



**MINUTES OF THE
SPECIAL MEETING OF COUNCIL
3 SEPTEMBER 2018**

ORDER OF BUSINESS:

- 1. ATTENDANCE 2**
- 2. APOLOGIES 2**
 - 2.1 Apology - Cr Pennisi 2
- 3. DECLARATIONS OF CONFLICTS OF INTEREST 2**
 - 3.1 Conflict of Interest - Cr McNally: Agenda Item 4.1 3

Meeting In Camera

Meeting Out Of Camera

- 4. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT
REPORTS 4**
 - 4.1 Consideration of Change Representations - Lucas Riley, 14135
Cunningham Highway, Rosenthal Heights 4

Meeting In Camera

Meeting Out Of Camera

- 5.1 WIRAC - Brisbane YMCA Contract Extension Request 13
- 5.2 Contract 19_010 for the Management of the Allora and Killarney Pool ... 13
- 5.3 Request for Extension of Recycled Water Line 13

**MINUTES OF THE SPECIAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 3 SEPTEMBER 2018
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9:00AM**

PRAYER

Rev Baigrie from Wesleyan Methodist Church offered a prayer for the meeting

1. ATTENDANCE

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

Officers: David Keenan (Chief Executive Officer), Peter Gribbin (Acting Director Planning, Environment and Corporate Services), Marion Seymour (Minute Secretary)

2. APOLOGIES

2.1 Apology - Cr Pennisi

Resolution

Moved Cr Y Stocks

Seconded Cr C Gow

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

Carried

3. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
4.1	Consideration of Change Representations – Lucas Riley, 14135 Cunningham Highway, Rosenthal Heights	Cr McNally declared that a perceived conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>), may exist as the relatives of the applicant's Town Planning Consultant do work for her family's business. Cr McNally with the perceived 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 and asked Council to consider her participation in the discussion and vote on this matter. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.
5.3	Request for Extension of Water Line	Cr Stocks declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) as she had applied to receive recycled water and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

3.1 Conflict of Interest - Cr McNally: Agenda Item 4.1

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council resolve that Cr McNally, who has a perceived conflict of interest in respect to matters contained in Agenda Item 4.1 due to relatives of the applicant's Town Planning Consultants do work for her family's business, is permitted to remain and participate in the meeting for discussion and voting on the matter.

Carried

Meeting In Camera

Resolution

Moved Cr M McNichol

Seconded Cr R Kelly

THAT the meeting move into closed session for the purpose of discussing legal issues.

Carried

The Meeting moved into closed session at 9:21am.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 9:38am.

Carried

Cr McNally declared that a perceived conflict of interest in Agenda Item 4.1 (as defined in section 175 of the Local Government Act 2009), may exist as the relatives of the applicant's Town Planning Consultant do work for her family's business. Cr McNally with the perceived 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 and asked Council to consider her participation in the discussion and vote on this matter. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.

4. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

4.1 Consideration of Change Representations - Lucas Riley, 14135 Cunningham Highway, Rosenthal Heights

Resolution

Moved Cr M McNichol

Seconded Cr Y Stocks

1. THAT Council agree in part with the change representations made in relation to the application for a Material Change of Use for Low impact industry on land at 14135 Cunningham Highway, Rosenthal Heights, described as Lot 640 on ML68, Parish of Rosenthal, for the following reasons:

Conditions 3 and 6.

The use of the land for retail purposes would contribute to ribbon development which is contrary to the Planning Scheme. Sales could only be allowed if conducted on a very small scale.

It is not practicable to condition the number of customers that could attend the site, therefore it is recommended that if sales are to be allowed, conditions of approval limit the number of vehicles being stored in the workshop and the number of employees.

The applicant states that he is the only employee, and Condition 6 has been amended to limit the number of employees to one.

The applicant's consultant has stated that half of the shed is used for the motor vehicle workshop and that all vehicles will be parked inside the shed outside of approved hours. The plans for the building, and the photographs taken during an inspection by Council officers, demonstrate that eight vehicles could not be parked in the three bays of the shed that are to be used for the motor vehicle workshop. Therefore, Condition 6A has been included to limit the number of vehicles in the motor vehicle workshop to four.

Condition 4.

The submissions received in relation to the development raised concerns of the site operating 24 hours. In consideration that the adjoining uses have experienced impacts associated with the unlawful use of the site, the conditioning of hours of operation is necessary to mitigate the impacts such as light and noise associated with the development.

The change representation proposes that the site operates from 6.00am to 11.00pm. Within the Industry zone it is usual that restrictions are placed on the hours of operation, however, the land is located within the Rural zone and there are nearby residents who have been experiencing adverse impacts from the development. The use of the site for extended hours is not suitable and Condition 4 has been amended to allow for delivery and pick-up of kangaroo carcasses between the hours of 6.00am and 9.00pm only.

Condition 7.

Contradictory advice has been provided by the applicant's consultant regarding the use of semi-trailers to collect carcasses. Council's consideration of the application at the July meeting was based on the advice that there would not be semi-trailers used for the collection of carcasses.

Council has received various complaints regarding the use of the land, including that semi-trailers arrive and leave the site at all times of the night. Conditioning the approval to prohibit the use of semi-trailers and B-doubles, and restricting the hours of operation, provided some mitigation of impacts on nearby residents. Condition 7 remains unchanged.

Conditions 23, 24 and 25.

The removal of all landscaping requirements is not supported. Recommendations have been made to allow the parking of vehicles on the northern side of the shed and to allow an increase in the hours of operation for the chiller boxes, and these changes can only be justified if the area is suitably landscaped and screened to mitigate impacts.

The provision of a screen fence along part of the eastern boundary will mitigate some impacts on the adjoining neighbour, however, a 1.8 metre high fence will not provide adequate mitigation of noise and light nuisance. Landscaping is to be provided between the driveway and property boundary extending approximately 15 metres north of the shed, to the rear of the shipping containers.

Subject to the shipping containers being painted the same colour as the shed, it is not necessary to provide landscaping to the south or west of the containers.

Landscaping to the north of the shed will provide screening of the parking area.

As the amount of landscaping required has been reduced, the bond has been reduced from \$15,000 to \$5000.

2. THAT the conditions of approval be amended as follows:

Schedule 1 – Southern Downs Regional Council Conditions

Approved Plans

1. 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 (Sheet 1 of 2)	W5345-02	8 August 2018
Site Plan (Sheet 2 of 2)	W5345-02	8 August 2018

2. 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

3. This approval allows for the use of the building for the following uses only:

- Motor vehicle workshop **and ancillary sales**
- Chiller boxes for storage of game meat

Note: This does not allow the site to be used as a wrecking yard or scrap metal recovery. There **are is to be no ~~vehicle sales from the property~~ or display of vehicles on the subject land. There is to be no processing of game meat on site.**

4. (a) The ~~development~~ **motor vehicle workshop** shall generally operate only between the hours of 8.00am to 6.00pm, Mondays to Saturdays, and not at all on Sundays and public holidays. **No vehicles associated with this use (excluding general waste collection vehicles) are to enter or exit the land outside these times. ~~The loading and/or unloading of delivery and other service vehicles (excluding general waste collection vehicles) is limited between the hours of 8.00am and 6.00pm, Monday to Saturday. No heavy vehicles must enter the development site outside these times to wait for unloading/loading.~~**
- (b) The unloading and loading of vehicles associated with the chiller boxes is limited to between the hours of 6.00am and 9.00pm. No vehicles associated with this use are to enter the land outside these times to wait for unloading/loading.
5. All activities related to the motor vehicle workshop must be carried out within the confines of the workshop, **with the exception of the parking of vehicles. Vehicles may**

be parked on the apron on the northern side of the shed during operating hours only. All vehicles associated with the motor vehicle workshop are to be parked within the shed out of operating hours.

6. The operator of the motor vehicle workshop is to be the only employee associated with the motor vehicle workshop. ~~On-site sales are prohibited from the site. There are to be no customers attend the site and all sales are to be finalised at another location.~~
- 6A. The number of vehicles associated with the motor vehicle workshop kept on the land at any one time must not exceed four.
7. The only trucks that are to access the land for purposes associated with either the Motor vehicle workshop or the Chiller boxes are to be rigid vehicles only. No semi-trailers or B-doubles are to access the land for purposes associated with these uses.

Building and Site Design

8. A copy of the Certificate of Compliance for Plumbing and Drainage Works is to be provided to Council. (See advisory note below.)
9. A copy of the Form 11s (Certificates of Classification) issued for the Change of Classification for the existing class 10 shed to a workshop, and for the chiller boxes, are to be provided to Council prior to the use commencing. (See advisory note below.)

Amenity and Environmental Controls

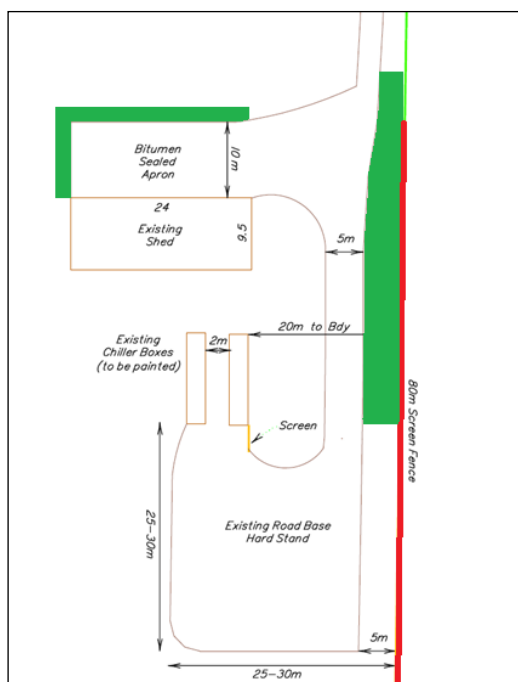
10. Any fixed noise emitting device (e.g. air conditioning unit, refrigeration unit, compressor, generator, etc.) located outside the workshop or chiller boxes must be placed within an appropriate acoustic enclosure.
11. Noise levels emitted from the premises must not exceed 5dB(A) above the background 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. This may include the need to use noise attenuating materials in the building.
12. If complaints are received (which in the opinion of an authorised person is not frivolous, vexatious nor based on mistaken belief) in relation to noise impacts associated with the proposed motor vehicle workshop or chiller boxes, a report prepared by a suitably qualified person(s) on noise emissions and sound attenuation measures required to achieve a noise level no greater than 5 dBA above background when measured at the boundary of the property of an affected residential dwelling, is to be submitted to and approved by the Manager Environmental Services. Any measures recommended in the approved report to overcome potential noise impacts associated with the development are to be implemented in accordance with the approved report.
13. A sufficient number of suitable waste receptacles must be provided on site at all times. Waste receptacles must be regularly serviced to prevent unsightly accumulations of waste or environmental harm being caused. A waste collection contractor must be engaged to supply suitable waste and recycling receptacles and service waste and recycling receptacles.
14. All wastes are to be suitably collected and disposed of so as not to adversely impact on the environment.
15. Any liquid spills must be cleaned up immediately and disposed of in an appropriate manner that ensures environmental harm does not occur. An appropriate spill kit for the management of wastes and hazardous liquids associated with the activity must be readily available at the site. Anyone operating under this approval must be trained in the use of the spill kit.
16. No materials or goods associated with the development are to be displayed or stored outside of the shed/chiller boxes. There is to be no materials or goods associated with

the development displayed or stored within the car park or landscaped areas, or outside the boundaries of the site.

17. The cleaning of plant equipment and vehicles must be carried out in an area where wastewater can be suitably managed so as not to cause contaminants to release into waterways or overland flow paths.
18. There are to be no advertising devices relating to the Motor vehicle workshop and/or Chiller boxes erected on the subject land, i.e. Lot 640 ML68. No advertising signs or devices are to be located on any other land, unless all applicable approvals are obtained under the Planning Scheme and the relevant local laws. No advertising signs or devices are to be located within the road reserve.
19. All equipment, goods and materials **associated with the use** must be located in a building or screened from view from all roads, other public places and adjoining land by fencing and/or dense landscaping.
20. Any external lighting must be installed so that light shines down and away from adjacent properties and roads, and does not exceed 8 lux at the property boundary.
21. All trade waste as defined in AS/NZS 3500.0:2015 that is generated from the Workshop and Chiller boxes must be contained, treated and disposed of through an approved on-site wastewater management system. The trade waste disposal must comply with advisory note (viii).

Fencing, Landscaping and Buffers

22. The existing trees along the Cunningham Highway frontage are to be retained. These trees are to be protected during construction of the driveway and vehicle access. If any tree dies, the dead tree must be replaced with an advanced tree of the same species **and height**.
- 22A. **By 30 October 2018, a 1.8 metre high screen fence is to be erected as shown on Plan W5345-02. Details of the proposed fencing are to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the construction of the fence. This screen fence is to be maintained in accordance with the approved details.**
- 22B. **By 30 October 2018, all external walls of the shipping containers are to be painted in a similar colour to the existing shed.**
23. **By 30 October 2018, ~~a 20.0 metre wide~~ landscaped buffers, including ~~mounding of 1.0 metre above ground level and irrigation~~, ~~is~~ are to be provided ~~around the workshop and chiller boxes area so as to provide a visual buffer~~ as shown on the plan below. Dense landscaping is to be provided between the driveway and property boundary extending from 15 metres north of the shed to the rear of the chiller boxes. Dense landscaping is also to be provided around the sealed apron north of the shed. ~~This area is~~ **These areas** are to be densely planted with advanced trees and shrubs, 1.5 metres in height, suitable to grow to heights of between 3.0 to 20.0 metres at maturity. Within the ~~20 metres of this~~ buffer area, random plantings of a variety of native trees and shrubs of differing growth habits are to be provided at spacings of 4-5 metres ~~i.e. 5 row of trees, 5.0 metres apart~~. The trees and shrubs must be of species that are fast growing, frost resistant and drought hardy. The vegetated buffers are to be maintained so they form an effective buffer.**



24. **A Landscaping Plan is to be submitted to and approved by the Director Planning, Environment and Corporate Services prior to the planting of the treed buffers.** The Landscaping Plan is to be prepared by an appropriately qualified person, and must include details of the location and species of plants, ~~and details of mounding.~~ 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.
25. Prior to 30 October 2018, a bond for the amount of ~~\$15,000~~ \$5000 shall be submitted to Council for the maintenance of the landscaped buffer. The bond must be in the form of cash, bank cheque or irrevocable bank guarantee. The bond shall be returned 12 months after the landscaped buffer is provided, subject to it having been satisfactorily established and maintained. Should the buffer not be provided, or the buffer is not maintained in accordance with the conditions of this approval, Council may call up the bond to undertake planting to satisfy the requirements of this approval. The terms and conditions of the bond will include details of its purpose and intended use. Council or its agents must be allowed access to the site to undertake any works required in accordance with this condition.

Car Parking and Vehicle Access

26. ~~The driveway and loading areas are to be generally in accordance with plan W5345-02. An all-weather sealed~~ driveway at least 3.0 metres in width is to be constructed from the Cunningham Highway to the workshop and chiller boxes. The driveway is to connect from the road.

~~The internal driveway may remain an all-weather standard, provided it is appropriately maintained and does 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 internal driveway must be sealed to Council's standards.~~

27. ~~The sealed apron to the north of the shed is to be maintained. All car parking, driveway and loading areas shall be constructed, sealed, line marked, drained, laid out and regularly maintained.~~

28. 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.
29. ~~By 30 September 2018, a plan showing the proposed construction standard and design of the carparking area, driveway and loading areas is to be submitted to Council for approval by the Director Planning, Environment and Corporate Services. All car parking, driveway and loading areas shall be constructed in accordance with the approved plan.~~

Stormwater Drainage

30. 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. Where necessary, suitable easements to lawful points of discharge, which may include surrounding properties, shall be provided to Council, at the developer's cost.

Water Supply and Waste water

31. All wastewater generated from this property, including washdown water from the chiller boxes, vehicles and workshop, must be disposed of by means of an on-site sewage 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*.
32. ~~Prior to the commencement of the use, a report demonstrating that adequate provision has been made for the supply of water, is to be submitted to and approved by the Director Planning, Environment and Corporate Services. If water is to be supplied for the development from a spring/bore/dam on the site, written advice must be supplied from the Department of Natural Resources, Mines and Energy that water may be lawfully supplied from that source. A water supply is to be provided in accordance with the approved report.~~

Operational Works

33. ~~All operational works are to be accepted on maintenance prior to the use of the land commencing. (See advisory note below.)~~

Negotiated Infrastructure Charges Notice

34. Payment of ~~\$3,591.15~~ \$2175 is to be made to Council in accordance with the **Negotiated** Infrastructure Charges Notice attached to the decision notice. If payment is made more than two years after the date of the **Negotiated** Infrastructure Charges Notice, the charge will increase in line with the Road and Bridge Construction Index for Queensland.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Planning, Environment and Corporate Services, 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 *Planning Act 2016* and would have to comply with the requirements of the Planning Scheme.
- (iii) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for

your records advising if compliance with the conditions has been achieved.

- (iv) 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.
- (v) There must be no release that has been in contact with any contaminants at the site to any waters, watercourse, roadside gutter or stormwater drain.
- (vi) All regulated waste must be removed from the site by a regulated waste removal contractor. The records for this disposal must be kept on site and be available for viewing by an authorised officer.
- (vii) Any storage of flammable and/or combustible liquids must comply with the minor storage provision of Australian Standard AS1940 *The Storage and Handling of Flammable and Combustible Liquids*.
- (viii) **Plumbing and Drainage Approval is to be obtained** in accordance with the *Plumbing and Drainage Act 2002*, *Queensland Plumbing and Wastewater Code* and all relevant Australian Standards 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.
- (ix) **Building Approval is to be obtained** for a Class 7b building in accordance with the *Planning Act 2016* for the proposed Chiller boxes for storage of game meat. 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 11 (Certificate of Classification) must be issued for the building works prior to the use commencing**.
- (x) **Building Approval is to be obtained** in accordance with the *Planning Act 2016* for a Change of Classification of Building from Class 10a to Class 8 (workshop), to allow the use of the existing building for Low impact industry (Motor vehicle workshop) purposes. The application must be submitted to a Building Certifier with the appropriate **forms, plans and fees** associated with this application. **Building works and modification of the existing building may be required to be undertaken** as part of the approval so as to accord with the requirements of the *Building Act 1975*.
- (xi) Any change application to allow semi-trailers or B-doubles to access the land for purposes associated with either the motor vehicle workshop or the chiller boxes, must include referral to the State Assessment and Referral Agency to allow a reassessment of the Department of Transport and Main Roads' requirements for access from the Cunningham Highway. ~~A Development Permit for Operational Works associated with the development must be obtained in accordance with the *Planning Act 2016*. This application must be submitted with the following:~~
 - ~~— DA Form 1;~~
 - ~~— The relevant fee in accordance with Council's Schedule of General Fees and Charges;~~
 - ~~— Detailed design drawings, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);~~
 - ~~— A car parking plan showing the location and dimension of all parking areas, details of the proposed pavement treatment, and full engineering specifications of layout, construction, sealing, drainage and line marking;~~
 - ~~— A plan showing ingress and egress wheel and swept turning paths;~~
 - ~~— A Stormwater Management Plan; and~~

~~— An Erosion and Sediment Control Plan.~~

~~Operational Works shall be subject to a 12 months Defect Liability Period commencing from the day the works are accepted on maintenance. A bond will be held by Council as security, and refunded following a defect-free inspection at the end of the Defect Liability Period.~~

- (xii) Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.
- (xiii) ~~All permits for Operational Works and The Compliance Permit~~ Plumbing and Drainage Works should be obtained prior to the issue of a Development Permit for Building Works.

Aboriginal Cultural Heritage

- (xiv) 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

Cr McNally voted for the motion

The meeting adjourned at 9:49am and reconvened at 1:04pm at which time there were present Crs Dobie, McNally, Stocks, Gow, McNichol, Windle, Kelly and Meiklejohn

5. 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:

5.1 WIRAC - Brisbane YMCA Contract Extension Request

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.

5.2 Contract 19_010 for the Management of the Allora and Killarney Pool

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.

5.3 Request for Extension of Recycled Water Line

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 N Meiklejohn

Seconded Cr C Gow

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 1:05pm.

01:39 PM Cr Y Stocks left the meeting during discussion on Agenda Item 5.3

01:44 PM Cr Y Stocks rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 1:44pm.

Carried

5.1 WIRAC - Brisbane YMCA Contract Extension Request

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council exercise the current contract terms and extend the Brisbane YMCA's contract to run the *Warwick Indoor Recreation and Aquatic Centre (WIRAC)* for a further two (2) years, through to November 2020 when the second two (2) year option will be considered.

Carried

5.2 Contract 19_010 for the Management of the Allora and Killarney Pool

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council:-

- a) Does not enter into a contract as a result of RFT 19_010 for the Management of the Killarney Pool.
- b) Resolves that any competent supplier who is found subsequent to this process is the only supplier reasonably available and Council may enter into a contract with that supplier pursuant to section 235 (a) of the *Local Government Regulations*.
- c) Delegates authority to the Chief Executive Officer to enter into a contract for the management of the Allora or Killarney Pools.

Carried

Cr Stocks declared a real conflict of interest in Agenda Item 5.3 (as defined in section 175 of the Local Government Act 2009) as she had applied to receive recycled water and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Y Stocks left the meeting at 1:46pm.

5.3 Request for Extension of Recycled Water Line

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council approve a capital budget for installation of an extension of the recycled water line along Condamine Street.

Carried

01:46 PM Cr Y Stocks rejoined the meeting

MEETING CLOSURE

There being no further business, the meeting closed at 1:47pm.