



**MINUTES OF THE
ORDINARY COUNCIL MEETING
24 JULY 2023**

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**MINUTES OF THE ORDINARY COUNCIL MEETING OF
SOUTHERN DOWNS REGIONAL COUNCIL HELD ON 24 JULY 2023
IN THE COUNCIL CHAMBERS, SOUTHERN DOWNS REGIONAL COUNCIL,
64 FITZROY STREET, WARWICK AT 9:00AM**

ACKNOWLEDGEMENT TO COUNTRY

1. PRAYERS & CONDOLENCES

Rev Darren Muller from Warwick Baptist Church offered a prayer for the meeting and Council acknowledged condolences.

2. ATTENDANCE

Present: Crs Pennisi (Chair), Bartley, Gale, 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), Dianne Woolley (Manager People and Safety), Izelle Barnard (Communications and Marketing Coordinator), Graham Sweetlove (Manager Water), Angela O'Mara (Manager Planning and Development) and Marion Seymour (Minute Secretary)

3. APOLOGIES

3.1 Apology - Cr Gliori

Resolution

Moved Cr R Bartley

Seconded Cr C Gow

THAT the apology of Cr Gliori be received and leave of absence granted.

Carried

4. READING AND CONFIRMATION OF MINUTES

4.1 Ordinary Council Meeting - 12 July 2023

Resolution

Moved Cr S Windle

Seconded Cr A Gale

THAT the minutes of the Ordinary Council Meeting held on Wednesday 12 July 2023 be adopted.

Carried

5. ACTIONS FROM COUNCIL MEETINGS

5.1 Actions from Ordinary Council Meeting 28 June 2023

Resolution

Moved Cr C Gow

Seconded Cr R Bartley

THAT Council receive the report and note the contents.

Carried

6. DECLARATIONS OF CONFLICTS OF INTEREST

Item No	Item Precise	Nature of Conflict
12.1	Request for Sewer Connection to PID83250 & 83255	Cr McDonald declared a prescribed conflict of interest in this matter (as defined in Section 150EK(1) of the <i>Local Government Act 2009</i>) as a result of a contribution of \$2000 from the applicant towards her election campaign in 2020. As a result of Cr McDonald's, she will leave the meeting room while the matter is considered and voted on.
12.4	2023 LGAQ Conference Motion – Heavy Vehicle Approvals on State Controlled Roads	Cr McDonald declared a declarable conflict of interest in this matter (as defined in Section 150ES(3) of the <i>Local Government Act 2009</i>) as she owns a transport company who utilises heavy vehicles and operates them on state controlled roads. Although Cr McDonald has declared a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias. Therefore, Cr McDonald 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 McDonald participated in the discussion and voting on this matter.
13.2	Consideration of Change Representations: Gary Hayes & Partners Pty Ltd, 218 Warner Street, Rosenthal Heights	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 she currently resides at 218 Warner Street, Rosenthal Heights. Although Cr McNally has declared a declarable conflict of interest, she does not believe a reasonable person could have a perception of bias. 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.

6.1 Declaration of Conflicts of Interest - Cr McDonald - Agenda Item 12.4

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council, following the declarable conflict of interest by Cr McDonald in Agenda Item 12.4, 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

6.2 Declaration of Conflicts of Interest - Cr McNally - Agenda Item 13.2

Resolution

Moved Cr C McDonald

Seconded Cr R Bartley

THAT Council, following the declarable conflict of interest by Cr McNally in Agenda Item 13.2, 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

7. MAYORAL MINUTE

Nil

8. READING AND CONSIDERATION OF CORRESPONDENCE

8.1 Correspondence

Resolution

Moved Cr R Bartley

Seconded Cr C Gow

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

Carried

8.1.1 Whakatane District Council - Sister City Relationship

Resolution

Moved Cr J McNally

Seconded Cr S Windle

THAT Council write to the Whakatane District Council expressing Council's interest in renewing the Sister City relationship with them.

Carried

9. RECEPTION AND READING OF PETITIONS AND JOINT LETTERS

Nil

10. EXECUTIVE SERVICES REPORTS

10.1 Quarterly Organisation Information Reports July 2023

Resolution

Moved Cr A Gale

Seconded Cr J McNally

THAT Council note the contents of the Information Reports.

Carried

10.2 2023 LGAQ Annual Conference Attendance

Resolution

Moved Cr C McDonald

Seconded Cr S Windle

THAT Council endorse the attendance of the Mayor and Cr McNally to the 2023 LGAQ Annual Conference being held in Gladstone from 16 - 18 October 2022.

Carried

10.3 Condamine Community Alliance

Resolution

Moved Cr A Gale

Seconded Cr J McNally

THAT Council receive the draft minutes of the Condamine Community Alliance meeting held on 4 July 2023.

Carried

11. CUSTOMER AND ORGANISATIONAL SERVICES REPORTS

11.1 Financial Services - Financial Report as at 30 June 2023

Resolution

Moved Cr S Tancred

Seconded Cr A Gale

THAT Council receive and note the Financial Report as at 30 June 2023.

Carried

11.2 External Audit Interim Report

Resolution

Moved Cr S Tancred

Seconded Cr J McNally

THAT Council note the 2023 Interim Report from the Queensland Audit Office.

Carried

09:41 am Cr C McDonald left the meeting during discussion on Agenda Item 12.1

12. INFRASTRUCTURE SERVICES REPORTS

12.1 Request for Sewer Connection to PID83250 & 83255

Resolution

Moved Cr A Gale

Seconded Cr S Windle

THAT Council:-

1. Approve the request for a sewer connection to properties ID83250 & 83255.
2. Amend the sewerage service area to include these lots.
3. Require the payment of all relevant charges for these lots in accordance with Council's Fees and Charges Schedule.
4. Require the extension of council sewer onto property ID83250 at the applicant's expense.
5. Inform the applicant of this decision.

Carried

09:43 am Cr C McDonald rejoined the meeting.

12.2 Procurement Exception for Single Supplier

Resolution

Moved Cr S Tancred

Seconded Cr A Gale

THAT Council:

1. In accordance with section 235(a) of the *Local Government Regulations 2012*, engage Cultural Heritage Solutions Pty Ltd as a single supplier for the Condamine River Road cultural heritage monitoring; and
2. Delegate authority to the Chief Executive Officer to enter into any variations to the engagement terms as deemed necessary for the duration of the construction of the crossings along Condamine River Road; and
3. In accordance with section 235(a) of the *Local Government Regulations 2012*, engage Cultural Heritage Solutions Pty Ltd as a single supplier for any future engagement of Githabul representative's services unless advised otherwise.

Carried

12.3 Request for Water Connection to PID142920

Resolution

Moved Cr S Tancred

THAT Council:

1. Withdraw report 12.1 from the meeting of 28 June 2023, to be replaced with this report.
2. Decline the request for a water connection to property ID142920.
3. Inform the applicant of this decision.

Lapsed

12.3.1 Request for Water Connection to PID142920

Resolution

Moved Cr R Bartley

Seconded Cr S Windle

THAT Council:

1. Withdraw report 12.1 from the meeting of 28 June 2023, to be replaced with this report.
2. Defer consideration of this matter until Council approves a relevant water supply policy.

Carried

Cr McDonald declared a Conflict of Interest in Agenda Item 12.4 and following a resolution from Council remained in the room for discussion and vote.

12.4 2023 LGAQ Conference Motion - Heavy Vehicle Approvals on State Controlled Roads Resolution

Moved Cr C McDonald

Seconded Cr J McNally

THAT Council submit the following motion to the 2023 LGAQ Annual Conference:-

A risk-based approach by DTMR to Heavy Vehicle Route Approvals:-

That the LGAQ engages with the Department of Transport and Main Roads (DTMR) and the National Heavy Vehicle Regulator (NHVR) to promote and implement the risk-based approach when assessing permits and route approvals for heavy vehicle access.

Carried

Cr McDonald voted for the motion.

13. PLANNING AND ENVIRONMENTAL SERVICES REPORTS

13.1 Consideration of Change Representations: Tegan L & Narelle A Case, C/- CS Town Planning Group, 58 Drayton Street, Allora

Recommendation

THAT Council refuse the change representations made in relation to the change application for a Development Permit for Reconfiguration of Lot (Subdivision of one (1) lot into two (2) lots), on land located at 58 Drayton Street, Allora, described as Lot 2 RP861267, and the conditions of approval are not amended.

Lapsed

13.1.1 Consideration of Change Representations: Tegan L & Narelle A Case, C/- CS Town Planning Group, 58 Drayton Street, Allora - Approval

Resolution

Moved Cr A Gale

Seconded Cr R Bartley

THAT Council:

1. Approve the change application for a Development Permit for Reconfiguration of Lot (Subdivision of one (1) lot into two (2) lots), on land located at 58 Drayton Street, Allora, described as Lot 2 RP861267, for the following reasons:
 - a. Limited impacts on traffic density generation and stormwater drainage.
 - b. The imposition of the full Planning Scheme requirements are unreasonable.
2. Remove condition 11 from the original approval.

Carried

Cr McNally declared a Conflict of Interest in Agenda Item 13.2 and following a resolution from Council remained in the room for discussion and vote.

13.2 Consideration of Change Representations: Gary Hayes & Partners Pty Ltd, 218 Warner Street, Rosenthal Heights

Recommendation

THAT Council refuse the change representations made in relation to the application for Reconfiguring a Lot (Subdivision of 1 into 2 lots), on land at 218 Warner Street, Rosenthal Heights, described as Lot 7 SP238547, and the conditions of approval are not amended.

Lapsed

Presentation of Recognition of Volunteer Certificates to Sue Hamlet, Kathy Payne and Judy Hefferan (currently overseas) from the Warwick Action and Advocacy Team.

The meeting adjourned for morning tea at 10:40am and reconvened at 11:00am at which time there were present Crs Pennisi, Bartley, Gow, McNally, Windle, McDonald, Gale and Tancred.

13.2.1 Consideration of Change Representations: Gary Hayes & Partners Pty Ltd, 218 Warner Street, Rosenthal Heights – Approval

Resolution

Moved Cr C McDonald

Seconded Cr R Bartley

THAT Council:

1. Approve the change representations made in relation to the application for Reconfiguring a Lot (Subdivision of 1 into 2 lots), on land at 218 Warner Street, Rosenthal Heights, described as Lot 7 SP238547, for the following reasons:
 - a. Traffic generated by the subdivision will have minimal additional impact on the roads.
 - b. Existing stormwater construction supports this request as there would be minimal change.
2. Remove conditions 4 and 5 from the original approval.

Carried

Cr McNally voted for the motion.

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

14.1 Regional Roads and Transport Group Meeting

Resolution

Moved Cr S Tancred

Seconded Cr C Gow

THAT the verbal report of Cr Gale in relation to the recent Southern Border Regional Roads and Transport Group meeting held in Inglewood be received.

Carried

15. NOTICES OF MOTION

15.1 Notice of Motion - Dollar Bill Drive Maintenance

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT a report be provided for the reasons that part of Dollar Bill Drive, Section 326 to 540, is not currently being maintained.

Carried

15.2 Notice of Motion - Desilting of Table Drain - Grafton Street and East Street to Condamine River

Resolution

Moved Cr R Bartley

Seconded Cr A Gale

THAT desilting be undertaken of the table drain which runs beside Grafton Street, East Street to the Condamine River.

Carried

16. GENERAL BUSINESS

Nil.

17. CONSIDERATION OF CONFIDENTIAL BUSINESS ITEMS

Nil

MEETING CLOSURE

There being no further business, the meeting closed at 11:39am.