



**MINUTES OF THE
ORDINARY COUNCIL MEETING
24 FEBRUARY 2021**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 24 FEBRUARY 2021 IN THE
COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Rev Darren Muller offered a prayer for the meeting and acknowledged condolences

2. ATTENDANCE

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

Officers: Dave Burges (Chief Executive Officer), Scott Norman (Director Finance, Assets and Special Projects) and Shannon Aspinall (Senior Finance Coordinator) for Finance Assets and Special Projects reports, Andrew Page (Director Corporate and Community Services), Michael Bell (Manager of Community and Cultural Services) and Peter Gribbin (Manager Corporate and Commercial Services) for Corporate and Community Services reports, Seren McKenzie (Director Infrastructure Services) and Mike Holeszko (Manager Works) for Infrastructure Services Reports, Jane Stroud (Director Sustainable Development), Angela O'Mara (Manager of Strategic Planning and Prosperity) and Craig Magnussen (Manager of Environmental and Regulatory Services) for Sustainable Development reports, and Allison Bilbrough (Minute Secretary)

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 10 February 2021

Resolution

Moved Cr A Gale

Seconded Cr R Bartley

THAT the minutes of the Ordinary Council Meeting held on Wednesday 10 February 2021 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Council Meeting

Resolution

Moved Cr S Tancred

Seconded Cr C McDonald

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precise	Nature of Conflict
10.1	Request for Raw Water Use at Polocrosse Club Warwick	Cr Giori declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) of the <i>Local Government Act 2009</i>) as he was contracted as entertainment at the Warwick Polocrosse Club World Cup, and also contracted for entertainment purposes by them on two other occasions. Cr Giori is not involved regularly with the Club, has never been on the committee, has never been involved with the sport itself as either a player or official. Although Cr Giori has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias because of his interest. Therefore, Cr Giori will choose to remain in the meeting. However, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council which determined that it is in the public interest that Cr Giori participates and votes on Agenda Item 10.1 due to his prior association with Warwick Polocrosse Club not impacting on his ability to be impartial, and therefore a reasonable person would trust that the final decision is made in the public interest, Cr Giori participated in the discussion and voting on this matter.
12.2	Warwick SES Mural	Cr Windle declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) of the <i>Local Government Act 2009</i>) as she provided a letter of support as a Councillor for the SES to include in their application for funding to the Regional Arts Development Fund for the mural installation. Although Cr Windle has a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias because of her providing a letter of support to the SES. Therefore, Cr Windle will choose to remain in the meeting, however she will respect the decision of the meeting on

		<p>whether she can remain and participate in the decision. Following a resolution from Council, which determined that it is in the public interest that Cr Windle participates and votes on Agenda Item 12.2 due to the writing of a letter of support for the Warwick SES not impacting on her ability to be impartial, and therefore a reasonable person would trust that the final decision is made in the public interest, Cr Windle participated in the discussion and voting on this matter.</p>
12.6	Warwick Saleyards	<p>Cr Gliori declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) of the <i>Local Government Act 2009</i>) as he was contracted as his nephew is a Stock and Station Agent who operates regularly at the Warwick Saleyards. They socialize at occasional family gatherings and Cr Gliori attended his wedding. There are no financial ties, they have never lived together and Cr Gliori has no dealings with his nephew's business and is not involved with the livestock business in any way. Although Cr Gliori has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias because of his nephew. Therefore, Cr Gliori will choose to remain in the meeting, however, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council which determined that it is in the public interest that Cr Gliori participates and votes on Agenda Item 12.6 due to his relationship with his nephew not impacting on his ability to be impartial and therefore a reasonable person would trust that the final decision is made in the public interest, Cr Gliori participated in the discussion and voting on this matter.</p>
12.6	Warwick Saleyards	<p>Cr McDonald declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) of the <i>Local Government Act 2009</i>) as she is a beef producer in the region and uses the Saleyards to buy and sell cattle, and is a member of the Saleyards Advisory Committee. Cr McDonald has three complaints lodged against her regarding a conflict of interest even though she has legal advice to the contrary. Although Cr McDonald has a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias because of her occupation and being a member of the Saleyards Advisory Committee. Therefore, Cr McDonald will choose to remain in the meeting, however, she will respect the decision of the meeting on whether she can remain and participate in the decision. Following a resolution from Council which determined that it is in the public interest</p>

		that Cr McDonald participates and votes on Agenda Item 12.6 due to her specialised knowledge, and therefore a reasonable person would trust that the final decision is made in the public interest, Cr McDonald participated in the discussion and voting on this matter.
14.3	Potential Relocation of The Big Apple	Mayor Pennisi declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) of the <i>Local Government Act 2009</i>) due to one of the applicants was a volunteer for his election campaign in 2020. However anyone who donated their time as volunteers during the Mayor's campaign provided signed declarations to the effect that they were volunteers and not subject to a return under the Local Government Act 2009. Although the Mayor has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias. Therefore, Cr Pennisi will choose to remain in the meeting, however, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council which determined that it is in the public interest that Cr Pennisi participates and votes on Agenda Item 14.3 due to the fact that one of the applicants being a volunteer during the 2020 quadrennial local government election does not constitute a perceived or declarable conflict of interest, and therefore a reasonable person would trust that the final decision is made in the public interest, Mayor Pennisi participated in the discussion and voting on this matter.
18.1	Request for Reinstatement of Invasive Pests Control Scheme Special Rate Concession	Cr Gliori declared a declarable conflict of interest in this matter (as defined in Section 150EF(3) of the <i>Local Government Act 2009</i>) as he is a personal friend with a staff member who is a Council Local Laws Officer, plus a fencing contractor used by Council for the exclusion fencing program. Our families are friends and we attend weddings, celebrations, and mix socially and occasionally. The relationship with Lloyd Hilton and Steven Hilton is a close personal family friend. Their interest in this matter is they are both parties are employed and/or contracted by Council in matters directly related to the Invasive Pest Control Scheme. As a result of Cr Gliori's conflict, he will leave the meeting room while the matter is considered and voted on.

6.1 Conflict of Interest - Cr Gliori for Agenda Item 10.1

Resolution

Moved Cr A Gale

Seconded Cr R Bartley

THAT following the declared conflict of interest by Cr Gliori, Council determines that it is in the public interest that Cr Gliori participates and votes on Agenda Item 10.1 due to his prior association with Warwick Polocrosse Club not impacting on his ability to be impartial, and therefore a reasonable person would trust that the final decision is made in the public interest

Carried

6.2 Conflict of Interest - Cr Gliori for Agenda Item 12.6

Resolution

Moved Cr A Gale

Seconded Cr S Tancred

THAT following the declared conflict of interest by Cr Gliori, Council determines that it is in the public interest that Cr Gliori participates and votes on Agenda Item 12.6 due to his relationship with his nephew not impacting on his ability to be impartial, and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried

Cr McDonald abstained from voting on Item 6.2.

6.3 Conflict of Interest - Cr Windle for Agenda Item 12.2

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT following the declared conflict of interest by Cr Windle, Council determines that it is in the public interest that Cr Windle participates and votes on Agenda Item 12.2 due to the writing of a letter of support for the Warwick SES not impacting on her ability to be impartial, and therefore a reasonable person would trust that the final decision is made in the public interest

Carried

6.4 Conflict of Interest - Cr McDonald for Agenda Item 12.6

Resolution

Moved Cr S Tancred

Seconded Cr A Gale

THAT following the declared conflict of interest by Cr McDonald, Council determines that it is in the public interest that Cr McDonald participates and votes on Agenda Item 12.6 due to Cr McDonald's specialised knowledge, and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried

Cr Gliori abstained from voting on Agenda Item 6.4.

The Deputy Mayor took the Chair for Declaration of Conflict of Interest by Mayor Pennisi.

6.5 Conflict of Interest - Mayor Pennisi for Agenda Item 14.3

Resolution

Moved Cr M Giori

Seconded Cr C McDonald

THAT following the declared conflict of interest by Mayor Pennisi, Council determines that it is in the public interest that Mayor Pennisi participates and votes on Agenda Item 14.3 due to the fact that one of the applicants being a volunteer during the 2020 quadrennial local government election does not constitute a perceived or declarable conflict of interest, and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

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

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

9.1 Petition - Special Entertainment Precincts

Resolution

Moved Cr S Windle

Seconded Cr C Gow

THAT Council receive the additional Petition pages and note they have been included in the upcoming report to Council.

Carried

Cr Gliori declared a declarable conflict of interest in Agenda Item 10.1 as defined in Section 150ES(3) of the Local Government Act 2009 and following a resolution from Council remained in the meeting while the matter was discussed and voted on.

10. EXECUTIVE SERVICES REPORTS

10.1 Request for Raw Water Use at Warwick Polocrosse Club, Morgan Park

Resolution

Moved Cr C Gow

Seconded Cr M Gliori

THAT Council:-

1. Approve the request for watering of the Warwick Polocrosse Club grounds at Morgan Park to a maximum volume of five (5) ML in preparation for a major event that will provide significant economic stimulus to the local economy; and
2. In accordance with Council's 2020/2021 Revenue Statement, charge the Warwick Polocrosse Club for the raw water and allow a discount of 50% due to the economic stimulus that will be provided to the local economy.

Carried

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

For: Crs M Gliori, C Gow, C McDonald, J McNally, V Pennisi and S Windle (6)

Against: Crs R Bartley, A Gale and S Tancred (3)

Accordingly the Mayor declared the motion carried.

10.1.1 Supply of Effluent Water to Morgan Park

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council prioritises a project to reticulate recycled water to Morgan Park

Carried

Cr Gliori voted for the motion.

11. FINANCE, ASSETS AND SPECIAL PROJECTS

11.1 Grants Status Report

Resolution

Moved Cr M Gliori

Seconded Cr C McDonald

THAT Council note the current grants status as at 31 January 2021.

Carried

11.2 Financial Report as at 31 January 2021

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council receive and note the Financial Report as at 31 January 2021.

Carried

12. CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 Request for Southern Downs Local Government Area to be declared a Refugee Welcome Zone

Resolution

Moved Cr J McNally

Seconded Cr S Tancred

THAT Council:

1. Agree to declare the Southern Downs Local Government Area as a Refugee Welcome Zone; and
2. Acknowledge that, in making this declaration in accordance with the submission by the Southern Downs Refugee and Migrant Network, there is no cost to Council.
3. Write to the Southern Downs Refugee and Migrant Network advising of Council's decision.

Carried

Cr Windle declared a declarable conflict of interest in Agenda Item 12.2 as defined in Section 150ES(3) of the Local Government Act 2009 and following a resolution from Council remained in the meeting while the matter was discussed and voted on.

12.2 Warwick SES Mural

Resolution

Moved Cr M Giori

Seconded Cr C McDonald

THAT Council endorses the intent of the Warwick SES to install a proposed mural on the council-owned building located at 4 Alice Street, Warwick, subject to the Warwick SES having funding for both the installation and maintenance of the mural.

Carried

Cr Windle voted for the motion.

12.3 Renewal of Agreement to Occupy - Tooth Street, Warwick

Resolution

Moved Cr S Windle

Seconded Cr C McDonald

THAT Council:

1. Approve the relocation of Condamine Headwaters Landcare Group from Eden Gardens Memorial Park to the complex at Tooth Street, Warwick;
2. Provide notice to Endeavour Foundation Limited about the amendment to the current arrangements at the complex at Tooth Street, Warwick;
3. Grant delegated authority to the Chief Executive Officer to negotiate and finalise the tenure agreements with Condamine Headwaters Landcare Group and Endeavour Foundation Ltd.

Carried

12.4 WIRAC - Group Fitness Room

Resolution

Moved Cr A Gale

Seconded Cr J McNally

THAT Council resolve to enter into a contract with JSG Constructions Pty Ltd to carry out the design and construction of the new group fitness room at the Warwick Indoor Recreation and Aquatic Centre (WIRAC).

Carried

12.5 YMCA Monthly Report - January 2021 - WIRAC

Resolution

Moved Cr S Windle

Seconded Cr R Bartley

THAT Council receive the January 2021 monthly report from Brisbane Young Men's Christian Association in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

Cr McDonald declared a declarable conflict of interest in Agenda Item 12.6 as defined in Section 150ES(3) of the Local Government Act 2009 and following a resolution from Council remained in the meeting while the matter was discussed and voted on.

Cr Gliori declared a declarable conflict of interest in Agenda Item 12.6 as defined in Section 150ES(3) of the Local Government Act 2009 and following a resolution from Council remained in the meeting while the matter was discussed and voted on.

12.6 Warwick Saleyards

Resolution

Moved Cr S Tancred

Seconded Cr A Gale

THAT Council:

1. Adopt Option 3 *Major redevelopment and enhancement of the existing facility* to progress the development of the Warwick Saleyards; and
2. Proceed with the development of the preliminary design of the facility utilizing funds allocated in the 2020/21 budget; and
3. Form a working group to guide the prioritization of specific design replacement and enhancement elements; and
4. Apply for external funding at the next available major project funding opportunity.

Carried

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

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

Against: Crs M Gliori, C McDonald, J McNally and S Windle (4)

Accordingly the Mayor declared the motion carried.

The meeting adjourned for morning tea at 11:24am and reconvened at 11:45am at which time there were present Crs Pennisi, Bartley, McDonald, Gale, Tancred, Windle, McNally, Gow and Gliori

12.7 Construction of Rose City FM Building - 20_192

Resolution

Moved Cr S Windle

Seconded Cr A Gale

THAT Council resolve to enter into a contract with Roulston Builders Pty Ltd (tender 20_192) for the construction of the Rose City FM Building at Victoria Park, Warwick, subject to all statutory approvals being obtained.

Carried

13. INFRASTRUCTURE SERVICES REPORTS

13.1 Cycle Network Local Governments Grants Program (CNLGGP) Applications 2021/22

Resolution

Moved Cr M Giori

Seconded Cr A Gale

THAT Council endorse the following projects for submission to the Queensland Government's Department of Transport and Main Roads (TMR) Cycle Network Local Government Grants Program (CNLGGP) for 2021-22 period:

1. Rosehill Road Cycleway, Warwick
2. Mt Stirling Road Cycleway, Glen Aplin
3. Quart Pot Creek Lighting, Stanthorpe

Carried

14. SUSTAINABLE DEVELOPMENT REPORTS

14.1 Material Change of Use – Kerry A & Richard J Heiner, 153 Sandy Creek Road, Allan

Resolution

Moved Cr A Gale

Seconded Cr R Bartley

THAT the application for Material Change of Use for the purpose of Low impact industry (Motor vehicle workshop – mechanical repairs and fabrication) on land at 153 Sandy Creek Road, Allan, described as Lot 3 RP224160, Parish of Warwick, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal plan 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
Google Maps Plan of Shed	153 Sandy Creek Road Allan Q 4370 RP224160 Lot 3 12.1ha	7 October 2020

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

Land Use and Planning Controls

3. This approval allows for the use of the site for the following uses only:
 - Low impact industry (Motor vehicle workshop – mechanical repairs and fabrication)
4. The development shall generally operate only between the hours of 7.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and Public Holidays.
5. Only one person not a resident on the site may be employed in association with the motor vehicle workshop.
6. Customers are not to attend the property in association with the motor vehicle workshop, this

includes the drop off or pick up of vehicles.

7. A maximum of five customer vehicles are permitted to be kept on the premises at any one time and should be stored indoors where appropriate.

Building and Site Design

8. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
9. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

10. 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 any affected property. The applicant is to note that this may include the need to use noise attenuating materials in the building.
11. Solvents and other volatile substances, including solvents used for parts washing, must be stored in sealed containers whilst not in actual use to prevent the release of contaminants to the air.
12. No spray painting (except for that with the use of aerosol cans) shall take place from the site to which this development approval relates.
13. No sandblasting is to take place from the site to which this development approval relates.
14. There is to be no outdoor storage of corroded ferrous materials, oily or greasy parts, or waste, to ensure that there is no water runoff which may contain contaminants. All other outdoor storage is to be appropriately managed to mitigate any impacts on the land.
15. The activity, including the servicing or repairs of vehicles, is not to take place outside the workshop or in a place or manner, such as adjacent to openings within the workshop, where there is the potential for contaminants to be released to the ground or to stormwater.
16. Oils and other liquids shall be stored in a covered and bunded area or otherwise stored in a manner within the workshop whereby any spillage does not create the potential to escape on to the ground or cause stormwater runoff contamination.
17. Any spillage of waste or other contaminating matter must be cleaned up as soon as practicable. Spills must not be cleaned up by hosing or other methods that release contaminating matter to areas subject to stormwater runoff. Appropriate spill kits should be readily available for use on the property.
18. The holder of this development approval must not burn waste or allow waste to burn.
19. A sufficient number of suitable waste and recycling receptacles must be provided on site at all times. Waste and recycling receptacles must be regularly serviced to prevent unsightly accumulations of waste being caused. Where collection is not possible, waste must be removed with the same regularity and disposed of at the Warwick Waste Facility, Old Stanthorpe Road.
20. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
21. 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.
22. All materials or goods are to be stored so as not to:
 - Provide any harbourage or attraction for pests and vermin; or
 - Provide a breeding place for mosquitoes; or
 - Be unsightly.

23. The cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
24. Advertising Devices relating to the Low impact industry may **only** be erected on the subject land, i.e. Lot 3 RP224160. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.
25. All equipment, goods and materials must be located in a building or contained within the area specified below. Any outdoor storage within this area is to be screened from view from all roads, other public places and adjoining land by fencing and/or dense landscaping.



26. Any external lighting must be installed so that light shines down and away from adjacent properties and roads, and does not exceed 8 lux at the property boundary.

Fencing, Landscaping and Buffers

27. Existing vegetation along the western portion of the property is to be retained and maintained to provide a visual buffer of the motor vehicle workshop from the highway.
28. Landscaping is to be provided for a width of 4.0 metres along the northern, southern and eastern property boundaries for the length of the shed and outdoor storage areas to integrate the development with the rural character of the area.

Car Parking and Vehicle Access

29. A Minor Works Permit is to be made for a concrete crossover to be installed from the road to the property boundary in accordance with the Southern Downs Regional Council standard drawings.
30. A 3.0 metre wide all-weather driveway is to be maintained from the property boundary to the motor vehicle workshop.

Stormwater Drainage

31. A site based water management plan must be submitted for approval prior to the use commencing to confirm the control of stormwater runoff does not impact on the water quality of surface and ground water. Contaminated water from wash down of the workshop is to be directed into a wastewater treatment system prior to release of the water onto the property.

Water Supply and Waste water

32. All sewage generated from this property must be disposed of by means of an on-site sewage facility (OSSF) in accordance with the AS/NZS 1547:2012 - *On-site Domestic Wastewater*

Management, Queensland Plumbing and Wastewater Code and the Plumbing and Drainage Regulation 2018.

Infrastructure Charges Notice

33. Payment of \$4,545.00 is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice. If payment is made more than two years after the date of the Infrastructure Charges Notice, the charge will increase in line with the Road and Bridge Construction Index for Queensland.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Sustainable Development, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Planning Act 2016* and would have to comply with the requirements of the Planning Scheme.
- (iii) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (iv) The General Environmental Duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke, beyond the boundaries of the property during all stages of the development including earthworks, construction and operation. Compliance with the *Code of Practice for motor vehicle workshop operations*, produced by Department of Environment and Science, will meet the General Environmental Duty.
- (v) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.
- (vi) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2018* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (vii) **Building Approval is to be obtained** in accordance with the *Planning Act 2016* for a Change of Classification of Building from Class 10A to Class 8 to allow the use of the existing building for Low impact industrial purposes. The application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. **Building works and modification of the existing building may be required to be undertaken** as part of the approval so as to accord with the requirements of the *Building Act 1975*.
- (viii) Prior to constructing or upgrading an access, an application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011.
- (ix) Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- (x) All Compliance Permits for Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.

- (xi) All regulated waste must be removed from the site by a regulated waste removal contractor. The records for this disposal must be kept on-site and be available for viewing by an authorised officer.

Aboriginal Cultural Heritage

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

Schedule 2 - Department of State Development, Manufacturing, Infrastructure and Planning's conditions as a Concurrence agency

Nil

Carried

14.2 Strategic Planning Quarterly Report for the October to December quarter 2020

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council receive the report and notes its contents.

Carried

Cr Pennisi declared a declarable conflict of interest in Agenda Item 14.3 as defined in Section 150ES(3) of the Local Government Act 2009 and following a resolution from Council remained in the meeting while the matter was discussed and voted on.

14.3 Potential relocation of The Big Apple

Resolution

Moved Cr M Gliori

Seconded Cr C McDonald

THAT Council resolve to endorse public consultation and investigation into the potential relocation and refurbishment of The Big Apple.

Carried

Cr Pennisi voted in favour of the motion.

14.4 Tourism and Visitor Numbers Quarterly Report

Resolution

Moved Cr M Gliori

Seconded Cr S Windle

THAT Council receive the report in relation to regional promotion activities and the Visitor Information Centre figures.

Carried

14.5 Endorsement of funding request from CAMS to host 2021 Shannons Nationals Event Resolution

Moved Cr A Gale

Seconded Cr S Windle

THAT Council endorse a funding agreement totalling \$15,000 between Southern Downs Regional Council's Economic Development & Tourism Department and Motorsports Australia to assist the organisation of a Shannon's National event at Morgan Park in June 2021.

Carried

14.6 Special Entertainment Precinct - Proposal by Granite Belt Music Council Resolution

Moved Cr S Tancred

Seconded Cr S Windle

THAT Council consider the establishment of Special Entertainment Precincts as part of the development of the new planning scheme.

Carried

14.7 Installation of Water Tanks with New Buildings Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council provides a response and any further information required to progress the application to the Minister of Energy and Public Works to apply all performance requirements of MP 4.2 and MP 4.3 of the Queensland Development Code in those parts of the Southern Downs Region within a reticulated town water area.

Carried

14.8 Rural Water Tank Rebate Extension Requests Resolution

Moved Cr C McDonald

Seconded Cr M Gliori

THAT Council note the progress in delivering the Rural Water Tank Rebate Scheme and resolve to endorse extensions of time being granted until 30 March 2021 for applicant IDs TRN\20\0155, TRN\20\0448 and TRN\20\0533.

Carried

14.9 Submission to the National Feral Pig Action Plan 2021 - 2031

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Council resolve to endorse the submission being made to the National Feral Pig Action Plan 2021 – 2031.

Carried

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

15.1 Report From Delegates

Resolution

Moved Cr A Gale

Seconded Cr M Giori

THAT Council receive the verbal report from Cr Gale on his recent attendance at the Border Regional Organisation of Councils meeting held at Inverell on the 12 February 2021, and his email to report distributed to Councillors.

Carried

16. NOTICES OF MOTION

Nil

17. GENERAL BUSINESS

17.1 Building Better Regions Funding Round 5 - Amendment

Resolution

Moved Cr J McNally

Seconded Cr S Tancred

THAT Council :-

1. Submits the following funding applications under the Building Better Regions Fund Round 5:

Infrastructure Project Stream:

- Priority 1: Stanthorpe Regional Art Gallery Expansion – Option 4 concept 4g (refer to previous report); and
- Priority 2: Regional Streetscape Enhancements.

Community Investments Stream:

- Priority 1: Biodiversity Asset Management Plan;
- Priority 2: Cambanoora Gorge Management Strategy;
- Priority 3: Residential attraction; and
- Priority 4: Supply chain mapping strategy.

2. Commits to the mandatory 50 per cent financial contribution towards the nominated projects should the funding applications under the Building Better Regions Fund be successful.

Carried

18. 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:

18.1 Request for Reinstatement of Invasive Pests Control Scheme Special Rate 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.

Meeting In Camera

Resolution

Moved Cr A Gale

Seconded Cr R Bartley

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 12:32pm

12:34 pm Cr M Gliori left the meeting during discussion on Item 18.1.

12:38 pm Cr M Gliori rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12:37pm.

Carried

Cr Gliori declared a declarable conflict of interest in Agenda Item 18.1 as defined in Section 150EF(3) of the Local Government Act 2009 and left the meeting for discussion and vote. Cr Gliori left the meeting at 12:38pm .

18.1 Request for Reinstatement of Invasive Pests Control Scheme Special Rate Concession

Resolution

Moved Cr S Tancred

Seconded Cr J McNally

THAT Council:

1. Resolve to endorse the reinstatement of the Invasive Pests Control Scheme Special Rate concession for Property ID 111730.
2. Delegate to the Chief Executive Officer to approve similar requests to the 30 June 2021

Carried

Cr M Gliori rejoined the meeting at 12:39pm.

MEETING CLOSURE

There being no further business, the meeting closed at 12:39pm