



**MINUTES OF THE
GENERAL MEETING OF COUNCIL
24 JULY 2019**

ORDER OF BUSINESS:

ACKNOWLEDGEMENT TO COUNTRY	3
1. PRAYERS & CONDOLENCES.....	3
2. ATTENDANCE	3
3. APOLOGIES.....	3
4. READING AND CONFIRMATION OF MINUTES.....	3
4.1 General Council Meeting - 26 June 2019.....	3
4.2 Special Council Meeting - 8 July 2019	3
4.3 Special Council Meeting - 15 July 2019	4
5. ACTIONS FROM COUNCIL MEETINGS	4
5.1 Actions from Previous Council Meeting.....	4
6. DECLARATIONS OF CONFLICTS OF INTEREST	4
6.1 Conflict of Interest - Cr Pennisi - Agenda Item 11.2	6
6.2 Conflict of Interest - Cr Pennisi - Agenda Item 12.1	6
6.2.1 Conflict of Interest - Cr Pennisi - Agenda Item 12.1	7
6.3 Conflict of Interest - Cr Pennisi - Agenda Item 13.3	7
6.3.1 Conflict of Interest - Cr Pennisi - Agenda Item 13.3	7
6.4 Conflict of Interest - Cr Pennisi - Agenda Item 17.4	7
6.5 Conflict of Interest - Cr Pennisi - Agenda Item 12.3	7
6.6 Conflict of Interest - Cr Pennisi - Agenda Item 12.4	8
6.7 Conflict of Interest - Cr Pennisi - Agenda Item 8.1	8
7. MAYORAL MINUTE	8
7.1 Mayoral Minute	8
8. READING AND CONSIDERATION OF CORRESPONDENCE	9
8.1 Correspondence	9
9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS.....	9
9.1 Petition and Letters of Support - Purple Dove Awareness Group, 19 Church Road, The Summit	9
10. EXECUTIVE SERVICES REPORTS.....	9
10.1 Quarterly People and Culture Report.....	9
10.2 2019 LGAQ Annual Conference and 2019 Bush Council Convention	9
11. CORPORATE SERVICES REPORTS	10
11.1 Financial Report as at 30 June 2019	10

11.2	Operational Plan Quarterly review April to June 2019.....	10
11.3	Community Services Advisory Committee (CSAC) Meeting Minutes	10
12.	INFRASTRUCTURE SERVICES REPORTS	11
12.1	Infrastructure Services Directorate Monthly Report.....	11
12.3	Water Contingency Plan	11
12.2	Naming of Walkway - "Mallys Alley"	11
12.4	Review of Water Restrictions.....	12
13.	SUSTAINABLE DEVELOPMENT REPORTS	12
13.1	Quarterly Report on Development Approvals for the April to June quarter 2019	12
13.2	Urban Design Frameworks - Adoption of Leyburn Urban Design Framework	12
13.3	2019 Local Government Annual Conference Motions	13
13.4	Pest Management Advisory Committee Meeting Minutes - 25 June 2019	13
14.	REPORTS OF DEPUTATION OR CONFERENCE & REPORTS FROM DELEGATES APPOINTED BY COUNCIL TO OTHER BODIES	13
	Nil	
15.	NOTICES OF MOTION	13
	Nil	
16.	GENERAL BUSINESS	13

Meeting In Camera

Meeting Out Of Camera

17.1	Request to Adjust Rates & Charges due to Regular Absences for PID 45060	16
17.2	Retrospective Application of Revenue Statement Clause	16
17.3	Rate Concession Granted - 2018/2019.....	16
17.4	Connolly Dam Infrastructure	17
17.6	Shaping Southern Downs Advisory Committee Minutes - 3 July 2019	17
17.5	Audit and Risk Management Committee Meeting Minutes - 28 June 2019	17
17.7	Evaluation Report - RFT19_181 - Stanthorpe Wild Dog Spur Fence Patrol and Maintenance.....	18
17.8	Request for Amendment of Capital Budget 2019/20 - Refund for Provision of Trunk Infrastructure for Park.....	18
17.9	June 2019 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane	18
17.10	Complaint and Summons Against Council	18

**MINUTES OF THE GENERAL COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 24 JULY 2019 IN THE
COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Pastor Mark Harvey from the Stanthorpe Baptist Church offered a prayer for the meeting and acknowledged condolences

2. ATTENDANCE

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

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

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 General Council Meeting - 26 June 2019

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT the minutes of the General Council Meeting held on Wednesday 26 June 2019 be adopted.

Carried

4.2 Special Council Meeting - 8 July 2019

Resolution

Moved Cr M McNichol

Seconded Cr Y Stocks

THAT the minutes of the Special Council Meeting held on Monday 8 July 2019 be adopted.

Carried

4.3 Special Council Meeting - 15 July 2019

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT the minutes of the Special Council Meeting held on Monday 15 July 2019 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Previous Council Meeting

Resolution

Moved Cr R Kelly

Seconded Cr S Windle

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precs	Nature of Conflict
8.1	Correspondence – Item 1	Cr Pennisi declared 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 roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for discussion and voting on this matter.
11.2	Operational Plan Quarterly Review April to June 2019	Cr Pennisi declared 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 roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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.
12.1	Infrastructure Services Directorate Monthly Report	Cr Pennisi declared 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 roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for the discussion and voting on this matter.
12.3	Water Contingency Plan	Cr Pennisi declared 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 roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for the discussion and voting on this matter.
12.4	Review of Water Restrictions	Cr Pennisi declared 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 roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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.
13.3	2019 Local Government Annual Conference Motions – Motion 2	Cr Pennisi declared 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 roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for the discussion and voting on this matter.
17.4	Connolly Dam Infrastructure	Cr Pennisi declared 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 roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for the discussion and voting on this matter.
17.6	Shaping Southern Downs Advisory Committee Meeting Minutes – 3 July 2019	Cr Pennisi declared a real conflict of interest in this matter (as defined in section 175 of the <i>Local Government Act 2009</i>) due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

6.1 Conflict of Interest - Cr Pennisi - Agenda Item 11.2

Resolution

Moved Cr N Meiklejohn

Seconded Cr C Gow

THAT Cr Pennisi has a perceived conflict of interest in Agenda Item 11.2 due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and notwithstanding the conflict, Cr Pennisi may participate in the matter, discuss and vote upon it.

Carried

6.2 Conflict of Interest - Cr Pennisi - Agenda Item 12.1

Resolution

Moved Cr C Gow

THAT Cr Pennisi has a perceived conflict of interest in Agenda Item 12.1 due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and notwithstanding the conflict, Cr Pennisi may participate in the matter, discuss and vote upon it.

Lapsed

6.2.1 Conflict of Interest - Cr Pennisi - Agenda Item 12.1

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council did not accept Cr Pennisi's declaration of a perceived conflict of interest in relation to Agenda Item 12.1, and resolved that Cr Pennisi has a real conflict of interest due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and must leave the room while this matter is discussed and voted on.

Carried

6.3 Conflict of Interest - Cr Pennisi - Agenda Item 13.3

Resolution

Moved Cr C Gow

THAT Cr Pennisi has a perceived conflict of interest in Agenda Item 13.3 due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and notwithstanding the conflict, Cr Pennisi may participate in the matter, discuss and vote upon it.

Lapsed

6.3.1 Conflict of Interest - Cr Pennisi - Agenda Item 13.3

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council did not accept Cr Pennisi's declaration of a perceived conflict of interest in relation to Agenda Item 13.3, and resolved that Cr Pennisi has a real conflict of interest due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and must leave the room while this matter is discussed and voted on.

Carried

6.4 Conflict of Interest - Cr Pennisi - Agenda Item 17.4

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council did not accept Cr Pennisi's declaration of a perceived conflict of interest in relation to Agenda Item 17.4, and resolved that Cr Pennisi has a real conflict of interest due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and must leave the room while this matter is discussed and voted on.

Carried

6.5 Conflict of Interest - Cr Pennisi - Agenda Item 12.3

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council did not accept Cr Pennisi's declaration of a perceived conflict of interest in relation to Agenda Item 12.3, and resolved that Cr Pennisi has a real conflict of interest due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and must leave the room while this matter is discussed and voted on.

Carried

6.6 Conflict of Interest - Cr Pennisi - Agenda Item 12.4

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Cr Pennisi has a perceived conflict of interest in Agenda Item 12.4 due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and notwithstanding the conflict, Cr Pennisi may participate in the matter, discuss and vote upon it.

Carried

6.7 Conflict of Interest - Cr Pennisi - Agenda Item 8.1

Resolution

Moved Cr J McNally

Seconded Cr M McNichol

THAT Council did not accept Cr Pennisi's declaration of a perceived conflict of interest in relation to Agenda Item 8.1, and resolved that Cr Pennisi has a real conflict of interest due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd., and must leave the room while this matter is discussed and voted on.

Carried

7. MAYORAL MINUTE

7.1 Mayoral Minute

Resolution

Moved Cr Y Stocks

Seconded Cr R Kelly

THAT Council receive the Mayoral Minute for July 2019.

Carried

Cr Pennisi declared a perceived conflict of interest in Agenda Item 8.1 this matter (as defined in section 175 of the Local Government Act 2009), may exist due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for discussion and voting on this matter at 9:48 am.

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

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

Carried

10:07 am Cr V Pennisi rejoined the meeting.

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

9.1 Petition and Letters of Support - Purple Dove Awareness Group, 19 Church Road, The Summit

Resolution

Moved Cr M McNichol

Seconded Cr S Windle

THAT Council receive the Petition and note the letters of support, and refer them to the Director Sustainable Development.

Carried

10. EXECUTIVE SERVICES REPORTS

10.1 Quarterly People and Culture Report

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council receive the report and note the contents.

Carried

10.2 2019 LGAQ Annual Conference and 2019 Bush Council Convention

Resolution

Moved Cr R Kelly

Seconded Cr N Meiklejohn

THAT Council:-

1. Endorse the attendance of Cr McNally and Cr McNichol to the 2019 LGAQ Annual Conference being held in Cairns from 14-16 October 2019.
2. Not nominate a Councillor to attend the 2019 Bush Council Convention being held in Roma from 6-8 August 2019.

Carried

11. CORPORATE SERVICES REPORTS

11.1 Financial Report as at 30 June 2019

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council receive and note the Financial Report as at 30 June 2019.

Carried

Cr Pennisi declared a perceived conflict of interest in Agenda Item 11.2 (as defined in section 175 of the Local Government Act 2009), may exist due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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.

11.2 Operational Plan Quarterly review April to June 2019

Resolution

Moved Cr J McNally

Seconded Cr M McNichol

THAT Council receive the contents of the Operational Plan Quarterly Review – April to June 2019.

Carried

Cr Pennisi voted for the motion.

11.3 Community Services Advisory Committee (CSAC) Meeting Minutes

Resolution

Moved Cr S Windle

Seconded Cr N Meiklejohn

THAT Council:

1. Receive and note the minutes of the Community Services Advisory Committee Meeting held on 21 June 2019.
2. Endorse the following recommendation made by the Community Services Advisory Committee:

That Council, in partnership with support agencies and mental health practitioners, develop a Mental Health engagement program for community to improve mental health literacy, increase awareness of community supports and available mental health training, and promote the value and benefits of this training.

Carried

10:37am Presentation of the Casual for a Cause donation to the Lighthouse Community Centre

The meeting adjourned for morning tea at 10:35am.

11:00am Official opening of the Stanthorpe Dog Park

The meeting reconvened at 11:20am at which time there were present Crs Dobie, McNally, Kelly, Stocks, Gow, Pennisi, Windle, McNichol and Meiklejohn

Cr Pennisi declared a perceived conflict of interest in Agenda Items 12.1 and 12.3 (as defined in section 175 of the Local Government Act 2009), may exist due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for the discussion and voting on this matter. Cr Pennisi left the meeting at 11:21 am.

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Infrastructure Services Directorate Monthly Report

Resolution

Moved Cr Y Stocks

Seconded Cr R Kelly

THAT Council receive the Infrastructure Services Directorate Monthly Report.

Carried

12.3 Water Contingency Plan

Resolution

Moved Cr M McNichol

Seconded Cr S Windle

THAT Council receive the attached Water Contingency Plan.

Carried

Attachments

1. Southern Downs Water Contingency Plan - **Attached to the Minutes Under Separate Cover**

11:31 am Cr V Pennisi rejoined the meeting.

12.2 Naming of Walkway - "Mallys Alley"

Resolution

Moved Cr V Pennisi

Seconded Cr C Gow

THAT Council defer consideration of this agenda item.

Carried

Cr Pennisi declared a perceived conflict of interest in Agenda Item 12.4 (as defined in section 175 of the Local Government Act 2009), may exist due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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.

12.4 Review of Water Restrictions

Resolution

Moved Cr M McNichol

Seconded Cr Y Stocks

THAT Council implements Critical water restrictions from 1 September 2019, with Emergency water restrictions to be enforced at a future date.

Carried

Cr Pennisi voted for the motion.

13. SUSTAINABLE DEVELOPMENT REPORTS

13.1 Quarterly Report on Development Approvals for the April to June quarter 2019

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council receives and notes the summary of the development approvals statistics for the April to June 2019 quarter.

Carried

13.2 Urban Design Frameworks - Adoption of Leyburn Urban Design Framework

Resolution

Moved Cr Y Stocks

Seconded Cr S Windle

THAT Council:

1. Adopts the Leyburn Urban Design Framework (as attached), and an annual progress report be prepared and submitted for consideration.
2. Nominate the villages of Dalveen and Pratten for which urban design frameworks are to be prepared for the 2019/20 year, and budget allocation be made at the first quarter review.

Carried

Attachments

1. Leyburn Urban Design Framework - **Attached to the Minutes Under Separate Cover**

Cr Pennisi declared a perceived conflict of interest in Agenda Item 13.3 matter (as defined in section 175 of the Local Government Act 2009), may exist due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for the discussion and voting on this matter. Cr Pennisi left the meeting at 11:46am.

13.3 2019 Local Government Annual Conference Motions

Resolution

Moved Cr C Gow

Seconded Cr J McNally

THAT Council endorse the attached 2019 Local Government Annual Conference motions regarding State Government resourcing of invasive pests management and Commonwealth Government drought assistance.

Carried

Attachments

1. LGAQ Conference Motion - Invasive Pests - **Attached to the Minutes Under Separate Cover**
2. LGAQ Conference Motion - Drought Funding - **Attached to the Minutes Under Separate Cover**

11:50am Cr Pennisi rejoined the meeting.

13.4 Pest Management Advisory Committee Meeting Minutes - 25 June 2019

Resolution

Moved Cr C Gow

Seconded Cr Y Stocks

THAT Council endorse the minutes of the Pest Management Advisory Committee meeting held at Warwick on 25 June 2019, and endorse the recommendation that all wild dog bounty claim forms must be submitted to Council within 60 days of the animal(s) being trapped and/or shot.

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

Nil

17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

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

Recommendation

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

17.1 Request to Adjust Rates & Charges due to Regular Absences for PID 45060

Reason for Confidentiality

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

17.2 Retrospective Application of Revenue Statement Clause

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(h) of the *Local Government Regulation 2012*, as it contains information relating to and 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 Rate Concession Granted - 2018/2019

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(h) of the *Local Government Regulation 2012*, as it contains information relating to and 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.

17.4 Connolly Dam Infrastructure

Reason for Confidentiality

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

17.5 Audit and Risk Management Committee Meeting Minutes - 28 June 2019

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.

17.6 Shaping Southern Downs Advisory Committee Minutes - 3 July 2019

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.

17.7 Evaluation Report - RFT19_181 - Stanthorpe Wild Dog Spur Fence Patrol and Maintenance

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 Request for Amendment of Capital Budget 2019/20 - Refund for Provision of Trunk Infrastructure for Park

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 June 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.

17.10 Complaint and Summons Against Council

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 J McNally

Seconded Cr N Meiklejohn

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 11:55am.

11:57 am Cr V Pennisi left the meeting during discussion on Agenda Items 17.4 and 17.6.

12:34 pm Cr V Pennisi rejoined the meeting.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 1:04pm.

Carried

17.1 Request to Adjust Rates & Charges due to Regular Absences for PID 45060

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council resolve not to adjust rates & charges due to regular absences for PID 45060.

Carried

17.2 Retrospective Application of Revenue Statement Clause

Resolution

Moved Cr N Meiklejohn

Seconded Cr J McNally

THAT Council resolve not to retrospectively apply the 2016/2017 Revenue Statement Clause to Lots 3 & 4 on RP15702 in relation charges applied for unconnected utility charges where a building or infrastructure is situated across two or more adjoining parcels commencing from 1 July 2007.

Carried

17.3 Rate Concession Granted - 2018/2019

Resolution

Moved Cr M McNichol

Seconded Cr N Meiklejohn

THAT Council receive and note the Rate Concession Report advising of the rate concessions granted during the 2018/19 financial year.

Carried

Cr Pennisi declared a perceived conflict of interest in Agenda Item 17.4 (as defined in section 175 of the Local Government Act 2009), may exist due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd. 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 left the room for the discussion and voting on this matter. Cr Pennisi left the room at 1:06pm.

17.4 Connolly Dam Infrastructure

Resolution

Moved Cr J McNally

Seconded Cr M McNichol

THAT Council:

1. Decommissions the Connolly Dam tower and tunnel and instead installs a floating intake and associated infrastructure.
2. The capital project budget for the Water and Wastewater unit is adjusted accordingly allowing for the Dalveen Reservoir and Pump Station upgrade projects to proceed, with full details to be submitted as part of the Quarter 1 budget review.

Carried

Cr Pennisi declared a real conflict of interest in Agenda Item 17.6 (as defined in section 175 of the Local Government Act 2009) due to his roles as Chair of Stanthorpe Community Reference Panel and as a Director of Granite Belt Water Pty Ltd and Emu Swamp Dam Pty Ltd and dealt with the real conflict of interest by leaving the meeting room, taking no part in the debate or decision on the matter.

17.6 Shaping Southern Downs Advisory Committee Minutes - 3 July 2019

Resolution

Moved Cr S Windle

Seconded Cr M McNichol

THAT Council endorse the minutes of the Shaping Southern Downs Advisory Committee Meeting held at Warwick on 3 July 2019.

Carried

1:07pm Cr Pennisi rejoined the meeting.

17.5 Audit and Risk Management Committee Meeting Minutes - 28 June 2019

Resolution

Moved Cr J McNally

Seconded Cr R Kelly

THAT Council:

1. Adopt the minutes of the ARMC meeting held on 28 June 2019;
2. Adopt the business arising from the ARMC meeting held on 28 June 2019;
3. Adopt the amended Risk Register;
4. Adopt the amended Related Parties Policy, Procurement Policy and the Fraud and Corruption Control Policy; and
5. Adopt the 2019/2020 to 2021/2022 Internal Audit Plan.

Carried

17.7 Evaluation Report - RFT19_181 - Stanthorpe Wild Dog Spur Fence Patrol and Maintenance

Resolution

Moved Cr R Kelly

Seconded Cr J McNally

THAT Council enter into a contract with Warwick Fencing Pty Ltd for the patrol and maintenance of the Stanthorpe Wild Dog Spur Fence.

Carried

17.8 Request for Amendment of Capital Budget 2019/20 - Refund for Provision of Trunk Infrastructure for Park

Resolution

Moved Cr N Meiklejohn

Seconded Cr S Windle

THAT, in relation to the provision of trunk infrastructure for park associated with the subdivision of Lot 30 RP18339, located at 9 Junabee Road, Warwick:

1. Council accepts the valuation by Opteon (Toowoomba) Pty Ltd dated 16 April 2019; and
2. Council makes an amendment to the Capital Budget 2019/20, to provide a refund of \$100,000 to the developer of the land, from the Infrastructure Charges reserve for Parks, in accordance with the Adopted Infrastructure Charges Resolution No. 2 (2015) and the Development Approval RC\01704.02.

Carried

17.9 June 2019 Monthly Report from Warwick Indoor Recreation and Aquatic Centre from YMCA Brisbane

Resolution

Moved Cr R Kelly

Seconded Cr Y Stocks

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

Carried

17.10 Complaint and Summons Against Council

Resolution

Moved Cr N Meiklejohn

Seconded Cr R Kelly

THAT Council prepare a 'Notice of Intention to Defend' in relation to Complaint and Summons received 12 June 2019, and resolve that the Chief Executive Officer be delegated authority to represent Southern Downs Regional Council in this matter.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 1:09pm.