



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
28 JUNE 2017**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 28 JUNE 2017 IN THE
COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9.00AM**

1. PRAYERS & CONDOLENCES

Rev Darren Muller offered a prayer and acknowledged condolences.

2. ATTENDANCE

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

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

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 24 May 2017

Resolution

Moved Cr Y Stocks

Seconded Cr M McNichol

THAT the minutes of the General Council Meeting held on Wednesday 24 May 2017 be adopted.

Carried

4.2 Special Council Meeting - 29 May 2017

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT the minutes of the Special Council Meeting held on Monday 29 May 2017 be adopted.

Carried

4.3 Special Council Meeting - 14 June 2017

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT the minutes of the Special Council Meeting held on Wednesday 14 June 2017 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precs	Nature of Conflict
12.11	Material Change of Use – 229 Granite Belt Drive, Thulimbah	Cr Pennisi 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 involvement in a similar development elsewhere in the region and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.3	Request for Waiving Rates PN 107525	Cr McNichol declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as her husband had been approached by the owner to undertake some work at the property and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.4	2016/17 Funding to Community	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 a relations involvement with one of the applicants and dealt with the perceived 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 - June 2017

Resolution

Moved Cr V Pennisi

Seconded Cr M McNichol

THAT Council receive the Mayoral Minute for June 2017.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

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 31 May 2017

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

THAT Council receive and note the Financial Report as at 31 May 2017.

Carried

10.3 Submission to Healthy Futures Commission Queensland Bill 2017

Resolution

Moved Cr S Windle

Seconded Cr M McNichol

THAT Council endorse the Submission to the Healthy Futures Commission Queensland Bill 2017 sent on 15 June 2017.

Carried

10.2 Amendment to PECS 2017/18 SDRC Fees and Charges

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council adopt the attached amended Planning, Environment and Corporate Services 2017/18 SDRC Fees and Charges.

Carried

Attachments

1. Updated 2017/2018 Fees and Charges - Planning, Environment and Corporate Services -
Attached to the Minutes Under Separate Cover

10.4 SDRC 2017/2018 Fees and Charges Amendments

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council amend the 2017/2018 SDRC Fees and Charges as attached.

Carried

Attachments

1. 2017/2018 SDRC Updated Fees and Charges - Extract - **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 N Meiklejohn

THAT Council receive the Engineering Services Department Monthly Report.

Carried

11.2 Jim Mitchell Park

Resolution

Moved Cr S Windle

Seconded Cr V Pennisi

THAT Council commence community engagement in relation to RV Rest Areas / Camping for short stay RV Rest Areas / Camping in small communities throughout the Southern Downs region.

Carried

11.3 Event, Sport & Recreation Advisory Committee Minutes

Resolution

Moved Cr Y Stocks

Seconded Cr C Gow

THAT Council receive the minutes of the Event, Sport & Recreation Advisory Committee Meeting held on 16 May 2017.

Carried

12. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

12.1 Pest Management Advisory Committee Minutes

Resolution

Moved Cr C Gow

Seconded Cr Y Stocks

THAT Council:

1. Receive and endorse the minutes of the Pest Management Advisory Committee held at Warwick on 23rd May 2017.
2. Maintain the current guidelines for the payment of the Wild Dog Bounties as detailed in the current Wild Dog Bounty Payment Policy

Carried

12.2 Council's Role as Concurrence Agency for Amenity and Aesthetics, Planning Regulation 2017

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT, for the purposes of the *Planning Regulation 2017*, Council resolves that the following types of buildings may have an extremely adverse effect on the amenity or likely amenity of the locality, or be in extreme conflict with the character of the locality:

- (a) all Class 1 and Class 10 removal buildings to be relocated onto a site within the Region;
- (b) all Class 1 buildings with a gross floor area less than 60m² (*gross floor area* includes only enclosed habitable areas, and excludes areas used for parking, verandahs, and the like);
- (c) all Class 1 buildings which due to their design or appearance resemble a shed, garage or similar structure;
- (d) shipping containers to be located in any urban area or Rural residential zone; and
- (e) shipping containers to be located in the Rural zone where:
 - (i) located within 100 metres of an urban area or Rural residential zone;
 - (ii) the lot has an area of 4000 square metres or less; or
 - (iii) located within 20 metres of a lot boundary.

Carried

12.4 Alignment Amendment of the Southern Downs Planning Scheme

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT:

1. Council makes 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*.
2. The alignment amendment commence upon commencement of the *Planning Act 2016* on 3 July 2017.
3. A public notice advising of the making of the alignment amendment be published in:
 - (i) the gazette;
 - (ii) in a newspaper circulating in the Southern Downs Region; and
 - (iii) on the Council's website.
4. A copy of the public notice and a copy of the alignment amendment be given to the Chief Executive of the Department of Local Government, Infrastructure and Planning.

Carried

12.5 Waste Reduction and Recycling Plan Review

Resolution

Moved Cr C Gow

Seconded Cr J McNally

THAT in accordance with Section 125 of the Waste Reduction and Recycling Act 2011, Council undertake community consultation on the proposed amendments to the 2017-2027 Waste Reduction and Recycling Plan, noting that Amiens Waste Facility be included for upgrade rather than closure in the community consultation process.

Carried

12.6 Proposed Amendments to the Planning Scheme - Consideration of Submissions

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council:

1. Retains Lots 1 and 2 SP267727 in the Rural residential zone;
2. Amends the planning scheme to include the Carnell Raceway environs overlay; and
3. Amends Table 8.2.7.3 of the planning scheme as follows:

Table 8.2.7.3 – Morgan Park environs overlay and Carnell Raceway environs overlay - Self-assessable and assessable development

Performance outcomes	Acceptable outcomes
Population density	
<p>PO1 The development does not individually or cumulatively increase the number of people residing permanently in the environs of Morgan Park or Carnell Raceway.</p>	<p>AO1 (a) Land is not subdivided for use for rural, residential or rural residential purposes. (b) There are no Community residences, Multiple dwellings, Residential care facilities, Relocatable home parks or Retirement facilities for permanent occupation established in the area overlay.</p>
Noise	
<p>PO2 Development does not introduce uses that are sensitive to noise interference or nuisance unless adequate, practicable, mitigation measures are incorporated into the development.</p>	<p>AO2 Premises that are not used for an industrial, business activity or rural purpose incorporate noise attenuation measures including:</p> <ul style="list-style-type: none"> • Double glazing of Acoustic grade windows >Rw30; • Mechanical ventilation; • Concrete or masonry external walls >Rw40; and • Roof/ceiling with noise insulation >Rw38 <p>OR</p> <p>The external envelope of habitable rooms in a residential building is constructed in a manner that provides a 30dB(A) 40dB(A) reduction for all habitable rooms. <i>Note: To determine whether the components of the building's external envelope can achieve the required reduction reference may be made to MP4.4 of the Queensland Development Code – Buildings in a Transport Noise Corridor - Category 2 construction.</i></p> <p>OR</p> <p>A report prepared by a suitably qualified person is submitted demonstrating that the external habitable rooms in a residential building will be constructed to achieve a maximum noise level of 45 dB(A) during a motor racing event at Morgan Park or Carnell Raceway, whichever is relevant.</p>

Lost

12.6.1 Proposed Amendments to Planning Scheme

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

THAT Council:

1. Retains Lots 1 and 2 SP267727 in the Rural residential zone; and
2. Does not amend the planning scheme to include the Carnell Raceway environs overlay, and therefore does not proceed with the subsequent amendments to Section 8.2.7 *Morgan Park environs overlay code*, section 3.5.4.2(1) *Sport and recreation - Land use strategies*, and Table 6.2.11 PO9 *Rural residential zone code – Assessment Criteria.*; and
3. Amends Table 8.2.7.3 as follows:

Table 8.2.7.3 – Morgan Park **environs overlay - Self-assessable and assessable development**

Performance outcomes	Acceptable outcomes
Population density	
PO1 The development does not individually or cumulatively increase the number of people residing permanently in the environs of Morgan Park.	AO1 (a) Land is not subdivided for use for rural, residential or rural residential purposes. (b) There are no Community residences , Multiple dwellings, Residential care facilities, Relocatable home parks or Retirement facilities for permanent occupation established in the area overlay .
Noise	
PO2 Development does not introduce uses that are sensitive to noise interference or nuisance unless adequate, practicable, mitigation measures are incorporated into the development.	AO2 Premises that are not used for an industrial, business activity or rural purpose incorporate noise attenuation measures including: <ul style="list-style-type: none"> • Double-glazing of Acoustic grade windows >Rw30; • Mechanical ventilation; • Concrete or masonry external walls >Rw40; and • Roof/ceiling with noise insulation >Rw38 OR The external envelope of habitable rooms in a residential building is constructed in a manner that provides a 30dB(A) 40dB(A) reduction for all habitable rooms. <i>Note: To determine whether the components of the building's external envelope can achieve the required reduction reference may be made to MP4.4 of the Queensland Development Code – Buildings in a Transport Noise Corridor - Category 2 construction.</i> OR A report prepared by a suitably qualified person is submitted demonstrating that the external habitable rooms in a residential building will be constructed to achieve a maximum noise level of 45 dB(A) during a motor racing event at Morgan Park.

Carried

12.8 Proposed Mineral Mining Operation, Cherrabah Granite Mine

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council make an objection to the proposed mineral mining operation, Cherrabah Granite Mine, to be located at 365 Keoghs Road, Elbow Valley, described as Lot 1000 SP 268215, Parish of Wildash, County of Merivale, for the following reasons:

1. The land is a habitat for endangered species, protected under the *Environment Protection and Biodiversity Conservation Act 1999*. The mining lease application should be referred to the Federal Government under the *Environment Protection and Biodiversity Conservation Act 1999*.
2. Impacts of truck movements on Council's roads and the need for annual contributions toward maintenance of the road.
3. Sealing of Keoghs Road to be used for access to the proposed mine, so as to reduce road maintenance of the unconstructed road and to reduce dust impacts on the 22 lots that form part of the Cherrabah Development that are located in close proximity to this road.

Carried

12.9 Waste Reduction and Recycling Amendment Bill 2017

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council resolve to provide a written submission on the *Waste Reduction and Recycling Amendment Bill* supporting the introduction on a ban on lightweight plastic shopping bags and the introduction of a container refund scheme.

Carried

12.10 Lapsing of Approval - Cattle Feedlot, 192 North Branch Road, Goomburra

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT, in relation to the Court Order issued on 9 May 2008 for a 499 SCU cattle feedlot on land at 192 North Branch Road, Goomburra, Council advises the landowners to commence declaratory proceedings in the Planning and Environment Court seeking a ruling on whether the approval has lapsed.

Carried

Cr Pennisi declared a perceived conflict of interest in relation to agenda item 12.11 (as defined in section 173 of the *Local Government Act 2009*) due to his involvement in a similar development elsewhere in the region 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 V Pennisi left the meeting at 10:22am.

12.11 Material Change of Use - 229 Granite Belt Drive, Thulimbah

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT the application for a Function Facility, Medium Impact Industry, Short Term Accommodation and Tourist Park on land at 229 Granite Belt Drive, Thulimbah, described as Lot 2 RP31712, Parish of Stanthorpe, County of Bentinck, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

- 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 Plan	DA100 Issue B	12/5/2017
Proposed Staging Plan	DA110 Issue B	12/05/2017
Caravan Park Plan	DA200 Issue B	12/05/2017
Common Building Plan, Dorm Plan and Guest House 2 Plan	DA210 Issue B	12/05/2017
Common building, Dorm and Guest House 2 Elevations	DA211 Issue B	12/05/2017
Guest House No. 3, Display/Sales Plan	DA220 Issue B	12/05/2017
Guest House No. 3, Display/Sales Elevations	DA221 Issue A	30/11/2016
Guest House No. 1 Existing House Conversion, Spa Building	DA230 Issue A	22/12/2016
Guest Café/Function Facility, Gazebo Conversion to a Cabin, Bush Tucker Store	DA240 Issue B	12/5/2017
Pool Compound Plan	DA250 Issue B	12/05/2017
Noise Assessment Report		

- 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.

Staging

- The development may proceed in stages, provided that any road access and infrastructure services required to service a particular stage are constructed with that stage. Unless otherwise expressly stated, the conditions must be read as being applicable to all stages.
- The stages are approved as follows:
 - Stage 1 consists of constructing a Car Park, Gazebo Conversion (Cabin), Guest House No. 1 conversion and the Function Facility. Ancillary uses such as the Spa Building (Health Care Service) will be constructed as part of this stage but these uses are not to be made available to the general public.
 - Stage 2 consists of a canopy and storage area and a roof to the common building
 - Stage 3 consists of the Brewery (Medium Impact Industry)
 - Stage 4 consists of the 20 Bed Dormitory and common building fitout (Tourist Park)
 - Stage 5 consists of Bush Tucker Area which is an ancillary use not to be made available to the general public
 - Stage 6 consists of Guest House No. 2 (Short Term Accommodation)

- Stage 7 consists of two (2) new Cabins (Short Term Accommodation)
- Stage 8 consists of ten (10) Tent Sites and twenty-four (24) Caravan Sites
- Stage 9 consists of Guest House No. 3 (Short Term Accommodation)
- Stage 10 consists of Indoor Pool – Recreational Building – Indoor Pool

Stage 1 must be completed prior to any other Stage. All other Stages are not required to be undertaken in any chronological order.

5. 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.

Land Use and Planning Controls

6. This approval allows for the use of the building/site for the following uses only:
 - Short Term Accommodation (Guest House No. 1 = 6 rooms, Guest House No. 2 = 4 rooms and Guest House No. 3 = 12 rooms)
 - Tourist Park (10 Tent Sites, 25 Caravan Sites, 6 Cabins and 20 bed Dormitory)
 - Medium Impact Industry (Brewery 77m²)
 - Function Facility
7. The Function Facility is to be located within the structures identified as guest café and Bush Tucker Area on the approved plans.
8. There is to be no Food and Drink Outlet (Café) on-site unless the appropriate material change of use permit is granted.
9. Only 1 caravan can reside at an ensuite site at any one time.
10. This approval allows for the use of Natural Therapies - Spa (Health Care Service) and the Bush Tucker Area as **ancillary uses only** and **are only to be used by guests residing at the premises** (within the Tourist Park or Short Term Accommodation Buildings). **These uses are not to be made available to the general public at any time.**
11. The function Facility shall generally operate only between the hours of 10.00am to 10.00pm on Fridays and Saturdays, and not at all on Sundays to Monday and public holidays.
12. There is to be no camping outside of the approved camping ground areas shown on the approved plans as tent sites or ensuite sites or caravan sites.
13. The maximum number of guests accommodated at the Function Facility at any one time must not exceed 50 persons.
14. No person is to reside in any building identified for short term accommodation for more than 45 days consecutively, or more than 90 days in any 12 month period.

The approved accommodation must not be occupied by persons for the purpose of permanent accommodation, excluding those persons in a manager's residence for the premises.
15. The Bush Tucker area and the Natural Therapies (Health Care Service) are to have a sign placed at the entrance stating the following:

‘Only available for patrons of the facility and not the general public’
16. All access to the subject property is to be via Granite Belt Drive only.
17. A Bushfire Management Plan and an Evacuation Plan is to be submitted to and approved by the Director of Planning, Environment and Corporate Services. Recommendations of the

approved Bushfire Management Plan are to be implemented and the Evacuation Plan is to be made available on-site at all times.

Building and Site Design

18. The building is to be set back at least 11 metres from Lot 1 RP31711, at least 51 metres from Lot 1 RP31712 and at least 45 metres from Lot 2 RP31813 from the property boundary.
19. The design, colours and materials of the building and pavement are to be in accordance with the rural character of the area. The final design and construction of the buildings must provide for larger variation in appearance than that shown in the plans submitted with the application. Variation is to be achieved through the use of colours, materials, architectural treatments, and changes to roof lines. **Details of the design, colours and materials of the building and pavement are to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the issue of any Development Permit for Building Work.** The building is to be constructed in the approved design, colours and materials.
20. Written advice from a qualified building certifier is to be submitting to Council stating that the wall between each of the existing units complies with the *Building Code of Australia* in relation to the fire regulations.
21. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
22. A copy of the Form 21 (Final Inspection Certificate)/ 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

23. During the construction phase of the development, all wastes must be separated into recyclables (where possible) and landfill wastes, and disposed of at the Stanthorpe Waste Facility.
24. Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured at any boundary. The applicant is to note that this may include the need to use attenuating materials or barriers if required.
25. Amplified music shall not be permitted in the Function Facility.
26. Install an acoustic barrier adjacent to the entrance along the southern boundary of the site, as indicated in Figure 4 of the Noise Assessment Report prepared by RoadPro Acoustics.
27. Any fixed noise emitting device (eg air conditioning unit, refrigeration unit, compressor, generator etc) located outside the workshop/facility must be placed within an appropriate acoustic enclosure
28. When requested by Council, monitoring and/or sampling must be undertaken by a suitably qualified person(s) to investigate any complaint of environmental nuisance (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief), and the results notified within 14 days of receipt to Council. This must be undertaken in accordance with any direction given by Council at the time.

If monitoring and/or sampling results 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 so that emissions from site activities do not result in further environmental nuisance.

29. Any pools and spas must be maintained in compliance with Queensland Health's Swimming and Spa Water Quality and Operational Guideline.
30. The loading and/or unloading of delivery and other service vehicles (excluding general waste collection vehicles) is 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. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
31. A sufficient number of suitable waste receptacles must be provided on site at all times. Waste receptacles must be regularly serviced to prevent unsightly accumulations of waste or environmental harm being caused.
32. 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.
33. The cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
34. Advertising Devices relating to the Tourist Park and Short Term Accommodation may **only** be erected on the subject land, i.e. Lot 2 RP31712. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.
35. 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.
36. 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*.
37. Lighting is to be provided within the development including adjacent to the internal driveways. Any lighting is to be located such that there is no interference with any residences. Details of the proposed lighting are to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the issuing of any Development Permit for Building Works. Lighting is to be provided in accordance with the approved plan.
38. All cleared or lopped timber and vegetation must be processed on site by wood chipping, mulching or similar method. Any processing of trees or vegetation must be carried out in a safe manner and without any adverse environmental impacts from noise or dust emissions, and in accordance with any requirements under the *Environmental Protection Act 1994*.

Fencing, Landscaping and Buffers

39. All earthworks, including batters must be fully contained within the site.
40. Advanced tree plantings (i.e. minimum height of 1.5 metres at the time of planting) to create buffer strips of 10 metres in width are to be provided adjacent to the side boundaries of the subject land to minimise the visual impact of the development from adjoining properties in the areas identified in green below:



41. A 6 metre wide landscaped buffer is to be provided along the Granite Belt Drive frontage and a 2 metre wide landscape buffer along Tennant Road of the site so as to provide a visual buffer. This area is to be densely planted with trees and shrubs suitable to grow to heights of between 1.5 to 3 metres at maturity.

The trees and shrubs must be of species that are fast growing, frost resistant and drought hardy. The buffer is to have a mature tree height of at least 3.0 metres. The vegetated buffers are to be maintained so they form an effective buffer.

42. **A Landscaping Plan is to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the issue of any Development Permit for Building Work/ commencement of the use/planting of the treed buffers.** 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

43. Vehicle access is to be constructed to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.) The access must be constructed along Granite Belt Drive at a location which provides adequate sight distance in either direction. Such entrance roadworks are to be sealed and are to include appropriate drainage works. If necessary, the property access gateway must be located within a setback such that all vehicles proposed to enter and/or exit the land are able to stand clear of the carriageway whilst the property gateway is being opened and/or closed.
44. A concrete industrial crossing is to be constructed at the Granite Built Drive entrances to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
45. All vehicular access to and from the site must be via Granite Belt Drive only.
46. The internal driveways are to be designed and constructed to allow an 8.8 metre service vehicle to enter and leave the site in forward gear.

47. At least one (1) car parking space is provided for each tent/caravan site and cabin.
48. A minimum of forty-four (44) car parking spaces are to be provided for the Short-Term Accommodation, brewery and ancillary uses.
49. The car park area is to be set back 6 metres from the front property boundary.
50. The car park area is to be defined by a low physical barrier along the edge of the car parking area and driveways.
51. Car parking shall be provided on site in accordance Plan No DA100 issue B dated 12/05/2017 prepared by Leon Burton Architects. All car parking, internal driveways/roads and loading areas shall be constructed in bitumen or similar materials, sealed, line marked, drained, laid out and regularly maintained.
52. Adequate sight distances must be provided for all ingress and egress movements at the access driveways in accordance with *Australian Standard AS2890.2 "Parking facilities - Off street commercial vehicle facilities"*.
53. 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.
- 54.

Roadworks

55. 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

56. 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.
57. 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

58. 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*.
59. Prior to the commencement of the use, a report demonstrating that adequate provision has been made for the supply of water, including a drinking water supply, is to be submitted to and approved by the Director Planning, Environment and Corporate Services. If water is to be supplied for the development from a spring/bore/dam on the site, written advice must be supplied from the Department of Natural Resources and Mines that water may be lawfully

supplied from that source. A water supply is to be provided in accordance with the approved report.

60. Any water supply point which provides water not suitable for drinking is labelled 'UNSUITABLE FOR DRINKING' and provided with a symbol which is easily recognisable by non-English speaking people.
61. The site must be provided with a water storage reservoir having a minimum of 10000 litres of water for emergency fire fighting purposes for each of the Short Term Accommodation buildings, the Brewery, the Function Facility, the Spa Building, the Dormitories, Common Building and Workers Accommodations of the Tourist Park. Such storage must be provided in addition to the water supply capacity required for the use and must be provided in the form of either an accessible dam, swimming pool or rainwater tank. If storage is to be provided in a rainwater tank, water storage for fire fighting purposes must be provided either in a separate rainwater tank or a reserve section in the main water supply tank on which:
 - (a) the domestic take off from the tank is at or above the 10000 litre point; and
 - (b) standard rural fire brigade fittings are fitted to the tank outlet for access by rural fire services vehicles.

Electricity, Street Lighting and Telecommunications

62. Electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.

Infrastructure Charges Notice

63. Payment of \$21,268.00 is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice. If the development is staged, the payment of Infrastructure Charges may also be staged. 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 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.
- (vi) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.

- (vii) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of the fit-out of the kitchen in the function facility on-site. Applications for Design Approval and Approval to Operate (including applications for licence under the *Food Act 2006*) are to be submitted to and approved by Council for the food premise, prior to the issue of a Development Permit for Building Work.
- (viii) An application must be submitted and approved by Council for an approval to operate under Council's Local Law No. 1. (Administration) 2011. In accordance with Council's Subordinate Local Law No. 1.8 (Operation of Caravan Parks), the following is some of the information that must be submitted with an application for an approval to operate:
- A site plan of the caravan park, drawn to scale, showing the following particulars:
- a) the location and real property description of the place at which the caravan park is to be operated; and
 - b) the boundaries of the caravan park; and
 - c) the location of each road and building situated within the caravan park; and
 - d) details of the water supply system, including the position of all water points; and
 - e) the position of all waste containers; and
 - f) details of the sewerage system including the position of each sanitary convenience, ablution and laundry building; and
 - g) details of the on-site sewerage facilities and the waste water disposal system; and
 - h) the position of all fire places; and
 - i) the nature and position of:
 - (i) all fire safety installations; and
 - (ii) all electrical installations; and
 - (iii) all food preparation areas; and
 - (iv) all recreational facilities; and
 - (v) all car parking facilities.
- (ix) Written advice from the Queensland Fire and Rescue Service (QFRS) that suitable and appropriate fire fighting facilities are provided throughout the site.
- (x) A current certificate of testing and compliance issued under the *Electrical Safety Act 2002*.
- (xi) A copy of an evacuation plan, approved by a recognised authority, showing all necessary assembly areas.
- (xii) **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.
- (xiii) **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)/Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing.**
- (xiv) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for a Change of Classification of Building. 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*.
- (xv) 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.

- (xvi) 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.
- (xvii) The supply of water for human consumption, food preparation, food utensil washing or personal hygiene, including the supply of water for drinking water, showers, baths, hand basin and kitchen sinks, must be connected to a drinking water supply, in accordance with the *Plumbing Code of Australia* and the *Australian Drinking Water Quality Guidelines* produced by the *National Health and Medical Research*.
- (xviii) An Environmental Authority for Environmentally Relevant Activity No. 63 (Sewerage Treatment) is to be obtained in accordance with the *Environmental Protection Act 1994* prior to the commencement of any Environmentally Relevant Activity.
- (xix) No clearing of remnant vegetation or regulated regrowth vegetation is to occur under this approval. A Development Permit for Operational Works must be obtained from the Department of Infrastructure, Local Government and Planning for the clearing of any remnant vegetation, unless exempt under Schedule 24 of the *Sustainable Planning Regulation 2009*.
- (xx) 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;

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.

- (xxi) 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.
- (xxii) 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.
- (xxiii) 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

- (xxiv) 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

(xxv) In accordance with the *Sustainable Planning Act 2009*, this approval will lapse four years from the day the approval takes effect.

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

SDA-1015-025304

Our reference: SDA-1015-025304
Your reference: MTL-MTL/MCUI01674

Attachment 1—Conditions to be Imposed

No.	Conditions	Condition timing
Development permit for material change of use		
Schedule 7, Table 3, Item 15A & Schedule 7, Table 3, Item 2—Pursuant to section 255D of the <i>Sustainable Planning Act 2009</i> , the chief executive administering the Act nominates the Department of Transport and Main Roads to 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(s):		
1.	The development must be in accordance with: <ul style="list-style-type: none"> • Stormwater Report for 229 Granite Belt Drive, prepared by Bob Lane Consultant Engineer, and dated 21 November 2016. 	At all times.

Department of Infrastructure, Local Government and Planning
Page 4

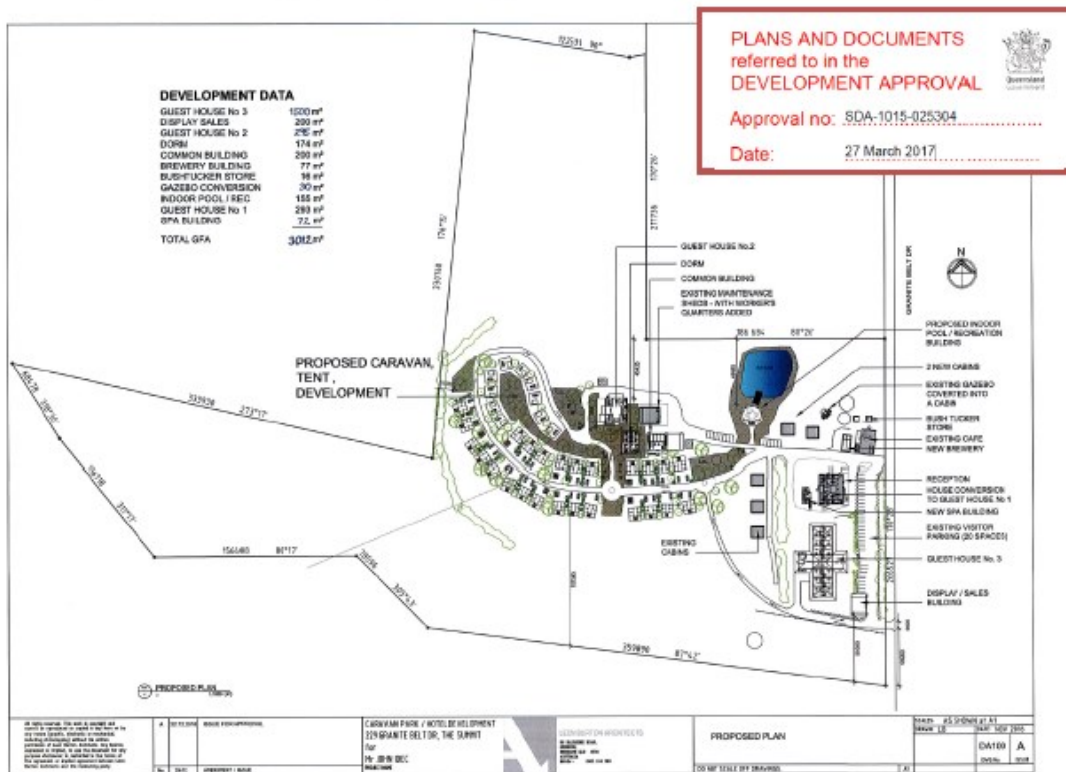
Our reference: SDA-1015-025304
Your reference: MTL:MTL/MCU/01674

Attachment 3—Further advice

General advice	
Ref.	Further development permits, compliance permits or compliance certificates
1.	<p>Memorandum of Understanding for Railway Crossings</p> <p>As per the <i>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</i>, 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>The development is likely to impact on the safety of the Amiens Road crossing (ID2571) of the Southern Line. Southern Downs Regional Council should continue to monitor the level of safety risk and number of reported level crossing issues as further development in the area is approved. Consideration should also be given to implementing improved control and safety measures, as required.</p>
	Overdimensional Road Loads (Queensland Rail)
2.	<p>Under the <i>Transport Infrastructure (Rail) Regulation 2006</i> permission from the Railway Manager (Queensland Rail) is required to take over-dimensional road loads across Queensland Rail infrastructure (e.g. rail level crossings and rail bridges). Further information can be obtained from Queensland Rail's website at: http://www.queenslandrail.com.au/forbusiness/overdimensionalloads</p>

Our reference: SDA-1015-025304
 Your reference: MTL:MTL/MCU/01874

Attachment 4—Approved plans and specifications



Carried

10:25 AM Cr V Pennisi rejoined the meeting.

12.3 Policies Review - June 2017

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT Council adopt the following policies:

- Grants to Community Policy (PL-ES075);
- Community Engagement Policy (PL-CS059);
- Arts and Culture Policy (PL-ES053);
- Revenue Policy (PL-FS013);
- Southern Downs Youth Policy (PL-ES077); and
- Rates Concession Policy (PL-FS076).

Carried

Attachments

1. Grants to Community Policy - **Attached to the Minutes Under Separate Cover**
2. Community Engagement Policy - **Attached to the Minutes Under Separate Cover**
3. Arts and Culture Policy - **Attached to the Minutes Under Separate Cover**
4. Revenue Policy - **Attached to the Minutes Under Separate Cover**
5. Southern Downs Youth Policy - **Attached to the Minutes Under Separate Cover**
6. Rates Concession Policy - **Attached to the Minutes Under Separate Cover**

12.7 Delegations Register - Council to CEO

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

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 - **Attached to the Minutes Under Separate Cover**

Meeting adjourned for morning tea at 10:26am and reconvened at 11:10am at which time there were present Crs Dobie, Stocks, Gow, McNally, McNichol, Pennisi, Windle, Kelly and Meiklejohn.

11:10am Presentation of Casual for a Cause donation to Share the Dignity.

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

13.1 ALGA National General Assembly 2017

Resolution

Moved Cr S Windle

Seconded Cr V Pennisi

THAT Council receive the attached report on the ALGA National General Assembly 2017 tabled by Cr Windle.

Carried

Attachments

1. ALGA National General Assembly Report - **Attached to the Minutes Under Separate Cover**

13.2 Report on Drug and Alcohol Forum

Resolution

Moved Cr S Windle

Seconded Cr N Meiklejohn

THAT Council receive the attached report on the recent drug and alcohol forum coordinated by the Federal Member for Maranoa tabled by Cr Windle.

Carried

Attachments

1. Report on Drug and Alcohol Forum - **Attached to the Minutes Under Separate Cover**

14. NOTICES OF MOTION

14.1 Notice of Motion: Mini Golf Facility

Resolution

Moved Cr M McNichol

Seconded Cr Y Stocks

THAT following reconsideration of the report that was presented to the February 2017 General Council Meeting in relation to the installation of a mini golf facility at the Warwick Indoor Recreation and Aquatic Centre, Council:

1. Prepare a draft design for a mini golf facility to be located within the precinct of Warwick Indoor Recreation & Aquatic Centre ("WIRAC") facility, which has frontage along Palmerin Street, Warwick.
3. Incorporate into the draft design key attributes and features of the region that would appeal to visitors and residents.
4. Place the draft design on exhibition for community consultation and feedback for a period of 28 days.
5. Incorporate the proposed Mini Golf Facility at WIRAC into a future Sport and Recreation Master Plan.
6. Consider a budget allocation in the 2017/2018 First Quarter adjustment.

Carried

15. GENERAL BUSINESS

Nil

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 Request for Reduction of Waste Collection Charges PN 117595

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.

16.2 Current Rates Concession Granted PN 55305

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.

16.3 Request for Waiving Rates PN 107525

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.

16.4 2016/17 Funding to Community

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.

16.5 May 2017 Monthly Report 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.

16.6 Audit and Risk Management Committee Meeting Minutes - 19 May 2017

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 N Meiklejohn

Seconded Cr S Windle

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11:53am.

12:07 PM Cr M McNichol left the meeting during discussion on agenda item 16.3

12:16 PM Cr M McNichol rejoined the meeting.

12:16 PM Cr C Gow left the meeting during discussion of agenda item 16.4.

12:17 PM Cr C Gow rejoined the meeting.

Meeting Out Of Camera

Resolution

THAT the meeting resume in open session at 12:29pm.

16.1 Request for Reduction of Waste Collection Charges PN 117595

Resolution

Moved Cr J McNally

Seconded Cr V Pennisi

THAT Council allow a concession on waste collection charges for PN 117595.

Carried

16.2 Current Rates Concession Granted PN 55305

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council resolve to defer further consideration on the proposed concessions to PN 55305 until such time as the new raw water supply arrangements have been determined by Council.

Carried

Cr McNichol declared a real conflict of interest in agenda item 16.3 (as defined in section 173 of the *Local Government Act 2009*) as her husband had been approached by the owner to undertake some work at the property 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 M McNichol left the meeting at 12:30pm.

16.3 Request for Waiving Rates PN 107525

Resolution

Moved Cr V Pennisi

Seconded Cr J McNally

THAT Council resolve to provide a rates concession on PN 107525 by waiving all Council rates and charges (including any interest accrued to date but excluding the Emergency Management Levy) from 1 July 2016 to 30 June 2019.

Carried

12:31 PM Cr M McNichol rejoined the meeting.

Cr Gow declared a perceived conflict of interest in agenda item 16.4 (as defined in section 173 of the *Local Government Act 2009*) due to a relations involvement with one of the applicants 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 C Gow left the meeting at 12:31pm.

16.4 2016/17 Funding to Community

Resolution

Moved Cr V Pennisi

Seconded Cr J McNally

THAT Council approve Community Support Program funding for Granite Belt Local Chaplaincy for \$3,090.73 and note the return of Community Grant Program funding of \$1,100.00 from Wallangarra/Jennings Progress Association.

Carried

12:32 PM Cr C Gow rejoined the meeting.

16.5 May 2017 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

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

Carried

16.6 Audit and Risk Management Committee Meeting Minutes - 19 May 2017

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council:

1. Adopt the minutes of the Audit and Risk Management Committee meeting held on 19 May 2017;
2. Adopt the business arising from the Audit and Risk Management Committee meeting held on 19 May 2017;
3. Approve the amended Audit and Risk Management Committee Charter; and
4. Appoint Ms Kylie Smith, Chief Corporate Officer from Tenterfield Shire Council as a member of Council's Audit and Risk Management Committee for a period of two years.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12:35pm.