



## **SOUTHERN DOWNS REGIONAL COUNCIL ORDINARY COUNCIL MEETING**

Dear Councillors

Your attendance is requested at the Ordinary Council Meeting to be held in the Council Chambers, Southern Downs Regional Council, 64 Fitzroy Street, Warwick on **Wednesday, 21 May 2025** at **9:00AM**.

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

A handwritten signature in black ink, appearing to read 'R Brophy', is written over a large, faint circular stamp. The signature is fluid and cursive.

**Rachel Brophy**

**CHIEF EXECUTIVE OFFICER**

16 May 2025

**Attendance:**

9:15am Deputation – Chris Haynes, Howard Trade Centre regarding Agenda Item 15.3 & 15.4

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**WEDNESDAY, 21 MAY 2025 Ordinary Council Meeting**

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1. **ACKNOWLEDGEMENT OF COUNTRY**
2. **PRAYER & CONDOLENCES**
3. **ATTENDANCE AND APOLOGIES**
4. **READING AND CONFIRMATION OF MINUTES**
- 4.1 **Ordinary Council Meeting - 16 April 2025**

**Recommendation**


THAT the minutes of the Ordinary Council Meeting held on Wednesday 16 April 2025 be adopted.



## 5. ACTIONS FROM COUNCIL MEETINGS

### 5.1 Actions from Ordinary Council Meeting 16 April 2025

#### Document Information

	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Chief Executive Officer	<b>ECM Function No/s:</b>

#### Recommendation

THAT Council receive the report and note the contents.

#### REPORT

The purpose of this report is to provide a summary of Actions resulting from resolutions from the Ordinary Council Meeting held 16 April 2025.

A copy of the Actions Report is attached.

#### ATTACHMENTS

1. Actions - Ordinary Council Meeting 16 April 2025[📄](#)



## ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING 16 APRIL 2025

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
16/04/2025	5.1	Actions from Ordinary Council Meeting 19 March 2025	Brophy, Rachel	<b>02 May 2025 11:33am Seymour, Marion - Completion</b> Completed by Seymour, Marion on behalf of Brophy, Rachel (action officer) on 02 May 2025 at 11:33:16 AM - Noted.	2/05/2025
16/04/2025	12.1	Review of Councillor Portfolios	Brophy, Rachel	<b>02 May 2025 11:34am Seymour, Marion - Completion</b> Completed by Seymour, Marion on behalf of Brophy, Rachel (action officer) on 02 May 2025 at 11:34:33 AM - Governance requested to update Councillor Portfolio Policy and list of Portfolios has been updated on the Website.	2/05/2025
16/04/2025	13.1	Financial Services - Financial Report as at 31 March 2025	Betts, Melissa	<b>22 Apr 2025 8:28am Betts, Melissa - Completion</b> Completed by Betts, Melissa (action officer) on 22 April 2025 at 8:28:05 AM - March Finance Report Noted	22/04/2025
16/04/2025	13.2	Operational Plan 2024-2025 Quarterly Review - January 2025 to March 2025	Keir, Dianna	<b>02 May 2025 11:43am Keir, Dianna - Completion</b> Completed by Keir, Dianna (action officer) on 02 May 2025 at 11:43:15 AM - Council resolution noted.	2/05/2025
16/04/2025	13.3	WIRAC Filtration Replacement & Upgrade Project	Roser, Heather	<b>02 May 2025 11:42am Keir, Dianna - Completion</b> Completed by Keir, Dianna on behalf of Roser, Heather (action officer) on 02 May 2025 at 11:42:57 AM - Council resolution noted.	2/05/2025
16/04/2025	15.1	Reconfiguring a Lot: Gary Hayes & Partners Pty Ltd – 11412 Cunningham Highway and Freestone Road, Clintonvale	Hay, Mitchell	<b>01 May 2025 8:38am Watt, Jenny - Completion</b> Completed by Watt, Jenny on behalf of Hay, Mitchell (action officer) on 01 May 2025 at 8:38:10 AM - Decision Notice & Statement of Reasons emailed to applicant	1/05/2025
16/04/2025	15.2	Material Change of Use – Alexander G Kuhl & Belinda J Hackney C/- NSPIRE Planning & Design, 214 Kerrick Road, Dalveen	Collier, Tonya	<b>01 May 2025 8:37am Watt, Jenny - Completion</b> Completed by Watt, Jenny on behalf of Collier, Tonya (action officer) on 01 May 2025 at 8:37:50 AM Decision Notice & Statement of Reasons emailed to applicant	1/05/2025
16/04/2025	15.3	Other Change to Material Change of Use: Christian Community Ministries Ltd, 106 Glengallan Road, Warwick	Travers, Catherine	<b>01 May 2025 8:38am Watt, Jenny - Completion</b> Completed by Watt, Jenny on behalf of Travers, Catherine (action officer) on 01 May 2025 at 8:38:28 AM - Decision Notice & Statement of Reasons emailed to applicant	1/05/2025



## ACTIONS FROM PREVIOUS GENERAL COUNCIL MEETING 16 APRIL 2025

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
16/04/2025		Meeting Closure	Brophy, Rachel	<b>02 May 2025 11:41am Seymour, Marion - Completion</b> Completed by Seymour, Marion on behalf of Brophy, Rachel (action officer) on 02 May 2025 at 11:41:18 AM - Noted.	2/05/2025

**6. DECLARATIONS OF CONFLICTS OF INTEREST**


**7. MAYORAL MINUTE**

Nil

## 8. NOTICES OF MOTION

### 8.1 Notice of Motion - Attendance of the Public at Councillor Information Sessions

#### Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 21 May 2025
	Chief Executive Officer	ECM Function No/s:

#### Notice of Motion – To Be Moved by Cr Bartley

THAT Council revisit the Notice of Motion that is still laying on the table regarding the attendance of the public at Councillor Information Sessions.

#### Report

Cr Bartley has submitted the attached Notice of Motion (**Attachment 1**) requesting that Council revisit his previous Notice of Motion “Public Attendance at Councillor Information Sessions” dated 10 October 2024 which was considered by Council at the October 2024 Ordinary Council Meeting with a resolution that the matter lay on the table.

Cr Bartley noted in his current Notice of Motion:

*“I believe that there has been enough time to make a decision as to whether the public can be permitted to attend Information Sessions and that the majority of the items raised end up on the Ordinary Meeting Agenda”.*

Council is asked to consider the Motion.

#### ATTACHMENTS

1. Notice of Motion - Public Attendance Council Information Sessions[↓](#)



### Notice of Motion by Councillors

Councillor: Ross Bartley

Date: 13/05/2025

#### Motion:

THAT

Council revisit the Motion that is still laying on the table regarding the attendance of the public in Councillor Information Sessions.

#### Relevant Background Information

I beleive that there has been more than enough time to make a decision as to wheather the Public can be permitted to attend information sessions. Keeping in mind that no decicions can be made at the information sessions and the majority of the item raised end up on the Ordinary Meeting Agenda.

Signature

A handwritten signature in black ink, appearing to read 'R. Bartley', is written over a horizontal line.


1) Notices of Motions shall be lodged in the approved form with the Chief Executive Officer or their delegate two (2) calendar days prior to the closure of the business paper agenda for the meeting of Council at which the Notices of Motion are to be considered.

2) Councillors shall ensure, where it is intended that employees of the Council be asked to carry out some specific defined action that a Notice of Motion is written in such a way that, if carried, the motion carries clear and unambiguous direction.

- Start with the word "That" f
- Use the third person and avoid the use of the first person f
- Clearly indicate the intention of the Council f
- Avoid statements that are ambiguous f
- Aim for clarity of expression f
- Be carefully constructed and if necessary, set out in clauses that can be clearly identified by letters or numbers f
- Indicate proposed action or reflect agreed views on a particular issue f
- Don't re-introduce a resolution which has already been rejected

## 8.2 Notice of Motion - Review of Council Meetings Policy

### Document Information

	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Chief Executive Officer	<b>ECM Function No/s:</b>

### Notice of Motion – To Be Moved by Cr Bartley

THAT Council review the current Meetings Policy.

### Report

Cr Bartley has submitted the attached Notice of Motion (**Attachment 1**) requesting that Council review the current Meetings Policy.

Cr Bartley noted in his current Notice of Motion:

*“I believe that there should be an alternate method of deciding what can be raised in the General Business part of a Council Meeting other than the Mayor having that responsibility”.*

Council is asked to consider the Motion.

### ATTACHMENTS

1. Notice of Motion - Review of Council Meetings Policy [↓](#)



### Notice of Motion by Councillors

Councillor: Ross Bartley

Date: 13/05/2025

#### Motion:

THAT

Council review the current MEETING POLICY.

#### Relevant Background Information

I beleive that there should an alternate method of deciding what can be raised in the GENERAL BUSINESS part of a Council Meeting other than the Mayor having that responsibility.

Signature

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### 8.3 Notice of Motion - Review of current Roads Policy

#### Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 21 May 2025
	Chief Executive Officer	ECM Function No/s:

#### Notice of Motion – To Be Moved by Cr Bartley

THAT Council review the current Roads Policy.

#### Report

Cr Bartley has submitted the attached Notice of Motion (**Attachment 1**) requesting that Council review the current Roads Policy.

Cr Bartley noted in his current Notice of Motion:

*“I believe that there should be a review of the definitions regarding the type of formed roads in the region as it then impacts on the maintenance of certain roads”.*

Council is asked to consider the Motion.

#### ATTACHMENTS

1. Notice of Motion - Review of Roads Policy[↓](#)



### Notice of Motion by Councillors

Councillor: Ross Bartley

Date: 13/05/2025

#### Motion:

THAT

Council review the current ROADS POLICY.

#### Relevant Background Information

I beleive that there should a review of the definitions regarding the type of formed roads in the region as it then impacts on the Maintenance of certain roads.

Signature

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## 8.4 Notice of Motion - Letter of Congratulations to Vic Pennisi

### Document Information

	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Chief Executive Officer	<b>ECM Function No/s:</b>

### Notice of Motion – To Be Moved by Cr Bartley

THAT Council send a letter congratulating Vic Pennisi on being appointed the Chair of the Queensland Grants Commission.

### Report

Cr Bartley has submitted the attached Notice of Motion (**Attachment 1**) requesting that Council send a letter congratulating Vic Pennisi on his appointment as Chair of the Queensland Grants Commission.

Cr Bartley noted in his current Notice of Motion:

*“Normally when a resident is appointed to an important position of note, Council sends their best wishes by correspondence”.*

Council is asked to consider the Motion.

### ATTACHMENTS

1. Notice of Motion - Letter of Congratulations to Vic Pennisi [↓](#)



### Notice of Motion by Councillors

Councillor: Ross Bartley

Date: 13/05/2025

#### Motion:

THAT

Council send a letter Congratulating Vic Pennisi for being appointed the Chair of the QLD Grant Commission.

#### Relevant Background Information

Normally when a resident is appointed to an important position of note, Council sends their best wishes by Correspondence.

Signature

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1) Notices of Motions shall be lodged in the approved form with the Chief Executive Officer or their delegate two (2) calendar days prior to the closure of the business paper agenda for the meeting of Council at which the Notices of Motion are to be considered.

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- Indicate proposed action or reflect agreed views on a particular issue f
- Don't re-introduce a resolution which has already been rejected

**9. READING AND CONSIDERATION OF CORRESPONDENCE**

Nil


**10. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS**

Nil

## 11. PORTFOLIO REPORTS

### 11.1 Portfolio Report - Cr Deane - Healthy Communities

#### Document Information

	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date: 21 May 2025</b>
	Chief Executive Officer	<b>ECM Function No/s:</b>

#### Recommendation

THAT Council's Healthy Communities Portfolio Report be received.

#### REPORT

Cr Deane has submitted a Portfolio Report providing an update on her Healthy Communities Portfolio, including DFV Awareness and Waste Management.

Attached is a copy of the Portfolio Report.

#### ATTACHMENTS

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



## PORTFOLIO REPORT UPDATE

### DFV AWARENESS

May is recognised as Domestic and Family Violence (DFV) Prevention Month. Our council's vision is to raise awareness within our community. By addressing domestic and family violence as a community issue, we aim to achieve positive cultural change in our community.

#### DFV ACTION PLAN

The Southern Downs Regional Council has developed a Domestic and Family Violence Action Plan for May. This plan focuses on enhancing awareness in our community by:

- Sharing valuable resources on our social media platforms
- Supporting events organised by community groups
- Creating SDRC advocacy videos to voice our stance on DFV
- Internal education with staff





## WASTE MANAGEMENT

Southern Downs Regional Council has recently delivered a program for a chemical disposal day. This initiative is designed to provide residents with a safe and effective method for disposing of unwanted chemicals.

Approximately 50 residents took the opportunity to dispose of their household chemicals correctly by utilising Council's first ever household chemical disposal days at the Warwick and Stanthorpe Waste Facilities in recent weeks. Items disposed of included paint, aerosols, pool chemicals and pesticides. Council will now assess the success of this initiative and determine whether to repeat the program each year.






## **12. EXECUTIVE SERVICES REPORTS**

Nil

## 13. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

### 13.1 Financial Services - Financial Report as at 30 April 2025

#### Document Information

	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date: 21 May 2025</b>
	Management Accountant	<b>ECM Function No/s:</b>

#### Recommendation

THAT Council receive and note the Financial Performance Report as at 30 April 2025.

#### REPORT

#### Background

The Finance Team have prepared the Financial Performance Report for April 2025.

#### Report

##### Income Statement

#### Revenue

Operational revenue of \$110.9M is \$1.4M over budget compared to YTD budget of \$109.5M with the main variations being:

- Fees and Charges received YTD are \$811K over budget due to higher than anticipated water sales, cattle and sheep sales and waste disposal fees.
- Interest received is \$433K higher than expected due to current cash balance and minor change in Reserve Bank cash rates for this financial year.
- Contract and Sales Revenue YTD under budget due to the timing of Road Maintenance Performance Contract claims.

#### Expenses

Operational expenditure of \$89M is \$3.5M under budget compared to YTD budget of \$92.7M with the main variations being:

- Employee costs are under budget by \$882K, this is mainly associated with vacant positions and labour cost charges to capital projects.
- Materials and Services are under budget by \$2.5M. Staff continue to review project phasing to ensure alignment with work schedules.

## Capital Grants

Revenue from capital grants is over budget by \$4.3M. The timing of the receipt of capital grants can vary and dependent on the progress of projects. In this instance, Council has received partial funding associated with the W4Q 24-27 program upfront, and RTR 24-25 related funding.

## Balance Sheet

As at 30 April 2025, Council had \$94.2M in cash at bank and investments. The total of outstanding loans, both the current and non-current portions is \$10.9M.

## Capital Works in Progress

Capital works expenditure at 30 April 2025 was \$27.5M which is 41.6% of the adopted capital works budget of \$66M. There were committed costs of \$10.4M meaning \$37.9M has been spent or committed, representing 57.4% of the adopted budget.

## FINANCIAL IMPLICATIONS

The Second Quarter budget review has been adopted by Council at the 22 January 2025 Ordinary Meeting.

## RISK AND OPPORTUNITY

### Risk

Finance Team is monitoring movement in interest rates closely as changes can impact Council's interest revenue going forward. Similarly, staff are currently undertaking asset revaluation and indexation which could have an impact asset on replacement cost and depreciation. These items can impact Council's financial position at year end.

### Opportunity

With the current year results tracking below budget for expenditure there is an opportunity for staff to review project timelines and align budget to improve cash flow forecasting and monthly reporting. The budget phasing will be reviewed as part of FY25/26 budget development as well.

## COMMUNITY ENGAGEMENT

### Internal Consultation

Nil.

### External Consultation

Nil

## LEGAL / POLICY

### Legislation / Local Law

*Local Government Act 2009 and Local Government Regulation 2012*

## Corporate Plan

### Goal 4      Our Performance

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

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

### Policy / Strategy

Operational Plan 2024/25

### Legal

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

## HUMAN RIGHTS

A Human Rights assessment has been undertaken.

## ATTACHMENTS

1.      Finance Report as at 30 April 2025 [↓](#)



**Southern Downs**  
REGIONAL COUNCIL

## **Performance Report**

**April 2025**

## Southern Downs Regional Council

### Income Statement

April 2025

	Phased 2025 YTD Actual \$	Phased 2025 YTD Budget \$	YTD Variance \$	YTD Variance %	Annual 2025 Budget \$	Annual 2025 Forecast \$
<b>Revenue from ordinary activities</b>						
General Rates	41,749,382	41,487,395	261,986	0.6%	41,486,562	41,486,562
Rural fire brigade levy	283,737	278,700	5,037	1.8%	278,700	278,700
Utility Rates and Charges	34,337,870	34,290,451	47,419	0.1%	34,290,451	34,290,451
Less Discounts	(2,451,119)	(2,478,856)	27,737	(1.1%)	(2,478,856)	(2,478,856)
Rates on Council properties	(864,883)	(698,769)	(166,113)	23.8%	(816,599)	(816,599)
	<b>73,054,986</b>	<b>72,878,921</b>	<b>176,065</b>	<b>0.24%</b>	<b>72,760,258</b>	<b>72,760,258</b>
Fees and Charges	7,720,694	6,909,617	811,077	11.7%	8,180,688	8,180,688
Interest	3,367,368	2,934,485	432,884	14.8%	3,531,824	3,531,824
Contract & Sales Revenue	3,081,602	3,309,899	(228,297)	(6.9%)	3,543,351	3,543,351
Rent and Other Income	1,281,205	1,266,844	14,362	1.1%	1,508,266	1,508,266
Government Grants and Subsidies	12,212,740	11,988,839	223,901	1.9%	13,421,754	13,421,754
Internal Revenue	10,195,454	10,219,765	(24,312)	(0.2%)	12,263,718	12,263,718
<b>Total Operating Revenue</b>	<b>110,914,050</b>	<b>109,508,369</b>	<b>1,405,680</b>	<b>1.3%</b>	<b>115,209,859</b>	<b>115,209,859</b>
<b>Expenses from ordinary activities</b>						
Employee Costs	25,541,543	26,423,435	(881,893)	(3.3%)	31,258,734	31,258,734
Materials and Services	33,294,420	35,763,128	(2,468,707)	(6.9%)	47,283,211	47,283,211
Depreciation and Amortisation	21,004,530	20,975,396	29,134	0.1%	24,975,100	24,975,100
Plant Hire	4,423,328	4,570,079	(146,750)	(3.2%)	5,411,754	5,411,754
Finance Costs	607,216	602,149	5,067	0.8%	942,531	942,531
Internal Charges	4,384,973	4,384,973	0	0.0%	5,261,968	5,261,968
<b>Total Operating Expenses</b>	<b>89,256,010</b>	<b>92,719,159</b>	<b>(3,463,149)</b>	<b>(3.7%)</b>	<b>115,133,298</b>	<b>115,133,298</b>
<b>Operating Surplus/(Deficit) before capital items</b>	<b>21,658,040</b>	<b>16,789,210</b>	<b>4,868,829</b>	<b>29.00%</b>	<b>76,561</b>	<b>76,561</b>
<b>Other Capital Amounts</b>						
Capital Grants, Contributions and Donations	20,565,709	16,285,728	4,279,981	26.3%	27,099,844	27,099,844
Other capital income and (expenses)	(157,666)	310,000	(467,666)	(150.9%)	(4,628,000)	(4,628,000)
<b>Net Result Surplus/(Deficit)</b>	<b>42,066,083</b>	<b>33,384,938</b>	<b>8,681,145</b>	<b>26.0%</b>	<b>22,548,405</b>	<b>22,548,405</b>

## Southern Downs Regional Council Balance Sheet

April 2025

	Phased 2025 YTD Actual \$	Annual 2025 Budget \$	YTD Variance \$	YTD Variance %
<b>Current Assets</b>				
Cash assets & Investments	94,172,580	55,471,000	38,701,580	69.8%
Receivables	15,875,170	15,782,000	93,170	0.6%
Assets held for sale	518,000	590,000	(72,000)	(12.2%)
Inventories	1,177,349	1,334,000	(156,651)	(11.7%)
	<b>111,743,098</b>	<b>73,177,000</b>	<b>38,566,099</b>	<b>52.7%</b>
<b>Non-Current Assets</b>				
Investment Property	324,000	205,000	119,000	58.0%
Property, plant and equipment	993,641,328	1,040,348,001	(46,706,673)	(4.5%)
Other Financial Assets	140,241	154,000	(13,759)	(8.9%)
Capital works in progress	31,840,845	15,000,000	16,840,845	112.3%
Intangible Assets	126,291	153,999	(27,709)	(18.0%)
	<b>1,026,072,704</b>	<b>1,055,861,000</b>	<b>(29,788,296)</b>	<b>(2.8%)</b>
<b>TOTAL ASSETS</b>	<b>1,137,815,803</b>	<b>1,129,038,000</b>	<b>8,777,803</b>	<b>0.8%</b>
<b>Current Liabilities</b>				
Creditors and other payables	14,234,296	16,788,000	(2,553,704)	(15.2%)
Provisions	8,500,502	8,850,000	(349,498)	(3.9%)
Interest bearing liabilities	1,979,456	2,229,000	(249,544)	(11.2%)
	<b>24,714,254</b>	<b>27,867,000</b>	<b>(3,152,746)</b>	<b>(11.3%)</b>
<b>Non-Current Liabilities</b>				
Interest bearing liabilities	8,883,601	14,209,000	(5,325,399)	(37.5%)
Provisions	8,656,916	8,767,000	(110,084)	(1.3%)
Other Payables	1,738,577	3,227,000	(1,488,423)	(46.1%)
	<b>19,279,094</b>	<b>26,203,000</b>	<b>(6,923,906)</b>	<b>(26.4%)</b>
<b>TOTAL LIABILITIES</b>	<b>43,993,348</b>	<b>54,070,000</b>	<b>(10,076,652)</b>	<b>(18.6%)</b>
<b>NET COMMUNITY ASSETS</b>	<b>1,093,822,455</b>	<b>1,074,968,000</b>	<b>18,854,455</b>	<b>1.8%</b>
<b>Community Equity</b>				
Asset Revaluation Reserve	378,214,930	947,124,573	(568,909,643)	(60.1%)
Retained surplus	715,607,525	127,843,427	587,764,098	459.8%
<b>TOTAL COMMUNITY EQUITY</b>	<b>1,093,822,455</b>	<b>1,074,968,000</b>	<b>18,854,455</b>	<b>1.8%</b>

## Southern Downs Regional Council

### Cash Flow Statement

April 2025

	Phased 2025 YTD Actual \$	Phased 2025 YTD Budget \$	YTD Variance \$	YTD Variance %	Annual 2025 Budget \$
<b>Cashflows from operating activities</b>					
Receipts from customers	101,893,427	83,404,089	18,489,338	22.2%	87,304,988
Payments to suppliers and employees	(95,979,289)	(64,996,215)	(30,983,074)	47.7%	(84,727,192)
Investment and interest revenue received	2,505,220	2,934,485	(429,265)	(14.6%)	3,532,230
Rental Income	1,281,205	1,266,844	14,362	1.1%	645,375
Non-capital grants and contributions	12,212,740	11,988,839	223,901	1.9%	13,598,472
Borrowing costs	-	-	-	0.0%	(643,982)
Other cashflows from operating activities	698,026	-	698,026	0.0%	-
<b>Net Cash Operating Activities</b>	<b>22,611,330</b>	<b>34,598,042</b>	<b>(11,986,711)</b>	<b>58.2%</b>	<b>19,709,891</b>
<b>Cashflows from Investing Activities</b>					
Sale of property, plant and equipment	(157,666)	-	(157,666)	0.0%	1,079,000
Grants, subsidies, contributions and donations	20,565,709	16,285,728	4,279,981	26.3%	27,099,846
Net investment maturities	10,022,291	-	10,022,291	0.0%	-
Purchase of property, plant and equipment	(27,463,945)	(11,783,000)	(15,680,945)	133.1%	(66,060,580)
Payments for intangible assets	-	-	-	0.0%	(33,000)
<b>Net Cash Investing Activities</b>	<b>2,966,389</b>	<b>4,502,728</b>	<b>(1,536,339)</b>	<b>159.4%</b>	<b>(37,914,734)</b>
<b>Cash Flows from Financing Activities</b>					
Proceeds from/repayment of borrowings and advances	(960,582)	960,582	(1,921,164)	(200.0%)	4,120,601
<b>Net Cash Financing Activities</b>	<b>(960,582)</b>	<b>960,582</b>	<b>(1,921,164)</b>	<b>(200.0%)</b>	<b>4,120,601</b>
<b>Net increase in cash and cash and equivalent held</b>	<b>24,617,137</b>	<b>40,061,351</b>	<b>(15,444,215)</b>	<b>(38.6%)</b>	<b>(14,084,242)</b>
<b>Cash at beginning of period</b>	<b>69,555,444</b>	<b>63,816,000</b>	<b>5,739,444</b>	<b>9.0%</b>	<b>69,555,000</b>
<b>Cash at end of period</b>	<b>94,172,580</b>	<b>103,877,351</b>	<b>(9,704,771)</b>	<b>(9.3%)</b>	<b>55,470,758</b>



## Southern Downs Regional Council Sustainability Ratios April 2025

	Key Ratios	Calculation	Annual Budget	YTD Actual	Target Ratio	On Target?	Overview
Financial Capacity	Council Controlled Revenue Ratio	((Net Rates, Levies and Charges + Fees and Charges) / Total Operating Revenue) (%)	79.42%	81.06%	N/A	✓	Council-controlled revenue is an indicator of a Council's financial flexibility, ability to influence its operating income, and capacity to respond to unexpected financial shocks.
	Population Growth Ratio	(Prior year estimated population / previous year estimated population) - 1	0.28%	0.28%	N/A	✓	Population growth is a key driver to a Council's operating income, service needs, and infrastructure requirements into the future.
Operating Performance	Operating Surplus Ratio	(Net Operating Surplus / Total Operating Revenue) (%)	0.07%	19.5%	> 0.0% to < 10.0%	✗	The operating surplus ratio is an indicator of the extent to which operating revenues raised cover operational expenses only or are available for capital funding purposes.
	Operating Cash Ratio	(Net Operating Surplus + Depreciation + Finance Costs) / Total Operating Revenue (%)	22.56%	39.01%	> 0%	✓	The operating cash ratio indicates that a Council is generating surplus cash from its core operations, which suggests that Council has the ability to self-fund its capital expenditure requirements.
Liquidity	Unrestricted Cash Expense Cover Ratio	(Total Cash and Equivalents + Current Investments + Available Ongoing QTC Working Capital Facility Limit - Externally Restricted Cash) / Total Operating Expenditure - Depreciation and Amortisation - Finance Costs) x 12	7	15	Greater than 4 months	✓	The unrestricted cash expense cover ratio is an indicator of the unconstrained liquidity available to a Council to meet ongoing and emergent financial demands, which is a key component to solvency. It represents the number of months a Council can continue operating based on currently monthly expenses.
Asset Management	Asset Sustainability Ratio	(Capital Expenditure on the Replacement of Assets (renewals) / Depreciation Expense)	118.2%	81.6%	> 90%	✗	This is an approximation of the extent to which the infrastructure assets managed by the Council are being replaced as these reach the end of their useful lives.
	Asset Consumption Ratio	Written Down Replacement Cost of Depreciable Infrastructure Assets / Current Replacement Cost of Depreciable Infrastructure Assets	64.4%	63.7%	> 60%	✓	The asset consumption ratio approximates the extent to which Council's infrastructure assets have been consumed compared to what it would cost to build a new asset with the same benefit to the community.
	Asset Renewal Funding Ratio	Total of <b>Planned</b> Capital Expenditure on Infrastructure Asset Renewals over 10 Years / Total <b>Required</b> Capital Expenditure on Infrastructure Asset Renewals over 10 Years			Commencing 2025/26		The asset renewal funding ratio measures the ability of a Council to fund its projected infrastructure asset renewal/replacement in the future
Debt Servicing Capacity	Debt Leverage Ratio	(Book Value of Debt / (Total Operating Revenue - Total Operating Expenditure + Depreciation and Amortisation))	0.66	0.25	Tier 4 = 0 - 3 times	✓	This is an indicator of Council's ability to repay its existing debt. It measures the relative size of the Council's debt to its operating performance.
Other	Working Capital Ratio	(Current Assets / Current Liabilities)	2.63:1	4.52 : 1	> 1:1	✓	This is an indicator of the management of working capital (short term financial capital). Measures the extent to which a Council has liquid assets available to meet short term financial obligations.
	Net Financial Liabilities Ratio	((Total Liabilities - Current Assets) / Total Operating Revenue)	(16.6%)	(61.1%)	<=60%	✓	This is an indicator of the extent to which the net financial liabilities of a Council can be serviced by its operating revenues.

### Comments on Ratio Results.

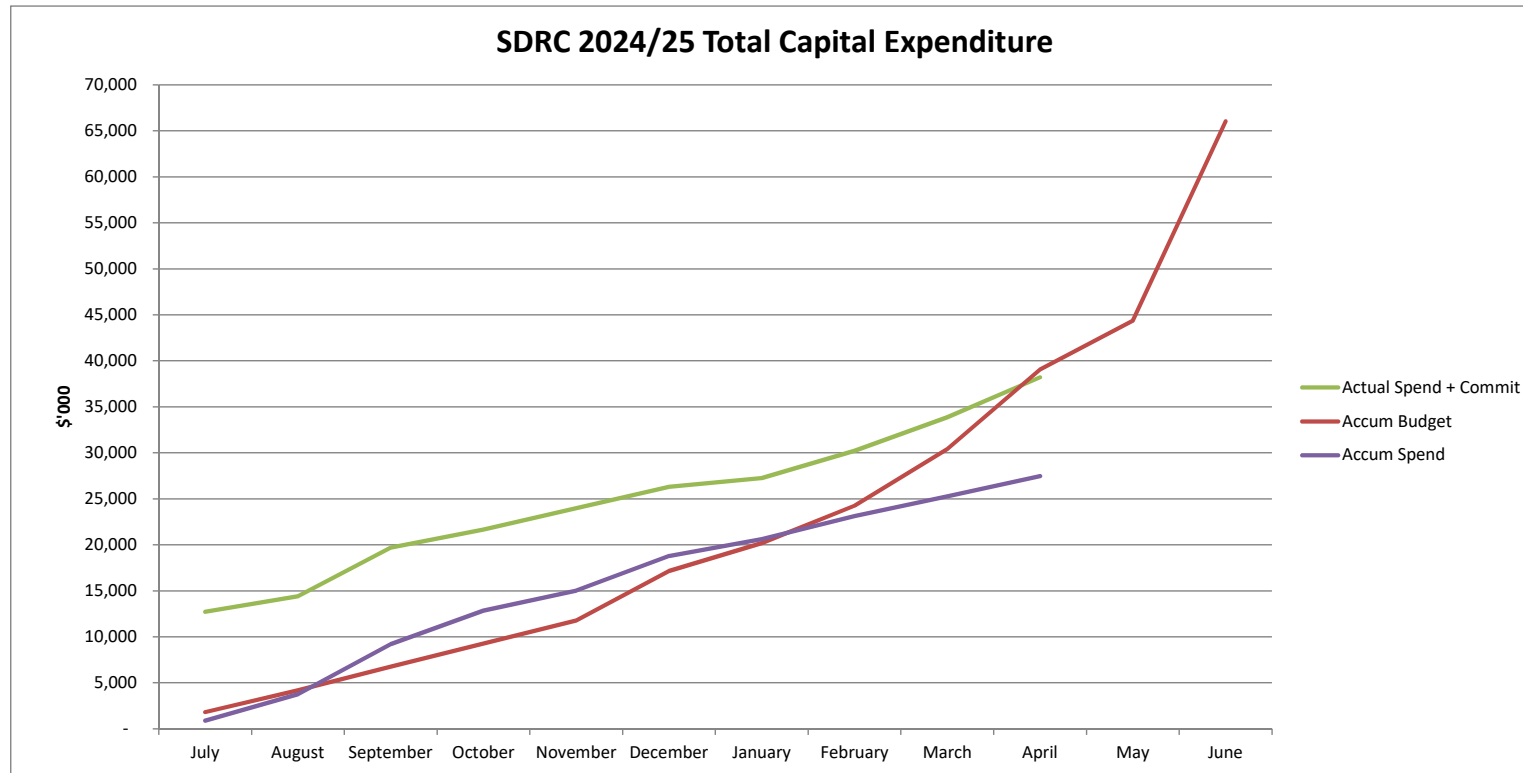
The reported ratios are taken from the Department of Local Government guidelines on sustainable financial management. When looking at ratios it is important to acknowledge that they represent a snapshot in time and that anomalies in the reported results are not taken in isolation. The targets are those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

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

**Southern Downs Regional Council**  
**Capital Works Projects by Asset Class**  
As At 30 April 2025

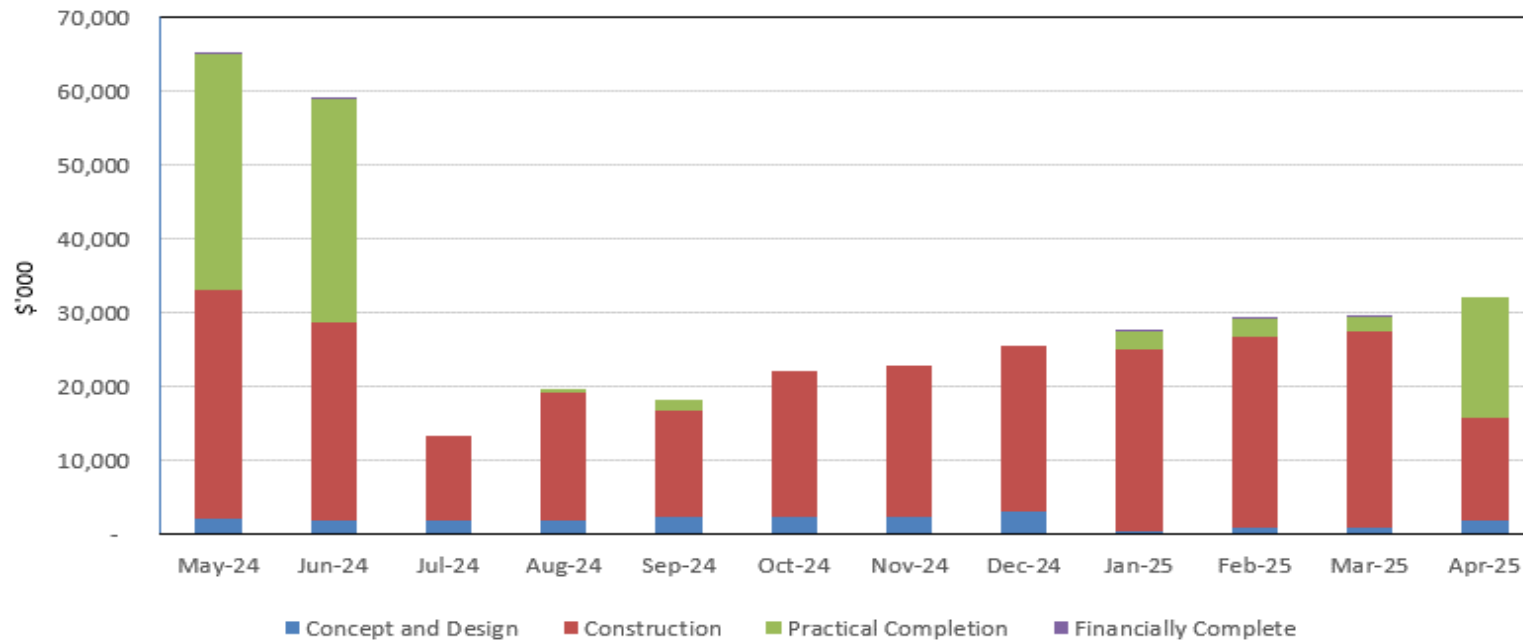
	<b>Budget</b>	<b>YTD Expenditure</b>	<b>% Spent</b>	<b>Committed</b>	<b>Spent and Committed</b>	<b>% Spent and Committed</b>
Land	-	11,979	-	13,175	25,154	-
Buildings	2,985,870	1,164,646	39.0%	1,905,967	3,070,612	102.8%
Plant & Equipment	6,828,710	2,501,922	36.6%	1,299,613	3,801,534	55.7%
Roads, Drains & Bridges	16,845,062	8,269,854	49.1%	1,920,505	10,190,360	60.5%
Water	14,976,376	7,150,054	47.7%	3,138,282	10,288,336	68.7%
Sewerage	9,467,673	4,755,108	50.2%	1,404,615	6,159,723	65.1%
Other Assets	14,924,892	3,610,382	24.2%	730,714	4,341,097	29.1%
<b>Total</b>	<b>66,028,583</b>	<b>27,463,945</b>	<b>41.6%</b>	<b>10,412,871</b>	<b>37,876,816</b>	<b>57.4%</b>

Southern Downs Regional Council  
Capital Expenditure  
As At 30 April 2025

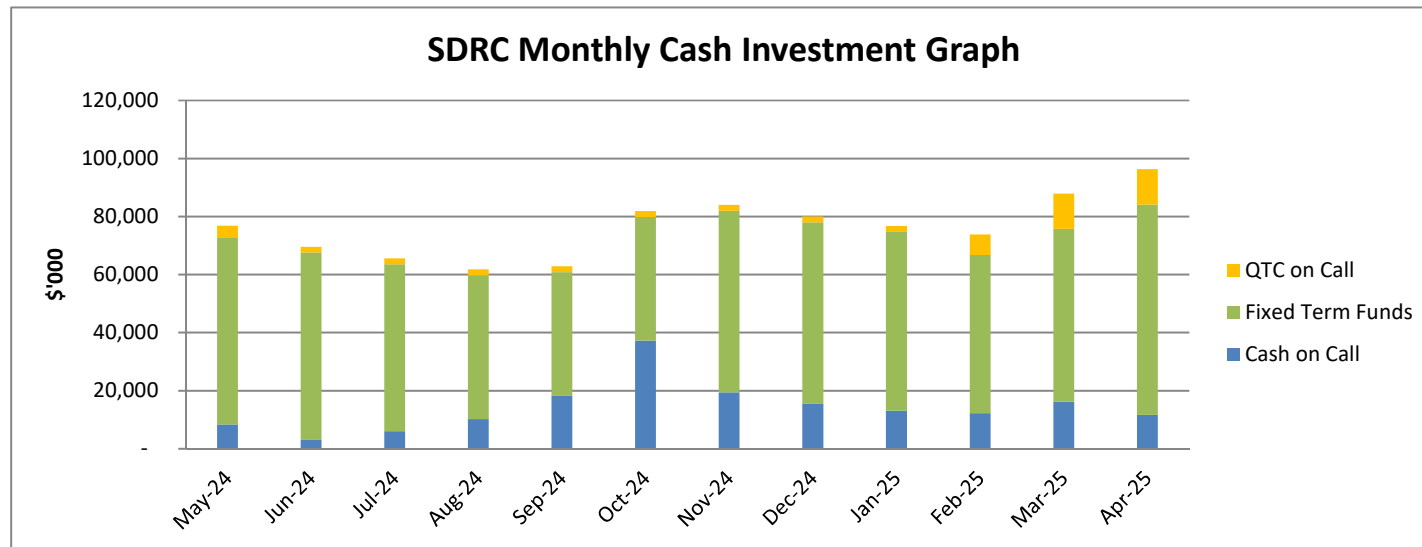


**Southern Downs Regional Council  
Work in Progress (WIP) Status Report  
As At 30 April 2025**

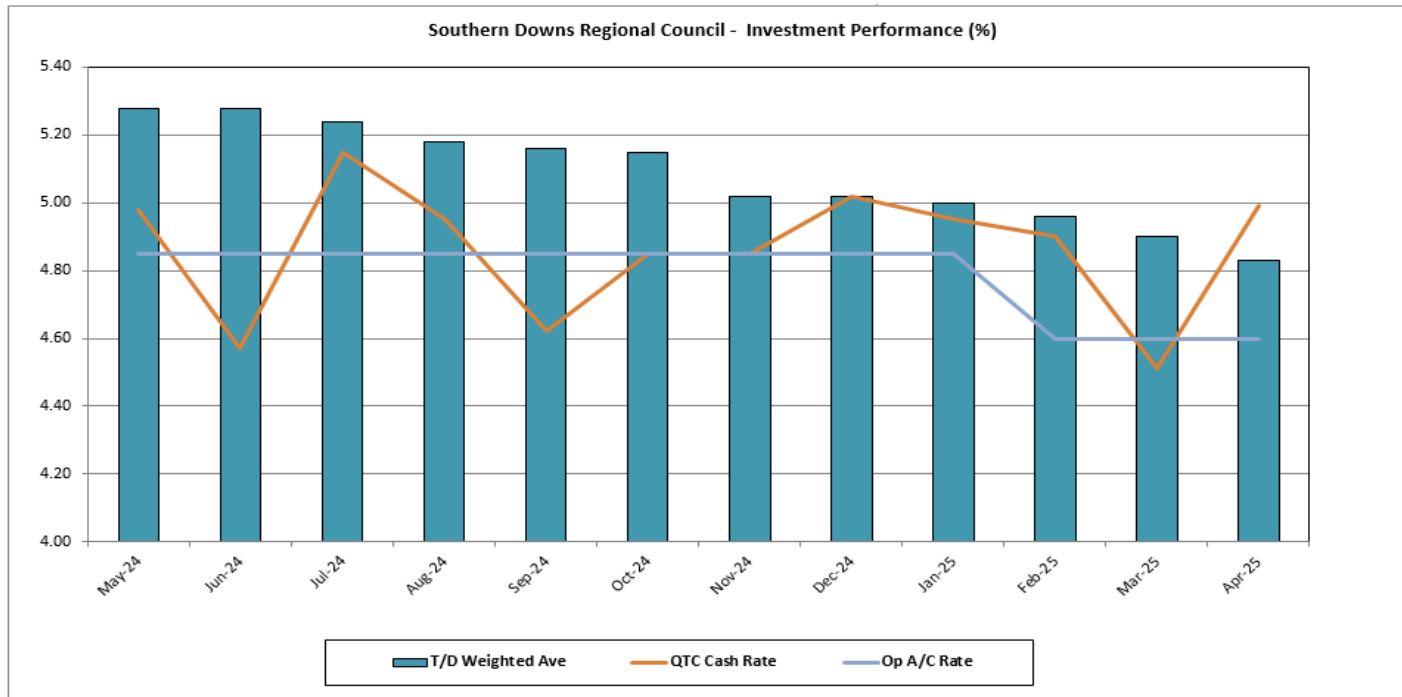
**Work In Progress by Project Status**



**Southern Downs Regional Council  
Total Monthly Cash Investment Register  
As At 30 April 2025**



Southern Downs Regional Council  
Investment Performance  
As At 30 April 2025




**Southern Downs Regional Council  
Borrowings Report  
As At 30 April 2025**

<b>QTC Loan Account</b>	<b>Balance</b>	<b>Payout Date</b>
CBD Redevelopment Stage 2	366,749	Mar-28
Market Square Pump Station	171,149	Mar-28
General	1,238,490	Mar-28
General 2009	586,451	Mar-28
General 2009/10	89,121	Mar-28
General 2010/11	1,345,856	Mar-28
General 2011/12	2,570,361	Jun-32
General 2012/13	1,486,788	Dec-32
Warwick Sewerage Treatment Plant	183,529	Jun-26
Allora Water Main	2,824,563	Mar-34
<b>Total Loan Balance</b>	<b><u>10,863,057</u></b>	

## 13.2 Minutes of the Audit & Risk Management Committee held 17 April 2025

### Document Information

	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Acting Manager Corporate Services	<b>ECM Function No/s:</b>

### Recommendation

THAT Council receive and note:

1. The minutes from the Audit and Risk Management Committee meeting held on 17 April 2025; and
2. The Chairperson Report.

### REPORT

The Queensland Audit Office released an insights report on 28 March 2025 titled “insights on audit committees in local government.”

One of the actions for council audit committees is that the *“Audit committee chair provides a summary written report to council as soon as practical after a meeting of the audit committee so that all elected members of council are informed of the committee’s discussions and recommendations.”*

For the information of Councillors, please find attached the Chairperson Report and minutes from the Audit and Risk Management Committee (ARMC) meeting held on 17 April 2025.

### FINANCIAL IMPLICATIONS

Nil

### RISK AND OPPORTUNITY

#### Risk

Nil

#### Opportunity

Nil

### COMMUNITY ENGAGEMENT

#### Internal Consultation

Manager Corporate Services



## External Consultation

Chair Audit & Risk Management Committee

### LEGAL / POLICY

#### Legislation / Local Law

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

#### Corporate Plan

##### Goal 4      Our Performance

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

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

#### Policy / Strategy

Audit & Risk Committee Charter

### ATTACHMENTS

1. Chairperson Report[📄](#)
2. Minutes of the Audit & Risk Management Committee - 17 April 2025[📄](#)

## **AUDIT AND RISK MANAGEMENT COMMITTEE CHAIRPERSON'S REPORT TO COUNCIL**

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**APRIL, 2025**

### **Attention Mayor Melissa Hamilton**

I advise that the Southern Downs Regional Council Audit and Risk Management Committee met on Thursday 17th April 2025. Most of the Committee members were present with Kerry Phillips, Melissa Jacobs, Elizabeth Alley, Mayor Hamilton attending on site and Tony Trace and Cr Joel Richters via video conference.

Council representatives present included Rachel Brophy, Susan Glasson, Dianna Keir, Helen Gross (proxy for Gurbindar Singh) were present during the meeting and LGDM Co-Ordinator/Manager Community Services, Michael Bell joined the meeting to deliver the disaster management presentation during general business. Cr Sheryl Windle attended the full meeting as an observer in person and Cr Morwenna Harslett joined online as an observer.

Other Attendees at the meeting were Bruce Preston and Taf Mudarikwa from external audit firm Crowe, they both attended until 10am. Also, via videoconference attendees included, Mansheel Kumar (QAO) for the full meeting, Tracey Townsend, Andy Smith and Carolyn Eagle from internal audit firm Pacifica joined at 10am.

Our principal items of business were to receive and review the following:

1. CEO Update – upcoming priorities
2. Finance Report, accounting standards changes, upcoming position papers, YTD – 31 March 2025
3. External Audit – Auditor General's reports to parliament and other resources. Insights on audit committees in Local Government.
4. External Audit – Final Annual Audit Plan
5. Internal Audit – Draft Customer Request Management review
6. Internal Audit - Draft Information Security Governance Review
7. Internal Audit – Progress Report
8. Legal and Governance Update
9. General Business - Disaster Management Strategic Risk Presentation
10. General Business – Appendix D - Insights on audit committees in Local Government – chair observations

### **Item 1 CEO Update**

Action – Verbal report noted

Rachel Brophy CEO presented key priorities that had been shared with Council during March 2025 and insights into her experience at Council since commencing in January. The presentation was closed to general staff and other observers except for Acting General Manager Customer and Organisational Services. Priority focus areas were supported by the committee.

There was also a committee request specifically for an update regarding the water pipeline from Toowoomba. It is understood to be delayed.

Risk based enquiries were also posed by the committee regarding workplace health and safety incidents, fraud and corruption incidents, cyber incidents and emerging legal matters

## **AUDIT AND RISK MANAGEMENT COMMITTEE CHAIRPERSON'S REPORT TO COUNCIL**

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which may impact the financial statements. All enquiries were adequately responded to for the committee.

### **Item 2 Finance Report accounting standards changes, upcoming position papers, YTD – 31 March 2025**

Action - Verbal report noted

Helen Gross (Financial Service Co-ordinator) presented the report to the committee.

Minimal changes to accounting standards for the upcoming year. AASB 101 Presentation of Financial Statements relating to current and non-current classification of liabilities. Minor amendment to fair value measurement disclosures because of changes to AASB 13. AASB S1 and S2 – relating to sustainability and climate related disclosures do not apply to Local Government yet, however QAO and Council have a watching brief.

A position paper will be prepared on revaluation strategy for the financial year 2024/2025. There was commentary from the committee regarding what other councils have done in relation to revaluing Artworks and Other Infrastructure. This will be for consideration by SDRC going forward as the revaluation process is well advanced.

A position paper will be prepared regarding Landfill Provisions – 2 new sites added.

Management was asked to provide insight into possibility of the under delivery of capital works for 2024/2025. A response was provided by the CEO.

### **Item 3 External Audit – Auditor General's reports to parliament and other resources. Insights on audit committees in Local Government Queensland**

Action - Noted

Mansheel Kumar (QAO) presented an overview of the report. He highlighted reports to parliament under development that may be of interest to Council in relation to Local Government 2024, Managing Debt and Investments 2024 and reducing organic household waste sent to landfill.

He spoke to the recently released report "Insights on audit committees in Local Government" and acknowledged that there would be a focus on in the meeting regarding the action to improve audit committees included in Appendix D of the report.

Other resources were taken as read.

Mansheel also highlighted the upcoming chair's briefing. The committee confirmed that SDRC representatives attended the technical update held 25 February 2025.

### **Item 4 External Audit – Final Annual Audit Plan**

Action - Noted.

The committee had previously received this report in draft. Today's report confirmed final details were unchanged from the draft.

## **AUDIT AND RISK MANAGEMENT COMMITTEE CHAIRPERSON'S REPORT TO COUNCIL**

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Reflection on the business environment segment of the report piqued the interest of the committee to enquire into the changes pertaining to the portfolio structure of Council and the risk mitigation approach. The Mayor was able to share insights regarding that request.

### **Item 5 Internal Audit – Draft Customer Request Management review**

Action - Noted the draft review report

Carolyn Eagle, Partner from internal audit firm Pacifica introduced the report which has been in draft for some time. She provided context about the delay in finalisation and expressed comfort in relation to the approach the ELT are undertaking.

Committee members commented that the report was thorough and that the maturity level at this stage supports the time management is taking to respond. It was confirmed with management the delay is not impacting the relevance of the observations or the risk profile. The committee looks forward to the finalisation.

### **Item 6 Internal Audit - Draft Information Security Governance Review**

Action - Noted the draft review report

Carolyn Eagle, Partner from internal audit firm Pacifica introduced the report which is still in draft. She provided considerable insight into the variability in outcome between earlier assessment of essential 8 achievement and the latest review. In particular, she highlighted the different requirements pertaining to internal audit standard requirements and that the maturing of the essential 8 artefacts over time had shifted the target for attainment. It was acknowledged by the committee that this went some way to explaining the differences that were graphically evident in charts provided in the report.

Management advised that there is a high level of concern in relation to addressing the recommendations and that they will be progressing promptly to address. They are looking to recruit and source support to address apparent gaps that are heightening the risk profile. The committee had reflected on the ICT Update presented in January 2025 and considered that there may be evidence in the that report that progress toward addressing several of the recommendations had commenced.

The committee were very impressed by the comprehensiveness of the review and looks forward to the finalisation of the review.

### **Item 7 Internal Audit – Progress Report**

Action – Noted

Carolyn Eagle, Partner from internal audit firm Pacifica introduced the report.

Committee noted that the Fraud Risk and Ethical Conduct Review had been finalised however the final version had not been presented to the committee and recommendations and management responses were now included in the outstanding Audit Recommendations Register (included later in the agenda in the Legal and Governance section).

The final review for the year has been scoped and awaiting approval with preliminary planning for fieldwork to commence late April 2025. The finalisation of this review will be

## **AUDIT AND RISK MANAGEMENT COMMITTEE CHAIRPERSON'S REPORT TO COUNCIL**

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ready for the next meeting but may not meet 30 June deadline to fulfil the plan deliverables for this financial year. Committee is aware of the resourcing circumstances that have contributed to the delay.

### **Item 8 Legal and Regulatory Update**

Action – Noted

Acting Manager Corporate Services presented the report and took it as read and sought questions from committee members.

Items covered by the report were in relation to

1. Structural realignment and planned review of Audit and Risk Management Committee Charter, annual workplan and induction training for new representatives
2. Legislative changes pertaining to IPOLA
3. Plans to undertake the Queensland ombudsman self-assessment
4. Risk register – plans to bring strategic and operational risk registers to September meeting. The committee explored management's planned Councillor risk workshop in May regarding strategic risk, risk tolerance and risk appetite.
5. Fraud and Corruption Control – CCC Corruption Perceptions Survey 2025 rolled out to the organisation for completion. Interactive training regarding fraud awareness is planned for 2025/2026 The CEO shared some insight regarding addressing prevention from the bottom up by considering maladministration in the first instance.
6. Delegations- development and adoption progress
7. Audit Recommendations as at April 2025 – register details provided. Committee acknowledge some excellent progress.. It was identified that many recommendations have been attributed to the to be appointed Manager Governance role. Cautionary commentary was provided regarding ownership of recommendations and when the role is to co-ordinate responses. The success of this appointment will be underpinned by the senior management understanding the role and supporting collaborative delivery.

### **Item 9 General Business – Disaster Management Strategic Risk Presentation**

Action – Noted the verbal presentation

Michael Bell Manager Community Services/ SDRC Local Disaster Management Group co-ordinator presented material to the committee regarding the legislative framework that underpins the workings of the LDMG. He also provided insight into the development of a revised risk management framework led by Queensland Reconstruction Authority which will align to ISO 31000 as the international standard for risk management.

Committee was interested in the response to Cyclone Alfred. The Mayor and Michael provided complimentary anecdotes to SDRC's response especially in relation to community communication. Although the event impact was not significant it appeared to provide a live scenario to test out the new participants in Council.

It was also shared with committee that strategic planning regarding response to bush fire and drought are priority focuses moving forward.

## **AUDIT AND RISK MANAGEMENT COMMITTEE CHAIRPERSON'S REPORT TO COUNCIL**

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### **Item 10 General Business - Appendix D - Insights on audit committees in Local Government - recommendations**

Action Request for management to review appendix D and work with the committee to action

The chair requested this item be postponed from the opening of the meeting to the end to provide an opportunity for reflection. The report from the Auditor General suggests that Councils review their progress across 7 areas listed in Appendix D. Several of these matters were discussed during the General Business item however, time pressures prevented full coverage which will be addressed with management between meetings.

1. Charter
2. Annual Work Plan
3. Information
4. Membership
5. Member induction
6. CEO engagement
7. Reporting
8. Audit committee performance

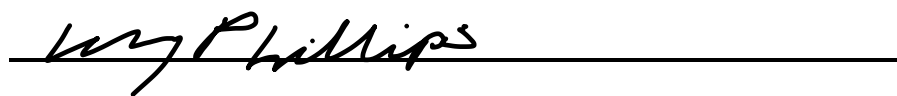
The committee enquired if there had been any notifiable incidents to regulators (e.g. EPA, DES, etc.) which the CEO provided an update on.

### **CLOSING COMMENTS**

The meeting was extremely collegiate. As chair, I appreciate the potential for valuable outcomes from the work we are undertaking together. There appears to be a very genuine interest and desire to consider opportunities for improvement identified from these meetings.

Yours faithfully

Kerry Phillips (Chairperson)



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20/04/2025



# **MINUTES OF THE MEETING OF AUDIT & RISK MANAGEMENT COMMITTEE 17 APRIL 2025**



## ORDER OF BUSINESS:

<b>1.</b>	<b>PRESENT &amp; APOLOGIES</b> .....	<b>1</b>
<b>2.</b>	<b>DECLARATION OF CONFLICT OF INTEREST</b> .....	<b>1</b>
<b>3.</b>	<b>CONFIRMATION OF MINUTES OF PREVIOUS MEETING</b> .....	<b>1</b>
3.1	Unfinished business and general orders - previous meeting minutes.....	1
3.2	Audit & Risk Management Committee Meeting - 23 January 2025 .....	1
<b>4.</b>	<b>BUSINESS ARISING FROM MINUTES – SUMMARY OF ACTION POINTS</b> .....	<b>2</b>
<b>5.</b>	<b>CHIEF EXECUTIVE OFFICER'S UPDATE</b> .....	<b>2</b>
5.1	Chief Executive Officer Update .....	2
<b>6.</b>	<b>BUDGETING &amp; FINANCIAL PERFORMANCE</b> .....	<b>3</b>
6.1	Financial Services .....	3
<b>7</b>	<b>EXTERNAL AUDIT</b> .....	<b>3</b>
7.1	External Audit Update.....	3
<b>8.</b>	<b>INTERNAL AUDIT</b> .....	<b>3</b>
8.1	Internal Audit Activity Report.....	3
<b>9.</b>	<b>GOVERNANCE</b> .....	<b>3</b>
9.1	Legal and Regulatory Update .....	3
10	Disaster Management Strategic Risk Presentation -by Michael Bell .....	4
<b>11.</b>	<b>GENERAL BUSINESS</b> .....	<b>4</b>
<b>12.</b>	<b>NEXT MEETINGS</b> .....	<b>4</b>
<b>12.</b>	<b>CLOSURE</b> .....	<b>4</b>





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**Minutes of the Meeting**  
**Held at 64 Fitzroy Street, Warwick on 17 April 2025 at 9:00 AM**

**OPEN MEETING**

The Chair declared the meeting open 9.01 am.

**1. PRESENT & APOLOGIES**

***Committee Members:***

Kerry Phillips (Chairperson), Mayor Hamilton, Cr Joel Richters (via Microsoft Teams), Mel Jacobs, Tony Trace (via Teams) and Elizabeth (Liz) Alley (Tenterfield Shire Council).

***Observers:***

Rachel Brophy (Chief Executive Officer),  
Susie Glasson (Acting General Manager Customer & Organisational Services)  
Nick Wellwood (General Manager Infrastructure, Assets & Projects)  
Carolyn Eagle and Tracy Townsend (Pacifica – Internal Auditors)  
Bruce Preston and Taf Mudarikwa (Crowes - External Auditor)  
David Adams and Mansheel Kumar (Queensland Audit Office)  
Dianna Keir (Acting Manager Corporate Services and Minute taker)  
Michael Bell (Manager Community Services)

Cr Harslett  
Cr Windle (Deputy Mayor)

**APOLOGIES**

Chief Financial Officer – Gurbindar Singh

**2. DECLARATION OF CONFLICT OF INTEREST**

Nil

**3. CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

**3.1 Unfinished business and general orders - previous meeting minutes**

**Resolution**

**Moved Chair K Phillips**

**Seconded Ms M Jacobs**

THAT the Audit and Risk Management committee receives and notes the external audit outstanding action items register dated 15 January 2025 from the meeting held 23 January 2025 recorded as agenda item 8.2

**Carried**

**3.2 Audit & Risk Management Committee Meeting - 23 January 2025**

**Resolution**

**Moved Ms M Jacobs**

**Seconded Ms E Alley**



THAT the minutes of the Audit & Risk Management Committee Meeting held on Thursday 23 January 2025 be adopted.

**Carried**

#### 4. BUSINESS ARISING FROM MINUTES – Summary of Action Points

Status	Issue No	Meeting Date	Detail	Target Due Date	Responsible Officer	Completed Date	Revised Completion Date	Comments
Incomplete	341	14/10/2024	Fraud & Ethical Conduct Review - ongoing reporting to every 2nd meeting regarding section 5 of this report	Apr-25	PAC			It was requested that improvement opportunities within existing work practices (section 5 of the report) be reported to the Committee every 2 <sup>nd</sup> meeting.
Incomplete	342	14/10/2024	Fraud & Ethical Conduct Review - ELT to revisit the management responses.	Jan-25	ELT	Apr-25		Presented at April 2025 meeting
Incomplete	343	Jan-25	ICT - Project Management	Apr-25	ICT			The Chair requested detailed reporting be brought to the Committee specific to the project
Incomplete	344	Jan-25	People & Culture Report	Apr-25	DPPS			Critical vacancies oversight requested
Incomplete	345	Jan-25	People & Culture Report	Apr-25	DPPS			Formal Training and development including code of conduct, cyber security and fraud and awareness training

Action:	Response:
Action 341 Fraud Risk & Ethical Conduct Review – It was requested that improvement opportunities within existing work practices be reported to the Committee every 2nd meeting;	Scheduled for completion and to ELT August and presented to ARMC in Sept
Action 342 – Fraud Risk & Ethical Conduct Review – ELT to revisit management responses	ELT have reviewed and implemented - deemed as complete
Action 343 - ICT Project Management detailed reporting - The Chair requested detailed reporting to be brought to the Committee	To be presented at Sept meeting
Action 344 - People & Culture- critical vacancies oversight requested	ELT have reviewed as a part of the budget process. A report to be presented in Sept
Action 345 - People & Culture - Formal Training and development including code of conduct, cyber security and fraud and awareness training	Currently investigating. EOI to be released for councillor training. Progress to be updated at the Sept meeting

#### 5. CHIEF EXECUTIVE OFFICER'S UPDATE

##### 5.1 Chief Executive Officer Update

##### Resolution

**Moved Chair K Phillips**

**Seconded Ms M Jacobs**

THAT the Audit & Risk Management Committee receive the verbal update provided by the Chief Executive Officer.

**Carried**



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## 6. BUDGETING & FINANCIAL PERFORMANCE

### 6.1 Financial Services

#### Resolution

**Moved Chair K Phillips**

**Seconded Ms M Jacobs**

THAT the Audit & Risk Management Committee note the verbal update provided.

**Carried**

#### Attachments

1. Financial Services Update presentation - **Attached to the Minutes Under Separate Cover**

## 7 EXTERNAL AUDIT

### 7.1 External Audit Update

#### Resolution

**Moved Ms M Jacobs**

**Seconded Mr A Trace**

THAT the Audit and Risk Management Committee receive and note:

1. 2025 External Audit Plan
2. Briefing Paper – Queensland Audit Office

**Carried**

## 8. INTERNAL AUDIT

### 8.1 Internal Audit Activity Report

#### Resolution

**Moved Chair K Phillips**

**Seconded Ms E Alley**

THAT the Audit & Risk Management Committee receive and note:

1. Draft Customer Request Management Review
2. Draft Information Security Governance Report
3. Internal Audit Progress Report.

**Carried**

## 9. GOVERNANCE

### 9.1 Legal and Regulatory Update

#### Resolution

**Moved Chair K Phillips**

**Seconded Ms E Alley**

THAT the Audit & Risk Management Committee:

1. Note the contents of this report as a status update for Governance and Risk Management department and



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2. Note the audit the internal recommendations as presented

**Carried**

**10 Disaster Management Strategic Risk Presentation -by Michael Bell**

**Resolution**

**Moved Chair K Phillips**

**Seconded Ms M Jacobs**

THAT the Audit & Risk Management Committee receive and note the Disaster Management Strategic Risk Presentation

**Carried**

**11. GENERAL BUSINESS**

- Queensland Audit Office – Insights on audit committees in local government

**12. NEXT MEETINGS**


- 18 Sept 2025 0900-1300
- 16 October 2025 0900-1000 (Special)
- 18 Dec 2025 also (new committee)

**12. CLOSURE**

There being no further business the meeting closed at 11:08 am.

### 13.3 Southern Downs Youth Council Minutes - 27 March 2025

#### Document Information

	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Sport and Recreation Officer	<b>ECM Function No/s:</b>

#### Recommendation

THAT Council receive and note the minutes from the Southern Downs Youth Council Meeting on 27 March 2025.

#### REPORT

##### Background

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

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

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

##### Report

On 27 March 2025, the Southern Downs Youth Council attended their first official meeting for the year, at the Warwick Town Hall from 9.30am to 1.00pm.

The students were presented with their name badge, a lanyard and a vest by the Mayor, Deputy Mayor, Cr Harslett, Cr Deane and Cr Richters.

Following morning tea, the Youth Council broke into four (4) groups to discuss and develop topics currently topical for our region's youth. These topics included sports and recreation, biosecurity, mental health and opportunities for our youth to get creative.

#### FINANCIAL IMPLICATIONS

The 2024/2025 budget includes \$7,500 for Youth Development.

## RISK AND OPPORTUNITY

### Risk

Southern Downs High Schools do not want to participate in the Youth Council Program.

### Opportunity

SDYC Program is a conduit for input into Council activities and decisions from young people within the region.

## COMMUNITY ENGAGEMENT

### Internal Consultation

Ordinary Council Meetings  
Cr Harslett – Portfolio Councillor  
Council Staff

### External Consultation

Southern Downs High Schools

## LEGAL / POLICY

### Legislation / Local Law

Nil

### Corporate Plan

#### Goal 1      Our People

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

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

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

### Policy / Strategy

PL-CS077 – Southern Downs Youth Policy

### Legal

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

## HUMAN RIGHTS

A Human Rights assessment has been undertaken.

## ATTACHMENTS

1.    Southern Downs Youth Council Minutes - 27 March 2025 [↓](#)



# SOUTHERN DOWNS YOUTH COUNCIL MINUTES

27 MARCH 2025

WARWICK TOWN HALL



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## 1 PRESENT

### ***Youth Council Membership:***

**Allora P-10 State School** – Matilda Rees and Orry Gilmore  
**Assumption College Warwick** – April Nelson, Ella Winfield and Samuel Black  
**Killarney P-10 State School** – Angus Brown and Emalee Sakrewski  
**Scots PGC** – Victoria Quach and Isobel Lewis  
**School of Total Education (SOTE)** – Taylor Zagata and Regan Moloney  
**Stanthorpe State High School** – Ava Hobba and Bailey Cosmo  
**St Joseph's School** – William Roberts and Chloe Searle  
**Warwick Christian College** – Jackson Gay, Jamie Reynolds, Haylee Stone and Alison Hughes  
**Warwick State High School** – Mary Fraser

### ***Observers:***

**Southern Downs Regional Council** – Deputy Mayor, Cr Sheryl Windle  
**Southern Downs Regional Council** – Cr Morwenna Harslett  
**Southern Downs Regional Council** – Cr Sarah Deane  
**Southern Downs Regional Council** – Michael Bell (Manager Community Services)  
**Southern Downs Regional Council** – Sue Organ (Minute Secretary)

**Warwick State High School** – Leanne Waples (Teacher)  
**Assumption College Warwick** – Dimity Gardner (Teacher)  
**Warwick Christian College** – Joanne Young (Teacher)

## 2 APOLOGIES

**Southern Downs Regional Council** – Cr Carla Pidgeon  
**Warwick State High School** – Bonnie Sims

## 3 BADGE PRESENTATION

The Manager of Community Services, Michael Bell welcomed the Youth Council students, Councillors, teachers and parents to the Warwick Town Hall. The traditional *original* custodians of the land were acknowledged.

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

Following introductions, the Mayor, Deputy Mayor, Cr Harslett, Cr Deane and Cr Richters presented each Youth Council member with their name badge, a lanyard and puffer vest.

Following the badge presentation and photographs, morning tea was held.

*The meeting adjourned at 9:55am for morning tea with Councillors, students and parents/guardians.*

*The meeting resumed at 10:25am.*

The students were put into four groups of five with their mentor Councillor. They will remain in these groups over the coming meetings to discuss their project ideas.

Prior to the group work the students ran through an ice-breaker and were ready to commence the main portion of the meeting.



Cr Harslett welcomed the students to their first official meeting of the year and asked the students to participate in an exercise around Federal, State and Local Government spending. The students worked in their groups with their mentor Councillors to come up with figures based on what SDRC spends on public assets, operational funding, kerbside waste and the management of roads.

Cr Harslett introduced her fellow Councillors and asked them to tell the students about their careers and portfolios.

#### **Cr Windle**

- Entering her 10<sup>th</sup> year on Council (her third term).
- Cr Windle explained that she is very community minded.
- Portfolio: Liveable Communities, which includes tourism, cemeteries, parks and gardens, Visitor Information Centres and active recreation trails.
- Encouraged students to go into Local Government when they get older.
- Encouraged them to get as much out of this experience and be mentors to other students back at their schools.

#### **Cr Deane**

- Is a young mum of three children and wanted to represent young people in the Southern Downs.
- Portfolio: Healthy Communities which includes wastewater, resource recovery & waste management, circular economies, natural environment, climate & sustainability and mental health.
- Cr Deane enjoys listening to people, representing local groups and giving a voice to those that may not be heard.
- Appreciates the importance of mental health, the environment and climate.

#### **Cr Pidgeon**

- Cr Pidgeon was an apology for the meeting so the Mayor provided the students with the Councillor's portfolio details.
- Cr Pidgeon is a sheep farmer located near Allora.
- Another young mum with 2 children and was a teacher previously.
- Portfolio: Productive Communities which includes agriculture, water, saleyards and pest management.

#### **Mayor Cr Hamilton**

- The Mayor explained that previous Councils did not have anyone under age of 50 on Council.
- It is very exciting that this term of Council there are a number of young Councillors (in their 30's and 40's).
- The Mayor informed the students that they can stand for election once they turn 18 years. The students were encouraged to think about a career in Local Government.
- The pay is approximately \$70,000 per annum and is indexed each year, which is a good starting wage for young people.

#### **Cr Harslett**

- Cr Harslett was a teacher during her first career and a business owner (plant nursery) in her second career.
- Her third career is an SDRC Councillor.
- Portfolio: Inspired Communities which includes arts, heritage & culture, youth and education, Libraries, Museums & Art Galleries and Civic Events.



### **Creating your Legacy Brief**

The students were given four suggested project ideas to discuss in their groups with their mentor. Cr Harslett reiterated to the students that the project ideas are just suggestions and can be added to or changed. Students were encouraged to come up with other ideas. They will then present their project ideas to Council at the end of the year. Council will then decide if they like the suggest project, discuss if it is achievable and if SDRC can afford to allocate funding to the project.

Students will workshop their project ideas, and come up with a project summary, problem statement, goals & objectives, benefits & risks and a success metric. They will also prepare a project scope, budget, timeline, discuss partnerships and public consultation.

They will have to think about how they present their project idea to Council, work out how they keep in touch with their group, consult with their peers, gain support from the community and local businesses and know all about their idea and their team roles.

### **Group Discussions – Student Priority Projects**

1. **Inspired Youth – Teen Talent Takeover: The Ultimate Performance Tour** – Cr Harslett
2. **Liveable Youth – Game Changers: Reinventing Sports & Rec for Teens** - Cr Windle
3. **Healthy Youth – Teen Mental Health : No More Waiting, No More Barriers** - Cr Deane
4. **Productive Youth – Biosecurity Avengers: Fighting Invasive Species IRL** - Cr Pidgeon

Each group reported back to the whole Youth Council after an hour of discussions.

### **Inspired Communities - Teen Talent Takeover**

- Create an ultimate day out.
- Showcase music, drama, visual arts, dance and industrial design (manual arts).
- Include food and markets organised by young people.
- Could be a charity event.
- Markets would be focussed on youth (students who might have creative things to sell).
- Possible location Town Hall and behind Town Hall (block off car park for markets) use Art Gallery to showcase art work. Another possible location is the Stanthorpe Civic Centre (also has an Art Gallery and Weeroona Park for markets).

### **Liveable Youth - Sport & Rec for Teens**

- Multipurpose sports complexes in Stanthorpe, Warwick, Killarney and Allora.
- Indoor and outdoor complexes for a multitude of sports including solar lighting systems.
- Host clinics and introduce sports to young people.
- Currently there are significant costs for families to travel to take their children to sport.
- Competitions could rotate around each town. A non-competitive competition with a small fee to cover costs.
- Facilities will be in place long term even though initial cost will be high.
- Fundraising within schools to help build the complexes. Schools to fundraise, gain sponsors and government grants.
- Knowledge of what is available and what facilities can already be used.
- Opportunities for multiple groups to participate versus using current sporting facilities (including schools).
- Question: would there be a schedule for time tabling sports – specific days for specific sports?
- Suggestion: include volunteers into scheduling.

### Healthy Youth - Teen Mental Health App

- Considering creating an App to allow teens to talk to other teens (not an adult).
- Want to talk to other teens and help them.
- If a young person is really struggling then the App helps them to be moved a qualified Psychologist.
- The App would allow young people who might be struggling with bullying to talk directly to someone else who is going through the same thing. They can ask if they have strategies to cope.
- The aim is for the App to help destigmatise mental health.
- Can be an anonymous.
- Considering age limits – 18 years and under. Target group would most likely be 13 years to 18 years.
- Talk to headspace Warwick and an I.T. person to see if the App idea works (must consider safety issues online).
- Talk to a qualified person (Psychologist) so they can then be a part of the group and provide strategies to help young people.
- Suggestions from the group: facial recognition so older people cannot join the App.
- Considerations: if there is a serious problem and someone is in crisis and at risk of personal harm how does the App work? App suggests that they go and get immediate help. Possibly an override switch to 000.
- Potential problems: what happens if there is bullying on the App? Group should consider this at the next meeting.

### Productive Youth - Biosecurity

- Pest Management education and incentivising people to do the right thing.
- How are pests risking farms?
- Are pets also risking farms?
- Educating people how to safely and responsibly let out their pets while keeping them from invading other properties.
- What to do if you see pests? (feral cats, foxes).
- Two separate projects within this one topic – pest risk and pet risk.
- Talking to schools and spread awareness. Discuss with young people how they can take part.
- Report pests to a website. feralSCAN already exists. People can log data into the App.
- Potential prize system for people to report pests. Provide incentives.
- Considerations: how do you regulate people abusing the feralSCAN App?
- Education process would be in the school community and put forward to student body and spreading the word through young people.
- A targeted campaign to young people to pass on information and get them involved.
- Question: would it still be targeted at older people and families?
- Suggestion: still include education of adults as well?

Cr Harslett thanked the students for their input and explained that the 15 May 2025 meeting will be about refining the project ideas. The students were encouraged to focus in on an element of the project to make it easier to sell to Council. They were asked to think about who the stakeholders will be and how to get them involved. Everyone was encouraged to be involved and be aware of all the projects within the group. Before the next meeting the students need to think about what the cost of the project might look like and shape the concept. The most critical component is youth and to make sure the delivery of the project is to other young people and that they want to participate in the delivery of the project. The students were encouraged to take information back to their schools via the student councils and use those groups as a sounding board to help flesh out the project details.



Finally, the students were reminded that Youth Week is from 6 to 12 April 2025.

Southern Downs Regional Council is partnering with headspace Warwick who are facilitating “Warwick Con”.

“WarwickCon” will be held on Thursday, 10 April 2025 from 2pm – 6pm at WIRAC.

It is for young people, their family and friends to Cosplay as their favourite characters and have a fun-filled afternoon out!

WarwickCon will feature a mix of ComicCon related stalls, youth-focussed service providers, competitions (including Cosplay and jigsaw puzzles!) music and more! Admission is FREE.

The students were given posters and encouraged to pass the information on to their schools, friends and peers prior to the Easter school holidays.

#### **4 NEXT MEETING**

Thursday, 15 May 2025 at the Stanthorpe Civic Centre commencing at 9.30am.

#### **5 CLOSURE**

The meeting closed at 12.40pm.




#### **14. INFRASTRUCTURE SERVICES REPORTS**

Nil

## 15. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

### 15.1 Material Change of Use - L C Frankie Holdings Pty Ltd - 54 Locke Street, Warwick

#### Document Information

 Southern Downs REGIONAL COUNCIL	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Planning Officer	<b>ECM Function No/s:</b> MCU\02642

<b>APPLICANT:</b>	L C Frankie Holdings Pty Ltd
<b>OWNER:</b>	L C Frankie Holdings Pty Ltd
<b>ADDRESS:</b>	54 Locke Street, Warwick
<b>RPD:</b>	Lot 1 RP36413
<b>ZONE:</b>	Low density residential
<b>PROPOSAL:</b>	Medium impact industry (Food processing and preparing)
<b>LEVEL OF ASSESSMENT:</b>	Impact
<b>SUBMITTERS:</b>	One (1) properly-made and one (1) not-properly made submission
<b>REFERRALS:</b>	Department of Housing, Local Government, Planning and Public Works
<b>FILE NUMBER:</b>	MCU\02642

#### RECOMMENDATION SUMMARY

THAT the application for Material Change of Use for the purpose of a Medium impact industry (Food processing and preparing) on land at 54 Locke Street, Warwick, described as Lot 1 RP36413, be approved subject to conditions.

#### REPORT





**Figure 1: Aerial of subject site**

The subject site has an area of 3,035 square metres and is situated within the township of Warwick. The land is directly opposite the Warwick Hospital and is situated approximately 1.5 kilometres from the centre of town. The site maintains dual road frontage to Locke Street and Wallace Street, both of which are bitumen sealed roads with kerb and channel. Wallace Street is also a State-controlled road.

The land contains an existing Dwelling house and associated outbuildings, established gardens and large vegetative species. There are dual footpath crossovers which provide vehicular access onto Wallace Street. The land falls approximately 5.25 metres from the north-western corner to the southern boundary. The southern boundary of the land abuts a rail corridor.

### Proposal

The applicant has proposed to utilise the southern-most domestic outbuilding for the purpose of a Medium impact industry. The southern-most domestic outbuilding is a two (2) bay shed with an attached storage area which includes a water closet (Council Ref: 1561/97). All activities relating to the preparation and processing of food will be wholly contained within the two (2) bay garage of the existing building. The southern-most domestic outbuilding is attached along the northern wall of the storage area to a domestic outbuilding associated with the existing Dwelling house, being a three (3) bay shed. Figure 2 identifies the existing buildings on-site, including the southern-most building proposed for the Medium impact industry. The applicant has also proposed to construct a covered carpark for staff carparking. The proposed carparking will accommodate 1-2 vehicles and will be located to the north-west of the existing southern-most shed to be used for the Medium impact industry.

The proposed Medium impact industry will involve the construction of a commercial kitchen to allow for the processing and preparation of food and meals involving lunches and dinners. The applicant has stated there will be approximately 500 meals prepared each week. All processed and prepared meals will be stored in a fridge for a maximum time of 12 hours, with the applicant indicating storage of meals on-site will generally be for a period of 3-4 hours. All meals produced

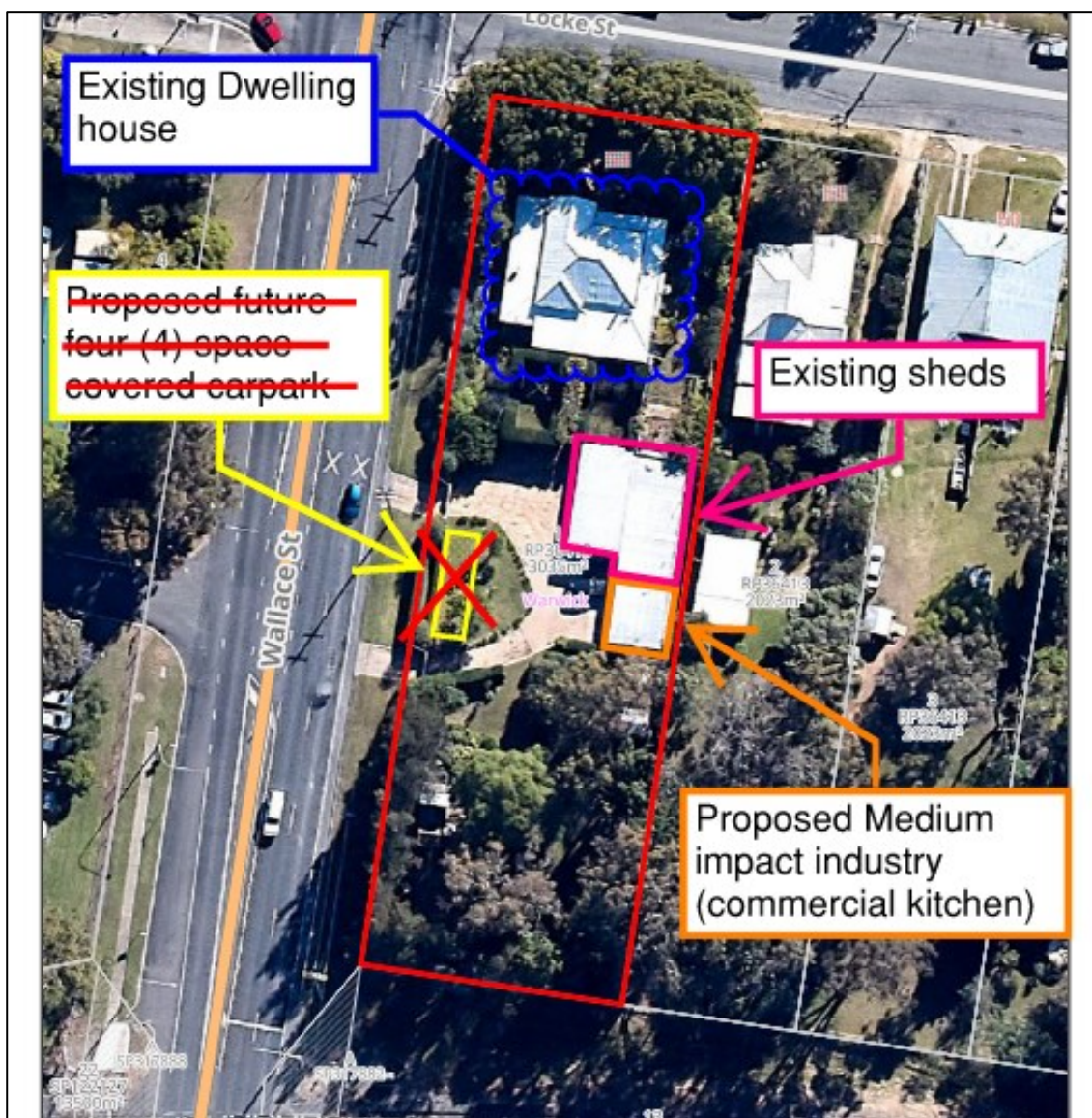


from the site will be delivered to customers. No on-site retail component forms part of this application, and customers are not proposed to enter the site for any purpose.

As aforementioned, all activities relating to the preparation and processing of food will be wholly contained within the two (2) bay garage portion of the existing building. This includes the storage of raw ingredients which will be stored in designated cold or dry storage areas within the proposed commercial kitchen. The raw ingredients utilised for the processing and preparation of the food/meals will be delivered to the site once per week. A service bay will be located along the western elevation of the southern-most shed, to be utilised by the delivery of goods (primarily raw ingredients) and by the applicant's meal/food delivery service to ensure no customers attend the site.

The Medium impact industry is proposed to operate during the hours of 6.00am to 5.00pm, Monday to Friday. It is anticipated that a maximum of four (4) staff will be on-site at any one time for the processing and preparation of meals for delivery.

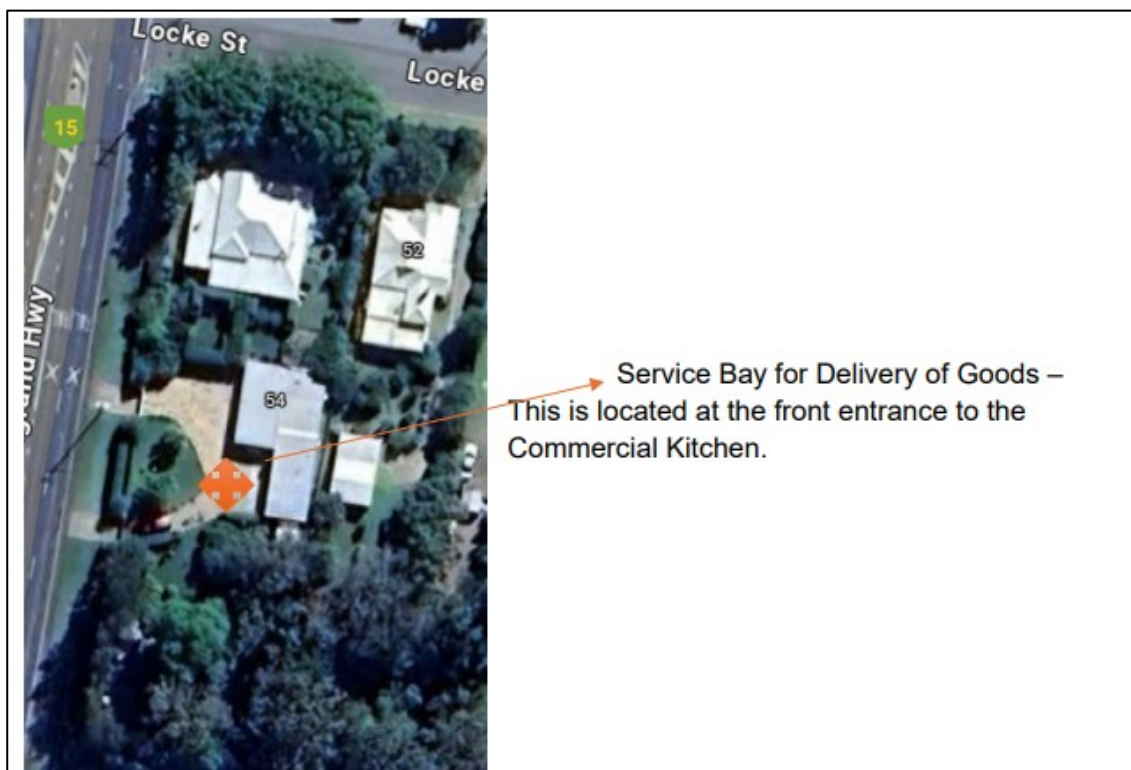
The existing shed, inclusive of the double garage and storage area, has a Gross Floor Area (GFA) of 60.0 square metres. The GFA of the existing double garage in which the proposed Medium impact industry will be operated in is approximately 37.6 square metres.



**Figure 2: Site Plan with building identification (Amended by Council 4 April 2024)**

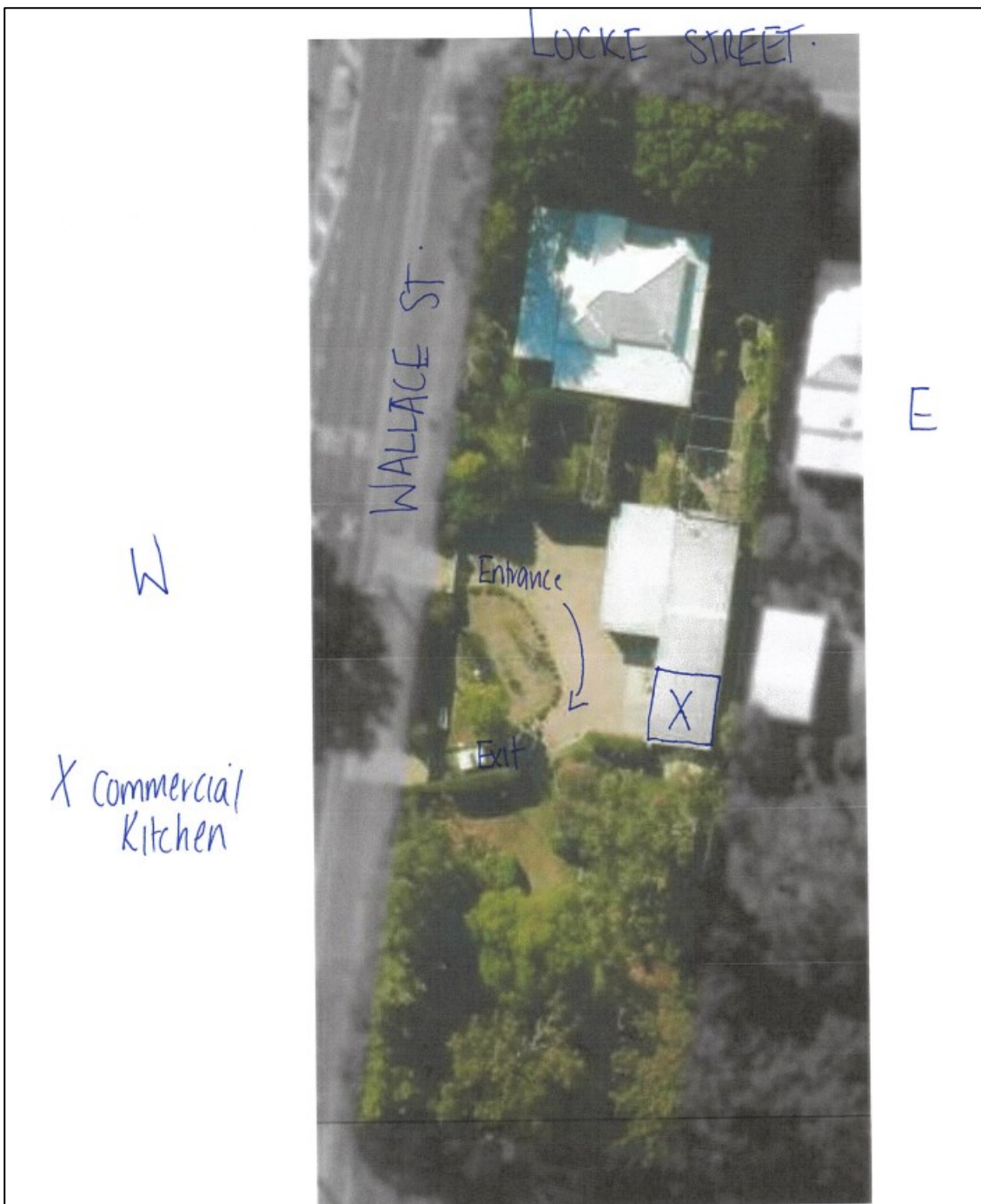


**Figure 3: Proposed carparking location**



**Figure 4: Proposed Service Bay location**





**Figure 5: Proposed vehicle access site plan**



X Kitchen Location

Figure 6: Image of location of proposed development

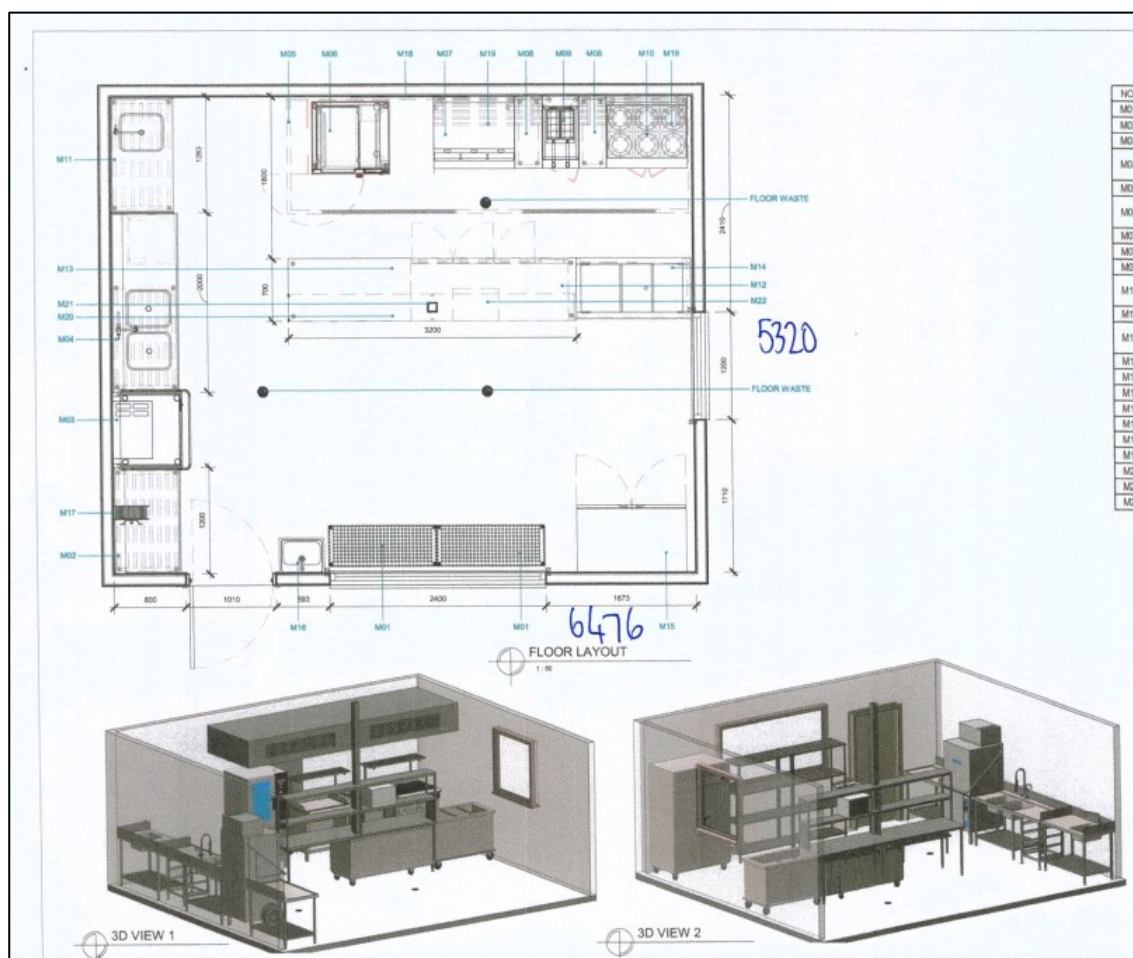
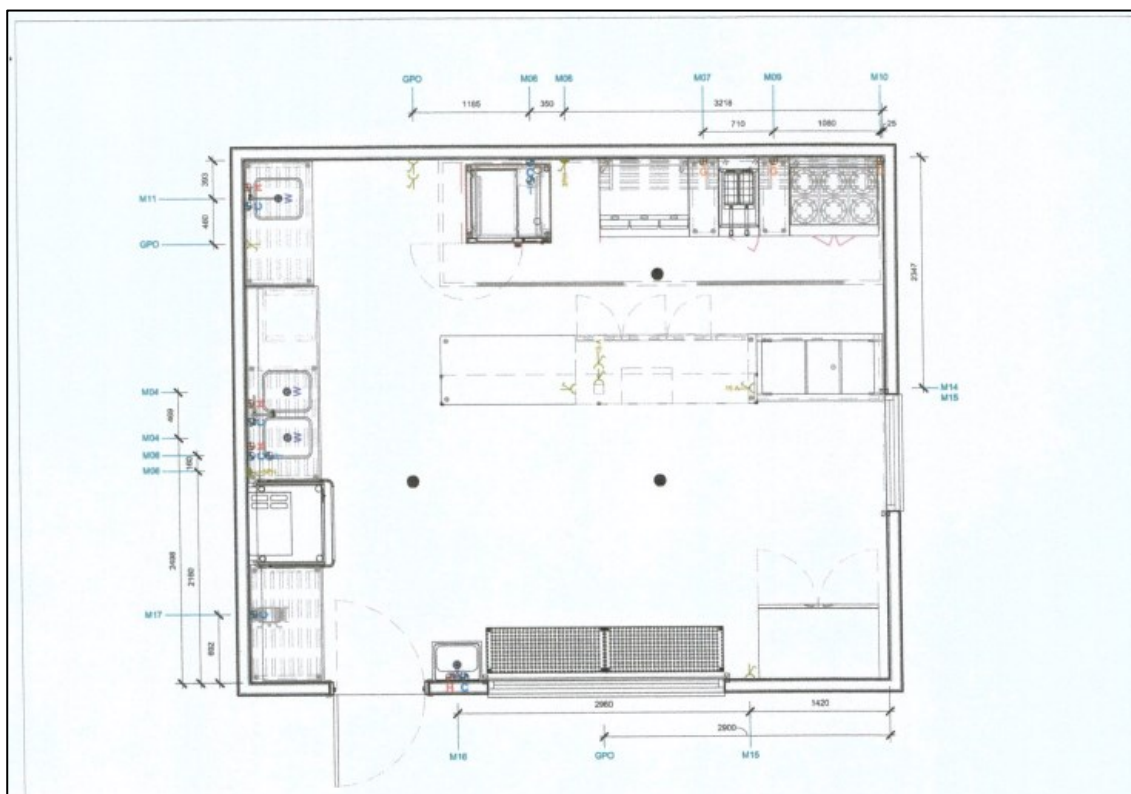


Figure 7: Proposed Floor Layout

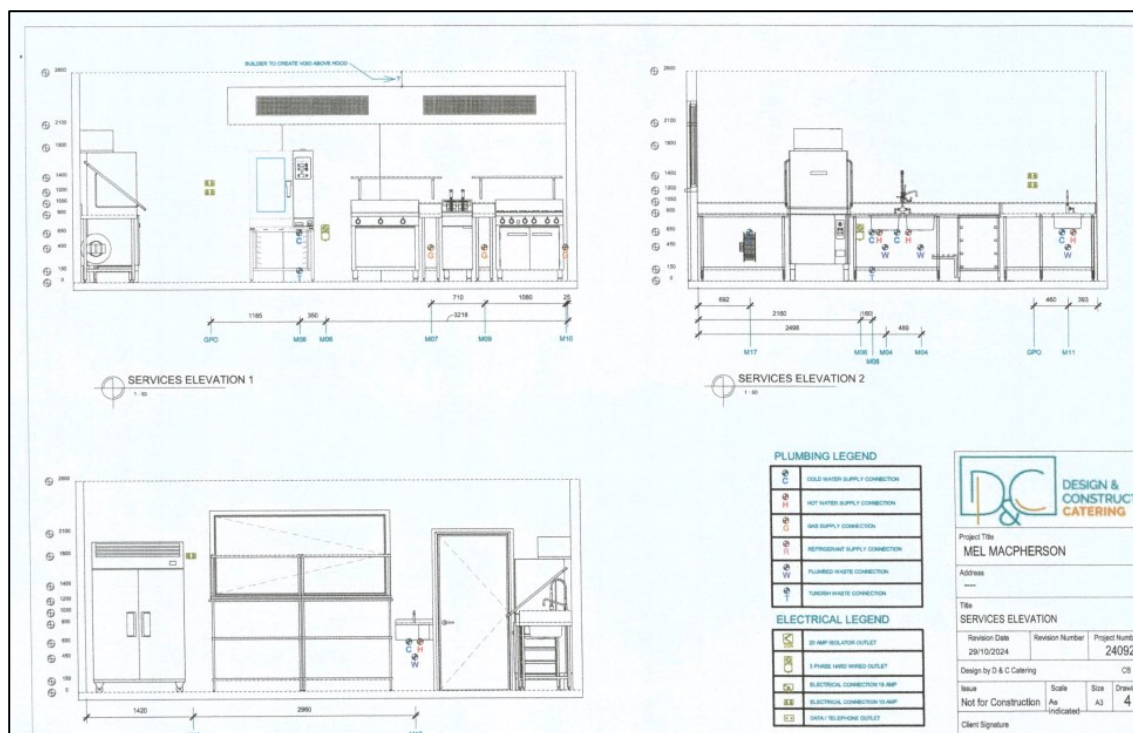




**Figure 8: Proposed Elevations**



**Figure 9: Proposed Services Layout**



**Figure 10: Proposed Services Elevations**

## Environmental Health considerations

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

1. Applications for Design Approval (floor plan/s and elevation plans) and Approval to Operate (including applications for licence under the Food Act 2006) are to be submitted to and approved by Council for the food premises, after the issue of a Development Approval and any relevant Building Approvals.
2. Plans and elevations of the construction and fit out are required to be submitted to Council for assessment and approval against the provisions of the Food Safety Standards prior to any construction works being undertaken. The plans and elevations must comply with Council's requirements.
3. Once the plans are approved, construction may begin. Council will undertake an inspection of the premises at the completion of the building and fit out works to ensure that the premises has been constructed in accordance with the approved plans. This is known as a pre-opening inspection and must be carried out once the premises is complete and ready for trade.
4. Finally, a food business licence application is required. This can be submitted at any stage prior to the completion of the construction works. Final approval for the food business licence will not be issued until the successful completion of the building works. The food business cannot operate until such time as the food business licence has been issued.
5. As the activity involves the preparation, handling, sale and delivery of potentially hazardous food to a vulnerable population group (i.e. aged care) the food business licence application **must** be accompanied by an application for accreditation of a food safety program.
6. The submitted food safety program **must** be accompanied by the written advice of a suitably qualified, experienced and approved food safety auditor.
7. Council will assess and accredit the submitted food safety program prior to issuing the food business licence.

8. *The disposal of waste classified as Trade Waste under the Plumbing and Drainage Act 2018 is to be in accordance with Council's Trade Waste Policy.*

*The proposal is for a commercial kitchen to provide a "Meals on Wheels" type service to the community.*

*The commercial kitchen will require food (design) approval prior to licensing and operation and given the nature of the proposed food activities will require accreditation of a food safety program, at the time of submission, as they will be providing food to a vulnerable population group.*

*As a consequence of the above their food safety program will be required to provide more information in relation to their food handling activities, including waste management – collection, storage, transport and disposal.*

*They shouldn't have large volumes of chemicals, hazardous or otherwise, that can't be effectively managed as part of their general food handling / management practices.*

*Noise from a commercial kitchen should not be excessive. No customers attending the site; 3-4 employees; operating hours 0600 – 1700 Mon – Fri; located adjoining a major arterial route in/out of Warwick and also adjoining the rail corridor.*

*Only issue with noise maybe the timing for the collection of the waste skip bin - once per week*

*Noise condition as attached should be sufficient for this purpose.*

The 'noise condition as attached' referred to above is as follows:

*Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured at the boundary of an affected residential dwelling and must not exceed 10dB(A) above the background noise levels in the locality when measured at the boundary of a commercial premises. This may include the need to use noise attenuating materials in the building.*

### **Building considerations**

Council's Built Environment Coordinator has reviewed the documentation and has provided the following commentary in response:

*This will require a building application for a change of classification.*

*I note also that the building to be used maybe an existing carport which appears to be located closer than 3m from the boundary.*

*The proposed commercial kitchen will be a class 8 building and is required to have fire separation of 3m from the boundary or alternatively a fire rated wall.*

### **Referral**

The application required referral to the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) as the development is within 25.0 metres of a State-controlled road and is within 25.0 metres of a railway. The DHLGPPW has no requirements.

### **Public Notification**

Public Notification for the proposed development was undertaken 15 business days from 21 February 2025 to 14 March 2025.

The Notice to Commence Public Notification was submitted to Council on 18 February 2025. A notice was published in the Town & Country Journal on 20 February 2025. The public notice outlined the dates to make a submission ranged from 12 February 2025 to 14 March 2025. A notice was placed on each property frontage on 18 February 2025. The adjoining land owners were notified by a letter of the proposed development on 18 February 2025.

The Notice of Compliance was submitted to Council on 17 March 2025. While Public Notification period complies with the Development Assessment Rules, the public notice in the Town & Country Journal was not in accordance with the Development Assessment Rules. The Public Notice stated the development was for the purpose a Material Change of Use for a 'Commercial Kitchen on Premises', rather than for the purpose of a Medium impact industry. The Public Notice does not comply with s17.3, which refers to Schedule 3, Part 1, 1C (Section 3 of Figure 2) of the Development Assessment Rules.

Under s 53 (3) of the *Planning Act 2016*, the assessment manager, Southern Downs Regional Council, may assess and decide an application even if some of the requirements of public notification have not been complied with, if any noncompliance has not; adversely affected the public's awareness of the existence and nature of the application; or restricted the public's opportunity to make properly made submissions about the application. Despite the noncompliant public notice, the public notification sign located on each road frontage does display the correct description of the development, being a Medium impact industry. Furthermore, the applicant had previously placed a public notice in the Town & Country Journal prior to the public notification period commencing (23 January 2025). Newspaper articles were also written about the proposed development prior to the public notification period commencing.

During the public notification period, one (1) properly-made submission and one (1) follow-up not-properly made submission was received. Despite the noncompliance, the receipt of these submissions, in conjunction with the above-mentioned information, is not considered to adversely affect the public's awareness of the existence and nature of the proposal, and has not restricted the public's opportunity to make properly made submissions. Therefore, the public notification period is considered to comply with the requirements outlined in s53 (3) of the *Planning Act 2016*.

### Submissions

The Public Notification period occurred from 21 February 2025 to 14 March 2025. One (1) properly-made submission and one (1) follow-up not-properly made submission was received within the Public Notification period.

The matters raised in the submissions are outlined below, with Planning responses provided.

Matters raised in submissions	Response
<p><b>Zoning</b></p> <p>"... my concern is that this is a residential area and is not zoned for industry. Such a proposal will change the character of the area and set a precedent. There are plenty of other places zoned for light industry that this kitchen can go to in Warwick. This is a premium residential area and the introduction of light industry will inevitably impact our property values. This sort of category creep should not be allowed to go ahead."</p> <p>"I believe that its proposed use is incompatible with the purpose of the residential zone potentially affecting safety and amenity of the area"</p>	<p>An assessment regarding the location of the proposed development relevant to the zoning has been undertaken against the relevant assessment benchmarks of the Southern Downs Planning Scheme (v.5) within this report, including the Low density residential zone code. A Statement of Reasons will be included in any Decision Notice providing assessment against any non-compliances undertaken within this report.</p>



Matters raised in submissions	Response
<p><b>Noise pollution and refuse storage</b></p> <p>“... kitchen is to be used from 6 am to 5pm. This will create noise, congestion and nuisance in the area and interfere with our quiet enjoyment. There is nothing in the application about refuse storage and removal – another very noisy and smelly event.”</p> <p>“Commercial scale kitchen operations will generate excess waste. No mitigation plan has been detailed regarding the management of this waste. Uncollected waste not only creates unsightly mess and offensive odours but can also pose health hazards, in particular leading to respiratory problems for nearby residents.”</p>	<p><u>Applicant's response</u></p> <p>Included in the initial application to SDRC was a Trade Waste Management Plan, Incident Management Register, Risk Management Plan, The Landscaping Code, The Outdoor Lighting Code along with the Workplace Inspection Checklist. It was also stated that the removal of dry waste (Cardboard etc) would be removed weekly &amp; the wet waste (food scraps etc) would be recycled into renewable products to reduce waste remaining on the property. It was also stated that Enwaste would be contracted to collect dry waste on a weekly basis. The In-depth Waste Management Plan indicates that there will be no air pollution of any type.</p> <p><u>Council's response</u></p> <p>The imposition of screen fencing and the limitation of the hours of operation for the Medium impact industry will assist in reducing noise pollution concerns. Furthermore, no retail component will form part of this application and no customers will attend the site at any time.</p> <p>Noise conditions can be imposed to ensure there is no excess noise pollution as a result of the development.</p> <p>All refuse storage and waste receptacles will be required to be stored within the identified waste storage area, and will be required to be screened by fencing and landscaping. Conditions regarding the composting of food waste will be imposed to ensure all composted material will remain onsite. Conditions will be imposed accordingly.</p>
<p><b>On-site Carpark</b></p> <p>“... proposal includes a concrete slab carpark over the main sewer from the hospital. These sewers are old and in constant need of maintenance. We have had the council funded sewer cleaners here several times in the last 24 months. This cannot be allowed to happen as it will have an impact on all the houses on the south side of Locke Street which are connected to this sewer.”</p>	<p><u>Applicant's response</u></p> <p>It was determined that the initial plan for a concrete slab carpark was indeed over the main town sewer. This was moved to an alternate location on the property in the second response to the council.</p> <p><u>Council's response</u></p> <p>As a response to Council's Information Request, no additional buildings or structures will be constructed over Council's underground infrastructure.</p>

Matters raised in submissions	Response
<p><b>Wallace Street accesses</b></p> <p>“There have been several accidents at this junction over the last 8 years I have been living here, one I am told was fatal. Traffic travelling south along Wallace Street from the lights at Wood Street are accelerating up to the railway line. The speed limit is 60 as this is part of the New England Highway. When the traffic reaches 60 kms, just before Locke Street, the driveway into 54 Locke Street on the Wallace Street side is not visible to cars. Trucks and delivery vans slowing down and turning into the property at the Wallace Street gate will create a hazard and create a risk of more near misses and crashes. As a minimum the applicant will need to create a turning lane to remove this risk.”</p> <p>“Commercial activities can increase the risk of accidents, especially if the business involves deliveries and large vehicles backing in and out of limited access points.”</p> <p>“The Laurels commercial kitchen operations will require significant deliveries in addition to pick-up vans and staff cars. This traffic junction [Locke Street and Wallace Street intersection] is already well known as a dangerous intersection”</p>	<p><u>Applicant’s response</u></p> <p>There is no need, as per the response from SARA to put in a turning lane or change the entrance from Wallace Street into 54 Locke Street. The traffic entering the property is minimal and explained in the initial letter to council along with the response from SARA.</p> <p><u>Council’s response</u></p> <p>The applicant has proposed to take access from Wallace Street, which is a State-controlled road. The application required referral to the Department of Housing, Local Government, Planning and Public Works (DHLGPPW) due to the accesses and proximity to the State-controlled road. The DHLGPPW has no requirements.</p>
<p><b>Delivery</b></p> <p>“How are these meals to be distributed?</p> <p>Are individuals coming to the house to pick them up or is she using volunteers to distribute them?</p> <p>This inevitably will create even more vehicle movements and congestion.”</p>	<p>The proposed development involves the delivery of meals to customers from the site. No customers will attend the site. The delivery of meals from the site will occur daily, with raw ingredients being delivered to the site once per week. Conditions regarding hours of delivery, deliveries only occurring onsite and no customers attending the site will be imposed to ensure compliance.</p> <p>Delivery of meals will occur once per day. Conditions regarding the hours of delivery can be imposed.</p>

Matters raised in submissions	Response
<p><b>Carparking on Locke Street</b></p> <p>“... concerned about the choked parking in Locke street. I do not know if there was a material change of use converting this house from a residence to a boarding house and offices for the NDIS support service, but this service now employs staff whose cars choke up the end of the street. When they have staff meetings there are often 8-10 cars parked outside in Locke Street. How many additional staff are going to be working in this industrial kitchen?? Where will they park?? The current staff and visitors never use the entrance to the existing car park at the rear of the house – probably because it is too dangerous entering or exiting onto Wallace Street as explained above and acknowledged by all who have used it.”</p> <p>“There is very limited parking on Locke Street, and no parking permitted on the Highway. No additional parking is proposed, with a likely outcome being cars parking illegally on Locke Street, creating traffic hazards and making it difficult for residents to access their homes.”</p>	<p><u>Applicant’s response</u></p> <p>The parking congestion is NOT caused by Laurels Staff Members. The congestion caused is from the Service Station across the road, which has multiple vehicles including heavy vehicle parking to get food etc. There is &amp; will always be the need for Laurels Staff &amp; Residents Visitors to park on Locke Street, due to works happening at the rear of the property – This is no different to any other private property or business on Locke Street. Once renovations have been completed, this will minimise the parking on Locke Street.</p> <p><u>Council’s response</u></p> <p>Carparking as a result of the proposed development will be required to be provided on-site in accordance with the Carparking and loading code. Conditions can be imposed to ensure compliance.</p>

### **Assessment against the Planning Scheme**

Benchmarks applying to the development
<p>The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:</p> <ul style="list-style-type: none"> <li>– 6.2.6 Low density residential zone code</li> <li>– 9.3.5 Industry uses code</li> <li>– 9.4.2 Carparking and loading code</li> <li>– 9.4.4 Landscaping code</li> <li>– 9.4.5 Outdoor lighting code</li> <li>– 9.4.6 Physical infrastructure code</li> </ul>

#### **Low density residential zone code**

***A05 In partial fulfilment of the PO - The use is for short- term accommodation or the use utilises an existing non-residential building or the use provides a sympathetic and complementary use of a Local heritage place.***

***PO5 Uses, other than residential uses are either associated with or provide a service to residents of the surrounding residential area or have locational characteristics that can best be met within a residential area.***

The proposed development is for the purpose of a Medium impact industry (preparation and processing of food for hot/cold meals). The proposed development will be located within an existing outbuilding. No additional enclosed buildings will be erected as a result of the development. The development has proposed to provide a ‘meals on wheels’ type service to the local community, in which meals are prepared on the site in a commercial grade kitchen and then delivered and distributed throughout the community. The applicant has indicated that no customers will attend the site to purchase, pick-up or browse meals from the subject site at any time.

Conditions will be imposed to ensure no customers attend the site at any time. The imposition of this condition will ensure the development does not act as a Shop or a Food and drink outlet, and that the primary vehicle movements to and from the site associated with the proposed development are deliveries of raw ingredients and the transportation of meals from the site. Through the imposition of conditions, the development is considered to provide a service to the residents of the surrounding residential area and thus, compliance with the Performance outcome can be achieved.

**AO8** *In partial fulfilment of the PO -*

- (b) Non-residential buildings are set back at least 6 m from the primary street frontage, 3 m from any secondary street frontage and 2 m from side and rear boundaries.*
- (c) Car parks are set back at least 6 m from the primary street frontage, 3 m from any secondary street frontage and 1 m from side and rear boundaries.*
- (d) Driveways are setback at least 1 m from side and rear boundaries.*
- (e) The setbacks are landscaped in accordance with the Landscaping code.*

**PO8** *The appearance and siting of buildings, other structures, car parking areas or signage is compatible with the local streetscape character, the style and design of nearby residential buildings and is respectful and sympathetic to any Local heritage place.*

The proposed development is located within an existing building which is setback approximately 2.0 metres from the eastern property boundary. The development also proposes to construct a covered carpark to the north-west of the location of the proposed development. Despite the property taking access from Wallace Street, Locke Street is considered to be the primary street frontage as the existing Dwelling house on the land is oriented towards Locke Street and the property address is Locke Street rather than Wallace Street. As a result, Wallace Street is considered to be the secondary street frontage and hence, a condition will be imposed that all carparking and any structure for covered carparking is to be setback at least 3.0 metres from this frontage. The setback for the carparking from Wallace Street will be required to be landscaped.

The land is directly adjacent to the Warwick Hospital to the west, which is Local Heritage Place no. 115, located at 56 Locke Street. Due to the existing screen wooden paling fencing and the dense landscaping along the Wallace Street frontage of the site, and the Dwelling house and landscaping along the Locke Street frontage of the site, the proposed development is not visible from either road frontages. Conditions will be imposed requiring the existing fencing and landscaping to be maintained along these frontages to screen the proposed development and to ensure the land is compatible with the local streetscape character and respectful to the nearby Local Heritage Place. By imposing conditions, the development can comply with the Performance outcome.

**AO9** *In partial fulfilment of the PO –*

- (a) The roof form is a gabled or hipped roof with secondary skillions. For larger buildings, roofs will incorporate multiple gables or hips to ensure that the roof remains in proportion to the wall heights.*
- (b) Building facades incorporate verandahs.*
- (c) Buildings incorporate a minimum overhang (eaves) of 400 mm.*
- (d) Buildings address the street by having their main entrance on the street elevation.*

**PO9** *Non-residential buildings and structures reflect and display elements of domestic architecture including pitched roofs, variations in setbacks, architectural detailing and materials.*

**Overall outcomes**

*(j) ... Non-residential uses are small scale and incorporate design elements that are consistent with the surrounding residential development, including roofline and architectural treatments that reflect residential building design.*

The existing building in which the proposed Medium impact industry will operate from maintains a skillion roof. While the proposed development is located in an existing domestic outbuilding (shed)

and the building has the appearance of a typical shed, the development will not be visible from the road frontages due to the existing screen fencing and dense landscaping. As the development is located within the Low density residential zone, the dominant form of development is detached dwellings and dual occupancy premises. Domestic outbuildings (sheds) are also expected in a residential area, and are prevalent throughout the immediate area predominately at the rear of lots. While the proposed development is for the purpose of a non-residential use, as the development will be located within an existing outbuilding, will not involve customers or patrons entering the site, and existing screening on-site will be maintained and retained, the design of the development is consistent with the surrounding residential development. Despite the non-compliance with the Performance outcome, the development is considered to comply with the Overall outcomes of the Code.

**AO12.1** *In partial fulfilment of the PO - Windows of buildings and other structures used for proposes other than residential uses do not overlook the living areas, including outdoor living areas, of any adjoining residential use.*

**AO12.2** *A minimum 1.8 m high solid fence is erected along the common boundary with any residential use, except within the front setback. Any fence erected along the front boundary or within the front building setback has a maximum height of 1.2 m unless it contains openings that make it at least 50% transparent*

The subject site contains a screen fence that has a height of greater than 1.2 metres along the Wallace Street frontage of the site. Compliance must be achieved with the Performance outcome.

**AO12.3** *The use is not an industry activity.*

The proposed development is for the purpose of a Medium impact industry. Compliance must be achieved with the Performance outcome.

**PO12** *Development for uses other than residential uses is located and designed to avoid significantly changing the conditions of privacy, safety, noise, odour and fumes, lighting and traffic generation experienced by occupants of nearby residential uses.*

Customers or the general public will not enter the subject site to be able to browse, purchase or collect meals prepared as a result of the Medium impact industry. The development does not propose any additional enclosed built form for the site. A covered carparking area is proposed to be constructed, however the carpark is for the purpose of staff use only. The carparking area will be required to be setback at least 3.0 metres from the Wallace Street frontage (secondary frontage) of the site.

A timber picket fence which is 50% transparent and has a height of approximately 0.9 metres is maintained along the Locke Street frontage of the site. A solid timber paling fence which has a height that ranges from approximately 1.2 metres to 1.8 metres is maintained along the Wallace Street frontage of the site. Dense established landscaping also exists along the Wallace Street frontage of the site, which varies in width from approximately 2.0 metres to 6.0 metres in-line with the existing buildings. The existing fencing and landscaping adequately screens the development from the road, and is considered necessary to screen any activities relating to the proposed Medium impact industry from the road (i.e. deliveries, etc).

The proposed development will be located in an existing building which is setback 2.0 metres from the common boundary with Lot 2 RP36413 to the east, which is used exclusively for a residential purpose. The eastern boundary contains an existing timber paling fence, though no details have been provided as to the height of the fence. To ensure the development avoids significant changes to privacy, safety, noise, odour and fumes and lighting, a condition will be imposed requiring the erection of a 1.8 metre high screen fence along the eastern boundary, except within 6.0 metres of Locke Street. Due to the steep topography of the land to the south and the adjoining properties backyard containing significant vegetation and is too impacted by the topography, the fence will only be required to be provided for a distance of approximately 70.0 metres.

To further ensure development avoids significant changes to the area, with particular emphasis on safety, noise, lighting and traffic, the operation of the kitchen will be restricted to between the hours of 7.00am to 5.00pm, Mondays to Fridays. These hours of operation also include the deliveries of

meals from the site. Deliveries of goods and raw ingredients to the site will be restricted to between the hours of 7.00am and 7.00pm on Mondays to Fridays. In addition to the hours of operation, a condition will be imposed ensuring the use does not generate any noise levels in excess of 5dB(A) above the background noise levels in the locality when measured at the boundary of an affected residential dwelling.

Where required for noise insulation, the proposed Medium impact industry building may also be modified to incorporate sound attenuating materials and other mitigation measures, to further reduce noise impacts from the development.

Through the imposition of planning and environmental controls, fencing and landscaping conditions, the development is considered to comply with the Performance outcome of the Code.

***PO11 Development is physically integrated with and represents a logical extension of the existing residential fabric and is convenient to services and social infrastructure.***

***PO13 Uses are compatible with and complementary to the dominant existing use and amenity of the area.***

The proposed development is for the purpose of a Medium impact industry and will be located within an existing building. The existing uses and amenity of the area consists of both residential and non-residential uses. Residential uses consisting of Dwelling houses are the dominant uses to the north and east of the development site. Despite this, there are numerous non-residential uses in the immediate vicinity of the development site, including a Hospital (Warwick Hospital directly adjacent to the west), a Service station (directly adjacent to the north) and a Motel (approximately 50.0 metres south-west).

As previously outlined, the existing building which will contain the proposed Medium impact industry is an outbuilding (shed), and the proposed use will not be accessible to customers or the general public. The applicant has indicated approximately 500 meals will be produced and prepared each week. To ensure the development remains at a scale that is compatible with the surrounding residential and non-residential uses, a condition will be imposed restricting the number of meals to be prepared each week to 500, as outlined by the applicant. A meal is considered to consist of an entrée, main and desert item. Based on a weight of 500 grams for each meal, the estimated weight of food produced per annum would be 13 tonnes. Restricting the proposed use to this scale is considered necessary to ensure the development does not compromise the nearby residential uses and is compatible with the amenity of the area.

A waste storage area has also been proposed to be provided, and is located to the south of the existing driveway. To ensure the waste storage area is compatible with the amenity of the area, the waste storage area must be setback at least 3.0 metres from Wallace Street, and a 1.8 metre high screen fence with the inclusion of gates is erected surrounding the storage area. To further minimise the visual impact of the storage area, a minimum of one (1) metre wide of landscaping is to be planted along the sides of the required screen fencing, excluding the gates, to soften the appearance of the screen fencing for the waste storage area.

Furthermore, a condition will be imposed stating that no advertising devices are to be erected advertising the proposed use. By imposing this condition, the use cannot be advertised to members of the public and thus, will further restrict customers trying to attend the site as the use is not advertised. Should advertising devices be erected on the land, it is likely customers may attend the site, and thus, will increase the traffic within the area.

Through the imposition of conditions, the development is considered to comply with the Performance outcomes.

***PO19 Satisfactory servicing areas, circulation and parking arrangements are made for private, public transport, service and emergency vehicles.***

The proposed development will maintain dual vehicle access crossovers onto Wallace Street. The development was referred to DHLGPPW as the land abuts a State-controlled road. The referral response from DHLGPPW had no requirements. The applicant has proposed on the site plan the dual vehicle accesses will operate as a one-way in and one-way out arrangement. Vehicles will

enter the site using the northern-most vehicle access and exit the site via the southern-most vehicle access. Conditions will be imposed to ensure that clear, directional signage is provided.

Conditions will also be imposed to ensure there is adequate carparking spaces provided on-site in accordance with the rate specified for an Industrial use as per the Carparking and loading code.

#### Industry uses code

**AO3.1** *Landscaped setback areas are to be provided along the street frontages of the site in accordance with the zone code.*

The land is within the Low density residential zone, which requires landscaping to be provided along the primary street frontage with a width of at least 6.0 metres, and a width of at least 3.0 metres along the secondary street frontage. Conditions will be imposed to ensure landscaping is provided in accordance with the Low density residential zone code as outlined by the Acceptable outcome above.

#### **AO3.3**

- (a) *Where the site adjoins land in the Low density residential or Medium density residential zone the maximum site coverage is 40%. A landscaped buffer strip at least 3 m wide is provided adjoining all side and rear boundaries.*

The subject site adjoins land within the Low density residential zone along the eastern boundary. As the proposed development will be located within an existing building that is setback 2.0 metres from the eastern boundary, a 3.0 metre wide landscaping buffer strip is not able to be provided. Compliance must be achieved with the Performance outcome.

**PO3** *Buildings and other structures are designed and constructed in a manner that complements the existing built form in the immediate area.*

The proposed Medium impact industry will be located within an existing building (shed). The existing built form of the area to the north and east consists primarily of detached dwellings and outbuildings, being a residential area. The development proposes no built form that appears inconsistent with the surrounding residential area. Despite the appearance of the proposed development being an outbuilding, due to the existing vegetation and screen fencing along the frontages the building is not visible from the road. The existing landscaping and screen fencing will be required to be retained and maintained. While the proposed development is sited 2.0 metres from the eastern boundary which contains a residential use, due to the nature of the development (preparing of food) the development will operate entirely within the building. To further ensure the development complements the area, screen fencing will be required to be erected along the eastern boundary. Therefore, by imposing conditions the development is considered to comply with the Performance outcome.

**AO4** *The use is consistent with the objectives set out in the Environmental Protection (Noise) Policy 2008 and the Environmental Protection (Air) Policy 2008.*

The proposed development will result in the use of one (1) shed for food processing and production purposes. Advice provided by Council's Regulatory Services Coordinator recommends the inclusion of conditions to manage noise generated from the property, such as noise restrictions and monitoring. These conditions will be included to ensure compliance with the Acceptable outcome. With conditions imposed, the development is able to remain consistent with the objectives set out in the *Environmental Protection (Noise) Policy 2019* and the *Environmental Protection (Air) Policy 2019*.

#### Carparking and loading code

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

As per Table 9.4.2.4, an Industrial use with a total use area of 1,000 square metres or less requires 1 space per 100 square metres, with a minimum of 4 spaces provided. The proposed development has a total use area of 37.6 square metres. As such, a minimum number of four (4) car parking spaces must be provided. Conditions will be imposed to ensure compliance.

**AO3** *Except in the case of a dwelling house, parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed in accordance with Planning Scheme Policy – Carpark Construction.*

The proposed development is for the purpose of a Medium impact industry and is located with the Low density residential zone. The *Planning Scheme Policy – Carpark Construction* requires any parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are sealed. While the development will not involve customers attending the site, the development will involve deliveries of raw ingredients to the site and will also involve frequent movement of produced food by delivery vehicles from the site on a daily occurrence. As such, a condition will be imposed the *Planning Scheme Policy – Carpark Construction* is complied with and thus, the Acceptable outcome can be achieved.

#### **AO6**

- (b) *Only one footpath crossing is provided for each frontage to the site. Design of the driveway across the footpath is in accordance with IPWEAQ Standard Drawings for residential and commercial driveways.*

**PO6** *Vehicular accesses:*

- (a) *are appropriate for:*
- (i) *the capacity of the carpark;*
  - (ii) *the volume, frequency and type of vehicle usage; and*
  - (iii) *the function and configuration of the access road; and*
- (b) *minimise any potentially adverse impact on:*
- (i) *the safety and efficiency of the road;*
  - (ii) *the integrity of any infrastructure within the road reserve; and*
  - (iii) *the safety of access to adjacent properties.*

**AO7** *Approval from the Department of Transport and Main Roads is obtained for any works (including property access) for:*

- *Work within boundaries of a State-controlled road; and*
- *Direct access to a State-controlled road*

The development involves the use of two (2) existing vehicle crossovers onto Wallace Street. As Wallace Street is a State-controlled road, the development was referred to DHLGPPW. As part of the DHLGPPW's assessment process, the development was assessed against State Code 1: Development in a state-controlled road environment. The purpose of the code is to protect the safety, function and efficiency of state-controlled roads, amongst other considerations. This includes accesses into the State-controlled road network. The DHLGPPW had no requirements. Based on this, it is considered the proposed use of the existing dual vehicle accesses is appropriate for the development, and compliance with PO6 is achieved.

#### **AO9**

- (a) *The service bays provided and their access, can accommodate, at any one time, the types of service vehicles detailed in Table 9.4.2.4.*
- (b) *Service bays located wholly or partly within a building are physically separated from the rest of the building in a manner that makes it impractical to use them for storage or work areas.*
- (c) *Vehicles being unloaded or loaded with goods stand completely on site and do not impede vehicle access to more than 10 parking spaces.*



*(d) Service vehicles enter and leave the site in a forward gear.*

The development proposes a service bay for the delivery of goods which is located along the western elevation of proposed Medium impact industry building. The development will be required to be provided with four (4) carparking spaces for staff use, with no carparking spaces provided for customers as no customers will be attending the site. Directional signage will be conditioned to be provided internal to the site to ensure vehicle movement is adequate. By imposing conditions, the development can comply with the Acceptable outcome.

#### Landscaping code

**AO1** *In partial fulfilment of the PO – Landscaping is carried out in accordance with a planting plan prepared by a suitably qualified landscape designer that:*

**PO1** *Development is landscaped in a manner which:*

- *Makes a positive contribution to the streetscape and enhances the appearance of the facility;*
- *Integrates natural landscape features such as rock outcrops and existing large trees and existing native vegetation;*
- *Enhances buffer areas around property boundaries;*
- *Compliments the relative size and nature of the development;*
- *Screens the view of service, carparking and loading areas;*
- *Enhances the appearance of screens and acoustic fences; and*
- *Ensures the functionality of outdoor space.*

#### **AO5**

- (a) Plant species within an electricity transmission line easement are less than 4 m high at maturity.*
- (b) Any species planted beneath a power line that connects to a building shall have a height at maturity of less than 2 m.*
- (c) Trees and large shrubs are located a minimum of:*
  - (i) 4 m from electricity poles and pillars;*
  - (ii) 7.5 m from overhead lights;*
  - (iii) 2 m from stormwater catchment pits; and*
  - (iv) 2 m from underground services and utilities.*
- (d) Plants are located to enable tradespersons to access, view and inspect service meters such as water and electricity meters.*
- (e) Root barriers are installed around trees that are located within 3 m of any underground infrastructure.*

The subject land contains significant established vegetation throughout. The existing vegetation along the northern and western boundaries (road frontages) will be required to be retained and maintained as to enhance and screen the development from the road. The vegetation existing along the Wallace Street frontage of the site is considered adequate to screen the development, however, should any landscaping be removed or die, the landscaping is to have a width of at least 3.0 metres in accordance with the zone code. Conditions will also be imposed to ensure no trees or large shrubs are planted within proximity to the reticulated sewerage line that traverses the subject property. Through the imposition of landscaping conditions, the development is considered to achieve compliance with the Performance outcome.

#### Outdoor lighting code

By imposing conditions, the development can comply with the Code.

## Physical infrastructure code

**AO1.1** In the District centre, Industry, Low density residential, Medium density residential, Mixed use, Principal centre and Specialised centre zones, development is connected to a water reticulation system.

**AO2.1** Except in Allora, in the District centre, Low density residential, Industry, Medium density residential, Mixed use, Principal centre, and Specialised centre zones, development is connected to a sewerage system in accordance with the Sewerage Code of Australia.

The development will be required to be connected to Council's reticulated water and sewerage systems. In addition, the development will be required to comply with Council's Trade Waste Policy, which requires the installation, operation and maintenance of industry standard pre-treatment devices or processes to ensure that sewer admission limits, as approved, are not exceeded. Through the imposition of conditions, the development can comply with the Acceptable outcomes.

**PO6** Where buildings or other structures are in proximity to State or Council's sewerage, stormwater or water supply infrastructure, provision is made to protect the infrastructure from physical damage and allow ongoing maintenance by Council.

The development originally proposed to locate a covered carparking structure over the existing reticulated sewerage line, however, as a result of receiving an Information Request, the development changed the location of the proposed carpark so as to not traverse the sewer line. A condition will be imposed ensuring that any building, structure or carparking or the like constructed over Council's infrastructure complies with Council's Works Near Water Supply and/or Sewerage Infrastructure Policy.

## **Infrastructure Charges**

The GFA of the proposed Medium impact industry is 37.6 square metres. As defined in the Southern Downs Planning Scheme (v.5), GFA is the total floor area of all storeys of a building (measured from the outside of the external walls or the centre of a common wall). The applicant's floor plan shows dimensions of the building from the inside of the external walls, and not the outside of the external walls. The floor area of the building for the Medium impact industry is 34.5 square metres (from the inside of the walls), while the GFA is 37.6 square metres (from the outside of the walls), based on scaling of the floor plan provided.

Charges Resolution (No. 4.2) 2023 commenced 13 December 2023.

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Industry - Medium impact industry	Stormwater	\$8/impervious m <sup>2</sup>	37.6 m <sup>2</sup>	Nil	\$300.80
	Other	\$38.50/m <sup>2</sup> GFA	37.6 m <sup>2</sup>	Nil	\$1,447.60
<b>TOTAL:</b>					<b>\$1,748.40</b>

Office use only			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Public Parks and land for community facilities	0%	NA	RC243
Transport	30%	\$524.52	RC241
Water supply	35%	\$611.94	RC244
Sewerage	35%	\$611.94	RC245
Stormwater	\$8/m <sup>2</sup>	\$300.80	RC242

In accordance with Section 122 of the *Planning Act 2016*, the infrastructure charge is payable when the change of use happens.

## Recommendation

THAT the application for Material Change of Use for the purpose of a Medium impact industry (food processing and preparing) on land at 54 Locke Street, Warwick, described as Lot 1 RP36413, 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
Floor Layout – prepared by Design & Construct Catering	240925 Drawing 1	28 October 2024
Elevations – prepared by Design & Construct Catering	240925 Drawing 2	28 October 2024
Services Layout – prepared by Design & Construct Catering	240925 Drawing 3	28 October 2024
Services Elevations – prepared by Design & Construct Catering	240925 Drawing 4	28 October 2024
Schedule – prepared by Design & Construct Catering	240925 Drawing 5	28 October 2024
Site Plan (As amended in RED by Council 4 April 2025)	-	4 April 2025 (Amended by Council)
Access and site plan – prepared by applicant	-	Received 18 December 2024

2. Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.

#### Land Use and Planning Controls

3. This approval allows for the use of the site for the following uses only:
  - Medium impact industry (food processing and preparing up to 500 meals per week, or the equivalent weight of the food (meals) in tonnes per annum).

*Note: A meal is defined as including an entrée, main and dessert food item.*

*Note: The equivalent weight of the food (meals) processed and prepared is generally not to exceed 15 tonnes per annum.*

4. The development shall generally operate only between the hours of 7.00am to 5.00pm, Mondays to Fridays, and not at all on Saturdays, Sundays and public holidays. The hours of operation also relate to the loading of produced and prepared food items (meals) on the site to be delivered from the site.
5. 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 Friday. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.

*Note: This condition does not relate to the loading of produced and prepared food items (meals) on the site, to be delivered from the site, as referenced in Condition 4.*

6. No customers are to attend the site at any time or for any reason.

*Note: This does not include deliveries to and from the site.*

7. Prior to the commencement of the use, a copy of the Safe Foods Queensland Licence is to be provided to Council.

### **Building and Site Design**

8. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council (see advisory note below).
9. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing (see advisory note below).
10. No additional buildings or structures are to be constructed over Council's reticulated sewerage system without complying 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.

### **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 an approved Waste Management Facility.
12. Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured at the boundary of an affected residential dwelling and must not exceed 10dB(A) above the background noise levels in the locality when measured at the boundary of a commercial premises. This may include the need to use noise attenuating materials in the building.
13. If complaints are received about noise, and it is determined that the subject industry activity is creating a noise nuisance, structural changes must be made to the design of the commercial kitchen building. The structural changes must be acoustically designed, by a suitably qualified person, so that the noise level required can be achieved. The design changes may also incorporate the installation of a noise barrier, of solid and continuous construction with negligible holes and/or gaps, for the perimeter of the facility. The design must be submitted to the Council for approval prior to construction.
14. In the event an Authorised Council Officer determines the noise associated with the Industry use is intrusive and causing unreasonable interference, Council may require the operator of the Commercial Kitchen to engage a suitably qualified person to provide an acoustic assessment report on noise emissions from the activity and any necessary sound attenuation measures required to prevent surrounding sensitive receptors from being adversely impacted upon. The recommended sound attenuation measures are to be implemented as required by an Authorised Council Officer.
15. A sufficient number of suitable waste receptacles must be provided on site at all times. Waste receptacles must be regularly serviced to prevent unsightly accumulations of waste or environmental harm being caused. A waste collection contractor must be engaged to supply suitable waste and recycling receptacles and service waste and recycling receptacles.
16. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
17. All regulated waste, as defined in the *Environmental Protection Regulated 2019*, removed from the site must be removed by a person who holds a current authority to do so under the *Environmental Protection Act 1994*. The records for this disposal must be kept on site and be available for viewing by an authorised officer.
18. All waste must be stored in a centralised waste storage area. All waste receptacles are to be stored on a concrete hardstand pad within the centralised waste storage area. A 1.8 metre high solid screen fence, including gates, is to be provided around the central waste storage area, to screen the area from public places.

A minimum one (1) metre wide landscaped area is to be planted along the sides of the central waste storage area, excluding along the gates, to provide a visual buffer and screen the waste storage area from the street.

19. 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.
20. The cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
21. There are to be no Advertising Devices relating to the Medium impact industry (food processing and preparing) be erected on the subject land, i.e. Lot 1 RP36413, as the development is not to be accessed by customers or members of the public. No advertising signs or devices are to be located on any other land. No advertising signs or devices are to be located within the road reserve.
22. All equipment, goods and materials must be located in a building.
23. 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.
24. Any food waste that is proposed to be composted must be composted on-site only. All compost:
  - (i) Must not be sold or donated;
  - (ii) Must not leave the site;
  - (iii) Must be located in a bunded area to avoid runoff of contaminants; and
  - (iv) Must be wholly covered to avoid wet weather.

Should any complaints be received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) regarding odour generated from the site by the composting activity occurring as a result of the Industry use, all composting of food wastes must cease and an appropriate waste collection service is provided to remove all compost from the site. All removed compost must be adequately disposal of at an approval waste facility as to not cause any environmental harm.

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

25. A solid screen fence 1.8 metres high shall be erected along the eastern boundary for a distance of 70.0 metres from Locke Street, 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 road boundary. The fencing is to be provided generally in accordance with the following diagram:



26. A 1.2 metre high fence is to be erected along the northern frontage of the site. A 1.8 metre high screen fencing is to be erected along the western frontage, as to provide visual screening. This screen fencing is to be provided at the developer's cost. This fencing along the Wallace Street frontage shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the Locke Street road boundary.

*Note: The existing fencing along the northern and western frontages of the site are considered adequate and are to be maintained. Should any part of the fence be replaced or fall into disrepair, the fence is to be replaced to the specification outlined in the condition.*

27. **Details of the proposed fencing are to be submitted to and approved by Council's Planning Services team prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.
28. There are to be no large shrubs or trees planted within 2.0 metres of Council's sewerage line.
29. A six (6) metre wide landscaped area is to be provided along the northern frontage of the site.

A three (3) metre wide landscaped area is to be provided along western frontage of the site, excluding the driveways, as to provide a visual buffer. The landscaping along the western frontage of the site is to maintain an average height of at least 1.8 metres.

The landscaping is to be maintained for the life of the development.

*Note: The existing landscaping along the northern and western frontages of the site are considered adequate and are to be retained and maintained. Should at any time the landscaping species die, the landscaping is to be replaced with the same or similar species, and must be of at least the same height as the replaced landscaping.*

30. **A Landscaping Plan is to be submitted to and approved by Council's Planning Services team prior to the issue of any Development Permit for Building Work.** The Landscaping Plan must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. Root barriers are to be installed around

trees that are located within 3 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

### **Car Parking and Vehicle Access**

31. Vehicular access from Locke Street is prohibited.
32. Signage reading 'Entrance' is to be erected within the subject site at one (1) of the nominated vehicle access crossovers to Wallace Street. The signage is to be orientated towards Wallace Street. Signage reading 'No Exit' is to be erected at the same nominated vehicle access crossover, and is to be orientated internal towards the site.  
  
Signage reading 'No Entrance' is to be erected within the subject site at the second vehicle access crossover (the crossover not used for entrance into the site as outlined above). The signage is to be orientated towards Wallace Street. Signage reading 'Exit' is to be erected at the same vehicle access crossover, and is to be orientated internal towards the site.
33. The development Internal way-finding signage and directional markings (i.e. arrows) is to be erected to ensure directions internally and upon exiting the site clear.  
  
Signage reading 'One Way' is to be erected along the proposed internal driveway, outlining the one-way nature of the driveway.
34. 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.
35. At least four (4) car parking spaces are to be provided on site. Provision is to be made for disabled parking.
36. The car park area is to be set back at least 3.0 metres from the western property boundary (Wallace Street).
37. All car parking, driveway and loading areas shall be sealed, line marked, drained, laid out and regularly maintained. All parking areas including parking spaces, queuing areas, loading, set down and pickup areas and driveways are constructed in accordance with *Planning Scheme Policy – Carpark Construction*.
38. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted.

### **Roadworks**

39. 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 General Manager Infrastructure, Assets and Projects.

### **Stormwater Drainage**

40. 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**

41. The proposed development is to be connected to Council's reticulated water supply system and sewerage system in accordance with the *Queensland Plumbing and Wastewater Code*.
42. The development is to comply with Council's Trade Waste Management Policy PL-IS070, which requires the installation, operation and maintenance of industry standard pre-treatment devices or processes to ensure that sewer admission limits as approved are not exceeded.

The disposal of waste classified as Trade Waste under the *Plumbing and Drainage Act 2018* is to be in accordance with Council's Trade Waste Policy.

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

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

### **Infrastructure Charges Notice**

45. 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 General Manager Planning and Environmental Services, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Planning Act 2016* and would have to comply with the requirements of the Planning Scheme.
- (iii) It is your responsibility to notify Council when a development, or part of, is nearing completion and ready for commencement of the use. The commencement of use is when the Infrastructure Charges associated with your development are to be paid, unless paid earlier.
- (iv) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (v) Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.
- (vi) The General Environmental Duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke, beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.



- (vii) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.
- (viii) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of the Medium impact industry. Applications for Design Approval and Approval to Operate (including applications for licence under the *Food Act 2006*) are to be submitted to and approved by Council for the food premise, prior to the issue of a Development Permit for Building Work.
- (ix) **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.
- (x) **Building Approval is to be obtained** in accordance with the *Planning Act 2016* for a Change of Classification of Building from Class 10a to Class 8, to allow the use of the existing building for Medium impact industry purposes. The application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. **Building works and modification of the existing building may be required to be undertaken** as part of the approval so as to accord with the requirements of the *Building Act 1975*.
- (xi) From 1 July 2022 in Southern Downs Regional Council area Queensland Development Code MP4.3 will be applicable for any new commercial buildings (class 3 to 9). Commercial buildings will require tanks of 1,500 litres capacity per required pedestal, plumbed to service toilets and outdoor in accordance with the *Plumbing and Drainage Act 2018*. Appropriate area on the subject lot will be required to ensure compliance with these mandatory provisions.
- (xii) The applicant is to permit Council officers access to the site in accordance with the powers of entry provisions of the *Local Government Act 2009*, subject to 48 hours notice and reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.
- (xiii) The supply of water for human consumption, food preparation, food utensil washing or personal hygiene, including the supply of water for drinking water, showers, baths, hand basin and kitchen sinks, must be connected to a drinking water supply, in accordance with the *Plumbing Code of Australia* and the *Australian Drinking Water Quality Guidelines* produced by the *National Health and Medical Research*.
- (xiv) A Compliance Certificate for Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (xv) 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.

#### **Licensing of Food Manufacturers Under the *Food Act 2006***

(xvi) The *Food Act 2006* (The 'Act') requires:

- Operators of all 'licensable food businesses' within Queensland to hold a 'food business licence' with the relevant local government.
- Activities such as crushing, pressing, fermenting, maturing, blending or bottling conducted at a beverage manufacturer meets the definition of manufacture in section 16(1) of The Act.
- Section 48(1)a of the Act states that a food business that involves the manufacture of food is a *licensable food business*.

For information on how to obtain a food licence under the *Food Act 2006*, please contact Council on 1300 697 372 and ask to speak to an Environmental Health Officer or via email [mail@sdrc.qld.gov.au](mailto:mail@sdrc.qld.gov.au)

### **Telecommunications in New Developments**

(xvii) 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**

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

### **Schedule 2 – Department of Housing, Local Government, Planning and Public Works’ conditions as a Concurrence agency**


Nil

### **ATTACHMENTS**

Nil

## 15.2 Material Change of Use - Consideration of Change Representations - Sarah Hulme - 10 Deutscher Road, Mount Tully

### Document Information

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Acting Director Planning and Environmental Services	<b>ECM Function No/s:</b> MCU\02647

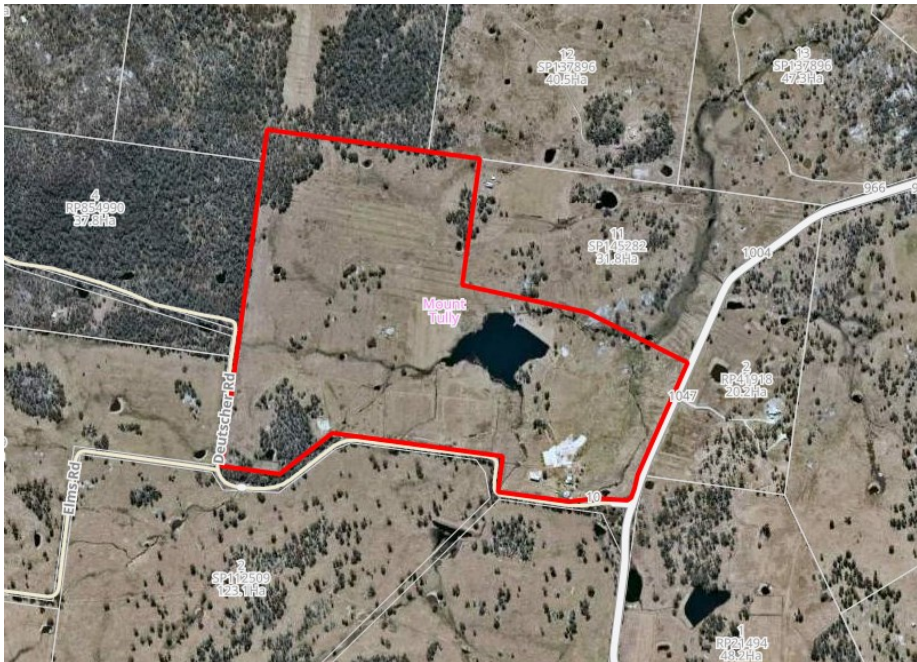
<b>APPLICANT:</b>	Sarah F Hulme
<b>OWNER:</b>	Ricsar Pty Ltd
<b>ADDRESS:</b>	10 Deutscher Road, Mount Tully
<b>RPD:</b>	Lot 10 SP145282
<b>ZONE:</b>	Rural zone (Granite hills precinct)
<b>PROPOSAL:</b>	Short-term accommodation (Three (3) buildings, up to 16 guests)
<b>LEVEL OF ASSESSMENT:</b>	Code
<b>SUBMITTERS:</b>	Not Applicable
<b>REFERRALS:</b>	Nil
<b>FILE NUMBER:</b>	MCU\02647

### RECOMMENDATION SUMMARY

THAT the change representations made in relation to the application for a Material Change of Use for the purpose of Short-term accommodation (Three (3) buildings, up to 16 guests) on land at 10 Deutscher Road, Mount Tully, described as Lot 10 SP145282, be refused.

### REPORT

On 27 February 2025, Council issued a Development Permit for a Material Change of Use to establish Short-term accommodation (Three (3) buildings, up to 16 guests) on the subject site.



**Figure 1 – Site Locality**

The approved development was for the establishment of short-term accommodation uses in three buildings on the site, with a maximum occupancy of 16 guests.

The site has frontages to Mt Tully Road and Deutscher Road along the eastern and southern boundaries of the site. Access to the site is via an existing residential crossover to Deutscher Road. The site currently contains a range of rural outbuildings. A Dwelling house was previously located on site but has been removed to facilitate the proposed development.

The applicant has made change representations and has requested the review of:

- Condition 19
- Condition 24

#### Conditions 19 and 24

Condition 19 is as follows:

19. *The proposed development is to be accessed via an approved, sealed vehicle crossover.*

*Note; approval for Minor Works – Works in Road Reserve is required for any new access, or existing access that has not been previously approved.*

Condition 24 is as follows:

24. *Deutscher Road is to be improved to Council's Sealed Rural Minor Access standard, from the existing sealed section to the site entrance.*

#### Representations

The applicant's representations in relation to the conditions are summarised below:

*As discussed with council, the construction of a sealed vehicle crossover (as outlined in condition 19) and the construction of the external road to access to the property (as outlined in condition 24) will have a huge impact on our decision to commence this approval.*

*As discussed with council, this approval is to supplement the existing Rural uses on site and to provide Tourist opportunities for the Southern Downs Region, and the cost of the above works cannot be supported by the development.*

*As outlined in our application and the response to Councils' information request, we proposed to maintain the existing gravel road to the site which in total is no longer than 40m.*

*We understand that following discussions with Council, AO2 of the Short-Term Accommodation Code and AO4 of the Rural Zone Code is what council wants to achieve for the road construction.*

*However, the Southern Downs Town Plan and codes are performance based and the performance solution we outlined in our response to council is what we hoped council would accept.*

*In response to the...performance outcomes, we provide the following performance solution, demonstrating compliance with PO2 and PO4.*

***The site is to be access via a road that is of a standard to adequately cater for the traffic generated by the use.***

*As discussed in the application, the current Deutscher road is constructed of a bitumen standard from the intersection of Mount Tully Road for about 40m. This construction is sealed to the width of a Rural Minor standard road. The road then turns into a gravel road until the access from the driveway on site and beyond. This construction is of a width of approximately 6.0m and appears to fit the requirements of a Rural minor road.*

*The traffic generated to the site, via the gravel road, will be of the same volume as the existing rural activity, if it was to continue during the times the Short-Term Accommodation operates. By saying this, the number of trips per day based on the rural activity is between 8-10 trips. For access to the Short-Term accommodation, the trip generation will be in the order of 4-8 trips per day. In this regard, no additional traffic load will be placed on that section of the gravel road from what occurs now.*

*Furthermore, the proposed Short-term accommodate will be mostly accessed by private vehicles of guests, whereas the existing rural activity use involves heavy farm vehicles and machinery accessing the site from Deutscher Road. In this regard, the safe and efficient operation of the road and access is maintained by the development in relation to the nature of vehicles using the road.*

#### ***Causing Traffic hazard***

*As shown from the attached pictures, there is plenty of sight distance from the driveway onto Deutscher Road, and Deutscher Road does not have any visible hazards near it.*

#### ***Damage to the road***

*As discussed above, the traffic generated from the site will not be above the current usage on-site, so there will be no additional damage to the road from the proposed development. Furthermore, the proposed Short-term accommodate will be mostly accessed by private vehicles of guests.*

#### ***Dust***

*Please find below the location of the nearest residences. Our experience living on site is that there is very limited dust created when cars drive on the gravel road even in the driest months. The nearest residences are more than 485m away...so no impact will occur to those neighbours.*

*Based on the above we request conditions 19 and 24 be removed from the conditions.*

#### **Response**

The applicant's representations have not demonstrated sufficient justification to remove the requirement for upgrading the road and sealing the driveway entrance. The applicant has not provided any supporting assessment undertaken by a Registered Professional Engineer of Queensland (RPEQ) as part of the Change Representations.

Performance outcome 4 of the Rural zone code states:

***PO4 The safe and efficient operation of roads and access is maintained having regard to the nature of vehicles using the road, the location of uses that may be adversely affected by noise or dust generated by the use of the road and the location and design of access.***



The Acceptable outcome identifies that Short-term accommodation uses, accommodating up to 12 guests, can be acceptably accessed via the unsealed road network. The proposal will accommodate 16 guests. Accommodation of more than 12 guests is considered to be a scale of use that increases traffic to the locality above the reasonable expectations of rural traffic loading. As stated by the applicant, this use will supplement the existing rural activities on the premises, and therefore vehicle numbers will increase as a result of the proposal.

Deutscher Road is currently constructed to a sealed Rural Minor Road standard for approximately 40 metres from the intersection of Mount Tully Road. Therefore, the conditioned requirements will result in a logical extension of this sealed surface to the property access, a distance of approximately 50 metres. Extending the sealed section of the road to the property entrance will ensure there is less traffic transitioning from the gravel section to the bitumen sealed section of Deutscher Road. As can be seen in the following photographs, there is already damage to the road surface where it transitions from sealed to gravel, and to the concrete crossing, which will be further impacted with the increase in traffic resulting from the proposed development. Vehicles are currently tracking gravel onto the sealed section of Deutscher Road and toward the intersection with Mt Tully Road, this can also be seen in the following photographs. This will also increase as a result of the increased vehicles associated with the proposed development.

In addition, by sealing this portion, it will ensure that the non-rural traffic generated from this property is appropriate for the tourist users that are generally unfamiliar with the locality and conditions of the road. The requirement is considered to be a reasonable response to the increased traffic caused by the development.



***Photograph 1: Deutscher Road, transitioning from sealed to gravel construction***





**Photograph 2: Deutscher Road, looking toward the concrete crossing and the entrance to the property**



**Photograph 3: Mt Tully Road and Deutscher Road intersection, looking toward subject property entrance**



**Photograph 4: Deutscher Road, taken from property entrance looking toward Mt Tully Road**

Further, the requirement to seal the property access from the road edge to the property boundary ensure the access is appropriate for the volume, frequency and type of vehicle usage. Based on

the volume of traffic associated with the proposed use, the requirement to seal the access will ensure that the use does not impact the integrity of infrastructure in the road reserve, including drainage paths, and will assist in maintaining the integrity of the new roadway seal.

It is therefore recommended that the conditions remain unchanged and the applicant's representations be refused.

Alternatively, Condition 24 could be amended to require access to Mt Tully Road only, as Mt Tully Road is an existing sealed road.

### **Recommendation**

THAT Council refuse the change representations made in relation to the application for a Material Change of Use for the purpose of Short-term accommodation (Three (3) buildings, up to 16 guests) on land at 10 Deutscher Road, Mount Tully, described as Lot 10 SP145282 for the following reasons:

- The proposed development will result in an increase of traffic to the local road network.
- The current unsealed section of Deutscher Road is not considered to be a standard to adequately cater for the traffic generated by the scale of the proposed use.
- The conditions achieve compliance with the relevant assessment benchmarks of the Rural zone code and Short-term accommodation code.
- The existing conditions are a reasonable response to mitigate the impacts as a result of the changes that the development will cause.

Alternatively, Condition 24 be amended as follows:

24. Deutscher Road is to be improved to Council's Sealed Rural Minor Access standard, from the existing sealed section to the site entrance.

*Alternatively, the proposed development is to be accessed along Mt Tully Road only via an approved vehicle crossover, wholly contained within the subject premises.*

*Note: approval for Minor Works – Works in Road Reserve is required for any new access, or existing access that has not been previously approved.*


### **ATTACHMENTS**

Nil



**15.3 Material Change of Use - Consideration of Change Representations - Howard Trade Centre Pty Ltd C/- Adapt Development Management Pty Ltd - 10 Mill Road, Stanthorpe: Lot 110 RP12340**

**Document Information**

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Planning Officer	<b>ECM Function No/s:</b> MCU\02629

<b>APPLICANT:</b>	Howard Trade Centre Pty Ltd C/- Adapt Development Management Pty Ltd
<b>OWNER:</b>	Howard Trade Centre Pty Ltd
<b>ADDRESS:</b>	Mill Road, Stanthorpe
<b>RPD:</b>	Lot 110 RP12340
<b>ZONE:</b>	Industry
<b>PROPOSAL:</b>	Warehouse (One (1) shed – 490m <sup>2</sup> GFA)
<b>LEVEL OF ASSESSMENT:</b>	Code
<b>SUBMITTERS:</b>	Not Applicable
<b>REFERRALS:</b>	Nil
<b>FILE NUMBER:</b>	MCU\02629

**RECOMMENDATION SUMMARY**

THAT Council agree with, in part the change representations made in relation to the application for a Material Change of Use for Warehouse on land at Mill Road, Stanthorpe, described as Lot 110 RP12340.

**REPORT**

On 4 March 2025, Council issued a Development Permit for Material Change of Use for the purpose of Warehouse (One (1) shed – 490m<sup>2</sup> GFA), on land at Mill Road, Stanthorpe, described as Lot 110 RP12340 (Council Ref: MCU\02629).

The application was initially submitted over both lots for a single Warehouse to be constructed on each of two adjoining lots – Lot 109 and 110 RP12340. Following discussions between Council and the applicant, separate applications were subsequently made (Council reference: MCU\02629 and MCU\02622).

During the assessment, the applicant confirmed that, initially, the site will form part of the operations for the 'Howard Trade Centre' which relates to multiple lots, immediately to the north of the subject land. The applicant advised:

*The centre's operations necessitate the utilisation and storage of a diverse range of building materials and supplies, which are distributed and stored across several designated areas within our complex across the following sites:*

- Lots 111, 112, 113, 116 & 117 RP12340
- Lot 45 SP178971

Subsequent discussions with the applicant confirmed that the Warehouse applications were to be considered as operating independently, and should not be linked to the operations occurring on the adjoining lots.

On 17 March 2025, Change representations were received by Council seeking amendment to Conditions 5, 8, 9, 24, 25, 28, 34, 37, 38, 41 and 42. The amendments recommended are highlighted in red within the report, and any proposed acceptable changes to the original conditions are highlighted in red within the Recommendation.

## Report

The subject land is rectangular in shape and has an area of 1,012 square metres. The lot is currently vacant and has frontage to Mill Road. Mill Road separates Industry zoned land to the west and Low density residential zoned land to the east.

Mill Road connects to Sugarloaf Road to the north of the site. At the juncture with Sugarloaf Road, Mill Road is sealed with bitumen and has mountable kerb and channel adjoining the land zoned for Low density residential purposes for a length of approximately 220 metres. From this point the road is considered to be of a constructed gravel standard as illustrated in Figure 1. Mill Road is a no through road.

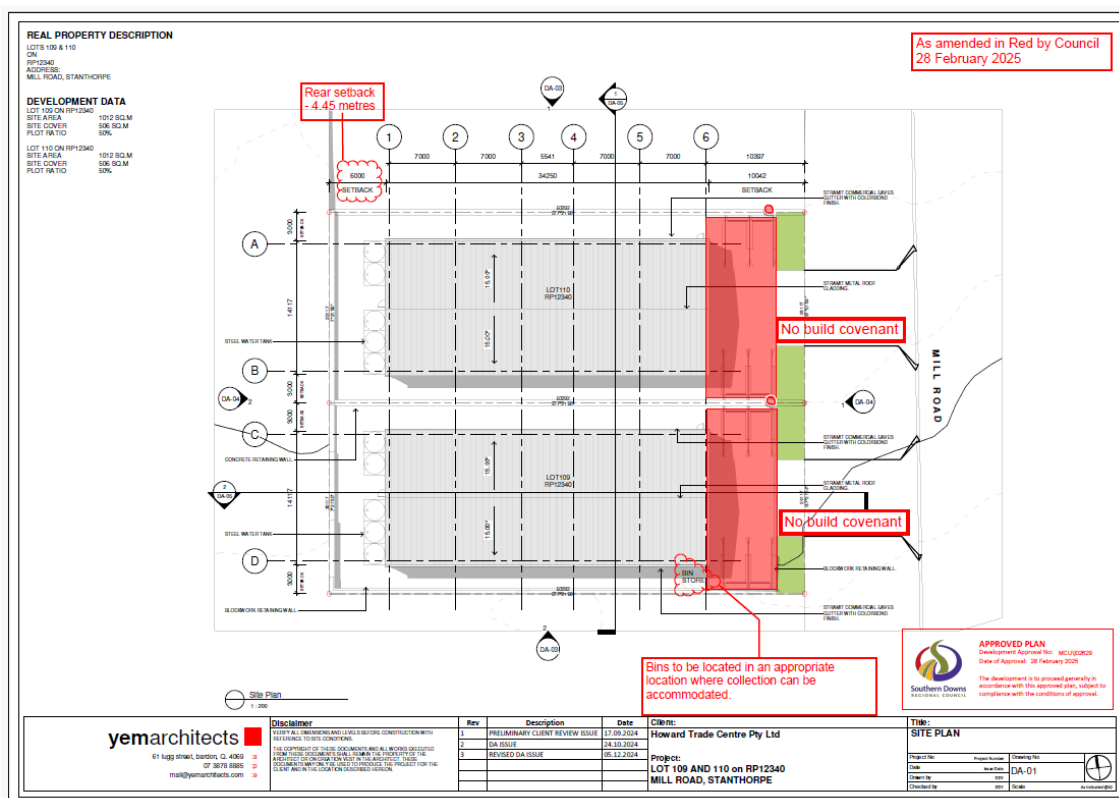




**Figure 2: Planning zones**

The development will result in a Warehouse being constructed on Lot 110 which is the second lot from the southern end of the industry zoned lots.

Figure 2 shows the approved site plan. Access will be provided via a reinforced industrial driveway connecting the site to Mill Road. Four car parking spaces will be located at the front. To enable manoeuvring onsite for vehicles to exit in a forward gear, all car parking spaces must be empty.



**Figure 2: Approved Site plan**

## Change representations

The applicant has made change representations and seeks amendment to Conditions 5, 8, 9, 24, 25, 28, 34, 37, 38, 41 and 42 and are outlined below.

Condition 5 states:

5. *The development shall generally operate only between the hours of 8.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays.*

*The change representations are as follows:*

*The proposed tenant, who also operates the adjoining site which is part of the integrated business, opens at 7am. Please update from 8am to 7am.*

Response:

Whilst the site is in close proximity to a residential zone, it is reasonable to anticipate industrial businesses, in the Industrial zone to operate from 7.00am. Amending this condition as proposed is considered reasonable and does not trigger additional assessment. Condition 5 will be amended as follows:

5. The development shall generally operate only between the hours of ~~8.00am~~ 7.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays.

Condition 8 states:

8. *If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only and no distribution is to occur from the site.*

*The change representations are as follows:*

*If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only and no distribution is to occur from the site.*

*'Warehouse is distribution. Council definition below specifically refers to distribution. Goods are being stored at this location for distribution'.*

*Warehouse - Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards. The use may include sale of goods by*

*wholesale where ancillary to storage. The use does not include retail sales from the premises or industrial uses.*

The wording of this condition reflects the potential classification of the proposed building and relates to the inability to use approved on-site car parking spaces as these must be vacant to enable large vehicles to exit the site in a forward gear.

It is considered that conditions 6 and 7 which limit the times that delivery and service vehicles can enter and exit the site will mitigate the issue of car parking availability. In addition, potential issues associated with the classification of the building can be addressed by the applicant. With consideration to the above it is considered reasonable to amend the condition as requested to state:

8. If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only ~~and no distribution is to occur from the site.~~

Condition 9 states:

9. *The design, colours and materials of the building and pavement are to be in accordance with the Industrial character of the area. The final design and construction of the buildings must provide for larger variation in appearance than that shown in the plans submitted with the application. Variation is to be achieved through the use of colours, materials, architectural treatments, and changes to roof lines. **Details of the design, colours and materials of the building and pavement are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The building is to be constructed in the approved design, colours and materials.*

*The change representations are as follows:*

- ~~9. The design, colours and materials of the building and pavement are to be in accordance with the Industrial character of the area. The final design and construction of the~~

~~buildings must provide for larger variation in appearance than that shown in the plans submitted with the application. Variation is to be achieved through the use of colours, materials, architectural treatments, and changes to roof lines. Details of the design, colours and materials of the building and pavement are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work. The building is to be constructed in the approved design, colours and materials.~~

*The proposal for the building design includes Colorbond colours Bassalt and Dover White. Plans have been attached for approval by Council that incorporate specific colours and materials for the building, noting the current industrial character of the area features basic galvanised corrugated roof and wall sheeting, and bitumen pavement or gravel surfaces. We propose to maintain bitumen and gravel surfaces. Upon endorsement of the attached colour scheme Condition 9 can be deleted.*

Response:

The condition, as applied, is relevant and consistently applied to development across the region to ensure that the proposal development complies with the Planning Scheme. A typical process for Council is that once the approval is issued, applicants would provide amended plans, or details on building design, to Council for assessment against the applicable condition. If the information supplied complies with the condition, a letter is then issued to the applicant confirming this. An alternate process is for a specific plan or report to be referenced in a condition.

Discussions were held with the applicant regarding Council's normal process for assessment of compliance with conditions. The applicant was agreeable to the condition remaining as worded rather than a specific plan being referenced in the conditions, as this would reduce the risk of a minor change being required should the plan change in the future.

It is recommended that the condition remain as written and the change representations related to Condition 9 is refused. Consideration of the design, colours and materials of the building and pavement will be undertaken Council's Planning Services team as per the normal Council process outlined above.

Condition 24 states:

24. *Street trees are to be planted within the road reserve of Mill Road. The trees are to be planted approximately 20.0 metres apart on the frontage of the site. The trees are to be of a minimum height of 1.5 metres at the time of planting.*

***A Street trees plan is to be submitted to and approved by Council's Planning Department prior to the planting of the street trees. This must include details of the location and species of trees, the height and root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. Tree are to be generally frost resistant and drought hardy, and must not include weed species.***

*The change representations are as follows:*

*Refer attached landscape plans. We ask that these plans are endorsed by Council.*

Response:

Condition 24 is a standard condition regularly applied to development permits when street trees are required. The Landscape Management Plan submitted with the change representations was provided as the applicant is seeking agreement for a Performance outcome as the landscaping requirements stipulated by the Acceptable outcome in the Planning Scheme are unable to be accommodated on the site. The Landscape Management Plan identifies two street trees located on either side of the access.

Whilst the Landscaping Management Plan identifies street trees, street trees cannot be considered as part of landscaping on the premises as street trees are located within the road reserve. This condition was imposed to align with the road construction requirements and therefore, should form part of the future operational works application that will be required to extend Mill Road. As such,



the proposed street trees cannot be endorsed until the scope of the operational works are agreed. Therefore, it is recommended that the change representations are refused. An amendment to the condition has been proposed which aims to clarify when consideration of the street trees can occur if the development proceeds.

24. Street trees are to be planted within the road reserve of Mill Road. The trees are to be planted approximately 20.0 metres apart on the frontage of the site. The trees are to be of a minimum height of 1.5 metres at the time of planting.

**A Street trees plan is to be submitted to and approved by Council's Planning Department ~~prior to the planting of the street trees as part of the Operational Works application~~.** This must include details of the location and species of trees, the height and root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. Tree are to be generally frost resistant and drought hardy, and must not include weed species.

Condition 25 states:

- 25. 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.**

*The change representations are as follows:*

*Refer attached landscape plans. We ask that these plans are endorsed by Council.*

Response:

Condition 25 is a standard condition regularly applied to development permits when landscaping is required on the site. The Landscaping Plan was required as the proposed landscaping is less than what is typically required by the Acceptable outcomes in the Planning Scheme.

The Warehouse design is a solid wall from the front with sliding doors and there are no windows or proposed material changes to help break up the bulky appearance of the design. The proposed landscaped areas are an important element to soften the visual amenity from public spaces, recognising that the land immediately opposite the site is zoned Low density residential.

The assessment of the Landscaping Plan can occur outside of this process, with consideration given to the specific species used and the resulting streetscape view. As per Council's response to condition 9, to avoid referencing a specific plan in the conditions, it is recommended that the change representations are refused, and consideration of the submitted Landscape Plans can be assessed outside of the change representations process.

Condition 28 states:

- 28. At least four (4) car parking spaces are to be provided on site. Provision is to be made for disabled parking. There is to be no car parking spaces within the Warehouse. An amended site plan, showing the location of car parking is to be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.**

*The change representations are as follows:*

*Refer attached updated plan to incorporate a pwd parking layby area for each site.*

Response:

Condition 28 is a standard condition regularly applied to development permits when car parking is required on the site. In this instance, the proposed car parking layout was less than that required by the Acceptable outcomes of the Planning Scheme, and provision had not been made to accommodate persons with disability.

There is limited space and tight manoeuvring on the site, due to the size of the shed, the area of landscaping and the area of the site. As such, a condition was applied seeking an amended car parking plan demonstrating all elements as outlined above.

The change representations provided an Effluent Disposal Plan which includes the amended car parking layout.

It is recommended that the change representations for Condition 28 are refused as the condition is relevant due to the constraints on the site which impact the provision of car parking. The Plan submitted can be assessed, outside of the change representations process and general correspondence can be provided determining whether or not the proposed plans comply with the condition.

The assessment of the Effluent Disposal Plan, which includes the car parking layout, can also occur outside of this process, as additional consideration needs to be given to the proposed evapotranspiration bed area associated with a potential Advanced Secondary Treatment System. The applicant did not provide a report demonstrating the required land application area associated with this type of effluent disposal and the conditions associated with the treatment of wastewater contain a number of alternative options as requested by the applicant. As additional information is required for Council to consider an effluent disposal plan, it is recommended that the change representations are refused.

Condition 34 states:

34. *Mill Road is to be constructed to an industrial standard for the full frontage of the site(s) on the development side of the road. The works are to;*
- i. reflect a nominal ultimate design sealed width of 12 metres*
  - ii. include kerb and channel and stormwater drainage*
  - iii. extend to and be generally aligned with the existing part of Mill Road that is sealed to a width of 10 metres*
  - iv. include a minimum 4 metre sealed lane and stormwater drainage on the opposing side of the road, to facilitate the function of the road until such time as the road is constructed to its ultimate width*
  - v. include any necessary rework of the existing road to facilitate the new work*
  - vi. include street tree plantings, in accordance with Condition 34 24, and top dressing of the verge with quality top soil.*

*The change representations are as follows:*

*After additional consultation with the project engineer and an experienced local contractor, the following is proposed in line with the site mark up below (plan below also attached in full for approval by Council).'*



Works specifically proposed by local contractor include:

- Double/Double seal into blocks to allow for future services if needed to be cut up.
- Double/Double 14/7 seal recommended by contractor in this situation.
- Formed drains for storm water only as per current drainage.
- V drain and pipes placed for storm water so they can be removed if future upgrade is required by others.
- If a future upgrade to 10 metre road is done in future (by other) owners of lot 109 and 110 to pay for concrete works from block front to edge of road.
- Note: Road upgrade may be delayed if the contractor recommends being completed in warmer months.

Images below and attached should be reviewed by Council as the existing site parameters were a key factor determining the contractors recommended works. The new works will service the two proposed small <500m<sup>2</sup> industrial sheds within industrial zoned land in addition to 3 other residential properties further south along Mill Road. Other industrial lots to the north will also be benefited by the proposed road improvement works.



Existing imagery:



6 metre road looking south / Council Storm water on western side



Council Eastern storm water Mill Road at the junction of 10 metre section to 6 metre section.



Lot 109 Looking North

*Should the proposed works be accepted as detailed above and attached, as updated engineering design can be provided to Council for a road works permit accordingly.*

*We ask that the Council amend Condition 34 to suit the above outcome or alternatively approve the attached Applicant Proposed Road Works Sketch.*

Response:

It is noted that Mill Road provides access to lots zoned Industry, Rural residential and Low density residential. Table 9.4.7.4 of the Southern Downs Planning Scheme (v5) requires the following provisions for each of these zones:

Zone	Catchment (No. of lots served)	Road surface	Kerb and channel requirement	Concrete pathway
Low density residential (Stanthorpe)	0-150	Asphalt	Yes	No
Industry zone		Asphalt	Yes	Yes
Rural residential		Asphalt	Yes – except where lots have an area exceeding 1.5 ha. If kerb and channel is not required a concrete strip is to be provided at the edge of the bitumen and alternative methods for stormwater drainage are to be provided.	No

The applicable Acceptable outcomes and associated Performance outcome of the Industry zone code, relevant to this condition, are:

**AO6.1** *All road frontages to the site are constructed to a fully sealed, kerbed and channelled standard.*

**AO6.2** *A reinforced industrial crossing is constructed from the kerb and channel to the property boundary. The crossing is 125 mm thick mpa concrete with one layer F82 mesh (50 bottom cover throughout).*

**PO6** *Safe, adequate fully constructed access for industrial, commercial and private vehicles is provided onto sites.*

The original assessment considered the applicants response to the Planning Scheme requirements whereby the following justification to the Performance outcome was provided:

*The proposal provides a 6m wide road extension to match the existing formation adjoining where the current sealed section of Mill Road finishes. This upgrade will adequately cater for the intended use.*

The original assessment notes:

*Council mapping indicates that the sealed road formation width from the junction of Mill Road and Sugarloaf Road is approximately 10 metres and kerb and channel is provided on the side with adjoining the Low density residential zone. There is no existing kerb and channel on the side adjoining the Industry zone.*

*Council's Roads Asset and Service Management Master Plan / TAMP (TAMP) classifies Mill Road as an Urban Minor Access Road whereby the main function is to provide access to residences and properties. The TAMP states:*

*'An Industrial classification is added to the Urban Collector and Urban Access to allow for delineation and specific attributes to be applied to roads for these areas to accommodate the specific needs of Industrial areas'.*

*Discussions with Council's Development Engineer and Manager Sustainability and Strategy, indicate that where the planning zone either side of a road differs, the higher order road requirement prevails. As such, in this instance, it is considered that the road hierarchy classification is be incorrect as one side of the road is zoned Industrial and advice to the relevant Council department has been provided.*

*Given the levels of service for this road classification, as outlined in the TAMP, compliance with the TAMP would be achieved by requiring the provision of a sealed surface of 12.0*

*metres. However, as noted above, the sealed section of Mill Road is generally 10 metres in width and therefore requiring provision of a 12 metre wide extension to that road would be unreasonable.*

*A condition will be imposed requiring provision of a 10 metre wide sealed surface to connect the site with the sealed section of the road to the north. The design is to reflect a nominal ultimate design sealed width of 12 metres and barrier kerb and channel is to be provided along the frontage of the site as per the requirements of the Planning Scheme.*

The following justification was outlined in the decision notice as reasons why Council has conditioned the road as per Condition 34:

- The proposed development includes a reinforced industrial crossing and a 6.0 metre wide road extension to connect to the existing road formation north of the site.
- There is no existing kerb and channel on the western side of Mill Road.
- The applicant can comply with Acceptable outcome 6.2, however, support for an alternative outcome to AO1 was sought.
- Increased use of the sites to the south of the existing industrial activity will result in an increase in vehicle movements.
- Mill Road is not a through road, however, it does provide access to three (3) lots to the south which are within the Rural residential zone and one (1) lot to the east which is zoned Low density residential. These lots are of a size where future subdivision is expected.
- The road standard adopted by Council's Roads Asset and Service Management Master Plan (TAMP) for development of this type is a 12 metre sealed road with kerb and channel. Council mapping indicates that the sealed surface to the north of the site is 10 metres in width and in this instance it is considered reasonable to accept a reduced width (from 12 metres to 10 metres) to align with the existing formation.
- The condition as applied, will facilitate the function of the road until such time as the road is constructed to its ultimate width.

A site inspection was undertaken in May 2025 and the following images clearly indicate that works on the site have been initiated. Figures 3, 4 and 5 capture the subject land, the existing land uses to the north and the existing road standard.



**Figure 3: Building pads and retaining walls for Lots 109 and 110**





**Figure 4: View looking south – subject site on the right. Note the transfer of gravel to the sealed section of Mill Road.**



**Figure 5: View looking north from the subject site. Note the impact of water runoff on the slope.**

The change representations were discussed at Council's Development Assessment Group meeting and the following advice was provided from Council's Acting Manager Works:

- The applicant's proposal to change the roadwork condition is not supported.
- The original condition was imposed with regard for Council's policy (T.A.M.P and Planning Scheme), as well as future and adjacent development potential.
- The conditioned works will result in a logical extension of the existing sealed road that is safe, efficient and appropriate for the industrial use proposed.
- The applicant's proposal does not consider the unknown pavement currently in place, or present an argument for why a 6 metre road is a more appropriate outcome than the conditioned 10 metre road.
- The financial implications are not something that should be considered by Council staff, as the flow-on economic impacts of reducing requirements for particular developments would be an unacceptable risk for Council.

Based on this advice, it is recommended that the change representations made for Condition 34 be refused.

Condition 37 states:

37. *Prior to the issuing of a Development Permit for Building Works, an On-site waste disposal report prepared by a suitable qualified person is to be provided to Council for endorsement that demonstrates an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code and the Standard Plumbing and Drainage Regulation 2003 can be achieved on-site, if the Warehouse is to include amenities and/or kitchen facilities.*

OR

*A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.*

*The change representations are as follows:*

*As per Condition 8, if the site is not provided with amenities and/or kitchen facilities and the use on-site operates as a Warehouse for storage purposes only an onsite waste water system or connection to Council reticulation system is not required.*

*Please include an additional OR as detailed above.*

Response:

The purpose of the Physical infrastructure code is to ensure that new premises are connected to adequate utility services. The Acceptable outcome (AO2) requires land in the Industry zone to be connected to a sewerage system in accordance with the Sewerage Code of Australia. The applicant sought to justify the Performance outcome (PO2) of the code which relates to wastewater disposal. The Performance outcome states:

*All development has a safe, effective means of sewerage treatment and disposal that meets acceptable public health and environmental standards.*

The intent of the condition was to reflect the applicants desire to initially use the Warehouse for the purpose of storage only with flexibility required in the future if office facilities were required on site. The proposed change representations does not change the intention of Condition 37 and provides the flexibility required for the site. As such, it is recommended that Council agrees with the change representations as proposed. This would result in Condition 37 being amended as follows:

37. *Prior to the issuing of a Development Permit for Building Works, an On-site waste disposal report prepared by a suitable qualified person is to be provided to Council for endorsement that demonstrates an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code and the Standard Plumbing and Drainage Regulation 2003 can be achieved on-site, if the Warehouse is to include amenities and/or kitchen facilities.*



OR

A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.

OR

If the site is not provided with amenities and/or kitchen facilities and the use on-site operates as a Warehouse for storage purposes only an onsite waste water system or connection to Council reticulation system is not required.

Condition 38 states:

38. *The site must be provided with a water storage reservoir having a minimum of 10,000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:*

- (a) the domestic take off from the tank is at or above the 10,000 litre point; and*
- (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.*

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

*The change representations are as follows:*

*The subject site is not located within a Council mapped or State mapped medium or high bushfire intensity overlay. The class of construction is Class 8 or 7b. The site is located only within a buffer area and is greater than 50m from the Council mapped bushfire hazard vegetation. The existing fire hydrant, equipped with urban fire fittings, is located on Mill Road in proximity to the proposed development site. This existing infrastructure provides the fire protection requirements of the project with water pressure testing completed to confirm this provision. A 25mm water meter will be suitable for the proposed shed. No specific fire protection measures will be required for this proposal.*

Response:

The site is wholly within the Potential impact buffer of the Bushfire hazard overlay and therefore the Bushfire hazard overlay code is applicable. It is acknowledged that the site is approximately 50 metres from areas identified as Medium potential bushfire intensity. Mill Road is a no through road and as such, occupants have only one reasonable route of evacuation. A Bushfire hazard assessment or a Bushfire Management Plan was not provided with the application material or with the change representations which would have complied with Acceptable outcomes (AO3.1 & AO3.2) of the Bushfire hazard overlay code.

Council agrees that the site is on the outer edge of the overlay. The existing conditions require the proposed development to upgrade the road to a sealed standard, to the frontage of the site, which will facilitate an evacuation route to the north which is outside of the overlay. To justify the Performance outcome (PO3) of the code, consideration can be given to the range of conditions of approval which include connection to Council's reticulated water network, the sealing of the road, and the setback distance of the site from the Medium potential bushfire intensity layer of the Bushfire hazard overlay. The Performance outcome requires that the proposed use does not compromise the safety of people or property from the bushfire.

The applicant has referred to the location of a fire hydrant in proximity to the site. Council mapping has confirmed that the fire hydrant is located in excess of 90 metres from the proposed development site and therefore is generally not considered to provide adequate fire coverage. Council's Development Engineer has provided the following comments for consideration:

*If the development was proposing to provide on site fire suppression through a fire connection, we could say that they were covered, but the QFES guidelines ask for hydrants*

*at 90m intervals (Council does ours at 80m), so an urban fire truck dispatched to a fire at one of these sites would not have access to water.*

*By this rationale, the site doesn't have access to town water for the purpose of fire-fighting, even though it does have access for domestic water use purposes.*

*To resolve this, they could provide the tanks as if there was no water service, or they could add a street hydrant to our network through private works (subject to satisfactory capacity in the main, which their comments say is available).'*

As there is not considered to be adequate water on site to support fire fighting it is considered reasonable to retain the condition as applied. However, to support the provision of options for the applicant it is recommended that alternative options be included in the condition. The inclusion of all alternatives is recommended as the provision of hydrants will be dependent upon the levels of roadworks undertaken i.e. if the road is not constructed, hydrants will be inaccessible due to the table drain and the rural verge profile.

38. The site must be provided with a water storage reservoir having a minimum of 10,000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:

- (a) the domestic take off from the tank is at or above the 10,000 litre point; and
- (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

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

OR

A site specific Bushfire hazard assessment report, showing that the land does not have a bushfire hazard, is **to be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.**

*Note: if the site specific Bushfire hazard assessment report demonstrates a bushfire hazard exists on the subject land, a Bushfire Management Plan for the premises must also be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work*

OR

Hydrant/s are to be provided at intervals of not more than 90 metres.

*Note: this work is to be completed through Council's private works system.*

Condition 41 states:

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

*The change representations are as follows:*

*NBN connection is not available near the subject site. Being a storage/warehouse/distribution building only, NBN is not required. Should internet be required, a satellite can be provided for the subject site without the need for a fixed connection from the street.*

Response:

The condition is a standard condition generally applied to all new developments above a second dwelling. Discussions were held with the applicant confirming this reasoning and the applicant then submitted the following for consideration:

*The nearest available wired connection is Lot 118. Refer below map.*



*Satellite is the only option for connecting Lots 109 and 110 based on existing fixed infrastructure. Satellite NBN and Starlink are both available should Lots 109 and 110 need internet (note these sheds do not require internet being storage only warehouses).*

*In my experience NBN connections are only required where new lots are created. Lots 109 and 110 are existing industrial lots that can connect to satellite internet easily*

The information provided by the applicant indicates that the nearest wired connection is to the north of the subject site. For ease of reading, the text below the image has been included:

***'Important information: Most premises in the purple 'service available area' can connect to services over the nbn network but may require additional work to be completed first. On rare occasions, some premises cannot be connected.'***

Based on this information, there may be capacity for the development to connect to the nbn network. Therefore it is recommended that the condition remain but an alternative is added as follows:

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

OR



Correspondence, including reasons, from the nbn provider noting that the premises cannot be connected as above, is **submitted and approved by Council's Planning Department prior to the issue of the Certificate of Occupancy.**

Condition 42 states:

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

The change representations are as follows:

*The proposed development will include sufficient security lighting to meet its needs. This will negate the requirement for street lighting to be installed along this section of Mill Road. The nearest street light is located on Sugarloaf Road, close to the intersection with Mill Road. The costs associated with installing street lighting in this area would be excessive and unnecessary given the nature of the development and the fact that Mill Road currently has no street lighting.*

Response:

It is acknowledged that the nearest street light is located in close proximity to the intersection between Sugarloaf Road and Mill Road and the primary purpose of street lighting is for pedestrian safety. The closest powerpole in the road reserve is located north of the site at a distance in excess of 120 metres. A site inspection has confirmed that there are overhead powerlines in close proximity to the rear boundary of the lot.

The lot is part of a block of industrial land on the west side of Mill Road. The east side of Mill Road is zoned Low density residential, however, this has yet to be fully developed. The land to the rear and south of the proposed site is zoned Rural residential as illustrated in Figure 2. Immediately opposite the site, the land is currently vacant. Given the zoning it is considered reasonable to expect street lighting on Mill Road, however, this is not the case. Intensification of uses on the land adjoining Mill Road is likely to increase pedestrian traffic over time however, it is accepted that this development has not yet occurred and therefore pedestrian activity along Mill Road would be minimal at this stage. As such, in this instance, it is recommended that the condition for street lighting be removed.

42. ~~Deleted. LED street lighting shall be provided in accordance with AS/NZS 1158 – Lighting for Roads and Public Spaces.~~

## Recommendation

THAT Council agree in part with the change representations made in relation to the application for a Material Change of Use for the purpose of Warehouse (One (1) shed – 490m2 GFA) on land at Mill Road, Stanthorpe, described as Lot 110 RP12340, with Conditions 9, 25, 28, 34 remaining unchanged, Condition 42 being deleted and Conditions 5, 8, 24, 37, 38 and 41 being amended as follows:

5. The development shall generally operate only between the hours of ~~8.00am~~ 7.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays.
8. If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only ~~and no distribution is to occur from the site.~~
24. Street trees are to be planted within the road reserve of Mill Road. The trees are to be planted approximately 20.0 metres apart on the frontage of the site. The trees are to be of a minimum height of 1.5 metres at the time of planting.

**A Street trees plan is to be submitted to and approved by Council's Planning Department ~~prior to the planting of the street trees as part of the Operational Works application.~~** This must include details of the location and species of trees, the height and root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. Tree are to be generally frost resistant and drought hardy, and must not include weed species.

37. Prior to the issuing of a Development Permit for Building Works, an On-site waste disposal report prepared by a suitable qualified person is to be provided to Council for endorsement that demonstrates an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - *On-site Domestic Wastewater Management*, *Queensland Plumbing and Wastewater Code* and the *Standard Plumbing and Drainage Regulation 2003* can be achieved on-site, if the Warehouse is to include amenities and/or kitchen facilities.

OR

A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.

OR

If the site is not provided with amenities and/or kitchen facilities and the use on-site operates as a Warehouse for storage purposes only an onsite waste water system or connection to Council reticulation system is not required.

38. The site must be provided with a water storage reservoir having a minimum of 10,000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:
- (a) the domestic take off from the tank is at or above the 10,000 litre point; and
  - (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

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

OR

A site specific Bushfire hazard assessment report, showing that the land does not have a bushfire hazard, is **to be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.**

*Note: if the site specific Bushfire hazard assessment report demonstrates a bushfire hazard exists on the subject land, a Bushfire Management Plan for the premises must also be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work*

OR

Hydrant/s are to be provided at intervals of not more than 90 metres.

*Note: this work is to be completed through Council's private works system.*

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

OR

Correspondence, including reasons, from the nbn provider noting that the premises cannot be connected as above, is **submitted and approved by Council's Planning Department prior to the issue of the Certificate of Occupancy.**


42. ~~Deleted. LED street lighting shall be provided in accordance with AS/NZS 1158—Lighting for Roads and Public Spaces.~~

## ATTACHMENTS

Nil

**15.4 Material Change of Use - Consideration of Change Representations - Howard Trade Centre Pty Ltd C/- Adapt Development Management Pty Ltd - 10 Mill Road, Stanthorpe: Lot 109 RP12340**

**Document Information**

 <b>Southern Downs</b> <small>REGIONAL COUNCIL</small>	<b>Report To: Ordinary Council Meeting</b>	
	<b>Reporting Officer:</b>	<b>Meeting Date:</b> 21 May 2025
	Planning Officer	<b>ECM Function No/s:</b> MCU\02622

<b>APPLICANT:</b>	Howard Trade Centre Pty Ltd C/- Adapt Development Management Pty Ltd
<b>OWNER:</b>	Howard Trade Centre Pty Ltd
<b>ADDRESS:</b>	Mill Road, Stanthorpe
<b>RPD:</b>	Lot 109 RP12340
<b>ZONE:</b>	Industry
<b>PROPOSAL:</b>	Warehouse (One (1) shed – 490m <sup>2</sup> GFA)
<b>LEVEL OF ASSESSMENT:</b>	Code
<b>SUBMITTERS:</b>	Not Applicable
<b>REFERRALS:</b>	Nil
<b>FILE NUMBER:</b>	MCU\02622

**RECOMMENDATION SUMMARY**

THAT Council agree with, in part the change representations made in relation to the application for a Material Change of Use for Warehouse on land at Mill Road, Stanthorpe, described as Lot 109 RP12340.

**REPORT**

On 4 March 2025, Council issued a Development Permit for Material Change of Use for the purpose of Warehouse (One (1) shed – 490m<sup>2</sup> GFA), on land at Mill Road, Stanthorpe, described as Lot 109 RP12340 (Council Ref: MCU\02622).

The application was initially submitted over both lots for a single Warehouse to be constructed on each of two adjoining lots – Lot 109 and 110 RP12340. Following discussions between Council and the applicant, separate applications were subsequently made (Council reference: MCU\02629 and MCU\02622).

During the assessment, the applicant confirmed that, initially, the site will form part of the operations for the 'Howard Trade Centre' which relates to multiple lots, immediately to the north of the subject land. The applicant advised:

*The centre's operations necessitate the utilisation and storage of a diverse range of building materials and supplies, which are distributed and stored across several designated areas within our complex across the following sites:*

- Lots 111, 112, 113, 116 & 117 RP12340
- Lot 45 SP178971

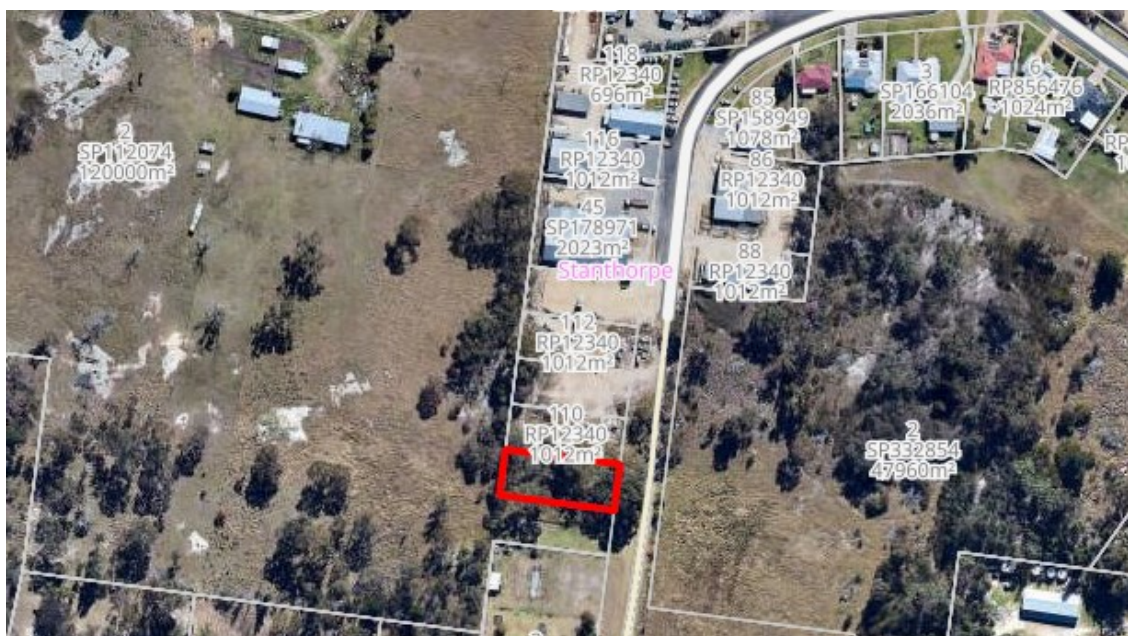
Subsequent discussions with the applicant confirmed that the Warehouse applications were to be considered as operating independently, and should not be linked to the operations occurring on the adjoining lots.

On 17 March 2025, Change representations were received by Council seeking amendment to Conditions 5, 8, 9, 24, 25, 28, 34, 37, 38, 41 and 42. The amendments recommended are highlighted in red within the report, and any proposed acceptable changes to the original conditions are highlighted in red within the Recommendation.

## Report

The subject land is rectangular in shape and has an area of 1,012 square metres. The lot is currently vacant and has frontage to Mill Road. Mill Road separates Industry zoned land to the west and Low density residential zoned land to the east.

Mill Road connects to Sugarloaf Road to the north of the site. At the juncture with Sugarloaf Road, Mill Road is sealed with bitumen and has mountable kerb and channel adjoining the land zoned for Low density residential purposes for a length of approximately 220 metres. From this point the road is considered to be of a constructed gravel standard as illustrated in Figure 1. Mill Road is a no through road.



**Figure 1: Subject land**

The lot is part of a block of industrial land on the western side of Mill Road. The eastern side of Mill Road is zoned Low density residential, however, this has yet to be fully developed. The land to the rear and south of the proposed site is zoned Rural residential as illustrated in Figure 2. Immediately opposite the site, the land is currently vacant.

The lot has access to reticulated water services. Reticulated sewer is located approximately 185 metres to the north-east as the crow flies. The land is wholly within the potential impact buffer of the Bushfire hazard overlay.

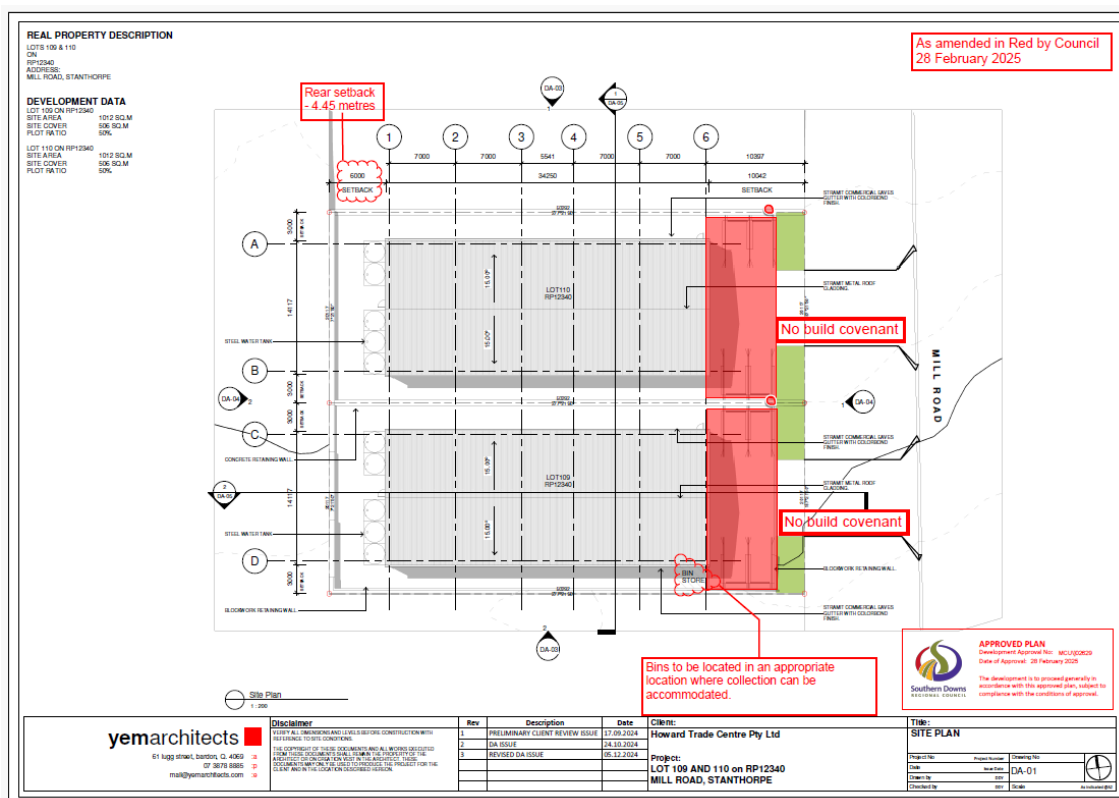




**Figure 2: Planning zones**

The development will result in a Warehouse being constructed on Lot 109 which is the second lot from the southern end of the industry zoned lots.

Figure 2 shows the approved site plan. Access will be provided via a reinforced industrial driveway connecting the site to Mill Road. Four car parking spaces will be located at the front. To enable manoeuvring onsite for vehicles to exit in a forward gear, all car parking spaces must be empty.



**Figure 2: Approved Site plan**

## Change representations

The applicant has made change representations and seeks amendment to Conditions 5, 8, 9, 24, 25, 28, 34, 37, 38, 41 and 42 and are outlined below.

Condition 5 states:

5. *The development shall generally operate only between the hours of 8.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays.*

*The change representations are as follows:*

*The proposed tenant, who also operates the adjoining site which is part of the integrated business, opens at 7am. Please update from 8am to 7am.*

Response:

Whilst the site is in close proximity to a residential zone, it is reasonable to anticipate industrial businesses, in the Industrial zone to operate from 7.00am. Amending this condition as proposed is considered reasonable and does not trigger additional assessment. Condition 5 will be amended as follows:

5. The development shall generally operate only between the hours of ~~8.00am~~ 7.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays.

Condition 8 states:

8. *If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only and no distribution is to occur from the site.*

*The change representations are as follows:*

*If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only ~~and no distribution is to occur from the site.~~*

*'Warehouse is distribution. Council definition below specifically refers to distribution. Goods are being stored at this location for distribution'.*

*Warehouse - Premises used for the storage and distribution of goods, whether or not in a building, including self-storage facilities or storage yards. The use may include sale of goods by*

*wholesale where ancillary to storage. The use does not include retail sales from the premises or industrial uses.*

The wording of this condition reflects the potential classification of the proposed building and relates to the inability to use approved on-site car parking spaces as these must be vacant to enable large vehicles to exit the site in a forward gear.

It is considered that conditions 6 and 7 which limit the times that delivery and service vehicles can enter and exit the site will mitigate the issue of car parking availability. In addition, potential issues associated with the classification of the building can be addressed by the applicant. With consideration to the above it is considered reasonable to amend the condition as requested to state:

8. If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only ~~and no distribution is to occur from the site.~~

Condition 9 states:

9. *The design, colours and materials of the building and pavement are to be in accordance with the Industrial character of the area. The final design and construction of the buildings must provide for larger variation in appearance than that shown in the plans submitted with the application. Variation is to be achieved through the use of colours, materials, architectural treatments, and changes to roof lines. **Details of the design, colours and materials of the building and pavement are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The building is to be constructed in the approved design, colours and materials.*

*The change representations are as follows:*

- ~~9. The design, colours and materials of the building and pavement are to be in accordance with the Industrial character of the area. The final design and construction of the~~

~~buildings must provide for larger variation in appearance than that shown in the plans submitted with the application. Variation is to be achieved through the use of colours, materials, architectural treatments, and changes to roof lines. Details of the design, colours and materials of the building and pavement are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work. The building is to be constructed in the approved design, colours and materials.~~

*The proposal for the building design includes Colorbond colours Bassalt and Dover White. Plans have been attached for approval by Council that incorporate specific colours and materials for the building, noting the current industrial character of the area features basic galvanised corrugated roof and wall sheeting, and bitumen pavement or gravel surfaces. We propose to maintain bitumen and gravel surfaces. Upon endorsement of the attached colour scheme Condition 9 can be deleted.*

Response:

The condition, as applied, is relevant and consistently applied to development across the region to ensure that the proposal development complies with the Planning Scheme. A typical process for Council is that once the approval is issued, applicants would provide amended plans, or details on building design, to Council for assessment against the applicable condition. If the information supplied complies with the condition, a letter is then issued to the applicant confirming this. An alternate process is for a specific plan or report to be referenced in a condition.

Discussions were held with the applicant regarding Council's normal process for assessment of compliance with conditions. The applicant was agreeable to the condition remaining as worded rather than a specific plan being referenced in the conditions, as this would reduce the risk of a minor change being required should the plan change in the future.

It is recommended that the condition remain as written and the change representations related to Condition 9 is refused. Consideration of the design, colours and materials of the building and pavement will be undertaken Council's Planning Services team as per the normal Council process outlined above.

Condition 24 states:

24. *Street trees are to be planted within the road reserve of Mill Road. The trees are to be planted approximately 20.0 metres apart on the frontage of the site. The trees are to be of a minimum height of 1.5 metres at the time of planting.*

***A Street trees plan is to be submitted to and approved by Council's Planning Department prior to the planting of the street trees. This must include details of the location and species of trees, the height and root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. Tree are to be generally frost resistant and drought hardy, and must not include weed species.***

*The change representations are as follows:*

*Refer attached landscape plans. We ask that these plans are endorsed by Council.*

Response:

Condition 24 is a standard condition regularly applied to development permits when street trees are required. The Landscape Management Plan submitted with the change representations was provided as the applicant is seeking agreement for a Performance outcome as the landscaping requirements stipulated by the Acceptable outcome in the Planning Scheme are unable to be accommodated on the site. The Landscape Management Plan identifies two street trees located on either side of the access.

Whilst the Landscaping Management Plan identifies street trees, street trees cannot be considered as part of landscaping on the premises as street trees are located within the road reserve. This condition was imposed to align with the road construction requirements and therefore, should form part of the future operational works application that will be required to extend Mill Road. As such,



the proposed street trees cannot be endorsed until the scope of the operational works are agreed. Therefore, it is recommended that the change representations are refused. An amendment to the condition has been proposed which aims to clarify when consideration of the street trees can occur if the development proceeds.

24. Street trees are to be planted within the road reserve of Mill Road. The trees are to be planted approximately 20.0 metres apart on the frontage of the site. The trees are to be of a minimum height of 1.5 metres at the time of planting.

**A Street trees plan is to be submitted to and approved by Council's Planning Department ~~prior to the planting of the street trees as part of the Operational Works application~~.** This must include details of the location and species of trees, the height and root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. Tree are to be generally frost resistant and drought hardy, and must not include weed species.

Condition 25 states:

- 25. 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.**

*The change representations are as follows:*

*Refer attached landscape plans. We ask that these plans are endorsed by Council.*

Response:

Condition 25 is a standard condition regularly applied to development permits when landscaping is required on the site. The Landscaping Plan was required as the proposed landscaping is less than what is typically required by the Acceptable outcomes in the Planning Scheme.

The Warehouse design is a solid wall from the front with sliding doors and there are no windows or proposed material changes to help break up the bulky appearance of the design. The proposed landscaped areas are an important element to soften the visual amenity from public spaces, recognising that the land immediately opposite the site is zoned Low density residential.

The assessment of the Landscaping Plan can occur outside of this process, with consideration given to the specific species used and the resulting streetscape view. As per Council's response to condition 9, to avoid referencing a specific plan in the conditions, it is recommended that the change representations are refused, and consideration of the submitted Landscape Plans can be assessed outside of the change representations process.

Condition 28 states:

- 28. At least four (4) car parking spaces are to be provided on site. Provision is to be made for disabled parking. There is to be no car parking spaces within the Warehouse. An amended site plan, showing the location of car parking is to be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.**

*The change representations are as follows:*

*Refer attached updated plan to incorporate a pwd parking layby area for each site.*

Response:

Condition 28 is a standard condition regularly applied to development permits when car parking is required on the site. In this instance, the proposed car parking layout was less than that required by the Acceptable outcomes of the Planning Scheme, and provision had not been made to accommodate persons with disability.

There is limited space and tight manoeuvring on the site, due to the size of the shed, the area of landscaping and the area of the site. As such, a condition was applied seeking an amended car parking plan demonstrating all elements as outlined above.

The change representations provided an Effluent Disposal Plan which includes the amended car parking layout.

It is recommended that the change representations for Condition 28 are refused as the condition is relevant due to the constraints on the site which impact the provision of car parking. The Plan submitted can be assessed, outside of the change representations process and general correspondence can be provided determining whether or not the proposed plans comply with the condition.

The assessment of the Effluent Disposal Plan, which includes the car parking layout, can also occur outside of this process, as additional consideration needs to be given to the proposed evapotranspiration bed area associated with a potential Advanced Secondary Treatment System. The applicant did not provide a report demonstrating the required land application area associated with this type of effluent disposal and the conditions associated with the treatment of wastewater contain a number of alternative options as requested by the applicant. As additional information is required for Council to consider an effluent disposal plan, it is recommended that the change representations are refused.

Condition 34 states:

34. *Mill Road is to be constructed to an industrial standard for the full frontage of the site(s) on the development side of the road. The works are to;*
- i. reflect a nominal ultimate design sealed width of 12 metres*
  - ii. include kerb and channel and stormwater drainage*
  - iii. extend to and be generally aligned with the existing part of Mill Road that is sealed to a width of 10 metres*
  - iv. include a minimum 4 metre sealed lane and stormwater drainage on the opposing side of the road, to facilitate the function of the road until such time as the road is constructed to its ultimate width*
  - v. include any necessary rework of the existing road to facilitate the new work*
  - vi. include street tree plantings, in accordance with Condition 34 24, and top dressing of the verge with quality top soil.*

*The change representations are as follows:*

*After additional consultation with the project engineer and an experienced local contractor, the following is proposed in line with the site mark up below (plan below also attached in full for approval by Council).'*



Works specifically proposed by local contractor include:

- Double/Double seal into blocks to allow for future services if needed to be cut up.
- Double/Double 14/7 seal recommended by contractor in this situation.
- Formed drains for storm water only as per current drainage.
- V drain and pipes placed for storm water so they can be removed if future upgrade is required by others.
- If a future upgrade to 10 metre road is done in future (by other) owners of lot 109 and 110 to pay for concrete works from block front to edge of road.
- Note: Road upgrade may be delayed if the contractor recommends being completed in warmer months.

Images below and attached should be reviewed by Council as the existing site parameters were a key factor determining the contractors recommended works. The new works will service the two proposed small <500m<sup>2</sup> industrial sheds within industrial zoned land in addition to 3 other residential properties further south along Mill Road. Other industrial lots to the north will also be benefited by the proposed road improvement works.



Existing imagery:



6 metre road looking south / Council Storm water on western side



Council Eastern storm water Mill Road at the junction of 10 metre section to 6 metre section.



Lot 109 Looking North

*Should the proposed works be accepted as detailed above and attached, as updated engineering design can be provided to Council for a road works permit accordingly.*

*We ask that the Council amend Condition 34 to suit the above outcome or alternatively approve the attached Applicant Proposed Road Works Sketch.*

Response:

It is noted that Mill Road provides access to lots zoned Industry, Rural residential and Low density residential. Table 9.4.7.4 of the Southern Downs Planning Scheme (v5) requires the following provisions for each of these zones:

Zone	Catchment (No. of lots served)	Road surface	Kerb and channel requirement	Concrete pathway
Low density residential (Stanthorpe)	0-150	Asphalt	Yes	No
Industry zone		Asphalt	Yes	Yes
Rural residential		Asphalt	Yes – except where lots have an area exceeding 1.5 ha. If kerb and channel is not required a concrete strip is to be provided at the edge of the bitumen and alternative methods for stormwater drainage are to be provided.	No

The applicable Acceptable outcomes and associated Performance outcome of the Industry zone code, relevant to this condition, are:

**AO6.1** *All road frontages to the site are constructed to a fully sealed, kerbed and channelled standard.*

**AO6.2** *A reinforced industrial crossing is constructed from the kerb and channel to the property boundary. The crossing is 125 mm thick mpa concrete with one layer F82 mesh (50 bottom cover throughout).*

**PO6** *Safe, adequate fully constructed access for industrial, commercial and private vehicles is provided onto sites.*

The original assessment considered the applicants response to the Planning Scheme requirements whereby the following justification to the Performance outcome was provided:

*The proposal provides a 6m wide road extension to match the existing formation adjoining where the current sealed section of Mill Road finishes. This upgrade will adequately cater for the intended use.*

The original assessment notes:

*Council mapping indicates that the sealed road formation width from the junction of Mill Road and Sugarloaf Road is approximately 10 metres and kerb and channel is provided on the side with adjoining the Low density residential zone. There is no existing kerb and channel on the side adjoining the Industry zone.*

*Council's Roads Asset and Service Management Master Plan / TAMP (TAMP) classifies Mill Road as an Urban Minor Access Road whereby the main function is to provide access to residences and properties. The TAMP states:*

*'An Industrial classification is added to the Urban Collector and Urban Access to allow for delineation and specific attributes to be applied to roads for these areas to accommodate the specific needs of Industrial areas'.*

*Discussions with Council's Development Engineer and Manager Sustainability and Strategy, indicate that where the planning zone either side of a road differs, the higher order road requirement prevails. As such, in this instance, it is considered that the road hierarchy classification is be incorrect as one side of the road is zoned Industrial and advice to the relevant Council department has been provided.*

*Given the levels of service for this road classification, as outlined in the TAMP, compliance with the TAMP would be achieved by requiring the provision of a sealed surface of 12.0*

*metres. However, as noted above, the sealed section of Mill Road is generally 10 metres in width and therefore requiring provision of a 12 metre wide extension to that road would be unreasonable.*

*A condition will be imposed requiring provision of a 10 metre wide sealed surface to connect the site with the sealed section of the road to the north. The design is to reflect a nominal ultimate design sealed width of 12 metres and barrier kerb and channel is to be provided along the frontage of the site as per the requirements of the Planning Scheme.*

The following justification was outlined in the decision notice as reasons why Council has conditioned the road as per Condition 34:

- The proposed development includes a reinforced industrial crossing and a 6.0 metre wide road extension to connect to the existing road formation north of the site.
- There is no existing kerb and channel on the western side of Mill Road.
- The applicant can comply with Acceptable outcome 6.2, however, support for an alternative outcome to AO1 was sought.
- Increased use of the sites to the south of the existing industrial activity will result in an increase in vehicle movements.
- Mill Road is not a through road, however, it does provide access to three (3) lots to the south which are within the Rural residential zone and one (1) lot to the east which is zoned Low density residential. These lots are of a size where future subdivision is expected.
- The road standard adopted by Council's Roads Asset and Service Management Master Plan (TAMP) for development of this type is a 12 metre sealed road with kerb and channel. Council mapping indicates that the sealed surface to the north of the site is 10 metres in width and in this instance it is considered reasonable to accept a reduced width (from 12 metres to 10 metres) to align with the existing formation.
- The condition as applied, will facilitate the function of the road until such time as the road is constructed to its ultimate width.

A site inspection was undertaken in May 2025 and the following images clearly indicate that works on the site have been initiated. Figures 3, 4 and 5 capture the subject land, the existing land uses to the north and the existing road standard.



**Figure 3: Building pads and retaining walls for Lots 109 and 110**





**Figure 4: View looking south – subject site on the right. Note the transfer of gravel to the sealed section of Mill Road.**



**Figure 5: View looking north from the subject site. Note the impact of water runoff on the slope.**



The change representations were discussed at Council's Development Assessment Group meeting and the following advice was provided from Council's Acting Manager Works:

- The applicant's proposal to change the roadwork condition is not supported.
- The original condition was imposed with regard for Council's policy (T.A.M.P and Planning Scheme), as well as future and adjacent development potential.
- The conditioned works will result in a logical extension of the existing sealed road that is safe, efficient and appropriate for the industrial use proposed.
- The applicant's proposal does not consider the unknown pavement currently in place, or present an argument for why a 6 metre road is a more appropriate outcome than the conditioned 10 metre road.
- The financial implications are not something that should be considered by Council staff, as the flow-on economic impacts of reducing requirements for particular developments would be an unacceptable risk for Council.

Based on this advice, it is recommended that the change representations made for Condition 34 be refused.

Condition 37 states:

37. *Prior to the issuing of a Development Permit for Building Works, an On-site waste disposal report prepared by a suitable qualified person is to be provided to Council for endorsement that demonstrates an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code and the Standard Plumbing and Drainage Regulation 2003 can be achieved on-site, if the Warehouse is to include amenities and/or kitchen facilities.*

OR

*A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.*

*The change representations are as follows:*

*As per Condition 8, if the site is not provided with amenities and/or kitchen facilities and the use on-site operates as a Warehouse for storage purposes only an onsite waste water system or connection to Council reticulation system is not required.*

*Please include an additional OR as detailed above.*

Response:

The purpose of the Physical infrastructure code is to ensure that new premises are connected to adequate utility services. The Acceptable outcome (AO2) requires land in the Industry zone to be connected to a sewerage system in accordance with the Sewerage Code of Australia. The applicant sought to justify the Performance outcome (PO2) of the code which relates to wastewater disposal. The Performance outcome states:

*All development has a safe, effective means of sewerage treatment and disposal that meets acceptable public health and environmental standards.*

The intent of the condition was to reflect the applicants desire to initially use the Warehouse for the purpose of storage only with flexibility required in the future if office facilities were required on site. The proposed change representations does not change the intention of Condition 37 and provides the flexibility required for the site. As such, it is recommended that Council agrees with the change representations as proposed. This would result in Condition 37 being amended as follows:

37. *Prior to the issuing of a Development Permit for Building Works, an On-site waste disposal report prepared by a suitable qualified person is to be provided to Council for endorsement that demonstrates an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code and the Standard Plumbing and Drainage Regulation 2003 can be achieved on-site, if the Warehouse is to include amenities and/or kitchen facilities.*

OR

A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.

OR

If the site is not provided with amenities and/or kitchen facilities and the use on-site operates as a Warehouse for storage purposes only an onsite waste water system or connection to Council reticulation system is not required.

Condition 38 states:

38. *The site must be provided with a water storage reservoir having a minimum of 10,000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:*

- (a) the domestic take off from the tank is at or above the 10,000 litre point; and*
- (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.*

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

*The change representations are as follows:*

*The subject site is not located within a Council mapped or State mapped medium or high bushfire intensity overlay. The class of construction is Class 8 or 7b. The site is located only within a buffer area and is greater than 50m from the Council mapped bushfire hazard vegetation. The existing fire hydrant, equipped with urban fire fittings, is located on Mill Road in proximity to the proposed development site. This existing infrastructure provides the fire protection requirements of the project with water pressure testing completed to confirm this provision. A 25mm water meter will be suitable for the proposed shed. No specific fire protection measures will be required for this proposal.*

Response:

The site is wholly within the Potential impact buffer of the Bushfire hazard overlay and therefore the Bushfire hazard overlay code is applicable. It is acknowledged that the site is approximately 50 metres from areas identified as Medium potential bushfire intensity. Mill Road is a no through road and as such, occupants have only one reasonable route of evacuation. A Bushfire hazard assessment or a Bushfire Management Plan was not provided with the application material or with the change representations which would have complied with Acceptable outcomes (AO3.1 & AO3.2) of the Bushfire hazard overlay code.

Council agrees that the site is on the outer edge of the overlay. The existing conditions require the proposed development to upgrade the road to a sealed standard, to the frontage of the site, which will facilitate an evacuation route to the north which is outside of the overlay. To justify the Performance outcome (PO3) of the code, consideration can be given to the range of conditions of approval which include connection to Council's reticulated water network, the sealing of the road, and the setback distance of the site from the Medium potential bushfire intensity layer of the Bushfire hazard overlay. The Performance outcome requires that the proposed use does not compromise the safety of people or property from the bushfire.

The applicant has referred to the location of a fire hydrant in proximity to the site. Council mapping has confirmed that the fire hydrant is located in excess of 90 metres from the proposed development site and therefore is generally not considered to provide adequate fire coverage. Council's Development Engineer has provided the following comments for consideration:

*If the development was proposing to provide on site fire suppression through a fire connection, we could say that they were covered, but the QFES guidelines ask for hydrants*

*at 90m intervals (Council does ours at 80m), so an urban fire truck dispatched to a fire at one of these sites would not have access to water.*

*By this rationale, the site doesn't have access to town water for the purpose of fire-fighting, even though it does have access for domestic water use purposes.*

*To resolve this, they could provide the tanks as if there was no water service, or they could add a street hydrant to our network through private works (subject to satisfactory capacity in the main, which their comments say is available).'*

As there is not considered to be adequate water on site to support fire fighting it is considered reasonable to retain the condition as applied. However, to support the provision of options for the applicant it is recommended that alternative options be included in the condition. The inclusion of all alternatives is recommended as the provision of hydrants will be dependent upon the levels of roadworks undertaken i.e. if the road is not constructed, hydrants will be inaccessible due to the table drain and the rural verge profile.

38. The site must be provided with a water storage reservoir having a minimum of 10,000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:

- (a) the domestic take off from the tank is at or above the 10,000 litre point; and
- (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

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

OR

A site specific Bushfire hazard assessment report, showing that the land does not have a bushfire hazard, is **to be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.**

*Note: if the site specific Bushfire hazard assessment report demonstrates a bushfire hazard exists on the subject land, a Bushfire Management Plan for the premises must also be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work*

OR

Hydrant/s are to be provided at intervals of not more than 90 metres.

*Note: this work is to be completed through Council's private works system.*

Condition 41 states:

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

*The change representations are as follows:*

*NBN connection is not available near the subject site. Being a storage/warehouse/distribution building only, NBN is not required. Should internet be required, a satellite can be provided for the subject site without the need for a fixed connection from the street.*

Response:

The condition is a standard condition generally applied to all new developments above a second dwelling. Discussions were held with the applicant confirming this reasoning and the applicant then submitted the following for consideration:

*The nearest available wired connection is Lot 118. Refer below map.*



*Satellite is the only option for connecting Lots 109 and 110 based on existing fixed infrastructure. Satellite NBN and Starlink are both available should Lots 109 and 110 need internet (note these sheds do not require internet being storage only warehouses).*

*In my experience NBN connections are only required where new lots are created. Lots 109 and 110 are existing industrial lots that can connect to satellite internet easily*

The information provided by the applicant indicates that the nearest wired connection is to the north of the subject site. For ease of reading, the text below the image has been included:

***'Important information: Most premises in the purple 'service available area' can connect to services over the nbn network but may require additional work to be completed first. On rare occasions, some premises cannot be connected.'***

Based on this information, there may be capacity for the development to connect to the nbn network. Therefore it is recommended that the condition remain but an alternative is added as follows:

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

OR



Correspondence, including reasons, from the nbn provider noting that the premises cannot be connected as above, is **submitted and approved by Council's Planning Department prior to the issue of the Certificate of Occupancy.**

Condition 42 states:

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

The change representations are as follows:

*The proposed development will include sufficient security lighting to meet its needs. This will negate the requirement for street lighting to be installed along this section of Mill Road. The nearest street light is located on Sugarloaf Road, close to the intersection with Mill Road. The costs associated with installing street lighting in this area would be excessive and unnecessary given the nature of the development and the fact that Mill Road currently has no street lighting.*

Response:

It is acknowledged that the nearest street light is located in close proximity to the intersection between Sugarloaf Road and Mill Road and the primary purpose of street lighting is for pedestrian safety. The closest powerpole in the road reserve is located north of the site at a distance in excess of 120 metres. A site inspection has confirmed that there are overhead powerlines in close proximity to the rear boundary of the lot.

The lot is part of a block of industrial land on the west side of Mill Road. The east side of Mill Road is zoned Low density residential, however, this has yet to be fully developed. The land to the rear and south of the proposed site is zoned Rural residential as illustrated in Figure 2. Immediately opposite the site, the land is currently vacant. Given the zoning it is considered reasonable to expect street lighting on Mill Road, however, this is not the case. Intensification of uses on the land adjoining Mill Road is likely to increase pedestrian traffic over time however, it is accepted that this development has not yet occurred and therefore pedestrian activity along Mill Road would be minimal at this stage. As such, in this instance, it is recommended that the condition for street lighting be removed.

42. ~~Deleted. LED street lighting shall be provided in accordance with AS/NZS 1158 – Lighting for Roads and Public Spaces.~~

## Recommendation

THAT Council agree in part with the change representations made in relation to the application for a Material Change of Use for the purpose of Warehouse (One (1) shed – 490m<sup>2</sup> GFA) on land at Mill Road, Stanthorpe, described as Lot 109 RP12340, with Conditions 9, 25, 28, 34 remaining unchanged, Condition 42 being deleted and Conditions 5, 8, 24, 37, 38 and 41 being amended as follows:

5. The development shall generally operate only between the hours of ~~8.00am~~ 7.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays.
8. If the site is not provided with amenities and/or kitchen facilities, the use on-site operates as a Warehouse for storage purposes only ~~and no distribution is to occur from the site.~~
24. Street trees are to be planted within the road reserve of Mill Road. The trees are to be planted approximately 20.0 metres apart on the frontage of the site. The trees are to be of a minimum height of 1.5 metres at the time of planting.

**A Street trees plan is to be submitted to and approved by Council's Planning Department prior to the planting of the street trees as part of the Operational Works application.** This must include details of the location and species of trees, the height and root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. Tree are to be generally frost resistant and drought hardy, and must not include weed species.

37. Prior to the issuing of a Development Permit for Building Works, an On-site waste disposal report prepared by a suitable qualified person is to be provided to Council for endorsement that demonstrates an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - *On-site Domestic Wastewater Management*, *Queensland Plumbing and Wastewater Code* and the *Standard Plumbing and Drainage Regulation 2003* can be achieved on-site, if the Warehouse is to include amenities and/or kitchen facilities.

OR

A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.

OR

If the site is not provided with amenities and/or kitchen facilities and the use on-site operates as a Warehouse for storage purposes only an onsite waste water system or connection to Council reticulation system is not required.

38. The site must be provided with a water storage reservoir having a minimum of 10,000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:
- (a) the domestic take off from the tank is at or above the 10,000 litre point; and
  - (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

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

OR

A site specific Bushfire hazard assessment report, showing that the land does not have a bushfire hazard, is **to be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.**

*Note: if the site specific Bushfire hazard assessment report demonstrates a bushfire hazard exists on the subject land, a Bushfire Management Plan for the premises must also be submitted and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work*

OR

Hydrant/s are to be provided at intervals of not more than 90 metres.

*Note: this work is to be completed through Council's private works system.*

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

OR

Correspondence, including reasons, from the nbn provider noting that the premises cannot be connected as above, is **submitted and approved by Council's Planning Department prior to the issue of the Certificate of Occupancy.**



42. ~~Deleted. LED street lighting shall be provided in accordance with AS/NZS 1158 – Lighting for Roads and Public Spaces.~~

## ATTACHMENTS

Nil

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

Nil

**17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS**

Nil

**18. GENERAL BUSINESS**