



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
24 MAY 2017**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 24 MAY 2017
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

1. PRAYERS & CONDOLENCES

Pastor Jeremy Greening from the Vineyard Church offered a prayer and acknowledged condolences

2. ATTENDANCE

Present: Crs Dobie (Chair), Gow, Kelly, McNichol, Meiklejohn, Pennisi, Stocks and Windle

Officers: David Keenan (Chief Executive Officer), Peter See (Director Engineering Services), Ken Harris (Director Planning, Environment and Community Services), Marion Seymour (Minute Secretary)

3. APOLOGIES

3.1 Apology - Cr McNally

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT the apology of Cr McNally be received and leave of absence granted.

Carried

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 26 April 2017

Resolution

Moved Cr S Windle

Seconded Cr Y Stocks

THAT the minutes of the General Council Meeting held on Wednesday 26 April 2017 be adopted.

Carried

4.2 Special Council Meeting - 22 May 2017

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT the minutes of the Special Council Meeting held on Monday 22 May 2017 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr V Pennisi

Seconded Cr Y Stocks

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
12.6	Negotiated Decision Notice – TFT Hoe Hire Pty Ltd ATF Townsend Family Trust, 347 Limberlost Road, Fletcher	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 wife's family being related to the applicant's wife. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his determination that their 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.
14.1	Notice of Motion – Relocation of Water Valves at 3 Bell Place, Warwick	Cr Stocks 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 past dealings with the property owner. Cr Stocks 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 Stocks participated in the discussion and voting on this matter.
16.3	Request for Reduction in Wastewater Charges	Cr Gow declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to his role on the Executive of the applicant and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.4	2016/2017 Community Support Program	Cr Meiklejohn declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to his involvement with one of the applicants and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

7. MAYORAL MINUTE

7.1 Mayoral Minute April 2017

Resolution

Moved Cr Y Stocks

Seconded Cr R Kelly

THAT Council receive the Mayoral Minute report and note its contents.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr V Pennisi

Seconded Cr N Meiklejohn

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

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE

10.1 Financial Report as at 30 April 2017

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council receive and note the Financial Report as at 30 April 2017.

Carried

10.2 Submission to Inquiry on Long-Term Financial Sustainability of Local Government

Resolution

Moved Cr Y Stocks

Seconded Cr C Gow

THAT Council resolve to submit the attached Submission to the Infrastructure, Planning and Natural Resources Committee in relation to the Inquiry into the Long Term Financial Sustainability of Local Government.

Carried

Attachments

1. Submission - **Attached to the Minutes Under Separate Cover**

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.1 Engineering Services Department Monthly Report

Resolution

Moved Cr M McNichol

Seconded Cr Y Stocks

THAT Council receive the Engineering Services Department Monthly Report.

Carried

11.2 Proposal to Decommission Public Toilets Behind Warwick Town Hall

Resolution

Moved Cr R Kelly

Seconded Cr Y Stocks

THAT Council resolve to decommission the public toilet block located behind the Warwick Town Hall and replace it with additional parking spaces designated for RV vehicles to access the CBD.

Carried

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

For: Crs T Dobie, C Gow, R Kelly and Y Stocks (4)

Against: Crs M McNichol, N Meiklejohn, V Pennisi and S Windle (4)

Accordingly the Mayor declared the motion equal and used her casting vote to support the motion.

11.3 Community Services Advisory Committee (CSAC) Meeting Held 10 May 2017

Resolution

Moved Cr Y Stocks

Seconded Cr N Meiklejohn

THAT Council:

1. Receive the minutes of the Community Services Advisory Committee Meeting held on 10 May 2017; and
2. Endorse the following recommendations made by the Community Services Advisory Committee:

- a. *Council approach Ann Bourke to see if she would still be interested in being on the Community Services Advisory Committee.*

If Ann Bourke is willing to be appointed to the Community Services Advisory Committee that Council endorse the recommendation and appoint Ms Bourke to the Committee.

- b. *That the Community Services Advisory Committee Action Plan be tabled for consideration, with Council to indicate against each action that may be currently undertaken with a Council report.*

Carried

12.5 Proposed Amendments to Southern Downs Planning Scheme - Consideration of Submissions

Resolution

Moved Cr N Meiklejohn

Seconded Cr C Gow

THAT Council:

1. Decides to proceed with the major amendment to the Southern Downs Planning Scheme, as publicly notified, except as follows:
 - (a) Council defers consideration of:-
 - i. the proposed Carnell Raceway Overlay and the zoning of Lots 1 and 2 SP267727, pending further information from Council's environmental consultant.
 - ii. Proposal to prevent residential uses within 1 kilometre of an Intensive animal industry
 - (b) Council does not proceed with the following proposed amendments:
 - Rezoning of 20 Herbert Street and 22 South Street, Allora
 - Proposal for Intensive animal industry and Special industry to be code assessable development in an area identified to the south-east of Warwick
 - Proposal for Motor sport facility to be Self-Assessable Development at Carnell Raceway
 - Rezoning of Lots 31, 32 and 33 BNT1732, Lots 1 and 2 RP898602, Lots 1 and 2 RP803941, Lot 2 RP94359 and Lot 153 BNT1494, Wallangarra
 - (c) Council refuses the following requests to amend the planning scheme:
 - To identify a future Principal centre zone in Warwick
 - To amend Section 3.9.5.1(3) – Tourism and Events - Strategic outcomes
 - To change formatting of Table 5.5.2 – Level of Assessment for District centre zone, and Table 5.5.13 Level of Assessment for Township zone
 - To amend Table 5.5.6 - Levels of Assessment for Low density residential zone - Home based business
 - To amend Table 5.5.10 - Level of Assessment for Rural zone - Home based business
 - To amend Table 5.5.10 - Level of Assessment for Rural zone - Short term accommodation
 - To amend Table 5.5.11 - Level of Assessment for Rural residential zone -Home based business
 - To amend Table 5.5.13 - Level of Assessment for Township zone - Dwelling house
 - To amend section 6.2.2.2 - District centre zone code - Purpose
 - To rezone part of Lot 82 SP215201, Mount Tabor
 - To allow subdivision of 526 and 622 South Branch Road, Maryvale
 - To remove the Rosehill Road Abattoir Overlay from Lot 8 RP78173, Lot 1 RP36283, Lot 3 RP36285, Lot 3 RP36361 and Lots 105-108 W134622, Lot 9 W13467, Lot 10 RP844569, Lot 4 RP106922 and Lot 21 SP144651
 - (d) Council agrees to the following requests to amend the planning scheme:
 - To amend Section 3.3.7.2(2) - Industrial areas - Land use strategies

- Amendment to Table 5.5.6 - Levels of Assessment for Low density residential zone
 - Home based business (request approved in part)
 - Amendment to the Community facilities zone code (request approved in part)
 - Amendment to the Home based business code (request approved in part)
 - Increase the area of land in the southern part of Lot 29 RP31808, 43 Caulley Lane, The Summit, that is rezoned to Township zone
- (e) Council agrees to make the following additional amendments to the planning scheme:
- Amendment to Table 5.5.3, Levels of Assessment - Environmental management and conservation zone – Park (i.e. exempt development)
 - Amendment to Table 5.7.1, Levels of Assessment for Building Work (i.e. Local heritage places)
 - Amendment to Table 6.2.12.3, Assessment Criteria for Specialised centre zone code (i.e. maximum site coverage)
 - Amendment to Table 9.3.7.3, Assessment Criteria of Residential uses code (i.e. deletion of separation distance from extractive industry haul route)
- (f) That future review of the planning scheme includes consideration of rezoning of 34 Teale Road, The Summit, from Rural to Township zone.

Carried

10:37 AM Cr M McNichol left the meeting

10:38 AM Cr M McNichol rejoined the meeting

The meeting adjourned for morning tea at 10.40am and reconvened at 10.56am at which time there were present Crs Dobie, Kelly, Stocks, Gow, Pennisi, Windle, McNichol and Meiklejohn

Cr Pennisi declared that a perceived conflict of interest in Agenda Item 12.6 (as defined in section 173 of the Local Government Act 2009), may exist due to his wife's family being related to the applicant's wife. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his determination that their 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.

12.6 Negotiated Decision Notice - TFT Hoe Hire Pty Ltd ATF Townsend Family Trust, 347 Limberlost Road, Fletcher

Resolution

Moved Cr V Pennisi

Seconded Cr S Windle

THAT the Negotiated Decision Request for a Material Change of Use for the purpose of a High impact industry (Compost manufacturing) and Environmentally Relevant Activity No. 53 (Compost and soil conditioner manufacturing) on land at 347 Limberlost Road, Fletcher, described as Lot 147 BNT673 (to be Lot 6 SP285676), Parish of Broadwater, County of Bentinck, be approved in part, with changes to reflect:-

1. Original Condition 5:
 - 5) *Deliveries of materials to the site and the collection of compost from the site shall generally only be between the hours of 5.00am to 10.00pm, Mondays to Saturdays, and 9am to 6pm Sunday and Public Holidays. No heavy vehicles must enter the development site outside these times.*
2. Original Condition 17:
 - 17) *All deliveries of material or pick up of compost to and from the site must be via Limberlost Road only. There is to be no delivery of materials or pick up of compost product via the Townsend Road. The transferring of material grown from adjoining sites (Lot 7 SP285676, Lot 2 RP171979 and Lot 33 RP856546) is not considered a delivery.*
3. Original Condition 22 remains unchanged.

Condition 5 has been amended to increase the times during which deliveries can be made for the following reasons:

1. As per Granite Belt precinct outcomes this farm diversification activity is located and is associated with rural activities and is not likely to cause conflict with agricultural practices.
2. It is not on a highway and has low visual impact.
3. It has been placed on land that did not need clearing and there is no remnant vegetation. It is located at the highest point where the land is arguably less fertile than in the lower parts of the property.
4. It does not create a conflict with existing or potential agricultural activities as it can be arguably considered ancillary to agricultural activities and may soon be considered best practice.
5. It fits the purpose of the Rural Zone Code ie as it does provide diversification to support ongoing economic viability through pursuit of new markets and industries associated with rural production or the natural environment. "Encouragement will be given to activities that complement or value-add to existing rural activities and do not conflict with natural resource value or nearby rural activities".
6. The current rural zone does not have any time restrictions on traffic. The current adjoining neighbor has an intensive horticultural operation and is more likely to have many more traffic movements with no time restriction.

Carried

Cr Pennisi voted for the motion.

11.4 Water & Wastewater Advisory Committee Minutes

Resolution

Moved Cr V Pennisi

Seconded Cr M McNichol

THAT Council

1. Receive the minutes of the Water & Wastewater Advisory Committee Meeting held on 5 May 2017, and
2. Endorse the following recommendation made by the Water & Wastewater Advisory Committee.
 - The Water & Wastewater Advisory Committee review and have input into how water and wastewater is charged in the 2018/19 budget.

Carried

11.5 Southern Downs Road Safety Advisory Committee Minutes

Resolution

Moved Cr M McNichol

Seconded Cr V Pennisi

THAT Council:-

1. Receive the Minutes of the Southern Downs Road Safety Advisory Committee Meeting held on the 9 May 2017.
2. Note the motion from the Advisory Committee that Council identify those roads in the region that meet B-double access criteria and formalise them in the 2017/2018 year and further develop a master plan for addressing issues in the interconnector framework of roads to be considered in the 2018/2019 operational budget of \$60,000 for the master plan.

Carried

11.6 Proposed Walking Track between Greenup Street and Lock Street, Stanthorpe

Resolution

Moved Cr Y Stocks

Seconded Cr C Gow

THAT Council allow the construction of a walking track by Rotary Stanthorpe Branch between Greenup Street and Lock Street on Council freehold land Lot 147 & Lot150 on RP31667.

Carried

11:50 AM Cr M McNichol left the meeting

11:51 AM Cr M McNichol rejoined the meeting

12. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

12.1 Council Lease Policy Review

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council adopt the reviewed and amended Council Lease Policy as attached.

Carried

Attachments

1. Council Lease Policy - **Attached to the Minutes Under Separate Cover**

12.4 Alignment Amendment of the Southern Downs Planning Scheme

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council decides to propose to make an alignment amendment to the Southern Downs Planning Scheme under the Alignment Amendment Rules made by the Planning Minister under section 293 of the *Planning Act 2016*, for the purpose of making the planning scheme consistent with the *Planning Act 2016*.

Carried

12.2 Policies Review - May 2017

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council rescind the following policies:

- Roads & Street Naming Policy (PL-ES016)
- Roadside Memorials Policy (PL-ES042)
- Property Access & Access Crossings Design, Construction & Maintenance Policy
- Road Service Crossings Policy (PL-ES064)

Carried

12.3 Building Our Regions Funding Program

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council:-

1. Supports submission of the detailed applications under Building Our Regions Round 3 Program for the following projects and amends the order of priority as follows:
 - a. Storm King Dam Pipeline/Stanthorpe Water Supply;
 - b. Warwick Recycled Water Storage/Stage 2 of Warwick Effluent Reuse;
 - c. Warwick Aerodrome Taxiway Realignment;
 - d. Stanthorpe Aerodrome (Resealing runway and upgrading of lighting).
2. Commits to delivering the projects and approves any Council financial contributions and/or in-kind contribution.
3. Commits to the management and costs associated with the ongoing operation and maintenance of the infrastructure.

Carried

12.7 Material Change of Use - Gary Hayes & Partners Pty Ltd, Peter Street, Leyburn

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT the application for a Dwelling house (located in flood hazard overlay) on land at Peter Street, Leyburn, described as Lot 8 RP156979, Parish of Leyburn, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

1. The development of the site is to be generally in accordance with the following proposal 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	170211.01-3	13 March 2016
Elevations	170211.02-3	13 March 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.

Building and Site Design

3. The minimum floor level of the dwelling is to be at least 300 millimetres above the height of the Defined Flood Event (DFE).
4. Battening must be provided to the area underneath the building. At least 50% of the battening area must be open to allow the flow through of water in a flood event.
5. The area underneath the building must not be used for storage.
6. The carport is to be at least 50% open. Any items stored within the carport are to be moved from the carport in any flood event.
7. Any fencing must be at least 50% open to allow the flow through of water in a flood event.
8. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
9. A copy of the Form 21 (Final Inspection Certificate) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

Roadworks

10. Prior to any Building Approval being issued for the proposed dwelling, Peter Street is to be extended to at least six (6) metres past the southern boundary of Lot 8 RP156979. The road extension is to be gravel, and at least four (4) metres wide. The road is to be constructed to Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)

Car Parking and Vehicle Access

11. Vehicle access is to be constructed to the site from the constructed part of Peter Street in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)

Water Supply and Waste water

12. A reticulated water supply system, up to and including water meters, is to be provided to service the building. This system is to be connected to Council's water supply system.
13. All sewage generated from this property must be disposed of by means of an on-site sewage

facility (OSSF) in accordance with the AS/NZS 1547:2012 - *On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code* and the *Standard Plumbing and Drainage Regulation 2003*.

Operational Works

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

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning, Environment and Corporate Services, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (iii) **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.
- (iv) **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 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing.** The removable dwelling will be required to undergo an 'Amenity and Aesthetics' assessment as part of the building approval. All removal buildings require a bond to be held by Council.
- (v) The Flood hazard overlay is based on a 1% Annual Exceedance Probability (AEP) flood event and therefore doesn't guarantee flood immunity.
- (vi) Council will not be sealing Peter Street as a result of any dust complaints received.
- (vii) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Sustainable Planning Act 2009*. This application must be submitted with the following:
 - Relevant IDAS Forms;
 - The relevant fee in accordance with Council's Schedule of General Fees and Charges;
 - Detailed design drawings, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);

Operational Works shall be subject to a 12 months Defect Liability Period commencing from the day the works are accepted on-maintenance. A bond will be held by Council as security, and refunded following a defect-free inspection at the end of the Defect Liability Period.

- (viii) All Development Permits for Operational Works and Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (ix) All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

Aboriginal Cultural Heritage

- (x) 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

12.8 Material Change of Use - Liberty Oil C/-Vision 2 Reality, 2 Wood Street, Warwick

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT the application for Material Change of Use for the purpose of Service Station on land at 2 Wood Street, Warwick described as Lot 2 RP5949 and Lot 6 RP44203, Parish of Warwick, County of Merivale, be approved subject to 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
Proposed Site Plan	5664 (Issue C)	1 December 2016
Floor Plan & Elevations	5664 (Issue C)	1 December 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.

Reconfiguration of a Lot

3. 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.

Dedications

4. A 6.0 metre x 3 chord truncation on the corner of Lyons Street and Wood Street is to be dedicated for road purposes at no cost to Council. Any fencing or other private infrastructure is to be removed from within the dedicated area.

Easements and Covenants

5. A 3.0 metre wide easement for sewerage purposes is to be provided over Lot 2 RP5949 and Lot 6 RP44203 in favour of Council. The easement documentation is to be prepared by Council's solicitors at the developer's cost. A copy of the easement documentation is to be submitted to Council for approval prior to the use of the site commencing.

Land Use and Planning Controls

6. The material change of use the subject of this development permit must be completed within a period of 4 years starting the day this development permit takes effect. The development permit will lapse in respect of each aspect of the material change of use that has not been completed within this period.

Building and Site Design

7. The building is to be set back at least 2.0 metres from the western property boundary.
8. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
9. A copy of the Form 11 (Certificate of Classification) issued for the building works is to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

10. The registered operator of the activity to which this approval relates must:
 - a) install all measures, plant and equipment necessary to ensure compliance with the conditions of this approval; and

- b) maintain and operate such measures, plant and equipment appropriately.
11. Activities relevant to *AS 4897-2008 The design, installation and operation of underground petroleum storage systems*, must comply with the provisions of this Standard.
 12. Any storage of flammable and/or combustible liquids must comply with the requirements of the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011 for the handling and storage of hazardous chemicals and the provisions of *Australian Standard AS:1940 The Storage and Handling of Flammable and Combustible Liquids*. All other activities relevant to this Standard, including but not limited to fuel dispensing must also comply with the provisions of this Standard.
 13. The submitted Spill Management Plan, version 2 prepared by Hazkem Pty Ltd, March 2017 must be implemented and followed by anyone operating under this approval, including the commissioning and maintenance of the proposed onsite treatment system. The Plan must be reviewed annually and updated as appropriate.
 14. Noise levels emitted from the activity must not exceed 5dB(A) above the background noise levels in the locality when measured at any boundary of the property. The applicant is to note that this may include the need to use noise attenuating materials.
 15. The measures recommended in the submitted Revised Noise Assessment Report prepared by Noise Measurement Services, 20 March 2017 must be implemented in accordance with the report. These recommendations address acoustic fencing, beepers on tyre refilling devices, hours of refuse collection and location and screening of mechanical plant.
 16. The general waste collection vehicles are limited between the hours of 7.00am and 7.00pm, Monday to Saturday, and between the hours of 8.00am and 3.00pm on Sundays.
 17. A sufficient number of suitable waste and recycling receptacles must be provided on site at all times. Waste and recycling receptacles must be regularly serviced to prevent unsightly accumulations of waste being caused or adversely impact on the environment. Where collection is not possible, waste must be removed with the same regularity and disposed of at the Warwick waste facility.
 18. The odour and air quality control measures recommended in the submitted Revised Air Quality Assessment Report prepared by Noise Measurement Services, 20 March 2017 must be implemented in accordance with the report. These recommendations address stage 1 and stage 2 vapor recovery, height of storage tanks vent discharge point, maintenance of waste receptacles and spill management training.
 19. No materials or goods associated with the development are to be displayed or stored within the car park or landscaped areas, or outside the boundaries of the site.
 20. Stormwater must be diverted around and prevented from entering the site to limit the risk of stormwater becoming contaminated.
 21. The cleaning of plant, equipment or vehicles, and the washing down of the hardstand area or any other area that may generate contaminated water, is not permitted unless the contaminated water is directed to the **approved** separator or treatment system, as recommended in the Spill Management Plan, version 2 – March 2017. All areas where contaminated water may be generated must drain to the approved system.
 22. The registered operator of the activity to which this approval relates must contact Council as soon as practicable after becoming aware of any release of contaminants, or any event where environmental harm has been caused or may be threatened.
 23. Advertising Devices relating to the Service Station may **only** be erected on the subject land, i.e. Lot 2 RP5949. 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.

24. 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.
25. Install and maintain the lighting fixtures so that they do not emit glare or light above the levels stated in *Australian Standard AS:4282-1997 Control of Obtrusive Effects of Outdoor Lighting*. Any lighting is to be located such that there is no interference with any residences.
26. The operator must investigate and address all environmental nuisance and/or environmental harm complaints. The following details must be recorded and provided to Council upon request:
 - a) time, date, name and contact details of the complainant;
 - b) reasons for the complaint;
 - c) any investigations undertaken;
 - d) conclusions formed; and
 - e) any actions taken.

When requested by Council, an assessment, including monitoring and/or sampling must be undertaken by a suitably qualified person(s) to investigate any complaint of environmental nuisance and/or environmental harm (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief). Upon completion of the assessment, the results must be submitted to Council within 10 business days. This must be undertaken in accordance with any direction given by Council at the time. If the results of the assessment indicate, or where it is determined by an authorised person, that environmental nuisance and/or environmental harm is being caused, abatement or control measures must be implemented as recommended by a suitably qualified person and/or Council.

Fencing, Landscaping and Buffers

27. A screen fence 1.8 metres high shall be erected along the side and rear boundaries to provide visual screening. This screen fencing is to be provided at the developer's cost.—The fence shall be of acoustic materials, in accordance with the Department of Transport and Main Roads specification - MRTS15 (Noise Fences) so as to minimise noise impacts upon adjoining development.
28. **Details of the proposed fencing are to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.
29. Dense tree planting is to be provided adjacent to the acoustic fence so as to enhance the appearance of the fence and to provide an effective visual screen. A 3.0 metre wide landscaped strip is to be provided adjacent to the southern and western boundaries of the site. Where possible, the existing climbing rose hedge is to be retained within the landscaped strip.
30. Landscaped areas are to be provided on the site in accordance with Plan No. 5664, Issue C (Proposed Site Plan) dated 1 December 2016 prepared by Stephen D'Andrea Pty Ltd.
31. The street trees within the road reserve of Lyons Street and Wood Street are to be retained. These trees are to be protected during construction. If it is not possible to design the development to preserve all the trees in their current locations, the tree/s must be relocated at the developer's cost. The relocation of the tree/s is to be carried out by a suitably qualified and experienced person. If the tree/s die within 12 months of the relocation, the dead tree must be replaced with an advanced tree of the same species and height.
32. **A Landscaping Plan is to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the commencement of the use.** The Landscaping Plan is to be prepared by an appropriately qualified person, and 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

33. A concrete industrial crossing is to be constructed and/or maintained at the Lyons Street and Woods Street entrance to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
34. All vehicular entry to the site must be via Lyons Street access and all vehicular exiting from the site must be via Wood Street only.
35. The car park area is to be set back 3.0 metres from the western property boundary.
36. Car parking shall be provided on site in accordance Plan No. 5664, Issue C (Proposed Site Plan) dated 1 December 2016 prepared by Stephen D'Andrea Pty Ltd. All car parking, driveway and loading areas shall be constructed, sealed, line marked, drained, laid out and regularly maintained.
37. All vehicle operations associated with the development must be directed by suitable directional, informative, regulatory or warning signs in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"* and *Australian Standard AS2890.1 "Parking facilities – Off-street car parking"*.
38. Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
39. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted. A vehicle loading area with associated driveway and access to accommodate a semi-trailer/B-Double must be provided on site in accordance with AS2890.2 – 2002 (Off-street parking - Commercial vehicle facilities).

Roadworks

40. 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.
41. The redundant vehicle crossing in Lyons Street is to be reinstated back to kerbing and channelling, and the footpath reinstated.
42. Signage must be provided along the internal driveway so that it can be easily read when exiting the property via motor vehicle whether day or night. This signage is to clearly demonstrate, via images and text, the correct side of the road to drive on in Australia. (Council's Planning Department can provide details regarding Council's standard).

Stormwater Drainage

43. The design, construction and operation of the stormwater drainage system must comply with the water quality objectives stated in Appendix 3 of the State Planning Policy.
44. 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).

Water Supply and Waste water

45. The development is to comply with Council's policy *Works Near Water Supply and/or Sewerage Infrastructure Policy*, which requires an application to be submitted to Council for approval, prior to the commencement of the works. It is not desirable to build over the infrastructure; alternative arrangements should be sought.

Pedestrian Works

46. A 2.0 metre wide concrete pedestrian footpath is to be constructed along the Lyons Street and Wood Street frontage of the site, in a location suitable to the Director Engineering Services.

Electricity, Street Lighting and Telecommunications

47. Underground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

Operational Works

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

Infrastructure Charges Notice

49. Payment of \$2,165 is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice. If payment is made more than two years after the date of the Infrastructure Charges Notice, the charge will increase in line with the Road and Bridge Construction Index for Queensland.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning, Environment and Corporate Services, 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) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (iv) **Any demolition and/or removal works involving asbestos materials** must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public Health Act 2005*.
- (v) The operator must at all times comply with the *Environmental Protection Act 1994*.
- (vi) During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at the Warwick Central Waste Management Facility.
- (vii) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of the Service Station.
- (viii) **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.

- (ix) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the proposed building work and removal of buildings. 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.**
- (x) The applicant is to permit Council officers access to the site in accordance with the powers of entry provisions of the *Local Government Act 2009*, subject to 48 hours notice and reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.
- (xi) The disposal of waste classified as Trade Waste under the *Plumbing and Drainage Act 2002* is to be in accordance with Council's Trade Waste Policy.
- (xii) A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Sustainable Planning Act 2009*. This application must be submitted with the following:
 - Relevant IDAS Forms;
 - The relevant fee in accordance with Council's Schedule of General Fees and Charges;
 - Detailed design drawings, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);
 - A car parking plan showing the location and dimension of all parking areas, details of the proposed pavement treatment, and full engineering specifications of layout, construction, sealing, drainage and line marking;
 - A plan showing ingress and egress wheel and swept turning paths;
 - A Stormwater Management Plan; and
 - An Erosion and Sediment Control Plan.

Operational Works shall be subject to a 12 months Defect Liability Period commencing from the day the works are accepted on-maintenance. A bond will be held by Council as security, and refunded following a defect-free inspection at the end of the Defect Liability Period.

- (xiii) Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- (xiv) All Development Permits for Operational Works and Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.
- (xv) All engineering drawings/specifications, design and construction works must be in accordance with the requirements of the relevant *Australian Standards* and must be approved, supervised and certified by a Registered Professional Engineer of Queensland.

Aboriginal Cultural Heritage

- (xvi) 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

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

Our reference: SDA-1216-036088

Your reference: MCU\01800

Attachment 1—Conditions to be imposed

No.	Conditions	Condition timing
Development Permit for Material Change of Use – Service Station		
7.3.15A—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Director-General of Department of Transport and Main Roads be the assessing authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
1.	The development must be in accordance with the <i>Stormwater Management Plan</i> , prepared by Harrison Infrastructure Group, dated 14 December 2016, reference TWB-1332-01 and revision B, in particular: <ul style="list-style-type: none"> Section 3.4: Proposed Development Conditions; and Appendix B: Developed Site prepared by Harrison Infrastructure Group, dated November 2006, reference SW02, Sheet 2 of 2 and revision A. 	At all times.

Our reference: SDA-1216-036088

Your reference: MCU\01800

Attachment 2—Reasons for decision to impose conditions

The reasons for this decision are:

- Condition 1 is to ensure that the impacts of stormwater events associated with development are minimised and managed to avoid creating any adverse impacts on the state-transport corridor.

Our reference: SDA-1216-036088

Your reference: MCU\01800

Attachment 3—Further advice

Railways	
1.	<p>The Fuel Station operator should establish emergency procedures with the railway manager (Queensland Rail). Early notification of any situation will be required so that operations can be managed. The Emergency Response Procedures (ERP) for the facility should include protocols for contacting Train Control so that appropriate emergency actions can be put in place.</p> <p>The applicant should contact the Queensland Rail Property Team at qrpropertywayleaves@qr.com.au or on telephone number (07) 3072 1229 in relation to this matter.</p>
Memorandum of Understanding for Railway Level Crossings	
2.	<p>As per the Memorandum of Understanding between the Local Government Association of Queensland and Queensland Rail and the Department of Transport and Main Roads with respect to the Management and Funding Responsibility for Level Crossing Safety, the local government is responsible for any safety upgrades to a level crossing if the change in risk to the level crossing is due to changes in nearby land uses which have been authorised by local government.</p> <p>Southern Downs Regional Council should continue to monitor the level of safety risk and number of reported level crossing issues at the Lyons Street and Pratten Street crossings of the South Western Line and Southern Line as further development in the area is approved. Consideration should also be given to implementing improved control and safety measures, as required.</p>

Carried

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

Nil

Cr Stocks declared that a perceived conflict of interest in Agenda Item 14.1 (as defined in section 173 of the Local Government Act 2009), may exist due to past dealings with the property owner. Cr Stocks 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 Stocks participated in the discussion and voting on this matter.

14. NOTICES OF MOTION

14.1 Notice of Motion - Relocation of Water Valves at 3 Bell Place, Warwick

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

THAT Council cover the costs for the relocation of four water valves at 3 Bell Place, Warwick.

Carried

Cr Stocks voted against the motion.

15. GENERAL BUSINESS

Cr Kelly donated two copies of “200 Years of Westpac” for the Warwick and Stanthorpe Libraries

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 Warwick Shire River Improvement Trust Secretarial Support

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.

16.2 Reduction on Water Access Charges

Reason for Confidentiality

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

16.3 Request for Reduction of Wastewater Charges

Reason for Confidentiality

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

16.4 2016/2017 Community Support Program

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.

16.5 Waste Contract

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.

16.6 Purchase of Land, Rabbit Road, Leslie Dam

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.

16.7 Warwick District Drag Racing Association Incorporated - Lease renewal

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.

16.8 Proposed sale of land - Henry Evans Drive, Rosehill

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.

16.9 April 2017 Monthly Reports from Warwick Indoor Recreation and 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.

16.10 Elections for Court Hearing in response to Penalty Infringement Notices

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.

16.11 Saleyards Advisory Committee Minutes

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.

Meeting In Camera

Resolution

Moved Cr V Pennisi

Seconded Cr R Kelly

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 12.09pm.

12:21 PM Cr C Gow left the meeting during discussion on Agenda Item 16.3

12:29 PM Cr C Gow rejoined the meeting

12:31 PM Cr N Meiklejohn left the meeting during discussion on Agenda Item 16.4

12:37 PM Cr N Meiklejohn rejoined the meeting

12:57 PM Cr V Pennisi left the meeting

12:59 PM Cr V Pennisi rejoined the meeting

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 1.46pm.

Carried

16.1 Warwick Shire River Improvement Trust Secretarial Support

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

THAT Council:-

1. Advise the Warwick Shire River Improvement Trust that Council will undertake the future secretariat role for the Trust.
2. Request the Trust to submit a revised precept request to incorporate the calculated savings by Council undertaking that role.

Carried

16.2 Reduction on Water Access Charges

Resolution

Moved Cr Y Stocks

Seconded Cr R Kelly

THAT Council does not allow a concession on water access charges.

Carried

Cr Gow declared a perceived conflict of interest in Agenda Item 16.3 (as defined in section 173 of the Local Government Act 2009) due to his role on the Executive of the applicant and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Gow left the meeting at 1.46pm.

16.3 Request for Reduction of Wastewater Charges

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council does not waive the additional wastewater access charges.

Carried

01:47 PM Cr C Gow rejoined the meeting

Cr Meiklejohn declared a real conflict of interest in Agenda Item 16.4 (as defined in section 173 of the Local Government Act 2009) due to his involvement with one of the applicants and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Meiklejohn left the meeting at 1.47pm.

16.4 2016/2017 Community Support Program

Resolution

Moved Cr V Pennisi

Seconded Cr S Windle

THAT Council resolve to allocate the 2016/2017 Community Support Program (CSP) funding to the successful 15 applications listed in Attachment 1.

Carried

Attachments

1. Community Support Program Successful Applicants - **Attached to the Minutes Under Separate Cover**

01:48 PM Cr N Meiklejohn rejoined the meeting

16.5 Waste Contract

Resolution

Moved Cr V Pennisi

Seconded Cr R Kelly

THAT Council resolve to develop and advertise a tender specification for waste management services pursuant to Section 226 of the Local Government Regulation 2012 and generally in accordance with the detail contained within this report.

Carried

16.6 Purchase of Land, Rabbit Road, Leslie Dam

Resolution

Moved Cr N Meiklejohn

Seconded Cr M McNichol

THAT Council agrees to the purchase of land at Rabbit Road, Leslie Dam.

Carried

16.7 Warwick District Drag Racing Association Incorporated - Lease renewal

Resolution

Moved Cr Y Stocks

Seconded Cr N Meiklejohn

THAT Council offers the Warwick District Drag Racing Association a further 10 year lease over part of Lot 132 on SP108821, including the following condition:

- *The land at the northern extremity of the lease area (approximately 3.35ha), previously designated as Sanitary Reserve will revert to Council use at the expiry of this ten (10) year lease.*

Carried

16.8 Proposed sale of land - Henry Evans Drive, Rosehill

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council authorise:

1. The Chief Executive Officer to offer for sale to the adjoining landowner, the 1,300m² of land which the dam is situated on within Lot 21 on RP862162, in accordance with Sections 236 (1)(c)(iv)(B) and 236 (2) of the *Local Government Regulation 2012*;
2. The lodging of an application for the realignment of boundaries between Council owned Lot 21 on RP86162 and the adjoining Lot 4 on RP36356, ensuring no new Lots are created;
3. The Chief Executive Officer to advertise the remaining 13,900m² for sale by tender.

Carried

16.9 April 2017 Monthly Reports from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council receive the April 2017 monthly report from Brisbane YMCA in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

16.10 Elections for Court Hearing in response to Penalty Infringement Notices

Resolution

Moved Cr S Windle

Seconded Cr C Gow

THAT Council:

- A. Commences legal action in response to the elections for court hearing in relation to:
- (i) An offence under section 103(1)(b) of the *Waste Reduction and Recycling Act 2011* for general littering in the road reserve of the Toowoomba-Karara Road, Leyburn; and
 - (ii) An offence under Local Law No. 2 (Animal Management) 2011, being failing to ensure that an animal is kept within an enclosure or restrained at all times in relation to a straying dog at Ryans Road, Mount Marshall; and
- delegates authority to the Chief Executive Officer to prosecute, negotiate, mediate, settle or cease this legal action upon such terms as Council's legal advisor may recommend or approve.
- B. Delegates authority to the Chief Executive Officer to commence legal action in response to an election for court hearing. The delegation is to include authority to prosecute, negotiate, mediate, settle or cease this legal action upon such terms as Council's legal advisor may recommend or approve.

Carried

16.11 Saleyards Advisory Committee Minutes

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council:-

1. Receive the Minutes of the Saleyards Advisory Committee Meeting held on 17 March 2017 and the Special Meeting of the Saleyards Advisory Committee Meeting held on 5 May 2017.
2. Invite Blake Doro to join the Saleyards Advisory Committee.
3. Undertake Expressions of Interest in relation to the Management of the Warwick Saleyards.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 1.51pm.