicular accidents.</p>	<p>Although Kerrick Road is not a sealed road it is considered to be of a standard that can cater for the traffic expected to be generated by the use.</p> <p>Drop off and pick up times have been limited to ensure there is a reduction in the timeframe where there would be an increase in traffic to and from the site. The rescue dogs will be distributed by the landowners, thus reducing the number of vehicle movements associated with the property.</p> <p>The subject site has one existing access point from Kerrick Road. The existing driveway is setback approximately 157 metres from the nearest adjoining Dwelling house and is buffered by existing vegetation which will assist with managing any noise and dust generated by the use.</p> <p>There is approximately 2 kilometres of gravel constructed road to the entrance of the subject property. There is a gate located on the rail crossing that will limit patrons from travelling past the subject property and there is one Dwelling house that may be affected by dust from the gravel road, from the additional traffic but the Dwelling house (No. 163) is setback over 90 metres from the road frontage.</p> <p>The condition of the road is in good repair and based on the surroundings does require a low speed in order to avoid wildlife, but in its current form does allow for passing opportunity and is considered suitable for the use subject to conditions being imposed for way finding, wildlife in the locality and restricting the time in which patrons are able to visit the site.</p> <p>Additional commentary in relation to the Kerrick Road is included later in this report.</p>
<p>Waste management</p> <p>An increase of dog kennels would lead to more waste. Dogs may also attract disease which could impact on surrounding wildlife/livestock/working dogs.</p> <p>Composting through a worm farm will not work.</p>	<p>The applicant originally proposed the utilisation of a worm farm to manage waste, however this is no longer proposed.</p> <p>Any approval will be conditioned to ensure that all waste and waste water generated from the kennel is appropriately managed and treated.</p>
<p>Water management/contamination</p> <p>Residents are concerned with the large demand of water for cleaning despite little rainwater collection.</p> <p>The site is also within the Connolly Dam Water Resource Catchment and may cause contamination in the catchment area and Rosenthal Creek.</p>	<p>The applicant has proposed the addition of two, 22,000 litre water tanks for the facility, which will provide adequate water for the facility.</p> <p>Conditions should be imposed to ensure the facility is provided with an on-site waste management system sufficient to serve the needs of the proposed development and to ensure that no effluent drained from the site into any watercourse.</p>

Matters raised in submissions	Response
<p>Welfare of animals</p> <p>The applicant cannot afford/responsibly control the rescue dogs currently and likely into the future with the 20 additional dogs.</p>	<p>The Queensland Government has a document which outlines Animal Welfare Standard and Guidelines for Breeding Dogs and their Progeny which has been incorporated into the assessment of the application and reasonable and relevant conditions should be imposed to also assist with the overall welfare of the dogs</p>
<p>Need</p> <p>There is a recent increase of rescue centres in the local area and there no need for additional facilities.</p>	<p>Council has assessed the application against the relevant assessment benchmarks, of which need is not a relevant provision.</p>
<p>Property values</p> <p>The proposed development may negatively impact on property prices of neighbouring properties.</p>	<p>Impact on property prices is not a matter which can be considered in the assessment of a planning application, this is not a planning matter.</p>
<p>Amenity</p> <p>The proposed use does not meet the desired amenity of the local rural area, where peace and quiet is valued.</p> <p>.</p>	<p>The appearance of the site is in character with the local amenity and the proposed kennel will be within a purpose-built structure that will be of a similar appearance to sheds in the locality.</p> <p>There are large expanses of native vegetation to the east, west and northern boundaries that will provide screening and ensures there is no conflict with the natural, scenic and community values of the area. The proposed facility is to be setback approximately 400 metres from the road frontage, and the eastern boundary of the property is adjoined by a heavily vegetated lot which ensures that the facility is not highly visible from the road or adjoining properties and does not dominate the landscape.</p>
<p>Inappropriate Use</p> <p>The land use does not relate to or protect the productive capacity of the land, despite being within Agricultural Land Classification (ALC) Class A and Class B. The proposed use may conflict with surrounding rural uses</p>	<p>The purpose of the Rural zone code is to provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities.</p> <p>The use of the site for a kennel will not compromise the future use of the land for rural activities. The proposed development does not impact on the stock route network and is located in close proximity to the existing dwelling and pool to reduce any potential impact on adjoining rural uses.</p> <p>The proposal will not adversely impact the future use for agricultural land as it is located on the least productive part of the site.</p>
<p>Bushfire hazard and evacuation process</p> <p>The proposal does not specify the evacuation process during a bushfire event.</p>	<p>Council should impose a condition that requires the submission of a Bushfire Management Plan. The Bushfire Management Plan is to address management of the bushfire risk to the property and kennel and must include evacuation procedures for dogs in the event of a bushfire emergency. A copy of the approved Bushfire Management Plan is to be displayed in a prominent location within the kennel.</p>

Assessment against the Planning Scheme

Benchmarks applying to the development

The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:

- 6.2.10 Rural zone code
- 8.2.3 Bushfire hazard overlay code
- 8.2.9 Water resource catchments overlay code
- 9.3.1 Animal keeping code
- 9.4.2 Carparking and loading code
- 9.4.4 Landscaping code
- 9.4.5 Outdoor lighting code
- 9.4.6 Physical infrastructure code

Strategic outcomes

Darling Downs Regional Plan

State Planning Policy

Local Government Infrastructure Plan

Environmental Protection Act 1994

Strategic Framework

3.6.2 Element Rural land and production areas

3.6.2.1 Specific outcomes:

(5) The potential for conflict between rural uses and other land use activities is minimised by location, design and management of potentially conflicting uses.

3.6.2.2 Land use strategies:

(5) The character and social cohesion and scenic amenity of rural production areas are is protected from development that may impact negatively on these values.

The Dwelling houses within proximity of the subject site, are setback in excess of 60 metres from the property boundaries. The nearest Dwelling house is 350 metres from the subject site.

The proposed structures are located near to the existing Dwelling house to enable monitoring and adjoining the railway line. There is also large expanses of native vegetation to the east, west and northern boundaries that will provide screening and ensures there is no conflict with the character and scenic values of the area.

Rural zone code

The purpose of the Rural zone code is to provide for rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping and other primary production activities. The appearance of the site is in character with the local amenity and the proposed kennel will be within a purpose-built structure that will be of a similar appearance to sheds in the locality.

The are large expanses of native vegetation to the east, west and northern boundaries that will provide screening and ensures there is no conflict with the natural, scenic and community values of the area. The proposed facility is to be setback approximately 400 metres from the road frontage and the eastern boundary of the property is adjoined by a heavily treed lot which ensures that the facility is not highly visible from the road or adjoining properties and does not dominate the landscape.

The use of the site for a kennel will not compromise the future use of the land for rural activities. The proposed development does not impact on the stock route network and is located in close proximity to the existing Dwelling house and pool to reduce any potential impact on adjoining rural uses.

PO1 *The rural or natural environment character of the land is retained. Uses established in the Rural zone do not conflict with rural land uses or the natural, scenic and community values of the area. No development is to proceed within the area defined as the proposed Emu Swamp Dam.*

The proposed Animal Keeping land use is not intensive and is contained within a purpose-built building sited near the existing Dwelling house on-site. The proposed building is located approximately 350 metres from the nearest adjoining Dwelling house and will not be highly visible from Kerrick Road. The proposed development is also located on previously cleared land and does not involve further vegetation clearing. The proposal will not conflict with adjoining rural land uses, subject to the imposition of reasonable and relevant conditions to manage the operation of the facility. The proposal will not adversely impact the future use for agricultural land as it is located on the least productive part of the site.

AO4.2 *Uses other than Dual occupancy, a Home based business or Short-term accommodation (not exceeding 12 guests) have access to the Region's road network via fully constructed sealed roads from the property boundary.*

The site has a narrow frontage to Kerrick Road, which is a gravel constructed road, and therefore cannot achieve compliance with A04.2, therefore assessment against PO4 is required.

PO4 *The safe and efficient operation of roads and access is maintained having regard to the nature of vehicles using the road, the location of uses that may be adversely affected by noise or dust generated by the use of the road and the location and design of access.*

Kerrick Road is a gravel constructed road of approximately 3 kilometres in length and adjoins Old Stanthorpe Road, a bitumen sealed road, to the north.

The subject site has one existing access point from Kerrick Road. The existing driveway is setback approximately 157 metres from the nearest adjoining Dwelling house and is buffered by existing vegetation which will assist with managing any noise and dust generated by the use.

Drop off and pick up times have been limited to ensure there is a reduction in the timeframe where there would be an increase in traffic to and from the site. The rescue dogs will be distributed by the landowners, thus reducing the number of vehicle movements associated with the property.

Although Kerrick Road is not a sealed road, it is considered to be of a standard that can cater for the traffic expected to be generated by the use. The development is considered to comply with the Performance outcome of the Code.

Council's Development Engineer has provided the following commentary in relation to the road:

- *Google sends people via tunnel road – suggest conditioning that customers are advised to access Kerrick Rd via Old Stanthorpe Rd to minimise gravel road distance and avoid the gated section.*
- *Current AADT is 4 (estimate from intramaps). Assuming 20 dogs with a stay of 1 week, all brought to and from site via owners; annual traffic = $20 \times 2 \times 52 = 2080$. /365 days = additional AADT ~6. No additional H.V's.*
- *Based on the traffic estimate above, the use will not change the road hierarchy; it will remain a rural minor access with less than 50 AADT.*
- *There is only one piece of crash data nearby, and it's not related to Kerrick Rd.*
- *I haven't driven the road, but the aerial imagery and contour mapping do not suggest any abnormally dangerous geometry or sight distances issues.*
- *In accordance with Council's TAMP, roads are not generally sealed without Council resolution unless traffic exceeds 200 AADT.*

From the above, I would suggest that sealing of the road is not required from a safety or maintenance perspective.

PO5 *There are no significant adverse impacts on public health and safety with regard to:*

- (a) the siting scale and design of buildings or other works;*
- (b) waste water disposal;*
- (c) the permanent or temporary occupation of or access to areas subject to natural hazards.*

The proposed building has an internal gross floor area (GFA) of 162.696 square metres and involves a low-rise design. The building is sited a significant distance away from adjoining properties to assist with noise attenuation.

The site contains an existing on-site waste management system for the existing use of the land, the addition of the facility may require an upgraded or additional on-site waste management system. Conditions have been imposed to ensure the facility is provided with an on-site waste management system sufficient to serve the needs of the proposed development and that no effluent is permitted to be drained from the site into any watercourse.

The proposed building is located within the Potential Impact Buffer of the Bushfire hazard overlay. The provision of a 5,000 Litre water tank for on-site for firefighting purposes has been conditioned.

The development is considered to comply with the Performance outcome of the Code.

PO6 *All uses are located, designed, oriented and constructed to minimise noise, dust, odour or other nuisance from existing lawful uses including rural and industry uses.*

The proposed facility is purpose-built building that will be located in an enclosed paddock in close vicinity to the existing Dwelling house. The proposed facility is to be setback approximately 400 metres from the Kerrick Road access and the eastern boundary of the property is adjoined by a heavily vegetated lot which ensures that the facility is not highly visible from the road or adjoining properties and does not dominate the landscape.

The closest Dwelling house to the facility is approximately 350m to the north, all other Dwelling houses are setback between 400 metres to 1.2 kilometres. There are large expanses of native vegetation to the east, west and northern boundaries that will provide screening and buffers to Dwelling houses in the surrounding locality.

The dogs will be permitted outside during the hours of 7am – 6pm and required to be inside during the hours of 6pm – 7am. The applicant has advised that a minimum two (2) staff will be present onsite which will assist with the management of barking dogs. The operator has advised that dogs will have appropriate stimulation, interaction and exercise to ensure they are not bored or causing a disturbance by barking continuously

The building is sited a significant distance away from adjoining properties to assist with noise attenuation. It has been indicated that Thermal Break 7 insulation is being used to assist with noise mitigation. It should be noted that Thermal Break 7 is used to reduce the thermal qualities of a building is not considered insulation to be used to mitigate noise. While it will assist in some noise mitigation, additional noise measures will need to occur. This is reflective within the recommended conditions.

Conditions have been imposed to ensure the facility is provided with an on-site waste management system sufficient to serve the needs of the proposed development and to ensure that no effluent is permitted to be drained from the site into any watercourse.

The development is considered to comply with the Performance outcome of the Code.

PO23 *Uses are limited to uses that do not conflict with or reduce the productive capacity, or scenic values of the land. In particular –*

- (a) The use is located, constructed and operated so it is not likely to cause conflict with agricultural practices;*
- (b) The use has low visual impact particularly where located on highways, main roads or tourist routes;*
- (c) The development is located on cleared land and there is no proposed clearing of remnant vegetation;*
- (d) Development is sited on the least productive, lower agricultural quality parts of the site.*

The subject property is 35.8 hectares in size with only a small portion of the site being used for the facility. The facility will be in close proximity to the existing Dwelling house and pool. The areas proposed to be used for Animal keeping are clear of grazing paddocks and is located on land near

existing buildings and structures. The dog areas and runs are not visible from the roadside. The development is located on land clear of vegetation, any condition of approval incurring works will not be located in areas of regulated and, or remnant vegetation. The location of the kennels and associated infrastructure are unlikely to compromise the productivity of the site. The development complies with the Performance outcome.

The proposed Animal Keeping involves adequate setbacks to reduce noise emissions to nearby rural land uses and will not impact on the streetscape amenity. The proposed land use is located on previously cleared land and no further vegetation clearing is proposed. The proposed development is not an intensive land use and will not reduce the productive capacity of the land.

The development is considered to comply with the Performance outcome of the Code.

Bushfire hazard overlay code

The facility is located within the Potential Impact Buffer of the Bushfire hazard overlay code. There is a large portion of the property which is not included in the Bushfire hazard overlay, as indicated in Figure 5.

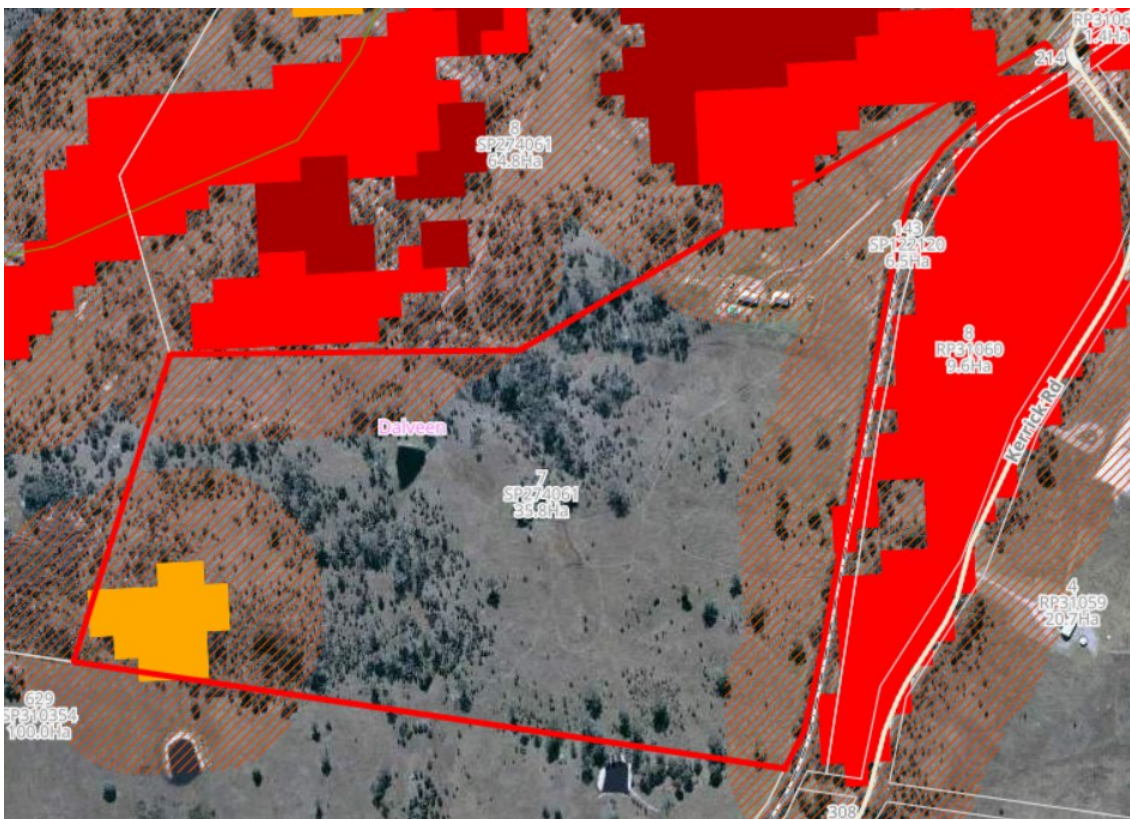


Figure 5: Bushfire hazard overlay

PO3 Any proposed use does not compromise the safety of people or property from bushfire.

The applicant is locating the kennels and dog run areas within cleared areas, in close proximity to the existing Dwelling house. The operators of the facility also reside on the property. The development is not considered to further compromise the safety of people or property on-site. The development can be conditioned to comply with the overlay code. Conditions requiring a minimum 5,000 litre water tank for fire fighting purposes and the submission of a Bushfire Management Plan have been imposed.

Water resource catchments overlay code

The subject property is wholly located within the Water resource catchment overlay, in relation to Connolly Dam.

AO1 In partial fulfilment of the PO –

- (a) No development occurs within 400 metres of the full supply level of the dam.

(b) No use is established within 100 m of the high bank of any waterway within the overlay area and the riparian vegetation is maintained.

PO1 *Development does not have adverse effects on the quality or quantity of water entering Beehive Dam, Connolly Dam, Glenlyon Dam, Leslie Dam or Storm King Dam.*

The proposed development is not within 400 metres of the full supply level of Connolly Dam, nor within 100 metres of a high bank of any waterway.

Conditions have been imposed to ensure the facility is provided with an on-site waste management system sufficient to serve the needs of the proposed development and to ensure that no effluent is permitted to be drained from the site into any watercourse.

The development is considered to comply with the Performance outcome of the Code.

PO2 *Development within the catchment does not include uses that could impact on the water quality including intensive animal industries and industrial uses.*

The proposal does not involve intensive animal industries or industrial uses. Conditions have been imposed to ensure the facility is provided with an on-site waste management system sufficient to serve the needs of the proposed development and to ensure that no effluent is permitted to be drained from the site into any watercourse.

The development is considered to comply with the Performance outcome of the Code.

Animal keeping code

AO1.2 *The part of the land proposed to be used for the use and all associated infrastructure is not in an area of bushfire hazard identified on the Bushfire hazard overlay maps.*

PO1 *The physical characteristics of the land are suitable for use.*

The facility is located within the Potential Impact Buffer of the Bushfire hazard overlay code. There is a large portion of the property which is not included in the Bushfire hazard overlay, as indicated in Figure 5. The existing Dwelling house and proposed development are located near the edge of the Potential Impact Buffer. The development will be conditioned to comply with the Bushfire hazard overlay code. This will be inclusive of water for bushfire fighting purposes, clear safe access and egress to the site and the preparation of a Bushfire Management Plan. The development will be conditioned to comply with the Bushfire hazard overlay code and will comply with the Performance outcome. It should be noted that the structure could be located further from the Dwelling house to be located outside of the potential impact buffer area, however for the purpose of monitoring and managing the facility, it is considered more appropriate to be located near the main Dwelling houses, resulting in the structure being located within the buffer, with conditions imposed.

PO2 *The lot has an appropriate area and dimensions for the siting of:*

- *Buildings and structures;*
- *Vehicular parking, manoeuvring and circulation;*
- *Waste disposal areas;*
- *Landscaping and buffering ; and*
- *Separation distances between the use and sensitive receptors.*

The site is 35.8 hectares and is adequately sized to accommodate the proposed building and associated infrastructure, there is sufficient separation between existing Dwelling houses. The nearest sensitive receptor to the proposed use is approximately 350 metres north with all other sensitive receptors being setback between 400 metres and 1.2 kilometres. Due to the setback from the Kerrick Road and surrounding vegetation, the facility will not be highly visible from Kerrick Road. The proposed development is considered to comply with the Performance outcome.

AO3 *In partial fulfilment of the PO –*

Boarding kennels and catteries have access to the Region's road network that is via fully constructed sealed roads from the property boundary.

PO3 *The site is accessed via a road that is of a standard to adequately cater for the traffic generated by the use without causing traffic hazards, damage to the road or dust nuisance to persons or property not connected with the use.*

Kerrick Road is a gravel constructed road of approximately 3.0 kilometres in length and adjoins Old Stanthorpe Road, a bitumen sealed road, to the north.

The subject site has one existing access point from Kerrick Road. The existing driveway is setback approximately 157 metres from the nearest adjoining Dwelling house and is buffered by existing vegetation which will assist with managing any noise and dust generated by the use.

Drop off and pick up times have been limited to ensure there is a reduction in the timeframe where there would be an increase in traffic to and from the site. The rescue dogs will be distributed by the landowners, thus reducing the number of vehicle movements associated with the property.

It should be noted that when putting in the address of 214 Kerrick Road the GPS actually comes up with two routes to visit the subject property from Dalveen. One route being via Old Stanthorpe Road and the other route being via Tunnel Road. The route via Tunnel Road contains over 7.5 kilometres of gravel road to the subject property and does contain road gates, whereas the route via Old Stanthorpe Road is mainly bitumen with the turn off to Kerrick Roads being the start of the gravel road to the subject property, being approximately 2.2 kilometres from the intersection.

Although Kerrick Road is not a sealed road it is considered to be of a standard that can cater for the traffic expected to be generated by the use and conditions should be imposed to ensure correct wayfinding, notification of wildlife in the locality and restricting the time in which patrons are able to visit the site. With conditions the development is considered to comply with the Performance outcome of the Code.

Commentary in relation to the Kerrick Road, has been previously provided in this report. Kerrick Road is considered of suitable gravel construction for the proposed development.

AO4.1 *For kennels and catteries:*

- (a) animals are kept in enclosures at all times, and between the hours of 6.00 pm and 7.00 am are kept inside buildings.*
- (b) Animal runs are fenced to a minimum height of 1.8 m and are designed to prevent escape of animals by climbing, jumping or digging.*
- (c) Exterior walls and ceilings of buildings are constructed of sound absorbent material, e.g. brick, concrete, masonry or other approved sound attenuating materials.*
- (d) A person who is responsible for the supervision of the kennel/cattery is accommodated on the site.*

AO4.2 *Any enclosure in which an animal is kept is maintained in a clean and sanitary condition.*

AO4.3 *The area in which an animal is kept is appropriately sized so that the animal is comfortably kept.*

AO4.4 *The keeping of animals does not cause a noise nuisance.*

In consideration of A04.1 – AO4.4 compliance is achieved through the following:

- The applicant has advised that dogs will be kept in their kennels between the hours of 6.00 pm and 7.00 am, a condition has been imposed to reinforce this requirement.
- The applicant has advised that dogs will be exercised daily as well as various activities depending on the day and time of year. These might include walks on lead around the property, play with toys, socialisation as appropriate.
- The application materials indicates that outdoor animal runs will include 1.8m high fence and will be designed to prevent escape of animals by climbing, jumping or digging, a condition has been imposed to reinforce this requirement.

- The construction of the building will involve Thermal Break 7 Insulation to assist with noise attenuation; additional conditions regarding noise attenuation will be imposed.
- The applicant has advised that a minimum two (2) staff will be present onsite which will assist with the management of barking dogs.
- All necessary measures are being taken to ensure the animal health and welfare is maintained which includes heating and cooling of the kennels.
- Internal drainage within the kennel will be incorporated and will direct all wash down and waste water from the kennels to an on-site sewerage treatment facility installed for the exclusive use of the kennel, conditions relating to waste water management will be imposed.

Several submissions have been received regarding the operation of the use and potential impacts it may generate, therefore consideration has been given to the following Performance outcome:

PO4 *The use does not have unacceptable impacts on people or properties not associated with the use.*

A noise assessment report has not been provided as part of application. This is not uncommon for such applications. The applicant has provided a number of noise mitigation measures to ensure noise is appropriately addressed.

The proposed location, design and construction of the kennel have incorporated sufficient measures to reduce the impact of noise and the proposed development can be conditioned to reduce any potential nuisances.

The conditions proposed generally align with the conditions imposed on a Planning & Environment Court decision in 2022, relating to a Breeding kennel – keeping up to 20 dogs. In this circumstance, the sensitive receptors were located in closer proximity to the proposed development, with the proposed development being located toward the top of a rise. The conditions were agreed upon during a court mediation involving noise experts.

The topography of the area is hilly in nature and the subject property has the access location at a high point with the Dwelling house and structures located further downhill from the access.

AO6 *In partial fulfilment of the PO –*

For kennels and catteries, buildings are constructed with impervious concrete floors, gravity drained to an effluent collection/treatment point.

The Acceptable outcome requires in partial fulfilment of the Performance outcome for kennels to be constructed with impervious concrete floors, gravity drained to an effluent collection/treatment point. The Performance outcome requires that:

PO6 *Impacts on the environment are minimised. A management plan is established that identifies and manages potential for health and amenity hazards such as vermin and other pests, animal waste, waste water and other odour sources.*

The applicant has advised that each dog enclosure will have appropriate drainage to allow frequent cleaning of all enclosures and removal of animal waste. The boarding facility areas will be mopped daily and hosed at least weekly, all water will be collected into the appropriate septic tank.

Food will be appropriately stored onsite to ensure it does not attract vermin.

Conditions can be imposed regarding the management of the facility. With conditions imposed, the development is considered to comply with the Performance outcome of the Code.

PO7 *The use is serviced with appropriate infrastructure. Waste disposal facilities are of adequate size to provide for the amount of waste generated on the site, and situated only where there is no risk of contaminating ground water or surface water.*

The applicant will install an on-site sewerage facility for the exclusive use of the kennel and the size of the subject land is adequately sized to cater for an additional treatment system for the development. It is located within an area of the subject property that provides suitable separation distances from common boundaries to reduce impacts on adjoining properties. Although details

have been provided by the applicant, conditions can be imposed to reduce the risk of contaminated grey water leaving the site

Carparking and loading code

The Code does not specify a car parking rate and therefore it is to be determined by Council.

PO1 *Sufficient carparking is provided to accommodate the number and type of vehicles likely to be generated by the development having regard to the following:*

- (a) the nature and operation of the use;*
- (b) the likely number of users including residents and employees;*
- (c) the hours of operation and the peak parking demand periods;*
- (d) the availability of alternative parking in the vicinity including on street car parking;*
- (e) in the case of residential development, the proximity to the Principal centre zone and the facilities contained within that zone;*
- (f) the feasibility of physically providing parking on site including access restrictions and size of the site; and*
- (g) The provisions of Planning Scheme Policy – Off Street Carparking.*

The applicant has advised that there will be six (6) dedicated car parks near the dog boarding facility along the main driveway. Due to the nature of the use, it is considered that the car spaces will be high turnover spaces and visitors to the site will be either dropping off or picking up dogs. The applicant has nominated drop off and pick up times to limit vehicles movements to and from the site. In consideration of the nature of the use, the high turnover nature of the spaces and the staggered drop off/pick up times that six (6) car spaces are sufficient to accommodate the number and type of vehicles likely to be generated by the development.

The development is considered to comply with the Performance outcome of the Code.

Landscaping code

The proposed building will be in keeping with the rural character of the locality. The site contains existing vegetation around the perimeter of the property, existing Dwelling house and driveways. There are large expanses of vegetation to the east, west and north of the site that will act as a buffer between the site and those properties. Some additional landscaping around the proposed kennel will be a condition to provides additional screening of the development. There is no proposal to remove any vegetation. The proposed development can be conditioned to comply with the requirements of the Code

Outdoor lighting code

The proposed facility can be conditioned to ensure that outdoor lighting does not provide any impacts on adjoining properties. With conditions, the proposed development complies with the requirements of the Code.

Physical infrastructure code

The subject site has existing on-site water storage tanks. The applicant has proposed the addition of two, 22,000 litre water tanks for the facility which will provide adequate water for the facility. There is adequate area for an additional on-site sewerage system which will collect and treat the water runoff from the facility. The site is connected to reticulated electricity. The site has frontage to a constructed road and the internal access is constructed to an all-weather standard. The proposed facility can comply with the requirement of the Code.

Infrastructure Charges

The use of Animal Keeping (dog boarding kennel and rescue facility – up to 28 dogs) is identified under the Specialised uses category, as per the Charges Resolution (No. 4.2) 2023. The charge associated with the charge category outlines that a boarding kennel is levied the same as Essential services.

Charges Resolution (No. 4.2) 2023 commenced 13 December 2023.

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Specialised uses	Stormwater	\$8/impervious m ²	162.696m ²	Nil	\$1,301.57
	Roads	\$107.50/m ² GFA @30%			\$5,246.95
TOTAL:					\$6,548.52

In accordance with Section 122 of the *Planning Act 2016*, the infrastructure charge is payable when the change of use happens.

Recommendation

THAT the application for Material Change of Use for the purpose of Animal keeping (dog boarding kennel and rescue facility – up to 28 dogs) on land at 214 Kerrick Road, Dalveen, described as Lot 7 SP274061, 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
Site Plan	DWG – 02	02/07/2024
Floor Plan	DWG – 03	02/07/2024

- 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

- This approval allows for the use of the for the boarding of up to twenty-eight (28) dogs, including dogs registered at the subject property under the property owner's names.
- At least one (1) person who is responsible for the supervision of the Animal Keeping is to be accommodated on the site.
- The existing eight (8) dog kennels attached to the existing shed are to be mainly used for the landowners private dogs. These existing dog kennels are only to be used for boarding purposes, including for rescue dogs, if the new kennels are at full capacity.
- Drop off and pick up of boarding dogs is limited to the following times:
 - Monday – Friday 7:00am – 10:00am and 3:30pm – 5:30pm
 - Saturday 7:00am – 10:00am
 - Sunday 3:00pm – 5:00pm
 - Public Holidays Not permitted
- This approval does not allow for customers associated with rescue dogs to come to the site, including to view or pick up puppies/dogs. An alternative location is to be arranged for pick up or drop off.
- This approval does not allow for the site to be used as a breeding kennel.
- Between the hours of 6:00pm and 7:00am all dogs associated with the Animal Keeping must be housed within kennel buildings with external façade elements closed.
- All patrons visiting the subject property are to be advised of the following:
 - (i) all vehicle movements are to be via Old Stanthorpe Road and Kerrick Road only; and

(ii) the area has a high prevalence of wildlife along the roads and to be vigilant.

11. A register must be kept of all dogs residing at the premises. The register is to outline the length of stay, type of breed, which kennels the dog was located, and the purpose of stay i.e. rescue stay or boarding stay. The register must outline details if a dog escapes the kennel or the dog run area.

Building and Site Design

12. The design, colours and materials of the building are to be in accordance with the Rural character of the area. The final design and construction of the buildings must provide further details of the noise attenuating materials than that shown in the plans submitted with the application. **Details of the design and materials of the building and pavement are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The building is to be constructed in the approved design, colours and materials.
13. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
14. 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

15. 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.
16. Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured at the boundary of an affected residential dwelling and must not exceed 10dB(A) above the background noise levels in the locality when measured at the boundary of a commercial premises. This may include the need to use noise attenuating materials in the building.
17. Use of the outdoor run areas is limited to the time period 7am to 5pm, and for one dog in each outdoor area at a time. Whilst dogs are in the outdoor run areas they must be supervised at all times to minimise/prevent barking.
18. If complaints are received about dogs barking whilst located in the runs, and it is determined this part of the activity is creating a noise nuisance, structural changes must be made to the design of the runs. The structural changes must be acoustically designed, by a suitably qualified person, so that the noise level required can be achieved. The design changes may also incorporate the installation of a noise barrier, of solid and continuous construction with negligible holes and/or gaps, for the perimeter of the facility. The design must be submitted to the Council for approval prior to construction.
19. In the event an Authorised Council Officer determines the animal noise associated with the Animal Keeping is intrusive and causing unreasonable interference, Council may require the operator of the kennels to engage a suitably qualified person to provide an acoustic assessment report on noise emissions from the activity and any necessary sound attenuation measures required to prevent surrounding sensitive receptors from being adversely impacted upon. The recommended sound attenuation measures are to be implemented as required by an Authorised Council Officer.
20. If barking collars or similar devices are used to control barking, the devices are to be regularly maintained and kept in working order (i.e. batteries charged).
21. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
22. All buildings, enclosures and other structures and areas used in the Animal keeping use must be constructed, maintained and operated in such a manner as to provide for the

effective control of flies, rodents, pests, weeds and odour, or other deleterious matter or thing.

23. Animal housing areas must be provided with ventilation which is sufficient to maintain the health of animals, whilst minimising undue draughts, odours and moisture condensation.
24. All kennels are to provide protection from rain and wind, direct sunlight, extreme temperatures or other adverse weather conditions, and must be provided with a clean and dry dedicated sleeping area appropriate to the breed.
25. All dogs must have access to a continuous clean water supply, adequate to meet the daily requirements of each dog.
26. No effluent is to drain from the site or into any watercourse.
27. There is to be no interference with the amenity of the surrounding area by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit, oil or otherwise.
28. Food preparation and storage areas, food and water containers, and utensils and equipment used in the preparation and provision of food, must be maintained to a hygienic standard. Dog food is to be stored in a vermin proof receptacle.
29. All faecal waste, including any bio-degradable absorbent material in the kennels, is to be collected daily and disposed of in the manure pit on-site, provided the manure pit is appropriately maintained and do not cause can odour issue. If odour complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) alternative disposal methods will need to be submitted and approved by Council's Planning Services Team.
30. Manure pits must have sufficient capacity to compost all faecal matter produced onsite. The manure pit must be constructed so that it has a 0.5 metre high bund wall to prevent stormwater entering and leaving the area. The manure pit must be covered to ensure no infiltrations of stormwater enters the area which may require the roof area to extend past the manure pit area.
31. Composted faecal matter must not be used or sold for use as a fertiliser, soil improver, compost matter or other similar product, unless the relevant Australian Standard/s for such use is complied with.
32. The cleaning of kennels 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.
33. Advertising Devices relating to the breeding kennel may only be erected on the subject land, i.e. Lot 7 SP274061. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. No advertising signs or devices are to be located on any other land or the road reserve, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws.
34. 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.
35. **Bushfire Management Plan is to be submitted to Council's Planning Services Team for approval relating to the areas located in Bushfire hazard overlay.** The Bushfire Management Plan is to address management of the bushfire risk to the property and kennel and must include evacuation procedures for dogs in the event of a bushfire emergency. Actions identified in the Bushfire Management Plan are to be implemented at the operators cost. A copy of the approved Bushfire Management Plan is to be displayed in a prominent location within the kennel.

Fencing, Landscaping and Buffers

36. A screen fence 1.8 metres high shall be erected along parameters of the animal runs to assist in reducing noise from the premises and to prevent escape of animals.

37. Landscaping is to be provided around the perimeter of the Animal Keeping to further assist with mitigating noise.
38. **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 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.

Car Parking and Vehicle Access

39. A 3.0 metre wide all-weather driveway is to be maintained from Kerrick Road to the proposed kennel building and carparking area.
40. At least six (6) car parking spaces are to be provided on site. The carpark may remain grass, provided it is appropriately maintained, clearly defined and does 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 carparking area becomes eroded with material becoming deposited outside of the site or potholes form that would increase noise associated with vehicle movements, the carpark shall be constructed in gravel to Council's standards.
41. The loading and/or unloading of delivery vehicles for goods associated with the development are not to occur outside the boundaries of the site. The delivery box must be wholly located within the property boundary and not within the road reserve.

Stormwater Drainage

42. Stormwater from within the fenced dog run enclosures is to be managed to ensure that no contaminants enter adjoining properties and to not cause environmental nuisance or environmental harm.

Water Supply and Waste water

43. The proposed development is to be provided with on-site water storage sufficient to serve the needs of the proposed development.
44. 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 2003*.
45. 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 5,000 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*.

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) No more than the number of dogs permitted to be kept in accordance with Local Law No. 2 (Animal Management) 2011 and Subordinate Local Law No. 2 (Animal Management) 2011 is to be kept on the site up until the conditions of approval are fulfilled. 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 development is to comply with the Council's Local Laws regarding Animal Management being the subordinate Local Law No.2 (Animal Management) 2011.
- (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 10 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 disposal of waste classified as Trade Waste under the *Plumbing and Drainage Act 2018* is to be in accordance with Council's Trade Waste Policy.
- (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) Council will not be sealing Kerrick Road as a result of any dust complaints received.
- (xii) 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. (xi) All Development Permits for Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.

Aboriginal Cultural Heritage

- (xiii) 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 2 – Department of Housing, Local Government, Planning and Public Works’ conditions as a Concurrence agency


Nil

ATTACHMENTS

Nil

15.5 Reconfiguring a Lot – Bartranz Petroleum, 1 New England Highway, Allora

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Planning Services Coordinator	ECM Function No/s: RC\01989.01

APPLICANT:	Bartranz Petroleum
OWNER:	Allora Servo Pty Ltd
ADDRESS:	1 New England Highway, Allora
RPD:	Lot 1 A 241 (Incl Lease A & B SP285679)
ZONE:	Low density residential zone
PROPOSAL:	Minor Change to existing Development Permit – Reconfiguring a Lot – Subdivision of one (1) lot into two (2) lots
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Department of State Development, Infrastructure, Local Government and Planning (original approval)
FILE NUMBER:	RC\01989.01

RECOMMENDATION SUMMARY

THAT the application for a Minor Change to an existing Development Permit for Reconfiguring a Lot – Subdivision of one (1) lot into two (2) lots, on land at 1 New England Highway, Allora, described as Lot 1 A 241 (Incl Lease A & B SP285679), be approved in part, and Condition 9 be amended as follows:

9. A sealed road, including concrete edge strip and stormwater drainage, is to be constructed along the ~~William Street and~~ Darling Street frontages of the site. The concrete edge strip is to align with the kerb and channel connecting to the New England Highway. Operational Works approval will be required from Council for the roadworks.

REPORT

Background

On 22 September 2010, Council issued a Decision Notice approving a Subdivision by Lease on the subject site (RC\01201). This application was assessed under the Warwick Shire Planning Scheme, which was applicable at the time.

On 26 April 2016, Council issued a Decision Notice approving a Subdivision by Lease on the subject site (RC\01587). The application was assessed under Version 2 of the Southern Downs Planning Scheme.

On 18 August 2023, the applicant submitted a new Development Application for Subdivision of one (1) lot into two (2) lots (RC\01989). As the proposal was for a new reconfiguration type as defined under the *Planning Act 2016*, the application could not be accepted as a change to the previous

approval. This application was assessed against Version 5 of the Southern Downs Planning Scheme.

This application was approved by issue of a Decision Notice on 25 October 2023.

Report

The subject site is located at 1 New England Highway, Allora, as shown in Figure 1.0 and has an area of 6,259 square metres. The site is located within the Low density residential zone as shown in Figure 2.0 and contains existing lawful land uses including a Service Station and Fuel Depot.

The site has frontages to the New England Highway, William Street and Darling Street to the north, west and south respectively. The site has two crossovers to the New England Highway, one crossover to William Street and two crossovers to Darling Street. The site is generally flat.



Figure 1.0 – Locality Plan



Figure 2.0 – Southern Downs Planning Scheme (v. 5) Zoning Map

The applicant has requested a change to the existing approval (minor change). Change applications are assessable against different criteria than development applications. Section 81 of

the *Planning Act 2016* outlines what must be considered for a minor change. The matters relevant to this application that must be considered are as follows:

- The information the applicant included with the application; and
- All matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and
- Must consider the statutory instrument as in effect when the development application for the development approval was properly made; and
- Another matter that the responsible entity considers relevant.

The applicant seeks to remove Condition 9, which states:

9. *A sealed road, including concrete edge strip and stormwater drainage, is to be constructed along the William Street and Darling Street frontages of the site. The concrete edge strip is to align with the kerb and channel connecting to the New England Highway. Operational Works approval will be required from Council for the roadworks.*

The applicant has provided the following justification:

We are writing with regards to a subdivision request of Lot 1 New England Highway lodged and approved late in 2023...

This subdivision involves the Allora Freedom Fuels service station and the Bartranz Petroleum Fuel Depot. Both businesses are currently leasing the blocks (which were subdivided for leasing purposes 8 years ago) by current owners Glenn & Margaret Hentschel. The two businesses will continue to operate as they are -this subdivision is for the sole purpose of the sale of the Depot to Bartranz Petroleum owners Justin & Gretta Barton...

When Adapt town planning were engaged by us to initiate the subdivision, they noted that due to it already being divided for leasing purposes that it should be a very straight forward process and could be processed in a matter of days. However, SDRC requested a new application be made. This new application has come at a cost of approximately \$24000 (fees to planners and application fees etc)

We were pleased to receive the approval however it is one of the conditions added that we do not accept.

Council requests a concrete edge strip be constructed to all roadside edges along the William and Darling Street roads. This has been estimated to cost a further \$50 000. As mentioned above - these businesses are not changing in their operation. Lot 1 New England Highway has been operating as a service station and a fuel depot for at least 20 years! Why is a concrete edge strip suddenly a requirement?? The road edges are all in perfect condition and we have concrete driveways at all entrances to the depot. We were also advised by Angela O'Mara that this is a standard requirement in the Allora region however we are yet to find any such strip anywhere in the township.

Bartranz Petroleum is one of the largest businesses and employers in the Allora region and should ownership not be obtained due to this concrete edge requirement we will be forced to relocate away from the region.

In this case we believe SDRC are seriously hindering an established local business for an unknown purpose. Concrete edge strips to these road edges are of no benefit to the township of Allora and will simply add further financial burden to what should be a simple change of ownership among family members.

Referral

The original application required referral to the Department of State Development, Infrastructure, Local Government and Planning (DSDILGP). The DSDILGP had no requirements.

In accordance with section 80 of the *Planning Act 2016*, the chief executive is not an affected entity in the assessment of a minor change application and therefore the change does not require referral to the Department of Housing, Local Government, Planning and Public Works (DHLGPPW).

Assessment against the Planning Scheme

Benchmarks applying to the development

The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:

- 9.4.7 Reconfiguring a lot code
- Schedule 2 of the *Planning Act 2016*
- Schedule 1 of the Development Assessment Rules

Reconfiguring a lot code

The 2023 development application was assessed against the current version of the Southern Downs Planning Scheme (version 5). Any conflict with the planning scheme is considered to have been resolved as part of the previous development application. The below considers the change against the current assessment benchmarks.

AO9 *Where reconfiguration of a lot:*

- (i) *results in additional lots with frontage to a road; or*
- (ii) *involves the creation of a new road;*

the road is constructed in accordance with Table 9.4.8.4.

PO9 *Roads are designed and constructed to provide an optimum combination of safety and amenity, convenience and economy for users of streets and roads.*

PO31

- (a) *In Warwick and Stanthorpe roads adjoining the land being reconfigured are sealed and kerb and channel provided.*
- (b) *In Allora and Killarney roads adjoining the land being reconfigured are sealed and provided with a concrete edge strip. Kerb and channel may be required where necessary for stormwater control.*

The proposed development is for the subdivision of one lot into two lots and will therefore result in additional lots with frontage to a road. Table 9.4.7.4 specifies that road construction in the Low density residential zone in Allora has a surface of asphalt or bitumen seal and kerb and channel only where required. Where kerb and channel is not required, a concrete strip is to be provided at the road edge.

It is noted that the existing road network fronting the site does not include kerb and channel beyond the intersection of William Street and the New England Highway. No concrete strips are provided on either William or Darling Streets for edge protection. The applicant's proposed change seeks to maintain the existing road standard and therefore does not comply with Acceptable outcome 9 or Performance outcome 31.

The existing road network is considered to achieve a level of safety and amenity for road users. The current roads may not be an optimum combination or design.

In accordance with Section 65 (1)(a) of the *Planning Act 2016*, a development condition imposed on a development approval must be relevant to, but not be an unreasonable imposition on, the development or the use of premises as a consequence of the development.

The approval issued in 2016 over the subject property was for a lease exceeding 10 years and a lease is considered a lot in the context of a planning application. Performance outcome 29 of the Reconfiguring a Lot Code in Version 2 of the Southern Downs Region Planning Scheme included the same requirements as those outlined in Performance outcome 31 under the current version of the scheme. As part of the application, two new access points formed part of the development along Darling street and therefore, the following conditions were imposed on the subdivision by lease approval:

Car Parking and Vehicle Access

4. Concrete industrial crossings are to be constructed at the two Darling Street entrances to proposed Lot 2 in accordance with Council's standard. (Council's Manager Design & Assets can provide details regarding Council's standard.)
5. There is to be no vehicular access/egress between proposed Lot 2 and the New England Highway. All vehicular access/egress must be from/to Darling Street.

Roadworks

6. 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 Engineering Services.

Prior to the 2016 approval being issued, a previous subdivision by lease approval (RC\01201) was also issued in 2010 under the Warwick Shire Planning Scheme with the following conditions imposed.

3. Concrete industrial crossings are to be constructed at the two Darling Street entrances to proposed Lot 2 in accordance with Council's standard. (Council's Manager Design & Assets can provide details regarding Council's standard.)
6. Sealed road widening to a minimum of 3.5 metres width from the centre line with a concrete strip provide along the edge of the bitumen, is to be constructed along the Darling Street frontage of the site. Such works are to include appropriate drainage.

The proposed reconfiguration does not impact on traffic flow and the transport network because the imagery shows the site has been developed since before 22 June 2001 and no Material Change of Use is recorded for the site, therefore the uses are considered to be existing lawful land uses in the context of section 260 of the *Planning Act 2016*.

However, the imagery does show there is damage to the road that was conditioned previously to require road upgrades. Even though conditions were imposed in 2010 in regards to access and road upgrades, the works were not carried out by the developer.



The approval issued in 2010 did not apply any requirements for road upgrades to the William Street frontage because the access points were all existing. The road upgrade requirements were imposed along Darling Street because the direct access to the New England Highway was removed by the Department of Transport and Main Roads, where a condition was imposed stating that *'there shall be no direct access between proposed lot 2 and the New England Highway'* and two (2) new access points were proposed along Darling Street which change the configuration/traffic movements for the site as part of the subdivision by lease.

The approval issued in 2016 outlined within the planning report that the proposed development complied with all of the relevant codes but this wasn't reflected in the conditions issued as part of the approval i.e. The requirement for a concrete edge strip.

Overall the requirement for a concrete edge strip in Allora within the Low density residential zone has remained consistent since 2010 when the first approval was issued over the subject property.

Schedule 2 of the Planning Act 2016

Minor change is defined in Schedule 2 of the Planning Act 2016 as:

(b) *for a development approval—*

(i) *would not result in substantially different development; and*

Comment: Assessment is provided in response to Schedule 1 of the Development Assessment Rules.

(ii) *if a development application for the development, including the change, were made when the change application is made would not cause—*

(A) *the inclusion of prohibited development in the application; or*

Comment: The proposed change does not result in prohibited development.

(B) *referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or*

(C) *referral to extra referral agencies, other than to the chief executive; or*

Comment: The original approval was referred to the chief executive. The application does not trigger referral to any other referral agencies.

(D) *a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or*

Comment: The change application does not require referral to any referral agencies.

(E) *public notification if public notification was not required for the development application.*

Comment: The change application does not require public notification.

Schedule 1 of the Development Assessment Rules

Schedule 1 of the Development Assessment Rules provides matters to be considered when determining if a change results in substantially different development, as required by item (b)(i) above.

(a) *involves a new use; or*

Comment: The proposed change does not involve a new use.

(b) *results in the application applying to a new parcel of land; or*

Comment: The proposed change does not apply to a new parcel of land.

(c) *dramatically changes the built form in terms of scale, bulk and appearance; or*

Comment: The proposed change does not alter the built form on site.

(d) *changes the ability of the proposed development to operate as intended; or*

Comment: By maintaining the road upgrades as per Condition 9 it ensures that the development operates appropriately with all vehicle movements to and from the site being contained within the constructed formation of the road. The request to remove of the condition did not include manoeuvring templates to demonstrate that all vehicle movements can occurred within the already constructed portion of the road and therefore the removal of the condition has the potential to alter how the development operates or could require the need for wider crossovers to be provided to reduce erosion within the verge.

(e) *removes a component that is integral to the operation of the development; or*

Comment: The proposed change is to remove a condition, not a component of the approved development.

- (f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or*

Comment: This proposed change does not alter the access arrangements for the existing uses, nor increase the intensity of development on the site. Any intensification of land uses on site will require lodgement of separate Material Change of Use applications, where changes to traffic impacts can be further considered. The change is not considered to impact on traffic flow or increase traffic to the site.

- (g) introduces new impacts or increase the severity of known impacts; or*

Comment: The current standard of William and Darling Streets is considered to be an existing known impact, in that the roads are not constructed in accordance with Council's current development standards. The amendment to Condition 9 is to align with the condition of a previous approval issued for the subdivision lease, which has been maintained as a requirement in the planning scheme since the 2010. The verge area that was required to be upgraded clearly shows the known impact i.e. vehicle not staying in alignment with the road, is continuing to deteriorate the edge of the road that should have had upgrades occurred to it already. By not imposing the condition that previously was imposed on another approval, the known impact will continue to deteriorate the road edge and increase the severity of the deterioration over time. The introduction of a concrete edge strip will not stop people from driving in the verge but will assist with traffic maintaining their driving within the constructed portion of the road and provide protection to the edge of the road, to reduce future maintenance cost of the road.

- (h) removes an incentive or offset component that would have balanced a negative impact of the development; or*

Comment: No incentives or offset components were applied.

- (i) impacts on infrastructure provisions.*

Comment: Condition 6 of the previous approval in 2010 was accepted by the applicant at some point because they chose not to negotiate the conditions of approval. By removing this condition, it results in not only infrastructure not being provided, but it doesn't align with the conditions of a previous approval that was considered appropriate at the time and undisputed by the applicant. The planning scheme has consistently applied this infrastructure provisions and is considered a reasonable condition. Removing this condition will result in no infrastructure along Darling Street which is an infrastructure requirement for the zone and should not be at the cost for Council to complete.

Recommendation

THAT the application for a Minor Change to an existing Development Permit for Reconfiguring a Lot – Subdivision of one (1) lot into two (2) lots, on land at 1 New England Highway, Allora, described as Lot 1 on A 241 (Incl Lease A & B SP285679), be approved in part and Condition 9 be amended as follows:


9. A sealed road, including concrete edge strip and stormwater drainage, is to be constructed along the ~~William Street and~~ Darling Street frontages of the site. The concrete edge strip is to align with the kerb and channel connecting to the New England Highway. Operational Works approval will be required from Council for the roadworks.

ATTACHMENTS

Nil

15.6 Minor Change Applications Gary Hayes & Partners Pty Ltd - 11-25 Carmody Street, Warwick

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Planning Services Coordinator	ECM Function No/s: RC\01904.01 and RC\01905.01

APPLICANT:	Gary Hayes & Partners Pty Ltd
OWNER:	Cedarwood Estate Pty Ltd
ADDRESS:	11-23 Carmody Street, Warwick
RPD:	Lots 54, 100 & 101 SP339063
ZONE:	Part Low density residential and Part Rural
PROPOSAL:	Change application (Minor Change - RC\01904.01) for a Development Permit - Reconfiguring a Lot – 3 lots into 34 lots (over two stages) AND Change application (Minor Change - RC\01905.01) for a Development Permit - Reconfiguring a Lot – 2 lots into 37 lots (over two stages)
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Nil
REFERRALS:	Nil
FILE NUMBER:	RC\01904.01 and RC\01905.01

RECOMMENDATION SUMMARY

THAT the:

- A. Change application (Minor Change - RC\01904.01) for a Development Permit - Reconfiguring a Lot – 3 lots into 34 lots (over two stages), on land at 11 - 25 Carmody Street, and 124 – 146 Cleary Street, Warwick, described as Lots 54, 100 and 101 SP339063 (Incl EMT A), in relation to Conditions 3, 18, 27 and 34, be approved in part,
AND
- B. Change application (Minor Change - RC\01905.01) for a Development Permit - Reconfiguring a Lot – 2 lots into 37 lots (over two stages), on land at 11 - 25 Carmody Street, and 124 – 146 Cleary Street, Warwick described as Lots 100 and 101 SP339063 (Incl EMT A), in relation to Conditions 3, 17 and 32, be refused.

REPORT

Whilst there are two separate development approvals i.e. RC\01904 and RC\01905, both being for subdivisions, the assessment of the Change Application (Minor Change) requests has been undertaken within this one report, due to the linkages between each development. A summary of each application is as follows:

RC\01904 – Decision Notice dated 11 July 2024 for a Subdivision of three (3) into 34 lots (over two stages), involving Lots 54, 100 & 101 SP339063.

RC\01905 – Decision Notice dated 11 July 2024 for a Subdivision of two (2) into 37 lots (over two stages), involving Lots 100 & 101 SP339063.

Background

On 31 October 2011, Council issued a Development Permit for Material Change of Use for the purpose of Multiple dwelling (82 units) and Reconfiguring a Lot (Community Title Subdivision of one into 82 lots and common property), on land at 11-25 Carmody Street, Warwick, described as Lot 19 RP83070, subject to conditions.

The approval was later changed multiple times through a Change to an Existing Approval on 10 January 2013, 1 March 2013, 31 October 2013, 23 December 2013, 24 March 2014, 4 July 2014 and 31 March 2017. The approval lapsed on 31 December 2017.

On 26 March 2021, Council issued a Development Permit for Reconfiguring a lot – 2 lots into 34 described as Lot 1 RP36412 (Incl Emt B SP257235) and Lot 3 RP125874 (Incl Emt A SP257235).

On 19 April 2022, Council issued a Development Permit for Reconfiguring a Lot (Realignment of boundaries – 3 lots into 3 lots), on land at 11-25 Carmody Street, Warwick, described as Lot 1 RP36412, Lot 3 RP125874 and Lot 19 RP83070, subject to conditions.

A Change to an Existing Approval was issued on 25 August 2022, amending requirements associated with connection to services.

On 17 August 2023, Council signed an Infrastructure Agreement with Cedarwood Estate Pty Ltd, for works associated with the Realignment of boundaries approval issued on 25 August 2022. The Infrastructure Agreement requires the retention of covenants over the subject land, holding the lots in common ownership, until such time as necessary infrastructure is provided to service the land.

The three lots (Lots 100, 101 and 54 SP339063) that form part of this report contain two (2) development approvals outlined as follows:

RC\01904 - Three lots into 34 lots (over two stages), on Lots 100, 101 and 54 SP339063.

RC\01905 - Two lots into 37 lots (over two stages), on Lots 100 and 101 SP339063 (Incl EMT A).

Once both developments are completed, the development will result in a total of 69 new lots.

Although the applications were lodged separately, a single application could have been submitted. It should be outlined that a referral to Department of Housing, Local Government, Planning and Public Works (SARA – Impact on State Infrastructure) would have been required if a development application was submitted which exceeded 50 lots or more. Although these development applications are over the same lots and will have a combined total of 69 lots, as separate applications were submitted, the referral trigger did not apply.

To assist with the history of the subject property and the explain the timeline of both RC\01904 and RC01905, the subject lots that form part of these applications contain a split zoning i.e. Low density resident and Rural zone. Due to this split zoning, any subdivision application was required to be Impact assessable under the planning scheme. The rural zoning on these lots aligns with adjoining properties and the flood impact within the locality (zoning alignment changed in 2017 based on a flood study). The applicant did not want to submit an impact assessable application and therefore decided to complete the three lots into three lots boundary realignment as a separate application to the subsequent subdivision applications (Council ref: RC\01895). The intent of the realignment of boundaries application was to separate the land within the Low density residential zone from the land within the Rural zone. The realignment of boundaries then required the bonding of connection to services, which is not standard practice for lots within the Low density residential zone (realignment of boundaries approval issued 14 April 2022 and 25 August 2022). Applications RC\01904 and RC\01905 were unable to proceed to assessment until the survey plan associated with the realignment of boundaries, being RC\01895, was endorsed with the Titles Offices. Once the survey plan was registered it become evident that the new coordinates resulted in the lots

remaining in a split zone. Therefore, as parts of the lot remained within the Rural zone, the applications i.e. RC\01904 and RC\01905 remained impact assessable.

These applications were approved on 8 July 2024 and 9 July 2024, respectively, with both of the decision notices being issued on 11 July 2024. The applicant had until 8 August to negotiate the decision notice under the *Planning Act* 2016, however no change representations were received within this timeframe. Due to the negotiation decision period ending, a Change Application (Minor change) was submitted to Council on 24 September 2024 for both RC\01904 and RC\01905.

The subject property contains three lots as follows:



Figure 1: Locality Plan

RC\01904 consists of the following approved lot layout:

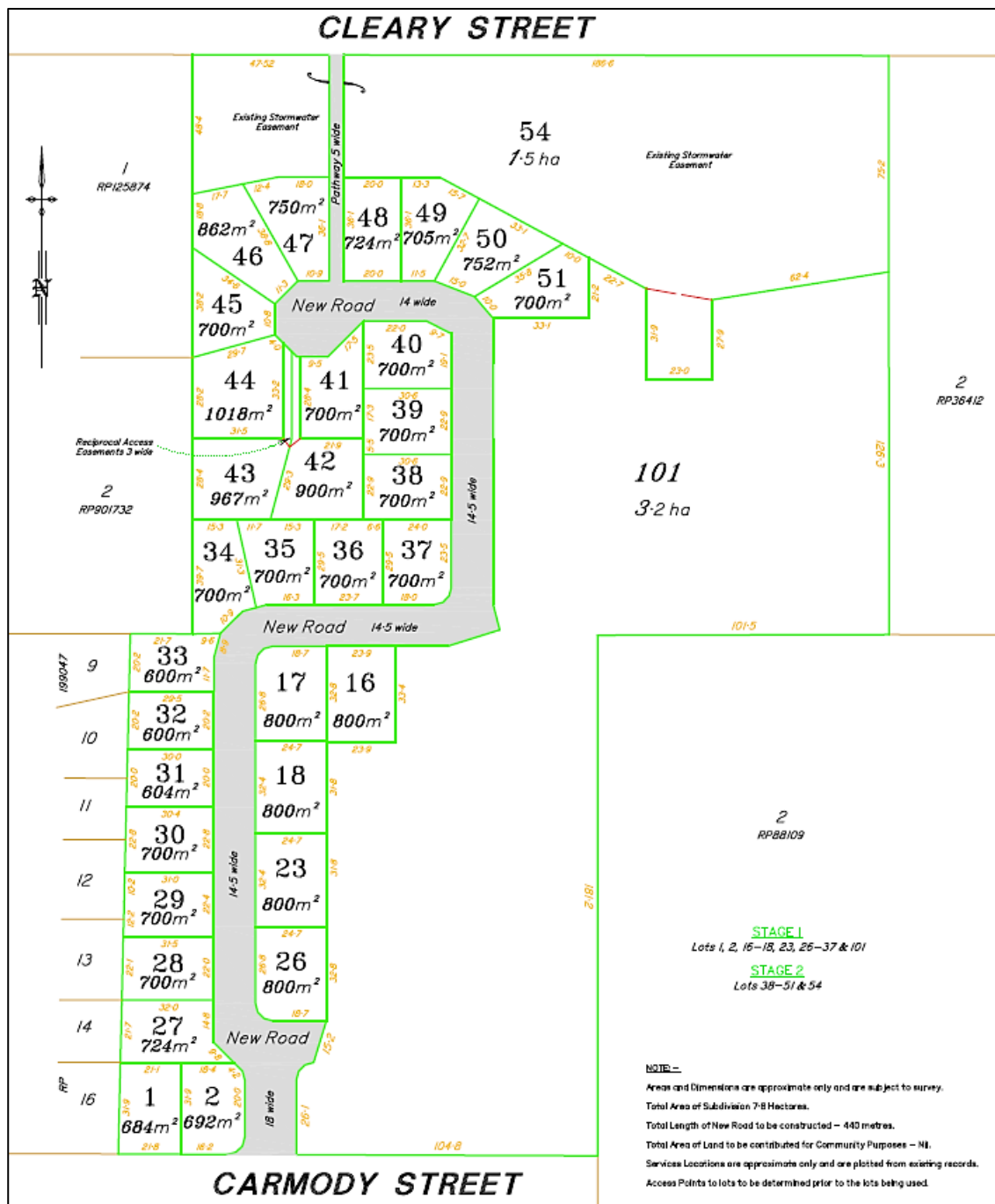


Figure 2: Approved lot layout for RC\01904

RC\01905 consists of the following approved lot layout:

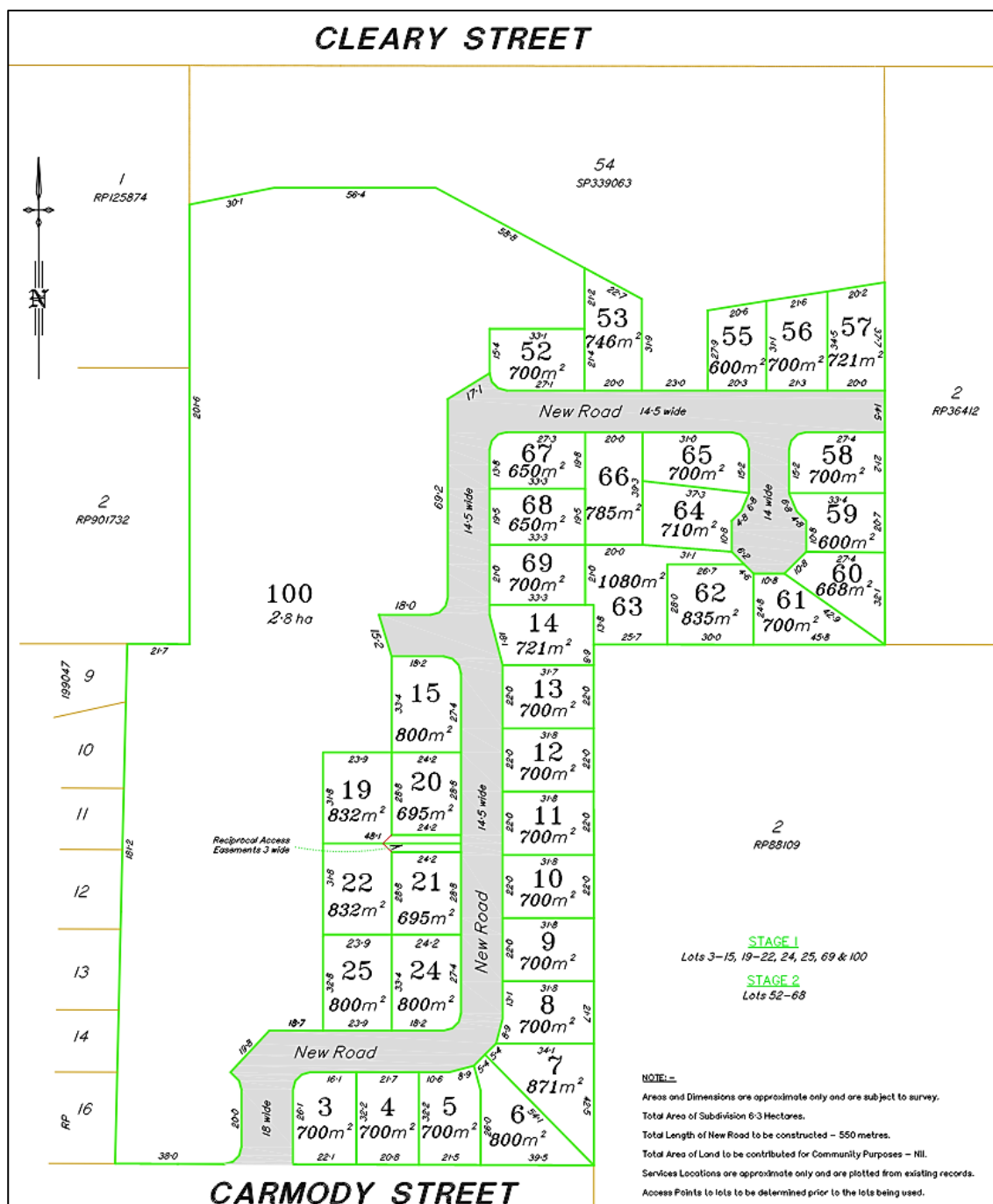
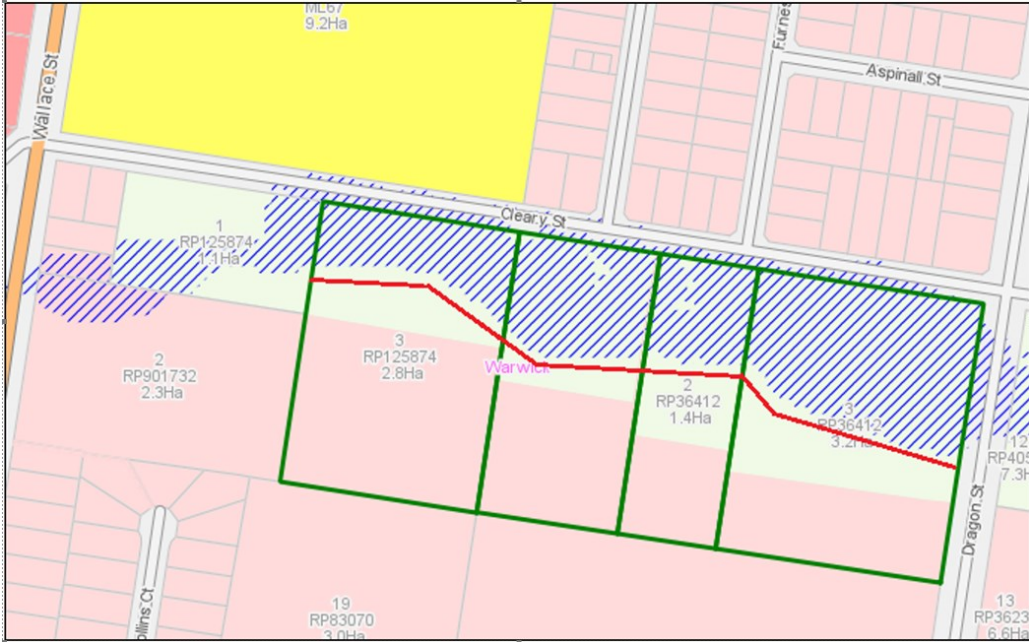


Figure 3: Approved lot layout for RC\01905


Both developments rely upon the same access road to Carmody Street and the applicant wishes to negotiate the following conditions for each development approval:

- RC\01904.01 – Conditions 3, 18, 27 and infrastructure charges.
- RC\01905.01 – Conditions 3, 17 and infrastructure charges.

RC\01904	
Condition 3	
With Stage 2, the northern boundaries of proposed Lots 46 – 51 are to align with the periphery of the Low density residential zone as identified in the Southern Downs Planning Scheme (v.5). The new lots must maintain an area equal to or greater than 600 square metres.	
Applicant's	As discussed on several occasions, the existing lot boundaries follow the flood line,

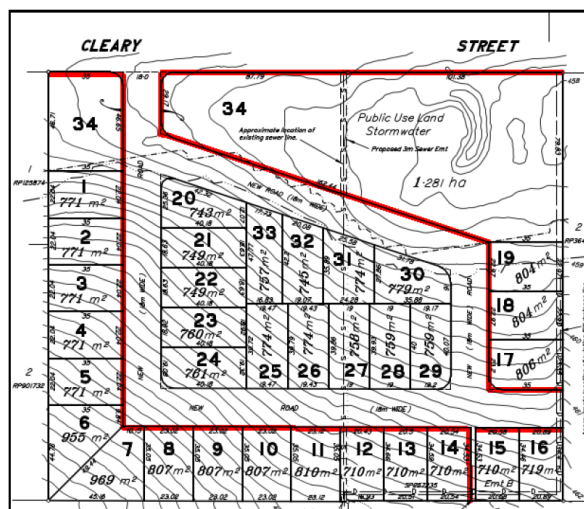
Comments	<p>with a small buffer area. This, for all practical purposes, is coincident with the Low Density Residential zone boundary. As confirmed at our last meeting, the zone boundaries in this area have not been changed since the introduction of this planning scheme. The mapping scale is 1 : 30,000, meaning 1mm represents 30 metres on the ground. The intent being that the zone boundary follows the flood line. Although Council's mapping has been digitised and the ability now exists to zoom in to get greater magnification, this can not be confused with getting greater accuracy in the position of property or zone boundaries.</p> <p>Condition 3 should be deleted.</p>
Council's Response	<p>The intent of the condition is to ensure that the lots, with the except of Lot 54 SP339063 are solely located within the Low density residential zone. If any of these lots result in a split zone, regardless of the amount land within the Rural zone, an application will be required to be submitted for a Dwelling house in accordance with section 5.2.3 point 4 of the Southern Downs Planning Scheme. There are no future plans to alter the zoning boundary for these lots and therefore to ensure that the lots don't conflict with the Rural zone, the condition should remain to avoid future Dwelling house applications on these lots.</p> <p>The following is an exert from the Confidential report to Council on 28 October 2015 in relation to the Major amendment to the Planning Scheme, which commenced in February 2015 and took effect on 16 March 2018.</p> <p><u>Zoning</u></p> <p>The parts of the four allotments located at 169 Dragon Street and 118-146 Cleary Street that are subject to flooding have been included in the Rural zone, and the remainder of the lots have been included in the Low density residential zone. The division between the two zones was determined based on the flood information available at the time. More accurate flood data is now available which indicates a significant area or land within the Rural zone is outside the 1% AEP and therefore could be included in the Low density residential zone. It is suggested that this change of zone is included in the amendments of the planning scheme. The plan shows the proposed new division between the two zones.</p>  <p>The above image from the 2015 report clearly outlines that the zoning map did not exactly correlate to the Flood hazard overlay mapping. A zoning line is not fluid.</p>

<p>Condition 18</p> <p><i>With Stage 1, sealed road widening, including mountable kerbing and channelling, is to be constructed such that new kerb and channel aligns with existing kerb and channel (on the western side of Carmody Street) and stormwater drainage, is to be constructed along the Carmody Street frontage of the site.</i></p> <p><u>Note:</u> This condition is imposed pursuant to Section 145 of the Planning Act 2016.</p>	
<p>Applicant's Comments</p>	<p><i>Clarification that this refers to the developed frontage of the site, being Lots 1 and 2 and new road. See also Change Representation for RC\01905. Condition 18 to read :-</i></p> <p><i>With Stage 1, sealed road widening, including mountable kerbing and channelling, is to be constructed such that new kerb and channel aligns with existing kerb and channel (on the western side of Carmody Street) and stormwater drainage, is to be constructed along the Carmody Street frontage of the site, being Lots 1 and 2 and new road.</i></p>
<p>Council's Response</p>	<p>This condition refers to the 'frontage of the site' which essentially is Lots 1 and 2 and new road or approximately 62 metres of frontage boundary. To further assist with clarity, it is agreed that the condition can be amended as requested. As stormwater details have not been provided, the addition of the follow note should be added to the condition.</p> <p>Note: If stormwater drainage requires mounted kerb and channel for stormwater management purposes, the above requirement relating to stormwater is to be extended beyond Lots 1 and 2 and new road.</p> <p>The clarification referred to above by the applicant in reference to RC\01905 will be discussed later in this report as it relates to a separate section of road further south of this frontage to Carmody Street and the sequencing of these separate applications has not been further explained by the applicant.</p>
<p>Condition 27</p> <p><i>With Stage 2, a 2.0 metre wide concrete pedestrian footpath is to be constructed along the Cleary Street frontage of the site, in a location suitable to the Director Infrastructure Services. The footpath is to connect to the pedestrian access link.</i></p>	
<p>Applicant's Comments</p>	<p><i>This condition is unreasonable, for the following reasons:</i></p> <ul style="list-style-type: none"> •<i>Our development has only one large lot fronting Cleary Street</i> •<i>All the parkland and residential development is on the northern side of Cleary Street</i> •<i>There is an open drainage channel on the southern side of Cleary Street</i> •<i>There is insufficient room between Council's trunk sewer line and the drainage channel to construct a footpath</i> •<i>A footpath on the southern side of Cleary Street is unlikely to be used, as pedestrians and cyclists are unlikely to cross the road to use a short section of footpath.</i> •<i>This footpath would be an unused and unwanted Council asset, that would be expensive to maintain , due to flooding issues.</i> <p><i>We ask that this condition be deleted.</i></p> <p><i>We also request that all new footpath widths be set at 1.2 metres, which is considered to be adequate for the predicted usage and in line with Council's approvals on other recent subdivisions. We note that the site is outside the Walking Network Area plan for both primary and secondary routes identified in Councils recently adopted Walking Network Plan, also of note is that State Government</i></p>

	<i>policy allowed for footpaths having a width of 1.2metres in low traffic areas.</i>
Council's Response	<p>The footpath shown below from Councils mapping indicates the future width of the footpath as ranging between 1.9 to 2.2 metres wide.</p>  <p>The Walkable Networks Plans has footpath recommendations ranging between 1.8 to 2.5 metres wide, with no reference to 1.2 metre wide footpaths. It is acknowledged that this subject property is located outside of the mapped Walkable Network Catchments, but the frontage along Cleary Street does form part of the Warwick Green Belt which is referenced in the planning scheme as follows:</p> <ul style="list-style-type: none"> <i>Pathways and corridors for walking and cycling are provided on public land. The Warwick greenbelt is extended to provide increased connectivity in the active transport networks.</i> <i>Land that is identified as subject to flood hazard is conserved for sustainable rural use or sport, recreation and open space purposes and when located adjacent to the Warwick urban area contributes where possible to the Warwick greenbelt.</i> <p>The Warwick Green belt was endorsed in 1994 and Council has continued to try and achieve the outcomes of this document. Cleary Street has always been identified within this document as having a proposed footpath to create a loop around Warwick utilising the flood affected areas for connectivity. The comment made by the applicant that this footpath is unwanted as an asset and won't be used is an incorrect statement. Land has been acquired overtime in different locations and this has generally been along the flood affected areas. The Warwick Greenbelt was discussed at a meeting with the applicant on 26 August 2021.</p> <p>The footpath along Cleary Street should align with the pedestrian bridge/path provided through Lot 54 that was put forward by the applicant but the bridge is located further west of the footpath that is identified on Council's previous. It should also be noted that a non-residential use in the form of a service station is located near the subject property that does provide a service to the locality and a connection should be created to this existing use i.e. continue the footpath to west. The adjoining lot to the west does form part of an approval (Council Ref: MCU01899, approved 2018) where the following condition was imposed:</p> <p>Pedestrian Works</p> <p>59. A 2.0 metre wide concrete pedestrian footpath is to be constructed along the Cleary Street frontage west of the entrance to the site, and the Wallace Street frontage of the site, in a location suitable to the Director Infrastructure Services.</p> <p>In addition, the previous approval issued over the subject property which the applicant is using as the basis to negotiated the infrastructure charges has the following condition imposed relating to a footpath along Cleary Street, which the</p>

applicant at the time did not dispute and waived their appeal rights:

27. A 2.0 metre wide concrete pedestrian footpath is to be constructed along the road reserves of the development generally in accordance with the below plan.



The requirement for a 2m wide footpath along Cleary Street has consistently been applied on different applications, provides opportunity for additional connectivity and assists with fulfilling the requires of the Warwick Green Belt plan, which is referenced in the planning scheme. Therefore the condition should remain unchanged.

RC\01905

Condition 3

With Stage 2, an area of land at least 3.0 metres wide along the full western boundary of proposed Lot 61 is to be dedicated as a pedestrian access link. Any fencing or private infrastructure is to be removed from within the dedicated area.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

Applicants Comments

We ask that this condition be deleted, as adequate pedestrian and cycle connectivity can be gained directly to the east, close to this location. The inclusion of a link as proposed in the approval, would decrease neighbourhood safety and amenity and construct an unneeded Council asset, requiring ongoing maintenance.

Council's response

The condition was imposed to enable a future connection should the adjoining lot, being Lot 2 RP88109, be developed in the future. This connection would enable a shorter route for residents to nearby services and parkland i.e. Australiana Park. This condition is not requiring the construction of a footpath only that the land be dedicated as a pedestrian link.


Council's preference would be to limit the cul-de-sac design within this development and create a road connection for future developable lots that adjoin the subject property. This would also ensure compliance with Schedule 12A of the *Planning Regulation 2017*. This option would have resulted in the removal of Lot 61 completely for the purpose of road dedication but Council accepted an alternative to this, being a 3 metre wide pedestrian access link.

To enable future connectivity within the locality, the condition should remain.

Condition 17

With Stage 1, sealed road widening, including mountable kerbing and channelling, is to be constructed such that new kerb and channel aligns with existing kerb and channel (on the western side of Carmody Street) and stormwater drainage, is to be constructed along the Carmody Street frontage of the site.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.	
Applicant's Comments	<p>The subdivision has been designed to give all new lots access to new internal roads. There is no reasonable need to construct the Carmody Street frontage of proposed Lots 3 to 6. Road connectivity to Lot 2 on RP88109, is not required or desirable as it would be better serviced using the existing connector road, being Dragon Street. Our design complies with the State Government Walkable Neighbourhoods Policy. The adjoining land to the east fronts Dragon Street and is 200metres in width. This allows for a standard design with two new access streets to connect to Dragon Street, again reinforcing that there is no need for connectivity to Carmody Street. Constructing this portion of Carmody Street will create another unwanted Council asset. Pedestrian and cycle access may be appropriate for this frontage.</p> <p>We also request that all new footpath widths be set at 1.2 metres, which is considered to be adequate for the predicted usage and in line with Council's approvals on other recent subdivisions. We note that the site is outside the Walking Network Area plan for both primary and secondary routes identified in Councils recently adopted Walking Network Plan, also of note is that State Government policy allowed for footpaths having a width of 1.2metres in low traffic areas.</p>
Council's response	<p>Council has only asked for road construction along the frontage of the subject property. It is acknowledged that the intent of the new lots being created is to utilise the internal road network, however proposed Lots 3 to 6 all have direct frontage to a road reserve being Carmody Street. There are no provisions in place restricting access to this section of the road reserve and therefore the road should be constructed to Council's Standards as per the condition that is imposed. The applicant has indicated that the lots that have frontage to this section of unconstructed road have direct frontage to an alternative road, which is correct however no details have been provided by the applicant on how to restrict the use of this road reserve i.e. intention to lodge a road closure application or treatment such as retaining walls that would warrant the removal of the condition. The requirement to construct the road along the frontages of Lots 3 to 6 should remain unchanged, as the future lot owners may wish to have direct frontage of this section of existing road reserve. It should also be noted that the condition also refers to stormwater drainage and no details have been provided to suggest that mounted kerb and channel won't be required for stormwater management.</p>
Infrastructure Charges for RC\01904 and RC\01905	
RC\01904 - Condition 34	<p>Infrastructure Charges</p> <p>The charge amount of \$21,500.00 was applied to each new lot being created.</p>
RC\01905 – Condition 32	<p>RC\01904 total charges applied = 34 lots with 3 lots as credit (Lots 100, 101 and 54 SP339063)</p> <p>Stage 1 = \$344,000.00</p> <p>Stage 2 = \$322,500.00</p> <p>Total = \$666,500.00 (31 lots x \$21,500)</p> <p>RC\01905 total charges applied = 37 lots with 2 lots as credit (Lots 100 and 101 SP339063)</p> <p>Stage 1 = \$408,500.00</p> <p>Stage 2 = \$344,000.00</p>

	<p>Total = \$752,500.00 (35 lots x \$21,500)</p> <p>Combined total of both applications equates to a total levied charge of \$1,419,000.00, with 66 lots charged at \$21,500 and 3 lots given as a credit. The combined subdivision will result in 69 lots.</p>
Applicant Comments	<p><i>Several negotiations have been held with Council staff, over the lengthy application process, regarding the infrastructure charges for this development. The indication was that consideration would be given to reduced infrastructure charges, in accordance with Council's staged increase policy, given that there is an existing approval for the northern portion of these lots and the delays in gaining these subdivision approvals. We ask that the first 33 lots of this development, equivalent to number of lots in the existing subdivision approval over part of this land, be charged Infrastructure Charges, at the rate of \$10,000 per lot, with the remainder at the rate of \$15,000 per lot, being the rate applicable at the time the application was assessed with Council. We are happy to discuss this further, if needed and are aware that this is a decision that needs to be considered by the full Council.</i></p>
Council's Comments	<p>The 33 lot subdivision that the applicant is referring to is in relation to RC\01828 and was applied over two lots and not three lots with the following image showing the lots prior to the boundary realignment of recent 3 lots into 3 lots being completed (Council file ref: RC\01895).</p>  <p>The approval was granted in 2021 and while the approval is current (as the currency period under the legislation applicable at the time was 4 years to carry out the development), a boundary realignment has occurred over the lots forming part of this previous approval resulting in a different lot configuration, meaning RC\01828 can no longer be carried out unless an 'other change' application is lodged. If this was to occur, Council could impose the charges resolution applicable at the time that application may be decided i.e. \$21,500. Therefore RC\01828 can no longer be carried out in its current formation and should not be used as grounds to negotiate infrastructure charges that form part of this development.</p> <p>In addition to the above, the applicant is correct in that several negotiations have been held with Council staff, over the lengthy application process however this has been delayed due to the applicant wanting to carry out a boundary realignment on the subject property prior to these subdivision applications being processed. During the time it has taken to finalise and register the boundary realignment, Council made the decision to increase infrastructure charges via a staged approach and an updated charges resolution was endorsed on 28 February 2022.</p> <p>Based on the meeting records available with the applicant and the details of the applications over the subject property, the following timeline is provided:</p> <ul style="list-style-type: none"> • RC\01895 – Boundary Realignment application lodged 21 December 2021 however was not decided until 22 April 2022, which required connections to water, sewer, electricity etc. On the 17 July 2022 the applicant lodged a minor change to the application in relation to the connection to water, sewer,

	<p>electricity etc and a decision was issued on 24 August 2022.</p> <ul style="list-style-type: none"> • An action notice was issued for the subject subdivision applications, RC\01904 and RC\01905, on 31 March 2022 due to the application being impact assessable but the forms provided indicated Code. Until the above boundary realignment was completed, this application could not be processed as Code. • An amended action notice was issued 5 July 2023 due to the application remaining Impact assessable due to the above boundary realignment not being completed. • A confirmation notice was issued on 22 November 2023 with application being Code assessable, following registration of the survey plan associated with the realignment of boundaries. • An information request was issued by Council on 6 December 2023 which requested details to be provided to clarify that the lots forming part of the application do not contain the Rural zone as this would make the application Impact assessable and not Code Assessable i.e. the new boundary followed the flood line and not the zoning boundary. • Response to Information Request received 14 February 2024. • Amended Confirmation Notice was issued on 14 April 2024 with the application as Impact assessable and for the applicant to proceed to public notification. • A decision was made on the applications on 8 July 2024 and 9 July 2024 with the decision notice for both applications being issued on 11 July 2024. <p>During the time that it took to assess the boundary realignment application (3 into 3 lots) and prior to the lodgement of the subdivision application, RC\01904 and RC\01905, Council made a resolution on 28 February 2022 to increase the infrastructure charges over stages i.e. first increase to \$15,000 per lot, but to be increased to \$21,500 on 28 February 2023.</p> <p>A meeting was held with the applicant on 3 March 2022 and as part of this meeting it was advised that infrastructure charges were increasing. At this same meeting the applicant requested a reduction in infrastructure charges where advice was to provide such a request in writing, for a subsequent report to go to Council for a decision. No request was submitted to Council.</p> <p>A further meeting was held on 22 November 2023 where the applicant spoke about what infrastructure charges that would apply to these applications where it was advised to put something in writing for consideration by the Director and Manager. No request was submitted to Council.</p> <p>The applicant chose to proceed with the three separate applications (being the realignment and then two separate subdivision applications), which resulted in the lengthy delay between lodgement and a decision being made for the subdivision applications. Meeting records on this subject property started on 29 July 2021 and in November 2021, the applicant indicated that they would lodge the 3 into 3 lot boundary realignment application where Council indicated that <i>'Code assessable okay. Needs to be sealed before submitting subsequent applications'</i>.</p> <p>If the applicant had proceeded with an impact assessable application without the boundary realignment forming part of the process, there could have been an outcome given prior to the infrastructure charges being increased, however the subject subdivision applications were lodged on 11 March 2022, after the first increase to the infrastructure charges that was made on 28 February 2022.</p> <p>Based on the above, no changes to the Charges Notice should be given on the basis that the previous approval referred to by the applicant can not proceed due to</p>
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	<p>the changes that occurred as part of the recent boundary realignment approval, that these applications were submitted after the charges occurred to Council's Infrastructure charges resolution and the request does not align with Council's policy for reduced charges amounts i.e. not for profit organisation.</p> <p><u>The total amount within the Charges Resolution in the amount of \$1,419,000.00 should remain unchanged.</u></p> <p>Should an alternative decision be made to the above recommendation, an infrastructure agreement should be entered into between Council and the applicant with the new levied amount. The preparation of the agreement should be at the developers cost and include costs for Council's solicitor to review the draft agreement prior to being executed. This is required to ensure that the charge amounts are being processed correctly in accordance with the <i>Planning Act 2016</i> as there is no policy in place to support an outcome of reduced charges.</p> <p>It should also be noted that when a credit is given for a lot it is also in the amount outlined in the charges resolution. As the applicant is wanting the \$10,000 rate to be applied for the first 33 lots, only a \$10,000.00 per lot credit should be given in the calculations and not the \$21,500 that applies under the current charges resolution. Based on the applicant's representation, the levied change requested is as follows:</p> <p>Three lots are a credit. 66 lots form part of the charge amount - 33 lots x \$10,000 = \$330,000, plus 33 lots x \$15,000 = \$495,000</p> <p><u>Total combined amount of the applicant's request = \$825,000.00</u></p> <p>The combined difference in infrastructure charges = \$594,000.00.</p> <p>Before the above could proceed, the applicant would need to nominate which application i.e. RC\01904 or RC\01905 should receive the 33 lots at \$10,000 as there is no requirements for both applications to be acted upon concurrently and one development can start without the other one being completed.</p>
RC\01904 and RC\01905 Applicant Comments	<p>Other</p> <p><i>We would also like to clarify that there is no requirement to connect future stages of the development to urban services, when they are held as one large lot. This has been discussed at length with Council staff with other previous existing developments.</i></p>
Council's comments	<p>When a boundary realignment occurs and there is an opportunity to sell off a lot, connections to services should be provided. Not all development gets completed and the large lot can be sold and developed at any time. The connections can always be placed in a location that caters for a future lot configuration. Yes this has been discussed with Council at length but our opinions remain unresolved.</p>

The following is a summary:

RC\01904.01

The request to delete Condition 3:

With Stage 2, the northern boundaries of proposed Lots 46 – 51 are to align with the periphery of the Low density residential zone as identified in the Southern Downs Planning Scheme (v.5). The new lots must maintain an area equal to or greater than 600 square metres.

This request be refused as the purpose of the condition is to ensure that property boundaries align with a zoning i.e. Low density residential zone, to avoid future applications for Dwelling houses on lots that have a slight encroachment within a different zone i.e. Rural zone.

The request to amend Condition 18:

With Stage 1, sealed road widening, including mountable kerbing and channelling, is to be constructed such that new kerb and channel aligns with existing kerb and channel (on the western side of Carmody Street) and stormwater drainage, is to be constructed along the Carmody Street frontage of the site, being Lots 1 and 2 and new road.

Note: If stormwater drainage requires mounted kerb and channel for stormwater management purposes, the above requirement relating to stormwater is to be extended beyond lots 1 and 2 and new road.

This should be approved as requested and the additional note be included as outlined in red.

The request to delete Condition 27:

With Stage 2, a 2.0 metre wide concrete pedestrian footpath is to be constructed along the Cleary Street frontage of the site, in a location suitable to the Director Infrastructure Services. The footpath is to connect to the pedestrian access link.

This request be refused as it has been applied consistently on other development approvals along Cleary Street, provides opportunity for connectivity and remains an outcome of a strategic document being the "Warwick Green Belt" which is outlined in the planning scheme.

RC\01905.01

The request to delete Condition 3:

With Stage 2, an area of land at least 3.0 metres wide along the full western boundary of proposed Lot 61 is to be dedicated as a pedestrian access link. Any fencing or private infrastructure is to be removed from within the dedicated area.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016

This request be refused for the following reasons:

1. The condition enables a future pedestrian link to nearby park reserve via the quickest route should adjoining properties be developed; and
2. The condition is considered an alternative to what could have been a future road connection; and
3. To maintain compliance with Schedule 12A Assessment benchmarks for particular reconfiguring a lot within the Planning Regulations 2017 in particular, point 4 – Connectivity.

The request to delete Condition 17:

With Stage 1, sealed road widening, including mountable kerbing and channelling, is to be constructed such that new kerb and channel aligns with existing kerb and channel (on the western side of Carmody Street) and stormwater drainage, is to be constructed along the Carmody Street frontage of the site.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

This request be refused for the following reasons:

- 1) Lots 3 to 6 have direct frontage to the existing road reserve where access can be obtained despite the development also containing new internal roads that form part of the development; and
- 2) The conditions refers to stormwater drainage which can be in the form of mounted kerb and channel which aligns with existing road construction/stormwater drainage to the east of Carmody Street and no details have been provide to suggest that it will not be required to the west of Carmody Street.

The request to reduce the Charges Notices for both approvals as follows:

Condition 34 - RC\01904 total charges applied = 34 lots, with 3 lots as credit (Lots 100, 101 and 54 SP339063)

- Stage 1 = \$344,000.00

- Stage 2 = \$322,500.00

Total = \$666,500.00 (31 lots x \$21,500)

Condition 32 - RC\01905 total charges applied = 37 lots with 2 lots as credit (Lots 100 and 101 SP339063)

- Stage 1 = \$408,500.00
- Stage 2 = \$344,000.00

Total = \$752,500.00 (35 lots x \$21,500)

Combined total of both applications levied in accordance with the applicable Charges Resolution = \$1,419,000.00 (66 lots charged at \$21,500 with 3 lots given as credit).

Applicants request to reduce the combined total amount = \$825,000.00 (33 lots x \$10,000 = \$330,000 plus 33 lots x \$15,000 = \$495,000 (3 lots credited at \$10,000).

The combined difference in infrastructure charges between that levied in accordance with the Charges Resolution and the applicants request = \$594,000.00.

This request be refused for the following reasons:

1. The applications were lodged after the resolution was made by Council to increase the charge amounts (resolution made 28 February 2022 and applications lodged March 2022); and
2. The approval referred to by the applicant (33 lot subdivision - RC\01828) cannot be acted upon due to the subsequent more recent boundary realignment approval that was carried out by the applicant over the subject property; and
3. No previous infrastructure charges payments were made in relation to the previous approvals that were issued over the subject property.

Recommendation

THAT the:

- A. Change application (Minor Change - RC\01904.01) for a Development Permit - Reconfiguring a Lot – 3 lots into 34 lots (over two stages), on land at 11 - 25 Carmody Street, and 124 – 146 Cleary Street, Warwick, described as Lots 54, 100 and 101 SP339063 (Incl EMT A), in relation to Conditions 3, 18, 27 and 34, be approved in part and Condition 18 is amended as follows:

Condition 18

With Stage 1, sealed road widening, including mountable kerbing and channelling, is to be constructed such that new kerb and channel aligns with existing kerb and channel (on the western side of Carmody Street) and stormwater drainage, is to be constructed along the Carmody Street frontage of the site, **being Lots 1 and 2 and new road.**

Note: If stormwater drainage requires mounted kerb and channel for stormwater management purposes, the above requirement relating to stormwater is to be extended beyond lots 1 and 2 and new road.

AND


- B. Change application (Minor Change - RC\01905.01) for a Development Permit - Reconfiguring a Lot – 2 lots into 37 lots (over two stages), on land at 11 - 25 Carmody Street, and 124 – 146 Cleary Street, Warwick described as Lots 100 and 101 SP339063 (Incl EMT A), in relation to Conditions 3, 17 and 32, be refused.

ATTACHMENTS

Nil

15.7 Minor Change to Reconfiguration of Lot – Graeme J & Marie P McMillan - 49 Forde Street, Allora

Document Information

 Southern Downs <small>REGIONAL COUNCIL</small>	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Planning and Development	ECM Function No/s: RC\01980.01

APPLICANT:	Graeme J & Marie P McMillan
OWNER:	Graeme J & Marie P McMillan
ADDRESS:	49 Forde Street, Allora
RPD:	Lot 409 A17081
ZONE:	Low density residential
PROPOSAL:	Change application (Minor Change) for a Development Permit - Subdivision of one (1) into three (3) lots
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Not Applicable
FILE NUMBER:	RC\01980.01

RECOMMENDATION SUMMARY

THAT the application for a Minor Change to an existing Development Permit for Reconfiguring a Lot – Subdivision of one (1) into three (3) lots, on land at 49 Forde Street, Allora, described as Lot 409 A17081, be refused.

REPORT

Background

On 21 March 2024 Council approved by Delegated Authority the subdivision of one into three lots at 49 Forde Street, Allora, subject to conditions.

When an approval is granted, within the first 20 business days, an applicant can lodge Change Representations, to request Council to review any conditions. As the abovementioned 20 business day timeframe passed without Change Representations being lodged, under the *Planning Act 2016*, a Change Application is now required to enable the review of any conditions.

Report



Figure1: Subject land

The subject land is located within the township of Allora. The land has frontage to Forde Street to the west and Wilson Lane to the east. Forde Street is bitumen sealed with kerb and channel and Wilson Lane is a gravel constructed road. The land has an area of 4,047 square metres and contains an existing Dwelling house and associated outbuildings addressing Forde Street as illustrated in Figure 1. The land is connected to the reticulated water network.

The development proposal seeks to subdivide the subject land into three (3) lots as illustrated in Figure 2. The proposal is summarised as follows:

- Proposed Lot 11: generally 2,000 square metres in area. This lot will retain the existing house and domestic outbuildings. The existing access to Forde Street will be maintained.
- Proposed Lots 12 and 13: generally 1,000 square metres in area. These lots will be vacant and access will be obtained from Wilson Lane.



Figure 2: Proposed plan of sub division

The applicants have lodged a Change Application (minor change) in relation to Condition 7 of the original approval. Change applications are assessable against different criteria than development applications. Section 81 of the *Planning Act 2016* outlines what must be considered for a minor change. The matters relevant to this application that must be considered are as follows:

- The information the applicant included with the application; and
- All matters the responsible entity would or may assess against or have regard to, if the change application were a development application; and
- Must consider the statutory instrument as in effect when the development application for the development approval was properly made; and
- Another matter that the responsible entity considers relevant.

Condition 7 is as follows:

7. *Wilson Lane is to be constructed to a sealed standard using asphaltic cement to connect the full frontage of proposed Lots 12 and 13 with either Drayton Road or Jubb Street. The sealed width is to be up to 6.0 metres and such works are to include stormwater drainage. Where kerb and channel is not provided, a concrete edge strip is to be installed.*

The applicant's engineer has provided a concept sketch of works required to satisfy Condition 7. The concept is shown in Figure 3.



Figure 3: Works generally required by Condition 7 prepared by consultant engineer

A representative of the landowner has provided the following justification:

We believe it is unreasonable for the owners to be responsible for the construction of a sealed standard using asphaltic cement to comment the full frontage of proposed lots 12 and 13 with either Drayton Street or Jubb Street.

We respectfully request reconsider this condition based on the following:

- In order to keeping small towns and villages alive, it is important that there is appropriate infrastructure to support and maintain liveability standards and this should be completed by local government authority.
- Wilson Lane is one block from the main street of Herbert Street and as a community we need access to centre of town by a fully sealed road to ensure safe and effective access to the town centre. Wilson Lane is also near key community assets such as:
 - Southern Cross Care facilities known as Jubilee Gardens and The Homestead
 - Allora Historical Museum
 - Allora Regional Sports Museum

It is not unreasonable to consider that resident and visitors to these community assets would utilise Wilson Lane. Each of these community assets bring welcome traffic to local area and it is important that the infrastructure supports the community to encourage growth.

- We understand all other entries to both Water & Wilson Lanes have been sealed to the road at council's expense and we respectfully request SDRC to consider the same for the development permit.
- We request that SDRC considers for future planning that the bitumen should cover the full distance of Water and Wilson Lanes and not distance covered in this development permit.
- The pooling water and lack of maintenance of the entry to the laneway from Drayton Street would be considered a hazard for the community that uses Drayton Street and Wilson Lanes.
- This subdivision request has been driven by the opportunity for the applicants to use any financial gain for their retirement plus medical costs which have increased in 2024. Given the applicants are aging the reduced land size will decrease required property maintenance. We had hoped that SDRC would welcome such a subdivision without the condition no 7 to support one of the current issues in the community related to available and affordable housing.

Assessment against the Planning Scheme

Benchmarks applying to the development
The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development: <ul style="list-style-type: none">– 9.4.7 Reconfiguring a lot code Schedule 2 of the <i>Planning Act 2016</i> Schedule 1 of the Development Assessment Rules

Reconfiguring a lot code

The 2023 development application was assessed against the current version of the Southern Downs Planning Scheme (version 5). Any conflict with the planning scheme is considered to have

been resolved as part of the previous development application. The following considers the change against the current assessment benchmarks.

AO9 *Where reconfiguration of a lot:*

- (i) results in additional lots with frontage to a road; or*
 - (ii) involves the creation of a new road;*
- the road is constructed in accordance with Table 9.4.8.4.*

PO9 *Roads are designed and constructed to provide an optimum combination of safety and amenity, convenience and economy for users of streets and roads.*

AO11 *New lots in the Low density residential zone, Medium density residential zone, the Rural residential zone and the Industry zone have access from the frontage of the site to the nearest town centre via sealed roads. Where the number of allotments is greater than 10, the new lots have access from the frontage of the site to the nearest town centre via sealed roads with a sealed width of at least 5.5m.*

Note: If applicable, Council will determine the route to the nearest town centre and the roads to be upgraded.

PO11 *New lots in the Low density residential, Medium density residential and the Rural residential zone and the Industry zone have safe and effective access to the town centre.*

The development will result in additional lots with frontage to Wilson Lane which is a gravel constructed road. As the land is located within the Low density residential zone, Table 9.4.7.4 of the Southern Downs Planning Scheme requires the road surface of Wilson Lane to be asphalt or a bitumen seal and if necessary, kerb and channel is to be provided for stormwater management. If kerb and channel is not required, a concrete strip is to be provided at the edge of the bitumen and alternative methods for stormwater drainage are to be provided.

On review of the proposal, Council's Development Engineer has provided the following commentary:

Based on the attached letter, I would not support the change application. The application does not dispute the need for the infrastructure, it only asserts that the applicant should not be burdened with the cost of the works.

The relevant condition (7) requires the development frontage be connected via a sealed road to the rest of Allora's sealed road network, the condition is not specific about who pays for the work.

5 of the 6 points raised in the letter from [the landowners representative] make some reference to the need for sealed/drainage/effective access to the town centre from Wilson Ln, and so actually support the requirements of the condition.

If Council considers that the applicant should not be burdened with the cost of providing the infrastructure, then a resolution could be made to fund the works.

In this scenario, the change application can be refused as the resolution should be clear that the works completed by Council must comply with the development condition.

If Council disagrees, and rather considers that it should fall to the applicant to fund the works, the application should be refused.

The change application should only be approved if Council considers either:

- a) That the need for a sealed road connection is an unreasonable application or interpretation of the Planning Scheme, and the development should be permitted to occur with access only to an unsealed road, OR*
- b) That Council has in some way created an issue for the developer, and will undertake to remedy the issue (by constructing Wilson Lane to the standard required by the Planning Scheme for this development) at its own cost and in a timely manner, such that the application can be assessed as though the road already meets the required standard.*

Verbal conversations with the landowners representative prior to the lodgment of the Change Application, indicated that it was considered reasonable for the works directly adjoining the Wilson Lane frontage to be conditioned as part of the development, and undertaken at the developers cost. However, this is not reflected in the correspondence provided as part of the Change Application.

As the development relates to the creation of two additional residential lots, with frontage to a gravel constructed road, it is considered reasonable that the road be upgraded to provide safe, sealed access to the town centre. Condition 7 should remain unchanged.

Schedule 2 of the Planning Act 2016

Minor change is defined in Schedule 2 of the Planning Act 2016 as:

(b) for a development approval—

(i) would not result in substantially different development; and

Comment: Assessment is provided in response to Schedule 1 of the Development Assessment Rules.

(ii) if a development application for the development, including the change, were made when the change application is made would not cause—

(A) the inclusion of prohibited development in the application; or

Comment: The proposed change does not result in prohibited development.

(B) referral to a referral agency, other than to the chief executive, if there were no referral agencies for the development application; or

(C) referral to extra referral agencies, other than to the chief executive; or

Comment: The original application did not trigger any referral agencies and the proposed Change does not trigger any referral agencies.

(D) a referral agency, in assessing the application under section 55(2), to assess the application against, or have regard to, a matter, other than a matter the referral agency must have assessed the application against, or had regard to, when the application was made; or

Comment: The change application does not require referral to any referral agencies.

(E) public notification if public notification was not required for the development application.

Comment: The change application does not require public notification.

Schedule 1 of the Development Assessment Rules

Schedule 1 of the Development Assessment Rules provides matters to be considered when determining if a change results in substantially different development, as required by item (b)(i) above.

(a) involves a new use; or

Comment: The proposed change does not involve a new use.

(b) results in the application applying to a new parcel of land; or

Comment: The proposed change does not apply to a new parcel of land.

(c) dramatically changes the built form in terms of scale, bulk and appearance; or

Comment: The proposed change does not alter the built form on site.

(d) changes the ability of the proposed development to operate as intended; or

Comment: By maintaining the road upgrades as per Condition 7 it ensures that the development operates appropriately with all vehicle movements to and from the site, to the town centre, being accommodated on a sealed road. The request to remove the condition from the responsibility of

the developer, did not include justification relating to the existing road providing safe and effective access to the town centre or that there wasn't a need for sealed road access to the town centre from the residential lots. Therefore the removal of the condition has the potential to alter how the development operates.

(e) removes a component that is integral to the operation of the development; or

Comment: The proposed change is to remove a condition, not a component of the approved development.

(f) significantly impacts on traffic flow and the transport network, such as increasing traffic to the site; or

Comment: This proposed change does not alter the access arrangements from the original approval, nor increase the intensity of development on the site that wasn't anticipated as part of the original approval. Any intensification of land uses on site will require lodgement of separate Material Change of Use applications, where changes to traffic impacts can be further considered. The change is not considered to impact on traffic flow or increase traffic to the site.

(g) introduces new impacts or increase the severity of known impacts; or

Comment: The development will result in additional lots with frontage to Wilson Lane which is a gravel constructed road. As the land is located within the Low density residential zone, Table 9.4.7.4 of the Southern Downs Planning Scheme requires the road surface of Wilson Lane to be asphalt or a bitumen seal and if necessary, kerb and channel is to be provided for stormwater management. If kerb and channel is not required, a concrete strip is to be provided at the edge of the bitumen and alternative methods for stormwater drainage are to be provided.

By not imposing the condition, dust and other road related impacts are likely to increase as the lots are developed for residential purposes. The introduction of a sealed road to the town centre will mitigate with such impacts.

(h) removes an incentive or offset component that would have balanced a negative impact of the development; or

Comment: No incentives or offset components were applied.

(i) impacts on infrastructure provisions.

Comment: By removing this condition, it results in infrastructure not being provided. The planning scheme has consistently applied this infrastructure provisions and is considered a reasonable condition. Removing this condition will result in a change to the infrastructure provided along Wilson Land, which is an infrastructure requirement for the zone and should not be at the entire cost for Council to complete.

Recommendation

THAT the application for a Minor Change to an existing Development Permit for Reconfiguring a Lot – Subdivision of one (1) into three (3) lots, on land at 49 Forde Street, Allora, described as Lot 409 A17081, be refused for the following reasons:

The development will result in additional residential lots with frontage to Wilson Lane which is a gravel constructed road. The land is within the Low density residential zone.

New lots in the Low density residential zone are to have safe and effective access to the town centre, and connection to all available infrastructure, including a sealed road.


The proposed change does not achieve compliance with the Planning Scheme.

ATTACHMENTS

Nil

15.8 Adoption of Amended Fees and Charges 2024-25

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Building Services Coordinator	ECM Function No/s:

Recommendation

THAT Council adopt the revised Schedule of General Fees and Charges for 2024/2025.

REPORT

Background

From the end of January 2025 Council will not have a Building Certifier with a license that can certify Class 2-9 buildings, therefore it is proposed that commencing 1 December 2024 to obtain the services of a Private Building Certifier to carry out work associated with these applications and approvals. It is proposed that where customers wish to engage Council for building certification, the Schedule of Fees and Charges reflect the actual cost incurred.

Report

The purpose of this report is to revise the Schedule of General Fees & Charges 2024/2025 in particular the fees relating to Class 2-9 buildings, as a result of the need to engage a Private Building Certifier.

There is also a change proposed to the wording associated with On-site sewage facilities to secondary/advanced secondary. This change captures aerated systems, along with other systems which are legislatively required.

A summary of the building classifications, provided by the Queensland Fire Department, is as follows:

Class 1	Class 1a	a single dwelling being a detached house or one or more attached dwellings, including a row house, terrace house, town house or villa unit,
	Class 1b	a boarding/guest house or hostel not exceeding 300 m ² in which no more than 12 people reside, which is not located above or below another dwelling or another Class of building other than a private garage.
	Class 2 A building containing two or more sole occupancy units each being a separate dwelling.	
Class 3	A resident building, other than a Class 1 or 2, which is a common place of long term or transient living for a number of unrelated persons (e.g. boarding house, hostel, backpackers, hotel, residential part of school etc.).	
Class 4	A dwelling in a building that is Class 5, 6, 7, 8 or 9 if it is the only dwelling in the building.	
Class 5	An office building used for professional or commercial purposes, excluding buildings of Class 6, 7, 8 or 9.	
Class 6	A shop or other building for the sale of goods by retail or the supply of services direct to the public (e.g. cafe, restaurant, bar, kiosk, hair dressers' shop, showroom, service station).	
Class 7	Class 7a	A building which is a car park.
	Class 7b	A building for storage, or display of goods or produce for sale by wholesale.
Class 8	A laboratory, or a building in which a handicraft or process for the production, assembling, altering, repairing, packing, finishing or cleaning of good or produce is carried on for trade, sale or gain.	
Class 9	A building of a public nature -	
	Class 9a	a health care building.
	Class 9b	an assembly building, including workshop, laboratory or the like, in a primary or secondary school, but excluding any other parts of the building that are of another class.
	Class 9c	an aged care building.
Class 10	A non habitable building or structure -	
	Class 10a	a private garage, carport, shed or the like.
	Class 10b	a structure being a fence, mast, antenna, retaining or free standing wall, swimming pool or the like.

The Queensland Building and Construction Commission licences building certifiers within Queensland. This includes Council certifiers, as well as private building certifiers. There are three licence categories: Level 1, Level 2 and Level 3.

Generally, a Level 3 licenced certifier can undertake building certification works associated with Class 1 and Class 10 buildings and structures. A Level 2 licenced certifier can undertake building certification works associated with all building classification types, where the buildings and structures have a rise of no more than three storeys and a total floor area of no more than 2,000 square metres. A Level 1 licenced certifier can undertake all building certification works.

At present Council has only one Level 2 licenced building certifier, hence the need to engage a Private Building Certifier to undertake building certification works associated with that category of licence.

There will be no change to Council's ability to process Class 1 and Class 10 buildings, as an appropriately licenced building certifier remains in the team.

The change proposed is to delete the current fees relating to Class 2-9 buildings and adopt fees which will allow Council to continue to accept applications for Class 2-9 buildings and then to contract this work to a Private Building Certifier who has the appropriate licence to certify such buildings.

Section	Fee	Page No.
Class 2-9	Delete current fees relating to Class 2-9. Include administration fee for Council plus actual costs associated with processing application and inspections by Private Building Certifier: \$370 + Actual cost.	13

Farm Building and Farm Sheds (as defined by QDC MP3.7)	Delete current fees relating to Farm Buildings and Farm Sheds. Include administration fee for Council plus actual costs associated with processing application and inspections by Private Building Certifier: \$370 + Actual cost.	13
Inspection Fees	Include an additional fee for where a re-inspection is required, where a private building certifier is engaged, in relation to a building previously inspected.	13
Inspection Fees	Delete current fee relating to – Finals for building applications built after 30 April 1998 where no lapsing notice issued (Privately certified) Class 2-9. Include administration fee for Council plus actual costs associated with processing application and inspections by Private Building Certifier: \$370 + Actual cost. It will be at the discretion of the private building certifier as to whether the finals will be undertaken.	14
Change of Classification	Delete current fee relating to - Any change within or changing to Classes 2-9. Include administration fee for Council plus actual costs associated with processing application and inspections by Private Building Certifier: \$370 + Actual cost.	14
Erection of Structures	Delete current fee relating to – Special Structure (cannot comply with a BSA classification). Include administration fee for Council plus actual costs associated with processing application and inspections by Private Building Certifier: \$370 + Actual cost. It will be at the discretion of the private building certifier as to whether a structure is a Special Structure.	14
Other Building Fees	Delete current fee relating to – Application for Certificate of Occupancy for a building or structure built before 30 April 1998 (<i>Building Act 1975</i> , Section 123) Include administration fee for Council plus actual costs associated with processing application and inspections by Private Building Certifier: \$370 + Actual cost.	15
Other	Amend wording in relation to On-site sewage facilities to secondary/advanced secondary. This change captures aerated systems, along with other systems which are legislatively required.	17

Conclusion/Summary

This change to the Schedule of Fees and Charges will allow Council to continue to accept applications relating to Class 2 – 9 buildings, whilst ensuring administration costs associated with outsourcing the work to a Private Building Certifier are captured.

There will be no change to Council's ability to process Class 1 and Class 10 buildings.

There is also a change proposed to the wording associated with On-site sewage facilities to secondary/advanced secondary. This change captures aerated systems, along with other systems which are legislatively required.

FINANCIAL IMPLICATIONS

Reduction in the building application fees received by Council.

There will be a cost to Council in relation to any unfinished Class 2 – 9 building applications, in terms of either completing the assessments and/or undertaking necessary inspections. Noting that Council's Schedule of Fees and Charges includes the inspections within the application fees, with the exception of where additional inspections are required due to non-compliance issues.

A change to the Fees and Charges ensures that Council is not operating a discounted process for Class 2 - 9 building applications.

RISK AND OPPORTUNITY

Risk

Loss of, or reduction in the uptake of Council's Class 2 - 9 building certification services, as it will be outsourced.

Unfinished Class 2 - 9 building applications needing to be completed,

Currently Council can present a report to an Ordinary Council Meeting for the consideration of a 50% reduction for building applications for non-profit organisations. With the engagement of a Private Building Certifier, if Council were to reduce a building application for a non-profit organisation, Council will be still required to pay the full cost to the Private Building Certifier.

Opportunity

Nil

COMMUNITY ENGAGEMENT

Internal Consultation

Nil

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Building Act 1975, Section 51

Corporate Plan

Goal 4 Our Performance

Outcome: 4.4 Council has embedded risk management, good governance, transparency and accountability into what we do.

Objective: 4.4.2 Ensure our long-term financial sustainability is a pillar of our decision making.

Policy / Strategy

Nil

Legal

There appears to be no legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Proposed amendments to the Schedule of General Fees and Charges 2024/2025 [↓](#)

Name	RC	Head Of Power	GST	Year 24/25		
				Fee (excl. GST)	GST	Fee (incl. GST)

Other Animal Fees

Replacement of registration tag	ANIMAL	Local Government Act 2009 s97 2(a)	N	\$7.50	\$0.00	\$7.50
Dangerous Dog signs	120		Y	\$53.64	\$5.36	\$59.00
Regulated Dog collar - small	129	Local Government Act 2009 s97 2(a)	Y	\$18.00	\$1.80	\$19.80
Regulated Dog collar - medium	129		Y	\$21.00	\$2.10	\$23.10
Regulated Dog collar - large	129		Y	\$26.00	\$2.60	\$28.60
Regulated Dog tag	132		Y	\$2.00	\$0.20	\$2.20

Wild Dog Bounty

Wild Dog Bounty per head – whole SDRC area		Local Government Act 2009 s97 2(a)	N	\$100.00	\$0.00	\$100.00
Wild Dog Pups (Determined by Authorised Officers)		Local Government Act 2009 s97 2(a)	N	\$50.00	\$0.00	\$50.00

Building Fees

Class 1

Up to 150m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$1,255.45	\$125.55	\$1,381.00
Class 1 (other than single detached dwelling) up to 150m2 base fee*	RAMS	Local Government Act 2009 s97 2(e)	Y	\$1,255.45	\$125.55	\$1,381.00
For each additional 10m2 or part thereof	RAMS	Local Government Act 2009 s97 2(e)	Y	\$55.45	\$5.55	\$61.00
For alterations and additions up to 50m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$760.91	\$76.09	\$837.00

Note: Any alterations and additions 50m2 and greater, refer to above Class 1 fees

*Where an application is for a Class 1 building other than a single unit detached dwelling (eg. Duplexes), the base fee plus the per additional 10m2 area fee will be charged per detached structure.

Reassessment of existing Class 1 building approval (Council or Privately Certified)	RAMS	Local Government Act 2009 s97 2(e)	Y	\$760.91	\$76.09	\$837.00
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Removal Buildings

Assessment of building work (including Amenity and Aesthetics assessment)	RAMS	Local Government Act 2009 s97 2(e)	Y	\$2,176.36	\$217.64	\$2,394.00
Application to Council as a Concurrence Agency for Amenity and Aesthetics Assessment of removal building only - see other assessment requests	RAMS	Local Government Act 2009 s97 2(e)	N	\$840.00	\$0.00	\$840.00
Demolition Permit	RAMS	Local Government Act 2009 s97 2(e)	Y	\$328.18	\$32.82	\$361.00
Security bond for removal dwelling - Rural Areas	606	Local Government Act 2009 s97 2(e)	N	Into Rural Areas - \$15,000		
Security bond for removal dwelling - Urban and Rural Residential Areas	606	Local Government Act 2009 s97 2(e)	N	Into Urban and Rural Residential Areas - \$30,000		
Partial refund of security bond (does not apply to final release of bond) where inspection is required	RAMS 180	Local Government Act 2009 s97 2(e)	N	\$473.00	\$0.00	\$473.00
Partial refund of security bond (does not apply to final release of bond) - where no inspection is required	180	Local Government Act 2009 s97 2(e)	N	\$237.00	\$0.00	\$237.00
Final release of bond (including inspection) where building work is not completed within 12 months of approval	155	Local Government Act 2009 s97 2(e)	N	\$473.00	\$0.00	\$473.00

Name	RC	Head Of Power	GST	Year 24/25		
				Fee (excl. GST)	GST	Fee (incl. GST)

Class 10 – Without Plumbing Fixtures (unless only wash basin)

Up to 100m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$544.55	\$54.45	\$599.00
For each additional 10m2 or part thereof	RAMS	Local Government Act 2009 s97 2(e)	Y	\$33.64	\$3.36	\$37.00

Class 10 - Alterations and Additions not exceeding 50m2

up to 50m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$286.36	\$28.64	\$315.00
Reassessment of existing Class 10 building approval (Council or Privately Certified)	RAMS	Local Government Act 2009 s97 2(e)	Y	\$296.36	\$29.64	\$326.00

Class 10 – With Plumbing Fixtures

Up to 100m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$744.55	\$74.45	\$819.00
For each additional 10m2 or part thereof	RAMS	Local Government Act 2009 s97 2(e)	Y	\$33.64	\$3.36	\$37.00

Class 2-9

For first 100m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$952.73	\$95.27	\$1,048.00
For each additional 10m2 floor area or part thereof	RAMS	Local Government Act 2009 s97 2(e)	Y	\$70.01	\$7.00	\$78.00
Buildings in excess of 2 storeys or 2,000m2	RAMS	Local Government Act 2009 s97 2(e)	Y	Quote to be provided		
Reassessment of existing Class 2-9 building approval (structure built after 30 April 1998 (Council or Privately Certified))	RAMS	Local Government Act 2009 s97 2(e)	Y	As for a new application		
Building Certification Class 2-9 Buildings & Structures (Fees for application processing and inspections to be conducted by Private Building Certifier)	RAMS	Local Government Act 2009 s97 2(e)	?	?	?	\$370.00 + Actual Cost

Farm Building and Farm Sheds (as defined by QDC MP3.7)

New buildings up to 500m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$926.36	\$92.64	\$1,019.00
New buildings 500m2 up to 2000m2	RAMS	Local Government Act 2009 s97 2(e)	Y	\$2,030.00	\$203.00	\$2,233.00
New buildings in excess of 2000m2	RAMS	Local Government Act 2009 s97 2(e)	Y	Quote to be provided		
For alterations and additions	RAMS	Local Government Act 2009 s97 2(e)	Y	Quote to be provided		
Building Certification Farm Buildings & Farm Sheds (Fees for application processing and inspections to be conducted by Private Building Certifier)	RAMS	Local Government Act 2009 s97 2(e)	?	?	?	\$370.00 + Actual Cost

Application for extension of building approval

Application Fee (including request for additional extension from Private Certifier)	RAMS	Local Government Act 2009 s97 2(e)	Y	\$110.91	\$11.09	\$122.00
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Inspection fees

Item 15.8 Adoption of Amended Fees and Charges 2024-25
Attachment 1: Proposed amendments to the Schedule of General Fees and Charges 2024/2025

Finals for building applications where no final or lapsing notice issued (privately certified) - Class 1	RAMS	Local Government Act 2009 s97 2(e)	Y	\$500.00	\$50.00	\$550.00
Finals for building applications where no final or lapsing notice issued (privately certified) - Class 10	RAMS	Local Government Act 2009 s97 2(e)	Y	\$363.64	\$36.36	\$400.00
Where required to re-inspect building work (Council certified), previously inspected (per inspection) Class 1 & 10	RAMS	Local Government Act 2009 s97 2(e)	Y	\$296.36	\$29.64	\$326.00
Where required to re-inspect building work (where Council has engaged a Private Building Certifier), previously inspected (per inspection) – any Class	RAMS	Local Government Act 2009 s97 2(e)	?	?	?	Actual Cost
Name	RC	Head Of Power	GST	Fee (excl. GST)	Year 24/25 GST	Fee (incl. GST)

Inspection fees [continued]

Finals for building applications built after 30 April 1998 where no lapsing notice issued (privately certified) Class 2-9	RAMS	Local Government Act 2009 s97 2(e)	Y	\$954.55	\$95.45	\$1,050.00
Finals for building applications built after 30 April 1998 where no lapsing notice issued (privately certified) Class 2-9 (Fees for application processing and inspections to be conducted by Private Building Certifier)*	RAMS	Local Government Act 2009 s97 2(e)	?	?	?	\$370.00 + Actual Cost
*Ability to undertake this service will be at the discretion of the private building certifier.						

Building Searches

Record searches are using Council's electronic and manual records only and may not reflect what is on the land.

Commercial and other Records Search	CERT		N	\$462.00	\$0.00	\$462.00
Residential (Single dwelling or Dual occupancy) Records Search	CERT		N	\$231.00	\$0.00	\$231.00
Physical searches on land to see whether all building on the land have received approval	CERT	Local Government Act 2009 s97 2(e)	N	\$609.00	\$0.00	\$609.00
Urgent Commercial and Other Records Search (within 2 working days)	CERT		N	\$609.00	\$0.00	\$609.00
Urgent records search (within 2 working days)	CERT	Local Government Act 2009 s97 2(e)	N	\$361.00	\$0.00	\$361.00
Reissue of records search	CERT	Local Government Act 2009 s97 2(e)	N	\$98.00	\$0.00	\$98.00
Urgent reissue of Records search	CERT	Local Government Act 2009 s97 2(e)	N	\$194.00	\$0.00	\$194.00

List of Building Approvals Issued Each Month

Application Fee	DEBTOR 156	Y	\$700/year or \$70/month
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Change of Classification

Class 1a-1b	RAMS	Local Government Act 2009 s97 2(e)	Y	\$717.27	\$71.73	\$789.00
Class 10-1	RAMS	Local Government Act 2009 s97 2(e)	Y	\$1,145.45	\$114.55	\$1,260.00
Any change within or changing to Classes 2-9	RAMS	Local Government Act 2009 s97 2(e)	Y	\$995.45	\$99.55	\$996.00
Any change within or changing to Classes 2-9 (Fees for application processing and inspections to be conducted by Private Building Certifier)	RAMS	Local Government Act 2009 s97 2(e)	?	?	?	\$370.00 + Actual Cost

Erection of Structures

Other Class 10 structures/buildings that are not listed	RAMS		Y	\$566.36	\$56.64	\$623.00
New pool and fence	RAMS	Local Government Act 2009 s97 2(e)	Y	\$566.36	\$56.64	\$623.00
Signs and Billboards	RAMS	Local Government Act 2009 s97 2(e)	Y	\$566.36	\$56.64	\$623.00
Awning – erection of an awning to a commercial building	RAMS	Local Government Act 2009 s97 2(e)	Y	\$708.18	\$70.82	\$779.00
Patio/Pergola	RAMS	Local Government Act 2009 s97 2(e)	Y	\$566.36	\$56.64	\$623.00
Temporary Structure (eg Marquees)	RAMS	Local Government Act 2009 s97 2(e)	Y	\$740.00	\$74.00	\$814.00
Special Structure (cannot comply with a BSA classification)	RAMS	Local Government Act 2009 s97 2(e)	Y	Quote to be provided		
Special Structure - cannot comply with a BCA classification (Fees for application processing and inspections to be conducted by Private Building Certifier)*	RAMS	Local Government Act	Y	\$370.00 + Actual Cost		

processing and inspections to be conducted by Private Building Certifier)*

*Classification of a special structure and ability to undertake this service will be at the discretion of the private building certifier.

Swimming Pool Safety Compliance Certificate

Application & Inspection Fee (existing pool)	145	Local Government Act 2009 s97 2(e)	Y	\$324.55	\$32.45	\$357.00
Re-inspection following non-compliance (existing pool)		Local Government Act 2009 s97 2(e)	Y	\$169.09	\$16.91	\$186.00
Name	RC	Head Of Power	GST	Fee (excl. GST)	Year 24/25 GST	Fee (incl. GST)

Other Assessment Requests

Cancelling a development application approval under Section 84 of the Planning Act - Admin Fee		Local Government Act 2009 s97 2(e)	N	\$263.00	\$0.00	\$263.00
Making a change application to change a development approval - minor change - minor amendments to plans only		Local Government Act 2009 s97 2(e)	N	\$122.00	\$0.00	\$122.00
Making a change application to change a development approval - Minor Change		Local Government Act 2009 s97 2(e)	N	\$473.00	\$0.00	\$473.00
Making a change application to change a development approval - Other Change	RAMS	Local Government Act 2009 s97 2(e)	N	As for a new application		
Performance solutions assessment (applies to all classes)		Local Government Act 2009 s97 2(e)	N	\$1,575.00	\$0.00	\$1,575.00
Application to Council as a Concurrence Agency for Building Works in accordance with the Planning Regulation (excluding removal buildings)	RAMS	Local Government Act 2009 s97 2(e)	N	\$480.00	\$0.00	\$480.00
Application to extend relevant period of building approval for which Council was a Concurrence Agency	178	Local Government Act 2009 s97 2(e)	Y	\$110.91	\$11.09	\$122.00
Application to change a Concurrence Agency Response, when Council was a Concurrence Agency (Minor Change determined by assessment manager)	178	Local Government Act 2009 s97 2(e)	N	\$122.00	\$0.00	\$122.00

Lodgement/Archival Fee

Application Fee (including for change applications)	RAMS	Local Government Act 2009 s97 2(c)	N	\$171.00	\$0.00	\$171.00
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Request for Development Information (Form 19)

Request	175	Local Government Act 2009 s97 2(c)	N	\$200.00	\$0.00	\$200.00
D1 – refer to Building Record search (for additional fee); D2 – refer to Certificate of Occupancy – copy (for additional fee); D3 – refer to Building Record search (for additional fee); E1 – E3 – refer to Standard Planning & Development Certificate (for additional fee)						

Other Building Fees

Application for Certificate of Occupancy for a building or structure built before 30 April 1998 (Building Act 1975 Section 123)	CERT	Local Government Act 2009 s97 2(e)	N	\$1,050.00	\$0.00	\$1,050.00
Application for Certificate of Occupancy for a building or structure built before 30 April 1998 (Building Act 1975 Section 123) – (Fees for application processing and inspections to be conducted by Private Building Certifier)	CERT	Local Government Act 2009 s97 2(e)	N	?	?	\$370.00 + Actual Cost
Request for copy of existing Certificate of Classification/Occupancy (includes a copy of Certificate or written advice if unavailable) - per document	164	Local Government Act 2009 s97 2(e)	N	\$110.00	\$0.00	\$110.00
Copy of development approval documents - per document	209	Local Government Act 2009 s97 2(e)	N	\$65.00	\$0.00	\$65.00
Works undertaken prior to a building application for the same works being submitted (in addition to application fee)		Local Government Act 2009 s97 2(e)	N	\$105.00	\$0.00	\$105.00
Pre-lodgement Meeting (60 mins)	179		Y	\$272.73	\$27.27	\$300.00
By written request, a deduction of the pre-lodgement fee will be made following the lodgement of an application within 12 months from the meeting date						

Refund of Building Fees and Plumbing Fees

Application approved but no inspections carried out (where No GST paid on original charge)		N	30%
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Name	RC	Head Of Power	GST	Year 24/25		
				Fee (excl. GST)	GST	Fee (incl. GST)

Refund of Building Fees and Plumbing Fees [continued]

Application assessed but not approved (where No GST paid on original charge)		N				50%
Application created and pre-assessment conducted (where No GST paid on original charge)		N				75%
Application received, initial processing, including splitting (where No GST paid on original charge)		N				90%
Approval Lapsed (where No GST paid on original charge)		N				No Refund
Application received, initial processing, including splitting (where GST paid on original charge)		Y				90%
Application assessed but not approved (where GST paid on original charge)		Y				50%
Application approved but no inspections carried out (where GST paid on original charge)		Y				30%
Approval Lapsed (where GST paid on original charge)		Y				No Refund
Part of application fee retained by Council if development application does not proceed due to application not being properly made within legislative timeframe		Y		\$240.91	\$24.09	\$265.00

Plumbing Fees

Applications and Alterations for Plumbing and Drainage Works

The following fees for plumbing and drainage also apply in respect of septic tank installations and on-site treatment plants

Non-Profit Organisations

50% discount of the Application and Permit Fees for non-profit organisations (upon receipt of a written application to the Director verifying their non-profit status)

Application for plumbing and drainage works (includes inspection fee)

Class 1 to 10 buildings	RAMS	Local Government Act 2009 s97 2(e)	N			\$135 per fixture Min. Fee excl. GST: \$250.00 Min. Fee incl. GST: \$250.00
Class 2-9 buildings less than 500m2	RAMS	Local Government Act 2009 s97 2(e)	N			\$135.00 per fixture Min. Fee excl. GST: \$250.00 Min. Fee incl. GST: \$250.00
Class 2-9 buildings 500m2 or greater	RAMS	Local Government Act 2009 s97 2(e)	N			Fixture Fee + \$715.00
Application for extension of plumbing approval	Rams	Local Government Act 2009 s97 2(e)	N	\$116.00	\$0.00	\$116.00
Relocatable Dwellings (includes in-factory inspection fee)	RAMS	Local Government Act 2009 s97 2(e)	N	\$371.00	\$0.00	\$371.00
Temporary Site Ablution Buildings	RAMS	Local Government Act 2009 s97 2(e)	N	\$371.00	\$0.00	\$371.00

Assessment and inspection for internal hydraulic plans including commercial premises, industrial premises, retail premises and multiple unit development for common property

Water and sewer pipe work	RAMS	Local Government Act 2009 s97 2(e)	N			\$6.80 per metre
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Name	RC	Head Of Power	GST	Year 24/25		
				Fee (excl. GST)	GST	Fee (incl. GST)

Assessment and inspection for internal hydraulic plans including commercial premises, industrial premises, retail premises and multiple unit development for common property [continued]

Fire service landing valve	RAMS	Local Government Act 2009 s97 2(e)	N	\$181.00	\$0.00	\$181.00
Sewer maintenance hole (MH)	RAMS	Local Government Act 2009 s97 2(e)	N	\$181.00	\$0.00	\$181.00

Other

Works undertaken prior to a plumbing and drainage application for the same works being submitted (this fee is in addition to the application fee)			N	\$105.00	\$0.00	\$105.00
Inspection fee – includes advisory inspection prior to application (to be paid at time of booking)	177	Local Government Act 2009 s97 2(e)	N	\$186.00	\$0.00	\$186.00
Re-inspection fees – when work not ready or incomplete at time notified for inspection	RAMS	Local Government Act 2009 s97 2(e)	N	\$361.00	\$0.00	\$361.00
Application to Council as a Referral Agency for Building Work in accordance with Schedule 9 of the Planning Regulation 2017 (Class 1 building on premises with on-site wastewater management system)	RAMS	Local Government Act 2009 s97 2(e)	N	\$250.00	\$0.00	\$250.00
Conversion from Septic to Treatment Plant and or Installation of a Treatment Plant	RAMS	Local Government Act 2009 s97 2(e)	N	\$361.00	\$0.00	\$361.00
Copy of "as constructed" Drainage Plan – no cost to property owners or plumbers working on behalf of owners with written permission	176	Local Government Act 2009 s97 2(e)	N	\$83.00	\$0.00	\$83.00
Backflow Device Annual Registration Fee (Tagged Device)	167	Local Government Act 2009 s97 2(e)	N	\$49.90 per device Min. Fee excl. GST: \$49.90 Min. Fee incl. GST: \$49.90		
Backflow Device Annual Registration Fee (Untagged Device)	167	Local Government Act 2009 s97 2(e)	N	\$65.00 per device Min. Fee excl. GST: \$65.00 Min. Fee incl. GST: \$65.00		
On-site sewage facility (aerated secondary / advanced secondary) or grey water treatment system Annual	167	Local Government Act 2009 s97 2(e)	N	\$70.00	\$0.00	\$70.00

Licence, Registration and Permit Fees

Notes:

Food and Personal Appearance Services

Pro rata fees schedule - all new and transfer applications for existing premises / approvals (no plan assessment) and annual licence component of new application (plan assessment) required


- 1 Jul to 30 Sep - full annual fee
- 1 Oct to 31 Dec - 75% annual fee
- 1 Jan to 31 Mar - 50% annual fee

Any licence issued for an application received between 1 April - 30 June will be issued until 30 June of the following year.

All licences and approvals issued by Environmental Services section excluding SLL1.5, SLL1.4, SLL1.2 and SLL1.14 50% discount for non-profit organisations (upon receipt of a written application to the Manager Environmental Services verifying their non-profit status)

15.9 Pest Management Advisory Committee- Endorsement of Membership

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Manager Environmental Services	ECM Function No/s:

Recommendation

THAT Council consider the nominations received from the community representatives for Council's Pest Management Advisory Committee, and confirm via resolution the name of the person to be appointed.

REPORT

Background

As outlined in the Terms of Reference, the purpose of the Pest Management Advisory Committee (PMAC) is:

- To provide Council with advice and recommendations where required in relation to pest management on an ongoing basis;
- To work collaboratively together to achieve better outcomes relating to pest management;
- To share and disseminate information across the members; and
- To improve communication with Council, other levels of government and the community.

The term of the Pest Management Advisory Committee, as with all advisory committees for Council, coincides with the four year term of Council.

Report

The current Terms of Reference for PMAC outlines membership of the committee, including representatives from several government departments and organisations, as well as an individual community member with an interest in invasive pest management.

The Councillor Advisory Committees and Other Committees Policy (PL-EX021) outlines the process to fulfil external membership of advisory committees. An expression of interest (EOI) was conducted for a community representative, with interest received from the following community members - Kim Rush, Andrew O'Dea, Liz Bourne and Paul Maher. Their expressions of interest are provided as an attachment to this report for Councillors to review. Council appreciates the time these community members have taken to provide their expression of interest.

The next meeting of PMAC will be on the 26 November, and the aim is to have the community representative in place for this meeting.

Conclusion/Summary

Four nominations have been received for the community representative on PMAC. Council is required to review the nominations and decide on a community representative for PMAC for this term of Council.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

Nil

Opportunity

Increased community involvement and input into the PMAC.

Enabling the PMAC to operate at full membership, with a wide range of representatives to improve discussion and feedback in pest management in the region.

COMMUNITY ENGAGEMENT

Internal Consultation

Portfolio Councillor

External Consultation

The EOI was advertised on Council's social media and on Council's website. Community members who had expressed an interest in the role in the last six months were provided information on the EOI.

LEGAL / POLICY

Legislation / Local Law

There is no legislative requirement to have the PMAC, however pest management in general is regulated by the *Biosecurity Act 2014*.

Corporate Plan

Goal 2 Our Places

Outcome: 2.3 Our natural and agricultural environments are healthy, resilient and sustainable.

Objective: 2.3.3 Develop policies and implement measures to enhance our agricultural sector and protect priority agricultural land from invasive pest animals and pest plants and non-rural development incursion.

Policy / Strategy

Council's Invasive Pests Strategic Plan 2021-2024

Legal

There appears to be no legal issues associated with this report.

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Nominations for Community Representative - Pest Management Advisory Committee [↓](#)

 Tue 12/11/2024 12:16 PM
[Redacted]
RE: Pest Management Advisory Committee- Community Representative

o  Nicole Collett

Retention Policy 6 Months Inbox (6 months)

 You replied to this message on 12/11/2024 4:47 PM.

Hi Nicole,

As mentioned, I'm willing nominate myself for the community rep position on the PMAC, based on the following experience:

- 8yrs previous experience on the pmac
- 4yrs experience on saleyards advisory committee
- 10mths experience with SDRC as temporary local laws officer 2019/20 (assisted implementing Invasive Pest management scheme),
- local landowner and grazier with 20yrs management experience of family owned cattle and sheep property in Elbow Valley.
- active member of Condamine Headwaters Landcare group
- currently employed with QRIDA as Senior Assessment Officer working in drought preparedness.

Kind regards,

Andrew O'Dea

[Redacted]

Sent from my Galaxy

[REDACTED]
Sent: Tuesday, 12 November 2024 5:13 PM
To: mail@sdr.c.qld.gov.au
Subject: PMAC

Sent from my iPhone

Attn: Nicole Collett

I am writing to express my interest in the Pest Management Advisory Committee position with the Southern Downs Regional Council. As a Githabul Traditional Owner of the area, I believe local Indigenous knowledge may be a helpful contribution to the intentions and aims of the committee. I have experience and training in aspects of pest management in my former position with QPWS. I do have a keen desire for forward thinking environmental conservation by way of correct and ethical pest management.

Thank you
Kim Rush
[REDACTED]

Item 15.9 Pest Management Advisory Committee- Endorsement of Membership
Attachment 1: Nominations for Community Representative - Pest Management Advisory Committee

From: Liz Bourne [mailto:liz.bourne@stanthorpe.qld.gov.au] Sent: Monday, 11 November 2024 4:11 PM To: 'mail@sdrc.qld.gov.au' Subject: Nomination to be included as a community member on the Council's Pest Management Advisory Committee

Sent: Monday, 11 November 2024 4:11 PM

To: mail@sdrc.qld.gov.au

Subject: Nomination to be included as a community member on the Council's Pest Management Advisory Committee

11 November 2024

Cr Carla Pidgeon

Chair,

Pest Management Advisory Committee

Dear Cr Pidgeon,

I would like to apply to fill the vacant community member position on the Council's Pest Management Advisory Committee.

We bought our 170 ha property, 15km west of Stanthorpe, in 1993 and shifted here in 1995. The property is largely intact bushland with perhaps about 10ha impacted and was made a Nature Refuge in 2006. It is largely weed free but I do have itinerant feral pigs moving through and the occasional deer. I regularly monitor weeds on my property and last year undertook a major project to survey and remove any tree pear. While helping to manage my parent's rural acreage at The Summit, I organised for warren ripping to try and control rabbit numbers there as well as helping with blackberry and Scotch thistle removal. So I also have some practical experience in pest and weed control.

I was actively involved in the conservation movement for over 20 years while living in Brisbane and have continued this with local groups since shifting to the Granite Belt. I was secretary of the Stanthorpe Field Naturalist Club for 12 years and have held the position of secretary of the Stanthorpe Rare Wildflower Consortium since 2004. I am also currently on the management committee of the Granite Belt Sustainable Action Network.

I am also in regular contact with relevant government agencies such as the Council, the Queensland Parks and Wildlife Service, the Department of Environment, Science and Innovation as well as with Granite Borders Landcare and HQ Plantations about pest related matters.

Due to my involvement with these local community conservation groups and government agencies, I have a well established network of connections with local people and rural landholders and have assisted many people with information and advice about weed and feral pest management over a number of years. If I were to join PMAC, it would give me the opportunity to further this work and bring community concerns back to the Committee.

Yours sincerely,

Liz Bourne

----- Original message -----

[REDACTED]
Date: 13/11/24 6:19 pm (GMT+10:00)

[REDACTED]
Subject:

Nicole Collett,
Pest Management & Advisory Committee,
Southern Downs Regional Council,
Warwick 4370

Dear Nicole,

I would like to express my interest in the role as a community representative on this committee.

I am one of the co-ordinators of the Wildash Cherry Gully Wild Dog 1080 baiting group. I have been involved for many years in this program, I have witnessed the positive results of the 1080 baiting programs on many occasions, not only on my property as a beef breeder/ producer but also on neighbouring and other properties in the district.

I am third generation in the Wildash district, I have a good knowledge of the local area.


Yours faithfully,
Paul Maher,

[REDACTED]

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

16.1 2024 LGAQ Annual State Conference

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT the Mayor's report on the 2024 LGAQ Annual State Conference be received.

REPORT

Mayor Hamilton and Cr Wantling recently attended the 2024 LGAQ Annual Conference, which was held at the Brisbane Convention and Entertainment Centre from 21 – 23 October 2024.

Attached is a copy of the Mayor's report on the Conference.

ATTACHMENTS

1. Mayor's Report on 2024 LGAQ Annual Conference [📄](#)



REPORT ON LGAQ STATE CONFERENCE

SUMMARY PREPARED BY MAYOR MELISSA HAMILTON

1.1 WHERE

Brisbane Convention and Exhibition Centre

1.2 WHEN

21-23 October 2024

1.3 WHAT

The annual conference is where all Councils across Queensland vote on motions to set the advocacy agenda for LGAQ for the year ahead.

1.4 WHY

LGAQ as the peak body for Councils in Queensland is a strong advocacy tool being the united voice of all 77 Councils. Having a voice in setting our advocacy agenda for the year ahead, particularly in this part of the State and Federal election cycle is critical.

1.5 UPDATE

- Cr Wantling and I exercised SDRC's voting rights at the conference on the motions and on the election of the new President.
- SDRC's motion on soil conservation measures was supported by Goondiwindi Regional Council was passed.
- Mayor Matt Burnett of Gladstone Regional Council was elected as President of LGAQ.
- From the Queensland Government both the Premier, the Hon Steven Miles MP and the Leader of the Opposition, Mr David Crisafulli MP addressed the conference. From the Australian government the Federal Minister, the Hon Kirsty McBain MP, and the Shadow Minister, the Hon Darren Chester MP, also addressed the conference.
- The LGAQ conference also brings together many bodies that work Councils, and I took the opportunity to meet with the following bodies to discuss issues for the Southern Downs:
 - QWRAP (Queensland Water Regional Alliance Program)
 - Telstra
 - NBN
 - Yurika
 - Powerlink
- Networking with Mayors and Councillors across Queensland also offers many opportunities to learn from others, establish connections and work together.

Office of the Mayor



ATTACHMENT A – QLD WATER REGIONAL ALLIANCE PROGRAM (QWRAP)

The Queensland Water Regional Alliance Program (QWRAP)



The Queensland Water Regional Alliance Program (QWRAP) is a Queensland Government funded program delivered collaboratively with the LGAQ and Queensland Water Directorate (qldwater) to support local government in the sustainable delivery of essential water and sewerage services in regional Queensland.

QWRAP delivers benefits at a local, regional and statewide level by:

- ▶ Enabling regional scale delivery of sustainable services.
- ▶ Building regional capacity and capability to address future skills and system needs.
- ▶ Driving regional partnerships, services and initiatives.
- ▶ Supporting regional centres of excellence to deliver priority water and wastewater projects.
- ▶ Raising awareness of the essential water and wastewater services provided by regional and remote councils.

Cr Tony Rayner,
Mayor, Longreach Regional Council

The QWRAP program has delivered concrete benefits to the communities of Western Queensland by enhancing collaboration across the RAPAD Councils. By working together, local governments have helped to save money through joint procurement activities, enhanced asset and risk management and created a strong voice with government to ensure that we have access to the funding we need to provide essential services to our communities.

Queensland water and sewerage facts:

- \$22 billion servicing** 42,000km of water mains and assets across **370 communities**.
- \$20 billion servicing** 34,000km of sewerage mains and assets across **265 communities**.
- The water industry **employs more than 6,600 people** to provide essential services.
- For every job created in the water industry **an additional four jobs are created** in the wider economy.
- For every dollar invested in drinking water quality there are **between \$4 and \$12 in health benefits**.

How does QWRAP work?

Regional local governments across Queensland have formed alliances to tackle the unique challenges of remoteness and size. These alliances allow councils to share knowledge and resources, enhancing their ability to work collaboratively. Each alliance appoints a regional coordinator, funded through the program, and a volunteer regional chairperson. The alliances can include technical groups, comprising water and sewerage engineering staff, and strategic groups representing councillors and mayors. Together, they identify priority water and sewerage projects and bid for funding through the QWRAP portal. Eligible projects include workforce attraction and training, joint procurement, setting standards and codes, innovation trials and asset management, with local governments committing both in-kind and financial contributions.

Why do regional councils need QWRAP?

QWRAP is essential for building the regional capacity and capability urgently needed to manage water and sewerage services effectively. Every local government has the critical responsibility of providing safe and secure water. However, regional councils face significant challenges, including outdated and under-funded infrastructure, water supply and quality issues and a shortage of engineering and operational expertise. QWRAP enables councils to collaborate across boundaries, pooling resources, ideas, investment and talent to address these pressing issues.

How can each council support its QWRAP alliance?

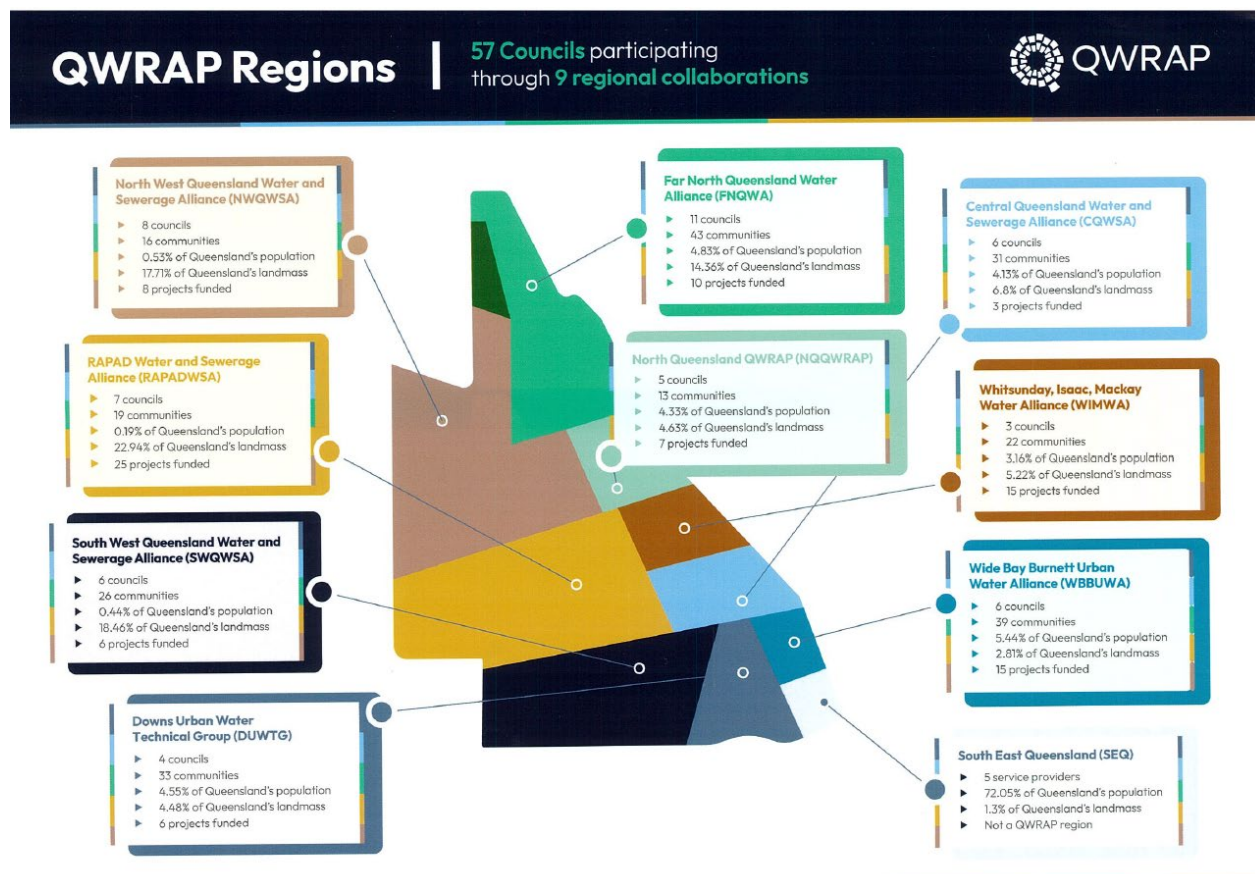
- ▶ Prioritise the importance of safe and secure water and sewerage infrastructure and services.
- ▶ Provide political and strategic leadership on water and sewerage management within your council.
- ▶ Look for ways to leverage economies of scale by partnering with other local governments.
- ▶ Encourage staff to work collaboratively across local government borders.
- ▶ Provide in-kind and financial contributions for each project.



Office of the Mayor




ATTACHMENT B – QWRAP REGIONS



16.2 Darling Downs South West Queensland Council of Mayors Meeting - October 2024

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 20 November 2024
	Acting Chief Executive Officer	ECM Function No/s:

Recommendation

THAT the Mayor's report on the Darling Downs South West Queensland Council of Mayors Meeting held 20 October 2024 be received.

REPORT

Mayor Hamilton attended the meeting of the Darling Downs South West Council of Mayors held on 20 October 2024 in Brisbane. The meeting was held to coincide with the 2024 LGAQ Annual Conference.

Attached is a copy of the Mayor's report.

ATTACHMENTS

1. Mayor's Report on Darling Downs South West Queensland Council of Mayors October 2024 Meeting.[↓](#)

Office of the Mayor



REPORT ON DARLING DOWNS SOUTH WEST QUEENSLAND COUNCIL OF MAYORS (DDSWQCOM)

SUMMARY PREPARED BY MAYOR MELISSA HAMILTON

1.1 WHERE

Brisbane

1.2 WHEN

20 October 2024

1.3 WHAT

DDSWQCoM was formed in 2015 and represents the 10 Councils of the Darling Downs and South West Qld area.

1.4 WHY

It is a forum for effective joint advocacy and for Councils to collaborate and invest in issues on region wide issues.

1.5 UPDATE

- At our October meeting we took the opportunity to discuss the LGAQ motions from our DDSWQCoM group to build support across the wider group.
- We adopted our advocacy strategy (Attachment A)
- We also had updates from government agencies and peak industry bodies.
- Of particular note we heard about the Darling Downs and South West Qld Feral Pig Program, and heard from John Scriven the DDSWQ Feral Pig Coordinator. Cr Pidgeon as portfolio holder will participate in the steering committee for this program.
- Also of relevance to the community is a reminder that there is funding available through QRIDA for the eID (electronic ID) devices for sheep and goats. The Queensland Sheep and Goat Electronic Identification Rebate Scheme provides sheep and goat producers and livestock agents a rebate of up to 50% on eligible hardware, such as electronic readers and NLIS accredited eID devices.

<https://www.qrida.qld.gov.au/program/queensland-sheep-and-goat-electronic-identification-rebate>

Office of the Mayor



ATTACHMENT A – DDSWQCOM STRATEGY 2024-2028

DARLING DOWNS AND SOUTH WEST QUEENSLAND COUNCIL OF MAYORS STRATEGY 2024-2028



Darling Downs & South West Queensland COUNCIL OF MAYORS

Who are the DDSWQCoM?

- The Darling Downs and South West Queensland Council of Mayors (DDSWQCoM) was formed in October 2015 to lobby for the needs of the Darling Downs and south-west Queensland.
- The Council of Mayors represents the communities of the Bulloo, Quilpie, Paroo, Murweh, Maranoa, Balonne, Western Downs, Goondiwindi, Southern Downs and Toowoomba regions and shires, covering an area the size of Sweden. The group represents one quarter of Queensland's land area and carries around 25% of its cattle stock and produces 75% of its grain and pulse crops.

What do they do?

The Darling Downs and South West Queensland Council of Mayors aims to drive regional development by advocating for improved infrastructure, securing essential funding, and influencing policy to benefit critical services of transportation, education, health, and digital connectivity.

Who are the DDSWQCoM?

- The DDSWQCoM is a forum for effective joint advocacy and for Councils to collaborate and invest in initiatives that address issues on region wide issues. Some of these initiatives include the CSIRO's Transport Network Strategic Investment Tool (TraNSIT) modelling tool and the Darling Downs and South West Queensland Regional Waste Management Strategy.
- DDSWQCoM also acts as a de facto ROC for Toowoomba, Western Downs, Southern Downs and Goondiwindi.



DDSWQCoM Top Priorities

- 1. Energy Transition:** Ensuring our communities get the benefit of the energy transition through greater involvement in planning and approvals for renewable projects.
- 2. Infrastructure and Transport:** Improving the road, rail and air links to support regional development.
- 3. Sustainable Resources:** Sufficient funding for water, waste management, and pest management and legislative allowances for regional and remote councils.
- 4. Housing and Connectivity:** Sufficient and suitable housing, housing subsidies, improved digital connectivity, and telecommunications.
- 5. Education and Capability Uplift:** Access to quality education within the region, capability uplift of local government staff, and childcare.

Advocacy Priorities

- 1. Energy Transition:** Fairer co-payments and rates, respecting the community's expectations re social licence, greater involvement in planning and managing the impacts of carbon farming.
- 2. Waste:** Developing a framework that caters for rural and remote Councils.
- 3. Telecommunications.** Ensuring regional Queensland has the services and connectivity required for regional development.
- 4. Transport:** Rail, flight subsidies, logistics, freight, and infrastructure.
- 5. Water:** Prioritising water security, sufficient funding for water and wastewater infrastructure and a framework for drinking water guidelines and PFAS that caters for regional and remote Councils.

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:

17.1 WIRAC Hydrotherapy Project - Lost Revenue Claim

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.

17.2 Sale of Land for Overdue Rates and Charges

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(e) of the *Local Government Regulation 2012*, as it contains information relating to legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

18. GENERAL BUSINESS