



**MINUTES OF THE
ORDINARY COUNCIL MEETING
21 AUGUST 2024**

ORDER OF BUSINESS:

1.	ACKNOWLEDGEMENT OF COUNTRY	1
2.	PRAYERS & CONDOLENCES.....	1
3.	ATTENDANCE AND APOLOGIES.....	1
4.	READING AND CONFIRMATION OF MINUTES.....	1
4.1	Ordinary Council Meeting - 17 July 2024	1
4.2	Special Council Meeting - 24 July 2024	1
5.	ACTIONS FROM COUNCIL MEETINGS	2
5.1	Actions from Council Meetings July 2024	2
6.	DECLARATIONS OF CONFLICTS OF INTEREST	2
6.1	Conflict of Interest - Cr Pidgeon: Agenda Item 12.2	3
6.2	Conflict of Interest - Cr Richters: Agenda Item 15.3	3
7.	MAYORAL MINUTE	3
	Nil	
8.	NOTICES OF MOTION	4
8.1	Notice of Motion - Motion of Confidence	4
8.1.1	Procedural Motion - Notice of Motion - Motion of Confidence in the Chief Executive Officer	4
8.2	Notice of Motion - Use of Consultants.....	4
9.	READING AND CONSIDERATION OF CORRESPONDENCE	5
	Nil	
10.	RECEPTION AND READING OF PETITIONS AND JOINT LETTERS.....	5
	Nil	
11.	PORTFOLIO REPORTS	5
	Nil	
12.	EXECUTIVE SERVICES REPORTS.....	5
12.1	Chief Executive Officer - Status Report.....	5
12.2	Organisation Information Reports July 2024	5
12.3	2024 LGAQ Annual Conference Attendance	5
12.4	2024 ALGWA State Conference Attendance	6
12.5	DFV Prevention Champions Network.....	6
13.	CUSTOMER AND ORGANISATIONAL SERVICES REPORTS.....	6

13.1	Financial Services - Financial Report as at 31 July 2024	6
13.2	2023/24 Grants to Community Recipients.....	6
13.3	Proposed Land Tenure - Southern Downs ARK.....	7
13.4	Disposal of Freehold Land - Town Street, Karara	7
13.4.1	Procedural Motion: Disposal of Freehold Land - Town Street, Karara.....	7
13.5	Disposal of land described as Lot 3 on SP287028, located at 10 Gus Mauch Road, MASSIE - Warwick Aerodrome	8
13.6	Telecommunications Lease - Glen Road - Rosenthal Heights - Lot 1 on RP210020	8
13.7	Application for Permanent Road Closure adjacent to 14045 Cunningham Highway, Rosenthal Heights, Lot 2 on RP166501	8
13.8	Application for Permanent Road Closure - Mullins Road, ROSEHILL QLD 4370 - Adjacent to Lot 1 on RP201273.....	9
13.9	Policy Review	9
13.10	Naming of Unnamed Roads - 232 Sugarloaf Road Stanthorpe Stage 1A .	9
13.11	Naming of Unnamed Road - Lot 906 Plan H702 Railway Street Hendon ..	9
14.	INFRASTRUCTURE SERVICES REPORTS	10
14.1	Asset Disposal - 2017 Mitsubishi MQ Triton Utility Sale to SDIEA	10
	Procedural Motion - Meeting Adjournment	10
15.	PLANNING AND ENVIRONMENTAL SERVICES REPORTS	11
15.1	Consideration of Change Representations: Murray C & Cheryl A Sondergeld C/- NSPIRE Planning and Design - 128 Swan Creek School Road, Swan Creek.....	11
15.2	Minimum Dwelling House Size and Amenity and Aesthetics Referral	12
15.3	Endorsement of Submission under the Environmental Protection and Biodiversity Conservation Act 1999- Herries Range Wind Farm	13
16.	REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	13
	Nil	
17.	CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS	13
	Meeting in Camera - Amendment Motion	14
Meeting In Camera		
Meeting Out Of Camera		
17.1	Rate Concessions Granted - 2023-2024.....	15
17.2	Breach of Lease - Eastern Suburbs Junior Rugby League Warwick Inc..	15
17.2.1	Procedural Motion - Breach of Lease - Eastern Suburbs Junior Rugby League Warwick Inc.	15
17.3	Outside School Hours Care Transition to New Provider.....	16

18.	GENERAL BUSINESS	16
18.1	Pest Management Advisory Committee Terms of Reference - Amendment	16

**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 21 AUGUST 2024
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

1. ACKNOWLEDGEMENT OF COUNTRY

2. PRAYERS & CONDOLENCES

Pastor David Tidey from Stanthorpe Baptist Church offered a prayer for the meeting and acknowledged condolences.

3. ATTENDANCE AND APOLOGIES

Present: Crs Hamilton (Chair), Bartley, Deane, Harslett, McDonald, Pidgeon, Richters, Wantling and Windle

Officers: Dave Burges (Chief Executive Officer), Leon Love (Director Customer and Organisational Services), Gerhard Joubert (Acting Director Infrastructure Services), Nicole Collett (Acting Director Planning and Environmental Services), Belinda Armstrong (Manager Corporate Services), Jon Charles (Manager Sustainability and Strategy), Michael Bell (Manager Community Services), Angela O'Mara (Manager Planning and Development), Mark Watt (Land Management Consultant) and Marion Seymour (Minute Secretary)

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 17 July 2024

Resolution

Moved Cr S Deane

Seconded Cr C McDonald

THAT the minutes of the Ordinary Council Meeting held on Wednesday 17 July 2024 be adopted.

Carried Unanimously

4.2 Special Council Meeting - 24 July 2024

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

THAT the minutes of the Special Council Meeting held on Wednesday 24 July 2024 be adopted.

Carried Unanimously

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Council Meetings July 2024

Resolution

Moved Cr S Windle

Seconded Cr C Pidgeon

THAT Council receive the report and note the contents.

Carried Unanimously

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
12.2	Organisation Information Reports July 2024	Cr Pidgeon declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) of the <i>Local Government Act 2009</i>) as she is a user of the Warwick Saleyards. Although Cr Pidgeon has a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias because of her appointment. Therefore, Cr Pidgeon will choose to remain in the meeting, however, she will respect the decision of the meeting on whether she can remain and participate in the decision. Following a resolution from Council, Cr Pidgeon participated in the discussion and voting on this matter.
14.1	Asset Disposal – 2017 Mitsubishi MQ Triton Utility Sale to SDIEA	Cr Windle declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) of the <i>Local Government Act 2009</i>) as she is a Board Member of SDIEA. As a result of Cr Windle's conflict, she will leave the meeting room while the matter is considered and voted on.
15.1	Consideration of Change Representations: Murray C & Cheryl A Sondergeld C/- NSPIRE Planning and Design – 128 Swan Creek School Road, Swan Creek	Cr Windle declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) of the <i>Local Government Act 2009</i>) as a close family member's vehicle is currently in the workshop of the applicant. As a result of Cr Windle's conflict, she will leave the meeting room while the matter is considered and voted on.
15.3	Endorsement of Submission under the Environmental Protection and Biodiversity Conservation Act 1999 – Herries Range Wind Farm	Cr McDonald declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) of the <i>Local Government Act 2009</i>) as a company that she is a Director of has been approached by an energy company in relation to a possible wind farm site.
15.3	Endorsement of Submission under the Environmental Protection and Biodiversity Conservation Act 1999 – Herries Range Wind Farm	Cr Richters declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) of the <i>Local Government Act 2009</i>) as he was a member of the Community Consultative Committee for MacIntyre Wind Farm. Although Cr Richters has a declarable conflict of interest, he does not believe a reasonable person could have a perception of bias because of his appointment. Therefore, Cr Richters will choose to remain in the meeting, however, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Richters participated in the discussion and voting on this matter.

6.1 Conflict of Interest - Cr Pidgeon: Agenda Item 12.2

Resolution

Moved Cr J Richters

Seconded Cr S Windle

THAT Council, following the declarable conflict of interest declaration by Cr Pidgeon for Agenda Item 12.2 determines that it is in the public interest that she participates and votes on the matter as her declarable conflict is not of sufficient significance that it will lead her to making a decision on the matter that is contrary to the public interest and would not prevent her from performing her Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and vote on the matter.

Carried Unanimously

The following votes were recorded:

For: Crs S Deane, M Hamilton, M Harslett, J Richters, R Wantling and S Windle (6)

Against: Nil (0)

Noting Cr Bartley and Cr Pidgeon did not participate in the vote due to a previously declared Conflict of Interest.

6.2 Conflict of Interest - Cr Richters: Agenda Item 15.3

Resolution

Moved Cr M Harslett

Seconded Cr S Deane

THAT Council, following the declarable conflict of interest declaration by Cr Richters for Agenda Item 15.3 determines that it is in the public interest that he participates and votes on the matter as his declarable conflict 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 not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and vote on the matter.

Carried Unanimously

The following votes were recorded:

For: Crs R Bartley, S Deane, M Hamilton, M Harslett, C Pidgeon, R Wantling and S Windle (7)

Against: Nil (0)

Noting McDonald did not participate in the vote due to a declared Conflict of Interest.

7. MAYORAL MINUTE

Nil

8. NOTICES OF MOTION

8.1 Notice of Motion - Motion of Confidence

Resolution

Moved Cr R Bartley

Seconded Cr R Wantling

THAT Council move a motion of confidence in our current Chief Executive Officer, David Burges.

The motion for Agenda Item 8.1 was not put to a vote due to the following Procedural Motion:

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

8.1.1 Procedural Motion - Notice of Motion - Motion of Confidence in the Chief Executive Officer

Resolution

Moved Cr J Richters

THAT Agenda Item 8.1 be adjourned to 18 December 2024.

Carried

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

For: Crs S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, J Richters and S Windle (7)

Against: Crs R Bartley and R Wantling (2)

Accordingly the Mayor declared the motion carried.

8.2 Notice of Motion - Use of Consultants

Resolution

Moved Mayor M Hamilton

Seconded Cr C McDonald

THAT in the interests of greater transparency on Council's use of consultants to fill staff vacancies, that a report be prepared and presented quarterly to Councillors in the month following each financial quarter, where the contracted amount or the actual year to date payments to a consultant is greater than \$50,000 ex GST and where the role is not externally funded. The report will include:

1. The reason for the appointment and a clear description of the role being filled and whether it is a fixed term arrangement;
2. The actual amount paid to the consultant for the quarter; and
3. The actual amount paid to the consultant for the year to date.

Carried Unanimously

9. READING AND CONSIDERATION OF CORRESPONDENCE

Nil

10. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

11. PORTFOLIO REPORTS

Nil

12. EXECUTIVE SERVICES REPORTS

12.1 Chief Executive Officer - Status Report

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

THAT Council receive and note the Chief Executive Officer's Status Report.

Carried Unanimously

Cr Pidgeon declared a conflict of interest in Agenda Item 12.2, and following a resolution from Council participated in discussion and voting on the item

12.2 Organisation Information Reports July 2024

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

THAT Council note the contents of the Organisation Information Reports.

Carried Unanimously

Cr Pidgeon voted for the motion

12.3 2024 LGAQ Annual Conference Attendance

Resolution

Moved Cr S Windle

Seconded Cr C McDonald

THAT Council endorse the attendance of Mayor Hamilton, Cr Deane and Cr Richters to the 2024 LGAQ Annual Conference being held in Brisbane from 21 - 23 October 2024.

Carried Unanimously

12.4 2024 ALGWA State Conference Attendance

Resolution

Moved Cr J Richters

Seconded Cr C Pidgeon

THAT Council endorse the attendance of Cr Harslett and Cr Deane to the ALGWA Queensland Branch State Conference 2024 being held in Brisbane from 26 - 27 August 2024.

Carried Unanimously

12.5 DFV Prevention Champions Network

Resolution

Moved Cr S Windle

Seconded Cr J Richters

THAT Council:

1. Sign the Not Now, Not Ever Pledge and register on the [Not Now, Not Ever webpage](#), and
2. Join the Local Government DFV Prevention Champions Network; and
3. Appoint the Mayor, Cr Deane and Cr Wantling as representatives to the Local Government DFV Prevention Champions Network.

Carried Unanimously

13. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

13.1 Financial Services - Financial Report as at 31 July 2024

Resolution

Moved Cr S Deane

Seconded Cr J Richters

THAT Council receive and note the Financial Performance Report as at 31 July 2024.

Carried Unanimously

13.2 2023/24 Grants to Community Recipients

Resolution

Moved Cr M Harslett

Seconded Cr S Windle

THAT Council receive the report on the 2023/2024 Grants to Community recipients.

Carried Unanimously

13.3 Proposed Land Tenure - Southern Downs ARK

Resolution

Moved Cr J Richters

Seconded Cr S Windle

THAT Council:

1. Pursuant to section 236(2) of the *Local Government Regulation 2012* (the Regulation), apply the exception stated in section 236(1)(b)(ii) of the Regulation, to the disposal of a non-current asset other than by tender or auction;
2. Approve a 10-year community organisation lease to Southern Downs ARK, on proposed lease area being located at Wentworth Street, Warwick, on part of Lot 1 on RP36271;
3. Authorise the Chief Executive Officer to negotiate the terms of the lease for it to come back to Council for final consideration.

Carried Unanimously

13.4 Disposal of Freehold Land - Town Street, Karara

Recommendation

THAT Council accept the offer to purchase a valuable non-current asset, being vacant land located at Town Street, Karara and described as Lot 5 on K5914, pursuant to section 236(1) of the *Local Government Regulation 2012*, given it was recently offered for sale by tender but was not sold.

The recommendation for Item 13.4 was not moved or seconded prior to the following Procedural Motion:

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

13.4.1 Procedural Motion: Disposal of Freehold Land - Town Street, Karara

Resolution

Moved Cr J Richters

THAT Agenda Item 13.4 lie on the table.

Carried Unanimously

13.5 Disposal of land described as Lot 3 on SP287028, located at 10 Gus Mauch Road, MASSIE - Warwick Aerodrome

Resolution

Moved Cr R Bartley

Seconded Cr J Richters

THAT Council:

1. Pursuant to section 236(2) of the *Local Government Regulation 2012*, apply an exception to the disposal of a valuable non-current asset other than by tender or auction for land located at 111 Massie Bony Mountain Road, Massie and described as Lot 3 on SP287028 (the Land);
2. Pursuant to section 236(1)(c)(vii) of the *Local Government Regulation 2012*, approve the disposal of the Land to the current lessee at market value given the land is used as an airport or related purposes; and
3. Authorise the Chief Executive Officer to finalise the terms and conditions of the sale and relevant Titles Queensland land transfer documents.

Carried Unanimously

13.6 Telecommunications Lease - Glen Road - Rosenthal Heights - Lot 1 on RP210020

Resolution

Moved Cr J Richters

Seconded Cr C Pidgeon

THAT:

1. Council apply an exception to the disposal of a valuable non-current asset other than by tender or auction for land located at Glen Road, Rosenthal Heights and described as Lease A in Lot 1 on RP210020 on SP176075(the Land) pursuant to section 236(2) of the *Local Government Regulation 2012*;
2. Council approve a telecommunications lease for 20 years, commencing 22 December 2024, on the Land pursuant to section 236(1)(c)(iv) A to D of the *Local Government Regulation 2012*, and
3. The Chief Executive Officer be authorised to negotiate the terms of the lease for it to come back to Council for final consideration.

Carried Unanimously

13.7 Application for Permanent Road Closure adjacent to 14045 Cunningham Highway, Rosenthal Heights, Lot 2 on RP166501

Resolution

Moved Cr J Richters

Seconded Cr R Wantling

THAT Council:

1. Offer no objection to the application to permanently close a section of dedicated road, adjacent to 14045 Cunningham Highway, Rosenthal Heights, provided the land is amalgamated with Lot 2 on RP166501; and
2. Authorise the Chief Executive Officer to sign any survey plans which may result from this application.

Carried Unanimously

13.8 Application for Permanent Road Closure - Mullins Road, ROSEHILL QLD 4370 - Adjacent to Lot 1 on RP201273

Resolution

Moved Cr S Deane

Seconded Cr C Pidgeon

THAT Council, pursuant to section 99(1) of the *Land Act 1994*, offer no objection to the application for a permanent road closure over part of the Road Reserve adjacent to Lot 1 on RP201273.

Carried Unanimously

13.9 Policy Review

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

THAT Council adopt the amended policies as presented:

1. Councillor Investigation Policy PL-CS085.
2. Acquisition/Resumption of Land Policy PL-CS043.
3. Councillor Advisory Committee and Other Committees Policy PL-EX021.

Carried Unanimously

13.10 Naming of Unnamed Roads - 232 Sugarloaf Road Stanthorpe Stage 1A

Resolution

Moved Cr J Richters

Seconded Cr S Windle

THAT Council undertakes a public consultation process with the broader community, seeking public feedback on naming the unnamed road nominated as Road 1 for the development 232 Sugarloaf Road Stanthorpe Stage 1A.

Carried Unanimously

13.11 Naming of Unnamed Road - Lot 906 Plan H702 Railway Street Hendon

Resolution

Moved Cr S Windle

Seconded Cr C Pidgeon

THAT Council, subject to approval of the traditional owners of the proposed name Wollowra Lane/Road/Street, undertakes a public consultation process with the broader community, seeking public feedback on naming the unnamed road constructed under Operational Works Permit OPW\000194, connecting Lot 906 on Plan H702 to Railway Street Hendon.

Carried Unanimously

Cr Windle declared a conflict of interest in Agenda Item 14.1 and left the room at 10:20am.

14. INFRASTRUCTURE SERVICES REPORTS

14.1 Asset Disposal - 2017 Mitsubishi MQ Triton Utility Sale to SDIEA

Resolution

Moved Cr S Deane

Seconded Cr J Richters

THAT Council approve the sale of Mitsubishi MQ Triton Utility (P60236) to Southern Downs Industry Education Association (SDIEA) for \$16,000 (including GST), in accordance with section 236(2) of the Local Government Regulation 2012.

Carried Unanimously

Cr Windle rejoined the meeting at 10:25am

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Richters moved the following Procedural Motion:

Procedural Motion - Meeting Adjournment

Resolution

Moved Cr J Richters

THAT the meeting adjourn for morning tea at 10:25am.

Carried Unanimously

The meeting reconvened at 10:44am at which time there were presents Crs Hamilton, Bartley, Deane, Harslett, McDonald, Pidgeon, Richters, Wantling and Windle

Cr Windle declared a conflict of interest in Agenda Item 15.1 and left the meeting at 10:45am

15. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

15.1 Consideration of Change Representations: Murray C & Cheryl A Sondergeld C/- NSPIRE Planning and Design - 128 Swan Creek School Road, Swan Creek

Resolution

Moved Cr J Richters

Seconded Cr R Wantling

THAT:

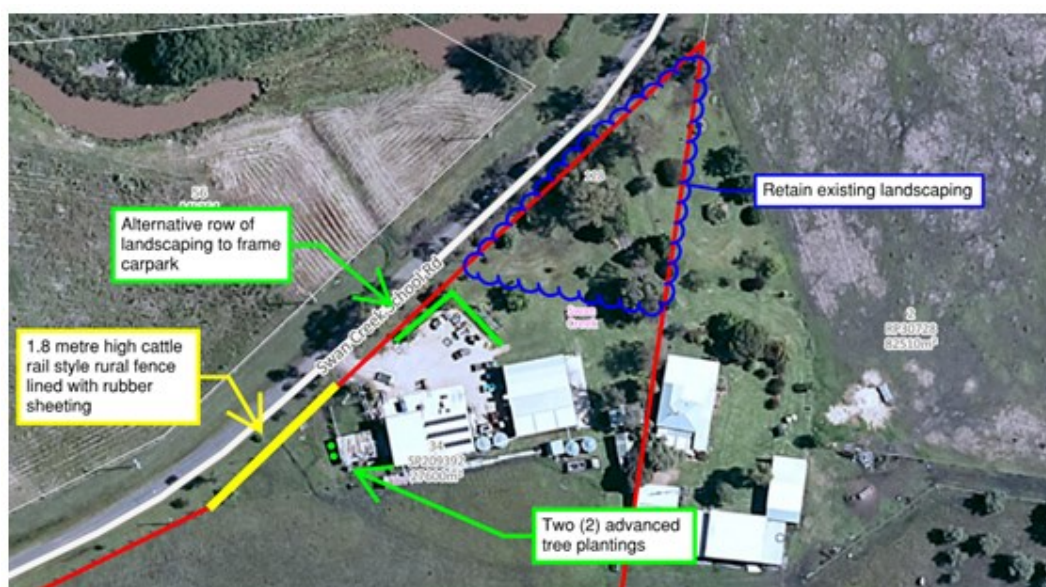
1. Council approve the change representations made in relation to the change application for a Development Permit for the purpose of Other Change to Medium impact industry (Extension to existing spray painting and sandblasting), on land at 128 Swan Creek School Road, Swan Creek, described as Lot 2 RP 30728 and Lot 34 SP209392, and Condition 29 be amended as follows:

29. A 1.8 metre high cattle rail style rural fence is to be erected along the Swan Creek School Road frontage of the site, west of the western-most access from Swan Creek School Road for a distance of 45.0 metres, joining to the existing cattle rail style rural fence. The cattle rail style rural fence is to be lined with rubber sheeting for generally the full height of the fence, to provide a visual buffer. If at any time the rubber sheeting deteriorates or is damaged, it is to be replaced in a timely manner.

In addition to the required fence, two (2) advanced tree plantings (i.e. minimum height of 1.5 metres at the time of planting) are ~~A five (5) metre wide landscaped buffer is~~ to be planted west of the 'Old Dairy' shed, in-line with the Stage 2 Medium impact industry shed ~~as to provide a visual buffer~~. The trees planted ~~within the buffers~~ are to be suitable to grow to heights of between 3.0 metres and ~~20-10 metres to support the fencing in providing a visual buffer.~~ ~~The treed buffers are to be maintained so they form an effective buffer.~~

Note: A solid metal/colorbond screen fence is not acceptable and is not to be erected.

2. The diagram included in Condition 29A be replaced with the following diagram:



Carried Unanimously

10:47am Cr Windle rejoined the meeting.

15.2 Minimum Dwelling House Size and Amenity and Aesthetics Referral

Resolution

Moved Cr J Richters

Seconded Cr C McDonald

THAT Council:

1. Rescind the resolution made on 11 November 2020 in relation to the minimum size of 35 square metres for the construction of a Primary Dwelling house.
2. Amend the resolution made on 28 June 2017 relating to Council's role as Concurrence Agency for Amenity and Aesthetics, under the *Planning Regulation 2017*, to be as follows:

THAT, for the purposes of the *Planning Regulation 2017*, Council resolves that the following types of buildings may have an extremely adverse effect on the amenity or likely amenity of the locality, or be in extreme conflict with the character of the locality:

- (a) all Class 1 and Class 10 removal buildings to be relocated onto a site within the Region;
- (b) ~~all Class 1 buildings with a gross floor area less than 60m² (gross floor area includes only enclosed habitable areas, and excludes areas used for parking, verandahs, and the like);~~
- (c) ~~all Class 1 buildings which due to their design or appearance resemble a shed, garage or similar structure;~~
- (d) shipping containers to be located in any urban area or Rural residential zone; and
- (e) shipping containers to be located in the Rural zone where:
 - (i) located within 100 metres of an urban area or Rural residential zone;
 - (ii) ~~the lot has an area of 4000 square metres or less;~~ or
 - (iii) located within 20 metres of a lot boundary.

Carried

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

For: Crs S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, J Richters and S Windle (7)

Against: Crs R Bartley and R Wantling (2)

Accordingly the Mayor declared the motion carried.

Cr McDonald declared a conflict of interest in Agenda Item 15.3 and left the meeting at 11:02am

Cr Richters declared a conflict of interest in Agenda Item 15.3, and following a resolution from Council participated in discussion and voting on the item

15.3 Endorsement of Submission under the Environmental Protection and Biodiversity Conservation Act 1999- Herries Range Wind Farm

Resolution

Moved Cr M Harslett

Seconded Cr J Richters

THAT Council endorse the submission made under the *Environmental Protection and Biodiversity Conservation Act 1999* for the proposed Herries Range Wind Farm.

Carried Unanimously

Cr Richters voted for the motion

11:03am Cr McDonald rejoined the meeting.

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

Nil

17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

In accordance with the provisions of Section 254J(3) 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 254J(3) 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 Rate Concessions Granted - 2023-2024

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(d) of the *Local Government Regulation 2012*, as it contains information relating to rating concessions.

17.2 Breach of Lease - Eastern Suburbs Junior Rugby League Warwick Inc.

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(g) of the *Local Government Regulation 2012*, as it contains information relating to negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

17.3 Outside School Hours Care Transition to New Provider

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3)(b) of the *Local Government Regulation 2012*, as it contains information relating to industrial matters affecting employees(g) of the *Local Government Regulation 2012*, as it contains information relating to and negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.

Meeting in Camera - Amendment Motion

Resolution

Moved Cr J Richters

Seconded Cr R Bartley

THAT Agenda item 17.1 Report only (Attachment to remain Confidential) and Agenda Item 17.2 be discussed in open session.

Carried Unanimously

Meeting In Camera

Resolution

Moved Cr S Deane

Seconded Cr M Harslett

THAT the meeting move into closed session in relation to Agenda item 17.3.

Carried Unanimously

The Meeting moved into closed session at 11:13am.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 11:28am.

17.1 Rate Concessions Granted - 2023-2024

Resolution

Moved Cr J Richters

Seconded Cr S Windle

THAT Council receive and note the Rate Concession Report advising of the rate concessions granted during the 2023/2024 financial year, as outlined in the attached Council Report.

Carried Unanimously

Attachments

1. Council Report - Agenda Item 17.1 Rate Concessions Granted 2023-2024 - **Attached to the Minutes Under Separate Cover**

17.2 Breach of Lease - Eastern Suburbs Junior Rugby League Warwick Inc.

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

THAT Council:

1. Issue a Show Cause Notice to Eastern Suburbs Junior Rugby League Warwick Incorporated as to why the current lease on land described as Lot 46 on Crown Plan ML1315 should not be terminated for failure to meet lease conditions;
2. This matter be further considered by Council when and if a response is received.

The motion for Agenda Item 17.2 was not put to a vote due to the following Procedural Motion:

In accordance with Section 21 of Council Meetings Policy PL-CS036 Cr Windle moved the following Procedural Motion:

17.2.1 Procedural Motion - Breach of Lease - Eastern Suburbs Junior Rugby League Warwick Inc.

Resolution

Moved Cr S Windle

THAT Council adjourn Agenda Item 17.2 to the Ordinary Council Meeting scheduled for 16 October 2024.

Carried

The following votes were recorded:

For: Crs S Deane, M Hamilton, M Harslett, C McDonald, C Pidgeon, J Richters, R Wantling and S Windle (8)

Against: Cr R Bartley (1)

17.3 Outside School Hours Care Transition to New Provider

Resolution

Moved Cr J Richters

Seconded Cr M Harslett

THAT Council:

1. Approve the transfer of the Stanthorpe Out of Hours School Care (OHSC) to the Department of Education; and
2. Delegate the Chief Executive Officer to finalise the terms and conditions of the transfer of the OSHC to the Department of Education and to sign any relevant documentation to effect the transfer, subject to all existing staff being given the opportunity to transfer across to the Department, and subject to the continuation of the OHSC service.

Carried Unanimously

18. GENERAL BUSINESS

18.1 Pest Management Advisory Committee Terms of Reference - Amendment

Resolution

Moved Cr C Pidgeon

Seconded Cr S Windle

THAT Council amend the Pest Management Advisory Committee Terms of Reference as follows:

In Section 4, dot point list—

insert—

- Other non-voting guests as approved by the chair.

Carried Unanimously

MEETING CLOSURE

There being no further business, the meeting closed at 11:35am.