



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

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF  
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 10 MAY 2023  
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,  
64 FITZROY STREET, WARWICK AT 9:00AM**

**ACKNOWLEDGEMENT TO COUNTRY**

**1. PRAYERS & CONDOLENCES**

Rev Ansie Liebenberg from Killarney Uniting Church offered a prayer for the meeting and Council acknowledged condolences.

**2. ATTENDANCE**

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

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

**3. APOLOGIES**

Nil

**4. READING AND CONFIRMATION OF MINUTES**

**4.1 Ordinary Council Meeting - 26 April 2023**

**Resolution**

**Moved Cr A Gale**

**Seconded Cr M Gliori**

THAT the minutes of the Ordinary Council Meeting held on Wednesday, 26 April 2023 be adopted.

**Carried**

**5. ACTIONS FROM COUNCIL MEETINGS**

**5.1 Actions from Ordinary Council Meeting 12 April 2023**

**Resolution**

**Moved Cr S Windle**

**Seconded Cr R Bartley**

THAT Council receive the report and note the contents.

**Carried**

## 6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
8.1	Correspondence	Cr McDonald declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) of the <i>Local Government Act 2009</i> ) as a result of her personal friendship with the CEO of SunWater and his family, however has no financial dealings with him and only sees him on an irregular basis. Although Cr McDonald has a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias. Therefore, Cr McDonald will choose to remain in the meeting however, she will respect the decision of the meeting on whether she can remain and participate in the decision. Following a resolution from Council, Cr McDonald participated in the discussion and voting on this matter.

### 6.1 Conflict of Interest - Cr McDonald - Agenda Item 8.1

#### Resolution

**Moved Cr M Giori**

**Seconded Cr S Tancred**

THAT Council, following the declarable conflict of interest by Cr McDonald in Agenda Item 8.1, determines that it is in the public interest that she participates and votes on the matter as her declarable conflict is not of sufficient significance that it will lead her to making a decision on the matter that is contrary to the public interest and would not prevent her from performing her Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

## 7. MAYORAL MINUTE

Nil

*Cr McDonald declared a declarable conflict of interest in Agenda Item 8.1 as defined in Section 150EQ(4)(a) of the Local Government Act 2009 and following a resolution from Council remained in the room for the discussion and vote.*

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

### **8.1 Correspondence**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr A Gale**

THAT the report of the Chief Executive Officer in relation to Correspondence be received, and that Council accept the offer from Sunwater to contribute funds towards the supply and installation of an ablution block at Leslie Dam in accordance with the details outlined in the letter of offer.

**Carried**

*Cr McDonald voted for the motion.*

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

Nil

## **10. EXECUTIVE SERVICES REPORTS**

### **10.1 Organisation Information Reports 10 May 2023**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Windle**

THAT Council note the contents of the Information Reports.

**Carried**

## **11. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS**

### **11.1 2022/23 Grants to Community Recipients**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr S Tancred**

THAT Council note:

1. Those recipients who were successful in receiving Grants to Community in the 2022/2023 financial year; and
2. The Grant to Community 2022/2023 program has been fully expended.

**Carried**

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

### **Resolution**

**Moved Cr S Windle**

**Seconded Cr J McNally**

THAT Council approve the grant application received from the Stanthorpe Primary P&C Association for \$5,530.00 under the Regional Arts Development Fund (RADF) 2022/23 program to deliver the project titled 'Celebrating 150 years of Education at the Stanthorpe State School'.

**Carried**

### **11.2.1 Regional Arts Development Fund Guidelines Review**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr S Windle**

THAT Council review the Regional Arts Development Fund Guidelines in relation to maximum funding amounts and eligible activities and organisations.

**Carried**

## **12. INFRASTRUCTURE SERVICES REPORTS**

### **12.1 RFT 23\_069 - Supply and Installation of Holding Tanks at Three Sewer Pump Stations in Stanthorpe**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr R Bartley**

THAT Council:

1. In accordance with Section 224 of the Local Government Regulations 2012, enter into a contract with Re-Pump Australia Pty Ltd for the Supply and Installation of Holding Tanks at three Sewer Pump Stations in Stanthorpe;
2. Allocate additional funding of \$433,516 for this project in financial year 2023/24; and
3. 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.

**Carried**

## **12.2 Stanthorpe Wastewater Treatment Plant Upgrade - Concept Design Approval**

### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr R Bartley**

THAT Council resolve that:

1. Pursuant to section 235 (a) of the Local Government Regulation 2012, it is satisfied that there is only 1 supplier who is reasonably available for the Stanthorpe WWTP Upgrade Concept Design; and
2. Pursuant to section 235 (b) of the Local Government Regulation 2012, due to the specialised nature of the work, it would be impractical or disadvantageous to request quotes or tenders for the Stanthorpe WWTP Upgrade Concept Design; and
3. The Stanthorpe WWTP Upgrade Concept Design be award to Stantec Australia for the amount of \$466,783.00 excluding GST; and
4. The Chief Executive Officer be delegated to approve reasonable and necessary variations to the contract.

**Carried**

## **13. PLANNING AND ENVIRONMENTAL SERVICES REPORTS**

### **13.1 Consideration of Change Representations: Uniting Church In Australia Property Trust (Q) C/- Urbis Pty Ltd – 9 Law Road, Warwick**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Tancred**

THAT Council refuse the change representations made in relation to the application for Reconfiguration of Lot (Subdivision of 1 into 2 lots), on land at 9 Law Road, Warwick, described as Lot 2 RP89671, and the conditions of approval are not amended.

**Carried**

### **13.2 Material Change of Use: 25 Freestone Road, Warwick**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr J McNally**

THAT the change application in relation to the Development Permit for Material Change of Use for the purpose of Short-term accommodation (8 units and 10 cabins – over two stages), on land at 25 Freestone Road, Warwick, described as Lot 7 SP192909, be approved such that the approved development is described as Short-term accommodation, Non-resident workforce accommodation & Multiple dwelling (10 units and 15 cabins – over three stages) and the conditions of Schedule 1 of the Development Permit be amended as follows:

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

##### **Approved Plans**

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



Plan Name	Plan No.	Date
<del>Proposed Stage 1—Site Plan prepared by Elevation Architecture Pty Ltd</del>	<del>A-DA-01.02 Rev. 02</del>	<del>9 September 2021</del>
Proposed Stage 2 – Site Plan prepared by Elevation Architecture Pty Ltd	A-DA-01.03 Rev. 01	9 September 2021
Floor Plan – Reception, PWD Units & Duplex prepared by Elevation Architecture Pty Ltd	A-DA-03.01 Rev. 01	25 August 2021
Floor Plan – Cabins & Duplex Continued prepared by Elevation Architecture Pty Ltd	A-DA-03.02 Rev. 01	25 August 2021
Floor Plan – Cabins Continued prepared by Elevation Architecture Pty Ltd	A-DA-03.03 Rev. 01	25 August 2021
Elevations prepared by Elevation Architecture Pty Ltd	A-DA-09.01 Rev. 01	25 August 2021
<del>Engineering Report &amp; Stormwater Management Plan prepared by DME Projects Pty Ltd</del>	<del>210901-R001 Rev. A</del>	<del>27 September 2021</del>

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.

### Staging

3. The development may proceed in stages, provided that any road access and infrastructure services required to service a particular stage are constructed with that stage. Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.

### Land Use and Planning Controls

4. This approval allows for the use of the site for the following uses only:
- (a) Short-term accommodation, ~~Non-resident workforce accommodation & Multiple dwelling (8 10 units, and 150 cabins and reception – over three stages)~~
5. ~~Deleted. This approval does not allow for the use of the units or cabins for the purpose of Non-resident workforce accommodation.~~
6. ~~Deleted. No person is to reside in any building identified for short term accommodation for more than 45 days consecutively, or more than 90 days in any 12 month period. The approved accommodation must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises.~~
7. ~~Deleted. Guests are to be made readily aware prior to booking accommodation that there is only one (1) allocated car parking space per dwelling unit, with the exception of Duplexes 1 to 4, PWD Unit 1 and Cabins 7 and 8, which will have the availability of two (2) car parking spaces.~~

### Building and Site Design

8. 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 for Stage 1.** The building and pavement are to be constructed in the approved design, colours and materials.
- 8A. To ensure privacy for adjoining residents, the windows of habitable rooms with a direct outlook to a window or door in an adjacent dwelling must either:
- (i) have a minimum window sill height of 1.7 metres above floor level; or
  - (ii) be fitted with translucent glazing; or

(iii) be fitted with a fixed external screen.

9. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
10. 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**

11. 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 Central Waste Management Facility.
12. The loading and/or unloading of delivery and other service vehicles (excluding general waste collection vehicles) is limited between the hours of 7.00am and 7.00pm, Monday to Saturday, and between the hours of 8.00am and 3.00pm on Sundays. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
13. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
14. 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.
15. A centralised waste facility is to be provided as per Plan A-DA-01.032 Rev. 012, dated 9 September 2021. Approval is to be sought from Council's Waste Management Department for an on-property collection service.

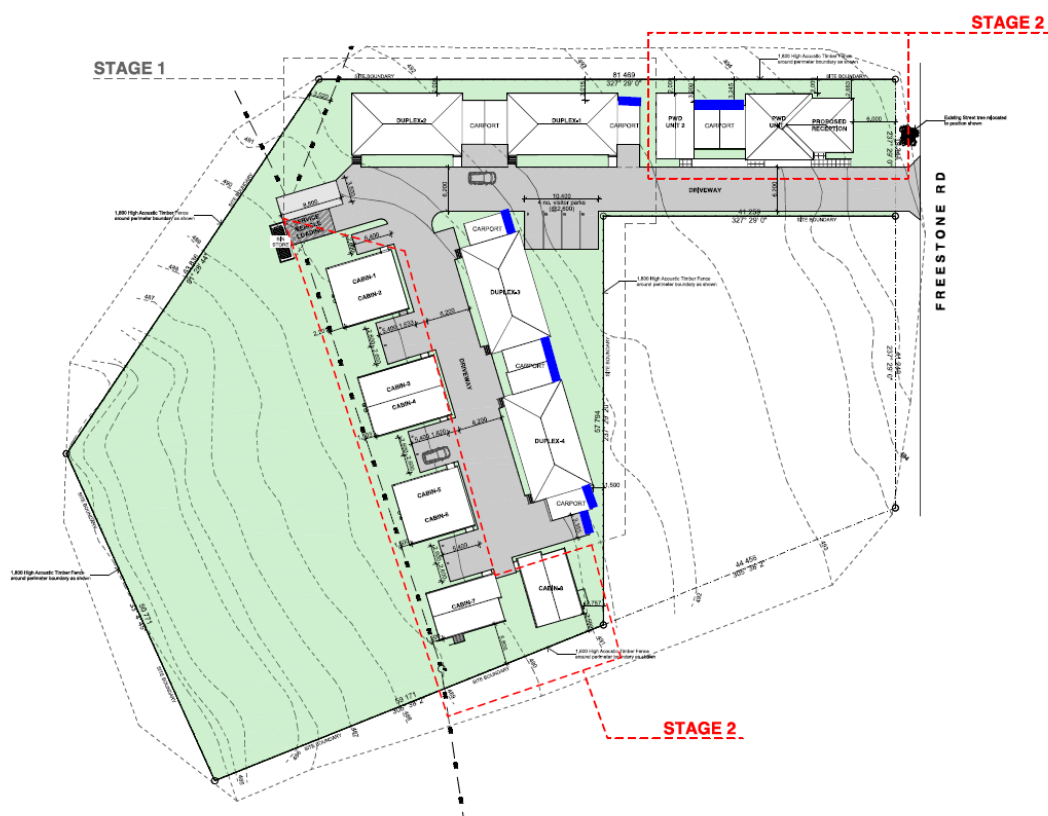
The centralised bin area is to be screened from view from all roads and public places. A concrete pad is to be provided for the bins in an appropriate location.

16. Advertising Devices relating to the Short-term accommodation may **only** be erected on the subject land, i.e. Lot 7 SP192909. 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.
17. 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.
18. 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 for Stage 2 4. Lighting is to be provided in accordance with the approved plan.
19. All cleared or lopped timber and vegetation must be processed on site by wood chipping, mulching or similar method. Any processing of trees or vegetation must be carried out in a safe manner and without any adverse environmental impacts from noise or dust emissions, and in accordance with any requirements under the *Environmental Protection Act 1994*.
20. The balance of the lot is to be maintained to a tidy standard and not to be used for the storage of goods or equipment, including informal carparking.

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

21. A screen fence 1.8 metres high shall be erected along the side and rear boundaries, to provide visual screening as part of Stage 1. This screen fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the Freestone Road boundary. The fence shall be of acoustic materials, in accordance with the Department of Transport and Main Roads specification - MRTS15 (Noise Fences) so as to minimise noise impacts upon adjoining development.

22. **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 for Stage 1.** Fencing is to be provided and maintained in accordance with the approved details.
- 22A. Communal open space is to be provided at a rate of at least 30 square metres per dwelling. The communal open space:
- Has a minimum dimension of 6.0 metres;
  - Has an area of at least 20% that is landscaped beds, the remaining area may be grassed or paved;
  - At least half of the required communal open space is to be centrally located on the site (not around the periphery); and
  - Has access to at least one part that is suitable access for wheelchairs and other mobility aids.
23. Retaining structures and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure. **Any cut and fill is not to be greater than one (1) metre.**
24. All earthworks, including batters must be fully contained within the site.
25. Landscaping is to be provided within the building setback of each dwelling unit and cabin to the internal driveway.
- 25A. Perimeter landscaping is to be provided as follows:
- A minimum 6.0 metre wide area along the Freestone Road frontage;
  - A minimum 3.0 metre wide area along the Alexandra Drive frontage; and
  - A minimum 1.0 metre wide area along all remaining boundaries.
- This area is to be densely planted with trees and shrubs.**
26. Batten screening to the full height of the carports and a minimum one (1) metre wide landscaped buffer, including irrigation, is to be provided along the façade of the vehicle accommodation as identified in 'blue' below. This area between the vehicle accommodation and the common boundaries are to be densely planted with hedges to provide an adequate buffer to the adjoining residential properties. Where the car space is not in the form of a carport, a batten fence 1.8 metres high is to be provided.



27. The street trees within the road reserve of Freestone Road 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. **An Amended 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 for Stage 2 4.** 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. 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.
30. At least ~~two (2) twenty-seven (27)~~ car parking spaces ~~per dwelling unit~~ are to be provided. ~~on site. Provision is to be made for disabled parking. At least one (1) space must be covered.~~
31. **An Amended Parking Plan is to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work for Stage 2 4.** The Amended Parking Plan is to be prepared by an appropriately qualified person, and must include details of the location and dimensions of the car parking spaces. No parking or loading spaces are to be placed over Council's sewerage manhole.
32. All car parking, driveway and loading areas shall be sealed, line marked, drained, laid out and regularly maintained.

32A. 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. 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"*.

### **Roadworks**

34. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Infrastructure Services.

### **Stormwater Drainage**

35. The design, construction and operation of the stormwater drainage system must comply with the water quality objectives stated in the Assessment Benchmarks – Water Quality and Appendix 2 of the State Planning Policy.

36. A stormwater drainage system serving the development is to be constructed and the stormwater disposed of to a lawful point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). Where the finished levels of a proposed allotment are such that stormwater runoff from all or part of the allotment cannot be gravity discharged to the street, an underground drainage line shall be provided to discharge the runoff from the allotment. Where necessary, suitable easements may be required over adjoining properties. The easements shall be provided to Council, at the developer's cost. All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM).

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

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

38. A reticulated water supply system, up to and including water meters, is to be provided to service ~~each dwelling unit the development~~. This system is to be connected to Council's water supply system. **A separate water connection (including water meter) is to be provided for each dwelling unit within the development.**

39. A sewerage reticulation system is to be provided to service ~~each dwelling unit the development~~. This system is to be connected to Council's wastewater sewerage system. **A separate sewerage connection is to be provided for each dwelling unit.**

40. The development is to comply with Council's policy *Works Near Water Supply and/or Sewerage Infrastructure Policy*, which requires an application to be submitted to Council for approval, prior to the commencement of the works. It is not desirable to build over the infrastructure; alternative arrangements should be sought.

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

41. Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

42. 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 pit-and-pipe~~ network. Prior to commencement of the use, written advice is to be provided from Telstra that the ~~telecommunications infrastructure pit-and-pipe~~ network has been installed in accordance with NBN Co's specifications.

43. LED street lighting shall be provided in accordance with AS/NZS 1158 - Lighting for Roads and Public Spaces.

### **Operational Works**

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

### **Infrastructure Charges Notice**

45. Payment is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice. If the development is staged, the payment of Infrastructure Charges may also be staged. 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 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 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.
- (v) An application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.19 (Rental Accommodation) 2011.
- (vi) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2018* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (vii) **Building Approval is to be obtained** for a Class 1b 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**.
- (viii) 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.

- (ix) 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;
  - An Erosion and Sediment Control Plan.

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.

- (x) 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.
- (xi) Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- (xii) 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.
- (xiii) 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.
- (xiv) This approval for Short-term Accommodation may potentially affect your rates and charges levied on your property. The potential impact may include, but is not limited to:
- General Rates may change to a commercial category
  - State Emergency Management Levy may change classes
  - Sewerage Access Charges may change to a different category
  - Domestic Waste Collection may be removed and require a separate waste collection direct from a waste collection provider

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

### **Aboriginal Cultural Heritage**

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

## Schedule 2 – Department of State Development, Infrastructure, Local Government and Planning's conditions as a Concurrence agency

No.	Conditions	Condition timing
<b>Development Permit – Material change of use (other change) for short term accommodation, non-resident workforce accommodation and multiple dwelling (10 units and 15 cabins – over three stages)</b>		
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.	Any excavation, filling/backfilling/compaction, retaining structures, stormwater management measures and other works involving ground disturbance must not encroach or de-stabilise the state-controlled road or the land supporting this infrastructure, or cause similar adverse impacts.	At all times.
2.	<p>(a) Stormwater management of the development must ensure no <del>worsening or actionable nuisance</del> <b>material worsening</b> to the state-controlled road.</p> <p>(b) Any works on the land must not:</p> <ul style="list-style-type: none"> <li>(i). create any new discharge points for stormwater runoff onto the state-controlled road;</li> <li>(ii). interfere with and/or cause damage to the existing stormwater drainage on the state-controlled road;</li> <li>(iii). surcharge any existing culvert or drain on the state-controlled road;</li> <li>(iv). reduce the quality of stormwater discharge onto the state-controlled road.</li> </ul>	(a) and (b) At all times.
3.	<p>(a) The road access location is to be located generally in accordance with the Proposed Site Plan prepared by Elevation Architecture, dated <del>25/08/2021</del> <b>9 September 2021</b> reference A-DA-01.023 and revision 01, (as amended in red <b>by SARA on 28 February 2023</b>).</p> <p>(b) Road access works comprising a sealed driveway crossover (at the road access location) must be provided generally in accordance with the dimensions shown on the Proposed Site Plan prepared by Elevation Architecture, dated <del>25/08/2021</del> <b>9 September 2021</b> reference A-DA-01.023 and revision 01, (as amended in red <b>by SARA on 28 February 2023</b>).</p> <p>(c) <b>The road access works must be designed and constructed in accordance with Southern Downs Regional Councils' commercial driveway design standards and the Department of Transport and Main Roads' Road Planning and Design Manual.</b></p>	<p>(a) At all times.</p> <p><b>(b) and (c) Prior to the commencement of use.</b></p>

**Carried**



## **Unsuitable Meeting Conduct – Section 150H of Local Government Act 2009**

*In accordance with Section 4.2.2.7.a. of Council Meetings Policy, Mayor Pennisi, as Chair of the Council Meeting, issued an order reprimanding Cr McDonald for inappropriate meeting conduct for continual interruptions and interjections by Cr McDonald.*

*The Order was made following:*

- 1. A request made by the Chair to Cr McDonald to refrain from interrupting him (in accordance with Section 4.2.2.3.a. of Council Meetings Policy).*
- 2. Interruptions continued from Cr McDonald, and a warning was given by the Chair to Cr McDonald advising that if she did not refrain from interrupting he would issue an order of inappropriate meeting conduct (in accordance with Section 4.2.2.5. of Council Meetings Policy).*

*Following further interruption and interjection from Cr McDonald, the Chair then issued an Order requiring Cr McDonald to leave the meeting (in accordance with Section 4.2.2.7.b of Council Meetings Policy).*

*Cr McDonald left the meeting at 10:06am.*

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

Cr Tancred provided a verbal update on the Stanthorpe River Improvement Trust Project at Quart Pot Creek, west of the Stanthorpe heavy vehicle bypass, for flood mitigation work to protect community assets, and enhance the ecological value of water course and creating recreational opportunities.

## **15. NOTICES OF MOTION**

Nil

## **16. GENERAL BUSINESS**

Nil

## **17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**

Nil

## **MEETING CLOSURE**

There being no further business, the meeting closed at 10:14am.