



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, 61 Marsh Street, Stanthorpe on **Wednesday, 15 October 2025** at **9:00AM**.

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

Rachel Brophy

CHIEF EXECUTIVE OFFICER

13 October 2025

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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 - 17 September 2025**

Recommendation

THAT the minutes of the Ordinary Council Meeting held on Wednesday 17 September 2025 be adopted.

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Council Meeting 17 September 2025

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council receive the report.

REPORT

The purpose of this report is to provide a summary of Actions resulting from resolutions from the Ordinary Council Meeting held 17 September 2025.

A copy of the Actions Report is attached.

ATTACHMENTS

1. Actions Ordinary Council Meeting 17 September 2025[↓](#)



ACTIONS FROM ORDINARY COUNCIL MEETING 17 SEPTEMBER 2025

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
17/09/2025	3.1	Apology	Brophy, Rachel	24 Sep 2025 11:40am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Brophy, Rachel (action officer) on 24 September 2025 at 11:40:54 AM - Noted.	24/09/2025
17/09/2025	5.1	Actions from Council Meeting 20 August 2025	Brophy, Rachel	24 Sep 2025 11:41am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Brophy, Rachel (action officer) on 24 September 2025 at 11:41:01 AM - Noted.	24/09/2025
17/09/2025	6.1	Conflict of Interest - Cr Wantling: Agenda Item 15.1	Brophy, Rachel	24 Sep 2025 11:41am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Brophy, Rachel (action officer) on 24 September 2025 at 11:41:09 AM - Noted.	24/09/2025
17/09/2025	10.1	Petition - Traffic Calming Measures: Myall Avenue, Warwick	Wellwood, Nick	24 Sep 2025 11:41am Seymour, Marion - Reallocation Action reassigned to Wellwood, Nick by Seymour, Marion 08 Oct 2025 11:31am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Wellwood, Nick (action officer) on 08 October 2025 at 11:31:27 AM - Upon receipt of the Petition traffic counters were installed on Myall Avenue, Warwick and the lead petitioner was consulted by Council's engineers. The data from these traffic counters will inform Council's engineers on the nature of the issues on Myall Avenue, which will allow the engineering team consider what options may be suitable and prepare the report. It is anticipated that the report will be brought back to Council for the November/December meeting to allow adequate time for the matter to be fully investigated.	8/10/2025
17/09/2025	10.2	Petition - Flying Fox Management, Stanthorpe	Collett, Nicole	08 Oct 2025 11:54am Verney, Prue - Completion Completed by Verney, Prue on behalf of Collett, Nicole (action officer) on 08 October 2025 at 11:54:29 AM - Petition acknowledged, and this is currently being investigated.	8/10/2025
17/09/2025	12.1	Chief Executive Officer - Status Report	Brophy, Rachel	24 Sep 2025 11:42am Seymour, Marion - Completion Completed by Seymour, Marion on behalf of Brophy, Rachel (action officer) on 24 September 2025 at 11:42:08 AM - Noted.	24/09/2025



ACTIONS FROM ORDINARY COUNCIL MEETING 17 SEPTEMBER 2025

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
17/09/2025	12.2	Appointment of Chairperson - Local Disaster Management Group (LDMG)	Bell, Michael	08 Oct 2025 5:02am Bell, Michael - Completion Completed by Bell, Michael (action officer) on 08 October 2025 at 5:02:16 AM - Notification sent to State	8/10/2025
17/09/2025	13.1	Financial Services - Financial Report as at 31 August 2025	Betts, Melissa	23 Sep 2025 9:15am Betts, Melissa - Completion Completed by Betts, Melissa (action officer) on 23 September 2025 at 9:15:16 AM - August Finance Report Noted	23/09/2025
17/09/2025	13.2	Long Term Financial Plan Amendment and Application to Borrow	Dowie, Brooke	08 Oct 2025 1:41pm Dowie, Brooke - Completion Completed by Dowie, Brooke (action officer) on 08 October 2025 at 1:41:18 PM - 10 Year Revised Plan has been re-submitted to QTC for review. Borrowing application is now in progress.	8/10/2025
17/09/2025	13.3	Lease Renewal - Allora and District Historical Society for Lot 7 on A218	Globe, Patrina	08 Oct 2025 8:56am Globe, Patrina - Completion Completed by Globe, Patrina (action officer) on 08 October 2025 at 8:56:13 AM - Letter for the relinquishment has been drafted and discussions are continuing with the club.	8/10/2025
17/09/2025	13.4	QPP Privacy Policy	Keir, Dianna	23 Sep 2025 10:05am Keir, Dianna - Completion Completed by Keir, Dianna (action officer) on 23 September 2025 at 10:05:57 AM - Council resolution noted.	23/09/2025
17/09/2025	13.5	Appointment of Chairperson - Regional Roads and Transport Groups (RRTG)	Frost, Dean	08 Oct 2025 4:44pm Frost, Dean - Completion Completed by Frost, Dean (action officer) on 08 October 2025 at 4:44:17 PM - In progress	8/10/2025
17/09/2025	14.1	Sewer Connection PI 26885	Sweetlove, Graham	30 Sep 2025 3:53pm Sweetlove, Graham - Completion Completed by Sweetlove, Graham (action officer) on 30 September 2025 at 3:53:29 PM - Letter posted to the applicant informing him of the outcome of the Council resolution	30/09/2025
17/09/2025	15.1	Killarney Community Garden Request - Canning Park	Bell, Michael	23 Sep 2025 9:35am Bell, Michael - Completion Completed by Bell, Michael (action officer) on 23 September 2025 at 9:35:49 AM - Noted	23/09/2025



ACTIONS FROM ORDINARY COUNCIL MEETING 17 SEPTEMBER 2025

MEETING DATE	ITEM NUMBER	AGENDA ITEM	ACTION OFFICER	ACTION TO DATE	COMPLETED
17/09/2025	15.2	Warwick Shire River Improvement Trust	Bell, Michael	23 Sep 2025 9:36am Bell, Michael - Completion Completed by Bell, Michael (action officer) on 23 September 2025 at 9:36:44 AM - Letter to be sent to WSRIT advising of Council decision.	23/09/2025
17/09/2025	15.3	Southern Downs Youth Council Meeting - 21 August 2025	Organ, Sue	23 Sep 2025 11:54am Organ, Sue - Completion Completed by Organ, Sue (action officer) on 23 September 2025 at 11:54:23 AM - Council resolution noted	23/09/2025
17/09/2025	15.4	Extension of Contract 19_075 Waste Collection Contract & Bulk Haulage	Norton, Eva	08 Oct 2025 11:55am Verney, Prue - Completion Completed by Verney, Prue on behalf of Norton, Eva (action officer) on 08 October 2025 at 11:55:01 AM - Contract extension letter sent to Cleanaway.	8/10/2025
17/09/2025	15.5	Shaping Southern Downs Advisory Committee Terms of Reference and Councillor Appointments to Engagement Committees	Currie, Dyan	23 Sep 2025 11:25am O'Mara, Angela - Completion Completed by O'Mara, Angela on behalf of Currie, Dyan (action officer) on 23 September 2025 at 11:25:47 AM - Shaping Southern Downs Advisory Committee Terms of Reference have been updated to reflect the resolution.	23/09/2025
17/09/2025	15.6	Shaping Southern Downs Advisory Committee Meeting Minutes - 16 July 2025	O'Mara, Angela	08 Oct 2025 11:55am Verney, Prue - Completion Completed by Verney, Prue on behalf of O'Mara, Angela (action officer) on 08 October 2025 at 11:55:24 AM - The SSDAC group was advised via email on 25 September 2025.	8/10/2025

6. DECLARATIONS OF CONFLICTS OF INTEREST

7. MAYORAL MINUTE

Nil

8. NOTICES OF MOTION

Nil

9. READING AND CONSIDERATION OF CORRESPONDENCE

9.1 Correspondence

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Chief Executive Officer	ECM Function No/s:

Recommendation

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

REPORT

1. **Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations** advising that Council had been successful in Round 1 of the Residential Activation Fund for West Warwick Water: Activating the Future. (copy attached).

Action: Noted.

2. **Director-General, Department of Transport and Main Roads** providing a progress update on the TMR severe weather preparedness and road condition information sharing (copy attached).

Action: Referred to Manager Community Resilience.

3. **Department of Transport and Main Roads** providing a project overview of the Statewide Intermodal Freight Terminal Investigation (copy attached).

Action: Referred to General Manager Infrastructure, Assets and Projects.

4. **The Hon Julia Hill MP, Assistant Minister for Citizenship, Customers and Multicultural Affairs** request Councils to consider increasing Citizenship ceremonies frequency and capacity (copy attached).

Action: Referred to Community Services Department.

ATTACHMENTS

1. Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations[📎](#)
2. Director-General, Department of Transport and Main Roads[📎](#)
3. Department of Transport and Main Roads[📎](#)
4. The Hon Julia Hill MP[📎](#)



The Hon Jarrod Bleijie MP
Deputy Premier
Minister for State Development, Infrastructure and Planning
Minister for Industrial Relations

Our ref: MBN25/939

24 June 2025

Mayor Melissa Hamilton
Southern Downs Regional Council
melissa.hamilton@sdrcl.qld.gov.au

1 William Street
Brisbane Queensland 4000
PO Box 15009
City East Queensland 4002
Telephone: +61 7 3719 7100
Email: deputy.premier@ministerial.qld.gov.au
Email: industrialrelations@ministerial.qld.gov.au

ABN 65 959 415 158

Dear Mayor Hamilton

Thank you for applying for funding under Round 1 of the Residential Activation Fund (the Fund).

Round 1 of the Fund aims to prioritise and invest in trunk and essential infrastructure to fast-track new homes to market, focussing on projects that are ready to proceed now.

The Department of State Development, Infrastructure and Planning (the Department) received 178 applications seeking over \$1.79 billion in total funding.

Following a comprehensive assessment of applications, I am pleased to inform you that funding has been approved for the following project/s:

- West Warwick Water: Activating the Future up to \$990,000.

To accept this funding offer, your organisation must sign and return the signed Agreement to the Department by 25 June 2025.

The funding amount stated above is the maximum amount available from the Fund for the identified project. Approved funding can only be used to reimburse eligible project costs. All ineligible project costs will need to be funded by your organisation.

Where funding has been sought for ineligible costs, the maximum funding amount above may be reduced. Details of eligible and ineligible project costs are available in section 3.4 of the Round 1 Program Guidelines.

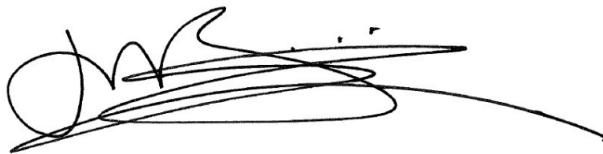
A Departmental officer will be in contact to confirm the contractual arrangements required before your organisation can receive this funding. The State is not obliged to provide any funding unless and until the necessary agreements are signed by both parties and specific terms and conditions are satisfied.

Separate advice about any other applications submitted by your organisation under this round will be provided by the Department in due course.

Successful projects are proposed to be publicly announced shortly. I ask that you keep this advice confidential until an announcement is made.

I have asked for Ms Anita Hicks, Executive Director, Grants, Commercial and Contract Management Division in the Department to assist you with any further queries. You may wish to contact Ms Hicks on 0478 479 822 or by email at RAFund@dsdip.qld.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Jarrod Bleijie', with a long horizontal flourish extending to the right.

JARROD BLEIJIE MP
DEPUTY PREMIER
Minister for State Development, Infrastructure and Planning
Minister for Industrial Relations



Office of the
Director-General
Department of
Transport and Main Roads

Our ref: DG48278

18 September 2025

Ms Rachel Brophy
Chief Executive Officer
Southern Downs Regional Council
mail@sdrcl.qld.gov.au

Dear Ms Brophy

Progress update on the Department of Transport and Main Roads (TMR) severe weather preparedness and road condition information sharing

Following the busy 2024-25 severe weather season across Queensland, TMR has undertaken a comprehensive review of our operational response, including the processes and procedures for providing road condition information to the people of Queensland.

While our current processes have efficiently supported our response to recent severe weather events, including Tropical Cyclone Alfred and severe flooding in Northern and Western Queensland, TMR is committed to continually improving the way we operate the state-controlled road network during natural disasters and how we communicate with road users and communities.

In this regard, TMR is progressing several initiatives to ensure we are prepared and ready for the next severe wet weather event. As one of TMR's key partners in managing the road network during wet weather and other disaster events, I would like to provide you with a progress update.

Preseason exercises and emergency preparedness

TMR is currently hosting preseason exercises with local councils and emergency services across the state. These exercises aim to test our existing Disruptive Event Management Teams, refine emergency response plans, share knowledge, outline key roles and responsibilities during disasters, and clarify reporting processes.

Intelligent Transport System devices

TMR has completed an assessment of all departmental flood cameras and Road Condition Information Signs (RCIS) across Queensland. From this assessment, we have developed a rectification program to ensure as many of our Intelligent Transport System devices as possible are operational when needed most. Repairs for flood cameras are expected to be completed prior to the start of the next wet season, and we are working to ensure the maximum number of RCIS are operational.

1 William Street Brisbane
GPO Box 1549 Brisbane
Queensland 4001 Australia
Telephone +61 7 3066 7316
Website www.tmr.qld.gov.au
ABN 39 407 690 291

QLDTraffic suite

As you are aware, the QLD*Traffic* suite (website, application, and 13 19 40 phone line) is the Queensland Government's leading source of traffic and road condition information. TMR recognises the importance of providing timely and accurate road condition information to the public so they can make safe and informed travel decisions.

We recognise and appreciate the existing efforts made by your Council to connect with QLD*Traffic* and provide timely and accurate road condition information. I can advise that TMR is currently exploring opportunities to add additional sources of incident information onto the QLD*Traffic* website and application.

We are also currently increasing coordination between our existing network of traffic management centres across the state to ensure we minimise responder call wait times during significant events.

Reopening of roads during severe weather

TMR understands the importance of restoring access to local communities, and we are committed to doing everything possible to reopen roads as quickly as conditions allow. However, safety must always come first.

Each time a bridge is affected by flooding, it must be thoroughly inspected before it can be reopened to traffic. Even when floodwaters begin to recede and the bridge deck becomes visible, inspections beneath the structure are necessary to ensure the bridge is safe to support traffic once opened. Often there can be silt and mud left on the bridge, which may not be visible from CCTV, but can result in hazardous driving conditions. Additionally, the soil and clay surrounding the road may remain boggy and unstable, requiring time to dry out before TMR road stewards can assess whether the road is safe for the public to use.

We appreciate your patience and cooperation during these times, as these safety checks are essential and may take time to complete, especially when multiple locations need to be assessed.

I trust this information is of assistance and look forward to continuing our collaboration to provide critical updates to the travelling public and manage the road network during future severe weather events.

Yours sincerely



Sally Stannard
Director-General
Department of Transport and Main Roads

Statewide Intermodal Freight Terminal Investigation (SIFTI)

Project overview

The SIFTI project aims to identify small-medium scale 'open access' intermodal development site opportunities along all key freight corridors in the state based on supply chain opportunity and industry demand. This work will inform future road/rail network and intermodal rail freight investment between government and industry.

This project will consider the transport of a wide range of emerging freight tasks by rail, including mining inputs in North Queensland and non-time critical logistics such as waste and scrap metal in Southeast Queensland.

The development of bespoke rail freight solutions to improve agriculture logistics in Southwest and Central Queensland is also a key focus of the project team.

The project is prioritising consideration of state and local government owned land in close proximity to the heavy vehicle road network and rail infrastructure. The project is being informed by detailed freight demand forecasting, economic assessments and stakeholder engagement with industry, local government and state agencies.

Working with the Critical Minerals sector and major project proponents is a priority in identifying potential sites where government and industry can jointly develop open access intermodal terminals on the Mount Isa Line and across the state.

Providing greater intermodal access to freight rail infrastructure at key locations, particularly in regional areas, will generate more customer demand resulting in greater volumes of cargo being transported by rail, which in turn will spread and lower the cost of above and below rail access charges to individual operators.

Developing integrated logistics using combinations of road and rail will support the development of new business opportunities for regional road transport companies to expand their services and reduce operating costs by using intermodal rail services to move cargo over longer distances. A report recommending intermodal development opportunities for delivery will be provided for government consideration in late 2025.





THE HON JULIAN HILL MP

ASSISTANT MINISTER FOR CITIZENSHIP, CUSTOMS AND MULTICULTURAL AFFAIRS
ASSISTANT MINISTER FOR INTERNATIONAL EDUCATION

Ref No: MC25-035747

Dear Mayor

Australian Citizenship Ceremonies

Thank you for your ongoing support in facilitating Australian citizenship ceremonies and the work you have done to schedule ceremonies throughout the year. Australian citizenship ceremonies provide an important opportunity for people to come together, to celebrate Australian citizenship, and all that unites us as a cohesive and inclusive nation.

Over a number of months the Department of Home Affairs (the Department) has reviewed its processes and resourcing to improve citizenship application processing and finalisation times, resulting in the Department significantly increasing the rate of citizenship application finalisations. While this is positive progress, it will lead to a rise in the number of approved applicants available to attend a citizenship ceremony and increased demand on Councils to deliver ceremonies.

The Government remains committed to ensuring that as many of our community members as possible, who have an approved application for Australian citizenship, are afforded an opportunity to attend a ceremony and become a citizen. I know from my own experience in presiding at ceremonies just how much conferees value the opportunity to celebrate this important milestone in their own community, with family and friends.

I am asking all Councils, where they have the ability to do so, to increase ceremony frequency and capacity, so that new citizens are able to be welcomed into the Australian community without delay. I encourage you to work with your existing ceremonies team in the Department to make those arrangements.

The Department may also supplement efforts of Councils by hosting a number of additional ceremonies around the country to mark significant dates on the citizenship calendar and in areas with larger numbers of approved conferees. I have also asked the Department to extend invitations to you to attend these ceremonies where conferees are from your Council area.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Julian Hill'.

JULIAN HILL
22 / 2025

Parliament House Canberra ACT 2600 Telephone: 6277 2174

10. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

11. PORTFOLIO REPORTS

11.1 Portfolio Report - Mayor Hamilton - Prosperous Communities

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Research and Advocacy Support Officer	ECM Function No/s:

Recommendation

THAT Council's Prosperous Communities Portfolio Report be received.

REPORT

Mayor Hamilton has submitted a Portfolio Report providing an update on Economic Development, Regional Advocacy and Intergovernmental Relations.

Attached is a copy of the Portfolio Report.

ATTACHMENTS

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



PROSPEROUS COMMUNITIES – OCTOBER 2025

ADVOCACY – MINISTERIAL VISITS

The Honourable Andrew Powell MP, Minister for the Environment and Tourism

On 19 August Minister Powell officially opened the new visitor centre at Girraween National Park. Joining me were Crs Deane, Harslett and Wantling.

After the opening I had the opportunity to discuss matters relevant to the Minister's portfolio including:

- Destination 2045 and its opportunities for our region, particularly with the focus on agritourism and ecotourism
- Upcoming waste and circular economy funding opportunities

The Honourable Anthony Perrett MP, Minister for Primary Industries

On 20 August our state member, James Lister MP, arranged a meeting with Minister Perrett in Stanthorpe, attended by myself and Cr Carla Pidgeon as the Productive Communities portfolio holder, which includes agriculture. Discussions included:

- The ongoing upgrades at the Warwick Saleyards, and the need for a hard roof for the facility
- The recent announcement on additional biosecurity officers and the challenges for local government on biosecurity and pest management

The Hon Jarrod Bleijie MP, Deputy Premier and Minister for State Development, Infrastructure & Planning, Minister for Industrial Relations

On 2 October the Deputy Premier, James Lister MP and I officially opened the Allora Community Precinct. Also in attendance were the Deputy Mayor and Crs Deane, Richters and Wantling.



While he was visiting the Southern Downs, the Deputy Premier also announced successful funding for SDRC for the *West Warwick Water: Activating the Future* initiative under the residential activation fund. After the opening I met with the Deputy Premier and James Lister MP and discussions included:

- The Residential Activation Fund announcement, and further projects in the Southern Downs for round two of that fund
- The ongoing upgrades at the Warwick Saleyards, and the need for a hard roof for the facility
- The agricultural plastics baling trial being funded by the Queensland Government through the Deputy Premier's Department of State Development
- The need for more investment to State roads in the region
- Opportunities for the region for the Brisbane Olympics

Trevor Watts MP, Assistant Minister to the Premier for Cabinet and South West Queensland

Through the Border Regions Organisation of Councils the Assistant Minister had offered to visit BROCC Councils to see the state of critical infrastructure. Council hosted the Assistant Minister on 9 October, joined by James Lister MP. The Deputy Mayor and portfolio holders Cr Deane and Cr Pidgeon were also in attendance.

Discussions focused on trunk water and wastewater infrastructure and included site visits to the Warwick Water Treatment Plant and Waste Water Treatment Plant.

Rebecca Young MP, Assistant Minister to the Deputy Premier and Assistant Minister for Planning, Housing and Better Regulation

On 9 October the Assistant Minister attended the Sod Turning Ceremony for the Social and Affordable Housing Development at 9 Law Road, Warwick. Cr Richters and I attended the event, and took the opportunity to discuss a number of issues with the Assistant Minister, including:

- Progress of our draft Planning Scheme and the important of support from the Deputy Premier and the Assistant Minister is ensuring the time for the State approval is as short as possible to support development in the region
- Key State infrastructure that requires upgrades to improve flood resilience
- The QCHIP program and the need for more funded projects in our region



12. EXECUTIVE SERVICES REPORTS

12.1 Chief Executive Officer - Status Report

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Chief Executive Officer	ECM Function No/s:

Recommendation

THAT Council note the Chief Executive Officer's Status Report.

REPORT

1. Questions on Notice

At the Ordinary Council Meeting held 17 September 2025 the following Questions on Notice were raised by Councillors.

Officers' advice in relation to those questions is outlined below:

Councillor	Agenda Item	Question on Notice	Response
Cr Wantling	4.1 Ordinary Council Meeting 20 August 2025 (Minutes)	Can we move "Reflections" to another part of the Ordinary Council Meeting?	The Oxford English Dictionary has a number of definitions for the term "Reflections", including "an earnest hope or wish". This is why the reflection from the community member at the September Council meeting was received in this part of the agenda.
Cr Windle	10.1 Petition – Traffic Calming Measures: Myall Avenue, Warwick	When will Council receive a report on this matter?	Upon receipt of the Petition traffic counters were installed on Myall Avenue, Warwick and the lead petitioner was consulted by Council's engineers. The data from these traffic counters will inform Council's engineers on the nature of the issues on Myall Avenue, which will allow the engineering team consider what options may be suitable and prepare the report. It is anticipated that the report will be brought back to Council for the November/December

			meeting to allow adequate time for the matter to be fully investigated.
Cr Richters	13.1 Financial Services – Financial Report as at 31 August 2025	How is the rate collection going?	As at the due date (5 September 2025) 85.59% of the August 2025 half-yearly rates and charges issued have been received and as at 5 October 2025 it was 90.73%. This is consistent with previous years.
Cr Richters	13.4 QPP Privacy Policy	It has been stated today that what is in the document is straight verbatim the Queensland Privacy Principles, however those are outlined in the Information Privacy Act 2009 Schedule 3, and the words are not verbatim. Can you tell us where the wording has come from and put into this Policy?	The QPP Privacy Policy was developed based on the model provided by the Office of the Information Commissioner (OIC) and formatted to Council's policy template and writing style.
Cr Wantling	13.4 QPP Privacy Policy	Has Council contributed to this Policy at all?	As above

2. Other Business

Nil

ATTACHMENTS

Nil

13. CORPORATE SERVICES REPORTS

13.1 Financial Services - Financial Report as at 30 September 2025

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Management Accountant	ECM Function No/s:

Recommendation

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

REPORT

Background

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

Report

Income Statement

Revenue

Operational revenue of YTD actual \$50.2M is \$(0.29)M ahead of budget compared to YTD budget of \$49.9M with the main variations being:

- Utility Rates and Charges are lower than budgeted by \$(174)K, due to a reduction in water usage for this financial year.
- Interest Revenue is currently \$238K higher than expected due to current cash balance and minor change in Reserve Bank cash rates for this financial year.

Expenses

Operational expenditure of \$29.2M is currently \$(0.6)M under budget compared to YTD budget of \$29.8M. This relates to employee costs (\$.5M) due to delayed payments of enterprise agreement payments as well as vacancies.

Capital Grants

Revenue from capital grants is currently under budget by \$0.4M, at \$4.1M. The timing of the receipt of capital grants can vary and is dependent on the progress of projects. The Finance Team is currently assessing funding received for all projects.

Balance Sheet

As at 30 September 2025, Council had \$96.7M in cash at bank and investments. The total of outstanding loans, both the current and non-current portions, is \$10.4M.

Capital Works in Progress

Capital works expenditure at 30 September 2025 was \$11.9M which is 17.1% of the adopted capital works budget of \$69.3M. There were committed costs of \$11.5M, meaning \$23.4M has been spent or committed, representing 33.8% of the adopted budget. In comparison to last year, at this stage Council had spent or committed 32.2% of the budget.

FINANCIAL IMPLICATIONS

Nil

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 and planning for future asset revaluation and indexation. These items can impact Council's financial position at year end and budget for FY25/26.

Opportunity

The actual vs budget variance analysis will be reviewed by staff in relation to project milestones and aligning project delivery with budget. This will improve cash flow forecasting and monthly reporting, especially as part of FY25/26 financial year.

COMMUNITY ENGAGEMENT

Internal Consultation

Nil

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Local Government Act 2009 and Local Government Regulation 2012

Corporate Plan

Goal 4 Our Performance

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

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

Policy / Strategy

Operational Plan 2024/25

Legal

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

HUMAN RIGHTS

A Human Rights assessment has been undertaken.

ATTACHMENTS

1. Financial Report as at 30 September 2025 [↓](#)



Southern Downs
REGIONAL COUNCIL

Performance Report

September 2025

Southern Downs Regional Council

Income Statement

September 2025

	Phased 2026 YTD Actual \$	Phased 2026 YTD Budget \$	YTD Variance \$	YTD Variance %	Annual 2026 Budget \$	Annual 2026 Forecast \$
Revenue from ordinary activities						
General Rates	22,727,787	22,554,055	173,733	0.8%	45,105,550	45,105,550
Rural fire brigade levy	142,423	141,785	638	0.5%	283,570	283,570
Utility Rates and Charges	17,723,147	18,287,419	(564,272)	(3.1%)	36,564,838	36,564,838
Less Discounts	(1,318,240)	(1,332,586)	14,346	(1.1%)	(2,665,171)	(2,665,171)
Rates on Council properties	(433,334)	(285,198)	(148,136)	51.9%	(880,294)	(880,294)
	38,841,784	39,365,474	(523,691)	(1.33%)	78,408,493	78,408,493
Fees and Charges	2,483,297	2,387,902	95,394	4.0%	8,817,955	8,817,955
Interest	1,114,794	876,906	237,888	27.1%	3,531,824	3,531,824
Contract & Sales Revenue	739,056	834,684	(95,628)	(11.5%)	2,264,716	2,264,716
Rent and Other Income	305,196	317,356	(12,160)	(3.8%)	1,320,766	1,320,766
Government Grants and Subsidies	3,317,563	2,956,333	361,230	12.2%	11,595,126	11,595,126
Internal Revenue	3,364,435	3,140,087	224,348	7.1%	12,560,348	12,560,348
Total Operating Revenue	50,166,125	49,878,743	287,382	0.6%	118,499,228	118,499,228
Expenses from ordinary activities						
Employee Costs	8,402,422	8,905,292	(502,870)	(5.6%)	32,126,684	32,126,684
Materials and Services	11,462,179	11,602,019	(139,841)	(1.2%)	47,852,158	47,852,158
Depreciation and Amortisation	6,283,357	6,283,357	-	0.0%	26,643,546	26,643,546
Plant Hire	1,373,355	1,351,729	21,626	1.6%	5,078,440	5,078,440
Finance Costs	180,713	164,620	16,093	9.8%	863,319	863,319
Internal Charges	1,495,479	1,495,477	2	0.0%	5,981,908	5,981,908
Total Operating Expenses	29,197,504	29,802,494	(604,990)	(2.0%)	118,546,055	118,546,055
Operating Surplus/(Deficit) before capital items	20,968,622	20,076,249	892,372	4.44%	(46,827)	(46,827)
Other Capital Amounts						
Capital Grants, Contributions and Donations	4,085,392	4,503,086	(417,694)	(9.3%)	14,029,433	14,029,433
Other capital income and (expenses)	-	276,750	(276,750)	(100.0%)	(4,271,000)	(4,271,000)
Net Result Surplus/(Deficit)	25,054,013	24,856,085	197,928	0.8%	9,711,606	9,711,606

Southern Downs Regional Council

Balance Sheet

September 2025

	Phased 2025 YTD Actual \$	Annual 2025 Budget \$	YTD Variance \$	YTD Variance %
Current Assets				
Cash assets & Investments	96,749,026	87,589,000	9,160,026	10.5%
Receivables	10,919,499	11,872,000	(952,501)	(8.0%)
Assets held for sale	159,907	160,000	(93)	(0.1%)
Inventories	1,167,911	1,138,000	29,911	2.6%
	108,996,343	100,759,000	8,237,343	8.2%
Non-Current Assets				
Investment Property	363,900	364,000	(100)	(0.0%)
Property, plant and equipment	1,016,934,215	1,027,804,000	(10,869,785)	(1.1%)
Other Financial Assets	131,000	136,000	(5,000)	(3.7%)
Capital works in progress	26,830,564	15,000,000	11,830,564	78.9%
Intangible Assets	87,225	88,000	(775)	(0.9%)
	1,044,346,904	1,043,392,000	954,904	0.1%
TOTAL ASSETS	1,153,343,247	1,144,151,000	9,192,247	0.8%
Current Liabilities				
Creditors and other payables	14,531,311	15,318,000	(786,689)	(5.1%)
Provisions	8,768,362	9,119,000	(350,638)	(3.8%)
Interest bearing liabilities	2,098,379	2,367,000	(268,621)	(11.3%)
	25,398,052	26,804,000	(1,405,948)	(5.2%)
Non-Current Liabilities				
Interest bearing liabilities	7,753,820	12,615,000	(4,861,180)	(38.5%)
Provisions	15,383,958	15,155,000	228,958	1.5%
Other Payables	1,673,056	1,671,000	2,056	0.1%
	24,810,834	29,441,000	(4,630,166)	(15.7%)
TOTAL LIABILITIES	50,208,886	56,245,000	(6,036,114)	(10.7%)
NET COMMUNITY ASSETS	1,103,134,361	1,087,906,000	15,228,361	1.4%
Community Equity				
Asset Revaluation Reserve	377,790,042	377,790,000	42	0.0%
Retained surplus	725,344,319	710,116,000	15,228,319	2.1%
TOTAL COMMUNITY EQUITY	1,103,134,361	1,087,906,000	15,228,361	1.4%

Southern Downs Regional Council

Cash Flow Statement

September 2025

	Phased 2026 YTD Actual \$	Phased 2026 YTD Budget \$	YTD Variance \$	YTD Variance %	Annual 2026 Budget \$
Cashflows from operating activities					
Receipts from customers	41,540,472	42,588,061	(1,047,589)	(2.5%)	90,829,000
Payments to suppliers and employees	(30,113,181)	(28,486,312)	(1,626,869)	5.7%	(79,086,000)
Investment and interest revenue received	1,114,794	876,906	237,888	27.1%	3,531,000
Rental Income	305,196	317,356	(12,160)	(3.8%)	635,000
Non-capital grants and contributions	3,317,563	2,956,333	361,230	12.2%	11,567,000
Borrowing costs	-	-	-	0.0%	(519,000)
Other cashflows from operating activities	-	-	-	0.0%	-
Net Cash Operating Activities	16,164,844	18,252,344	(2,087,500)	38.8%	26,957,000
Cashflows from Investing Activities					
Sale of property, plant and equipment	-	1,107,000	(1,107,000)	(100.0%)	1,107,000
Grants, subsidies, contributions and donations	4,085,392	4,503,086	(417,694)	(9.3%)	16,377,000
Net investment maturities	-	-	-	0.0%	-
Purchase of property, plant and equipment	(11,865,553)	(6,359,000)	(5,506,553)	86.6%	(69,268,000)
Payments for intangible assets	-	-	-	0.0%	-
Net Cash Investing Activities	(7,780,161)	(748,914)	(7,031,247)	(22.7%)	(51,784,000)
Cash Flows from Financing Activities					
Proceeds from/repayment of borrowings and advances	85,239	422,000	(336,761)	(79.8%)	422,000
Net Cash Financing Activities	85,239	422,000	(336,761)	(79.8%)	422,000
Net increase in cash and cash and equivalent held	8,469,922	17,925,430	(9,455,509)	(52.7%)	(24,405,000)
Cash at beginning of period	88,279,104	63,816,000	24,463,104	38.3%	88,279,104
Cash at end of period	96,749,026	81,741,430	15,007,595	18.4%	63,874,104

Southern Downs Regional Council Sustainability Ratios September 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) (%)	82.50%	89.22%	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	0.60%	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) (%)	0.00%	41.8%	> 0.0% to < 10.0%	✗	The operating surplus ratio is an indicator of the extent to which operating revenues raised cover operational expenses only or are available for capital funding purposes.
	Operating Cash Ratio	(Net Operating Surplus + Depreciation + Finance Costs) / Total Operating Revenue (%)	25.70%	54.68%	> 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	46	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)	105.7%	52.6%	> 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	65.2%	63.8%	> 60%	✓	The asset consumption ratio approximates the extent to which Council's infrastructure assets have been consumed compared to what it would cost to build a new asset with the same benefit to the community.
	Asset Renewal Funding Ratio	Total of Planned Capital Expenditure on Infrastructure Asset Renewals over 10 Years / Total Required Capital Expenditure on Infrastructure Asset Renewals over 10 Years	99.9%	99.9%	N/A	✓	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))	0.56	0.36	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)	3.76:1	4.29 : 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)	(37.6%)	(117.2%)	<=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.

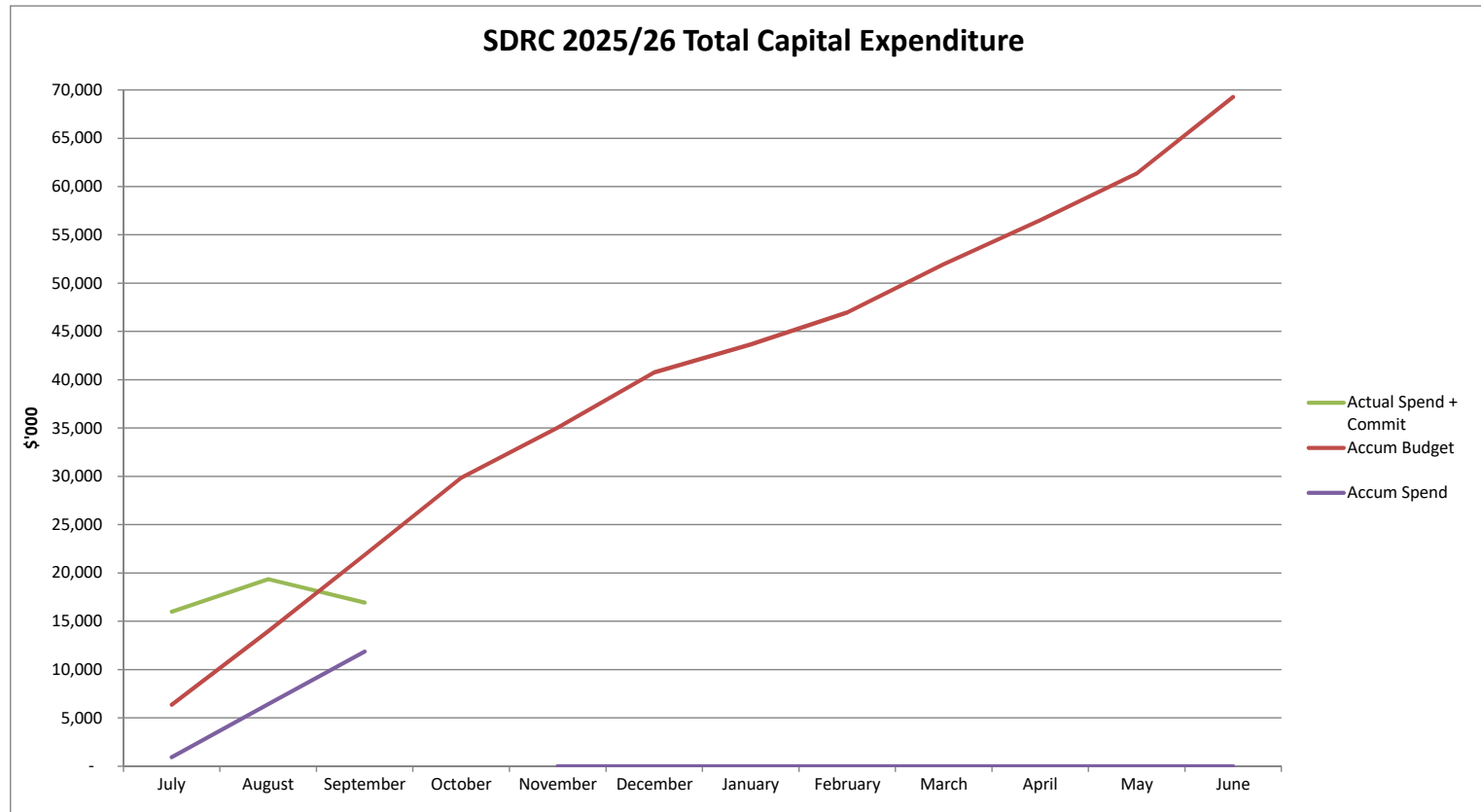
However these ratios represent Council's position at a single point in time and should not be considered in isolation. Ratios should be considered over the long term.

Southern Downs Regional Council
Capital Works Projects by Asset Class

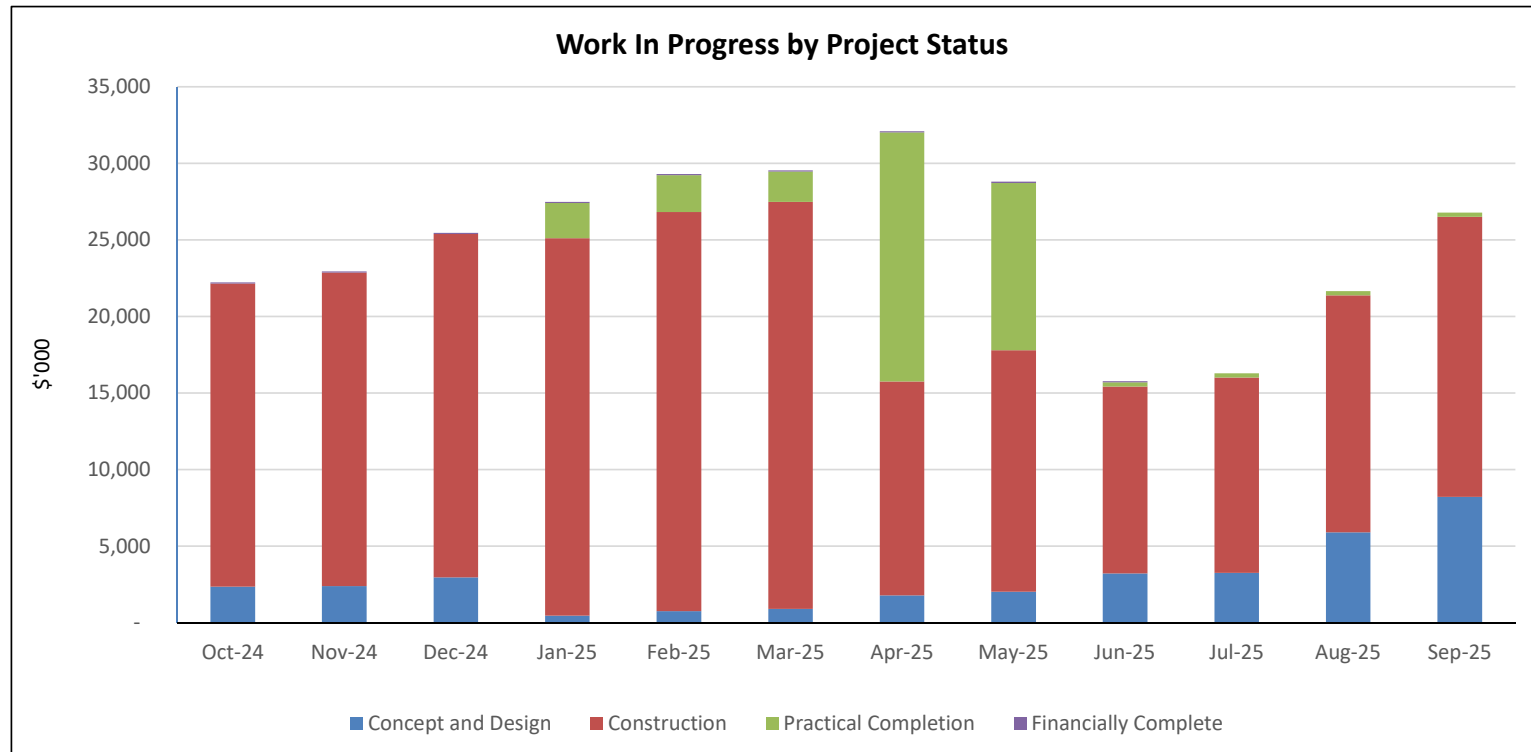
As At 30 September 2025

	Budget	YTD Expenditure	% Spent	Committed	Spent and Committed	% Spent and Committed
Land	-	-	-	800	800	-
Buildings	3,689,910	422,715	11.5%	679,280	1,101,996	29.9%
Plant & Equipment	8,803,097	793,367	9.0%	528,104	1,321,471	15.0%
Roads, Drains & Bridges	24,331,341	5,001,757	20.6%	1,579,020	6,580,777	27.0%
Water	12,368,022	1,157,481	9.4%	3,391,036	4,548,517	36.8%
Sewerage	7,868,918	385,124	5.0%	1,671,167	2,056,291	26.6%
Other Assets	12,207,040	4,105,109	33.2%	3,664,624	7,769,732	62.9%
Total	69,268,328	11,865,553	17.1%	11,514,031	23,379,584	33.8%

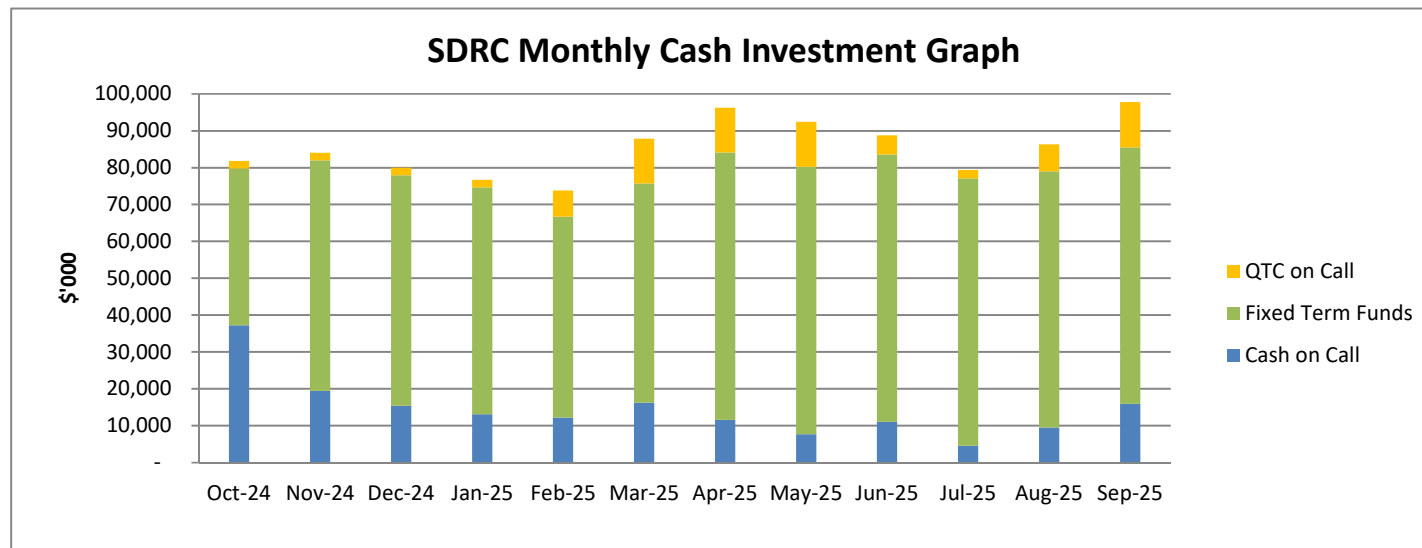
Southern Downs Regional Council
Capital Expenditure
As At 30 September 2025

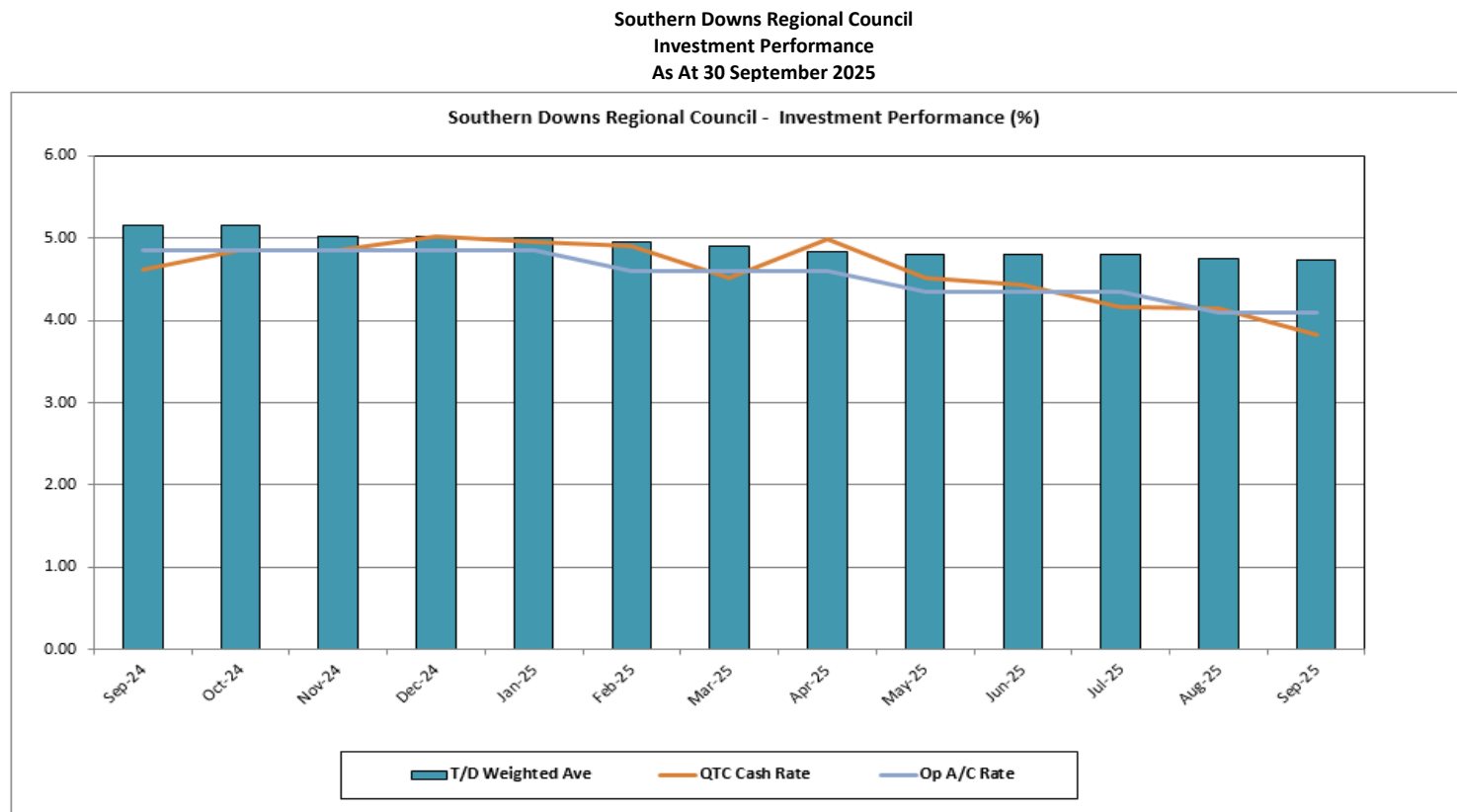


**Southern Downs Regional Council
Work in Progress (WIP) Status Report
As At 30 September 2025**



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





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

QTC Loan Account	Balance	Payout Date
CBD Redevelopment Stage 2	310,696	Mar-28
Market Square Pump Station	144,992	Mar-28
General	1,049,203	Mar-28
General 2009	496,820	Mar-28
General 2009/10	75,500	Mar-28
General 2010/11	1,139,882	Mar-28
General 2011/12	2,421,073	Jun-32
General 2012/13	1,406,321	Dec-32
Warwick Sewerage Treatment Plant	111,956	Jun-26
Allora Water Main	2,695,757	Mar-34
Total Loan Balance	<u>9,852,199</u>	

13.2 Operational Plan 2025/26 - First Quarter Update

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Governance & Risk Officer	ECM Function No/s:

Recommendation

THAT Council note the first quarter update of the 2025/2026 Operational Plan

REPORT

Background

The *Local Government Act 2012* requires that Council prepare and adopt an Operational Plan for each financial year. The Operational Plan is a key document within Council's corporate and strategic planning. It sets out the key priorities for Councilors over the 12 months of the financial year.

The *Local Government Regulation 2012* further requires that Council must make assessments of its progress towards implementing its Operational Plan at regular intervals of not more than three months and that it must discharge its responsibilities in a way that is consistent with the annual Operational Plan.

Report

This report sets out the progress of Council's priorities for the first quarter of the 2025/26 financial year. To date approx. 90% of the actions are on track.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

The Quarterly Operational Plan update, reports how Council is evaluating against its Operational Plan responsibilities.

Opportunity

Nil

COMMUNITY ENGAGEMENT

Internal Consultation

Council's Executive Leadership Team and Senior Leadership Team are responsible for their applicable departmental actions within the 2025/2026 Operational Plan and the leadership teams consult with their respective staff to complete and report on the progress of the actions.

External Consultation

Nil

LEGAL / POLICY

Legislation / Local Law

Section 104 of the *Local Government Act 2009*

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

Corporate Plan 2021-2026

ATTACHMENTS

1. Operational Plan 2025/26 - First Quarter Update [↓](#)

Our People

OUR PEOPLE live and work in diverse urban and rural communities where varied cultures are recognised and celebrated for their differences.

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
1	Develop and implement an effective and genuine renewable energy community engagement process	Strategy, Growth and Stakeholder Engagement	Jul-25	Mar-26	No	1.1.2	Work is underway to formulate a strategic approach to engaging the community on renewable energy projects, with early-stage strategies in draft. Original approaches are being reassessed in line with an evolving regulatory climate.	On Track
2	Deliver quality library services through Council's three (3) fixed locations	Community and Customer Services	Jul-25	Jun-26	No	1.2.1	During the first quarter of 2025/26, Council relocated the Allora library into a new location, which featured additional space and access on a single floor.	On Track
3	Continue to deliver community and civic events, such as Citizen of the Year, Anzac Day and Carols	Community and Customer Services	Jul-25	Jun-26	No	1.2.1	The next citizenship ceremony is set for September, with the last occurring in June 2025, which saw 32 new citizens.	On Track
4	Conduct a stock take of public toilet facilities to review existing service standards improving these where required.	Parks and Operations	Jul-25	Jun-26	No	1.2.1	Scope commenced and being determined.	On Going
5	Review non-traditional burials being adopted elsewhere with a view to expanding Council interment services	Parks and Operations	Jul-25	Jun-27	Yes	1.2.1	Review presented to a Council Information Session (CIS) along with draft policy documentation. Department to return to Council for decision.	On Going
6	Deliver community events e.g. NAIDOC Week, Youth Week, Disability Action Week, Seniors Week	Community and Customer Services	Jul-25	Jun-26	No	1.2.2	The Farming and Futures Expo took place on 29 August 2025, with approximately 400 people attending.	On Track
7	Hold quarterly Interagency Meetings with key stakeholders	Community and Customer Services	Jul-25	Jun-26	No	1.2.3	The last interagency meeting occurred on 22 July 2025, with 78 members attending.	On Track
8	Through the Stanthorpe and Warwick Art Galleries, deliver	Community and Customer Services	Jul-25	Jun-26	No	1.3.1	The Memorandum Of Understanding between the gallery and Council was	On Track



Operational Plan – Quarter One Progress Update

July – Aug- Sept 2025

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
	exhibitions and educational programs						executed, formalising the strong collaboration between the two (2) parties.	
9	Work with state agencies, sporting and recreational groups to identify programs, grant opportunities and events	Community and Customer Services	Jul-25	Jun-26	No	1.3.3	Council's Community Development Team and Grants Officer continue to work closely with State to identify grant opportunities.	On Track
10	Develop and implement a Facility Management Transition Plan	Assets Management, Spatial and Saleyards; Parks and Operations	Jul-25	Jun-26	No	1.3.3	A buildings audit program is being developed to identify the building asset cohort and their current state. Once this is known, we will be able to assess the assets that should be retained and maintained, with the recommendations to dispose. This will be a long-term project.	On Track
11	Plan and provide a calendar of educational programs which extend to Visitor Centre volunteers	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	1.3.3	Visitor Centre Volunteers underwent Snake Bite Training and Emergency Response Training in early 2025. In addition, monthly meetings have included guest speakers (JJJ, CelticFest, SCOC, draft Planning Scheme presentation). The next quarterly regional educational trip is scheduled for 10 September 2025.	On Track



Operational Plan – Quarter One Progress Update

July – Aug- Sept 2025

Our Places

OUR PLACES serve the needs of our people, providing attractive environments for living, working, playing and staying.

OUR PLACES are accessible, protected, fit for purpose, safe and sustainable.

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
1	Hold regular LDMG meetings bringing together agencies to ensure alignment of delivery during natural disasters	Community Resilience	Jul-25	Jun-26	No	2.1.1	The last meeting was held in June, with the next meeting set down for September. During the June meeting, the LDMG endorsed the annual review of the Local Disaster Management Plan.	On Track
2	Support events e.g., Apple and Grape Festival, Warwick Rodeo, Jumpers and Jazz, Snowflakes in Stanthorpe, Celtic Fest	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	2.1.2	During this quarter, Council has supported the 2025 Snowflakes in Stanthorpe, Jumpers and Jazz in July and the Historic Leyburn Sprints festivals with pre-event meetings, inclusion in destination marketing activities (website, social media and Visitor App) and stood up a pop-up Visitor Information tent at each event. In addition, a Channel 7 Weekender crew attended each of these events in order to produce a 30-minute special which will air on Sunday 30th November from 5.30pm on Seven's main channel and on 7plus after airing.	On Track
3	Investigate options to manage all Saleyards effluent.	Asset Management, Spatial and Saleyards	Jul-25	Jun-27	Yes	2.1.3	A brief has been put to market to begin the process of effluent disposal from the Saleyard. The Truck wash effluent is the first major area of concern.	On Track
4	Develop and deliver 2025/26 Action Plan to implement Environmental Sustainability Strategy 21-31 outcomes.	Environmental Services	Jul-25	Jun-26	No	2.1.3	Due to the vacancy in the Sustainability and Environment Officer role, this has not progressed. This role is currently being recruited.	Not Yet Commenced

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
5	Implement annual awareness program for environmental health, environmental sustainability, regulatory services, local laws and waste management	Environmental Services	Jul-25	Jun-26	No	2.1.3, 2.2.3 2.3.3	Annual social media plan developed for these areas and being delivered, with monthly messages. Waste Education Delivery Plan for 2025/26 developed.	On Track
6	Work with Stakeholders of Warwick Saleyards to develop further revenue streams e.g. special sales	Asset Management, Spatial and Saleyards	Jul-25	Jun-25	Yes	2.2.1	This objective is part of the overall business plan being developed. Enhancements and investments are being done to enhance the serviceability and useability of the site to encourage additional sales.	On Track
7	Undertake delivery of Stages 3 and 4 of the Warwick Saleyards Redevelopment Project under W4Q funding	Asset Management, Spatial and Saleyards	Jul-25	Jun-27	Yes	2.2.1	Project is started. The beautification aspects have been delivered. A Request For Tender was released for major components of the work. Work will be contracted in the next quarter.	On Track
8	Continue to seek funding opportunities to construct a roof over the Warwick Saleyards	Asset Management, Spatial and Saleyards	Jul-25	Jun-26	No	2.2.1	The Grants Officer and Manager AMSS continue to scan for potential funding opportunities.	On Track
9	Investigate feasibility / logistics of Council operating gravel pit quarries to provide material for local roads	Works	Jul-25	Jun-26	Yes	2.2.1	Working with LGAQ to review recent changes in MQSH Act and Environmental Protection Regulation in regards to the recognition of borrow pits as opposed to a quarry.	On Track
10	Integrate Local Government Infrastructure Plan (LGIP) into new Planning Scheme, ensuring seamless transition between current and new LGIP.	Planning and Development	Jul-25	Jun-26	Yes	2.2.1	Draft LGIP is currently undergoing community engagement as part of the draft Planning Scheme. Information is available during the engagement period in relation to the LGIP.	On Track
11	Progress the outcomes of the Strategic Asset Management Plan (SAMP)	Asset Management, Spatial and Saleyards	Jul-25	Jun-27	Yes	2.2.1, 2.2.2, 2.3.2	The Strategic Asset Management Plan (SAMP) roadmap set out our Asset Management journey. Our team are using this roadmap to continue the development of Asset Management Plans and to identify priorities for other Asset	On Track

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
							Management related activities. The SAMP and Asset Management Policy are informing our planning for the next round of infrastructure valuation.	
12	Work with Dept Local Government, TRC and SEQ Water to facilitate Toowoomba to Warwick pipeline project.	Water and Wastewater	Jul-25	Jun-27	Yes	2.2.2	This is an ongoing task. SDRC are currently negotiating the various agreements required for this project.	On Track
13	Complete actions in the Drought Resilience Package	Water and Wastewater	Jul-25	Jun-26	No	2.2.2	The final action is to upgrade the Warwick water treatment plant. Design and tender documentation are underway.	On Track
14	Seek funding for renewal of critical water and wastewater assets	Water and Wastewater	Jul-25	Jun-26	No	2.2.2	Waiting on the outcome of several applications for external funding.	On Track
15	Develop an overarching water supply strategy	Water and Wastewater	Jul-25	Jun-27	No	2.2.2	Updating current water strategy documents.	On Track
16	Develop and implement a new Waste Reduction and Recycling Plan for the region	Environmental Services	Jul-25	Dec-25	No	2.2.3	Consultant engaged. Information request currently being completed.	On Track
17	Develop and adopt a climate change policy in alignment with Council's Environmental Sustainability Strategy 2021-2031.	Environmental Services	Jul-25	Jun-26	No	2.3.1	Due to the vacancy in the Sustainability and Environment Officer role, this has not progressed. This role is currently being recruited.	Not Yet Commenced
18	Implement the 25/26 actions within Invasive Pests Strategic Plan for the region	Environmental Services	Jul-25	Jun-26	No	2.3.3	Presentation on status of pest management in the region made to August Council Information Session; draft strategic plan and action plan to be presented to September Council Information Session.	On Track



Operational Plan – Quarter One Progress Update

July – Aug- Sept 2025

Our Prosperity

OUR PROSPERITY is supported by a constructive inter-relationship of public infrastructure and private investment, to facilitate sustainability and growth of the local economy

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
1	Collaborate with external stakeholders to develop innovative solutions to ease the need for affordable housing for workers.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.1.2, 3.1.3	Liaison with stakeholders around the 'small houses development' has commenced, with information provided to assist with the proponent's development application.	On Track
2	Continue to research and investigate developer incentive policies and associated actions.	Planning and Development	Jul-25	Jun-26	Yes	3.1.3	Works for Queensland funding has been secured, and the work has commenced in relation to planning incentivisation.	On Track
3	Deliver a project regarding development compliance high priority matters, e.g., outstanding infrastructure charges and review rental accommodation regulatory framework.	Environmental Services	Jul-25	Jun-26	Yes	3.1.3	Recruitment of officer to deliver project to occur in the near future.	Not yet commenced this year
4	Support local business through investment in industry led activities. E.g. local buy campaign, mentoring workshops.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.2.1	Council continues its commitment to the Small Business Friendly program with the Financial Year 2025 report being drafted.	On Track
5	Develop plans and frameworks outlined in the Workforce Strategy 2024 – 2028.	People, Performance and Safety	Jul-25	Jun-26	Yes	3.2.1; 4.3.2	Request for Quote has been obtained to source the Leadership programs for Executive Leadership Team (ELT), Senior Leadership Team (SLT) and Operational Leadership Team (OLT). These programs are currently under discussion with the CEO. The Frontline Supervisor Program will commence in September 2025. Leadership competency framework is under development. 93% compliance achieved in the Code of Conduct training.	On Track

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
							Code of Conduct training is now assigned to Contractors being employed by Council.	
6	Advocate for regional water security and for retention of good agricultural land to ensure the viability of the sector.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.2.3	Initial contact has been made with the new federal minister for Environment and Water, Senator Murray Watt regarding funding for a detailed business case for the Warwick to Stanthorpe pipeline. The final Regional Water Assessment report was released by the State Government in late August, with the pipeline business case remaining the top recommendation. Further correspondence to both state and federal Ministers is currently being prepared.	On Track
7	Collaborate with partner agencies and stakeholders to progress the development of a small animal abattoir.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.1	Engagement with stakeholders continues with the planning team providing information to proponents to support investigations into an appropriate site for a small animal abattoir	On Track
8	Undertake business process review of department wide development assessment and enquiry processes to reduce duplication and improve overall customer experience.	Planning and Development	Jul-25	Dec-26	Yes	3.3.1	The business improvement framework has been drafted. Working group established to progress, make decisions and give regular updates on business improvements. There have already been business improvements in relation to pre-lodgement meetings and communication regarding applications.	On Track
9	Collaborate with industry stakeholders to promote Council's development assessment services, by establishing a contact list of relevant	Planning and Development	Jul-25	Dec-26	Yes	3.3.1	Contact lists have been established. Industry groups invited to a draft planning scheme focus group, where some of the proposed business improvements were	On Track



Operational Plan – Quarter One Progress Update

July – Aug- Sept 2025

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
	parties to assist with ongoing engagement.						outlined and an industry forum undertaken in the future.	
10	Collaborate with Granite Belt Growers Association, undertaking a pilot “Composting Project” to investigate benefits to farmers of humus soil.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.1	Granite Belt Growers Association and SDRC continued to source land for the pilot project, potentially working with a landholder in Applethorpe.	On Going
11	Collaborate with industry / community groups to support specific projects through sourcing of available Grant funding.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.1	The Community Grants and RADF Grants programs opened on 1 September with 10 applications successful in receiving funding to date. There are another four (4) applications currently being processed.	On Track
12	Implement the Southern Downs Regional Council Economic Development Strategy 2022 – 2026 Action Plan.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.2	Numerous aspects of the Action Plan are complete or in progress including but not limited to, a review of SDRCs style guide, development of a Comms & Community Engagement Strategy, increased education of services to customers through enhanced face-to-face communication (pop up information booths, Financial Year 2025 budget engagement process), social media posts that involve more videos (reels, OCM Wrap Ups) and specific focus on Instagram to support youth engagement, and updates to the SDRC app where ‘quick use’ buttons have been installed on the home screen. While facility signage is now updated, tourism signage consistency and a signage plan will commence by Quarter 3.	On Track
13	Investigate new opportunities/experiences to attract	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.3	Destination marketing activities for the period 01 June – 31 August occurred under the QLD’s Cold Country winter	On Track



Operational Plan – Quarter One Progress Update

July – Aug- Sept 2025

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
	more visitors to region in the Nature Based and Agritourism sectors.						theme which includes blogs, an email newsletter and social media activities promoting the region's many natural attractions. As at 1 September the theme will change to the QLD's Horsepower Country spring theme.	
14	Work with neighbouring Councils, farmers, stakeholders to undertake a Pilot Plastic Farming Waste Recovery and Pre-processing project reducing cost/burden on landfill.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.3	Regular meetings have continued with the focus now on securing machinery from the USA, to support the project.	On Track
15	Support and work with regional partners to deliver the annual calendar of destination marketing activities.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.3	During this quarter ongoing membership of the official RTO, Queensland Country Tourism was held. Council also worked closely with Granite Belt Wine Tourism, Stanthorpe Chamber of Commerce and Warwick Chamber of Commerce on regional events.	On Track
16	Develop a Tourism Strategy.	Strategy, Growth and Stakeholder Engagement	Jul-25	Jun-26	No	3.3.1	In the absence of a director, this action will commence in Quarter 2.	Not yet commenced

Our Performance

OUR PERFORMANCE is driven by our values and approach to innovation and improvement. It will be reflected through ethical decision making and good governance

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
1	Enable electronic lodgement of operational works, plumbing and drainage and building applications through eSubmit.	Planning and Development	Jul-25	Jun-26	Yes	4.1.1	Initial research has been undertaken to better understand the existing system's capabilities in relation to building and plumbing.	On Track
2	Undertake a review of Council's insured assets assessing if insurance coverage is sufficient.	Governance	Jul-25	Jun-26	No	4.1.1	Insurance renewal process for the 25/26 FY has been completed with collaboration with all departments to ensure accurate data is provided.	Completed
3	Review Council's Customer Service Charter ensuring it adequately addresses customer needs.	Community and Customer Services	Jul-25	Jun-26	No	4.1.1	Incoming Manager Community & Customer Services to implement.	Not Yet Commenced
4	Review Local Laws and supporting processes to align with current regulatory standards and improve functionality.	Environmental Services	Jul-25	Jun-26	Yes	4.1.1	In collaboration with Manager Governance.	Not Yet Commenced
5	Continue digitisation of water treatment plants and pump station maintenance work.	Water and Wastewater	Jul-25	Jun-27	Yes	4.1.2	Ongoing, work is progressing. Pump stations are complete. Working on sampling points and the Warwick waste disposal point.	On Track
6	Deliver Technology One related CIA projects as per the ICT Road map.	Information, Communication and Technology	Jul-25	Jun-26	Yes	4.1.2	Contract management module is live and in final stages for completion. PPLGS is in early user acceptance phase. Request Management module user requirements in review.	On Going
7	Conduct activities enhancing Cyber Security Resilience including vulnerability scanning, cyber security awareness training and enhanced access and security.	Information, Communication and Technology	Jul-25	Jun-26	No	4.1.2	External penetration tests are completed, remediations are being implemented prior to retesting. Email authentication policy, DMARC, is running in logging mode prior to enabling the quarantine mode. MFA	On Going



Operational Plan – Quarter One Progress Update

July – Aug- Sept 2025

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
							hardware is received and ready for deployment. Additional activities to be identified.	
8	Develop a 10 year works program for all infrastructure assets.	Works	Jul-25	Jun-26	Yes	4.1.3	Prioritised lists of projects exist for most renewal programs e.g. reseal, pavement rehabilitation, pathway renewal etc. For new and upgrade projects, projects are prioritised using Council's adopted prioritisation framework.	On Track
9	Review and improve the grant application process.	Community and Customer Services	Jul-25	Jun-26	No	4.1.3	Review commenced, with draft policy and procedure developed for taking to a future Councillor Information Session.	On Track
10	Carry out Safety and HAZOP studies for all pump stations.	Water and Wastewater	Jul-25	Jun-26	No	4.2.1	Scheduled for the third quarter.	Not Yet Commenced
11	Undertake ongoing traffic management independent audits as part of ensuring safety at worksites.	Works	Jul-25	Jun-26	Yes	4.2.1	An ongoing program of independent audits has been established through a partnership with the WHS team. WHS team members undertake a monthly audit of traffic management on random construction sites.	On Track
12	Fully implement the Safety Management System.	People, Performance and Safety	Jul-25	Dec-25	No	4.2.1 4.2.2	On track to be completed in December 2025. Registers currently under development.	On Track
13	Implement business process improvements as per outcome of Customer request internal audit.	Community and Customer Services	Jul-25	Jun-26	No	4.4.1	Customer Request Management System (CRM) review and development currently underway.	On Track
14	Implement governance training across the organization.	Governance	Jul-25	Jun-26	No	4.4.1	Manager Governance to implement in collaboration with People & Safety.	Not Yet Commenced
15	Undertake a review of Council's Key system, implementing updated system or alternatives to the current system.	Governance	Jul-25	Jun-30	Yes	4.4.1	Alternative keying systems are being researched.	Ongoing
16	Implement IPOLA changes into work practices for RTI and IP requests.	Governance	Jul-25	Jun-26	No	4.4.1	Training on incoming Queensland Privacy Principles yet to commence.	Completed

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
17	Review strategic risks and risk appetite statement with current elected members, embedding in all reporting.	Governance	Jul-25	Jun-26	No	4.4.1	A review of the strategic risks, and risk appetite with Councillors is forthcoming.	On Track
18	Commence the implementation of the on-site sewage facilities register, issuing compliance notices if applicable.	Planning and Development	Jul-25	Jun-27	Yes	4.4.1	The development of the register has commenced, with 160 devices tagged and a further 1,153 identified. A communication email was sent to all known properties with an OSSF to notify of tagging.	On Track
19	Implement best practice project management and governance of the delivery of major capital projects with Capital PCG.	Infrastructure, Assets and Projects	Jul-25	Jun-26	Yes	4.4.1	The PMF is currently being utilised to manage all major Capital Projects with project plans GANNT charts and Budgets being reviewed. We have also obtained the services of an experienced PMO to assist this process and ensure the monthly Capital PCG is well informed and updated.	On Track
20	Provide procurement-related training to staff and hold supplier information sessions.	Financial Services	Jul-25	Jun-26	No	4.4.1	Supplier information sessions scheduled for February 2026. Staff procurement training ongoing.	On Track
21	Complete definitive 10-year plans (Master Plans) to deliver our services and outcomes.	Asset Management, Spatial and Saleyards	Jun-25	Jun-27	Yes	4.4.2	This work continues. The Buildings AMP is in draft and will inform the Buildings Asset Audit activity.	On Track
22	Develop the SDRC Services Catalogues, focusing on service levels and targets.	Financial Services	Jul-25	Jun-26	No	4.4.2	Work has commenced with Service Categories and Types being developed and applied to projects for financial reports. Work continues with development of Service Activities, Descriptions to build Service Catalogues and Guidelines incorporating service levels and processes at a medium to high level.	On Going
23	Review current arrangements for sourcing, distribution and utilisation of fuel supply for Council plant.	Parks and Operations	Jul-25	Jun-27	Yes	4.4.3	Work has commenced with consideration given to using either internal supply service or an external service both being	On Track

REF	ACTION/OUTCOME	DEPARTMENT	START	FINISH	MULTI YEAR?	CORPORATE PLAN LINK	QUARTER 1 UPDATE	QUARTER 1 STATUS
							mobile delivery. A definitive answer is yet to be defined as the risk and cost profiles are presented to Management for a final decision.	
24	High Risk Asset State Assessment – using tools to record state of assets with high risk of damage due to natural disaster/similar events.	Asset Management, Spatial and Saleyards	Jun-25	Jun-27	Yes	4.4.3	The AMSS team continue to gather asset state data using tools such as UAV, video capture on vehicles, LiDAR to capture the current state of assets.	On Going
25	Undertake risk assessment to prioritise work on legacy landfill sites ensuring compliance with Environmental Authority and legislation.	Environmental Services	Jul-25	Jun-26	Yes	4.4.3	Request for quote process completed. Consultant to be appointed to start delivering this project.	On Track
26	Provide ongoing support for the Regional Water Assessment Program and advocate for positive outcomes for SDRC.	Water and Wastewater	Jul-25	Jun-26	No	4.5.3	Awaiting the State Government action on this. Currently there is no activity.	Not Yet Commenced
27	Design and delivery of the leadership program for SDRC.	People, Performance and Safety	Jul-25	Jun-26	No	4.6.3 4.3.2	Request for Quote has been obtained to source the Leadership programs for ELT/SLT and OLT. These programs are currently under discussion with the CEO. The Frontline Supervisor Program will commence in September 2025. Leadership competency framework is under development. 93% compliance achieved in the Code of Conduct training. Code of Conduct training is now assigned to Contractors being employed by Council.	On Track

13.3 Minutes of the Audit & Risk Management Committee held 18 September 2025

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Governance & Risk Officer	ECM Function No/s:

Recommendation

THAT Council receive:

1. The minutes from the Audit and Risk Management Committee meeting held on 18 September 2025; and
2. The Chairperson Report.

REPORT

For the information of Councillors, please find attached the minutes and Chairperson's report from the Audit and Risk Management Committee (ARMC) meeting held on 18 September 2025.

FINANCIAL IMPLICATIONS

Nil

RISK AND OPPORTUNITY

Risk

The ARMC is another layer of audit and protection in an aim to reduce risk and ensure Council's sound operations, governance and compliance with reporting requirements.

Opportunity

Nil

COMMUNITY ENGAGEMENT

Internal Consultation

Manager Governance

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. Minutes of the Audit and Risk Management Committee held on 18 September 2025 [↓](#)
2. Chairperson Report [↓](#)



MINUTES OF THE MEETING OF AUDIT & RISK MANAGEMENT COMMITTEE 18 SEPTEMBER 2025



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	Nil	
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	16 October 2025 9:00am	
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Minutes of the Meeting
Held at 64 Fitzroy Street, Warwick on 18 September 2025 at 9:00 AM

OPEN MEETING AND ACKNOLWEGEMENT TO COUNTRY

The Chair declared the meeting open 9:04 am.

1. PRESENT

Committee Members:

Kerry Phillips (Chairperson), Mayor Hamilton, Cr Joel Richters, Mel Jacobs (via Microsoft teams), Tony Trace (via Microsoft teams)

Observers:

Rachel Brophy (Chief Executive Officer),
Dean Frost (General Manager Corporate Services)
Graham Sweetlove (Acting General Manager Infrastructure, Assets & Projects)
Bilal Haider (Acting Manager Assets, Spatial & Projects)
Helen Gross (Acting Chief Financial Officer)
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 Governance and Minute taker)
Dianne Woolley (Director People Performance & Safety)
Paul Ince (Safety and Wellbeing Advisor)
Tim Kajewski (Asset Accountant)
Brett Woodman (Manager ICT)
Steve Brown (ICT Coordinator)

Invitees:

SDRC Councillors

2. APOLOGIES

Elizabeth (Liz) Alley (Tenterfield Shire Council).

Observer Apologies:

Dyan Currie (Acting Director Planning & Environmental Services)
Jon Charles (Manager Assets, Spatial and Saleyards)
Gurbindar Singh (Chief Financial Officer)

3. DECLARATION OF CONFLICT OF INTEREST

NIL



4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

4.1 Audit & Risk Management Committee Meeting - 26 June 2025

Resolution

Moved Chair K Phillips

Seconded Councillor M Hamilton

THAT the minutes of the Audit & Risk Management Committee Meeting held on Thursday 26 June 2025 be adopted.

Carried

5. BUSINESS ARISING FROM MINUTES – SUMMARY OF ACTION POINT

LEGEND:

Chief Executive Officer (CEO); General Manager Corporate Services (GMCS); Chief Financial Officer (CFO); General Manager Infrastructure, Assets & Projects (GM-IAP); Manager Governance (MGOV); Director People, Performance & Safety (DPPS); Minute Secretary (MS); External Auditors - Crowe Australasia (CRO); Internal Auditors - Pacifica (PAC); Qld Audit Office (QAO); Governance Officer (GO). ARMC (Committee Members)

Status	Issue No	Meeting Date	Detail	Target Due Date	Responsible Officer	Completed Date	Revised Completion Date	Comments
Incomplete	341	Oct-24	Fraud & Ethical Conduct Review - ongoing reporting to every 2nd meeting regarding section 5 of this report	Apr-25	MGOV		Feb-26	It was requested that improvement opportunities within existing work practices (section 5 of the report) be reported to the Committee every 2 nd meeting.
Incomplete	343	Jan-25	ICT - Project Management	Apr-25	ICT		Sep-25	The Chair requested detailed reporting be brought to the Committee specific to the project
Completed	344	Jan-25	People & Culture Report	Apr-25	DPPS	Jun-25		Critical vacancies oversight requested
Completed	345	Jan-25	People & Culture Report	Apr-25	DPPS; MGOV	Jun-25		Code of conduct training has been rolled out. Cyber security and fraud awareness is still to be facilitated.
Incomplete	346	Jun-25	People & Culture Training Report	Sep-25	MGOV; DPPS			That cyber security and Fraud and corruption training be embedded into the onboarding process
Incomplete	347	Jun-25	External Audit - Timelines	Sep-25	CRO			Sign off dates be revisited and recirculated to the CEO.
Completed	348	Jun-25	ICT Update - AI Policy	Jun-25	ICT	Jun-25	Circulated with minutes	That the Responsible Use of Artificial Intelligence (AI) Tools Policy be circulated out of session following adoption.
Incomplete	349	Jun-25	Asset Management Road Map	Sep-25	MASP			That the Asset Management Roadmap and status update be presented at the September 2025 meeting.
Completed	350	Jun-25	Policy and Procedure Register Status	Jun-25	MASP	Jun-25	Circulated with minutes	Circulation of current policy status
Completed	351	Jun-25	PPLGS Reference Sites	Jun-25	MASP	Jun-25	Circulated with minutes	Circulation of PPLGS reference sites out of session

Item 341 – FREC recommendations covered in the internal audit recommendations – no specific reporting required. - *Deemed as complete*

Item 346 – Cyber and Fr & Corruption training – no revised or completion dates as yet; QON Brett Woodman only recently started in conjunction with Di Woolley's team – *revised completion date to February 2026.*

Item 347 – Deemed as complete

Item 349 – Asset management road map to be presented - current resource issues – subsequent meeting after October 2025 for this to be presented - – *revised completion date to February 2026.*



6. CHIEF EXECUTIVE OFFICER'S UPDATE

6.1 Chief Executive Officer's Update

Resolution

Moved Chair K Phillips

Seconded Councillor J Richters

THAT the Committee accept the verbal update provided by the Chief Executive Officer.

Carried

7. PEOPLE & SAFETY

7.1 Workplace Health and Safety Quarterly Report - Qtr 4 FY 24/25 (1 April - 30 June 2025)

Resolution

Moved Chair K Phillips

Seconded Councillor M Hamilton

That the Audit & Risk Management Committee recommend to Council accepts the Workplace Health and Safety quarterly report for the reporting period 1 April 2025 to 30 June 2025 (Q4 FY24/25).

Carried

8. EXTERNAL AUDIT

8.1 Position Papers for Comprehensive Valuation of Other Infrastructure and Artworks Asset Classes, and Indexation Valuation of Transport, Stormwater, Land, Buildings, Water and Wastewater Asset Classes

Resolution

Moved Chair K Phillips

Seconded Councillor J Richters

THAT the Audit & Risk Management Committee receive and note the content of the following position papers:

- Comprehensive Valuation of Other Infrastructure and Artworks Asset Classes
- Indexation Valuation of Transport, Stormwater, Land, Buildings, Water and Wastewater Asset Classes
-

Carried

8.1.1 Verbal reports from Crowe Australasia and Queensland Audit Office

Resolution

Moved Chair K Phillips

Seconded Councillor J Richters

THAT the Committee receive and note verbal reports from Crowe and QAO

Carried

8.2 Draft Financial Statements 2024-25

Resolution



Moved Chair K Phillips

Seconded Mr A Trace

THAT the Audit & Risk Management Committee receive the draft financial statements 2024-25

Carried

9. INTERNAL AUDIT

9.1 Internal Audit Activity Report

Resolution

Moved Chair K Phillips

Seconded Ms M Jacobs

THAT the Audit & Risk Management Committee receive and note:

1. Receive and note the Internal Audit Progress Report.
2. Endorse the FY2026 Annual Internal Audit Plan
3. Receive and note the final report for the Information Security Governance Internal Audit
4. Receive and note the Final Scope for the Financial & Non-Financial Delegations of Authority Management.

Carried

10. BUDGETING & FINANCIAL PERFORMANCE

10.1 ICT Update

Resolution

Moved Chair K Phillips

Seconded Councillor J Richters

THAT the Audit & Risk Management Committee note the contents of the ICT update report.

Carried

10.2 FINANCIAL PERFORMANCE - General Manager Corporate Services

Resolution

Moved Chair K Phillips

Seconded Mr A Trace

THAT the Committee note verbal update regarding finance supported by the General Manager Corporate Services.

Carried

11. SUSTAINABILITY & STRATEGY

11.1 Asset Management Update

Resolution

Moved Chair K Phillips

Seconded Councillor J Richters

THAT the Audit & Risk Management Committee receive and note the contents of the Asset Management report.



Carried

ACTION ITEM 352 - Clarification sought if previously unidentified buildings are represented on Council's asset register.

12. GOVERNANCE

12.1 Legal and Regulatory Update

Resolution

Moved Chair K Phillips

Seconded Councillor J Richters

THAT the Audit & Risk Management Committee:

1. Receive and note the contents of this report as a status update for Governance and Risk
2. Receive and note the internal audit recommendations as at September 2025 as presented
3. Endorse the draft Audit and Risk Management Terms of Reference subject to amendments.

Carried

13. GENERAL BUSINESS

Nil

14. NEXT MEETINGS

16 October 2025 9:00am

15. CLOSURE

The meeting closed at 11.20 am.

AUDIT AND RISK MANAGEMENT COMMITTEE CHAIRPERSON'S REPORT TO COUNCIL

SEPTEMBER, 2025

Attention Mayor Melissa Hamilton

I advise that the Southern Downs Regional Council Audit and Risk Management Committee met on Thursday 18TH September 2025. Committee members Tony Trace and Mel Jacobs attended via video conference with Kerry Phillips, Cr Joel Richters and Mayor Hamilton attending on site and Liz Alley was an apology.

Council representatives present included Rachel Brophy, Dean Forest, Dianna Keir, Helen Gross and Graham Sweetlove. Dianne Woolley and Paul Ince– from People and Culture joined the meeting to deliver the Workplace, Health and Safety quarterly report, Tim Kajewski from Finance joined the meeting to present the position paper on valuation and indexation, Steve Brown and Brett Woodman from ICT – delivered the ICT update and, Bilal Haider from Asset management attended to present the Asset Management update. Jon Charles, Gurbindar Singh and Dyan Currie were apologies.

Other Attendees at the meeting were Bruce Preston (Crowe) and David Adamas (QAO) via video conference to present verbal the external audit updates. Carolyn Eagle and Amira Sheehan from internal audit firm Pacifica joined via video conference to present several internal audit items.

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

1. CEO verbal Update
2. Workplace Health and Safety Quarterly report
3. External Audit – Position papers – Revaluation and Indexation
4. External Audit – Draft Financial Statements 2024-25
5. External Audit – verbal Audit progress report and verbal QAO Update
6. Internal Audit – Activity Report
7. Internal Audit – FY 2026 Annual Audit Plan
8. Internal Audit – Final Information Security Governance Report
9. Internal Audit – Final scope for Financial and Non-Financial Delegations of Authority Management review
10. Budgeting and Financial Performance - ICT Update
11. Budgeting and Financial Performance – Finance Performance – 31 August verbal update
12. Sustainability and Strategy – Asset Management Update
13. Governance - Legal and Governance Update

Item 1 CEO Update

Action – Verbal report noted

Rachel Brophy CEO presented insights from recent 6 month reflection undertaken by the executive leadership team. Areas covered included

Governance

- code of conduct,
- managing relatives,
- risk register development (risk appetite review imminent),

- CCC matter still on going,
- new manager governance about to commence.

Systems and Processes

- looking for whole enterprise suite of Tech One to support more efficiency.

Culture

- looking to create an environment which supports innovation
- improving workplace hazard awareness and appreciation for PPE
- encouraging leaders to role model behaviours, encourage innovation and actively listen to diverse perspectives.

Item 2 Workplace Health and Safety Quarterly Report - Quarter 4 FY24/25 (1 April to 30 June 2025)

Action – Report Noted.

The report provided important statistical information and focussed on Workers Compensation.

Days people off work has improved due to more active follow up with impacted staff.

Hazard reporting has fallen away, management will focus attention on this. Suggestion was made to move towards including completion time for close out of hazards.

3rd party induction completion rates are still falling short.

The risk and opportunities section of the report was well developed and provide insight into a number of key risks faced by Council including **Asbestos compliance audits and WHSQ Improvement notices**.

Next meeting some focus on psychosocial claims and risks will be included in reporting.

Item 3 External Audit –Position Papers for Comprehensive Valuation of Other Infrastructure and Artworks Asset Classes, and Indexation Valuation of Transport, Stormwater, Land, Buildings, Water and Wastewater Asset Classes

Action – Papers were noted

Explanation was provided regarding some decrements in value due to ownership clarification. Discussion was undertaken regarding the treatment of assets falling below the threshold. There was some discussion also with regard to change of useful life and valuation changes on depreciation. Committee commented on management discretion regarding indexation changes in the >5% < 10% band. External Audit noted that should the outcome produce an outcome over the materiality threshold Council would be expected to book the change.

Item 4 External Audit – Draft Financial Statements 2024-25

Action – latest changes and version noted

Helen Gross, Finance addressed queries raised regarding change in contract assets. The CEO advised the committee that the movement in depreciation was understood for the purposes of preparing budget 2025/26. Waste loss has been addressed with pricing changes in 2025/26. Additional clarity in note 3 was sought from the committee to ensure the impact of prepayment of grant could be deciphered easily by stakeholders using the accounts. Committee commented regarding the low level of resilience in the forward projections and suggested management may like to consider bolstering going forward in view of the areas exposure to weather events and natural disaster.

Item 5 External Audit – verbal Audit progress report and verbal QAO

Action – verbal report noted

Bruce Preston, Crowe advised that the external audit was progressing as planned and with full co-operation from Council staff. Based on discussions regarding position papers to date the team will look closely at materiality of impacts and consider implications of sporting club arrangements. Next meeting, he expects to present the closing report.

David Adams, QAO delivered an overview of the recent report to parliament, focused on local government operations report No1 2025/26 – reducing organic house waste land fill and government strategy around this

- 5 recommendations made government and DESI; but the fifth recommendation – recommends the department undertaking will need to be in collaboration with Councils. Will require monitoring activities and reports e.g. reliable waste data.

Item 6 Internal Audit – Progress Report

Action- Report noted

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

Item 7 Internal Audit – Draft Annual Plan 2026

Action- Endorsed the draft annual plan 2025/26

Carolyn Eagle, Partner from internal audit firm Pacifica presented the report. Noted for the committee that the risk profile used was prior to the recent review of risk. As this matures there may be some changes recommended.

Committee look forward to the full delivery of the plan in 2025/26 as delivery during 2024/25 was hindered by Council resource constraints and priorities.

Item 8 Internal Audit – Final Information Security Governance Report

Action - Noted

The committee noted that the newly appoint Manager ICT will give priority to the recommendations.

Carolyn Eagle - Pacifica introduced new team lead Amira Sheehan to the committee.

Item 9 Internal Audit – Final scope for Financial and Non-Financial Delegations of Authority Management

Action – scope noted

Item 10 Budget and Financial Performance - ICT Update

Action – Report noted

Steve Brown and Brett Woodman both from ICT responded to questions provided by the committee regarding PCI data, rejected emails and risk assessment regarding staff currently using AI tools.

The committee congratulated Council on the development of AI policy as a lead artefact in the establishment of a governance framework to support the impact and utilisation of AI.

Item 11 Budgeting and Financial Performance – Finance Performance – 31 August verbal update

Action – verbal update noted

The Chair shared with the committee some key observations regarding the financial position and associated reporting to Council as at 31 August 2025.

Year to date result 31 August approximately \$500K better than budget operationally and capital works delivery on track. Additional borrowings outside of budget 2025/26 sought \$4M to fund roof project for community facility and revised LTFF results in deficit position for 2025/26.

Dean Frost newly appointed General Manager Corporate Services addressed questions from the committee pertaining to the decision to borrow rather than drawdown on Council reserves to fund the roof project. Both safety and urgency related aspects were clarified with the committee.

Item 12 Sustainability and Strategy - Asset Management

Action – report noted

Bilal Haider from Asset Management spoke to the report. The committee note the focus currently on built assets.

The committee looks forward to a presentation at the next meeting of the asset management road map and progress update.

Item 13 Governance - Legal and Regulatory Update

Action – Report Noted

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

Items covered by the report were in relation to

1. Risk register – plans to bring strategic and operational risk registers to upcoming meeting once the review is complete Advancement has been made in relation to the TechOne Performance Planning module and the use of Reliansys in relation to corporate planning and risk. The Enterprise Risk Management framework is planned for circulation to committee once ELT have finalised their review.
2. ARMC terms of reference, annual work plan and induction process review for feedback – some feedback provided regarding Mayor's role as dedicated committee member or proxy requires review in the terms of reference.
3. Delegations status update
4. Privacy update – QPP Privacy Policy for feedback
5. Internal Audit recommendations progress
6. Policy update

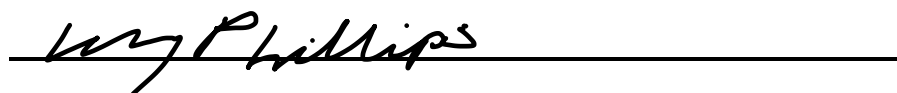
CLOSING COMMENTS

The meeting was extremely collegiate, and management were very open to suggestions provided by the committee. Presenters and support staff provided context to agenda items. The setup for the Internal Audit function looks more promising for the upcoming period. The arrival of the new Manager Governance will provide some relief and support to both the Executive and support staff in the coming months.

Personally, I appreciate the difficult environment the Acting Manager Governance has faced, and I thank her most sincerely on behalf of the committee for the steady hand she has on the wheel over several meetings.

Yours faithfully

Kerry Phillips (Chairperson)

A handwritten signature in black ink, appearing to read 'Kerry Phillips', is written over a solid black horizontal line.

26 September 2025

14. INFRASTRUCTURE, ASSETS AND PROJECTS REPORTS

Nil

15. COMMUNITIES, PLANNING AND ENVIRONMENTAL SERVICES REPORTS

15.1 Change Representations for Realignment of boundaries (Two (2) lots into two (2) lots - 11412 Cunningham Highway and Freestone Road, Clintonvale - RC\02052

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Planning Officer	ECM Function No/s: RC\02052

APPLICANT:	Gary Hayes & Partners Pty Ltd
OWNER:	Nicholas J & Mary C Nolan
ADDRESS:	11412 Cunningham Highway and Freestone Road, Clintonvale
RPD:	Lot 1 ML2118 and Lot 2 ML477
ASSESSMENT AGAINST:	Southern Downs Planning Scheme (v.5)
ZONE:	Rural (Alluvial Plains and Basalt Uplands precincts)
PROPOSAL:	Realignment of boundaries (Two (2) lots into two (2) lots)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	One (1) properly made submission
REFERRALS:	Nil
CIS DATE:	1 October 2025
FILE NUMBER:	RC\02052

RECOMMENDATION SUMMARY

THAT Council approve the change representations made in relation to the application for a Realignment of boundaries (Two (2) lots into two (2) lots) on land at 11412 Cunningham Highway and Freestone Road, Clintonvale, described as Lot 1 ML2118 and Lot 2 ML477, and Conditions 2 and 3 of approval be amended as follows:

Easements and Covenants

2. A statutory covenant to prohibit the construction of buildings for a residential use is to be provided over proposed Lot 6 along the full length of the southern boundary and eastern (Freestone Road) boundary. The covenant is also to restrict the construction of any internal driveway or access from Freestone Road within an area of 60.0 metres from the common boundary of proposed Lot 6 and Lot 1 RP21319 ~~the covenant area~~. The covenant is to have a width of 60.0 metres. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

Note: A residential use refers to a Dwelling which is defined in Schedule - 1 Definitions of the Southern Downs Planning Scheme v5.

Fencing, Landscaping and Buffers

3. The existing fence along the common boundary of proposed Lot 6 and Lot 1 RP21319, and along the Freestone Road frontage of proposed Lot 6 for at least the width of 60.0 metres

from the common boundary of proposed Lot 6 and Lot 1 RP21319 the covenant required in Condition 2, is to be retained and maintained.

Where there is no fencing in these locations, standard rural wire fencing is to be provided at the applicants cost.

REPORT

On 29 April 2025, Council issued a development permit for the purpose of Reconfiguring a Lot – Realignment of boundaries (Two (2) lots into two (2) lots), on land at 11412 Cunningham Highway and Freestone Road, Clintonvale, described as Lot 1 ML2118 and Lot 2 ML477, subject to conditions.

The applicant has lodged change representations during their appeal period to negotiate the Conditions of Approval.



Figure 1: Aerial of subject site

The subject land is comprised of two (2) lots and is situated within the locality of Clintonvale. The land is comprised of Lot 1 ML2118 which has an area of 29.9 hectares and Lot 2 ML477 which has an area of 29.9 hectares. Both lots maintain frontage to Freestone Road which is a bitumen sealed road without kerb and channel and are traversed by the Cunningham Highway, which is a bitumen sealed, State-controlled road without kerb and channel.

Lot 2 ML477 contains a Dwelling house and associated outbuildings within the south-eastern corner of the land to the north of the Cunningham Highway. While the existing Dwelling house is situated on Lot 2 ML477, the existing all-weather driveway and approved access onto the Cunningham Highway is sited within Lot 1 ML2118. There is no approved road access for Lot 2

ML477. There are no approved road accesses from the Cunningham Highway to the southern portion of either Lot 1 ML2118 or Lot 2 ML477.

The majority of Lot 1 ML2118 and Lot 2 ML477 is used for cultivation and agricultural activities. The site plan results in the creation of proposed Lots 5 and 6. Proposed Lot 5 will have an area of 51.2 hectares and will maintain access and frontage to the Cunningham Highway. Proposed Lot 6 will have an area of 8.5 hectares and will maintain dual road frontage to the Cunningham Highway and Freestone Road.

The approved plan is as follows:

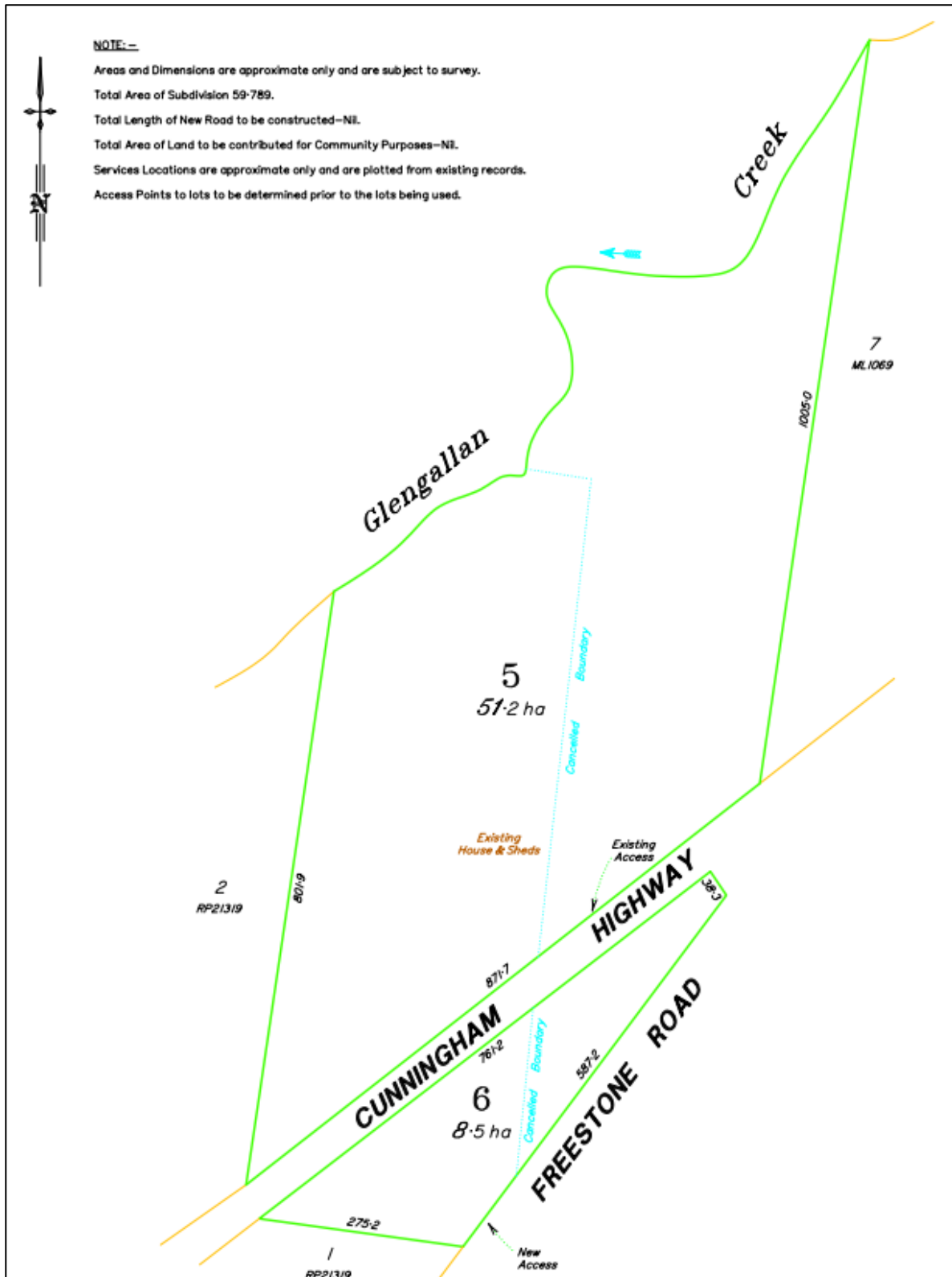


Figure 2: Site Plan

Representations

The applicant has made change representations and has requested the alteration of Conditions 2 and 3. Table 1 as follows details the existing Conditions 2 and 3 and the applicant's proposed changes to the conditions:

Table 1: Analysis of Conditions

Original Conditions		Applicant's proposed changes to Conditions
2.	Easements and Covenants A statutory covenant to prohibit the construction of buildings for a residential use is to be provided over proposed Lot 6 along the full length of the southern boundary and eastern (Freestone) boundary. The covenant is also to restrict the construction of any internal driveway or access from Freestone Road within the covenant area. The covenant is to have a width of 60.0 metres. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision. <i>Note: A residential use refers to a Dwelling which is defined in Schedule - 1 Definitions of the Southern Downs Planning Scheme v5.</i>	Easements and Covenants A statutory covenant to prohibit the construction of buildings for a residential use is to be provided over proposed Lot 6 along the full length of the southern boundary and eastern (Freestone) boundary. The covenant is also to restrict the construction of any internal driveway or access from Freestone Road within the covenant area. The covenant is to have a width of 60.0 metres. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision. <i>Note: A residential use refers to a Dwelling which is defined in Schedule - 1 Definitions of the Southern Downs Planning Scheme v5.</i>
3.	Fencing, Landscaping and Buffers The existing fence along the common boundary of proposed Lot 6 and Lot 1 RP21319, and along the Freestone Road frontage of proposed Lot 6 for at least the width of the covenant required in Condition 2, is to be retained and maintained. Where there is no fencing in these locations, standard rural wire fencing is to be provided at the applicants cost.	Fencing, Landscaping and Buffers The existing fence along the common boundary of proposed Lot 6 and Lot 1 RP21319, and along the Freestone Road frontage of proposed Lot 6 for at least 60m the width of the covenant required in Condition 2, is to be retained and maintained. Where there is no fencing in these locations, standard rural wire fencing is to be provided at the applicants cost.

The applicant has provided the following response to support their request:

The Department of Transport and Main Roads does not permit access from a state-controlled road where alternative access options are available. The covenant restricting access to Freestone Road would render the lot inaccessible. We therefore request condition two be changed as follows:

The covenants required by the conditions restrict the creation of a vehicle crossover and internal driveway from Freestone Road.

The following provision of the Reconfiguring a lot code that is applicable to site access is as follows:

Reconfiguring a lot code

AO1.3 All lots have practical, legal, flood free access to an area on a site where a building can be constructed.

The applicant has proposed not to restrict vehicle access from Freestone Road, however, has not proposed to construct an access as part of this boundary realignment application.

The Department of Transport and Main Roads have confirmed there are no existing permitted road access approvals from the Cunningham Highway into the southern portion of either Lot 1 ML2118 or Lot 2 ML477. There is a permitted road access approval from the Cunningham Highway to the northern portion of Lot 1 ML2118 (TMR Ref: TMR24-043590).

To determine the practicality of access to proposed Lot 6 from Freestone Road, guidance has been sought from various assessment benchmarks within the Planning Scheme. The Residential uses code outlines for a Dwelling house in the Rural zone, the setback from the side boundary is 60.0 metres (AO9). The Short-term accommodation code states that *'buildings, carparking areas, accesses and other infrastructure are set back at least 60 m from all boundaries'* (AO5). Various other Codes, including the Rural zone code and the Landscaping code, also refer to a 60.0 metre setback. The proposed development does not contain a Material Change of Use component.

Based on the consistent setback of 60.0 metres throughout the Planning Scheme, it is considered reasonable and practical that access, and any internal driveways, are not located within 60.0 metres of the side boundary (common boundary of proposed Lot 6 and Lot 1 RP21319). Any additional setback would not be considered reasonable based on the context of the provisions within the Planning Scheme.

Further to the above, the application received one (1) properly made submission in response to the application. One of the concerns of the submitter was the proximity of proposed Lot 6 to an 'existing approved stock crossing' along Freestone Road. A review of Council's and the Department of Resources' records do not indicate the existing crossing is an approved crossing for stock. It should be noted that a travelling stock permit is required to travel stock on stock routes and other roads within the region. However, pursuant to s133 of the *Stock Route Management Act 2002*, a stock route travel permit is not required when moving stock on foot across public roads if all the following conditions are met:

- The movement occurs within a single day during clear daylight hours;
- The movement is for animal husbandry or property management purposes; and
- The parcels of land involved are under common ownership or operated as a single unit.

As there is no record of an approved stock crossing along Freestone Road, access to proposed Lot 6 along any point of Freestone Road, with the exception of 60.0 metres from the side (southern) boundary, is considered practical. It should also be noted that an *Application Minor Works - Works Within a Road Reserve* is required to be submitted to Council for the approval and construction of an access onto Freestone Road.

During recent discussions the submitter has outlined that it is preferred that the covenant along the Freestone Road remain as 60 metres for the entire length of this boundary, with access permitted along Freestone Road, however no access within the 150 metres of the common boundary with Lot 1 RP21319.

Based on the above commentary, the conditions will be amended as follows and thus, compliance with the Acceptable outcome can be achieved.

Easements and Covenants

2. A statutory covenant to prohibit the construction of buildings for a residential use is to be provided over proposed Lot 6 along the full length of the southern boundary and eastern (Freestone Road) boundary. The covenant is also to restrict the construction of any internal driveway or access from Freestone Road within an area of 60.0 metres from the common boundary of proposed Lot 6 and Lot 1 RP21319 the covenant area. The covenant is to have a width of 60.0 metres. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

Note: A residential use refers to a Dwelling which is defined in Schedule - 1 Definitions of the Southern Downs Planning Scheme v5.

Fencing, Landscaping and Buffers

3. The existing fence along the common boundary of proposed Lot 6 and Lot 1 RP21319, and along the Freestone Road frontage of proposed Lot 6 for at least the width of 60.0 metres from the common boundary of proposed Lot 6 and Lot 1 RP21319 ~~the covenant required in Condition 2~~, is to be retained and maintained.

Where there is no fencing in these locations, standard rural wire fencing is to be provided at the applicants cost.

Recommendation

THAT Council approve the change representations made in relation to the application for Realignment of boundaries (Two (2) lots into two (2) lots) on land at 11412 Cunningham Highway and Freestone Road, Clintonvale, described as Lot 1 ML2118 and Lot 2 ML477, and Conditions 2 and 3 are amended as follows:

Easements and Covenants

2. A statutory covenant to prohibit the construction of buildings for a residential use is to be provided over proposed Lot 6 along the full length of the southern boundary and eastern (Freestone Road) boundary. The covenant is also to restrict the construction of any internal driveway or access from Freestone Road within an area of 60.0 metres from the common boundary of proposed Lot 6 and Lot 1 RP21319 ~~the covenant area~~. The covenant is to have a width of 60.0 metres. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

Note: A residential use refers to a Dwelling which is defined in Schedule - 1 Definitions of the Southern Downs Planning Scheme v5.

Fencing, Landscaping and Buffers

3. The existing fence along the common boundary of proposed Lot 6 and Lot 1 RP21319, and along the Freestone Road frontage of proposed Lot 6 for at least the width of 60.0 metres from the common boundary of proposed Lot 6 and Lot 1 RP21319 ~~the covenant required in Condition 2~~, is to be retained and maintained.

Where there is no fencing in these locations, standard rural wire fencing is to be provided at the applicants cost.

ATTACHMENTS

Nil

15.2 Material Change of Use - Consideration of Change Representations - 10 Deutscher Road, Mount Tully - MCU\02647

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Manager Planning and Development	ECM Function No/s: MCU\02647

APPLICANT:	Sarah F Hulme
OWNER:	Ricsar Pty Ltd
ADDRESS:	10 Deutscher Road, Mount Tully
RPD:	Lot 10 SP145282
ZONE:	Rural zone (Granite hills precinct)
PROPOSAL:	Short-term accommodation (Three (3) buildings, up to 16 guests)
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Nil
FILE NUMBER:	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 for the following reasons and amend Condition 24:

- 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.

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 OR

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

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

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.

A report in relation to the change representations was presented to the Ordinary Council Meetings on 21 May 2025 and 18 June 2025.

On 21 May 2025, Council made a procedural motion to lay the change representations on the table until the June Ordinary Council Meeting per the applicant's request to be able to provide Council with additional information. On 18 June 2025, Council made a procedural motion to lay the change representations on the table per applicant's request to be able to provide Council with additional information. On 8 September 2025, the applicant confirmed to Council officers that no additional information will be provided, and requested the application be decided by Council in an Ordinary Council Meeting.

This matter has been discussed at Councillor Information Sessions on 7 May, 4 June 2025 and 1 October 2025.

Council officers have recently had discussions with the applicant's representative in relation to alternative options to achieving the requirement of Condition 24. This alternative was not supported by the applicant and it is desirable to retain the number of guests at 16.

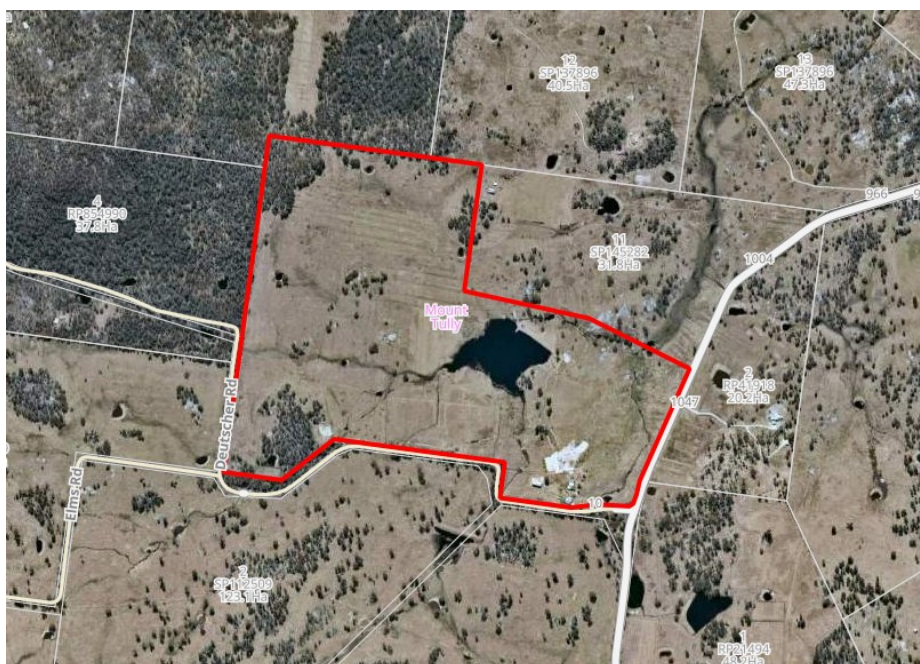


Figure 1 – Site Locality

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 development will generate approximately 42 vehicles movements to the property per day, based on the Lower Order Road Design Guidelines.

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 accommodation 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 accommodation 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 and amend Condition 24:

- 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.

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 OR

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

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 and Reconfiguring a Lot: Gary Hayes Partners Pty Ltd - 1-13 Baguley Street, Warwick - MCU\02268 & RC\01860

Document Information

 Southern Downs REGIONAL COUNCIL	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Manager Planning and Development	ECM Function No/s: MCU\02268 & RC\01860

APPLICANT:	Gary Hayes & Partners Pty Ltd
OWNER:	Richard A Hoffman
ADDRESS:	1-13 Baguley Street, Warwick
RPD:	Lot 35 W3029
ZONE:	Medium density residential
PROPOSAL:	Material Change of Use of premises to establish Multiple Dwellings (36 units); and Reconfiguring a Lot - Subdivision by Community Title (One lot into 37 lots and Common Property)
LEVEL OF ASSESSMENT:	Code
SUBMITTERS:	Not Applicable
REFERRALS:	Nil
Councillor Information Session DATE:	8 October 2025
FILE NUMBER:	MCU\02268 & RC\01860

RECOMMENDATION SUMMARY

THAT the application for Material Change of Use of premises to establish Multiple Dwelling (36 units) and Reconfiguring a Lot – Subdivision by Community Title (One lot into 37 lots and Common Property) on land at 1-13 Baguley Street Warwick, described as Lot 35 W3029, be refused, for the following reasons:

- The development will not represent a high standard of design that will positively contribute to the creation of a safe, convenient or attractive community due to the lack of streetscape activation, dominant carports, sub-par building design and layout and relatively high density of development in an area with a predominately low density residential character.
- The increased demand on the existing water, sewer and stormwater infrastructure resulting from the development has not been addressed through the application, and it is unclear if upgrades to the infrastructure are necessary. The drainage stormwater in heavy rain events in the area is already a known issue that will be impacted further as a result of the development. Insufficient information has been provided to demonstrate negligible impact on the surrounding local community resulting from the implementation of the development in a known stormwater drainage deficient area.
- The lack of information provided in relation to the proposed on-site works within the flood hazard area, means it cannot be guaranteed that the development maintains the safety of people on the development site, or results in no adverse impacts to downstream properties.

- (d) The proposal does not comply with the overall outcomes of the Medium density residential zone code, Flood hazard overlay code, Residential uses code and Reconfiguring a lot code.
- (e) The development conflicts with the outcomes identified in the draft Southern Downs Planning Scheme in relation to setbacks, design infrastructure servicing and stormwater.

REPORT

The application seeks to establish 36 dwelling units on the premises shown in Figure 1, located at 1-13 Baguley Street, Warwick, described as Lot 35 W3029.



Figure 1: Site locality

The lot has an area of 14,970 square metres and has frontage to both Baguley Street and Bisley Street which are both local roads constructed to a bitumen sealed standard. Baguley Street is constructed with partial kerb and channelling which ends approximately 18 metres short of the intersection with Bisley Street. The contours of the land travel from the south-eastern corner of the property which is mapped at 473m AHD, declining downhill towards the eastern property boundary which is mapped at 467m AHD. The allotment has an oblong shape and does not currently contain any improvements. Council's sewer infrastructure traverses the north-western corner of the property as seen in Figure 2.



Figure 2: Infrastructure alignment

The property is mapped as being within the buffer area from the Bushfire hazard overlay. A large portion of the property is mapped as being subject to Flood hazard overlay, mapped at 0.25m with one pocket being mapped as 0.25-0.5m depth. The flood intensity mapped over the property is primarily 0.0 – 0.2 being within the low risk category. Figures 3 and 4 demonstrate the extent of the overlays over the premises.

Through the assessment process, Council issued an Information Request on 9 July 2021 to the applicant in accordance with section 12 of the Development Assessment Rules. The Information Request sought clarification and additional information in relation to a number of identified issues that had not been addressed in the submitted application material. The applicant has not responded to the Information Request, and following stop the clocks and extensions to the decision period, Council issued a letter on 15 July 2025 notifying the applicant a decision will be made based off the information provided.

The application is Code Assessable, and therefore in accordance with the *Planning Act 2016* the application did not require Public Notification.



Figure 3: Bushfire hazard overlay extent



Figure 4: Flood hazard overlay extent

The application proposes implementation of stage 1 of the Multiple dwelling unit development which incorporates nine (9) buildings, each containing four units with each unit being serviced by two car parks located in tandem within carports constructed between each building. The internal layout of each unit comprises 62 square metres and contains two bedrooms, a shared bathroom, laundry, kitchen, living and dining area. Private open space is available within the front setback of each unit being 34 square metres in area. The proposed stage 1 of the development only occupies a portion of the lot, with the remaining lot being detailed on the proposal plan as being dedicated for future stage 2 of the development.

Each dwelling unit is proposed to be located in a new lot within the community title subdivision.

The primary access to the development is to be obtained from Bisley Street with two crossovers proposed as seen in Figure 3, which are to provide access to the units within the development via internal roads, with access to seven of the units being proposed directly from Baguley Street.

The developer has not provided details relating to the second stage of the development, however has indicated on the proposed plans that the lot to the north-east (Lot 1 RP167465) will be incorporated in some capacity, indicating that the sewer infrastructure that traverses this allotment will be realigned at some stage.

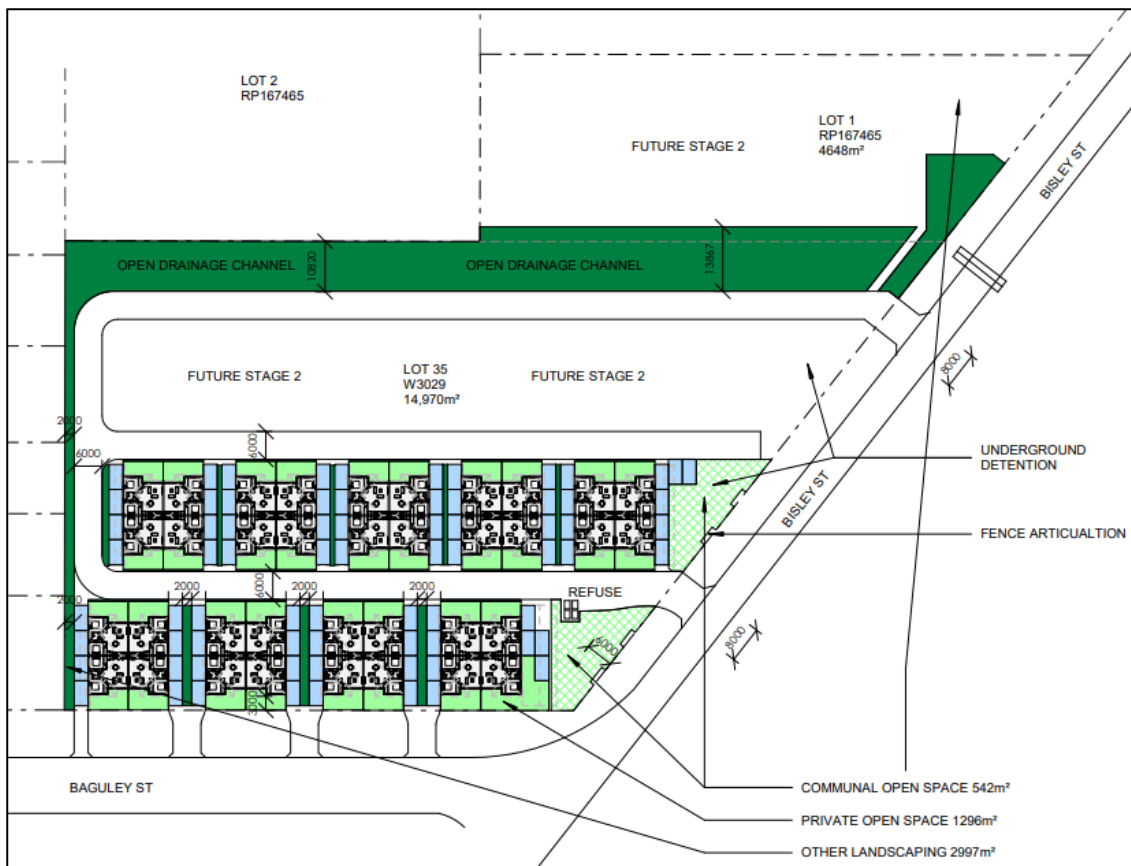


Figure 5: Proposed development layout

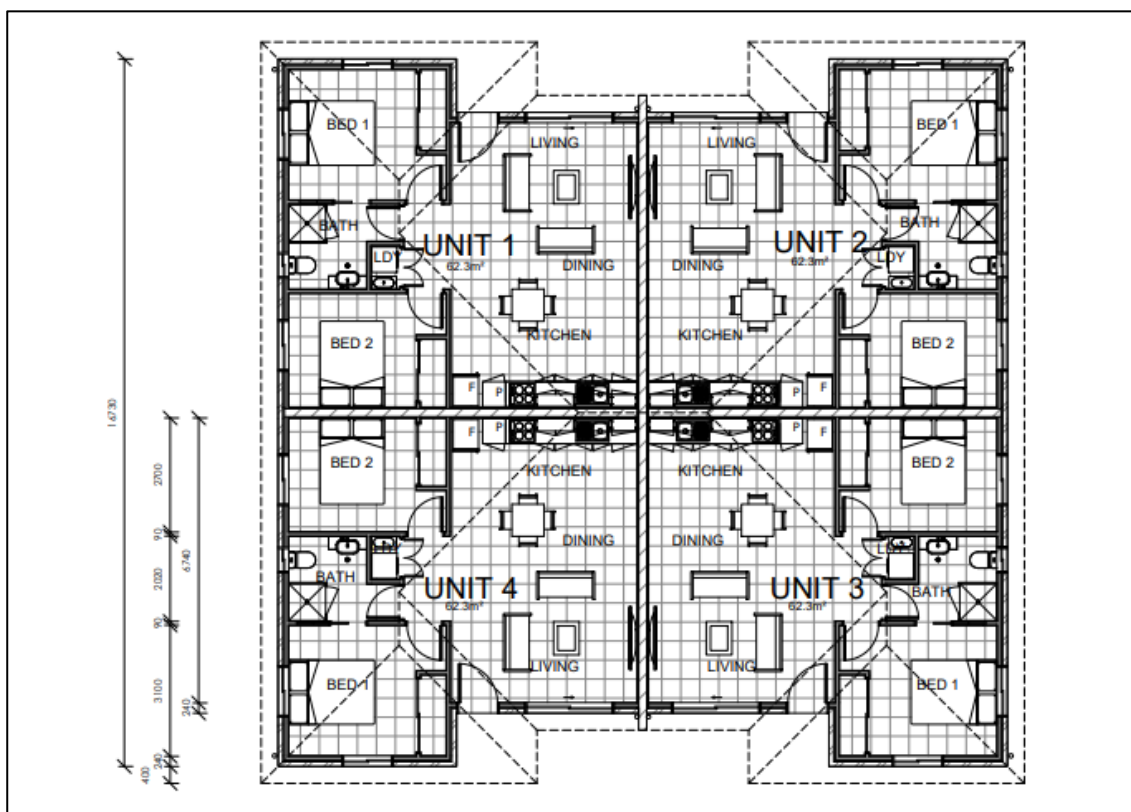


Figure 6: Internal floor plan of each building cluster

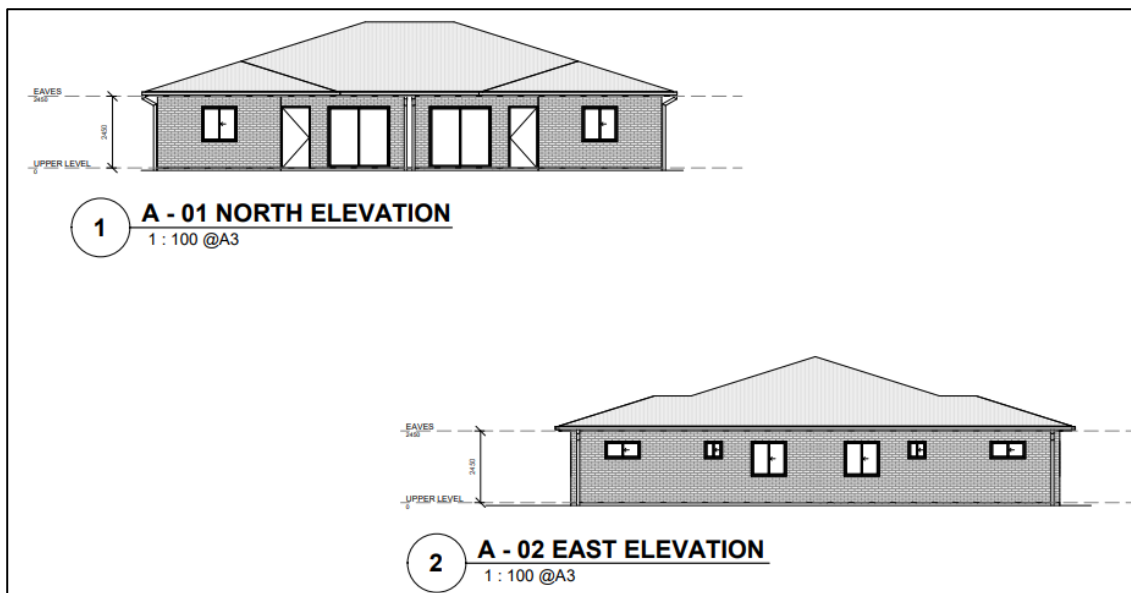


Figure 7: North and east elevations of the proposed building cluster

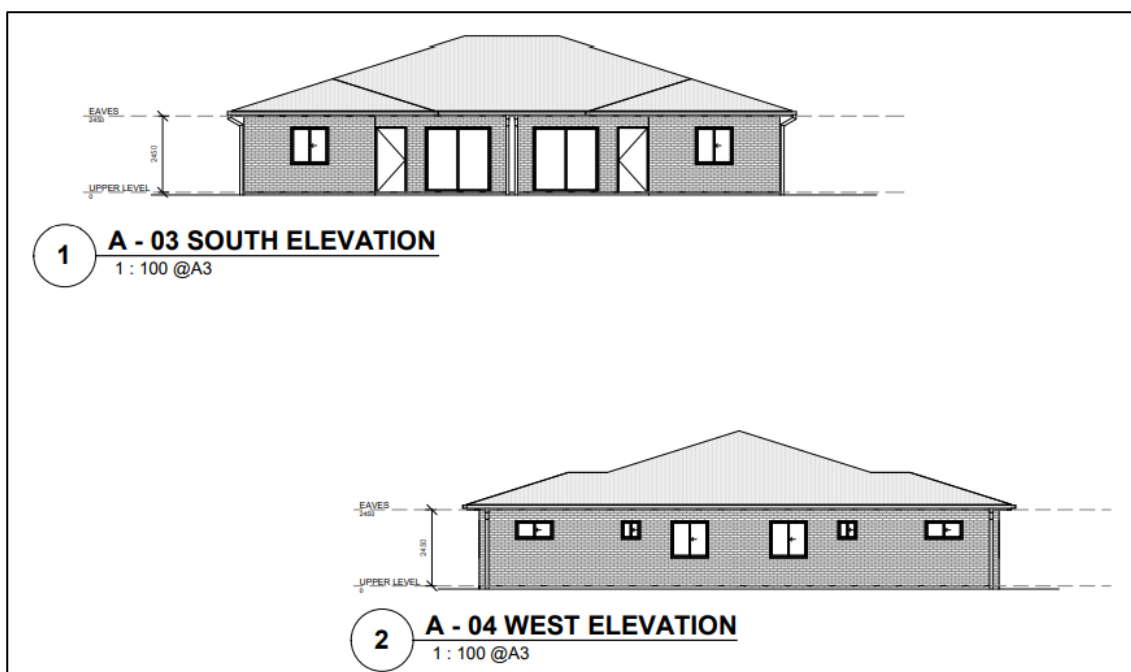


Figure 8: South and west elevations of the proposed building cluster

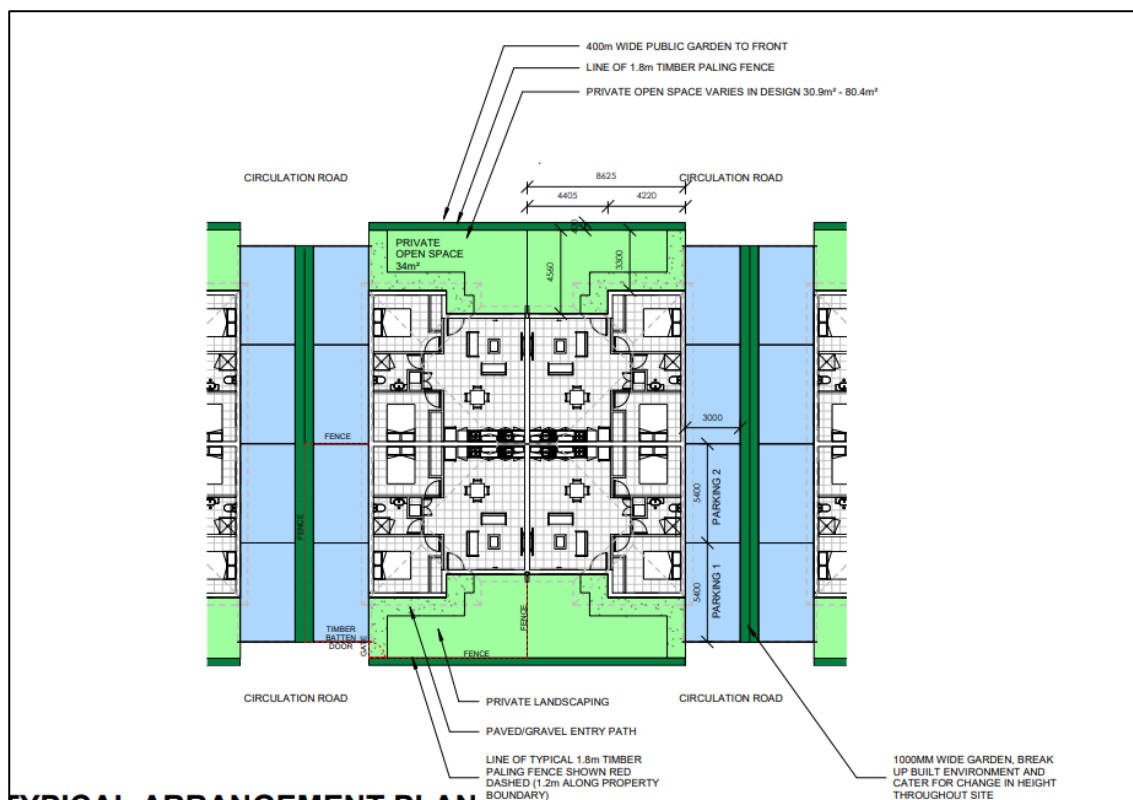


Figure 9: Arrangement of each building cluster including car parking

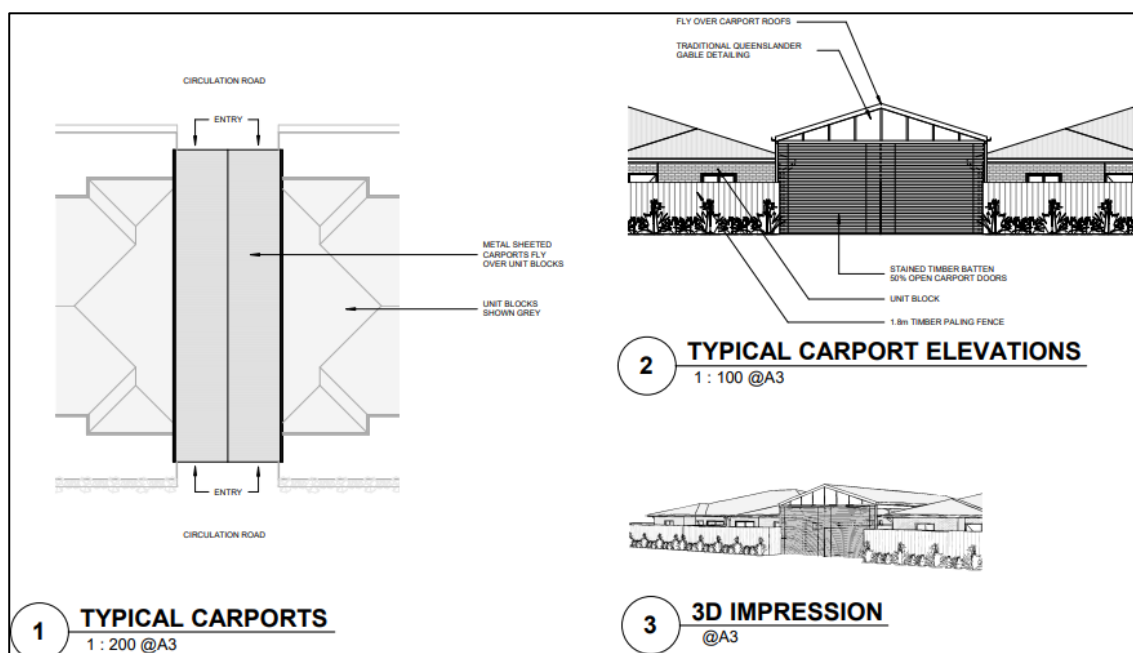


Figure 10: Plan of carports integration with the development

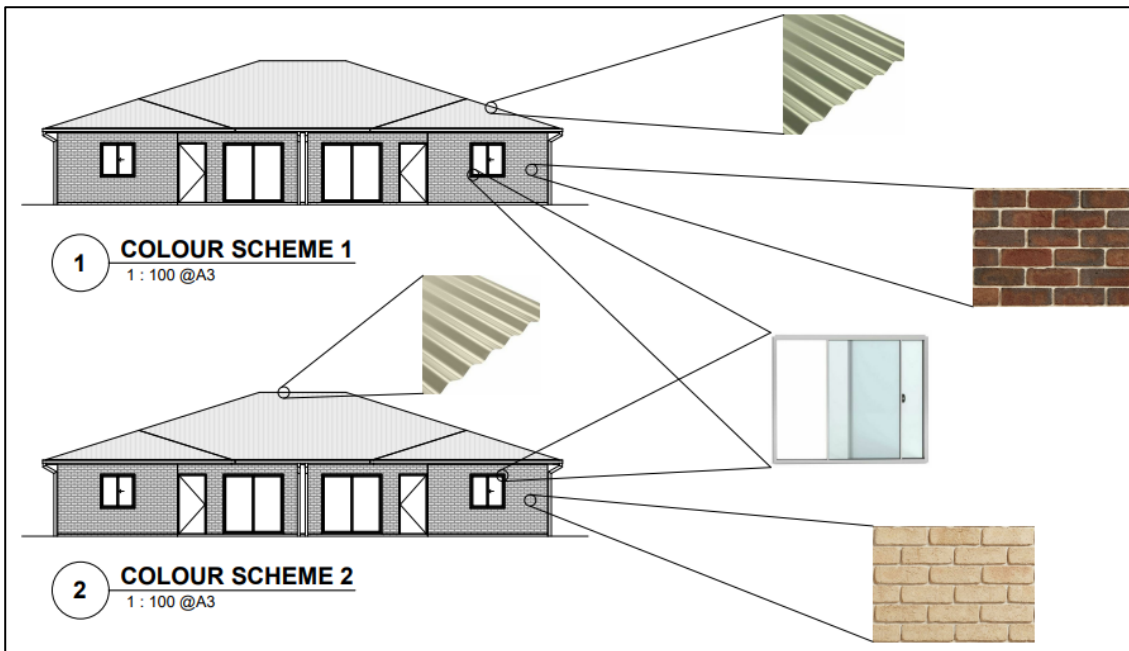


Figure 11: Proposed colour schemes

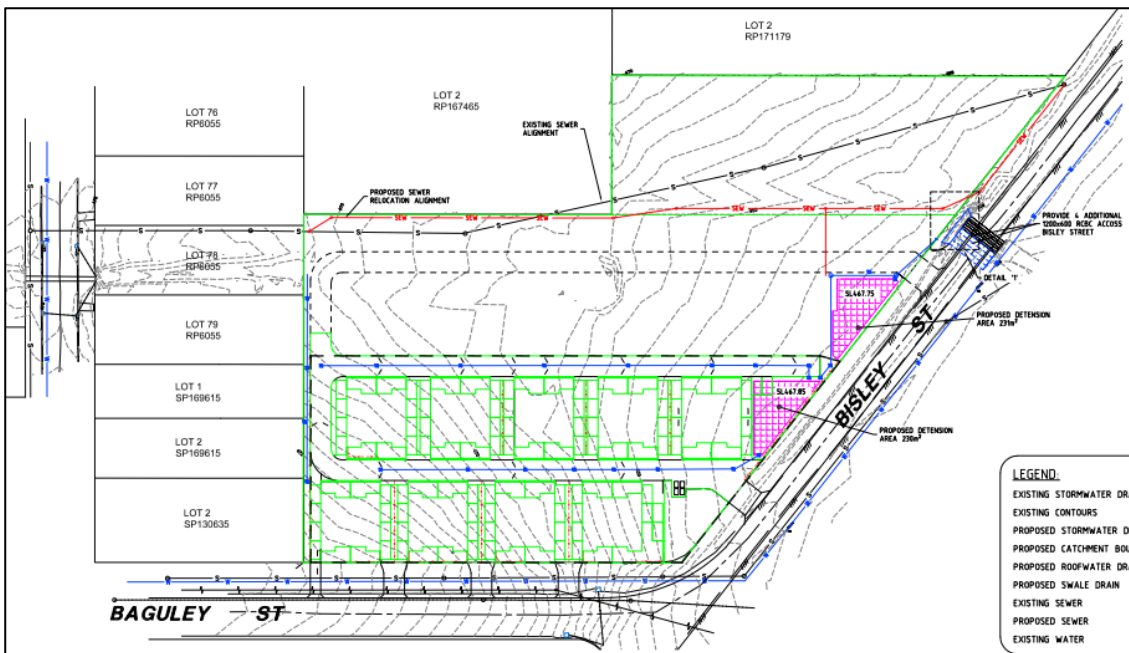


Figure 12: Proposed stormwater plan, water supply and sewer relocation

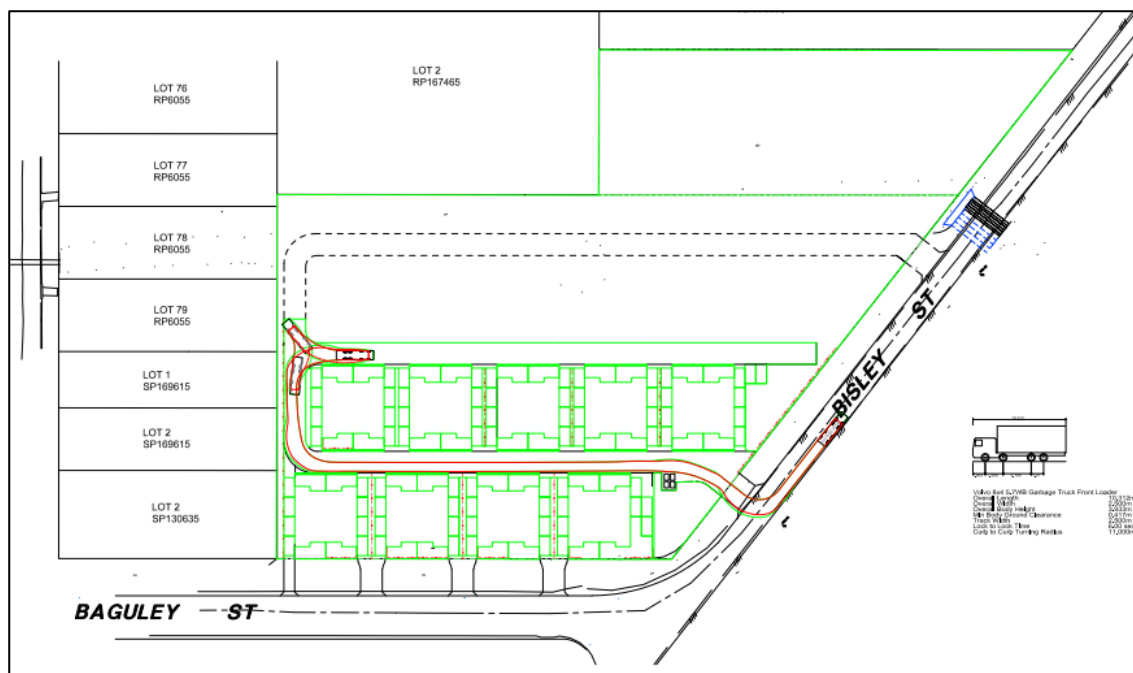


Figure 13: Turnpaths layout

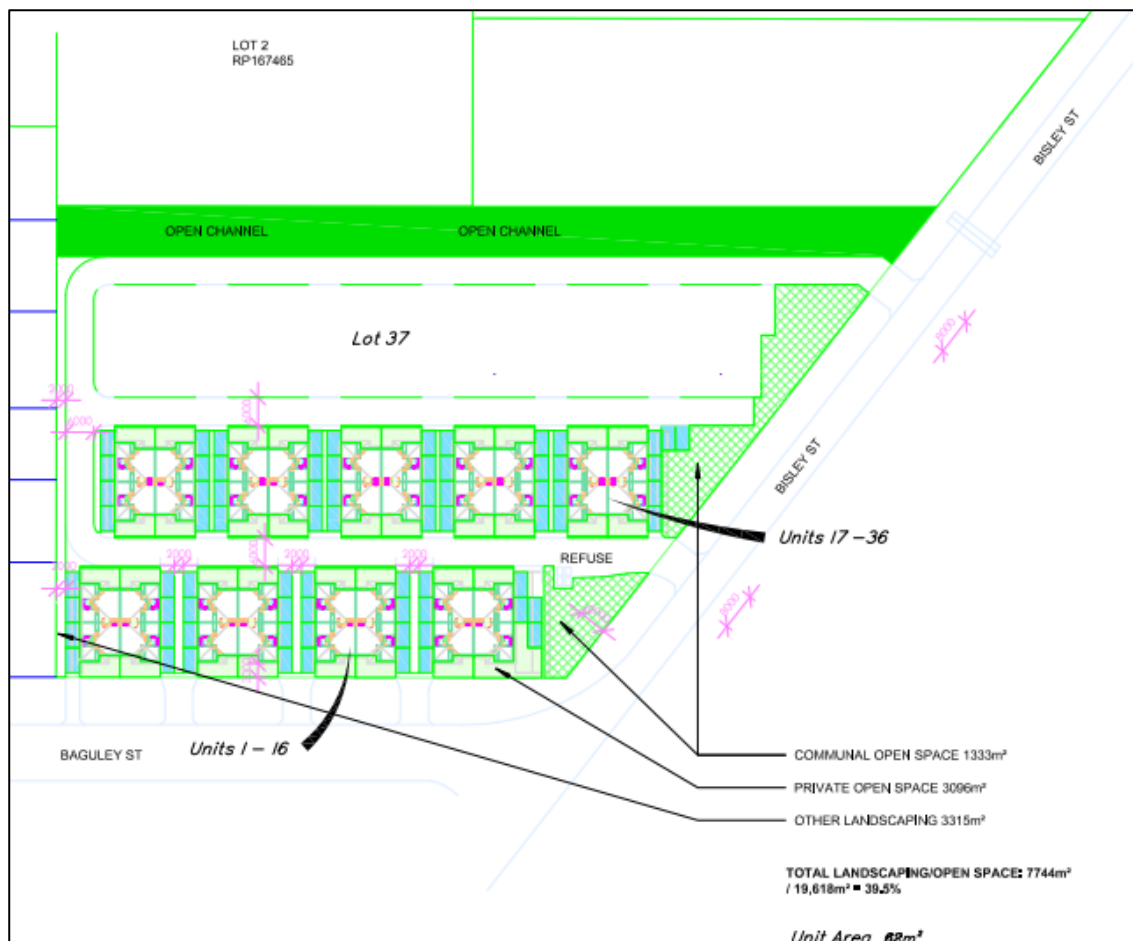


Figure 14: Proposed Subdivision by Community Title (1 lot into 37 lots and Common Property)

Assessment against the Planning Scheme

Benchmarks applying to the development

The following codes of the Southern Downs Planning Scheme are benchmarks applying to the development:

- 6.2.7 Medium density residential zone code
- 8.2.3 Bushfire hazard overlay code
- 8.2.5 Flood hazard overlay code
- 9.3.7 Residential uses code
- 9.4.2 Carparking and loading code
- 9.4.4 Landscaping code
- 9.4.5 Outdoor lighting code
- 9.4.6 Physical infrastructure code
- 9.4.7 Reconfiguring a lot code
- 9.4.8 Stormwater management code

Medium density residential zone code

AO6 *In partial fulfilment of the PO - The maximum number of dwellings contained in a multiple dwelling development is as follows:*

(a) One bedroom units with a maximum floor area of 60 m² - 1 unit per 200 m² of site area;

(b) Units comprising more than one bedroom or with a floor area of greater than 60 m² - 1 unit per 250 m² of site area.

While the site has an area of 14,970 square metres and the development proposes 36 units in within Stage 1 of the development of the site, concerns are raised over the integration of the overall development on the site given the omission of detail provided in relation to Stage 2 of the development.

The area of the site proposed to be utilised for the implementation of the initial 36 dwelling units, including associated internal driveways and open drainage channel areas involved in Stage 1 is approximately 10,954 square metres which results in a ratio of 1 unit per 304 square metres. An area of approximately 4,016 square metres therefore remains available for implementation of Stage 2 on this lot, which is anticipated to be of a similar design and layout, thereby significantly increasing the plot ratio. The integration of a development of this density should be considered as a whole to ensure the overall development on the site achieves positive outcomes sought by the Planning Scheme.

The Information Request sought further information on development of Stage 2. As this information has not been provided, it is not certain that that the plot ratio requirements can be achieved. Therefore, assessment against the Performance outcome is required.

PO6 *Multiple dwellings, dual occupancy and retirement facilities have a scale, density of dwellings and character that is complementary and compatible with the surrounding residential area and do not negatively impact on the visual amenity of the surrounding area and streetscape.*

The development possesses the characteristics of a high density Multiple dwelling unit establishment which is of a much higher ratio of dwellings per site area when compared to the surrounding character of the residential area. The development proposes implementation of carports with a height of 4.5 metres proposed to be built with only a 1.0 metre setback from the Baguley Street frontage which is discussed further in this report.

These design elements conflict with the character of the surrounding residential area which does not include any structures with a reduced 1.0 metre setback from the front boundary. Where carports are included in the street, the structures are built at a lower height than the associated dwelling to ensure the structure does not dominate the streetscape.

The private open space areas provided for residents of the units are located within the front setback from either the street or the internal road depending on the orientation of the unit, and therefore proposes 1.8 metre solid screen fencing along the entire Baguley Street frontage with the carports incorporating a timber batten door with 50% transparency. This setup also requires any visitors to the site to access the dwelling entrance through the private open space areas.

The proposed design and layout of the development are not considered to be complementary and compatible with the surrounding residential area which consists of compliant setbacks from the street facing boundary and very minimal fencing in the front setback to ensure dwelling entries provide attractive front facing facades that address the streetscape.

A07 In partial fulfilment of the PO - (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.

The carports are proposed within the Baguley Street setback and therefore the proposal must be assessed against the Performance outcome.

PO7 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 seven (7) carports accessed directly from Baguley Street are sited within the required 3.0 metre setback from the Baguley Street frontage (only 1.0 metre setback proposed) and are not considered compatible with the local streetscape character. The carports have a height of 4.5 metres which is 0.5 metres less than the total height of the dwelling units. The carports are considered to negatively impact the streetscape given their relationship to the dwelling units. In addition, the carports are proposed to incorporate timber battened doors which are considered to conflict with the existing local streetscape character given the other developments within the area provide a reasonable setback from the street boundary, and do not provide enclosed carports with an excessive height that dominate the appearance of the development compared to the character of the existing streetscape.

PO9 Development is physically integrated with and represents a logical extension of the existing residential fabric and is convenient to services and social infrastructure.

The siting of the development within the Medium density residential zoning is a logical location for the Multiple dwelling unit development to be sited, however the design elements and proposed layout of the development do not appropriately demonstrate how the development is physically integrated with the surrounding residential fabric.

Given the development is not considered to directly comply with the outcomes sought from Performance outcomes PO6, PO7 and PO9, an assessment against the Overall outcomes of the code is undertaken below.

6.2.7.2 Purpose

(2) The overall outcomes sought for the zone code are as follows:

(a) The Medium density residential zone incorporates areas where there is an existing mix of housing types including dwelling houses and dual occupancy dwellings and multiple dwellings. The zone is located close to the business and local centres and to facilities including schools and hospitals.

(b) Residential areas contain a choice of housing types and residential neighbourhoods and provide a desirable residential environment through design quality and built form character and mix of land uses. Residential dwelling choice in this zone includes dwelling houses, dual occupancy and multiple dwellings.

(c) The scale and density of new development is consistent with residential neighbourhoods. New development will maintain a compact urban form, and be located and designed having regard to integration and compatibility with the height and bulk of the dwellings in the immediate area and streetscape character.

(d) Development provides a high level of amenity through compatible mixing of land uses, activities and building forms, access to services and facilities and cohesive streetscapes and quality urban design.

(e) Community facilities, open space and other infrastructure which directly supports the local community are facilitated.

(f) Development has access to infrastructure and services. New development is connected to all urban services. Conditions regarding the supply of necessary trunk infrastructure or payment of additional trunk infrastructure costs may be imposed where development is inconsistent with the assumptions for development set out in section 4.2 of the LGIP or outside the PIA.

The Medium density residential zone is the intended location for Multiple dwelling units to be established. The allotment is located within proximity to the central business area of Warwick which provides access to businesses and local centres, facilities and services required for residential living.

The scale and density of proposed stage 1 of the development would be considered consistent with the residential neighbourhood if it were to be spread out across the entirety of the site, however the developer intends on implementing a second stage to the development which will increase the scale and density of the proposed use of the site. The development does provide a compact urban form, however the design of the development results in a reduced internal liveable area within each unit. While the surrounding dwellings in the immediate area are predominantly single storey, the bulk is not of a low density residential scale. The bulk of the proposed development is considerably greater than the existing scale of the surrounding residential area and is not considered to have been appropriately integrated with the immediate streetscape character of the area.

The development does not propose a variation in building forms, but instead proposes a mirrored unit layout and design to be implemented in a repetitive manner across the site. The development does not provide a quality urban design to address the streetscape and amenity of the area, both internally within the development and externally when integrating this development with the surrounding urban fabric.

The development intends on providing adequate infrastructure and services to ensure the development is appropriately serviced, however has not provided adequate information to demonstrate that the implementation of this development will not detrimentally impact the surrounding properties. The increased demand on the existing water, sewer and stormwater infrastructure resulting from the development have not been addressed through the application, and it is unclear if upgrades to the infrastructure are necessary. The drainage stormwater in heavy rain events in the area is already a known issue that will be impacted further as a result of the development. Insufficient information has been provided to demonstrate negligible impact on the surrounding local community resulting from the implementation of the development in a known stormwater drainage deficient area.

Therefore, compliance against the Overall outcomes of the code are not achieved.

Bushfire hazard overlay code

The development can comply with the code through the imposition of conditions that would ensure adequate measures are put in place to protect people and property from potential bushfire risks.

Flood hazard overlay code

AO1 *(a) With the exception of farm sheds and outbuildings associated with an existing dwelling, new buildings are not located within the overlay area; or*

(b) New buildings are located within the overlay area only where the local government has confirmed in writing that the following criteria are met:

(i) There is no part of the lot that is outside of the Flood hazard overlay area;

(ii) New buildings are located on the highest part of the lot to minimise entrance of floodwaters;

(iii) New buildings are located in areas of low flood hazard only as follows: – Maximum flood depth is 0.3 m; and – Maximum flood velocity is 0.4 m/s.

(iv) Direct access is available to low hazard evacuation routes as follows: – Maximum flood depth is 0.3 m; – Maximum flood velocity is 0.4 m/s; and – Evacuation distance is less than 200 m.

Note: An extension to an existing dwelling, and the replacement of an existing dwelling house with a new dwelling house, are not considered to be a material change in use of the premises (unless the increase in floor area of the dwelling house is substantial) and therefore does not require assessment against the planning scheme.

PO1 *Development siting and layout responds to flooding potential and maintains personal safety at all times.*

The Information Request issued in relation to this application requested the applicant provide additional information to demonstrate the levels of the proposed on-site works (internal roads, drainage channels, pad levels and finished floor levels of the proposed units) sited within the Flood hazard overlay area. It was also requested that the applicant provide engineering commentary on the stormwater impacts downstream (quantity, concentration and frequency) due to the proposed increase in the capacity of the culverts under Bisley Street. The applicant has not responded to these requests and therefore insufficient information is available to demonstrate that the development is able to achieve a siting and layout that responds to flooding potential and maintain personal safety at all times both on this property and on the properties downstream of the development.

Accordingly, compliance with PO1 cannot be achieved, and assessment against the Overall outcomes of the code are required.

8.2.5.2 Purpose

(1) The purpose of the Flood hazard overlay code is to manage development outcomes in the floodplain so that risk to life, property, community and the environment during future flood events is minimised, and to ensure that development does not increase the potential for flood damage on site or to other property.

(2) The purpose of the code will be achieved through the following overall outcomes:

(a) Development maintains the safety of people on the development site from flood events and minimises the potential damage from flooding to property.

(b) Development does not result in adverse impacts on people's safety, the environment or the capacity to use land within the floodplain.

(c) Land that is identified as subject to flood hazard is conserved for sustainable rural use or sport, recreation and open space purposes and when located adjacent to the Warwick urban area contributes where possible to the Warwick greenbelt.

Given the lack of information provided in relation to the proposed on-site works within the flood hazard area, it cannot be guaranteed that the development maintains the safety of people on the development site or results in no adverse impacts to downstream properties.

Therefore, compliance against the Overall outcomes of the code are not achieved.

Residential uses code

AO14.2 *(a) Buildings, including projections, are setback at least 6 m from any primary street frontage and 3 m from any secondary street frontage.*

(b) The external walls of buildings are setback at least 2 m from any adjoining side or rear boundary.

As identified earlier in this report, the development includes seven (7) carports to be directly accessed from Baguley Street which are sited with only 1.0 metre setback from the street boundary in lieu of 3.0 metres as required by the scheme. Therefore, the development does not comply with this Acceptable outcome.

AO14.3 *The visual appearance of the development is enhanced by using variations in building design, textures, materials and colours to interrupt the repetitiveness of multiple buildings and to reduce the bulk of the development.*

A variation in the colours of building materials to be used has been incorporated in the visual appearance of the development, however given the mirrored unit design and placement of the private open space within the front setback of each unit which will need to be screened from public view by 1.8 metre high fencing, the visual appearance of the development is not desirable. The visual appearance of the development is not considered to be enhanced and the repetitiveness of the building clusters is not considered to be interrupted. The visual appearance of the development when viewed from the street is considered to be bulky and does not comply with the Acceptable outcome provisions.

AO14.4 *The maximum number of dwellings attached in one building at ground level is 4 with separation for the purposes of ventilation, light, visual relief and movement, being at least 4 m.*

The development incorporates building clusters, each containing four attached units. The building clusters are separated by carports which provide the required car parking spaces for each unit. The building clusters directly adjoining Baguley Street are separated between carports by 2.0 metres, however the other building structures accessed via internal driveways are separated between carports by only 1.0 metre. The separation between carports is not considered adequate to provide suitable ventilation, light visual relieve and movement between each building cluster. The development does not comply with the Acceptable outcome requirements.

AO14.6 *Buildings address the street by having a window and a front door with a verandah, portico or entrance porch that faces the primary street frontage.*

The development does not provide any design features to adequately address the primary street frontage along the street frontages due to the use of 1.8 metre high fencing and carports which prevents the buildings from addressing the street frontages. Compliance with the Acceptable outcome is not achieved.

AO14.8 *Ancillary buildings including garages are located behind the front building line. No manoeuvring area (other than a through driveway) whether covered or uncovered is located within the setback from any street.*

Carports are located forward of the front building line on both street frontages of the development and the design of the development therefore does not comply with this Acceptable outcome.

AO14.11 (a) *Unless private open space is located at the front of the site, any fence erected along the front boundary or within the front setback has a maximum height of 1.2 m unless it contains openings that make it at least 50% transparent.*

(b) *Fences longer than 10 metres in length along a road frontage have openings, gates, indentations or detailing to provide visual interest*

Fences would be required at a height of 1.8 metres with the portion above 1.2 metres in height being 50% transparent along the Baguley Street frontage which provides the only private open space available to the units that obtain direct access from Baguley Street. Fences between the units on this street frontage have a length between carport openings in the fence of 17 metres. There are no indentations or detailing to articulate the visual form of the fence along this frontage. The Acceptable outcome requirements are not achieved.

PO14 *The use is sited and designed to be complementary and compatible with the surroundings and to address the street in a positive way.*

The Multiple dwelling unit design and layout is not considered to have been implemented in a complementary or compatible manner that allows integration with the surroundings. The development design has a lack of design elements and variations in the built form of the building clusters which do not currently address the street in a positive way. The bulky, repetitive design of the building clusters that do not include visual variation to add a complementary built form to the surrounding area is not considered to achieve compliance with the Performance outcome.

AO21.1 *The dwelling entrance is clearly identifiable and visible from the street, footpath or driveway.*

The dwelling unit entrances are to be accessed via the carport, with a gate allowing access into the private outdoor areas of each unit, via a paved pathway towards the front door to the unit. This is not immediately identifiable and visible from the street or driveway.

AO21.2 *Buildings are designed to have windows, building openings and, where double storey, balconies overlooking streets and other areas which are accessible to the public.*

The buildings have windows addressing the street however given the placement of the private outdoor open space areas the 1.8 metre high fencing prevents the windows from adequately overlooking the streets and internal driveways which are accessible to the public.

AO21.4 *Visitors have direct access to the entrance without passing through private outdoor living areas.*

Visitors to individual units are required to pass through the carport areas and through the only private outdoor open spaces within the front setback of each unit from the street/internal driveways to access the entrance to each dwelling.

PO21 *Buildings and outdoor spaces are designed to protect the personal safety and security of residents by allowing for natural surveillance.*

The layout and overall design of the Multiple dwelling development does not allow for adequate visibility or natural surveillance of the surrounding area, posing a concern for the safety and security of residents.

Given the development is not considered to directly comply with the outcomes sought from Performance outcomes PO14 and PO21, an assessment against the Overall outcomes of the code is following.

9.3.7.2 Purpose

(1) The purpose of the Residential uses code is to ensure that Caretaker's accommodation, Dwelling houses, Dual occupancy, Multiple dwellings, Retirement facility and Rooming accommodation are located and designed to:

- (a) meet the needs and expectations of the community for safe, convenient, pleasant and suitable accommodation;*
- (b) be attractive and consistent with the developed character of the particular neighbourhood;*
- (c) be sustainable and meet the needs of people through all stages of life.*

(2) The purpose of the code will be achieved through the following overall outcomes. All Caretaker's accommodation, Dwelling houses, Dual occupancy, Multiple dwellings, Retirement facilities and Rooming accommodation:

- (a) Occur only on land that is suited to the development and occupation of residential buildings;*
- (b) Are located on land which is not in the vicinity of land uses that would adversely affect the occupation and use of buildings for residential uses and conversely where the residential uses could prevent or inhibit the conduct of existing land uses;*
- (c) Are responsive to the Region's climate and are energy and water efficient;*
- (d) Are sited and designed in a manner that is appropriate to the character, including heritage character and environmental values of the locality;*
- (e) Have adequate and safe vehicle access;*
- (f) Provide residents with a high degree of privacy;*
- (g) Provide residents with protection from noise, lighting, odour, dust and other environmental nuisances;*
- (h) Provide residents with adequate private open space to meet their needs for recreation, services and visual relief;*

- (i) Do not have adverse impacts on the natural environment;*
- (j) Are developed at a density and scale that complements and is compatible with the character and residential amenity of the surrounding area;*
- (k) Are responsive to and contribute positively to the local streetscape character;*
- (l) Prevent unacceptable environmental and amenity impacts on adjoining developments; and*
- (m) Provide residents with a choice of housing types to meet their varying needs.*

The development has largely disregarded a large portion of the design criteria required by the Acceptable and Performance outcomes of the Residential uses code. The specific design criteria that have not been met include streetscape activation, building siting and design, and safety and security. The development has not sought to provide alternative attractive design measures in lieu of the non-compliances with the code requirements.

The proposal is not consistent with the character of the neighbourhood, and does not provide an attractive built form. The units are not considered sustainable or to meet the needs of people through all stages of life given the limited internal habitable space and nature of private open space available for each unit. The Multiple dwelling unit development does not provide a variety of housing options within the 36 units proposed. The internal driveways have a width of 6 metres and are lined either side by a 1.8 metre tall fence and enclosed carports to protect the private outdoor open space of each unit. The development as a whole is not considered to provide the local community with a positive design outcome and does not conform with the surrounding character of the area.

While the Multiple dwelling unit use would add a variety of housing types to the local area, the quantity of the proposed single storey two bedroom units with outdoor open spaces only available within the front setback and a lack of amenity provided within the internal common property areas of the development are considered not to provide a variety of housing sizes and types available within the Multiple dwelling unit options.

Accordingly, compliance with the Overall outcomes of the code cannot be achieved.

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.*

Table 9.4.2.4 requires provision of two spaces per dwelling provided that one space must be covered and one space may be located in tandem with the covered space, and adequate manoeuvrability for a Refuse Collection Vehicle.

The development complies with the Code, and ensures provision of two car parking spaces per dwelling with at least one space being covered, however the carports provided in the proposal plans cover both car parking spaces which encroach into the front setback from the road for the units accessed directly off Baguley Street. The carports are also proposed at 4.5 metre height which is considered excessive and considered to affect the amenity of the surrounding residences, as well as impact on the amenity of the internal streetscape to be created within the development.

Landscaping code

The development can comply with the Code through the imposition of conditions that would ensure adequate landscaping is provided for the development.

Physical infrastructure code

The Information Request issued in relation to this application requested the applicant provide additional information regarding the anticipated water and sewer demand/loading generated by the development. This information is required to determine if there is adequate infrastructure available within the locality or if upgrades are required to Council's infrastructure to service the development.

Given that this fundamental detail has not been provided, discussions with the developer regarding the necessary provision or upgrade of the infrastructure servicing this lot and the surrounding lots have not taken place and further information is necessary before a development of this nature could be approved.

Outdoor lighting code

Through the imposition of conditions, compliance with the Code can be achieved.

Reconfiguring a lot code

AO1.3 All lots have practical, legal, flood free access to an area on a site where a building can be constructed.

A number of the proposed lots resulting from the subdivision by Community Title would not have flood free access given the accesses to the internal driveways is to be obtained from Bisley Street which is mapped with Flood hazard overlay at both locations where the proposed driveways are to be implemented.

PO1 The land is physically suitable for the anticipated future land use in terms of slope and stability, flooding hazard, bushfire hazard and practical access.

The Information Request issued in relation to this application requested the applicant to provide additional information regarding works within the Flood hazard overlay area. The applicant has not responded to these requests and therefore insufficient information is available to demonstrate that the development is physically suitable for the proposed Multiple dwellings in terms of flood hazard.

AO9 Where reconfiguration of a lot:

- (i) results in additional lots with frontage to a road; or*
- (ii) involves the creation of a new road; the road is constructed in accordance with Table 9.4.8.4.*

The developer proposes to implement kerb and channelling for the entire frontage of the development.

PO10 Pedestrian and cyclist networks encourage walking and cycling by provision of a safe and convenient environment for pedestrians and cyclists. Where required links to future development are provided.

A development of this nature would be required to implement a 2.0 metre wide footpath for the full extent of the property frontage along both Bisley Street and Baguley Street.

PO17 Lots and roads are effectively drained and drainage has regard to:

- (a) maintaining pre-existing or natural flow patterns;*
- (b) effective management of stormwater quality and quantity; and*
- (c) ensuring no adverse impacts on receiving water and the surrounding environment.*

The Information Request issued in relation to this application requested the applicant provide engineering commentary on the stormwater impacts downstream (quantity, concentration and frequency) due to the proposed increase in the capacity of the culverts under Bisley Street. The applicant has not responded to these requests and therefore insufficient information is available to demonstrate that the development is able to demonstrate that stormwater is effectively managed with the maintenance of pre-existing natural flow patterns and demonstration of no adverse impacts to downstream properties.

PO28 Development is designed and constructed to enhance personal and property safety and minimise the potential for crime and antisocial behaviour. Development incorporates the following elements of crime prevention through environmental design:

- (a) design that provides for casual surveillance by residents and passers-by;*
- (b) the ability of residents and others to clearly find their way to and through the development;*
- (c) the provision of movement links to nearby activity areas; (d) the provision of safe routes through the development including open spaces and parks through good sight lines, lighting and signage.*

The layout and overall design of the Multiple dwelling development does not allow for adequate visibility or casual surveillance of the surrounding area due to proposed fencing and dwelling access and design. Therefore, it is considered that compliance with PO28 is not achieved as the development is not designed to enhance personal and property safety, and has not minimised the potential for crime and antisocial behaviour.

PO34 *Lots with an area of less than 600 m² are located, designed and constructed to provide for an appropriate level of amenity and quality urban design and to integrate positively into the existing neighbourhood.*

The community title lots containing the Multiple dwelling units are proposed to be less than 600 square metres in size. As proposed, the development results in a poor level of amenity and urban design due to the proposed dwelling design, which will not integrate positively into the existing neighbourhood.

Given the development is not considered to directly comply with the outcomes sought from Performance outcomes PO1, PO17, PO28 and PO34, an assessment against the Overall outcomes of the code is following.

9.4.7.2 Purpose

(2) The overall outcomes sought for the code are as follows:

- (a) Development results in the creation of safe, convenient, functionally efficient and attractive communities and environments.*
- (b) Development results in the creation of distinct local character and identity and a strong sense of place created by a high standard of design that respects the natural and cultural features of the site and surrounding area including topography, areas of remnant vegetation, waterways and wetlands, landmarks, views and vistas.*
- (g) Development is serviced with public and private physical infrastructure depending on the location, existing levels of service, and potential to connect to urban infrastructure. Where development is not supported by public infrastructure robust, effective and efficient private services are provided.*
- (m) Development has due regard to the geographical constraints and protect the environmental values of the site and is designed to minimise hazard from bushfire, flooding and landslip. No new lots are created on land within the Flood hazard overlay.*

(3) Additional overall outcomes sought for the code in the Low density residential zone and the Medium density residential zone are as follows:

- (a) New subdivisions provide a range of lot sizes that encourage a mix of dwelling houses and dual occupancy dwellings in planned locations. Subdivisions which comprise infill within existing and developing residential neighbourhoods will have lot sizes that provide for development that will integrate with the character of the immediate area and streetscapes.*
- (b) Small lot subdivision subject to a standard format plan is located and designed having regard to integration and compatibility with the residential density of dwellings in the immediate area and the streetscape character. Lots in the Low density residential zone have an area of no less than 450 m².*
- (c) Residential development does not have an adverse impact on the availability and use of agricultural land. A compact urban form is maintained with a distinct boundary with rural land.*
- (d) New residential developments will establish in locations that enable them to be integrated with existing neighbourhoods and to be in proximity to existing community facilities such as schools. Open space is provided in residential neighbourhoods to meet the needs of the community.*
- (e) An integrated open space network is established, enhanced and protected throughout the residential area in order to encourage active transport and community connectivity. The*

open space network also provides visual relief in the urban area and protects environmental values.

- (f) Development has access to infrastructure and services. New development is connected to all urban services.*
- (g) New residential areas are located and buffered in order to minimise impacts from existing incompatible uses such as transport corridors, agriculture, industry and major community facilities. Separation distances and buffering and screening are sufficient to minimise noise, odour, dust, light, loss of privacy or other adverse impacts.*

The development will not represent a high standard of design that will positively contribute to the creation of a safe, convenient or attractive community due to the lack of streetscape activation, dominant carports, sub-par building design and layout and relatively high density of development in an area with a predominately low density residential character.

The Information Request issued in relation to this application requested the applicant provide additional information to demonstrate the levels of the proposed on-site works (internal roads, drainage channels, pad levels and finished floor levels of the proposed units) sited within the flood hazard overlay area. Furthermore, community title lots are proposed within the Flood hazard overlay.

The development intends on providing adequate infrastructure and services to ensure the development is appropriately serviced, however has not provided adequate information to demonstrate that the implementation of this development will not detrimentally impact the surrounding properties. The increased demand on the existing water, sewer and stormwater infrastructure resulting from the development have not been addressed through the application, and it is unclear if upgrades to the infrastructure are necessary. The drainage stormwater in heavy rain events in the area is already a known issue that will be impacted further as a result of the development. Insufficient information has been provided to demonstrate negligible impact on the surrounding local community resulting from the implementation of the development in a known stormwater drainage deficient area.

Accordingly, compliance with the Overall outcomes of the code cannot be achieved.

Stormwater management code

The Information Request issued in relation to this application requested the applicant provide additional information regarding the stormwater impacts to downstream properties. This information is required to determine if the development alters stormwater flow to the adverse impact of the downstream environment.

Given that this fundamental detail has not been provided, further information is necessary before a development of this nature could be approved.

Draft Southern Downs Planning Scheme

Pursuant to the draft Southern Downs Planning Scheme, the site is located in the same zone (Medium density residential zone) and overlays as the current Planning Scheme. As per the proposed Tables of assessment, the same assessment benchmarks would apply under the draft Planning Scheme.

Notably, under the draft Planning Scheme the maximum density requirement for Multiple dwellings in the Medium density residential zone is proposed to reduce from 1 unit per 250 square metres of site area as required by the current Planning Scheme to 1 unit per 150 square metres of site area in the draft Planning Scheme. To exceed the density requirement of 1 unit per 150 square metres of site area required by the draft Planning Scheme, a total of 100 units would need to be proposed over the site. On this basis, despite the absence of further information regarding Stage 2, the development is highly likely to comply with the proposed density requirements of the draft Planning Scheme given the proposed pattern and density of development in Stage 1 (36 units over 10,954 square metres of site area or 1 unit per 304 square metres of site area).

It is noted that the draft Planning Scheme retains the current requirements regarding setbacks, design infrastructure servicing and stormwater, which the proposal cannot comply with.

Recommendation

THAT the application for Material Change of Use of premises to establish Multiple Dwelling (36 units) and Reconfiguring a Lot – Subdivision by Community Title (One lot into 37 lots and Common Property) on land at 1-13 Baguley Street Warwick, described as Lot 35 W3029, be refused, for the following reasons:

- (a) The development will not represent a high standard of design that will positively contribute to the creation of a safe, convenient or attractive community due to the lack of streetscape activation, dominant carports, sub-par building design and layout and relatively high density of development in an area with a predominately low density residential character.
- (b) The increased demand on the existing water, sewer and stormwater infrastructure resulting from the development has not been addressed through the application, and it is unclear if upgrades to the infrastructure are necessary. The drainage stormwater in heavy rain events in the area is already a known issue that will be impacted further as a result of the development. Insufficient information has been provided to demonstrate negligible impact on the surrounding local community resulting from the implementation of the development in a known stormwater drainage deficient area.
- (c) The lack of information provided in relation to the proposed on-site works within the flood hazard area, means it cannot be guaranteed that the development maintains the safety of people on the development site, or results in no adverse impacts to downstream properties.
- (d) The proposal does not comply with the overall outcomes of the Medium density residential zone code, Flood hazard overlay code, Residential uses code and Reconfiguring a lot code.
- (e) The development conflicts with the outcomes identified in the draft Southern Downs Planning Scheme in relation to setbacks, design infrastructure servicing and stormwater.

ATTACHMENTS

Nil

15.4 Material Change of Use: Adrian P Bakker C/- Revolution Town Planning - 108 Coochie Road, Dalveen - MCU02648

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Planning Officer	ECM Function No/s: MCU\02648.01

APPLICANT:	Adrian P Bakker C/- Revolution Town Planning
OWNER:	Adrian P Bakker
ADDRESS:	108 Coochie Road, Dalveen
RPD:	Lot 2 SP268864
ASSESSMENT AGAINST:	Southern Downs Planning Scheme (v.5)
ZONE:	Rural (Sandstone Rises and Traprock Hills precinct)
PROPOSAL:	Minor change to Function facility (Existing shed, up to 60 guests), Caretaker's accommodation and Short-term accommodation (Five (5) units - One (1) existing dwelling house (up to eight (8) guests) and Four (4) cabins), over three (3) stages
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Nil
REFERRALS:	Nil
COUNCILLOR INFORMATION SESSION DATE:	8 October 2025
FILE NUMBER:	MCU\02648.01

RECOMMENDATION SUMMARY

THAT Council approve in part the change application made in relation to the Development Permit dated 27 May 2025 for Material Change of Use for the purpose of Function facility (Existing shed, up to 60 guests), Caretaker's accommodation and Short-term accommodation (Five (5) units - One (1) existing dwelling house (up to eight (8) guests) and Four (4) cabins), over three (3) stages, on land at 108 Coochie Road, Dalveen, described as Lot 2 SP268864.

REPORT

Background

On 28 May 2025, Council issued a Development Permit (dated 27 May 2025) for the purpose of Function facility (Existing shed, up to 60 guests), Caretaker's accommodation and Short-term accommodation (Five (5) units - One (1) existing dwelling house (up to eight (8) guests) and Four (4) cabins), over three (3) stages, on land at 108 Coochie Road, Dalveen, described as Lot 2 SP268864, subject to conditions (File Ref: MCU\02648).

The approved plans are as follows:



Figure 1: Approved Part Site Plan (north)



Figure 2: Approved Part Site Plan (south)

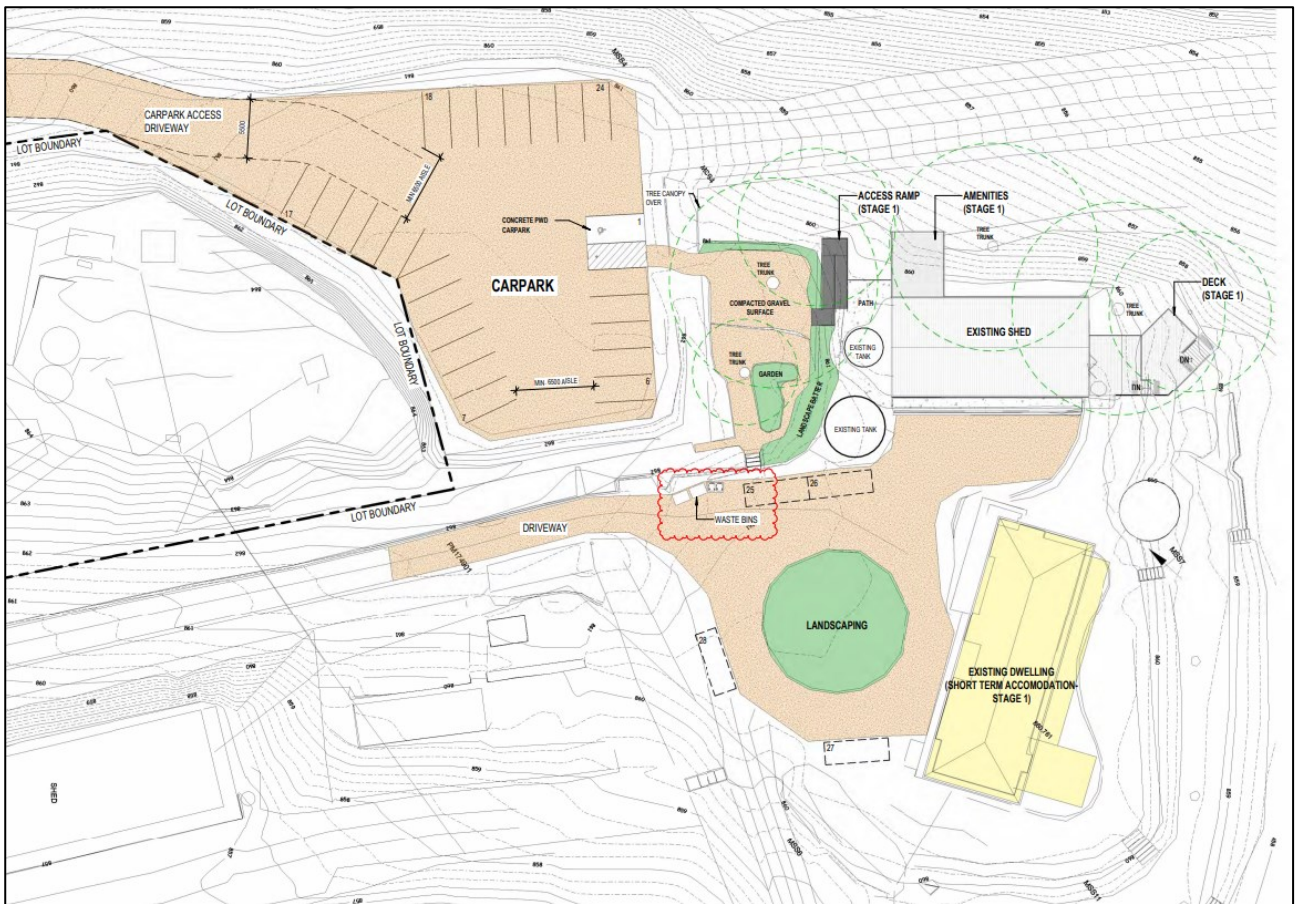


Figure 3: Approved Part Site Plan

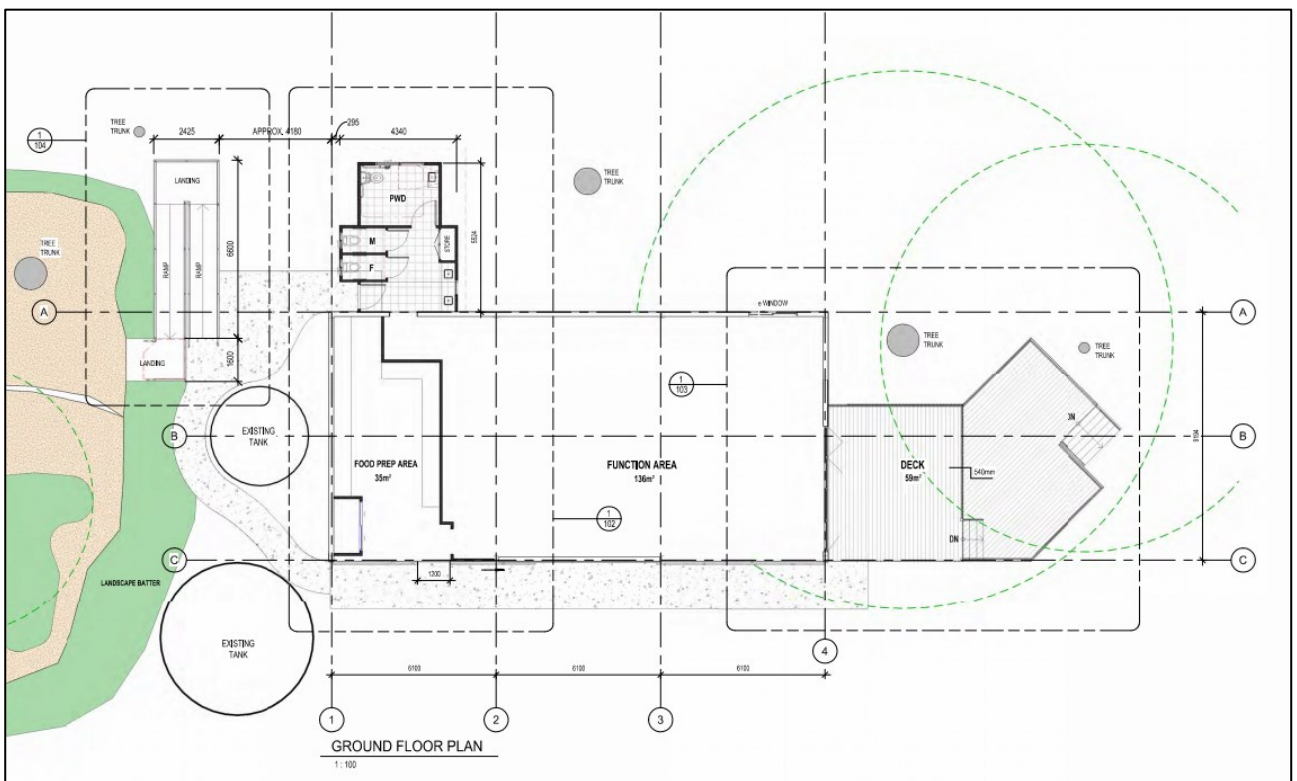


Figure 4: Approved Function facility Floor Plan

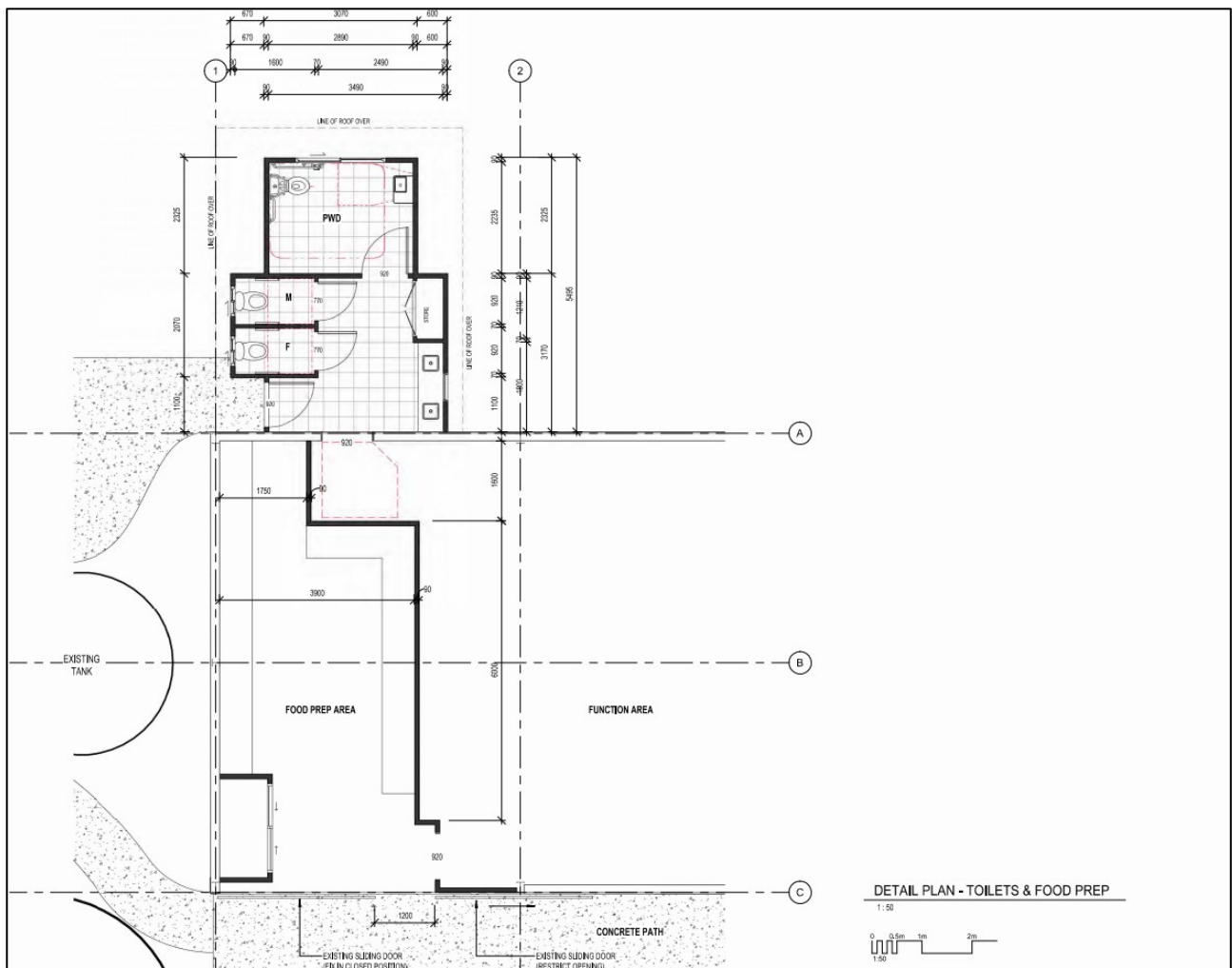


Figure 5: Approved Toilets and Food Prep Floor Plan for Function facility

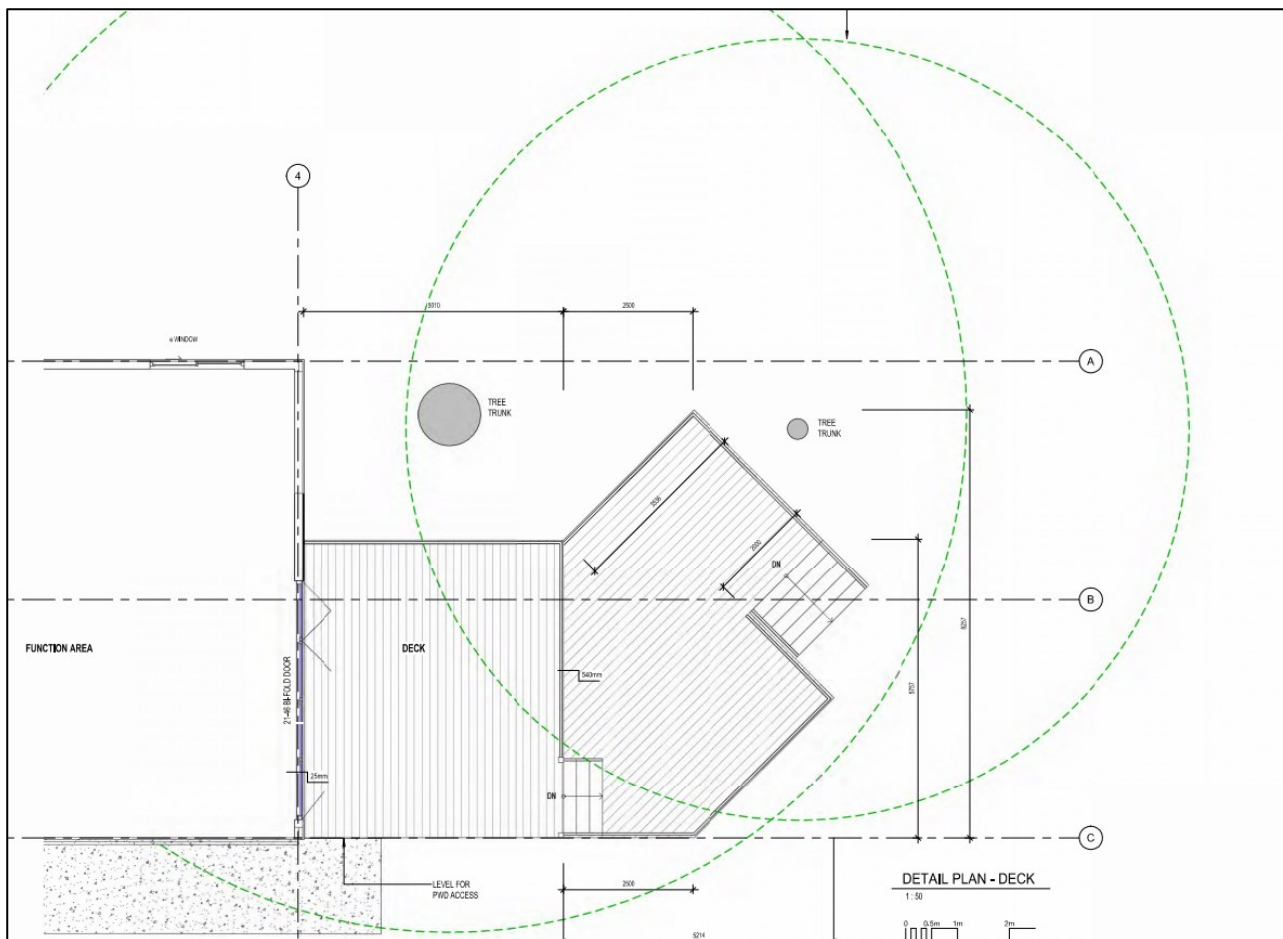


Figure 6: Approved Deck attached to Function facility

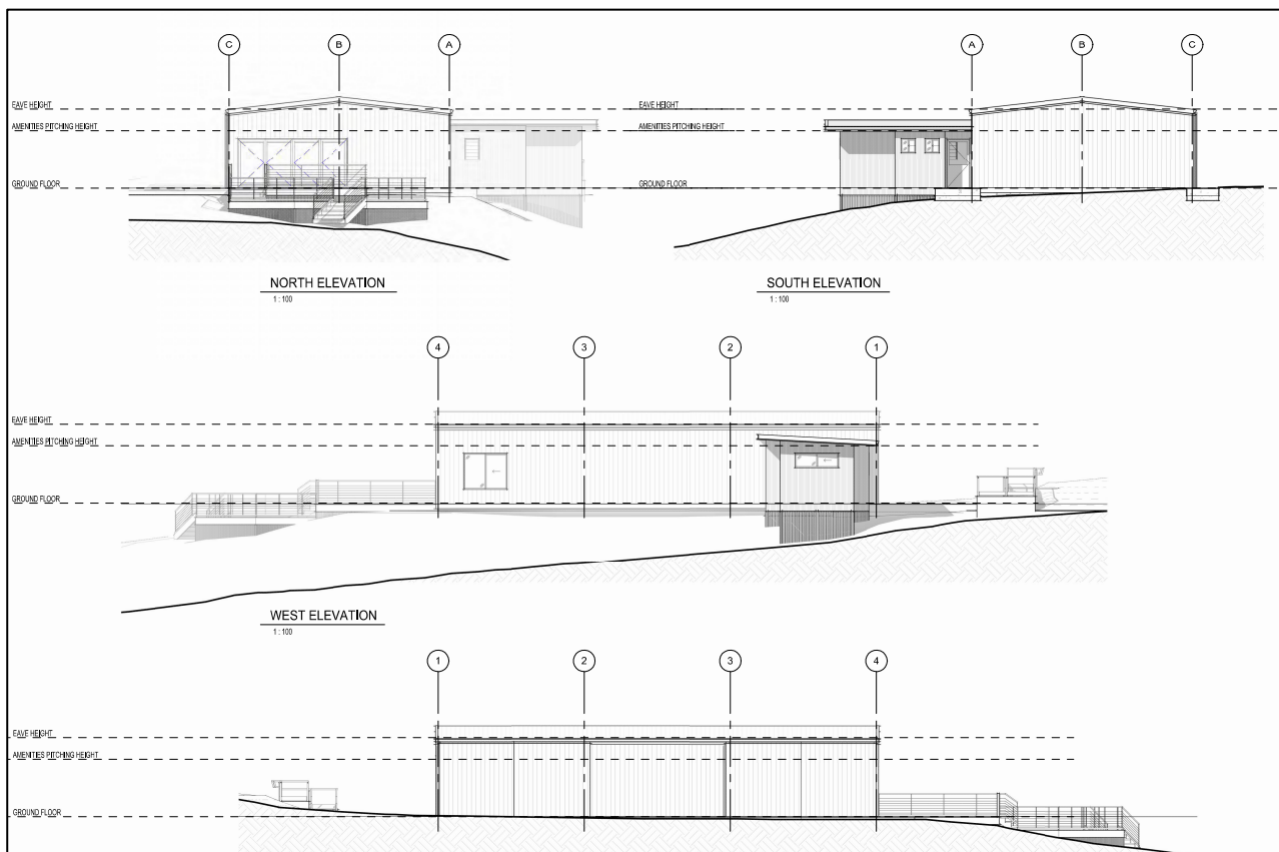


Figure 7: Approved Function facility elevations



Figure 8: Approved Function facility illustrative views

Report



Figure 9: Aerial of subject site

The subject land has an area of 106.8 hectares and is situated within the locality of Dalveen. The land maintains frontage to Coochie Road, which is a gravel constructed road without kerb and channel. The land is burdened by an access easement which provides access to Coochie Road for the subject premises and Lot 1 SP268864. Lot 1 SP268864 is a landlocked parcel of land which otherwise cannot access a constructed road without the access easement. An all-weather driveway exists within the access easement, which is known as Tower Road (private). Tower Road (private) is a private road and is not a road regulated or maintained by Council.

The premises contains dense regulated vegetation, which consists of both Category B and Category C vegetation. The premises also contains a Dwelling house and multiple associated outbuildings. The existing infrastructure is located in close proximity to Lot 1 SP268864, which contains a Telecommunications facility. The landlocked Lot 1 SP268864 is also burdened by a covenant which restricts the use of the land for telecommunication purposes only, ensuring the land cannot be used for anything other than a Telecommunications facilities.

The development approved the operation of a Function facility for up to 60 guests from an existing outbuilding on the subject premises. In addition, the approval permits the utilisation of the existing Dwelling house for Short-term accommodation, the construction of four (4) cabins for Short-term accommodation and the construction of a Caretaker's accommodation on the land. The development will be completed over three (3) stages. The staging of the development is as follows:

Stage 1

- Conversion of the existing shed for the purpose of Function facility (up to 60 guests);
- Conversion of the existing Dwelling house for the purpose of Short-term accommodation (up to eight (8) guests); and
- Construction of a Caretaker's accommodation.

Stage 2

- Construction of two (2) cabins for the purpose of Short-term accommodation.

Stage 3

- Construction of two (2) cabins for the purpose of Short-term accommodation.

The applicant seeks a Change to an Existing Approval (Minor Change) to the development.

Proposed change

The application for a Minor change seeks to alter Conditions 1, 5, 9, 16, 20, 21, 22, 32, 34 and 43 and delete Conditions 17, 18, 24, 25, 26, 27, 36, 45 and 48.

The assessment of the proposed alterations to the conditions have been grouped together for the following reasons:

- Conditions 5, 20, 21 and 22 relate to noise and the hours of operation;
- Conditions 17 and 18 relate to Building and Plumbing permits;
- Conditions 24, 25, 26 and 27 relate to waste;
- Conditions 34 and 36 relate to landscaping and fencing; and
- Conditions 43 and 45 relate to carparking.

Conditions 5, 20, 21 and 22

The applicant has made representations to alter Conditions 5, 20, 21 and 22, which related to noise and the hours of operation. The conditions and the applicant's proposed changes are tabled as follows:

Table 1: Conditions 5, 20, 21 and 22 analysis

CONDITIONS IMPOSED		APPLICANT'S PROPOSED CHANGES
<i>Land Use and Planning Controls</i>		
5.	The Function facility shall generally operate only between the hours of 8.00am to 10.00pm. Hours of operation may be extended until midnight with the support of a Register Professional Engineer of Queensland (RPEQ) Acoustic Engineering Report submitted to and approved by Director Planning and Environmental Services. The extension of hours would also require the undertaking of all works outlined as necessary in an Acoustic Engineering report.	The Function facility shall generally operate only between the hours of 8.00am to midnight 10.00pm. Hours of operation may be extended until midnight with the support of a Registered Professional Engineer of Queensland (RPEQ) Acoustic Engineering Report submitted to and approved by Director Planning and Environmental Services. The extension of hours would also require the undertaking of all works outlined as necessary in an Acoustic Engineering report.
<u>Council response provided by Regulatory Services Coordinator</u>		
<i>Condition 5</i> <i>[Change] Not supported – facility is located in a rural area so the potential for noise nuisance from amplified music to this time of night is considered to be quite high.</i> <i>Condition allows more effective regulation than alternate options from an environmental nuisance / default noise standard perspective. Onus on the operator to demonstrate compliance rather than Council demonstrating non-compliance</i>		
<i>Amenity and Environmental Controls</i>		
20.	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	Noise generated by the development must not cause environmental harm or environmental nuisance or exceed the Acoustic Quality Objectives listed in the

	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.	Environmental Protection (Noise) Policy 2019 when measured at any sensitive receptor. 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.
21.	Amplified or live music shall not be permitted outside of the building operating as a Function facility after 6.00pm, and no amplified or live music is to be played after 10.00pm. If amplified music is proposed after 6pm, it must be contained indoors and all windows and doors are to remain shut at all times.	Amplified or live music and amplified devices associated with the Function Facility use are only permitted to be played, made or used within the shall not be permitted outside of the building operating as Function Facility between the hours of 8AM and 10PM and: - the amplified or live music and amplified device must be played, made or used within the Function Facility Building and the sound pressure level of the amplified or live music or amplified device must not exceed 102dB(A) when measured at 1m from the noise source; or - the amplified or live music and amplified device must be played, made or used within the designated outdoor area for amplified or live music and amplified devices detailed in the Approved Operational Management Plan (and the Noise Management Plan therein) and the sound pressure level of the amplified or live music or amplified device must not exceed 75dB(A) when measured at 1m from the noise source.
22.	When requested by Council, an assessment, including noise monitoring must be undertaken by a suitably qualified and experienced person(s) to investigate any complaint of environmental nuisance and/or environmental harm (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief). Upon completion of the assessment, the results must be submitted to Council within 10 business days. This must be undertaken in accordance with any direction given by Council at the time. If the results of the assessment indicate, or where it is determined by an authorised person, that environmental nuisance and/or environmental harm is being caused,	Where a complaint of noise nuisance being caused by the approved development is received by Council and/or where Council reasonably considers the noise limits specified within this development approval are being exceeded or noise generated by the approved development is causing environmental; nuisance or harm, upon the request of Council a noise investigation must be undertaken to investigate whether the noise limits specified within this development approval are being exceeded or noise generated by the approved development is causing environmental; nuisance or harm. The noise investigation must be undertaken by a Suitably Qualified Person in accordance with the Department of Environment and

	abatement or control measures must be implemented as recommended by a suitably qualified and experienced person and/or Council.	Science Noise Measurement Manual 2020. The results of the investigation must be provided to Council within 28 days of the request or a longer period if specified in any such request or agreed with Council. Where the noise investigation concludes that the approved development is exceeding the noise limits specified within this development approval or noise generated by the approved development is causing environmental; nuisance or harm, the investigation must also recommend mitigation measures and/or procedures to ensure the approved development does not exceed the noise limits specified within this development approval or cause environmental nuisance or harm. The approved development must implement the mitigation measures and/or procedures recommended in the noise investigation within one (1) month of the completed noise investigation being given to Council. The effectiveness of the implemented mitigation measures and/or procedures must be confirmed by written notice provided to Council by the author of the noise investigation within one (1) month of the recommended mitigation measures and/or procedures being implemented. When requested by Council, an assessment, including noise monitoring must be undertaken by a suitably qualified and experienced person(s) to investigate any complaint of environmental nuisance and/or environmental harm (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief). Upon completion of the assessment, the results must be submitted to Council within 10 business days. This must be undertaken in accordance with any direction given by Council at the time. If the results of the assessment indicate, or where it is determined by an authorised person, that environmental nuisance and/or environmental harm is being caused, abatement or control measures must be implemented as recommended by a suitably qualified and experienced person and/or Council.
	<u>Council response provided by Regulatory Services Coordinator</u>	
	<i>Condition 20</i> <i>[Change] Not supported. The purpose behind the 5 dB(A) limitation is designed to mitigate</i>	

	<i>the potential for environmental nuisance / harm from occurring in the first instance.</i> <i>Given the rural location the AQOs [Acoustic quality objectives] in the Policy may actually be higher than what is currently received by sensitive receptors in the local area at night time.</i> Condition 21 <i>Current condition permits amplified music inside the function centre until 10.00 p.m. Are they requesting amplified music outdoors to 10.00 p.m.? – then definitely no given the above reasons.</i> <i>Outdoor amplified music would have a greater noise impact on other sensitive receptors than potentially that from indoors at the function venue.</i> Condition 22 <i>[Change] Not supported – as indicated above the onus is on the operator to undertake noise monitoring to demonstrate compliance rather than put the onus (and expense) on Council to demonstrate non-compliance.</i>
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The applicant has not provided an Acoustic Engineering Report prepared by an RPEQ to support any changes to the noise conditions. Conditions 5, 20, 21 and 22 have consistently been imposed on development approvals for Function facilities by Council.

Council's Environmental Health team has raised concerns regarding the applicant's proposed changes to the Conditions of Approval. The concerns specifically relate to the onus of compliance to be placed on the operator of the Function facility, rather than Council. The Conditions of Approval as they currently stand are considered lawful conditions and place the obligation of compliance on the operator of the development. As previously mentioned, Council has imposed the same conditions for various other Function facility developments throughout the region, ensuring a consistent approach. It would not be reasonable for Council to amend the aforementioned Conditions of Approval without the support of an approved Acoustic Engineering Report prepared by an RPEQ.

Therefore, it is recommended Conditions 5, 20, 21 and 22 remain unchanged.

Condition 9

Table 2: Condition 9 analysis

CONDITIONS IMPOSED		APPLICANT'S PROPOSED CHANGES
Land Use and Planning Controls		
9.	No person is to reside in the Stage 1 Short-term accommodation building for more than 45 days consecutively, or more than 90 days in any 12 month period. The approved accommodation must not be occupied by persons for the purpose of permanent accommodation. No person is to reside in any Stage 2 and 3 Short-term accommodation cabin for more than 35 days consecutively, or more than 90 days in any 12 month period. The approved accommodation must not be occupied by persons for the purpose of permanent accommodation.	All stays within the Short – term Accommodation must be for a period of less than three (3) months. No person is to reside in the Stage 1 Short-term accommodation building for more than 45 days consecutively, or more than 90 days in any 12 month period. The approved accommodation must not be occupied by persons for the purpose of permanent accommodation. No person is to reside in any Stage 2 and 3 Short term accommodation cabin for more than 35 days consecutively, or more than 90 days in any 12 month period. The approved accommodation must not be occupied by persons for the purpose of permanent accommodation.

<u>Applicant's justification</u>	
	<i>Noting the above definition (definition of Short-term accommodation within Planning Regulation 2017) and the fact that where functions are held, Condition 10 limits occupancy of the Short – Term Accommodation to persons associated with the function we are almost certain that no stay in the Short-Term Accommodation will ever need to exceed seven (7) days, let alone three (3) months. In any case, the changed condition now reflects the use subject of the development application and not a random subjective use description unique to the Southern Downs Local Government Area. Moreover, the Condition as proposed is consistent with the use term definition prescribed in the Planning Regulation 2017</i>

Condition 9 relates to the restriction of guest stays for the Short-term accommodation use. The condition is consistent with the definition of Short-term accommodation in the *Planning Regulation 2017*, as a period of 90 days is equivalent to a three (3) month period as outlined in the definition. Consecutive guest stays have been restricted to 45 days and 35 days for Stage 1 and Stages 2 and 3, respectively, due to the proposed water storage available to each building. Limiting the number of days to the provision of the volume of water available at the site is a condition regularly applied to similar developments across the region.

Therefore, based on the water storage proposed for the development and the applicant's intended use of the development, the condition is recommended to remain unchanged.

Condition 16

Condition 16 reads as follows:

Table 3: Condition 16 analysis

CONDITIONS IMPOSED		APPLICANT'S PROPOSED CHANGES
Building and Site Design		
16.	The design, colours and materials of the Function facility building and the Short-term accommodation cabins are to be in accordance with the rural character of the area. Details of the design, colours and materials of the buildings are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work. The buildings are to be constructed in the approved design, colours and materials.	The colours and materials and finishes for the of the Function facility building and the Short-term accommodation buildings must be earthy and/or neutral and complement the surrounding landscape. <i>Note: Examples of suitable colours and materials for the building include a colour palette utilising colours generally in accordance with the following Hex Colour Codes #274625, #828b7d, #e4e1d0, #bcc5b8, #ada79d, #000000, #3d3d3d, #f0efef, #cbcac8, #bca98c, #93703f, #d3b484, #dbdbdc, #8c8778, #69442e, #9d8461, #f8ead6, #cfdba6, #ceb68b, #acbb90, #d6dcc5, #aa7c57, #fdf0d0, #eee1c7.</i> cabins are to be in accordance with the rural character of the area. Details of the design, colours and materials of the buildings are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work. The buildings are to be constructed in the approved design, colours and materials.
		<u>Applicant's justification</u>
		<i>It is noted that the Applicant will likely engage with this condition so as a building</i>

development permit may be issued for Stage 1 building work associated with the approved development prior to this Change Application being decided, however, the change is requested nonetheless.

The proposed colours outlined by the applicant consist of whites, creams, greys, greens and browns. The colours outlined by the applicant are considered to be consistent for the appearance of the development within a rural locality. Despite this, the application has not provided architectural plans of the proposed buildings for the Function facility and Short-term accommodation that detail the design, colours or materials of the buildings. However, to provide additional clarity to the condition, the applicant's proposed note will be incorporated into the condition.

The condition is recommended to remain unchanged with the exception of the additional note outlining examples of colours, and is as follows:

Building and Site Design

16. *The design, colours and materials of the Function facility building and the Short-term accommodation cabins are to be in accordance with the rural character of the area. **Details of the design, colours and materials of the buildings are to be submitted to and approved by Council's Planning Department prior to the issue of any Development Permit for Building Work.** The buildings are to be constructed in the approved design, colours and materials.*

Note: Examples of suitable colours for the proposed buildings may include the following Hex Colour Codes: #274625, #828b7d, #e4e1d0, #bcc5b8, #ada79d, #000000, #3d3d3d, #f0efef, #cbcac8, #bca98c, #93703f, #d3b484, #dbdbdc, #8c8778, #69442e, #9d8461, #f8ead6, #cfdba6, #ceb68b, #acbb90, #d6dcc5, #aa7c57, #fdf0d0, #eee1c7.

Conditions 17 and 18

The applicant has requested the deletion of the following Building and Site Design conditions:

Table 4: Conditions 17 and 18 analysis

CONDITIONS IMPOSED		APPLICANT'S PROPOSED CHANGES
Building and Site Design		
17.	A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council (see advisory note below).	Deleted. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council (see advisory note below).
18.	A copy of the Form 21 (Final Inspection Certificate) and the Form 11 (Certificate of Occupancy) issued for the building works are to be provided to Council prior to the use commencing (see advisory note below).	Deleted. A copy of the Form 21 (Final Inspection Certificate) and the Form 11 (Certificate of Occupancy) issued for the building works are to be provided to Council prior to the use commencing (see advisory note below).

The imposition of Conditions 17 and 18 were to ensure the buildings are constructed in accordance with the building and plumbing approvals required to be obtained. It should be noted that a similar condition has also been imposed for Operational Works, being Condition 55 (which has not proposed to be deleted by the applicant).

The deletion of these two conditions will not remove the requirement for the applicant to obtain the final inspection certificates for building works and plumbing and drainage works, as it is a legislative requirement under the *Building Act 1975* and the *Plumbing and Drainage Act 2018*. Therefore, the recommendation is to support the applicant's request.

The advisory note for each respective condition is recommended to be retained, however, advisory note (x) will be amended to refer to the Final Inspection Certificate for Plumbing and Drainage Works, as per the *Plumbing and Drainage Regulation 2019*.

Conditions 24, 25, 26 and 27

The following Conditions 24, 25, 26 and 27 relate to Amenity and Environmental Controls:

Table 5: Conditions 24, 25, 26 and 27 analysis

CONDITIONS IMPOSED		APPLICANT'S PROPOSED CHANGES
Amenity and Environmental Controls		
24.	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.	Waste generated by the approved development must be collected, stored and disposed of and managed in accordance with the Approved Operational Management Plan (and the Waste Management Plan therein). 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.
25.	All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.	Deleted. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
26.	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.	Deleted. 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.
27.	Any rubbish and litter resulting from events must be collected daily and disposed of immediately following the event at an approved Waste Management Facility. The site is to be left in a clean and tidy condition.	Deleted. Any rubbish and litter resulting from events must be collected daily and disposed of immediately following the event at an approved Waste Management Facility. The site is to be left in a clean and tidy condition.
24-27.	<u>Applicant's Justification</u> <i>A waste management plan was submitted with the development application which details waste management procedures and practices to ensure that waste generated by the development is collected, stored and disposed of and managed in accordance with relevant laws and policies. Moreover, the Waste Management Plan submitted with the development application facilitates a waste management outcome that encourages sustainable practices such as limiting single use products, requires caterers to remove their own waste from the site, encourages the sorting of waste into relevant waste streams for disposal and encourages recycling among other requirements.</i> <i>In this regard, the Waste Management Plan submitted with the development application provides more detailed practices and procedures around waste generation, collection and</i>	

	<i>disposal than Conditions 24 – 27 and in doing so will provide a waste management outcome far superior to the outcome facilitated by Condition 24 – Condition 27.</i> <i>It should also be noted that some of the requirements of these conditions are both unreasonable and impractical. The unreasonable and/or impractical parts of the conditions include the requirement for (may not be limited to);</i> <i>• a waste contractor to collect and dispose of waste generated by the approved development; and</i> <i>• rubbish and litter to be collected daily and disposed of immediately following an event (after midnight).</i> <i>Moreover, the Conditions do not specifically refer to or differentiate how waste must be managed for all components of the approved development. Instead, the conditions focus very much on the Function Facility use and in this regards include contradictory or competing requirements. The Waste Management Plan submitted with the development application considers waste management more holistically and will manage waste associated with the approved development more effectively.</i>
	<u>Council response provided by Regulatory Services Coordinator</u>
	<i>Conditions 24, 25 & 27 relate to waste management. Condition 26 – is more about the display or storage of goods – not waste management principles?</i> <i>WMP (Waste Management Plan) identifies records will be kept – maybe a condition to ensure that these are made available to authorised persons on request. Premises would be subject to accommodation and food inspection moving forward – so could monitor condition of waste management areas / facilities during these visits.</i> <i>WMP would address most / if not all that the [Decision Notice] conditions are trying to achieve.</i>

Section 4.1 of the Waste Management Plan (WMP) provided addresses the required waste storage for each component of the development, including but not limited to the quantity of waste receptacles required. The WMP details the following regarding the collection of waste:

Within this framework, the operator under this WMP shall: ...

- Engage an appropriate contractor/s to conduct services, if or as required.*
- Ensure the waste collection contractor/s has access to the bins on collection days.*

The above-mentioned elements of the WMP contradict the applicant's statement '*some of the requirements of these conditions are both unreasonable and impractical*', in reference to the requirement to engage a waste contractor for the disposal of waste. Notwithstanding the applicant's justification supporting the deletion of Condition 24, the WMP provided addresses the items within the condition and thus, the condition will be amended to refer to compliance with the WMP being achieved.

Similar to above, the WMP is considered to adequately manage the collection and disposal of waste to ensure no environmental harm and thus, it is recommended that Condition 25 can be deleted.

The WMP however, does not regulate the frequency of waste collection on-site for events as required as part of Condition 27. Condition 27 is a standard requirement imposed on Function facility developments by Council, and is aimed to ensure potential environmental harm caused by guests of the Function facility is minimised through the site being left in a clean and tidy condition, and waste collected immediately following an event. As required by Condition 7, and outlined in *Proposed Development 108 Coochie Road, Dalveen Traffic Impact Statement, 24-664 Revision B dated 18 December 2024*, prepared by *Pekol Traffic and Transport*, the maximum number of events held per week is limited to one (1). This means that waste resulting from an event is to be collected once per week. The requirement for the disposal of waste once per week is not

considered to be an onerous or unreasonable expectation for a Function facility development, and thus, the condition will be retained. To provide further clarification to the condition for the applicant, a note will be included referring to Condition 7.

Condition 26 relates to the storage of materials and goods associated with the development, and not the storage of waste or waste products. No alternative has been proposed to alter the condition regarding the storage of goods and materials. In the absence of an alternative for the storage of goods, it is recommended Condition 26 remains unchanged.

Condition 25 is recommended to be deleted, and Conditions 24 and 27 is recommended to be amended as follows:

24. *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. **The management of waste and waste receptacles must be in accordance with Sections 4.0, 4.1, 4.2, 4.3 and 5.0 of the Waste Management Plan, prepared by Revolution Town Planning, submitted as part of Operational Management Plan Function Facility & Short – Term Accommodation, Coochie Road, Dalveen, Version 3, dated 25 June 2025, prepared by Revolution Town Planning.***
27. *Any rubbish and litter resulting from events must be collected daily and disposed of immediately following the event at an approved Waste Management Facility. The site is to be left in a clean and tidy condition.*

Note: The maximum number of events held per week is limited to one (1), as outlined by Condition 7.

Condition 32

Table 6: Condition 32 analysis

CONDITIONS IMPOSED		APPLICANT'S PROPOSED CHANGES
Amenity and Environmental Controls		
32.	Lighting is to be provided within the development including adjacent to the internal driveways. Any lighting is to be located such that there is no interference with any residences. Details of the proposed lighting are to be submitted to and approved by Council's Planning Department prior to the issuing of any Development Permit for Building Works. Lighting is to be provided in accordance with the approved plan.	Lighting is to be provided within the development including adjacent to the internal driveways within carparking areas and all areas of frequent pedestrian activity including around buildings associated with the approved development. Lighting must be designed and installed in accordance with AS/NZS 1158.0:2005 – Lighting for Roads and Public Spaces and AS/NZS 4282 - Control of the obtrusive effects of outdoor lighting. Any lighting is to be located such that there is no interference with any residences. Details of the proposed lighting are to be submitted to and approved by Council's Planning Department prior to the issuing of any Development Permit for Building Works. Lighting is to be provided in accordance with the approved plan.
		<u>Applicant's justification</u>
		<i>The existing condition as constructed suffers from ambiguity, a lack of specificity and lack of finality. For example, the condition does not contain any guidance as to where within the development the lighting is required to be installed (except stating 'including the internal</i>

driveways’) and to what standard the lighting is to be installed (i.e. what standard Council expects the lighting to satisfy) and what particular ‘details’ regarding the lighting are required to be included when the details are given to Council. The condition is unenforceable and likely of no effect in its current form.

Despite this, we acknowledge that for many reasons adequate lighting within the development is an important aspect of the operators managing the liability that exists when persons attend the site to use the Function facility or Short – Term Accommodation (there is an argument that in requiring approval of the lighting by Council, Council may be liable for any accident or injury that was found to have occurred on the land as a result of inadequate lighting). As such, the changed condition specifically references areas within the development that lighting must be installed and nominates a standard to which the lighting must be provided. In this context, it is not necessary to require approval of the lighting for the development as compliance with the condition is measurable and the outcome able to be objectively determined.

It is considered necessary to retain the condition and to ensure any lighting erected internal to the site does not interfere with any nearby residences, and to ensure access to the site is lit for the safety of the guests entering and existing the property. However, to further provide finality to the condition, the statement within condition will be amended to include reference to the Australian Standards as outlined by the applicant.

As such, the condition is recommended to be amended as follows:

32. *Lighting is to be provided within the development including adjacent to the internal driveways. Any lighting is to be located such that there is no interference with any residences, **in accordance with the Australian Standards for external lighting. Details of the proposed lighting are to be submitted to and approved by Council’s Planning Department prior to the issuing of any Development Permit for Building Works.** Lighting is to be provided in accordance with the approved plan.*

All vehicle operation areas must be illuminated in accordance with the requirements of Australian Standard AS1158 “Lighting for roads and public spaces”.

Conditions 34 and 36

The applicant has proposed to alter Condition 34 and delete Condition 36, both of which relate to landscaping or fencing, and are as follows:

Table 7: Conditions 34 and 36 analysis

CONDITIONS IMPOSED		APPLICANT’S PROPOSED CHANGES
Amenity and Environmental Controls		
34.	A fence 1.8 metres high shall be erected along the all boundaries of the adjoining Lot 1 SP268864, except within the access easement. This fencing is to be provided at the developer’s cost.	A fence or other suitable barrier, a minimum of 1.8 metres high shall must be erected along the all boundaries of the adjoining Lot 1 SP268864, expect within the access easement or within Lot 1 SP2688641, to prevent access to the Telecommunications Facility and associated infrastructure. The required fence or barrier may be chainwire and be provided at no cost to Council. This fencing is to be provided at the developer’s cost.
		<u>Applicant’s justification</u>
		<i>It is noted there [are] existing barriers on Lot 1 that prevents access to the Telecommunications Facility and associated infrastructure. No further barrier is required to ensure the safety of visitors utilising the Function Facility and/or Short-Term</i>

	<i>Accommodation. Moreover, given the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 makes provision for the cost of fencing on dividing boundaries to be shared between landowners, the requirement for fencing to be provided at the developer's sole cost is not reasonable. It may be the case that in following the process outlined in the Neighbourhood Disputes (Dividing Fences and Trees) Act 2011 would result in the owner or Lot 2 bearing the full cost of the fencing but that is irrelevant. It is only relevant that a barrier be provided and it not be at the cost of Council.</i>	
36.	A landscaping strip is to be planted within the subject premises (being Lot 2 SP268864), in between the northern boundary of the adjoining Lot 1 SP268864 and the driveway and carparking spaces 7-17, as shown in the following diagram: [diagram shown in Figure 10]	Deleted. A landscaping strip is to be planted within the subject premises (being Lot 2 SP268864), in between the northern boundary of the adjoining Lot 1 SP268864 and the driveway and carparking spaces 7-17, as shown in the following diagram:
<u>Applicant's justification</u> <i>It is not clear what planning purpose is furthered by this condition. We assume the landscaping is to provide some buffering or screening but it is not clear what is being buffered or screened by the landscaping. The Statement of Reasons for the development approval appears to conclude the same (PO5 of the Short – term Accommodation Code), noting we consider the statement 'the proposed carparking in this location will impact on the use of the Telecommunications Facility' to be a little perplexing and consider it may have been intended to read 'the proposed carparking in this location will not impact on the use of the Telecommunications Facility'.</i>		

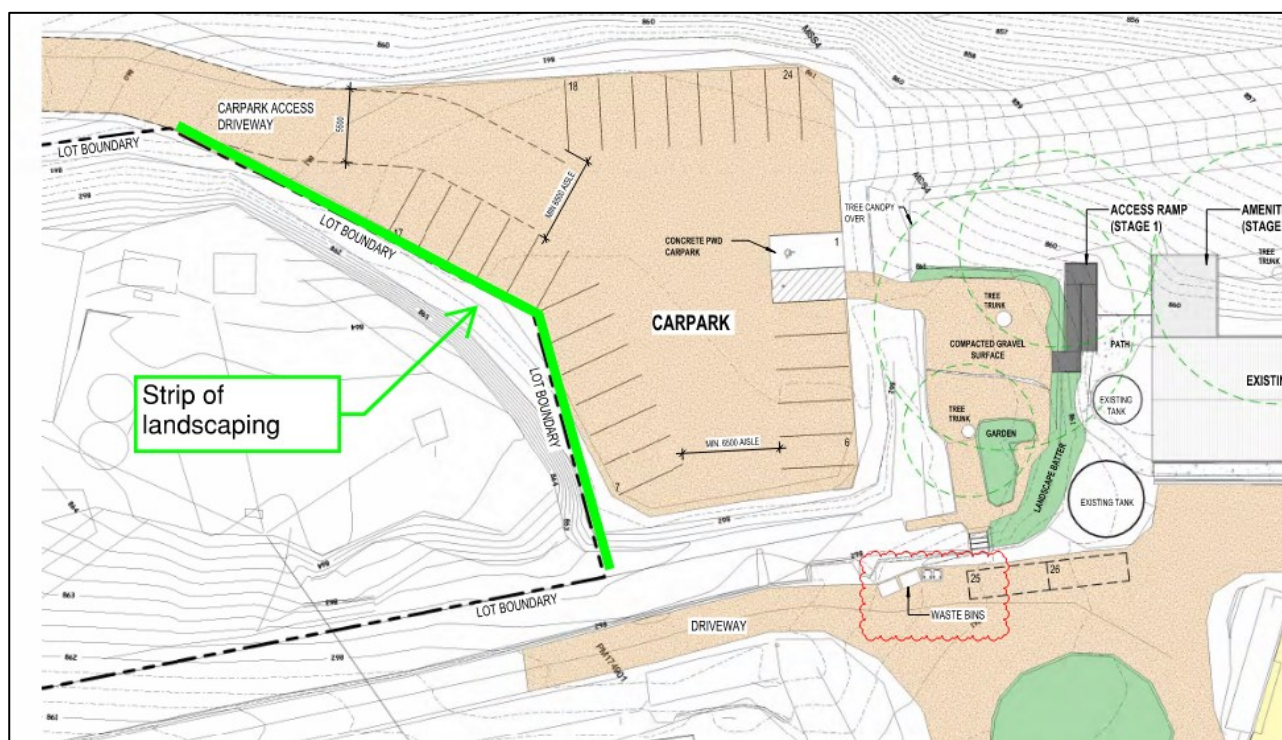


Figure 10: Diagram referred to in Condition 36

The conditions have been imposed on the basis of the following provisions of the planning scheme, with additional justification provided in red:

Landscaping code

AO8

- (a) *Where the number of parking spaces in an off-street parking area exceeds 10:*

- (i) One advanced tree with a minimum canopy at maturity of 3 m in diameter is provided for every 10 carparking spaces (or part thereof). At least half of the required number of trees is to be located within the carpark area (not around the periphery).
- (ii) The landscaping comprises trees with clear trunks to a minimum height at maturity of 2 m and open, low growing shrubs and ground covers to a maximum height of 1.2 m.
- (iii) A minimum mulched area of 3 m² is provided around each tree. This area is to be planted with low growing shrubs or ground covers. The trees are to be protected by tree guards, bollards or similar.

PO8 Landscaping of off street carparking areas is designed to:

- Reduce the visual impact of the carpark;
- Provide for shade;
- Ensure landscaping is protected from vehicle damage;
- Minimise risk of crime; and
- Minimise contaminated runoff entering the stormwater system and water courses.

The development has proposed to construct a twenty-four (24) space carpark. Due to the rural nature of the land, the development not being visible from the road, and the existing surrounding dense vegetation the proposed carparking area is considered to be visually appropriate and designed for the area.

As the proposed carparking will be constructed along the boundary with the abutting Lot 1 SP268864, and the area within the immediate proximity of the abutting Lot 1 SP268864 will result in a significant increase in the quantity and movement of people and guests on the site as a result of the development, to minimise the risk of crime and reduce the unlawful traversing of land by visitors of the development who will be unfamiliar with the site, a fence with a height of at least 1.8 metres is to be erected along all boundaries of Lot 1 SP268864, apart from in-line with the access easement. To reduce the visual impact of the carpark and help reduce any unlawful trespassing of land, a strip of landscaping will be required to be planted along the southern edge of the carpark, being carparks 7-17. The landscaping is to be planted within the subject land and is to be planted between the lot boundary of Lot 1 SP268864 and carparks 7-17.

By imposing conditions, the development can comply with the Performance outcome.

Overall, it is considered the applicant's proposed alterations to Condition 34 achieve the same intent as the existing condition and as such, is recommended to be retained, with a minor amendment to correct a typographical error. Condition 36 is also recommended to be retained as it is necessary achieve compliance with PO8 of the Landscaping code.

Conditions 43 and 45

The applicant has proposed to replace the wording of Condition 43 in full, and to delete Condition 45 as follows:

Table 8: Conditions 43 and 45 analysis

CONDITIONS IMPOSED		APPLICANT'S PROPOSED CHANGES
Car Parking and Vehicle Access		
43.	Car parking for the Function facility and the Stage 1 Short-term accommodation shall be provided on site in accordance Plan No 240262 DD, Issue E Sheet 002, dated 14 February 2025, prepared by Southern Downs Building Design Pty Ltd. For Stage 2, car parking for the two (2) Short-term accommodation cabins shall be	A minimum of twenty – three (23) on-site carparking spaces and an overflow carparking area together with associated manoeuvring areas must be provided to service the Function Facility and Short-term Accommodation uses. The carparking and associated manoeuvring areas must be: (a) generally located as detailed on the

	provided on site in accordance Plan No SK01, Revision A, dated 15 April 2025, prepared by Revolution Town Planning. All car parking, driveway and loading areas shall be constructed in gravel or similar materials, drained, laid out and regularly maintained, and constructed in accordance with <i>Planning Scheme Policy – Carpark Construction</i>. The carpark may remain gravel, provided it is appropriately maintained and does not cause a dust nuisance. If complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) or the vehicle entrance and driveway become eroded with material becoming deposited outside of the site or potholes form that would increase noise associated with vehicle movements, the carpark shall be sealed to Council's standards.	approved plans; (b) appropriately delineated and dimensioned in accordance with the requirements of AS2890- Off Street Carparking; Facilities (reflective dot markers may be used to delineate carparking spaces); (c) except in the case of the overflow carparking area, constructed of compacted gravel treated with a dust suppressant (at the time of construction and applied on a regular basis in accordance with the manufacturer's instructions); (d) designed to manage stormwater so as stormwater does not pond within or adjacent the carparking areas and stormwater runoff does not cause actionable nuisance on adjoining properties; (e) maintained generally as constructed with maintenance carried out on the gravel pavement and grassed overflow carparking area on an as needs basis so as it remains safe and trafficable for a 2WD vehicle in most conditions; and (f) available to users of the Function Facility and Short-term Accommodation at all times.
45.	An Overflow Parking Area is to be made available in an overflow area during function events. The overflow car park area is to be identified with Bunting Safety Flags and signage is to be made available to direct vehicle drivers to a suitably located car park. Any bunting or temporary signage for the overflow parking area, can be erected the day before the event and removed, at the latest by, the day after the event. The overflow carpark area may remain grass, provided it is appropriately maintained and does not compromise the safety of patrons during wet events. If complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistake belief) or the overflow car parking area becomes eroded or potholes form that would increase noise associated with vehicle movements, the carpark shall be constructed in gravel to Council's standards.	Deleted. An Overflow Parking Area is to be made available in an overflow area during function events. The overflow car park area is to be identified with Bunting Safety Flags and signage is to be made available to direct vehicle drivers to a suitably located car park. Any bunting or temporary signage for the overflow parking area, can be erected the day before the event and removed, at the latest by, the day after the event. The overflow carpark area may remain grass, provided it is appropriately maintained and does not compromise the safety of patrons during wet events. If complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistake belief) or the overflow car parking area becomes eroded or potholes form that would increase noise associated with vehicle movements, the carpark shall be constructed in gravel to Council's standards.

43.	<u>Applicant's justification</u>
45.	<i>Both Condition 43 and Condition 45 as constructed suffer from ambiguity, a lack of finality and do not further the planning purpose they are likely intended to further. In this respect it is noted the Conditions:</i> <i>do not require a specific number of carparking spaces to be provided;</i> <i>include phrases such as (emphasis added) 'the vehicle entrance and driveway become eroded with material becoming deposited outside of the site or potholes form that would increase noise associated with vehicle movements, the carpark shall be sealed to Council's standards' and therefore lack the certainty and finality required for a lawful condition of development approval and the conditions are likely unenforceable and of no effect.</i> <i>Reference Council's Planning Scheme Policy – Carpark Construction, parts of which the carpark will not be able to satisfy.</i> <i>It is considered the conditions as changed are not ambiguous, are final and provide both Council and the Applicant certainty. Most importantly, the conditions as changed will further the planning purpose intended to be furthered by the conditions in so far as they ensure that the on-site carparking required to be provided by the development will maintain the safety and efficiency of the road network, is conveniently located and is safe for pedestrians and vehicles.</i>

The applicant has proposed to delete and replace the existing conditions.

The conditions have been imposed on the basis of the following provisions of the planning scheme, with additional justification provided in red for consideration:

Carparking and loading code

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.*

PO3 *The carpark is constructed to an acceptable standard in keeping with the character and standards in the locality.*

Access to the proposed Function facility and Short-term accommodation will be via an existing all-weather internal driveway. The carparks and the loading, set down and pickup areas will also be constructed in gravel. The carpark will be imbedded with markers and bollards to define each space. Conditions will be imposed to ensure the development complies with the Acceptable outcome. *The Planning Scheme Policy – Carpark Construction outlines the construction requirements for an off-street carpark, including drainage and pavement requirements. The number of carparking spaces has been demonstrated in the plans provided, which will form part of the approved suite of plans. Any decrease in the number of carparks as a result of any future amendments of the approved plans would likely require a new assessment.*

Whilst the applicant's commentary is noted in that the requirements of the Planning Scheme Policy – Carpark Construction vary (being either gravel or sealed construction standards for development in the Rural zone when required), the condition imposed refers to the carpark being required to be constructed in gravel or similar material. This is due to the previous assessment determining that the construction standards can be gravel rather than sealed. Therefore, the requirements of the Planning Scheme Policy – Carpark Construction for the construction of a gravel constructed carpark prevail over the sealed carpark requirements.

The applicant has also indicated an 'overflow carparking' area will be provided. To ensure the car parking does not dominate the rural scenic values of the location, the informal 'overflow carparking' may remain grassed, provided it is appropriately maintained and does not compromise the safety of patrons during wet events. The carpark may be required to be constructed in gravel to Council's

standards if the area becomes eroded or potholes form that would increase noise associated with vehicle movements.

By imposing Through the retention of conditions as originally imposed, the development can comply with the outcomes of the Code.

Condition 48

The applicant has requested the deletion of Condition 48, and the provided the following justification:

Table 9: Condition 48 analysis

CONDITIONS IMPOSED	APPLICANT'S PROPOSED CHANGES
Roadworks	
48. Prior to commencing the use, provide written advice from the Department of Transport and Main Roads (DTMR) that no change to the intersection of Coochie Road and New England Highway is required as a result of the development. The advice should have regard for the impact of development traffic, and the stock-grid adjoining the intersection. As required, complete any necessary works identified in consultation with DTMR.	Deleted. Prior to commencing the use, provide written advice from the Department of Transport and Main Roads (DTMR) that no change to the intersection of Coochie Road and New England Highway is required as a result of the development. The advice should have regard for the impact of development traffic, and the stock-grid adjoining the intersection. As required, complete any necessary works identified in consultation with DTMR.
<u>Applicant's justification</u>	
<i>While we acknowledge the development application was subject to Impact Assessment, the issue addressed in this condition is not an issue that is the responsibility of the Applicant or landowner to address. Moreover, the condition in its current form suffers from a lack of certainty and finality and as a consequence is likely unlawful and of no effect.</i> <i>Firstly, the Applicant is not aware of or privy to any discussions between Council and DTMR about the cattle grid. The Applicant is not aware the circumstances under which it was installed at the intersection of Coochie Road and the New England Highway or by whom it was installed. Secondly, there is no reasonable reason that the Applicant be required to be part of any dispute between Council and DTMR in regards who is responsible for maintenance or removal of the cattle grid.</i> <i>The Statement of Reasons mentions Council sent a letter 'on 5 January 2015 outlining that Council had inspected the grid and it was in reasonable order but outlined that Council will not accept responsibilities for its maintenance and upkeep. It was also outlined that a landowner would need to maintain the grid in good order'.</i> <i>The above statement is bizarre in so far as it is not clear to whom a letter was allegedly sent and it is not clear on what legal basis Council has determined that Council are not responsible for maintenance or upkeep of the grid and it is the responsibility of 'a landowner' to maintain the grid in good working order.</i> <i>Section 95 of the Land Title Act 1994 states 'The land in all roads dedicated and opened for public use under the following Acts vests in, or remains vested in, the State'. Section 60 of the Local Government Act 2009 states 'A local government has control of all roads in its local government area'. Further, Section 72 of the Local Government Act 2009 provides local government with the power to assess 'the impacts on roads from certain activities' and Section 75 of the Local Government Act 2009 provided local governments with the power to take action in relation to unauthorised works on roads.</i> <i>Put simply, Council is responsible for the management and regulation of works on roads</i>	

within its local government area unless that responsibility is divested for all or part of the road or works within the road through the execution of a statutory and legally binding document that states otherwise. As above, The Applicant is not aware the circumstances under which the grid was installed at the intersection of Coochie Road and the New England Highway or by whom it was installed and nor is it reasonable or relevant to the development application to impose a condition that suggests the owner of the land to which the development application relates is suddenly responsible for it now.

The condition offends the common law principles relating to conditions of development approval noted above and is consequently unlawful and of no effect (i.e. it requires the proponent to discuss an unrelated matter with a third party, and such discussions are within an unknown legal framework and have the potential to bind the landowner of the land subject of the development application to take unknown actions that are within an unknown legal framework. It is not clear m;omko;how [sic] consideration of such matters is either reasonable, relevant or whether the owner of the land subject of the development application has any right or responsibility to do so).

It is suggested that if Council were concerned about such, they could have requested third-party advice from DTMR during assessment of the development application under Section 34 of the Development Assessment Rules under the Planning Act 2016, Section 68 (or anytime in the last 10 years) and organised for any actions to be carried out. It is noted that if the works are unauthorised works, under Section 75 (7) of the (bold text added) 'Local Government Act 2009 'If the local government dismantles or alters the works, or fixes any damage caused by the works, the person (i.e. the person responsible for undertaking the unauthorised works) must pay the local government the reasonable costs incurred by the local government in doing so'.

If the works are unauthorised works and Council has knowingly left the unauthorised works in the road reserve for at least the last ten years, then Council has accepted the works or at best has negligently ignored the unauthorised works. If the works are authorised works, it is assumed Council is aware of whom constructed the works and under what authority the works were constructed, and it is within that legal framework that the matter must be resolved.

Condition 48 was imposed to ensure the safety of road uses at the intersection of Coochie Road and the New England Highway as a result of the development, as the development will increase the traffic on Coochie Road. At the intersection with the New England Highway, Coochie Road contains a cattle grid and a fence, all within the road reserve. The combination of the cattle grid and fence restricts the flow of traffic and does not allow to two-way traffic, as shown in Figure 11 as follows:



Figure 11: Photo of cattle grid entrance at New England Highway

Whilst Coochie Road is a Council controlled road, as Coochie Road intersects with the New England Highway, advice has been received that the Department of Transport and Main Roads (DTMR) are responsible for the first 30.0 metres of the intersection.

As part of the assessment of the change application (minor), the application material was referred to the State Assessment Referral Agency (SARA) and the DTMR for third party advice. Whilst SARA refrained from providing commentary on Condition 48 due to no referral being required, DTMR provided the following commentary and request to Council:

Given the increase in development related turning traffic at the Coochie Rd – New England Hwy intersection, especially with additional event patrons who are unfamiliar with this location, on road safety grounds, I wish to confirm with you that DTMR objects to the removal of condition 48.

DTMR has undertaken an assessment and advise that the following intersection safety treatments will be required:

- *Upgrade Coochie Rd – New England Hwy intersection to a BAL intersection standard, and*
- *Widen /remove the cattle grid to enable two way traffic to cross at the existing grid location, and*
- *Seal the intersection turnout from the existing sealed road edge to the existing cattle grid location, and*
- *Install advance side road intersection signs on both New England Hwy intersection approaches – green backing with supplementary side road street name and distance to intersection plates.*

It is also preferable, to improve intersection legibility, that the existing fencing within the boundaries of the road corridor is removed.

The above is to be completed at the applicant expense and completion of the above works would satisfy condition 48.

As a result of the advice received from DTMR in relation to Condition 48, it is recommended the applicant's request is refused and the condition be retained. To provide further clarity, the condition should be amended to include a note with reference to the requirements outlined by DTMR. The note will ensure that should DTMR alter their requirements, the condition does not have to be altered as the intention of a note is for explanatory purposes.

The condition is recommended to be amended as follows:

48. Prior to commencing the use, provide written advice from the Department of Transport and Main Roads (DTMR) that no change to the intersection of Coochie Road and New England Highway is required as a result of the development.

The advice should have regard for the impact of development traffic, and the stock-grid adjoining the intersection. As required, complete any necessary works identified in consultation with DTMR.

Note: The following intersection safety treatments may be required:

- Upgrade Coochie Road - New England Highway intersection to a Basic Left-turn (BAL) intersection standard; and
- Widen/remove the cattle grid to enable two-way traffic to cross at the existing grid location; and
- Seal the intersection turnout from the existing sealed road edge to the existing cattle grid location; and
- Install advance side road intersection signs on both New England Highway intersection approaches – green backing with supplementary side road street name and distance to intersection plates; and
- Remove the existing fence within the road reserve of Coochie Road.

Please note that all works should be identified and constructed in consultation with DTMR, and is to be at no cost to Council.

Condition 1

The applicant has requested to include the Operational Management Plan as an approved plan, as part of Condition 1. The Operational Management Plan provides a 'framework for the management of Function Facility and Short-Term Accommodation and Short-Term Accommodation operations'.

Condition 2 of the development permit states that if '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'. The conditions imposed provide a compliance framework to ensure the site operates in accordance with the requirements of the Planning Scheme for this type of development. Should any part of the Operational Management Plan conflict with a Condition of Approval, as stated in Condition 2 the Conditions of Approval prevail.

Therefore, Condition 1 is recommended to be amended to include the *Operational Management Plan Function Facility & Short – Term Accommodation, Coochie Road, Dalveen, Version 3, June 2025*, prepared by *Revolution Town Planning*, as an approved plan.

On review of the change representations, Condition 13 refers to section 7 of version 2 of the Operational Management Plan, rather than version 3. There are no changes to section 7 between version 2 and version 3 of the Operational Management Plan. It is therefore recommended that Condition 13 is to be amended as follows to reflect the change.

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
Part Site Plan South – prepared by Revolution Town Planning	SK01	19 April 2025
Part Site Plan North – prepared by Revolution Town Planning	SK02	19 April 2025
Part Site Plan – prepared by Southern Downs Building Design Pty Ltd	240262 DD Issue E Sheet 002	14 February 2025
Floor Plan – prepared by Southern Downs	240262 sk.	29 August 2024

<i>Building Design Pty Ltd</i>	<i>Sheet 101 [D]</i>	
<i>Detail Plan – Toilets – prepared by Southern Downs Building Design Pty Ltd</i>	<i>240262 sk. Sheet 102 [A]</i>	<i>29 August 2024</i>
<i>Detail Plan – Deck – prepared by Southern Downs Building Design Pty Ltd</i>	<i>240262 sk. Sheet 103 [A]</i>	<i>29 August 2024</i>
<i>Building Elevations – prepared by Southern Downs Building Design Pty Ltd</i>	<i>240262 sk. Sheet 401 [A]</i>	<i>29 August 2024</i>
<i>Illustrative Views – prepared by Southern Downs Building Design Pty Ltd</i>	<i>240262 sk. Sheet 901 [A]</i>	<i>29 August 2024</i>
<i>Proposed Development 108 Coochie Road, Dalveen Traffic Impact Statement – prepared by Pekol Traffic and Transport</i>	<i>24-664 Revision B</i>	<i>18 December 2024</i>
<i>Operational Management Plan Function Facility + Short-term accommodation, Coochie Road, Dalveen – prepared by Revolution Town Planning</i>	<i>Version 3</i>	<i>25 June 2025</i>

Land Use and Planning Controls

13. The proposed Caretaker's accommodation is to include a site office for the management of the development. The site office is to be accessible to guests of the development, and is to include, but is not limited to including, all documents and records listed in section 7 of the Operational Management Plan Function Facility + Short-Term Accommodation, Coochie Road, Dalveen, Version ~~2~~ 3, dated ~~25 June February~~ 2025, prepared by Revolution Town Planning.

Infrastructure Charges

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

Stage 1

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Residential – Caretaker's accommodation	Transport and Parks	18% of \$21,500/dwelling unit	1 dwelling	1 dwelling	Nil
Accommodation (short term) - Short term accommodation	Transport and Parks	18% of \$10,750/cabin or dwelling unit	1 dwelling unit	Nil	\$1,935.00
Places of assembly - Function facility	Stormwater	\$8/impervious m ²	-	-	Nil
	Other	30% of \$53.50/m ² GFA (\$16.05/m ²)	191m ²	Nil	\$3,065.55
TOTAL:					\$5,000.55

Office use only For Caretaker's accommodation and Short-term accommodation			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Public Parks and land for community facilities	6%	\$645.00	RC243
Transport	12%	\$1,290.00	RC241
Water supply	28%	NA	RC244
Sewerage	49%	NA	RC245
Stormwater	5%	NA	RC242

Office use only For Function facility only

Network	Proportion of Charge	Charge/ Network	Receipt Code
Public Parks and land for community facilities	0%	NA	RC243
Transport	30%	\$3,065.55	RC241
Water supply	35%	NA	RC244
Sewerage	35%	NA	RC245
Stormwater	\$8/m ²	NA	RC242

Stage 2

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Accommodation (short term) - Short term accommodation	Transport and Parks	18% of \$10,750/cabin or dwelling unit	3 cabins or dwelling units	1 cabin or dwelling unit	\$3,870.00
TOTAL:					\$3,870.00

Office use only			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Public Parks and land for community facilities	6%	\$1,290.00	RC243
Transport	12%	\$2,580.00	RC241
Water supply	28%	NA	RC244
Sewerage	49%	NA	RC245
Stormwater	5%	NA	RC242

Stage 3

Development Type	Network	Charge Rate	Proposed	Credit	Charge
Accommodation (short term) - Short term accommodation	Transport and Parks	18% of \$10,750/cabin or dwelling unit	5 cabins or dwelling units	3 cabins or dwelling units	\$3,870.00
TOTAL:					\$3,870.00

Office use only			
Network	Proportion of Charge	Charge/ Network	Receipt Code
Public Parks and land for community facilities	6%	\$1,290.00	RC243
Transport	12%	\$2,580.00	RC241
Water supply	28%	NA	RC244
Sewerage	49%	NA	RC245
Stormwater	5%	NA	RC242

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

Officer's Check List (Internal use only & not to be included in the Infrastructure Charges Notice)		
Officer	IC Calculations Checked	Date
Assessing Officer	✓	11 August 2025
Coordinator		
Manager		

Recommendation

THAT the change application in relation to the Development Permit dated 27 May 2025 for Material Change of Use for the purpose of Function facility (Existing shed, up to 60 guests), Caretaker's accommodation and Short-term accommodation (Five (5) units - One (1) existing dwelling house (up to eight (8) guests) and Four (4) cabins), over three (3) stages, on land at 108 Coochie Road, Dalveen, described as Lot 2 SP268864, be approved in part, and the conditions be amended as follows:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

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

Plan Name	Plan No.	Date
Part Site Plan South – prepared by Revolution Town Planning	SK01	19 April 2025
Part Site Plan North – prepared by Revolution Town Planning	SK02	19 April 2025
Part Site Plan – prepared by Southern Downs Building Design Pty Ltd	240262 DD Issue E Sheet 002	14 February 2025
Floor Plan – prepared by Southern Downs Building Design Pty Ltd	240262 sk. Sheet 101 [D]	29 August 2024
Detail Plan – Toilets – prepared by Southern Downs Building Design Pty Ltd	240262 sk. Sheet 102 [A]	29 August 2024
Detail Plan – Deck – prepared by Southern Downs Building Design Pty Ltd	240262 sk. Sheet 103 [A]	29 August 2024
Building Elevations – prepared by Southern Downs Building Design Pty Ltd	240262 sk. Sheet 401 [A]	29 August 2024
Illustrative Views – prepared by Southern Downs Building Design Pty Ltd	240262 sk. Sheet 901 [A]	29 August 2024
Proposed Development 108 Coochie Road, Dalveen Traffic Impact Statement – prepared by Pekol Traffic and Transport	24-664 Revision B	18 December 2024
Operational Management Plan Function Facility + Short-term accommodation, Coochie Road, Dalveen – prepared by Revolution Town Planning	Version 3	25 June 2025

Land Use and Planning Controls

13. The proposed Caretaker's accommodation is to include a site office for the management of the development. The site office is to be accessible to guests of the development, and is to include, but is not limited to including, all documents and records listed in section 7 of the *Operational Management Plan Function Facility + Short-Term Accommodation, Coochie Road, Dalveen, Version 2 3*, dated ~~25 June February~~ 2025, prepared by Revolution Town Planning.

Building and Site Design

16. The design, colours and materials of the Function facility building and the Short-term accommodation cabins are to be in accordance with the rural character of the area. **Details of the design, colours and materials of the buildings are to be submitted to and approved by Council's Planning Department prior to the issue of any Development**

Permit for Building Work. The buildings are to be constructed in the approved design, colours and materials.

Note: Examples of suitable colours for the proposed buildings may include the following Hex Colour Codes: #274625, #828b7d, #e4e1d0, #bcc5b8, #ada79d, #000000, #3d3d3d, #f0efef, #cbcac8, #bca98c, #93703f, #d3b484, #dbdbdc, #8c8778, #69442e, #9d8461, #f8ead6, #cfdba6, #ceb68b, #acbb90, #d6dcc5, #aa7c57, #fdf0d0, #eee1c7.

17. Deleted. ~~A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council (see advisory note below).~~
18. Deleted. ~~A copy of the Form 21 (Final Inspection Certificate) and the Form 11 (Certificate of Occupancy) issued for the building works are to be provided to Council prior to the use commencing (see advisory note below).~~

Amenity and Environmental Controls

24. 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. *The management of waste and waste receptacles must be in accordance with Sections 4.0, 4.1, 4.2, 4.3 and 5.0 of the Waste Management Plan, prepared by Revolution Town Planning, submitted as part of Operational Management Plan Function Facility & Short – Term Accommodation, Coochie Road, Dalveen, Version 3, dated 25 June 2025, prepared by Revolution Town Planning.*
25. Deleted. ~~All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.~~
27. Any rubbish and litter resulting from events must be collected daily and disposed of immediately following the event at an approved Waste Management Facility. The site is to be left in a clean and tidy condition.
Note: The maximum number of events held per week is limited to one (1), as outlined by Condition 7.
32. Lighting is to be provided within the development including adjacent to the internal driveways. Any lighting is to be located such that there is no interference with any residences, *in accordance with the Australian Standards for external lighting.* **Details of the proposed lighting are to be submitted to and approved by Council's Planning Department prior to the issuing of any Development Permit for Building Works.** Lighting is to be provided in accordance with the approved plan.

All vehicle operation areas must be illuminated in accordance with the requirements of Australian Standard AS1158 "Lighting for roads and public spaces".

Fencing, Landscaping and Buffers

34. A fence 1.8 metres high shall be erected along the all boundaries of the adjoining Lot 1 SP268864, ~~except except~~ within the access easement. This fencing is to be provided at the developer's cost.

Roadworks

48. Prior to commencing the use, provide written advice from the Department of Transport and Main Roads (DTMR) that no change to the intersection of Coochie Road and New England Highway is required as a result of the development.

The advice should have regard for the impact of development traffic, and the stock-grid adjoining the intersection. As required, complete any necessary works identified in consultation with DTMR.

Note: The following intersection safety treatments may be required:

- Upgrade the Coochie Road – New England Highway intersection to a Basic Left-turn (BAL) intersection standard; and
- Widen/remove the cattle grid within Coochie Road to enable two-way traffic to cross at the existing grid location; and
- Seal the intersection turnout from the existing sealed road edge to the existing cattle grid location; and
- Install advance side road intersection signs on both New England Highway intersection approaches – green backing with supplementary side road street name and distance to intersection plates; and
- Remove the existing fence within the road reserve of Coochie Road.

Please note that all works should be identified and constructed in consultation with DTMR, and is to be at no cost to Council.

Advisory Notes

- (x) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2018* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Final Inspection Certificate of Compliance** must be issued for the works prior to the use commencing.

ATTACHMENTS

Nil

15.5 Operational Works: Warwick Finance Professionals Pty Ltd - 6/109 Palmerin Street, Warwick (Advertising Device) - OPW\000287

Document Information

	Report To: Ordinary Council Meeting	
	Reporting Officer:	Meeting Date: 15 October 2025
	Manager Planning and Development	ECM Function No/s: OPW\000287

APPLICANT:	Warwick Finance Professionals Pty Ltd
OWNER:	Warwick Finance Professionals Pty Ltd
ADDRESS:	6/109 Palmerin Street, Warwick
RPD:	Lot 6 SP141542
ZONE:	Principal centre zone
PROPOSAL:	Operational Works - Advertising device (not ancillary to and associated with a lawful use on the same land)
LEVEL OF ASSESSMENT:	Impact
SUBMITTERS:	Two (2) submissions – one submission was properly made and one submission was received two days after the end of the Public Notification period.
REFERRALS:	Not Applicable
COUNCILLOR INFORMATION SESSION DATE:	8 October 2025
FILE NUMBER:	OPW\000287

RECOMMENDATION SUMMARY

THAT the application for Operational Works - Advertising device (not ancillary to and associated with a lawful use on the same land), on land at 6/109 Palmerin Street, Warwick, described as Lot 6 SP141542, be refused for the following reasons:

- The proposed development conflicts with the strategic outcomes and land use strategies within the Strategic framework as the development is not considered to respect the existing character of the area.
- The proposal conflicts with the outcomes of the Advertising devices code as the device will not be static and will not be limited to advertising tourism uses in the immediate area.
- The proposal conflicts with the Performance outcomes of the Principal centre zone as the development is not considered to be sympathetic to or respectful of the heritage character of the locality.
- The development has the potential to affect the safe movement of vehicles through the Palmerin Street/Grafton Street intersection.
- The development conflicts with the outcomes identified in the draft Southern Downs Planning Scheme.

REPORT

Council has received a Development Application for Operational Works for the establishment of an illuminated advertising device, not ancillary to or associated with existing lawful land uses on the subject site. The subject site is comprised of one strata parcel of land, with a total area of 162 square metres. The site is located in the Principal centre zone and is currently developed within an existing commercial building.

The site is located within the heart of the Warwick CBD and has frontages to Grafton and Palmerin Streets along the southern and eastern frontages respectively.

The site is connected to all urban reticulated infrastructure networks.

Surrounding the site, lots are used for a range of commercial activities. In addition, lots to the north, east (across Palmerin Street), south and south-east (across Grafton Street) are identified as being of State or Local Heritage value, including the monument in the centre of the Grafton Street/Palmerin Street intersection. The site and immediate surrounding uses are shown in Figure 1.



Figure 1 – Locality Plan

- ☒ ☒  Heritage Overlays
- ☒  Heritage State Register
- ☒  Heritage



Figure 2: Local and state heritage listed properties in proximity

to the proposed development

Proposal

The proposed development is to install a large, all weather LED panel externally flat mounted against the building established on the site. The applicant states that the purpose of the display is to advertise local events, council updates/warnings, local business promotion and other relevant material that may be deemed of benefit to the Warwick township.

The proposed signage will have dimensions of 2.5 metres wide and 5.0 metres high, extending above the existing built form. The applicant states that the brightness of the signage varies between suppliers, with no final supplier selected at this stage. The applicant has confirmed that all screen options come with automatic brightness adjustment so the screen may dull during darker periods. Indicative imagery of the signage is included as Figure 3.



Figure 3 – Proposal Imagery

The proposal is for the signage to provide rotational advertising, with rotation estimated to be 10 second ad intervals with up to 40 promotions on rotation at a time. The proposal states that the signage would operate 7 days per week, from 6am to 8pm.

Referral

The application did not require referral to the Department of State Development, Infrastructure and Planning (DSDIP) as the proposal is for Operational Works and the proposed development is not

occurring on a State heritage place. This was confirmed in writing by the State Assessment and Referral Agency.

Public Notification

Public notification for this development was undertaken for 15 business days from 10 July to 1 August 2025. The following actions were undertaken:

- A notice was published in the Warwick Today newspaper on 10 July 2025.
- Notices were placed on the land from 10 July 2025 until 1 August 2025.
- A notice was given to the owners of all land adjoining the land on 3 July 2025.

Compliance with the notification process has been achieved. Two (2) submissions were received. One (1) submission was properly made and received during the public notification period. However, one (1) submission was received outside of the public notification period and is therefore not properly made.

Notwithstanding, matters raised in both submissions are considered in the following table.

Submissions

Matters raised in submissions	Response
Inappropriate Within a Heritage Precinct • <i>A modern, high-visibility LED advertising screen is fundamentally inconsistent with the established heritage character of this precinct.</i> • <i>Detracts from the aesthetic cohesion of a streetscape that draws residents and tourists alike due to its historical significance.</i> • <i>While not physically imposing on these building the presence of an electronic billboard will certainly detract from the character and aesthetics of the intersection and the surrounding streetscape. By its very nature it will stand out in such a setting.</i>	The site is located in an area of the Warwick CBD containing a significant number of State and Local heritage places. The submitters concerns are considered to be valid in that the proposed advertising device is not consistent with the heritage character of the locality.
Non-compliance with the Advertising Devices Code • <i>The moving digital content, light intensity, and modern materials conflict with the subdued and static signage traditionally found in Warwick's CBD.</i> • <i>The presence of an electronic billboard will certainly detract from the character and aesthetics of the intersection and visual amenity of the surrounding streetscape.</i>	A full assessment of the development against the Advertising devices code is provided later in this report. The submitter's concerns are considered valid and the assessment demonstrates significant non-compliance with the Performance and Acceptable outcomes of the Advertising devices code in the current Planning Scheme and draft Southern Downs Planning Scheme.

Matters raised in submissions	Response
Community Amenity and Visual Impact <i>Tourists and locals alike value the town's charm, which is significantly shaped by its preserved historic centre. Installing a large, bright, dynamic LED screen in one of the most prominent intersections would:</i> <i>Undermine the visitor experience by introducing commercial visual noise to a quiet, heritage-oriented environment.</i> <i>Set a problematic precedent for future advertising applications, risking further visual degradation of the CBD</i> <i>I do not believe that such a device would be of any real benefit to the broader community, merely an intrusion on their space in an area that the device does not improve aesthetically</i>	The submitter's concerns are considered to be valid. While the proposed development is generally in keeping with the character of the building on the subject site, in the context of the Warwick CBD, the proposal is not considered to be in keeping with the character of the area. If approved, the development would establish a precedent for other development that similarly does not comply with the outcomes of the Planning Scheme.
Insufficient Justification of Public Benefit <i>While the proposal mentions community updates and event promotion, it is clear the primary purpose is for private advertising revenue generation. The claimed benefits do not outweigh the negative visual and cultural impacts.</i> <i>The applicant states that because the device is designed to "benefit every person who comes into contact with it" as a justification for having it installed. The presence of such an intrusive device in a public space recognised for its aesthetic character, forcibly thrust upon every passerby whether they wish to see it or not should be sufficient to have the application fail this test</i>	The applicant has stated that the primary purpose of the advertising device is for the promotion of businesses operating in the Southern Downs region. While advertising space will be provided to community events and Council announcements/warnings, the primary purpose is not directly related to community purposes. It is not considered that a lawful condition could be applied to limit advertising content to tourism related services as this could require onerous supervision by Council to ensure compliance. The submitter's concerns are considered valid are reflected in the grounds of refusal.
Outdoor Lighting Code Considerations <i>"...the Outdoor Lighting Code seeks to prevent obtrusive light emissions in public spaces and adjacent areas. Even with limited operating hours, the introduction of high-luminance lighting in a pedestrian and vehicle-heavy intersection may present safety concerns or visual distraction, particularly for motorists."</i>	The applicant has not confirmed the proposed brightness of the advertising device, as product selection has not yet taken place. Therefore, potential illumination levels are unknown and the submitter's concerns are considered valid. In accordance with the Department of Transport and Main Roads Roadside Advertising Manual, the area is considered to comply with Lighting Environment Zone 2 and therefore, if approved, conditions should be applied limiting illumination levels to be 350 candelas per square metre of sign area.

Assessment against the Planning Scheme

Benchmarks applying to the development

The following codes of the Southern Downs Planning Scheme (Version 5) are benchmarks applying to the development:

- Part 3 – Strategic Framework
- 6.2.9 Principal centre zone code
- 8.2.6 Heritage overlay code
- 9.4.1 Advertising devices code

It is noted that Council has commenced Public Notification of the draft Southern Downs Planning Scheme. In accordance with the coty principle, Council can give weight to a draft planning instrument when deciding whether to approve or refuse a development application. As a result, an assessment against the relevant provisions of the draft scheme, where they vary from the existing adopted scheme, is undertaken below.

- 9.4.1 Advertising devices code

Strategic Framework

Theme	Response
Settlement Pattern	The strategic outcomes specifically state: <i>“3.3.1 (9) ... The diversity of the towns and villages is retained by building on the strengths provided by the individual history, locality, built form and function of the settlement and by ensuring that new development respects the existing character of the area.”</i> While the proposed development is considered to be in keeping with the character of the building on the site, in the context of the Warwick CBD, the proposal is not considered to be in keeping with the character of the area. The specific outcomes for commercial development recognise the role of the Warwick CBD as a key hub in the Southern Downs. The applicant states that the primary purpose of the advertising device is for the advertisement of local businesses, which supports this role. However, the outcomes also state: <i>“3.3.4.1 (4) The strong sense of place in the central business districts is supported by the continuing use and adaptive reuse of heritage buildings and the sympathetic respect for heritage character reflected in new development, street works and public places.”</i> As shown in Figure 2, the site is located centrally within a number of State and Local Heritage Places, including the heritage monument within the Palmerin Street/Grafton Street intersection. The proposed illuminated advertising device is not considered to be sympathetic to the heritage character reflected in the locality.
Natural Environment	The subject site is not mapped as containing any areas of environmental significance or in proximity to waterways or wetlands.

Theme	Response
Community Identity and Diversity	The proposed development is for an illuminated advertising device in the centre of the Warwick CBD. The Strategic framework acknowledges that heritage buildings “<i>rub shoulders with modern shopping centres, office buildings...</i>” When considered in isolation, the proposed advertising device fits within the existing built form on the premises. However, in the broader context of the CBD and surrounding buildings, the proposal is not considered to maintain the community value for the heritage nature of Warwick. The proposal is not considered to be a sensitive response to the culturally significant places within the Warwick CBD. While the applicant states that the signage may be used to advertise community events, organisations or Council warnings, the primary purpose has been identified for commercial business advertising. Any potential community benefit is considered to be outweighed by the potential negative impacts.
Natural Resources and Landscape	The site is located in the Principal centre zone and will not impact the viability of primary production or resource development in the region.
Access and Mobility	The proposed development is for an illuminated rotational advertising device at a key intersection within the Warwick CBD. The applicant states that the “<i>advertising device itself is situated safely away from any form of traffic so will not create a walking or driving physical hindrance.</i>” The proposal has the potential to act as a distraction for drivers moving through the intersection. The siting of the device is clear of traffic lights and street signage and does not impede visibility to this key infrastructure. Land use strategy (2) for tourist routes specifically states that “<i>Approval of advertising devices is limited to those providing information about tourist uses in the immediate area</i>”. The applicant has stated that advertising will not be limited to community events or tourist uses in the immediate area.
Infrastructure and Services	The proposed development is for an illuminated advertising device on an existing building and will not impact infrastructure services or networks.
Economic Development	The applicant states that “<i>Warwick is a strong regional centre focusing heavily on industrial and agricultural revenue. The small businesses in the main street of the town however benefit greatly from tourism and passing traffic. Presently Warwick has no major visual external advertising options other than static street signage posted around the township.</i>” The intention of the proposal is to support economic development in the region by advertising businesses and community events. This is considered to achieve partial compliance with the Tourism and Events Strategic Outcome 3.9.5.1 (3), by supporting community events through use of public infrastructure and facilities. However, it is noted the primary purpose of the signage is for commercial advertising.

Principal centre zone code

As the application is subject to impact assessment, the application is to be assessed against the entire Planning Scheme. While not an identified assessment benchmark in Part 5, the outcomes for development within the Principal centre zone are considered to be relevant matters in the assessment of this application.

PO2 All uses are located designed and operated to reinforce the role of the zone as a socially, culturally and economically vibrant place in which higher order services and facilities to meet the

needs of the region are available and in which there is a high level of daytime and night time activity.

The applicant states that the purpose of the device is to advertise businesses within the Southern Downs to support the economic vibrancy of the region.

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

The proposed signage is not considered to be sympathetic to and respectful of nearby State and Local heritage places.

The Southern Downs Cultural Heritage Study identifies the site within a Commercial Character precinct. The protection of streetscape character reflects the principle that *“individual places themselves do not hold character but work in concert with other places or elements to create a character. Therefore character protection is directed towards aggregations of places, many or all of which possess no individual significance.”*

Further, following is the statement of significance for the Palmerin Street Precinct:

“Palmerin Street is a good example of a country town main street. It contains a diverse range of municipal, commercial and recreational functions set in a visually cohesive streetscape where many of the buildings are related in style, scale, age and form. Included in the precinct is some outstanding architecture. Not only does Palmerin Street contain valuable aesthetic qualities but it is also the psychological and physical focus of the area.”

While the site itself has no local heritage significance, it forms part of an aggregation of significant places that establish the character significance. The identified conservation approaches within the Cultural Heritage Study for this precinct note the importance of sympathetic infill development. This approach is consistent with Heritage Design Guidelines adopted by State and Local Governments, including the Glenelg Shire Heritage Design Guidelines provided by the submitters, where the proposed development would specifically not be supported.

The illuminated advertising device is not in keeping with the heritage nature of the Warwick CBD and does not comply with the Performance outcome.

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

As the sole purpose of advertising is to draw the attention of passers-by, by its very nature the proposal will distract vehicular and pedestrian flow in and around the key intersection within the Warwick CBD. The applicant has not determined that the level of distraction will not cause a safety risk or negatively affect the flow of vehicles and pedestrians in the locality.

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

The site is located on a prominent corner site within the Warwick CBD. When considered in isolation, the proposed advertising device fits within the existing architectural expression of the premises. However, in the broader context of the CBD and surrounding buildings, the proposal is not considered to reflect the importance of the location in proximity to key heritage places.

Heritage overlay code

The purpose of the Heritage overlay code is...

(1)(b) *to ensure that assessable development on land adjacent to land within the Heritage overlay is respectful to and sympathetic to the adjoining Local heritage place.*

The purpose of the code is achieved through the following overall outcomes:

(2)(b) *the streetscape character provided by Local heritage places is retained*

The Heritage overlay code does not specify assessment benchmarks for Operational Work, other than excavation or other earthworks to demonstrate compliance with the purpose. Burra Charter is the Australian Charter for Places of Cultural Significance, under the International Charter for the Conservation and Restoration of Monuments and Sites (ICOMOS). Article 8 of the Burra Charter relates to setting, being the immediate and extended environment of a heritage place that contributes to its significance. Article 8 states that *“Conservation requires the retention of an appropriate setting. This includes retention of the visual and sensory setting... New construction, demolition, intrusions or other changes which would adversely affect the setting or relationships are not appropriate”*

The proposal is designed as a sensory distraction in the setting. The proposal will therefore adversely affect the surrounding setting of cultural heritage places and therefore is not considered to be sympathetic to those places. The application of the use of “setting” to this site is supported by the Commercial Character Precinct identified in Appendix 8 of the Southern Downs Cultural Heritage Study.

The proposed development does not protect the setting and therefore conflicts with the Purpose and Overall outcomes of the Heritage overlay code.

Advertising devices code

AO1 *In partial fulfilment of the PO -*

- (a) *There is not more than 1 advertising device located on any lot.*
- (b) *There is no advertising device located closer than 1 km from another advertising device on the same side of the road. This provision does not include an advertising device that is ancillary to and associated with a lawful use of the premises on the same land as the advertising device.*
- (c) *Advertising devices are not located more than:*
 - (i) *10 km from the urban edge of Warwick and Stanthorpe; or*
 - (ii) *5 km from the urban edge of Killarney and Allora; or*
 - (iii) *3 km from land in a Township zone.*

PO1 *Advertising devices do not adversely impact on the visual amenity of the locality, dominate their landscape setting or detract from the scenic quality of the area including views and vistas.*

PO2 *Advertising devices do not impact in a negative manner on views, vistas or the skyline and are framed by vegetation or a topographical feature such as a ridge or hill.*

The proposal is located within the urban centre of Warwick and therefore does not comply with Acceptable outcome 1(b).

It is acknowledged that, when considered in isolation, the proposed advertising device fits within the amenity of the established built form on the site. In addition, the signage will be framed by existing street trees along Palmerin and Grafton Streets. If approved, conditions should be applied restricting the size of the advertising device to ensure it does not extend beyond the established built form.

However, the proposal is not considered to be in keeping with the scenic quality of the area. Further, the sole purpose of advertising is to draw the attention of passers-by, and therefore by its very nature the proposal will dominate the views and vistas within close proximity to the site, in particular views of vehicles and pedestrians travelling north along Palmerin Street and west along Grafton Street.

AO3.2 *The advertising device is not located in the Community facilities zone, District centre zone, Environmental management and conservation zone, Industry zone, Limited development (constrained land) zone, Low density residential zone, Medium density residential zone, Mixed use zone, Principal centre zone, Rural residential zone, Specialised centre zone or Township zone.*

PO3 *Advertising devices do not impact on urban areas or areas of residential housing.*

The site is located in the Principal centre zone and therefore does not comply with the Acceptable outcome.

Based on the locality, the development will not impact residential housing. The development has the potential to impact on the urban areas of the Warwick CBD through light emissions, pedestrian and vehicle distraction, and conflicts with the surrounding heritage nature of the centre.

PO4 Any advertising device is of a size that is appropriate for the speed environment of the road that it faces and the visual amenity of the area.

The location of the device is on a signal-controlled intersection within the Warwick CBD, divided by a heritage listed monument. The area is a low-speed environment with vehicle movements controlled by the traffic light signals.

PO5 Illumination and lighting of advertising devices is appropriate to the location of the sign and does not create an environmental nuisance or detract visually from the amenity of the surrounding area.

The applicant has not confirmed the proposed brightness of the advertising device, as product selection has not yet taken place. Therefore, potential illumination levels are unknown and the development has the potential to create an environmental nuisance and detract visually from the heritage nature of the CBD.

In accordance with the Department of Transport and Main Roads Roadside Advertising Manual, the area is considered to comply with Lighting Environment Zone 2 and therefore, if approved, conditions should be applied limiting illumination levels to be 350 candelas per square metre of sign area.

PO6 Advertising devices do not obstruct or distract vehicular traffic.

The applicant states that ads will rotate every 10 seconds. This is in accordance with the requirements for non-static electronic advertising devices in a low speed environment, as outlined in the Department of Transport and Main Roads Roadside Advertising Manual. If approved, conditions should be applied limiting advertising dwell times and screen display change times.

However, as the sole purpose of advertising is to draw the attention of passers-by, by its very nature the proposal will distract vehicular traffic. It is not determined whether the level of distraction causes a safety risk to the movement of vehicles through the intersection.

AO9 All information presented on an advertising device relates to tourist related activities and tourist related services located within the Region.

PO9 In order to partially offset the impacts of advertising devices on the visual amenity of the Region, advertising devices contribute to the economic wellbeing of the Region through promotion of the local tourist industry and local tourist services.

The applicant has stated that the primary purpose of the advertising device is for the promotion of businesses operating in the Southern Downs region. While advertising space will be provided to community events and Council announcements/warnings, the primary purpose is not directly related to tourist related services. No ratio of advertisements commercial vs tourist vs community announcements has been provided.

It is not considered that a lawful condition could be applied to limit advertising content to tourism related services as this could require onerous supervision by Council to ensure compliance.

Southern Downs Draft Planning Scheme

Advertising devices code

The development continues to conflict with the outcomes in the Advertising devices code within the draft Southern Downs Planning Scheme. No significant policy changes are proposed within the Advertising devices code within the draft Planning Scheme. Therefore, no additional relevant matters are established in favour of the development as a result of the notification of the draft Planning Scheme.

Infrastructure Charges

Infrastructure charges are not applicable to this development.

Recommendation

THAT the application for Operational Works - Advertising device (not ancillary to and associated with a lawful use on the same land), on land at 6/109 Palmerin Street, Warwick, described as Lot 6 SP141542, be refused for the following reasons:

- a) The proposed development conflicts with the strategic outcomes and land use strategies within the Strategic framework as the development is not considered to respect the existing character of the area.
- b) The proposal conflicts with the outcomes of the Advertising devices code as the device will not be static and will not be limited to advertising tourism uses in the immediate area.
- c) The proposal conflicts with the Performance outcomes of the Principal centre zone as the development is not considered to be sympathetic to or respectful of the heritage character of the locality.
- d) The development has the potential to affect the safe movement of vehicles through the Palmerin Street/Grafton Street intersection.
- e) The development conflicts with the outcomes identified in the draft Southern Downs Planning Scheme.

ATTACHMENTS

Nil

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

Nil

17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 254J(3) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public and move 'into Committee' to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

Recommendation

THAT the meeting be closed to the public and move into committee to discuss the following items, which are considered confidential in accordance with Section 254J(3) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

17.1 Sale of Land for Overdue Rates and Charges

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(e) of the *Local Government Regulation 2012*, as it contains information relating to legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

17.2 PID: 143610 - Rate Exemption/Concession

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(d) of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

17.3 Draft Planning Scheme Submission Consideration

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

17.4 Planning & Environment Appeal No. 527 of 2025 - REL Events Pty Ltd - 396 Keoghs Road & Hopgoods Road, Elbow Valley

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(e) of the *Local Government Regulation 2012*, as it contains information relating to legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.

18. GENERAL BUSINESS