



**MINUTES OF THE  
SPECIAL MEETING OF COUNCIL  
13 JUNE 2018**

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**MINUTES OF THE SPECIAL COUNCIL MEETING OF  
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 13 JUNE 2018  
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,  
64 FITZROY STREET, WARWICK AT 9:00AM**

**PRAYER**

ANNIE GOLDMAN FROM SOUTHERN DOWNS BAHA'I OFFERED A PRAYER FOR THE MEETING

**1. ATTENDANCE**

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

Officers: David Keenan (Chief Executive Officer), Ken Harris (Director Planning, Environment and Corporate Services), Eric Kraak (Acting Director Engineering Services) and Marion Seymour (Minute Secretary)

**2. APOLOGIES**

Nil

**3. DECLARATIONS OF CONFLICTS OF INTEREST**

Item No	Item Precis	Nature of Conflict
4.1.1	Adoption of Appendix I of Southern Downs Regional Council Budget for the 2018/2019 Financial Year	Cr McNally declared a real conflict of interest in Agenda Item 4.1.1 (as defined in section 173 of the Local Government Act 2009) due to her husband's sponsorship of some members of the Condamine River Sports Group Inc and requested that Appendix I to the Budget be dealt with separately. Cr McNally advised she would be leaving the meeting room for that item, taking no part in the debate or decision on the matter.
7.3	Renewal of Trustee Lease between Council and the Warwick District Recreational Fish Stocking Association Incorporated	Cr Kelly 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 his membership of the Warwick Recreational Fish Stocking Association Inc. Cr Kelly dealt with the perceived conflict of interest by stating that it was his determination that their 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 Kelly participated in the discussion and voting on this matter.
7.10	Renewal of Trustee Lease between Council and the Warwick District Football	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

	Association Incorporated	to her husband's sponsorship of the Southern Downs Football Academy which are referred to in an Addendum to the Lease. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that their 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.
7.10	Renewal of Trustee Lease between Council and the Warwick District Football Association Incorporated	Cr Windle declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i> ) as she is President of the Warwick Hockey Association and there is an Addendum included with the Lease in relation their use of the fields which she will be signing. Cr Windle dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

## 4. EXECUTIVE

### 4.1 Adoption of Southern Downs Regional Council Budget, Revenue Statement and Revenue Policy for the 2018/2019 Financial Year

#### Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council adopt:-

1. The Budget (with the exclusion of Appendix I), Revenue Statement, Revenue Policy and Debt Policy for the 2018/19 Financial Year;
2. Differential General Rates for the 2018/2019 Financial Year;
3. Special Charge – Rural Fire Equipment Levy for the 2018/2019 Financial Year;
4. Special Charge – Invasive Pests Control Levy for the 2018/2019 Financial Year;
5. Water Utility Charges for the 2018/2019 Financial Year;
6. Wastewater Utility Charges for the 2018/2019 Financial Year;
7. Waste Management Utility Charges for the 2018/2019 Financial Year;
8. Trade Waste Utility Charges for the 2018/2019 Financial Year;
9. Discount for the 2018/2019 Financial Year;
10. Interest for the 2018/2019 Financial Year;
11. Levy and Payment for the 2018/2019 Financial Year;
12. Paying Rate or Charges by Instalments for the 2018/2019 Financial Year;
13. Rate Concessions for the 2018/2019 Financial Year;
14. Total Value of Change in Rates and Charges;
15. Statement of Estimated Financial Position.

**Carried**

#### Attachments

1. Annual Budget 2018-2019 - **Attached to the Minutes Under Separate Cover**
2. Revenue Statement 2018/2019 - **Attached to the Minutes Under Separate Cover**
3. Revenue Policy - **Attached to the Minutes Under Separate Cover**
4. Debt Policy - **Attached to the Minutes Under Separate Cover**

*Cr McNally declared a real conflict of interest in Agenda Item 4.1.1 (as defined in section 173 of the Local Government Act 2009) due to her husband's sponsorship of some members of the Condamine River Sports Group Inc and requested that Appendix I to the Budget be dealt with separately. Cr McNally advised she would be leaving the meeting room for that item, taking no part in the debate or decision on the matter. Cr McNally left the meeting at 9:22am*

### 4.1.1 Adoption of Appendix I of Southern Downs Regional Council Budget for the 2018/2019 Financial Year

#### Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council adopt Appendix I of the Budget for the 2018/19 Financial Year.

**Carried**

#### Attachments

1. Appendix I of the Budget for 2018/2019 Financial Year - **Attached to the Minutes Under Separate Cover**

09:23 AM Cr J McNally rejoined the meeting

## 5. ENGINEERING SERVICES DEPARTMENT REPORTS

### 5.1 2018/19 Grants to Community Policy Review

#### Resolution

Moved Cr S Windle

Seconded Cr Y Stocks

THAT Council:

1. Note the contents of this report.
2. Adopt the revised Grants to Community Policy.

**Carried**

#### Attachments

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

## 6. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

### 6.1 Invasive Pest Control Scheme

#### Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council adopts the Invasive Pests Control Special Rate Overall Plan and note minor amendments to be made to Council's Invasive Pests Control Scheme (IPCS) and Rates Concession Policies.

**Carried**

#### Attachments

1. Invasive Pests Control Special Rate Overall Plan - **Attached to the Minutes Under Separate Cover**

*Cr Pennisi voted against the motion*

## 7. 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:

### **7.1 Renewal of Trustee Lease between Council and Risdon Shooting Complex Incorporated**

#### **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.

### **7.2 Renewal of Trustee Lease between Council and the Warwick Power Boat & Ski Club Incorporated**

#### **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.

### **7.3 Renewal of Trustee Lease between Council and the Warwick District Recreational Fish Stocking Association Incorporated**

#### **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.

### **7.4 Renewal of Trustee Lease between Council and the Warwick Artists Group Incorporated**

#### **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.

### **7.5 Renewal of Trustee Lease between Council and the Warwick Horse Trials Incorporated**

#### **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.

### **7.6 Renewal of Trustee Lease between Council and the Warwick Croquet Club Incorporated**

#### **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.

### **7.7 Renewal of Trustee Lease between Council and the Warwick Bowls Club Incorporated**

#### **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.

**7.8 Renewal of Trustee Lease between Council and the Warwick Clay Target Club Incorporated**

**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.

**7.9 Renewal of Freehold Lease between Council and the Warwick and District Tennis Association Incorporated**

**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.

**7.10 Renewal of Trustee Lease between Council and the Warwick District Football Association Incorporated**

**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.

**7.11 Renewal of Trustee Lease between Council and the Warwick District Sporting Car Club Incorporated**

**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.

**7.12 Council Infrastructure on Private Land**

**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.

**7.13 Chief Executive Officer Employment Contract**

**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.

**7.14 Chief Executive Officer - Key Performance Indicators**

**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.

## Meeting In Camera

### Resolution

**Moved Cr J McNally**

**Seconded Cr N Meiklejohn**

THAT the meeting move into closed session.

**Carried**

The Meeting moved into closed session at 9:34am.

9:42am Cr Windle left the meeting during discussion on Agenda Item 7.10

9:43am Cr Windle rejoined the meeting

9:46am Council Officers left the meeting during discussion on Agenda Items 7.13 and 7.14

## Meeting Out Of Camera

### Resolution

THAT the meeting resume in open session at 9:55am.

## 7.13 Chief Executive Officer Employment Contract

### Resolution

**Moved Cr J McNally**

**Seconded Cr Y Stocks**

THAT Council offer a further employment contract for the position of Chief Executive Officer to David Keenan for a period of four (4) years commencing from 1 July 2018.

**Carried**

*Cr Pennisi voted against the motion*

## 7.14 Chief Executive Officer - Key Performance Indicators

### Resolution

**Moved Cr J McNally**

**Seconded Cr S Windle**

THAT Council receive and note the update of the Chief Executive Officer's Key Performance Indicators.

**Carried**

Council Officers rejoined the meeting at 9.58am

### **7.1 Renewal of Trustee Lease between Council and Risdon Shooting Complex Incorporated**

#### **Resolution**

**Moved Cr Y Stocks**

**Seconded Cr N Meiklejohn**

THAT Council approve a 10 year Trustee Lease with the Risdon Shooting Complex, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012.*

**Carried**

### **7.2 Renewal of Trustee Lease between Council and the Warwick Power Boat & Ski Club Incorporated**

#### **Resolution**

**Moved Cr R Kelly**

**Seconded Cr S Windle**

THAT Council approve a 10 year Trustee Lease with the Warwick Power Boat & Ski Club Incorporated, commencing 1 July 2018, subject to the standard terms and conditions, amendment to clause 6.7 of the lease (as discussed in the body of the report) and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012.*

**Carried**

*Cr Kelly declared that a perceived conflict of interest in Agenda Item 7.3 (as defined in section 173 of the Local Government Act 2009), may exist due to his membership of the Warwick Recreational Fish Stocking Association Inc. Cr Kelly dealt with the perceived conflict of interest by stating that it was his determination that their 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 Kelly participated in the discussion and voting on this matter.*

### **7.3 Renewal of Trustee Lease between Council and the Warwick District Recreational Fish Stocking Association Incorporated**

#### **Resolution**

**Moved Cr M McNichol**

**Seconded Cr S Windle**

THAT Council approve a 10 year Trustee Lease with the Warwick District Recreational Fish Stocking Association Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012.*

**Carried**

*Cr Kelly voted for the motion*

#### **7.4 Renewal of Trustee Lease between Council and the Warwick Artists Group Incorporated**

##### **Resolution**

**Moved Cr R Kelly**

**Seconded Cr N Meiklejohn**

THAT Council approve a 10 year Trustee Lease with the Warwick Artists Group Incorporated, commencing 1 July 2018, subject to the standard terms and conditions, special condition, in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012*.

**Carried**

#### **7.5 Renewal of Trustee Lease between Council and the Warwick Horse Trials Incorporated**

##### **Resolution**

**Moved Cr J McNally**

**Seconded Cr N Meiklejohn**

THAT Council approve a 10 year Trustee Lease with the Warwick Horse Trials Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012*.

**Carried**

#### **7.6 Renewal of Trustee Lease between Council and the Warwick Croquet Club Incorporated**

##### **Resolution**

**Moved Cr V Pennisi**

**Seconded Cr Y Stocks**

THAT Council approve a 10 year Trustee Lease with the Warwick Croquet Club Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012*.

**Carried**

#### **7.7 Renewal of Trustee Lease between Council and the Warwick Bowls Club Incorporated**

##### **Resolution**

**Moved Cr M McNichol**

**Seconded Cr J McNally**

THAT Council approve a 10 year Trustee Lease with the Warwick Bowls Club Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012*.

**Carried**

## **7.8 Renewal of Trustee Lease between Council and the Warwick Clay Target Club Incorporated**

### **Resolution**

**Moved Cr N Meiklejohn**

**Seconded Cr S Windle**

THAT Council approve a 10 year Trustee Lease with the Warwick Clay Target Club Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012.*

**Carried**

## **7.9 Renewal of Freehold Lease between Council and the Warwick and District Tennis Association Incorporated**

### **Resolution**

**Moved Cr S Windle**

**Seconded Cr M McNichol**

THAT Council approve a 10 year Freehold Lease with the Warwick and District Tennis Association Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012.*

**Carried**

*Cr McNally declared that a perceived conflict of interest in Agenda Item 7.10 (as defined in section 173 of the Local Government Act 2009), may exist due to her husband's sponsorship of the Southern Downs Football Academy which are referred to in an Addendum to the Lease. Cr McNally dealt with the perceived conflict of interest by stating that it was her determination that their 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.*

*Cr Windle declared a perceived conflict of interest in Agenda Item 7.10 (as defined in section 173 of the Local Government Act 2009) as she is President of the Warwick Hockey Association and there is an Addendum included with the Lease in relation their use of the fields which she will be signing. Cr Windle dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Windle left the meeting at 10:02am.*

## **7.10 Renewal of Trustee Lease between Council and the Warwick District Football Association Incorporated**

### **Resolution**

**Moved Cr V Pennisi**

**Seconded Cr M McNichol**

THAT Council approve a 10 year Trustee Lease with the Warwick District Football Association Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012*, with the following inclusions in the lease:

- Agreement between the Warwick District Football Inc and Southern Downs Football Academy Inc;
- Agreement between the Warwick District Football Association and the Warwick Hockey Association Inc;
- Expansion of the Warwick District Football Association Inc's lease area to include the basketball court located on Park Road, Warwick;
- All maintenance and upgrades to the basketball court are the responsibility of the Warwick District Football Association Inc;
- Public access to the basketball court will continue at all times.

**Carried**

*Cr McNally voted for the motion*

*10:03 AM Cr S Windle rejoined the meeting*

## **7.11 Renewal of Trustee Lease between Council and the Warwick District Sporting Car Club Incorporated**

### **Resolution**

**Moved Cr Y Stocks**

**Seconded Cr J McNally**

THAT Council approve a 10 year Trustee Lease with the Warwick District Sporting Car Club Incorporated, commencing 1 July 2018, subject to the standard terms and conditions and in accordance with Council's Lease Policy and *section 236(1)(b)(ii) and (2) of the Local Government Regulation 2012*.

**Carried**

## **7.12 Council Infrastructure on Private Land**

### **Resolution**

**Moved Cr N Meiklejohn**

**Seconded Cr V Pennisi**

THAT Council approves a one off compensation payment and enters into a 99 year lease over the parcel of land accommodating Council's infrastructure, with conditions.

**Carried**

## **MEETING CLOSURE**

There being no further business, the meeting closed at 10.04am.