



**MINUTES OF THE
ORDINARY COUNCIL MEETING
21 MAY 2025**

ORDER OF BUSINESS:

1.	ACKNOWLEDGEMENT OF COUNTRY	1
2.	PRAYERS & CONDOLENCES.....	1
3.	ATTENDANCE AND APOLOGIES.....	1
4.	READING AND CONFIRMATION OF MINUTES.....	1
4.1	Ordinary Council Meeting - 16 April 2025	1
5.	ACTIONS FROM COUNCIL MEETINGS	2
5.1	Actions from Ordinary Council Meeting 16 April 2025	2
6.	DECLARATIONS OF CONFLICTS OF INTEREST	2
7.	MAYORAL MINUTE	2
	Nil	
15.	PLANNING AND ENVIRONMENTAL SERVICES REPORTS	2
15.3.1	Adjustment to Order of Business for Agenda Items 15.3 and 15.4	2
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	2
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	5
15.1.1	Adjustment to Order of Business for Agenda Item 15.1	7
15.1	Material Change of Use - L C Frankie Holdings Pty Ltd - 54 Locke Street, Warwick	7
8.	NOTICES OF MOTION	14
8.1	Notice of Motion - Attendance of the Public at Councillor Information Sessions.....	14
8.2	Notice of Motion - Review of Council Meetings Policy.....	15
8.3	Notice of Motion - Review of current Roads Policy	15
8.4	Notice of Motion - Letter of Congratulations to Vic Pennisi.....	15
9.	READING AND CONSIDERATION OF CORRESPONDENCE	16
	Nil	
10.	RECEPTION AND READING OF PETITIONS AND JOINT LETTERS.....	16
	Nil	
11.	PORTFOLIO REPORTS	16
11.1	Portfolio Report - Cr Deane - Healthy Communities.....	16

12.	EXECUTIVE SERVICES REPORTS.....	16
	Nil	
13.	CUSTOMER AND ORGANISATIONAL SERVICES REPORTS	16
13.1	Financial Services - Financial Report as at 30 April 2025	16
13.2	Minutes of the Audit & Risk Management Committee held 17 April 2025	16
13.3	Southern Downs Youth Council Minutes - 27 March 2025	17
14.	INFRASTRUCTURE SERVICES REPORTS	17
	Nil	
15.	PLANNING AND ENVIRONMENTAL SERVICES REPORTS	17
15.2	Material Change of Use - Consideration of Change Representations - Sarah Hulme - 10 Deutscher Road, Mount Tully	17
15.3.2	Agenda Items 15.3 and 15.4 be taken from the Table.....	18
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	18
16.	REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	20
	Nil	
	Nil	
18.	GENERAL BUSINESS	21

**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 21 MAY 2025
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9:00AM**

1. ACKNOWLEDGEMENT OF COUNTRY

2. PRAYERS & CONDOLENCES

Rev Ansie Liebenberg offered a prayer for the meeting.

3. ATTENDANCE AND APOLOGIES

Present: Crs Hamilton (Chair), Bartley, Deane (via Teams), Harslett, McDonald, Pidgeon, Richters, Wantling and Windle

Officers: Rachel Brophy (Chief Executive Officer), Susie Glasson (Acting General Manager Customer and Organisational Services), Nick Wellwood (General Manager Infrastructure, Assets & Projects), Dyan Currie (Acting General Manager Planning and Environmental Services) and Marion Seymour (Minute Secretary)

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 16 April 2025

Recommendation

Moved Cr M Harslett

Seconded Cr S Windle

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

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

Amendment

Cr Bartley proposed the following amendment to the recommendation for Agenda Item 4.1 to include the following:

That the item raised in General Business, and how the vote was undertaken to close the meeting be included in the Minutes.

Carried Unanimously

Resolution

Moved Cr M Harslett

Seconded Cr S Windle

THAT the minutes of the Ordinary Council Meeting held on Wednesday 16 April 2025 be adopted with the inclusion of the item raised in General Business, and how the vote was undertaken to close the meeting.

Carried Unanimously

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Ordinary Council Meeting 16 April 2025

Resolution

Moved Cr J Richters

Seconded Cr C Pidgeon

THAT Council receive the report and note the contents.

Carried Unanimously

6. DECLARATIONS OF CONFLICTS OF INTEREST

Nil.

7. MAYORAL MINUTE

Nil

15. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

9:20am Deputation from Chris Haynes from Howards Trade Centre in relation to Agenda Items 15.3 and 15.4

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

15.3.1 Adjustment to Order of Business for Agenda Items 15.3 and 15.4

Resolution

Moved Cr J Richters

Seconded Cr R Bartley

THAT the Order of Business for this Agenda be adjusted to bring forward Items 15.3 and 15.4.

Carried Unanimously

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

Recommendation

Moved Cr C Pidgeon

Seconded Cr J Richters

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.~~

Amendment

Cr Harslett proposed an amendment to the recommendation for Agenda Item 15.3 to include the following changes to Condition 34:

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;
- reflect a nominal ultimate design sealed width of 12 metres
 - include kerb and channel and stormwater drainage
 - extend to and be generally aligned with the existing part of Mill Road that is sealed to a width of ~~40~~ 6 metres
 - 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
 - include any necessary rework of the existing road to facilitate the new work
 - include street tree plantings, in accordance with Condition 34 24, and top dressing of the verge with quality top soil.

Resolution

Moved Cr M Harslett

Seconded Cr J Richters

The above amendment motion was not put for a vote due to the following Procedural Motion:

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Windle moved the following Procedural Motion:

THAT Agenda Item 15.3 lay on the table to allow further information to be obtained.

Resolution

Moved Cr S Windle

Seconded Cr C Pidgeon

Carried

The following votes were recorded:

For: Crs R Bartley, S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, J Richters and S Windle (8)

Against: Cr R Wantling (1)

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

Recommendation

Moved Cr S Windle

Seconded Cr J Richters

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 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.~~

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Windle moved the following Procedural Motion:

THAT Agenda Item 15.4 lay on the table to allow further information to be obtained.

Resolution

Moved Cr S Windle

Seconded Cr C McDonald

Carried Unanimously

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

15.1.1 Adjustment to Order of Business for Agenda Item 15.1

Resolution

Moved Cr C McDonald

Seconded Cr S Windle

THAT the Order of Business for this Agenda be adjusted to bring forward Item 15.1.

Carried Unanimously

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

Resolution

Moved Cr C McDonald

Seconded Cr J Richters

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

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

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

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

Nil

Carried Unanimously

8. NOTICES OF MOTION

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

Recommendation

Moved Cr R Bartley

Seconded Cr R Wantling

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

Amendment

Cr Windle proposed the following amendment to the recommendation for Agenda Item 8.1:

THAT the Draft Councillor Briefings and Workshop Policy be brought before the June Ordinary Council Meeting for consideration.

Resolution

Moved Cr S Windle

Seconded Cr S Deane

Carried

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

For: Crs S Deane, M Hamilton, M Harslett, C Pidgeon and S Windle (5)

Against: Crs R Bartley, C McDonald, J Richters and R Wantling (4)

Accordingly the Mayor declared the motion carried.

Resolution

Moved Cr S Windle

Seconded Cr M Harslett

THAT the Draft Councillor Briefings and Workshop Policy be brought before the June Ordinary Council Meeting for consideration.

Carried

The following votes were recorded:

For: Crs S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, J Richters and S Windle (7)

Against: Crs R Bartley and R Wantling (2)

8.2 Notice of Motion - Review of Council Meetings Policy

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Council review the current Council Meetings Policy.

Carried Unanimously

8.3 Notice of Motion - Review of current Roads Policy

Resolution

Moved Cr R Bartley

Seconded Cr J Richters

THAT Council review the current Roads Policy.

Carried Unanimously

8.4 Notice of Motion - Letter of Congratulations to Vic Pennisi

Resolution

Moved Cr R Bartley

Seconded Cr M Harslett

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

Carried Unanimously

9. READING AND CONSIDERATION OF CORRESPONDENCE

Nil

10. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

The meeting adjourned at 10:39am and reconvened at 10:54am at which time there were present Crs Hamilton, Bartley, Deane (via Teams), Harslett, McDonald, Pidgeon, Richters, Wantling and Windle

11. PORTFOLIO REPORTS

11.1 Portfolio Report - Cr Deane - Healthy Communities

Resolution

Moved Cr S Deane

Seconded Cr S Windle

THAT Council's Healthy Communities Portfolio Report be received.

Carried Unanimously

12. EXECUTIVE SERVICES REPORTS

Nil

13. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

13.1 Financial Services - Financial Report as at 30 April 2025

Resolution

Moved Cr M Harslett

Seconded Cr J Richters

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

Carried Unanimously

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

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

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.

Carried Unanimously

13.3 Southern Downs Youth Council Minutes - 27 March 2025

Resolution

Moved Cr M Harslett

Seconded Cr R Bartley

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

Carried Unanimously

14. INFRASTRUCTURE SERVICES REPORTS

Nil

15. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

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

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.

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

THAT Agenda Item 15.2 lay on the table until the June Ordinary Council Meeting in accordance with the Applicant's request.

Resolution

Moved Cr J Richters

Carried Unanimously

15.3.2 Agenda Items 15.3 and 15.4 be taken from the Table

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

THAT Agenda Items 15.3 and 15.4 be taken from the table.

Resolution

Moved Cr J Richters

Carried

The following votes were recorded:

For: Crs R Bartley, M Harslett, C McDonald, J Richters and R Wantling (5)

Against: Crs S Deane, M Hamilton, C Pidgeon and S Windle (4)

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

Recommendation

Moved Cr C Pidgeon

Seconded Cr J Richters

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.~~

Amendment

Cr Richters proposed an amendment to the recommendation for Agenda Item 15.3 to include the following changes to Condition 34:

35. 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;
- vii. reflect a nominal ultimate design sealed width of 12 metres
 - viii. include kerb and channel and stormwater drainage **on the eastern side of Mill Road.**
 - ix. extend to and be generally aligned with the existing part of Mill Road that is sealed to a width of ~~40~~ **6** metres
 - x. 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
 - xi. include any necessary rework of the existing road to facilitate the new work
 - xii. include street tree plantings, in accordance with Condition ~~34~~ **24**, and top dressing of the verge with quality top soil.

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

Lost

The following votes were recorded:

For: Crs M Harslett, C McDonald and J Richters (3)

Against: Crs R Bartley, S Deane, M Hamilton, C Pidgeon, R Wantling and S Windle (6)

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

THAT Agenda Items 15.3 and 15.4 lay on the table.

Resolution

Moved Cr S Windle

Seconded Cr C Pidgeon

Carried Unanimously

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

Cr Bartley raised concerns with the condition of the Cunningham Highway between Gladfield and Cunninghams Gap, and requested that Council write to the region's State and Federal Members requesting action be taken to address the significant amount of damage to that section of the National Highway.

MEETING CLOSURE

There being no further business, the meeting closed at 11:36am.