



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
27 JANUARY 2016**

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6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
7.1	Correspondence	Cr Meiklejohn noted his association declared that a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>), may exist due to his association with one of the items of correspondence from the Glennie Heights Scout Group. Cr Meiklejohn dealt with the perceived conflict of interest by stating that it was his determination that his personal interest is not of sufficient significance that it would lead to him making a decision on this matter that is contrary to the public interest. Cr Meiklejohn participated in the discussion and voting on this matter.
9.7	Emu Swamp Dam Business Case	Cr Pennisi declared that a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>), may exist due to his association with Stanthorpe Community Reference Panel. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his determination that his personal interest is not of sufficient significance that it would lead to him making a decision on this matter that is contrary to the public interest. Cr Pennisi participated in the discussion and voting on this matter.
11.3	Progress Report GrainX Australia – Memorandum of Understand	Cr Rees declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to the proximity of his residence to the GrainX site and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
11.5	Reconfiguration of Lot – Parkinson Surveys Pty Ltd, 408 and 414 Amiens Road and 63 Plant Lane, Applethorpe	Cr Gow declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to the applicant being a family member and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
15.8	Tender Assessment Report – Request for Tender 16/037 Construction of Sandy Creek Road Bridge	Cr Bartley declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to business dealings with one of the tenderers and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
15.9	Tender Assessment Report – Request for Tender 16/042 Construction of Bellinghams Road Bridge and Mullins Road Bridge	Cr Bartley declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to business dealings with one of the tenderers and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the

		debate or decision on the matter.
15.10	Tender Assessment Report – Request for Tender 16/043 Construction of Tummaville Road Bridge	Cr Bartley declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to business dealings with one of the tenderers and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

Council's Director Engineering Services also noted his association with the Glennie Heights Scout Group - Agenda Item 7.1

7. READING AND CONSIDERATION OF CORRESPONDENCE

7.1 Correspondence

Resolution

Moved Cr R Bartley

Seconded Cr V Pennisi

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

Carried

8. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

9. EXECUTIVE

9.1 Financial Report as at 31 December 2015

Resolution

Moved Cr C Gow

Seconded Cr D Ingram

THAT Council receive and note the Financial Report as at 31 December 2015.

Carried

9.2 Second Quarter Budget Review 2015/2016

Resolution

Moved Cr N Meiklejohn

Seconded Cr G Rees

THAT Council:-

1. Adopt the second quarter budget review 2015/2016 adjustments as per Attachment 1.
2. Defer consideration of the late request from Stanthorpe Regional Art Gallery to enable further consideration be given to retro-fitting of lights.

Carried

Attachments

1. Second Quarter Budget Review 2015/2016 - Income Statement, Statement of Financial Position, Statement of Cash Flow, Statement of Change in Equity and Notes

9.3 Department of Natural Resources and Mines - Term Lease over Reserve - Lot 46 on CP903434

Resolution

Moved Cr V Pennisi

Seconded Cr N Meiklejohn

THAT Council advise the Department of Natural Resources and Mines the following:

1. The reserve over Lot 46 on CP903434 is no longer required for its gazetted purpose and Council requests to relinquish Trusteeship.
2. Council is not prepared to issue either a Trustee Lease or Trustee Permit over Lot 46 on CP903434 when the current Term Lease expires.
3. Council has no objection to the issuing of a 'Permit to Occupy' over Lot 46 on CP903434 when the current Term Lease expires.
4. That Council suggests the Department consider freeholding Lot 46 on CP903434 subject to amalgamation with an adjoining lot.

Carried

9.4 SDRC Operational Plan Quarterly Review - October to December 2015

Resolution

Moved Cr D Ingram

Seconded Cr N Meiklejohn

THAT Council receive and note the SDRC Operational Plan Quarterly Review – October to December 2015.

Carried

9.5 Executive Performance Report - December 2015

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council receive and note the Executive Performance Statistics for December 2015.

Carried

9.6 Quarterly Human Resources Report

Resolution

Moved Cr D Ingram

Seconded Cr C Gow

THAT Council receive the report and note the contents.

Carried

Cr Pennisi declared that a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009), may exist due to his association with Stanthorpe Community Reference Panel. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his determination that his personal interest is not of sufficient significance that it would lead to him making a decision on this matter that is contrary to the public interest. Cr Pennisi participated in the discussion and voting on this matter.

9.7 Emu Swamp Dam Business Case

Resolution

Moved Cr R Bartley

Seconded Cr G Rees

THAT Council receive and note the Emu Swamp Dam Business Case prepared for the Stanthorpe Community Reference Panel and the Southern Downs Regional Council by Jacobs Consulting.

Carried

Cr Pennisi voted for the motion.

10. ENGINEERING SERVICES DEPARTMENT REPORTS

10.1 Engineering Services Department Monthly Report

Resolution

Moved Cr G Rees

Seconded Cr R Bartley

THAT Council receive the Engineering Services Department Monthly Report

Carried

10.2 Glenmar Fuel Application for B Double Access - Allora Clifton Road

Resolution

Moved Cr J Mackenzie

Seconded Cr N Meiklejohn

THAT Council:-

1. Receive the report on Glenmar Fuel Application for B Double Access – Allora Clifton Road, subject to the outcome of Level 3 inspection
2. Be provided with costings for the options for repair, replacement or a side track for budget consideration.

Carried

11. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

11.1 Pest Management Working Group Minutes 17 November 2015

Resolution

Moved Cr J Mackenzie

Seconded Cr C Gow

THAT Council:-

1. Receive the report in relation to the Pest Management Working Group Minutes of the meeting held on 17th November 2015 and adopt the Minutes.
2. Approve the amendment of the Terms of Reference for the Pest Management Working Group document to include Council's Local Laws Coordinator, a member from the Darling Downs Moreton Rabbit Board and a member of Granite Borders Landcare Group.
3. Endorse the development of a draft environmental enhancement policy, based on the City of Melton model for consideration by Council after the March 2016 election.
4. Remove the late Peter Cleary from the list of signatories in the Wild Dog Bounty Policy and to add Ian Cullen and Andrew Costello following Peter's passing and the pending retirement of Bill Fearby.
5. Consider an increase in the Wild Dog Bounty at the Third Quarter Budget Review.

Carried

11.1.1 Appreciation to Signatores for Wild Dog Bounties

Resolution

Moved Cr J Mackenzie

Seconded Cr C Gow

THAT Council write to the family of the late Peter Cleary and also to Bill Fearby thanking those members for their participation and efforts as signatories for Wild Dog Bounties.

Carried

11.2 PECS: Drought Relief Grant Funding

Resolution

Moved Cr R Bartley

Seconded Cr J Mackenzie

THAT Council return the funding for Community Drought Support Relief to the State Government and refer the income reduction to the Third Quarter Review.

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, C Gow, D Ingram, J Mackenzie, J McNally and V Pennisi (6)

Against: Crs P Blundell, N Meiklejohn and G Rees (3)

Accordingly the Mayor declared the motion carried.

Cr Rees declared a real conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009) due to the proximity of his residence to the GrainX site and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

10:37 AM Cr G Rees left the meeting.

11.3 Progress Report GrainX Australia - Memorandum of Understanding

Resolution

Moved Cr J Mackenzie

Seconded Cr N Meiklejohn

THAT Council:-

1. Receive the Report in relation to the GrainX Consultative Committee Meeting of 14 December 2015, adopt the Minutes from the Consultative Committee Meeting and note the action items of the Minutes.
2. Defer any legal action and instead request that the operators of the GrainX site be requested to attend a Special Meeting of Council in February 2016 to confidentially discuss, with a view of resolving, outstanding issues including landscaping of the Herbert Street frontage of the site, the hours of operation of the on-site machinery including the grain elevator, loading and unloading of grain both during and outside of peak harvest periods and the Memorandum of Understanding agreement for the loading of empty containers external to the site.
3. Postpone the next meeting of Consultative Committee to enable Council to meet with GrainX operators.

Carried

10:46 AM Cr G Rees rejoined the meeting.

The meeting adjourned for morning tea at 10.45am and reconvened at 11.05am at which time there were present Crs Blundell, McNally, Gow, Rees, Mackenzie, Pennisi, Bartley, Ingram and Meiklejohn.

11.4.1 Request for Negotiated Decision - CW & CG Hood

Resolution

Moved Cr J Mackenzie

Seconded Cr R Bartley

THAT Council adopt the officer's recommendation with the exception of Condition 28 changed as follows:

- a. An acoustic barriers and landscaping shown in red on the proposal plan is to be provided in accordance with the approved details submitted to Council;
- b. A 6.0 metre wide landscaped strip is to be provided adjacent to the southern boundary of the land as shown in purple on the plan below.
- c. All landscaping shall be undertaken and maintained in perpetuity by the operators of the approved development.

Lost

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

For: Crs R Bartley and J Mackenzie (2)

Against: Crs P Blundell, C Gow, D Ingram, J McNally, N Meiklejohn, V Pennisi and G Rees (7)

Accordingly the Mayor declared the motion lost.

11.4 Request for Negotiated Decision - C W & C G Hood, Warwick-Allora Road, Hendon Resolution

Moved Cr D Ingram

Seconded Cr N Meiklejohn

1. THAT the applicant be advised that Council can consider only those matters raised in the representations made during the legislative timeframe as part of the negotiated decision process (see s.360 and s.366 of the *Sustainable Planning Act 1999*).
2. THAT the applicant be advised that the development may proceed in stages, subject to all conditions relevant to each stage being complied with, including the provision of all infrastructure required to service a particular stage being provided with that stage.
3. THAT the request for a negotiated decision is relation to the Development Permit dated 28 November 2013 for a Medium impact industry (Intermodal Agricultural Hub for the storage and transportation of grain) on land at Warwick-Allora Road, Allora, described as Lot 3 RP6983 and Lot 15 M34673, Parish of Allora, County of Merivale, be approved in part only:
 - (i) Condition 34 remains unchanged as the sealing of vehicle driveways and major manoeuvring areas is required to reduce dust impacts. The applicant has not proposed any satisfactory alternative method of reducing dust associated with vehicle movements. The areas required to be sealed are only the entrance, driveway and parking areas; and
 - (ii) Condition 8 of Schedule 1 is deleted and Conditions 2, 7 and 28 of Schedule 1 are amended as follows:

Reconfiguration of a Lot

2. (i) The existing allotments are to be amalgamated into one allotment and a new Certificate of Title issued to cover the newly created allotment prior to the use of the site commencing; **OR**
 - (ii) **A statutory covenant is to be provided over Lot 3 RP6983 and Lot 15 M34673 to retain these lots in the same ownership until such time as the use of the land for an Intermodal Agricultural Hub ceases. The covenant documentation is to be prepared by Council's solicitor at the developer's cost. The covenant documentation is to be submitted to Council for approval.**

Use of Rail Line

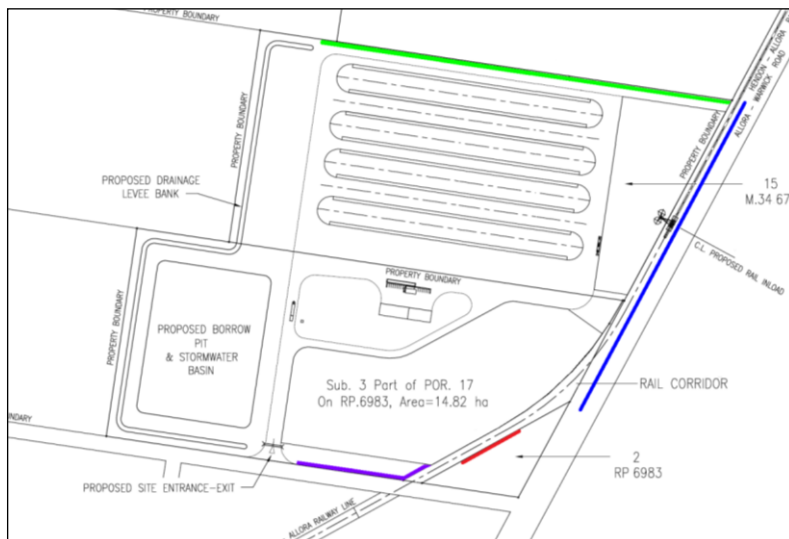
7. The rail line may only be used if the operator enters into an interface agreement with Council as a road manager in accordance with the relevant rail safety legislation. The interface agreement is to ensure that rail infrastructure managers and road managers identify risks to safety arising from rail or road crossings and determine measures to manage those risks. **The interface agreement will include measures to ensure that at no time is a train stopped such that it restricts the use of the unmade road that runs along the southern boundary of the land, or Kates Road to the north of the land.** The operator is responsible for carrying all works required as part of that agreement prior to the use of the rail line.

Fencing, Landscaping and Buffers

28. Tree planting, acoustic barriers and landscaping are to be provided as follows:
 - (a) ~~Three rows of trees and shrubs planted along the northern boundary of the land as~~ An earth mound with a minimum height of 2 metres is to be provided within 20 metres of the northern property boundary (shown in green on the plan below). ~~Shrubs are to be planted on the mound to minimise the visual impact of the development from adjoining properties and roads. The rows are to be planted 5.0 metres apart, and the trees within each row are to be planted~~

~~approximately 5.0 metres apart. The trees planted within the buffers are to be suitable to grow to heights of between 3.0 metres and 20 metres. The trees and shrubs are to be maintained so they form an effective visual buffer. The trees and shrubs must be planted at least 10 metres from the boundary of the land. At least 25% of the shrubs trees planted must be advanced tree plantings (i.e. minimum height of 1.5 metres at the time of planting). An irrigation system is to be provided for the trees and shrubs.~~

- (b) Dense tree and shrub planting is to be provided adjacent to, and east of, the acoustic barrier required by Condition 26, as shown in red on the plan below, so as to enhance the appearance of the fence. The trees and shrubs planted within this area are to be of varying height and species.
- (c) A row of ~~trees and~~ shrubs is to be planted along the western side of the ~~Warwick-Allora Road road reserve rail-line~~ as shown in blue on the plan below. The developer is to obtain a Road Corridor Permit for the planting of the shrubs. The ~~trees shrubs~~ are to be planted a maximum of ~~10.0 5.0~~ metres apart and are to be of a species to meet the Department of Transport and Main Roads' requirements for frangibility (i.e. a mature girth of no more than 150 mm). The ~~trees and~~ shrubs are to be maintained so they form an effective visual buffer. ~~At least 25% of~~ At the time of planting, the ~~trees shrubs be at an advanced stage of growth planted must be advanced tree plantings~~ (i.e. minimum height of 1.5 metres at the time of planting). An irrigation system is to be provided for the trees and shrubs.
- (d) A 6.0 metre wide landscaped strip is to be provided adjacent to the southern and eastern boundaries of Lot 3 RP6983 ~~the land~~ as shown in purple on the plan below. Trees and shrubs are to be planted within the landscaped strip and maintained so they form an effective visual buffer. An irrigation system is to be provided to this landscaped area.



Carried

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

For: Crs P Blundell, C Gow, D Ingram, J McNally and N Meiklejohn (5)

Against: Crs R Bartley, J Mackenzie, V Pennisi and G Rees (4)

Accordingly the Mayor declared the motion carried.

11.4.2 Request for Negotiated Decision - Hood

Resolution

Moved Cr J Mackenzie

THAT:-

1. The applicant be advised that Council:
 - a. Prefers that the development includes adjoining land situated at 2229 Warwick-Allora Road, Allora;
 - b. Is prepared to consider relevant changes to the conditions of approval if the said land is included in the development;
 - c. Politely requests the owners of the said land and the applicant to undertake discussions accordingly and advise Council of the general outcome for consideration at its March 2016 General Meeting.
2. Council amend its Planning Scheme to identify long term expansive industrial areas in suitable locations that are flood-free, have good highway and railway access, little impact on rural activities, appropriate municipal services and located with buffers to existing urban settlements.

Lapsed

Motion lapsed for want of a seconder.

Cr Gow declared a real conflict of interest in Agenda Item 11.5 (as defined in section 173 of the Local Government Act 2009) due to the applicant being a family member and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

11:49 AM Cr C Gow left the meeting.

11.5 Reconfiguration of Lot - Parkinson Surveys Pty Ltd, 408 and 414 Amiens Road and 63 Plant Lane, Applethorpe

Resolution

Moved Cr J Mackenzie

Seconded Cr G Rees

THAT the application for realignment of boundaries (5 lots) on land at 408 and 414 Amiens Road and 63 Plant Lane, Applethorpe, described as Lot 1 RP68291, Lot 1 RP87368, Lots 1 & 2 RP90983 and Lot 2 RP31809, Parish of Stanthorpe, County of Bentinck, 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
Plan of proposed reconfiguration	13609-1-A	29 September 2015

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

Easements and Covenants

3. A plan showing building envelopes on proposed Lots 3 and 4 is to submit for approval by the Director Planning and Environment. The **building envelopes** must meet the following criteria:

- All building envelopes are to have an area of at least 600 square metres **plus** an area for effluent disposal.
- All building envelopes must not include land with a slope exceeding 10%.
- All building envelopes must allow for a buffer of at least 60 metres to rural land (i.e. proposed Lots 2 and 5, and Lot 2 RP142492).

Please note this buffer does not apply to the common boundary of proposed Lots 3 and 4.

- All building envelopes must allow for a buffer of at least 60 metres to Plant Lane.
- All building envelopes must not include any area of land identified as containing remnant ecosystem and medium potential bushfire intensity (as identified in the State Planning Policy mapping).
- All building envelopes must not include any area of land identified as within the Biodiversity areas overlay.

4. A covenant is to be provided over proposed Lots 3 and 4 prohibiting the residential use of any building unless such buildings are constructed within the building envelopes approved in accordance with Condition 3. The covenant documentation is to be prepared by Council's solicitor at the developer's cost. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

Amenity and Environmental Controls

5. Declared pest plants on **all** the land subject to this application must be destroyed to the satisfaction of the Manager Environmental Services, prior to Council signing the Plan of Subdivision.
6. The former quarry located on the subject land is to cease use prior to Council signing the

Plan of Subdivision and written advice acknowledging this cessation is to be provided by the landowners. Following this all potential use rights relating to this quarry are to be abandoned.

Car Parking and Vehicle Access

7. Vehicle access is to be constructed to proposed Lots 3 and 4 in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.) The access must be constructed along Plant Lane at a location which provides adequate sight distance in either direction. 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.

Roadworks

8. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Engineering Services.

Electricity, Street Lighting and Telecommunications

9. Reticulated electricity is to be provided from the existing overhead supply to proposed Lots 3 and 4 to the requirements of Ergon Energy. Prior to Council signing the Plan of Subdivision, written advice must be provided from Ergon Energy confirming that reticulated electricity has been installed to service proposed Lots 3 and 4.

Advisory Notes

- (i) Council does not have accurate flood information for the subject land and therefore cannot determine the height of a Defined Flood Event (DFE). Therefore there is no guarantee of flood immunity for proposed Lots 3 and 4.
- (ii) Council will not be sealing Plant Lane as a result of any dust complaints received.
- (iii) An application must be submitted and approved by Council for a permit under Southern Downs Regional Council's Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation).

Aboriginal Cultural Heritage

- (iv) 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.datsima.qld.gov.au

Approval Times

- (v) In accordance with the *Sustainable Planning Act 2009*, this approval will lapse two years from the day the approval takes effect, or four years where the reconfiguration involves Operational Works. If an application for a related approval is made within two years of the day this approval takes effect, the relevant period is taken to have started on the day the latest related approval takes effect (*Sustainable Planning Act 2009* s341).

Approval of Plan of Subdivision

- (vi) The Plan of Subdivision for the reconfiguration must be submitted to Council for Compliance Assessment (*Sustainable Planning Regulation 2009* Sch 19). The Plan of Subdivision must be submitted to Council within the relevant period of the approval, and with the appropriate form (IDAS Form 32) and fees. **Council will NOT issue a Compliance Certificate or approve the plan unless all conditions of this approval have been complied with to the satisfaction of Council and within the relevant period of the approval.**

- (vii) The approved Plan of Subdivision must be lodged for registration in the Office of the Registrar of Titles within six months of the date of Council's Compliance Certificate and approval of the Plan of Subdivision. If the Plan of Subdivision is not registered within this timeframe, Council's approval of the Plan of Subdivision will lapse. Council may reapprove the Plan of Subdivision subject to payment of the applicable fee.

Carried

12:00 PM Cr C Gow rejoined the meeting.

11.6 Submission to Inquiry into Barrier Fences in Queensland

Resolution

Moved Cr C Gow

Seconded Cr D Ingram

THAT Council:-

1. Prepare a submission to the State Government's Agriculture and Environment Committee conducting the Inquiry into pest animal barrier fences in Queensland that will recommend:-
 - Retention of the Status Quo with regard to the Barrier Fence Boards
 - Urging the State Government to be more proactive in pest animal control
 - Requesting State Government Departments to actively control pest animals on land under their control.
2. Write to all Councils along the rabbit barrier fence requesting they make a submission to the State Inquiry into pest animal barrier fences in Queensland recommending the retention of the Status Quo with regard to the Barrier Fence Boards in Queensland.

Carried

11.7.1 Request to Change Existing Approval - Keith Taylor, Bracker Road, Rosenthal Heights

Resolution

Moved Cr J Mackenzie

THAT the request for a negotiated decision in relation to the Development Approval dated 22 October 2015 for the reconfiguration of land described as Lot 11 on Registered Plan Number 31030 situated at Bracker Road Rosenthal Heights into 33 lots, be approved by deleting original conditions 1, 11 and 14 and inserting the following in their stead:

1. An amended layout plan is to be provided to, and approved by, the Director Planning and Environment prior to an application being made to Council for approval of operational works associated with the development. The amended layout must provide for the following:
 - a. a maximum of 33 residential allotments;
 - b. all residential allotments to have an area of at least 600 square metres
 - c. road connectivity to the land to the west in the vicinity of proposed Lots 9 and 10 (as shown on the plan submitted with the application); and
 - d. road connectivity to the land to the east in the vicinity of proposed Lots 20 or 21 (as shown on the plan submitted with the application). To this end, the new road reserve may be used for the development of a storm water detention basin for the proposed development; and
 - e. deletion of the pathway between proposed Lots 18 and 19 (as shown on the plan submitted with the application).
11. A storm water drainage system serving the development is to be constructed, and the stormwater disposed of to a lawful point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). The additional storm water flows as a consequence of the proposed development must not cause any actionable nuisance to Homestead Road, upstream, downstream and neighbouring properties. In this regard, a catchment based stormwater management plan (CBSMP) certified by a registered professional engineer of Queensland (RPEQ-Civil) must be submitted with an application for Operational Works for approval by the Director Planning and Environment. The report must contain details of, but not limited to, the following:
 - A detailed design of the stormwater system complying with QUDM guidelines;
 - Identification of lawful point of discharge;
 - Stormwater entering, leaving and flowing through the property;
 - Provision for accepting stormwater from upstream properties;
 - The stormwater drainage design maximises the retention and use of natural overland drainage paths through their identification, and minimises earthworks that will result in stormwater run-off being redirected;
 - Stormwater run-off leaving the site complies with water quality objectives stated in Appendix 3 of the State Planning Policy;
 - Calculation of detention requirements;
 - Any easement requirements through development site and adjoining properties; and
 - Impact on Homestead Road and adjoining properties.
14. A sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system. A concept plan for the disposal of wastewater generated from the proposed development must be submitted to and endorsed by the Director Planning and Environment with an application for operational works. Provision must be made for future servicing of properties to the west of the development site.

Lapsed

Motion lapsed for want of a seconder

11.7 Request to Change an Existing Approval - Keith Taylor, Bracker Road, Rosenthal Heights

Resolution

Moved Cr J McNally

Seconded Cr G Rees

THAT the Request to Change an Existing Approval, that being the Decision Notice dated 22 October 2015 for the Subdivision into 33 lots of land described as Lot 11 RP31030, located at Bracker Road, Rosenthal Heights, be approved in part only.

- A. Condition 1 remains unchanged and Condition 11 and 14 are approved in part for the following reasons:

Condition 1

The purpose of the Reconfiguring a lot code is to ensure that reconfiguring a lot results in development that is consistent with the zone and minimises impacts on the environment. This purpose is to be achieved through integrated network of roads, pathways, open space and infrastructure that maximises accessibility and efficiency throughout the whole area.

The Planning Scheme continues to stipulate that the design of new residential development incorporates lot and street layouts that provide traffic and pedestrian connectivity between existing and future residential areas.

The land to the east has the potential to be subdivided for residential purposes. The condition currently allows flexibility as to the location of this road connection, as the condition only requires it to be in the vicinity of proposed Lot 20.

The road connection to the east will ensure there is connectivity and integration to this land when it is developed. The deletion of this requirement will not achieve compliance with the Planning Scheme and will not result in a desirable planning outcome.

Conditions 11 and 14

The applicant has not provided sufficient information regarding stormwater management or sewerage infrastructure as part of the application. It is considered appropriate that any approval should be conditioned to require the applicant to provide a catchment based stormwater management plan and a concept plan for sewerage prior to the lodgement of any application for operational works.

The applicants concern regarding the timeframe for the assessment of these documents is noted. Therefore it is considered appropriate that a timeframe be stipulated in the conditions; however the documents are still to be endorsed prior to the lodgement of an operational works application.

- B. Conditions 11 and 14 are amended as follows:

11. A stormwater drainage system serving the development is to be constructed, and the stormwater disposed of to a lawful point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). The additional stormwater flows as a consequence of the proposed development must not cause any actionable nuisance to Homestead Road, upstream, downstream and neighbouring properties. **In this regard, a catchment based stormwater management plan (CBSMP) certified by a registered professional engineer of Queensland (RPEQ-Civil) must be submitted to and endorsed by the Director Planning and Environment prior to Council accepting any application for operational works associated with the development. Subject to all of the documentation submitted to Council being appropriate and satisfactory, Council will provide a formal written response within 20 business days of the submission of the CBSMP.** The report must contain details of, but not limited to, the following:

- A detailed design of the stormwater system complying with QUDM guidelines
 - Identification of lawful point of discharge
 - Stormwater entering, leaving and flowing through the property
 - Provision for accepting stormwater from upstream properties
 - The stormwater drainage design maximises the retention and use of natural overland drainage paths through their identification, and minimises earthworks that will result in stormwater run-off being redirected
 - Stormwater run-off leaving the site complies with water quality objectives stated in Appendix 3 of the State Planning Policy
 - Calculation of detention requirements
 - Any easement requirements through development site and adjoining properties.
 - Impact on Homestead Road and adjoining properties
14. A sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system. **A concept plan for the disposal of wastewater generated from the proposed development must be submitted to and endorsed by the Director Planning and Environment prior to the lodgement of application for operational works. Subject to all of the documentation submitted to Council being appropriate and satisfactory, Council will provide a formal written response within 20 business days of the submission of the concept plan.** Provision must be made for future servicing of properties to the west of the development site.

Carried

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

Nil

13. NOTICES OF MOTION

13.1 Notice of Motion to Repeal or Amend - Payment for Camping at the Allora and Dalveen Park Reserves

Resolution

Moved Cr D Ingram

Seconded Cr J McNally

THAT Council repeal the following Resolution 13.3 from the General Council Meeting held on 16 December 2015:-

13.3 Notice of Motion to Repeal or Amend - Payment for Camping Allora and Dalveen Park Reserves

Resolution Moved Cr J Mackenzie Seconded Cr V Pennisi

THAT:-

- 1. Council not change its policy adopted in August 2015 for the next 24 months so that Council continues to permit free roadside camping where it has occurred historically for no more than 48 hour periods at: Mitchell Park, Dalveen; Dalrymple Creek, Allora; and Sports Reserve, Leyburn.*
- 2. During this period, Council undertake further consultation with all relevant stakeholders with a view to handing over control and maintenance of existing public camping at Dalveen, Allora and Leyburn to community groups.*
- 3. Council consider as part of the 2016/17 financial year budget deliberations, welcoming signage at its low-cost camping locations.*

Carried

And replace it with:

THAT Council not change the Policy adopted in August 2015 and it continues to permit free roadside camping, where it has occurred lawfully, for no more than 24 hours at Jim Mitchell Park, Dalveen and Dalrymple Park, Allora and no more than 72 hours at the Leyburn Sports Reserve.

Carried

14. GENERAL BUSINESS

Cr Bartley tabled a letter regarding the standard of material used on sections of the Old Stanthorpe Road and requesting Council compensate them for the costs of repair to the tyre. The letter was referred to the Director Engineering Services and Manager Corporate Services

14.1 Announcement of Future Australia Day Award Winners

Resolution

Moved Cr V Pennisi

Seconded Cr D Ingram

THAT for future Australia Day Awards, Council notify winners of those Australia Day Awards in advance of the ceremonies.

Carried

15. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

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 275(1) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

15.1 Annual Review - Chief Executive Officer

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(a) of the *Local Government Regulation 2012*, as it contains information relating to the appointment, dismissal or discipline of employees(h) of the *Local Government Regulation 2012*, as it contains information relating to and business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

15.2 Heavy Fleet Review

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(b) of the *Local Government Regulation 2012*, as it contains information relating to industrial matters affecting employees.

15.3 Stores Review

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(b) of the *Local Government Regulation 2012*, as it contains information relating to industrial matters affecting employees.

15.4 Workshops Review

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(b) of the *Local Government Regulation 2012*, as it contains information relating to industrial matters affecting employees.

15.5 Proposed Sale of Council Land

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

15.6 Warwick Horse Trials Capital Assistance Loan

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

15.7 Rating Consultation Group (RCG)

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(c) of the *Local Government Regulation 2012*, as it contains information relating to the local government budget.

15.8 Tender Assessment Report - Request for Tender 16/037 "Construction of Sandy Creek Road Bridge"

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

15.9 Tender Assessment Report - Request for Tender 16/042 "Construction of Bellinghams Road Bridge and Mullins Road Bridge"

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

15.10 Tender Assessment Report - Request for Tender 16/043 "Construction of Tummalville Road Bridge"

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

15.11 November and December 2015 Monthly Reports for Warwick Indoor Recreation & Aquatic Centre from YMCA Brisbane

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

15.12 Unlawful Use of Land - Motorcycle Track - 6266 Toowoomba-Karara Road, Leyburn

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(f) of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving Southern Downs Regional Council.

15.13 Appeal to the Planning and Environment Court, Crompton v Southern Downs Regional Council

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(f) of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving Southern Downs Regional Council.

15.14 Proposed Major Amendment to the Southern Downs Planning Scheme

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(g) of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

Meeting In Camera

Resolution

Moved Cr G Rees

Seconded Cr D Ingram

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 12.40pm.

12:40 PM Cr R Bartley left the meeting

12:40 PM Cr J Mackenzie left the meeting

12:40 PM Cr V Pennisi left the meeting

12:42 PM Cr V Pennisi rejoined the meeting

12:43 PM Cr J Mackenzie rejoined the meeting

12:44 PM Cr R Bartley rejoined the meeting

12:46 PM Cr J Mackenzie left the meeting

12:47 PM Cr J Mackenzie rejoined the meeting

The meeting adjourned for lunch at 1.15pm and reconvened at 2.00pm at which time there were present Crs Blundell, McNally, Gow, Rees, Mackenzie, Pennisi, Bartley, Ingram and Meiklejohn

2.05pm Chris Phillips from Grey Matta Solutions and Manager Human Resources joined the meeting to discuss Agenda Item 15.1

2:10pm Cr J Mackenzie left the meeting taking no further part

2.30pm Chris Phillips and Manager Human Resources left the meeting

2.45pm General Meeting continued to discuss Agenda in camera discussions

3:01pm Cr R Bartley left the meeting during discussion on Agenda Items 15.8, 15.9 and 15.10

3:17pm Cr R Bartley rejoined the meeting

Meeting Out Of Camera

Recommendation

THAT the meeting resume in open session at 3.22pm.

15.1 Annual Review - Chief Executive Officer

Resolution

Moved Cr J McNally

Seconded Cr D Ingram

THAT Council receive the Chief Executive Officer's Annual Review.

Carried

15.2 Heavy Fleet Review

Resolution

Moved Cr N Meiklejohn

Seconded Cr G Rees

THAT Council adopt the following recommendations in addition to the Heavy Plant and Equipment Management Audit.

1. Continue a predominantly owner operator fleet.
2. Lease items where individual business cases warrant, typically for:
 - Wet hire of hard use items, e.g. rock-breaking excavators.
 - Short term high return value items, e.g. light excavators which hire out with ancillary and support equipment and an operator for competitive rates.
3. Lease only where the lease can meet the criteria of:
 - Value for money
 - Rapid response capability
 - Maintain SDRC service quality.
4. Outsource work where:
 - Distant from SDRC workshop/depot centres and significant mobilisation synergies are achieved.
 - Quality of results is easily measured and can be used to control payment to outsourced supplier.
 - Work is of a simple nature that can be easily managed with SDRC oversight.
 - Specific works that are clearly beyond SDRC capability and expertise and ability to quickly acquire that expertise within SDRC is unlikely.
5. Undertake balanced Plant Replacement strategy with the focus on:
 - Extending older pieces of plant beyond the next major service to maximise the return on the service.
 - Replace younger pieces of plant in line with the Institute of Public Works and Engineering Australia ('IPWEA') standards to minimise ongoing maintenance and maximise resale value.
 - Actively manage the replacement method in line with this strategy, including sensitivity analysis to find the likely optimum for each equipment item.
6. Ensure warranty and service agreement data are available to fleet maintenance personnel.
 - As part of stocktake practices include data in Technology One on warranty and service agreements.
 - Ensure administrative support is available to fleet maintenance personnel to enable them to access the data quickly and efficiently.
7. Ensure maintenance scheduling management processes and systems are fit for purpose.
 - Assess Technology One capability. Provide administrative support to enable Technology One to meet the required standard.
 - Revert to simplified excel style systems or similar as an interim.
 - Build a business case for alternate methodology if Technology One cannot meet the requirements.
8. Develop a project scheduling process that incorporates top down assessment of resource requirements which effectively will form the Internal Plant Advisory Group recommended from the Heavy Plant Audit.
 - Annual and rolling 4 monthly schedules at the management level.

- Integration from 4 monthly to rolling 4 weekly schedule at Heavy Plant Coordinator and Overseer level.
 - Detailed reconciliation of plant use at all scales to feed back into capability measures of the schedules and planned work.
9. Maintain Heavy Plant Coordinator role and provide management support to optimise plant use scheduling. Update monthly with strategic direction via the rolling 4 month plan.
10. Continue Annual Stocktake procedure
- Incorporate current ownership/responsibility area for each piece of plant in the Technology One database.
 - Include Warranty and Service Agreement data in the stocktake data collection. Ensure this data is easily available to fleet maintenance personnel.
11. Continue to implement GPS technology
- Designate a resource to review the GPS data to date.
 - Review the GPS data as it comes on line.
12. Ensure Business cases for plant replacement are clear and available.
- Existing business cases to be made more visible to senior management.
 - Determine levels of expenditure that define levels of analysis to justify the purchase and management sign off levels.
13. Sign off on the ten year fleet replacement program should occur as part of the budgetary process by the Internal Plant Advisory Group in line with predicted works.
14. Immediately review the operational viability of reducing fleet by one backhoe and one excavator as utilisation rates suggest these items of plant are underutilised.
15. Continue with utilisation analysis of trucks and light fleet.
16. Complete workshop review.
17. Review of internal hire rates to move to a fixed/variable hire split. To be completed in preparation for new financial year budget process.
18. Detailed review of the road network to:
- Review the level of service supplied in road maintenance with a view to reducing service and potentially closing off road links that are redundant and purely there for convenience.

Carried

15.3 Stores Review

Resolution

Moved Cr N Meiklejohn

Seconded Cr G Rees

THAT Council adopt the following improvement recommendations and overall strategy as outlined below:

Strategic Direction:

Eliminate the stores as a physical stock management centre and move personnel into procurement and administration functions in line with requirements of the stores' customers.

Maintain and expand the non-stores functions of the stores personnel and other relevant personnel to develop procurement and administrative capability.

Ensure material cost tracking continues to the standard currently achieved, as a minimum, and investigate incremental improvements in cost tracking.

1. Close the physical stores function and convert to procurement and outsourced stores.
 - a. Run down in house stores generic items.
 - b. Specialist items ("critical spares") to be managed locally by departments.
 - c. Undertake risk assessments to determine the nature and quantity of critical spares required.
 - d. Uniforms to be outsourced and ordered on an as needs basis rather than keeping in stock. Accept a lead time on embroidered items.
2. Investigate outsourced store replacement team by specialists such as Repco.
3. Designate stores personnel to administrative function as a Procurement Team specifically tasked with optimising materials and services procurement.
 - a. Undertake monthly review of usage.
 - b. Schedule consumables usage in relation to planned activity.
4. Relocate stores personnel to offices where they can receive direct support and guidance from their supervisor.
5. Maintain Technology One data collection systems and ensure they are strictly adhered to as this ensures availability of accurate, useful data for analysis.
6. Identify and formalise the current natural owners of purchasing/procurement function:
 - a. Discontinue other personnel from procurement functions as this is inefficient and difficult to manage cost control.
 - b. Ensure systems and processes allow appropriate operations personnel to request materials and services from procurement group.
7. Incorporate administrative functions into the procurement team including:
 - a. Workshop data entry.
 - b. Validation of logged km/hours data.
 - c. Water and waste water support.

8. Until stores are run down, change store opening hours from full day to:
 - a. 6:00am – 9:00am
 - b. 3:00pm – 5:00pm
9. PPE to be managed as a localised store cupboard by department
 - a. Accountability to be held by local supervisor.
10. Implement local stores areas for high use items
 - a. Review the items used by location.
 - b. Ensure stocktakes are conducted regularly.
 - c. Store only goods that are specific and are of limited applicability outside Council functions.
 - d. Charge interest for non-critical items that are held in stock against the department's budget.
11. Provide supervisors with low limit credit cards to acquire emergency critical spares.
 - a. Use to be detailed and incorporated into monthly review.
 - b. Determine if critical spares are frequently accessed – determine if there is requirement to stock them locally at the workshop/water and wastewater/gangers sheds etc.
12. Department critical spares and consumables stocktakes to be updated and valued.
 - a. All areas in all departments to be investigated thoroughly for nature and quantity of critical spares on hand.
 - b. Reconcile major purchases from the last 24 months against works.
 - c. Total unaccountable value to be reviewed for potential investigation.
13. Risk of reducing critical spares to be appropriately modelled relative to the risk profile of the council.
14. Arrange a police officer to provide a presentation on misuse or theft of Council property. Benefits include: Direct reduction in theft, improved morale through visible reinforcement of equitable treatment, reduction of lost time searching for missing equipment and improved trust.
 - a. What is classed as theft from an employer.
 - b. Ramifications of misuse or theft of Council resources.
15. Instigate monthly reporting of material use by type and department incorporating:
 - a. Identify high use items and undertake targeted improvement programs to optimise use and minimise cost.
 - b. Identify key items that are not being fully utilised – growth of inventory.
16. Undertake a project on reducing costs for cement use.
17. Undertake a project on reducing costs of guide posts used.

18. Undertake a project on reducing fuel use by examining.
 - a. Fuel consumption by plant item.
 - b. Fuel use for location and work.
 - c. Areas of fuel inefficiency.

19. Undertake a full stocktake of the small equipment and determine potential to rationalise the small equipment stocks.

Carried

15.4 Workshops Review

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council adopt the following recommendations in line with the Workshop Review Process.

1. Data Management:

- 1.1 Current Stores personnel provide administrative support to the Workshop comprising data entry, data systems administration and support, including but not limited to:
 - 1.1.1 Fortnightly time sheets data entry.
 - 1.1.2 Operator comments on vehicle options in the purchasing process data entry.
 - 1.1.3 Emergency parts ordering – enabling field mechanics to phone in the requirements potentially saving an hour or more in the breakdown workflow.
- 1.2 Continued development of Technology One capability to ensure long term uptake of the program.
 - 1.2.1 Develop capability in specific users of the system.
 - 1.2.2 Technology One templates be reviewed for potential benefit to both Warwick and Stanthorpe Workshops.
 - 1.2.3 Ensure users comply with the appropriate Technology One layout to enable efficient data collation, e.g. reporting to correct project codes etc.
 - 1.2.4 Ensure warranty information is easily and quickly available by introducing an accessible electronic system.
- 1.3 Centralise data entry (retain paper back-up copies for a limited time then dispose).
- 1.4 Review of Technology One capability for plant scheduling. This needs to be reviewed specifically to determine if it can be made fit for purpose. If not, it must be set aside and an alternate method used to schedule plant maintenance.

2. Personnel:

- 2.1 Stanthorpe Workshop staff commute to Warwick several times per week to provide additional resources at the heavy workload area.
 - 2.1.1 Trial 6 whole man-days per week (Stanthorpe staff travel to Warwick Workshop) – specific personnel to be defined by Plant Coordinator on the basis of a mix of personnel and availability e.g.
 - 3 personnel for 2 days.
 - 2 personnel for 3 days
 - Multi combination, 1 man for 4 days with another for 2 days etc.
 - 2.1.2 Report back viability from workshop supervisors following three (3) month trial.

2.1.3 Review key metric: Maintenance Over-runs and reschedules. To show this is successful it will need to be demonstrated that the Warwick turn-around times consistently reduce and the Stanthorpe turn-around time does not significantly increase.

2.2 Eliminate the 4 day week in the Stanthorpe Workshop and revert back to a 9 day fortnight, in line with the Warwick Workshop.

2.3 Extend the split shift to 06:00am to 6:00pm. This will allow work to be completed uninterrupted at the start and end of the working day.

2.4 All minor fixes to be phoned in ahead by Supervisors, Leading Hands and Operators to provide Workshop personnel sufficient time to plan works. Contact will need to be by 3:00pm while stores personnel still available.

2.5 Stores to extend the split shift and include a window between 6:00am and 8:00am and one between 3:00pm and 5:00pm to enable availability to the workshops.

2.6 The current splitting of workshops under different supervisors discontinue by natural progression and all reporting through the one supervisor who will drive priority decision making across both areas.

3. Infrastructure

Rationalisation of infrastructure required.

3.1. Close the Stanthorpe bowser. This is currently a cost in terms of administration of the site and time spent waiting to refuel. Outsource to local service stations.

3.2. Maintenance on Stanthorpe workshop to be minimised.

3.3. Generalist fabrication work to be designated to Stanthorpe and ensure the Warwick workshop is primarily assigned vehicle work.

3.4. Generalist fabrications to be treated like any other work with a formal request to be submitted to the supervisor and be tracked as a Project in Technology One.

3.5. Local fabrication businesses be approached to undertake overflow work.

3.6. Retain the Stanthorpe heavy vehicle lifting equipment as auxiliary to Warwick. This has the benefits of:

- Proximity of workshop to southern areas for emergency work.
- Sustains total capacity and capability at minimal ongoing cost.

4. Servicing Priorities

4.1. Heavy vehicles take priority over light engines and light vehicles with the exception of uniquely outfitted light vehicles that are on critical path for key services.

4.2. If necessary outsource light engines and light vehicles to local service providers.

4.3. Rostered Days Off ("RDOs") of equipment operators be staggered to allow specific

preventative maintenance and routine maintenance to be undertaken. General servicing priorities to be agreed and documented.

5. Parts Management

- 5.1. In house management of ordering key generic parts and materials to be undertaken by the Workshop. Review outsourcing stores management, e.g. Repco stores supply method as used at Bundaberg Council.
- 5.2. Localised PPE cupboard instead of a general store. Workshop Supervisor or Leading Hand to be responsible for PPE ordering and expenditure. Specific project required to address the misallocation of parts. Spares coming 7 days ex-Brisbane is unacceptable. Spares being sent to the wrong location is currently impacting on service capability of Stanthorpe in particular.
- 5.3. Where possible, standardise machinery to minimise variety of spares required. This must not compromise service capability for the sake of relatively minor workshop cost savings.

6. Service Level Agreements

- 6.1. A Service Level Agreement (“SLA”) must be implemented that defines the expected turn-around time on standard work and the process for informing on delays and rescheduled timings.
- 6.2. SLA on emergency breakdown repairs and prioritisation flowchart.
- 6.3. SLA defining operator and workshop personnel responsibilities, including completion and documentation of prestarts, reporting details, delivery and mobilisation of plant.
- 6.4. The Plant Coordinator, Workshop Supervisors, Works Supervisors and relevant Managers to meet and define the SLA.

Carried

15.5 Proposed Sale of Council Land

Resolution

Moved Cr D Ingram

Seconded Cr N Meiklejohn

THAT Council:

1. Accept the offer of \$40,000 + GST for 800m² of land.
2. Grant delegated authority to the Chief Executive Officer to negotiate the sale of land and proceed to contract.
3. Grant delegated authority to the Chief Executive Officer to negotiate the sale of land to those current lessees who wish to purchase their leased area and proceed to contract.

Carried

15.6 Warwick Horse Trials Capital Assistance Loan

Resolution

Moved Cr R Bartley

Seconded Cr G Rees

THAT Council allow the refinancing of the Capital Assistance Loan by Warwick Horse Trials for an additional 2 years to the existing 10 year loan.

Carried

15.7 Rating Consultation Group (RCG)

Resolution

Moved Cr J McNally

Seconded Cr R Bartley

THAT Council receive and note the Minutes of the RCG Meeting held on 10 December 2015.

Carried

Cr Bartley declared a perceived conflict of interest in Agenda Items 15.8, 15.9 and 15.10 (as defined in section 173 of the Local Government Act 2009) due to business dealings with one of the tenderers and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

03:24 PM Cr R Bartley left the meeting.

15.8 Tender Assessment Report - Request for Tender 16/037 "Construction of Sandy Creek Road Bridge"

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council, subject to successful negotiations of commercial and legal terms, accepts and enters into a contract for Contract No 16/037 "Construction of Sandy Creek Road Bridge" with Ark Construction Group Pty Ltd generally in accordance with the Request for Tender and Ark Construction Group Pty Ltd's Tender for the amount of \$941,202.00 (excluding GST).

Carried

Cr Pennisi voted against the motion.

15.9 Tender Assessment Report - Request for Tender 16/042 "Construction of Bellinghams Road Bridge and Mullins Road Bridge"

Resolution

Moved Cr N Meiklejohn

Seconded Cr G Rees

THAT Council, subject to successful negotiations of commercial and legal terms, accepts and enters into a contract for Contract No 16/042 "Construction of Bellinghams Road Bridge and Mullins Road Bridge "with Ozwide Bridge Rail and Civil Pty Ltd generally in accordance with the Request for Tender and Ozwide Bridge Rail and Civil Pty Ltd's Tender for the amount of \$912,030.00 (excluding GST).

Carried

Cr Pennisi voted against the motion

15.10 Tender Assessment Report - Request for Tender 16/043 "Construction of Tummaville Road Bridge"

Resolution

Moved Cr G Rees

Seconded Cr J McNally

THAT Council, subject to successful negotiations of commercial and legal terms, accepts and enters into a contract for Contract No 16/043 "Construction of Tummaville Road Bridge" with Ozwide Bridge Rail and Civil Pty Ltd generally in accordance with the Request for Tender and Ozwide Bridge Rail and Civil Pty Ltd's Tender for the amount of \$982,800.00 (excluding GST).

Carried

Cr Pennisi voted against the motion.

03:25 PM Cr R Bartley rejoined the meeting.

15.11 November and December 2015 Monthly Reports for Warwick Indoor Recreation & Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr J McNally

Seconded Cr G Rees

THAT Council receive the November and December 2015 monthly reports from Brisbane YMCA in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

15.12 Unlawful Use of Land - Motorcycle Track - 6266 Toowoomba-Karara Road, Leyburn

Resolution

Moved Cr N Meiklejohn

Seconded Cr D Ingram

THAT Council:-

1. Commence legal action against the owners of land located at 6266 Toowoomba-Karara Road, Leyburn, described as Lot 226 ML1449, Parish of Leyburn, in respect of offences under the *Sustainable Planning Act*; *Building Act* and the *Environmental Protection Act 1994*.
2. Appoints the Chief Executive Officer its delegate in the matters stated in Recommendation 1. The delegate is to have authority to commence, prosecute, negotiate, mediate, settle or cease these actions upon such terms as Council's legal advisors may recommend or approve and to appoint expert witnesses as necessary.
3. Grant delegated authority to the Chief Executive Officer to commence, prosecute, negotiate, mediate, settle or cease any actions for unlawful use of Land in relation to Motorcycle Events within the Southern Downs Regional Council area.

Carried

15.13 Appeal to the Planning and Environment Court, Crompton v Southern Downs Regional Council

Resolution

Moved Cr C Gow

Seconded Cr J McNally

THAT:-

1. Based on advice provided from the Department of Infrastructure, Local Government and Planning, Council agrees to the deletion of Condition 8 from the conditions of approval for the Realignment of Boundaries involving land at Gladfield Back Road, Gladfield, that is subject to Planning and Environment Court Appeal No. 3860 of 2015.
2. The Chief Executive Officer negotiate an acceptable outcome with the applicant and report back to Council.

Carried

15.14 Proposed Major Amendment to the Southern Downs Planning Scheme

Resolution

Moved Cr J McNally

Seconded Cr G Rees

THAT Council requests a State interest review of the proposed major amendments to the Southern Downs Planning Scheme.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 3.28pm.