



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
28 MARCH 2018**

ORDER OF BUSINESS:

1.	PRAYERS & CONDOLENCES	1
2.	ATTENDANCE	1
3.	APOLOGIES	1
	3.1 Apology - Cr Meiklejohn.....	1
4.	READING AND CONFIRMATION OF MINUTES	1
	4.1 General Council Meeting - 28 February 2018	1
	4.2 Special Council Meeting - 12 March 2018.....	1
5.	ACTIONS FROM COUNCIL MEETINGS	2
	5.1 Actions from Previous Council Meeting.....	2
6.	DECLARATIONS OF CONFLICTS OF INTEREST	2
7.	MAYORAL MINUTE	3
	7.1 Mayoral Minute - March 2018	3
8.	READING AND CONSIDERATION OF CORRESPONDENCE	3
	8.1 Correspondence	3
9.	RECEPTION AND READING OF PETITIONS AND JOINT LETTERS	3
	Nil	
10.	EXECUTIVE	3
	10.1 Finance Report as at 28 February 2018.....	3
	10.2 Warwick Saleyards - All Sales to be Conducted Through Agents	4
	10.3 Draft Budget 2018/2019.....	4
11.	ENGINEERING SERVICES DEPARTMENT REPORTS	4
	11.1 Engineering Services Department Monthly Report	4
	11.2 Southern Downs Road Safety Advisory Committee Minutes	4
	11.3 Building Asset and Services Management Plan - Sub Plans.....	5
	11.4 Event, Sport & Recreation Advisory Committee.....	5
	11.5 Community Services Advisory Committee (CSAC) Meeting held 16 February 2018	5
	11.6 2018 Southern Downs Youth Council - Appointment of Members.....	6
12.	PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS	6
	12.1 2018/2019 Draft Operation Plan	6
	12.3 Pest Management Advisory Committee Minutes - 20 February 2018.....	7

12.5	Various Funding - Building Our Regions, Regional Growth Fund and Maturing the Infrastructure Pipeline Project	8
12.2	Appeal to Development Tribunal - Alpha Planning Applications Pty Ltd, Tumnaville Road, Leyburn	8
12.4	Repeal of Temporary Local Planning Instrument 01/2017 (Amendment of the Flood Hazard Overlay).....	9
13.	REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	9
	Nil	
14.	NOTICES OF MOTION	9
	Nil	
15.	GENERAL BUSINESS	9
15.1	Local Disaster Committee.....	9
15.2	Motion to 2018 ALGA National General Assembly.....	10
Meeting In Camera		
Meeting Out Of Camera		
16.1	Extension of CCTV	12
16.2	Ties Group Pty Ltd & UKL Pty Ltd (St George Springs) – Request to Waive Rates & Charges	13
16.3	Saleyards Advisory Committee Meeting Minutes 23 February 2018	13
16.4	Reports from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane	13
16.5	Warwick Aerodrome - Sale of Land to the Warwick Gliding Club	14
16.6	Audit and Risk Management Committee membership	14
16.7	Prosecution in Relation to Unlawful Use of Land - Wallace Court, Glen Aplin	14
16.8	Prosecution for Unlawful Use of Land and Unlawful Building Works - 14135 Cunningham Highway, Rosenthal Heights	15

**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 28 MARCH 2018
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9:00AM**

1. PRAYERS & CONDOLENCES

Pr Trevor Mawer offered a prayer and acknowledged condolences

2. ATTENDANCE

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

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

3. APOLOGIES

3.1 Apology - Cr Meiklejohn

Resolution

Moved Cr V Pennisi

Seconded Cr S Windle

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

Carried

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 28 February 2018

Resolution

Moved Cr Y Stocks

Seconded Cr J McNally

THAT the minutes of the General Council Meeting held on Wednesday 28 February 2018 be adopted.

Carried

4.2 Special Council Meeting - 12 March 2018

Resolution

Moved Cr M McNichol

Seconded Cr R Kelly

THAT the minutes of the Special Council Meeting held on Monday 12 March 2018 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr V Pennisi

Seconded Cr M McNichol

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precise	Nature of Conflict
10.2	Warwick Saleyards – All Sales to be Conducted Through Agents	Cr Gow declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as a member of the Stanthorpe Show Society which own its own Saleyards and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
12.5	Various Funding – Building Our Regions, Regional Growth Fund and Maturing the Infrastructure Pipeline Project	Cr Pennisi declared 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 role as Chair of the Stanthorpe Community Reference Panel and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
12.5	Various Funding – Building Our Regions, Regional Growth Fund and Maturing the Infrastructure Pipeline Project	Cr Gow declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as he is a member of the Stanthorpe Show Society which own its own Saleyards and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.2	Ties Group Pty Ltd and UKL Pty Ltd (St George Springs) – Request to Waive Rates	Cr McNally declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to her husband negotiating with the applicant for house and land packages and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.3	Saleyards Advisory Committee Minutes 23 February 2018	Cr Gow declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as a member of the Stanthorpe Show Society which own its own Saleyards 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 - March 2018

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council receive the Mayoral Minute for March 2018.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr J McNally

Seconded Cr S Windle

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 Finance Report as at 28 February 2018

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

THAT Council receive and note the Financial Report as at 28 February 2018.

Carried

Cr Gow declared a perceived conflict of interest in Agenda Item 10.2 (as defined in section 173 of the Local Government Act 2009) as a member of the Stanthorpe Show Society which own its own Saleyards 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 9:16am.

10.2 Warwick Saleyards - All Sales to be Conducted Through Agents

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

THAT Council resolve to only allow livestock sales through the Warwick Saleyards where they are conducted through an agent with a current Warwick Saleyards selling permit.

Carried

09:25 AM Cr C Gow rejoined the meeting.

10.3 Draft Budget 2018/2019

Resolution

Moved Cr V Pennisi

Seconded Cr J McNally

THAT Council:-

1. Receive the Draft Budget for 2018/19.
2. Place the Draft Budget for 2018/2019 on public exhibition for 28 days to receive feedback from the community.

Carried

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.1 Engineering Services Department Monthly Report

Resolution

Moved Cr M McNichol

Seconded Cr S Windle

THAT Council receive the Engineering Services Department Monthly Report.

Carried

11.2 Southern Downs Road Safety Advisory Committee Minutes

Resolution

Moved Cr M McNichol

Seconded Cr V Pennisi

THAT Council receive the minutes of the Southern Downs Road Safety Advisory Committee Meeting held on the 13 February 2018.

Carried

11.3 Building Asset and Services Management Plan - Sub Plans

Resolution

Moved Cr M McNichol

Seconded Cr S Windle

THAT Council receive the following sub-plans to Building Asset and Services Management Plan:

- a. Buildings Management Framework, V.1.0, March 2018;
- b. Buildings Condition Assessment Manual V1.0, March 2018;
- c. Building Operations Guide V1.0, March 2018; and
- d. Building Operations Manual V1.0, March 2018.

Carried

11.4 Event, Sport & Recreation Advisory Committee

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council note the minutes taken of the informal Event, Sport & Recreation Advisory Committee meeting, which did not have a sufficient quorum to be held officially.

Carried

11.5 Community Services Advisory Committee (CSAC) Meeting held 16 February 2018

Resolution

Moved Cr S Windle

Seconded Cr Y Stocks

THAT Council:

1. Receive the minutes of the Community Services Advisory Committee Meeting held on 16 February 2018.
2. Endorse the following recommendations made by the Community Services Advisory Committee:
 - a) That the Community Services Advisory Committee accepts the resignation of committee member John Bylicki and that Cr Meiklejohn, Cr Windle and the Chair nominate a replacement committee member.
 - b) That Council adopt the suite of Community Services documents (Community Development Policy, Community Services Strategic Plan and Community Services Advisory Committee Action Plan) to allow these to become a framework for Council, the Community Services Advisory Committee and the community. The documents are to be reviewed annually.

Carried

11.6 2018 Southern Downs Youth Council - Appointment of Members

Resolution

Moved Cr S Windle

Seconded Cr C Gow

THAT Council:-

1. Endorse the appointment of the following members to the 2018 Southern Downs Youth Council:
 - Chloe O'Halloran and Charli Wolff, Allora P-10 State School;
 - Tori Abood and Rhys Jeffery, Assumption College Warwick;
 - Kira Holmes and Renée Lack, Scots PGC College;
 - Ryan Holly, St Joseph's School;
 - Xsanthia-Rose Frith and Bennett McLaren, The School of Total Education;
 - Henry Sommerlad and Amanda Hanna, Warwick Christian College;
 - Shaun Kelly and Rani Towson, Warwick State High School; and
 - Alessia Harris, Stanthorpe State High School

2. Accept a late nomination and appoint an additional nominee from Stanthorpe State High School when that is received.

Carried

12. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

12.1 2018/2019 Draft Operation Plan

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council adopt the 2018/2019 Operational Plan.

Carried

Attachments

1. 2018 2019 Operational Plan - **Attached to the Minutes Under Separate Cover**

12.3 Pest Management Advisory Committee Minutes - 20 February 2018

Resolution

Moved Cr Y Stocks

Seconded Cr C Gow

THAT Council endorse the minutes of the Pest Management Advisory Committee meeting held at Stanthorpe on 20 February 2018, and:

1. Provide meat bait for Council's coordinated ground baiting programs.
2. Provide funding (\$5,000) to engage QMDC to enable the deployment of the six donated collars to collect GPS dispersal data of wild dogs in our region, as part of the Third Quarter Budget Review.
3. Note the Pest Management Advisory Committee has endorsed the changes to the Invasive Pests Strategic Plan 2016–2020 noting further internal discussion on details of the hygiene protocol is undertaken before Council is asked to adopt the amended Strategic Plan.

Carried

Cr Pennisi declared a perceived conflict of interest in Agenda Item 12.5 (as defined in section 173 of the Local Government Act 2009) may exist due to his role as Chair of the Stanthorpe Community Reference Panel 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 Pennisi left the meeting at 10:16am.

Cr Gow declared a perceived conflict of interest in Agenda Item 12.5 (as defined in section 173 of the Local Government Act 2009) as he is a member of the Stanthorpe Show Society which own its own Saleyards 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 10.19am

12.5 Various Funding - Building Our Regions, Regional Growth Fund and Maturing the Infrastructure Pipeline Project

Resolution

Moved Cr J McNally

Seconded Cr Y Stocks

THAT Council submit funding applications for the following projects:

1. Building Our Regions:
 - a. Warwick Effluent Reuse project
 - b. Warwick Saleyards Improvements
2. Regional Growth Fund:
 - a. Southern Downs Water Sustainability
3. Maturing the Infrastructure Pipeline Program:
 - a. B double access to agricultural properties
 - b. Amiens Historical Society Interpretation Centre
 - c. Cemetery Crematorium and Stanthorpe expansion of cemetery
 - d. Solar facilities
 - e. Stanthorpe pool cover
 - f. Extend low cost housing
 - g. Saleyards Master Plan
 - h. Business Plan or design for connecting Connolly Dam to Storm King Dam
 - i. Business Plan for the Australian Federal Police Interpretation Centre and Steam Rail precinct
 - j. Business Plan for the best use of the semi treated water going to Lyndhurst Lane Stud
 - k. Business Plan or design for both Aerodromes for industrial development

Carried

10:21 AM Cr V Pennisi rejoined the meeting

10:21 AM Cr C Gow rejoined the meeting

12.2 Appeal to Development Tribunal - Alpha Planning Applications Pty Ltd, Tummaville Road, Leyburn

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT Council note that Alpha Planning Applications Pty Ltd has lodged an appeal with the Development Tribunals in relation to Council's refusal of a development application for a Dwelling house proposed to be constructed on land at Lot 15 L187, Tummaville Road, Leyburn.

Carried

12.4 Repeal of Temporary Local Planning Instrument 01/2017 (Amendment of the Flood Hazard Overlay)

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT Council repeals the *Temporary Local Planning Instrument 01/2017 (Amendment of the Flood hazard overlay)*.

Carried

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

Nil

14. NOTICES OF MOTION

Nil

15. GENERAL BUSINESS

15.1 Local Disaster Committee

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

THAT Council:-

1. Write to appropriate Minister, copy to the Shadow Minister and the Member for Southern Downs requesting the Chair of the Southern Downs LDMG, or a Delegate, be appointed to Local Drought Committee prior to the impending Annual General Meeting of the Committee.
2. Write to appropriate Minister, copy to Shadow Minister and Member for Southern Downs for review of the Local Disaster Committee process and/or criteria as per the previous motion from a Council General Meeting.
3. Encourage all rural producers to lodge applications to be assessed as an Individually Droughted Property, known as IDP, and to do so prior to the impending Annual General Meeting of the Local Drought Committee.

Carried

THE MEETING ADJOURNED FOR MORNING TEA AT 10.45AM AND RECONVENED AT 11.00AM AT WHICH TIME THERE WERE PRESENT CRS DOBIE, MCNALLY, KELLY, STOCKS, PENNISI, GOW, WINDLE AND MCNICHOL

15.2 MOTION TO 2018 ALGA NATIONAL GENERAL ASSEMBLY

RESOLUTION

MOVED CR J MCNALLY

SECONDED CR V PENNISI

THAT COUNCIL SUBMIT THE FOLLOWING MOTION TO THE 2018 ALGA NATIONAL GENERAL ASSEMBLY:-

SOUTHERN DOWNS REGIONAL COUNCIL IS SEEKING TO OBTAIN EQUITY IN FUNDING FOR REGIONAL LOCAL GOVERNMENTS THAT EXPERIENCE HIGH LEVELS OF SEASONAL WORKERS THAT ARE NOT REFLECTED IN THE ABS DATA, AND AS A RESULT DO NOT REFLECT THE REAL PRESSURES PLACED ON COMMUNITY, ECONOMIC AND SOCIAL INFRASTRUCTURE, COUNCIL REQUEST THAT CONSIDERATION BE GIVEN TO THE FOLLOWING:-

1. *THE DATE OF THE CENSUS, CURRENTLY CONDUCTED IN AUGUST EVERY 5 YEARS, IN THE FUTURE HELD IN FEBRUARY TO REFLECT THE SEASONAL POPULATION; OR*
2. *THAT A WEIGHTING BE PLACED ON REGIONS THAT EXPERIENCE SEASONAL POPULATION CHANGES THAT ARE NOT REFLECTED IN THE CENSUS DATA.*
3. *THAT ANY SUCH WEIGHTING BE REFLECTED IN THE LEVEL OF FINANCIAL ASSISTANCE GRANTS PROVIDED TO LOCAL GOVERNMENT AUTHORITIES.*

CARRIED

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 Extension of CCTV

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 Ties Group Pty Ltd & UKL Pty Ltd (St George Springs) – Request to Waive Rates & 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.

16.3 Saleyards Advisory Committee Meeting Minutes 23 February 2018

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.

16.4 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.

16.5 Warwick Aerodrome - Sale of Land to the Warwick Gliding Club

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 Audit and Risk Management Committee membership

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 Prosecution in Relation to Unlawful Use of Land - Wallace Court, Glen Aplin

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.

16.8 Prosecution for Unlawful Use of Land and Unlawful Building Works - 14135 Cunningham Highway, Rosenthal Heights

Reason for Confidentiality

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

Meeting In Camera

Resolution

Moved Cr S Windle

Seconded Cr M McNichol

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11.22am.

11:23 AM Cr J McNally left the meeting during discussion on Agenda Item 16.2

11:40 AM Cr C Gow left the meeting during discussion on Agenda Item 16.3

11:41 AM Cr J McNally rejoined the meeting.

11:42 AM Cr C Gow rejoined the meeting.

12:04 PM Cr M McNichol left the meeting.

12:06 PM Cr M McNichol rejoined the meeting.

Meeting Out Of Camera

Resolution

THAT the meeting resume in open session at 12.16pm.

Carried

16.1 Extension of CCTV

Resolution

Moved Cr V Pennisi

Seconded Cr Y Stocks

THAT Council resolve to identify \$30,000 funding for the south-western expansion of the Warwick CBD CCTV network from the existing Capital Works Budget.

Carried

Cr McNally declared a real conflict of interest in Agenda Item 16.2 (as defined in section 173 of the Local Government Act 2009) due to her husband negotiating with the applicant for house and land packages 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 McNally left the meeting at 12.18pm.

16.2 Ties Group Pty Ltd & UKL Pty Ltd (St George Springs) – Request to Waive Rates & Charges

Resolution

Moved Cr Y Stocks

Seconded Cr R Kelly

THAT Council resolve not to waive rates and charges on 57 properties owned by Ties Group Pty Ltd and UKL Pty Ltd.

Carried

Cr McNally rejoined the meeting at 12.18pm

Cr Gow declared a perceived conflict of interest in Agenda Item 16.3 (as defined in section 173 of the Local Government Act 2009) as a member of the Stanthorpe Show Society which own its own Saleyards 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 12.19pm.

16.3 Saleyards Advisory Committee Meeting Minutes 23 February 2018

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

THAT Council:-

1. Receive the minutes of the Saleyards Advisory Committee Meeting held on 23 February 2018.
2. Invite Fran Thompson to be a member of the Saleyards Advisory Committee.

Carried

Cr Gow rejoined the meeting at 12.19pm.

16.4 Reports from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council:-

1. Receive the February 2018 monthly report from Brisbane YMCA in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.
2. Accept the Mechanical Services Report from Ashburner Francis Consulting Engineers in relation to continual issues with the pool heating system at WIRAC and set aside funds in future budgets to fix the issues as outlined in the executive summary.
3. Receive CAPEX Proposal for "Fixed Equipment" at WIRAC and the quotation from Aquatic Elements Pty Ltd and make \$12,681.39 available in the 2018/19 budget to replace the equipment.

Carried

16.5 Warwick Aerodrome - Sale of Land to the Warwick Gliding Club

Resolution

Moved Cr Y Stocks

Seconded Cr R Kelly

THAT Council approve the sale of properties one, two and three, subject to the terms and conditions outlined in the report.

Carried

16.6 Audit and Risk Management Committee membership

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council advertise for two replacement and one new external Audit and Risk Management Committee independent member positions for a period of two years with an option for extension in favour of Council.

Carried

16.7 Prosecution in Relation to Unlawful Use of Land - Wallace Court, Glen Aplin

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council:

1. Commence legal action against the owner of land, unless the offences are rectified, located at 19 & 21 Wallace Court, Glen Aplin, described as Lots 2 & 3 on RP150236, Parish of Broadwater, in respect of development offences under the *Planning Act 2016*; and
2. Appoints the Chief Executive Officer its delegate in any legal action relating to development offences on land at 19 & 21 Wallace Court, Glen Aplin. The delegate is to have authority to commence, prosecute, negotiate, mediate, settle or cease these actions upon such terms as Council's legal advisors may recommend or approve and to appoint expert witnesses as necessary.

Carried

16.8 Prosecution for Unlawful Use of Land and Unlawful Building Works - 14135 Cunningham Highway, Rosenthal Heights

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council:

1. Seek an enforcement order from the Planning and Environment Court under the *Planning Act 2016* requiring the unlawful use of land at 14135 Cunningham Highway, Rosenthal Heights, to cease; and
2. Appoints the Chief Executive Officer its delegate in relation to legal action for development offences on land at 14135 Cunningham Highway, Rosenthal Heights. The delegate is to have authority to commence, prosecute, negotiate, mediate, settle or cease these actions upon such terms as Council's legal advisors may recommend or approve and to appoint expert witnesses as necessary.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12.22pm.