



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
22 NOVEMBER 2017**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF SOUTHERN DOWNS
REGIONAL COUNCIL HELD ON 22 NOVEMBER 2017 IN THE
COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9.00AM**

1. PRAYERS & CONDOLENCES

Pastor Jeremy Greening offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

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

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

3. APOLOGIES

3.1 Apology - Cr McNichol

Resolution

Moved Cr V Pennisi

Seconded Cr S Windle

THAT the apology of Cr McNichol be received and leave of absence granted.

Carried

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 25 October 2017

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT the minutes of the General Council Meeting held on Wednesday 25 October 2017 be adopted.

Carried

4.2 Special Council Meeting - 7 November 2017

Resolution

Moved Cr V Pennisi

Seconded Cr N Meiklejohn

THAT the amended minutes of the Special Council Meeting held on Tuesday 7 November 2017 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precs	Nature of Conflict
11.7	Southern Downs Water Security Options – Business Case	Cr Gow declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to his farming business operations and dealt with the real conflict of interest by leaving the meeting room, taking no part in some of the debate on the matter.
16.4	EOI for Warwick Recycled Water Scheme	Cr Stocks declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to a material personal interest and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.4	EOI for Warwick Recycled Water Scheme	Cr McNally declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to a material personal interest and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.8	2017/2018 Grants to Community - Round Two	Cr Dobie declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as she is Patron of one of the applicants and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
16.8	2017/2018 Grants to Community - Round Two	Cr Kelly declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as he is a committee member of one of the applicants 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 - November 2017

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council receive the Mayoral Minute for November 2017.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

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

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE

10.1 Finance Report as at 31 October 2017

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council receive and note the Financial Report as at 31 October 2017.

Carried

10.2 Calendar for Council Meetings 2017

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council adopt the attached General Council Meeting, Briefing Sessions and Professional Development Session dates for 2018.

Carried

Attachments

1. Calendar for Council Meetings 2018 - **Attached to the Minutes Under Separate Cover**

10.3 Tourism Update

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council receive the Tourism Update report.

Carried

10.4 Screen Queensland 10 Year Roadmap Consultation Reports

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council resolve to endorse the submission to the Advance Queensland 10-Year Roadmap for the Screen Industry.

Carried

Attachments

1. Submission - **Attached to the Minutes Under Separate Cover**

10.5 Amendment to 2017/2018 SDRC Fees & Charges

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council amend the 2017/18 SDRC Fees and Charges for the Saleyards to include transshipping and holding fees for goats and horses and increase the handling fee for round bales to \$20, as follows:

Transshipping Fees

All cattle and horses – per head (removed within 24 hours)	\$1.25
Infrastructure Replacement Levy (cattle and horses)	\$1.00
All sheep and goats – per head (removed within 24 hours)	\$1.00
Infrastructure Replacement Levy (sheep and goats)	\$0.30

Holding Fees

Cattle and Horses – per head per day (applicable midday on Thursday following cattle sale or held longer than 24 hours for stock not purchased at sale)	\$2.35
Infrastructure Replacement Levy (cattle and horses)	\$1.00
Sheep and Goats – per head per day (applicable midday on Friday following sheep sale or held longer than 24 hours for stock not purchased at sale)	\$0.15
Infrastructure Replacement Levy (sheep and goats)	\$0.30

Feeding Charges

All stock to be fed to the satisfaction of the Superintendent.

All stock will be fed at 10.00am the day following the sale, unless special arrangements have been made.

Small Bale Hay Cost + Fee	Cost per bale + \$4 handling fee
Round Bale Hay Cost + Fee	Cost per bale + \$20 handling fee

Carried

10.6 2018 Australia Day Celebrations

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council hold the 2018 Australia Day Celebrations for Warwick at Glengallan Homestead, and Stanthorpe Celebrations at Weeroona Park.

Carried

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.2 Support of Queensland Fire and Emergency Services

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council continue to support the operations of the Queensland Fire and Emergency Services through development of a Memorandum of Understanding, do not charge for general support by plant and staff, and consider an annual budget allocation for fire trails, and apply for any appropriate grants that will leverage Council funds to achieve outcomes that are consistent with Emergency Service organisations' objectives.

Carried

11.3 Southern Downs Local Disaster Management Plan 2017 Review

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council receive the Southern Downs Disaster Management Status Report.

Carried

11.5 Event, Sport & Recreation Advisory Committee Minutes

Resolution

Moved Cr Y Stocks

Seconded Cr C Gow

THAT Council receive the minutes of the Event, Sport & Recreation Advisory Committee Meeting held on 31 October 2017.

Carried

11.6 Water & Wastewater Advisory Committee Minutes

Resolution

Moved Cr V Pennisi

Seconded Cr N Meiklejohn

THAT Council receive the minutes of the Water & Wastewater Advisory Committee Meeting held on the 3 November 2017

Carried

Presentation of Casual for a Cause donation to Richard McCarthy of Warwick Drug ARM

The meeting adjourned for morning tea at 10.40am and reconvened at 10:55am at which time there were present Crs Dobie, McNally, Kelly, Stocks, Gow, Pennisi, Windle and Meiklejohn

Cr Gow declared a real conflict of interest in Agenda Item 11.7 (as defined in section 173 of the Local Government Act 2009) due to his farming business operations and dealt with the real conflict of interest by leaving the meeting room during part of the debate on the matter.

11:00AM Cr C Gow left the meeting.

Due to a change in discussion on Agenda Item 11.7, Cr Gow returned to the meeting for discussion and vote.

11:16 AM Cr C Gow rejoined the meeting.

11.7 Southern Downs Water Security Options - Business Case

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council:-

1. Progress the alternate options identified by the Southern Downs Regional Council Emu Swamp Dam Business Case Stage 1 Final Report ("the report"), dated June 2017, authored by GHD Pty Ltd ABN 39 008 488 373 to develop a funding application leading to a Detailed Business Case developed in accordance with the Building Queensland Framework.

The options identified and endorsed by Council through an alternate business case are as follows:

- a) Integrated Water Supply Management;
 - b) Connolly Dam Pipeline;
 - c) Raise Storm King Dam;
 - d) Ballandean Dam (Urban Supply only);
 - e) Emu Swamp Dam (Urban Supply only).
2. Approve the re-allocation of the \$50,000 identified for the Emu Swamp Dam Feasibility Study to initiate a Water Management Plan for the whole Southern Downs region.

Carried

The Mayor accepted a call for a Division on the motion from the floor and the following votes were recorded:

For: Crs T Dobie, R Kelly, J McNally, N Meiklejohn, Y Stocks and S Windle (6)

Against: Crs C Gow and V Pennisi (2)

Accordingly the Mayor declared the motion carried.

11.1 Engineering Services Department Monthly Report

Resolution

Moved Cr R Kelly

Seconded Cr C Gow

THAT Council receive the Engineering Services Department Monthly Report.

Carried

11.4 Delegation of Leslie Dam Emergency Action Plan Assessment

Resolution

Moved Cr R Kelly

Seconded Cr C Gow

THAT Council delegate Section 352HB of the Water Supply (Safety and Reliability) Act 2008 to the Chief Executive Officer and undertake the assessment by the Local Government of an Emergency Action Plan for consistency with the Local Disaster Management Plan.

Carried

12. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

12.5 Relinquish Reserve for Recreation

Resolution

Moved Cr V Pennisi

Seconded Cr N Meiklejohn

THAT Council:

1. Relinquish Trusteeship of the Reserve for Recreation situated at Amiens Road, Thulimbah, Lot 235 on BNT1610 to the State Department of Natural Resources and Mines.
2. Advise DNRM that it is Council's preference that the land be sold to the adjoining land owner and the land is to be amalgamated with the adjoining lots.

Carried

12.1 Temporary Local Planning Instrument 01/2017 (Amendment of the Flood Hazard Overlay)

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council adopts the *Temporary Local Planning Instrument 01/2017 (Amendment of the Flood hazard overlay)* ('the TLPI') as attached, with the TLPI to commence on 6 January 2018 unless the major amendments to the Southern Downs Planning Scheme commence prior to that date.

Carried

12.2 Proposal to Make Local Law No. 3 (Waste Management) 2017

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council proposes to make Local Law No. 3 (Waste Management) 2017 (as attached) and undertake public consultation in accordance with *Local Government Act 2009*.

Carried

12.3 Policies to be Rescinded

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council rescind the following policy: GL-PE22 Dealing with Election Signage

Carried

12.4 Proposal to Amend Local Law No. 2 (Animal Management) 2011

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council proposes to make Amendment Local Law No. 1 (Animal Management) 2017 (as attached) and undertake public consultation in accordance with *Local Government Act 2009*.

Carried

12.6 Building Better Regions Fund Round Two

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council:

1. Selects the following projects to apply for funding from the Building Better Regions Fund Infrastructure Stream Round Two:
 - a. Solar Panels for WIRAC, Warwick & Stanthorpe Administration precincts;
 - b. Sealing the Link Road from Brunckhorst Avenue to Wallangarra Road in Stanthorpe.
2. Selects the following projects to apply for funding from the Building Better Regions Fund Community Investments Stream Round Two:
 - a. New Residents Attraction Project;
 - b. Urban Design Project for both Maryvale and Leyburn.

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

15.1 Vote of Thanks to Staff - AFP Celebrations

Resolution

Moved Mayor T Dobie

Seconded Cr S Windle

THAT Council move a vote of thanks to the staff involved in the Australian Federal Police Centenary Celebrations held on 18 November 2017.

Carried

11:36 AM Cr N Meiklejohn left the meeting.

11:39 AM Cr N Meiklejohn rejoined the meeting.

15.2 Drought Declaration for Southern Downs

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

THAT Council:-

1. Write to the incoming Minister for Agriculture requesting:-
 - a. The Drought Declaration for the Southern Downs region be immediately reinstated pending the next review scheduled in March/April 2018.
 - b. The Drought Declaration process be reviewed with the aim of being more transparent, and that the Drought Committee for the Southern Downs include a representative from Southern Downs Regional Council.
 - c. The Drought Declaration criteria be reviewed in line with current scientific climate studies.
2. Raise this issue at the next meeting of the Darling Downs South West Queensland Council of Mayors meeting.

Carried

15.3 Cr Pennisi - Leave of Absence

Resolution

Moved Cr C Gow

Seconded Cr Y Stocks

THAT leave of absence for Cr Pennisi be approved from 23 August 2018 until 16 October 2018.

Carried

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 2017/2018 Sale of Land for Unpaid Rates

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.

16.2 Tender Assessment Report RFT 18/022 - Supply & Delivery of One (1) Articulated Motor Grader

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 Contract No. 18/018 - Tender for the Supply & Delivery of Four (4) Tandem Drive Tip Trucks

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 EOI for Warwick Recycled Water Scheme

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 EOI - Connolly Dam

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.

16.6 October 2017 Monthly Reports from 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.

16.7 Proposed Sale of 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.

16.8 2017/18 - Grants to Community - Round Two (2)

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.

Meeting In Camera

Resolution

Moved Cr R Kelly

Seconded Cr Y Stocks

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11.54am.

11:56 AM Cr J McNally left the meeting during discussion on Agenda Item 16.4.

11:56 AM Cr Y Stocks left the meeting during discussion on Agenda Item 16.4.

12:11 PM Cr J McNally rejoined the meeting.

12:11 PM Cr Y Stocks rejoined the meeting.

12:31 PM Mayor T Dobie left the meeting during discussion on Agenda Item 16.8.

Cr McNally took the Chair during the Mayor's absence.

12:31 PM Cr R Kelly left the meeting during discussion on Agenda Item 16.8.

Meeting Out Of Camera

Resolution

THAT the meeting resume in open session at 12.43pm.

Carried

Cr Dobie had declared a perceived conflict of interest in Agenda Item 16.8 (as defined in section 173 of the Local Government Act 2009) as she is Patron of one of the applicants 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 Kelly had declared a perceived conflict of interest in Agenda Item 16.8 (as defined in section 173 of the Local Government Act 2009) as he is a committee member of one of the applicants and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter

16.8 2017/18 - Grants to Community - Round Two (2)

Resolution

Moved Cr Y Stocks

Seconded Cr N Meiklejohn

THAT Council :

1. Approve to fund the 23 shortlisted applicants from the Round Two (2) Grants to Community funding, as attached;
2. Acknowledge that the funding required for Round Two (2) totals \$140,648.81;
3. Approve an additional budget allocation of \$5,000 to the Grants to Community Round (2);
4. Approve the allocation of \$17,000 from the Fast Grant budget to the Grants to Community Round Two (2).
5. Place a further \$5,000 into the Fast Grants budget at the second quarter review.

Carried

Attachments

1. Successful Applicants - 2017/2018 Grants to Community Round 2 - **Attached to the Minutes Under Separate Cover**

12:44 PM Mayor T Dobie rejoined the meeting and resumed the Chair.

12:44 PM Cr R Kelly rejoined the meeting.

16.1 2017/2018 Sale of Land for Unpaid Rates

Resolution

Moved Cr S Windle

Seconded Cr Y Stocks

THAT Council resolve:-

1. Pursuant to section 140(2) of the *Local Government Regulation 2012*, to sell the land described in the schedule for overdue rates and charges; and
2. To delegate to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* to effect sale of the land (including, for avoidance of doubt, the power to end sale procedures).

Carried

16.2 Tender Assessment Report RFT 18/022 - Supply & Delivery of One (1) Articulated Motor Grader

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council:

1. Award the contract under Tender 18/022 for the supply and delivery of one (1) articulated Motor Grader to Hitachi Construction Machinery for the lump sum tender price of \$366,045.53 excluding GST; and
2. Dispose of the existing Komatsu GD655-3 Motor Grader (Plant No P52437) by auction.

Carried

16.3 Contract No. 18/018 - Tender for the Supply & Delivery of Four (4) Tandem Drive Tip Trucks

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT Council:

1. Award Tender 18/018 for the supply and delivery of four (4) only Tandem Drive Tip Trucks to Westco Truck Sales for the supply and delivery of four (4) Mercedes Benz 2651 Trucks with optional safety pack for the lump sum price of \$1,018,363.68 excluding GST; and
2. Dispose of the two existing Volvo FM440 tip trucks and two Hino FS700 Tip trucks by auction.

Carried

Cr Stocks declared a real conflict of interest in Agenda Item 16.4 (as defined in section 173 of the Local Government Act 2009) due to a material personal interest and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

12:46 PM Cr Y Stocks left the meeting.

Cr McNally declared a real conflict of interest in Agenda Item 16.4 (as defined in section 173 of the Local Government Act 2009) due to a material personal interest and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

12:46 PM Cr J McNally left the meeting.

16.4 EOI for Warwick Recycled Water Scheme

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT Council conduct an open tender process for the Warwick Recycled Water Scheme and continue investigation and options for the effective use of effluent.

Carried

12:47 PM Cr J McNally rejoined the meeting.

12:47 PM Cr Y Stocks rejoined the meeting.

16.5 EOI - Connolly Dam

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT Council introduce a Non-Potable Water District for Connolly Dam and apply an access and consumption charge in Council's Annual Fees & Charges for users less than 5ML/year, and undertake an open tender process for potential users of more than 5ML/year.

Carried

16.6 October 2017 Monthly Reports from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council receive the October 2017 monthly report from Brisbane YMCA in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

16.7 Proposed Sale of Land

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council dispose of Lot 259 on RP147230 and offer it for sale to the adjoining landowner, in accordance with Sections 236 (1)(c)(iv)(B) and 236 (2) of the *Local Government Regulation 2012*, provided the land is amalgamated with an adjoining Lot.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12.50pm.