



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
25 MARCH 2020**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 25 MARCH 2020 VIA
VIDEOLINK BETWEEN THE COUNCIL CHAMBERS AT 61 MARSH STREET,
STANTHORPE AND 64 FITZROY STREET, WARWICK AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Rev Mark Harvey from the Stanthorpe Baptist Church offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

Present: Crs Dobie (Chair), Kelly, McNally, Meiklejohn, Stocks and Windle in Warwick Council Chambers

Crs Gow, McNichol and Pennisi in Stanthorpe Council Chambers

Officers: David Keenan (Chief Executive Officer), Jane Stroud (Director Sustainable Development), Joanne Morris (Director Corporate and Community Services), Marion Seymour (Minute Secretary)

2.1 Meeting via Video-Link

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council, in accordance with Section 8.3.2 of Council Meeting Policy PL-EX036, approve today's General Council Meeting to be held via Video-Link between the Stanthorpe Council Chambers and the Warwick Council Chambers.

Carried

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 19 February 2020

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT the minutes of the General Council Meeting held on Wednesday 19 February 2020 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meetings

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

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	Water Contingency Plan	Cr Pennisi declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) due to numerous complaints lodged against him in relation to his involvement in Emu Swamp Dam. He is also the ex-Chair of the Stanthorpe Community Reference Panel and ex Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Ltd. He believed the agenda item sought to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it would lead him to making a decision on the matter that is contrary to the public interest. He believed he would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter. However given that there is a current investigation taking place, he would be leaving the room, taking no part in the debate or decision on the matter.
17.4	External Investigation	Cr Kelly declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) as the matter involved himself and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr Y Stocks

Seconded Cr N Meiklejohn

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

Carried

8.2 Late Correspondence - Warwick Work Camp

Resolution

Moved Cr S Windle

Seconded Cr N Meiklejohn

THAT the attached late correspondence from Warwick Work Camp on behalf of the Community Engagement Community and Queensland Corrective Services expressing their appreciation to Council and staff be received.

Carried

Attachments

1. Letter from Warwick Work Camp - **Attached to the Minutes Under Separate Cover**

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE SERVICES REPORTS

10.1 Change of Date: April 2020 General Council Meeting

Resolution

Moved Cr J McNally

Seconded Cr Y Stocks

THAT Council resolve to change the date of the April 2020 General Council Meeting to Wednesday, 29 April 2020.

Carried

11. CORPORATE SERVICES REPORTS

11.1 Financial Report as at 29 February 2020

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council receive and note the Financial Report as at 29 February 2020

Carried

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Infrastructure Services Directorate Monthly Report

Resolution

Moved Cr R Kelly

Seconded Cr M McNichol

THAT Council receive the Infrastructure Services Monthly Report.

Carried

Cr Pennisi declared a real conflict of interest in Agenda Item 12.2 (as defined in section 175 of the Local Government Act 2009) due to numerous complaints lodged against him in relation to his involvement in Emu Swamp Dam. He is also the ex-Chair of the Stanthorpe Community Reference Panel and ex Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Ltd. He believed the agenda item sought to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it would lead him to making a decision on the matter that is contrary to the public interest. He believed he would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter. However given that there is a current investigation taking place, he would be leaving the room, taking no part in the debate or decision on the matter. Cr Pennisi left the meeting at 9:25am.

12.2 Water Contingency Plan

Resolution

Moved Cr M McNichol

Seconded Cr R Kelly

THAT Council receive the Southern Downs Water Contingency Plan.

Carried

09:27 am Cr V Pennisi rejoined the meeting.

13. SUSTAINABLE DEVELOPMENT REPORTS

13.1 Material Change of Use - Ian and Christine Robins, 19 Church Road, The Summit Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

- A. THAT the application for Material Change of Use for a Community care centre, Shop and Roadside stall on land at 19 Church Road, The Summit, Lot 1 RP157889, Parish of Stanthorpe, County of Bentick, be approved in part only, for the follow reasons:

The combination of the uses functioning on the lot will result in a development unable to operate without arising great concern to residents in close proximity and conflict with the Planning Scheme. The proposed uses of a Shop and Community care centre generate activity, behaviour and amenity concerns not compatible with the area; the lot is not of a size or built form to meet the demand of the proposed development. Conditions cannot be applied which will adequately mitigate the potential impacts associated with the Shop and a Community care centre. The proposed Shop and Community care centre uses cannot achieve compliance with following sections of the Southern Downs Planning Scheme:

- Section 3.3 Settlement patterns, 3.3.1 (9) Strategic outcomes

The existing towns and villages are the product of their history, locality and function and as a result are identifiably different and provide for various lifestyle opportunities. The diversity of the towns and villages is retained by building on the strengths provided by the individual history, locality, built form and function of the settlement and by ensuring that new development respects the existing character of the area.
- Section 3.3 Settlement patterns, 3.3.2.1 (4), (5) Specific outcomes

(4) The preferred character of the towns and villages is dependent on a harmonious mix of residential and other uses and development protects the sense of community.

(5) Projected population growth is supported by the provision of commercial infrastructure and community services provided at appropriate intensities for the needs of both urban centres and rural towns.
- Section 3.5 Community identity and diversity, 3.5.1 (9) Strategic outcomes

(9) Development is sensitive to local character and environment and communities enjoy a high level of amenity and service created by a compatible mixing of land uses and activities.
- Section 6.2.10 of the Rural zone code

(2) provide opportunities for non-rural uses that are compatible with agriculture, the environmental features, and landscape character of the rural area where the uses do not compromise the long-term use of the land for rural purposes
- Section 6.2.10 (2) of the Rural zone code, PO8, PO19

PO8 *Development is sensitive and responsive to the scenic amenity of the area. The appearance and siting of buildings, other structures, carparking areas or signage is compatible with the scenic character of the area, particularly when viewed from roads. The development is sensitive to the design of any nearby structures and is respectful and sympathetic to any Local heritage place.*

PO19 *Uses are limited to uses that do not conflict with or reduce the productive capacity, or scenic values of the land. In particular –*

(a) The use is located, constructed and operated so it is not likely to cause conflict

with agricultural practices;

(b) The use has low visual impact particularly where located on highways, main roads or tourist routes;

(c) The development is located on cleared land and there is no proposed clearing of remnant vegetation;

(d) Development is sited on the least productive, lower agricultural quality parts of the site.

- Section 9.3.8 of the Retail and commercial uses code, PO5, PO6

PO5 *Retail and commercial buildings and other structures are designed and constructed in a manner that complements the existing built form in the immediate area.*

PO6 *Uses are located and designed that*

- *An adequate buffer is provided between the use and adjoining uses;*
- *Noise, odour and lighting impacts are minimised; and*
- *The visual impact of the use is minimised.*

- Section 9.3.8 of the Retail and commercial uses code, PO2

PO2 *The use does not contribute to ribbon development along major roads and highways or contribute to unplanned or piecemeal development of centres.*

Access to and from the property whether by pedestrian or vehicle is not clear, safe or effective. Drivers generally park on the roadside of Church Road to access uses available within the access handle, which compromises the functionality of the road, as the road is not of a capacity nor does it permit for parking on the shoulders due to steep table drains. Despite the availability parking space further south in the access handle, customers continue to place undue impact on the network. Therefore, the proposed Shop and a Community care centre cannot achieve compliance with following section of the Southern Downs Planning Scheme:

- Section 3.3 Settlement pattern, 3.3.1 (10) Strategic outcomes

(10) There is an effective, convenient network of centres providing business, commercial and retail services for the region. The central business districts of Warwick and Stanthorpe are the location for all higher order business, commercial and retail activity including large supermarkets, department stores and other commercial uses with a regional focus. The centres of Killarney and Allora support retail, office and community functions with a district focus. Local retail and business services are provided in the villages and in some suburban locations.

- Section 6.2.10 (2) (f) of the Rural zone code

(f) are accessed by roads that are of an adequate standard for the traffic generated by the use; and

- Section 9.3.8.2 (2) (e) (f) of the Retail and commercial uses code

(e) Have adequate and safe vehicle and pedestrian access;

(f) Generate traffic on access roads that is within the capacity of the road and consistent with the types of traffic and frequency of traffic movement existing on the access roads.

There is no overriding need for the proposed uses of a Shop and Community care centre within the Rural zone and there are amenity concerns on neighbouring properties. The uses would be more appropriately located within a town or village centre. Therefore, the proposed Shop and Community care centre use cannot achieve compliance with following section of the Southern

Downs Planning Scheme:

- Section 3.3 Settlement pattern, 3.3.2 Element – Towns and Villages, 3.3.2.1 (2) (3)
Specific outcomes
 - (2) The small towns and villages provide alternative lifestyle opportunities, provide an opportunity for tourist development and service the surrounding rural locality.*
 - (3) The towns are strengthened by consolidating future population growth within defined growth boundaries which reinforces community identity and maintains the integrity of the non-urban areas between centres.*
- Section 3.3 Settlement pattern, 3.3.2 Element – Towns and Villages, 3.3.2.2 (2) (3) (5)
Land use strategies
 - (2) The diverse role of the towns and villages as service centres as well as tourist and employment and accommodation hubs is recognised in the zone codes and adequate land is appropriately zoned to allow for predicted growth.*
 - (3) Expansion of other small town and village areas will occur only if there is a clearly identified community planning need for the expansion, the land proposed for the expansion is contiguous with the existing zoned village area and the proposed area for extension is not constrained by potential for conflict with existing or planned agricultural uses, physical, engineering or environmental constraints. Village expansion will not extend onto land that is identified as Agricultural Land Classification (ALC) Class A and Class B.*
 - (5) Uses in the small towns and villages are located, designed and operated to minimise the potential for adverse impacts and to enhance and maintain the character of the small town or village.*
- Section 3.5 Community identity and diversity, 3.5.1 (9)
 - Development is sensitive to local character and environment and communities enjoy a high level of amenity and service created by a compatible mixing of land uses and activities.*
- Section 3.5 Community identity and diversity, 3.5.2 Element – Communities, 3.5.2.1
Specific outcomes
 - The communities in the Southern Downs enjoy a high level of amenity created by vibrant city and town centres, compatible mixing of land uses, activities and building forms, access to appropriate housing and community services and facilities, effective buffering of incompatible uses and building forms and good quality urban design in all areas.*
- Section 3.5 Community identity and diversity, 3.5.2 Element – Communities, 3.5.2.2 (4)
Land use strategies
 - The small villages serve as a community focus, service and resource centre for the residents of the surrounding rural areas. Development that strengthens the role of the villages as a centre for community services and complements the character of the village is supported.*
- Section 6.2.10.2 (e) of the Rural zone code
 - (iv) The scenic values of the land are maintained and new development involving substantial built development is screened and set back from road frontages.*
- Section 6.2.10.2 (2)(v) of the Rural zone code
 - (v) The productive capacity of all rural land is protected for rural use and associated value adding activities. The productive and potentially productive areas of land are protected for ongoing agricultural use. This land is not built on unless there is an*

overriding need for development and incompatible uses are not located in a manner that inhibits normal farming practice.

- Section 6.2.10.2 (2) (xv) (g) of the Rural zone code
 - g. are located so that they do not contribute to urban sprawl or ribbon development along roads or contribute to piecemeal or unplanned development of areas.*
- Section 9.3.8.2 (1) of the Retail and commercial uses code
 - (1) The purpose of the Retail and commercial uses code is to ensure that business activities are located, designed and operated in a manner that contributes to:*
 - *The retail hierarchy and the primacy of the Principal centre zone and the District centre zone;*
 - *The character of the locality including safety, convenience and built form character; and*
 - *The maintenance or improvement of the physical conditions of the locality including noise levels, air quality and vehicle and pedestrian generation and flow.*
- Section 9.3.8.2 (2) (a) (b) (c) of the Retail and commercial uses code
 - (a) Are centrally and conveniently located with good access to the area which they are servicing.*
 - (b) Are located, designed and operated in a manner that prevents unacceptable environmental and amenity impacts on adjoining land uses;*
 - (c) Are sited and designed in a manner that is appropriate to the character, including heritage character and environmental values of the locality in which they are situated*
- Section 9.3.8 of the Retail and commercial uses code, PO1, PO2
 - PO1** Uses are centrally and conveniently located to service a particular catchment. Uses with a regional focus or which would be more appropriately located in the Principal centre, District centre, Specialised centre, Mixed use or Township zone are not established outside the these zones.*
 - PO2** The use does not contribute to ribbon development along major roads and highways or contribute to unplanned or piecemeal development of centres.*

Given the nature of the proposed uses and the location of the uses within the access handle of Lot 1 RP157889, direct impact is placed on the two neighbouring properties, which are not subject to any surveillance of customers coming to and from the land. This raises great concern for the safety and security of people and property, concluding that the proposed uses are unable to co-exist alongside the established uses and reasonable conditions could not be imposed to mitigate the concerns. Therefore, the proposed Shop and Community care centre cannot achieve compliance with following section of the Southern Downs Planning Scheme:

- Section 6.2.10.2 (e) (v) of the Rural zone code
 - Farm diversification activities may be located in this precinct where they are associated with rural activities and are not likely to cause conflict with agricultural practices.*
- Section 6.2.10 of the Rural zone code, PO6
 - All uses are located, designed, oriented and constructed to minimise noise, dust, odour or other nuisance from existing lawful uses including rural and industry uses.*
- Section 9.4.4 of the Landscaping code, PO4
 - PO4** Landscaping is designed and located to maximise the safety and security of*

public and private areas by:

- *Promoting casual surveillance of buildings and public areas from the street and other public areas;*
- *Maintaining safe sight distances to and from road and building corners, carpark entrances and driveways;*
- *Protecting solid fences from graffiti by incorporating elements such as landscaping, creepers or vandal proof surfaces;*

Separating and defining pedestrian and vehicle circulation routes.

- Section 9.4.6 of the Landscaping code, PO4

PO8 *Development is designed and constructed to enhance personal and property safety and minimise the potential for crime and anti-social behaviour.*

The approval of all three uses, being a Roadside stall, Shop and Community care centre, will generate an environment that is not able to be undertaken on the lot. The proposed uses of Shop and Community care centre should be refused.

- B. THAT the application for Material Change of Use for a Roadside stall on land at 19 Church Road, The Summit, Lot 1 RP157889, Parish of Stanthorpe, County of Bentick, be approved in part only, subject to the following conditions:

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.
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 site for the following uses only:
 - Roadside stall; produce grown on and off-site only.
4. All structures in association with the uses of the Shop and/or Community care centre are to be removed or the associated use of the structures is to cease.

Building and Site Design

5. The Roadside stall shall not exceed 9m² in total area.

Amenity and Environmental Controls

6. Advertising Devices relating to the Roadside stall may **only** be erected on the subject land, i.e. Lot 1 RP148790. The location, size, type and content of any advertising sign or device located on the land is to be compatible with the rural character of the surrounding area. 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.
7. A daily inspection is to be conducted of all perishable items within the Roadside stall. Any expired goods are to be disposed of appropriately so as to not create an odour nuisance.
8. All equipment, goods and materials 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.
9. 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.

Car Parking and Vehicle Access

10. There is to be clear signage on-site to direct customers along the driveway to onsite car parking.

Fencing, Landscaping and Buffers

11. The side boundaries of the access handle of Lot 1 RP157889 are to be densely planted with trees and shrubs suitable to grow to heights of between half a metre and two metres at maturity and are to be maintained to form an effective visual buffer. The existing vegetation can be utilised as part of the buffer, but additional plantings may be required to ensure an appropriate buffer.

ALTERNATIVELY,

A screen fence of 1.8 metres high shall be erected along the side boundaries of the access handle of Lot 1 RP157889, to provide visual screening. This screen fencing is to be provided at the developer's cost. This fencing shall reduce in height to be no more than 1.2 metres high within 6.0 metres of the road boundary.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Sustainable Development, 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 1994* 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) **Building Approval may need to be obtained** for a Class 10 in accordance with the *Planning Act 2016* for the proposed building work. Once plans of the Roadside stall have been finalised, advice is to be sought from a qualified building certifier in relation to the requirement for Building Approval. If required, 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.**

Aboriginal Cultural Heritage

- (vi) 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.datsip.qld.gov.au

Carried

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

Nil

15. NOTICES OF MOTION

Nil

16. GENERAL BUSINESS

Nil

17. 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:

17.1 Write Off Sundry Debtor Charges - DN 5163

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.

17.2 Audit and Risk Management Committee Meeting Minutes - 28 February 2020

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.

17.3 YMCA Monthly Report - February 2020 - WIRAC

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.

17.4 External Investigation

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 Y Stocks

Seconded Cr N Meiklejohn

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 9:33am.

09:38am Cr R Kelly left the meeting during discussion on Agenda Item 17.4.

09:58am Cr R Kelly rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 9:57am.

Carried

16.1 Suspension of Council Meeting

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council suspend the Council Meeting until 11:30am to allow the Mayor and Chief Executive Officer to participate in a State Disaster Coordination Centre Teleconference.

Carried

The meeting adjourned at 9:58am.

The meeting resumed at 11:30am at which time there were present Crs Dobie, McNally, Windle, Stocks, Meiklejohn, Kelly McNichol, Gow and Pennisi.

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 11:31am.

11:31am Cr R Kelly left the meeting during the resumed discussion on Agenda Item 17.4.

12:08am Cr R Kelly rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12:08pm.

Carried

17.1 Write Off Sundry Debtor Charges - DN 5163

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council resolve to write off sundry debtor charges for Debtor Number 5163.

Carried

17.2 Audit and Risk Management Committee Meeting Minutes - 28 February 2020

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council:

1. Adopt the minutes of the ARMC meeting held on 28 February 2020;
2. Adopt the business arising from the ARMC meeting held on 28 February 2020;
3. Adopt the amended Risk Register;
4. Adopt the amended Audit and Risk Management Committee Charter.
5. Accept the Review of the Management of Community and RADF Grants and Event Sponsorship Internal Audit Report.

Carried

17.3 YMCA Monthly Report - February 2020 - WIRAC

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive the February 2020 monthly report from Brisbane Young Men's Christian Association in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre

Carried

Cr Kelly declared a real conflict of interest in Agenda Item 17.4 (as defined in section 175 of the Local Government Act 2009) as the matter involved himself 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 Kelly left the meeting at 12:11pm.

17.4 External Investigation

Resolution

Moved Cr N Meiklejohn

Seconded Cr C Gow

THAT Council:

1. Receive the report from the external investigator.
2. Note that Cr Kelly has engaged in inappropriate conduct.
3. Note that Cr Kelly has undertaken measures to deal with the inappropriate conduct, including counselling and coaching.
4. Expresses its concern with the interpretation of the legislation and acceptance of anonymous complaints from fictitious people, and the risk of a precedent being set that may compromise the intent of the *Local Government Act 2009*.

Carried

Cr Kelly rejoined the meeting at 12:11pm.

The meeting closed at 12:12pm.