

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, 21 July 2021

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

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 21 July 2021, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED



Ordinary Meeting of Council Minutes

Date: Wednesday, 21 July 2021
Time: 9:30 am
Location: WDRC - Chinchilla Cultural Centre
80-86 Heeney 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. C. T. 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. L. Weier, Senior Executive Officer
- A. G. Lyell, Executive Services Administration Officer
- E. Kendall, Communications and Marketing Manager

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Pastor Carly Dallman from the Country Hope Church, delivered the opening prayer. This was followed by the observance of a minute silence.

3. APOLOGIES

Nil

4. CONGRATULATIONS

Cr. K. A. Maguire requested that congratulations be extended to Dion Cross of Chinchilla for winning People's Choice award at Sculptures Outback in Maranoa Regional Council with his sculpture titled "A Bush Conversation" which also lights up at night time.

Cr. K. A. Maguire requested that congratulations be extended to Janine Watson former long time resident of Chinchilla for being Australia's first taekwondo Paralympian representing Australia at the Tokyo Paralympics 2021.

Cr. M. J. James requested that congratulations be extended to Dalby State High School teams who competed in the Kokoda Challenge at the Gold Coast on the weekend. There were four teams who walked the 96km (times ranging from 22-27 hours) and five teams who walked the 48km, embracing the Spirit of Kokoda, embodying Courage, Endurance, Mateship and Sacrifice and raising over \$8000 for Kokoda Youth Foundation.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 23 June 2021

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 23 June 2021.

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

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 23 June 2021, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED

5.2 Adopt Minutes Special Meeting of Council ADOPT 2021-22 Budget 23 June 2021

The purpose of this Report is for Council to adopt the Minutes of the Special Meeting of Council ADOPT 2021-22 Budget held on Wednesday, 23 June 2021.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. C. T. Tillman

That this Report be received and that:

1.The Unconfirmed Minutes of the Special Meeting of Council ADOPT 2021-22 Budget held on Wednesday, 23 June 2021, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED

6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

7. DECLARATION OF CONFLICT OF INTEREST

**(035.2021.204.001) Community and Liveability Report Development Application
Reconfiguring a Lot (1 lot into 2 lots) Lot 11 on SP191508 Yarrala Road Dalby Golder**

Cr. P. M. McVeigh

In accordance with Chapter 6, Part 2, Division 5B 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:

1. His daughter and son in law share farm the property.

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

Community and Liveability Confidential Report Health Services Governance Report

Cr. C. T. Tillman

In accordance with Chapter 6, Part 2, Division 5B of the Local Government Act 2009, Cr. C. T. Tillman informed the meeting of a declarable conflict of interest in respect to this matter due to:

1. She is on the board of Ningana.

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

Corporate Services Report Tara Pool Update

Cr. K. A. Maguire

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

1. Her daughter and her son-in-law own a coach company in Chinchilla.

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

8. PRESENTATION OF PETITIONS BY COUNCILLORS

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report June 2021

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of June 2021.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman

Seconded By Cr. A. N. Smith

That this Report be received and noted

CARRIED

UNCONFIRMED

10. 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. P. T. Saxelby

Seconded By Cr. C. T. Tillman

That Council resolve to close the Meeting in accordance with Sections 254J (1) (b,c,g,e,f) of the *Local Government Regulation 2012* at 9:46am to discuss the following Confidential Reports:

1. Corporate Services Confidential Report Microsoft Enterprise Agreement Renewal (c);
2. Confidential Corporate Services Report Review Indigenous Land Use Agreement QI2015/002 (g);
3. Community and Liveability Confidential Report Health Services Governance Report (b,f);
4. Community and Liveability Confidential Report Negotiations for Waste Services (g);
5. Infrastructure Services Confidential Report Bush Dunny Liquid Waste Disposal Jandowae (g);
6. Infrastructure Services Confidential Report Plant Purchasing For 2021/2022 (e);
7. Infrastructure Services Confidential Report Russell Park Mountain Bike Trail Project Award Trail Construction Contract MM01-21-22 (g).

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolve to reopen the Meeting at 10.30AM.

CARRIED

11. DEPUTATION

11.1 Deputation - Eunice Turner

Eunice Turner addressed Council in relation to a number of her concerns throughout Chinchilla and the Region including the Waste Facility, Washdown Facility, Waste in the Chinchilla Cemetery and the 4.5% rate increase. Eunice also Farewelled CEO Ross Musgrove and wished him the best for his future.

COUNCIL RESOLUTION - ADJOURN

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That Council resolve to adjourn the Meeting.

CARRIED

The Meeting adjourned at 10.35am.

The Meeting resumed at 10.53am.

UNCONFIRMED

COUNCIL RESOLUTION - CLOSE MEETING

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That Council resolve to close the Meeting in accordance with Sections 254J (1) (b,c,g,e,f) of the *Local Government Regulation 2012* at 10.53am to discuss the following Confidential Reports:

1. Corporate Services Confidential Report Microsoft Enterprise Agreement Renewal (c);
2. Confidential Corporate Services Report Review Indigenous Land Use Agreement QI2015/002 (g);
3. Community and Liveability Confidential Report Health Services Governance Report (b,f);
4. Community and Liveability Confidential Report Negotiations for Waste Services (g);
5. Infrastructure Services Confidential Report Bush Dunny Liquid Waste Disposal Jandowae (g);
6. Infrastructure Services Confidential Report Plant Purchasing For 2021/2022 (e);
7. Infrastructure Services Confidential Report Russell Park Mountain Bike Trail Project Award Trail Construction Contract MM01-21-22 (g).

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. P. T. Saxelby

Seconded By Cr. C. T. Tillman

That Council resolve to reopen the Meeting at 11:49am.

CARRIED

10.1 EXECUTIVE SERVICES

Nil

10.2 CORPORATE SERVICES

10.2.1 Corporate Services Confidential Report Microsoft Enterprise Agreement Renewal

The purpose of this Report is to seek Council's approval to renew Council's Microsoft Enterprise Agreement for the Provision of Microsoft Products and Licencing Solutions under the under *Local Buy - ICT Solutions and Services BUS-274*.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. I. J. Rasmussen

That this Report be received and that:

1. Council renews its Microsoft Enterprise Agreement for the Provision of Microsoft Products with preferred supplier Insight. The agreement is for a period of three (3) years under *Local Buy - ICT Solutions and Services BUS-274* at a total cost of \$352,385.37 (ex GST) per annum, plus any additional licencing required throughout the year. Total cost of the three (3) year Enterprise Agreement will be \$1,057,156.11 (ex GST) plus additional costs associated with increased licencing.

CARRIED

10.2.2 Confidential Corporate Services Report Review Indigenous Land Use Agreement QI2015/002

The purpose of this Report is to seek direction on the review of the *Iman People and Local Government Indigenous Land Use Agreement QI2015/002* to which Western Downs Regional Council is a party.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That this Report be received, and that:

1. Council agree, in principle, to Western Downs Regional Councils position in relation to the proposed amendments to the *Iman People and Local Government Indigenous Land Use Agreement QI2015/002*, as recommended; and
2. The Chief Executive Officer be delegated the authority to:
 - a. negotiate changes on behalf of Council to finalise the review of *Iman People and Local Government Indigenous Land Use Agreement QI2015/002*.
 - b. engage suitable legal representation on behalf of Council for the purpose.

CARRIED

10.3 COMMUNITY AND LIVEABILITY

10.3.1 Community and Liveability Confidential 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.

In accordance with Chapter 6, Part 2, Division 5B of the Local Government Act 2009, Cr. C. T. Tillman informed the meeting of a declarable conflict of interest in respect to this matter due to:

1. *She is on the board of Ningana.*

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

Cr. C. T. Tillman left the meeting during the discussion at 9:49am.

Cr. C. T. Tillman re-joined the meeting at 10:29am.

Cr. C. T. Tillman left the meeting during the discussion at 10:53am.

Cr. C. T. Tillman re-joined the meeting at 11:46am.

Cr. C. T. Tillman left the meeting during the vote at 11:51am.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. A. N. Smith

That the report be received and that:

1. Council regretfully proceed with a planned, controlled and respectful closure of the Tarcoola Aged Care facility in Tara based on clinical and legal advice.
2. Council will assist residents of Tarcoola and their families with relocation, advocacy, counselling and support.
3. Council will work with employees to provide employment options and support them through the transition period.
4. Council continue in its efforts to advocate for an aged care provider to serve the Tara community.
5. Council continue to operate the Carinya Aged Care Facility located in Miles subject to adequate staffing to ensure the safe and quality care of the residents living in that facility.
6. Council continue to operate Community Care Services subject to adequate staffing to ensure the safe and quality care delivery to our community-based clients.

CARRIED

Absent Did Not Vote: Cr. C. T. Tillman

Cr. C. T. Tillman re-joined the meeting at 11:55am.

CEO R. Musgrove left the meeting at 11:55am.

10.3.2 Community and Liveability Confidential Report Negotiations for Waste Services

This report is to seek Council's determination on a proposed extension for Council's Garbage and Recycling Collection and Recyclables Processing Contract.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman
Seconded By Cr. K. A. Maguire

That this Report be received and noted and that:

1. Council authorise the Chief Executive Officer to finalise negotiations and execute a contract for the continuation of the 'Garbage and Recycling Collection and Recycling Processing Contract' supplied by JJ Richards and Sons Pty Ltd currently executed under Local Buy Panel Contract C002/11 until 30 June 2023, based on the current terms and conditions.

CARRIED

10.4 INFRASTRUCTURE SERVICES

10.4.1 Infrastructure Services Confidential Report Bush Dunny Liquid Waste Disposal Jandowae

The purpose of this Report is to allow Council to consider a request from Bush Dunny Septic Tank Cleaning to continue use of the Jandowae sewerage system for septage waste disposal.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this Report be received and that;

1. Council declines the request to accept liquid waste at Jandowae or Dalby and requests Bush Dunny Septic Cleaning to utilise alternative methods of disposal.

CARRIED (8 to 1)

CEO R. Musgrove re-joined the meeting at 11:57am.

10.4.2 Infrastructure Services Confidential Report Plant Purchasing For 2021/2022

The purpose of this Report is to seek Council's approval to replace the following plant items as per the adopted 2021/22 Capital Plant Budget.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. P. T. Saxelby

That this Report be received and that:

1. Local Buy NPN 2.15-2 - RFQ FM01-21-22

Recommendation: That the Council purchase a new Komatsu D155AXi-8 Dozer from Komatsu Australia for a purchase price of \$1,131,800 excluding GST.

2. Local Buy NPN 2.15-2 - RFQ FM02-21-22

Recommendation: That the Council purchase two new Caterpillar 140 Graders from Hastings Deering for a total purchase price of \$819,242 excluding GST.

3. Local Buy NPN 2.15-2 - RFQ FM03-21-22

Recommendation: That the Council purchase a new Komatsu WA430-6 Wheel Loader from Komatsu Australia for a purchase price of \$348,700 excluding GST.

4. Local Buy NPN 2.15-2 - RFQ FM04-21-22

Recommendation: That the Council purchase two new Ammann ARS150 Vibrating Drum Rollers from Porter Equipment for a total purchase price of \$323,938 excluding GST.

CARRIED

10.4.3 Infrastructure Services Confidential Report Russell Park Mountain Bike Trail Project Award Trail Construction Contract MM01-21-22

The purpose of this report is to seek Council's approval to award the contract for the construction of the trail component of the Russell Park Mountain Bike Trail Project (MM01-21-22).

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this report be received and that:

1. Council awards the contract for the construction of the trail component of the Russell Park Mountain Bike Trail Project to Common Ground Trails Pty Ltd for their lump sum price submitted in their quotation of \$2,120,950 excl. GST.

CARRIED

12. PLANNING

12.1 (035.2021.204.001) Community and Liveability Report Development Application Reconfiguring a Lot (1 lot into 2 lots) Lot 11 on SP191508 Yarrala Road Dalby Golder

The purpose of this Report is for Council to consider the proposed development application to Reconfigure a Lot (1 lot into 2 lots) on land described as Lot 11 on SP191508 located at Yarrala Road, Dalby; to consider the Planning Officer's assessment of the merits of the proposal; and the Officer's Recommendation to decide the application.

Cr. P. M. McVeigh declared a conflict on this item. (In accordance with Chapter 6, Part 2, Division 5B 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 son in law share farms the property.

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

Cr. P. M. McVeigh left the meeting at 12:02pm.

Cr. A. N. Smith resumed The Chair.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. I. J. Rasmussen

That this Report be received and that:

1.The application for Reconfiguring a Lot (1 lot into 2 lots) on land described as Lot 11 on SP191508 and situated at Yarrala Road, 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:

Plan No:00119/19, Issue F

Description:New Site Plan, prepared by Martin Building Design, dated 16-03-21

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 (1 lot into 2 lots) as shown on the Approved Plan.

COMPLIANCE, TIMING AND COSTS

4.All conditions of the approval shall be complied with before the change occurs (prior to commencement of the use) and while the use continues, 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).

10.Within 30 business days of registration of the title, the developer is to make a request to Council for street numbering.

LANDSCAPING

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

12.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.

INFRASTRUCTURE CHARGES

13.All infrastructure charges including those associated with Council's Water, Sewerage, Stormwater, Transport and Parks Networks are now levied under the *Planning Act 2016*. As required under Section 119 of the *Planning Act 2016*, a separate Infrastructure Charges Notice is attached.

ENGINEERING WORKS

14.Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan unless stated otherwise.

15.Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, and relevant Australian Standards.

16.Be responsible for any alteration necessary, to public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

17. 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.

18. 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.

STORMWATER MANAGEMENT

19. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

20. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).

21. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

WATER SUPPLY

22. Provide a potable water supply for any future developments on the proposed lots independent of Council's water reticulation system.

ON-SITE WASTEWATER DISPOSAL

23. Future uses on the proposed lots are to be connected to an on-site wastewater disposal system, in accordance with AS 1547:2012, and the Queensland Plumbing and Waste Water Code.

Timing: Prior to the issue of a Building Approval for future uses on the proposed lots.

VEHICLE ACCESS

24. Access to Proposed Lots 1 and 2 must be via future crossovers from Yarrala Road.

25. Any future crossover to the proposed lots shall be subject to an approval from Council for a new crossover. Future crossovers shall be designed to accommodate the largest expected vehicle, and to Council's commercial or industrial standard as relevant.

TELECOMMUNICATIONS

26. Provide telecommunication provisions to all lots of the development to comply with telecommunication provider's requirements.

27. Submit to Council, written confirmation from a telecommunication provider that an agreement has been made for the supply of telecommunication services.

ELECTRICITY

28. Design and provide 3 phase electricity supply provisions to all lots of the development to comply with Ergon Energy's requirements.

29. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity.

EARTHWORKS - GENERAL

30. Undertake earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

31 Ensure that each lot is self-draining.

EROSION AND SEDIMENT CONTROL - GENERAL

32. Ensure that all reasonable action is taken to prevent sediment or sediment laden water from being transported to adjoining properties, roads and/or stormwater drainage systems.

33. Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

REFERRAL AGENCY RESPONSE

1. The State Assessment and Referral Agency as Concurrence Agency (Department of Transport and Main Roads as Technical Agency), provided a Concurrence Agency response dated 28 April 2021 which is attached to this approval.

ADVISORY NOTES

NOTE 1 -Currency Period

*"A part of a development approval lapses at the end of the following period (the **currency period**)—*

Reconfiguring a Lot

(a) for any part of the development approval relating to reconfiguring a lot —if a plan for the reconfiguration, that under the Land Title Act, is required to be given to a local government for approval is not given to the local government within —

(i) the period stated for that part of the approval; or

(ii) if no period is stated— 4 years after the approval starts to have effect."

NOTE 2 -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

<http://www.datsip.qld.gov.au/>

NOTE 3 -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 4 -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 5 -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 6 -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

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

Cr. P. M. McVeigh re-joined the meeting at 12:03pm.

Cr. P. M. McVeigh resumed The Chair.

UNCONFIRMED

13. EXECUTIVE SERVICES

13.1 Executive Services Chief Executive Officer Report June 2021

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 June 2021.

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. C. T. Tillman

That this Report be received and noted

CARRIED

13.2 Executive Services Report Outstanding Actions June 2021

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 23 June 2021.

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. P. T. Saxelby

That this Report be received and noted.

GM Cook left the meeting at 12:06pm.

CARRIED

GM Cook re-joined the meeting at 12:09pm.

13.3 Executive Services Report Local Government Association of Queensland Annual Conference 25-27 October 2021 Mackay and October Ordinary Meeting of Council

The purpose of this Report is to seek Council's direction regarding the delegates from Western Downs Regional Council to be approved to attend the 125th Annual Conference of the Local Government Association of Queensland, to be held 25 to 27 October 2021, at the Mackay Entertainment and Convention Centre. Further, that the Ordinary Meeting of Council scheduled on 27 October be held on 20 October 2021 to allow Councillors to attend the LGAQ Conference.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. Council appoints two (2) Councillors (Cr. P.M. McVeigh and Cr. A.N. Smith) as delegates to attend the Annual Conference of the Local Government Association of Queensland, to be held 25 to 27 October 2021, at the Mackay Entertainment and Convention Centre; and
2. The Ordinary Meeting of Council scheduled on 27 October 2021 be held on 20 October 2021 at the Dalby Corporate Office commencing at 9.30am.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Report Business Continuity Management - Council Policy

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

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. A. N. Smith

That this Report be received and that:

1. Council adopt the Business Continuity Management - Council Policy as amended.

CARRIED

14.2 Corporate Services Report Council Advisory Committees - Council Policy

The purpose of this Report is to seek Council's approval to rescind the Council Advisory Committees - Council Policy.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. A. N. Smith

That this Report be received and that:

1. Council rescind the Council Advisory Committees - Council Policy.

CARRIED

14.3 Corporate Services Report Closure Arrangements Christmas New Year 2021/2022

The purpose of this Report is to present to Council the proposed closure arrangements for the Christmas/New Year for 2021/2022 for Council Officers.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. C. T. Tillman

That this Report be received and that the proposed closure arrangements for the 2021/2022 Christmas/New Year period be adopted as follows:

1. All Council Customer Service Centres close from Thursday, 23 December 2021 at 5:00 pm and reopen Tuesday, 4 January 2022 at 8:00 am.
2. All field (Works and Parks & Open Space Departments) based staff will compulsorily conclude at 3:00 pm on Friday, 17 December 2021 for a period of three (3) weeks returning on Monday, 10 January 2022.
3. Health Services and Utilities staff will continue to operate during this close down period. Any leave during this period will be approved by the relevant Supervisor/Coordinator.
4. On call arrangements for emergency works will be established.

CARRIED

14.4 Corporate Services Financial Report June 2021

The purpose of this Report is to provide Council with the Financial Report for the year ending 30 June 2021. A final report will be provided to the September Council meeting once all accruals, prepayments and provisioning has been finalised for 2020-21. This will also include a report on the business unit outcomes. This report also seeks Council approval for an increase in an approved 2021-22 Washdown Bay fee.

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. A. N. Smith

That this Report be received, and that:

1. Council notes the June 2021 Financial Report, and
2. Council resolves to increase the following Washdown Bay fee "Use of Washdown Bay (via use of AVDATA system) (per minute) - High volume outlet only" from \$1.40 per minute to \$1.65 per minute effective 1 August 2021.

CARRIED

14.5 Corporate Services Report Tara Pool Update

The purpose of this Report is to seek Council's approval for the provision of support measures to the residents of Tara and District during the 2021/22 swimming season, whilst the Tara pool is closed.

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

Her daughter and her son-in-law own a coach company in Chinchilla.

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

Cr. K. A. Maguire left the meeting 12:18pm.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman

Seconded By Cr. M. J. James

That this Report be received, and that:

1. Council approve the Chief Executive Officer be authorised to implement and fund the support measures outlined on Page 3, Table 1 to support the residents of Tara and District during the 2021/22 swimming season.

CARRIED

Absent Did Not Vote: Cr. K. A. Maguire

Cr. K. A. Maguire re-joined the meeting at 12:20pm.

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Report Dulacca Potable Water Petition Consideration

The purpose of this Report is to allow Council to consider a request from the Dulacca Pioneers Memorial Hall and Progress Association to supply potable water to Dulacca.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. P. T. Saxelby

That the report be noted and that:

1. Council investigate further water supply options for towns with Non-potable water supply.

CARRIED

15.2 Infrastructure Services Report Asset Management Plans 2021

The purpose of this Report is to seek Council's approval to adopt the organisation's updated Asset Management Suite of Plans.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. P. T. Saxelby

That this report be received and that:

1. Council adopt as presented the 2021 Strategic Asset Management Plan and Asset Management Plans for Buildings and Facilities, Fleet and Plant, Planning and Environment, Transport, Wastewater and Water Supply.

CARRIED

15.3 Infrastructure Services Report 2020/21 Capital Works Program June 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 June 2021.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

That this Report be received and noted.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Report Nomination Special Holidays 2022

The purpose of this Report is to seek Council's endorsement of the proposed nominated Show Holidays in 2022 in line with the *Holidays Act 1983*.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this Report be received and that:

In accordance with the *Holidays Act 1983*, Council submit the following dates to be appointed as 2022 gazetted Show Holidays:-

Chinchilla	20 May 2022
Dalby	1 April 2022
Miles	17 May 2022
Tara	8 August 2022
Wandoan	1 April 2022

CARRIED

17. NOTICES OF MOTION

17.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

17.2 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

18. URGENT GENERAL BUSINESS

Nil

19. MEETING CLOSURE

The Meeting concluded at 12:31pm

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting of Council held this 21 July 2021.

Submitted to the Ordinary Meeting of Council held this Wednesday, 18 August 2021.

Cr. P.M. McVeigh

MAYOR OF WESTERN DOWNS REGIONAL COUNCIL