



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
26 APRIL 2018**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 26 APRIL 2018
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9:00AM**

1. PRAYERS & CONDOLENCES

Cr McNally offered a prayer for the meeting and acknowledged condolences

2. ATTENDANCE

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

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

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 28 March 2018

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

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

Carried

4.2 Special Council Meeting - 9 April 2018

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT the minutes of the Special Council Meeting held on Monday 9 April 2018 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precise	Nature of Conflict
12.2	Application for a Deed of Grant – Lot 224 on BNT1580 Broadwater	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 the involvement of a relative in this matter and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
12.4	Material Change of Use – Consideration of Change Representations – All Weapons Shooting Incorporated, 396 Keogh's Road, Elbow Valley	Cr McNally declared that a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>), may exist due to her membership of the Ballandean Clay Target Club. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest. Cr McNally participated in the discussion and voting on this matter.
12.5	Negotiated Decision Notice – United Petroleum Pty Ltd, 86 Wallace Street, Warwick	Cr McNichol declared that a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>), may exist due to her business purchasing fuel from this company. Cr McNichol 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 McNichol participated in the discussion and voting on this matter.
16.2	2017/2018 – Grants to Community – Round Three (3)	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 membership of an 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.
16.3	Management of Camping Area at Connolly Dam and Washpool Reserve	Cr Dobie 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 the tenderer being a neighbour. Cr Dobie 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 Dobie participated in the discussion and voting on this matter.

Cr McNally declared that a perceived conflict of interest in Agenda Item 12.4 matter (as defined in section 173 of the Local Government Act 2009), may exist due to her membership of the Ballandean Clay Target Club. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest. Cr McNally participated in the discussion and voting on this matter.

12.4 Material Change of Use – Consideration of Change Representations –All Weapons Shooting Incorporated, 396 Keoghs Road, Elbow Valley

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council refuse the change representations made in relation to the application for a Material Change of Use for Outdoor sport and recreation on land at 396 Keoghs Road ELBOW VALLEY QLD 4370, described as Lot 1000 on SP 268215 (Incl Emt Z), Parish of Wildash, for the following reasons:

- 1) The Noise Impact Assessment Report submitted on the 23 November 2017 (initial application), the 6 February 2018 (initial Negotiated Decision Request) and 23 March 2018 lacks the relevant information required to demonstrate compliance with the *Environmental Protection Act* 1994 and the *Environmental Protection (Noise) Policy* 2008 for Council to considered supporting the five (5) shooting stands for the Big Bore Rifle and Handgun Range.

Carried

Cr McNally voted for the motion

7. MAYORAL MINUTE

7.1 Mayoral Minute - April 2018

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council receive the Mayoral Minute for April 2018.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

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 Quarterly Human Resources Report

Resolution

Moved Cr S Windle

Seconded Cr N Meiklejohn

THAT Council receive the Quarterly Human Resources Report and note the contents.

Carried

10.2 Financial Report as at 31 March 2018

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council receive and note the Financial Report as at 31 March 2018.

Carried

10.3 Third Quarter Budget Review 2017/2018

Resolution

Moved Cr R Kelly

Seconded Cr Y Stocks

THAT Council adopt the revised Budget following the Third Quarter Budget Review as per Attachment 1.

Carried

Attachments

1. Revised Budget 2017/2018 - Third Quarter Review - **Attached to the Minutes Under Separate Cover**

10.4 Policy Review - Procurement Policy PL-FS010 Delegation Limits

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council adopt the attached updated Register of Delegations - Delegation Limits.

Carried

Attachments

1. Delegation Limits - **Attached to the Minutes Under Separate Cover**

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.1 Engineering Services Department Monthly Report

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council receive the Engineering Services Department Monthly Report.

Carried

11.2 Event, Sport and Recreation Advisory Committee Minutes

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council:

1. Receive the minutes of the Event, Sport & Recreation Advisory Committee Meeting held on 20 March 2018 including the recommendations; and
2. Approve the Event, Sport & Recreation Advisory Committee recommendation to adopt the Sport & Recreation Strategy.

Carried

Cr Gow declared a perceived conflict of interest in Agenda Item 12.2 (as defined in section 173 of the Local Government Act 2009) due to the involvement of a relative in this matter 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 9.45am.

12.2 Application for a Deed of Grant - Lot 224 on BNT1580, Broadwater

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council advise Department of Natural Resources Mines and Energy that it objects to the Deed of Grant over the Reserve on Lot 224 on BNT1580 and in accordance with the wishes of the original Trustees, the Reserve remains for the community purpose of recreation.

Carried

Cr Gow rejoined the meeting at 9.49am

Cr McNichol declared that 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 her business purchasing fuel from this company. Cr McNichol 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 McNichol participated in the discussion and voting on this matter.

12.5 Negotiated Decision Notice - United Petroleum Pty Ltd, 86 Wallace Street, Warwick

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT the application for a Negotiated Decision for a Material Change of Use for a Service Station (Redevelopment of existing service station) on land at 86 Wallace, Warwick, described as Lots 1-4 RP75570, Parish of Warwick, County of Merivale, be approved in part to the conditions as amended below:

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 and documents submitted with the application, and subject to the final development being amended in accordance with the conditions of this approval.

Plan Name	Plan/Doc No.	Date
Proposed Site Plan	SK-0001 REV 7	21 November 2017
Proposed Elevations – North and South	SK-1100 REV 6	7 March 2017
Proposed Elevations – East and West	SK-1101 REV 6	7 March 2017
Signage Design	SK-2001 REV 2	17 November 2016
Site Based Stormwater Management Plan and Code Compliance Report	N/A	8 March 2017
Flood impact report – Revision B	N/A	30 November 2017
Environmental Noise Assessment Report – Revision O	16BRA0008-R01-0	11 November 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.
4. Prior to the use commencing, ~~the land located within the stormwater overland flow channel is to be subdivided from the remainder of the site and dedicated to Council as freehold Public Land for Stormwater.~~ the land required to convey the flows from the contributing catchment through the site, for all events up to and including the 1% AEP storm event, is to be subdivided from the remainder of the site and dedicated to Council as freehold Public Land for Stormwater. The land must be dedicated to Council after all works within the overland flow channel are completed and accepted on maintenance. The extent of the required dedication is to be determined from catchment analysis and drainage design, and is to take into account any proposed changes to the site and channel cross section.

Easements and Covenants

5. Three (3) metre wide easements must be provided over all sewerage infrastructure located within private property.

Road Classification

6. ~~Prior to the use commencing, the operator is to apply to the National Heavy Vehicle Regulator to obtain approval for the section of Cleary Street from the New England Highway~~

~~to the access to the site to be added to the approved B-Double Network~~

Provide Council a copy of the approval/permit obtained from the National Heavy Vehicle Regulator to allow the section of Cleary Street from the New England Highway intersection to be used by B-Doubles. Until the relevant approvals/permits are obtained, a sign is to be placed at the eastern access along Cleary Street advising that there is '*No B-Double Access at this Entrance to the Service Station*'.

7. Prior to the use commencing, the operator is to apply to the National Heavy Vehicle Regulator to obtain approval for the section of Cleary Street from the New England Highway to the access to the site to be added to the approved B-Double Network.

Building and Site Design

8. The colours and materials of the building are to be in accordance with the character of the area. **Details of the 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.
9. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
10. 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.)
11. A detail design of any cut or fill greater than occurring within the waterway to be provided and approved as Operational Works.

Amenity and Environmental Controls

12. 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 waste facility.
13. Any fixed noise emitting device (eg. air conditioning unit, refrigeration unit, compressor, generator, etc.) located outside must be placed within an appropriate acoustic enclosure.
14. Noise levels emitted from the activity must not exceed the noise levels specified in the Environmental Noise Assessment Report, document number 16BRA0008 R01_0, prepared by TTM and dated 11 November 2016.
15. 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. A waste collection contractor must be engaged to supply suitable waste and recycling receptacles and service waste and recycling receptacles.
16. All regulated waste must be removed from the site by a regulated waste removal contractor. The records for this disposal must be kept on site and be available for viewing by an authorised officer. Waste collection must occur between the hours of 7am and 10pm as per the Environmental Noise Assessment Report, document number 16BRA0008 R01_0, prepared by TTM and dated 11 November 2016.
17. 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.
18. Any hazardous materials (e.g. oil and fuel) must be stored in a covered and bunded area.
19. Any liquid spills must be cleaned up immediately and disposed of in an appropriate manner that ensures environmental harm does not occur. Appropriate spill kits for the management of wastes and hazardous liquids associated with the activity must be readily available at the site. Anyone operating under this approval must be trained in the use of the spill kits.
20. 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.

21. 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; any investigations undertaken;
 - c) conclusions formed; and
 - d) 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.

22. 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. There must be no release that has been in contact with any contaminants at the site to any waters, watercourse, roadside gutter, storm water drain or land.

Wash down of the forecourt, work shop and any other area or item that generate contaminated water, is not permitted unless the contaminated water is directed to an approved separator or treatment system.

23. Advertising Devices relating to the Service Station may **only** be erected on the subject land. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the 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. Any external lighting must be installed so that light shines down and away from adjacent properties and roads, and does not exceed 8 lux at the property boundary.

Fencing, Landscaping and Buffers

25. A screen fence 1.8 metres high shall be erected along the sites eastern boundary, from the Cleary Street frontage to the edge of the overland flow channel, to provide visual screening. This screen fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the road boundary. The fence shall be of acoustic materials, so as to minimise noise impacts upon adjoining lots.
26. **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.
27. All earthworks, including batters must be fully contained within the site.
28. The street trees within the road reserve of Wallace 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.

29. Landscaped areas are to be provided on the site in accordance with Plan No. SK-0001 REV 7 dated 21 November 2017 prepared by Mode Design.
30. **A new 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.** 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

31. A concrete industrial crossing is to be constructed at the Cleary Street and Wallace Street crossovers to the site in accordance with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
32. Car parking shall be provided on site in accordance Plan No SK-0001 REV 7 dated 21 November 2017 prepared by Mode Design. All car parking, driveway and loading areas shall be constructed sealed, line marked, drained, laid out and regularly maintained.
33. 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"*.
34. Road signage and pavement markings must be installed in accordance with *Australian Standard AS1742.1 "Manual of uniform traffic control devices"*.
35. 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"*.
36. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted.

Roadworks

37. A 2.0 metre wide concrete pedestrian footpath is to be constructed along the Wallace Street and Cleary Street frontages of the site, in a location suitable to the Director Engineering Services.

Any part of the Wallace Street and Cleary Street road reserves (between the property boundary and the kerb) that are not used for the vehicle crossover or footpath must be returned to a grassed verge. Operational Work approval is required for the works to the road reserve.
38. Mountable kerbing and channelling and stormwater drainage, is to be constructed along the Cleary Street and Wallace Street frontages of the site. Operational Works approval will be required from Council for the road works.
39. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Engineering Services.

Stormwater Drainage

40. The location of the proposed building and associated fuel bowzers are to be flood free. Any filling within the identified Flood Hazard Overlay Area is to be certified by a Registered

Professional Engineer in Queensland (RPEQ). Operational works approval is required for any filling in the flood hazard area. Any works cannot change the existing design flood levels and effects. Particular attention is required regarding drainage impacts on the adjoining properties and the New England Highway.

41. A stormwater drainage system serving the development is to be constructed in accordance with the *Site Based Stormwater Management Plan and Code Compliance Report (Revision D)*, and the stormwater disposed of to a lawful point of discharge, in accordance with the Queensland Urban Drainage Manual (QUDM). All drainage works should meet the requirements of the Queensland Urban Drainage Manual (QUDM). Operational Works approval will be required from Council for the stormwater drainage system.

Water Supply and Waste water

42. 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.
The connection to Council's reticulated water supply must be a combined fire and domestic metered connection located at a point nominated by Council.
43. A sewerage reticulation system is to be provided to service the building. This system is to be connected to Council's wastewater sewerage system.
44. 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.

Electricity, Street Lighting and Telecommunications

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

Operational Works

46. 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) 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. 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*. All other activities relevant to this Standard, including but not limited to fuel dispensing must also comply with the provisions of this Standard.
- (vii) Activities relevant to AS 4897-2008 *The design, installation and operation of underground petroleum storage systems*, must comply with the provisions of this Standard.
- (viii) Applications for licence under the *Food Act 2006* are to be submitted to Council prior to the commencement of the kitchen within the new service station.
- (ix) **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.
- (x) **Building Approval is to be obtained** in accordance with the *Planning Act 2016* for the demolition of the existing service station building. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application.
- (xi) **Building Approval is to be obtained** for a Class 6 building in accordance with the *Planning Act 2016* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 11 (Certificate of Classification) must be issued for the building works prior to the use commencing**.
- (xii) 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.
- (xiii) 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*.
- (xiv) The Flood hazard overlay is based on a 1% Annual Exceedance Probability (AEP) flood event and therefore doesn't guarantee flood immunity.
- (xv) 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;
 - A geotechnical report addressing the filling of the site and make recommendations as to

how it will be possible for such filling to achieve compliance with AS3798-2007 (as amended) *“Guidelines on Earthworks for Commercial and Residential Developments”*.

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.

- (xvi) An Erosion and Sediment Control Plan (ESCP) must be submitted for approval with the application for Operational Works. The ESCP must demonstrate that release of sediment-laden stormwater is avoided for the nominated design storm, and minimised when the nominated design storm is exceeded, by addressing the objectives in Table A (Construction phase - stormwater management design objectives) in Appendix 3 of the State Planning Policy for drainage control, erosion control, sediment control and water quality outcomes.
- (xvii) Site works must be constructed such that they do not, at any time, in any way restrict or impair the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- (xviii) 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.
- (xix) 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

- (xx) 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

Attachment 1—Amended conditions to be imposed

No.	Conditions	Condition timing
Development Permit – Material Change of Use (Service Station)		
7.3.1 —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 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):		
In accordance with approved plans		
1.	<p>The development must be carried out generally in accordance with the following plans:</p> <p>— Proposed Site Plan prepared by Mode Design dated 27 February 2017, reference 16039BNE and revision 6, as amended in red to include 'No Entry' signs and access removal.</p> <p>Replace with</p> <p>The development must be carried out generally in accordance with the following plans:</p> <p>- Proposed Site Plan prepared by Mode Design dated 27 February 2017, reference 16039BNE and revision 6, as amended in red to include 'No Entry' signs.</p>	Prior to the commencement of use and to be maintained at all times.
Roadworks on a state-controlled road		
2.	<p>(a) Road works comprising Channelised Right Turn Treatment with a short turn slot (CHR(S)) must be provided at Wallace Street/Cleary Street intersection.</p> <p>(b) The road works must be designed and constructed in accordance with Transport and Main Roads' Road Planning and Design Manual, Manual of Uniform Traffic Control Devices and any other relevant manuals/standards/technical publications referenced therein.</p> <p>Replace with</p> <p>(a) Road works comprising a northbound Channelised Right Turn Treatment with a short turn slot (CHR(S)) must be provided at Wallace Street/Cleary Street intersection.</p> <p>(b) The road works must be designed and constructed in accordance with Transport and Main Roads' Road Planning and Design Manual, Manual of Uniform Traffic Control Devices and any other relevant</p>	Prior to the commencement of use.

No.	Conditions	Condition timing
	<p>manuals/standards/technical publications referenced therein.</p> <p>(c) Linemarking to the New England Highway is to be carried out generally in accordance with the attached concept plan "Linemarking Plan – New England Highway", in accordance with the relevant DTMR provisions/standards.</p>	
Vehicular access to the state-controlled road		
3.	<p>(a) The road access location, is to be located generally in accordance with Proposed Site Plan prepared by Mode Design dated 27 February 2017, reference 16039BNE and revision 6, as amended in red to include 'No Entry' signs and access removal.</p> <p>(b) Road access works comprising the installation of 'No Entry' signage, (at the road access location) must be provided generally in accordance with Proposed Site Plan prepared by Mode Design dated 27 February 2017, reference 16039BNE and revision 6, as amended in red to include 'No Entry' signs and access removal.</p> <p>(c) The road access works must be designed and constructed in accordance with Transport and Main Roads' Road Planning and Design Manual, Manual of Uniform Traffic Control Devices and any other relevant manuals/standards/technical publications referenced therein.</p> <p>Replace with</p> <p>(a) The road access locations are to be located generally in accordance with proposed Site Plan prepared by Mode Design dated 27 February 2017, reference 16039BNE and revision 6, as amended in red to include 'No Entry' signs.</p> <p>(b) Road access works comprising the installation of 'No Entry' signage, (at the road access location) must be provided generally in accordance with Proposed Site Plan prepared by Mode Design dated 27 February 2017, reference 16039BNE and revision 6, as amended in red to include 'No Entry' signs.</p> <p>(c) The road access works must be designed and constructed in accordance with Transport and Main Roads' Road Planning and Design Manual, Manual of Uniform Traffic Control Devices and any other relevant</p>	<p>(a) At all times.</p> <p>(b) and (c): Prior to the commencement of use and to be maintained at all times.</p>

No.	Conditions	Condition timing
	manuals/standards/technical publications referenced therein.	
Removal of redundant road access works		
4.	<p>(a) The existing northern vehicular property access located between Lot 1RP75570 and New England Highway must be permanently closed and removed.</p> <p>(b) The kerbing and channelling between the pavement edge and the property boundary must be reinstated in accordance with Transport and Main Roads' Road Planning and Design Manual.</p>	<p>Prior to the commencement of use.</p>

Attachment 2—Amended reasons for decision to impose conditions

The reasons for this decision are:

Condition 1 is to ensure the development is carried out generally in accordance with the plans of development submitted with the application.

Condition 2 is to ensure access to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road direct access to the state-controlled road is prohibited were not required.

Condition 3(a) is to ensure the road access location to the state-controlled road from the site does not compromise the safety and efficiency of the state-controlled road.

Condition 3(b) is to ensure the design of any road access maintains the safety and efficiency of the state-controlled road.

Attachment 3—Further Advice

Further development permits, compliance permits or compliance certificates

State-controlled Roads

<p>Road access works approval: Under sections 62 and 33 of the <i>Transport Infrastructure Act 1994</i>, written approval is required from the Department of Transport and Main Roads to carry out road works that are road access works (including driveways) on a state-controlled road. Please contact the Department of Transport and Main Roads on 07 4639 0828 to make an application for road works approval. This approval must be obtained prior to commencing any works on the state-controlled road reserve. The approval process may require the approval of engineering designs of the proposed works, certified by a Registered Professional Engineer of Queensland (RPEQ). The road access works approval process takes time – please contact Transport and Main Roads as soon as possible to ensure that gaining approval does not delay construction.</p>
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<p>Road corridor permit: An application for a Road Corridor Permit is required for any ancillary works and encroachments on the state-controlled road under section 50(2) and Schedule 6 of the <i>Transport Infrastructure Act 1994</i> and Part 5 and Schedule 1 of the <i>Transport Infrastructure (State-Controlled Roads) Regulation 2006</i>. Please contact the Department of Transport and Main Roads to make an application for a Road Corridor Permit. Ancillary works and encroachments include but are not limited to advertising signs or other advertising devices, paths or bikeways, buildings/shelters, vegetation clearing, landscaping and planting.</p>
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Copy of Linemarking Plan (referred to in Condition 1 (c))



Carried

Cr McNichol voted for the motion

12. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

12.1 Operational Plan Quarterly Report January to March 2018

Resolution

Moved Cr M McNichol

Seconded Cr J McNally

THAT Council receive the contents of the Operational Plan Quarterly Review – January to March 2018.

Carried

12.3 Amendment to Delegation in relation to Land Disposal

Resolution

Moved Cr M McNichol

Seconded Cr J McNally

THAT Council grant delegated authority to the Chief Executive Officer to approve the disposal of land, with exemption from tendering or auction, in the following instances, where the land is disposed of to a person who owns adjoining land if:

- (a) The land is not suitable to be offered for disposal by tender or auction for a particular reason, including, for example, the size of the land or the existence of particular infrastructure on the land; and
- (b) There is not another person who owns other adjoining land who wishes to acquire the land; and
- (c) It is in the public interest to dispose of the land without a tender or auction; and
- (d) The disposal is otherwise in accordance with sound contracting principles.

Carried

12.6 Material Change of Use - I R Grice and L R Bell, 50 Oak Street, Tannymorel

Resolution

Moved Cr M McNichol

Seconded Cr J McNally

THAT the application for a Material Change of Use for the purpose of a Rural industry (Packing and storing rural produce not produced on the same land), on land at 50 Oak Street, Tannymorel, described as Lot 84 SP182428, Parish of Cunningham, 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 Access and Manoeuvring for HRV	17098-A	Submitted 21 February 2018
Site Plan – Drainage Plan (Amended to include Shed Floor Plan)	16/211	29 November 2017

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

Land Use and Planning Controls

3. This approval allows for the use of the existing shed building for the following uses only:
 - Rural industry (Packing and storing rural produce not produced on the same land)
4. The development shall generally operate only between the hours of 7.00am to 5.00pm, Mondays to Fridays, and 8.00am to 1.00pm, Saturdays and not at all on Sundays and public holidays.

These hours may be altered with the submission of a noise report to be **approved by the Director Planning, Environment and Corporate Services** with all recommendations of the noise report to be implemented on site, prior to the change of hours commencing.
5. Only residences of the Dwelling House located on the land are to operate the Rural Industry use.
6. This approval does not allow for the subject property to be used as an agricultural supplies store.

Building and Site Design

7. A copy of the Form 11 (Certificate of Classification) issued for the shed building is to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

8. Within 3 months of this approval, a report on noise emissions (when measured at the boundary of the property of an affected residential dwelling) and sound attenuation measures, is to be submitted to and approved by the **Director Planning, Environment and Corporate Services**. **The report is to be carried out in accordance with the Environmental Protection Act 1994 and the Environmental Protection (Noise) Policy 2008.** Any measures recommended in the approved report to overcome potential noise impacts associated with the development are to be implemented in accordance with the approved

report.

9. If complaints are received about the Rural industry use (which in the opinion of an authorised officer are not frivolous, vexatious nor based on mistaken belief), the following measures may need to be implemented:

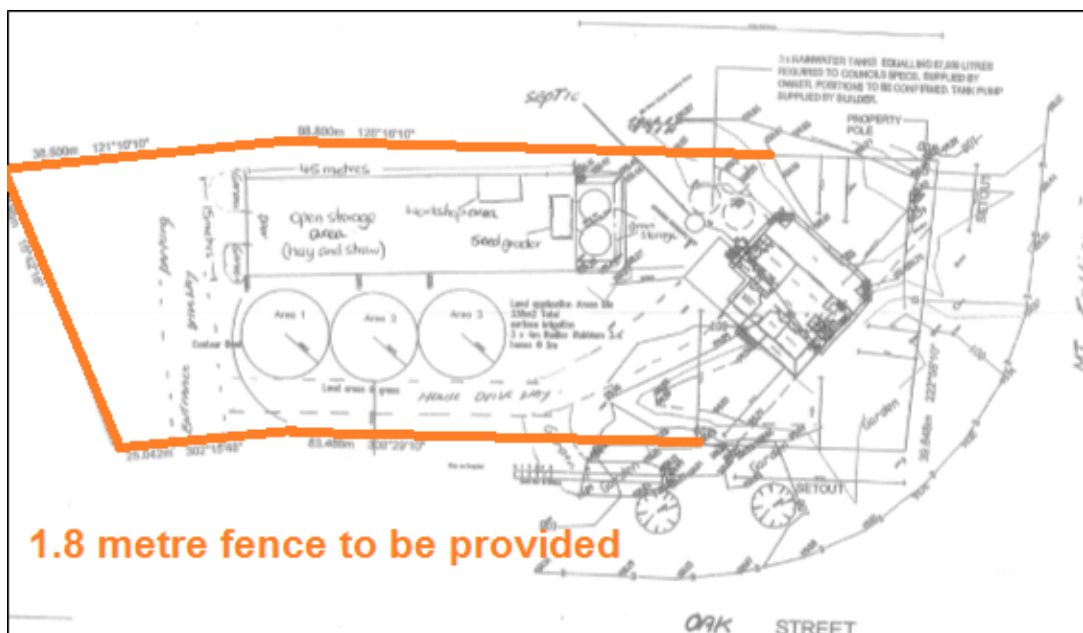
- (a) structural changes to the design of the shed; and/or
- (b) the use is carried out in an acoustically design building.

The structural changes and building are to be acoustically designed and submitted to the Manager Environmental Services for approval prior to construction.

10. 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. A waste collection contractor must be engaged to supply suitable waste and recycling receptacles and service waste and recycling receptacles. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
11. The Rural industry must be managed and operated in such a manner as to provide for the effective control of rodents, pests and odour, or other deleterious matter or thing.
12. The loading and/or unloading of delivery and other service vehicles may only be undertaken during the approved the hours of operation. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.
13. The number of heavy vehicle movements to and from the site, are to be limited to no more than thirty (30) truck movements per week. (One truck entering and leaving the site is equivalent to two truck movements.)
14. No materials or goods associated with the development are to be displayed or stored within the driveway or landscaped areas, or outside the boundaries of the site.
15. 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.
16. Any hazardous materials (e. g. oil, fuel, chemicals) must be stored in a covered and bunded area.
17. Advertising Devices relating to the Rural industry may **only** be erected on the subject land, i.e. Lot 84 SP182428. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the 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.
18. 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.
19. Any external lighting is to be installed 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.

Fencing, Landscaping and Buffers

20. A 1.8 metres high solid screen fence is to be erected along the western boundary of the land, and along those portions of the northern and southern boundaries adjacent to the existing shed (as shown on the plan below), to provide visual screening. The fencing is to be slightly raised above ground level to allow for the free flow of water during a flood event. This screen fencing is to be provided at the developer's cost.



21. **Details of the proposed fencing are to be submitted to and approved by the Director Planning, Environment and Corporate Services within 30 days of this approval being issued.** Fencing is to be provided and maintained in accordance with the approved details.
22. 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 all boundaries of the site. This area is to be densely planted with trees and shrubs suitable to grow to heights of between 1.5 metres and 15.0 metres at maturity.
23. The street trees within the road reserve of Oak Street are to be retained. If it is not possible 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.
24. **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 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

25. The sealed industrial crossing at the Oak Street entrance of the site, is to be maintained.
26. All vehicular access to and from the site must be via Oak Street only.
27. The internal driveways are to be designed in accordance with the Proposed Access and Manoeuvring for HRV, Drawing No. 17098-A, **but constructed to a sealed standard.** The sealed driveway must be a minimum 3.0 metre wide and is to be constructed from Oak Street to the areas associated within the development i.e. silos and storage shed.
28. All vehicles entering and exiting the site, must do so in forward gear.
29. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted.

Roadworks

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

Stormwater Drainage

31. 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).

Infrastructure Charges Notice

32. Payment of \$10,125 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 *Planning Act 2016* 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) The General Environmental Duty under the *Environmental Protection Act 1994* 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.
- (v) 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*.
- (vi) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* for any 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.
- (vii) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for a Change of Classification of Building to Class 8, to allow the use of the existing building for Rural industry purposes. The application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. **Building works and modification of the existing building may be required to be undertaken** as part of

the approval so as to accord with the requirements of the *Building Act 1975*.

- (viii) The Flood hazard overlay is based on a 1% Annual Exceedance Probability (AEP) flood event.
- (ix) An application must be submitted and approved by Council for a permit under Southern Downs Regional Council's Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation).
- (x) 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.
- (xi) 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

- (xii) 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

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 Water Tank Rebate Continuation

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council continue the Water Tank Rebate for a further 12 months, in line with Council's water conservation practices.

Carried

Cr Windle presented a Certificate from the Pratten Progress Association thanking Council for its contribution to assist in the building of their ANZAC Memorial, for allowing the use of the land and making watering of the plants possible.

Cr Kelly presented Council with a Certificate for the LGMA 2018 Award for Excellence as a Finalist for Health and Wellbeing in the Southern Downs

Presentation of Casual for a Cause Donation to the Warwick Cancer Council

Welcome to the Southern Downs Youth Council and Presentation of Badges

The meeting adjourned for morning tea at 10.30am and reconvened at 11.07am at which time there were present Crs Dobie, McNally, Stocks, Gow, McNichol, Pennisi, Windle, Kelly and Meiklejohn

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 Tender - Production and DR Virtualisation Upgrade

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.

16.2 2017/18 - Grants to Community - Round Three (3)

Reason for Confidentiality

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

16.3 Management of Camping Area at Connolly Dam and Washpool Reserve

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.

16.4 March 2018 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.

16.5 Sale of Council owned land

Reason for Confidentiality

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

16.6 Lease of part of Cemetery Reserve

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 Request to Purchase Council Owned Land

Reason for Confidentiality

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

16.8 Invasive Pests Control Scheme

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.

16.9 Consultant for Yangan Landfill

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.

Meeting In Camera

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11.08am.

11:11 AM Cr C Gow left the meeting during discussion on Agenda Item 16.2.

11:15 AM Cr C Gow rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12.27pm.

Carried

12:27 PM Cr S Windle left the meeting

16.1 Tender - Production and DR Virtualisation Upgrade

Resolution

Moved Cr M McNichol

Seconded Cr N Meiklejohn

THAT Council resolve to appoint SureBridge IT as the successful tenderer to provide the Production and DR Virtualisation Upgrade for Council.

Carried

Cr Gow declared a perceived conflict of interest in Agenda Item 16.2 (as defined in section 173 of the Local Government Act 2009) due to his membership of an 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.

12:27 PM Cr C Gow left the meeting

16.2 2017/18 - Grants to Community - Round Three (3)

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Approve to fund the 15 short listed applicants from the Grants to Community – Round Three (3) budget (Attachment 1).
2. Acknowledge that the funding required for Round Three (3) totals \$118,255.72.
3. Approve a budget allocation of \$20,254.12 during the next budget review to Grants to Community – Round Three (3).
4. Review the guidelines and present to Council before the end of the financial year.

Carried

Attachments

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

12:28 PM Cr C Gow rejoined the meeting

Cr Dobie declared that a perceived conflict of interest in Agenda Item 16.3 (as defined in section 173 of the Local Government Act 2009), may exist due to the tenderer being a neighbour. Cr Dobie 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 Dobie participated in the discussion and voting on this matter.

16.3 Management of Camping Area at Connolly Dam and Washpool Reserve

Resolution

Moved Cr J McNally

Seconded Cr Y Stocks

THAT Council defer consideration of caretaker services for Council operated camping grounds at Connolly Dam and Washpool Reserve to allow further consideration at a Briefing Session in May.

Carried

Cr Dobie voted for the motion

16.4 March 2018 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr M McNichol

Seconded Cr R Kelly

THAT Council receive the March 2018 monthly report from Brisbane YMCA in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

12:29 PM Cr S Windle rejoined the meeting

16.5 Sale of Council Owned Land

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council approve the sale of Lots 21, 22 and 23 on A219, with a condition of sale being the amalgamation of the three freehold Lots into one parcel of land. The sale price and conditions are outlined in the body of the report.

Carried

16.6 Lease of part of Cemetery Reserve

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT Council approve the lease of part of Lot 247 on ML2306, Maryvale Cemetery Reserve to the adjoining landowner (as noted in the report) for grazing purposes, as no other adjoining owner has expressed interest in leasing the land.

Carried

16.7 Request to Purchase Council Owned Land

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council call 'Expressions of Interest' from all adjoining land owners in relation to the disposal of Lot 23 on RP862162 due to the configuration of the land which makes it impractical to dispose of to a non-adjoining owner.

Carried

16.8 Invasive Pests Control Scheme

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council notes progress made on implementation of the Invasive Pests Control Scheme (IPCS) to date in 2017/2018, and, endorses the recommendations regarding landowner requests for IPCS levy concession reinstatements and amendments to the IPCS for implementation in 2018/2019.

Carried

16.9 Consultant for Yangan Landfill

Resolution

Moved Cr N Meiklejohn

Seconded Cr M McNichol

THAT Council:

1. Pursuant to Section 235 (b) of the Local Government Regulation 2012, resolves to appoint IMEMS Pty Ltd (t/as IMEMS Environmental) to undertake further investigatory actions associated with the Yangan Waste Facility site, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.
2. Approve to relax its adopted procurement policy in this instance and authorise the Chief Executive Officer (or delegate) to exceed the prescribed limit of \$150,000 in engaging IMEMS Environmental to undertake necessary investigative works, thereby not requiring officers to seek additional quotations.

Carried

MEETING CLOSURE

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