



**MINUTES OF THE  
ORDINARY COUNCIL MEETING  
22 NOVEMBER 2023**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF  
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 22 NOVEMBER 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 the Uniting Church offered a prayer for the meeting and Council acknowledged condolences.

**2. ATTENDANCE**

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

Officers: Dave Burges (Chief Executive Officer), Leon Love (Director Customer and Organisational Services), Gary Murphy (Director Infrastructure Services), Scott Riley (Director Planning and Environmental Services), Manager Works (James Varughese), Acting Manager Water (Jill Yeaman), Manager Parks and Operations (Chris Collingwood), Manager Corporate Services (Belinda Armstrong), Manager Community Services (Michael Bell), Manager Sustainability and Strategy (Jon Charles), Manager Planning and Development (Angela O'Mara), Manager Environmental Services (Nicole Collett), Sean Beck (Planning Services Coordinator), Project Management Officer (Ron Van Haren), Plumbing Inspector (Wayne Nielsen) and Marion Seymour (Minute Secretary)

**3. APOLOGIES**

**3.1 Apology - Cr Giori**

**Resolution**

**Moved Cr S Windle**

**Seconded Cr J McNally**

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

**Carried**

**4. READING AND CONFIRMATION OF MINUTES**

**4.1 Ordinary Council Meeting - 25 October 2023**

**Resolution**

**Moved Cr S Windle**

**Seconded Cr A Gale**

THAT the minutes of the Ordinary Council Meeting held on Wednesday 25 October 2023 be adopted.

**Carried**

## 4.2 Special Council Meeting - 6 November 2023

### Resolution

Moved Cr A Gale

Seconded Cr S Tancred

THAT the minutes of the Special Council Meeting held on Monday 6 November 2023 be adopted.

**Carried**

## 5. ACTIONS FROM COUNCIL MEETINGS

### 5.1 Actions from Ordinary Council Meeting 25 October 2023 and Special Council Meeting 6 November 2023

### Resolution

Moved Cr R Bartley

Seconded Cr S Tancred

THAT Council receive the report and note the contents.

**Carried**

## 6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
8.2	Late 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 numerous complaints of a conflict of interest for being a cattle producer and selling her cattle at the Warwick Saleyards. Although Cr McDonald has a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias because of her conflict. 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.
8.2	Late Correspondence	Cr Bartley 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 a current complaint with the Office of the Independent Assessor in relation to selling cattle through the Warwick Saleyards. Although Cr Bartley has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr Bartley will choose to remain in the meeting. However, he will respect the decision

		of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Bartley participated in the discussion and voting on this matter.
8.2	Late Correspondence	Cr Gow 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 two current complaints against him in relation to the Saleyards at Warwick. Although Cr Gow has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr Gow will choose to remain in the meeting. However, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Gow participated in the discussion and voting on this matter.
10.2	Organisation Information Reports 22 November 2023	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 numerous complaints of a conflict of interest for being a cattle producer and selling her cattle at the Warwick Saleyards. Although Cr McDonald has a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias because of her conflict. 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.
10.2	Organisation Information Reports 22 November 2023	Cr Bartley 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 a current complaint with the Office of the Independent Assessor in relation to selling cattle through the Warwick Saleyards. Although Cr Bartley has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr Bartley will choose to remain in the meeting. However, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Bartley participated in the discussion and voting on this matter.
10.2	Organisation Information Reports 22 November 2023	Cr Gow 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 two current complaints against him in relation to the Saleyards at Warwick. Although Cr Gow has a declarable conflict of interest, he does not

		believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr Gow will choose to remain in the meeting. However, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Gow participated in the discussion and voting on this matter.
11.9	Roads Asset and Service Management Master Plan / TAMP	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 her company, Wingarra Pastoral Company, is pursuing legal action over Operational Works Permit SDRC OPW/000161 and the manner the road was constructed without approvals. As a result of Cr McDonald's conflict, she will leave the meeting room while the matter is considered and voted on.
13.2	Reconfiguring a Lot 132-140 Eukey Road, Stanthorpe	Mayor Pennisi declared a prescribed conflict of interest in this matter (as defined in Section 150E1(c)(i) of the <i>Local Government Act 2009</i> ) as he is the applicant in for this Agenda Item. As a result of Mayor Pennisi's conflict, he will leave the meeting room while the matter is considered and voted on.
13.2	Reconfiguring a Lot 132-140 Eukey Road, Stanthorpe	Cr Tancred 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 the Town Planner in this matter is a firm he has previously engaged to submit a planning development application on his behalf, which was approved by Council and was on the Delegated Authority Planning Approvals list circulated to Councillors on 11 November. Although Cr Tancred has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr Tancred will choose to remain in the meeting. However, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.

*Due to Mayor Pennisi's conflict of Interest in Agenda Item 13.2, the Deputy Mayor took the Chair to deal with the following Agenda Item.*

9:16am      *The Deputy Mayor took the Chair.*

## **6.1 Conflict of Interest - Cr Tancred - Agenda Item 13.2**

### **Resolution**

**Moved Cr A Gale**

**Seconded Cr C Gow**

THAT Council, following the declarable conflict of interest declaration by Cr Tancred for Agenda Item 13.2, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

*For: Crs R Bartley, J McNally, A Gale, C Gow, C McDonald and S Windle*

*Against: Nil*

*9:18am The Mayor resumed the Chair.*

## **6.2 Conflict of Interest – Cr Bartley - Agenda Item 8.2**

### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Tancred**

THAT Council, following the declarable conflict of interest declaration by Cr Bartley for Agenda Item 8.2, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

*The following votes were recorded:*

*For: Crs V Pennisi, S Tancred, J McNally, A Gale and S Windle*

*Against: Nil*

### **6.3 Conflict of Interest – Cr Bartley - Agenda Item 10.2**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr A Gale**

THAT Council, following the declarable conflict of interest declaration by Cr Bartley for Agenda Item 10.2, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

*The following votes were recorded:*

*For: Crs V Pennisi, S Tancred, J McNally, A Gale and S Windle*

*Against: Nil*

### **6.4 Conflict of Interest – Cr McDonald – Agenda Item 8.2**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr S Tancred**

THAT Council, following the declarable conflict of interest declaration by Cr McDonald for Agenda Item 8.2, 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 his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

*The following votes were recorded:*

*For: Crs V Pennisi, S Tancred, J McNally, A Gale and S Windle*

*Against: Nil*

### **6.5 Conflict of Interest – Cr McDonald – Agenda Item 10.2**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr J McNally**

THAT Council, following the declarable conflict of interest declaration by Cr McDonald for Agenda Item 10.2, 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 his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

*The following votes were recorded:*

*For: Crs V Pennisi, S Tancred, J McNally, A Gale and S Windle*

*Against: Nil*

## **6.6 Conflict of Interest - Cr Gow - Agenda Item 8.2**

### **Resolution**

**Moved Cr S Windle**

**Seconded Cr A Gale**

THAT Council, following the declarable conflict of interest declaration by Cr Gow for Agenda Item 8.2, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

*The following votes were recorded:*

*For: Crs V Pennisi, S Tancred, J McNally, A Gale and S Windle*

*Against: Nil*

## **6.7 Conflict of Interest - Cr Gow - Agenda Item 10.2**

### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr A Gale**

THAT Council, following the declarable conflict of interest declaration by Cr Gow for Agenda Item 10.2, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

**Carried**

*The following votes were recorded:*

*For: Crs V Pennisi, S Tancred, J McNally, A Gale and S Windle*

*Against: Nil*

## **7. MAYORAL MINUTE**

Nil

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

### **8.1 Correspondence**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr C McDonald**

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

**Carried**

*Correspondence from the Warwick Livestock Selling Agents Association Pty Ltd dated 17 November 2023 in relation to the Warwick Saleyards Redevelopment was received prior to the meeting, with a copy provided to Councillors.*

*Cr Bartley, Cr Gow and Cr McDonald declared conflicts of interest in Agenda Item 8.2 and following a decision from Council remained in the meeting for discussion and vote.*

## **8.2 Late Correspondence**

### **Resolution**

**Moved Cr C McDonald**

**Seconded Cr J McNally**

THAT the attached late correspondence from the Warwick Livestock Selling Agents Association Pty Ltd be received.

**Carried**

### **Attachments**

1. Correspondence from Warwick Livestock Selling Agents Association Pty Ltd - **Attached to the Minutes Under Separate Cover**

*Cr Bartley, Cr Gow and Cr McDonald voted for the motion.*

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

### **9.1 Pro Forma Letters - Allora Senior Citizens Hall - Objection for Use as a Library**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr C Gow**

THAT Council receive the Pro Forma Letters objecting to the use of the Allora Senior Citizens Hall as a Library and refer them to the Manager Community Services.

**Carried**

## **12. INFRASTRUCTURE SERVICES REPORTS**

### **12.1 Cox Bridge Replacement**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Windle**

THAT Council:-

1. Makes application for funding of \$5,119,200 for the replacement of Cox Bridge, Victoria Street, Warwick under the Australian Government's Department of Infrastructure, Transport, Regional Development, Communication and the Arts Bridge Renewal Program; and
2. Approves a contribution of \$1,023,840 from the Australian Government's Roads to Recovery next five-year Funding Program 2024-29 or other alternate funding source available to Council at the time.

**Carried**

### **12.2 Condamine River Road - Next Steps**

#### **Resolution**

**Moved Cr R Bartley**

**Seconded Cr A Gale**

THAT Council:-

1. Schedule a meeting with the Condamine River Road Working Group for early February 2024 to prioritise the upgrade of the remaining crossings.
2. Note the contents of this update.

**Carried**

### **12.3 Allora Sports Club Water Allocation**

#### **Resolution**

**Moved Cr J McNally**

**Seconded Cr C McDonald**

THAT Council :-

1. Approves the application for transferring a 30ML water allocation to the Allora Sports Club from the Allora bore licence, to be reviewed annually.
2. Not support the request for a permanent transfer of allocation.
3. Requires payment for this water at the standard rate for raw water as set out in the revenue statement.

**Carried**

## **12.4 Water and Wastewater Customer Service Standards Review 2023**

### **Resolution**

**Moved Cr R Bartley**

**Seconded Cr S Tancred**

THAT Council resolves to authorise the revised Water and Wastewater Customer Service Standard to go out for public consultation and to receive submissions.

**Carried**

## **12.5 Warwick Dog Off Leash Area**

### **Resolution**

**Moved Cr S Windle**

**Seconded Cr J McNally**

THAT Council:-

1. Note the outcome from further community engagement with respect to the proposed Dog Off Leash Area (DOLA) site at Victoria Park, Warwick.
2. Construct the Warwick DOLA in Victoria Park, Warwick adjacent to Pratten Street.

**Lost**

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

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

*Against: Crs R Bartley, A Gale, C Gow, V Pennisi and S Tancred (5)*

*Accordingly the Mayor declared the motion lost.*

*Presentation of Certificate of Service to Cr Jo McNally in recognition of her 13 years of service as a Councillor for the Southern Downs region*

*The meeting adjourned for morning tea at 10:32am and reconvened at 10:51am at which time there were present Crs Pennisi, Bartley, Gow, McNally, Windle, McDonald, Gale and Tancred*

### **12.5.1 Warwick Dog Off Leash Area - Queens Park**

#### **Resolution**

**Moved Mayor V Pennisi**

**Seconded Cr A Gale**

THAT Council consider construction of a Dog Off Leash Area at Queens Park adjacent to the intersection of Park Road and Alice Street, Warwick following consultation with the Condamine River Sports Group Committee and review of a location map for the preferred site at that location.

**Carried**

## **12.6 Community Consultation Outcome - Unnamed Crossing over Swan Creek on Jingarry - Mount Sturt Road, Swan Creek**

### **Resolution**

**Moved Cr S Windle**

**Seconded Cr J McNally**

THAT Council resolve to name the unnamed crossing over Swan Creek on Jingarry – Mount Sturt Road, Swan Creek as Michael Brewer Crossing.

**Carried**

## **12.7 Community Consultation Outcome - Newly Constructed Road connecting to Junabee Road, diagonally opposite the intersection with Bakon Street, Warwick**

### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Tancred**

THAT Council name the newly constructed road connecting to Junabee Road, diagonally opposite the intersection with Bakon Street, Warwick, Crebra Court.

**Carried**

## **10. EXECUTIVE SERVICES REPORTS**

### **10.1 Council Meeting Schedule for January to December 2024**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr C Gow**

THAT Council adopt the Schedule for Council Meetings for January to December 2024.

**Carried**

*Crs Bartley, Gow and McDonald declared a conflict of interest in Agenda Item 10.2 and following a decision from Council remained in the meeting for discussion and vote.*

### **10.2 Organisation Information Reports 22 November 2023**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Tancred**

THAT Council note the contents of the Information Reports.

**Carried**

*Cr Bartley, Cr Gow and Cr McDonald voted for the motion*

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

### **11.1 Financial Services - Financial Report as at 31 October 2023**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr C Gow**

THAT Council receive and note the Financial Report as at 31 October 2023.

**Carried**

### **11.2 SDRC 2022-23 Annual Report**

#### **Resolution**

**Moved Cr C McDonald**

**Seconded Cr C Gow**

THAT Council adopt the Southern Downs Regional Council 2022-23 Annual Report incorporating the audited Financial Statements for the year ended 30 June 2023.

**Carried**

### **11.3 Local Government Elections Policy PL-CS088 (Review)**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr R Bartley**

THAT Council adopt the Local Government Elections Policy PL-CS088 as presented.

**Carried**

### **11.4 Fraud and Corruption Control Policy PL-CS065 (Review)**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Windle**

THAT Council adopt the revised Fraud and Corruption Control Policy PL-CS065, as presented.

**Carried**

### **11.5 Audit and Risk Management Committee Meeting Minutes - 17 October 2023 and Audit Chair Final Report**

#### **Resolution**

**Moved Cr J McNally**

**Seconded Cr C McDonald**

THAT Council receive and note:

1. The minutes from the Special Audit and Risk Management Committee meeting held on 17 October 2023; and
2. The report from the Chair of the Audit and Risk Management Committee for the 2022-23 year.

**Carried**

### **11.6 Morgan Park Conservation Park (Kangaroo Paddock)**

#### **Resolution**

**Moved Cr C McDonald**

**Seconded Cr J McNally**

THAT Council:-

1. Council write to the Hon. Leanne Linard, Minister for the Environment and the Great Barrier Reef, Minister for Science and Minister for Multicultural Affairs, seeking her willingness to relinquish part of the Reserve, of a sufficient size, for outdoor activities; and
2. Seek trusteeship over part of the Morgan Park Conservation Park, on land described as Lot 152 on plan CP910005, should the Minister for the Environment and the Great Barrier Reef and Minister for Science support relinquishing part of the Morgan Park Conservation Park.

**Carried**

### **11.7 Application for Lease B - Australian Navy Cadets - TS Kookaburra Navy Cadet Unit - Fred Rogers Camp, Lot 250 on BNT1599 - 11 Storm King Drive, Storm King**

#### **Resolution**

**Moved Cr C McDonald**

**Seconded Cr C Gow**

THAT Council:

1. Approve a two-year lease to TS Kookaburra Navy Cadet Unit over part of Fred Rogers Camp described as Lot 250 on BNT 1599, in accordance with the *Local Government Regulation 2012* whilst adhering to the relevant provisions of *Council's Lease Policy*, the *Land Title Practice Manual* and the *Land Act 1994*.
2. Grant delegated authority to the Chief Executive Officer to sign any survey plans which may result from this application and negotiate any dealings relating to this matter with TS Kookaburra Navy Cadets.
3. Explore the ability for the Navy Cadets to access the on-site ablutions block.

**Carried**

### **11.8 Application for Permanent Road Closure - Fletcher Road, Fletcher - Adjacent to Lot 111 on BNT400**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr A Gale**

THAT Council:

1. Offer no objection to the application for the permanent closure of roads along the north eastern boundary of Lot 111 on BNT400; and
2. Delegate to the Chief Executive Officer the authorisation to sign any survey plans which may result from this application.

**Carried**

*Cr McDonald declared a conflict of interest in Agenda Item 11.9 and left the meeting for discussion and vote. Cr McDonald left the meeting at 11:53am.*

### **11.9 Roads Asset and Service Management Master Plan / TAMP**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr C Gow**

THAT Council:

1. Rescind the Unsealed Roads Asset and Service Management Plan adopted 22 September 2021; and
2. Adopt the Roads Asset and Service Management Master Plan / TAMP as presented.

**Carried**

*12 noon Cr McDonald rejoined the meeting.*

## **11.10 Southern Downs Camping Strategy**

### **Resolution**

**Moved Cr S Windle**

**Seconded Cr J McNally**

THAT Council approve the development of a strategy that would allow on identified Council land:

1. No-cost camping/RV Stops, subject to the following:
  - a. Where identified by Urban Design Framework and can be authorised under the Local Laws;
  - b. Only provided in locations where there are no other competing businesses operating;
  - c. Self-contained camping/RV; and
  - d. Three (3) days maximum.
2. Paid Camping, subject to the following:
  - a. Where identified by Urban Design Framework and can be authorised under Planning Scheme and Local Laws;
  - b. Only provided in locations where there are no other competing businesses operating;
  - c. Minimal infrastructure required, i.e. Dump points, toilets, bins;
  - d. Must have community support/operated by the community; and
  - e. Seven (7) days maximum.
3. Continued exploration of opportunities that would allow towns or villages that have been identified by Council to become an RV Friendly Town, under the Campervan and Motorhome Club of Australia Limited (CMCA) RV Friendly Town Program to become RV Friendly Towns.

**Carried**

## **11.11 Public Art Reference Group Assessment - Sculpture Symposium**

### **Resolution**

**Moved Cr A Gale**

**Seconded Cr R Bartley**

THAT Council does not approve the Sculpture Symposium due to the following:

1. The Public Art Reference Group ("PARG") did not reach a majority decision; and
2. The application had deficiencies relating to Inadequate Budget Allocation, Risk Management, Maintenance Schedules, Asset Management and Timeline Discrepancies.

**Carried**

### **11.12 RFT 24\_015 - WIRAC Air Handling Tender**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr A Gale**

THAT Council:

1. Note that officers are still currently evaluating the one (1) offer lodged for the RFT 24\_015-WIRAC Air Handling Tender, and as such, Officers are unable to disclose the contractor's details until this evaluation has been completed; and
2. Once the evaluation of the contractor's submission has been completed, and should the evaluation recommend that Council proceed to contract engagement; delegate authority to the Chief Executive Officer to:
  - a. Enter into negotiations with the one (1) contractor who submitted the offer to complete the WIRAC mechanical ventilation work to seek to identify suitable work package/s that can be completed within, or close to, the approved allocated Council budget; and
  - b. Subject to those negotiations identified in 2a. above, execute a contract and/or contracts with the contractor to complete those work packages where Council budget exists.

**Carried**

### **11.13 Killarney Recreational Hub - Request for Community Loan Restructure**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr S Tancred**

THAT Council:

1. Approve in principle the restructure of the current working capital loan provided to the Killarney Recreational Club Inc. with an outstanding balance of \$64,827 (which includes the original loan amount and interest), subject to Council staff receiving all required information;
2. Set the loan term to be 10 years or earlier as negotiated with the Club with no further interest being charged on the balance outstanding (\$64,827); and
3. Authorise the Chief Executive Officer or delegate to finalise negotiations with the Killarney Recreational Club Inc. and sign relevant Community Loan Agreement documentation.

**Carried**

## 11.14 Swimming Clubs Fees and Charges

### Resolution

**Moved Cr S Tancred**

**Seconded Mayor V Pennisi**

THAT Council:

1. Approve the inclusion of the following 2023/24 fees and charges:
  - a) Stanthorpe Pool (facility hire agreement in place and swimming club provides lifeguards)
    - i) Club Hire Night - \$132 inc. GST (two (2) hours or by negotiation)
    - ii) Club Carnivals - \$650 inc. GST (All day and exclusive use)
  - b) Warwick Indoor Recreation and Aquatic Centre (WIRAC) (facility hire agreement in place and lifeguards provided by WIRAC)
    - i) Club Hire Night - \$160 inc. GST (six (6) lanes, two (2) hours or by negotiation)
    - ii) Club Carnivals - \$930 inc. GST (All day and exclusive use).
2. Endorse the approach taken by YMCA Queensland to require all requests for exclusive pool hire at both the Stanthorpe and WIRAC facilities to have a Facility Hire Agreement in place with the YMCA.
3. Arrange a future meeting with stakeholders (Council, YMCA and Swimming Clubs) within two weeks to review the charges, hire agreement and use of life guards.

**Lost**

*The meeting adjourned for lunch at 12:56pm and reconvened at 1:28pm at which time there were present Crs Pennisi, Bartley, Gow, McNally, Windle, Gale and Tancred.*

### 11.14.1 Swimming Club Fees and Charges

#### Resolution

**Moved Cr R Bartley**

**Seconded Cr A Gale**

THAT Council:

1. Delegate to the Chief Executive Officer to offer some short term relief to Stanthorpe and Warwick Swimming Clubs as appropriate.
2. Arrange a future meeting with stakeholders (Council, YMCA and Swimming Clubs) within two weeks to review the charges, hire agreement and use of life guards.

**Carried**

*1:31pm Cr McDonald rejoined the meeting.*

### 13.1.1 Material Change of Use: Uniting Church in Australia Property Trust (Q) C/- NSPIRE Planning and Design - 12 Eucalyptus Street, Killarney - Amendment

#### Resolution

**Moved Cr S Tancred**

**Seconded Cr A Gale**

THAT condition 11 be amended to read:

11. One set of wheelie bins (one general waste and one recycling bin) must be provided for each unit. The wheelie bins are to be stored within the courtyard of each dwelling unit and screened from view from all roads and public places. A concrete pad is to be provided for the two bins in an appropriate location within each courtyard. ~~The wheelie bins are to be stored within the Central waste storage area. A concrete pad and driveway is to be provided for the central waste storage area.~~

~~A 1.8 metre high solid screen fence is to be provided around the central waste storage area, to screen the area from public places.~~

**Lost**

## 13. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

### 13.1 Material Change of Use: Uniting Church In Australia Property Trust (Q) C/- NSPIRE Planning & Design - 12 Eucalyptus Street, Killarney

#### Resolution

**Moved Cr J McNally**

**Seconded Cr C McDonald**

THAT the application for Material Change of Use for the purpose of Multiple dwelling (Four (4) units) located at 12 Eucalyptus Street, Killarney, described as Lot 15 RP25370, be approved subject to the following conditions:

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

##### Approved Plans

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

Plan Name	Plan No.	Date
Site Plan – prepared by NSPIRE Planning & Design	22KUC 102SP Issue DA03 Sheet 2 of 8	7 September 2023
Floor Plan – Units 1 and 2 – prepared by NSPIRE Planning & Design	22KUC 110FP Issue DA01 Sheet 3 of 8	3 April 2023
Elevations – Units 1 and 2 – prepared by NSPIRE Planning & Design	22KUC 201EL Issue DA01 Sheet 4 of 8	3 April 2023
Floor Plan Units 3 & 4 – prepared by NSPIRE Planning & Design	22KUC 111FP Issue DA01 Sheet 5 of 8	3 April 2023
Elevations – Units 3 and 4 – prepared by NSPIRE Planning & Design	22KUC 202EL Issue DA01 Sheet 6 of 8	3 April 2023
Floor Plan – Community Area – prepared by	22KUC 112FP	3 April 2023

NSPRE Planning & Design	Issue DA01 Sheet 7 of 8	
Elevations – Community Area – prepared by NSPIRE Planning & Design	22KUC 203EL Issue DA01 Sheet 8 of 8	3 April 2023
Auxiliary Site Plan – prepared by NSPIRE Planning & Design (As amended by Council 15 November 2023)	22KUC 103SP Issue DA01	7 September 2023 (As amended by Council 15 November 2023)

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 buildings for the following uses only:
- Multiple dwelling (Four (4) units)

### Building and Site Design

4. The design, colours and materials of the building 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 buildings are to be constructed in the approved design, colours and materials.
5. The carports for Units 1 & 2 are to be setback 1.0 metre from the front building line of each dwelling unit.
6. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
7. 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. (For dwelling units, See advisory note below.)
8. 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. (For Outdoor community area, See advisory note below.)

### Amenity and Environmental Controls

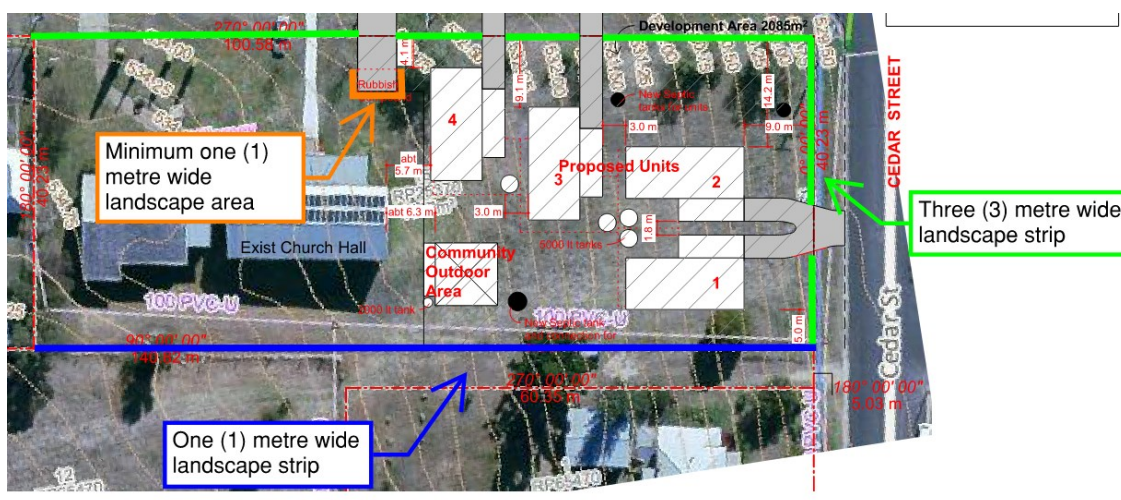
9. During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at an approved waste management facility.
10. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
11. One set of wheelie bins (one general waste and one recycling bin) must be provided for each unit. The wheelie bins are to be stored within the Central waste storage area. A concrete pad and driveway is to be provided for the central waste storage area.  
A 1.8 metre high solid screen fence is to be provided around the central waste storage area, to screen the area from public places.
12. 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.

### Fencing, Landscaping and Buffers

13. A screen fence 1.8 metres high shall be erected along the southern and western boundaries, and to define each courtyard, to provide visual screening. This screen fencing is to be

provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the forward of the building line.

14. Screen fencing 1.8 metres high shall be erected for the provision of private open space for each dwelling unit, and surrounding the central waste storage area, and is to be provided in accordance with *Auxiliary Site Plan - 22KUC 103SP Issue DA01*, dated 7 September 2023, prepared by *NSPIRE Planning & Design – As amended by Council*, 15 November 2023.
15. **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.
16. All earthworks, including batters must be fully contained within the site.
17. Landscaping areas are to include the following, as illustrated in the diagram below:
  - (a) A three (3) metre wide landscaped area is to be planted along both the northern and eastern property frontages, to provide a visual buffer.
  - (b) A one (1) metre wide landscaped area is to be planted along the southern boundary to provide a visual buffer.
  - (c) A minimum one (1) metre wide landscaped area is to be planted along the eastern, southern, and western sides of the central waste storage area to provide a visual buffer and screen the waste storage area from the street and adjoining properties.



#### **Landscaping Areas (prepared by Council)**

18. The mature vegetation along the western boundary of the site is to be retained and maintained for additional screening.
19. **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**

20. Vehicle access is to be constructed to the site in accordance with Council's standard. (Council's Development Engineer can provide details regarding Council's standard.)
21. A minimum of two (2) car parking spaces per dwelling unit is to be provided, being a total of at least eight (8) spaces. At least one (1) space per dwelling unit must be covered and the

other space is to be provided in tandem. All car parking, driveway and loading areas shall be sealed, line marked, drained, laid out and regularly maintained.

The driveways must be treated with stencil or aggregate or similar, and connect from the road.

22. Vehicles are not to utilise the Community Outdoor Area.

### **Roadworks**

23. 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**

24. 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**

25. The proposed dwelling units are to be connected to Council's reticulated water supply system and sewerage system in accordance with the *Queensland Plumbing and Wastewater Code*. A separate water connection (including water meter) is to be provided for each dwelling unit within the development. A separate sewerage connection is to be provided for each dwelling unit.

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

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

### **Infrastructure Charges Notice**

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

## **Advisory Notes**

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environmental Services, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Planning Act 2016* and would have to comply with the requirements of the Planning Scheme.
- (iii) It is your responsibility to notify Council when a development, or part of, is nearing completion and ready for commencement of the use. The commencement of use is when the Infrastructure Charges associated with your development are to be paid, unless paid earlier.
- (iv) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (v) The General Environmental Duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke, beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.
- (vi) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2018* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (vii) **Building Approval is to be obtained** for a Class 1A in accordance with the *Planning Act 2016* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing.**
- (viii) **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 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**
- (ix) 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.
- (x) 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.

## **Telecommunications in New Developments**

- (xii) 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**

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

**Carried**

*Cr Bartley and Cr Gale voted against the motion.*

*Mayor Pennisi declared a conflict of interest in Agenda Item 13.2 and left the meeting for discussion and vote. Mayor Pennisi left the meeting at 1:56pm.*

*1:56pm The Deputy Mayor took the Chair.*

*Cr Tancred declared a conflict of interest in Agenda Item 13.2 and following a decision from Council remained in the meeting for discussion and vote.*

## **13.2 Reconfiguring a Lot - 132-140 Eukey Road, Stanthorpe**

### **Resolution**

**Moved Cr J McNally**

**Seconded Cr S Windle**

THAT the change application for Reconfiguring a Lot (Subdivision of 1 into 12 lots), on land at 132-140 Eukey Road, Stanthorpe, described as Lot 11 SP302973, be approved in part such that the approved development is described as Reconfiguring a Lot (Subdivision of 1 into 4 lots) and the conditions of approval be amended as follows:

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

#### **1.0 Road works**

- (a) ~~The internal road shall be constructed in accordance with Queensland Street Design Guidelines for Subdivisional Streetworks and the Preliminary Road Layout Plan submitted with the application. The internal road shall have a 20-m wide road reserve with a pavement width of 6 m and 2.5 m shoulders. Grass swale table drains designed to control the runoff of stormwater while mitigating erosion are to be constructed within the road reserve. A concrete edge strip and associated stormwater drainage, is to be constructed along the Eukey Road frontage of the site. The concrete edge strip is to adjoin the existing sealed pavement.~~
- (b) ~~Deleted. A cul-de-sac is to be constructed at the end of the internal road.~~
- (c) ~~Deleted. The design of the new road/Eukey Road intersection is to be subject to traffic engineering analysis and is to be designed and constructed to adequately meet the requirements of the level of traffic generated by the development. The road design is to be submitted to Council for approval with the application for Operational Works for Stage 1.~~
- (d) ~~Deleted. Roadworks shall be designed and constructed in accordance with Council's Standards, Queensland Streets, Austroads Publications, the relevant and appropriate roadworks design standards and guidelines, and any other documentation deemed appropriate by Council. Such design and construction shall ensure that road carriageway widths are consistent with the road function and position in the road~~

~~hierarchy and are in accordance with the relevant design speed environment.~~

- (e) ~~Deleted. The internal accesses are to be sealed from the edge of the bitumen seal on the internal road to the front property boundary of the lot.~~
- (f) ~~Deleted. Access to proposed Lot 7 is to be constructed as follows:~~
  - ~~(i) — minimum 375mm diameter reinforced concrete pipe culvert of minimum width 4.8 metres complete with concrete headwalls and guide posts;~~
  - ~~(ii) — 125mm compacted depth of decomposed granite pavement minimum width of 4 metres with a 4 metre wide 2 coat bitumen seal to extend from the edge of Mt Tully Road to the property boundary;~~
  - ~~(iii) — Access points to be at locations approved by the Director of Engineering Services;~~
  - ~~(iv) — All works to be in accordance with Council's standards and to the satisfaction of the Director of Engineering Services.~~
- (g) ~~Deleted. Access to proposed Lot 13 is to be constructed as follows:~~
  - ~~(i) — Minimum 375mm diameter reinforced concrete pipe culvert of minimum width 4.8 metres complete with concrete headwalls and guide posts;~~
  - ~~(ii) — 125 mm compacted depth of decomposed granite pavement minimum width of 4 metres with a 4 metre wide 2 coat bitumen seal to extend from the edge of Eukey Road to the property boundary;~~
  - ~~(iii) — Access points to be at locations approved by the Director of Engineering Services;~~
  - ~~(iv) — All works to be in accordance with Council's standards and to the satisfaction of the Director of Engineering Services.~~
- (h) ~~Deleted. "No Through Road" signs shall be erected at the entry to the internal road.~~

## **2.0 Storm Water**

- (a) The Developer shall provide all necessary stormwater drainage (both internal and external to the development) and such drainage works (except for roof water systems) shall be designed and constructed in accordance with Queensland Urban Drainage Manual (QUDM).
- (b) Easements are to be provided to accommodate stormwater drainage from both within and upstream from the site.
- (c) Stormwater is to be discharged to a legal point of discharge.
- (d) Stormwater infrastructure is to be constructed and sized to accommodate the stormwater drainage from both within and upstream from the site.
- (e) All of the existing dams on the site are to be filled in and the land consolidated except where the dam is contained completely within the boundaries of a single lot.

## **2.1 Building and Site Design**

- (a) All household drainage (including on-site waste water disposal system, stormwater drainage) and services (including water connection, electricity and telephone) associated with the existing buildings on the land are to be relocated so that they are wholly contained within proposed Lot 1, or easements provided over this private drainage and services. A plan drawn by a suitably qualified person, showing all drainage and services associated with the existing dwelling is to be submitted to Council to demonstrate compliance with this requirement.

## **3.0 Water Supply**

- (a) ~~The Developer shall provide a~~ A reticulated water supply system, up to and including water meters, is to be provided to service all allotments. The system is to be connected to Council's water supply system. ~~together with valves and fire hydrants which connects into Council's existing reticulation system in accordance with the requirements of the Director of Engineering Services.~~

*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*

- (b) Deleted. ~~The existing 100mm diameter water main at Gla-Nor Drive is to be extended to service all lots in the development. Pump stations are to be provided where necessary. Easements are to be provided where necessary. Internal reticulation may be low pressure/low flow. The final alignment of the extended water main is subject to Council approval prior to the issue of a development permit for operational works.~~
- (c) Deleted. ~~The Developer shall provide water service conduits from the main to the boundary of each lot complete with stopcock.~~
- (d) All works on live water mains are to be carried out by Council in accordance with Council's policy, and at the Developer's expense.

#### 4.0 Waste Water Disposal

- (a) Prior to the endorsement of a Survey Plan for any stage of the development the developer is to have all lots assessed individually in accordance with AS1547.2 On-Site Sewerage Code to ensure that suitable soil conditions exist on each proposed site for on-site disposal of effluent.
- (b) Only advanced secondary treatment facilities approved in accordance with the Sewerage Law will be permitted to be installed on each lot.

#### 5.0 Public Utilities

- (a) Deleted. ~~Adequate provision shall be made in the proposed road reserve, to cater for the public utility services that would normally serve the development.~~
- (b) The Developer shall provide appropriate road crossing conduits in accordance with the requirements of the Director Engineering Services.
- (c) Deleted. ~~Street lighting is to be installed by the Developer on the intersection of the new road with Eukey Road in accordance with AS 1158.~~
- (d) The Developer shall provide underground electricity reticulation constructed within the approved allocation for electricity, except where adequate, approved existing overhead services are provided the existing overhead services may be used to service adjacent lots. Electricity reticulation drawings shall be coordinated with the civil engineering design documents, to ensure that service clashes are avoided.
- (e) The Developer shall provide an Ergon approved electrical reticulation layout plan. The electricity layout shall also be shown on the water reticulation layout plans.
- (f) The Developer shall make suitable arrangements for the provision of telephone and (where applicable) cable services to all proposed lots within the Development. Documentary evidence that discussions have commenced with any authorised telephone/cable service provider, on the provision of telephone/cable services, shall be produced before the signing of the plan of survey by Council.

#### 6.0 Infrastructure Charges Notice

Payment ~~of \$71,500.00~~ 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 of Queensland.

## 7.0 Covenants and Easements

- (a) All dwellings and other buildings are to be setback at least 40 m from any boundary that adjoins Lots 1 & 2 RP844608. All planted vegetation in the setback area is to be maintained and in the event of trees and shrubs being cleared or dying off it is to be replanted with drought tolerant ground covers, shrubs and trees in accordance with a properly prepared landscaping plan to be approved by Council.
- (b) Infrastructure and stormwater drainage easements are to be provided as required.

## 8.0 Amenity and Environment

- ~~(a) Deleted. Declared pest plants on the land must be destroyed to the satisfaction of the Local Law Officer prior to endorsement of the Survey Plan.~~
- (b) All disturbed verge areas and allotments shall be graded, grassed and left in a mowable condition. The grass cover shall be obtained as early as possible during the development and an acceptable grass cover shall be achieved before the development can be accepted "Off Maintenance".
- (c) Any cleared vegetation is not to be burnt on site. All green waste is to be mulched and re-used on site or otherwise disposed of at a Council's landfill site.
- (d) Prior to the endorsement of the Survey Plan all lots are to be in a clean and tidy state, free of materials and waste from the construction process, stockpiles of rocks and fallen trees.
- (e) Prior to endorsement of the Survey Plan an area 40 m wide adjoining Lots 1 & 2 RP844608 is to be planted with drought tolerant ground covers shrubs and trees in accordance with a properly prepared landscaping plan to be approved by Council.

## 9.0 Erosion Control

- (a) Prior to the commencement of the subdivision works on the site the developer shall submit to Council for approval properly prepared comprehensive Erosion and Sediment Control Plans as detailed in the document, Soil Erosion and Sediment Control: Engineering Guidelines for Queensland Construction Sites, Institute of Engineers, Australia 1996. The Erosion and Sediment Control Plans shall guide the construction of roads and engineering works and all works carried out on the site shall be in accordance with the approved Erosion and Sediment Control Plans.  
  
The Developer shall be responsible for the installation and maintenance of silt management facilities from the time of commencement of construction until the subdivision has been completed.
- (b) Diversion drains and ponds, as necessary, shall be installed on the site before any other work is undertaken on site to ensure that "dirty water" is contained and/or isolated.
- (c) A procedure shall be submitted with the engineering drawings for approval for maintaining the facilities, setting out the frequency of attention, with inspections to be made after each significant rainfall event.
- (d) If the Director of Engineering Services determines that silt damage has occurred on the site, or the downstream drainage system has become silted, the Developer shall be responsible for restoration. Such restoration shall be completed in the time determined by the Director of Engineering Services. Should the Developer fail to complete the works determined by the Director of Engineering Services within the specified time, Council shall complete the work and recover all costs from the Developer associated with that work.

## 10.0 Design Plans

- (a) An application for an Operational Works permit is to be made, complete with engineering plans and specifications, to Council for approval prior to commencement of the works of any stage of the development. Any engineering design should give adequate consideration to the possible future development of the overall site. The plans shall show full construction details, layout dimensions, and finished surface levels.
- (a)(i) A Life Cycle Management Plan for all contributed assets, produced by a Registered Professional Engineer in Queensland (RPEQ) is to be submitted with the Application for Operational Works. The lifecycle costing of the proposed assets needs to be evaluated to determine:
- Efficient maintenance and ongoing maintenance of the asset;
  - Whether the costs associated can be adequately funded;
  - The management, maintenance and replacement costs are to be evaluated over a minimum 20 year lifecycle;
  - A details assessment of the relevant infrastructure network and how it operates;
  - A details management system; and
  - Forecast ongoing maintenance costs associated with the asset of the operating life.
- (a)(ii) For Operational Works of a capital value in excess of \$20,000, a security bond is to be provided to Council for the purpose of ensuring the standard of the works. The amount of security bond payable will be \$5000 plus 2.5% of the estimated value of the works in excess of \$50,000. The bond must be in the form of cash, bank cheque or irrevocable bank guarantee. This bond is to be provided to Council prior to the commencement of the works. The security bond shall be returned at the expiration of the Defect Liability Period subject to the satisfactory standard of the works.
- (b) Engineering drawings shall be marked as confirmation that they have been checked and approved by a Registered Professional Engineer of Queensland (RPEQ).
- (c) The drawings shall be submitted as one A3 size set and one full size set.
- (d) A "Certificate of Design" shall be submitted by a RPEQ, certifying that the design is in accordance with all relevant engineering standards, Council's requirements and standards, relevant development conditions of approval, and sound engineering practice.
- (e) All works shall be supervised by a RPEQ competent in civil works and shall be undertaken by a nominated Principal Contractor experienced in the construction of Municipal Works. Council reserves the right to request evidence of the Principal Contractor's competency. Should it be deemed by the Director of Engineering Services that the contractor does not have the necessary competency or has constructed substandard works for Council in the past, Council reserves the right to reject the nominated contractor.
- (f) Municipal works shall be accepted "On Maintenance" prior to commencement of use. A maintenance bond equal to 10% of the construction cost (minimum of \$1,000.00) shall be retained by Council for a minimum period of twelve months, or until such time as the works are accepted "Off Maintenance" by Council.
- (g) "As Constructed" plans for municipal works shall be submitted to Council and approved prior to the formal acceptance of the works "On Maintenance".
- (h) On completion of the works a certificate shall be submitted to Council by a RPEQ certifying that the works have been constructed in accordance with Council's

construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification.

- (i) Deleted.

## 11.0 QLeave

The applicant must provide a copy of their receipt as proof of payment for QLeave prior to Operational Works commencing.

## 12.0 ~~Water Supply Infrastructure Agreement Deleted.~~

~~The Developer and Southern Downs Regional Council will enter into an Infrastructure Agreement pursuant to Section 348 and Chapter 8 Part 2 of the Sustainable Planning Act concerning the provision and funding of water supply infrastructure provided between Gla-Nor Drive and the subject property (Lot 11 RP886797 – 132 Eukey Road Stanthorpe). The purpose of such agreement will be to enable Southern Downs Regional Council to refund to the Developer contributions made by other developers who subsequently benefit directly from the water infrastructure constructed and funded by the Developer. The content and application of the Infrastructure Agreement is subject to agreement and endorsement of Southern Downs Regional Council and the Developer, however the Infrastructure Agreement must at a minimum address the following matters:~~

- ~~(a) The duration and expiration of the agreement;~~
- ~~(b) Arrangements and responsibility for the application and administration of the agreement, including:
  - ~~(i) The adoption of the agreement;~~
  - ~~(ii) The circumstances where the Developer is entitled to a full or partial refund of infrastructure contributions received by Southern Downs Regional Council from a developer who benefits from the water supply infrastructure provided by the Developer (GB Joint Venture);~~
  - ~~(iii) The manner in which infrastructure contribution refunds payable to the Developer will be calculated and refunded to the Developer; and~~
  - ~~(iv) Arrangements for Southern Downs Regional Council to recover the reasonable costs associated with the administration of the Infrastructure Agreement.~~~~
- ~~(c) The delineation of the specific area to which the Infrastructure Agreement will apply;~~
- ~~(d) The manner in which network enhancements, interconnections and extensions will be addressed under the Infrastructure Agreement;~~
- ~~(e) All costs, including Council's costs, associated with the preparation, checking and administration of the Infrastructure Agreement are to be met by the Developer.~~

## 13.0 Relevant Period

This approval will lapse on ~~23 August 2024~~ **15 November 2025** unless a plan for the Plan of Subdivision is submitted to Council by this date, or a further extension of the currency period is approved by Council in accordance with the *Planning Act 2016*.

### Lost

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

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

*Against: Crs R Bartley, A Gale, C Gow and S Tancred (4)*

*Accordingly the Deputy Mayor declared the motion lost.*

*The meeting adjourned for a short recess at 2:14pm and reconvened at 2:38pm at which time there were present Crs Bartley, Gow, McNally, Windle, McDonald, Gale and Tancred.*

### **13.2.1 Reconfiguring a Lot - 132-140 Eukey Road, Stanthorpe - Amendment**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr A Gale**

THAT the change application for Reconfiguring a Lot (Subdivision of 1 into 12 lots), on land at 132-140 Eukey Road, Stanthorpe, described as Lot 11 SP302973, be approved in full such that the approved development is described as Reconfiguring a Lot (Subdivision of 1 into 4 lots) for the following planning reasons:

- A. With respect to Section 145 of the 2016 Planning Act, Performance Outcome PO16 of the Reconfiguring a Lot Code, conditions 3.0(a) and 3.0(d) are onerous and not reasonable because:
- i. The small number of lots are of sufficient size and can create an alternative water supply that meets the Australian drinking water standards.
  - ii. Accepting the condition will create an impost on future Councils to maintain a 3.3 km of water supply line to a small number of lots, and that infill may take decades to occur, if ever.
  - iii. The condition is not in keeping with existing amenity and service provision in the area and is satellite development.
- B. The conditions of approval are amended as follows:

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

##### **1.0 Road works**

- (a) ~~The internal road shall be constructed in accordance with Queensland Street Design Guidelines for Subdivisional Streetworks and the Preliminary Road Layout Plan submitted with the application. The internal road shall have a 20 m wide road reserve with a pavement width of 6 m and 2.5 m shoulders. Grass swale table drains designed to control the runoff of stormwater while mitigating erosion are to be constructed within the road reserve. A concrete edge strip and associated stormwater drainage, is to be constructed along the Eukey Road frontage of the site. The concrete edge strip is to adjoin the existing sealed pavement.~~
- (b) ~~Deleted. A cul-de-sac is to be constructed at the end of the internal road.~~
- (c) ~~Deleted. The design of the new road/Eukey Road intersection is to be subject to traffic engineering analysis and is to be designed and constructed to adequately meet the requirements of the level of traffic generated by the development. The road design is to be submitted to Council for approval with the application for Operational Works for Stage 1.~~
- (d) ~~Deleted. Roadworks shall be designed and constructed in accordance with Council's Standards, Queensland Streets, Austroads Publications, the relevant and appropriate roadworks design standards and guidelines, and any other documentation deemed appropriate by Council. Such design and construction shall ensure that road carriageway widths are consistent with the road function and position in the road~~

~~hierarchy and are in accordance with the relevant design speed environment.~~

- (e) ~~Deleted. The internal accesses are to be sealed from the edge of the bitumen seal on the internal road to the front property boundary of the lot.~~
- (f) ~~Deleted. Access to proposed Lot 7 is to be constructed as follows:~~
  - ~~(i) — minimum 375mm diameter reinforced concrete pipe culvert of minimum width 4.8 metres complete with concrete headwalls and guide posts;~~
  - ~~(ii) — 125mm compacted depth of decomposed granite pavement minimum width of 4 metres with a 4 metre wide 2 coat bitumen seal to extend from the edge of Mt Tully Road to the property boundary;~~
  - ~~(iii) — Access points to be at locations approved by the Director of Engineering Services;~~
  - ~~(iv) — All works to be in accordance with Council's standards and to the satisfaction of the Director of Engineering Services.~~
- (g) ~~Deleted. Access to proposed Lot 13 is to be constructed as follows:~~
  - ~~(i) — Minimum 375mm diameter reinforced concrete pipe culvert of minimum width 4.8 metres complete with concrete headwalls and guide posts;~~
  - ~~(ii) — 125 mm compacted depth of decomposed granite pavement minimum width of 4 metres with a 4 metre wide 2 coat bitumen seal to extend from the edge of Eukey Road to the property boundary;~~
  - ~~(iii) — Access points to be at locations approved by the Director of Engineering Services;~~
  - ~~(iv) — All works to be in accordance with Council's standards and to the satisfaction of the Director of Engineering Services.~~
- (h) ~~Deleted. "No Through Road" signs shall be erected at the entry to the internal road.~~

## **2.0 Storm Water**

- (a) The Developer shall provide all necessary stormwater drainage (both internal and external to the development) and such drainage works (except for roof water systems) shall be designed and constructed in accordance with Queensland Urban Drainage Manual (QUDM).
- (b) Easements are to be provided to accommodate stormwater drainage from both within and upstream from the site.
- (c) Stormwater is to be discharged to a legal point of discharge.
- (d) Stormwater infrastructure is to be constructed and sized to accommodate the stormwater drainage from both within and upstream from the site.
- (e) All of the existing dams on the site are to be filled in and the land consolidated except where the dam is contained completely within the boundaries of a single lot.

## **2.1 Building and Site Design**

- (a) All household drainage (including on-site waste water disposal system, stormwater drainage) and services (including water connection, electricity and telephone) associated with the existing buildings on the land are to be relocated so that they are wholly contained within proposed Lot 1, or easements provided over this private drainage and services. A plan drawn by a suitably qualified person, showing all drainage and services associated with the existing dwelling is to be submitted to Council to demonstrate compliance with this requirement.

## **3.0 Water Supply**

- (a) ~~Deleted. The Developer shall provide a A reticulated water supply system, up to and including water meters, is to be provided to service all allotments. The system is to be connected to Council's water supply system, together with valves and fire hydrants which connects into Council's existing reticulation system in accordance with the requirements of the Director of Engineering Services.~~

~~*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*~~

- (b) ~~Deleted. The existing 100mm diameter water main at Gla-Nor Drive is to be extended to service all lots in the development. Pump stations are to be provided where necessary. Easements are to be provided where necessary. Internal reticulation may be low pressure/low flow. The final alignment of the extended water main is subject to Council approval prior to the issue of a development permit for operational works.~~
- (c) ~~Deleted. The Developer shall provide water service conduits from the main to the boundary of each lot complete with stopcock.~~
- (d) ~~Deleted. All works on live water mains are to be carried out by Council in accordance with Council's policy, and at the Developer's expense.~~

#### **4.0 Waste Water Disposal**

- (a) Prior to the endorsement of a Survey Plan for any stage of the development the developer is to have all lots assessed individually in accordance with AS1547.2 On-Site Sewerage Code to ensure that suitable soil conditions exist on each proposed site for on-site disposal of effluent.
- (b) Only advanced secondary treatment facilities approved in accordance with the Sewerage Law will be permitted to be installed on each lot.

#### **5.0 Public Utilities**

- (a) ~~Deleted. Adequate provision shall be made in the proposed road reserve, to cater for the public utility services that would normally serve the development.~~
- (b) The Developer shall provide appropriate road crossing conduits in accordance with the requirements of the Director Engineering Services.
- (c) ~~Deleted. Street lighting is to be installed by the Developer on the intersection of the new road with Eukey Road in accordance with AS 1158.~~
- (d) The Developer shall provide underground electricity reticulation constructed within the approved allocation for electricity, except where adequate, approved existing overhead services are provided the existing overhead services may be used to service adjacent lots. Electricity reticulation drawings shall be coordinated with the civil engineering design documents, to ensure that service clashes are avoided.
- (e) The Developer shall provide an Ergon approved electrical reticulation layout plan. The electricity layout shall also be shown on the water reticulation layout plans.
- (f) The Developer shall make suitable arrangements for the provision of telephone and (where applicable) cable services to all proposed lots within the Development. Documentary evidence that discussions have commenced with any authorised telephone/cable service provider, on the provision of telephone/cable services, shall be produced before the signing of the plan of survey by Council.

#### **6.0 Infrastructure Charges Notice**

Payment ~~of \$71,500.00~~ 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 of Queensland.

## 7.0 Covenants and Easements

- (a) All dwellings and other buildings are to be setback at least 40 m from any boundary that adjoins Lots 1 & 2 RP844608. All planted vegetation in the setback area is to be maintained and in the event of trees and shrubs being cleared or dying off it is to be replanted with drought tolerant ground covers, shrubs and trees in accordance with a properly prepared landscaping plan to be approved by Council.
- (b) Infrastructure and stormwater drainage easements are to be provided as required.

## 8.0 Amenity and Environment

- ~~(a) Deleted. Declared pest plants on the land must be destroyed to the satisfaction of the Local Law Officer prior to endorsement of the Survey Plan.~~
- (b) All disturbed verge areas and allotments shall be graded, grassed and left in a mowable condition. The grass cover shall be obtained as early as possible during the development and an acceptable grass cover shall be achieved before the development can be accepted "Off Maintenance".
- (c) Any cleared vegetation is not to be burnt on site. All green waste is to be mulched and re-used on site or otherwise disposed of at a Council's landfill site.
- (d) Prior to the endorsement of the Survey Plan all lots are to be in a clean and tidy state, free of materials and waste from the construction process, stockpiles of rocks and fallen trees.
- (e) Prior to endorsement of the Survey Plan an area 40 m wide adjoining Lots 1 & 2 RP844608 is to be planted with drought tolerant ground covers shrubs and trees in accordance with a properly prepared landscaping plan to be approved by Council.

## 9.0 Erosion Control

- (a) Prior to the commencement of the subdivision works on the site the developer shall submit to Council for approval properly prepared comprehensive Erosion and Sediment Control Plans as detailed in the document, Soil Erosion and Sediment Control: Engineering Guidelines for Queensland Construction Sites, Institute of Engineers, Australia 1996. The Erosion and Sediment Control Plans shall guide the construction of roads and engineering works and all works carried out on the site shall be in accordance with the approved Erosion and Sediment Control Plans.  
  
The Developer shall be responsible for the installation and maintenance of silt management facilities from the time of commencement of construction until the subdivision has been completed.
- (b) Diversion drains and ponds, as necessary, shall be installed on the site before any other work is undertaken on site to ensure that "dirty water" is contained and/or isolated.
- (c) A procedure shall be submitted with the engineering drawings for approval for maintaining the facilities, setting out the frequency of attention, with inspections to be made after each significant rainfall event.
- (d) If the Director of Engineering Services determines that silt damage has occurred on the site, or the downstream drainage system has become silted, the Developer shall be responsible for restoration. Such restoration shall be completed in the time determined by the Director of Engineering Services. Should the Developer fail to complete the works determined by the Director of Engineering Services within the specified time, Council shall complete the work and recover all costs from the Developer associated

with that work.

## 10.0 Design Plans

- (a) An application for an Operational Works permit is to be made, complete with engineering plans and specifications, to Council for approval prior to commencement of the works of any stage of the development. Any engineering design should give adequate consideration to the possible future development of the overall site. The plans shall show full construction details, layout dimensions, and finished surface levels.
- (a)(i) A Life Cycle Management Plan for all contributed assets, produced by a Registered Professional Engineer in Queensland (RPEQ) is to be submitted with the Application for Operational Works. The lifecycle costing of the proposed assets needs to be evaluated to determine:
- Efficient maintenance and ongoing maintenance of the asset;
  - Whether the costs associated can be adequately funded;
  - The management, maintenance and replacement costs are to be evaluated over a minimum 20 year lifecycle;
  - A details assessment of the relevant infrastructure network and how it operates;
  - A details management system; and
  - Forecast ongoing maintenance costs associated with the asset of the operating life.
- (a)(ii) For Operational Works of a capital value in excess of \$20,000, a security bond is to be provided to Council for the purpose of ensuring the standard of the works. The amount of security bond payable will be \$5000 plus 2.5% of the estimated value of the works in excess of \$50,000. The bond must be in the form of cash, bank cheque or irrevocable bank guarantee. This bond is to be provided to Council prior to the commencement of the works. The security bond shall be returned at the expiration of the Defect Liability Period subject to the satisfactory standard of the works.
- (b) Engineering drawings shall be marked as confirmation that they have been checked and approved by a Registered Professional Engineer of Queensland (RPEQ).
- (c) The drawings shall be submitted as one A3 size set and one full size set.
- (d) A "Certificate of Design" shall be submitted by a RPEQ, certifying that the design is in accordance with all relevant engineering standards, Council's requirements and standards, relevant development conditions of approval, and sound engineering practice.
- (e) All works shall be supervised by a RPEQ competent in civil works and shall be undertaken by a nominated Principal Contractor experienced in the construction of Municipal Works. Council reserves the right to request evidence of the Principal Contractor's competency. Should it be deemed by the Director of Engineering Services that the contractor does not have the necessary competency or has constructed substandard works for Council in the past, Council reserves the right to reject the nominated contractor.
- (f) Municipal works shall be accepted "On Maintenance" prior to commencement of use. A maintenance bond equal to 10% of the construction cost (minimum of \$1,000.00) shall be retained by Council for a minimum period of twelve months, or until such time as the works are accepted "Off Maintenance" by Council.
- (g) "As Constructed" plans for municipal works shall be submitted to Council and approved prior to the formal acceptance of the works "On Maintenance".
- (h) On completion of the works a certificate shall be submitted to Council by a RPEQ

certifying that the works have been constructed in accordance with Council's construction standards and in compliance with the approved plans and specification. It is expected that the RPEQ will undertake the necessary inspections to make this certification.

- (i) Deleted.

## 11.0 QLeave

The applicant must provide a copy of their receipt as proof of payment for QLeave prior to Operational Works commencing.

## 12.0 ~~Water Supply Infrastructure Agreement Deleted.~~

~~The Developer and Southern Downs Regional Council will enter into an Infrastructure Agreement pursuant to Section 348 and Chapter 8 Part 2 of the Sustainable Planning Act concerning the provision and funding of water supply infrastructure provided between Gla-Nor Drive and the subject property (Lot 11 RP886797 – 132 Eukey Road Stanthorpe). The purpose of such agreement will be to enable Southern Downs Regional Council to refund to the Developer contributions made by other developers who subsequently benefit directly from the water infrastructure constructed and funded by the Developer. The content and application of the Infrastructure Agreement is subject to agreement and endorsement of Southern Downs Regional Council and the Developer, however the Infrastructure Agreement must at a minimum address the following matters:~~

- ~~(a) The duration and expiration of the agreement;~~
- ~~(b) Arrangements and responsibility for the application and administration of the agreement, including:
  - ~~(i) The adoption of the agreement;~~
  - ~~(ii) The circumstances where the Developer is entitled to a full or partial refund of infrastructure contributions received by Southern Downs Regional Council from a developer who benefits from the water supply infrastructure provided by the Developer (GB Joint Venture);~~
  - ~~(iii) The manner in which infrastructure contribution refunds payable to the Developer will be calculated and refunded to the Developer; and~~
  - ~~(iv) Arrangements for Southern Downs Regional Council to recover the reasonable costs associated with the administration of the Infrastructure Agreement.~~~~
- ~~(c) The delineation of the specific area to which the Infrastructure Agreement will apply;~~
- ~~(d) The manner in which network enhancements, interconnections and extensions will be addressed under the Infrastructure Agreement;~~
- ~~(e) All costs, including Council's costs, associated with the preparation, checking and administration of the Infrastructure Agreement are to be met by the Developer.~~

## 13.0 Relevant Period

This approval will lapse on ~~23 August 2024~~ **15 November 2025** unless a plan for the Plan of Subdivision is submitted to Council by this date, or a further extension of the currency period is approved by Council in accordance with the *Planning Act 2016*.

### Carried

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

*For: Crs R Bartley, A Gale, C Gow, C McDonald and S Tancred (5)*

*Against: Crs J McNally and S Windle (2)*

*Accordingly the Deputy Mayor declared the motion carried.*

*2:48pm The Mayor rejoined the meeting and resumed the Chair.*

### **13.3 Consideration of Change Representations – St Jude's Estate Pty Ltd C/- Plan A Town Planning Pty Ltd: 64 St Judes Lane, Ballandean**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr A Gale**

THAT:-

1. Council refuse the change representations made in relation to the application for a Material Change of Use for the purpose of a Winery (Cellar door) on land at 64 St Judes Lane, Ballandean, described as Lot 2 RP65471, and the conditions of approval remain unchanged.
2. If a Minor Change Request is made in relation to hours of operation within the next 18 months, those application fees be waived.

**Carried**

### **13.4 Consideration of Change Representations - 65 Old Stanthorpe Road, Morgan Park**

#### **Resolution**

**Moved Cr R Bartley**

**Seconded Cr C McDonald**

THAT Council defer consideration of this matter in accordance with the applicant's request.

**Carried**

### **13.5 Local Government Infrastructure Plan (LGIP) Review and Proposal to make a new LGIP**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr S Tancred**

THAT Council:-

1. Endorse the Local Government Infrastructure Plan review;
2. Make a new Local Government Infrastructure Plan;
3. Appoint an approved Appointed Reviewer to enable actions to be undertaken in accordance with Chapters 4 and 5 of the Minister's Guidelines and Rules; and
4. Delegate to the Chief Executive Officer any actions required to continue the five (5) year review and the development of a new Local Government Infrastructure Plan.

**Carried**

### **13.6 Backflow Prevention Devices**

#### **Resolution**

**Moved Cr R Bartley**

**Seconded Cr S Windle**

THAT Council include the following new fees in the 2024/2025 Schedule of General Fees and Charges:

- Annual Backflow Prevention Device - Annual Registration Fee - For Tagged Device - \$49.90 per device (once tagged).
- Annual Backflow Prevention Device - For Untagged Device - \$65 per device (untagged).

**Carried**

### **13.7 Darling Downs Regional Waste and Resource Recovery Management Plan**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr C Gow**

THAT Council:-

1. Receive and support the Darling Downs Regional Waste and Resource Recovery Management Plan as detailed in Attachment 1.
2. Receive and support the Technical Report for the Darling Downs and South West Regional Waste and Resource Recovery Plans as detailed in Attachment 2.
3. Notes future reports will be presented to Council outlining ongoing governance arrangements.

**Carried**

### **13.8 Adoption of the Management Plan for Council Reserves**

#### **Resolution**

**Moved Cr C Gow**

**Seconded Cr R Bartley**

THAT Council adopt the Management Plan for Council Reserves as attached to this report.

**Carried**

### **13.9 Update on the Southern Downs Environmental Sustainability Strategy 2021-2031**

#### **Resolution**

**Moved Cr S Tancred**

**Seconded Cr C Gow**

THAT Council:

1. Receive and note the review of the Southern Downs Environmental Sustainability Action Plan from 2021-2023; and
2. Receive and note the Southern Downs Environmental Sustainability Action Plan proposed for the 2023-24 financial year.

**Carried**

### **13.10 Material Change of Use – Consideration of Change Representations – Belinda J Hohenhaus and Jamie S Charles C/-Precinct Urban Planning, 29 Homestead Road, Rosenthal Heights**

#### **Resolution**

**Moved Cr S Windle**

**Seconded Cr A Gale**

THAT Council defer consideration of this matter in accordance with the applicant's request.

**Carried**

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

#### **14.1 LGAQ 2023 Annual Conference**

#### **Resolution**

**Moved Cr A Gale**

**Seconded Cr R Bartley**

THAT the information in the report be received.

**Carried**

### **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 3:19pm.