



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
19 FEBRUARY 2020**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 19 FEBRUARY 2020
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Rev Darren Muller from Warwick Baptist Church offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

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

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

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 22 January 2020

Resolution

Moved Cr M McNichol

Seconded Cr N Meiklejohn

THAT the minutes of the General Council Meeting held on Wednesday 22 January 2020 be adopted.

Carried

4.2 Special Council Meeting - 3 February 2020

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT the minutes of the Special Council Meeting held on Monday 3 February 2020 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meetings

Resolution

Moved Cr Y Stocks

Seconded Cr M McNichol

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precise	Nature of Conflict
12.2	Water Contingency Plan	Cr Pennisi declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) due to numerous complaints lodged against him in relation to his involvement in Emu Swamp Dam. He is also the ex-Chair of the Stanthorpe Community Reference Panel and ex Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Ltd. He believed the agenda item sought to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it would lead him to making a decision on the matter that is contrary to the public interest. He believed he would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter. However given that there is a current investigation taking place, he would be leaving the room, taking no part in the debate or decision on the matter.
13.1	Consideration of Change Representations – Gary Hayes & Partners Pty Ltd, 50 Wallace Street, Warwick	Cr Stock declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) due to her personal relationship with two of the submitters, and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.
15.1	Notice of Motion – Maintenance Program for Storm King Dam	Cr Pennisi declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) due to numerous complaints lodged against him in relation to his involvement in Emu Swamp Dam. He is also the ex-Chair of the Stanthorpe Community Reference Panel and ex Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Ltd. He believed the agenda item sought to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance

		that it would lead him to making a decision on the matter that is contrary to the public interest. He believed he would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter. However given that there is a current investigation taking place, he would be leaving the room, taking no part in the debate or decision on the matter.
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7. MAYORAL MINUTE

7.1 Mayoral Minute

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council receive the Mayoral Minute for February 2020.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

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

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

9.1 Joint Letter re Legal Security and Conduct of Patrons and Persons Attending the Warwick Rodeo

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council receive the Joint Letter from residents of Cleary Street, Warwick in relation to legal security and conduct of patrons and persons attending the Warwick Rodeo and refer it to Director Corporate and Community Services.

Carried

10. EXECUTIVE SERVICES REPORTS

Nil

11. CORPORATE SERVICES REPORTS

11.1 Financial Report as at 31 January 2020

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council receive and note the Financial Report as at 31 January 2020.

Carried

11.2 Asset Management

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council receive and note the Asset Management Roadmap report.

Carried

11.3 Southern Downs Aerodromes Industrial Development Project

Resolution

Moved Cr R Kelly

Seconded Cr Y Stocks

THAT Council:

1. Receives the Southern Downs Aerodromes Industrial Development Project Reports
2. Accepts the recommendations provided in the report and develops an implementation plan considering future budget requirements and external funding opportunities.

Carried

11.6 Relocation of Rose City FM

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council approve the relocation of Rose City FM to Queens Park, Warwick, as identified in the attached map.

Carried

Attachments

1. Map - **Attached to the Minutes Under Separate Cover**

11.4 2019-21 Works for Queensland Program Funding Variation

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council submits the following variation request to the Department of Local Government, Racing and Multicultural Affairs for projects funded under the 2019-2021 Works for Queensland Funding Program:

- Relocate Warwick SES to the APRA building \$200,000
- Relocate Rose City FM to Queens Park in Warwick \$250,000
- Withdrawal of Flight Training Hangar at Warwick Aerodrome \$310,000
- Upgrades to the WIRAC precinct \$300,000 (change of scope)
- Leyburn Amenities Upgrade \$140,000
- Warwick Bowls Club Recycled Water Access \$20,000
- Regional parks improvements – Apex Park, Allora \$75,000

Carried

11.5 Bushfire Recovery Exceptional Assistance Immediate Support Package

Resolution

Moved Cr N Meiklejohn

Seconded Cr M McNichol

THAT Council submit applications for the following projects to the Queensland Reconstruction Authority under the Bushfire Recovery Funding Programme with a total value of \$1,300,000:

1. Water Tank Rebate for Rural Landowners **(\$1,050,000)**;
2. Installation of Water Storage Facilities and Equipment to support regional firefighting efforts in locations identified with the Southern Downs region by Queensland Fire and Emergency Services **(\$100,000)**;
3. Drought and Bushfire Regional Readiness Plan (inclusive of an adverse events plan) **(\$50,000)**;
4. Through an expressions of interest process, allocation of funding to regional community and sporting organisations to undertake improvements to community facilities including halls and clubhouses, that increases resilience in preparation for future adverse events **(\$100,000)**.

Carried

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Infrastructure Services Directorate Monthly Report

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

THAT Council receive the Infrastructure Services Directorate Monthly Report.

Carried

Cr Pennisi declared a real conflict of interest in Agenda Item 12.2 (as defined in section 175 of the Local Government Act 2009) due to numerous complaints lodged against him in relation to his involvement in Emu Swamp Dam. He is also the ex-Chair of the Stanthorpe Community Reference Panel and ex Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Ltd. He believed the agenda item sought to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it would lead him to making a decision on the matter that is contrary to the public interest. He believed he would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter. However given that there is a current investigation taking place, he would be leaving the room, taking no part in the debate or decision on the matter. Cr Pennisi left the meeting at 9:56am.

12.2 Water Contingency Plan

Resolution

Moved Cr R Kelly

Seconded Cr M McNichol

THAT Council receive the Southern Downs Water Contingency Plan.

Carried

10:01 am Cr V Pennisi rejoined the meeting.

12.3 Water Restrictions

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council move to critical water restrictions of 100 litres per person per day, to be implemented from 19 February 2020, and that Council's Water Staff liaise with businesses that are classified as medium and high water users regarding their water usage.

Carried

Presentation to Cr Neil Meiklejohn recognising his service to our community as a Councillor on Warwick Shire Council and Southern Downs Regional Council from March 2000 to March 2020.

The meeting adjourned for morning tea at 10:30am and reconvened at 10:53am at which time there were present Crs Dobie, McNally, Stocks, Gow, McNichol, Pennisi, Windle, Kelly and Meiklejohn.

Cr Stock declared a real conflict of interest in Agenda Item 13.1 (as defined in section 175 of the Local Government Act 2009) due to her personal relationship with two of the submitters, and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Stocks left the meeting at 10:53am.

13. SUSTAINABLE DEVELOPMENT REPORTS

13.1 Consideration of Change Representations – Gary Hayes & Partners Pty Ltd, 50 Wallace Street, Warwick

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council refuse the change representations made in relation to the application for a Material Change of Use for Food and drink outlet, Service station on land at 50 Wallace Street, Warwick, described as Lot 2 RP72919, Parish of Warwick, County of Merivale, for the following reasons:

- (a) The request to extend the hours of operation to 10.00pm was assessed in the original assessment of the application and was restricted to 8.00pm by Council;
- (b) The subject site is located within the Medium density residential zone and the extended hours of operation is considered incompatible with the Strategic intent for the area; and
- (c) The proposed development is not compatible with the existing use and amenity of the area as undue demands will be placed on the network and subject site, dominating the site beyond its original intent.

Carried

10:56 am Cr Y Stocks rejoined the meeting.

13.2 Submission to the Consultation Draft of the Queensland Wild Dog Management Strategy

Resolution

Moved Cr C Gow

Seconded Cr R Kelly

THAT Council endorse the submission to the Department of Agriculture and Fisheries regarding the draft Queensland Wild Dog Management Strategy.

Carried

Attachments

1. Submission - Queensland Wild Dog Management Strategy - **Attached to the Minutes Under Separate Cover**

13.3 Tourism and Visitor Numbers Quarterly Update

Resolution

Moved Cr R Kelly

Seconded Cr Y Stocks

THAT Council receives the report from the regional promotion activities and the Visitor Information Centre figures.

Carried

13.4 Updated Recovery and Resilience Plan: Stanthorpe Bushfires

Resolution

Moved Cr J McNally

Seconded Cr C Gow

THAT Council endorse the attached updated Recovery and Resilience Plan for the Stanthorpe Bushfire Event to include the Eastern Queensland Bushfire event and note that the Local Disaster Management Group has also formally endorsed the document.

Carried

Attachments

1. SDRC Local Recovery and Resilience Plan - **Attached to the Minutes Under Separate Cover**

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

Nil

Cr Pennisi declared a real conflict of interest in Agenda Item 15.1 (as defined in section 175 of the Local Government Act 2009) due to numerous complaints lodged against him in relation to his involvement in Emu Swamp Dam. He is also the ex-Chair of the Stanthorpe Community Reference Panel and ex Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Ltd. He believed the agenda item sought to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it would lead him to making a decision on the matter that is contrary to the public interest. He believed he would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on this matter. However given that there is a current investigation taking place, he would be leaving the room, taking no part in the debate or decision on the matter. Cr Pennisi left the meeting at 11:17am.

15. NOTICES OF MOTION

15.1 Notice of Motion - Maintenance Program for Storm King Dam

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council undertake a review to determine a maintenance program for Storm King Dam, including increasing the yield, and present to Council a report prior to 31 May 2020.

Carried

11:23 am Cr V Pennisi rejoined the meeting.

16. GENERAL BUSINESS

Nil

17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 275(1) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public and move 'into Committee' to discuss confidential items, such that its Councillors or members consider it necessary to close the meeting.

Recommendation

THAT the meeting be closed to the public and move into committee to discuss the following items, which are considered confidential in accordance with Section 275(1) of the *Local Government Regulation 2012*, which permits the meeting to be closed to the public for business relating to the following, as indicated:

17.1 19_183 - Concrete PSA

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.

17.2 20_016 - Wet/Dry Plant Hire

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.

17.3 Waive Water Consumption Charges - PID 20475

Reason for Confidentiality

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

17.4 Darling Downs Moreton Rabbit Board Proposed Budget and Operational Plan 2020/2021

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.

17.5 Request for Building Fees Waiver

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.

17.6 YMCA Monthly Report - January 2020 - Warwick Indoor Recreation and Aquatic Centre

Reason for Confidentiality

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

Meeting In Camera

Resolution

Moved Cr S Windle

Seconded Cr M McNichol

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11:24am.

11:51am Cr J McNally left the meeting.

11:53am Cr J McNally rejoined the meeting.

12:06pm Cr V Pennisi left the meeting during discussion on an issue that was raised.

12:22pm Cr V Pennisi rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12:22pm.

Carried

17.1 19_183 - Concrete PSA

Resolution

Moved Cr S Windle

Seconded Cr Y Stocks

THAT Council resolve to add Hanson Construction Material Pty Ltd to the Preferred Supplier Arrangement for the Supply and Delivery of Ready Mix Concrete.

Carried

17.2 20_016 - Wet/Dry Plant Hire

Resolution

Moved Cr S Windle

Seconded Cr Y Stocks

THAT in accordance with Section 232 of the *Local Government Regulation 2012* Council enters into a Pre-Qualified Register Arrangement for Wet/Dry Hire with the 75 businesses listed in the attached document.

Carried

17.3 Waive Water Consumption Charges - PID 20475

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council resolve to waive water consumption charges for PID 20475.

Carried

17.4 Darling Downs Moreton Rabbit Board Proposed Budget and Operational Plan 2020/2021

Resolution

Moved Cr R Kelly

Seconded Cr Y Stocks

THAT Council resolve to endorse the Darling Downs Moreton Rabbit Board proposed budget and operational plan for 2020/2021.

Carried

17.5 Request for Building Fees Waiver

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council resolves to approve the request received 28 January 2020 from Tannymorel Bowls Club Inc for the waiver of building fees.

Carried

17.6 YMCA Monthly Report - January 2020 - Warwick Indoor Recreation and Aquatic Centre

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

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

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12:24pm.