



**MINUTES OF THE  
SPECIAL MEETING OF COUNCIL  
12 NOVEMBER 2018**

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**MINUTES OF THE SPECIAL COUNCIL MEETING OF  
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 12 NOVEMBER 2018  
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,  
64 FITZROY STREET, WARWICK AT 9:00AM**

**1. ATTENDANCE**

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

Officers: David Keenan (Chief Executive Officer), Jane Stroud (Director Sustainable Development), Chris Whitaker (Acting Director Engineering Services) and Marion Seymour (Minute Secretary)

**2. APOLOGIES**

Nil

**2.1 Attendance via Teleconference - Cr McNichol**

**Resolution**

**Moved Cr S Windle**

**Seconded Cr R Kelly**

THAT Council approve the attendance by Cr McNichol via Teleconference. Cr McNichol confirmed that there would be no other party present with her during her participation via Teleconference.

**Carried**

**3. DECLARATIONS OF CONFLICTS OF INTEREST**

Item No	Item Precis	Nature of Conflict
4.1	Consideration of Change Application Process – L J Riley 14135 Cunningham Highway, Rosenthal Heights	Cr McNally 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 the relatives of the applicant's Town Planning Consultant do work for her family's business. Cr McNally with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest and asked Council to consider her participation in the discussion and vote on this matter. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.

#### 4.1.1 Conflict of Interest - Cr McNally Agenda Item 4.1

##### Resolution

**Moved Cr Y Stocks**

**Seconded Cr R Kelly**

THAT Council resolve that Cr McNally, who had a declaration of a perceived conflict of interest in respect to matters contained in Agenda Item 4.1 due to relatives of the applicant's Town Planning Consultant do work for her family's business, is permitted to remain and participate in the meeting for discussion and voting on the matter.

**Carried**

*Cr McNally declared that a perceived conflict of interest in this matter (as defined in section 175 of the Local Government Act 2009), may exist as the relatives of the applicant's Town Planning Consultant do work for her family's business. Cr McNally with the perceived conflict of interest by stating that it was her determination that her personal interest is not of sufficient significance that it would lead to her making a decision on this matter that is contrary to the public interest and asked Council to consider her participation in the discussion and vote on this matter. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.*

#### 4. PLANNING, ENVIRONMENT & CORPORATE SERVICES DEPARTMENT REPORTS

##### 4.1 Consideration of Change Application Process - L J Riley, 14135 Cunningham Highway, Rosenthal Heights

##### Resolution

**Moved Cr N Meiklejohn**

**Seconded Cr Y Stocks**

THAT, in relation to a Change Application for the Low impact Industry (Motor vehicle workshop and Chiller boxes for storage of game meat) on land at 14135 Cunningham Highway, Rosenthal Heights, Council advises that in accordance with the *Planning Act 2016*:

- (a) a proposed change to allow semi-trailers to access the land to collect carcasses can be dealt with as a 'minor change'; and
- (b) a proposed change to allow shooters to access the site to deliver carcasses between the hours of 9.00pm and 7.00am must be dealt with as an 'other change'.

**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, N Meiklejohn, Y Stocks and S Windle (6)*

*Against: Crs C Gow, M McNichol and V Pennisi (3)*

*Accordingly the Mayor declared the motion carried.*

#### **4.2 Waste & Recycling Domestic Collection Contract and Bulk Haulage Waste Contract 2019 - Invitation to Tender**

##### **Resolution**

**Moved Cr N Meiklejohn**

**Seconded Cr S Windle**

THAT Council resolve to issue a public tender to the open market for its Waste & Recycling Domestic Collection Contract and Bulk Haulage Waste Contract due to commence on or about the 1 July 2019.

**Carried**

#### **4.3 2017-18 Annual Report**

##### **Resolution**

**Moved Cr C Gow**

**Seconded Cr Y Stocks**

THAT Council adopt the amended Annual Report for Southern Downs Regional Council for the period 1 July 2017 to 30 June 2018.

**Carried**

### **5. 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:

### **5.1 Procurement Exception - Fibre Optic to Morgan 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.

### **5.2 RFT 18\_193 Inverramsay Road Culvert Replacement**

#### **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.

### **5.3 RFT 19\_020 Supply of One Articulated Motor Grader**

#### **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.

### **5.4 RFT 19-023 Supply of One Excavator**

#### **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.

### **5.5 RFT 19\_032 Warwick Water Treatment Plant Gas Chlorine System Upgrade**

#### **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 S Windle**

**Seconded Cr J McNally**

THAT the meeting move into closed session for the purpose of discussing contract issues.

**Carried**

The Meeting moved into closed session at 9:22am.

## **Meeting Out Of Camera**

### **Resolution**

THAT the meeting resume in open session at 9:43am.

**Carried**

## **5.1 Procurement Exception - Fibre Optic to Morgan Park**

### **Resolution**

**Moved Cr J McNally**

**Seconded Cr Y Stocks**

THAT Council resolves not to request quotes or tenders for the costs associated with the installation of a fibre optic backhaul to the Morgan Park sporting facility by Telstra, due to the specialised nature of the supplies, pursuant to Section 235(b) of the Local Government Regulation 2012.

**Carried**

## **5.2 RFT 18\_193 Inverramsay Road Culvert Replacement**

### **Resolution**

**Moved Cr C Gow**

**Seconded Cr M McNichol**

THAT Council enter into a contract with Hotshot Transport Queensland Pty Ltd to undertake the replacement of a RCBC culvert on Inverramsay Road.

**Carried**

## **5.3 RFT 19\_020 Supply of One Articulated Motor Grader**

### **Resolution**

**Moved Cr V Pennisi**

**Seconded Cr Y Stocks**

THAT Council enter into a contract with Hastings Deering (Australia) to Supply and Deliver One Articulated Motor Grader.

**Carried**

## **5.4 RFT 19-023 Supply of One Excavator**

### **Resolution**

**Moved Cr V Pennisi**

**Seconded Cr M McNichol**

THAT Council enter into a contract with Hastings Deering (Australia) to Supply and Deliver One Hydraulic Excavator.

**Carried**

## **5.5 RFT 19\_032 Warwick Water Treatment Plant Gas Chlorine System Upgrade**

### **Resolution**

**Moved Cr V Pennisi**

**Seconded Cr S Windle**

THAT Council enter into a contract with Hydramet Australia to undertake the Warwick WTP Gas Chlorine System Upgrade and Site Audits.

**Carried**

### **MEETING CLOSURE**

There being no further business, the meeting closed at 9:44am