

Goondiwindi Regional Council **Ordinary Meeting**

CONFIRMED MINUTES

Meeting held at the Goondiwindi Regional Council Customer Service Office
82 Marshall Street, Goondiwindi, Queensland 4390

Wednesday, 23 April 2014

Goondiwindi Regional Council
MINUTES OF ORDINARY MEETING
23 April 2014

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Goondiwindi Regional Council
MINUTES OF ORDINARY MEETING
23 April 2014

Present: Mayor Cr GS (Graeme) Scheu
Cr WP (Rick) Kearney
Cr LA (Lori) Mackay
Cr RJ (Rob) Mackenzie
Cr EJ (Joan) White
Cr RJ (Rick) McDougall

Attendance at commencement of meeting: Mr Carl Manton (Chief Executive Officer)
Mr Jason Quinnell (Director of Community & Corporate Services)
Mr Dion Jones (Director Engineering Services)
Ms Sarah Little (Minutes Secretary)
Mrs Krista Roberts (Governance Officer)
Mrs Ronnie McMahon (Manager Planning Services)

Apologies: Nil

1. OPENING OF MEETING

The Mayor, Councillor GS Scheu, declared the meeting open at 9:30am.

2. OPENING PRAYER

Reverend Peter Playstad of the Presbyterian Church, Goondiwindi, delivered the Opening Prayer.

Attendance: Councillor DG McMahon, attended meeting at 9.34am.

3. APOLOGIES

Nil.

4. CONDOLENCES / CONGRATULATIONS

Nil.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

RESOLUTION OM-054/14

Moved: Cr DG McMahon

Seconded: Cr WP Kearney

That the minutes of the Ordinary Meeting of Council held on Wednesday, 26 March 2014, be confirmed and adopted.

Carried.

6. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

7. DEPUTATIONS

Nil.

8. REPORTS – EXECUTIVE OFFICE

PLANNING

Council's Manager Planning Services, Mrs Ronnie McMahon, presented the following reports to Council.

8.1. EX-025/14 – Application for Permanent Road Closure – Coronation Lane, Toobeah

Correspondence was received from the Department of Natural Resources and Mines on 25 March 2014 requesting Council's views or requirements in relation to an application for permanent road closure over part of Coronation Lane.

RESOLUTION OM-055/14

Moved: Cr RJ MacKenzie

Seconded: Cr WP Kearney

That Council resolves to advise the Department of Natural Resources and Mines that it objects to the proposed permanent closure of part of Coronation Lane as the road provides continuity to the road network of Toobeah and Council's trunk infrastructure is situated under the road reserve and a permanent road closure resulting in property ownership could place this infrastructure in jeopardy.

Carried.

8.2. General Business – Executive Office

Nil.

8.3. EX-026/14 – Proposed Test Blasting of Explosives, Cement Mills Road, Gore

Correspondence was received from Extech on 27 March 2014 requesting Council's permission to conduct test explosive blasts on Lot 19 on BNT1101, "Glenelg", Cement Mills Road, Gore.

RESOLUTION OM-056/14

Moved: Cr EJ White

Seconded: Cr LA Mackay

That Council resolves to advise Extech that it has no objection to the testing of explosives in line with the parameters outlined in their letter dated 24 March 2014, being no more than a maximum period of 10 separate days, between the period of 1 April 2014 and 31 July 2014, with a maximum of two blasts conducted on any one day provided all necessary approvals are obtained.

Carried.

Attendance: Council's Manager Planning Services, Mrs Ronnie McMahon, retired from the meeting at 9.44am.

EXECUTIVE

Council's Chief Executive Officer, Mr Carl Manton, presented the following reports to Council.

8.4. EX-027/14 – Register of Delegations

The Local Government Association Queensland (LGAQ) engaged King & Co Solicitors to prepare a precedent Delegations Register from Council to the Chief Executive Officer and from the Chief Executive Officer to Council Officers. The Register of Delegations from Council to Chief Executive Officer was adopted by Council in March 2013. Council is requested to endorse the updated powers of delegation to the Chief Executive Officer.

RESOLUTION OM-057/14

Moved: Cr WP Kearney

Seconded: Cr RJ Mackenzie

That all powers referred to in the document titled "Register of Delegations – Council to CEO 2014" attached to this report are hereby delegated by Council to the Chief Executive Officer of Council pursuant to section 257 of the Local Government Act 2009.

Carried.

Attendance: Council's Governance Officer, Mrs Krista Roberts, retired from the meeting at 9.49am.

9. REPORTS – COMMUNITY AND CORPORATE SERVICES

Council's Director of Community & Corporate Services, Mr Jason Quinnell, presented the following reports to Council.

FINANCE

9.1. CCS-012/14 – Finance Report Period Ending 31 March 2014

Finance report CCS-012/14 for period ending 31 March 2014 was tabled for Council's consideration.

RESOLUTION OM-058/14

Moved: Cr WP Kearney

Seconded: Cr DG McMahon

That Council resolves to receive the Finance Report CCS-012/14, for the period ending 31 March 2014.

Carried.

COMMUNITY & CORPORATE

9.2. CCS-013/14 – Grant Application – Tarawera Recreation Club Inc

The Tarawera Recreation Club Inc. has written to Council requesting a letter of support to lodge with an application to the Jupiter Casino Community Benefit Fund for funding to assist with the upgrade of the facilities at their grounds. This report is provided for Council's consideration, as the Grant Application is made outside a Grant Funding Round.

RESOLUTION OM-059/14

Moved: Cr DG McMahon

Seconded: Cr WP Kearney

That Council resolves to support the application by the Tarawera Recreation Club Inc and provide a letter confirming same.

Carried.

Attendance: Council's Chief Executive Officer, Mr Carl Manton, retired from the meeting at 10.05am.

Attendance: Council's Chief Executive Officer, Mr Carl Manton, returned to the meeting at 10.06am.

Council's Economic Development Officer, Mr David Hayward, attended meeting at 10.06am

BUILDING & ENVIRONMENTAL HEALTH

9.3. CCS-014/14 – Request for Variation to Boundary Setback

Council to consider a request for a boundary setback relaxation, for a proposed private garage to be built at 104 Callandoon Street, Goondiwindi.

RESOLUTION OM-060/14

Moved: Cr LA Mackay

Seconded: Cr EJ White

That the application by Hazel Lloyd for relaxation of boundary setbacks for building a private garage on Lot 2 RP 158609 at 104 Callandoon Street, Goondiwindi as shown on the attached site plan be approved on the following grounds:-

- 1. The location of the building is not considered to adversely affect the streetscape for-
 - i.) The bulk of the building; and*
 - ii.) The road boundary setbacks or neighbouring building; and*
 - iii.) The outlook and views of the neighbouring residents; and*
 - iv.) Nuisance and safety to the public.**
- 2. The building will not adversely impact on the amenity and privacy of residents on adjoining lots.*

Carried.

9.4. CCS-015/14 – Management of the Long Term Community Housing

The amended Housing Act 2003 requires all community housing providers must be registered under the National Regulatory System for Community Housing. There are a number of options for Council to consider regarding future provision of housing for older community members provided by the units in Texas and Inglewood.

RESOLUTION OM-061/14

Moved: Cr EJ White

Seconded: Cr RJ McDougall

That Goondiwindi Regional Council arranges meetings with:

- 1. Horizon Housing; and*
- 2. Department of Housing and Private Works*

to discuss options for transition to National Regulatory System for Community Housing and possible negotiated outcomes for future operation of Texas and Inglewood units.

Carried.

Attendance: Council's Economic Development Officer, Mr David Hayward, retired from meeting at 10.25am

9.5. General Business – Department of Community and Corporate Services

Nil

10. REPORTS – DEPARTMENT OF ENGINEERING SERVICES

Council's Director of Engineering Services, Mr Dion Jones, presented the following reports to Council.

10.1. ES-011/14 – Levee Bank Permit Application 14/01 – “Westcourt” – Lot 7 CVN57

SMK Consultants Pty Ltd submitted an application for levee banks on the property known as “Westcourt” located on the Talwood Boonanga Road, described as Lot 7 CVN57, Parish of Boonanga, County of Carnarvon.

RESOLUTION OM-062/14

Moved: Cr WP Kearney

Seconded: Cr LA Mackay

That Council solves to relax the requirement under Local Law 26 (Levee Banks) 2004 to provide a hydraulic report for levee bank application 14/01.

That Council approves the application by Richard James Seery for 1,990 metres of drains and 2,350 metres of storage on Lot 7 CVN57, Parish of Boonanga, County of Carnarvon, subject to the following conditions:-

- 1. The works associated with Levee Bank Permit 14/01 be constructed in accordance with the following plans & dimensions:-*
 - SMK Consultants Pty Ltd – Water storage site plan WCRC STH dated 24 February, 2014;*
 - SMK Consultants Pty Ltd – Property plan WDLAPP STORAGE APPLN dated 24 February, 2014; and*
 - SMK Consultants Pty Ltd – Coordinate set out list.*

	<i>Drains</i>	<i>Storage</i>
<i>Length</i>	<i>1,990 metres</i>	<i>2,220 metres</i>
<i>Maximum Depth</i>	<i>3.0 metres</i>	<i>8.0 metres</i>
<i>Top Width</i>	<i>12.0 metres</i>	<i>9.0 metres</i>
<i>Base Width</i>	<i>4.0 metres</i>	<i>83.0 metres</i>

- 2. Excess spoil shall not be used as fill if it would result in changes to the pre-existing drainage patterns;*

3. *Any spoil placed external to the proposed development area or external to any other existing levied areas shall be placed in streamlined rills constructed above natural ground level and shall be to the following dimensions:*
 - *Maximum width 6.0m*
 - *Maximum height 0.6m*
 - *Parallel to the natural flow of flood water at a minimum of 200m centres*
4. *A maximum construction period of three (3) years will apply for the works to be completed;*
5. *An as-constructed survey plan certified by a licensed surveyor, to AMG / MGA and AHD shall be provided to Council within three (3) months of the completion of construction. The survey shall provide sufficient information by way of co-ordinates and levels to demonstrate compliance with the license;*
6. *The holder of the permit must not construct or cause to be constructed a levee bank on any land unless authorised by this permit or another permit issued under Waggamba Shire Council Local Law No. 26 (Levee Banks) 2004;*
7. *The holder of the permit must, after completion of construction of the works in accordance with the approved plans and specifications, repair and maintain the levee bank in accordance with:-*
 - *The conditions of the permit; and*
 - *The as constructed survey plan produced to the local government in accordance with the conditions of this permit.*
8. *Approvals required under any other Act or by any other Agency for the construction, repair or maintenance of the approved works must be obtained and maintained for the duration of the permit;*
9. *The term of this permit is five (5) years from the date of this permit. If a levee bank or a part of a levee bank identified in the permit remains on land to which the local law applies after the term of the permit expires, the holder of the permit must apply to the local government to renew the permit;*
10. *After completion of construction of the levee bank the holder of the permit must give not less than 30 days written notice to the local government before commencing any works proposed to be undertaken by the holder of the permit to alter, change, modify or demolish the levee bank;*
11. *The local government may, by written notice given to the holder of the permit, change the conditions of the permit. However, the local government may only change the conditions of a permit if:-*
 - *The holder of the permit agrees to the proposed changes; or*
 - *The change is urgently necessary in the interests of safety or to prevent a nuisance; or*
 - *The local government:-*
 - (i) *gives the permit holder written notice of the proposed change inviting the holder to make written representations about the proposed change within a reasonable time fixed in the notice; and*
 - (ii) *if the permit holder makes written representations within the time allowed in the notice – takes the representations into account.*
12. *If the holder of the permit has an interest in the land and the holder disposes of the interest in the land by transfer or transmission:-*
 - *the holder must give written notice of the disposal to the local government within 30 days of the transfer or transmission (as the case may be); and*
 - *the permit shall be deemed to be transferred to the transferee or transmittee (as the case may be) of the interest in the land.*
13. *If there is on land to which the local law applies a levee bank the demolition of which will, in the local government's opinion, affect or be likely to affect natural drainage to an extent that is or is likely to cause damage to land or a public work, service or undertaking, the owner of the land must not demolish the levee bank unless the demolition is authorised by a permit under part 2 of the local law.*

Carried.

10.2. ES-012/14 – Addition of Road to Council’s Road Register

Council staff have recently become aware of an access lane in Texas that appears to have been previously maintained by Council but is not currently listed on Council’s Road Register. The aim of this report is to have Council officially name this road and to have it added to Council’s Road Register, which is the official list of Council’s maintained roads.

RESOLUTION OM-063/14

Moved: Cr EJ White

Seconded: Cr LA Mackay

That Council resolves to add the 105 metre lane heading west off Boorandalla Street, Texas to its Road Register to be named Wells Lane and carry out maintenance on this section of road.

Carried.

Attendance: Council’s Director Community & Corporate Services, Mr Jason Quinnell, retired from meeting at 10.41am.

10.3. ES-013/14 – Infrastructure Australia – Regional Development of Road Infrastructure Submission

Council staff recently attended a meeting with representatives from five (5) other northern NSW Councils to discuss the next step in progressing a report on a “National Road Asset Reporting Pilot” that was prepared by Infrastructure Australia. At this meeting, it was decided that a submission for funding would be developed on behalf of those Councils wishing to participate.

MOTION

Moved: Cr EJ White

Seconded: Cr LA Mackay

That Council resolves to contribute \$7,500 with the provision that the invited Councils all contribute towards an application for road funding to Infrastructure Australia based around the findings of the National Road Asset Reporting Pilot report.

Lost 4 - 3.

Attendance: Council’s Director Community & Corporate Services, Mr Jason Quinnell, returned to meeting at 11.05am.

10.4. ES-014/14 – Trees on Council Controlled Land (Planting, Removal & Maintenance) Policy – Dispute Against Council Officer’s Assessment – 5 Wilson Court

An application has been received by Council for the removal of three (3) trees located on the Cunningham Highway, adjacent to 5 Wilson Court, Goondiwindi. Council Officer’s inspected the trees in question and assessed them against Council’s Trees on Council Controlled Land (Planting, Removal & Maintenance) Policy. The assessment classified the trees in the ‘Green’ category, determining that Council action is not warranted.

MOTION

Moved: Cr DG McMahon

Seconded: Cr WP Kearney

That Council resolves to not approve the request from Mr Damian Lester for the removal of three (3) trees located on the Cunningham Highway adjacent to 5 Wilson Court, Goondiwindi on the grounds that the removal of the trees would have an adverse effect on the town entrance beautification.

Lost 5-2.

Reason for not adopting officers recommendation in report #ES-014/14:

Council was of the opinion that one (1) tree required removal.

RESOLUTION OM-064/14

Moved: Cr RJ Mackenzie

Seconded: Cr RJ McDougall

That Council resolves to approve the removal of one (1) tree located closest to 5 Wilson Court on the Cunningham Highway, Goondiwindi.

Carried.

Reason:

Council was of the opinion that one (1) tree required removal.

Attendance: Council's Economic Development Officer, Mr David Hayward, returned to meeting at 11.15am.

10.5. ES-015/14 – GRC0025 - Urban Levee Bank Policy Review

To ensure that Council owned and maintained levee banks constructed for flood prevention purposes are adequately maintained and remain accessible, an Urban Levee Bank Policy was adopted by Council. The policy is currently up for renewal.

RESOLUTION OM-065/14

Moved: Cr EJ White

Seconded: Cr RJ Mackenzie

That Council reviews and adopts the Urban Levee Bank Policy for a two (2) year period.

Carried.

10.6. ES-016/14 – Proposed Redistribution of Funds – Brook Street

Council has allowed funds in the 2013/14 budget for the widening of Brook Street, Inglewood. These works were dependent on joint funding from the Department of Transport & Main Roads. It is now apparent that the construction will not take place during this financial year and the funds should now be redirected to areas that can be completed or substantially completed by 30th June 2014.

RESOLUTION OM-066/14

Moved: Cr WP Kearney

Seconded: Cr RJ McDougall

That Council approve the reallocation of \$250,000 for works on Brook Street to the following projects:

- \$90,000.00 - Bitumen sealing of first 1.2km on Gledsons Road;
- \$100,000.00 - Replace failed stormwater pipes Elizabeth Street; and
- \$60,000.00 - Upgrades to existing floodways.

Carried.

10.7. ES-017/14 – New Lighting Poles – Goondiwindi Netball Courts

During upgrades to the Goondiwindi Netball Courts it was discovered that two of the existing lighting poles, that were to be relocated, were rotted to an extent that they couldn't be reused. It is proposed to redirect funds from an underspent project to install two new lighting towers and lights at the netball courts.

RESOLUTION OM-067/14

Moved: Cr DG McMahon

Seconded: Cr LA Mackay

That Council reallocates \$22,000 of surplus funds from the Narromine Road Gravel resheet job to the supply and installation of two new lights on new galvanised poles at the Riddles Oval Netball Courts.

Carried.

RESOLUTION OM-068/14

Moved: Cr RJ McDougall

Seconded: Cr LA Mackay

That Council makes an offer to the Goondiwindi AFL Club to utilise the two old lights from the condemned poled elsewhere at the Riddles Oval complex.

Carried.

10.8. General Business – Department of Engineering Services

Nil

11. REPORTS – EXECUTIVE OFFICE

EXECUTIVE (Continued)

11.1. Confirmation of Ordinary Meeting of Council Dates

RESOLUTION OM-069/14

Moved: Cr WP Kearney

Seconded: Cr LA Mackay

That the Ordinary Meeting of Council be held at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi on the following dates, commencing at 9:30am:

- a) Wednesday, 25 June 2014;
- b) Wednesday, 23 July 2014;
- c) Wednesday, 27 August 2014;
- d) Wednesday, 24 September 2014;
- e) Wednesday, 22 October 2014; and
- f) Wednesday, 26 November 2014.

Carried.

12. REPORTS - COUNCILLORS

Nil.

13. RECEPTION OF NOTICE OF MOTION FOR NEXT MEETING

Nil.

14. NOTE OF ADDITIONAL CORRESPONDENCE

Nil.

15. GENERAL BUSINESS

Nil.

16. CONFIRMATION OF DATES AND TIMES FOR FUTURE MEETINGS

It was noted that the next seven (7) Meetings of Council will be held on the following dates:-

- a) Ordinary Meeting of Council on Wednesday, 28 May 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- b) Ordinary Meeting of Council on Wednesday, 25 June 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- c) Ordinary Meeting of Council on Wednesday, 23 July 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- d) Ordinary Meeting of Council on Wednesday, 27 August 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- e) Ordinary Meeting of Council on Wednesday, 24 September 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- f) Ordinary Meeting of Council on Wednesday, 22 October 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi

- g) Ordinary Meeting of Council on Wednesday, 26 November 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi

17. CLOSURE OF MEETING

There being no further business, the Mayor thanked everyone for their attendance and declared the meeting closed at 11:35am.

Confirmed: _____

Date: _____