



Goondiwindi Regional Council
Ordinary Meeting

CONFIRMED MINUTES

Meeting held at the Goondiwindi Regional Council Chambers
4 McLean Street, Goondiwindi, Queensland 4390

Wednesday, 22 May 2019

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1. OPENING OF MEETING

The Mayor, Cr GS Scheu, declared the meeting open at 9:40am.

2. ATTENDANCE AT COMMENCEMENT OF MEETING

Mayor: Cr GS (Graeme) Scheu

Councillors: Cr LG (Lachlan) Brennan

Cr RJ (Rob) Mackenzie

Cr RJ (Rick) McDougall

Cr DW (David) Turner

Cr EJ (Joan) White

Apologies: Cr WP (Rick) Kearney

Council Officers: Chief Executive Officer, Mr Carl Manton

Director Engineering Services, Mr Dion Jones

Director Community & Corporate Services, Mr Jason Quinnell

Town Planner, Ms Lauren McVicar

Legal Officer / Minutes Secretary, Mrs Krista Roberts

3. OPENING PRAYER

Father Hermi from the Catholic Church Goondiwindi delivered the opening prayer.

4. DEPUTATIONS

Nil.

5. APOLOGIES**RESOLUTION OM-090/19**

Moved: Cr EJ White

Seconded: Cr LG Brennan

That an apology be received from Cr WP Kearney and he be granted a leave of absence from this meeting.

Carried.

6. CONGRATULATIONS & CONDOLENCES

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**7.1. Ordinary Meeting of Council – 24 April 2019**

The unconfirmed minutes of the Ordinary Meeting of Council held on Wednesday, 24 April 2019, were tabled for Council's confirmation and endorsement.

RESOLUTION OM-091/19

Moved: Cr EJ White

Seconded: Cr RJ McDougall

That the minutes of the Ordinary Meeting of Council held on Wednesday, 24 April 2019, be confirmed and adopted.

Carried.

8. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

9. REPORTS – EXECUTIVE OFFICE

9.1. EX-028/19 “Industry activities” – “Extractive industry” (<5,000t/year), Lot 4 on RP840938, ‘Linley Downs’, Merton Road, Yelarbon

Council considered an application for a Material Change of Use Development Permit for “Industry activities” – “Extractive industry” (<5,000t/year) on Lot 4 on RP840938, ‘Linley Downs’, Merton Road, Yelarbon.

RESOLUTION OM-092/19

Moved: Cr DW Turner

Seconded: Cr LG Brennan

That Council resolves to approve the application for a Material Change of Use Development Permit for “Industry activities” – “Extractive industry” (<5,000t/year) on Lot 4 on RP840938, ‘Linley Downs’, Merton Road, Yelarbon, subject to the following conditions:

GENERAL CONDITIONS		
1.	Approval is granted for the purpose of a Material Change of Use for: <ul style="list-style-type: none"> • “Industry activities” – “Extractive industry” (<5,000t/year) as defined in the <i>Goondiwindi Region Planning Scheme 2018</i>. 	
2.	All conditions must be complied with or bonded prior to the commencement of the use, unless specified in an individual condition.	
3.	Except where changed by conditions of this approval, the development shall be in accordance with supporting information supplied by the applicant with the development application including the following plans:	
	Drawing Number	Title
	24370.AQ.100	Andrew’s Quarry MCU & EA 2019 Yelarbon Qld Site Plan
	24370.AQ.001	Andrew’s Quarry MCU & EA 2019 Yelarbon Qld Site Plan – Existing
	24370.AQ.101	Andrew’s Quarry MCU & ES 2019 Yelarbon Qld Site Access – Plan and Details
	Please note the plans are not approved Building Plans.	
4.	Complete and maintain the approved development as follows: <ul style="list-style-type: none"> (i) Generally in accordance with development approval documents; and (ii) Strictly in accordance with those parts of the approved development which have been specified in detail by Council unless Council agrees in writing that those parts will be adequately complied with by amended specifications. All development shall comply with any relevant provisions in the <i>Goondiwindi Region Planning Scheme 2018</i> , Council’s standard designs for applicable work and any relevant Australian Standard that applies to that type of work. The development approval documents are the material contained in the development application, approved plans and supporting documentation including any written and electronic correspondence between applicant, Council or any relevant Agencies during all stages of the development application assessment processes.	
5.	The developer shall contact Council’s Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.	
6.	It is the developer’s responsibility to obtain all other statutory approvals required prior to commencement of any works on site.	
7.	The erection of any new buildings/structures to house plant/equipment, or for storage of fuels and lubricants will require building approval from an accredited Building Surveyor or the Goondiwindi Regional Council.	
OPERATION OF THE USE		
8.	The proposed industrial use shall be operated generally between the hours of: <ul style="list-style-type: none"> (a) 6:00am and 6:00pm, Monday to Friday; and (b) 8:00am and 2:00pm on Saturday. No activities are to be carried out on Sundays or Public Holidays.	
PUBLIC UTILITIES		

9.	Provision of suitable toilet and washroom amenities for staff is to be provided on site. Chemical or stored waste type facilities are to be serviced by a licenced waste effluent contractor with all waste being transported to an approved disposal site.
10.	The premises shall make available an adequate and reliable volume and supply of water for firefighting purposes.
ROADS AND VEHICLES	
11.	All site accesses, from the edge of the existing bitumen to the property boundary, shall be upgraded to an industrial standard and incorporate a 2m seal widening, in accordance with Schedule 6.2.1 – Standard Drawing in Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</i> , to the satisfaction of and at no cost to Council. Crossovers shall be either constructed or bonded prior to the commencement of the use. The developer shall contact Council's Engineering Department to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite. A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.
12.	Vehicle manoeuvring areas shall be provided on-site so that all vehicles, including all heavy vehicles, can enter and leave the site in a forward direction.
ENVIRONMENT & SITE REHABILITATION	
13.	The development shall be designed and constructed to avoid significant adverse impacts on areas of environmental significance identified within the site.
14.	Progressive rehabilitation of the site shall be carried out over the life of the extractive industry operations to minimise potential for impacts on the environment and to retain the environmental values and natural appearance of the surroundings.
STORMWATER	
15.	Prior to the commencement of the use and at all times while the use continues, the site shall be adequately drained and all stormwater shall be disposed of to a legal discharge point in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</i> , to the satisfaction of and at no cost to Council. Any increase in volume, concentration or velocity of stormwater from the site shall be channelled to lawful points of discharge or to other storage or dispersal arrangements which all must be agreed to in writing by Council. There shall be no change in direction or increase in the volume, concentration or velocity in any overland flow from the site to any adjoining properties unless agreed in writing by Council and the owners of any adjoining properties affected by these changes. The stormwater system shall be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of waterways.
16.	Stormwater shall not be allowed to pond on the site during the development process and after development has been completed unless the type and size of ponding has been agreed in writing by Council. No ponding, concentration or redirection of stormwater shall occur on adjoining properties unless specifically agreed to in writing by Council and the owners of any adjoining properties affected by these changes.
EARTHWORKS AND EROSION CONTROL	
17.	Any filling or excavation shall be undertaken in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</i> or to other relevant engineering standards to the satisfaction of and at no cost to Council. Excavation or filling within 1.5 metres of any site boundary is battered or retained by a wall that does not exceed 1 metre in height.
18.	All works associated with the development must be carried out in a manner that minimises erosion and controls sediment. Best practice erosion and sediment control measures shall be in place at the location of all works prior to work commencing and remain until work is completed in accordance with Schedule 6.2 – Planning Scheme Policy 1 – Land Development Standards of the <i>Goondiwindi Region Planning Scheme 2018</i> , to the satisfaction of and at no cost to Council. Control procedures are to be established to ensure sediment from the site is not deposited off site. The developer shall ensure no increase in any silt loads or contaminants in overland flow from the site during the development process and after development has been completed.
AVOIDING NUISANCE	
19.	At all times while the use continues, the development shall be conducted in accordance with the provisions of the <i>Environmental Protection Act 1994</i> and all relevant regulations and standards under that Act. All necessary licences under the Act shall be obtained and shall be maintained at all times while the use continues.

20.	At all times while the use continues it shall be operated in such a manner as to ensure that no nuisance shall arise to adjoining premises as a result of dust, noise, lighting, odour, vibration, rubbish, contaminants, stormwater discharge or siltation or any other potentially detrimental impact.
21.	The operator shall be responsible for mitigating any complaints arising from on-site operations.
22.	Construction works must occur so they do not cause unreasonable interference with the amenity of adjoining premises. During construction the site must be kept in a clean and tidy state at all times.
23.	For any blasting carried out on site, a blasting plan shall be developed and provided to Council for the following aspects of any blasting operations: <ol style="list-style-type: none"> 1. Register of times, date and location of blasting operations on the site; 2. Minimum of seventy-two (72) hours notice to adjoining property owners of any proposed blasting operations; 3. Record any complaints received in relation to blasting operations and impacts on adjoining farming operations.
24.	During the operation of the site, all waste is to be contained in suitable waste bins or skips with lids or covers to avoid windblown litter and access by animals. Ongoing operations waste is to be stored in suitable waste containers, serviced on a regular basis to avoid vermin and fly issues. All waste is to be disposed of to an approved waste facility.
25.	Waste oil and lubricants are to be removed from the site and disposed of through an approved waste facility or contractor.
DEVELOPER'S RESPONSIBILITIES	
26.	Any alteration or damage to roads and/or public infrastructure that is attributable to the progress of works or vehicles associated with the development of the site shall be repaired to Council's satisfaction or the cost of repairs paid to Council.
27.	It is the developer's responsibility to ensure that any contractors and subcontractors have current, relevant and appropriate qualifications and insurances in place to carry out the works.
28.	The developer shall be responsible for meeting all costs reasonably associated with the approved development, unless there is specific agreement by other parties, including the Council, to meeting those costs.
29.	At all times while the use continues, all requirements of the conditions of the development approval must be maintained.
30.	It is the developer's responsibility to ensure that potential bushfire hazards are appropriately mitigated to reflect the hazard level of the site in regard to vegetation type and proximity, slope and aspect, bushfire history, on-site environmental values, ease of maintenance and any specific implications on the development.
31.	The developer shall ensure that public access to the site is managed to protect the health and safety of the public.
COMMENCEMENT OF USE	
32.	At its discretion, Council may accept bonds or other securities to ensure completion of specified development approval conditions or Council may accept cash payments for Council to undertake the necessary work to ensure completion of specified development approval conditions. It may be necessary for Council to use such bonds for the completion of outstanding works without a specific timeframe agreed.
33.	Council must be notified in writing of the date of the commencement of the use within 14 days of commencement. This approval will lapse if the use has not commenced within six years of the date the development approval takes effect, in accordance with the provisions contained in sections 85(i)(a) of the <i>Planning Act 2016</i> . Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.
34.	A letter outlining and demonstrating that conditions have been, or will be, complied with shall be submitted to Council and approved by a relevant Officer of Council prior to commencement of the use at each relevant stage. Council Officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.
PLEASE READ CAREFULLY - NOTES AND ADVICE	
	<p><i>When approval takes effect</i> This approval takes effect in accordance with section 85 of the <i>Planning Act 2016</i>.</p> <p><i>When approval lapses</i> This approval will lapse if the change of use has not occurred within the following period, in accordance with the provisions contained in section 85(i)(a) of the <i>Planning Act 2016</i>:</p> <p>(b) If no period is stated – six (6) years after the approval starts to have effect.</p>

	Section 86 of the <i>Planning Act 2016</i> sets out how an extension to the period of approval can be requested.
	It is the applicant's responsibility to obtain all statutory approvals prior to commencement of any works onsite.
	This approval in no way removes the duty of care responsibility of the applicant under the <i>Aboriginal Cultural Heritage Act 2003</i> . Pursuant to Section 23(1) of the <i>Aboriginal Cultural Heritage Act 2003</i> , a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").
	This approval in no way authorises the clearing of native vegetation protected under the <i>Vegetation Management Act 1999</i> .
	The approved development does not authorise any deviation from the applicable Australian Standards nor from the application of any laws, including laws covering work place health and safety.

Carried.

9.2. EX-029/19 – Corporate Plan 2019-2024

The draft Corporate Plan 2019-2024 was tabled for Council's consideration.

RESOLUTION OM-093/19

Moved: Cr LG Brennan

Seconded: Cr RJ Mackenzie

That Council resolves to endorse the Goondiwindi Regional Council Corporate Plan 2019-2024.

Carried.

9.3. EX-030/19 – Terms of Reference – Yelarbon Community Consultative Committee

The draft Terms of Reference for the Yelarbon Community Consultative Committee were tabled for Council's consideration.

RESOLUTION OM-094/19

Moved: Cr RJ McDougall

Seconded: Cr RJ Mackenzie

That Council resolves to adopt the updated Terms of Reference for the Yelarbon Community Consultative Committee and nominates Councillor McDougall as the Council representative on the committee of the Yelarbon Community Consultative Committee.

Carried.

9.4. EX-031/19 – Sponsorship for Kaloma Annual Golf Day

Council considered an application from Kaloma Home for the Aged seeking financial assistance for its annual fundraising golf day.

RESOLUTION OM-095/19

Moved: Cr DW Turner

Seconded: Cr LG Brennan

That Council resolves to provide financial assistance for the amount of \$500.00 for the annual golf day.

Carried.

9.5. Texas Show Society

Council considered an application from the Texas Show Society seeking financial assistance for its annual show.

RESOLUTION OM-096/19

Moved: Cr DW Turner

Seconded: Cr EJ White

That Council resolves to authorise the Mayor and Chief Executive Officer to consult and negotiate with the Texas Show Society regarding a suitable funding arrangement for the Texas Show.

Carried.

9.6. EX-032/19 – Policy Update

The amended Complaints about the Public Official Policy was tabled for Council's consideration.

RESOLUTION OM-097/19

Moved: Cr LG Brennan

Seconded: Cr RJ Mackenzie

That Council resolves to endorse the amended Complaints about the Public Official Policy, identified as Policy Number GRC0079.

Carried.

9.7. EX-033/19 – Late Report – Rocket Test Facility

Council considered a request from Black Sky Aerospace seeking a letter of support for a proposed rocket test facility at 'Funny Farm' Tarrawerra.

RESOLUTION OM-098/19

Moved: Cr EJ White

Seconded: Cr RJ Mackenzie

That Council resolves to provide a letter of support to Black Sky Aerospace which will include the requirement to meet approvals for the project.

Carried.

9.8. General Business – Executive Office

Nil.

10. REPORTS – COMMUNITY AND CORPORATE SERVICES**10.1. CCS-023/19 – Finance Report Period Ending 30 April 2019**

Finance Report CCS-023/19 for period ending 30 April 2019 was tabled for Council's endorsement.

RESOLUTION OM-099/19

Moved: Cr DW Turner

Seconded: Cr EJ White

That Council resolves to receive Finance Report CCS-023/19 for the period ending 30 April 2019 and accepts the budget amendments contained therein.

Carried.

10.2. CCS-024/19 – Financial Policies 2019/2020

In accordance with the *Local Government Act 2009* and *Local Government Regulation 2012*, Council is required to prepare a Revenue Policy, Investment Policy and Debt Policy for the 2019/2020 financial year which were tabled for Council consideration and endorsement.

RESOLUTION OM-100/19

Moved: Cr LG Brennan

Seconded: Cr DW Turner

That Council resolves to adopt the Revenue Policy 2019/2020, identified as Policy Number GRC0012, in accordance with the Local Government Act 2009 and the Local Government Regulation 2012.

Carried.

RESOLUTION OM-101/19

Moved: Cr RJ Mackenzie

Seconded: Cr LG Brennan

That Council resolves to adopt the Investment Policy 2019/2020, identified as Policy Number GRC0012, in accordance with the Local Government Act 2009 and the Local Government Regulation 2012.

Carried.

RESOLUTION OM-102/19

Moved: Cr DW Turner

Seconded: Cr RJ McDougall

That Council resolves to adopt the Debt Policy 2019/2020, identified as Policy Number GRC0012, in accordance with the Local Government Act 2009 and the Local Government Regulation 2012.

Carried.

10.3. CCS-025/19 – Non-Current Assets Statement of Accounting Policy 2019/2020

In accordance with the Australian Accounting Standards, *Local Government Act 2009* and *Local Government Regulation 2012*, Council is required to establish a Non-Current Assets Statement of Accounting Policy which was tabled for Council consideration and endorsement.

RESOLUTION OM-103/19

Moved: Cr DW Turner

Seconded: Cr LG Brennan

That Council resolves to adopt the Non-Current Assets Statement of Accounting Policy 2019/2020, identified as Policy Number GRC0019, in accordance with the provisions of the Australian Accounting Standards the Local Government Act 2009, and the Local Government Regulation 2012.

Carried.

10.4. CCS-026/19 – Procurement Policy 2019/2020

In accordance with the *Local Government Act 2009* and *Local Government Regulation 2012*, Council is required to prepare a Procurement Policy for the 2019/2020 financial year which was tabled for Council consideration and endorsement.

RESOLUTION OM-104/19

Moved: Cr RJ Mackenzie

Seconded: Cr EJ White

That Council resolves to adopt the Procurement Policy 2019/2020, identified as Policy Number GRC0004, in accordance with the Local Government Act 2009.

Carried.

10.5. CCS-027/19 – Cleaning Tenders – Council Owned Facilities at Inglewood & Texas

Submissions for Request for Tender 1819/80 for the Cleaning of the Council Facilities Inglewood, and Request for Tender 1819/106 for the Cleaning of the Council Facilities Texas were tabled for Council's consideration.

RESOLUTION OM-105/19

Moved: Cr RJ McDougall

Seconded: Cr LG Brennan

- (i) That Schedule F of the Tender, specifically for the Public Toilet Facilities located at Inglewood, will not be included in the Contract for Cleaning of Council Facilities at Inglewood; and*
- (ii) That Council accepts the lowest Tender submitted by Kellys Property Management Services for Schedule C of the Tender RFT-1819/80 Cleaning of the Council Facilities, Inglewood.*

Carried.

RESOLUTION OM-106/19

Moved: Cr RJ McDougall

Seconded: Cr EJ White

- (i) That Schedule F of the Tender, specifically for the Public Toilet Facilities located at Texas, will not be included in the Contract for Cleaning of Council Facilities at Texas; and*
- (ii) That Council accepts the lowest Tender submitted by Kellys Property Management Services for Schedule C of the Tender RFT 1819/106 Cleaning of the Council Facilities, Texas.*

Carried.

10.6. CCS-028/19 – Grant Application – Bungunya State School P & C Association

Council considered an application from Bungunya State School P & C Association seeking financial assistance towards their School Centenary Event.

RESOLUTION OM-107/19

Moved: Cr RJ Mackenzie

Seconded: Cr LG Brennan

That Council resolves to approve funding of \$1,000.00 to the Bungunya State School P & C Association for the Bungunya Centenary.

Carried.

10.7. CCS-029/19 – Yelarbon Silo – Stage 2 / Project Completion Discussions

Council considered its position on the future priority and funding options for completion of the Yelarbon Silo Project.

RESOLUTION OM-108/19

Moved: Cr EJ White

Seconded: Cr RJ McDougall

That Council resolves to:

- (i) Submit funding applications for the Yelarbon Silo Artwork to be finalised at a total cost of up to \$85,000;*
- (ii) Commit to contributing up to \$25,000 to any grant funds received to complete the silo artwork;*
- (iii) Submit funding applications for the Yelarbon Silo viewing area; and*
- (iv) Once funding is secured for the viewing area project, seek feedback from the Yelarbon Community Consultative Committee for display board historical content.*

Carried.

10.8. CCS-030/19 – Feral Deer – Texas Common***Conflict of Interest***

In accordance with s175E(2) of the *Local Government Act 2009*, Cr EJ White declared a perceived conflict of interest in respect to matters contained in Report CCS-030/19, on the grounds that she is the President of the Lions Club who auspice the Community Gardens in Texas.

Having given due consideration to her position, Cr EJ White stated that she would vote on this matter in the public interest and requested that she be granted approval to remain in the meeting.

As Cr EJ White did not voluntarily leave the meeting, in accordance with s175E(4) of the *Local Government Act 2009*, Council considered if Cr EJ White has a real or perceived conflict of interest in the matter.

RESOLUTION OM-109/19

Moved: Cr GS Scheu

Seconded: Cr RJ Mackenzie

That Council resolves that Cr White has a perceived conflict of interest in the matters contained in Report CCS-030/19 and that she be allowed to stay in the meeting to contribute to the discussion but refrain from voting on the matter.

Carried.

RESOLUTION OM-110/19

Moved: Cr RJ Mackenzie

Seconded: Cr LG Brennan

That Council resolves to investigate entering into Feral Deer control programs.

Carried.

Cr EJ White did not vote on this matter in accordance with Resolution OM-108/19

10.9. CCS-031/19 – Water & Sewerage Supply Area

In accordance with the *Local Government Act 2009*, Council is required to make and levy utility charges for the defined Water and Sewerage Supply Area to support the application of the Utility Charges set out in the Revenue Statement.

RESOLUTION OM-111/19

Moved: Cr RJ Mackenzie

Seconded: Cr RJ McDougall

That Council resolves to declare the water supply areas for the towns of:

- (i) Bungunya;*
- (ii) Goondiwindi;*
- (iii) Inglewood;*
- (iv) Talwood;*
- (v) Texas;*
- (vi) Toobeah; and*
- (vii) Yelarbon.*

as per the maps provided in report CCS-031/19. Such areas are to be effective from 1 July 2019 until amended by a subsequent resolution of Council.

Carried.

RESOLUTION OM-112/19

Moved: Cr LG Brennan

Seconded: Cr RJ Mackenzie

That Council resolves to declare the sewerage supply areas for the towns of:

- (i) Inglewood;*
- (ii) Goondiwindi;*
- (iii) Talwood;*
- (iv) Texas; and*
- (v) Yelarbon.*

as per the maps provided in report CCS-031/19. Such areas are to be effective from 1 July 2019 until amended by a subsequent resolution of Council.

Carried.

10.10. General Business – Corporate & Community Services

Nil.

11. REPORTS – DEPARTMENT OF ENGINEERING SERVICES

11.1. ES-013/19 – Temporary Transfer of Bore Allocations - Gubberamunda & Hutton Sandstone Aquifer

Council considered the temporary transfer of eligible ground water allocations for the Gubberamunda & Hutton Sandstone Aquifer.

RESOLUTION OM-113/19

Moved: Cr RJ McDougall

Seconded: Cr DW Turner

That Council resolves to temporary transfer, by way of a public tender, any unused, eligible ground water allocations.

Carried.

11.2. General Business – Department of Engineering Services

Nil.

12. RECEPTION OF NOTICE OF MOTION FOR NEXT MEETING

Nil.

13. ADDITIONAL CORRESPONDENCE FOR NOTING

Nil.

14. GENERAL BUSINESS

Nil.

15. CONFIRMATION OF DATES AND TIMES FOR FUTURE MEETINGS

It was noted that the following meeting will be held:-

- (a) Special Budget Meeting of Council, Monday, 10 June 2019, commencing at 8:00am at the Goondiwindi Regional Council Chambers, 4 McLean Street, Goondiwindi; and
- (b) Ordinary Meeting of Council, Wednesday, 26 June 2019, commencing at 9:30am at the Goondiwindi Regional Council Chambers, 4 McLean Street, Goondiwindi.

16. CLOSURE OF MEETING

There being no further business, the Mayor thanked everyone for their attendance and declared the meeting closed at 11.53am.

Confirmed: _____

Date: _____

Cr GS Scheu

MAYOR