



***Goondiwindi Regional Council***  
**Ordinary Meeting**

**CONFIRMED MINUTES**

Meeting held at the Goondiwindi Regional Council Chambers  
4 McLean Street, Goondiwindi

Wednesday, 24 February 2021

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**1. OPENING OF MEETING**

The Mayor, The Hon. Cr LJ Springborg AM declared the meeting open at 9.07am.

**2. ATTENDANCE AT COMMENCEMENT OF MEETING**

Mayor: Hon. Cr LJ (Lawrence) Springborg AM

Councillors: Cr WP (Rick) Kearney  
Cr RJ (Rob) Mackenzie  
Cr PG (Phil) O'Shea  
Cr SK (Susie) Kelly  
Cr JN (Jason) Watts  
Cr LG (Lachlan) Brennan

Council Officers: Chief Executive Officer, Mr Carl Manton  
Legal Officer/Minutes Secretary, Mrs Krista Roberts  
Director Community and Corporate Services, Mr Jason Quinnell  
Director Engineering Services, Mr Dion Jones  
Manager Planning Services, Mrs Ronnie McMahon

**3. OPENING PRAYER**

Mrs Jan Waller from the Uniting Church, Goondiwindi, delivered the Opening Prayer.

**4. DEPUTATIONS**

Nil.

**5. APOLOGIES****6. DECLARATIONS OF INTERESTS**

Cr LG Brennan informed the meeting that he has a declarable conflict of interest in relation to Report EX009/21 – Acquisition of Land, CCS-014/21 – Lanescape Masterplan and Report CCS-015/21 – Building Better Regions Funding Application Watco East West.

Cr PG O'Shea informed the meeting that he has a declarable conflict of interest in relation to Report CCS-015/21 – Building Better Regions Funding Application Watco East West.

**7. CONGRATULATIONS & CONDOLENCES****7.1. Congratulations**

Council congratulated Rotary on the recent 100 Years of Rotary celebration in Goondiwindi. It was noted that the local branch started 67 years ago and Council acknowledged that Mr Bruce Waller has been involved in the local branch for 65 years.

**7.2. Condolences****8. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****8.1. Ordinary Meeting of Council – 27 January 2021**

The unconfirmed minutes of the Ordinary Meeting of Council held on Wednesday, 27 January 2021, were tabled for Council's confirmation and endorsement.

**RESOLUTION OM-024/21**

*Moved: Cr PG O'Shea*

*Seconded: Cr JN Watts*

*That the minutes of the Ordinary Meeting of Council held on Wednesday, 27 January 2021, be confirmed and adopted.*

Carried.

## 9. BUSINESS ARISING FROM PREVIOUS MEETING

Nil.

## 10. REPORTS – EXECUTIVE OFFICE

### 10.1. EX-007/21 – Operational Plan Quarterly Report

Section 174 of the Local Government Regulation 2012 provides that the Chief Executive Officer must present a written report on the assessment of its progress towards implementing Council's operational plan.

#### **RESOLUTION OM-025/21**

*Moved: Cr RJ Mackenzie*

*Seconded: Cr LG Brennan*

*That in accordance with Section 174 of the Local Government Regulation 2012, Council receives the quarterly Operation Plan Assessment Report and internal audit plan/risk management update.*

Carried.

### 10.2 EX-008/21 – Request for Council contribution towards the extension of water infrastructure to the approved subdivision of Lot 223 on CP856515, 1-11 Kildonan Road Goondiwindi

The applicant is seeking a Council contribution towards water infrastructure necessary to service the approved subdivision of Lot 223 on CP856515, 1-11 Kildonan Road Goondiwindi.

#### **RESOLUTION OM-026/21**

*Moved: Cr WP Kearney*

*Seconded: Cr RJ Mackenzie*

*That Council resolves:*

- a) *to delegate the CEO to negotiate an infrastructure agreement on behalf of Council with the owner of Lot 223 on CP856515, 1-11 Kildonan Road, Goondiwindi (Site) which reflects an intention for Council to require the owner to undertake the following works in accordance with Council's standards within two years from the commencement of the agreement:*
  - I. *works associated with the water main upgrade / installation from the end of the existing water main in Andersen Street to the corner of Old Kildonan Road and Billsborough Street on the basis of a 50% offset in relation to the costs of delivering those works;*
  - II. *works associated with the supply and installation of the pipeline section from Marshall Street to the end of the existing water main in Andersen Street on the basis that a full offset will be recognised in relation to the costs of delivering those works;*
- b) *that Council is satisfied that:*
  - I. *there is only one supplier reasonably available, being the owner of the site and holder of all necessary development permits relating to the development of the Site, who can deliver the above works in a timely and efficient way as part of a coordinated project for the public benefit;*
  - II. *and therefore any infrastructure agreement relating to the above works should be between Council and that owner;*
- c) *That Council amends its 2020/2021 capital budget by \$420,000 for the Andersen Street and Old Kildonan Road Water Main Upgrade and Extension.*

Carried.

Attendance: Council's Finance Manager, Mr Bradley Pyle attended the meeting at 9.22am.

**Declaration of Interests:**

Former declarations of Councillors remain in place from January meeting.

Cr LG Brennan informed the meeting that he has a declarable conflict of interest in relation to Report EX-009/21 – Acquisition of Land on the basis that he is a former board member of the Goondiwindi Co-operative Society Limited which is the owner of the subject land. As a result of his declarable conflict of interest, Cr LG Brennan decided to leave the meeting room while the matter was considered and voted on.

Attendance: Cr LG Brennan voluntarily left the meeting at 9.35am.

Attendance: Council's Legal Officer, Mrs Krista Roberts left the meeting at 9.35am.

**Closure of Meeting**

**RESOLUTION OM-027/21**

Moved: Cr WP Kearney

Seconded: Cr JN Watts

*That Council resolves to close the Meeting to the public in accordance with s254J(1) and s254J(3)(g) of the Local Government Regulation 2012 at 9.35 am to consider Report EX 009/21 on the basis that the report relates to the potential acquisition of land and discussions may include specific contractual opportunities the disclosure of which may impact the outcome of the purchase if it was to proceed.*

Carried.

**RESOLUTION OM-028/21**

Moved: Cr WP Kearney

Seconded: Cr RJ Mackenzie

*That Council resolves to reopen the Meeting to the public at 9.51 am.*

Carried.

**10.3 EX-009/21 – Acquisition of Land**

At Council's Ordinary Meeting of 27 January 2021, Council resolved to delegate the Mayor to undertake negotiations on behalf of Council to purchase Lot 22 on SP217304. As a result of negotiations, a contract has been forwarded to Council for consideration. The purpose of this report is to authorise the Mayor to continue negotiations and execute the contract on Council's behalf subject to satisfactory conditions.

**RESOLUTION OM-029/21**

Moved: Cr RJ Mackenzie

Seconded: Cr WP Kearney

Council resolves:

- I. *to delegate the Mayor to sign a contract for the purchase of Lot 22 on SP217304 on behalf of Council subject to satisfactory conditions to purchase the land and the details of the matter be publicly available should a contract be signed;*
- II. *to make a capital budget amendment of \$580,000 for the purchase of Lot 22 on SP217304 and an additional budget amendment for the amount of \$40,000 for costs associated with legal costs, any building alterations and compliance issues relating to this property.*

Carried.

Notation: All Councillors voted in favour of the motion.

Attendance: Cr LG Brennan returned to the meeting at 9.52am.

Attendance: Council's Legal Officer, Mrs Krista Roberts returned to the meeting at 9.52am.

#### 10.4 EX-010/21 –Community Meeting – Inglewood Aged Care

Because of a community petition Council recently facilitated a community meeting in Inglewood attended by Councillors, the Department of Natural Resources, Mines and Energy (DNRME) and 134 members of the community in response to the closure of the Inglewood Aged Care facility Casa Mia.

##### **RESOLUTION OM-030/21**

*Moved: Cr LG Brennan*

*Seconded: Cr PG O'Shea*

*That Council resolves to appoint the Mayor or his delegate to the working group established for the purposes of exploring options for the provision of aged care services in Inglewood.*

*Carried.*

#### 10.5 EX-011/21 – Regional Australia Institute National Summit

Registrations are now open for the Regional Australia Institute (RAI) National Summit, Growing Regional Australia – Shaping the Good Life to be held 17-18 March 2021 at Canberra. Council is requested to consider approval or otherwise for Councillor Kelly to attend the summit along with the Mayor.

##### **RESOLUTION OM-031/21**

*Moved: Cr RJ Mackenzie*

*Seconded: Cr WP Kearney*

*That Council resolves to endorse the attendance of Councillor Kelly to attend the Regional Australia Institute National Summit to be held in Canberra 17-18 March 2021.*

*Carried.*

#### 11. General Business – Executive Office

Nil.

#### 12. REPORTS – COMMUNITY AND CORPORATE SERVICES

##### 12.1 CCS-007/21 – Finance Report Period Ending 31 January 2021

Finance Report CCS-007/21 for period ending 31 January 2021 was tabled for Council's endorsement.

##### **RESOLUTION OM-032/21**

*Moved: Cr LG Brennan*

*Seconded: Cr WP Kearney*

*That Council resolves to receive Finance Report CCS-007/21 for the period ending 31 January 2021 and accepts the budget amendments contained therein.*

*Carried.*

##### 12.2 CCS-008/21 – Procurement Policy Review

To provide a centralised procurement management system that promotes transparency and compliance in Council's procurement activities, Council has introduced the online procurement system VendorPanel. To incorporate the introduction of VendorPanel, legislative changes in relation to publishing Public Tenders and Expressions of Interest, and administrative changes, Council's Procurement Policy has been reviewed and is tabled for Council's consideration.

**RESOLUTION OM-033/21***Moved: Cr RJ Mackenzie**Seconded: Cr PG O'Shea*

*That Council adopts the amended Procurement Policy 2020/2021, identified as Policy Number GRC0004, in accordance with the Local Government Act 2009.*

*Carried.*

**Attendance:** Council's Manager Finance, Mr Bradley Pyle retired from the meeting at 10.21 am.

**12.3 CCS-009/21 – Goondiwindi Digital Connectivity Project – Grant Reporting Requirements**

In 2019/20 financial year, Council received a grant under the State Government Building Our Regions Program to provide improved Digital Connectivity into the rural areas of the Council region. An update is provided to Council on the Grant reporting requirements.

**RESOLUTION OM-034/21***Moved: Cr PG O'Shea**Seconded: Cr LG Brennan*

*That Council resolves to:*

- (i) Deliver the Goondiwindi Digital Connectivity Project;*
- (ii) Meet any funding shortfall to deliver the project, in negotiation with the Contractor and in accordance with the Project Delivery Agreement; and*
- (iii) Ensure that the matching contribution of \$300,000 is provided for.*

*Carried.*

**12.4 CCS-010/21 – Mobile Vendor Use of Town Park**

In recent times, Council has received more requests to use the town park by mobile vendors. This is likely to have occurred as people have observed the success of the Heart of Australia Van visits. Council needs to have a position on the approval or refusal of these requests so that officers are able to give timely advice to those making enquiries.

**RESOLUTION OM-035/21***Moved: Cr WP Kearney**Seconded: Cr SK Kelly*

*That Council resolves to approve the request by Darling Downs Health to utilise the Goondiwindi Town Park in March 2021 for a Mobile Barber event, including the supply of water and electricity at no cost to the applicant.*

*Carried.*

**RESOLUTION OM-036/21***Moved: Cr SK Kelly**Seconded: Cr WP Kearney*

*That Council resolves to approve the use of the Goondiwindi Town Park by Foodies Night Markets for a foodies market on 27 April 2021 from 4pm until 8pm.*

*Carried.*

**RESOLUTION OM-037/21***Moved: Cr PG O'Shea**Seconded: Cr JN Watts*

*That Council resolves to approve the request for ongoing use of the Goondiwindi Town Park by Goolburri Mobile Dentist in accordance with the existing conditions.*

*Carried.*

**12.5 CCS-011/21 – Greenup Reserve - Closure**

A reserve below the Greenup Weir on Tobacco Road Inglewood was closed to the public by Council some years ago to allow the area to rejuvenate as a result of over use and damage. The area has improved markedly and Council must reconsider opening of the area.

**RESOLUTION OM-038/21***Moved: Cr SK Kelly**Seconded: Cr RJ Mackenzie*

*That Council :-*

- 1. Temporarily close "Green Up Reserve" known as Bunch's Weir, described as Lot 2 on CVE586 for a period of 6 months to protect the health and safety of persons; and*
- 2. Commence the process of closing the reserve permanently through a subordinate local law.*

*Carried.*

**12.6 CCS-012/21 – Local Law Amendment – Declaration of Plant as a Local Pest**

Council is requested to consider proposing to amend *Subordinate Local Law No. 3 (Community and Environmental Management) 2011* to declare *Willows Cactus (Cereus Uruguayanus)* as a local pest for the entire local government area.

**RESOLUTION OM-039/21***Moved: Cr RJ Mackenzie**Seconded: Cr SK Kelly*

*That Council resolves to propose to make Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2021.*

*Carried.*

**RESOLUTION OM-040/21***Moved: Cr WP Kearney**Seconded: Cr LG Brennan*

*That Council resolves, pursuant to section 257 of the Local Government Act 2009 ("the Act"), to delegate to the Chief Executive Officer of Council its powers under section 38 of the Act and section 15 of the Local Government Regulation 2012, to decide—*

- (a) how the public interest test of the subordinate local law particularised in the schedule is to be conducted; and*
- (b) the matters with which the public interest test report in relation to the subordinate local law particularised in the schedule must deal; and*
- (c) the consultation process for the public interest test and how the process is to be used in the public interest test.*

**SCHEDULE**

*Community and Environmental Management (Amendment) Subordinate Local Law (No. 1) 2021.*

*Carried.*



**12.7 CCS-013/21 – Updated GRC Economic Development Strategy and Visitor Strategy**

Council is requested to consider the new priority projects in the Economic Development Strategy and Visitor Strategy publications.

**RESOLUTION OM-041/21**

*Moved: Cr JN Watts*

*Seconded: Cr SK Kelly*

*That Council resolves to adopt:*

- 1. The GRC Economic Development Strategy with revised 2021-22 Priority Projects; and*
- 2. The GRC Visitor Strategy with revised 2021-22 Priority Projects.*

*Carried.*

**Declaration of Interests:**

Cr LG Brennan informed the meeting that he has a declarable conflict of interest in relation to Report CCS-014/21 – Lanescape Masterplan on the basis that he is a committee member of Lanescape. As a result of his declarable conflict of interest, Cr LG Brennan decided to leave the meeting room while the matter was considered and voted on.

*Attendance: Cr LG Brennan voluntarily left the meeting at 10.38am.*

**12.8 CCS-014/21 – Lanescape Masterplan**

Lanescape Inc has prepared a draft Masterplan for future artworks on private and public property in Goondiwindi and is seeking advice from Council.

**RESOLUTION OM-042/21**

*Moved: Cr PG O'Shea*

*Seconded: Cr JN Watts*

*That Council resolves to provide in-principle approval for the Lanescape Masterplan with the exception of painting on roads and sculptures over the Riverwalk, and subject to conditions outlined by Council regarding regulations and safety.*

*Carried.*

Notation: All Councillors voted in favour of the motion.

*Attendance: Cr LG Brennan returned to the meeting at 10.40am.*

**Declaration of Interests:**

Cr LG Brennan informed the meeting that he has a declarable conflict of interest in relation to CCS-015/21 – Building Better Regions Funding Application Watco East West on the basis that father and grandfather agist cattle on the relevant block the subject of the report. As a result of his declarable conflict of interest, Cr LG Brennan decided to leave the meeting room while the matter was considered and voted on.

*Attendance: Cr LG Brennan voluntarily left the meeting at 10.41am.*

Cr PG O'Shea informed the meeting that he has a declarable conflict of interest in relation to CCS-015/21 – Building Better Regions Funding Application Watco East West on the basis that he is a neighbour of the property the subject of the application. As a result of his declarable conflict of interest, Although Cr PG O'Shea noted a declarable conflict of interest, Cr PG O'Shea did not believe a reasonable person could have a perception of bias as the fact that he is a neighbour of the property the subject of the application would not prevent him from voting in the public interest. Therefore, Cr PG O'Shea chose to remain in the meeting, however advised that he would accept the decision of the meeting on whether he could remain and participate in the decision.

**RESOLUTION OM-043/21***Moved: Cr RJ Mackenzie**Seconded: Cr WP Kearney*

*That Council resolves that it is in the public interest that Cr PG O'Shea participates and votes on CCS-015/21 – Building Better Regions Funding Application Watco East West on the basis that a reasonable person would trust that the final decision is made in the public interest.*

*Carried.*

**RESOLUTION OM-044/21***Moved: Cr WP Kearney**Seconded: Cr JN Watts*

*That Council resolves to close the Meeting to the public in accordance with s254J(1) and s254J(3)(g) of the Local Government Regulation 2012 at 10.42am to consider Report CCS 015/21 on the basis that the report contains commercially sensitive information.*

*Carried.*

**RESOLUTION OM-045/21***Moved: Cr SK Kelly**Seconded: Cr RJ Mackenzie*

*That Council resolves to reopen the Meeting to the public at 10.44am.*

*Carried.*

**12.9 CCS-015/21 – Building Better Regions Funding Application Watco East West**

Council to consider submitting an application on behalf of Watco East West to the Building Better Regions Fund (BBRF).

**RESOLUTION OM-046/21***Moved: Cr WP Kearney**Seconded: Cr SK Kelly*

*That Council resolves to provide in-principle support and submit an application on behalf of Watco East West to the Building Better Regions Fund – Round Five, subject to Council's conditions.*

*Carried.*

Notation: All Councillors voted in favour of the motion.

Attendance: Cr LG Brennan returned to the meeting at 10.45am.

**12.10 General Business – Corporate & Community Services**

Nil.

**13. REPORTS – DEPARTMENT OF ENGINEERING SERVICES****13.1 ES-002/21 – RFT 2021-90B Goondiwindi High Lift Pump Upgrade**

RFT2021-90B Goondiwindi High Lift Pumps Upgrade and installation closes on Monday 22 February 2021. As there will be insufficient time to properly evaluate the responses and prepare a report of recommendation for the February meeting this report is requesting Council delegate authority to the Mayor and CEO to award the tender so as to not hold up the works.

**RESOLUTION OM-047/21**

*Moved: Cr WP Kearney*

*Seconded: Cr PG O'Shea*

*That Council resolves to delegate authority to the Mayor and CEO for the awarding of tender RFT2021-90B being for the Goondiwindi High Lift Pumps Upgrade works.*

*Carried.*

**13.2 ES-003/21 – Proposed Merger of Regional Roads and Transport Groups**

On the 4th of January, Cr Watts, in his capacity as the Chair of the Southern Border Regional Roads and Transport Group, received a letter regarding a proposed merger of the Eastern Downs, Western Downs and Southern Border Regional Roads and Transport Groups. This report is to seek a Council position on the proposed merger.

**RESOLUTION OM-048/21**

*Moved: Cr JN Watts*

*Seconded: Cr WP Kearney*

*That Council resolves to not support the proposed merger of the Eastern Downs, Western Downs and Southern Border Regional Roads and Transport Groups.*

*Carried.*

**14. General Business – Department of Engineering Services**

Nil.

**15. COUNCILLOR REPORTS****16. RECEPTION OF NOTICE OF MOTION FOR NEXT MEETING**

Nil.

**17. ADDITIONAL CORRESPONDENCE FOR NOTING**

Nil.

**18. GENERAL BUSINESS**

Nil.

**19. CONFIRMATION OF DATES AND TIMES FOR FUTURE MEETINGS**

It was noted that the following meeting will be held:-

- (a) Ordinary Meeting of Council, Wednesday, 24 March 2021, commencing at 9:00am at the Texas Memorial Hall, High Street, Texas.

## 20. CLOSURE OF MEETING

There being no further business, the Mayor thanked everyone for their attendance and declared the meeting closed at 10.50am.

Confirmed: \_\_\_\_\_  
Hon Cr LJ Springborg AM  
MAYOR

Date: \_\_\_\_\_