



**MINUTES OF THE
ORDINARY COUNCIL MEETING
25 FEBRUARY 2026**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 25 FEBRUARY 2026
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

1. ACKNOWLEDGEMENT OF COUNTRY

2. PRAYERS & CONDOLENCES

Cr McDonald offered a prayer for the meeting.

3. ATTENDANCE AND APOLOGIES

Present: Crs Hamilton (Chair), Bartley, Deane, Harslett, McDonald, Pidgeon, Richters, Wantling and Windle

Officers: Rachel Brophy (Chief Executive Officer), Dean Frost (General Manager Corporate Services), Nick Wellwood (General Manager Infrastructure, Assets & Projects), (Acting General Manager Communities, Planning and Environmental Services) Dyan Currie, Anthony Bigby (Manager Governance) and Marion Seymour (Minute Secretary)

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 28 January 2026

Resolution

Moved Cr C McDonald

Seconded Cr R Bartley

THAT the minutes of the Ordinary Council Meeting held on Wednesday 28 January 2026 be adopted.

Carried Unanimously

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Council Meeting 28 January 2026

Resolution

Moved Cr J Richters

Seconded Cr S Deane

THAT Council receive the report.

Carried Unanimously

6. DECLARATIONS OF CONFLICTS OF INTEREST

| Item No | Item Precis | Nature of Conflict |
|---------|---|--|
| 15.2 | RC\02063 Rodgers Creek Road and Cactus Ridge Road, Rodgers Creek – Realignment of boundaries (Six (6) lots into six (6) lots) | Cr McDonald declared a declarable conflict of interest in this matter (as defined in Section 150EG(1) and (2) of the <i>Local Government Act 2009</i>) as she is a partner in the applicant entity. As a result of Cr McDonald's conflict, she will leave the meeting room while the matter is considered and voted on. |

Procedural Motion - Bring Forward Agenda Item 15.1

In accordance with section 21 of Council Meetings Policy, Mayor Hamilton moved the following Procedural Motion:

THAT Agenda Item 15.1 be brought forward for discussion.

Resolution

Moved Mayor M Hamilton

Carried Unanimously

15.1 MCU\02009.01 - 396 Keoghs Road, Elbow Valley - Other Change - High Impact Industry (Water bottling facility), over three (3) stages

Resolution

Moved Mayor M Hamilton

Seconded Cr J Richters

THAT the application for Other Change - Material Change of Use for High impact industry (Water bottling facility) and Undefined use (Commercial ground water extraction) on land at 396 Keoghs Road, Elbow Valley, described as Lot 1000 SP268215, be refused for the following reasons:

1. The development is inconsistent with the rural landscape and character given the scale and nature of the use which presents as an intense industrial development due to the large building footprint, building height, retaining walls and acoustic barriers. In this way, the proposal does not comply with:
 - Strategic Outcome 3.3.1 (3)
 - Strategic Outcome 3.9.3.2 (7)
 - Purpose of the Rural zone code
 - Overall outcome (a) (iii) of the Rural zone code
 - PO1, PO8 and PO21 of the Rural zone code
 - Purpose of the Industry uses code
 - Overall outcomes (a), (b) and (c) of the Industry uses code
 - Purpose of the Earthworks code
 - Overall outcome (a) of the Earthworks code
 - PO2 of the Earthworks code
2. The development seeks an increase in ground water extraction to 96ML per year. A lack of information has been provided regarding potential impacts to the aquifer, surrounding agricultural uses and the water resource catchment. In this way, the proposal does not comply with:
 - Strategic Outcome 3.3.9

- Strategic Outcome 3.4.1 (4)
 - Strategic Outcome 3.4.3.1 (1) and (2)
 - Strategic Outcome 3.8.1 (7)
 - Purpose of the Rural zone code
 - Overall outcomes (a) (ii) and (vi) of the Rural zone code
 - Purpose of the Water resource catchments overlay code
 - PO2 of the Water resource catchments overlay code
3. The development will increase heavy vehicle movements to the local road network, including Keoghs Road, which is of insufficient standard to cater for the new traffic. No information has been provided regarding the impacts to Keoghs Road and the local road network in the ultimate stage of development. The increase in traffic generated on Keoghs Road is not within the capacity of the road, or consistent with the types of traffic and frequency of traffic movement existing on the road. In this way, the proposal does not comply with:
- Strategic Outcome 3.9.3.2 (2) and (7)
 - Overall outcome (a) (ii) of the Rural zone code
 - Purpose of the Industry uses code
 - Overall outcome (a), (d) and (e) of the Industry uses code
 - PO2 of the Industry uses code
4. The proposed Water bottling facility is of a significant urban scale, given the large 3,570 square metre building footprint, 10 metre maximum building height, 5.5 metre maximum retaining walls and 2 to 2.4 metre high acoustic barriers. Therefore, the proposal will conflict with the scenic character and amenity of the area, especially when viewed from the internal access road. In this way, the proposal does not comply with:
- Strategic Outcome 3.3.1(3)
 - Overall outcomes (1) and (2)(a)(iii) of the Rural zone code
 - Overall outcome (a), (b) and (c) of the Industry uses code
 - PO1 and PO8 of the Rural zone code
 - PO3 of the Industry uses code
5. The Noise Impact Assessment assesses noise impacts on the basis there will be 1 truck per hour because it relies on the Traffic Impact Assessment which assesses traffic associated with Stage 1 only. It has therefore not been demonstrated that the proposal will have acceptable noise impacts associated with Stages 2 and 3. In this way, the proposal does not comply with:
- Strategic Outcome 3.3.1(3)
 - Purpose of the Industry uses code
 - Overall outcome (a) and (b) of the Industry uses code
 - PO6 of the Rural zone code
 - PO4 of the Industry uses code
6. The Properly Made Submissions received are unsupportive of the development application and reinforce the development's conflicts with the Planning Scheme and potential for unacceptable social impacts to the community.
7. There are no Other Relevant Matters which, on a balanced assessment, lend support to approval of the development.

Carried Unanimously

7. MAYORAL MINUTE

7.1 Mayoral Minute - Motion of Thanks – Recent Fires

Resolution

Moved Mayor M Hamilton

THAT Council move a motion of thanks to the Queensland Fire Service, Rural Fire Service crews and volunteers, community members, Queensland Police Service and Council staff who assisted in the firefighting and recovery efforts across the region in relation to the recent fires in Karara, Stonehenge, Wildash, the Eight Mile and Applethorpe.

Carried Unanimously

8. NOTICES OF MOTION

8.1 Notice of Motion - Thanks for Firefighting Effort at Karara

Recommendation

Moved Cr R Bartley

Seconded Cr R Wantling

THAT Council move a motion of thanks to everybody who assisted in the firefighting effort during the recent fire event at Karara.

In accordance with section 21 of Council Meetings Policy, Cr Richters moved the following Procedural Motion:

THAT Council receive the attached tabled correspondence from the Minister for Police and Emergency Services.

Resolution

Moved Cr J Richters

Carried Unanimously

Attachments

1. Correspondence from Cr Richters to the Minister for Police and Emergency Services - **Attached to the Minutes Under Separate Cover**

Resolution

Moved Cr R Bartley

Seconded Cr R Wantling

THAT Council move a motion of thanks to everybody who assisted in the firefighting effort during the recent fire event at Karara.

Carried Unanimously

9. READING AND CONSIDERATION OF CORRESPONDENCE

9.1 Correspondence

Resolution

Moved Cr C McDonald

Seconded Cr S Deane

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

Carried Unanimously

10. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

10.1 Petition - Request for the construction of the unformed section of O'Maras Road, between Graysons Siding Road and Claydons Road

Resolution

Moved Cr S Deane

Seconded Cr M Harslett

THAT Council:

1. Pursuant to Standing Order 1.2, suspend Standing Order 6.2 for the sole purpose of receiving the Petition, with all other Standing Orders to remain in effect.
2. Receive the Petition and note the matter has been referred to the General Manager Infrastructure, Assets and Projects for investigation.

Carried Unanimously

11. PORTFOLIO REPORTS

11.1 Portfolio Report - Mayor Hamilton - Prosperous Communities

Resolution

Moved Mayor M Hamilton

Seconded Cr S Windle

THAT Council's Prosperous Communities Portfolio Report be received.

Carried Unanimously

12. EXECUTIVE SERVICES REPORTS

12.1 Chief Executive Officer - Status Report

Resolution

Moved Cr J Richters

Seconded Cr S Windle

THAT Council note the Chief Executive Officer's Status Report.

Carried Unanimously

12.2 Warwick District Disaster Management Group - Council Nomination

Recommendation

Moved Mayor M Hamilton **Seconded Cr S Windle**

THAT Council, in accordance with s. 24 (1) of the *Disaster Management Act 2003* and s. 5 (1) (c) (ii) and s. 5 (2) of the *Disaster Management Regulation 2014*, nominate a member and deputy member to the Warwick District Disaster Management Group (“DDMG”).

Amendment

Mayor Hamilton proposed the following amendment to Agenda Item 12.2:

THAT Council nominate Mayor Melissa Hamilton as a member and Cr Carla Pidgeon as deputy member of the Warwick District Disaster Management Group.

Resolution

Moved Mayor M Hamilton **Seconded Cr C Pidgeon**

Carried Unanimously

Resolution

Moved Mayor M Hamilton **Seconded Cr C Pidgeon**

THAT Council, in accordance with s. 24 (1) of the *Disaster Management Act 2003* and s. 5 (1) (c) (ii) and s. 5 (2) of the *Disaster Management Regulation 2014*, nominate Mayor Melissa Hamilton as a member and Cr Carla Pidgeon as deputy member to the Warwick District Disaster Management Group (“DDMG”).

Carried

The following votes were recorded:

For: Crs S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, J Richters, R Wantling and S Windle (8)

Against: Cr R Bartley (1)

12.3 Community Engagement Policy PL-CS059

Resolution

Moved Cr M Harslett **Seconded Cr C Pidgeon**

THAT Council adopt the Community Engagement Policy PL-CS059.

Carried Unanimously

13. CORPORATE SERVICES REPORTS

13.1 Financial Services - Financial Report as at 31 January 2026

Resolution

Moved Cr R Wantling

Seconded Cr M Harslett

THAT Council receive and note the Financial Performance Report as at 31 January 2026.

Carried Unanimously

13.2 Conversion of a State issued term lease over Lot 92 on BNT 538 to Freehold.

Recommendation

Moved Cr M Harslett

Seconded Cr C Pidgeon

THAT Council, provides no objection for the conversion of the State term lease to freehold land at Lot 92 on BNT 538.

In accordance with section 21 of Council Meetings Policy, Cr Harslett moved the following Procedural Motion:

THAT Agenda Item 13.2 be deferred to later in the meeting to allow for clarification on the report.

Resolution

Moved Cr M Harslett

Carried

The following votes were recorded:

For: Crs S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, J Richters, R Wantling and S Windle (8)

Against: Cr R Bartley (1)

13.3 Application for Permanent Road Closure - Adjacent to Lot 1 on RP815366 and Lot 3 on SP340870 - Off Washpool Road, Rosenthal Heights

Resolution

Moved Cr M Harslett

Seconded Cr S Deane

THAT Council, pursuant to Section 99(1) of the *Land Act 1994*, advise the Department of Resources that Council does not object to the application for a permanent road closure over part of the Road Reserve adjacent to Lot 1 on RP815366 and Lot 3 on SP340870, subject to these parcels being amalgamated with the adjoining Lots in the proposed development.

Carried Unanimously

13.2 Conversion of a State issued term lease over Lot 92 on BNT 538 to Freehold.

Recommendation

Moved Cr M Harslett

Seconded Cr C Pidgeon

THAT Council, provides no objection for the conversion of the State term lease to freehold land at Lot 92 on BNT 538.

In accordance with section 21 of Council Meetings Policy, Cr McDonald moved the following Procedural Motion:

THAT Agenda Item 13.2 be adjourned to later in the meeting.

Resolution

Moved Cr C McDonald

Carried Unanimously

14. INFRASTRUCTURE, ASSETS AND PROJECTS REPORTS

14.1 26_097 Unsealed Road Maintenance for Flood Rectification contract approval request

Resolution

Moved Cr S Windle

Seconded Cr M Harslett

THAT Council:

1. Following the Tender Evaluation, enter into a contract with BK Civil Group for the Provision of Unsealed Road Maintenance Services for Flood Rectification works in the Southern Downs Region in accordance with the Schedule of Rates for the proposed treatments as provided in the tender, with an estimated value of \$1,052,281.76.
2. Delegate authority to the Chief Executive Officer to enter into any variations to the contract terms as deemed necessary for the duration of the contract and authorise additional works under the contract to meet Queensland Reconstruction Authority, Disaster Recovery Funding Arrangements funding timelines for reconstruction works.

Carried Unanimously

15. COMMUNITIES, PLANNING AND ENVIRONMENTAL SERVICES REPORTS

Following a declaration of conflict of interest in relation to Agenda Item 15.2, Cr McDonald left the meeting at 10:27am.

15.2 RC\02063 - Rodgers Creek Road and Cactus Ridge Road, Rodgers Creek - Realignment of boundaries (Six (6) lots into six (6) lots)

Resolution

Moved Cr J Richters

Seconded Cr S Deane

THAT the application for Reconfiguring a lot – Realignment of boundaries (Six (6) lots into six (6) lots), located at Rodgers Creek Road and Cactus Ridge Road, Rodgers Creek, formally described as Lots 4, 6, 7 and 8 SP322823, Lot 2277 SP232698 and Lot 80 SP309862, be approved 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 |
|---|---------------------------|------------|
| Proposed Lots 1 to 6, prepared by Gary Hayes & Partners Pty Ltd | W5222-30, Sheet 1 of 2 | 28/07/2025 |
| Proposed Lots 1 to 6, prepared by Gary Hayes & Partners Pty Ltd | W5222-30, Sheet 2 of 2 | 28/07/2025 |

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.
3. Prior to Council endorsing the survey for this approval (RC\02063), the existing approval RC\01711 is required to be amended to remove Stage 4.

Easements and Covenants

4. The building envelope for proposed Lot 1 is to be relocated to be entirely located outside the Medium Potential Bushfire Intensity area.
5. A covenant is to be provided over proposed Lots 1, 3 and 6 prohibiting the residential use of any building unless such buildings are constructed within the building envelopes approved in accordance with this condition. 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.

Existing Buildings, Structures and Services

6. Demolish or relocate any buildings, structures, fencing or private infrastructure on the site that are located over any proposed lot boundary.

Electricity, Street Lighting and Telecommunications

7. Prior to Council signing the Plan of Subdivision, written advice must be provided from Ergon Energy, or the relevant electricity provider, confirming that it has been made aware of the proposed development.

Advisory Notes

- (i) Any demolition and/or removal works involving asbestos materials must be undertaken in accordance with the requirements of the *Workplace Health and Safety* legislation and *Public*

Health Act 2005.

- (ii) 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.
- (iii) 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 Infrastructure, Local Government and Planning for the clearing of any remnant vegetation, unless exempt under Schedule 21 of the *Planning Regulation 2017*.
- (iv) Council does not have accurate flood information for this property and therefore cannot determine the height of a Defined Flood Event (DFE). Therefore there is no guarantee of flood immunity.
- (v) 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, dust and noise impacts from the surrounding lawful non-residential use. These measures must be undertaken at the expense of the property owner(s).
- (vi) Council will not be sealing Rodgers Creek Road or Cactus Ridge Road as a result of any dust complaints received.
- (vii) 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.
- (viii) 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.

Telecommunications in New Developments

- (ix) For information for developers and owner builders, on important Commonwealth telecommunication rules that need to be complied with, visit www.infrastructure.gov.au/tind

Aboriginal Cultural Heritage

- (x) 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

- (xi) 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 NOT 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.**
- (xii) 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

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

For: Crs S Deane, M Hamilton, M Harslett, C Pidgeon, J Richters and S Windle (6)

Against: Crs R Bartley and R Wantling (2)

10:45am Cr McDonald rejoined the meeting

Procedural Motion - Adjournment

In accordance with section 21 of Council Meetings Policy, Cr Richters moved the following Procedural Motion:

THAT the meeting be adjourned.

Resolution

Moved Cr J Richters

Carried Unanimously

The meeting adjourned at 10:45am and reconvened at 11:03am at which time there were present Mayor Hamilton and Crs Bartley, Deane, Harslett, McDonald, Pidgeon, Richters, Wantling and Windle

Procedural Motion - Agenda Item 13.2

In accordance with section 21 of Council Meetings Policy, Mayor Hamilton moved the following Procedural Motion:

THAT Agenda Item 13.2 be brought back for discussion.

Resolution

Moved Mayor M Hamilton

Carried Unanimously

13.2 Conversion of a State issued term lease over Lot 92 on BNT 538 to Freehold.

Resolution

Moved Cr M Harslett

Seconded Cr C Pidgeon

THAT Council, provides no objection for the conversion of the State term lease to freehold land at Lot 92 on BNT 538.

Lost

The following votes were recorded:

For: Cr M Harslett (1)

Against: Crs R Bartley, S Deane, M Hamilton, C McDonald, C Pidgeon, J Richters, R Wantling and S Windle (8)

Alternate Motion

Cr Richters proposed the following alternate motion:

THAT Council object to the conversion of the State term lease to freehold land at Lot 92 on BNT 538.

Resolution

Moved Cr J Richters

Seconded Cr R Bartley

Carried

The following votes were recorded:

For: Crs R Bartley, S Deane, M Hamilton, C McDonald, C Pidgeon, J Richters, R Wantling and S Windle (8)

Against: Cr M Harslett (1)

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

Nil

17. 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:

17.1 Audit and Risk Management Committee - External Representatives

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 S Deane

Seconded Cr S Windle

THAT the meeting move into closed session.

Carried

The following votes were recorded:

For: Crs S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, R Wantling and S Windle (7)

Against: Crs R Bartley and J Richters (2)

The Meeting moved into closed session at 11:18am

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 11:33am.

17.1 Audit and Risk Management Committee - External Representatives

Resolution

Moved Cr S Deane

Seconded Cr M Harslett

THAT Council resolves as follows:

1. Council acknowledges the dedication and diligence of the outgoing external independent members of the Audit and Risk Management Committee:
 - a. Ms. Kerry Phillips
 - b. Ms. Melanie Jacobs
 - c. Mr. Tony Traceand thanks them for their service to Southern Downs Regional Council during their terms of appointment.
2. Approves the appointment of external independent members to the Audit & Risk management committee in accordance with the report.
3. Grants delegated authority to the Chief Executive Officer and delegated officers to negotiate and complete the terms of appointment such that the expiry date of the terms is staggered so that they do not expire in the same year.

Carried Unanimously

18. GENERAL BUSINESS

MEETING CLOSURE

There being no further business, the meeting closed at 11:40am..