



**MINUTES OF THE
ORDINARY COUNCIL MEETING
9 JUNE 2021**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 9 JUNE 2021 IN THE
COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Rev Ben Boland from Churches of Christ Care Stanthorpe offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

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

Officers: Dave Burges (Chief Executive Officer), Scott Norman (Director Finance, Assets and Special Projects) for Finance, Assets and Special Projects Reports; Peter Gribbin (Manager Corporate and Commercial Services) and Michael Bell (Manager Community and Cultural Services) for Corporate and Commercial Services Reports; Seren McKenzie (Director Infrastructure Services) and Lalji Rathod (Manager Water) for Infrastructure Services Reports; Angela O'Mara (Manager Strategic Planning and Prosperity), Craig Magnussen (Manager Environmental and Regulatory Services) and Tonya Collier (Development Assessment Coordinator) for Sustainable Development Reports; and Marion Seymour (Minute Secretary)

3. APOLOGIES

3.1 Apology - Mayor Pennisi and Cr McNally

Resolution

Moved Cr C Gow

Seconded Cr A Gale

THAT:

1. The apology from Mayor Pennisi be received and leave of absence granted.
2. The approved leave of absence of Cr McNally be noted.

Carried

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 26 May 2021

Resolution

Moved Cr A Gale

Seconded Cr M Gliori

THAT the minutes of the Ordinary Council Meeting held on Wednesday 26 May 2021 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Council Meeting

Resolution

Moved Cr S Tancred

Seconded Cr C Gow

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Nil

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1.1 Correspondence - Telstra Removal of Payphone at 12 Maryland Street, Stanthorpe

Resolution

Moved Cr S Tancred

Seconded Cr C Gow

THAT Council has no objection to the proposed removal of one of the pay phones outside 12 Maryland Street, Stanthorpe by Telstra.

Carried

8.1 Correspondence

Resolution

Moved Cr C Gow

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 re Traffic in Acacia Avenue, Warwick

Resolution

Moved Cr M Giori

Seconded Cr S Windle

THAT Council receive the Petition and refer it to the Director Infrastructure Services for investigation and future report to Council.

Carried

10. EXECUTIVE SERVICES REPORTS

Nil

11. FINANCE, ASSETS AND SPECIAL PROJECTS

11.1 Finance, Assets and Special Projects Monthly Status Report

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

THAT Council notes the operational details as outlined in the Finance, Assets and Special Projects Monthly Status Report.

Carried

11.2 Interim Management Letter External Audit 2020-21

Resolution

Moved Cr S Windle

Seconded Cr C Gow

THAT Council receive and note the Interim Management Letter relating to the 2020-21 external audit.

Carried

12. CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 Corporate and Community Services Monthly Status Report

Resolution

Moved Cr C McDonald

Seconded Cr M Giori

THAT Council notes the operational details as outlined in the Corporate and Community Services Monthly Status Report.

Carried

12.2 Southern Downs Youth Council Meeting - 13 May 2021

Resolution

Moved Cr S Windle

Seconded Cr M Giori

THAT Council receive and note the minutes from the second meeting of the Southern Downs Youth Council 2021 held Thursday 13 May 2021

Carried

12.3 Stanthorpe Art Gallery - Program Update

Resolution

Moved Cr M Giori

Seconded Cr C Gow

THAT Council note the Stanthorpe Art Gallery's update for the month of May 2021.

Carried

12.4 New Tenure Proposal over Part of Weeroona Park - Lot 708 on Crown Plan S1682

Resolution

Moved Cr C Gow

Seconded Cr M Giori

THAT Council:

1. Approve a ten year Trustee Lease with the Stanthorpe Amateur Swimming Club Incorporated over part of Lot 708 on Crown Plan S1682, Weeroona Park, Stanthorpe in accordance with the *Local Government Regulation 2012* whilst adhering to the relevant provisions of Council's *Lease Policy*, the *Land Title Practice Manual* and *Land Act 1994.*; and
2. Grant delegated authority to the Chief Executive Officer to negotiate any dealings relating to this matter with the Stanthorpe Amateur Swimming Club Incorporated.

Carried

12.5 Audit and Risk Management Committee Meeting minutes 28 May 2021

Resolution

Moved Cr S Tancred

Seconded Cr A Gale

THAT Council:

1. Adopt the minutes from the Audit and Risk Management Committee meeting held on 28 May 2021.
2. Receive and note the business arising from the Audit and Risk Management Committee meeting held on 28 May 2021.
3. Adopt the amended Risk Register.
4. Adopt the amended Audit and Risk Management Committee Charter.

Carried

13. INFRASTRUCTURE SERVICES REPORTS

13.1 Infrastructure Services Monthly Status Report

Resolution

Moved Cr A Gale

Seconded Cr S Windle

THAT Council notes the operational details as outlined in the Infrastructure Services Monthly Report.

Carried

13.2 Yangan Bores Decommissioning

Resolution

Moved Cr A Gale

Seconded Cr S Tancred

THAT Council resolve to de-commission the un-viable Council owned bores at Yangan and maintain the 40 ML allocation on water licence 86314T.

Carried

13.3 RFT 21_170 - Warwick & Stanthorpe Sewer Main Relining

Resolution

Moved Cr M Giori

Seconded Cr S Windle

THAT Council:

1. Resolve to enter into a contract with Interflow Pty Ltd for the available 2020/21 project budget of \$808,551.00 ex GST, for Contract RFT 21_170 Warwick & Stanthorpe Sewer Main Relining.
2. Resolve to award contract extension to Interflow Pty Ltd based on the submitted rates to carry out the maintenance, rehabilitation and relining during the 2021/22 and 2022/23 financial years.

Carried

14. SUSTAINABLE DEVELOPMENT REPORTS

14.1 Sustainable Development Monthly Status Report

Resolution

Moved Cr S Windle

Seconded Cr M Giori

THAT Council notes the operational details as outlined in the Sustainable Development Monthly Status Report.

Carried

14.2 Reconfiguration of Lot – John R and Maria C Hendry, C/- Adapt Planning Pty Ltd, 20 Bassel Road, Stanthorpe

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT the application for Reconfiguration of Lot – one (1) lot into three (3) lots, on land at 20 Bassel Road, Stanthorpe, described as Lot 18 RP196401, be deferred in accordance with the applicants' request.

Carried

14.3 Material Change of Use - Consideration of Change Representations - Westrex Services Pty Ltd C/- Duggan & Hede Pty Ltd, 493 Bonnie Doon Road, Dalmere Road, Leyburn

Resolution

Moved Cr A Gale

Seconded Cr M Giori

THAT Council resolve to approve in part with the Change representations in relation to the application for a Material Change of Use for the purpose of High impact industry (composting organic material or organic waste – more than 5,000 tonne per annum) and crushing, milling, grinding or screening (more than 5,000 tonne of material in a year) and, Non-resident workforce accommodation (two (2) existing buildings) on land at 493 Bonnie Doon Road and Dalmere Road, Leyburn, described as Lots 6, 7 and 8 RP861136, Lot 2 SP220077, Lots 1 and 7 SP298691, and the conditions of approval 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
Site Plan prepared by Duggan and Hede Pty Ltd	WE1960-D0-02-B	October 2020
MSES Regulated Vegetation Buffers prepared by Duggan and Hede Pty Ltd	WE1960-D0-03-D	October 2020
Preliminary Layout – Compost Pad #1	WE1960-D0-04-B	October 2020
Preliminary Layout – Compost Pad #4	WE1960 – D0-05-B	October 2020

Preliminary Layout – Compost Pad #5	WE1960-D0-06-B	October 2020
Typical Compost Pad Layout	WE1960-D0-07-B	October 2020
Typical Compost Pad Details	WE1960-D0-08-B	October 2020
Erosion and Sediment Control Plan	WE1960-SW-01-A	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.

Easements and Covenants

3. A statutory covenant is to be provided over Lots 6, 7 and 8 RP861136, Lot 2 SP220077, Lots 1 and 7 SP298691 to retain these lots in the same ownership until such time as the use of the land for the High impact industry (composting facility) ceases. The covenant documentation is to be prepared by a solicitor at the developer's cost and the site is to be rehabilitated. The covenant documentation is to be submitted to Council for approval, and register prior to the use commencing.

Land Use and Planning Controls

4. This approval allows for the use of the site for the following uses only:
- High impact industry (composting facility) over six (6) compost pads averaging 150 metres by 150 metres, for the purpose of:
 - Composting of organic material processing (more than 200 tonne of organic material a year)
 - Crushing, Milling, Grinding or Screening (more than 5,000 tonne of material in a year)
 - Conversion of two (2) existing Dwelling houses for the purpose of Non-resident workforce accommodation
 - Accommodation is for workers associated with the High impact industry only
- ~~This approval does not permit the usage of high risk waste to be dispersed on the site; all high risk waste is to be treated prior to arriving onsite. High risk wastes are called regulated wastes and are listed in schedule 7, part 1 of the Environmental Protection Regulation 2019.~~
5. The material change of use the subject of this development permit must be completed within a period of ~~6~~ 10 years starting the day this development permit takes effect. The development permit will lapse in respect of each aspect of the material change of use that has not been completed within this period.
6. The development shall generally operate only between the hours of daylight, 6.00am to 6.00pm, Monday to Sunday. The compost turner is to operate between the hours of 7.00am to 6.00pm only. ~~Vehicles occasionally leaving and returning to the site, may occur outside of these hours where associated with the use, providing the operator maintains a record of such events.~~

The document is to include the following details:

- time of movement;
 - type of vehicle;
 - purpose of vehicle; and
 - whether the vehicle was loaded or otherwise.
7. The loading and/or unloading of delivery and other service vehicles is limited Monday to Saturday, between the hours of 6.00am and 6.00pm. ~~No heavy vehicles must enter the development site outside these times to wait for unloading/loading.~~ Heavy vehicles occasionally leaving and returning to the site may occur outside of these hours where associated with the use, providing the operator maintains a record of such events.

The document is to include the following details:

- time of movement;
 - type of vehicle;
 - purpose of vehicle; and
 - whether the vehicle was loaded or otherwise.
8. Prior to the High impact industry use commencing, a Bushfire Management Plan is to be submitted to and approved by the Director Sustainable Development. The Bushfire Management Plan is to address prevention and evacuating procedures for bushfire, and include emergency contact information. A copy of the Bushfire Management Plan is to be provided in each of the accommodation buildings and to employees upon accessing the site.

Building and Site Design

9. Prior to the Non-resident workforce accommodation use commencing, a copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council for the proposed buildings to be utilised as Non-resident workforce accommodation. (See advisory note below.)
10. Prior to the Non-resident workforce accommodation use commencing, a copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council ~~prior to the use commencing~~ for the proposed buildings to be utilised as Non-resident workforce accommodation. (See advisory note below.)

Amenity and Environmental Controls

11. All vehicles transporting feedstock and / or compost material must be covered.
12. Customers are not permitted onsite. The end product is to be sold as a wholesale product only.
13. Appropriate and accessible, dated records must be kept detailing the quantity (i.e. measured in either tonnage and/or volume) of finished compost produced, and must be made available to Council officers on request.
14. Where not the jurisdiction of Department of Environment and Science, the registered operator of the activity to which this approval relates must contact the Council as soon as practicable after becoming aware of any release of contaminants not in accordance with the conditions of this approval, or any event where environmental harm has been caused or may be threatened.
15. Where not the jurisdiction of Department of Environment and Science, any hazardous materials (e.g. oil and fuel) must be stored in a covered and bunded area.
16. Where not the jurisdiction of Department of Environment and Science, any liquid spills must be cleaned up immediately and disposed of in an appropriate manner that ensures environmental harm does not occur. An appropriate spill kit for the management of wastes and hazardous liquids associated with the activity must be readily available at the site. Anyone operating under this approval must be trained in the use of the spill kit.
17. 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.
18. The end product (compost and soil conditioners) intended to be applied to the land for soil enhancement is to be generally in accordance with the relevant Australian Standards i.e. AS4454 and AS4419 subject to climatic conditions.
19. Buildings and storage areas and parking and loading areas are located at least 20 metres from any natural features such as creeks, gullies, waterways and wetlands, and screened from roadways.
20. A broadband reversing alarm is to be used on mobile plant equipment instead of a tonal alarm.
21. 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 undertake noise attenuating measures.

22. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
23. 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.
24. 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.
25. Advertising Devices relating to the High impact industry may **only** be erected on the subject land. 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.
26. All equipment, goods and materials must be located in a building or screened from view from all roads, other public places and adjoining land by fencing and/or dense landscaping.
27. All material stored on site shall be stored as to not:
 - (a) provide a harbourage or attraction for pests and vermin;
 - (b) provide a breeding place for mosquitos; and
 - (c) be unsightly.

Fencing, Landscaping and Buffers

28. The existing exclusion fencing defining the boundaries of the property is to remain.
29. Retaining structures and their foundations must be wholly contained within private allotments and not be constructed as Council owned infrastructure.
30. All earthworks, including batters must be fully contained within the site.
31. ~~Dense tree planting is to be provided in~~ The existing vegetation within the mapped buffer zones of Plan No. WE1960-D0-03-D, dated October 2020, near the northern and eastern property boundaries of Lot 7 SP298691 and along the eastern boundary of Lot 2 SP220077 and Lot 1 to be **retained** to provide an effective visual and impact buffer from the compost pads and adjacent residential uses.
~~Species to be planted are to be generally drought hardy, frost resistant and native to the area.~~

Car Parking and Vehicle Access

32. Vehicle access points are to be constructed to allow access to each composting pad in accordance with Council's standard. (Council's Development Engineer can provide details regarding Council's standard.) The accesses must be constructed along Dalmere Road at a location which provides adequate sight distance in either direction. Such entrance roadworks are to include appropriate drainage works. If necessary, the property access gateway must be located within a setback such that all vehicles proposed to enter and/or exit the land are able to stand clear of the carriageway whilst the property gateway is being opened and/or closed to avoid any queueing along the road.
33. All vehicular access to and from the site must be via Dalmere Road only.

34. The internal driveways are to be designed and constructed to allow an 8.8 metre service vehicle to enter and leave the site in forward gear. ~~All internal driveways are to be of an all-weather standard.~~ The internal driveways may remain grass, provided they are appropriately maintained and do 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 driveway/carpark shall be constructed in gravel to Council's standards.
35. No B-Doubles are to access the land for purposes associated with the High impact industry without the relevant permits.
36. All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
37. ~~Deleted. All vehicle operation areas must be illuminated in accordance with the requirements of Australian Standard AS1158 "Lighting for roads and public spaces".~~
38. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted. A vehicle loading area with associated driveway and access to accommodate a semi-trailer must be provided on site in accordance with AS2890.2 – 2002 (Off-street parking - Commercial vehicle facilities).

Roadworks

- 38A. Prior to the commencement of the High impact industry use, the applicant is to provide confirmation from a suitably qualified RPEQ that Dalmere Road complies with requirements of the Institute of Public Works Engineering Australasia's *Queensland Lower Order Road Design Guidelines* for a local access road, and is adequate for the anticipated traffic. Where works are necessary to achieve this requirement, the works are to be completed by the applicant at no cost to Council.
39. Prior to the third composting pad being constructed, or total daily vehicle movements exceeding 50 ADT (whichever is first), or if premature failure of Dalmere Road becomes apparent, the full length of Dalmere Road is to be constructed to achieve a minimum pavement width of 6.0 metres on a 7.0 metre formation. The works are to include pavement design and any necessary re-work of the existing road to ensure the completed works meet relevant engineering standards.
- 39A. ALTERNATIVE to Conditions 33, 38A, 39 and 40, an application is to be made to the Department of Resources to close Dalmere Road (approximate length of 1148.5 metres). If the application is approved, the area of road reserve is to be amalgamated with adjoining lot(s) and no additional lots created. If the application to close the road is refused, compliance with Conditions 33, 39, 40 and 42 are to be complied with.
40. A turnaround area is to be constructed at the end of the constructed portion of Dalmere Road. The turnaround area is to be designed to allow for a ~~single turning movement~~ three-point turning manoeuvre for an 8.8 metre service vehicle (MRV) in accordance with Plan No. P4487, dated 19 April 2021.

Stormwater Drainage

41. The design, construction and operation of the stormwater drainage system must comply with the water quality objectives stated in the Assessment Benchmarks – Water Quality and Appendix 2 of the State Planning Policy.

Water Supply and Wastewater

42. ~~Prior to the Non-resident workforce accommodation use commencing, the proposed~~

accommodation buildings are to be provided with on-site water storage as follows:

- (a) if two bedrooms or less – 45,000 litres ; or
- (b) if more than two bedrooms - 67,500 litres.

On-site water storage may include the provision of a bore, dams, water storage tanks or a combination of these.

- 43. **Prior to the Non-resident workforce accommodation use commencing**, 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 *Standard Plumbing and Drainage Regulation 2019*.
- 44. **Prior to the Non-resident workforce accommodation use commencing**, the site must be provided with a water storage reservoir having a minimum of 5000 litres of water for emergency fire fighting purposes. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:
 - (a) the domestic take off from the tank is at or above the 5,000 litre point; and
 - (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

Operational Works

- 45. All operational works are to be accepted on-maintenance prior to the use of the land commencing. (See advisory note below).

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 Environmental Authority for Environmentally Relevant Activity No. 53 - Organic material processing (more than 200t of organic material in a year – (a) by composting the organic material), and Environmentally Relevant Activity No. 33 – Crushing, milling, grinding and screening (more than 5000t of material in a year) dated 25 February 2021 (EA0002685) is to be adhered to in accordance with the *Environmental Protection Act 1994*.
- (v) The General Environmental Duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke, beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.
- (vi) It is noted that that there is a gazetted road which intersects with Dalmere Road to the west that is fenced and gated by the landholder. An application is to be either made to the Department of Resources (DR) to apply for road closure, or the gate is to be licensed under *Local Law SLL 1.16 – Gates and Grids*.

- (vii) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.
- (viii) Any 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 are to be available for viewing by an authorised officer.
- (viii)A. It is to be reiterated that this approval does not permit that the usage of waste that does not fall under the purposes of ERA 53 is as prescribed in section 53 Schedule 2 of the Environmental Protection Regulation 2019, the facility is not permitted to accept any waste other than waste which is categorised and defined as organic material/organic waste.
- (ix) An application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.11 (Operation of Shared Facility Accommodation) 2011.
- (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 **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (xi) **Building Approval is to be obtained** in accordance with the *Planning Act 2016* for a Change of Classification of Building from Class 1A to Class 1B, to allow the use of the existing building for Non-resident workforce accommodation 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*.
- (xii) The applicant is to permit Council officers access to the site in accordance with the powers of entry provisions of the *Local Government Act 2009*, subject to 48 hours notice and reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.
- (xiii) The disposal of waste classified as Trade Waste under the *Plumbing and Drainage Act 2018* is to be in accordance with Council's Trade Waste Policy.
- (xiv) The supply of water for human consumption, food preparation, food utensil washing or personal hygiene, including the supply of water for drinking water, showers, baths, hand basin and kitchen sinks, must be connected to a drinking water supply, in accordance with the *Plumbing Code of Australia* and the *Australian Drinking Water Quality Guidelines* produced by the *National Health and Medical Research*.
- (xv) No clearing of remnant vegetation or regulated regrowth vegetation is to occur under this approval. A Development Permit for Operational Works must be obtained from the Department of State Development, Infrastructure, Local Government and Planning for the clearing of any remnant vegetation, unless exempt under Schedule 21 of the *Planning Regulation 2017*.
- (xvi) This area is expressly identified as being potentially impacted by lawful non-residential uses. In commencing a residential use, the owner(s) acknowledges and accepts that the use may be potentially impacted by emissions from the lawful non-residential use. It is the responsibility of the property owner(s) to take all measures necessary to ensure that the proposed dwelling is developed and maintained in such a way as to mitigate odour and noise impacts from the surrounding lawful non-residential use. These measures must be undertaken at the expense of the property owner(s).
- (xvii) Council will not be sealing Dalmere Road as a result of any dust complaints received.

- (xviii) 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.
- (xix) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Planning Act 2016*. This application must be submitted with the following:
- DA Form 1;
 - The relevant fee in accordance with Council's Schedule of General Fees and Charges;
 - Detailed design drawings, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);
 - Extent of roadworks i.e. road widening, turnaround area
 - A plan showing ingress and egress wheel and swept turning paths;
 - Excavation and/or filling of the site.
- Operational Works shall be subject to a 12 months Defect Liability Period commencing from the day the works are accepted on-maintenance. A bond will be held by Council as security, and refunded following a defect-free inspection at the end of the Defect Liability Period.
- (xx) 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.
- (xxi) All Development Permits for Operational Works and Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (xxii) All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

Aboriginal Cultural Heritage

- (xxiii) 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

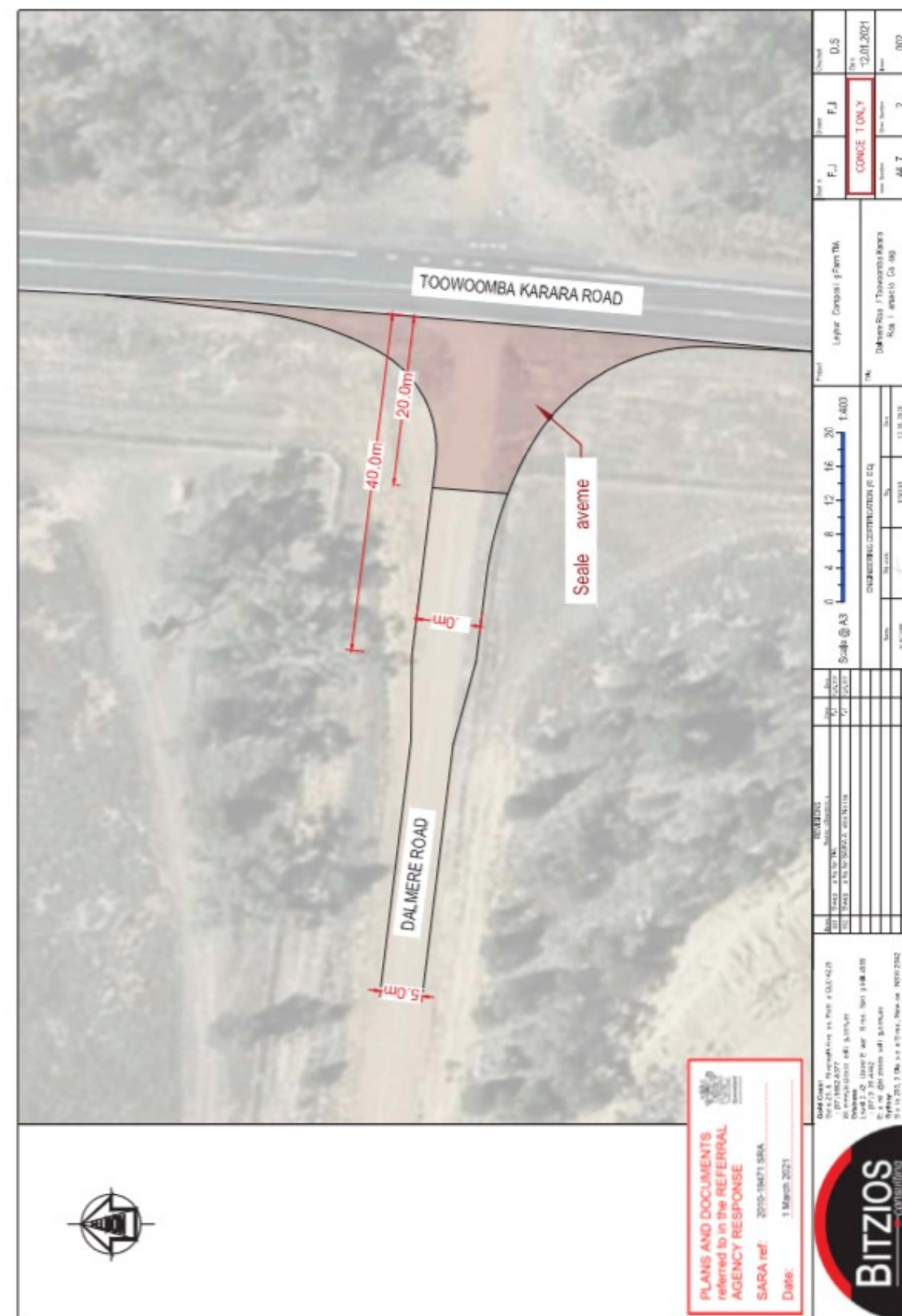
Schedule 2 - Department of State Development, Infrastructure, Local Government and Planning's conditions as a Concurrence agency

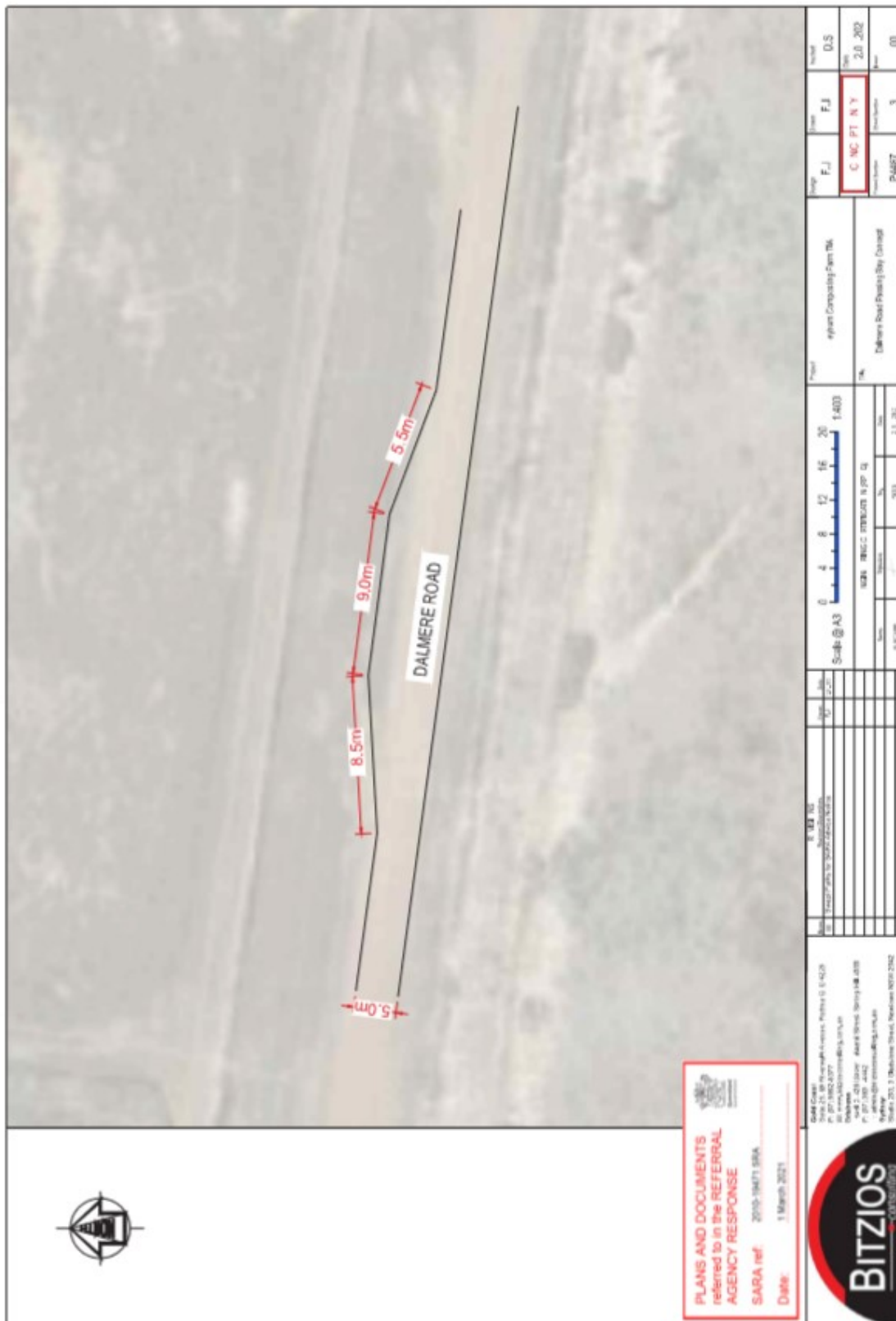
Attachment 1—Referral agency conditions

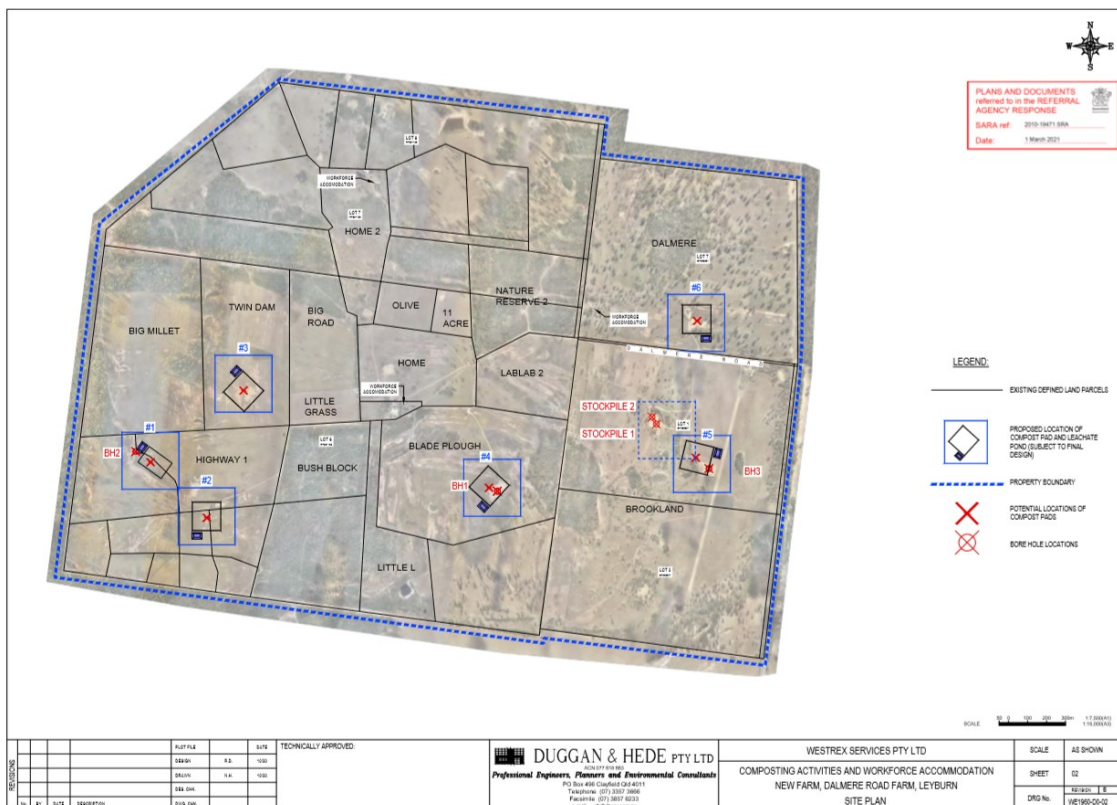
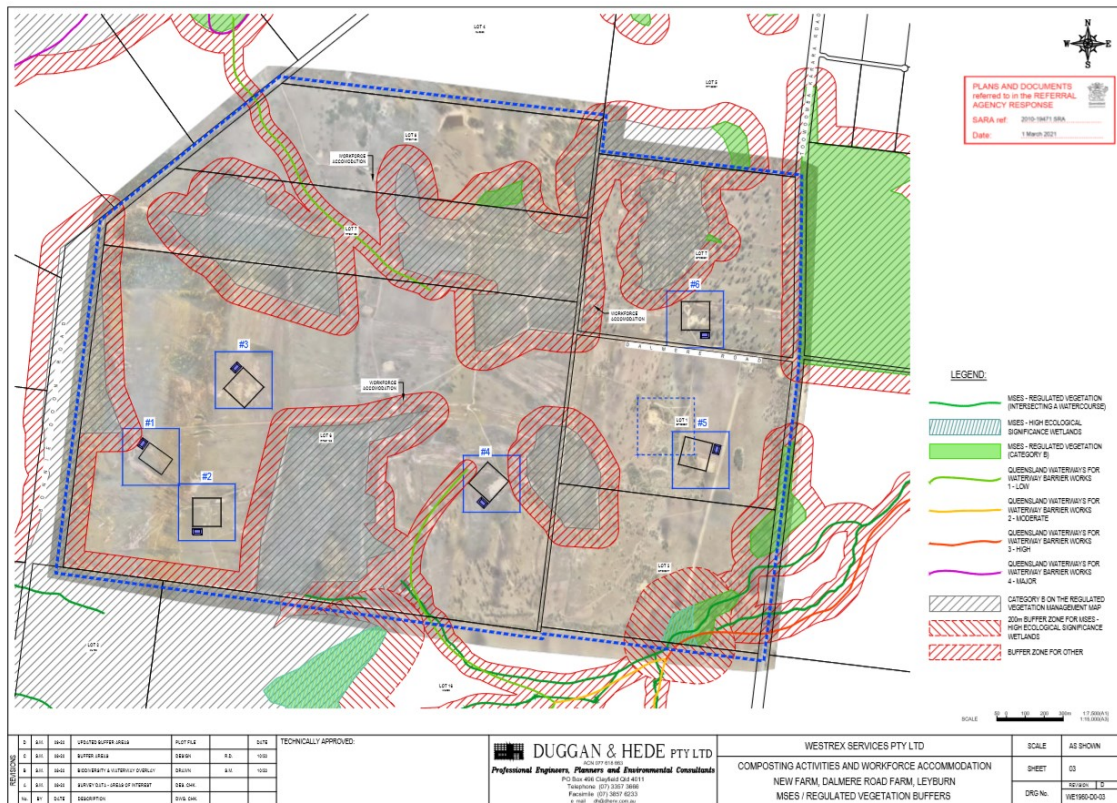
(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

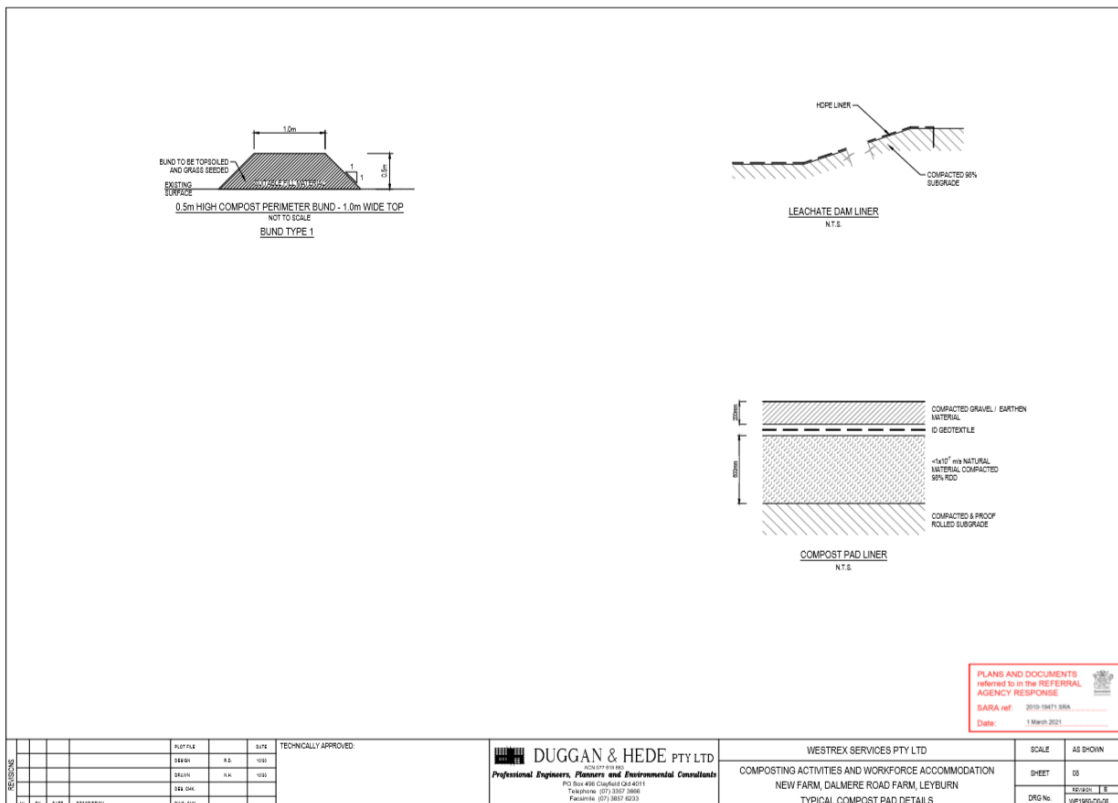
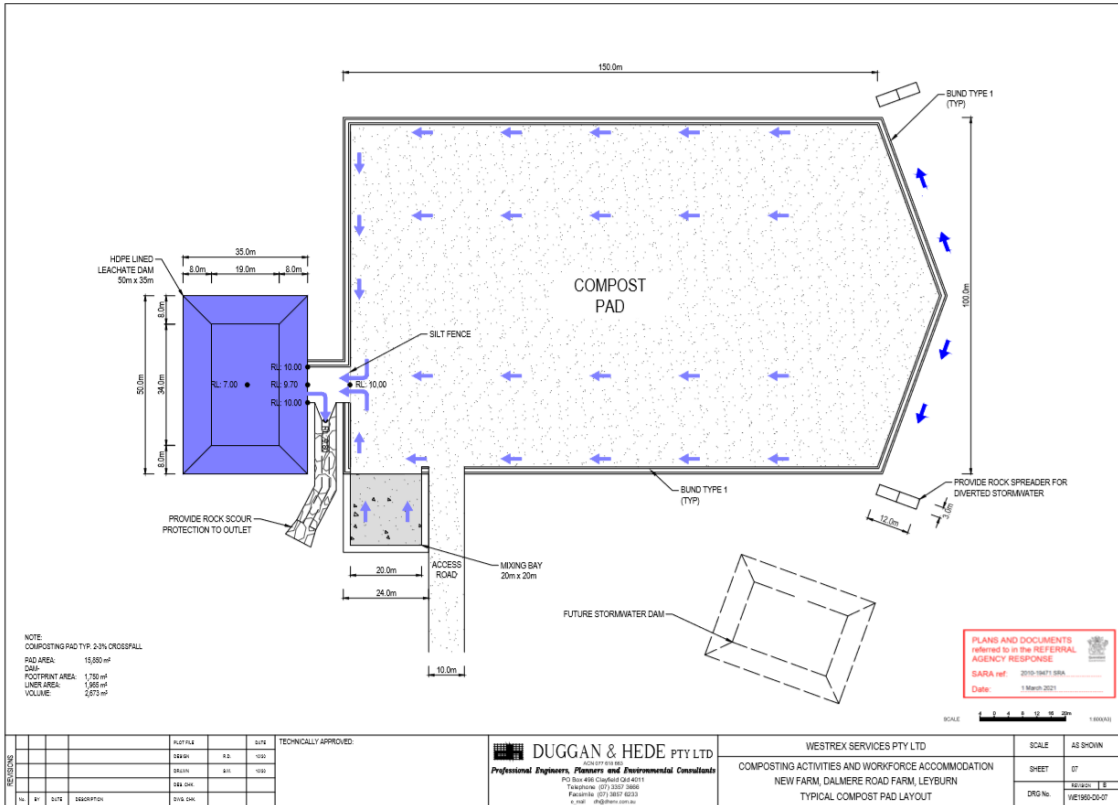
No.	Conditions	Condition timing
Material Change of Use		
10.9.4.1.1.1—Development impacting on state transport infrastructure—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of Department of Transport and Main Roads to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	Heavy vehicles as defined in the <i>Transport Operations (Road Use Management) Act 1995</i> associated with the proposed development are to be restricted to 19m Semi Trailer or smaller in accordance with Section 2.0 Item 1 – Heavy Vehicle Movements in the Traffic Assessment - Response to Advice Notice prepared by Bitzios Consulting Pty Ltd dated 12 January 2021, reference P4487.001L and revision.	At all times.
2.	<p>(a) Road works at the Toowoomba-Karara Road/Dalmere Road intersection must comprise the following:</p> <ul style="list-style-type: none"> Channelised Right Turn Lane with a short turn slot (CHRs) installation of truck warning signs (W5-22B) on Toowoomba Karara Road for both approaches to the intersection widening of the intersection to cater for swept path of 19m AV semi-trailer lengthening the sealed pavement by 20m and widening the road to 8m for 40m on Dalmere Road. <p>The road works must be designed and constructed in accordance with Transport and Main Roads Road Planning and Design Manual and Manual of Uniform Traffic Control Devices and Dalmere Road/Toowoomba Karara Road Intersection Concept prepared by Bitzios Consulting dated 12.01.2021, Project Number P4487, Sheet Number 2, Issue 002.</p>	Prior to the commencement of use.
3.	<p>The development must be generally in accordance with the following report and plan:</p> <p>a) 5.0 Summary – Item 2 of the Traffic Assessment - Response to Advice Notice prepared by Bitzios Consulting Pty Ltd dated 12 January 2021, reference P4487.001L, in particular:</p> <ul style="list-style-type: none"> The Operational Plan is to also include: <ul style="list-style-type: none"> contact details of all suppliers, and a communication plan indicative delivery schedules for various suppliers to avoid queuing on Toowoomba-Karara Road logging of non-compliances with operating procedures and corrective measures taken to prevent further non- 	At all times.

	<p>compliance</p> <ul style="list-style-type: none"> o contact details of state government departments to report non-compliances. b) Dalmere Road Passing Bay Concept prepared by Bitzios Consulting dated 12.01.2021, Project Number P4487, Sheet Number 3, Issue 001. 	
<p>10.5.4.2.1—Environmentally relevant activities—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Environment and Science to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:</p>		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <ul style="list-style-type: none"> • Westrex Services Pty Ltd Composting Activities and Workforce Accommodation New Farm, Dalmere Road Farm, Leyburn Site Plan, prepared by Duggan & Hede Pty Ltd, dated 10/20, reference number WE1960-D0-02 and version B. • Westrex Services Pty Ltd Composting Activities and Workforce Accommodation New Farm, Dalmere Road Farm, Leyburn Mses / Regulated Vegetation Buffers, prepared by Duggan & Hede Pty Ltd, dated 10/20, reference number WE1960-D0-03 and version D. • Westrex Services Pty Ltd Composting Activities and Workforce Accommodation New Farm, Dalmere Road Farm, Leyburn Typical Compost Pad Layout, prepared by Duggan & Hede Pty Ltd, dated 10/20, reference number WE1960.D0-07 and version B • Westrex Services Pty Ltd Composting Activities and Workforce Accommodation New Farm, Dalmere Road Farm, Leyburn Typical Compost Pad Details, prepared by Duggan & Hede Pty Ltd, dated 10/20, reference number WE1960-D0-08 and version B. 	At all times.









Our reference: P4457.001L



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Your reference: 2010-19471 SRA (SARA)

12 January 2021

Westrex Services Pty Ltd
C/- Duggan & Hede Pty Ltd
PO Box 496
CLAYFIELD QLD 4011

Attention: **Mike McMahon**

Sent via email: m.mcmahon@dhenv.com.au

Dear Mike,

**RE: RESPONSE TO SARA ADVICE NOTICE IN RELATION TO A PROPOSED
COMPOSTING FARM LOCATED AT DALMERE ROAD, LEYBURN**

1.0 INTRODUCTION

Bitzios Consulting has been engaged by Duggan & Hede Pty Ltd on behalf of Westrex Services Pty Ltd (applicant) to provide traffic engineering advice in relation to a development application (DA) for a proposed composting farm to be located on Dalmere Road, Leyburn (subject site).

This letter has been prepared in response to the Advice Notice issued by the State Assessment and Referral Agency (SARA) dated 3rd December 2020, in relation to the subject DA.

From a traffic engineering perspective, the Advice Notice requests additional information in relation to heavy vehicle usage (Item 1) and safety mitigation measures proposed at the intersection of Dalmere Road / Toowoomba – Karara Road (Item 2). It also requests that a pavement impact assessment (PIA) is undertaken (Item 3). These items have been considered and addressed herein.

A copy of the Advice Notice is included at Attachment 1.

2.0 ITEM 1 – HEAVY VEHICLE MOVEMENTS

2.1. SARA Advice Notice

- Demonstrate how the development will be limited to using 19m semi-trailers only for all heavy vehicle movements

2.2. Bitzios Response

The applicant has confirmed that the largest design vehicle required for the proposed development is a 19m Articulated Vehicle (AV). Limiting site access to 19m AV's or smaller can and should be conditioned by SARA and / or Council. No further information is required.

PLANS AND DOCUMENTS
referred to in the REFERRAL
AGENCY RESPONSE

SARA ref: 2010-19471 SRA

Date: 1 March 2021



3.0 ITEM 2 – SAFETY MITIGATION MEASURES

3.1. SARA Advice Notice

- The proposed mitigation measure of a 23m long storage bay on Dalmere Road is considered inadequate to appropriately address the safety risks associated with the queuing onto the state-controlled road given the proposed development generates 50 heavy vehicle trips per day. Demonstrate how development associated heavy vehicles will be managed to achieve a no worsening impact of safety on Toowoomba – Karara Road.

3.2. Bitzios Response

Revised Safety Upgrades

The proposed Dalmere Road / Toowoomba - Karara Road intersection upgrades have been amended to further reduce the likelihood of site vehicles impacting the State-controlled network.

Figure 3.1 conceptually illustrates the proposed (and revised) Dalmere Road upgrades.



Figure 3.1: Proposed Access Configuration

As part of the amended intersection upgrades, the following is now proposed:

- Sealing the first 20m of Dalmere Road with asphalt to prevent loose gravel from damaging the seal and / or line-markings on Toowoomba Karara Road
- Providing a width of 8m for the first 40m of Dalmere Road to allow for independent 19m AV access and exit manoeuvres
- Provide an independent 19m AV passing / storage bay midway along Dalmere Road.

A copy of concept sketch and swept paths have been included at **Attachment 2** and **3**, respectively.

It should be noted that Inset A (passing / storage bay) is an indicative location only and the exact location should be determined based on the existing conditions along Dalmere Road.

Proposed Access Operations

Whilst it is acknowledged that the development will increase traffic demands on Dalmere Road, the estimated peak hour and daily traffic demands are expected to be relatively low and in our opinion, do not warrant the bitumen sealing or widening of the full length of Dalmere Road.

To safely accommodate the two-way / one-lane arrangement, the following operations are proposed:

- Truck drivers entering or exiting the subject site will need to communicate with other truck drivers on route, to confirm that no other trucks are travelling along Dalmere Road:
 - If no trucks are travelling along Dalmere Road: the truck driver will proceed along the route and alert other truck drivers accordingly
 - If another truck is already on the Dalmere Road: the truck driver will wait either on-site, at the designated storage location midway along Dalmere Road, or at the two-way section of Dalmere Road provided at the Toowoomba - Karara Road intersection
- When possible, all inbound vehicles should be provided with priority to further reduce the likelihood of queuing back onto the State-controlled network.

The applicant will maintain the unsealed section of road to a suitable standard during site operations.

4.0 ITEM 3 – PAVEMENT IMPACT ASSESSMENT

4.1. SARA Advice Notice

- Provide a Pavement Impact Assessment assessing the potential pavement impacts on the state-controlled road network as a result of the proposed development.

4.2. Bitzios Response

In response to Item 3, further consultation was undertaken with SARA, who stated *"the requirement to provide a Pavement Impact Assessment as stated in the attached Advice Notice is no longer required in this instance."* This also aligns with the pre-lodgement advice provided by SARA.

5.0 SUMMARY

In summary:

- **Item 1:** The applicant should be conditioned to limit site access to a 19m AV or smaller
- **Item 2:** The applicant should be conditioned to upgrade Dalmere Road as follows:
 - The first 20m of Dalmere Road should be sealed to prevent damage to the State-controlled road
 - The first 40m of Dalmere Road should be widened to 8m wide to allow for independent A/V access
 - A passing / storage bay should be provided midway along Dalmere Road to accommodate a 19m AV's.
- **Item 2:** The applicant should be conditioned to implement an operational plan as follows:
 - Truck drivers entering or exiting the subject site will need to communicate with other truck drivers on route, to confirm that no other trucks are travelling along Dalmere Road:
 - o If no trucks are travelling along Dalmere Road: the truck driver will proceed along the route and alert other truck drivers accordingly
 - o If another truck is already on the Dalmere Road: the truck driver will wait either on-site, at the designated storage location midway along Dalmere Road, or at the two-way section of Dalmere Road provided at the Toowoomba - Karara Road intersection
 - When possible, all inbound vehicles should be provided with priority.
- **Item 2:** The applicant should be conditioned to maintain the unsealed section of road along Dalmere Road to a suitable standard during site operations
- **Item 3:** SARA stated via email that a PIA is no longer required for the subject DA.

I trust the above response is sufficient to address the traffic and transport related queries raised and will allow SARA to prepare reasonable and relevant conditions of approval.

Yours faithfully



Damien Scutt
Manager – Brisbane
Principal Traffic Engineer / Transport Planner
Bitzios Consulting
RPEQ 15031

Attachments:
1: SARA Advice Note
2: Dalmere Road Concept Design
3: Swept Path Diagrams

Our reference: P4487.001L



Attachment 1: SARA Advice Note

GE77-N



Queensland Treasury

SARA reference: 2010-19471 SRA
Council reference: AMM:AMM/ MCU/02176

3 December 2020

Westrex Services Pty Ltd
C/- Duggan & Hede Pty Ltd
PO Box 496
CLAYFIELD QLD 4011
m.mcmahon@dhenv.com.au

Attention: Mr Michael McMahon

Dear Michael

SARA advice notice - 493 Bonnie Doon Road, and Dalmere Road, Leyburn

(Advice notice given under section 35 of the Development Assessment Rules)

The State Assessment and Referral Agency (SARA) advises that your development application has not adequately demonstrated compliance with the State Development Assessment Provisions (SDAP).

In addition to the information request issued on 20 November 2020 and the phone conversation on 2 December 2020, the following issue(s) with the proposed development have been identified:

State-controlled road	
1.	<p>Issue:</p> <p>The submitted Traffic Impact Assessment prepared by Bitzios Consulting, dated 30 September 2020, reference P4487, revision v002, has not satisfactorily demonstrated a no net worsening of safety, infrastructure or operating conditions on the Warrego Highway post development. An amended Traffic Impact Assessment is required which demonstrates compliance with Performance Outcomes (PO) 1 - PO4 of State code 6: Protection of state transport networks, of the SDAP.</p> <p>Action:</p> <p>Please provide an amended Traffic Impact Assessment which addresses the following:</p> <ul style="list-style-type: none">• Demonstrate how the development will be limited to using 19m semi-trailers only for all heavy vehicle movements• The proposed mitigation measure of a 23m long storage bay on Dalmere Road is considered inadequate to appropriately address the safety risks associated with the queuing onto the state-controlled road given the proposed development generates 50 heavy vehicle trips per day. Demonstrate how development associated heavy

	<p>vehicles will be managed to achieve a no worsening impact of safety on Toowoomba – Karara Road.</p> <ul style="list-style-type: none">• Provide a Pavement Impact Assessment assessing the potential pavement impacts on the state-controlled road network as a result of the proposed development. <p>The amended Traffic Impact Assessment must:</p> <ul style="list-style-type: none">• be certified by a Registered Professional Engineer Queensland in accordance with the Department of Transport and Main Roads' (DTMR) Guide to Traffic Impact Assessments 2017 (GTIA)• demonstrate that the management of development associated traffic can achieve a no worsening impact to the state-controlled road network (on the pre-development condition) in accordance with GTIA• provide a recommendation that includes details and plans of all mitigation measures proposed to address any traffic impacts or safety risks on the state-controlled road network by the proposed development. Any mitigation measures must be prepared in accordance with DTMR's Road Planning and Design Manual.
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Please note that unlike an information request, assessment timeframes do not stop when advice is provided by SARA.

How to respond

It is recommended that you address these issues promptly and provide a response to SARA by 22 February 2020. If you decide not to respond, your application will be assessed and decided based on the information provided to date.

Under the [Development Assessment Rules](#) (DA Rules), the issuing of advice does not stop the assessment timeframes. If you intend to provide additional information, it should be provided in a timely manner to allow sufficient time for the information to be considered. As such, you are strongly encouraged to consider using the 'stop the clock' provisions under s32 of the DA rules, to allow sufficient time for you to consider and respond to SARA's advice; and for SARA to consider any new or changed material provided.

If you wish to utilise the 'stop the clock' provisions, you should give notice to the assessing authority (assessment manager or referral agency) whose current period you wish to stop. This can be done through MyDAS2 or via correspondence.

You are requested to upload your response and complete the relevant tasks in [MyDAS2](#).

If you require further information or have any questions about the above, please contact Brittany Hughes, Planning Officer, on (07) 4616 7332 or via email ToowoombaSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



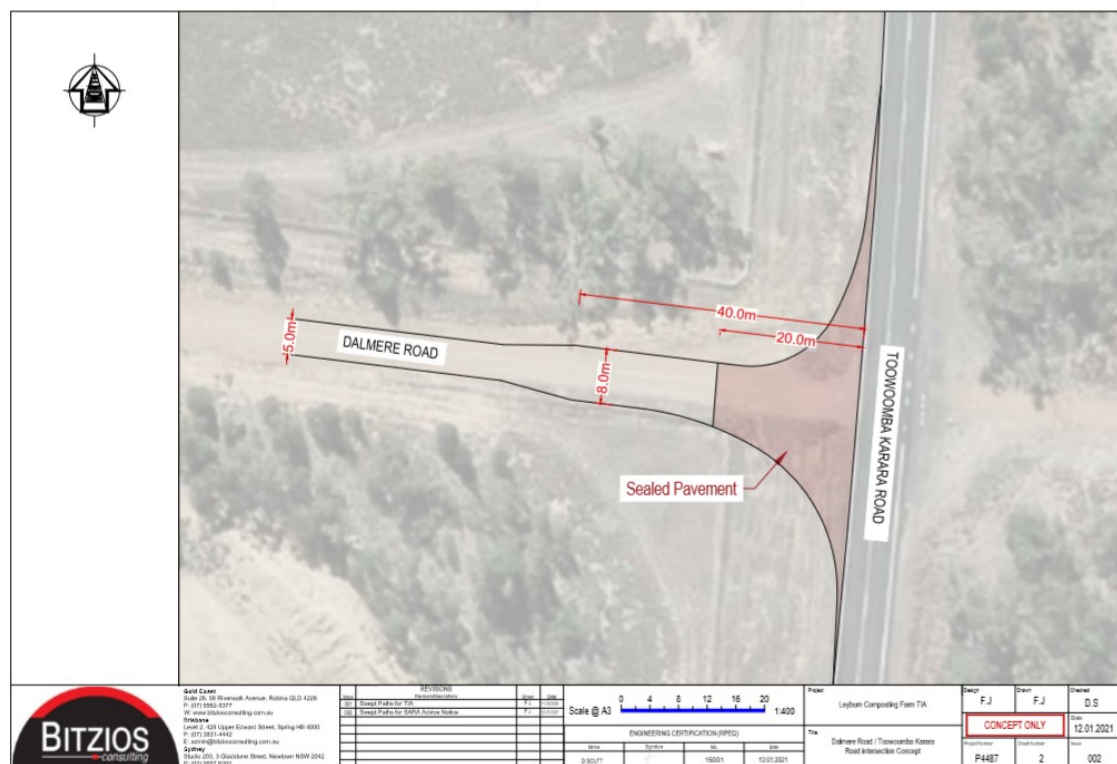
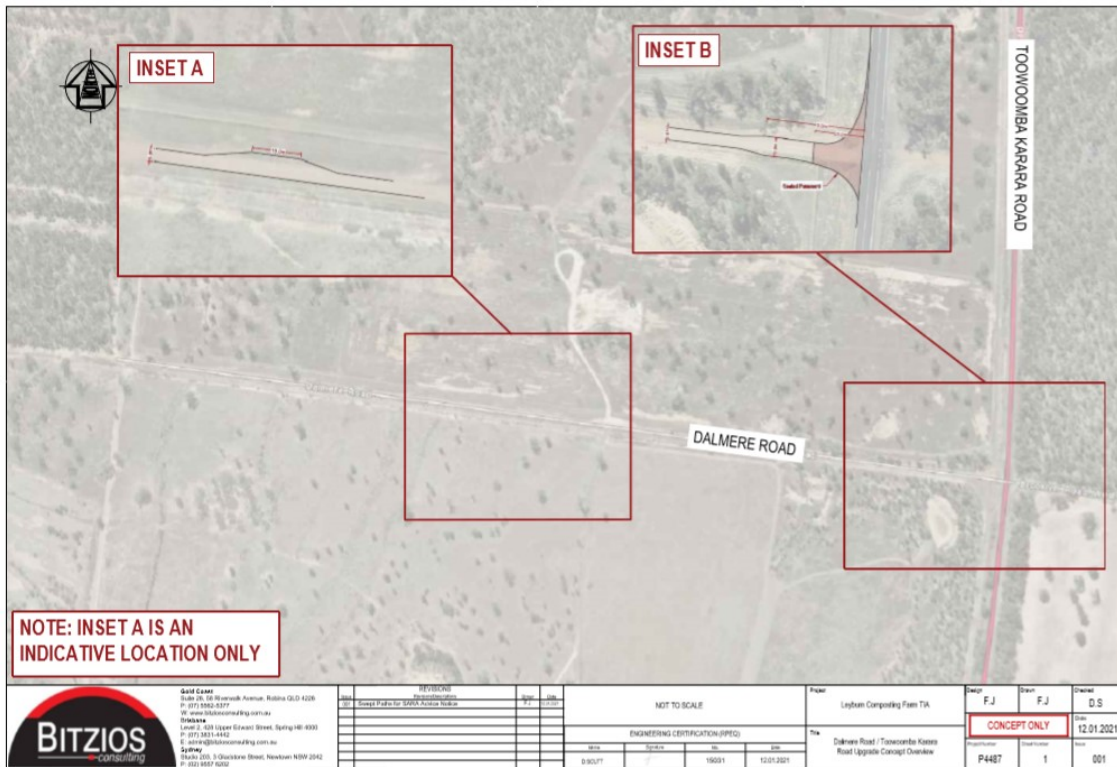
Darren Cooper
Manager - DDSW (Planning)

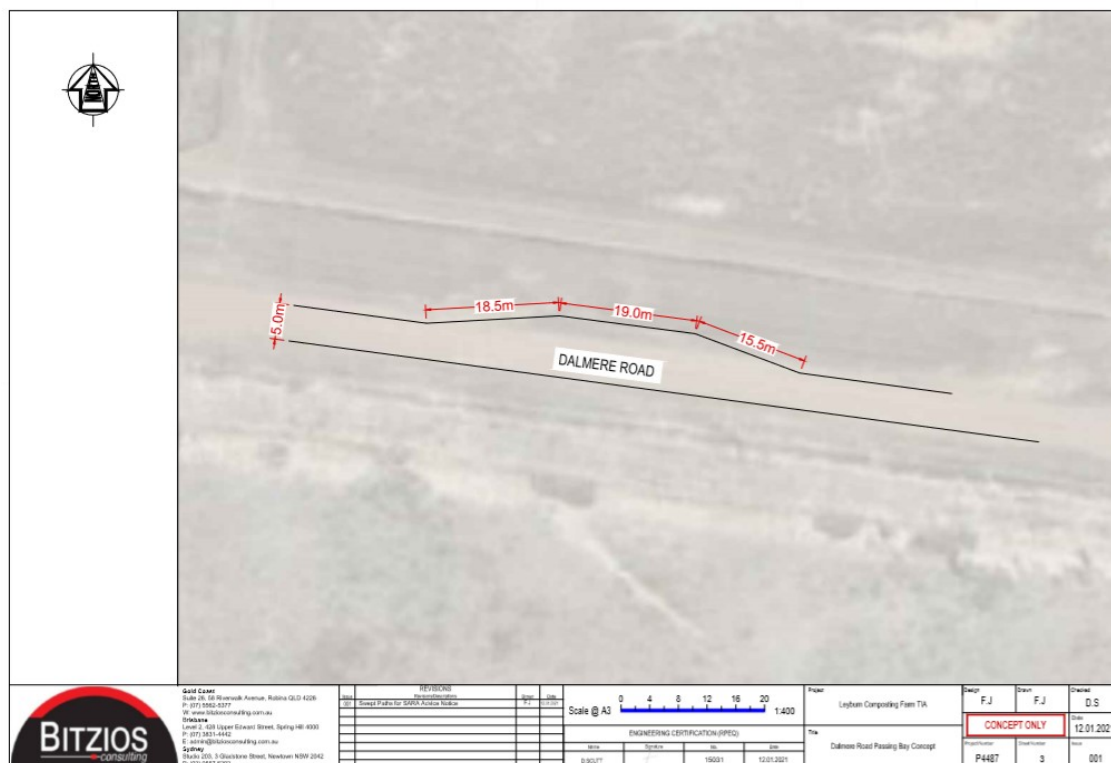
cc Southern Downs Regional Council, mail@sdrc.qld.gov.au

Development details	
Description:	Development permit: Material Change of Use - High Impact Industry (Composting organic material or organic waste - Over 5,000 tonnes per annum) and Material Change of Use - Non-Resident workforce accommodation (Two (2) Dwellings)
SARA role:	Referral agency
SARA trigger:	Schedule 10, Part 5, Division 4, Table 2, Item 1 (10.5.4.2.1) Environmentally relevant activities (SRA) Schedule 10, Part 5, Division 4, Subdivision 1, Table 1, Item 1 (10.5.4.1.1.1) Development impacting on state transport infrastructure Schedule 10, Part 5, Division 4, Subdivision 2, Table 4, Item 1 (10.5.4.2.4.1) Material Change of Use of premises near a State transport corridor and within 100m of a state-controlled road intersection
SARA reference:	2010-19471 SRA
Assessment criteria:	State code 1: Development in a state-controlled road environment State code 6: Protection of state transport networks State code 22: Environmentally relevant activities



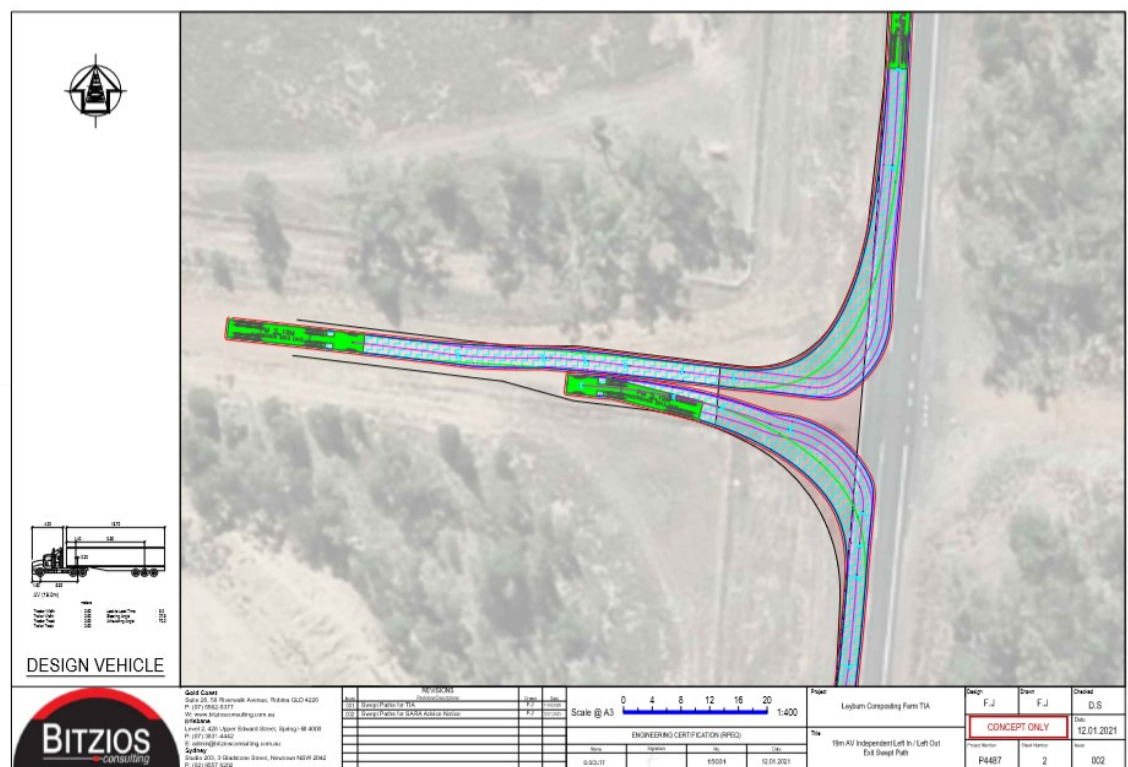
Attachment 2: Dalmere Road Concept Design

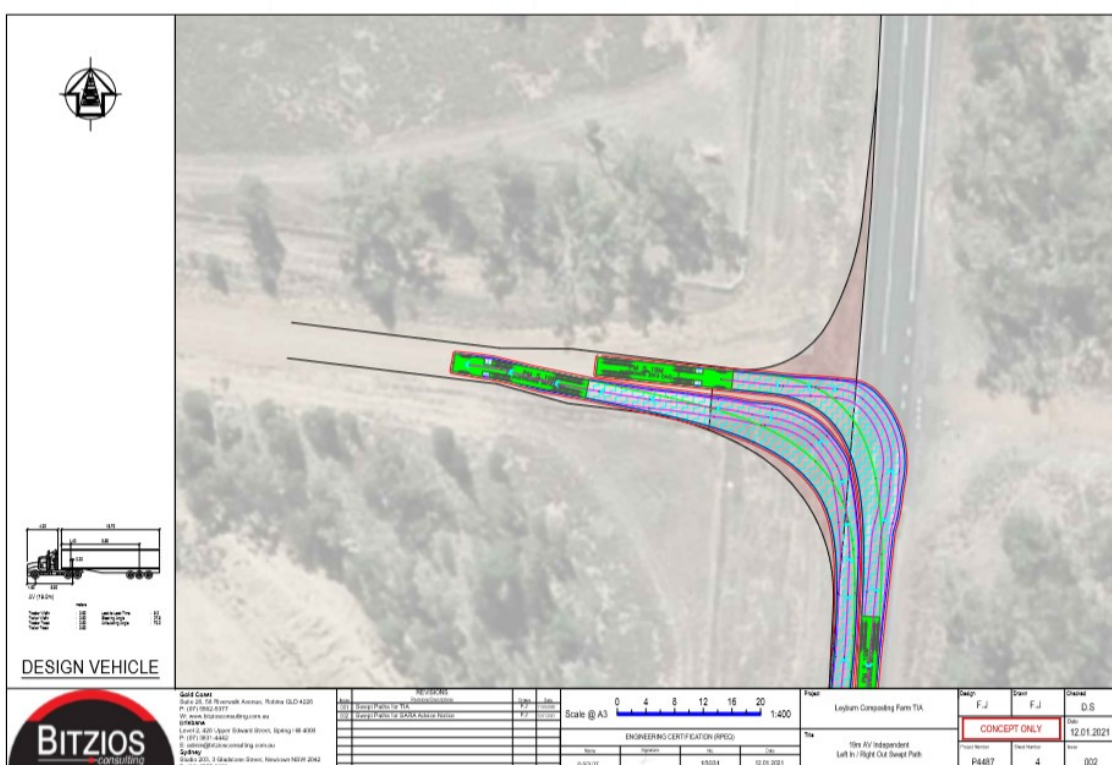
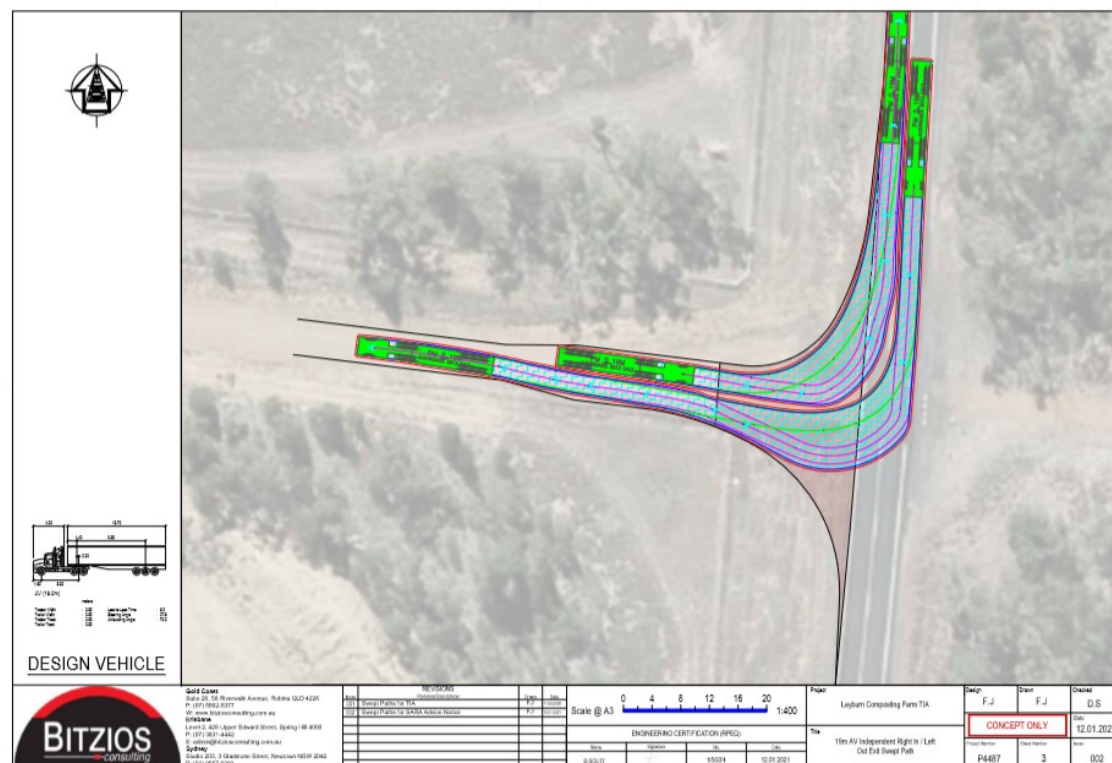


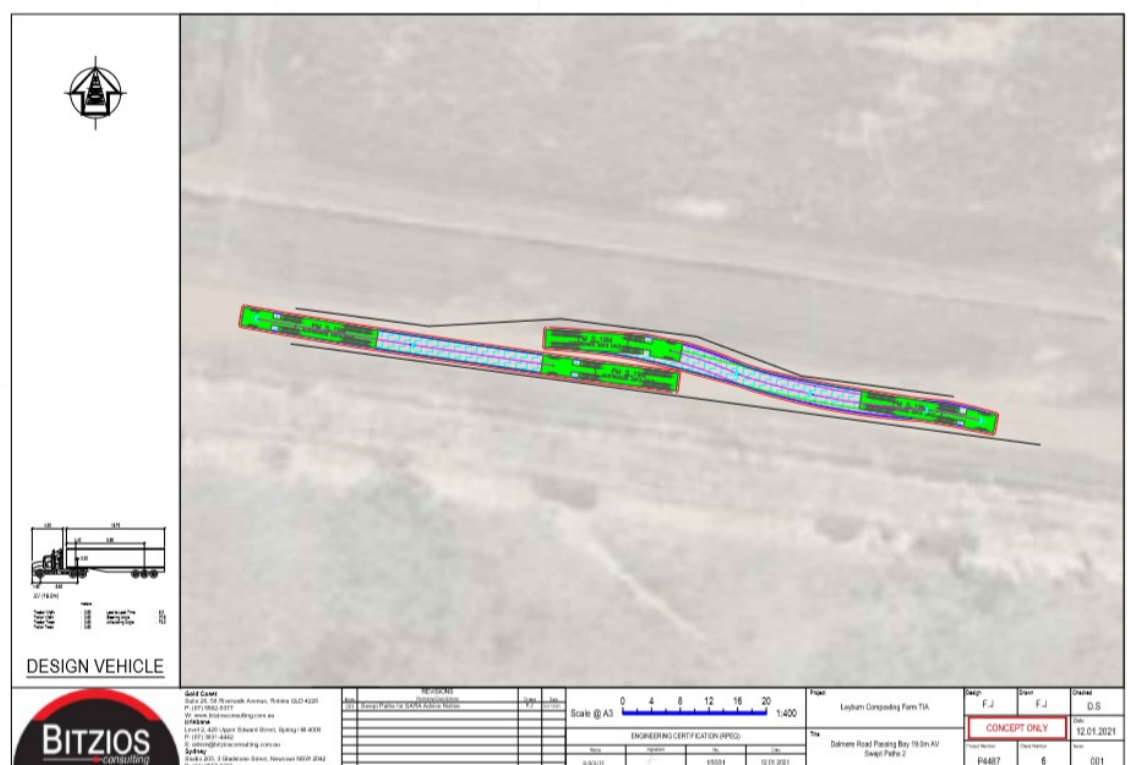




Attachment 3: Swept Path Diagrams







Carried

14.4 Request for Fee Reduction

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council approve the request to waive the entire development application fee and approval of plan of subdivision fee associated with a Reconfiguration of a Lot (Realignment of boundaries – Two lots) on land at 63 Victoria Street and 4 Alice Street, Warwick in accordance with Section 109 of the *Planning Act 2016*, provided the development application is submitted by 31 December 2021 and the associated survey plan is submitted by 30 June 2022.

Carried

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

Nil

16. NOTICES OF MOTION

Nil

The meeting adjourned for morning tea at 10:31am and reconvened at 10:50am, at which time there were present Crs Bartley, Gliori, Gow, Windle, McDonald, Gale and Tancred.

17. GENERAL BUSINESS

17.1 CONCERNS REGARDING RECENT UPGRADE OF THE NEW ENGLAND HIGHWAY SOUTH OF STANTHORPE

RESOLUTION

MOVED CR C GOW

SECONDED CR S TANCRED

THAT COUNCIL WRITE TO THE MINISTER FOR TRANSPORT AND MAIN ROADS RAISING CONCERNS IN RELATION TO THE HIGHWAY UPGRADE OF THE NEW ENGLAND HIGHWAY SOUTH OF STANTHORPE, AND INVITE THE MINISTER TO VISIT THE SITE WITH COUNCIL.

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 Disposal of Land - Property ID 119350

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.

18.2 Ties Group Pty Ltd & UKL Pty Ltd (St George Springs / Aleve Estate) - Request to Waive Rates and Charges

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 C McDonald

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 10:52am.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 11:13am.

Carried

18.1 Disposal of Land - Property ID 119350

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT Council:

1. Approve the disposal of Lot 32 on SP279664 in accordance with Section 236(1)(c)(vii) of the *Local Government Regulation 2012*; and
2. Delegate authority to the Chief Executive Officer to finalise the sale of Lot 32 on SP279664.

Carried

18.2 Ties Group Pty Ltd & UKL Pty Ltd (St George Springs / Alewa Estate) - Request to Waive Rates and Charges

Resolution

Moved Cr C McDonald

Seconded Cr M Gliori

THAT Council agree to waive the remaining balance of rates and charges for properties owned by Ties Group Pty Ltd, UKL Pty Ltd and the 1 property owned by Iconic Construction Group Pty Ltd for PID 135990 following payment of the agreed settlement.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 11:16am.