



Goondiwindi Regional Council
Ordinary Meeting

CONFIRMED MINUTES

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

Wednesday, 28 October 2015

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1. OPENING OF MEETING

The Mayor, Cr GS Scheu, declared the meeting open at 9:35am.

2. ATTENDANCE AT COMMENCEMENT OF MEETING

Mayor: Cr GS (Graeme) Scheu

Councillors: Cr WP (Rick) Kearney
Cr RJ (Rob) Mackenzie
Cr EJ (Joan) White
Cr DG (David) McMahon
Cr LA (Lori) Mackay
Cr RJ (Rick) McDougall

Council Officers: Chief Executive Officer, Mr Carl Manton
Director Community & Corporate Services, Mr Jason Quinnell
Director Engineering Services, Mr Dion Jones
Manager Planning Services, Mrs Ronnie McMahon
Town Planner, Ms Lauren McVicar
Community Development Officer, Mr David Hayward
Minutes Secretary, Ms Kerry McKenzie

3. OPENING PRAYER

Reverend Paul Andrianatos from the Congregational Church, Goondiwindi, delivered the Opening Prayer.

4. DEPUTATIONS

Nil.

5. APOLOGIES

Nil.

6. CONGRATULATIONS & CONDOLENCES

Nil.

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**7.1. Ordinary Meeting of Council – 23 September 2015**

The unconfirmed minutes of the Ordinary Meeting of Council held on Wednesday 23 September 2015, were tabled for Council's confirmation and endorsement.

RESOLUTION OM-0191/15

Moved: Cr RJ Mackenzie

Seconded: Cr LA Mackay

That the minutes of the Ordinary Meeting of Council held on Wednesday, 23 September 2015, be confirmed and adopted.

Carried.

8. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

9. REPORTS – EXECUTIVE OFFICE

PLANNING

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

9.1. EX-056/15 – Draft Goondiwindi Region Planning Scheme – State Interest Check

In accordance with the Statutory Guideline 04/14, Making and Amending Local Planning Instruments, the draft Goondiwindi Regional Council Planning Scheme is required to be submitted for State Interest Review to the Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade.

RESOLUTION OM-0192/15

Moved: Cr WP Kearney

Seconded: Cr RJ McDougall

That Council resolves to submit the Draft Goondiwindi Regional Council Planning Scheme, including the changes documented in Attachment 1 of Report EX056/15, and other relevant supporting information, to the Hon Jacklyn Trad MP, Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade, for the purpose of State Interest Review in accordance with Statutory Guideline 04/14, Making and Amending Local Planning Instruments.

Carried.

9.2. EX-057/15 – Material Change of Use - “Residential Activities” – “Detached House – Ancillary Shed” (Oversize shed), Coleborn Road, Goondiwindi

The applicant is seeking a Material Change of Use Development Permit for “Residential activities” – “Detached house – Ancillary Shed” (Oversize shed) on Lot 20 on SP158268, Coleborn Road, Goondiwindi.

Recommendation by Council Advisor

Having regard to the requirements of the 2006 Planning Scheme for the former Waggamba Shire Council and the relevant facts and circumstances, it is recommended that Council resolves to refuse the application for Material Change of Use – “Residential activities” – “Detached house – Ancillary shed” (Oversize shed) at Lot 20 on SP158268, Coleborn Road, Goondiwindi, on the grounds that the proposal conflicts with the provisions of the Urban Zone Code.

Council Officers, based on the above, recommend refusal of the development application subject to the reasoning below.

Code Purpose

- 1) The proposed development is in conflict with Outcomes 1 and 3, in that:
 - The proposed shed is of a size that is in conflict with the provisions of the Urban Zone Code; and
 - The proposed shed, with an area of 150m², is inappropriate for the urban zone.
- 2) The proposed development is in conflict with Outcome 4(a) and 4(c), in that:
 - The proposed development exceeds the maximum floor area identified in the Urban Zone Code, and therefore is of a size and scale that does not protect or enhance residential scale, intensity or form.

Performance Criteria

- 3) The proposed development does not achieve the outcome of Performance Criterion PC5 of the Code (4.4.3.4), in that:
 - Large structures that are not of a residential scale are not considered to be in accordance with PC5.
- 4) The proposed development does not achieve the outcome of Performance Criterion PC6 of the Code (4.4.3.4), in that:

- The total floor area of the proposed shed exceeds the maximum total floor area outlined for a “Detached house” in Acceptable Solution (AS) 6.2 of the Urban Zone Code.
- 5) The proposed development does not achieve the outcome of Performance Criterion PC8, in that:
- The proposed setback, for the shed, from the site’s side (eastern) boundary is 1.8 metres as opposed to the required 2.5 metres.

General

- 6) Refusal for the development application is warranted, in that:
- The proposal conflicts with provisions of the Urban Zone Code, as the proposed shed exceeds the maximum total floor area outlined in the Urban zone code; and
 - It is not possible for reasonable or relevant conditions to be imposed on this application to address and overcome conflicts with the relevant Code provisions.

RESOLUTION OM-0193/15

Moved: Cr RJ Mackenzie

Seconded: Cr LA Mackay

That Council resolves to approve the application for Material Change of Use – “Residential activities” – “Detached house – Ancillary shed” (Oversize shed) at Lot 20 on SP158268, Coleborn Road, Goondiwindi, subject to conditions determined by the Chief Executive Officer.

Carried.

Reason for not adopting the recommendation from a Council Advisor (s273 of the Local Government Regulation 2012)

It was considered by Council that the development will not detract from the amenity of the area.

Attendance: Council’s Manager Planning Services, Mrs Ronnie McMahon, and Town Planner, Ms Lauren McVicar, left the meeting at 9:59am

EXECUTIVE OFFICE

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

9.3. EX-058/15 – Change of December Meeting Dates

Council considered rescheduling the December Portfolio and Ordinary Meetings due to the close proximity to Christmas and to allow for Councillors and Staff on annual leave.

RESOLUTION OM-0194/15

Moved: Cr WP Kearney

Seconded: Cr LA Mackay

That Council resolves to reschedule the Portfolio and Ordinary Meeting of Council in December 2015 to Wednesday, 16 December 2015, commencing at 9:30am for the Ordinary Meeting, to be followed by the Portfolio Meeting, at the Customer Service Centre Boardroom, 82 Marshall Street Goondiwindi; and that it be advertised accordingly.

Carried.

9.4. EX-059/15 – Representative for Southern QLD Country Tourism Ltd Board

The Southern Queensland Country Tourism Ltd Board is seeking nominations for a Council representative on the board for 2015/17.

RESOLUTION OM-0195/15

Moved: Cr RJ Mackenzie

Seconded: Cr WP Kearney

That Council resolves nominate Cr GS Scheu as the Goondiwindi Regional Council representative on the board of the Southern Queensland Country Tourism Ltd.

Carried.

9.5. EX-060/15 – Rail Forum

Council considered a proposal to host a Rail Infrastructure Forum in conjunction with Balonne Shire Council and Toowoomba Surat Basin Enterprise in Goondiwindi on 4 December 2015.

RESOLUTION OM-0196/15

Moved: Cr WP Kearney

Seconded: Cr RJ Mackenzie

That Council resolves to:

- (a) support the hosting of a Rail Infrastructure Forum in Goondiwindi on 4 December 2015; and*
- (b) fund 50% of the forum cost to a maximum of \$2,500.00 if funding from the Murray Darling Basin Regional Economic Diversification Program is not forthcoming.*

Carried.

9.6. EX-061/15 – Goondiwindi Regional Civic Centre Time Capsule

Council considered a suggestion from a member of the community to lay a time capsule to commemorate the official opening of the Goondiwindi Regional Civic Centre.

RESOLUTION OM-0197/15

Moved: Cr DG McMahon

Seconded: Cr WP Kearney

That Council resolves to agree to the laying of a time capsule to commemorate the completion and official opening of the Goondiwindi Regional Civic Centre at a suitable location to be identified.

Carried.

9.7. EX-062/15 – Proposed Solar Development - Kindon

Council considered a request to support a submission for a solar farm development within the Goondiwindi Regional Council area.

RESOLUTION OM-0198/15

Moved: Cr WP Kearney

Seconded: Cr RJ Mackenzie

That Council resolves to support solar farm development within the Goondiwindi Regional Council area; and

That Council provide a letter of support to Aither for a proposed solar farm development.

Carried.

9.8. General Business – Executive Office

Nil.

10. REPORTS – COMMUNITY AND CORPORATE SERVICES**CORPORATE****10.1. CCS-067/15 – Omanama Public Hall Land**

In order to implement the original plan for land described as Lot 1 on RP40676, Council is required to sign the Deed of Appointment and Retirement of Trustee.

RESOLUTION OM-199/15

Moved: Cr EJ White

Seconded: Cr DG McMahon

That Council resolves to sign the Deed of Appointment and Retirement of Trustee in relation to Lot 1 on RP40676, in order to implement the original plan.

Carried.

Attendance: Council's Executive Manager Administration & Community Services, Mr John Woods, attended the meeting at 10:30am

COMMUNITY**10.2. CCS-068/15 – Grant Application – Toobeah Kindergarten & Children's Centre**

Council reconsidered an application under the Community Grants & Donations Program from the Toobeah Kindergarten & Children's Centre.

RESOLUTION OM-200/15

Moved: Cr LA Mackay

Seconded: Cr EJ White

That Council resolves to approve financial assistance of \$2,200.00 to the Toobeah Kindergarten & Children's Centre towards the cost of the raw water connection to the kindergarten under Council's 2015/16 budget allocation for the Community Grants and Donations Program.

Carried.

10.3. CCS-069/15 – Grant Application – Inglewood Little Theatre Group

Council reconsidered an application under the Community Grants & Donations Program from the Inglewood Little Theatre Group.

RESOLUTION OM-201/15

Moved: Cr LA Mackay

Seconded: Cr DG McMahon

That Council resolves to approve financial assistance of \$1,151.00 to the Inglewood Little Theatre Group towards the hire fees for the Inglewood Civic Centre for the group's 2015 production under Council's 2015/16 budget allocation for the Community Grants and Donations Program.

Carried.

Attendance: Council's Executive Manager Administration & Community Services, Mr John Woods, and Community Development Officer, Mr David Hayward, retired from the meeting at 10:34am

Attendance: Council's Manager Finance, Mr Bradley Pyle, and Administration Officer, Mrs Adele Clifford, attended the meeting at 10:34am

10.4. CCS-070/15 – Gilbert Recreation Association – Master Development Plan Version 4

The Gilbert recreation Association Inc provided the Master Development Plan Version 4 for Council's endorsement.

RESOLUTION OM-0202/15

Moved: Cr LA Mackay

Seconded: Cr DG McMahon

That Council resolves to endorse the Master Development Plan Version 4 submitted by the Gilbert Recreation Association Inc.

Carried.

FINANCE

Council's Manager Finance, Mr Bradley Pyle, presented the following reports to Council.

10.5. CCS-065/15 – Finance Report Period Ending 30 September 2015

Finance Report CCS-065/15 for period ending 30 September 2015 was tabled for Council's endorsement and adoption.

RESOLUTION OM-0203/15

Moved: Cr DG McMahon

Seconded: Cr WP Kearney

That Council resolves to receive Finance Report CCS-065/15, for the period ending 30 September 2015.

Carried.

Attendance: Council's Manager Finance, Mr Bradley Pyle, and Administration Officer, Mrs Adele Clifford, retired from the meeting at 11:02am

CORPORATE**10.6. CCS-066/15 – Humenergy Review Updates and RFT 15/21 Supply and Install Solar Photovoltaic Systems**

Request for Tender 15/21 for the supply and installation of solar photovoltaic systems closed on 4 September 2015 and submissions were tabled for Council's consideration.

RESOLUTION OM-0204/15

Moved: Cr RJ Mackenzie

Seconded: Cr EJ White

That Council resolves to engage Solar link to install:

- (a) Solar Photovoltaic Systems across Councils preferred and optional sites in accordance with RFT 15/21; and*
- (b) 5kw PV systems on Council's 5 residential properties at a total cost of \$35,500.00.*

Carried.

RESOLUTION OM-0205/15

Moved: Cr WP Kearney

Seconded: Cr LA Mackay

That Council resolves to increase the rental on its 5 residential properties by \$15.00 per week.

Carried.

RESOLUTION OM-0206/15*Moved: Cr EJ White**Seconded: Cr RJ Mackenzie**That Council resolves to install energy monitoring equipment at a total cost of \$55,400.00 in accordance with the Humenergy Report.**Carried.***RESOLUTION OM-0207/15***Moved: Cr WP Kearney**Seconded: Cr EJ White**That Council resolves to amend the capital budget to \$410,525.00 for energy reduction projects.**Carried.***10.7. CCS-071/15 – Rates – Missed Discount**

Council considered two requests to honour the rates discount on the grounds that the original rates notice was not received by the applicants. Council acknowledged that this may be due to a delivery fault in the mail service and that its decision was subject to the applicants providing a Statutory Declaration.

RESOLUTION OM-0208/15*Moved: Cr WP Kearney**Seconded: Cr LA Mackay**That Council resolves to honour the rates discount of \$1,547.29 for the property located at 3630 Kioma Road Toobeah; and**That Council acknowledges that the applicant has provided a Statutory Declaration substantiating the claim.**Carried.***RESOLUTION OM-0209/15***Moved: Cr LA Mackay**Seconded: Cr EJ White**That Council resolves to honour the rates discount of \$129.45 for the property located at 67 Kaboon Street Yelarbon subject to a statutory declaration being provided to Council to substantiate the claim.**Carried.*

Attendance: Council's Chief Executive Officer, Mr Carl Manton, and Director Community & Corporate Services, Mr Jason Quinnell, temporarily retired from the meeting at 11:25am

10.8. General Business – Community and Corporate Services

Nil.

Attendance: Council's Chief Executive Officer, returned to the meeting at 11:26am

11. REPORTS – DEPARTMENT OF ENGINEERING SERVICES

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

11.1. ES-033/15 – Request to Close the Goondiwindi Natural Heritage & Water Park Waterway – Cultural Echo Festival

Council considered a request from CARE Goondiwindi to close the waterway of the Goondiwindi Natural Heritage and Waterpark during the Cultural Echo Festival on the grounds of noise impacts from boats impacting performers.

RESOLUTION OM-0210/15

Moved: Cr WP Kearney

Seconded: Cr RJ Mackenzie

That Council resolves to not approve the request to close the waterway at the Goondiwindi Natural Heritage and Waterpark during the Cultural Echo Festival.

Carried.

11.2. ES-034/15 – Christmas Lights Initiative in Regional Centres

At its meeting of 23 September 2015, Council resolves to allocate funding to the regional centres of Texas, Inglewood, Yelarbon, Talwood, Toobeah & Bungunya (OM-0182/15) in lieu of Christmas lights competition. Further investigation by staff has determined that the operational costs to enact this initiative would be excessive, and propose that it be trialled in Texas in 2015 before being considered in other centre.

RESOLUTION OM-0211/15

Moved: Cr RJ McDougall

Seconded: Cr RJ Mackenzie

That Council resolves to allocate \$800.00 per town for the purchase of solar decorative Christmas lighting at Texas, Inglewood & Yelarbon, with funds sourced through the Community Grants and Donations Program;

That this initiative is in lieu of Council's Christmas lights competition over a four (4) year period;

That Texas QLD Inc, Inglewood Chamber of Commerce, and Yelarbon Memorial Hall Restoration Committee be approached to be involved in the initiative.

Carried.

RESOLUTION OM-0212/15

Moved: Cr DG McMahon

Seconded: Cr WP Kearney

That Council resolves to reinstate the Christmas lights competition for the townships of Talwood, Toobeah and Bungunya, excluding Texas, Inglewood and Yelarbon.

Carried.

Attendance: Council's Director Community & Corporate Services, Mr Jason Quinnell, returned to the meeting at 11:36am

11.3. ES-035/15 – Deans & Fairlands Roads Stock Route

Council considered requests to upgrade sections of Deans Road, Fairlands Roads, and the primary stock route between both roads.

RESOLUTION OM-0213/15

Moved: Cr WP Kearney

Seconded: Cr RJ Mackenzie

That Council resolves to undertake 630 metres of upgrade works from the northern end of Fairlands Road to the existing property access on land described as Lot 1 on SP156073 on a 50:50 co-contribution by Council to a maximum of \$20,000.00;

That the offer be subject to written acceptance by the property owner by 18 November 2015;

That payment be in accordance with Council's normal terms stated in Council's Revenue Statement; and

That this agreement be formalised in writing between Council and the owner of Lot 1 on SP156073.

Carried.

11.4. General Business – Department of Engineering Services

Nil.

12. REPORTS - COUNCILLORS

Nil.

13. RECEPTION OF NOTICE OF MOTION FOR NEXT MEETING

Nil.

14. NOTE OF ADDITIONAL CORRESPONDENCE

Nil.

15. GENERAL BUSINESS**15.1. Availability of Water for Sale**

Council is currently investigating the availability of water sales, conversion rates and its storage capacity. It was proposed that a meeting be co-ordinated with the Department of Natural Resources & Mines and other relevant stakeholders to discuss this matter further.

15.2. RACQ Southern Queensland Tourism Industry Conference

Cr White provided an update on the RACQ Southern Queensland Tourism Industry Conference attended in Toowoomba on 14 October 2015.

15.3. Cross Border Policing

The Mayor advised that the Queensland Minister for Police, Fire and Emergency Services and Minister for Corrective Services, Hon Jo-Ann Miller, and the NSW Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing, Hon. Troy Grant MP, are meeting in Canberra to discuss the QLD/NSW cross border policing issues.

15.4. Emergency Management Levy

The Mayor commented on an article in the Macintyre Gazette on 22 October 2015 which stated that the State Government will impose an emergency management levy on ratepayers based on the number of lots within a property opposed to one charge per property. The Mayor noted that to date, confirmation of this matter has not been received.

16. CONFIRMATION OF DATES AND TIMES FOR FUTURE MEETINGS

It was noted that the next Meeting of Council will be held on:-

- a) Ordinary Meeting of Council on Wednesday, 25 November 2015, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi;
- b) Ordinary Meeting of Council on Wednesday, 16 December 2015, 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 12:33pm.

Confirmed: _____

Date: _____