



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
25 NOVEMBER 2015**

ORDER OF BUSINESS:

1.	ATTENDANCE	1
2.	APOLOGIES.....	1
3.	CONDOLENCES	1
4.	READING AND CONFIRMATION OF MINUTES.....	1
	4.1 General Council Meeting – 28 October 2015	1
	4.2 Special Council Meeting - 2 November 2015	1
	4.3 Special Council Meeting - 11 November 2015	2
5.	ACTIONS FROM COUNCIL MEETINGS	2
	5.1 Actions from Previous Council Meeting.....	2
6.	DECLARATIONS OF CONFLICTS OF INTEREST	3
	15.8.1 Progress Report GrainX Australia - Discussion in Open Meeting.....	4
7.	READING AND CONSIDERATION OF CORRESPONDENCE	4
	7.1 Correspondence	4
	7.1.1 Fee Relief to Dalveen Rural Fire Brigade.....	5
	7.1.2 Fee Relief - Dalveen Rural Fire Brigade	5
8.	RECEPTION AND READING OF PETITIONS AND JOINT LETTERS.....	5
	8.1 Petition for Pedestrian Footpath Fitzroy Street, East Warwick	5
9.	EXECUTIVE.....	6
	9.1 Calendar for Council Meetings & Briefing Sessions January to March 2016	6
	9.2 EXEC - Financial Report as at 31 October 2015.....	6
	9.3 EXEC - Executive Performance Report - October 2015.....	6
	9.4 EXEC - Southern Downs Regional Council and Tenterfield Shire Council - Cross Border Strategic Alliance Meeting	7
	9.5 EXEC - SDRC Annual Report 1 July 2014 to 30 June 2015.....	7
	9.6.1 Delegations Register Amendment - Council to CEO	7
	9.6 EXEC - Delegations Register Amendment - Council to CEO	8
	9.7 EXEC - Proposed Permit to Occupy	8
	9.8 EXEC - Proposed Renewal of Lease - Vodafone Network Pty Ltd	9
	9.9 Draft State Infrastructure Plan Submission	9
	9.10 EXEC - Proposed Lease at Storm King Dam	9
10.	ENGINEERING SERVICES DEPARTMENT REPORTS.....	10
	10.1 Monthly Report	10

10.2	Aerodrome Advisory Group (AAG).....	10
10.3	Request to Name Unnamed Road	10
10.4	Request to Name Bridge	11
11.	PLANNING & ENVIRONMENT DEPARTMENT REPORTS	11
11.1	Request for Negotiated Decision - C W & C G Hood, Warwick-Allora Road, Allora.....	11
11.2	Removal of Place from the Local Heritage Register - 33 Maryland Street, Stanthorpe.....	11
11.3	Proposal to Make a Local Government Infrastructure Plan Amendment .	11
11.4.1	Camping at Allora and Dalveen Park Reserves	12
11.4	Payment for Camping Allora and Dalveen Park Reserves	12
11.5	2015/2016 Schedule of Fees - Apply for an Extension of a Building Approval	13
11.6	PECS - Regional Arts Development Fund Applications Round One 2015/2016	13
11.7	PECS - Pratten Progress Association	14
11.8.1	Overflow Policy for Camping in the Southern Downs Regional Council Area.....	15
11.8	PECS - Overflow Policy for Camping in the Southern Downs Regional Council area	15
12.	REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	15
12.1	Warwick Australia Day 2016 Committee	15
13.	NOTICES OF MOTION	16
13.1	Rescission Motion - Resolution 4.1 First Quarter Budget Review 2015/2016 - Special Council Meeting 11 November 2015.....	16
14.	GENERAL BUSINESS	16
14.1	Allora Sports Club Seasonal Allocation.....	17
14.2	Oman Ama Nuclear Storage Facility	18
14.3	Armistice Day	18
15.	CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS	18
	Meeting In Camera	20
	Meeting Out Of Camera	20
15.1	EXEC - Administration Wage Increase	20
15.2	EXEC - Sale of Land for Unpaid Rates	21
15.3	EXEC - Rating Consultation Group (RCG).....	21
15.4	EXEC - Audit & Risk Management Committee (ARMC) Special Meeting - 22 October 2015.....	21

15.5	EXEC - Proposed Utilisation of Council Premises.....	22
15.6	EXEC - Washpool Camping Reserve Operations - July to October 2015	22
15.7	IOR Report	23
15.8	Progress Report GrainX Australia - Memorandum of Understanding	23
15.9	Proposed Amendments to the Southern Downs Planning Scheme.....	23

**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 25 NOVEMBER 2015
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9.00AM**

1. ATTENDANCE

Present: Crs Blundell (Chair), Bartley, Gow, Ingram, Mackenzie, McNally, Meiklejohn, Pennisi and Rees.

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

2. APOLOGIES

Nil

3. CONDOLENCES

Recommendation

THAT Council recognise those recently departed from the region.

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting – 28 October 2015

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT the minutes of the General Council Meeting held on Wednesday 28 October 2015 be adopted.

Carried

4.2 Special Council Meeting - 2 November 2015

Resolution

Moved Cr G Rees

Seconded Cr J McNally

THAT the minutes of the Special Council Meeting held on Monday 2 November 2015 be adopted.

Carried

4.3 Special Council Meeting - 11 November 2015

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT the minutes of the Special Council Meeting held on Wednesday 11 November 2015 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr D Ingram

Seconded Cr G Rees

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
7.1.1 and 7.1.2	Fee Relief to Dalveen Rural Fire Brigade	Cr Gow declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as he is a member of the Broadwater/Amiens Rural Fire Brigade and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
9.3	Executive Performance Report October 2015	Cr McNally declared that a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>), may exist due to her husband's request 93307 being included. Cr McNally dealt 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. Cr McNally participated in the discussion and voting on this matter.
9.7	Proposed Permit to Occupy	Cr Bartley declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as he is a partner in the business that made the application and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
9.8	Proposed Renewal of Lease – Vodafone Network Pty Ltd	Cr Gow, Cr Mackenzie and Cr Bartley declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to their shareholdings and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
11.6	Regional Arts Development Fund Applications Round one 2015/2016	Cr Mackenzie declared that a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>), may exist due to one of the projects being planned was located near his family residence. Cr Mackenzie dealt with the perceived conflict of interest by stating that it was her determination that his personal interest is not of sufficient significance that it would lead to him making a decision on this matter that is contrary to the public interest. Cr Mackenzie participated in the discussion and voting on this matter.
11.8	Overflow Policy for Camping in the Southern Downs Regional Council Area	Cr Gow declared a real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as he holds a position with Stanthorpe Agricultural Society and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

7.1.1 Fee Relief to Dalveen Rural Fire Brigade

Resolution

Moved Cr J Mackenzie

Seconded Cr V Pennisi

THAT Council approve the fee relief request from the Dalveen Rural Fire Brigade for building and plumbing approval associated with the installation of toilets and showers, and construction of an additional training room at the Dalveen Rural Fire Brigade site at Pine Crescent, Dalveen.

Lost

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

For: Crs R Bartley, J Mackenzie, V Pennisi and G Rees (4)

Against: Crs P Blundell, D Ingram, J McNally and N Meiklejohn (4)

Accordingly the Mayor declared the motion carried using his casting vote.

7.1.2 Fee Relief - Dalveen Rural Fire Brigade

Resolution

Moved Cr J McNally

Seconded Cr D Ingram

THAT Council offer a 50% fee relief request from the Dalveen Rural Fire Brigade for building and plumbing approval associated with the installation of toilets and showers, and construction of an additional training room at the Dalveen Rural Fire Brigade site at Pine Crescent, Dalveen on the condition that the applications are to be lodged through Council's certifiers.

Carried

09:26 AM Cr V Pennisi left the meeting to attend a funeral.

09:26 AM Cr C Gow rejoined the meeting.

8. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

8.1 Petition for Pedestrian Footpath Fitzroy Street, East Warwick

Resolution

Moved Cr J Mackenzie

Seconded Cr J McNally

THAT Council refer the Petition requesting the provision of a pedestrian footpath to the Director Engineering Services for investigation.

Carried

9. EXECUTIVE

9.1 Calendar for Council Meetings & Briefing Sessions January to March 2016

Resolution

Moved Cr N Meiklejohn

Seconded Cr D Ingram

THAT Council adopt the attached schedule for Council Meetings and Briefing Sessions for January to March 2016.

Carried

Attachments

1. Calendar of Council Meetings and Briefing Sessions January to March 2015

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

For: Crs P Blundell, C Gow, D Ingram, J McNally, N Meiklejohn and G Rees (6)

Against: Crs R Bartley and J Mackenzie (2)

Accordingly the Mayor declared the motion carried.

9.2 EXEC - Financial Report as at 31 October 2015

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive and note the Financial Report as at 31 October 2015.

Carried

Cr McNally declared that a perceived conflict of interest in this matter (as defined in section 173 of the Local Government Act 2009), may exist due to her husband's request 93307 being included. Cr McNally dealt 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. Cr McNally participated in the discussion and voting on this matter.

9.3 EXEC - Executive Performance Report - October 2015

Resolution

Moved Cr D Ingram

Seconded Cr C Gow

THAT Council receive and note the Executive Performance Statistics for October 2015.

Carried

Cr McNally voted for the motion.

9.6 EXEC - Delegations Register Amendment - Council to CEO

Resolution

Moved Cr J McNally

Seconded Cr D Ingram

THAT Council, pursuant to section 257 of the Local Government Act 2009, amend Delegation #508 in the Register of Delegations (Council to CEO) for the Southern Downs Regional Council to the Chief Executive Officer (condition 3 to apply).

Carried

Cr Bartley declared a real conflict of interest in Agenda Item 9.7 (as defined in section 173 of the Local Government Act 2009) as he is a partner in the business that made the application and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

10:07 AM Cr R Bartley left the meeting.

9.7 EXEC - Proposed Permit to Occupy

Resolution

Moved Cr J McNally

Seconded Cr D Ingram

THAT Council advise the Department of Natural Resources and Mines, that it has no objections to the issuing of a Permit to Occupy over road reserve adjoining Lots 1-4 on RP15546, Lot 1 on RP15543, Lot 3 on RP15544 and Lot 1 on RP160484.

Carried

10:09 AM Cr R Bartley rejoined the meeting.

Cr Gow, Cr Mackenzie and Cr Bartley declared a real conflict of interest in Agenda Item 9.8 (as defined in section 173 of the Local Government Act 2009) due to their shareholdings and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

10:13 AM Cr C Gow left the meeting.

10:13 AM Cr R Bartley left the meeting.

10:13 AM Cr J Mackenzie left the meeting.

9.8 EXEC - Proposed Renewal of Lease - Vodafone Network Pty Ltd

Resolution

Moved Cr J McNally

Seconded Cr G Rees

THAT Council offer a 10 year lease from 30 November 2015, to Vodafone Network Pty Ltd for the occupation of part of Lot 2 on RP57606, situated at Mt. Marley, Lock Street, Stanthorpe, with the annual lease fee commencing at \$4,500.00 (with an annual increase of 3.5%) with the following special conditions:

- A market rent review will take place 6 months prior to the expiration of the first 5 years of the lease, with any reviewed rent to be not less than the rent payable during the prior period;
- Vodafone Network Pty. Ltd contribute to Council's legal costs for the preparation of the lease documents to a maximum of \$2,000;
- Council will not unreasonably refuse Vodafone's request for a further 10 year lease following the expiration of this 10 year lease.

Carried

10:14 AM Cr R Bartley rejoined the meeting.

10:14 AM Cr C Gow rejoined the meeting.

10:14 AM Cr J Mackenzie rejoined the meeting.

9.9 Draft State Infrastructure Plan Submission

Resolution

Moved Cr N Meiklejohn

Seconded Cr G Rees

THAT Council endorse the attached submission to the Department of Infrastructure, Local Government and Planning on the Draft State Infrastructure Plan.

Carried

Attachments

1. Submission

10:24 AM Cr R Bartley left the meeting.

9.10 EXEC - Proposed Lease at Storm King Dam

Resolution

Moved Cr J McNally

Seconded Cr G Rees

THAT Council offer a five year freehold lease to Storm King Dam Boat Club Inc. for the occupation of part of Lot 1 on RP166555, situated at Storm King Dam, with the following special conditions:

- Storm King Dam Boat Club Inc. will not impede access to the dam by the public.
- The annual lease fee to be in accordance with Council's Lease Policy.
- The Lessor reserves the right to terminate this lease with the provision of four months' notice to the Lessee.

Carried

10. ENGINEERING SERVICES DEPARTMENT REPORTS

10.1 Monthly Report

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive the Engineering Services Department Monthly Report.

Carried

10.2 Aerodrome Advisory Group (AAG)

Resolution

Moved Cr J Mackenzie

Seconded Cr N Meiklejohn

THAT Council:

1. Receive the Minutes of the AAG Meeting held on 15 October 2015.
2. Adopt the Aerodrome Advisory Committee motion to place the Committee in hibernation until a new Council is elected in March 2016.

Carried

10.30am Presentation to Sophia McLucas of Headspace of: "Casual for a Cause" Donation.

The meeting adjourned for morning tea at 10.35am and reconvened at 10.53pm at which time there were present Crs Blundell, Bartley, Gow, Ingram, Mackenzie, McNally, Meiklejohn and Rees

10.3 Request to Name Unnamed Road

Resolution

Moved Cr J McNally

Seconded Cr J Mackenzie

THAT Council:

1. Adopt the name "Christensen Lane" as the name for the unnamed road.
2. Advise the applicant that "Christensen Lane" is an unconstructed road and will not be maintained in the future.
3. Advise the applicant they will be responsible for the cost of signage and installation as approved by the Director Engineering Services.

Carried

10.4 Request to Name Bridge

Resolution

Moved Cr G Rees

Seconded Cr J McNally

THAT Council endorse naming the unnamed bridge that crosses Dalrymple Creek Road at Talgai between Lot 13 on RP28968 and Lot 14 on ML1697 as "Frizzell Bridge" and write to the Department of Transport and Main Roads seeking their approval.

Carried

11. PLANNING & ENVIRONMENT DEPARTMENT REPORTS

11.1 Request for Negotiated Decision - C W & C G Hood, Warwick-Allora Road, Allora

Resolution

Moved Cr J Mackenzie

Seconded Cr R Bartley

THAT that the issue of the Negotiated Decision Notice for Development Approval for a Medium Industry Medium impact industry (Intermodal Agricultural Hub for the storage and transportation of unprocessed agricultural products) on land described as Lot 3 Registered Plan Number 6983 and Lot 15 on Plan Number M34673 in the Parish of Allora, County of Merivale situated at Allora-Warwick Road Hendon be deferred to the December 2015 General Meeting pending written advice from the Department of Main Roads regarding traffic safety concerns for the imposition of conditions requiring landscape buffers in the road reserve on the eastern side of the development site.

Carried

11.2 Removal of Place from the Local Heritage Register - 33 Maryland Street, Stanthorpe

Resolution

Moved Cr J McNally

Seconded Cr C Gow

THAT Council resolves to remove the following place from the Local Heritage Register:

- Listing No. 771, Commercial Building, Lot 2 RP31625 and Lot 2 RP31627, 33 Maryland Street, Stanthorpe

Carried

11.3 Proposal to Make a Local Government Infrastructure Plan Amendment

Resolution

Moved Cr G Rees

Seconded Cr N Meiklejohn

THAT:-

1. Council decides to make a Local Government Infrastructure Plan amendment; and
2. Following the enactment of the Local Government and Other Legislation Amendment Bill (No. 2) 2015, Council applies to the Minister requesting an extension of time to make the Local Government Infrastructure Plan amendment.

Carried

11.4.1 Camping at Allora and Dalveen Park Reserves

Resolution

Moved Cr J Mackenzie

Seconded

THAT:-

1. For the next 24 months Council continue to permit free roadside camping where it has occurred historically for no more than 48 hour periods at: Mitchell Park, Dalveen; Dalrymple Creek, Allora; and Sports Reserve, Leyburn.
2. During this period, Council undertake further consultation with all relevant stakeholders with a view to handing over control and maintenance of existing public camping at Dalveen, Allora and Leyburn to community groups.

Lapsed

Motion lapsed for want of a seconder.

PLEASE NOTE AGENDA ITEM 11.4 WAS SUBSEQUENTLY AMENDED BY AGENDA ITEM 13.3 NOTICE OF MOTION AT THE DECEMBER 2015 GENERAL MEETING WHICH MOTION WAS ALSO AMENDED BY AGENDA ITEM 13.1 NOTICE OF MOTION AT THE JANUARY 2016 GENERAL MEETING.

ORIGINAL MOTION BELOW

11.4 Payment for Camping Allora and Dalveen Park Reserves (Replaced)

Resolution

Moved Cr G Rees

Seconded Cr N Meiklejohn

THAT Council:-

1. Approves of an honesty box payment system for vehicles staying overnight at Dalveen and Allora Park Reserves. The overnight fee is set at \$10.00 per vehicle and proceeds to be used for maintenance of the Reserves.
2. Reaffirms that the maximum stay for vehicles in these Reserves is 24 hours.
3. Creates a \$10.00 fee in the Fees and Charges Register for overnight camping in Councils Reserves at Allora and Dalveen.

Carried

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

For: Crs P Blundell, C Gow, N Meiklejohn and G Rees (4)

Against: Crs R Bartley, D Ingram, J Mackenzie and J McNally (4)

Accordingly the Mayor declared the motion carried using his casting vote.

FINAL AMENDED MOTION

11.4 Payment for Camping Allora and Dalveen Park Reserves - Amended 27 January 2016

Resolution

Moved Cr D Ingram

Seconded Cr J McNally

THAT Council not change the Policy adopted in August 2015 and it continues to permit free roadside camping, where it has occurred lawfully, for no more than 24 hours at Jim Mitchell Park, Dalveen and Dalrymple Park, Allora and no more than 72 hours at the Leyburn Sports Reserve.

Carried

11.5 2015/2016 Schedule of Fees - Apply for an Extension of a Building Approval

Resolution

Moved Cr D Ingram

Seconded Cr G Rees

THAT Council include in its 2015/2016 Schedule of Fees a fee to apply for an extension of a Building Approval.

Carried

Cr Mackenzie declared that a perceived conflict of interest in Agenda Item 11.6 (as defined in section 173 of the Local Government Act 2009), may exist due to one of the projects being planned near his family residence. Cr Mackenzie dealt with the perceived conflict of interest by stating that it was her determination that his personal interest is not of sufficient significance that it would lead to him making a decision on this matter that is contrary to the public interest. Cr Mackenzie participated in the discussion and voting on this matter.

11:54 AM Cr J Mackenzie left the meeting.

11.6 PECS - Regional Arts Development Fund Applications Round One 2015/2016

Resolution

Moved Cr D Ingram

Seconded Cr J McNally

THAT Council endorse the following Regional Arts Development Fund (RADF) Round One 2015/2016 grants:

1	Stanthorpe Festival Association	Apple & Grape Multicultural Carnival	\$21,500
2	Deborah Wheeler	Local WW2 Heroes: of the Southern Downs	\$10,000
3	Killarney & District Historical Society	Bullocky & Axeman	\$17,000
4	Ananda Marga Pracaraka Samgha	The Ananda Mela Music & Wellbeing Festival	\$9,325
		TOTAL	\$57,825

Carried

11.7 PECS - Pratten Progress Association

Resolution

Moved Cr J McNally

Seconded Cr C Gow

THAT Council:

1. Note the submission from the Pratten Progress Association;
2. Approve the request from the Pratten Progress Association for permission to use part of the Pratten Park to create a memorial area.

Carried

Cr Gow declared a real conflict of interest in Agenda Item 11.8 (as defined in section 173 of the Local Government Act 2009) as he holds a position with Stanthorpe Agricultural Society and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

11:56 AM Cr C Gow left the meeting.

11:59 AM Cr J Mackenzie rejoined the meeting.

11.8.1 Overflow Policy for Camping in the Southern Downs Regional Council Area

Resolution

Moved Cr J Mackenzie

THAT Council adopt the Overflow Policy for Camping in the Southern Downs Regional Council area, with the exception that all of point 10 apart from item (d) is deleted and replaced with the following:

"10. Council considers that the temporary overflow camping areas under this policy do not constitute a Material Change of Use under the provisions of the Sustainable Planning Act 2009."

Lapsed

Motion lapsed for want of a seconder.

11.8 PECS - Overflow Policy for Camping in the Southern Downs Regional Council area

Resolution

Moved Cr J McNally

Seconded Cr D Ingram

THAT Council adopt the attached Overflow Policy for Camping in the Southern Downs Regional Council area.

Carried

Attachments

1. Overflow Policy

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

For: Crs P Blundell, D Ingram, J McNally and N Meiklejohn (4)

Against: Crs R Bartley, J Mackenzie and G Rees (3)

Accordingly the Mayor declared the motion carried.

12:17 PM Cr C Gow rejoined the meeting.

12:19 PM Cr V Pennisi rejoined the meeting.

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

Cr Mackenzie tabled the attached report to Council

12.1 Warwick Australia Day 2016 Committee

Resolution

Moved Cr J Mackenzie

Seconded Cr N Meiklejohn

THAT Council:-

1. Receive the attached report of the Warwick Australia Day 2016 Committee.
2. Endorse the Committee's actions to date and agree to an advertising budget limit of \$1500.00 for advertisements/advertorials in 2 newspapers and 1 magazine with an emphasis on social media promotion.
3. Thank the Councillors, community members and staff members for their appreciated efforts to date.

Carried

Attachments

1. Warwick Australia Day 2016 Committee Report

12:44 PM Cr N Meiklejohn left the meeting.

12:46 PM Cr N Meiklejohn rejoined the meeting.

13. NOTICES OF MOTION

13.1 Rescission Motion - Resolution 4.1 First Quarter Budget Review 2015/2016 - Special Council Meeting 11 November 2015

Resolution

Moved Cr V Pennisi

Seconded Cr J Mackenzie

THAT Council rescind Resolution 4.1 First Quarter Budget Review and replace it with:-

"THAT Council adopt the first quarter budget review 2015/2016 adjustments as per Attachment 1 including the operating grant increase to YMCA, noting amendments may need to be made in the second quarter budget review, including possible adjustments in capital budget for firefighting requirements at YMCA Building in Stanthorpe."

Carried

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

For: Crs R Bartley, C Gow, J Mackenzie, V Pennisi and G Rees (5)

Against: Crs P Blundell, D Ingram, J McNally and N Meiklejohn (4)

Accordingly the Mayor declared the motion carried.

14. GENERAL BUSINESS

12:51 PM Cr C Gow left the meeting.

12:53 PM Cr C Gow rejoined the meeting.

12:54 PM Cr J McNally left the meeting.

12:56 PM Cr J McNally rejoined the meeting.

The meeting adjourned for lunch at 1.06pm and reconvened at 1.35pm at which time there were present Crs Blundell, Bartley, Gow, Ingram, Mackenzie, Pennisi, McNally, Meiklejohn and Rees

Cr Bartley raised the issue of a request from the Allora Sports Club for a seasonal water allocation

14.1 Allora Sports Club Seasonal Allocation

Resolution

Moved Cr R Bartley

Seconded Cr V Pennisi

THAT Council seasonally assign up to 20mg to the Allora Sports Club subject to a report to decide on the financial arrangements.

Carried

Cr Mackenzie tabled a letter from Michael Wallace. The Mayor advised the letter would be referred to the Director Planning, Environment & Community Services.

14.2 Oman Ama Nuclear Storage Facility

Resolution

Moved Cr J Mackenzie

Seconded Cr V Pennisi

THAT Council cordially invite the Federal Department of Industry representative, Mr Bruce Wilson, and the State and Federal Government elected representatives to arrange for the relevant government and industry personnel to provide Council with detailed written data and a presentation on the proposed Oman Ama Nuclear Storage facility, addressing concerns ranging from community image, environmental protection, security, transport safety, road access and scale of operations.

Carried

14.3 Armistice Day

Resolution

Moved Cr J Mackenzie

Seconded Cr R Bartley

THAT Council does not hold any statutory meetings on Remembrance Day, 11 November, in the future as a mark of respect for World War One diggers and their families and to enable Councillors to attend services across the Southern Downs Region

Carried

15. 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:

15.1 EXEC - Administration Wage Increase

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(b) of the *Local Government Regulation 2012*, as it contains information relating to industrial matters affecting employees.

15.2 EXEC - Sale of Land for Unpaid Rates

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(h) of the *Local Government Regulation 2012*, as it contains information relating to business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

15.3 EXEC - Rating Consultation Group (RCG)

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(c) of the *Local Government Regulation 2012*, as it contains information relating to the local government budget.

15.4 EXEC - Audit & Risk Management Committee (ARMC) Special Meeting - 22 October 2015

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.

15.5 EXEC - Proposed Utilisation of Council Premises

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.

15.6 EXEC - Washpool Camping Reserve Operations - July to October 2015

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.

15.7 IOR Report

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.

15.8 Progress Report GrainX Australia - Memorandum of Understanding

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.

15.9 Proposed Amendments to the Southern Downs Planning Scheme

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(g) of the *Local Government Regulation 2012*, as it contains information relating to any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act.

Meeting In Camera

Resolution

Moved Cr J McNally

Seconded Cr G Rees

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 2.16pm.

03:07 PM Cr G Rees left the meeting during discussion on Agenda Item 15.8.

03:07 PM Cr J Mackenzie left the meeting.

03:09 PM Cr J Mackenzie rejoined the meeting.

03:34 PM Cr G Rees rejoined the meeting.

03:34 PM Cr N Meiklejohn left the meeting.

03:36 PM Cr N Meiklejohn rejoined the meeting.

Meeting Out Of Camera

Recommendation

THAT the meeting resume in open session at 3.38pm.

15.1 EXEC - Administration Wage Increase

Resolution

Moved Cr D Ingram

Seconded Cr G Rees

THAT Council adopt a 1.25% administration wage increase for staff, back dated to the first pay period in the 2015/2016 financial year as per Option 5.

Carried

15.2 EXEC - Sale of Land for Unpaid Rates

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council resolve to sell the properties as listed in the table for overdue rates.

Carried

15.3 EXEC - Rating Consultation Group (RCG)

Resolution

Moved Cr J Mackenzie

Seconded Cr G Rees

THAT Council :

1. Receive and note the *Amended* Minutes of the RCG Meeting held on 14 May 2015.
2. Receive and note the Minutes of the RCG Meeting held on 17 September 2015.
3. Receive and note the Minutes of the RCG Meeting held on 15 October 2015.

Carried

15.4 EXEC - Audit & Risk Management Committee (ARMC) Special Meeting - 22 October 2015

Resolution

Moved Cr J Mackenzie

Seconded Cr J McNally

THAT Council:

1. Adopt the Minutes of the ARMC Special Meeting held on 22 October 2015.
2. Endorse the recommendation as listed in the Minutes.

Carried

15.5 EXEC - Proposed Utilisation of Council Premises

Resolution

Moved Cr J Mackenzie

Seconded Cr N Meiklejohn

THAT Council offer a 6 month tenancy to the applicant including the following conditions:

- Public liability insurance (minimum \$20,000,000);
- Contents insurance is the responsibility of the tenant;
- Council approval for any structural alterations or improvements, with particular emphasis on heritage requirements;
- Payment of a weekly rental of \$75 per week plus gst;
- Payment of utility fees as determined by Council (due to the premises not being separately metered) e.g. water, electricity;
- Evidence of Incorporation;
- Maintenance & cleaning of the area (including toilet facilities);
- Provide unfettered access to the auditorium at all times; and
- Sunday trading for a minimum of 5 hours, between 10am and 3pm.

Carried

15.6 EXEC - Washpool Camping Reserve Operations - July to October 2015

Resolution

Moved Cr J McNally

Seconded Cr G Rees

THAT Council receive and note the summary of operations for the period 1 July 2015 to 31 October 2015.

Carried

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

For: Crs R Bartley, P Blundell, C Gow, D Ingram, J McNally, N Meiklejohn, V Pennisi and G Rees (8)

Against: Cr J Mackenzie (1)

Accordingly the Mayor declared the motion carried.

15.7 IOR Report

Resolution

Moved Cr J Mackenzie

Seconded Cr G Rees

THAT APC Project Management, Construction and Mining and IOR Petroleum Pty Ltd be advised that:

1. Council cannot support the proposal for a diesel fuel depot on land situated at 140 McEvoy Street (corner Industrial Avenue) Warwick described as Lot 12 on Survey Plan Number 119588 on the grounds that is reserved for park and recreation purposes and contrary to the Planning Scheme.
2. Council has however referred the proposal to its Park Rationalisation Committee for comment and further consideration at its December 2015 General Council Meeting.
3. Whilst merit is seen in the proposal Council, in its current financial position, is unlikely to be involved in any joint venture nor financing of alternative forms of development on the subject land.

Carried

Cr Rees declared a real conflict of interest in Agenda Item 15.8 (as defined in section 173 of the Local Government Act 2009) due to his residence being located near the site, and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

03:44 PM Cr G Rees left the meeting.

15.8 Progress Report GrainX Australia - Memorandum of Understanding

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive the Report in relation to the GrainX Consultative Committee Meeting of 22 October 2015 and adopt the Minutes from the Consultative Committee Meeting and note the action items of the Minutes and outstanding action items of the Memorandum of Understanding.

Carried

03:45 PM Cr G Rees rejoined the meeting.

15.9 Proposed Amendments to the Southern Downs Planning Scheme

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council resolves to include the proposed amendments to the Southern Downs Planning Scheme as detailed in this report, in the major amendments to the Southern Downs Planning Scheme.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 3.45pm.

