



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
13 DECEMBER 2017**

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**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 13 DECEMBER 2017
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9.00AM**

1. PRAYERS & CONDOLENCES

Pastor David Bailey, Rose City Presbyterian Church offered a prayer and acknowledged condolences

2. ATTENDANCE

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

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

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 22 November 2017

Resolution

Moved Cr S Windle

Seconded Cr M McNichol

THAT the minutes of the General Council Meeting held on Wednesday 22 November 2017 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr Y Stocks

Seconded Cr N Meiklejohn

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

| Item No | Item Precise | Nature of Conflict |
|---------|--|--|
| 16.3 | Expression of Interest – Stanthorpe Effluent Water | Cr McNally declared real conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as one of the non-initial irrigators is a client of her husband and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. |
| 16.3 | Expression of Interest – Stanthorpe Effluent Water | Cr Gow declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) as he is on the executive of the Stanthorpe Agricultural Society and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. |
| 16.6 | RFT Stanthorpe Fitness Centre (currently known as the Stanthorpe YMCA) Stanthorpe Aquatic Centre, Killarney Pool and Allora Pool | Cr Pennisi declared a perceived conflict of interest in this matter (as defined in section 173 of the <i>Local Government Act 2009</i>) due to his wife's competing business and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. |

7. MAYORAL MINUTE

7.1 Mayoral Minute - December 2017

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council receive the Mayoral Minute for December 2017.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr N Meiklejohn

Seconded Cr M McNichol

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 Petition - Closure of Hoey Lane, Thorndale

Resolution

Moved Cr V Pennisi

Seconded Cr M McNichol

THAT the attached Petition tabled by Cr Pennisi be received and accepted, and a report in relation to this matter be referred to a future Briefing Session.

Carried

Attachments

1. Petition re Closure of Hoey's Lane, Thorndale - **Attached to the Minutes Under Separate Cover**

10. EXECUTIVE

10.1 Financial Report as at 30 November 2017

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council receive and note the Financial Report as at 30 November 2017.

Carried

10.2 Draft Economic Development Strategy

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council resolve to endorse the community consultation program for the draft Economic Development Strategy.

Carried

11. ENGINEERING SERVICES DEPARTMENT REPORTS

11.1 Engineering Services Department Monthly Report

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

THAT Council receive the Engineering Services Department Monthly Report.

Carried

11.2 Southern Downs Road Safety Advisory Committee Minutes

Resolution

Moved Cr M McNichol

Seconded Cr V Pennisi

THAT Council receive the minutes of the Southern Downs Road Safety Advisory Committee Meeting held on the 7 November 2017.

Carried

12. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

12.1 Pest Management Advisory Committee Minutes - 28 November 2017

Resolution

Moved Cr C Gow

Seconded Cr J McNally

THAT Council receive the minutes of the Pest Management Advisory Committee held at Warwick on 28 November 2017, and endorse the following recommendations:

1. Considers extending the approval of the Invasive Pests Control Scheme (IPCS) to a total of three (3) years (to the end of 2019/2020).
2. Approves a representative from SDRC to present on the IPCS and its implementation at a Local Government Association of Queensland conference.
3. Approves inclusion of a Vehicle and Plant Hygiene Protocol as part of the Invasive Pests Strategic Plan 2016-2020, with a further report to be presented.
4. Support the potential merger of the Condamine Alliance, Queensland Murray Darling Committee and South West Natural Resource Management subject to the proviso that on ground service delivery is not diminished.
5. Writes a letter of support for use with funding applications for wild dog cluster or exclusion fence initiatives.
6. Approves production of an instructional video to advise land owners on rabbit warren ripping.

Carried

Cr Pennisi voted against the above motion

12.2 Invasive Pests Control Scheme Update

Resolution

Moved Cr C Gow

Seconded Cr J McNally

THAT Council resolve to extend the Invasive Pests Control Scheme to 14 June 2020 and that the Invasive Pests Control Scheme Policy be amended accordingly.

Carried

Cr Pennisi voted against the above motion

12.3 Department of Natural Resources and Mines - Conversion of a Term Lease - Lot 449 on BNT1507, Thulimbah

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT Council advise the Department of Natural Resources and Mines that Council has no objection to the conversion of Term Lease 210506 being Lot 449 on BNT1507, to freehold tenure, when the current Term Lease expires on 30 June 2018, provided the land is amalgamated with an adjoining Lot/s and no new freehold Lot is created.

Carried

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

Nil

14. NOTICES OF MOTION

Nil

10:23 AM Cr R Kelly left the meeting.

10:24 AM Cr R Kelly rejoined the meeting.

15. GENERAL BUSINESS

Presentation of Casual for a Cause Donation to Days for Girls – Allora Team

The meeting adjourned for morning tea at 10:32am and reconvened at 11:04am at which time there were present Crs Dobie, McNally, Stocks, Gow, McNichol, Pennisi, Windle, Kelly and Meiklejohn

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 PN 97505 - Second Request for Water Relief

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.

16.2 Economic Development Advisory Committee Minutes 21 November 2017

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 Expression of Interest - Stanthorpe Effluent Water

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.

16.4 Wallangarra WTP Evaluation Report

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 Leyburn Water Supply

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.

16.6 RFT 18-006 Stanthorpe Fitness Centre (currently known as the Stanthorpe YMCA), Stanthorpe Aquatic Centre, Killarney Pool and Allora Pool

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.

16.7 Offer for Council's McDonald Johnson Street Sweeper

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.

16.8 Capital Works - Reallocation of Funds

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.

16.9 Warwick Polocrosse Club Inc - Request for changes to Resolution on March 2017

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 Y Stocks

Seconded Cr M McNichol

Resolution

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11:05am.

11:15 AM Cr J McNally left the meeting during discussion on Agenda Item 16.3

11:15 AM Cr C Gow left the meeting during discussion on Agenda Item 16.3

11:40 AM Cr M McNichol left the meeting.

11:41 AM Cr M McNichol rejoined the meeting.

11:52 AM Cr N Meiklejohn left the meeting.

11:54 AM Cr N Meiklejohn rejoined the meeting.

12:05 PM Cr C Gow rejoined the meeting.

12:05 PM Cr J McNally rejoined the meeting.

12:22 PM Cr M McNichol left the meeting.

12:26 PM Cr M McNichol rejoined the meeting.

12:32 PM Cr V Pennisi left the meeting during discussion on Agenda Item 16.6

12:44 PM Cr V Pennisi rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 1:15pm.

Carried

16.1 PN 97505 - Second Request for Water Relief

Resolution

Moved Cr N Meiklejohn

Seconded Cr Y Stocks

THAT Council does not offer relief of water consumption charges to Property Number 97505.

Carried

16.2 Economic Development Advisory Committee Minutes 21 November 2017

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council receive the Minutes of the Economic Development Advisory Committee Meeting held 21 November 2017.

Carried

Cr McNally declared real conflict of interest in Agenda Item 16.3 (as defined in section 173 of the Local Government Act 2009) as one of the non-initial irrigators is a client of her husband 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 McNally left the meeting at 1:16pm.

Cr Gow declared a perceived conflict of interest in Agenda Item 16.3 (as defined in section 173 of the Local Government Act 2009) as he is on the executive of the Stanthorpe Agricultural Society and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr Gow left the meeting at 1:16pm.

16.3 Expression of Interest - Stanthorpe Effluent Water

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council terminate all Irrigator Contracts and go to an open tender process for the 401 ML available from the Stanthorpe Wastewater Treatment Plant.

Carried

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

For: Crs T Dobie, R Kelly, N Meiklejohn, Y Stocks and S Windle (5)

Against: Crs M McNichol and V Pennisi (2)

Accordingly the Mayor declared the motion carried.

01:17 PM Cr J McNally rejoined the meeting

01:17 PM Cr C Gow rejoined the meeting.

16.4 Wallangarra WTP Evaluation Report

Resolution

Moved Cr V Pennisi

Seconded Cr S Windle

THAT Council award Contract 18-017 Design and Construction of Wallangarra Water Treatment Plant to Microfloc Pty Ltd for a total sum of \$1,497,273 excluding GST.

Carried

16.5 Leyburn Water Supply

Resolution

Moved Cr V Pennisi

Seconded Cr S Windle

THAT Council receive the report and seek further information on the Leyburn town water supply.

Carried

Cr Pennisi declared a perceived conflict of interest in Agenda Item 16.6 (as defined in section 173 of the Local Government Act 2009) due to his wife's competing business and dealt with the perceived conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter. Cr V Pennisi left the meeting at 1:18pm.

16.6 RFT 18-006 Stanthorpe Fitness Centre (currently known as the Stanthorpe YMCA), Stanthorpe Aquatic Centre, Killarney Pool and Allora Pool

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Do not accept any offers submitted through the Tender process for the Management and Operation of the Stanthorpe Fitness Centre (currently known as the Stanthorpe YMCA), Stanthorpe Aquatic Centre, Killarney Pool and Allora Pool.
2. Manage and operate the Stanthorpe Fitness Centre (currently known as the Stanthorpe YMCA) from 1 January 2018 for a period of twelve (12) months, or of a lesser period should an alternative contractor be identified.
3. Call a further Request for Tender for the Management and Operation of the Stanthorpe Fitness Centre (currently known as the Stanthorpe YMCA), Stanthorpe Aquatic Centre, Killarney Pool and Allora Pool before 30 June 2018.
4. Consider managing and operating the Stanthorpe Aquatic Centre, Killarney Pool and Allora Pool for the 2018/2019 year should there be no conforming tenders or suitable contractors identified through the further Request for Tender.

Carried

01:19 PM Cr V Pennisi rejoined the meeting.

16.7 Offer for Council's McDonald Johnson Street Sweeper

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT Council accept the offer from Mike Trace Engineering for \$30,000 excluding GST for Council's McDonald Johnson Street Sweeper P56305.

Carried

16.8 Capital Works - Reallocation of Funds

Resolution

Moved Cr C Gow

Seconded Cr Y Stocks

THAT Council approves the transfer of \$93,000.00 from the Expansion of the Allora Hardstand Area project in the 2017/18 Capital Works Budget to a Capital Works project that will undertake preliminary geotechnical investigations for the construction of new waste disposal cells at the Warwick and Stanthorpe waste facilities.

Carried

16.9 Warwick Polocrosse Club Inc - Request for changes to Resolution on March 2017

Resolution

Moved Cr V Pennisi

Seconded Cr R Kelly

THAT Council:

1. Agrees to extend the proposed lease area for Warwick Polocrosse Club Inc by 0.9ha, thus increasing the lease area to 2.659ha, over part of Lot 131 on SP108821, on the condition that no further infrastructure is constructed on this lease area;
2. Requires a treed buffer in accordance with the plan "Treed Buffer Zone – Warwick Polocrosse Club Inc" to be provided along the boundaries of the leased area, in Lot 131 on SP108821. Within the central seven metres of the buffer area, random plantings of a variety of native trees and shrubs of differing growth habits are to be provided at spacings of 3-4 metres. The trees and shrubs must be of species that are fast growing, frost resistant and drought hardy. The trees and shrubs are to be a minimum height of 1.0 metre at time of planting. The buffer is to have a mature tree height of at least 6.0 metres;
3. Does not require the proposed buffer zone to be fenced by the Warwick Polocrosse Club.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 1:19pm.