



MINUTES

of the

General Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 15th June 2017

Commencing at 9:00am

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OPENING

The Mayor declared the Meeting open at 9:01am.

COUNCIL PRAYER

The Mayor led the Council in the Opening Prayer.

ATTENDANCE

Cr RW Marsh (Mayor), Crs FM Gaske (Deputy Mayor), RG Fuhrmeister, SC O'Toole, RI Paul, SS Scriven and ID Todd.

Mrs Michelle Clarke (Director Corporate & Financial Services), Mr Jamie Gorry (Director Community & Environmental Services) and Mr Ross Drabble (Director Infrastructure Services).

LEAVE OF ABSENCE

Mr Matthew Magin (Chief Executive Officer).

CONFIRMATION OF MINUTES

Cr Paul moved and Cr Todd seconded:

That the Minutes of the General Meeting held on 18 May, 2017 be confirmed.

CARRIED

BUSINESS ARISING FROM MINUTES

Cr Marsh will meet with Graham Perrett MP, Federal Member for Moreton about the Chinese Memorial Project at the St George Cemetery. Council has provided a letter of support for this project.

DECLARATIONS OF INTEREST

Crs Gaske and O'Toole advised that they will be declaring a perceived Conflict of Interest during CES5 Community Drought Support Funding – Round 2. Both have children that attend St Patrick's Primary School. However they reserved the right to vote as none of their children were in Year 6 and therefore they would receive no direct benefit from this funding. Cr O'Toole is a former Balonne Kindergarten President, but no longer holds this position.

Cr Fuhrmeister also advised that she would declare a conflict of interest during CES5 discussions and would refrain from voting as she is the manager of Care Balonne.

PUBLIC PARTICIPATION

Nil.

DEPUTATIONS

Nil

COUNCILLOR REPORTS

Councillors delivered their verbal reports on activities within their portfolios during the preceding month.

Cr Paul moved and Cr Gaske seconded:

That Council receive these reports.

CARRIED

(FCS) FINANCE AND CORPORATE SERVICES

FCS1 ST GEORGE LEVEE BANK ADVISORY COMMITTEE - MINUTES 17 MAY 2017

St George Levee Bank Advisory Committee Minutes 17 May 2017.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council receive the minutes of the St George Levee Bank Advisory Committee 17 May 2017.

CARRIED

FCS2 ICT STRATEGY 2017-2022

Information, Communication and Technology Strategy 2017 - 2022

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council adopt the ICT Strategy 2017-2022, and implement subject to budget constraints.

CARRIED

FCS3 FEES AND CHARGES SCHEDULE 2017-2018

Fees and Charges for 2017-18

Cr Scriven moved and Cr Fuhrmeister seconded:

That The Register of Cost Recovery Fees and Commercial Charges for the 2017/2018 financial year be adopted.

CARRIED

FCS4 FINANCE MANAGEMENT REPORT FOR PERIOD ENDED 31 MAY 2017

Financial Management Report for the period ended 31 May 2017.

Cr Gaske moved and Cr O'Toole seconded:

That the monthly Financial Management Report for the period ending 31 May 2017, as tabled, be received and noted.

CARRIED

Mr Jamie Gorry (Director Community & Environmental Services) and Ms Fiona McLeod (Planning and Development Officer) entered the meeting at 10:10am

(CES) COMMUNITY & ENVIRONMENTAL SERVICES

CES1

UNALLOCATED STATE LAND (LOT 39 USL47402) ALONG SECTION OF ST GEORGE RIVER FORESHORE

The purpose of this report is for Council to decide on the preferred option and course of action in relation to tenure of identified unallocated state land Lot 39 USL47402 located on the St George River Foreshore.

Cr Scriven moved and Cr O'Toole seconded:

That:

1. Council receives this report.
2. Council apply to DNRM to open the entire unallocated state land area identified as Lot 39 on USL47402 as road.

CARRIED

CES2

MCU 156 APPLICATION FOR MATERIAL CHANGE OF USE - UNDEFINED USE (RENEWABLE ENERGY FACILITY - SOLAR PHOTOVOLTAIC (PV) FARM - "KINLYN" 565 SALMON ROAD, ST GEORGE DESCRIBED AS LOT 61 ON BEL5321

Council has received a development application for MCU 156 Application for Material Change Of Use - Undefined Use (Renewable Energy Facility - Solar Photovoltaic (PV) Farm - "Kinlyn" 565 Salmon Road, St George described as Lot 61 on BEL5321.

Cr Scriven moved and Cr Paul seconded:

That:

1. Council receives this report.
2. Council approves the development application for MCU 156 Application for Material Change Of Use - Undefined Use (Renewable Energy Facility - Solar Photovoltaic (PV) Farm - "Kinlyn" 565 Salmon Road, St George described as Lot 61 on BEL5321 subject to the permit conditions listed below;

DEVELOPMENT PERMIT CONDITIONS

Approved Plans and Supporting Documentation

1. The development must be carried out generally in accordance with the Balonne Shire Council stamped/approved plan(s) and supporting documentation referenced in the table below which forms part of this approval, unless otherwise specified by any condition of this approval.

Plan/Document number	Plan/Document name	Date
Development Plan	St George Solar PV Farm	12/04/2017

Approved Development

2. The approved development is for a Material Change of Use to establish an Undefined Use (Renewable Energy Facility - Solar Photovoltaic (PV) Farm) on land described as Lot 61 on BEL5321 situated at "Kinlyn" at 565 Salmon Road, St George.
3. All conditions of the approval shall be complied with before the change occurs (prior to the commencement of the use) and while the use continues, unless otherwise noted within the conditions.
4. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

Construction

5. Construction hours for the development are restricted to 6.30am to 6.30pm Monday to Saturday inclusive. Construction activities are not permitted on Sundays and Public Holidays.
6. Implement appropriate construction procedures including any necessary monitoring and the undertaking of appropriate inspection reports if the use of vibratory compaction equipment (other than hand held devices) is to occur within 20 metres of any existing building or structure onsite or where it could cause damage to any existing building or structure on site (i.e. residence and ancillary outbuildings).

Avoiding Nuisance

7. No nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
8. The site shall be maintained in a clean and orderly state at all times to Council's satisfaction.
9. Any lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
10. The solar panels must be constructed of or treated with non-reflective, glare minimising materials.

Waste Management

11. All waste generated from construction of the premises must be effectively controlled onsite before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
12. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

Environmental - Stormwater – Drainage

13. Remove all declared noxious weeds and environmental weeds from the site prior to the commissioning of the facility and maintain in a weed free state at all times.
14. There is to be no increase in any silt loads or contaminants in any overland flow from the property during the development process and after development has been completed.
15. Any increases in volume, concentration or velocity of stormwater from the property being developed must be channelled to lawful points of discharge or to other storage or dispersal arrangements which must all be agreed in writing by the Council.
16. Stormwater shall be collected and discharged in accordance with *Schedule 6: "Stormwater Drainage Standards"* of the *Balonne Shire Council Planning Scheme*.
17. During construction, soil erosion and sediment is managed in accordance with *Schedule 7: "Standards for Construction Activity"* of the *Balonne Shire Council Planning Scheme*.
18. The premises must have an onsite storage of 20 000 litres of water for firefighting purposes.

Rehabilitation

19. 6 months prior to decommissioning the Undefined Use (Renewable Energy Facility - Solar Photovoltaic (PV) Farm) submit a rehabilitation plan to Council for endorsement. The rehabilitation plan is required to nominate the commencement and completion dates for the rehabilitation works. Rehabilitation of the development site shall be undertaken to restore the land to a standard appropriate for rural use.

Access / Onsite Manoeuvring

20. No direct access is permitted off Carnarvon Highway to the site at any time. Access to the development must occur from Salmon Road.
21. Repair all damages incurred to Council infrastructure, local roads and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damages and reinstate to original or Council standards immediately upon completion of works associated with the development.
22. Vehicle access, manoeuvring and parking shall be constructed and maintained in accordance with *Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas"* of the *Balonne Shire Planning Scheme*.
23. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during hours of operation.
24. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

NOTES:

- *Nothing in this permit hereby issued approves the clearing of native vegetation.*
- *This permit does not constitute any authority to carry out any building work, operational work or a different use to what is currently established and permitted under this approval unless all relevant permits are obtained.*
- *This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that 'A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain in the presence or otherwise of Aboriginal cultural heritage. Further information on cultural heritage responsibilities of developers can be obtained from the Department of Aboriginal and Torres Strait Islander Partnerships.*
- *Connection to the electricity substation will require separate consent from Ergon Energy. Council has no jurisdiction over this infrastructure.*

CARRIED

CES3

RL 90 - APPLICATION FOR RECONFIGURATION OF A LOT - 1 TO 3 LOT SUBDIVISION - 'OUTLANDS FARM' 425 WAGOO ROAD, ST GEORGE AFFECTING LAND DESCRIBED AS LOT 10 ON SP144469

Council has received a development application from the owner for Reconfiguration of a Lot specifically a 1 to 3 lot subdivision located at 'Outlands Farm' 425 Wagoo Road, St George described as Lot 10 on SP144469.

Cr Todd moved and Cr Gaske seconded:

1. Council receives this report.
2. Council approves the development application for RL 90 - Application for Reconfiguration of a Lot - 1 to 3 Lot Subdivision - 'Outlands Farm' 425 Wagoo Road, St George affecting land described as Lot 10 on SP144469 subject to the permit conditions listed below;

DEVELOPMENT PERMIT CONDITIONS

3. Compliance with the facts and circumstances set out in the application and all Council By-laws being adhered to and generally in accordance with the approved plan (except where varied by conditions of approval).
4. All outstanding rates and charges shall be paid prior to the submission to Council of the Plan of Survey.
5. Comply with all conditions of this approval prior to submitting the Plan of Subdivision to Council for endorsement unless otherwise agreed in writing by Council.

6. Maintain the approved development being Reconfiguring a Lot – 1 to 3 Lot Subdivision in accordance with the approved plan:

Plan/Document Number	Plan/Document Name	Date
2169/PROP/01 Prepared by Anywhere Surveys Pty Ltd.	PLAN OF PROPOSED RECONFIGURATION OF LOT 10 ON SP144469	07/04/2017

Engineering

7. *Prior to the signing of the Survey Plan of Subdivision*, certificate(s) must be obtained from a provider agency and presented to Council stating that electricity supply network connections can be made to proposed allotments (Lot 8 and 9) and that adequate electricity supplies are available or can be made available.
8. *Prior to the signing of the Survey Plan of Subdivision*, copies of the three (3) new separate water allocation title documents from Department of Natural Resources and Mines intended for the newly formed lots must be provided to Council.
9. *Prior to the signing of the Survey Plan of Subdivision*, copies of the three (3) new water supply contracts from SunWater intended for the newly formed lots must be provided to Council.
10. Newly formed Lots 8, 9 and 10 must each have a minimum water allocation of 5ML.
11. Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the developer at no cost to Council.

Access

12. Access points to newly created Lot 8 and 9 off Wagoo Road are constructed in accordance with the standards identified in *Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas"* in the Balonne Shire Council Planning Scheme.
13. Vehicle crossovers to newly created Lot's 8 and 9 must not be higher than the existing table drain at the invert. A Minimum pavement depth of 300 mm is required between the property boundary and the road carriageway.
14. The developer shall be responsible for construction and maintenance of the vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards.
15. Any future works required to occur over/under Wagoo Road for provision of additional infrastructure connections shall be undertaken by the developer at no cost to Council.

NOTES:

- *Nothing in this permit hereby issued approves the clearing of native vegetation.*
- *This permit does not constitute any authority to carry out any building work, operational work or a different use to what is currently established unless all relevant permits are obtained.*
- *All newly created Lots 8, 9 and 10 are affected in their entirety by the Flood Hazard Overlay. Any future development on these lots will be subject to the Flood Hazard Overlay Code and depending on the use will have mandatory minimum finished floor level requirements that new structures must be constructed to.*
- *Separate permission will be required from Department of Natural Resources and Mines (DNRM) for a Permit to Occupy to place any pumps on the Balonne River to access the water allocations. For further information on this process it is advised you contact DNRM - Roma Office on 07 4624 1500.*
- *Prior to any future infrastructure connection works occurring i.e. new pipes between the pump and lot, Council's Infrastructure Department should be consulted to discuss Council's requirements for the works and specifically if the infrastructure requires an easement.*
- *Any further subdivision of the newly formed allotments beyond this approval is unlikely to be supported by Council.*

CARRIED

CHANGE ORDER OF PROCEEDINGS

Cr O'Toole moved and Cr Gaske seconded:

That Council change the order of proceedings to allow the council to discuss CCES1, Yuwaalaraay/Euahlayi People Native Title Claim QUD32/2017, the time being 10:32am.

CARRIED

MEETING CLOSURE

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council go into its Meeting as a Closed Meeting for the purpose of discussing a confidential item in accordance with Section 275(f) Local Government Regulations 2012, CCES1, Yuwaalaraay/Euahlayi People Native Title Claim QUD32/2017, the time being 10:32am.

CARRIED

MEETING REOPENING

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council go into its Meeting as an open meeting, the time being 10:43am.

CARRIED

YUWAALARAAY/EUAHLAYI PEOPLE NATIVE TITLE CLAIM QUD32/2017

The purpose of this Report is to consider a recent Federal Court proceeding in which Council is intending to become a respondent party. Accordingly, it is appropriate for Council to close the meeting to the public.

Cr Gaske moved and Cr O'Toole seconded:

That:

1. Council receives this report.
2. Council delegate to the Chief Executive Officer, under Section 257 (1)(b) *Local Government Act 2009*, the power to instruct MacDonnell's Law, as Council's solicitors in this matter, on the resolution of Council's interests to the Yuwaalaraay/Euahlayi People native title determination application QUD32/2017 (the Claim).
3. Council delegate to the Chief Executive Officer the power to represent Council's interests in any mediation, case management, hearing or other proceeding that is held in relation to the Claim, where it is not practical due to timing.
4. Council acknowledge and endorse the power of the CEO to give instructions and act as authorised agent for the local government in the Claim and sign all documents for and on behalf of the local government in the Claim pursuant to *Section 240 of the Local Government Act 2009*.
5. The resolutions as drafted be passed by Council to give effect to the recommendations above.

CARRIED

The Meeting adjourned for morning tea at 10:43am. The meeting re-opened at 11:28am. Mr Jamie Gorry (Director Community and Environmental Services) and Mrs Mareea Lochel (Community and Business Development Officer) entered the meeting at 11:33am.

COMMUNITY DONATIONS, SPONSORSHIP & GRANTS APPLICATION - HEALTH AND FITNESS IN DIRRANBANDI

Council has received a sponsorship request to support weekly health and fitness classes in Dirranbandi.

Cr Fuhrmeister moved and Cr Todd seconded:

That:

1. That Council receives the Officer report.
2. Council resolves not to approve the applicant's request of sponsorship of \$300 per week.
3. That the Director of Community and Environmental Services write to the applicant and advise that Council would be supportive of an application from a Community group/organisation to auspice the purchase of fitness equipment for the Dirranbandi community to the value of \$1,000. On the provision that the equipment be accessible to all residents free of charge.

CARRIED

Crs Gaske and O'Toole declared a perceived Conflict of Interest in accordance with Section 173 of the *Local Government Act 2009*, in the following item on the agenda as they both have children that attend St Patrick's School. However, as these children are not in Year 6 no benefit will be received. Crs Gaske and O'Toole reserved the right to vote.

Cr Fuhrmeister declared a perceived Conflict of Interest in accordance with Section 173 of the *Local Government Act 2009*, in the following item on the agenda as she is the manager of Care Balonne Association and refrained from voting on the matter. Cr Fuhrmeister retired from the meeting at 11:38am and returned at 11:50am.

CES5

COMMUNITY DROUGHT SUPPORT FUNDING - ROUND 2

Distribution of Round 2 2017 Community Drought Support funding.

Cr Gaske moved and Cr O'Toole seconded:

That Council advise on the allocation of the remaining Community Drought support funds.

ORGANISATION	PURPOSE	FUNDING
Care Balonne Association	2017 River Dragon Multicultural Festival	\$8,000
Boolba Tennis Club	First aid course	\$3,600
Dirranbandi Polocrosse	Glass front fridges and entertainment at annual carnival	\$1,000
Anglican Parish of St George and Dirranbandi	Ladies luncheon in August	\$1,000
St George Garden Club	Garden workshop with landscape architect and horticulturalist	\$1,500
St George Bowls Club	Evening bowls to fundraise for family and domestic violence	\$1,000
Bollon QCWA	Annual Christmas Tree event.	\$1,000
St Patrick's Primary School	Year 6 Canberra trip	\$2,000
Bollon Tennis Club	1 week's professional tennis coaching clinic	\$1,500
Balonne Kindergarten Association on behalf of the Balonne Community Kids (BCK) group	BCK fun day	\$1,500
Balonne District School Sports Association	School sports district gala day	\$900
Dirranbandi Fishing and Restocking Club	Future events	\$1,000
TOTAL		\$24,000

CARRIED

CES6

NAIDOC WEEK

NAIDOC Week: 2 – 9 July 2017

NAIDOC Week celebrations are held across Australia each July to celebrate the history, culture and achievements of Aboriginal and Torres Strait Islander peoples. NAIDOC is celebrated not only in Indigenous communities, but by Australians from all walks of life.

Cr Gaske moved and Cr O'Toole seconded:

That:

1. Council receives the Officer's report;
2. Council resolves to contribute \$2,500 cash towards local NAIDOC week activities.

CARRIED

Mr Jamie Gorry (Director Community and Environmental Services) and Mrs Mareea Lochel (Community Development Officer) retired from the meeting at 11:58am.

CLOSED MEETING

Cr Paul moved and Cr Scriven seconded:

That Council go into its Meeting as a Closed Meeting to discuss confidential items in accordance with Local Government Regulation 2012 Section 275(e), the time being 11:59am.

CARRIED

CONFIDENTIAL ITEMS (CFCS) FINANCE AND CORPORATE SERVICES

MEETING REOPENING

Cr O'Toole moved and Cr Todd seconded:

That Council go into its Meeting as an open meeting, the time being 12:29pm.

CARRIED

CCFS1

WET AND DRY PLANT HIRE PREFERRED SUPPLIER ARRANGEMENT

Wet and Dry Plant Hire – Preferred Supplier Arrangement

Cr Fuhrmeister moved and Cr Paul seconded:

1. That council appoint the following suppliers to the Wet and Dry Plant Hire Register of Pre-Qualified Suppliers effective 1 July 2017 to 1 July 2021.

TENDERERS	CATEGORY
Tierney Crushing & Transport Pty Ltd	Both
Southwest Plant & Pastoral Pty Ltd	Wet
Tobamb Pty Ltd	Wet
ST GEORGE EXCAVATORS PTY LTD	Both
Ezyquip Hire Pty Ltd	Both
South West Water Trucks Pty Ltd	Wet
G & R Brown & Sons Pty Ltd	Both
Warner Earthmoving	Wet
Dirran Bobcat Service	Wet
AH & JH Earthmoving	Both
K&D Hadenfeldt Pty Ltd	Wet
Stabilised Pavements of Australia Pty Ltd (Manual)	Wet
PKM Mini Diggers	Both

J+M Collinson Earthmoving Pty Ltd	Wet
CD and AL Stewart	Wet
Donpon Earthmoving Pty Ltd.	Both
P&D Grader Hire	Wet
Reid Earthmoving Pty Ltd	Both
Conplant Pty Ltd (Main Account)	Dry
Flower Earthmoving	Wet
North Sheridan Pty Ltd T/As Tutt Bryant Hire	Dry
Rollers Queensland	Both
Russell's Grader Hire	Wet
Ag Vac & Water Blasting	Wet
D & R Water & Haulage Pty Ltd ATF DR & RJ Carney Family Trust	Wet
JD & TJ Bell	Wet
Sherrin Rentals Pty Limited (CHRC)	Dry
Edsel Fabian Family Discretionary Trust	Wet
Kooroon Pastoral Pty Ltd	Wet
Coates Hire Operations Pty Limited (CHRC)	Dry
Burke Trucking Logistics Pty Ltd	Wet
Maranoa Mechanical Pty Ltd	Wet
SR & LM Girard Pty Ltd	Wet
Schurmann Pty Ltd atf The Schurmann Trust	Wet
Sharpe Bros (Aust) P/L	Both
Ron Irwin Builders Pty Ltd	Wet
THE MINING PTY LTD	Both
Clark Equipment (CHRC)	Dry
Downer EDI Works Pty Ltd	Wet
Ellis Consolidated	Wet
TFH Hire Services Pty Ltd	Dry
Sedl Earthmoving Pty Ltd	Wet
Shermac Engineering	Dry

CARRIED

Mr Ross Drabble (Director of Infrastructure Services) entered the meeting at 12:17pm. He retired from the meeting at 1:02pm.

(CIFS) INFRASTRUCTURE SERVICES

CIFS1

TENDER BSC16-17 - T39 - DISPOSAL OF SURPLUS VEHICLES LOT 2.

That Council accepts submissions for tender BSC16/17-T39 – Disposal of Surplus Vehicles Lot 2.

Cr Scriven moved and Cr Todd seconded:

That Council accepts the tender submissions for BSC16/17-T39 – Disposal of Surplus Vehicles Lot 2 as follows and approves the following recommendations for sale (GST inclusive):

Holden Commodore Ute	\$2,160	Aidan Keane
Holden Colorado 4x4 D/Cab Ute	\$7,810	Dean Stratford
Holden Colorado 4x4 D/Cab Ute	\$8,160	Aidan Keane
Toyota Hilux 4x2 E/Cab Ute	\$4,760	Aidan Keane

CARRIED

BOLLON CEMETERY LEVEE PROJECT FUNDING REALLOCATION

Cr Scriven moved and Cr Todd seconded:

That Council commit \$40,000 to a project in the Bollon community following community consultation to select an appropriate project. This funding had previously been allocated for the Bollon Cemetery Levee project.

CARRIED

(IFCS) FINANCE AND CORPORATE SERVICES

ICFS1 MONTHLY REPORT

The Monthly Report May, 2017 – Finance & Corporate Services

ICFS2 MONTHLY INFORMATION REPORT - FINANCE

Monthly Finance Information Report for period ended 31 May 2017

ICFS3 MONTHLY REPORT

Workplace Health & Safety Monthly Report

(IIFS) INFRASTRUCTURE SERVICES

IIFS1 MONTHLY REPORT FOR THE JUNE 2017 COUNCIL MEETING

From the Director of Infrastructure Services - reporting for the month of May.

(ICES) COMMUNITY & ENVIRONMENTAL SERVICES

ICES1 MONTHLY REPORT

The Community & Environmental Sustainability Report for the month of May 2017 is presented for Council's consideration.

ICES2 MONTHLY REPORT

Manager of Rural Services report for May 2017 is presented to Council for information.

There being no further business, the Meeting closed, the time being 1:05pm.

Confirmed at a General Meeting of the Council held on 20 July 2017.

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MAYOR