

**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, 20 January 2021

**COUNCIL RESOLUTION**

**Moved By** Cr. O. G. Moore

**Seconded By** Cr. K. A. Bourne

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 20 January 2021, copies of which have been circulated to Members, be taken as read and confirmed.

**CARRIED**

**Absent Did Not Vote:** Cr. I. J. Rasmussen



## Ordinary Meeting of Council Minutes

**Date** Wednesday, 20 January 2021  
**Time:** 9:30am  
**Location:** Chinchilla Cultural Centre  
80-86 Heene Street, Chinchilla QLD 4413

**Councillors:** Cr.P.M.McVeigh (Chairperson)  
Cr.A.N.Smith  
Cr.K.A.Bourne  
Cr.P.T.Saxelby  
Cr.K.A.Maguire  
Cr.I.J.Rasmussen  
Cr.M.J.James  
Cr.O.G.Moore  
Cr.CT.Tillman

**Officers:** R.A.Musgrove, Chief Executive Officer  
S.M.Peut, General Manager (Corporate Services)  
G.K.Cook, General Manager (Infrastructure Services)  
J.K.Taylor, General Manager (Community and Liveability)  
J. Weier  
A. Lyell

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**1. DECLARATION OF MEETING OPENING**

The Chairperson declared the Meeting open at 9.30AM.

**2. OPENING PRAYER AND MINUTE SILENCE**

Pastor Mark Hampel from the Lutheran Church, delivered the opening prayer. This was followed by the observance of a minute silence.

**3. APOLOGIES**

Nil

**4. CONGRATULATIONS**

Cr. O. G. Moore requested that Council extend congratulations to the Western Downs Regional Council staff for organising such successful Christmas events across the region.

UNCONFIRMED

**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, 9 December 2020

**COUNCIL RESOLUTION**

**Moved By** Cr.P.T.Saxelby

**Seconded By** Cr.O.G.Moore

That this Report be received and that:

1.The Unconfirmed Minutes of the Ordinary Meeting of Council held on 9 December 2020, 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**

**7. PRESENTATION OF PETITIONS BY COUNCILLORS**

**7.1 Condamine Weir Petition - Presented by Cr. O. G. Moore**

Cr. O. G. Moore presented a petition to Council regarding raising the Condamine Weir by a further 2.5 metres

*In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A. N. Smith informed the meeting of a prescribed conflict of interest in respect to this matter due to:*

*a.) Although not a signature on the petition, it pertains to a stretch of water which borders my business*

*Having given due consideration to his position he determined that he would leave the meeting while the matter is discussed and voted on.*

Cr. A. N. Smith left the meeting at 9:41am

Cr. A. N. Smith joined the meeting at 9:43am.

**COUNCIL RESOLUTION**

**Moved By** Cr.O.G.Moore

**Seconded By** Cr.M.J.James

That:

1. Council accept the Petition received from Principal Petitioner, Gerard Fitzpatrick requesting Council consider raising of the Condamine Weir by a further 2.5m; and
2. A report be brought to Council.

**CARRIED (7 to 1)**

**Absent Did Not Vote:** Cr. A. N. Smith

**8. MAYORAL UPDATE**

**8.1 Executive Services Mayoral Report December 2020**

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of December 2020.

**COUNCIL RESOLUTION**

**Moved By** Cr.A.N.Smith

**Seconded By** Cr.CT.Tillman

That this Report be received and noted

**CARRIED**

UNCONFIRMED

## 9. CONFIDENTIAL ITEMS

*Section 254J of the Local Government Regulation 2012 in relation to Closed meetings provides:*

*(1) A local government may resolve that all or part of a meeting of the local government be closed to the public.*

*(2) A committee of a local government may resolve that all or part of a meeting of the committee be closed to the public.*

*(3) However, a local government or a committee of a local government may make a resolution about a local government meeting under subsection (1) or (2) only if its councillors or members consider it necessary to close the meeting to discuss one or more of the following matters—*

- (a) the appointment, discipline or dismissal of the chief executive officer;*
- (b) industrial matters affecting employees;*
- (c) the local government's budget;*
- (d) rating concessions;*
- (e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;*
- (f) matters that may directly affect the health and safety of an individual or a group of individuals;*
- (g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;*
- (h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967;*
- (i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.*

*(4) However, a local government or a committee of a local government must not resolve that a part of a local government meeting at which a decision mentioned in section 150ER(2), 150ES(3) or 150EU(2) of the Act will be considered, discussed, voted on or made be closed.*

*(5) A resolution that a local government meeting be closed must—*

- (a) state the matter mentioned in subsection (3) that is to be discussed; and*
- (b) include an overview of what is to be discussed while the meeting is closed.*

*(6) A local government or a committee of a local government must not make a resolution (other than a procedural resolution) in a local government meeting, or a part of a local government meeting, that is closed.*

**COUNCIL RESOLUTION - CLOSE MEETING**

**Moved By** Cr.K.A.Bourne

**Seconded By** Cr.P.T.Saxelby

That Council resolve to close the Meeting in accordance with Sections 275 (1) (G) of the *Local Government Regulation 2012* at 9:47am to discuss the following Confidential Reports:

1. Corporate Services Confidential Report Contract for Cloud-based Contract Centre & Unified Communications
2. Corporate Services Confidential Report Dalby Aerodrome Proposed Lease L;
3. Corporate Services Confidential Report Dalby Aerodrome Proposed Lease W;
4. Corporate Services Confidential Report Dalby Aerodrome Proposed Lease X; and
5. Corporate Services Confidential Report Tara Pool Precinct Masterplan Update.

**CARRIED**

**COUNCIL RESOLUTION - REOPEN MEETING**

**Moved By** Cr.A.N.Smith

**Seconded By** Cr.P.T.Saxelby

That Council resolve to reopen the Meeting at 10:28am

**CARRIED**



**9.1 EXECUTIVE SERVICES**

**9.2 CORPORATE SERVICES**

**9.2.1 Corporate Services Confidential Report Contract for Cloud-based Contact Centre & Unified Communications**

The purpose of this report is to provide Council with an assessment of the quotations received for the replacement of the existing corporate Contact Centre and telephony solution.

**COUNCIL RESOLUTION**

**Moved By** Cr.K.A.Bourne

**Seconded By** Cr.O.G.Moore

That this Report be received and that:

1. Council notes the Report and awards the Cloud-based Contact Centre and Unified Communications contract to 8x8 International Limited for the contract offer price.

**CARRIED**

### 9.2.2 Corporate Services Confidential Report Dalby Aerodrome Proposed Lease L

The purpose of this Report is to consider a request to renew Lease L at the Dalby Aerodrome.

*In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. P. M. McVeigh informed the meeting of a declarable conflict of interest in respect to this matter due to:*

*a.) His daughter-in-law's family operate an agricultural aviation business from the Dalby airport.*

*Having given due consideration to his position he determined that he would leave the meeting while the matter is discussed and voted on.*

Cr. P. M. McVeigh left the meeting during the discussion at 9:49am

Cr. A. N. Smith resumed The Chair at 9:49am

Cr. P. M. McVeigh left the meeting during the vote at 11:06am

Cr. A. N. Smith resumed the Chair at 11:06am

#### **COUNCIL RESOLUTION**

**Moved By** Cr.P.T.Saxelby

**Seconded By** Cr.K.A.Bourne

That this Report be received and that Council:

1. apply the exception contained within section 236(1)(c)(iii) of the *Local Government Regulation 2012* (Qld) to the proposed lease;
2. offer the Dalby Hang Gliding Club Inc a ten-year lease over land described as Lease L on SP207425 at the Dalby Aerodrome on the terms as outlined in this report; and
3. delegate authority to the CEO to negotiate and sign all documents necessary to finalise the lease.

**CARRIED**

**Absent Did Not Vote:** Cr. P. M. McVeigh

### 9.2.3 Corporate Services Confidential Report Dalby Aerodrome Proposed Lease W

The purpose of this Report is to consider a request to renew Lease W at the Dalby Aerodrome.

*In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. P. M. McVeigh informed the meeting of a declarable conflict of interest in respect to this matter due to:*

*a.) His daughter-in-law's family operate an agricultural aviation business from the Dalby airport.*

*Having given due consideration to his position he determined that he would leave the meeting while the matter is discussed and voted on.*

Cr. P. M. McVeigh left the meeting during the discussion at 9:49am

Cr. A. N. Smith resumed The Chair at 9:49am

Cr. P. M. McVeigh left the meeting during the vote at 11:06am

Cr. A. N. Smith resumed the Chair at 11:06am

#### **COUNCIL RESOLUTION**

**Moved By** Cr. CT. Tillman

**Seconded By** Cr. K. A. Maguire

That this Report be received and that Council:

1. apply the exception contained within section 236(1)(c)(iii) of the *Local Government Regulation 2012* to the proposed lease,
2. as the landing fees for the period 1 October 2012 to 30 June 2021 have been paid, offer Mr Robert Keen a 3 year lease over land described as Lease W on SP237292 at the Dalby Aerodrome on the terms as listed in this report, and
3. delegate authority to the CEO to negotiate and sign all documents necessary to finalise the lease.

**CARRIED**

**Absent Did Not Vote:** Cr. P. M. McVeigh

#### **9.2.4 Corporate Services Confidential Report Dalby Aerodrome Proposed Lease X**

The purpose of this Report is to consider a request to renew Lease X at the Dalby Aerodrome.

*In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. P. M. McVeigh informed the meeting of a declarable conflict of interest in respect to this matter due to:*

*a.) His daughter-in-law's family operate an agricultural aviation business from the Dalby airport.*

*Having given due consideration to his position he determined that he would leave the meeting while the matter is discussed and voted on.*

Cr. P. M. McVeigh left the meeting during the discussion at 9:49am

Cr. A. N. Smith resumed The Chair at 9:49am

Cr. P. M. McVeigh left the meeting during the vote at 11:06am

Cr. A. N. Smith resumed the Chair at 11:06am

#### **COUNCIL RESOLUTION**

**Moved By** Cr.K.A.Maguire

**Seconded By** Cr.P.T.Saxelby

That this Report be received and that Council:

1. apply the exceptions contained within section 236(1)(c)(iii) of the *Local Government Regulation 2012* to the proposed lease,
2. offer Gary Thomas Ryan a 10 year lease over land described as Lease X on SP237292 at the Dalby Aerodrome on the terms as outlined in this report, and
3. delegate authority to the CEO to negotiate and sign all documents necessary to finalise the lease.

**CARRIED**

**Absent Did Not Vote:** Cr. P. M. McVeigh

Cr. P. M. McVeigh re-joined the meeting at 9:59am

Cr. P. M. McVeigh resumed The Chair at 9:59am

Cr. P. M. McVeigh re-joined the meeting at 11:12am

Cr. P. M. McVeigh resumed The Chair at 11:12am

### **9.2.5 Corporate Services Confidential Report Tara Pool Precinct Masterplan Update**

The purpose of this Report is to seek Council's direction in relation to the replacement of the Tara Pool.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.M.J.James

**Seconded By** Cr.A.N.Smith

That this Report be received, and that Council:

1. endorses Option 3 to construct a new 25M eight lane pool in situ, that includes a disability access ramp, lane widths and pool depth suitable for short course competition, pool heating and solar blanket/s;
2. agrees to an increase in the capital budget allocation for the replacement of the Tara pool project to \$6.03M as outlined in the report, inclusive of an estimated \$500K for the replacement of the amenities and kiosk building.

#### **FORESHADOWED MOTION**

Cr. Rasmussen foreshadowed that if the motion on the floor failed, he would move;

That this Report be received, and that Council:

1. endorses Option 3 to construct a new 25M eight lane pool in situ, that includes a disability access ramp, lane widths and pool depth suitable for short course competition, pool heating and solar blanket/s, subject to receipt of external funding of an amount of at least \$3m

The **ORIGINAL MOTION** was **PUT** and **CARRIED (7 to 2)**  
**For (7):** Cr.P.M McVeigh, Cr.A.N.Smith, Cr.K.A.Bourne,  
Cr.K.A.Maguire, Cr.M.J.James, Cr.O.G.Moore, and Cr.CT.Tillman  
**Against (2):** Cr.P.T.Saxelby, and Cr.I.J.Rasmussen

### **9.3 COMMUNITY AND LIVEABILITY**

### **9.4 INFRASTRUCTURE SERVICES**

## 10. DEPUTATION

### 10.1 Deputation - Philip Watkins

*Cr. A. N. Smith declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A. N. Smith informed the meeting of a prescribed conflict of interest in respect to this matter due to:*

*His sister Louise Smith, although not a submitter, has a residence in Riverdell Estate and will be affected as a result of the decision.*

*Having given due consideration to his position he determined that he would leave the meeting while the matter is discussed.)*

*Cr. K. A. Bourne declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. K. A. Bourne informed the meeting of a declarable conflict of interest in respect to this matter due to:*

*One of the submitters in response to the application is my husband Stephen Henry Bourne's direct employment supervisor at Queensland Gas Company.*

*Having given due consideration to her position she determined that she would leave the meeting while the matter is discussed.)*

Cr. A. N. Smith and Cr. K. A. Bourne left the meeting at 10:30am

Cr. A. N. Smith and Cr. K. A. Bourne re-joined the meeting at 10:39am

Philip Watkins addressed Council in relation to his Development Application for a material change of use. Mr Watkins provided Council with information in regard to his application including that it was smaller and included a 60-meter buffer between the next property unlike the previous approved application. He informed Council how the Service Station would run and that it also provided safe parking for large vehicles.

### 10.2 Deputation - Eunice Turner

Eunice Turner addressed Council in relation to the naming of the Burnt Bridge Road. She gave the history of community member Stan Wolski and advised that the road should be named after him and that the rest of the community would agree.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.P.T.Saxelby

**Seconded By** Cr.M.J.James

**CARRIED**

That Council resolve to adjourn the Meeting.

*The Meeting adjourned at 10:45am*

*The Meeting resumed at 11:04am*

## 11. PLANNING

### 11.1 (030.2020.341.001) Community and Liveability Report Development Application for Material Change of Use for a Service Station on Lot 202 on SP183221 at Johnson Street Chinchilla Watkins Group (Qld) Pty Ltd Out of the Woods Planning

The purpose of this Report is for Council to decide the development application for a Service Station on land legally described as Lot 202 on SP183221, located at Johnson Street, Chinchilla.

*Cr.A.N.Smith declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. A. N. Smith informed the meeting of a prescribed conflict of interest in respect to this matter due to:*

*His sister Louise Smith, although not a submitter, has a residence in Riverdell Estate and will be affected as a result of the decision.*

*Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.)*

*Cr.K.A.Bourne declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5A of the Local Government Act 2009, Cr. K. A. Bourne informed the meeting of a declarable conflict of interest in respect to this matter due to:*

*One of the submitters in response to the application is my husband Stephen Henry Bourne's direct employment supervisor at Queensland Gas Company.*

*Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.)*

Cr. A. N. Smith and Cr. K. A. Bourne left the meeting at 11:31am

Cr. A. N. Smith and Cr. K. A. Bourne re-joined the meeting at 11:35am

#### **COUNCIL RESOLUTION**

**Moved By** Cr.O.G.Moore

**Seconded By** Cr.I.J.Rasmussen

That this report be received that:

1.The application for a Material Change of Use to establish a Service Station on land described as Lot 202 on SP183221 and situated at Johnson Street, Chinchilla, be refused, for the following reasons:

(a)The development is inconsistent with the Strategic Plan of the Western Downs Planning Scheme 2017 incorporating Amendment 1 as follows:

(i)The development conflicts with Strategic Outcome (4) of Strategic Theme 3.3, as the development is for an Industrial Activity located in close proximity to established sensitive land uses within the Rural Residential Zone.

(ii)The development conflicts with Strategic Outcome (8) of Strategic Theme 3.3, as the development is inconsistent with the intended character and amenity of the Major Centre

Zone and does not provide overriding community need for the use to be located within the Major Centre Zone.

(iii)The development conflicts with Strategic Outcome (6) of Strategic Theme 3.5, as the development does not consolidate industrial development in areas with appropriate infrastructure to maximise the utilisation of existing transport networks and services.

(iv)The development conflicts with Strategic Outcome (7) of Strategic Theme 3.5 of the Strategic Plan, as the development does not maximise the use of land within the Major Centre Zone for land uses that are consistent within that Zone.

(v)The development conflicts with Strategic Outcome (1) of the Strategic Theme 3.6 as the development does not align with the service level of infrastructure in the locality and will require infrastructure upgrades to be provided in a non-sequential manner.

(b)The development application is inconsistent with the relevant Codes of the Western Downs Planning Scheme 2017 incorporating Amendment 1, as follows:

(i)The development of a Service Station is not a consistent use within the Major Centre Zone.

(ii)The development is inconsistent with the intent of the Major Centre Zone to provide a variety of land uses and activities that meet the community's needs.

(iii)The development is not consistent with Overall Outcome 2 of the Major Centre Zone, as it will not ensure that land within the Major Centre Zone is used for a broad range of high order retail, commercial, administrative, community cultural and entertainment activities.

(iv)The development is inconsistent with Overall Outcome 12, as the applicant has not demonstrated that the development is consistent with the existing character and amenity of the Major Centre Zone.

(v)The development does not comply with Overall Outcome 15 of the Major Centre Zone Code, as the development will increase the volume and scale of traffic using Johnson Street and the intersection of Ainsworth Street, which will require the local road network to be upgraded and maintained to a higher standard.

(vi)The development conflicts with Overall Outcome 20 of the Major Centre Zone Code, as the applicant has not demonstrated that there is an overriding community need for the development, that justifies the development's conflicts with the character and amenity of the Major Centre Zone. Further, the proposal has not provided sufficient planning justification that the development could not be established on land within a more appropriate Zone.

(vii)The development does not satisfy Performance Outcome 15 of the Major Centre Code, as the development will operate 24 hours a day, 7 days a week, which is not considered appropriate to protect the amenity and character of the Major Centre Zone and the adjoining Rural Residential land.

**CARRIED**

**Absent Did Not Vote:** Cr. A. N. Smith and Cr. K. A. Bourne



**11.2 (035.2020.461.001) Community and Liveability Report Development Application Reconfiguring a Lot (Boundary Realignment) Lots 4 and 7 on SP121097 at 130 Branch Creek Road and 23 Armstrong Street West Dalby Harrison**

The purpose of this Report is for Council to decide the Development Application seeking a Development Approval for Reconfiguring a Lot (Boundary Realignment) of land legally described as Lot 4 on SP121097 and Lot 7 on SP121097 and situated at 130 Branch Creek Road and 23 Armstrong Street West, Dalby.

**COUNCIL RESOLUTION**

**Moved By** Cr.A.N.Smith

**Seconded By** Cr.K.A.Maguire

That this Report be received and that:

1.The development application for Reconfiguring a Lot (Boundary Realignment) of land described as Lots 4 and 7 on SP121097, located at 130 Branch Creek Road and 23 Armstrong West Dalby, be approved, subject to the following conditions:

**APPROVED PLAN**

1.The development shall be carried out generally in accordance with the Approved Plan listed below, subject to and modified by the conditions of this approval:

**Drawing No:**001012\_PSLP, Sheet 1 of 1, Rev B

**Description:**Proposed Boundary Realignment Plan, prepared by bplanned & surveyed, dated 09/09/2020

2.Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

**APPROVED DEVELOPMENT**

3.The approved development is Reconfiguring a Lot for a Boundary Realignment as shown on the Approved Plan.

**COMPLIANCE, TIMING AND COSTS**

4.All conditions of the approval shall be complied with before execution of the Plan of Survey, unless otherwise noted within these conditions.

5.All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

6.The Plan of Survey shall not be executed until a letter of compliance is received demonstrating the development's compliance with all conditions of this approval.

**FEES AND CHARGES**

7.All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

**MAINTENANCE**

8.The development (including landscaping, parking, driveways and other external spaces) shall be maintained in accordance with the Approved Plan subject to and modified by any conditions of this approval.

**LOT NUMBERING**

9.The numbering of all approved lots shall remain as indicated on the Approved Plan (unless otherwise amended/approved by Council.

#### **LANDSCAPING**

10.All declared weeds and pests shall be removed from the subject land and the subject land kept clear of such nuisance varieties at all time during the course of the development works and any ensuing defects liability period.

11.Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land shall be retained where possible, and action taken to minimise disturbance during construction work.

#### **LOCATION, PROTECTION AND REPAIR OF DAMAGE TO COUNCIL AND PUBLIC UTILITY SERVICES INFRASTRUCTURE AND ASSETS**

12.Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

13.Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of work associated with the development.

#### **EARTHWORKS - GENERAL**

14.No earthworks are permitted as part of this approval other than any works ancillary to existing or future buildings.

#### **ACCESS**

15.Ensure the existing vehicular property access to Armstrong Street West from Proposed Lot 1 is maintained in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.

16.Ensure the existing vehicular property access to Branch Creek Road from Proposed Lot 2 is maintained in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.

#### **SERVICES - EXISTING CONNECTIONS**

17.Ensure that all services provided to the existing houses on Proposed Lots 1 and 2 are wholly located within the lot(s) it serves.

18.Be responsible for the full cost of any alterations necessary to public utility installations in connection with the development.

#### **ON-SITE WASTEWATER DISPOSAL**

19.If the on-site wastewater disposal area for the septic system servicing Proposed Lot 1 conflicts with the proposed boundary of subdivision, or does not meet the setback requirements in the Queensland Plumbing and Wastewater Code, the applicant shall submit to Council, an amended proposal plan for Council's endorsement that ensures that the on-site wastewater disposal arrangement is wholly located within Proposed Lot 1.

20.If required, the on-site wastewater disposal system servicing the residence on Proposed Lot 1 shall be upgraded to meet the requirements of Australian Standard

1547:2012 On-site Domestic Wastewater Management, and the Queensland Plumbing and Wastewater Code.

**NOTE:** The applicant shall obtain a Plumbing Approval for any upgrade to the existing effluent disposal system or installation of a new effluent disposal system and removal of the existing system.

#### **ADVISORY NOTES**

##### **NOTE 1: Flood Hazard**

The subject land is located within in the Extreme, High and Medium Flood Hazard Areas illustrated by the Flood Hazard Overlay Map in the Western Downs Planning Scheme 2017 incorporating Amendment 1. Where the floor level of a habitable building is not elevated above the defined flood level, the building may be subject to inundation during a flood event.

##### **NOTE 2: Currency Period**

A part of a development approval lapses at the end of the currency period. The standard currency period for Reconfiguring a Lot (4 years after the approval starts to have effect) as stated in Section 85 of the *Planning Act 2016* applies to this approval.

##### **NOTE 3: Aboriginal Cultural Heritage**

It is advised that under Section 23 of the *Aboriginal Cultural Heritage Act 2003*, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care"). Maximum penalties for breaching the duty of care are listed in the Aboriginal cultural heritage legislation. The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website .

##### **NOTE 4: General Environmental Duty**

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

##### **NOTE 5: General Safety of Public During Construction**

The *Work Health and Safety Act 2011* and *Manual of Uniform Traffic Control Devices* must be complied with in carrying out any construction works, and to ensure safe traffic control and safe public access in respect of works being constructed on a road.

##### **NOTE 6: Property Note (Audit of Conditions)**

An inspection of the property to ascertain compliance with conditions will be undertaken three (3) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

##### **NOTE 7: Duty to Notify of Environmental Harm**

If a person becomes aware that serious or material environmental harm is caused or threatened by an activity or an associated activity, that person has a duty to notify Western Downs Regional Council.

**CARRIED**

## 12. EXECUTIVE SERVICES

### 12.1 Executive Services Chief Executive Officer Report December 2020

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 2020.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.K.A.Bourne

**Seconded By** Cr.P.T.Saxelby

That this Report be received and noted

**CARRIED**

### 12.2 Executive Services Report Outstanding Actions December 2020

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 9 December 2020.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.A.N.Smith

**Seconded By** Cr.CT.Tillman

That this Report be received and noted.

**CARRIED**

### 13. CORPORATE SERVICES

#### 13.1 Corporate Services Report Entertainment and Hospitality - Council Policy

The purpose of this Report is to present the draft amended Entertainment and Hospitality - Council Policy for Council's consideration and approval.

##### **COUNCIL RESOLUTION**

**Moved By** Cr.K.A.Bourne

**Seconded By** Cr.K.A.Maguire

That this Report be received and that:

1. Council adopt the amended Entertainment and Hospitality - Council Policy pursuant to section 196(1) of the *Local Government Regulation 2012*.

**CARRIED**

#### 13.2 Corporate Services Report Advertising Spending - Council Policy

The purpose of this Report is to present the draft amended Advertising Spending - Council Policy for Council's consideration and approval.

##### **COUNCIL RESOLUTION**

**Moved By** Cr.K.A.Maguire

**Seconded By** Cr.A.N.Smith

That this Report be received and that:

1. Council adopt the amended Advertising Spending - Council Policy pursuant to section 197(1) of the *Local Government Regulation 2012*.

**CARRIED**

### **13.3 Corporate Services Report - Building Our Regions Funding Commitment**

The purpose of this Report is to seek Councils' formal commitment for the delivery of the Tara Lagoon Masterplan project in partnership with the State Government under the Building Our Regions funding program.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.M.J.James

**Seconded By** Cr.P.T.Saxelby

That this Report be received, and that Council confirm their previous approval of the Tara Lagoon Masterplan Project;

1. a financial contribution of \$2,401,500, being 50% of the total project cost (\$4,803,000);
2. commitment to delivering the project; and
3. acceptance of any funding shortfall.

**CARRIED**

### **13.4 Corporate Services Financial Report December 2020**

The purpose of this Report is to provide Council with the Financial Report for the period ending 31 December 2020.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.I.J.Rasmussen

**Seconded By** Cr.K.A.Maguire

That this Report be received, and that:

1. Council notes the December 2020 Financial Report, and
2. Resolves to approve \$1.271 million in capital expenditure and \$1.205 million in capital revenue being added to Council's 2020-21 capital works program.

**CARRIED**

**14. INFRASTRUCTURE SERVICES**

**14.1 Infrastructure Services Report 2020/21 Capital Works Program January 2021 Update**

The purpose of this Report is for the Works Department to provide an update to Council regarding the 2020/21 Capital Works Program for the month of December 2020.

**COUNCIL RESOLUTION**

**Moved By** Cr.P.T.Saxelby

**Seconded By** Cr.O.G.Moore

That this Report be received and noted.

**CARRIED**

UNCONFIRMED

## 15. COMMUNITY AND LIVEABILITY

### 15.1 Community and Liveability Report Health Services - Governance Report

The purpose of this Report is to provide Council with an update in relation to key governance areas within the Health Services sites and services for the second quarter of the 2020 / 2021 Financial Year.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.A.N.Smith

**Seconded By** Cr.K.A.Maguire

That this Report be received and noted.

**CARRIED**

### 15.2 Community and Liveability Report Proposed Waste Service Procurement Arrangements

The purpose of this report is to advise Council on the discussions with Toowoomba Regional Council regarding a joint waste procurement exercise, and to seek Council's approval of a Memorandum of Understanding with that Council.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.A.N.Smith

**Seconded By** Cr.K.A.Bourne

That this report be received, and that:

1. Council approve of the execution of the "Waste and Recyclables Collection Services and Bulk Waste Haulage and Processing Services Contract Pre-Tender Memorandum of Understanding"

**CARRIED**

### 15.3 Community and Liveability Christmas Events Around the Region 2020

This report is to update Council on the Christmas Events that were held around the Region in 2020.

#### **COUNCIL RESOLUTION**

**Moved By** Cr.K.A.Maguire

**Seconded By** Cr.O.G.Moore

That this report be received and noted.

**CARRIED**



**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 12:08pm

UNCONFIRMED