



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
30 APRIL 2019**

ORDER OF BUSINESS:

ACKNOWLEDGEMENT TO COUNTRY	4
1. PRAYERS & CONDOLENCES.....	4
2. ATTENDANCE	4
3. APOLOGIES.....	4
4. READING AND CONFIRMATION OF MINUTES.....	4
4.1 General Council Meeting - 27 March 2019.....	4
4.2 Special Council Meeting - 10 April 2019	4
5. ACTIONS FROM COUNCIL MEETINGS	5
5.1 Actions from Previous Council Meeting.....	5
6. DECLARATIONS OF CONFLICTS OF INTEREST	5
6.1.1 Conflict of Interest - Cr Kelly - Agenda Item 11.4	6
6.1.2 Conflict of Interest - Cr Kelly - Agenda Item 17.3	6
6.1.3 Conflict of Interest - Cr Meiklejohn - Agenda Item 11.4	7
7. MAYORAL MINUTE	7
7.1 Mayoral Minute - April 2019.....	7
8. READING AND CONSIDERATION OF CORRESPONDENCE	7
8.1 Correspondence	7
9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS.....	7
9.1 Joint Letter - Granite Belt Community Association Inc	7
10. EXECUTIVE SERVICES REPORTS.....	8
10.1 Change in Venue for General Council Meeting 22 May 2019.....	8
10.2 De-amalgamation Proposal	8
11. CORPORATE SERVICES REPORTS	9
11.4 Boating on Connolly Dam	9
11.5 Proposed Permanent Road Closure - Moffatt Street, Maryvale.....	9
11.6 Third Quarter Budget Review 2018/2019.....	10
11.1 Financial Report as at 31 March 2019	10
11.2 Quarterly People and Culture Report.....	10
11.3 Operational Plan Quarterly review January to March 2019	10
12. INFRASTRUCTURE SERVICES REPORTS	11
12.1 Infrastructure Services Directorate Monthly Report.....	11

12.2	Water Security Strategy Status Update.....	11
12.3	Review of Water Usage	11
12.4	Naming an Unnamed Road Reserve	11
13.	SUSTAINABLE DEVELOPMENT REPORTS.....	12
13.1	Southern Downs Youth Council 2019 – Meeting No.1	12
13.3	Proposed to Amend Subordinate Local Law No. 2 (Animal Management) 2011	12
13.2	Local Government Natural Resource Management Governance Project	12
13.4	Invasive Pests Control Scheme	13
13.5	Noise Control Measures for Using Scare Guns.....	13
13.6	Southern Downs Regional Skills Investment Project Quarterly Report...	13
13.7	Request to Remove Places from the Local Heritage Register - Presbyterian Churches, 16 Braemar Street, Warwick, and 49 King Street, Yangan.....	13
14.	REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	14
	Nil	
15.	NOTICES OF MOTION	14
	Nil	
16.	GENERAL BUSINESS	14
Meeting In Camera		
Meeting Out Of Camera		
6.1.4	Conflict of Interest - Cr Pennisi - Agenda Item 17.1	17
Meeting In Camera		
Meeting Out Of Camera		
17.1	2018/19 Sale of Land for Unpaid Rates	18
17.2	Waive Debtor Charges for Refurbishment Contribution	19
17.3	New Lease between Council and the Warwick & District Archers Association	19
17.4	March 2019 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane.....	19
17.5	Sale of Land by Tender - Lot 5 on SP144662	20
17.6	Sale of Land by Tender - Lot 67 and Lot 68 on RP12361	20
17.7	Sale of Land by Tender - Lot 85 on SP176034	20
17.8	Sale of Land by Tender - Lot 22 on SP268883	21
17.9	Sale of Land by Tender - Lot 356 on BNT1725.....	21
17.10	Waste Contracts	21

17.11	Procurement Arrangement - Waste Management.....	22
17.12	Resolution for Procurement Exception.....	22
17.13	Evaluation Report - RFT 19_140 - Guy Street, Pratten Street & Parker Road Design.....	22
17.14	Evaluation Report - RFT 19_118 Palmer Bridge Design and Construct ..	22
17.15	Evaluation Report - RFT 19_124 - Easey Street Drainage Detailed Design	23
17.16	Amendment Request to Discount Planning Application Fees: Gary Hayes & Partners Pty Ltd – 339 Barlows Gate Road, Elbow Valley	23
17.17	Evaluation Report – Implementation of RFID’s in Libraries	23
17.18	Resolution for Procurement Exception.....	24

**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 30 APRIL 2019
IN THE WARWICK TOWN HALL, PALMERIN STREET, WARWICK AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Rev Doug Baigrie offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

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

Officers: David Keenan (Chief Executive Officer), Graham O'Byrne (Director Infrastructure Services), Jane Stroud (Director Sustainable Development), Joanne Morris (Director Corporate Services), Marion Seymour (Minute Secretary)

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 27 March 2019

Resolution

Moved Cr M McNichol

Seconded Cr R Kelly

THAT the minutes of the General Council Meeting held on Wednesday 27 March 2019 be adopted.

Carried

4.2 Special Council Meeting - 10 April 2019

Resolution

Moved Cr J McNally

Seconded Cr Y Stocks

THAT the minutes of the Special Council Meeting held on Wednesday 10 April 2019 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr M McNichol

Seconded Cr Y Stocks

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precis	Nature of Conflict
11.4	Boating on Connolly Dam	Cr Kelly declared that a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>), may exist due to his membership of the Warwick and District Recreational Fish Stocking Association. Cr Kelly dealt with the real 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 Kelly participated in the discussion and voting on this matter.
11.4	Boating on Connolly Dam	Cr Meiklejohn 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 father's membership of the Warwick and District Recreational Fish Stocking Association, and who had previously held numerous executive roles with that organisation, but no longer has an executive role but retains his membership. Cr Meiklejohn 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 Meiklejohn participated in the discussion and voting on this matter.
17.1	2018/2019 Sale of Land for Unpaid Rates	Cr Windle declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) as she personally knows one of the property owners, and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

17.1	2018/2019 Sale of Land for Unpaid Rates	Cr Pennisi 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 a prior association of one of the property owners. 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.
17.3	New Lease between Council and the Warwick & District Archers Association	Cr Kelly 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 as he owns the neighbouring property. Cr Kelly 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 Kelly participated in the discussion and voting on this matter.

6.1.1 CONFLICT OF INTEREST - CR KELLY - AGENDA ITEM 11.4

RESOLUTION

MOVED CR J MCNALLY

SECONDED CR S WINDLE

THAT CR KELLY HAS A PERCEIVED CONFLICT OF INTEREST IN AGENDA ITEM 11.4 DUE TO HIS MEMBERSHIP OF THE OF THE WARWICK AND DISTRICT RECREATIONAL FISH STOCKING ASSOCIATION, AND NOTWITHSTANDING THE CONFLICT, CR KELLY MAY PARTICIPATE IN THE MATTER, DISCUSS AND VOTE UPON IT.

CARRIED

6.1.2 CONFLCIT OF INTEREST - CR KELLY - AGENDA ITEM 17.3

RESOLUTION

MOVED CR N MEIKLEJOHN

SECONDED CR M MCNICHOL

THAT CR KELLY HAS A PERCEIVED CONFLICT OF INTEREST IN AGENDA ITEM 17.3 AS HE OWNS THE NEIGHBOURING PROPERTY, AND NOTWITHSTANDING THE CONFLICT, CR KELLY MAY PARTICIPATE IN THE MATTER, DISCUSS AND VOTE UPON IT

CARRIED

6.1.3 CONFLICT OF INTEREST - CR MEIKLEJOHN - AGENDA ITEM 11.4

RESOLUTION

MOVED CR J MCNALLY

SECONDED CR M MCNICHOL

THAT CR MEIKLEJOHN HAS A PERCEIVED CONFLICT OF INTEREST IN AGENDA ITEM 11.4 DUE TO HIS FATHER'S MEMBERSHIP OF THE WARWICK AND DISTRICT RECREATIONAL FISH STOCKING ASSOCIATION, WHO HAD PREVIOUSLY HELD NUMEROUS EXECUTIVE ROLES WITH THAT ORGANISATION, BUT NO LONGER HAS AN EXECUTIVE ROLE BUT RETAINS HIS MEMBERSHIP, AND NOTWITHSTANDING THE CONFLICT, CR MEIKLEJOHN MAY PARTICIPATE IN THE MATTER, DISCUSS AND VOTE UPON IT.

CARRIED

7. MAYORAL MINUTE

7.1 Mayoral Minute - April 2019

Resolution

Moved Cr S Windle

Seconded Cr N Meiklejohn

THAT Council receive the Mayoral Minute for April 2019.

Carried

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

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

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

9.1 Joint Letter - Granite Belt Community Association Inc

Resolution

Moved Cr C Gow

Seconded Cr V Pennisi

THAT Council receive the attached tabled letter from Granite Belt Community Association Inc which provided a copy of a motion that was passed at the public rally held in Stanthorpe on Sunday, 28 April 2019.

Carried

Attachments

1. Granite Belt Community Association Inc - **Attached to the Minutes Under Separate Cover**

10. EXECUTIVE SERVICES REPORTS

10.1 Change in Venue for General Council Meeting 22 May 2019

Resolution

Moved Cr J McNally

Seconded Cr M McNichol

THAT Council resolve to change the venue for the General Council Meeting on 22 May 2019 from Stanthorpe to Warwick.

Carried

10.2 De-amalgamation Proposal

Resolution

Moved Cr J McNally

Seconded Cr M McNichol

THAT Council:

1. Advise Minister Stirling Hinchliffe – Minister for Local Government, Racing and Multicultural Affairs that Council, does not support the proposal by the Granite Belt Community Association to De-amalgamate from the Southern Downs Regional Council to create a new Granite Belt Regional Council due to the significant financial risks identified in the Queensland Treasury Corporation Financial Analysis of the De-amalgamation Proposal which underpins the long term financial sustainability of the proposed Granite Belt Regional Council; and
2. Acknowledges that legislation states that the final decision for referring a proposal to the Change Commission rests with the Minister and as such if the Minister determines that Queensland Treasury Corporation Financial Analysis of the De-amalgamation Proposal was not a fair and independent review, as stated by the Granite Belt Community Association, the Minister can still refer the Proposal to the Change Commission where a further Financial Analysis of the De-amalgamation Proposal can be undertaken.

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, J McNally, M McNichol, N Meiklejohn, Y Stocks and S Windle (7)

Against: Crs C Gow and V Pennisi (2)

Accordingly the Mayor declared the motion carried.

10:40am Presentation of Casual for a Cause donation to BUSHkids

The meeting adjourned at 10:20am and reconvened at 10:50am at which time there were present Crs Dobie, McNally, Stocks, Gow, McNichol, Pennisi, Windle, Kelly and Meiklejohn

11. CORPORATE SERVICES REPORTS

Cr Kelly declared that a real conflict of interest in Agenda Item 11.4 (as defined in section 175 of the Local Government Act 2009), may exist due to his membership of the Warwick and District Recreational Fish Stocking Association. Cr Kelly dealt with the real 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 Kelly participated in the discussion and voting on this matter.

Cr Meiklejohn declared that a perceived conflict of interest in Agenda Item 11.4 (as defined in section 175 of the Local Government Act 2009), may exist due to his father's membership of the Warwick and District Recreational Fish Stocking Association, who had previously held numerous executive roles with that organisation, but no longer has an executive role but retains his membership. Cr Meiklejohn 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 Meiklejohn participated in the discussion and voting on this matter.

11.4 Boating on Connolly Dam

Resolution

Moved Cr J McNally

Seconded Cr M McNichol

THAT:-

1. Council approve the use of electric or oar power boats on Connolly Dam seven (7) days a week during daylight hours.
2. There is no requirement for membership of Warwick and Recreational Fish Stocking Association due to the budget allocation in the Draft 2019/2020 Budget.

Carried

Cr Kelly and Cr Meiklejohn voted for the motion

11.5 Proposed Permanent Road Closure - Moffatt Street, Maryvale

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council objects to the permanent road closure being an area of road reserve of approximately 120m² which is situated between Lot 611 on ML2301 and Lot 605 on ML2301 (Taylor Street, Maryvale), for the following reasons:

1. This land is required for the implementation of the recommendations of the Maryvale Urban Design Framework.
2. These road reserves may be required for future access and Council service's infrastructure.

Carried

11.6 Third Quarter Budget Review 2018/2019

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

THAT Council adopt the revised budget following the third quarter budget review for the financial year 2018/2019 as per Attachment 1, noting that the funding for the Apple and Grape Harvest Festival 2020 will be the subject of a separate report to Council at the May 2019 General Meeting.

Carried

Attachments

1. Operating Budget 2018/2019 - **Attached to the Minutes Under Separate Cover**

11.1 Financial Report as at 31 March 2019

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive and note the Financial Report as at 31 March 2019.

Carried

11.2 Quarterly People and Culture Report

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive and note the People and Culture Report for the period January to March 2019.

Carried

11.3 Operational Plan Quarterly review January to March 2019

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council receive the contents of the Operational Plan Quarterly Review – January to March 2019.

Carried

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Infrastructure Services Directorate Monthly Report

Resolution

Moved Cr M McNichol

Seconded Cr R Kelly

THAT Council receive the Infrastructure Services Directorate Monthly Report.

Carried

12.2 Water Security Strategy Status Update

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council resolve to accept the Water Security Strategy update.

Carried

12.3 Review of Water Usage

Resolution

Moved Cr C Gow

Seconded Cr Y Stocks

THAT Council:-

1. Notes the review of predicted dam dead storage levels based on a number of options for water supply; and
2. Resolves to continue with current restrictions, allowing existing raw water customers and existing standpipes to continue use, and reduce the amount of water that can be taken for any individual residential address within the Southern Downs region from standpipes to an overall weekly limit of 2,000 litres, and can be purchased at a single or multiple collection times, with access to occur on weekdays between 8.00am until 3.00pm effective from 1 May 2019.

Carried

12.4 Naming an Unnamed Road Reserve

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council:

1. Adopt "Henman Lane" as the new name; and
2. Start the consultation process for the renaming of a section of Scrymgeour Road.

Carried

13. SUSTAINABLE DEVELOPMENT REPORTS

13.1 Southern Downs Youth Council 2019 – Meeting No.1

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council:

1. Note the minutes from the first meeting of the Southern Downs Youth Council 2019 held Thursday 14 March 2019.
2. Note the recommendations made by the Youth Council; and in particular, Council approve the following recommendations made by the Youth Council:
 - a) Write to all aged care facilities across the Southern Downs informing them of the Southern Downs Youth Council 2019 request to engage with these facilities to allow stories from our older residents to be captured and recorded, whilst also providing an opportunity to bridge the gap between generations.
 - b) Consider establishing temporary pop-up indoor events in current venues, to gain an understanding of what events attract youths to participate and develop a business case to attract local business to undertake these activities in the longer term.

Carried

13.3 Proposed to Amend Subordinate Local Law No. 2 (Animal Management) 2011

Resolution

Moved Cr J McNally

Seconded Cr N Meiklejohn

THAT Council proposes to make *Amendment Subordinate Local Law No. 1 (Animal Management) 2019* (as attached) and undertake public consultation in accordance with the *Local Government Act 2009*.

Carried

Attachments

1. Draft Amendment Subordinate Local Law No. 1 (Animal Management) 2019 - **Attached to the Minutes Under Separate Cover**

13.2 Local Government Natural Resource Management Governance Project

Resolution

Moved Cr N Meiklejohn

Seconded Cr M McNichol

THAT Council note the submission made by Environmental and Regulatory Services to Local Government Association of Queensland 'Local Government Natural Resource Management Governance' Project.

Carried

13.4 Invasive Pests Control Scheme

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council:

1. Note progress on the implementation of the 2018/2019 Invasive Pests Control Scheme (IPCS);
2. Note planned changes to the delivery of the 2019/2020 IPCS; and
3. Endorse the Invasive Pests Control Special Rate Overall Plan and Annual Implementation Plan to enable implementation of the 2019/2020 IPCS.

Carried

13.5 Noise Control Measures for Using Scare Guns

Resolution

Moved Cr J McNally

Seconded Cr M McNichol

Council provide in principle endorsement for the purposes of undertaking consultation in May and June 2019 the draft 'Noise Control Measures for Using Scare Guns' procedure and fact sheet.

Carried

13.6 Southern Downs Regional Skills Investment Project Quarterly Report

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council receive the Southern Downs Regional Council Regional Skills Investment Strategy Project quarterly report.

Carried

13.7 Request to Remove Places from the Local Heritage Register - Presbyterian Churches, 16 Braemar Street, Warwick, and 49 King Street, Yangan

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT, in relation to the request by the Rose City Presbyterian Church to remove the two places listed below from the Local Heritage Register, Council resolves that places are of cultural heritage significance for their aesthetic, historic, social and spiritual values, and are to remain on the Local Heritage Register:

- Listing No. 428, Presbyterian Church and Cemetery, Lot 1 ML2248, 49 King Street, Yangan; and
- Listing No. 544, Patrick Leslie Memorial Church, Lot 23 RP6040, 16 Braemar Street, Warwick.

Carried

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

Nil

15. NOTICES OF MOTION

Nil

16. GENERAL BUSINESS

Cr McNally acknowledged ANZAC Day celebrations across the region.

17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

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

Recommendation

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

17.1 2018/19 Sale of Land for Unpaid Rates

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.

17.2 Waive Debtor Charges for Refurbishment Contribution

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.

17.3 New Lease between Council and the Warwick & District Archers Association

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.4 March 2019 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

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.

17.5 Sale of Land by Tender - Lot 5 on SP144662

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.6 Sale of Land by Tender - Lot 67 and Lot 68 on RP12361

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.7 Sale of Land by Tender - Lot 85 on SP176034

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.8 Sale of Land by Tender - Lot 22 on SP268883

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.9 Sale of Land by Tender - Lot 356 on BNT1725

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.10 Waste Contracts

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.11 Procurement Arrangement - Waste Management

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.12 Resolution for Procurement Exception

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.13 Evaluation Report - RFT 19_140 - Guy Street, Pratten Street & Parker Road Design

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.14 Evaluation Report - RFT 19_118 Palmer Bridge Design and Construct

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.15 Evaluation Report - RFT 19_124 - Easey Street Drainage Detailed Design

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.16 Amendment Request to Discount Planning Application Fees: Gary Hayes & Partners Pty Ltd – 339 Barlows Gate Road, Elbow Valley

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.

17.17 Evaluation Report – Implementation of RFID’s in Libraries

Reason for Confidentiality

This item is considered confidential in accordance with section 275(1)(e) of the *Local Government Regulation 2012*, as it contains information relating to contracts proposed to be made by Southern Downs Regional Council.

17.18 Resolution for Procurement Exception

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.

Meeting In Camera

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11:58am.

Meeting adjourned for a short break at 11:59am and reconvened at 12:10pm.

12:10 pm Cr S Windle left the meeting during discussion on Agenda item 17.1.

12:13 pm Cr S Windle rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12:13pm.

Carried

6.1.4 Conflict of Interest - Cr Pennisi - Agenda Item 17.1

Resolution

Moved Cr N Meiklejohn

Seconded Cr C Gow

THAT Cr Pennisi has a perceived conflict of interest in Agenda Item 17.1 due to a prior association with one of the property owners, and notwithstanding the conflict, Cr Pennisi may participate in the matter, discuss and vote upon it.

Carried

Meeting In Camera

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 12:15pm.

12:15 pm Cr S Windle left the meeting during discussion on Agenda Item 17.1.

12:16 pm Cr S Windle rejoined the meeting.

01:21 pm Cr N Meiklejohn left the meeting.

01:23 pm Cr N Meiklejohn rejoined the meeting.

01:30 pm Cr M McNichol left the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 1:32pm.

Carried

01:32 pm Cr M McNichol rejoined the meeting.

Cr Windle declared a real conflict of interest in Agenda Item 17.1 (as defined in section 175 of the Local Government Act 2009) due to her personally knowing one of the property owners 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 Windle left the meeting at 1:32pm.

Cr Pennisi declared that a perceived conflict of interest in Agenda Item 17.1 (as defined in section 175 of the Local Government Act 2009) may exist due to a prior association of one of the property owners. 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.

17.1 2018/19 Sale of Land for Unpaid Rates

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council receives the update report for the Sale of Land for Unpaid Rates.

Carried

Cr Pennisi voted for the motion.

Cr Windle rejoined the meeting at 1:33pm.

17.2 Waive Debtor Charges for Refurbishment Contribution

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council resolves to waive debtor charges in relation to refurbishment works undertaken by Council to the value of \$6,619.25.

Carried

Cr Kelly declared that a perceived conflict of interest in Agenda Item 17.3 (as defined in section 175 of the Local Government Act 2009), may exist as he owns the neighbouring property. Cr Kelly 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 Kelly participated in the discussion and voting on this matter.

17.3 New Lease between Council and the Warwick & District Archers Association

Resolution

Moved Cr N Meiklejohn

Seconded Cr V Pennisi

THAT Council approve a 10 year Freehold Lease with the Warwick & District Archers Association Incorporated, commencing 1 July 2019, subject to the standard terms and conditions and in accordance with Council's Lease Policy and section 236(1)(b)(ii) and (2) of the *Local Government Regulation 2012*.

Carried

Cr Kelly voted for the motion.

17.4 March 2019 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr R Kelly

Seconded Cr V Pennisi

THAT Council receive the March 2019 monthly report from Brisbane YMCA in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

17.5 Sale of Land by Tender - Lot 5 on SP144662

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Grant delegated authority to Council's Chief Executive Officer to negotiate with the highest tenderer to increase their offer for Lot 5 on SP144662 in accordance with the valuation; and
2. List the property for sale with local Real Estate Agents should negotiations fail to reach a satisfactory sale price; and
3. Grant delegated authority to Council's Chief Executive Officer to approve any acceptable offer for the property.

Carried

17.6 Sale of Land by Tender - Lot 67 and Lot 68 on RP12361

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Grant delegated authority to Council's Chief Executive Officer to negotiate with the highest tenderer to increase their offer for Lot 67 and Lot 68 on RP12361 in accordance with the valuation; and
2. List the land for sale with local Real Estate Agents should negotiations fail to reach a satisfactory sale price; and
3. Grant delegated authority to Council's Chief Executive Officer to approve any acceptable offer for the land.

Carried

17.7 Sale of Land by Tender - Lot 85 on SP176034

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Grant delegated authority to Council's Chief Executive Officer to negotiate with the tenderer to increase their offer for Lot 85 on SP176034 in accordance with the valuation; and
2. List the property for sale with local Real Estate Agents should negotiations fail to reach a satisfactory sale price; and
3. Grant delegated authority to Council's Chief Executive Officer to approve any acceptable offer for the property.

Carried

17.8 Sale of Land by Tender - Lot 22 on SP268883

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Grant delegated authority to Council's Chief Executive Officer to negotiate with the tenderer to increase their offer for Lot 22 on SP268883 in accordance with the valuation; and
2. List the land for sale with local Real Estate Agents should negotiations fail to reach a satisfactory sale price; and
3. Grant delegated authority to the Chief Executive Officer to approve any acceptable offer for the property.

Carried

17.9 Sale of Land by Tender - Lot 356 on BNT1725

Resolution

Moved Cr J McNally

Seconded Cr Y Stocks

THAT Council accept the tender received for the sale of Lot 356 on BNT1725 situated at Callandoon Street, Wallangarra for the amount of \$11,000 inclusive of GST.

Carried

17.10 Waste Contracts

Resolution

Moved Cr C Gow

Seconded Cr N Meiklejohn

THAT Council:-

1. Resolves under Section 235(a) of the Local Government Regulation 2012, to extend by three (3) months (commencing 1 July 2019 and concluding midnight 30 September 2019), the waste contracts with:
 - a. JJ Richards & Sons; and
 - b. Endeavour Foundation (the recycling waste component of the existing bulk haulage services).
2. Resolves under Section 230(1) of the Local Government Regulation 2012, to prepare a Tender Consideration Plan to enable it to extend the services of the following contracts with:
 - a. MJ Smith Group (Warwick Landfill Operations)
 - b. Endeavour Foundation (Operation of Warwick and Stanthorpe gatehouse and weighbridges, management of the resource recovery shops);

on an initial six (6) month extension, plus two (2) additional three (3) month extensions at Council's sole discretion.

Carried

17.11 Procurement Arrangement - Waste Management

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Resolve to appoint Leo Jensen Consulting (ABN 67373943144) to support Council in the delivery of its waste management program, pursuant to section s235(b) of the Local Government Regulation 2012, which permits council entering into medium sized contracts without inviting quotes because of the specialised or confidential nature of the services that are sought and, it would be impractical or disadvantageous for the local government to invite quotes or tenders.
2. Delegate to the Chief Executive Officer (or delegate) any further negotiations associated with the contract should any further extensions be required below the medium-sized contract threshold.

Carried

17.12 Resolution for Procurement Exception

Resolution

Moved Cr R Kelly

Seconded Cr M McNichol

THAT Council enter into a contractual arrangement with Toll Priority for the transportation of water samples, for the remainder of this year and a further 12 months.

Carried

17.13 Evaluation Report - RFT 19_140 - Guy Street, Pratten Street & Parker Road Design

Resolution

Moved Cr R Kelly

Seconded Cr C Gow

THAT Council enter into a contract with GenEng Solutions for the design of a modern cycleway system along the Principal Cycle Network Path (PCNP) along Guy Street, Pratten Street and Parker Road.

Carried

17.14 Evaluation Report - RFT 19_118 Palmer Bridge Design and Construct

Resolution

Moved Cr S Windle

Seconded Cr R Kelly

THAT Council enter into a contract with CPM Group Pty Ltd to Design and Construct Palmer Bridge at Freestone Creek on Freestone Road.

Carried

17.15 Evaluation Report - RFT 19_124 - Easey Street Drainage Detailed Design

Resolution

Moved Cr S Windle

Seconded Cr Y Stocks

THAT Council enter into a contract with Engeny Water Management for the design of the Easey Street Stormwater drainage system.

Carried

17.16 Amendment Request to Discount Planning Application Fees: Gary Hayes & Partners Pty Ltd – 339 Barlows Gate Road, Elbow Valley

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council:

1. Considers the Officers review of the MCU fees charged to the applicant for the proposed development at 339 Barlows Gate Road Elbow Valley, and accepts that the fee decided under delegation of \$25,563.75 (which has been paid) is reasonable; and
2. Considers introducing within the General Fees and Charges Schedule for 2019/20 a maximum standard cattle unit charge (SCU) upper fee limit for Intensive animal industries.

Carried

17.17 Evaluation Report – Implementation of RFID's in Libraries

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council:

1. Note the offers were above tender thresholds prescribed under Council Policy, however, as the successful offerer was only just over the financial threshold and below the financial tender thresholds set by the Act Council approve not going back out to market; and
2. Enter into contract with Adilam Technologies for the supply and implementation of RFID and self-service technologies in the SDRC library network.

Carried

17.18 Resolution for Procurement Exception

Resolution

Moved Cr Y Stocks

Seconded Cr C Gow

THAT Council:-

1. Resolves, pursuant to Section 235(b) of the Local Government Regulation 2012, that due to the specialised nature of the work, it would be impractical or disadvantageous to request quotes or tenders for the upgrade of the IT systems associated with the weighbridges at both the Warwick and Stanthorpe Landfills.
2. Enter into a contract with I Weigh Pty Ltd to upgrade the IT system at both the Warwick and Stanthorpe Landfills.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 1:41pm.