

Goondiwindi Regional Council Ordinary Meeting

CONFIRMED MINUTES

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

Wednesday, 25 June 2014

Goondiwindi Regional Council
MINUTES OF ORDINARY MEETING
25 June 2014

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Goondiwindi Regional Council
MINUTES OF ORDINARY MEETING
25 June 2014

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

Attendance at commencement of meeting: Mr Carl Manton (Chief Executive Officer)
Mr Jason Quinnell (Director of Corporate & Community Services)
Mr Dion Jones (Director Engineering Services)
Mrs Ronnie McMahon (Manager Planning Services)
Ms Ellen Cox (Town Planner)
Mrs Krista Robert (Legal Officer)
Ms Kerry McKenzie (Minutes Secretary)

Apologies: Nil

1. OPENING OF MEETING

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

2. OPENING PRAYER

Mrs Pat Thompson of the Catholic Church, Goondiwindi, delivered the Opening Prayer.

3. APOLOGIES

Nil.

4. CONDOLENCES / CONGRATULATIONS**4.1. Congratulations**

Cr Scheu congratulated the organisers of the 2014 NAIDOC Week celebrations held in Goondiwindi on Tuesday, 25 June 2014. Cr Scheu met with Aboriginal Elder, Cheryl Moggs, who presented Council with the Bigambul People's, *A Guide to Consultation Protocols In and Acknowledgement of People and Country Ceremonies*.

4.2. Condolences

On behalf of Council, Cr Scheu extended condolences to the family of the late George Fleming, acknowledging that Mr Fleming is a retired employee of the former Goondiwindi Town Council, and his contribution to the community as the caretaker of the Goondiwindi Cemetery.

5. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**RESOLUTION OM-100/14**

Moved: Cr RJ Mackenzie

Seconded: Cr EJ White

That the minutes of the Ordinary Meeting of Council held on Wednesday, 28 May 2014, be confirmed and adopted.

Carried.

RESOLUTION OM-101/14

Moved: Cr WP Kearney

Seconded: Cr LA Mackay

That the minutes of the Special Meeting of Council held on Monday, 16 June 2014, be confirmed and adopted.

Carried.

6. BUSINESS ARISING FROM PREVIOUS MEETING**6.1. EX-034/14 – LATE REPORT - Council Involvement in Highway Committees**

Cr Scheu requested confirmation that the Leichhardt Highway Promotions Group Business Plan will be submitted for approval by Council's Chief Executive Officer prior to 30 June 2014. Cr McMahon confirmed that Council's requirements will be met by the Leichhardt Highway Promotions Group.

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-035/14 – Material Change of Use – “Industrial Activities” – “Commercial Activities” – “External Activity Area” – Leichhardt Highway, Goondiwindi.

The applicant is seeking a Material Change of Use Development Permit for “Industrial Activities” – “Industry” (Heavy vehicle repairs) - “Storage Facility” (Truck and trailer parking) - “Commercial Activities” – “Shop” (Truck sales) - “External Activity Area” (Truck display), located at Leichardt Highway, Goondiwindi, on land described as Lot 1 on RP170429.

RESOLUTION OM-102/14

Moved: Cr WP Kearney

Seconded: Cr RJ McDougall

That Council resolves to approve the application for Material Change of Use – “Industrial Activities” – “Industry” (Heavy vehicle repairs) and “Storage Facility” (Truck and trailer parking), “Commercial Activities” – “Shop” (Truck sales) and “External Activity Area” (Truck display), at Lot 1 on RP170429, subject to the following conditions:

| GENERAL CONDITIONS | | | | | | | | | | | | | | | | | | | | | | |
|---------------------------|--|----------|-------|------|------------|--|---|-----------------|---|----------|-----------------|---|----------|-----------------|---|----------|-----------------|---|----------|-----------------|---|----------|
| 1. | Approval is granted for the purpose of a Material Change of Use for: “Industrial Activities” – <ul style="list-style-type: none"> • “Industry” (Heavy vehicle repairs); • “Storage Facility” (Truck and trailer parking); “Commercial Activities” – “Shop” (Truck sales); and “External Activity Area” (Truck display); as defined in the 2006 Planning Scheme for the former Waggamba Shire Council. | | | | | | | | | | | | | | | | | | | | | |
| 2. | All conditions must be complied with or bonded prior to the issue of a building approval, unless specified in an individual condition. | | | | | | | | | | | | | | | | | | | | | |
| 3. | The development shall be generally in accordance with supporting information supplied by the applicant with the development application including the following indicative plans: <table border="1" data-bbox="389 1384 1355 1962"> <thead> <tr> <th>Plan No</th> <th>Title</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>213063-MCU</td> <td>“Plan of proposed Transport Terminal & Truck Repair Workshop to Accompany a MCU Application to Goondiwindi Regional Council,” prepared by SMK Consultants.</td> <td>-</td> </tr> <tr> <td>140305.01 Amt 1</td> <td>“Lower floor plan,” prepared by Arenkay building designs.</td> <td>31/03/14</td> </tr> <tr> <td>140305.02 Amt 1</td> <td>“Lower floor plan 1:100,” prepared by Arenkay building designs.</td> <td>31/03/14</td> </tr> <tr> <td>140305.02 Amt 1</td> <td>“Upper floor plan,” prepared by Arenkay building designs.</td> <td>31/03/14</td> </tr> <tr> <td>140305.04 Amt 1</td> <td>“Upper floor plan 1:100,” prepared by Arenkay building designs.</td> <td>05/03/14</td> </tr> <tr> <td>140305.05 Amt 1</td> <td>“Elevations,” prepared by Arenkay building designs.</td> <td>31/03/14</td> </tr> </tbody> </table> <p>Please note these are not approved Building Plans, they are indicative only. The approved plans.</p> | Plan No | Title | Date | 213063-MCU | “Plan of proposed Transport Terminal & Truck Repair Workshop to Accompany a MCU Application to Goondiwindi Regional Council,” prepared by SMK Consultants. | - | 140305.01 Amt 1 | “Lower floor plan,” prepared by Arenkay building designs. | 31/03/14 | 140305.02 Amt 1 | “Lower floor plan 1:100,” prepared by Arenkay building designs. | 31/03/14 | 140305.02 Amt 1 | “Upper floor plan,” prepared by Arenkay building designs. | 31/03/14 | 140305.04 Amt 1 | “Upper floor plan 1:100,” prepared by Arenkay building designs. | 05/03/14 | 140305.05 Amt 1 | “Elevations,” prepared by Arenkay building designs. | 31/03/14 |
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| 140305.05 Amt 1 | “Elevations,” prepared by Arenkay building designs. | 31/03/14 | | | | | | | | | | | | | | | | | | | | |
| 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 | | | | | | | | | | | | | | | | | | | | | |

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| | <p>have been specified in detail by the Council or Referral Agency unless the Council or Referral Agency agrees in writing that those parts will be adequately complied with by amended specifications.</p> <p>All development shall comply with any relevant provisions in the 2006 Planning Scheme for the former Waggamba Shire Council, Council's standard designs for applicable work and any relevant Australian Standard that applies to that type of work.</p> <p>The development approval documents are the material contained in the development application, approved plan(s) and supporting documentation including any written and electronic correspondence between applicant, Council or Referral Agencies during all stages of the development application assessment processes.</p> <p>Where a discrepancy or conflict exists between the written condition(s) of the approval and the approved plans, the requirements of the written condition(s) will prevail.</p> |
| 5. | <p>The development shall be carried out in the following stages, as shown on the approved Drawing No. 213063-MCU, prepared by SMK Consultants, amended by Council in red:</p> <p><u>Stage 1:</u></p> <ul style="list-style-type: none"> • 1,260m² shed (dimensions 60m x 21m) including truck repair workshop, mezzanine floor and associated facilities; • Awning along eastern and western façades of shed (7m wide); • Twelve (12) car parks, sealed and delineated, located as shown on Drawing No. 213063-MCU; • Twelve (12) car parks, signed and/or delineated, provided within a designated 'truck parking area' shown on Drawing No. 213063-MCU; • Truck parking areas (totalling approximately 13,300m²); and • Outdoor display area of prime movers and trailers for sale (totaling approximately 1,000m²). <p><u>Stage 2:</u></p> <ul style="list-style-type: none"> • 840m² extension to workshop area (dimensions 40m x 21m); and • Awning along eastern and western façades of shed extension (7m wide). |
| 6. | <p>When approval takes effect</p> <p>This approval takes effect in accordance with section 339 of the Sustainable Planning Act 2009.</p> <p>When approval lapses</p> <p>This approval will lapse if all aspects of the stages have not been completed as outlined in the application and the use has not lawfully commenced within the following timeframes of the day the approval takes effect:</p> <ul style="list-style-type: none"> • <u>Stage 1:</u> Two (2) years; and • <u>Stage 2:</u> Four (4) years. <p>Section 383 of the Sustainable Planning Act 2009 sets out how an extension to the period of approval can be requested.</p> |
| 7. | <p>The developer shall contact Council's Department of Engineering and Regulatory Services to ensure the correct specifications are obtained for all civil works prior to commencement of any works onsite.</p> |
| 8. | <p>All proposed buildings shall comply with the approval documents, Schedule 1 – Design and Construction Standards of the 2006 Planning Scheme for the former Waggamba Shire Council and all other relevant statutory acts. A building approval will be necessary before commencement of the use. Please contact Council's Building Department for further information.</p> |
| OPERATION OF THE USE | |
| 9. | <p>The proposed industrial use shall be operated generally between the hours of 7:00am and 9:00pm.</p> |
| 10. | <p>Loading and unloading shall occur generally between the hours of:</p> <ul style="list-style-type: none"> (a) 7:00am and 6:00pm, Monday to Friday; and (b) 7:00am and 12:00 (noon) on Saturdays. <p>No loading and unloading is to occur on Sundays and Public Holidays.</p> |

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| 11. | <i>There shall be no goods stored or displayed external to the building apart from the storage of prime movers and trailers, as authorised by this approval.</i> |
| ESSENTIAL SERVICES | |
| 12. | <i>Prior to the issue of a building approval, the development shall be connected to Council's reticulated water supply system, in accordance with Schedule 1, Division 3: Standards for Water Supply, of the 2006 Planning Scheme for the former Waggamba Shire Council, at no cost to Council.</i> <i>The current fee for water connection is \$1,500 per lot (subject to change) for a standard 20mm connection.</i> |
| 13. | <i>Prior to the commencement of the use, the development shall be connected to either:</i> <ul style="list-style-type: none"> • <i>Council's reticulated sewerage system, in accordance with Schedule 1, Division 4: Standards for Sewerage, of the 2006 Planning Scheme for the former Waggamba Shire Council, at no cost to Council; <u>or</u></i> • <i>An onsite effluent disposal sewerage system onsite in accordance with the Queensland Plumbing and Wastewater Code, at no cost to Council. All sewerage infrastructure (including effluent disposal areas) shall be fully located within site boundaries.</i> |
| PUBLIC UTILITIES | |
| 14. | <i>Prior to the issue of a building approval, the development shall be connected to an adequate electricity supply system, at no cost to Council.</i> |
| 15. | <i>The development shall be connected to an adequate telecommunications supply system, if or when required, at no cost to Council.</i> |
| 16. | <i>The developer is responsible for ensuring Queensland Fire Services requirements are met with respect to this development.</i> |
| STORMWATER | |
| 17. | <i>Prior to the commencement of the use, the site shall be adequately drained and all stormwater shall be disposed of to a legal discharge point – refer to Schedule 1, Division 5: Standards for Stormwater Drainage of the 2006 Planning Scheme for the former Waggamba Shire Council.</i> <i>Any increases 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.</i> <i>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.</i> <i>The stormwater disposal system shall be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of waterways.</i> |
| 18. | <i>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.</i> <i>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.</i> |
| EARTHWORKS AND EROSION CONTROL | |
| 19. | <i>Any filling and excavation shall be undertaken in accordance with Schedule 1, Division 1: Standards for Construction Activities of the 2006 Planning Scheme for the former Waggamba Shire Council or to other relevant engineering standards to the satisfaction of Council.</i> <i>Excavation or filling within 1.5 metres of any site boundary is battered or retained by a retaining structure.</i> |
| 20. | <i>Best practice erosion control techniques shall be used at the location of all works to minimise erosion and control sediment in accordance with relevant engineering standards to the satisfaction of Council.</i> <i>The developer shall ensure no increase in any silt loads or contaminants in overland</i> |

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| | <p>flow from the site during construction and after construction has been completed.</p> <p>Erosion and sediment control measures shall be in place prior to construction commencing and remain until work is completed – refer to Schedule 1, Division 1: Standards for Construction Activities of the 2006 Planning Scheme for the former Waggamba Shire Council.</p> |
| | ROADS AND VEHICLES |
| 21. | <p>The site access to Hungerford Street, from the edge of the existing bitumen to the property boundary, shall be constructed to an industrial standard in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access of the 2006 Planning Scheme for the former Waggamba Shire Council.</p> <p>Crossovers shall be either constructed or bonded prior to the issue of a building approval. A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p> |
| 22. | <p>The site's entrance from the Hungerford Street property boundary and areas where vehicles manoeuvre and park shown in red hatch on the approved Drawing No. 213063-MCU, amended by Council in red, shall be constructed to a sealed standard.</p> <p>All other vehicle and truck manoeuvring and parking areas shall be constructed to an all-weather standard and be surfaced with dust suppressant road base material, as shown on the approved Drawing No. 213063-MCU, amended by Council in red.</p> <p>Works shall be in accordance with Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access of the 2006 Planning Scheme for the former Waggamba Shire Council.</p> <p>Car parking and manoeuvring areas shall be either constructed or bonded prior to the issue of a building approval. A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p> |
| 23. | <p>Twelve (12) sealed and delineated car parking spaces shall be supplied as shown in red hatch on the approved Drawing No. 213063-MCU, prepared by SMK Consultants, amended by Council in red.</p> <p>An additional twelve (12) signed and/or delineated car parking spaces shall be supplied within a designated 'truck parking area' as shown on the approved Drawing No. 213063-MCU, prepared by SMK Consultants, amended by Council in red.</p> <p>Car parking areas shall be either constructed or bonded prior to the issue of a building approval. A qualified Council Officer may inspect construction works at the request of the developer to ensure compliance with this condition.</p> |
| 24. | <p>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.</p> |
| | LANDSCAPING AND FENCING |
| 25. | <p>Solid screen fencing, 1.8m high, shall be provided on the site's eastern boundary, from the northern site boundary to the northern bank of the existing waterhole, as shown on the approved Drawing No. 213063-MCU, amended by Council in red.</p> <p>The fence shall be appropriately integrated with the existing landscaping on site and present an attractive visual appearance to adjoining properties.</p> <p>Fencing shall be either constructed or bonded prior to the issue of a building approval.</p> |
| 26. | <p>Landscaping shall be provided in accordance with Schedule 3 – Landscaping Requirements of the 2006 Planning Scheme for the former Waggamba Shire Council, with a minimum of:</p> <ul style="list-style-type: none"> • "Street frontage landscaping," 2m wide, for the full length of site frontage to Hungerford Street (excluding vehicle access points), in accordance with Schedule 3, Section 3.2 of the Scheme; and • "Screening of "External Activity Areas," 3m wide, for the full length of the site's frontage to the Leichhardt Highway, in accordance with Schedule 3, Section 3.1 of the Scheme. <p>All landscaping and tree plantings are to be planted and maintained to the satisfaction of Council's Department of Engineering & Regulatory Services.</p> <p>A bond for the amount of \$25,800 is payable for this landscaping, however this has</p> |

been discounted by 50% in recognition of the existing landscaping on site.

A bond for the amount of **\$12,900** shall be submitted prior to the issue of a building approval for the maintenance of landscaping. A qualified Council Officer may inspect landscaping plantings at the request of the developer to ensure compliance with this condition and acceptance of the works.

The bond shall be returned in accordance with the following schedule:

| Time from acceptance of landscaping works | Criteria | Bond Refund / Reduction |
|--|---|--------------------------------|
| 12 months – From acceptance of works | Landscaping is well established (as a guide >50% full growth depending on species). All replacement plants are established. The landscaping intent is being achieved. | 50% (\$6,450) |
| 24 months – From acceptance of works | Landscaping is fully established, or within 80% depending on species. | 50% (\$6,450) |

A refund of bond monies will only be considered upon a written request from the person who paid the bond once the required bond holding time has been completed.

As the bond holding time starts from the acceptance of works, Council must be contacted to request an inspection of the landscaping as soon as possible after completion of planting and payment of bond.

If landscaping complies with Schedule 3 – Landscaping Requirements of the 2006 Planning Scheme for the former Waggamba Shire Council, the applicant will be advised in writing that the bond is accepted.

Council will hold the funds in trust for a maximum of three years, at which time should work not be carried out and maintained to Council’s satisfaction, the bond will be used by Council to have the works performed unless an extension of time is requested by the land owner or applicant and approved by Council.

To clarify, bonds can only be refunded upon a written request from the person who paid the bond upon the works being satisfactorily maintained for the required bond holding time.

ENVIRONMENTAL

27. All wash down water must be treated in oil/silt interceptor traps or a separation device prior to land application. The method of onsite treatment shall be approved by Council prior to the issue of a building approval.

28. The proposed wash down facility and pre-treatment device for waste water shall be designed and constructed in accordance with industry best practice and Council requirements.
The developer shall contact Council’s Environmental Health Department to ensure the correct specifications are obtained prior to the issue of a building approval.

29. At all times while the use continues, all sludge effluent and waste oil must be collected periodically for disposal by a licensed liquid waste removalist.

30. At all times while the use continues, contaminants generated by vehicle washing and/or maintenance activities must not be discharged to stormwater drainage system.

AVOIDING NUISANCE

31. At all times while the use continues, provision must be made on site for the collection of general refuse in covered waste containers with a capacity sufficient for the use.
Waste receptacles shall be placed in a screened area. The site must maintain a general tidy appearance.

32. At all times while the use continues, the development shall be conducted in accordance with the provisions of the Environmental Protection Act 1994 and all relevant regulations and standards under that Act. All necessary licences under the

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| | <i>Act shall be obtained and shall be maintained at all times while the use continues.</i> |
| 33. | <i>At all times while the use continues, lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties, motorists or the operational safety of the surrounding road network.</i> |
| 34. | <i>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.</i> |
| 35. | <i>At all times while the use continues, all activities proposed, including cutting, grinding and welding, shall not be conducted in such a manner that may cause dust nuisance.</i> |
| 36. | <i>At all times while the use continues, the operator shall prevent the emission of noise which causes or is likely to cause a nuisance at any noise affected premises. Nuisance includes noise that is or is likely to be annoying, intrusive or offensive to a person or a nuisance in the opinion of an authorised person. Noise levels resulting from activities on the premises shall not exceed: (a) 40 dB(A) or (b) 5 dB(A) above the background noise level measured at any "noise sensitive place".</i> |
| 37. | <i>The operator shall be responsible for mitigating any complaints arising from on-site operations.</i> |
| 38. | <i>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.</i> |
| DEVELOPER'S RESPONSIBILITIES | |
| 39. | <i>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.</i> |
| 40. | <i>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.</i> |
| 41. | <i>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.</i> |
| CHARGES PAID BEFORE USE COMMENCES | |
| 42. | <i>All outstanding rates and charges shall be paid to Council prior to the issue of a building approval.</i> |
| 43. | <i>Infrastructure charges as outlined in the Infrastructure Charges Notice shall be paid prior to the issue of a building approval.</i> |
| COMMENCEMENT OF USE | |
| 44. | <i>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 the issue of a building approval. Council Officers may require a physical inspection to confirm that all conditions have been satisfied to relevant standards.</i> |
| 45. | <i>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.</i> |

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| 46. | <p>Council must be notified in writing of the date of the commencement of the use within 14 days of commencement.</p> <p>This approval will lapse if all aspects of the stages have not been completed as outlined in the application and the use has not lawfully commenced within the following timeframes of the day the approval takes effect:</p> <ul style="list-style-type: none"> • <u>Stage 1:</u> Two (2) years; and • <u>Stage 2:</u> Four (4) years. <p>Section 383 of the Sustainable Planning Act 2009 sets out how an extension to the period of approval can be requested.</p> |
| PLEASE READ CAREFULLY - NOTES AND ADVICE | |
| | 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 Aboriginal Cultural Heritage Act 2003. Pursuant to Section 23(1) of the Aboriginal Cultural Heritage Act 2003, 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 Vegetation Management Act 1999. |
| | 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. |
| <u>Carried.</u> | |

8.2. EX-036/14 – Material Change of Use - “Residential Activities” – “Detached House” - “Industrial Activities” – “Storage Facility” – 75 Callandoon Street, Goondiwindi

The applicant is seeking a Material Change of Use Development Permit for “Residential Activities” – “Detached House” (Extension to shed within curtilage - 66m² oversize residential storage) - “Industrial Activities” – “Storage Facility” (Extension to shed within curtilage – 48m² industrial storage), located at 75 Callandoon Street, Goondiwindi on land described as Lot 1 on RP71087. The areas above are an extension of an existing 72m² shed, therefore proposing 186m² in total.

The applicant has advised Council's Manager of Planning Services that the application may be amended. Accordingly, the recommendation for report EX-036/14 has been withdrawn.

Attendance: Council's Manager Planning Services, Mrs Ronnie McMahon, and Town Planner, Ms Ellen Cox, retired from the meeting at 10:05am.

EXECUTIVE

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

8.3. EX-037/14 – Internal Audit and Risk Management Committee Update

The minutes of the Internal Audit and Risk Management Committee Meeting held on 26 March 2014 and draft Internal Audit Action Plan 2014-2015 were tabled for Council's endorsement.

RESOLUTION OM-103/14

Moved: Cr WP Kearney

Seconded: Cr DG McMahon

That Council resolves to receive the minutes of the Internal Audit and Risk Management Committee Meeting held on 26 March 2014; and

That Council resolves to adopt the Internal Audit Action Plan 2014-2015, as tabled.

Carried.

8.4. EX-038/14 – Free Camping in Goondiwindi

By email dated 11 June 2014, Council has received correspondence from Mr & Mrs Wheaton requesting that Council consider the provision of free camping for self-contained motor homes and caravans within the township of Goondiwindi.

RESOLUTION OM-104/14

Moved: Cr LA Mackay

Seconded: Cr EJ White

That Council resolves to receive the correspondence from Mr & Mrs Wheaton dated 11 and 13 June 2014.

Carried.

Attendance: Council's Legal Officer, Mrs Krista Roberts, left the meeting at 10:13am.

8.5. EX-039/14 – South QLD Country Tourism Annual Membership

Council considered its 2014/15 annual membership contribution to the Southern Queensland Country Tourism.

RESOLUTION OM-105/14

Moved: Cr WP Kearney

Seconded: Cr EJ White

That Council resolves to increase its 2014/15 financial contribution for Southern Queensland Country Tourism to \$14,879.

Carried.

8.6. EX-040/14 – Toowoomba and Surat Basin Enterprise Membership

Council considered an invitation for membership to the Toowoomba and Surat Basin Enterprise.

RESOLUTION OM-0106/14

Moved: Cr RJ McDougall

Seconded: Cr LA Mackay

That Council resolves to accept the business level membership to the Toowoomba and Surat Basin Enterprise, with an annual fee of \$770.

Carried.

8.7. General Business – Executive Office

Nil.

9. REPORTS – CORPORATE AND COMMUNITY SERVICES

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

CORPORATE**9.1. CCS-031/14 – Rates Arrears – Lot 8 on RP69069**

Council discussed a request for special consideration regarding interest accrued on outstanding rate arrears for property located at 12 Wilson Street, Texas.

Council noted that the property owner has paid all outstanding rate arrears and interest, and that a letter will be forwarded to Care Goondiwindi advising accordingly.

CORPORATE**9.2. CCS-033/14 – Late Report – Our Town Plus More Pilot Project**

Council considered submitting a proposal on behalf of Charters Towers Regional Council, Murweh Shire Council and Goondiwindi Regional Council for the Our Town Plus More pilot project to assist in developing an interactive site to improve community access to online business tools, local news content and local procurements and job opportunities.

RESOLUTION OM-107/14

Moved: Cr EJ White

Seconded: Cr WP Kearney

That Council resolves to submit the proposal to the State Government seeking assistance for the Our Town Plus More pilot project.

That Council resolves to commit \$7,000 for the 2014/2015 financial year to contribute to the Our Town Plus More pilot project from existing budgets.

Carried.

Attendance: Council's Finance Manager, Mr Bradley Pyle, attended the meeting at 10:25am.

Attendance: Council's Manager Environmental Health & Building Services, Mr Phillip Gall, attended the meeting at 10:27am.

BUILDING & ENVIRONMENTAL HEALTH**Conflict of Interest (Report CCS-032/14)**

Cr Scheu declared that he could reasonably be taken to have a perceived personal conflict of interest in report CCS-032/14 and left the meeting at 10:44am. Cr Kearney assumed the chair.

9.3. CCS-032/14 – Request for Boundary Relaxation – 1 Hindmarsh Street, Goondiwindi

The applicant is seeking a relaxation of a boundary setback for a proposed attached carport located at 1 Hindmarsh Street, Goondiwindi on land described as Lot 5 on G4758.

RESOLUTION OM-108/14

Moved: Cr LA Mackay

Seconded: Cr EJ White

That Council resolves to approve the application to build an "attached" carport at a distance of 1.5m from Hindmarsh Street road frontage, on land located at 1 Hindmarsh Street, Goondiwindi, described as Lot 5 on G4758, on the following grounds:-

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

Carried.

Cr Scheu returned to the meeting at 10:49am and resumed the chair.

Attendance: Council's Manager Environmental Health & Building Services, Mr Phillip Gall, retired from the meeting at 10:49am.

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

FINANCE

9.4. CCS-030/14 – Finance Report Period Ending 31 May 2014

Finance report CCS-030/14 for period ending 31 May 2014 was tabled for Council's consideration.

RESOLUTION OM-109/14

Moved: Cr DG McMahon

Seconded: Cr LA Mackay

That Council resolves to receive the Finance Report CCS-030/14, for the period ending 31 May 2014.

Carried.

Attendance: Council's Finance Manager, Mr Bradley Pyle, retired from the meeting at 10:55am.

COMMUNITY

Nil.

9.5. General Business – Department of Corporate and Community 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-018/14 – Request for Quotation 13/73 – Supply & Delivery on One (1) Backhoe Loader

Request for Quotation 13/73 was lodged with the Queensland Local Government procurement company Local Buy, inviting quotation for the supply and delivery of one (1) Backhoe Loader. Submissions closed on 11 April 2014 and were tabled for Council's consideration.

Report ES018/14 was deferred to allow further investigation.

10.2. ES-019/14 – Request for Quotation 13/78 – Supply & Delivery on One (1) Skid Steer Loader

Request for Quotation 13/78 was lodged with the Queensland Local Government procurement company Local Buy, inviting quotation for the supply and delivery of one (1) Skid Steer Loader. Submissions closed on 11 April 2014 and were tabled for Council's consideration.

PROPOSED MOTION

Moved: Cr DG McMahon

Seconded: Cr WP Kearney

That Council resolves to accept the quotation from Hastings Deering for the supply & delivery of one (1) Cat 246 Skid Steer Loader for a total purchase price of \$76,450 inclusive of GST; and

That trade unit 2202 be disposed of at auction.

Motion Lost

Reason for not adopting the recommendation of the advisor:-

Giving consideration to the variance in the total point score achieved in the tender evaluation, the economic benefit to Council in purchasing the Cat 246 Skid Steer Loader was not justified.

RESOLUTION OM-110/14*Moved: Cr LA Mackay**Seconded: Cr EJ White*

That Council resolves to accept the quotation from Kenway & Clark for the supply & delivery of one (1) Case SR200 Skid Steer Loader for a total purchase price of \$68,750 inclusive of GST; and

That trade unit 2202 be disposed of at auction.

Carried

10.3. ES-020/14 – Expression of Interest 14/05 – Preferred Local Contractor Arrangement for the Hire of Plant

Expression of Interest 14/05 was advertised inviting submissions from local contractors for inclusion on a preferred supplier arrangement for the hire of miscellaneous plant and trucks for the 2014/15 financial year. Submissions closed on 11 June 2014 and were tabled for Council's consideration.

RESOLUTION OM-111/14*Moved: Cr WP Kearney**Seconded: Cr RJ Mackenzie*

That Council resolves to accept all submissions for Expression of Interest 14/05 '2014/15 Preferred Local Contractor Arrangement for the Hire of Plant', with Contractors selected in accordance with the sound contracting principles in section 104(3) of the Local Government Act 2009.

Carried.

Conflict of Interest (Report ES-021/14)

Cr McDougall declared that he could reasonably be taken to have a perceived personal conflict of interest in report ES-021/14. The personal interest of the Councillor was the relationship between the Councillor and a party to the Preferred Supplier Agreement, and in particular, that the Councillor is a relative of one of the potential parties to the Agreement.

The Councillor dealt with the perceived conflict of interest by making a determination that his personal interest was not of a sufficient significance that it would lead him to make a decision on the matter that would be contrary to the public interest and by informing the meeting that he honestly believed that he would best perform his responsibility of serving the overall public interest of Council's local government area by participating in debate about the matter and voting on the matter.

10.4. ES-021/14 – Expression of Interest 14/06 – Preferred Supplier Arrangement for the Supply of Chemicals

Expression of Interest 14/06 was advertised inviting submissions from local suppliers for inclusion on a preferred supplier arrangement for the supply of chemicals for the 2014/15 financial year. Submissions closed on 11 June 2014 and were tabled for Council's consideration.

RESOLUTION OM-112/14*Moved: Cr DG McMahon**Seconded: Cr RJ McDougall*

That Council resolves to accept all submissions for Expression of Interest 14/06 '2014/15 Preferred Supplier Arrangement for the supply of Chemicals', with Suppliers selected in accordance with the sound contracting principles in section 104(3) of the Local Government Act 2009.

Carried.

For: 7 (Councillor McDougall seconded and voted in favour of the motion)

Against: 0

10.5. ES-022/14 – Expression of Interest 14/07 – Preferred Supplier Arrangement for the Supply of Ready Mixed Concrete, Bagged Concrete Mix and Related Products

Expression of Interest 14/07 was advertised inviting submissions from local suppliers for inclusion on a preferred supplier arrangement for the supply of ready mixed concrete, bagged concrete mix and related products for the 2014/15 financial year. Submissions closed on 11 June 2014 and were tabled for Council's consideration.

RESOLUTION OM-113/14

Moved: Cr LA Mackay

Seconded: Cr RJ Mackenzie

That Council resolves to accept all submissions for Expression of Interest 14/07 '2014/15 Preferred Supplier Arrangement for the Supply of Ready Mixed Concrete, Bagged Concrete Mix and Related Products', with Contractors selected in accordance with the sound contracting principles in section 104(3) of the Local Government Act 2009.

Carried.

10.6. ES-023/14 – Expression of Interest 14/08 – Preferred Supplier Arrangement for the Supply of Pavement Material

Expression of Interest 14/08 was advertised inviting submissions from local suppliers for inclusion on a preferred supplier arrangement for the supply of pavement material for the 2014/15 financial year. Submissions closed on 11 June 2014 and were tabled for Council's consideration.

RESOLUTION OM-114/14

Moved: Cr WP Kearney

Seconded: Cr EJ White

That Council resolves to accept all submissions for Expression of Interest 14/08 '2014/15 Preferred Supplier Arrangement for the Supply of Pavement Materials', with Contractors selected in accordance with the sound contracting principles in section 104(3) of the Local Government Act 2009.

Carried.

10.7. ES-024/14 – Sloss Road Off Alignment

Council staff have been made aware of an approximate 180 metre section of Sloss Road that has been constructed in private property adjacent to a road reserve, and is therefore considered to be 'off alignment'. Council considered the option of either realigning the section of road or entering into negotiations with the land owner to purchase the section of land.

RESOLUTION OM-115/14

Moved: Cr WP Kearney

Seconded: Cr RJ McDougall

That Council resolves to realign approximately 180 metres of Sloss Road built off alignment to a standard comparable to the existing road from existing maintenance or resheeting budgets.

Carried.

10.8. ES-025/14 – Water Charges Dispute – 92 Pfingst Street, Goondiwindi

By letter dated 4 June 2014, Council has received a request to relax water charges for property located at 92 Pfingst Street, Goondiwindi, on land described as Lot 8 on RP206401.

Council staff have assessed this application and determined that the applicant has not met the criteria in accordance with Council's 'Undetected Water Leak Policy'.

RESOLUTION OM-116/14*Moved: Cr EJ White**Seconded: Cr RJ McDougall*

That Council resolves not to approve the request for remuneration of water charges for the Water Usage Notice issued for assessment number 10389-05000-0 for the period of 01/10/2013 to 31/03/2014, on property located at 92 Pflingst Street Goondiwindi, in accordance with Council's Undetected Water Leak Policy.

Carried.

10.9. ES-026/14 – Water Charges Dispute – 10 Coolabah Court, Goondiwindi

By letter dated 10 June 2014, Council has received a request to relax water charges for property located at 10 Coolabah Court, Goondiwindi, on land described as Lot 16 on SP108601.

Council staff have assessed this application and determined that the applicant meets the criteria in accordance with Council's 'Undetected Water Leak Policy'.

RESOLUTION OM-117/14*Moved: Cr DG McMahon**Seconded: Cr LA Mackay*

That Council resolves to approve the request for remuneration of water charges for the Water Usage Notice issued for assessment number 10703-12000-000 for the period of 01/10/2013 to 31/03/2014, on property located at 10 Coolabah Court Goondiwindi, in accordance with Council's Undetected Water Leak Policy.

Carried.

10.10. ES-027/14 – Water Charges Dispute – 8 Gough Street, Goondiwindi

By letter dated 11 June 2014, Council has received a request to relax water charges for property located at 8 Gough Street, Goondiwindi, on land described as Lot 4 on MH834.

Council staff have assessed this application and determined that the applicant has not met the criteria in accordance with Council's 'Undetected Water Leak Policy'.

RESOLUTION OM-118/14*Moved: Cr EJ White**Seconded: Cr WP Kearney*

That Council resolves not to approve the request for remuneration of water charges for the Water Usage Notice issued for assessment number 11107-20000-000 for the period of 01/10/2013 to 31/03/2014, on property located at 8 Gough Street Goondiwindi, in accordance with Council's Undetected Water Leak Policy.

Carried.

Attendance: Council's Chief Executive Officer, Mr Carl Manton, left the meeting at 11:39am.

10.11.ES-028/14 – Levee Bank Development Application Cost Recovery Fee

Council considered the introduction of new cost recovery charges relating to code and impact assessable Levee Bank Development Applications for inclusion in Council's 2014/15 Cost Recovery Fees & Commercial Charges Register.

RESOLUTION OM-119/14

Moved: Cr WP Kearney

Seconded: Cr DG McMahon

That Council resolves to adopt the cost recovery fee for the assessment of Levee Bank Development Applications; and

That such charges be set as follows:

- a) Levee Bank Development Application - Impact Assessment of \$1,700.00 exempt of GST; and*
- b) Levee Bank Development Application - Code Assessment of \$1,300.00 exempt of GST.*

Carried.

Attendance: Council's Chief Executive Officer, Mr Carl Manton, and Legal Officer, Mrs Krista Roberts, returned to the meeting at 11:41am.

10.12.General Business – Department of Engineering Services

Nil.

11. REPORTS - COUNCILLORS

Nil.

12. RECEPTION OF NOTICE OF MOTION FOR NEXT MEETING

Nil.

13. NOTE OF ADDITIONAL CORRESPONDENCE

Nil.

14. GENERAL BUSINESS

Nil.

15. CONFIRMATION OF DATES AND TIMES FOR FUTURE MEETINGS

It was noted that the next five (5) Meetings of Council will be held on the following dates:-

- a) Ordinary Meeting of Council on Wednesday, 23 July 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- b) Ordinary Meeting of Council on Wednesday, 27 August 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- c) Ordinary Meeting of Council on Wednesday, 24 September 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- d) Ordinary Meeting of Council on Wednesday, 22 October 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi
- e) Ordinary Meeting of Council on Wednesday, 26 November 2014, commencing at 9:30am at the Goondiwindi Customer Service Centre Boardroom, 82 Marshall Street, Goondiwindi

16. CLOSURE OF MEETING

There being no further business, the Mayor thanked everyone for their attendance and declared the meeting closed at 11:45am.

Confirmed: _____

Date: _____