

5. CONFIRMATION OF MINUTES

5.1 Adopt Minutes Ordinary Meeting of Council

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 22 January 2020.

COUNCIL RESOLUTION

Moved By Cr.A.N.Smith

Seconded By Cr.R.C.Brown

That this Report be received and that:

1.The Unconfirmed Minutes of the Ordinary Meeting of Council held on 22 January 2020, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED



Ordinary Meeting of Council Minutes

Date: Wednesday, 22 January 2020
Time: 9:30 am
Location: Chinchilla Customer Service Centre
80 Heeney Street, Chinchilla QLD 4413

Councillors: Cr. P.M. McVeigh (Chairperson)
Cr. A.N. Smith
Cr. K.A. Maguire
Cr. I.J. Rasmussen
Cr. C.T. Tillman
Cr. P.T. Saxelby
Cr. R.C. Brown
Cr. D.E. Ashurst
Cr. G.M. Olm

Officers: J.K. Taylor, Acting Chief Executive Officer
S.M. Peut, General Manager (Corporate Services)
G.K. Cook, General Manager (Infrastructure Services)
T. Summerville, Acting General Manager (Community and Liveability)
J. Weier, Senior Executive Officer
L.M. Paine, Executive Services Administration Officer

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30am

2. OPENING PRAYER AND MINUTE SILENCE

Reverend David Knott of the Presbyterian Church delivered the opening prayer. This was followed by the observance of a minute silence.

3. APOLOGIES

Nil

4. CONGRATULATIONS

Cr. P.T. Saxelby requested that congratulations be extended to Nick Budden on his selection as Vice-Captain of the Queensland Deaf and Hard of Hearing Cricket Squad at the National Cricket Inclusions Championships held in Geelong recently. From these Championships they will be choosing the Australian Deaf Team.

Cr. K.A. Maguire requested that congratulations be extended to Charlie Kruger on his selection to play in Cairns for the U12 Darling Downs and South West Queensland Cricket team. He currently plays for the Wests Team and also the South West Country Under 13 Rep team and this recent selection may present the potential to be picked for the state side.

Cr. K.A. Maguire also requested that congratulations be extended to Laurie Flynn. The former Dalby South and Dalby State High School student earned an exemption into the Australian Open three weeks ago and was hand-picked to compete in one of the country's most prestigious golf tournaments. Flynn has had a stellar year, taking out the Malaysian Amateur golf tournament, coming third at the Northern Territory PGA Championship and becoming the leading amateur in Western Australia, to name a few.

5. CONFIRMATION OF MINUTES

5.1 Adopt Minutes Ordinary Meeting of Council

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 4 December 2019

COUNCIL RESOLUTION

Moved By Cr.R.C.Brown

Seconded By Cr.P.T.Saxelby

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 4 December 2019, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED

UNCONFIRMED

6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

Nil

7. PRESENTATION OF PETITIONS BY COUNCILLORS

Nil

8. MAYORAL UPDATE

8.1 Executive Services Mayoral Report December 2019

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of December 2019

COUNCIL RESOLUTION

Moved By Cr.A.N.Smith

Seconded By Cr.C.T.Tillman

That this report be received and noted.

CARRIED

9. CONFIDENTIAL ITEMS

Section 275 of the Local Government Regulation 2012 in relation to Closed meetings provides:

(1) A local government or committee may resolve that a meeting be closed to the public if its councillors or members consider it necessary to close the meeting to discuss-

(a) the appointment, dismissal or discipline of employees; or

(b) industrial matters affecting employees; or

(c) the local government's budget; or

(d) rating concessions; or

(e) contracts proposed to be made by it; or

(f) starting or defending legal proceedings involving the local government; or

(g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act; or

(h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

(2) A resolution that a meeting be closed must state the nature of the matters to be considered while the meeting is closed.

(3) A local government or committee must not make a resolution (other than a procedural resolution) in a closed meeting.

COUNCIL RESOLUTION - CLOSE MEETING

Moved by Cr.R.C.Brown
Seconded by Cr.K.A.Maguire

Council resolve to close the Meeting in accordance with Sections 275 (1) (a,e,h) of the *Local Government Regulation 2012* at 9.45am to discuss the following Confidential Reports:

1. Corporate Services Confidential Report Disposal Lot 9 Crown Plan SP251966 Drew Street, Dalby;
2. Infrastructure Services Confidential Tender Evaluation Report Tender No MM10-19-20 RTU & SCADA Upgrade (Water & Wastewater): Stage 2 (Chinchilla-Tara) in Western Downs Regional Council Area; and
3. Infrastructure Services Confidential Tender Evaluation Report Tender No MM08-19-20 Replacement of Water Mains on Royd Street in Wandoan CBD.

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

That Council resolve to reopen the Meeting at 10.19am.

Moved by Cr.R.C.Brown
Seconded by Cr.G.M.Olm

CARRIED

9.1 EXECUTIVE SERVICES

9.2 CORPORATE SERVICES

9.2.1 Corporate Services Confidential Report Disposal Lot 9 Crown Plan SP251966 Drew Street, Dalby

This report is to seek Council's direction regarding the proposed sale of Lot 9 Drew Street, Dalby.

CONFLICT OF INTEREST

In accordance with Section 173 of the *Local Government Act 2009*, GM Cook declared a perceived conflict of interest in respect to this matter due to his wife, Donna Cook, being an employee of Ray White Real Estate Dalby.

Having given due consideration to his position he determined that he would exclude himself from the meeting.

GM G Cook left the meeting for the discussion of the matter at 9.46am.

GM G Cook rejoined the meeting at 9.48am.

GM G Cook left the meeting for the vote on the matter at 9.49am.

GM G Cook rejoined the meeting at 9.51am.

COUNCIL RESOLUTION

Moved By Cr.G.M.Olm

Seconded By Cr.A.N.Smith

That this Report be received and that Council:

- a. Apply the exception contained in the Local Government Regulation 2012, Section 236 (1)(a)(i)(ii) and (2);
- b. Approve the sale of Lot 9 on Crown Plan SP251966 being Lot 9 Drew Street, Dalby for the sale price; and
- c. Authorise the Chief Executive Officer to sign the contract of sale and all necessary documents to effect settlement of Lot 9 Drew Street Dalby.

CARRIED

9.3 COMMUNITY AND LIVEABILITY

9.4 INFRASTRUCTURE SERVICES

9.4.1 Infrastructure Services Confidential Tender Evaluation Report Tender No MM10-19-20 RTU & SCADA Upgrade (Water & Wastewater): Stage 2 (Chinchilla-Tara) in Western Downs Regional Council Area

The purpose of this Report is to provide Council with an assessment of the tenders received for tender MM10-19-20 RTU & SCADA Upgrade (Water and Wastewater): Stage 2 (Tara/Chinchilla) - 2019/20 and to consider awarding the Contract.

COUNCIL RESOLUTION

Moved By Cr.P.T.Saxelby

Seconded By Cr.D.E. Ashurst

That this Report be received and that:

1. Council awards Contract MM10-19-20 for the RTU & SCADA Upgrade (Water and Wastewater): Stage 2 (Tara/Chinchilla) to Automation IT Pty Ltd for the tender price of \$743,207.00 (excl. GST).

CARRIED

9.4.2 Infrastructure Services Confidential Tender Evaluation Report Tender No MM08-19-20 Replacement of Water Mains on Royd Street in Wandoan CBD

The purpose of this Report is to provide Council with an assessment of the tenders received for tender MM-08-19-20 for Replacement of Water Mains on Royd Street in Wandoan CBD; and to consider awarding the Contract.

COUNCIL RESOLUTION

Moved By Cr.P.T.Saxelby

Seconded By Cr.G.M.Olm

That this Report be received and that:

1. Council awards Contract MM08-19-20 for the Replacement of Water Mains on Royd Street in Wandoan to J Mullins Plumbing for the tender price of \$240,340.00 (excl. GST).

CARRIED

10. PLANNING

**10.1 (030.2019.490.001) Community and Liveability Report Development
Application for Material Change of Use for a Transport Depot at Lots 54 55
RP14934 Edward Street Chinchilla Nothdurft**

The purpose of this report is for Council to decide the proposed development for Material Change of Use to establish a Transport Depot on land described as Lots 54 and 55 on RP14934 and situated at Edward Street, Chinchilla.

COUNCIL RESOLUTION

Moved By Cr.I.J.Rasmussen

Seconded By Cr.R.C.Brown

That the Report lay on the table pending a Report from the CEO providing further information, notably:

1. The Strategy moving forward to address the Development Applications which have been approved for the area since 2014 and the non-compliance of applied conditions;
2. The effect of past decisions, and enforcement of conditions, on any future applications; and
3. Compliance actions which will be undertaken to ensure any future approved development applications and associated conditions are complied with.

CARRIED (8 to 1)

For (8): Cr.P.M McVeigh, Cr.D.E. Ashurst, Cr.R.C.Brown, Cr.K.A.Maguire, Cr.G.M.Olm, Cr.I.J.Rasmussen, Cr.P.T.Saxelby, and Cr.C.T.Tillman

Against (1): Cr.A.N.Smith

11. DEPUTATION

The Chinchilla Historical Society provided Council with a copy of their recent funding submission for their information.

Moved By Cr.K.A.Maguire

Seconded By Cr.P.T.Saxelby

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10.28am.

The Meeting resumed at 10.52am.

CARRIED

UNCONFIRMED

12. EXECUTIVE SERVICES

12.1 Executive Services Chief Executive Officer Report December 2019

The purpose of this Report is to provide Council with the significant meetings, forums and delegations attended by the Chief Executive Officer during the month of December 2019

COUNCIL RESOLUTION

Moved By Cr.A.N.Smith

Seconded By Cr.K.A.Maguire

That this Report be received and noted

CARRIED

12.2 Executive Services Report Outstanding Actions December 2019

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 4 December 2019.

COUNCIL RESOLUTION

Moved By Cr.A.N.Smith

Seconded By Cr.K.A.Maguire

That this Report be received and noted.

CARRIED

13. CORPORATE SERVICES

13.1 Corporate Services Report Application for Simultaneous Road Closure and Road Opening - off Gearys Road Hookwood Miles between Lot 19 and 20 BWR293

The purpose of this Report is to seek Council's direction in relation to an application for a road closure of Unnamed Road, Hookwood Miles.

COUNCIL RESOLUTION

Moved By Cr.G.M.Olm

Seconded By Cr.D.E. Ashurst

That this Report be received, and that Council advises the Applicant:

1. That it withdraws its previous objection to the permanent closure of the road adjacent to Lots 19 and 20 on Crown Plan BWR293;
2. That it offers no objections to the permanent closure of the road between Lots 19 and 20 on Crown Plan BWR293, on the condition the closure occurs subsequent to the opening of a similar sized new road reserve on the eastern side of Lot 20 BWR293;
3. It is the Applicant's responsibility to acquire the consent of all adjacent land owners for the proposed road closure and new road opening;
4. The Applicant is to pay for costs associated with the simultaneous road closure and new road opening, including application fees and surveys for the road reserve.

CARRIED

13.2 Corporate Services Report The Auburn Hawkwood People (formerly Wullli Wullli People #2) QUD31/2019 - Consent Determination

To advise Council of the consent determination of the Auburn Hawkwood People (Wullli Wullli People #2) issued on 25 November 2019 by the Federal Court.

COUNCIL RESOLUTION

Moved By Cr.R.C.Brown

Seconded By Cr.C.T.Tillman

That Council resolve to receive the consent determination of the Auburn Hawkwood People (Wullli Wullli People #2) Claim issued on 25 November 2019 by the Federal Court, being QUD31/2019.

CARRIED

13.3 Corporate Services Financial Report December 2019

The purpose of this Report is to provide Council with the Financial Report for the period ending 31 December 2019.

COUNCIL RESOLUTION

Moved By Cr.A.N.Smith

Seconded By Cr.K.A.Maguire

That Council receives and notes the December 2019 Financial Report.

CARRIED

14. INFRASTRUCTURE SERVICES

14.1 Infrastructure Services Quarterly Report October-December 2019

The purpose of this Report is to provide Council with a quarterly update in relation to the Infrastructure Services' Works, Utilities and Technical Services departments performance.

COUNCIL RESOLUTION

Moved By Cr.G.M.Olm

Seconded By Cr.P.T.Saxelby

That this Report be received and noted.

CARRIED

15. COMMUNITY AND LIVEABILITY

16. NOTICES OF MOTION

16.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

16.2 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

17. URGENT GENERAL BUSINESS

18. MEETING CLOSURE

The Meeting concluded at 11.17am.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting of Council held this 22 January 2020.

Submitted to the Ordinary Meeting of Council held this Wednesday, 19 February 2020.

Signed:

Cr. P.M. McVeigh

MAYOR OF WESTERN DOWNS REGIONAL COUNCIL