

MINUTES OF THE ORDINARY COUNCIL MEETING 26 MAY 2021



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MINUTES OF THE ORDINARY COUNCIL MEETING OF SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 26 MAY 2021 IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL, 64 FITZROY STREET, WARWICK AT 9:00AM

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Chaplain Donna Craig from Churches of Christ Care offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

Present: Crs Pennisi (Chair), Bartley, Gale, Gliori, Gow, McDonald, Tancred and

Windle

Officers: Dave Burges (Chief Executive Officer), Scott Norman (Director Finance,

Assets and Special Projects) and Shannon Aspinall (Senior Finance Coordinator) for Finance, Assets and Special Projects Reports; Andrew Page (Director Corporate and Community Services), Michael Bell (Manager Community and Cultural Services) and Peter Gribbin (Manager Corporate and Commercial Services) for Corporate and Community Services Reports; Angela O'Mara (Manager Strategic Planning and Prosperity), Craig Magnussen (Manager Environmental and Regulatory Services), Tonya Collier (Development Assessment Coordinator), Sean Beck (Strategic Planning and Project Coordinator) and Terese Finegan (Tourism Recovery Officer) for Sustainable Development Reports and Marion Seymour (Minute

Secretary)

3. APOLOGIES

3.1 Leave of Absence - Cr McNally

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council approve the requested extended leave for Cr McNally's leave of absence until the 31 July 2021.

Carried

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 12 May 2021

Resolution

Moved Cr S Windle

Seconded Cr A Gale

THAT the minutes of the Ordinary Council Meeting held on Wednesday 12 May 2021 be adopted.



5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Council Meeting

Resolution

Moved Cr M Gliori

Seconded Cr C McDonald

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Nil

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

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 SERVICES REPORTS

10.1 Change of Date: Ordinary Council Meeting 29 October 2021

Resolution

Moved Cr S Windle

Seconded Cr M Gliori

THAT Council resolve to change the date of the second Ordinary Council Meeting in October to Friday, 29 October 2021.



10.2 Southern Downs Innovation & Development Committee Terms of Reference

Resolution

Moved Cr A Gale

Seconded Cr S Tancred

THAT Council adopt the attached Terms of Reference for the Southern Downs Innovation & Development Committee.

Carried

Attachments

1. Southern Downs Innovation & Development Committee Terms of Reference - Attached to the Minutes Under Separate Cover

Cr McDonald voted against Agenda item 10.2

11. FINANCE, ASSETS AND SPECIAL PROJECTS

11.1 Financial Report as at 30 April 2021

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Council receive and note the Financial Report as at 30 April 2021.

Carried

11.2 National Competition Policy

Resolution

Moved Cr M Gliori

Seconded Cr A Gale

THAT Council applies the code of competitive conduct to the water and sewerage business units.

Carried

11.3 Grants Status Report

Resolution

Moved Cr S Windle

Seconded Cr M Gliori

THAT Council note the current grants status as at 30 April 2021.



12. CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 Operation of Stanthorpe Outside School Hours Care Service (OSHC)

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council

- 1. Continue to operate the Stanthorpe Outside School Hours Care (OSHC) Service until 30 June 2023.
- 2. Undertake a review of the operations of OSHC on or before 30 June 2023.

Carried

12.2 YMCA Monthly Report - April 2021 - Warwick Indoor Recreation and Aquatic Centre

Moved Cr A Gale

Resolution

Seconded Cr C McDonald

THAT Council receive the April 2021 monthly report from Brisbane Young Men's Christian Association in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

12.3 Community Engagement Activities - 3rd Quarter of 2020/2021

Resolution

Moved Cr M Gliori

Seconded Cr S Windle

THAT Council note the details of community engagement activities undertaken during the 3rd quarter of the 2020/2021 financial year.



12.4 Stanthorpe 150th Anniversary Celebration Advisory Committee

Resolution

Moved Cr C McDonald

Seconded Cr M Gliori

THAT Council:

- 1. Receive and note the minutes of the Stanthorpe 150th Anniversary Celebration Advisory Committee Meeting held on 4 May 2021; and
- 2. Endorse the following recommendations:
 - a. Council be invited to host a mock Council meeting in the Stanthorpe Civic Centre based on historical topics from 150 years ago, in period costume, as a Council event to celebrate the Stanthorpe 150th Anniversary in 2022.
 - b. Council approve a request from the Stanthorpe 150th Anniversary Celebration Advisory Committee for seed funding allocation of \$20,000 in the 2021/2022 budget for the Stanthorpe 150th Anniversary Celebration activities which, at this stage, are undetermined;
- 3. Endorse the following recommendations made by the Advisory Committee through a flying minute issued in May 2021:
 - a. Council allow for minimal staff time for the implementation of a social media presence to support the Stanthorpe 150 program as noted below. This budget allocation is to cover those costs associated with Council staff (labour and materials) to deliver the program from within existing resources.

CHANNEL USED	Campaign type	Links to
Use existing SDGB channels (Facebook and/or Instagram as resources permit)	Generic campaign	Links to custom S150 page on the SDGB website
	Facebook event created for Major/Key SDRC events	Links to the event on SDGB Facebook
Warwick & Stanthorpe VIC Pages	Pages used to share/support existing campaign content from SDGB page.	Links to custom S150 page on the SDGB website
SDRC Corporate page www.facebook.com/MySDRC	Used to share/promote existing SDGB campaign content.	All posts link to custom S150 page on the SDGB website AND News Pages on SDRC page as is
	Unique posts for Media Releases as is standard procedure.	standard procedure.

b. Council allocate \$5,000 to allow for the implementation of the following platform to enable a calendar of events to be established to support the Stanthorpe 150 program.



Platform	www.southerndownsandgranitebelt.com.au/S150		
Detail	 Page will have capability to host calendar of 150th events and introductory blurb. Community can 'register' their events. Events will filter through to larger event calendar on SDGB site, allowing S150 event organisers to see other events happening in the region i.e. the show etc. 		

c. Council allow for minimal staff time for the implementation of an initial marketing strategy that would support, amongst other things, the immediate need to complete a marketing and promotion campaign to establish a logo for the event and associated activities. This budget allocation is to cover those costs associated with Council staff (labour and materials) to deliver the program from within existing resources.

Carried

12.5 Grants to Community Policy Review

Resolution

Moved Cr M Gliori

Seconded Cr S Windle

THAT Council adopt the revised Grants to Community Policy.

Carried

Attachments

1. Grants to Community Policy PL-CS075 - Attached to the Minutes Under Separate Cover

13. INFRASTRUCTURE SERVICES REPORTS

Nil



14. SUSTAINABLE DEVELOPMENT REPORTS

14.1 Urban Design Frameworks - Adoption of Dalveen Urban Design Framework

Resolution

Moved Cr S Windle

Seconded Cr C Gow

THAT Council adopts the Dalveen Urban Design Framework, and that progress is reported quarterly to Council.

Carried

Attachments

1. Dalveen Urban Design Framework - Attached to the Minutes Under Separate Cover

14.2 Strategic Planning Quarterly Report for the January to March quarter 2021

Resolution

Moved Cr S Windle

Seconded Cr S Tancred

THAT Council receive the report and notes its contents.

Carried

14.3 Reconfiguration of Lot - David and Kathryn Wyvill, 14 Charlie Doy Place and 590 Warwick - Allora Road, Rosehill - Report in respose to Resolution item 14.2.1 from the Ordinary Council Meeting held on 12 May 2021

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Council confirms its approval of the application for Reconfiguration of Lot, Realignment of boundaries (2 lots) on land at 14 Charlie Doy Place and 590 Warwick – Allora Road, Rosehill, described as Lot 1 RP36356 and Lot 23 RP862162, Parish of Warwick, County of Merivale, 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 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
Boundary Realignment prepared by Gary Hayes	W5386-02	24 November
and Partners Pty Ltd	VV3360-02	2020

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.

Fencing, Landscaping and Buffers

3. Within six (6) months of the Queensland Government's drought declaration being revoked for the Southern Downs Regional Council area, a buffer of 60 metres wide is to be provided along the western side boundary of proposed Lot 4 to form an effective buffer from nearby agricultural activity. The buffer area is to contain random plantings of a variety of native, drought hardy, frost resistant species of differing growth habits at spacings of 4-5 metres for a minimum width of 20 metres, with an area of at least 10 metres clear of vegetation or other flammable material to either side of the



vegetated area. The trees are to have a mature tree height of at least 3 metres.

- 4. The landscaped buffer referred to in Conditions 3 shall be planted and maintained in accordance with the approved Landscaping Plan. Prior to approval of the Plan of Subdivision, a bond for the amount of \$10,000 shall be submitted to Council for the maintenance of this 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 planting of the buffer in accordance with Condition 3 subject to the satisfactory establishment and maintenance of the buffer. 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.
- 5. A Landscaping Plan is to be submitted to and approved by Council's Planning Department prior to the approval of the Plan of Subdivision for 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, 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.

Easements and Covenants

6. A statutory covenant for the continued maintenance of the treed buffers is to be provided over proposed Lot 4. The covenant documentation is to be prepared at the developer's cost. The covenant documentation is to be submitted to Council for approval prior to the signing of the Plan of Subdivision.

Roadworks

- 7. Written agreement is to be obtained from Council, prior to the survey plan being endorsed, confirming that the current access/crossover/driveway arrangement to Lot 1 RP36356 (proposed Lot 3), is acceptable. The written agreement will need to outline the following:
 - maintenance obligations;
 - that the agreement is only valid while the use on proposed Lot 3 remains as a Dwelling house and does not intensify in the future i.e. dual occupancy, short term accommodation etc;
 - that the existing vehicle access/crossover/driveway arrangement has been existing since 2001, with no changes occurring to proposed Lot 3 as part of the development permit to reconfigure a lot; and
 - the existing vehicle access/crossover/driveway from the end of the bitumen seal in Charlie Doy Place is a private access/crossover/driveway servicing the existing Dwelling house on proposed Lot 3 (see below imagery). Council is not responsible for any maintenance.





ALTERNATIVELY

Charlie Doy Place is to be sealed and extended to the property boundary of proposed Lot 3, and is to create a three point turning area in an offset square configuration. Such works are to include kerb and channelling, stormwater drainage and the top dressing of footpaths with good quality topsoil, to the satisfaction of Director Infrastructure Services. Should greater area be required to provide a three point turning area at the end of Charlie Doy Place, a portion of proposed Lot 3 is to be dedicated to Council, free of cost, to allow such works to be undertaken.

- 8. If the current access/crossover/driveway is formally agreed to, a sign must be erected at the end of the bitumen sealed section of Charlie Doy Place indicating that it is a 'Private Access Only'
- 9. Any footpaths, kerbing and channelling, roadworks and drainage works damaged during construction of the development are to be reinstated to the pre-existing condition, unless otherwise required by the Director Infrastructure Services.

Water Supply and Waste water

10. A reticulated water supply system, up to and including water meters, is to be provided to service all allotments. This system is to be connected to Council's water supply system.

Electricity, Street Lighting and Telecommunications

- 11. Underground/aboveground electricity and telecommunication connections must be provided to the proposed development to the standards of the relevant authorities.
 - Evidence must be provided of a certificate of supply with the relevant service providers to provide each lot with live electricity and telecommunication connections, in accordance with the requirements of the relevant authorities prior to Council signing the Plan of Subdivision.
- 12. In accordance with the Federal Government's National Broadband Network (NBN) initiatives, the Developer (at the Developer's expense) is to install a fibre ready pit and pipe network (including trenching and ducting, design and third party certification) to NBN Co's specifications, to allow for the installation of Fibre-to-the-Premises (FTTP) broadband services. Any fibre provider may be used, provided they meet NBN specifications and open access requirements. Ownership of the infrastructure is to be transferred to Telstra in exchange for the provision of fibre within that pit and pipe network. Prior to Council approving the plan of subdivision, written advice is to be provided from Telstra that the pit and pipe network has been installed in accordance with NBN Co's specifications.

Stormwater Drainage

13. A Stormwater Management Plan is to be provided to the Planning Department prior to the signing of the Survey Plan, to demonstrate the lawful point of discharge of stormwater from proposed Lot 3 (containing the existing dwelling), in accordance with the Queensland Urban Drainage Manual (QUDM).

Infrastructure Charges Notice

14. Payment of \$6,500 is to be made to Council in accordance with the Infrastructure Charges Notice attached to the decision notice. If payment is made more than two years after the date of the Infrastructure Charges Notice, the charge will increase in line with the Road and Bridge Construction Index for Queensland.

Advisory Notes

- (i) No clearing of remnant vegetation or regulated regrowth vegetation is to occur under this approval. A Development Permit for Operational Works must be obtained from the Department of State Development, Infrastructure, Local Government and Planning for the clearing of any remnant vegetation, unless exempt under Schedule 21 of the *Planning Regulation 2017*.
- (ii) 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 odour and noise impacts from the surrounding lawful non-residential use. These measures must be undertaken at the expense of the property owner(s).



- (iii) Prior to constructing or upgrading an access, an application must be submitted and approved by Council for a permit under Local Law No. 1 (Administration) 2011 and Subordinate Local Law No. 1.15 (Carrying Out Works on a Road or Interfering with a Road or its Operation) 2011.
- (iv) 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.
- (v) If a Development Permit for Operational Works associated with the development is to be obtained in accordance with the *Planning Act 2016*, and the Southern Downs Planning Scheme. 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;
 - A schedule of quantities for the proposed Operational Works;
 - Detailed design drawings, schedules and specifications for all Operational Works, certified by a Registered Professional Engineer in Queensland (RPEQ);

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.

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

Approval Times

- (vii) In accordance with the *Planning Act 2016*, this approval will lapse four years from the day the approval takes effect, unless the Plan of Subdivision is submitted to Council within the currency period. Council will <u>NOT</u> approve the plan unless all conditions of this approval have been complied with to the satisfaction of Council and within the currency period of the approval.
- (viii) The approved Plan of Subdivision must be lodged for registration in the Office of the Registrar of Titles within six months of the date of Council's Compliance Certificate and approval of the Plan of Subdivision. If the Plan of Subdivision is not registered within this timeframe, Council's approval of the Plan of Subdivision will lapse. Council may reapprove the Plan of Subdivision subject to payment of the applicable fee.

Carried

14.4 The Big Apple

Resolution

Moved Mayor V Pennisi

Seconded Cr S Tancred

THAT Council resolve to:

- 1. Endorse that The Big Apple remain in its current location; and
- 2. Commence the process to formally donate the asset, including the responsibility of on-going maintenance, to the landowner of Lot 1 RP177731.



14.5 Sister City Arrangements

Resolution

Moved Cr S Tancred

Seconded Cr S Windle

THAT Council registers the Sister City arrangement currently in place with Shiwa, Iwate, Japan in line with the *Foreign Relations (State and Territory Arrangements) Act 2020.*

Carried

14.6 Expression of Interest for Children's Nature Based Playground

Resolution

Moved Cr C Gow

Seconded Cr S Windle

That Council call for Expressions of Interest in accordance with s228 of the *Local Government Regulation* 2012 for the design and construction of a Children's nature-based playground to align with a jointly funded initiative of the Australian and Queensland Governments as a component of the 2019 Queensland Bushfires Community Recovery Package under Category C of the Disaster Recovery Funding Arrangements.

Carried

14.7 Local Events Funding Program (LEFP) Round Two 2021

Resolution

Moved Cr M Gliori

Seconded Cr S Windle

THAT Council approve the following six (6) fully funded and seven (7) partly funded Local Events Funding Program (LEFP) Round Two 2021 grants totalling \$230,000:

Motorcycling Australia	Motorcycle Insurance Australian	\$ 30,000.00
	Superbike Championship (ASBK)	
Snowflakes in Stanthorpe	2021 Snowflakes in Stanthorpe	\$ 16,964.29
Jumpers and Jazz in July Inc	Jumpers and Jazz in July Inc 2021	\$ 20,000.00
Historic Leyburn Sprints Inc	Historic Leyburn Sprints 2021	\$ 7,254.50
The Warwick Caledonian Society	The Warwick Highland Gathering	\$ 20,000.00
Ulysses Club Inc	South East Queensland Ulysses Club 2022 National Rally	\$ 15,000.00
Warwick Show and Rodeo Society Inc	Warwick Rodeo and Gold Cup Campdraft - Live Entertainment	\$ 25,000.00
The Warwick Thistle Pipe Band	Strategic Plan	\$ 12,000.00
Granite Belt Weddings & Events	Berries n Brews	\$ 10,000.00
Killarney Show and Rodeo Society Inc	Killarney Bonfire Night	\$ 21,206.00
Gap Creek Moto	Spring Sounds	\$ 26,830.25
Stanthorpe Little Theatre	Shakespeare under the Stars 2021	\$ 14,876.56
Warwick Chamber of Commerce Inc	Qld Motorists Re-Enactment Weekend 2021	\$ 10,868.40
		\$230,000.00



14.8 Submission to Queensland Health on Consultation on the Medicines and Poisons Act 2019

Resolution

Moved Cr C McDonald

Seconded Cr R Bartley

THAT Council resolve to endorse the proposed submission being made to Queensland Health's consultation on the *Medicines and Poisons Act 2019*.

Carried

The meeting adjourned for morning tea at 10:43am and reconvened at 11:00am at which time there were present Crs Pennisi, Bartley, Gliori, Gow, Windle, McDonald, Gale and Tancred.

14.9 Waste Reduction and Recycling Plan 2021-2024

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council resolve to adopt the Waste Reduction and Recycling Plan 2021-2024 with an amendment to reference Innovation and Emerging Technologies, including the following:-

- 1. From 1 July 2021, the operational days and hours of the following waste facilities are:
 - a. Warwick and Stanthorpe; Seven (7) days a week, 8:00am 5:00pm;
 - b. Allora and Killarney; Friday Monday inclusively, 9:00am 4:00pm;
 - c. Broadwater, Leyburn, Wallangarra and Yangan; Friday Sunday inclusively, 9:00am 4:00pm; and
 - d. Maryvale, Pratten and The Northern Granite Belt; Saturday Monday inclusively, 9:00am 4:00pm.
- 2. Operational hours of all supervised waste facilities be reviewed after six (6) months of their implementation to ensure that the operations and opening times are appropriate and servicing the needs of the community.
- 3. Submitters to the draft Waste Reduction and Recycling Plan 2021-2024, during the community consultation phase, are formally notified of Council's decision.

Carried

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

15.1 Queensland Youth Parliament Agriculture Roundtable - Dalby 15 May 2021

Resolution

Moved Cr C McDonald

Seconded Cr S Windle

THAT the information in the report be received.



15.2 Warwick Womens' Work Camp Meeting - 20 May 2021

Resolution

Moved Cr S Windle

Seconded Cr M Gliori

THAT Council receive the verbal report from Cr Windle on her and Cr Gliori's attendance at the Womens' Work Camp Meeting held on 20 May 2021, noting the thanks that had been extended from the group to the Workshop Supervisors from the Warwick Depot for their assistance with maintenance and repair of machinery.

Carried

16. NOTICES OF MOTION

Nil

17. GENERAL BUSINESS

Nil

18. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 254J(3) 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 254J(3) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

18.1 Disposal of Council Land

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Meeting In Camera

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11:36am.



Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 11:58am.

Carried

18.1 Disposal of Council Land

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT Council:

- 1. Approve the disposal of Council land, with the exception of Property 15, in accordance with the *Local Government Regulation 2012* as detailed in the Attachment to the report; and
- 2. Delegate authority to the Chief Executive Officer to finalise the disposal of Council land in accordance with the *Local Government Regulation 2012* as detailed in the Attachment to the report.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12noon.