



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
25 MAY 2016**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 25 MAY 2016
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

1. PRAYER & CONDOLENCES

Pastor Trevor Mawer offered a Prayer for the meeting and acknowledged those residents from the region that had recently passed away with a Minutes silence

2. ATTENDANCE

Present: Crs Dobie (Chair), Gow, Kelly, McNally, McNichol, Meiklejohn, Pennisi, Stocks and Windle

Officers: David Keenan (Chief Executive Officer), Peter See (Director Engineering Services), Ken Harris (Director Planning, Environment and Community Services), Marion Seymour (Minute Secretary)

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 27 April 2016

Resolution

Moved Cr V Pennisi

Seconded Cr S Windle

THAT the minutes of the General Council Meeting held on Wednesday 27 April 2016 be adopted.

Carried

4.2 Special Council Meeting - 18 May 2016

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT the minutes of the Special Council Meeting held on Wednesday 18 May 2016 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

| Item No | Item Precis | Nature of Conflict |
|---------|---|--|
| 12.2 | Gold Coast 2018 Commonwealth Games Pre-event Training on the Southern Downs | Cr McNally declared that a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>), may exist due to role as Treasurer of Warwick Clay Target Club who are involved in this matter. Cr McNally dealt with the real conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest. Cr McNally participated in the discussion and voting on this matter. |
| 16.2 | Proposed Sale of Council Owned Land | Cr Pennisi declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as he was a on a Committee of a Tenderer and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. |

7. MAYORAL MINUTE

7.1 Mayoral Minute May 2016

Resolution

Moved Cr V Pennisi

Seconded Cr M McNichol

THAT Council receive the report and note the contents.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr Y Stocks

Seconded Cr R Kelly

THAT the report of the Chief Executive Officer in relation to Correspondence be received.

Carried

8.1.1 Mobile Phone Blackspots & '000' Coverage

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

THAT at the appropriate opportunity Council lobby the Federal Government regarding mobile phone blackspots and '000' coverage, and enabling all telecommunication providers to have access to the same coverage.

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE

10.1 Council Meetings

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council adopt the attached General Council Meeting, Briefing Session/Special Council Meeting and Proposed Professional Development Session dates from June to December 2016.

Carried

Attachments

1. Calendar of Council Meetings

10.5 Councillor Complaints Review

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

THAT:-

1. Council forward the attached submission to the Councillors Complaints Review Panel about the operation of the present system for dealing with complaints about the conduct of Local Government Councillors.
2. Once the Discussion Paper on Councillor Complaints Review has been issued, it be circulated to Councillors and discussion to be arranged at an appropriate meeting.

Carried

Attachments

1. Submission Councillor Complaints Review

10.2 Financial Report as at 30 April 2016

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive and note the Financial Report as at 30 April 2016.

Carried

10.3 Financial Policies Report

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council adopt the attached Council Policies as part of its Annual Budget preparation process:

- a. Debt Policy
- b. Investment Policy
- c. Procurement Policy; and
- d. Revenue Policy.

Carried

Attachments

1. Debt Policy
2. Investment Policy
3. Procurement Policy
4. Revenue Policy

10.4 Executive Performance Report - April 2016

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive and note the Executive Performance Statistics for April 2016.

Carried

10.6 Councillor Portfolios

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council:-

1. Adopt the following nine Councillor Portfolios:
 - Community, Towns & Villages
 - Economic Development & Emergency Services;
 - Events, Sport & Recreation
 - Governance, Finance & New Projects
 - Planning & Property
 - Regional Promotion, Tourism & The Arts
 - Rural, Environment & Sustainability
 - Transport & Infrastructure
 - Water, Waste Water & Waste Management

2. Appoint the following Councillors as Portfolio Managers and Shadow Portfolio Managers to the respective Portfolios for a period of 12 months:

| Portfolio | Portfolio Manager | Shadow Portfolio Manager/s |
|---|--------------------------|-----------------------------------|
| Community Towns & Villages | Cr Sheryl Windle | Cr Neil Meiklejohn |
| Economic Development & Emergency Services | Mayor Tracy Dobie | Cr Jo McNally & Cr Rod Kelly |
| Events, Sport & Recreation | Cr Yve Stocks | Cr Cameron Gow |
| Governance, Finance & New Projects | Cr Jo McNally | Cr Rod Kelly |
| Planning & Property | Cr Neil Meiklejohn | Cr Sheryl Windle |
| Regional Promotion, Tourism & The Arts | Cr Rod Kelly | Cr Jo McNally |
| Rural, Environmental & Sustainability | Cr Cameron Gow | Cr Yve Stocks |
| Transport & Infrastructure | Cr Marika McNichol | Cr Vic Pennisi |
| Water, Waste Water & Waste Management | Cr Vic Pennisi | Cr Marika McNichol |

Carried

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.3 Stanthorpe Civic Centre Fire

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council notes the report and those actions that have taken place since the fire occurred in the Stanthorpe Civic Centre.

Carried

11.1 Engineering Services Department Monthly Report

Resolution

Moved Cr C Gow

Seconded Cr Y Stocks

THAT Council receive the Engineering Services Department Monthly Report.

Carried

11.2 Southern Downs Local Disaster Management Plan V4.0

Resolution

Moved Cr C Gow

Seconded Cr Y Stocks

THAT Council adopt Version 4.0 of the Southern Downs Local Disaster Management Plan as the Local Disaster Management Plan for the Southern Downs Region in accordance with the Disaster Management Act (Qld) 2003.

Carried

Attachments

1. Southern Downs Local Disaster Management Plan Version 4.0

12. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

12.1 Reticulated Gas to Warwick

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council receive the information and further consider the matter during the Corporate Plan process.

Carried

Cr McNally declared that a real conflict of interest in Agenda Item 12.2 (as defined in section 173 of the Local Government Act 2009), may exist due to role as Treasurer of Warwick Clay Target Club who are involved in this matter. Cr McNally dealt with the real conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest. Cr McNally participated in the discussion and voting on this matter.

12.2 Gold Coast 2018 Commonwealth Games Pre-event Training on the Southern Downs

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT Council receive for information this progress report regarding the Gold Coast 2018 Commonwealth Games pre-event training on the Southern Downs.

Carried

12.3 Material Change of Use - Alexander & Susan Stewart, 165 Top Swanfels Road, Yangan Resolution

Moved Cr J McNally

Seconded Cr C Gow

THAT the application for Material Change of Use for the purpose of Dual Occupancy (Second dwelling) on land at 165 Top Swanfels Road, Yangan, described as Lot 2 SP262740, Parish of Robinson, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

- The development of the site is to be generally in accordance with the following proposal plans submitted with the application, and subject to the final development being amended in accordance with the conditions of this approval.

| Plan Name | Plan No. | Date |
|---|----------|------------|
| SITE PLAN Lot 2 on SP262740 165 Top Swanfels Road | W5011-01 | 22/03/2016 |
| FLOOR PLANS | A-1 | 22/04/2015 |
| FLOOR PLANS | A-2 | 22/04/2015 |
| FLOOR PLANS | A-3 | 22/04/2015 |

- Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.

Land use and Building Controls

- Both residential buildings on the subject land can only be used in association with the rural use of the land or occupied by the owner or owner's family.

Building and Site Design

- A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council within six (6) months from the date of this approval. (See advisory note below.)
- A copy of the Form 21 (Final Inspection Certificate) issued for the building works is to be provided to Council within six (6) months of the date of this approval. (See advisory note below.)
- All windows on the northern side of the dwelling must be closed during any cultivation activities on the adjoining lot.
- Air conditioning must be installed to service the dwelling. The intake system for the air conditioning must be located on the southern side of the dwelling.

Amenity and Environmental Controls

- No effluent is to drain from the site or into any watercourse.

Fencing, Landscaping and Buffers

- A screen fence at least three (3) metres high shall be erected along the rear north-west boundary to provide screening within a period of three (3) months from the date of this approval. The screen fence must cover at least 10 metres to each side of the proposed dwelling. This screen fencing is to be provided at the developer's cost.
- Details of the proposed fencing are to be submitted to and approved by the Director Planning and Environment prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.

Car Parking and Vehicle Access

- The existing access from Top Swanfels Road to the development must be upgraded to comply with the requirements of the with Council's standard. (Council's Engineering Services Department can provide details regarding Council's standard.)
- The internal driveway from the Top Swanfels Road access to the second dwelling is to be of an all-

weather standard.

Roadworks

12. Any roadworks and drainage works damaged during the upgrade of the site's access are to be reinstated to the pre-existing condition, unless otherwise required by the Director Engineering Services.

Stormwater Drainage

13. Site stormwater runoff must be collected, detained and discharged where appropriate in a manner that does not increase the quantity or concentration of stormwater flow in comparison to the pre-development condition.

Water Supply and Waste water

14. The proposed new dwelling is to be supplied with drinking water as follows:
 - (a) two bedrooms or less – 45,000 litres ; or
 - (b) more than two bedrooms - 67,500 litres.
15. All sewerage generated from this property must be disposed of by means of an on-site sewerage facility (OSSF) in accordance with the AS/NZS 1547:2012 - *On-site Domestic Wastewater Management, Queensland Plumbing and Wastewater Code* and the *Standard Plumbing and Drainage Regulation 2003*.
16. All internal plumbing and sanitary drainage works must be in accordance with regulated work under the *Plumbing and Drainage Act*.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environment, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002* for the proposed plumbing and drainage works. The application for Plumbing and Drainage approval must be submitted to Council with the appropriate **forms, plans and fees** associated with this application. A **Certificate of Compliance must be issued** for the works prior to the use commencing.
- (iii) **Building Approval is to be obtained** in accordance with the *Sustainable Planning Act 2009* for the proposed building work. The building application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. The building plans are to accord with the plans approved in this approval. The building is to be constructed in accordance with the Building Approval prior to the commencement of the use. A **Form 21 (Final Inspection Certificate) must be issued for the building works prior to the use commencing**.
- (iv) The supply of water for human consumption, food preparation, food utensil washing or personal hygiene, including the supply of water for drinking water, showers, baths, hand basin and kitchen sinks, must be connected to a drinking water supply, in accordance with the *Plumbing Code of Australia* and the *Australian Drinking Water Quality Guidelines* produced by the *National Health and Medical Research*.
- (v) Council does not have accurate flood information for this property and therefore cannot determine the height of a Defined Flood Event (DFE). Therefore there is no guarantee of flood immunity.
- (vi) This area is expressly identified as being potentially impacted by lawful non-residential uses. In commencing a residential use, the owner(s) acknowledges and accepts that the use may be potentially impacted by emissions from the lawful non-residential use.

It is the responsibility of the property owner(s) to take all measures necessary to ensure that the proposed dwelling is developed and maintained in such a way as to mitigate dust, odour and noise impacts from the surrounding lawful non-residential use. These measures must be undertaken at the expense of the property owner(s).

- (vii) An application must be submitted and approved by Council for a permit under Southern Downs Regional Council's Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with

a Road or its Operation).

Aboriginal Cultural Heritage

- (viii) All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the “cultural heritage duty of care”). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsima.qld.gov.au

Carried

12.4 Material Change of Use - Aaron L and Michelle L Rhodes, 14-16 Huston Street, Warwick

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT the application for Material Change of Use for the purpose of a Home based business (Concrete business) on land at 14-16 Huston Street, Warwick, described as Lot 13 RP36183, Parish of Warwick, County of Merivale, be approved subject to the following conditions:

Schedule 1 - Southern Downs Regional Council Conditions

Approved Plans

- The development of the site is to be generally in accordance with the following proposal plan submitted with the application, and subject to the final development being amended in accordance with the conditions of this approval.

| Plan Name | Plan No. | Date |
|--|----------|---------------------------------------|
| Siteplan, including hand drawn additions | - | Submitted to Council on 29 April 2016 |

- Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval prevail.

Land Use and Planning Controls

- The large equipment associated with the home based business is limited to:

- One truck, up to 23.5 tonnes in size;
- One dog trailer;
- One bobcat; and
- One car size trailer.

The storage of other machinery lawfully associated with the domestic use of this land is not subject to this condition.

Note: Other equipment associated with the business, such as a concrete helicopter, screens, etc, is not limited or subject to in this condition.

- Only the residents of the dwelling are employed on the site. Any employees or sub-contractors are to meet at the job site.

Where the applicant is incapacitated and unable to operate the business for a period exceeding one week and upon receipt of written evidence from a medical practitioner, the Director Planning, Environment and Community Services may approve in writing the engagement of one employee not resident on the site for the term of the incapacitation.

- The development shall generally operate only between the hours of 7.00 am and 7.00 pm, Monday to Saturday. This includes the cleaning and servicing of vehicles and equipment, loading of large equipment and the delivery of materials to or from the site. The washing of vehicles on Sunday between 8.00 am and 5.00 pm is permitted.

There is to be no loading or unloading of any large equipment of machinery undertaken outside of these hours.

The ute, pre-loaded, may leave the subject site outside of these hours.

The truck is not to leave the site on Sunday or prior to 7.00 am or return to the site after 7.00 pm.

- Except when undertaking activities associated with domestic use of this land, the shed doors

are to remain closed, including when loading, unloading and maintenance is being undertaken on any equipment associated with the business other than when vehicles are entering or leaving the shed.

7. All equipment and materials, including the truck, dog trailer and bobcat, other than when being cleared or entering or leaving the site, are to be stored inside the shed.

This condition does not apply to the domestic use and associated activities of this land.

Amenity and Environmental Controls

8. Noise levels emitted from the premises must not exceed 5dB(A) above the background noise levels in the locality when measured at the boundary of an affected residential dwelling and must not exceed 10dB(A) above the background noise levels in the locality when measured at the boundary of a commercial premises. The applicant is to note that this may include the need to use noise attenuating materials in the building.
9. The carrying out of the activity must not result in the release of emissions or contaminants that cause an environmental nuisance or harm. This includes but is not limited to:
 - a) Noise;
 - b) Odour;
 - c) Dust;
 - d) Liquids; and
 - e) Light.
10. Consideration should be given to the noise created by the chains that open the shed doors particularly in the earlier hours of the morning, all efforts should be made to ensure this is operated in a way that minimises noise as much as practical. If complaints (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) are received, and it is determined this part of the activity is creating a noise nuisance, design changes may be required.
11. Only minor repairs and maintenance of machinery may be conducted on the site. The servicing and storage of materials associated with servicing, i.e. oils, is to occur inside the shed, with all wastes being disposed of appropriately.

Protective measures, such as the use of drip trays, are to be used when conducting minor repairs/maintenance, to ensure pollutants are not released onto the land or are not released into or may wash into water or a watercourse.
12. Any liquid spills must be cleaned up as soon as practical and disposed of in an appropriate manner that ensures environmental harm does not occur.
13. There must be no release that has been in contact with any contaminants at the site to any water, roadside gutter or stormwater drain.
14. Signage is to be limited to one sign not exceeding 0.3m² in area and bearing only the name, occupation and contact details of the occupier. No advertising signs or devices are to be located on any other land. No advertising signs or devices are to be located within the road reserve.
15. Any lighting device is to be so positioned and shielded so as not to cause any glare nuisance to any nearby residential property or passing motorist, or to shine upwards into the night sky.

Fencing, Landscaping and Buffers

16. A screen fence 1.8 metres high shall be erected adjacent to the western side boundary, from 1.0 metre past the south-western corner of the shed, along the driveway to at least 1.0 metre forward of the front of the adjoining dwelling on Lot 14RP36183, to provide visual screening. This screen fencing is to be provided at the developer's cost. If the fence is to extend further toward the front boundary, this fencing shall reduce in height to be no more than 1.2 metres high. The screen fence is to be constructed within two months of this approval.

The fence may be erected to the west of the existing red robin hedge, provided sufficient area is retained to allow maintenance of the garden.

This condition does not require the removal of the existing fence along the western boundary.

17. **Details of the proposed fencing are to be submitted to and approved by the Director Planning and Environment prior to its construction.** Fencing is to be provided and maintained in accordance with the approved details.
18. The hedge along the western boundary is to remain.
19. Trees and shrubs are to be planted along the western side of the shed.
20. **A Landscaping Plan is to be submitted to and approved by the Director Planning and Environment prior to the planting of the landscaping.** The Landscaping must include details of the location and species of plants, the irrigation system and the height and material of fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. Root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Car Parking and Vehicle Access

21. If the truck has more than two movements per week (one movement includes leaving and returning to the site), the driveway and any manoeuvring area associated with the business is to be sealed to Council's standard.
22. Trafficable areas (including the driveway) associated with the home based business must be maintained using all reasonable and practicable measures necessary to minimise the release of windblown dust or traffic generated dust to the atmosphere.

The vehicle entrance and driveway may remain gravel, provided they are appropriately maintained and do not cause a dust nuisance. If complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) or the vehicle entrance and driveway become eroded with material becoming deposited outside of the site or potholes form that would increase noise associated with vehicle movements, the driveway shall be sealed to Council's standards.
23. All loading and unloading of goods related to the development must be carried out within the confines of the allotment's boundary. Under no circumstances will the loading or unloading of goods on the public roadway system or footpath be permitted.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning and Environment, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Sustainable Planning Act 2009* and would have to comply with the requirements of the Planning Scheme.
- (iii) The General Environmental Duty under the *Environmental Protection Act* prohibits unlawful environmental nuisance caused by noise, aerosols, particles dust, ash, fumes, light, odour or smoke, beyond the boundaries of the property during all stages of the development including earthworks, construction and operation.

Aboriginal Cultural Heritage

- (iv) All reasonable and practicable measures must be taken to ensure that no harm is caused to

Aboriginal cultural heritage (the “cultural heritage duty of care”). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsima.qld.gov.au

Carried

The meeting adjourned for morning tea at 10.37am and reconvened at 11.04am at which time were present Crs Dobie, Gow, Kelly, McNally, McNichol, Meiklejohn, Pennisi, Stocks and Windle

12.5 Southern Downs Socio-Economic Profile

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive the Socio-Economic Profile, and its content dated 13 May 2016, and include for discussion at a future Professional Development Session.

Carried

12.6 Progress Report GrainX Australia - Memorandum of Understanding

Resolution

Moved Cr V Pennisi

Seconded Cr N Meiklejohn

THAT:-

1. Council note the owner/operator of the grain facility at 20 Herbert Street, Allora, is required to undertake the following actions by 30 June 2016:
 - a. Engage a suitably qualified consultant to undertake a noise assessment and report, which is to be submitted to Council for review upon completion;
 - b. Engage a suitably qualified consultant to undertake a dust assessment and report, which is to be submitted to Council for review upon completion;
 - c. Undertake landscaping along both Herbert and South Streets frontage of the site. A landscaped strip of at least 5 metres wide is to be provided along the road frontages, and is to include a significant number of mature trees; and
 - d. Consider sealing trafficable areas on the site, possibly in stages, to assist with minimising dust nuisance caused by traffic on site.
2. If the actions outlined in 1 above are not undertaken by 30 June 2016:
 - a. Council commences legal action against the owner/operator of the grain facility located on land at 20 Herbert Street, Allora, described as Lot 2 RP51379, Parish of Allora, in respect to offences against the *Environmental Protection Act 1994*;
 - b. Council grants authority to the Chief Executive Officer to commence, prosecute, negotiate, mediate, settle or cease this legal action upon such terms as Council's legal advisors may recommend or approve and to appoint expert witnesses as necessary; and
 - c. Council approves the expenditure of more than \$50,000 with regards to this legal action, if required.
3. Council terminate the Memorandum of Understanding and Consultative Committee.

Carried

13. REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES

Nil

14. NOTICES OF MOTION

Nil

15. GENERAL BUSINESS

Cr Pennisi advised he would be on leave during the June School holidays and, if required, may request attendance at any meetings to be scheduled by telephone if required.

16. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 275(1) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public and move 'into Committee' to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

Recommendation

THAT the meeting be closed to the public and move into committee to discuss the following items, which are considered confidential in accordance with Section 275(1) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

16.1 Stores Review

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(b) of the *Local Government Regulation 2012*, as it contains information relating to industrial matters affecting employees.

16.2 Proposed Sale of Council Owned Land

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

16.3 Audit & Risk Management Committee (ARMC) - New External Representatives

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

16.4 Proposed Freehold Lease

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

16.5 April 2016 Monthly Reports for Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

16.6 Audit & Risk Management Committee (ARMC) - New Representatives

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

Meeting In Camera

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11.25am

11:29 AM Cr V Pennisi left the meeting during discussion on Agenda Item 16.2

11:32 AM Cr V Pennisi rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12.25pm.

16.1 Stores Review

Resolution

Moved Cr C Gow

Seconded Cr J McNally

THAT Council revise Resolution 15.3 as per Council's General Meeting held 27 January 2016 and adopt the following additional recommendations as outlined below:-

1. Continue to operate a rationalised physical Store at both Stanthorpe and Warwick depots.
 - a) Move and reassign the responsibilities associated with any existing signage stock, as well as any future signage stock and materials under the auspice of the Stores function.
 - b) Move the Water and Waste Water stock items located within and outside the two shipping containers at Warwick Depot under the auspice of the Stores function.
 - c) Liaise with the workshops in both locations to develop a system for the delivery of planned maintenance and servicing of light vehicle, which will further be supported by Stores and Procurement.
 - d) Move other items of stock as deemed necessary within Stores.
2. Continue to develop the Stores personnel to undertake new responsibilities in relation to procurement and purchasing.
 - a) Develop preferred supplier lists for contracting arrangements for a range of services or products accessed or required by Council.
 - b) Assist workshops with additional support from the Information Technology area to identify work processes and business improvement opportunities.
 - c) Assist workshops with data entry as required.

Carried

Cr Pennisi declared a perceived conflict of interest in Agenda Item 16.2 (as defined in section 173 of the Local Government Act 2009) as he was a on a Committee of a Tenderer and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Pennisi left the meeting at 12.24pm.

16.2 Proposed Sale of Council Owned Land

Resolution

Moved Cr N Meiklejohn

Seconded Cr C Gow

THAT Council accept the revised offer and prepare a contract for the sale of land and dwelling situated at 17 Corundum Street, Stanthorpe, Lot 1 on RP88794 for the amount of \$150,000 (plus GST).

Carried

12.25pm Cr Pennisi rejoined the meeting

16.3 Audit & Risk Management Committee (ARMC) - New External Representatives

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council appoint the following as members of the Audit & Risk Management Committee (ARMC):

1. Councillors McNally and Kelly as Councillor representatives.
2. Ms Alison D'Costa and Mr Andrew MacLeod as external representatives.
3. Mr Allan Shorter, from Tenterfield Shire Council, as per the Memorandum of Understanding with Tenterfield Shire Council.

Carried

16.4 Proposed Freehold Lease

Resolution

Moved Cr V Pennisi

Seconded Cr R Kelly

THAT Council offer two concurrent 10 year freehold leases to the applicant to occupy part of Lot 130 on RP31029, situated at Kenilworth Street, Warwick, with the annual lease fee commencing at \$10,000 and will include the following clauses:

- The lease fee will increase annually by the greater of CPI or 3.5% for the initial 10 year freehold lease term.
- Council will undertake a market rent review (with a ratchet clause) commencing six months prior to the completion of the first ten year term.
- A ratchet clause states the lease fee at the commencement of the second term will be no less than the lease fee at the conclusion of the first term and the annual increases will be no less than the greater of CPI or 3.5%.

Carried

16.5 April 2016 Monthly Reports for Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council receive the April 2016 monthly report from Brisbane YMCA in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12.25pm

