



**MINUTES OF THE
ORDINARY COUNCIL MEETING
17 JANUARY 2024**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF SOUTHERN DOWNS
REGIONAL COUNCIL HELD ON 17 JANUARY 2024 IN THE COUNCIL CHAMBERS,
SOUTHERN DOWNS REGIONAL COUNCIL, 64 FITZROY STREET, WARWICK AT
9:00 AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Reverend Darryn Muller from the Warwick Baptist Church offered a prayer for the meeting and acknowledged condolences

2. ATTENDANCE

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

Officers: Dave Burges (Chief Executive Officer), Leon Love (Director Customer and Organisational Services), Gary Murphy (Director Infrastructure Services), Scott Riley (Director Planning and Environmental Services), Michael Bell (Manager Community Services), Chris Collingwood (Manager Parks & Operations), Dianne Woolley (Manager People & Safety), Dave Madeley (People and Culture Coordinator), Izelle Barnard (Marketing & Communications Coordinator), Belinda Armstrong (Manager Corporate Services), Graham Sweetlove (Manager Water), John Byrnes (Principal Engineer Capital Delivery), Miriam Gabon (Water Regulatory Officer), Angela O'Mara (Manager Planning & Development), Sean Beck (Planning Services Coordinator), Wendy Trueman (Safety and Wellbeing Coordinator and Dianna Keir (Minute Secretary).

3. APOLOGIES

Nil

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 13 December 2023

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT the minutes of the Ordinary Council Meeting held on Wednesday 13 December 2023 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Ordinary Council Meeting 13 December 2023

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precise	Nature of Conflict
10.1	Organisation Information Reports 17 January 2024	As declared in previous meetings. Cr Gow noted that should discussion or debate arise in relation to the Saleyards as a part of the Customer & Organisational Monthly status report other than the recommendation as presented in the agenda, he will declare a conflict of interest and leave the meeting while the matter is considered and voted on.
10.1	Organisation Information Reports 17 January 2024	As declared in previous meetings. Cr Bartley noted that should discussion or debate arise in relation to the Saleyards as a part of the Customer & Organisational Monthly status report other than the recommendation as presented in the agenda, he will declare a conflict of interest and leave the meeting while the matter is considered and voted on.
10.1	Organisation Information Reports 17 January 2024	As declared in previous meetings. Cr McDonald noted that should discussion or debate arise in relation to the Saleyards as a part of the Customer & Organisational Monthly status report other than the recommendation as presented in the agenda, she will declare a conflict of interest and leave the meeting while the matter is considered and voted on.
10.3	Investigation Report re Alleged Councillor Conduct Breach	Cr Tancred declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) and (b) of the <i>Local Government Act 2009</i>) as a result of being mentioned in Agenda Item 10.3 therefore may be perceived as not being impartial. As a result of Cr Tancred's conflict, he will leave the meeting room while the matter is considered and voted on.
10.3	Investigation Report re Alleged Councillor Conduct Breach	Cr Gliori declared a declarable conflict of interest in this matter (as defined in Section 150EQ4(a) and (b) of the <i>Local Government Act 2009</i>) as a result of stating that he would be unable to be impartial. As a result of Cr Gliori's conflict, he will leave the meeting room while the matter is considered and voted on.
10.3	Investigation Report re Alleged Councillor Conduct Breach	Cr Windle declared a declarable conflict of interest in this matter (as defined in Section 150EQ4(a) and (b) of the <i>Local Government Act 2009</i>) as a result of stating that she would be unable to be impartial and/or unbiased. As a result of Cr Windle's conflict, she will leave the meeting room while the matter is considered and voted on.
10.3	Investigation Report re Alleged Councillor Conduct Breach	Cr McNally declared a declarable conflict of interest in this matter (as defined in Section 150EQ4(a) and (b) of the <i>Local Government Act 2009</i>) as a result of stating that she would be unable to be impartial and/or unbiased. As a result of Cr McNally's conflict, she will leave the meeting room while the matter is considered and voted on.
11.7	Have Your Say – Allora Community Halls and Precinct Survey	Cr McNally declared a declarable conflict of interest in this matter (as defined in section 150EQ(4)(a) of the <i>Local Government Act 2009</i>) as a result of the executive member of the Allora Sports Museum being her landlord,

		she does not believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr McNally will choose to remain in the meeting. However, she will respect the decision of the meeting on whether she can remain and participate in the decision. Following a resolution from Council, Cr McNally participated in the discussion and voting on this matter.
11.9	Specialised Supplier Register	Cr Gliori declared a declarable conflict of interest in this matter (as defined in Section 150EQ4(a) and (b) of the <i>Local Government Act 2009</i>) as a result of a close family relative that is employed by the business being considered for tender. As a result of Cr Gliori's conflict, he will leave the meeting room while the matter is considered and voted on.
12.4	Stanthorpe Irrigators Recycled Water Agreement 2024	Cr Tancred declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) and (b) of the <i>Local Government Act 2009</i>) as a result of having submitted proposal to a third party consulting firm that has tendered for a project involving recycled water for a SEQ local government regional council. As a result of Cr Tancred's conflict, he will leave the meeting room while the matter is considered and voted on.
12.4	Stanthorpe Irrigators Recycled Water Agreement 2024	Cr Gow advised that although he doesn't have a declarable conflict of interest in this matter (as defined in Section 150EQ4(a) and (b) of the <i>Local Government Act 2009</i>) as a result of being an irrigator however not directly involved or part of the Stanthorpe Irrigators Group he does not believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr Gow will choose to remain in the meeting. However, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Gow participated in the discussion and voting on this matter.
12.5	Warwick and Stanthorpe Urban Recycled Water Agreement	Cr Gow advised that although he doesn't have a declarable conflict of interest in this matter (as defined in Section 150EQ4(a) and (b) of the <i>Local Government Act 2009</i>) as a result of being an irrigator however not directly involved or part of the Stanthorpe Irrigators Group he does not believe a reasonable person could have a perception of bias because of his conflict. Therefore, Cr Gow will choose to remain in the meeting. However, he will respect the decision of the meeting on whether he can remain and participate in the decision. Following a resolution from Council, Cr Gow participated in the discussion and voting on this matter.
12.5	Warwick and Stanthorpe Urban Recycled Water Agreement	Cr Tancred declared a declarable conflict of interest in this matter (as defined in Section 150EQ(4)(a) and (b) of the <i>Local Government Act 2009</i>) as a result of having submitted proposal to a third party consulting firm that has tendered for a project involving recycled water for a SEQ local government regional council. As a result of Cr Tancred's conflict, he will leave the meeting room while the matter is considered and voted on.
13.4	Consideration of Change	Cr Gliori declared a declarable conflict of interest in this

Representations Gary Hayes & Partners Pty Ltd – 65 Old Stanthorpe Road, Morgan Park	matter (as defined in Section 150EQ4(a) and (b) of the <i>Local Government Act 2009</i>) as a result of recently entering into a financial contract with the owner of the Ind in question in relation to another matter. As a result of Cr Gliori's conflict, he will leave the meeting room while the matter is considered and voted on.
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6.1 Declaration of Conflict of Interest - Cr Gow - Agenda Item 12.4

Resolution

Moved Cr A Gale

Seconded Cr C McDonald

THAT Council, following the declarable conflict of interest declaration by Cr Gow for Agenda Item 12.4, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

Carried

The following votes were recorded:

For: Crs McDonald, McNally, Windle, Gliori, Bartley, Gale and Pennisi

Against: Nil

Noting Crs Tancred and Gow did not participate in the vote

9:30 am The Mayor handed the Chair to the Deputy Mayor during consideration of his conflict of interest for Agenda Item 12.4. The Deputy Mayor took the chair.

9:38 am The Mayor resumes the Chair.

6.2 Declaration of Conflict of Interest – Cr Gow - Agenda Item 12.5

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council, following the declarable conflict of interest declaration by Cr Gow for Agenda Item 12.4, determines that it is in the public interest that he participates and votes on the matter as his declarable conflict is not of sufficient significance that it will lead him to making a decision on the matter that is contrary to the public interest and would not prevent him from performing his Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

Carried

The following votes were recorded:

For: Crs McDonald, McNally, Windle, Gliori, Bartley, Gale and Pennisi

Against: Nil

Noting Crs Tancred and Gow did not participate in the vote

6.3 Declaration of Conflict of Interest - Cr McNally - Agenda Item 11.7; Recommendation 2 Resolution

Moved Cr R Bartley

Seconded Cr S Tancred

THAT Council, following the declarable conflict of interest declaration by Cr McNally for Agenda Item 11.7 Recommendation 2, determines that it is in the public interest that she participates and votes on the matter as her declarable conflict is not of sufficient significance that it will lead her to making a decision on the matter that is contrary to the public interest and would not prevent her from performing her Councillor responsibilities and serving the public interest of the region by remaining in the room for the discussion and voting on the matter.

Carried

The following votes were recorded:

For: Crs McDonald, Windle, Gliori, Bartley, Gale, Tancred, Gow and Pennisi

Against: Nil

Noting Cr McNally did not participate in the vote.

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr S Windle

Seconded Cr A Gale

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

Carried

8.1.1 Correspondence - Warwick Bowls Club Incorporated

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council defer the issuing of the rates notice to the Warwick Bowls Club incorporated until such time that the relevant policy is reviewed.

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

09:59 am Cr M Gliori left the meeting.

10:00 am Cr J McNally left the meeting.

10:01 am Cr M Gliori rejoined the meeting.

10:02 am Cr J McNally rejoined the meeting.

10. EXECUTIVE SERVICES REPORTS

10.1 Organisation Information Reports January 2024

Resolution

Moved Cr C McDonald

Seconded Cr S Windle

THAT Council note the contents of the attached Information Reports.

Carried

10.2 Quarterly Organisation Information Reports January 2024

Resolution

Moved Cr S Windle

Seconded Cr J McNally

THAT Council note the contents of the attached Information Reports.

Carried

The Chair advised that due to Crs Windle, Gliori, McNally and Tancred having declared conflicts of interest in relation to Agenda Item 10.3 and Cr McDonald having to leave the meeting for the decision being the subject of a matter relating to a conduct breach, it resulted in a loss of quorum for deciding the matter and thus no debate would occur.

The Chair requested the Chief Executive Officer provide direction to Councillors.

The Chief Executive Officer requested Cr McDonald leave the meeting as being the subject of the complaint as stated in Agenda Item 10.3 noting that the request to leave was not due to a declarable conflict of interest.

The Chief Executive Officer guided that all other conflicted Councillors can remain in the room as no debate would be undertaken.

McDonald left the meeting at 10.10 am.

The Chief Executive Officer advised that:

- *Pursuant to section 150EU(2)(a) of the Local Government Act 2009 the local government must delegate deciding the matter under section 257, unless the matter can not be delegated under that section; and*
- *Pursuant to Part 5 section 257(2) of the Local Government Act 2009: A local government may only delegate a power to make a decision about an investigation or a councillor's conduct under section 150AEA or 150AG to—*
 - (a) The mayor; or*
 - (b) A standing committee of a local government.*

10.3 Investigation Report re Alleged Councillor Conduct Breach - OIA Matter Number C/23/00552

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT Council:

1. Note receipt of the Councillor Complaint Investigation Report attached to this report.
2. With respect to the referral from the Office of the Independent Assessor dated 27 October 2023 in relation to a complaint lodged with them dated 23 September 2023, Council, in accordance with section 150EU and section 257 of the *Local Government Act 2009*, delegate the matter to the Mayor.

Carried

The following votes were recorded:

For: Crs McNally, Windle, Gliori, Bartley, Gale, Tancred, Gow and Pennisi

Against: Nil

10:16 am Cr C McDonald rejoined the meeting.

10.4 Cross Border Collaborative Working Arrangement

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT Council approve the attached Memorandum of Understanding between Southern Downs Regional Council and Tenterfield Shire Council.

Carried

11. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

11.1 Disposal of land described as Lot 21 on SP287038, located at 111 Massie Bony Mountain Road, Massie - Warwick Aerodrome

Resolution

Moved Cr A Gale

Seconded Cr R Bartley

THAT Council:

1. Pursuant to section 236(2) of the *Local Government Regulation 2012*, apply an exception to the disposal of a valuable non-current asset other than by tender or auction for land located at 111 Massie Bony Mountain Road, Massie and described as Lot 21 on SP287038 (the Land);
2. Pursuant to section 236(1)(c)(vii) of the *Local Government Regulation 2012*, approve the disposal of the Land to the current lessee at market value given the land is used as an airport or related purposes; and
3. Authorise the Chief Executive Officer to finalise the terms and conditions of the sale and relevant Titles Queensland land transfer documents.

Carried

11.2 Sale of Land for Overdue Rates and Charges

Resolution

Moved Cr S Windle

Seconded Cr A Gale

THAT Council:

1. Pursuant to section 140(2) of the *Local Government Regulation 2012*, sell the land as described in Attachment 1: Sale of Land for Overdue Rates List 2023/24; and
2. Delegate its power to the Chief Executive Officer to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* to complete the sale of the land or end the sale procedures if appropriate.

Carried

11.3 Advertising Expenditure Policy PL-GV012 (Review)

Resolution

Moved Cr M Giori

Seconded Cr C Gow

THAT Council adopt the PL-GV012 Advertising Expenditure Policy as attached.

Carried

Attachments

1. PL-GV012 Advertising Expenditure Policy - **Attached to the Minutes Under Separate Cover**

11.4 Adoption of Amended Fees and Charges 2023-24

Resolution

Moved Cr C Gow

Seconded Cr M Giori

THAT Council adopt the revised Schedule of General Fees and Charges for 2023/2024.

Carried

11.5 Second Quarter Budget Review 2023-24

Resolution

Moved Cr S Tancred

Seconded Cr R Bartley

THAT Council adopt the Amended 2023/24 Budget as presented in the Attachments to the report.

Carried

11.6 Financial Services - Financial Report as at 31 December 2023

Resolution

Moved Cr R Bartley

Seconded Cr S Tancred

THAT Council receive and note the Financial Report as at 31 December 2023.

Carried

11.7(1).1 Amendment Motion 1 - Have Your Say - Allora Community Halls and Precinct Survey

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT the following be added to recommendation 1: “and council continue to investigate further relevant upgrades to the hall.”

Carried

11.7(1) Recommendation 1 - Have Your Say - Allora Community Halls and Precinct Survey

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT Council note that the Allora Community Hall has already been actioned through the Council resolution made in December 2023 by executing a contract to complete the necessary works to the building to make it safe and allow it to be reopened and Council continue to investigate further relevant upgrades to the hall.

Carried

11.7(2).1 Amendment Motion- Recommendation 2(1) - Have Your Say - Allora Community Halls and Precinct Survey

Resolution

Moved Cr M Gliori

Seconded Cr J McNally

THAT Council add this amendment to the original motion:

1. Undertake consultation with the Allora community in relation to preservation of the history of the building prior to the removal of the existing building.

Carried

11.7(2).2 Amendment Motion - Recommendation 2(2) - Have Your Say - Allora Community Halls and Precinct Survey

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council add this amendment to the original motion:

2. Pending the outcome of the consultation consider the removal of the old Allora Fire building located on Lot 1, RP70817, 80 Herbert Street, Allora, to allow for the septic compliance issues to be addressed and for the future enhancement/improvements to be made to the entire precinct, with the precinct currently being defined as Lot 2, RP155048, 18 Drayton Street, Allora, Lot 1, RP155048, 78 Herbert Street, Allora and Lot 1, RP70817, 80 Herbert Street, Allora, subject to the provision of a suitable budget allocation for its removal and undertaking of other associated compliance works.

Carried

11.7(2) Recommendation 2 - Have Your Say - Allora Community Halls and Precinct Survey

Resolution

Moved Cr S Windle

Seconded Cr A Gale

THAT Council:

1. Undertake consultation with the Allora community in relation to preservation of the history of

the building prior to the removal of the existing building.

2. Pending the outcome of the consultation consider the removal of the old Allora Fire building located on Lot 1, RP70817, 80 Herbert Street, Allora, to allow for the septic compliance issues to be addressed and for the future enhancement/improvements to be made to the entire precinct, with the precinct currently being defined as Lot 2, RP155048, 18 Drayton Street, Allora, Lot 1, RP155048, 78 Herbert Street, Allora and Lot 1, RP70817, 80 Herbert Street, Allora, subject to the provision of a suitable budget allocation for its removal and undertaking of other associated compliance works.

Carried

11.7(3) Recommendation 3 - Have Your Say - Allora Community Halls and Precinct Survey

Resolution

Moved Cr A Gale

Seconded Cr C Gow

THAT Council, subject to the removal of the existing Fire Shed, relocate the Allora Library and Customer Service Centre from its existing location to the former Allora Senior Citizens building located at Lot 2, RP155048, 18 Drayton Street, Allora, subject to removal of the Deed of Trust from the title, compliance with any planning/building/plumbing requirements, reconfiguration of lots as required and provision of suitable budget allocation for relocation and building fitout.

Carried

11.7(4) Recommendation 4 - Have Your Say - Allora Community Halls and Precinct Survey

Resolution

Moved Cr C Gow

Seconded Cr S Windle

THAT Council approve in principle the expansion of the Allora Sports Museum into the area occupied by the current Allora Library and Customer Service Centre, located at Lot 1, RP155048, 78 Herbert Street, Allora and Lot 1, RP70817, 80 Herbert Street, Allora, subject to the relocation of the Allora Library and Customer Service Centre to 18 Drayton Street Allora, compliance with planning/building/plumbing requirements and the negotiation of an appropriate lease.

Carried

11.7(5) Have Your Say Allora Community Halls and Precinct Survey

Resolution

Moved Cr S Tancred

Seconded Cr R Bartley

THAT the recent offer of the Allora Regional Sports Museum to fund the expansion of the museum be noted.

Carried

The meeting adjourned for morning tea at 11:08 am and reconvened at 11:30 am at which time there were present Crs Pennisi, McDonald, McNally, Windle, Giori, Bartley, Gow, Tancred and Gale.

11.8 In Principal Agreement to Use - Storm King Dam - School Open Water Swimming

Resolution

Moved Cr C Gow

Seconded Cr S Tancred

THAT Council:

1. Note the request from the Darling Downs School Sport Secretary to use Storm King Dam for school open water swimming training, trials and competitions; and
2. Approve in principal the use of Storm King Dam for open water school swimming, subject to a Facility Hire Agreement being negotiated with the Department of Education and there being no financial impact on Council.

Carried

Cr Gliori declared a conflict of interest in Agenda Item 11.9 and left the meeting for discussion and vote. Cr Gliori left the meeting at 11:36 am.

11.9 Sole/ Specialised Supplier Register

Resolution

Moved Cr R Bartley

Seconded Cr S Tancred

THAT Council:

1. Resolves in accordance with section 235(a) and 235(b) of the *Local Government Regulation 2012* that it is satisfied that the nominated suppliers are Sole or Specialised Suppliers for the 2023/24 financial year as outlined in Attachment 1: Sole & Specialised Supplier Register for FY23.24.
2. Delegates authority to the Chief Executive Officer in accordance with section 257 of the *Local Government Act 2009* to enter into contracts, negotiate, finalise and execute any and all matters associated with or in relation to Sole or Specialised Suppliers subject to Council's normal procurement policies and practices.

Carried

11:38 am Cr M Gliori rejoined the meeting.

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Water and Wastewater Customer Service Standards January 2024

Resolution

Moved Cr S Tancred

Seconded Cr A Gale

THAT Council adopt the updated Water and Waste Water Customer Service Standards dated January 2024.

Carried

12.2 Water Service Areas January 2024

Resolution

Moved Cr S Tancred

Seconded Mayor V Pennisi

THAT Council:-

1. Approve the Urban and Rural Water Service Areas as indicated on the plans attached to this report; and

Agreement;

2. Note the proposed annual access charge and consumption charge of \$598 (to be submitted with the fees and charges for the 2024/25 Financial Year).
3. Delegate the Chief Executive Officer to finalise the Urban Recycled Water Agreement and enter into contracts with each recycled water user.

Carried

12:33 pm Cr S Tancred rejoined the meeting.

12.6 Traffic Calming Proposal - Oak Avenue, Warwick

Resolution

Moved Cr J McNally

Seconded Cr C McDonald

THAT Council:-

1. Conduct community consultation with affected residents of Oak Avenue, Warwick to ascertain preferences for traffic calming in Oak Avenue;
2. Implement the preferred traffic calming preferences for a trial period of six months, with a review to be conducted at the conclusion of the trial period; and
3. Receive a further report for a decision to implement a permanent solution after the trial period.

Carried

12:46 pm Cr M Gliori left the meeting.

12:48 pm Cr M Gliori rejoined the meeting

12.7 Tender 24_045 Design and Construct Four Toilet Blocks and Shelter

Resolution

Moved Cr A Gale

Seconded Cr S Tancred

THAT Council:

1. Note Tender 24_045 Design and Construct Four Toilet Blocks is due to close on 12 January 2024 and a Tender Evaluation Panel recommendation may not be complete prior to the Ordinary Council meeting of 17 January 2024;
2. Note that the total value of the contract may exceed \$1,000,000; and
3. Authorise the Chief Executive Officer to award the contract in accordance with legislative requirements.

Carried

12.8 New Sewage Pump Station and Rising Main to Support Industrial Development in Warwick

Resolution

Moved Cr A Gale

Seconded Cr S Windle

THAT Council make provision of \$1,500,000 in the 2024/25 draft budget for the provision of a pump station and rising main to service industrial land on Old Stanthorpe Road.

Carried

13. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

13.2 Consideration of Change Representations: Reconfiguring a Lot: Paul & Vicki Harrison C/- Aspect Town Planning Pty Ltd - 54 Warner Street, Rosenthal Heights

Recommendation

THAT Council refuse the change representations made in relation to the application for a Reconfiguring a Lot (Subdivision of 1 into 2 lots), on land at 54 Warner Street, Rosenthal Heights, described as Lot 1 RP129934, for the reasons outlined in the Statement of Reasons.

Lost

13.2.1 Alternate Motion - Consideration of Change Representations: Reconfiguring a Lot: Paul & Vicki Harrison c/- Aspect Town Planning Pty Ltd - 54 Warner Street, Rosenthal Heights

Resolution

Moved Cr R Bartley

Seconded Cr C McDonald

THAT Council approve the change representations made in relation to the application for a Reconfiguring a Lot (Subdivision of 1 into 2 lots), on land at 54 Warner Street, Rosenthal Heights, described as Lot 1 RP129934, for the reasons outlined below:

1. An onsite treatment system will provide a reliable, safe and effective means of sewerage treatment. (9.4.6.3) PO2
2. The potential lack of capacity in the existing suitably located wastewater network. (4.4.2)

Carried

The meeting adjourned for lunch at 1:14 pm and reconvened at 1:45 pm at which time there were present Crs Pennisi, Gow, McDonald, McNally, Windle and Gliori.

13.1 Shaping Southern Advisory Committee Meeting - 21 November 2023

Resolution

Moved Cr J McNally

Seconded Cr C McDonald

THAT Council receive the minutes of the Shaping Southern Downs Advisory Committee meeting held in Stanthorpe on 21 November 2023 and endorse the following motion:

- That a full printed copy (including text, maps etc) of the new Southern Downs Planning Scheme that has been approved by the Queensland Government for public consultation be provided to any member of the Shaping Southern Downs Advisory Committee who requests a copy, and that it be provided PRIOR to the commencement of the public consultation period in order that they are able to fully undertake their role in the public consultation process.

Carried

1.46 pm Crs Gale, Tancred and Bartley returned to the meeting.

13.3 Material Change of Use – Holly & Guy Collier C/- Adapt Development Management Pty Ltd: 49 Connor Street, Stanthorpe

This agenda item was withdrawn.

1:48 pm Cr M Gliori left the meeting.

13.4 Consideration of Change Representations -Gary Hayes & Partners Pty Ltd - 65 Old Stanthorpe Road, Morgan Park

Resolution

Moved Cr S Tancred

Seconded Cr R Bartley

THAT Council agree in part with the change representations made in relation to the application for Reconfiguring a Lot for the purpose of Subdivision of one lot into 20 lots (over three stages) on land at 65 Old Stanthorpe Road, Morgan Park, described as Lot 58 ML127, and Condition 3A be included, Conditions 13 and 14 be deleted, and Conditions 8, 11 and 12 be amended as follows:

Schedule 1 - Southern Downs Regional Council Conditions

- 3A. *With Stage 1, a 4.0 metre wide easement for future sewerage infrastructure is to be provided over proposed Lot 23, to enable the future connection of balance Lot 22 to Council's wastewater sewerage system.*

Roadworks

8. All roads within the development are to be constructed in asphaltic concrete, *or other similar Council approved material/s*, and such works are to include kerbing and channelling, stormwater drainage, street tree planting and the top dressing of footpaths with good quality top soil. New roads are to be a minimum of 20.0 metres wide with a minimum sealed carriageway width of 12.0 metres.

Kerbing and channelling is to be provided for the full frontage of Old Stanthorpe Road, connecting to the new road. Treatments to manage stormwater, vehicle and pedestrian safety along Old Stanthorpe Road are to be determined during operational works. This may include kerb and channel, a concrete edge strip or road widening with appropriate road edge marking. The agreed treatment is to extend along the full frontage to Old Stanthorpe Road.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

Water Supply and Waste water

11. *For Stages 2 and 3, a A* reticulated water supply system, up to and including water meters, is to be provided to service all allotments. This system is to be connected to Council's water supply system.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

12. *For Stages 2 and 3, a A* sewerage reticulation system is to be provided to service all allotments. This system is to be connected to Council's wastewater sewerage system.

Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.

Pedestrian Works

13. ~~*A 1.0 metre wide concrete pedestrian footpath is to be constructed along one side of the new road and along the Old Stanthorpe Road frontage of the site, in a location suitable to the Director Infrastructure Services.*~~

~~*Note: This condition is imposed pursuant to Section 145 of the Planning Act 2016.*~~

14. ~~*With Stage 1, reticulated electricity connections must be provided to the proposed development to the standards of the relevant authorities. The provision of electrical connections may be in accordance with each of the approved stages of the development. Evidence must be provided of a certificate of supply with the relevant service providers to*~~

~~provide each lot with live electricity connections, in accordance with the requirements of the relevant authorities prior to Council signing the Plan of Subdivision.~~

Carried

01:57 pm Cr M Gliori rejoined the meeting.

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

Nil

MEETING CLOSURE

There being no further business, the meeting closed at 1:59 pm