



**MINUTES OF THE
ORDINARY COUNCIL MEETING
28 APRIL 2021**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 28 APRIL 2021 IN THE
COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
61 MARSH STREET, STANTHORPE AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Rev Peter Evans from Stanthorpe Presbyterian Church offered a prayer for the meeting and acknowledged condolences.

2. ATTENDANCE

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

Cr Gale via Video Link

Officers: Dave Burges (Chief Executive Officer), Brook March (Manager Human Resources) for Executive Services Reports; Scott Norman (Director Finance, Assets and Special Projects) and Shannon Aspinall (Senior Finance Coordinator) for Finance, Assets and Special Projects Reports, Andrew Page (Director Corporate and Community Services), Peter Gribbin (Manager Corporate and Commercial Services) and Michael Bell (Manager Community Services) for Corporate and Community Services Reports; Seren McKenzie (Director Infrastructure Services) for Infrastructure Services Reports; Angela O'Mara (Manager Strategic Planning and Prosperity) and Craig Magnussen (Manager Environmental and Regulatory Services) for Sustainable Development Reports, and Marion Seymour (Minute Secretary)

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 14 April 2021

Resolution

Moved Cr C Gow

Seconded Cr M Giori

THAT the minutes of the Ordinary Council Meeting held on Wednesday 14 April 2021 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Council Meeting

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precs	Nature of Conflict
12.7	2021 Community Drought Program – Purchase of Equipment Grant – Applications for Recommendations	Cr Windle declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) of the <i>Local Government Act 2009</i>) due to one of the applicants submitting a quote from her husband's employer. Cr Windle declared the conflict during the assessment of the applications and did not take part in the assessment of that application. Although Cr Windle has a declarable conflict of interest, she does not believe that a reasonable person could have a perception of bias because she declared her conflict during the assessment of applications and did not participate in the assessment of that application. Following a resolution from Council, Cr Windle participated in the discussion and voting on this matter.
12.7	2021 Community Drought Program – Purchase of Equipment Grant – Applications for Recommendations	Cr McNally declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) due to her husband's company being contracted to build a home for the President of one of the applicants. Cr McNally declared the conflict during the assessment of the applications and did not take part in the assessment of that application. Although Cr McNally has a declarable conflict of interest, she does not believe that a reasonable person could have a perception of bias because she declared her conflict during the assessment of applications and did not participate in the assessment of that application. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.
18.1	Disposal of Land – Property ID138325	Cr Bartley declared a declarable conflict of interest in this matter (as defined in section 150EF(3) of the <i>Local Government Act 2009</i>) as a result of his close family friendship and business association with the former lessee of the property. As a result of Cr Bartley's declarable conflict, he will leave the meeting room, taking no part in the debate or decision on the matter.

6.1 Conflict of Interest - Cr Windle Agenda Item 12.7

Resolution

Moved Cr S Tancred

Seconded Cr R Bartley

THAT following the declared conflict of interest by Cr Windle, Council determines that it is in the public interest that Cr Windle participates in the discussion, votes and remains in the room for Agenda Item 12.7 due to her declaration and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried

6.2 Conflict of Interest - Cr McNally Agenda Item 12.7

Resolution

Moved Cr M Gliori

Seconded Cr C Gow

THAT following the declared conflict of interest by Cr McNally, Council determines that it is in the public interest that Cr McNally participates in the discussion, votes and remains in the room for Agenda Item 12.7 due to her declaration and therefore a reasonable person would trust that the final decision is made in the public interest.

Carried

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

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

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE SERVICES REPORTS

10.1 Quarterly Human Resources Report

Resolution

Moved Cr R Bartley

Seconded Cr M Giori

THAT Council receive the report and note the contents.

Carried

10.2 Councillor Roles and Representation on Committees

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

THAT:

1. Representation on all groups and committees be reviewed midterm ie March / April 2022.
2. Councillors be allowed to attend/participate as observers on the following committees, subject to practicality (access to Smarty Grants etc):
 - Grants to Community Committee;
 - Regional Arts Development Fund Committee;
 - Internal funding application review panels.
3. Councillors have voting rights on the following committees or groups:
 - Audit and Risk Management Committee;
 - Border Regional Organisation of Councils;
 - Darling Downs Moreton Rabbit Board;
 - LGAQ Financial Governance and Asset Management Advisory Group;
 - Regional Arts Development Fund Committee;
 - Southern Border Regional Roads and Transport Group;
 - Southern Downs Industry Education Association Board;
 - Stanthorpe 150 Anniversary Celebration Advisory Committee;
 - Stanthorpe Regional Art Gallery
 - Stanthorpe Shire River Improvement Trust; and
 - Warwick Art Gallery
 - Warwick Shire River Improvement Trust.
4. All relevant Terms of Reference be amended to reflect the above.
5. Councillor Tancred be included in the Finance Committee.

Carried

10.3 Southern Queensland Inland & New South Wales Border Regional Water Alliance Resolution

Moved Cr C McDonald

Seconded Cr M Giori

THAT Council :

1. Consents to being a Member of *Southern Queensland Inland & NSW Border Regional Water Alliance Limited*; and
2. Confirm the Mayor as the nominated Director of *Southern Queensland Inland & NSW Border Regional Water Alliance Limited*.

Carried

11. FINANCE, ASSETS AND SPECIAL PROJECTS

11.1 Financial Report as at 31 March 2021

Resolution

Moved Cr A Gale

Seconded Cr R Bartley

THAT Council receive and note the Financial Report as at 31 March 2021.

Carried

11.2 Third Quarter Budget Review 2020/2021

Resolution

Moved Cr S Windle

Seconded Cr M Giori

THAT Council adopt the Amended 2020/21 Budget as presented in the Attachments to the report.

Carried

Attachments

1. Amended 2021/21 Operating Budget - **Attached to the Minutes Under Separate Cover**

11.3 Asset Management Report

Resolution

Moved Cr J McNally

Seconded Cr M Giori

THAT Council receive and note the Asset Management Report

Carried

11.4 Grants Status Report

Resolution

Moved Cr S Windle

Seconded Cr M Giori

THAT Council note the current grants status as at 31 March 2021.

Carried

11.5 Councillors Reimbursement of Expenses Quarterly report - Q3 20-21 FY

Resolution

Moved Cr R Bartley

Seconded Cr S Tancred

THAT Council receive and note the Councillors Reimbursement of Expenses Quarterly Report for Quarter 3 2020/21.

Carried

12. CORPORATE AND COMMUNITY SERVICES REPORTS

12.1 2020-2021 Operational Plan Quarterly Review - January to March 2021

Resolution

Moved Cr M Giori

Seconded Cr S Windle

THAT Council receive and note the contents of the 2020/21 Operational Plan Quarterly Review – January 2021 to March 2021.

Carried

12.2 Southern Downs Youth Council - 25 March 2021

Resolution

Moved Cr M Giori

Seconded Cr C McDonald

THAT Council receive and note the minutes from the first meeting of the Southern Downs Youth Council held Thursday 25 March 2021.

Carried

12.3 YMCA Monthly Report - March 2021 - Warwick Indoor Recreation and Aquatic Centre

Resolution

Moved Cr J McNally

Seconded Cr A Gale

THAT Council receive the March 2021 monthly report from Brisbane Young Men's Christian Association in relation to the operation of the Warwick Indoor Recreation and Aquatic Centre.

Carried

The meeting adjourned at 10:40am and reconvened at 11:02am at which time there were present Crs Pennisi, Bartley, Gliori, Gow, McNally, Windle, Gale, McDonald and Tancred.

12.4 Permanent Road Closure - Maryvale

Resolution

Moved Cr S Windle

THAT Council reaffirm the previous views in relation to the proposed permanent closure of an area of road reserve about 120m² which is situated between Lot 611 on ML2301 and Lot 605 on ML2301 (Taylor Street, Maryvale), that it objects to the permanent road closure due to this area of road reserve being required for the implementation of the recommendations of the Maryvale Urban Design Framework.

Lapsed

12.4.1 Permanent Road Closure - Maryvale

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council:

1. Does not support the proposed permanent closure of road reserve of 120 square metres which is situated between Lot 611 on ML 2301 and Lot 605 on ML 2301 (Taylor Street, Maryvale) as it is only a partial closure of the overall road reserve.
2. Supports the permanent road closure of the nightsoil lane from Coxen Street to Weinholt Street and east of Taylor Street, Maryvale.

Carried

12.5 Grants to Community Policy Review

Resolution

Moved Cr S Tancred

Seconded Cr S Windle

THAT Council adopt the revised Grants to Community Policy.

Carried

Attachments

1. Grants to Community Policy - **Attached to the Minutes Under Separate Cover**

12.6.1 Stanthorpe 150th Anniversary Celebration Advisory Committee Minutes of Meeting held 13 April 2021 - Amendment

Resolution

Moved Mayor V Pennisi

Seconded Cr J McNally

THAT Council amend the recommendation for Agenda Item 12.6 to include the following after 2c:

“subject to all work being done internally by Council staff and/or the Committee, and within the constrained resources available”.

Carried

12.6 Stanthorpe 150th Anniversary Celebration Advisory Committee Minutes of the Meeting held 13 April 2021

Resolution

Moved Cr J McNally

Seconded Cr A Gale

THAT Council:

1. Receive and note the minutes of the Stanthorpe 150th Anniversary Celebration Advisory Committee Meeting held on 13 April 2021; and
2. Endorse the recommendations to:
 - a. Approve the development of a social media presence (e.g. Facebook, Instagram and/or others) for the Stanthorpe 150th Anniversary Celebrations;
 - b. Investigate a platform that would enable a calendar of events to be accessible on the Council website; and
 - c. Consider a marketing strategy including development of a logo and other supporting documentation or marketing materials;

subject to all work being done internally by Council staff and/or the Committee, and within the constrained resources available.

Carried

Cr Windle declared a declarable conflict of interest in Agenda Item 12.7 as defined in Section 150ES(3) of the Local Government Act 2009, and following a decision from Council, participated in discussion and voting on this matter.

Cr McNally declared a declarable conflict of interest in Agenda Item 12.7 as defined in Section 150ES(3) of the Local Government Act 2009, and following a decision from Council, participated in discussion and voting on this matter.

12.7 2021 Community Drought Program - Purchase of Equipment Grant - Applications for Recommendation

Resolution

Moved Cr S Tancred

Seconded Cr C McDonald

THAT Council:

1. Approve the seventeen (17) 2021 Community Drought Program – Purchase of Equipment Grant applications totalling \$74,980.69 where a brief summary of each submission is provided in attachment 1; and
2. Approve the late submission from the Stanthorpe Junior Cricket Club for the 2021 Community Drought Program – Purchase of Equipment Grant totalling \$5,000.00 as summarised on page 4 of attachment 1.

Carried

Attachments

1. Approved Applications - 2021 Community Drought Program - **Attached to the Minutes Under Separate Cover**

Cr Windle and Cr McNally voted for the motion.

13. INFRASTRUCTURE SERVICES REPORTS

13.1 Naming of Unnamed Road between Wallangarra Road and Brunckhorst Avenue

Resolution

Moved Cr C McDonald

Seconded Cr A Gale

THAT Council resolve to name the unnamed road reserve between Wallangarra Road and Brunckhorst Avenue, Stanthorpe as "Hollinworth Lane".

Carried

13.2 Warwick Show and Rodeo Society Internal Roads Improvements

Resolution

Moved Cr J McNally

Seconded Cr M Gliori

THAT Council consider in the 2021/22 budget deliberations the allocation of sufficient funds of **\$38,450** to undertake internal road improvement works within the Warwick Show and Rodeo Society (WSRS) Showgrounds.

Carried

13.3 RFT 21_184 Willi Street and Lyndhurst Lane, Warwick Roadworks 2020/2021

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council resolve to enter into a contract with Brown Contractors for the sum of \$478,852.59 for Contract RFT 21_184 Willi Street and Lyndhurst Lane, Warwick Roadworks 2020/2021.

Carried

11:59am Cr Gale left the meeting.

12:01pm Cr Gale rejoined the meeting.

14. SUSTAINABLE DEVELOPMENT REPORTS

14.1 Request to Remove the Commercial Building at 34 Albion Street, Warwick from the Local Heritage Register

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council resolves to rescind Part B of the Resolution from the Ordinary Council Meeting held on 23 September 2020, to decline and defer the review of any further Local Heritage Listed place requests until the formal review of Council's Local Heritage Register is undertaken as part of the development of the new planning scheme, and a coordinated approach to these requests can be delivered.

Carried

12:08pm Cr Gale left the meeting.

12:11pm *Cr Gale rejoined the meeting.*

14.1.1 Request to Remove the Commercial Building at 34 Albion Street, Warwick from the Local Heritage Register

Resolution

Moved Cr A Gale

THAT Council resolve to retain Listing No. 59, Commercial Building at 34 Albion Street, Warwick described as Lot 13 W3043, on the Local Heritage Register due to its architectural significance.

Lapsed

14.1.2 Request to Remove the Commercial Building at 334 Albion Street, Warwick from the Local Heritage Register

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council resolve to remove Listing No. 59, Commercial Building at 34 Albion Street, Warwick described as Lot 13 W3043, on the Local Heritage Register due to the buildings dilapidated state, the condition of this structure does not appear to be safe, and given that a part of this building straddles the footpath, which potentially could be a hazard in relation to pedestrian and vehicular traffic on a main highway.

Carried

Cr Gale voted against the motion for Item 14.1.2.

14.2 Quarterly Report on Development Approvals for the January to March quarter 2021

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Council receives the report and notes its contents.

Carried

14.3 Southern Downs Environmental Sustainability Strategy

Resolution

Moved Cr C Gow

Seconded Cr M Gliori

THAT Council note the update on development of the Southern Downs Environmental Sustainability Strategy.

Carried

14.4 Tourism and Visitor Numbers Quarterly Update

Resolution

Moved Cr J McNally

Seconded Cr M Giori

THAT Council receive the report in relation to regional promotion activities and the Visitor Information Centre (VIC) figures.

Carried

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

Nil

16. NOTICES OF MOTION

Nil

17. GENERAL BUSINESS

Councillors raised the following items:

Cr Bartley noted that there have been a number of requests from residents regarding roads that had been damaged by recent flooding, and suggested the community should be updated on the process that Council is required to undertake to ensure funding is obtained to cover the cost to repair that flood damage.

Cr McNally noted concerns with the connectivity at Morgan Park and suggested that those concerns be raised with the Federal Member for Maranoa, and that the sites that Council has submitted for consideration under the Federal Government's Mobile Blackspot Program be prioritized.

Cr McDonald raised concerns with the number of recent sewerage spills and requested a report on those incidents.

18. 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:

18.1 Disposal of Land - Property ID 138325

Reason for Confidentiality

This item is considered confidential in accordance with section 254J(3) 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.

Meeting In Camera

Resolution

Moved Cr J McNally

Seconded Cr C McDonald

THAT the meeting move into closed session.

Carried

The Meeting moved into closed session at 12:43pm.

12:44 pm Cr R Bartley left the meeting during discussion on Agenda Item 18.1.

Meeting Out Of Camera

Resolved

THAT the meeting resume in open session at 12:47pm.

Carried

12:47 pm Cr R Bartley rejoined the meeting.

Cr Bartley declared a declarable conflict of interest in Agenda Item 18.1 as defined in Section 150EF(3) of the Local Government Act 2009, and left the meeting at 12:49pm.

18.1 Disposal of Land - Property ID 138325

Resolution

Moved Cr A Gale

Seconded Cr M Gliori

THAT Council:

- approve the disposal of Lot 15 on SP287028 in accordance with Section 236 (1) (c) (vii) of the *Local Government Regulation 2012*; and
- delegate authority to the Chief Executive Officer to finalise the sale of Lot 15 on SP287028.

Carried

MEETING CLOSURE

There being no further business, the meeting closed at 12:50pm.