



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
24 JUNE 2020**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 24 JUNE 2020 IN THE
WARWICK TOWN HALL, PALMERIN STREET, WARWICK AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

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

2. ATTENDANCE

Present: Crs Pennisi (Chair), Bartley, Gale, Giori, Gow, McDonald, McNally, Tancred and Windle

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

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 27 May 2020

Resolution

Moved Cr A Gale

Seconded Cr M Giori

THAT the minutes of the General Council Meeting held on Wednesday 27 May 2020 be adopted.

Carried

4.2 Special Council Meeting - 29 May 2020

Resolution

Moved Cr S Windle

Seconded Cr C McDonald

THAT the minutes of the Special Council Meeting held on Friday 29 May 2020 be adopted.

Carried

4.4 Special Council Meeting - 17 June 2020

Resolution

Moved Cr S Tancred

Seconded Cr A Gale

THAT the minutes of the Special Council Meeting held on Wednesday 17 June 2020 be adopted.

Carried

4.3 Special Council Meeting - 16 June 2020

Resolution

Moved Cr R Bartley

Seconded Cr M Giori

THAT the minutes of the Special Council Meeting held on Tuesday 16 June 2020 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meetings

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
10.1	Granite Belt Irrigation Project – Development Assessment Options	Cr Tancred declared that a perceived conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>), may exist due to his previous involvement in planning and obtaining funding for Emu Swamp Dam whilst a member of the Stanthorpe Community Reference Panel, the Stanthorpe and Granite Belt Chamber of Commerce and an associate member of the Granite Belt Growers Association. However he believes he would best perform his Councillor responsibilities and serve the public interest of the region by participating in the discussions and voting on the two agenda. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.
10.1	Granite Belt Irrigation Project – Development Assessment Options	Cr Pennisi declared a 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. Cr Pennisi is also the ex-Chair of the Stanthorpe Community Reference Panel and ex-Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Pty Ltd. The agenda item seeks to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and

		would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in discussion and voting on the matter. However given there is a current investigation taking place, Cr Pennisi would be leaving the meeting room, taking no part in the debate or decision on the matter.
12.2	Black Spot Funding Applications 2021/2022	Cr Bartley declared that a perceived conflict of interest in this matter (as defined in section 175 Division 5A of the <i>Local Government Act 2009</i>), may exist due to an immediate family member owning a property in Guy Street. Cr Bartley dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Bartley participated in the discussion and voting on this matter.
12.5	Water Contingency Plan	Cr Pennisi declared a 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. Cr Pennisi is also the ex-Chair of the Stanthorpe Community Reference Panel and ex-Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Pty Ltd. The agenda item seeks to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in discussion and voting on the matter. However given there is a current investigation taking place, Cr Pennisi would be leaving the meeting room, taking no part in the debate or decision on the matter.
12.5	Water Contingency Plan	Cr Tancred declared that a perceived conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>), may exist due to his previous involvement in planning and obtaining funding for Emu Swamp Dam whilst a member of the Stanthorpe Community Reference Panel, the Stanthorpe and Granite Belt Chamber of Commerce and an associate member of the Granite Belt Growers Association. However Cr Tancred believes he would best perform his Councillor responsibilities and serve the public interest of the region by participating in the discussions and voting on the two agenda. Following a resolution from Council, Cr Tancred

		participated in the discussion and voting on this matter.
13.1	Material Change of Use – Corporation of the Roman Catholic Diocese of Toowoomba, 110-114 High Street, Stanthorpe	Cr Pennisi declared that a perceived conflict of interest in this matter (as defined in section 175 Division 5A of the <i>Local Government Act 2009</i>), may exist due to his past membership of St Joseph’s Parish Council and was delegated to represent the Parish on the Building Committee that covered off on these types of issues, however he has not been a member for many years. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Pennisi participated in the discussion and voting on this matter.
13.1	Material Change of Use – Corporation of the Roman Catholic Diocese of Toowoomba, 110-114 High Street, Stanthorpe	Cr Tancred declared that a perceived conflict of interest in this matter (as defined in section 175 Division 5A of the <i>Local Government Act 2009</i>), may exist due to his previous involvement on St Joseph’s Parish Council. Cr Tancred dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.
13.3	Granite Belt Strategic Plan	Cr Pennisi declared a 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. Cr Pennisi is also the ex-Chair of the Stanthorpe Community Reference Panel and ex-Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Pty Ltd. The agenda item seeks to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in discussion and voting on the matter. However given there is a current investigation taking place, Cr Pennisi would be leaving the meeting room, taking no part in the debate or decision on the matter.
13.3	Granite Belt Strategic Plan	Cr Tancred declared that a perceived conflict of

		<p>interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>), may exist due to the Granite Belt Strategic Plan having a recommendation that Council access urban water from the Granite Belt Irrigation Project, and due to his previous involvement in planning and obtaining funding for Emu Swamp Dam Cr Tancred may have a conflict. However Cr Tancred believes he would best perform his Councillor responsibilities and serve the public interest of the Region by participating in the discussions and voting on the two agenda. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.</p>
16.7	Stanthorpe Effluent Water Group – Legal Proceedings	<p>Cr Pennisi declared that a perceived conflict of interest in this matter (as defined in section 175 Division 5A of the <i>Local Government Act 2009</i>), may exist due to his accommodation business that houses workers registered to the “seasonal workers program” with an agreement in place with a seasonal worker labour hire company and not directly to any growers. The labour hire company deals with Cr Pennisi and chooses where their seasonal works are employed independent. Cr Pennisi has no current dealings with any of the users of effluent water and does not know if any of the effluent water users have shown any interest in the Emu Swamp Dam project. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his 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, however given that there is a current investigation taking place in relation to Emu Swamp Dam, Cr Pennisi asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Pennisi participated in the discussion and voting on this matter.</p>
16.7	Stanthorpe Effluent Water Group – Legal Proceedings	<p>Cr McNally declared a conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) due to her husband’s company building a residence for one of the Group, and dealt with the conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter</p>
16.7	Stanthorpe Effluent Water Group – Legal Proceedings	<p>Cr Tancred declared a potential conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) as the Stanthorpe Effluent Water Group’s representative is a client of his business and a personal friend. Cr Tancred believed that these are not of sufficient significance that they would lead him to making a</p>

		decision on the matter that is contrary to the public interest, however as the matter is of a legal nature he believed an abundance of caution was required so would leaving the meeting room, taking no part in the debate or decision on the matter.
16.7	Stanthorpe Effluent Water Group – Legal Proceedings	Cr Gow declared that a perceived conflict of interest in this matter (as defined in section 175 Division 5A of the <i>Local Government Act 2009</i>) may exist due to his previous position on the Board of the Stanthorpe Agricultural Society and as the Councillor delegated by Stanthorpe Shire Council to negotiate the original Reuse Agreements. Cr Gow dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Gow participated in the discussion and voting on this matter.

9:14am *The Mayor left the meeting during discussion of conflicts of interest in relation to Agenda Item 10.1 due to his own declaration of interest. The Deputy Mayor took the Chair.*

6.1 Conflict of Interest - Cr Tancred - Agenda Item 10.1

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

THAT Cr Tancred has declared a perceived Conflict of Interest in Agenda Item 10.1 due to his previous involvement in planning and obtaining funding for Emu Swamp Dam whilst a member of the Stanthorpe Community Reference Panel, the Stanthorpe and Granite Belt Chamber of Commerce and an associate member of the Granite Belt Growers Association, and notwithstanding the declared perceived conflict of interest, Cr Tancred may participate in discussion on the matter and vote.

Carried

Cr Tancred did not vote for the above motion.

6.2 Conflict of Interest - Cr Tancred - Agenda Item 12.5

Resolution

Moved Cr C McDonald

Seconded Cr A Gale

THAT Cr Tancred has declared a perceived Conflict of Interest in Agenda Item 12.5 due to his previous involvement in planning and obtaining funding for Emu Swamp Dam whilst a member of the Stanthorpe Community Reference Panel, the Stanthorpe and Granite Belt Chamber of Commerce and an associate member of the Granite Belt Growers Association, and notwithstanding the declared perceived conflict of interest, Cr Tancred may participate in discussion on the matter and vote.

Carried

Cr Tancred did not vote for the above motion.

9:15AM *The Mayor rejoined the meeting and resumed the Chair.*

9:15AM *The Mayor left the meeting during discussion on conflicts of interest. The Deputy Mayor took the Chair.*

9:15AM *Cr McNally left the meeting during discussion on conflicts of Interest for Agenda 16.7.*

9:19AM *The Mayor rejoined the meeting and resumed the Chair.*

9:19AM *Cr McNally rejoined the meeting.*

6.3 Conflict of Interest - Cr Bartley - Agenda Item 12.2

Resolution

Moved Cr C McDonald

Seconded Cr M Giori

THAT Cr Bartley has declared a perceived Conflict of Interest in Agenda Item 12.2 due to his immediate family member owning a property in Guy, and notwithstanding the declared perceived conflict of interest, Cr Bartley may participate in discussion on the matter and vote.

Carried

6.4 Conflict of Interest - Cr Pennisi - Agenda Item 13.1

Resolution

Moved Cr C McDonald

Seconded Cr A Gale

THAT Cr Pennisi has declared a perceived Conflict of Interest in Agenda Item 13.1 due to his past membership of the St Joseph's Parish Council as he was delegated to represent the Parish on the Building Committee that covered off on these types of issues, however he has not been a member for many years, and notwithstanding the declared perceived conflict of interest, Cr Pennisi may participate in discussion on the matter and vote.

Carried

Cr Pennisi did not vote on this motion.

6.5 Conflict of Interest - Cr Tancred - Agenda Item 13.1

Resolution

Moved Cr R Bartley

Seconded Cr M Giori

THAT Cr Tancred has declared a perceived Conflict of Interest in Agenda Item 13.1 due to his past membership of St Joseph's Parish, and notwithstanding the declared perceived conflict of interest, Cr Pennisi may participate in discussion on the matter and vote

Carried

Cr Tancred did not vote on this motion.

9:27am *Cr McNally and Cr Tancred left the meeting during discussion on Agenda Item 16.7.*

6.6 Conflict of Interest - Cr Pennisi - Agenda Item 16.7

Resolution

Moved Cr M Gliori

Seconded Cr C McDonald

THAT Cr Pennisi has declared a perceived Conflict of Interest in Agenda Item 13.1 due to his accommodation business that houses workers registered to the “seasonal workers program” with an agreement in place with a seasonal worker labour hire company and not directly to any growers, and notwithstanding the declared perceived conflict of interest, Cr Pennisi may participate in discussion on the matter and vote.

Carried

Cr Pennisi did not vote on this matter.

9:28am *Cr McNally and Cr Tancred rejoined the meeting.*

9:30am *Cr McNally and Cr Tancred again left the meeting during discussion on Agenda Item 16.7.*

6.7 Conflict of Interest - Cr Gow - Agenda Item 16.7

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Cr Gow has declared a perceived Conflict of Interest in Agenda Item 16.7 due to his previous position on the Board of the Stanthorpe Agricultural Society and as the Councillor delegated by Stanthorpe Shire Council to negotiate the original Reuse Agreements, and notwithstanding the declared perceived conflict of interest, Cr Gow may participate in discussion on the matter and vote.

Carried

Cr Pennisi did not vote on this motion.

9:30am *Cr McNally and Cr Tancred rejoined the meeting.*

9:32am *Cr Pennisi left the meeting during discussion on Agenda Item 13.3. The Deputy Mayor took the Chair.*

6.8 Conflict of Interest - Cr Tancred - Agenda Item 13.3

Resolution

Moved Cr M Gliori

Seconded Cr A Gale

THAT Cr Tancred has declared a perceived Conflict of Interest in Agenda Item 13.3 due to the Granite Belt Strategic Plan having a recommendation that Council access urban water from the Granite Belt Irrigation Project and due to his previous involvement in planning and obtaining funding for Emu Swamp Dam., and notwithstanding the declared perceived conflict of interest, Cr Gow may participate in discussion on the matter and vote

Carried

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

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

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE SERVICES REPORTS

Cr Pennisi declared a conflict of interest in this Agenda Item 10.1 (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. Cr Pennisi is also the ex-Chair of the Stanthorpe Community Reference Panel and ex-Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Pty Ltd. The agenda item seeks to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in discussion and voting on the matter. However given there is a current investigation taking place, Cr Pennisi would be leaving the meeting room, taking no part in the debate or decision on the matter. Cr Pennisi left the meeting at 9:39am.

The Deputy Mayor took the Chair.

Cr Tancred declared that a perceived conflict of interest in Agenda Item 10.1 (as defined in section 175 of the Local Government Act 2009), may exist due to his previous involvement in planning and obtaining funding for Emu Swamp dam whilst a member of the Stanthorpe Community Reference Panel, the Stanthorpe and Granite Belt Chamber of Commerce and an associate member of the Granite Belt Growers Association. However he believes he would best perform his Councillor responsibilities and serve the public interest of the Region by participating in the discussions and voting on the two agenda. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.

10.1 Granite Belt Irrigation Project - Development assessment options

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council:

1. Resolve to endorse the preferred development assessment option for Emu Swamp Dam, being that the proponent seeks an Infrastructure Designation under the *Planning Act 2016*.
2. Resolve to delegate authority to the Chief Executive Officer to negotiate with the Granite Belt Irrigation Project (proponent) about their contribution toward the increase in Council's operational capacity, once the proponent has further proposal and process details.
- 3.. Note that a further report be referred back to the Sustainable Development, Corporate and Community Services Committee once agreement is resolved between the proponent and Council.

Carried

Cr Tancred voted for the motion.

10:00am The Mayor rejoined the meeting and resumed the Chair

11. CORPORATE SERVICES REPORTS

11.1 Financial Report as at 31 May 2020

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

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

Carried

11.2 Adoption of Schedule of General Fees and Charges 2020/2021

Resolution

Moved Cr A Gale

Seconded Cr S Tancred

THAT Council adopt the Schedule of General Fees and Charges 2020/2021.

Carried

Attachments

1. Schedule of Fees and Charges 2020/2021 - **Attached to the Minutes Under Separate Cover**

11.3 Local Government Remuneration Commission - Annual Report 2019

Resolution

Moved Cr S Windle

Seconded Cr A Gale

THAT Council:

1. Resolve to not accept the maximum amount of Councillor remuneration for 2020/21 as determined by the Local Government Remuneration Commission 2019 Annual Report and will allocate this saving of \$13,953 to activities as needed to help COVID recovery response activities during the next 12 months.
2. Resolve to accept no remuneration increase and remain at the same level of remuneration as per the 2018 Annual Report of the Local Government Remuneration and Discipline Tribunal being:
 - Mayor - \$130,584
 - Deputy Mayor - \$81,615
 - Councillors – \$69,372

Carried

11.4 National Competition Policy Note in Financial Statements

Resolution

Moved Cr R Bartley

Seconded Cr M Gliori

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

Carried

11.5 Funding Programs

Resolution

Moved Cr J McNally

Seconded Cr C Gow

THAT Council:

- a. Endorse the submission of the following list of projects to the Department of Local Government, Racing and Multicultural Affairs for consideration from Council's \$2,980,000 allocation under the 2020/21 COVID Works for Queensland Program:
 1. Stanthorpe Waste Transfer Station Upgrade - \$1,725,000
 2. Group Fitness Room at Warwick Indoor Recreation and Aquatic Centre - \$435,000
 3. Storm King Dam Remediation works - \$420,000
 4. Warwick Wastewater Treatment Plant Septic Receiving Unit construction - \$300,000
 5. Warwick Pound Improvements - \$100,000
- b. Submit the following list of projects, subject to their eligibility after review of the funding guidelines, to the Department of Infrastructure, Transport, Regional Development and Communications for consideration from Council's \$1,577,000 allocation under the Local Roads and Community Infrastructure Program:
 1. Mapes Road Intersection safety improvements - \$300,000
 2. Railway Street parking - \$80,000
 3. Railway Street parking bays - \$100,000
 4. Aerodrome Road - \$361,000
 5. Seal Link Brunckhorst Av-Wallangarra Road - \$200,000
 6. Warwick Water Treatment Plant Upgrade – Reservoir - \$99,500
 7. Pump Station emergency bypass designs - \$500,000
 8. Warwick Water Treatment Plant – replace aerator plates - \$90,000
 9. Warwick Water Treatment Plant – chlorine analyser - \$25,000
 10. Warwick Water Treatment Plant – lagoons refurbishment - \$100,000
 11. Relining of Allora reservoir - \$110,000
 12. New Security Fence & Signage – water - \$61,500

Carried

11.6 Grants to Community - Request for Project Variation

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council approve the project variation request from Warwick Chamber of Commerce Inc for Community Grant application CG-1920-R1-034.

Carried

11.7 Asset Management Report

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council:

1. Adopt the Major Structure Asset and Service Management Plan; and
2. Receive and note the May 2020 Asset Management Update Report.

Carried

Attachments

1. Major Structure Asset and Service Management Plan - **Attached to the Minutes Under Separate Cover**

11.8 Amended Budget Adoption Date

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council adopt the 2020/21 Budget on 22 July 2020.

Carried

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

The Acting Director Sustainable Development left the meeting, and the Manager Strategic Planning and Prosperity joined the meeting in the Acting Director's absence.

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Infrastructure Services Directorate Monthly Report

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council receive the Infrastructure Services Directorate Monthly Report

Carried

Cr Bartley declared that a perceived conflict of interest in Agenda Item 12.2 (as defined in section 175 Division 5A of the Local Government Act 2009), may exist due to an immediate family member owning a property in Guy Street. Cr Bartley dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Bartley participated in the discussion and voting on this matter.

12.2 Black Spot Funding Applications 2021/22

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

THAT Council endorse the following projects for submission to the Australian Government's Black Spot Funding for 2021/22:

1. Washpool Road, Leslie Dam
2. Palmerin Street, Warwick
3. Guy Street, Warwick
4. Junabee Road
5. Nundubbermere Road Floodway
6. Acacia Avenue & Percy Street, Warwick
7. Bisley Street & Baguley Street, Warwick
8. Jackie Howe Drive & Churchill Drive & Coe Street, Warwick
9. Churchill Drive & Marshall Street, Warwick
10. Bracker Road & Tooth Street & Mardon Street, Warwick
11. Willow Street & Acacia Street, Killarney
12. Merivale Street & Hillside Road & Allora Clifton Road, Allora
13. Wolfram Street & Granite Street, Stanthorpe
14. Bridge Street & Day Street & Symes Street, Stanthorpe
15. Freestone Road & Lowe Road, Clintonvale
16. Mardon Road & Inverleigh Road, Rosenthal Heights
17. Yankee Gully Road
18. Matthew Street, Stanthorpe

Carried

Cr Bartley voted for the motion

12.3 Water and Wastewater Customer Service Standard

Resolution

Moved Cr S Tancred

Seconded Cr J McNally

THAT Council resolve to endorse the revised Customer Service Standard (May 2020) for publication on Council's website.

Carried

12.4 Various funding - Building our Regions, Regional Growth Fund and Maturing the Infrastructure Pipeline Project

Resolution

Moved Cr A Gale

Seconded Cr M Giori

THAT Council acknowledge and confirm its obligations and responsibilities for the completion of the Recycled Water for Warwick Industry project funded under the Building Our Region (BOR) Round 4 program, including the Council:

1. Has budgeted its financial contribution to the project; and
2. Is committed to delivering the project; and
3. Acknowledges responsibility for any funding shortfall should the cost exceed the agreed amount of \$4,979,814.

Carried

Cr Pennisi declared a conflict of interest in Agenda Item 12.5 (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. Cr Pennisi is also the ex-Chair of the Stanthorpe Community Reference Panel and ex-Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Pty Ltd. The agenda item seeks to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in discussion and voting on the matter. However given there is a current investigation taking place, Cr Pennisi would be leaving the meeting room, taking no part in the debate or decision on the matter. Cr Pennisi left the meeting at 11:17am.

The Deputy Mayor took the Chair.

Cr Tancred declared that a perceived conflict of interest in Agenda Item 12.5 (as defined in section 175 of the Local Government Act 2009), may exist due to his previous involvement in planning and obtaining funding for Emu Swamp Dam whilst a member of the Stanthorpe Community Reference Panel, the Stanthorpe and Granite Belt Chamber of Commerce and an associate member of the Granite Belt Growers Association. However Cr Tancred believes he would best perform his Councillor responsibilities and serve the public interest of the region by participating in the discussions and voting on the two agenda. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.

12.5 Water Contingency Plan

Resolution

Moved Cr S Windle

Seconded Cr C McDonald

THAT Council receive the Southern Downs Water Contingency Plan.

Carried

Cr Tancred voted for the motion.

11:21am Mayor V Pennisi rejoined the meeting and resumed the Chair.

Cr Pennisi declared that a perceived conflict of interest in Agenda Item 13.1 (as defined in section 175 Division 5A of the Local Government Act 2009), may exist due to his past membership of St Joseph's Parish Council and was delegated to represent the Parish on the Building Committee that covered off on these types of issues, however he has not been a member for many years. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Pennisi participated in the discussion and voting on this matter.

Cr Tancred declared that a perceived conflict of interest in Agenda Item 13.1 (as defined in section 175 Division 5A of the Local Government Act 2009), may exist due to his previous involvement on St Joseph's Parish Council. Cr Tancred dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.

13. SUSTAINABLE DEVELOPMENT REPORTS

13.1 Material Change of Use – Corporation Of The Roman Catholic Diocese Of Toowoomba, 110-114 High Street, Stanthorpe

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT the application for Material Change of Use for the purpose of Community activity (Cemetery (Columbarium)) and Place of worship (Bell tower) on land at 110-114 High Street, Stanthorpe, described as Lot 307 S1682 and Lot 304 SP238284, Parish of Stanthorpe, County of Bentinck, 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 plans 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
Site Plan Prepared by C.R. Campbell	A3-190291-1	October 2019
Bell Tower Concept Sketch Prepared by C.R. Campbell	A3-190291-2	October 2019
Memorial Concept Sketch Prepared by C.R. Campbell	A3-190291-3	October 2019

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.

Building and Site Design

3. The design, colours and materials of the bell tower and columbarium are to be compatible with the existing character of the church. **Details of the design, colours and materials of the building are to be submitted to and approved by the Director Sustainable Development prior to the issue of any Development Permit for Building Work.** The building is to be constructed in the approved design, colours and materials.
4. The roof form of the columbarium structure is to be constructed in a way that prevents the collection of debris and water.

Land Use and Planning Controls

5. The chiming of the bell tower shall operate only between the hours of 7.00am to 9.00pm, Monday to Sunday, with the exception of Christmas and Easter services.
6. The interment of ashes must be conducted in a respectful manner, following communication with the Priest to avoid conflicts with other ceremonies being conducted in the Church building, and/or surrounding school activities.

Amenity and Environmental Controls

7. Install and maintain any lighting fixtures so that they do not emit glare or light above the levels stated in *Australian Standard AS:4282-1997 Control of Obtrusive Effects of Outdoor Lighting*.

Fencing, Landscaping and Buffers

8. Screen fencing or landscape buffering is to be installed in the interest of providing privacy for the columbarium memorial, and to buffer this use from the adjoining uses and High Street. Any screen fencing must be designed to provide visual screening and to ensure maintenance of the amenity of the area. The screening may include the use of fencing, landscaping, or a variation, and must be mutually acceptable for the Church, school, and heritage significance

of the site.

9. **Details of the proposed fencing are to be submitted to and approved by Council's Planning Department prior to the issue of a Development Permit for Building Work.** Fencing is to be provided and maintained in accordance with the approved details.

OR in the case of landscaping being used:

A Landscaping Plan is to be submitted to and approved by Council's Planning Department prior to the commencement of the use. The Landscaping Plan is to be prepared by an appropriately qualified person, and must include details of the location and species of plants and the height and material of any fencing. Plants are to be generally frost resistant and drought hardy, and must not include weed species. Root barriers are to be installed around trees that are located within 3 metres of any underground infrastructure. The site is to be landscaped and maintained in accordance with the approved Landscaping Plan.

Advisory Notes

- (i) Unless otherwise stated, all conditions of this approval are to be complied with to the satisfaction of the Director Sustainable Development, prior to the use commencing, and then compliance maintained at all times while the use continues.
- (ii) Any proposal to increase the scale or intensity of the use on the subject land, that is assessable development under the Planning Scheme, would be subject to a separate application for assessment in accordance with the *Planning Act 2016* and would have to comply with the requirements of the Planning Scheme.
- (iii) It is encouraged that you arrange for a free compliance inspection to be carried out prior to the use commencing. This will involve a physical inspection of the premises along with an internal audit of Council's records. Written advice will be provided for your records advising if compliance with the conditions has been achieved.
- (iv) Compliance with approval MCU\01448 must be achieved. Conditions of approval have not yet been complied with. This approval must be finalised as the use has already commenced.
- (v) The applicant is to permit Council officers access to the site in accordance with the powers of entry provisions of the *Local Government Act 2009*, subject to 48 hours' notice and reasonable security and health restrictions on access, so as to ensure the use is being conducted in accordance with the conditions of the approval.

Aboriginal Cultural Heritage

- (vi) All reasonable and practicable measures must be taken to ensure that no harm is caused to Aboriginal cultural heritage (the "cultural heritage duty of care"). The cultural heritage duty of care is met if the development is conducted in accordance with gazetted cultural heritage duty of care guidelines. Further information on cultural heritage, together with a copy of the duty of care guidelines and cultural heritage search forms, may be obtained from www.datsip.qld.gov.au

Carried

Cr Pennisi and Cr Tancred voted for the motion.

13.2 Reconfiguration of Lot – IB Town Planning, 54 Warrabah Road, Karara

Resolution

Moved Cr S Windle

Seconded Cr A Gale

That the application for Reconfiguration of Lot for the purpose of Realignment of boundaries (nine (9) lots) on land at 54 Warrabah Road, Karara, described as Lot 11 ML617, Lot 1 MPH3190, Lot 4 MPH3189, Lot 1 MPH3142, Lots 1, 2 & 3 CP67680, Lot 25 ML443, Lot 10 RP210330, Parish of Canal Creek, County of Merivale, 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
Plan of Proposed Lots 6-13 & 900, prepared by WD Surveys	19/PS2751/1	25 June 2019

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.

Road Closure

3. An application is to be made to the Department of Natural Resources, Mines and Energy (DNRME) to close the unmade gazetted road located at the intersection of Meiklejohn Road and the Rail Corridor. If the application is approved, or approved in part, the area of road reserve is to be amalgamated with adjoining lot(s) and no additional lots created. If the application to close the road is refused, a copy of the advice from DNRME stating that fact must be submitted to Council prior to the signing of the Plan of Subdivision.

Amenity and Environmental Controls

4. Prior to the Signing of the Survey Plan, the landowner is to provide written advice to Council that the use of the Extractive industry on Lot 11 ML617 has been decommissioned and ceased operation.

Any infrastructure and buildings associated with the Extractive industry are to be removed from the site.

Roadworks

5. From the Back Creek Road – Cunningham Highway intersection, cautionary signage is to be erected at chainage points 4.600km and 2.250km detailing that there are upcoming concealed driveways.

Advisory Notes

- (i) No clearing of remnant vegetation or regulated regrowth vegetation is to occur under this approval. A Development Permit for Operational Works must be obtained from the Department of Treasury for the clearing of any remnant vegetation, unless exempt under Schedule 21 of the *Planning Regulation 2017*.
- (ii) 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.
- (iii) This area is expressly identified as being potentially impacted by lawful non-residential uses. In commencing a residential use, the owner(s) acknowledges and accepts that the use may be potentially impacted by emissions from the lawful non-residential use. It is the

responsibility of the property owner(s) to take all measures necessary to ensure that the proposed dwelling is developed and maintained in such a way as to mitigate odour and noise impacts from the surrounding lawful non-residential use. These measures must be undertaken at the expense of the property owner(s).

- (iv) Council will not be sealing Meiklejohn Road or Warrabah Road as a result of any dust complaints received.
- (v) 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.
- (vi) 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.

Aboriginal Cultural Heritage

- (vii) 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

- (viii) 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.**
- (ix) 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.

Schedule 2 - Department of State Development, Manufacturing, Infrastructure and Planning’s conditions as a Concurrence agency

Attachment 1—Referral agency conditions

(Under section 58(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Reconfiguring a lot for the Realignment of Boundaries (9 lots into 9 lots)		
10.3.4.2.1— Reconfiguring a lot that involves clearing native vegetation —The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources, Mines and Energy to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following conditions:		
1.	<p>No built structure, other than boundary fences and underground services, is to be established, constructed or located within area identified as Area A as shown on:</p> <ul style="list-style-type: none"> • Technical Agency Response Plan, dated 9/4/2020, reference TARP 1912-14719 SRA, Sheet 1 of 2 • Technical Agency Response Plan, dated 9/4/2020, reference TARP 1912-14719 SRA, Sheet 2 of 2 	At all times.

Cr Pennisi declared a conflict of interest in Agenda Item 13.3 (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. Cr Pennisi is also the ex-Chair of the Stanthorpe Community Reference Panel and ex-Director of Emu Swamp Dam Pty Ltd and Granite Belt Water Pty Ltd. The agenda item seeks to receive a report that is available publicly. Cr Pennisi believes his personal interest is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would best perform his responsibility of serving the overall public interest of the whole of the Council area by participating in discussion and voting on the matter. However given there is a current investigation taking place, Cr Pennisi would be leaving the meeting room, taking no part in the debate or decision on the matter. Cr Pennisi left the meeting at 11:27am.

The Deputy Mayor took the Chair.

Cr Tancred declared that a perceived conflict of interest in Agenda Item 13.3 (as defined in section 175 of the Local Government Act 2009), may exist due to the Granite Belt Strategic Plan having a recommendation that Council access urban water from the Granite Belt Irrigation Project, and due to his previous involvement in planning and obtaining funding for Emu Swamp Dam Cr Tancred may have a conflict. However Cr Tancred believes he would best perform his Councillor responsibilities and serve the public interest of the Region by participating in the discussions and voting on the two agenda. Following a resolution from Council, Cr Tancred participated in the discussion and voting on this matter.

13.3 Granite Belt Strategic Plan

Resolution

Moved Cr J McNally

Seconded Cr S Tancred

THAT Council:

1. Resolves to adopt the Granite Belt Strategic Plan;
2. Note that an annual progress report will be submitted to Council for consideration and also as part of the budget process; and
3. Seeks a nomination from the Granite Belt Planning Group to the Shaping Southern Downs Advisory Committee to assist in the implementation of the Granite Belt Strategic Plan.

Carried

Cr Tancred voted for the motion.

11:33 am Cr Pennisi rejoined the meeting and resumed the Chair.

13.4 Growing Tourism Infrastructure Fund

Resolution

Moved Cr S Tancred

Seconded Cr M Giori

THAT Council resolve to endorse application being made to the Growing Tourism Infrastructure Fund for the following identified proposed projects:

- Construction of Stage 1 of the Stanthorpe Botanical Gardens (maximum grant funding \$5,000,000).
- Establishment of a public Wi-Fi network in Ballandean, Killarney, Stanthorpe and Warwick (approx. \$500,000).
- Relocation of the Warwick Visitor Information Centre (maximum grant funding \$5,000,000).
- Relocation of the Stanthorpe Art Gallery (maximum grant funding \$5,000,000).
- Shade within Weeroona Park, near to the band shell (approx. \$500,000).

Carried

13.5 Southern Queensland Country Tourism Constitutional Reform

Resolution

Moved Cr A Gale

Seconded Cr J McNally

THAT Council resolve to endorse the in-principle vote of support for constitutional change made at the 15 June 2020 Southern Queensland Country Tourism Special General Meeting.

Carried

13.6 Residential Attraction Marketing Strategy Report

Resolution

Moved Cr J McNally

Seconded Cr M Giori

THAT Council receives the Southern Downs Residential Attraction – Marketing Strategy report.

Carried

13.7 Nomination of Councillors to Darling Downs-Moreton Rabbit Board

Resolution

Moved Cr S Windle

Seconded Cr M Giori

THAT Council resolve to nominate Cr McNally and Cr Gow to the Darling Downs-Moreton Rabbit Board.

Carried

13.8 Maryvale Rail Reserve Environmental Management Register Removal

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council note receipt of notice from the Department of Environment and Science detailing that the Maryvale Rail Reserve, Lot 68 on CP900445, is not prescribed contaminated land, the land is suitable for any use, and the land is now removed from the Environmental Management Register.

Carried

14. NOTICES OF MOTION

Nil

15. GENERAL BUSINESS

Nil

16. 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:

16.1 RFT 20_231 Insurance Broker Services

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.

16.2 Write Off Sundry Debtor Charge DN150816

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.

16.3 Application for Rates Concession - PID 139545

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.

16.4 Audit and Risk Management Committee meeting minutes - 15 May 2020

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.

16.5 Request for Planning Fees Reduction

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.

16.6 Higher Duties Policy

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.

16.7 Stanthorpe Effluent Water Group - Legal Proceedings

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(f) of the *Local Government Regulation 2012*, as it contains information relating to starting or defending legal proceedings involving Southern Downs Regional Council.

Meeting In Camera

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11:52am.

11:53am Cr A Gale left the meeting.

11:55am Cr A Gale rejoined the meeting.

12:25pm Cr R Bartley left the meeting.

12:27pm Cr R Bartley rejoined the meeting.

12:29pm Cr M Gliori left the meeting.

12:31pm Cr M Gliori rejoined the meeting.

The meeting adjourned for lunch at 1:05pm and reconvened at 1:31pm at which time there were present Crs Pennisi, Bartley, McNally, Windle, Tancred, Gow, Gliori, McDonald and Gale

The Acting Director Sustainable Development returned to the meeting.

1:32pm Cr S Tancred and Cr J McNally left the meeting during discussion on Agenda Item 16.7.

01:48 pm Cr J McNally rejoined the meeting.

01:49 pm Cr S Tancred rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 1:50pm.

Carried

16.1 RFT 20_231 Insurance Broker Services

Resolution

Moved Cr J McNally

Seconded Cr R Bartley

THAT Council:

- a. Enter into a contract with Marsh (LGM Assets) for Insurance Broker Services – Contract No 20_231 for a total not exceeding the budgeted amount for the 2020/2021 financial year and subject to adjustments to asset valuations.
- b. Delegate authority to the Chief Executive Officer to approve an extension of the appointment of Marsh (LGM Assets) for 2021/2022, 2022/2023 and 2023/2024 based upon an assessment of performance and value for money.

Carried

16.2 Write Off Sundry Debtor Charge DN150816

Resolution

Moved Cr M Giori

Seconded Cr A Gale

THAT Council resolve to write off sundry debtor balance for DN 150816 of \$3,776.13.

Carried

16.3 Application for Rates Concession - PID 139545

Resolution

Moved Cr C Gow

Seconded Cr M Giori

THAT Council do not approve a rates concession for Property ID 139545 in relation to rates previously paid.

Carried

16.4 Audit and Risk Management Committee meeting minutes - 15 May 2020

Resolution

Moved Cr J McNally

Seconded Cr S Tancred

THAT Council:

1. Adopt the minutes of the ARMC meeting held on 15 May 2020;
2. Adopt the business arising from the ARMC meeting held on 15 May 2020;
3. Adopt the amended Risk Register;
4. Adopt the 2020/2021 Internal Audit Plan;
5. Accept the Follow up Review of Procurement and Contract Management internal audit report and ICT General Controls Environment Assessment and Follow Up of Information Security Review Recommendations report.

Carried

16.5 Request for Planning Fees Reduction

Resolution

Moved Cr C Gow

Seconded Mayor V Pennisi

THAT Council:

1. Resolves to refuse the request for a fee reduction for fees recently paid related to a Works Permit and request to change the existing approval; and,
2. Resolves to accept the Infrastructure Charge payable at the original amount without increase.

Carried

16.6 Higher Duties Policy

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council note the policy approved by the Acting Chief Executive Officer regarding higher duties and adopt the attached policy.

Carried

Attachments

1. PL-ES090 Higher Duties Policy - **Attached to the Minutes Under Separate Cover**

Cr Pennisi declared that a perceived conflict of interest in Agenda Item 16.7 (as defined in section 175 Division 5A of the Local Government Act 2009), may exist due to his accommodation business that houses workers registered to the "seasonal workers program" with an agreement in place with a seasonal worker labour hire company and not directly to any growers. The labour hire company deals with Cr Pennisi and chooses where their seasonal works are employed independent. Cr Pennisi has no current dealings with any of the users of effluent water and does not know if any of the effluent water users have shown any interest in the Emu Swamp Dam project. Cr Pennisi dealt with the perceived conflict of interest by stating that it was his 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, however given that there is a current investigation taking

place in relation to Emu Swamp Dam, Cr Pennisi asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Pennisi participated in the discussion and voting on this matter.

Cr Gow declared that a perceived conflict of interest in Agenda Item 16.7 (as defined in section 175 Division 5A of the Local Government Act 2009) may exist due to his previous position on the Board of the Stanthorpe Agricultural Society and as the Councillor delegated by Stanthorpe Shire Council to negotiate the original Reuse Agreements. Cr Gow dealt with the perceived conflict of interest by stating that it was his 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 and asked Council to consider his participation in the discussion and vote on this matter. Following a resolution from Council, Cr Gow participated in the discussion and voting on this matter.

Cr McNally declared a conflict of interest in Agenda Item 16.7 (as defined in section 175 of the Local Government Act 2009) due to her husband's company building a residence for one of the Group, and dealt with the conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr McNally left the meeting at 1:55pm.

Cr Tancred declared a potential conflict of interest in Agenda Item 16.7 (as defined in section 175 of the Local Government Act 2009) as the Stanthorpe Effluent Water Group's representative is a client of his business and a personal friend. Cr Tancred believed that these are not of sufficient significance that they would lead him to making a decision on the matter that is contrary to the public interest, however as the matter is of a legal nature he believed an abundance of caution was required so would leaving the meeting room, taking no part in the debate or decision on the matter. Cr McNally left the meeting at 1:55pm.

16.7 Stanthorpe Effluent Water Group - Legal Proceedings

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Council delegate to the Acting Chief Executive Officer approval to negotiate and finalise an agreement between the Effluent Water Users Group and Southern Downs Regional Council.

Carried

Cr Pennisi and Cr Gow voted for the motion

1:56pm *Cr McNally and Cr Tancred rejoined the meeting.*

MEETING CLOSURE

There being no further business, the meeting closed at 1:56pm.