



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
23 JUNE 2016**

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4.4 Special Council Meeting - 6 June 2016

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT the minutes of the Special Council Meeting held on Monday 6 June 2016 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
10.6	Proposed Trustee Permit Morgan Park	Cr McNally 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 her role as Treasurer of the Warwick Clay Target Club. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest. Cr McNally participated in the discussion and voting on this matter.

7. MAYORAL MINUTE

7.1 Mayoral Minute June 2016

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

THAT Council receive the report and note the contents. The Mayor presented Council with the Certificate and Award for Excellence in Road Safety presented to the Mayor at the National Awards for Local Government held in Canberra on 21 June 2016.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

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 Joint Letter re Maryvale Road Concerns

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT Council receive the Joint Letter regarding concerns with Maryvale roads and refer it to the Director Engineering Services for investigation.

Carried

10. EXECUTIVE

10.1 2016/2017 - Adoption of Budget

Resolution

Moved Cr T Dobie

Seconded Cr J McNally

THAT Council adopt the 2016/17 Budget as attached.

Carried

Attachments

1. Budget 2016/2017

Cr McNally declared that a perceived conflict of interest in Agenda Item 10.6 (as defined in section 173 of the Local Government Act 2009), may exist due to her role as Treasurer of the Warwick Clay Target Club. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest. Cr McNally participated in the discussion and voting on this matter.

10.6 Proposed Trustee Permit - Morgan Park

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council offer a 3 (three) year Trustee Permit to Australian Army Cadets (Warwick Branch – 17ACU) over Part of Lot 132 on SP108821 as per the attached map.

Carried

Attachments

1. Map - Trustee Permit Australian Army Cadets - Morgan Park

Cr McNally voted for the motion

10.4 2016/2017 Operational Plan

Resolution

Moved Cr N Meiklejohn

Seconded Cr C Gow

THAT Council adopt the attached 2016/2017 Operational Plan.

Carried

Attachments

1. Operational Plan 2016/2017

10.5 Delegations Register - Council to CEO

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council adopt the amendments to the 'Council to CEO Delegations Register' as per the attached document.

Carried

Attachments

1. Delegations Register - Council to CEO Part 1
2. Delegations Register - Council to CEO Part 2
3. Delegations Register - Council to CEO Part 3

10.10 Southern Downs Regional Council Advisory Committees

Resolution

Moved Cr J McNally

Seconded Cr Y Stocks

THAT Council adopt:-

1. The following revised nine Councillor Portfolios and appoint the following Councillors as Portfolio Managers and Shadow Portfolio Managers to the respective portfolios for a period of 12 months:-

Portfolio	Councillor Portfolio Manager	Councillor Shadow Portfolio Manager/s
Community, Towns & Villages	Cr Sheryl Windle	Cr Neil Meiklejohn
Economic Development & Emergency Services	Mayor Tracy Dobie	Cr Jo McNally & Cr Rod Kelly
Events, Sport & Recreation	Cr Yve Stocks	Cr Cameron Gow
Governance, Finance & New Projects	Cr Jo McNally	Cr Rod Kelly
Planning & Property	Cr Neil Meiklejohn	Cr Sheryl Windle
Regional Promotion, Tourism & The Arts	Cr Rod Kelly	Cr Jo McNally
Rural, Environmental, Sustainability & Waste Management	Cr Cameron Gow	Cr Yve Stocks
Transport & Infrastructure	Cr Marika McNichol	Cr Vic Pennisi
Water & Waste Water	Cr Vic Pennisi	Cr Marika McNichol

2. The Advisory Committees and External Organisations Structure as outlined in this report.

Carried

10.2 Financial Report as at 31 May 2016

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council receive and note the Financial Report as at 31 May 2016.

Carried

10.3 Executive Performance Report - May 2016

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council receive and note the Executive Performance Statistics for May 2016

Carried

10.7 Policy Review - Finance and Information Technology Policies

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council

1. Adopt the adopt the following amended Policies as attached:
 - PL-FS014 - Supplementary Rates Policy;
 - PL-FS073 - Discount Policy;
 - PL-FS035 - Partial Relief from the Payment of Water Consumption Charges Policy;
 - PL-FS068 - Home Haemodialysis Water Allowance Policy; and
 - PL-FS057 - Debt Recovery Policy.
 - PL-FS020 – Private Works Credit Policy
 - PL-IS044 – Information Technology Hardware and Systems Security Policy
 - PL-IS071 – CCTV Objectives and Operating Policy
2. Rescind the following Policies to become Procedures:
 - PL-FS047 – Trust Account Interest Policy
 - PL-IS045 – Acquisition and Support of ICT Equipment & Services Policy
 - PL-IS046 – Online Publishing Policy

Carried

Attachments

1. PL-FS014 Supplementary Rates Policy
2. PL-FS073 Discount Policy
3. PL-FS035 Partial Relief from the Payment of Water Consumption Charges Policy
4. PL-FS068 Home Haemodialysis Water Allowance Policy
5. PL-FS057 Debt Recovery Policy
6. PL-FS020 Private Works Credit Policy
7. PL-IS044 Information Technology Hardware and Systems Security Policy
8. PL-IS071 CCTV Objectives and Operating Policy

10.8 Policy Review - Rate Exemption by Resolution Policy

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council adopt the attached amended Rate Exemption by Resolution Policy.

Carried

Attachments

1. PL-FS062 Rate Exemption by Resolution Policy

10.9 Related Party Disclosure Policy

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council adopt the attached Related Party Disclosure Policy.

Carried

Attachments

1. Related Party Disclosure Policy

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.1 Engineering Services Department Monthly Report

Resolution

Moved Cr R Kelly

Seconded Cr C Gow

THAT Council receive the Engineering Services Department Monthly Report

Carried

12. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

12.1 Material Change of Use - TJ's Glass & Aluminium Pty Ltd, 3 McKillop Lane, Stanthorpe Resolution

Moved Cr N Meiklejohn

Seconded Cr M McNichol

THAT the application for Material Change of Use for the purpose of a Low impact industry (Glass and Aluminium fabrication workshop) on land at 3 McKillop Lane, Stanthorpe, described as Lot 2 RP144010, Parish of Folkestone, County of Bentinck, be approved subject to conditions, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

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

Plan Name	Plan No.	Date
Site Plan	160002 A.002 Rev A	18 February 2016
Proposed Floor Plan	160002 A.101 Rev A	18 February 2016
Shed Elevations	160002 A.200 Rev A	18 February 2016
Shed Elevations	160002 A.201 Rev A	18 February 2016

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

Land Use and Planning Controls

3. This approval allows for the use of the building for glass and aluminium fabrication only.
This approval does not allow for the manufacturing of the glass or the processing of aluminium or powder coat aluminium.
4. The maximum number of employees present at any one time must not exceed five persons.

Building and Site Design

5. The design, colours and materials of the proposed office are to be in accordance with the character of the area. The building is to be constructed in the approved design, colours and materials.
6. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
7. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

8. The development shall generally operate only between the hours of 8.00am to 5.00pm, Monday to Friday, and not on Saturday, Sunday and public holidays. Except, the office and showroom may be open Saturday, 8.00am to 12 noon.
All unloading and loading of delivery and other service vehicles (excluding general waste collection vehicles) is limited to 8.00am to 5.00pm, Monday to Friday.
This does not prohibit access to the shed to obtain materials and equipment to provide a 24 hours emergency service, however no works are to be conducted outside of the hours conditioned above.
9. All material shall be stored so as not to:

- a) Provide any harbourage or attraction for rats, mice or other vermin; or
 - b) Provide a breeding place for mosquitoes; or
 - c) Be unsightly.
10. No equipment, 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. 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.
11. Only the rear of the shed (eastern side) or the northern side is to include racks for the outdoor storage of larger lengths of material. Any materials stored on the racks shall not exceed a height of 1.8 metres from ground level.
- There is to be no stacking or collecting of materials on these racks between the hours of 5pm and 8am.
- There is to be no additional materials or goods associated with the development stored outside of the shed or office. This includes the area between the existing shed and the Melaleuca Crescent boundary.
12. No change, replacement or operation of any plant or equipment is permitted if the change, replacement or operation of the plant or equipment increases, or is likely to substantially increase, the risk of environmental harm above that expressly provided by this development authority.
13. The carrying out of the activity must not result in the release of emissions or contaminants that cause an environmental nuisance or harm. This includes but is not limited to:
- a) Noise;
 - b) Odour;
 - c) Dust;
 - d) Liquids; and
 - e) Light.
14. The registered operator of an 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. The registered operator of an activity to which this approval relates must:
- a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval;
 - b) maintain such measures, plant and equipment in a proper and efficient condition; and
 - c) operate such measures, plant and equipment in a proper and efficient manner.
16. All complaints received must be investigated and relevant strategies implemented to remedy to the problem. The complainant must be informed of the outcome of the investigation and any actions taken to avoid recurrence of the problem.
17. Site is maintained in a clean and tidy condition, with all works occurring within the workshop/shed.
18. Advertising Devices relating to the Glass and aluminium fabrication may **only** be erected on the subject land, i.e. Lot 2 RP14410. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the residential 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.
19. The existing signage relating to the previous use is to be removed.

Noise Control

20. Any fixed noise emitting device (e.g. compressor, generator) located outside the workshop must be placed within an acoustic enclosure.
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 use noise attenuating materials in the building to reduce environmental nuisance. There is to be no audible noise emitted beyond the boundary on weekends and Public Holidays.
22. When requested by Council, an assessment, including monitoring, must be undertaken by a suitably qualified person(s) to investigate any complaint of noise nuisance (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results of the assessment notified within 14 days of receipt, to Council. This must be undertaken in accordance with any direction given by Council at the time.
23. If the results of the assessment indicate or where it is determined by an authorised person that environmental nuisance is being caused, you must:
 - a) Address the complaint, including the use of appropriate dispute resolution if required; and
 - b) Immediately implement abatement or control measures as recommended by a suitably qualified person(s) and Council so that emissions from site activities do not result in further environmental nuisance.

Water

24. Wastewater emissions from the site must not create environmental harm and must conform to the Environmental Protection (Water) Policy 1997 in its current form or as amended or replaced from time to time.
25. The activity must be conducted within the confines of the workshop, and conducted in a manner that ensures pollutants are not released into water or a watercourse, or at a location that may wash into water or a watercourse.

Air

26. The activity must be carried out in a manner that ensures air pollutants such as dust, odour, smoke or fumes do not cause environmental harm.
27. Any chemicals used in the operation of the proposed development are to be used inside the shed.

Waste Management

28. A sufficient number of suitable waste receptacles must be provided on site at all times. General waste is to be suitably collected at least once per week and recyclables collected at least once per fortnight and disposed of so as not to adversely impact on the environment.
29. Any waste storage areas are to be appropriately screened from any road or adjoining property. The bins are to be stored inside any enclosure at all times, excluding during collection.
30. All regulated waste must be removed from the site by a regulated waste removal contractor authorised under the *Environmental Protection Act 1994*. The records for this disposal must be kept on site and be available for viewing by an authorised officer.

Light Control

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

Fencing, Landscaping and Buffers

32. A screen fence 1.8 metres high shall be erected in the following locations:

- (a) Along the rear boundary, linking the fence along the Melaleuca Crescent frontage and the internal screen fence between the dwelling and the subject shed, as shown on the Site Plan, dated 18 February 2016; and
- (b) The existing 1.2 metre high screen fence along the Melaleuca Crescent frontage is to be retained, however it is to be increased in height to 1.8 metres from the rear of the existing shed (south-eastern corner), and extended to link with the fence detailed above.

ALTERNATIVELY, a screen fence 1.8 metres high shall be erected as shown in red on the following map:



This screen fencing is to be provided at the developer's cost.

33. **Details of the proposed fencing are to be submitted to and approved by the Director Planning and Environment prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.
34. If the fence along the rear boundary, as detailed in Condition 32, is setback from the rear boundary, dense tree planting is to be provided on the eastern side of the fence so as to enhance the appearance of the fence. The trees planted within this area are to be of varying height and species.
35. A 3.0 metre wide landscaped strip is to be provided adjacent to the McKillop Lane frontage of the site, up to the proposed internal fence between the proposed development and the dwelling. This landscaped strip is to increase in width to adjoin carparking space number one.
36. Dense landscaping is to be provided within the area between the proposed office and the internal fence to the north, and between the existing shed and the Melaleuca Crescent boundary.
37. At least two advanced tree plantings (i.e. minimum height of 1.5 metres at the time of planting) are to be provided within the landscaping strip along McKillop Lane.
38. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the issue of any Development Permit for Building Work.** The Landscaping Plan must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and

drought hardy, and must not include weed species. Root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Car Parking and Vehicle Access

39. No vehicle exceeding 10 tonne gross vehicle mass is to be associated with the use, including delivery vehicles.
40. A concrete industrial crossing is to be constructed at the McKillop Lane entrance to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
41. All vehicular access to and from the site must be via McKillop Lane only.
42. The car park area is to be defined by a low physical barrier along the edge of the car parking area and driveways.
43. A sealed pathway is to be provided from the carpark to the entrance to the proposed office.
44. Car parking shall be provided on site in accordance Plan No. 160002, A.002, Rev. A, dated 18 February 2016, prepared by Building Design Professionals. All car parking, driveway and loading areas shall be constructed in gravel or similar materials, drained, laid out and regularly maintained.

The carpark may remain gravel, provided it is appropriately maintained and does not cause a dust nuisance. If complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) or the vehicle entrance and driveway become eroded with material becoming deposited outside of the site or potholes form that would increase noise associated with vehicle movements, the carpark shall be sealed to Council's standards.

45. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted.

Roadworks

46. 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.

Stormwater Drainage

47. 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). Where the finished levels of a proposed allotment are such that stormwater runoff from all or part of the allotment cannot be gravity discharged to the street, an underground drainage line shall be provided to discharge the runoff from the allotment. Where necessary, suitable easements may be required over adjoining properties. The easements shall be provided to Council, at the developer's cost. All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM).

Site stormwater runoff must be collected, detained and discharged where appropriate in a manner that does not increase the quantity or concentration of stormwater flow in comparison to the pre-development condition. Where necessary, suitable easements to lawful points of discharge, which may include surrounding properties, shall be provided to Council, at the developer's cost.

Water Supply and Waste water

48. The development is to be connected to Council's water supply system and CED waste water system.

Infrastructure Charges Notice

49. Payment is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environment, 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 *Sustainable Planning Act 2009* and would have to comply with the requirements of the Planning Scheme.
- (iii) The General Environmental Duty under the *Environmental Protection Act* 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.
- (iv) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* 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.
- (v) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. **A Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**
- (vi) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for a Change of Classification of Building, to allow the use of the existing shed for commercial/industrial purposes. The application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. **Building works and modification of the existing building may be required to be undertaken** as part of the approval so as to accord with the requirements of the *Building Act 1975*.
- (vii) The Flood hazard overlay is based on a 1% Annual Exceedance Probability (AEP) flood event and therefore doesn't guarantee flood immunity.
- (viii) 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

- (ix) 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

Carried

12.2 Sunday Trading in Warwick and Stanthorpe

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council support the National Retail Association's application to the Queensland Industrial Relations Commission seeking approval for major non-exempt retailers to trade on Sundays in Warwick and Stanthorpe Principal Centres between the hours of 9am and 6pm.

Carried

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

13.1 Reports from Delegates

Resolved

THAT the following verbal reports be received:

1. Cr Meiklejohn – Legume to Woodenbong Roads Alliance
2. Cr Gow – Stanthorpe Regional Art Gallery
3. Cr Meiklejohn – Southern Queensland Country Tourism
4. Mayor – ALGA National General Assembly

Carried

14. NOTICES OF MOTION

Nil

15. GENERAL BUSINESS

Cr Pennisi acknowledged the messages of condolence that he had received following the recent passing of his mother-in-law

16. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 275(1) 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 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:

16.1 Sale of Land for Unpaid Rates

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.

16.2 Business Plan for Council Facility

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.

16.3 Planning and Environment Appeal No. 4575 of 2013 - Urban Potentials Pty Ltd, Rabbit Fence Road, Dalveen

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.

16.4 Proposed Prosecution for Offences Against the Sustainable Planning Act 2009 - Pera (Qld) Pty Ltd

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.

Meeting In Camera

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 10.16am.

The meeting adjourned for morning tea at 10.26am and reconvened at 11.30am at which time there were present Crs Dobie, Gow, Kelly, McNally, McNichol, Meiklejohn, Pennisi, Stocks and Windle

11.15am Presentation of "Casual for a Cause" Donation to Warwick and Stanthorpe Branches of Leukaemia Foundation

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12.29pm.

16.1 Sale of Land for Unpaid Rates

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council receive the Confidential Report for Sale of Land for Unpaid Rates.

Carried

16.2 Business Plan for Council Facility

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

THAT Council:-

1. Receive and note the Business Plan;
2. Continue to manage this facility, with a review to be conducted in June 2017.
3. Refer the matter to a Briefing Session in November 2016 for further discussion.

Carried

16.3 Planning and Environment Appeal No. 4575 of 2013 - Urban Potentials Pty Ltd, Rabbit Fence Road, Dalveen

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT the report in relation the Planning and Environment Appeal No. 4575 of 2013 – Urban Potentials Pty Ltd, Rabbit Fence Road, Dalveen is received and that Council's legal advisers are requested to negotiate an outcome and suitable conditions, in accordance with the delegation.

Carried

16.4 Proposed Prosecution for Offences Against the Sustainable Planning Act 2009 - Pera (Qld) Pty Ltd

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council:-

1. Commences legal action against Pera (Qld) Pty Ltd in respect of offences under the *Sustainable Planning Act 2009*; and
2. Appoints the Chief Executive Officer its delegate in the matter stated in Recommendation 1 above. 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.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12.30pm.

