

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 September 2021.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

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

CARRIED



Ordinary Meeting of Council Minutes

Date: Wednesday, 22 September 2021
Time: 9.30am
Location: Miles Customer Service Centre,

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: J. K. Taylor, Acting Chief Executive Officer
S. M. Peut, General Manager (Corporate Services)
G. K. Cook, General Manager (Infrastructure Services)
A. Yardley, Acting General Manager (Community and Liveability)
J. L. Weier, Senior Executive Officer
A. G. Lyell, Executive Services Administration officer

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Noreen Bourne from the Holy Cross Parish, 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 the Wandoan Polocrosse Association for hosting the successful 2021 Queensland Club State Championships.

Cr. P. T. Saxelby Requested that Congratulations be extended to Meandarra Show Committee for a successful 2021 Show.

Cr. K. A. Bourne requested that congratulations be extended to Miles Back to the Bush Festival Committee for hosting an outstanding line up of events and activities as part of the recent festival.

Cr. K. A. Bourne requested that congratulations be extended to the Chinchilla Chamber of Commerce and Industry, the committee and band of dedicated volunteers in hosting the recent One Long Table event.

Cr. K. A. Bourne requested that congratulations be extended to the Miles & District Historical Village for their recent celebration of 50 years.

Cr. C. T. Tillman requested that congratulations be extended to the Miles Parks and Open Spaced Team for their presentation of Miles during Back to the Bush Festival.

Cr. C. T. Tillman requested that congratulations be extended to Dalby Welcoming Community for their display for R U Okay Day.

Cr. K. A. Maguire requested that congratulations be extended to the Brigalow Bush Carnival Committee for a successful show celebrating their 60th Anniversary.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 18 August 2021

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 18 August 2021

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

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

CARRIED

5.2 Adopt Special Meeting of Council Minutes 2 September 2021

The purpose of this Report is for Council to adopt the Minutes of the Special Meeting of Council held on Thursday, 2 September 2021.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. A. N. Smith

That this Report be received and that:

1.The Unconfirmed Minutes of the Special Meeting of Council held on Thursday, 2 September 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 CONFLICTS OF INTEREST

Community and Liveability Confidential Report Health Services Governance Report

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.

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

1. He and his brother as EPA's have applied for a bed for their mother at the Illoura Aged Care Facility in Chinchilla.

Council resolved that Cr. P.T. Saxelby has a Declarable Conflict of Interest and must leave the meeting and not participate and vote on the matter.

Infrastructure Services Confidential Report Road Infrastructure Agreement Between Origin and Western Downs Regional Council

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

1. her family being impacted landholders and receiving compensation from Origin Energy.

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

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

1. the tenderers having utilised his business for accommodation previously.

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

(030.2021.201.001) Community and Liveability Report Development Application for Material Change of Use for a Transport Depot and Warehouse Lots 6 and 7 on SP251966 at Drew Street Dalby Clarris

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

1. The applicant currently resides and is unlawfully operating his business in the same street as I live in.
2. Applicant has previously undertaken private works for me at my property - removal of trees with machinery.

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

**(030.2021.645.001) Community and Liveability Report Development Application
Material Change of Use Non-resident Workforce Accommodation Lot 15 DY698 Moonie
Highway Moonie Australian Country Choice Feedlots Pty Ltd C/- Precinct Urban Planning**

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

1. Her husband works for Australian Country Choice.

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

**(035.2021.429.001) Community and Liveability Report Development Application for
Reconfiguring a Lot (2 lots into 3 lots) Lot 9 on SP177942 17 Acacia Avenue and Lot 32 on
SP177940 14 Jacaranda Court Dalby Porter**

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

1. his wife works for Elders Real Estate Dalby

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

8. PRESENTATION OF PETITIONS BY COUNCILLORS

Nil.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report August 2021

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

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That this Report be received and noted

CARRIED

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. K. A. Bourne

Seconded By Cr. P. T. Saxelby

That Council resolve to close the Meeting in accordance with Sections 254 (3) (b,f,g) of the *Local Government Regulation 2012* at 9:58am to discuss the following Confidential Reports:

1. Community and Liveability Confidential Report Health Services Governance Report (b,f);
2. infrastructure Services Confidential Report Road Infrastructure Agreement Between Origin and Western Downs Regional Council (g);
3. Infrastructure Services Confidential Report Tender No MM03-21-22 Relining of Sewer Lines (2021-2022) (g).

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. O. G. Moore

Seconded By Cr. P. T. Saxelby

That Council resolve to reopen the Meeting at 10:14am

CARRIED

10.1 EXECUTIVE SERVICES

10.2 CORPORATE SERVICES

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.

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

1. *He and his brother as EPA's have applied for a bed for their mother at the Illoura Aged Care Facility in Chinchilla.*

Council resolved that Cr. P.T. Saxelby has a Declarable Conflict of Interest and must leave the meeting and not participate and vote on the matter.

Cr. C. T. Tillman and Cr. P. T. Saxelby left the meeting during the discussion at 9:58am

Cr. C. T. Tillman and Cr. P. T. Saxelby re-joined the meeting at 10:08am

Cr. C. T. Tillman and Cr. P. T. Saxelby left the meeting during the vote at 10:14am

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. A. N. Smith

That this report be received and noted.

CARRIED

Absent Did Not Vote: Cr. P. T. Saxelby and Cr. C. T. Tillman

Cr. C. T. Tillman and Cr. P. T. Saxelby re-joined the meeting at 10:17am

10.4 INFRASTRUCTURE SERVICES

10.4.1 Infrastructure Services Confidential Report Road Infrastructure Agreement Between Origin and Western Downs Regional Council

The purpose of this Report is to seek Council approval for Western Downs Regional Council to enter into a Road Infrastructure Agreement with Origin Energy Upstream Operator Pty Limited ABN 67 105 423 532 as agent for and on behalf of Origin. ("Origin")

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

1. *her family being impacted landholders and receiving compensation from Origin Energy.*

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

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

1. *the tenderers having utilised his business for accommodation previously.*

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 and Cr. A. N. Smith left the meeting during the discussion at 10:08am

Cr. K. A. Bourne and Cr. A. N. Smith re-joined the meeting at 10:11am

Cr. K. A. Bourne and Cr. A. N. Smith left the meeting during the vote at 10:17am

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. C. T. Tillman

That this report be received and that:

1. Council enters into the Road Infrastructure Agreement ("RIA") with Origin Energy Upstream Operator Pty Limited as tabled.

CARRIED

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

Cr. K. A. Bourne and Cr. A. N. Smith re-joined the meeting at 10:19am

**10.4.2 Infrastructure Services Confidential Report Tender Evaluation
Tender No MM03-21-22 Relining of Sewer Lines (2021-2022)**

The purpose of this Report is to provide Council with an assessment of the tenders received for Tender MM03-21-22 Relining of Sewer Lines in Western Downs Regional Council Area and to consider awarding the Contract.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. C. T. Tillman

That this Report be received and that;

1. Council awards Contract MM03-21-22 for the Relining of Sewer Lines in the Western Downs Regional Council Area to Abergeldie Rehabilitation Pty Ltd for a tender price of \$1,101,494 (Excluding GST).

CARRIED

12. PLANNING

12.1 (030.2021.201.001) Community and Liveability Report Development Application for Material Change of Use for a Transport Depot and Warehouse Lots 6 and 7 on SP251966 at Drew Street Dalby Clarris

The purpose of this Report is for Council to consider the development application for a Material Change of Use to establish a Transport Depot and Warehouse on land described as Lots 6 and 7 on SP251966, situated at Drew Street, Dalby; to consider the Planning Officer's assessment on the merits of the application; and the Planning Officer's recommendation to decide the application.

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

- 1. The applicant currently resides and is unlawfully operating his business in the same street as I live in.*
- 2. Applicant has previously undertaken private works for me at my property - removal of trees with machinery.*

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

ACEO J. Taylor left the meeting at 10:22am

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. O. G. Moore

That this Report be received and that:

1. The application for a Material Change of Use to establish a Transport Depot and Warehouse on land described as Lots 6 and 7 on SP251966, located at Drew Street, Dalby, be approved, subject to the following conditions:

APPROVED PLANS

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

Plan No:A103, Project No. 2000-201

Description:Development Plan, prepared by Log-IT Solutions, dated May 19, 2021

Amendment:Amended in red by Council on 31 August 2021

Plan No:A104, Project No. 2000-201

Description:Stormwater Layout, prepared by Log-IT Solutions, dated May 19, 2021

Plan No:001

Description:Proposed Office - Side Elevation, prepared by Chris Clarris

Amendment:Amended in red by Council on 31 August 2021

Plan No:002

Description:Proposed Office - End Elevation, prepared by Chris Clarris

Amendment:Amended in red by Council on 31 August 2021

Plan No:003

Description:Proposed Amenities Building, prepared by Excavation Equipment Pty Ltd

Amendment:Amended in red by Council on 31 August 2021

Plan No:P5974Q1

Description:Not Titled, prepared by R&F Steel Buildings, dated 15/12/2020

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

3.The following further Development Permits must be obtained prior to commencement of any work associated with the process:

3.1Operational Works;

3.2Building Work; and

3.3Plumbing and Drainage Permit.

APPROVED DEVELOPMENT

4.The approved development is a Material Change of Use for a Transport Depot and Warehouse as shown on the Approved Plans.

COMPLIANCE, TIMING AND COSTS

5.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.

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

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 Plans, subject to and modified by any conditions of this approval.

9.The site shall be maintained in a clean and orderly state at all times, to Council's satisfaction.

INFRASTRUCTURE CHARGES

10. All infrastructure charges including those associated with Council's Water, Sewer, 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.

FENCING

11. A 1.8 metre high chain-link fence shall be provided for the side and rear boundaries and road frontage of the property.

12. Fencing material shall be compatible with that used within the locality.

VISUAL AND GENERAL AMENITY

13. Any graffiti on buildings or structures associated with the development must be immediately removed.

14. The buildings and the site must be maintained in a clean and tidy manner at all times.

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

REFUSE STORAGE AREAS

16. Refuse bin storage areas must be screened from public view. Where bin storage occurs outside any buildings, such storage areas shall be screened with a minimum 1.5 metre high solid screen fence or wall.

WASTE MANAGEMENT

17. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Waste Reduction and Recycling Act 2011*.

18. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

NOISE EMISSIONS

19. Noise emissions from the development shall not cause environmental harm or nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Noise) Policy 2019*.

AIR EMISSIONS

20. Air emissions (odour and dust) from the development shall not cause environmental harm or nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Air) Policy 2019*.

OUTDOOR LIGHTING IMPACT MITIGATION

21. Direct lighting or lighting must not exceed 8.0 lux at 1.5 metres beyond the boundary of the site.

22. Outdoor lighting of the development shall mitigate adverse lighting and illumination impacts by:

22.1 providing outdoor lighting that is designed, installed and regulated in accordance with the parameters outlined in Australian Standard 1158.1.1 – Control of Obtrusive Effects of Outdoor Lighting; and

22.2 installation of outdoor lighting that:

22.2.1 provides graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land;

22.2.2 is directed onto the subject land and away from neighbouring properties; and

22.2.3 uses shrouding devices to preclude light overspill onto surrounding properties where necessary.

LANDSCAPING

23. The developer must submit to Council's Planning and Environment Manager or authorised delegate for endorsement, a Landscaping Plan for all landscaping associated with the development. The landscaping plan must be prepared by a suitably qualified and experienced person in landscape design and construction.

24. The Landscaping Plan must detail:

24.1 a landscaping strip with a minimum width of 2 metres along the Drew Street frontage of the property (other than areas used for the proposed crossovers to Drew Street);

24.2 the typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on-site;

24.3 the number and size of plants; and

24.4 the typical planting detail including preparation, backfill, staking and mulching.

25. The developer must prepare and landscape the site in accordance with the Approved Landscape Plan, or as otherwise approved in writing by Council's authorised delegate. Any amendments approved by Council's authorised delegate are taken to be a part of the Approved Landscape Plan.

ENGINEERING WORKS

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

27. Be responsible for the full cost of any alterations necessary, to easements and/or other public utility installations in connection with the development.

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

28. 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.

29. 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.

SEWERAGE

30. Connect the development to Council's existing reticulated sewerage system via a single connection.

31. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

WATER SUPPLY

32. Connect the development to Council's reticulated water supply system via a single connection.

ELECTRICITY AND TELECOMMUNICATIONS

33. Connect the development to electricity and telecommunication services.

VEHICLE ACCESS

34. Construct two (2) commercial standard concrete crossovers between the property boundary and the edge of the Drew Street road pavement, in accordance with Council's Standard Drawing No. R-006, Revision C. Lot 7 on SP251966 shall have a minimum width of 14m, and Lot 6 on SP251966 shall have a minimum width of 6m, in accordance with the dimensions shown on Approved Plan A103, prepared by Log-IT Solutions. Ensure that crossover splays are designed to accommodate turning movements of a B-Double Vehicle.

Note: The proposed cement treated gravel is not approved.

35. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

Important: In the event that the location and design of a proposed crossover will result in the need to remove an existing street tree, please contact Council's Planning and Environment Manager or an authorised delegate to ensure that the impacted tree can be relocated by Council to a suitable location before the crossover works commence.

PARKING AND ACCESS - GENERAL

36. Provide a minimum of 6 car parking spaces including a minimum of 1 person with disability (PWD) car parking space located accessible to the proposed building.

37. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

38. Provide a PWD car parking space designed and line marked in accordance with AS2890.6 Off-Street Parking for People with Disabilities.

39. Ensure access to car parking spaces, vehicle loading, and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

PARKING AND ACCESS - SERVICING

40. Design along the route to and from all loading bay facilities and the external road network, all access driveways, circulation driveways, parking aisles and the like, with a layout that accommodates the turning movements of a B-Double Vehicle.

41. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

B-DOUBLE ROUTE

42. Drew Street is not currently an approved B-Double Route. Obtain an approval for the route to be used by multi-combination vehicles, from the National Heavy Vehicle Regulator prior to allowing access for multi-combination vehicles via the above road section. Please refer to the following link for more information:

<https://www.nhvr.gov.au/road-access/access-management/applications-and-forms>

HAZARDOUS CHEMICAL AND FUEL STORAGE

43. Ensure that all hazardous chemicals are stored and handled in accordance with the *Work Health and Safety Act 2011*.

44. Diesel is to be stored and handled in accordance with Australian Standard 1940-2004 - The Storage and Handling of Flammable and Combustible Liquids.

FLOODING - GENERAL

45. Ensure that areas associated with the storage of hazardous chemicals and all control panels of critical services are built at a minimum 300mm above the defined flood level.

46. In a flood event, any stockpiled material below AHD344 shall be removed or relocated from the site, until the flood event subsides.

STORMWATER MANAGEMENT

47. Discharge stormwater runoff from sealed areas and overflow pipes from rainwater tanks, to the drainage easements along the north-eastern and eastern boundaries of the site, or the Drew Street frontage.

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

49. Ensure that adjoining properties and roadways are protected from ponding as a result of any site works undertaken.

DRAINAGE EASEMENT

50. The Drainage Easements Identified as Easement C on SP251966 and Easement D on SP251966 are to remain unobstructed and no buildings, structures or material associated with the use are to be located or stored within the Easement area on the property.

EARTHWORKS - GENERAL

51. Earthworks shall be carried out under an Operational Work Permit. Earthworks are limited to the extents shown in Approved Plan A102, prepared by LogIT Solutions, with the centre drain able to be filled in.

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

EROSION AND SEDIMENT CONTROL - GENERAL

53. Undertake erosion and sediment control during construction work in accordance with Council's Standard Drawing No's D-005 (Rev A), D-006 (Rev A) and D-007 (Rev A) as applicable.

54. 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.

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

ENVIRONMENTAL HEALTH

56. Undertake operations and construction work associated with this development to the requirements of Council, including the following:

56.1 do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;

56.2remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and ensure traffic safety; and

56.3do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

57.Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:

57.1uncontaminated overland stormwater flow; and

57.2uncontaminated stormwater to the stormwater system.

ADVISORY NOTES

NOTE 1 - Flood Hazard

The property is identified as being located in the Medium Flood Hazard Area of the Flood Hazard Overlay Mapping in the Western Downs Planning Scheme 2017 incorporating Amendment 1. Where the floor level is not elevated above the defined flood level, the proposed building works may be subject to inundation during a flood event.

NOTE 2 - Relevant Period

"To the extent a development approval is for a Material Change of Use of premises, the approval lapses if the first change of use under the approval does not start within the following period (the relevant period) -

(a)6 years starting the day the approval takes effect; and

(b)if the approval states a different period from when the approval takes effect—the stated period."

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

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

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 work, and to ensure safe traffic control and safe public access in respect of work 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 work is 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.

NOTE 8 -Infrastructure Charges Notice

An Infrastructure Charges Notice is attached.

NOTE 9 -Commencement of Use

9.1 Prior to commencement of this use, the applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.

9.2 Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the applicant is to notify Council within 20 business days, that this approved use has lawfully commenced.

CARRIED

**12.2 (030.2021.645.001) Community and Liveability Report Development
Application Material Change of Use Non-resident Workforce
Accommodation Lot 15 DY698 Moonie Highway Moonie Australian Country
Choice Feedlots Pty Ltd C/- Precinct Urban Planning**

The purpose of this Report is for Council to decide the development application for a Material Change of Use to establish Non-Resident Workforce Accommodation over 3 Stages on land described as Lot 15 on DY698 situated at Moonie Highway, Moonie.

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

- 1. Her husband works for Australian Country Choice.*

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

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. A. N. Smith

That this Report be received and that:

- 1.The application for a Material Change of Use to establish Non-resident Workforce Accommodation over 3 Stages on land described as Lot 15 on DY698 and situated at Moonie Highway, Moonie, be approved, subject to the following conditions:

APPROVED PLANS

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

Plan No:C0-133-2000-02, Rev B

Description:Environmental Assessment Subject Land - Cadastral Plan, prepared by RDC Engineers, dated 24/06/21

Plan No:C0-133-2000-07, Rev B

Description:Environmental Assessment Proposed Development - Stage 1 Layout, prepared by RDC Engineers, dated 24/06/21

Plan No:C0-133-2000-08, Rev B

Description:Environmental Assessment Proposed Development - Stage 1 and 2 Layout, prepared by RDC Engineers, dated 24/06/21

Plan No:C0-133-2000-09, Rev B

Description:Environmental Assessment Proposed Development - Stage 1, 2 and 3 Layout, prepared by RDC Engineers, dated 24/06/21

Plan No.:C0-133-2000-05, Rev B

Description:Environmental Assessment Proposed Non-resident Workforce Accommodation Module Accommodation Unit - 4 Room - Typical Floor Plan, prepared by RDC Engineers, dated 24/06/21

Plan No.:C0-133-2000-06, Rev B

Description:Environmental Assessment Proposed Rural Workers Accommodation Module Accommodation Unit - 4 Room - Typical Elevation Plan, prepared by RDC Engineers, dated 24/06/21

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

3. The following further Development Permits must be obtained prior to commencement of any work associated with the process:

3.1 Building Work; and

3.2 Plumbing Works.

APPROVED DEVELOPMENT

4. The approved development is a Material Change Use for Non-resident Workforce Accommodation over 3 Stages as shown on the Approved Plans.

5. The development is to occur sequentially in the following Stages as shown on the Approved Plans, up to a maximum of twelve (12) units:

Stage 1:4 Accommodation Units

Stage 2:4 Accommodation Units

Stage 3:4 Accommodation Units

6. Conditions within this approval are applicable to each stage of the development, unless otherwise specified.

TERM OF APPROVAL

7. The approved use must not commence until a Material Change of Use Development Permit is granted for an Intensive Animal Industry (65,000 Standard Cattle Units Feedlot) which includes the subject site.

8. The Non-resident Workforce Accommodation Use must cease upon decommissioning of the associated Intensive Animal Industry Use.

Note:Suspension of the Environmental Authority does not constitute cessation of the use.

COMPLIANCE, TIMING AND COSTS

9. 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.

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

FEEES AND CHARGES

11. 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

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

13. The site shall be maintained in a clean and orderly state at all times, to Council's satisfaction.

INFRASTRUCTURE CHARGES

14. All infrastructure charges including those associated with Council's Water, Sewer, 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 relevant to each stage of the development.

BUILDING DESIGN

15. The Non-resident Workforce Accommodation is to include one or more of the following roof types with a pitch of 20 degrees or greater:

15.1 skillion;

15.2 gable;

15.3 hipped; or

15.4 pitched.

INDOOR AND OUTDOOR LIGHTING FOR SAFETY AND SECURITY

16. Lighting is to be provided throughout the car parking areas and along pedestrian access paths in compliance with *Australian Standard 11583.1 - Road Lighting - Pedestrian Area (Category P) Lighting - Performance and Installation Design Requirements*.

17. Lighting must be provided to the following areas on the site:

17.1 entrances and exits of the approved buildings;

17.2 pathways between the parking areas and the entrances/exits of the buildings; and

17.3 throughout car parking areas.

LANDSCAPING

18. Landscaping areas shown on the Approved Plans between the modules must be retained as a minimum of 70% permeable.

19. The land owner must ensure compliance with the requirements of the *Land Protection (Pest and Stock Route Management) Act 2002* and any successive legislation.

20. 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.

REHABILITATION AND EXIT PLAN

21. One (1) year prior to decommissioning of the associated Intensive Animal Industry Use, the Operator must submit to Council for endorsement, a Rehabilitation and Exit Plan prepared by a qualified person that, at a minimum:

21.1 demonstrates that the site will be restored to a standard capable of the level of productivity that was available prior to the Material Change of Use upon decommissioning of the Non-resident Workforce Accommodation;

21.2 identifies possible land use (eg grazing, cropping) following cessation of the approved use;

21.3 clearly establishes the objectives of the Plan;

21.4 shows adopted performance criteria for rehabilitation efforts;

21.5 includes an Action Plan, with timing for remedial work such as structure removal, any soil erosion, drainage, and vegetation cover work, along with weed and pest animal control activities required to meet the adopted rehabilitation performance criteria;

21.6 outlines a program for monitoring rehabilitation success using appropriate indicators;

21.7 post-operational rehabilitation of the site is to be carried out generally in accordance with the strategies identified in the Approved Rehabilitation and Exit Plan; and

21.8 rehabilitation work must commence immediately upon cessation of the associated use and be carried out in accordance with the endorsed Rehabilitation and Exit Plan for the length of time included in the Action Plan.

WASTE MANAGEMENT

22. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Waste Reduction and Recycling Act 2011*.

23. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

ENGINEERING WORKS

24. Undertake works in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, Approved Plans and relevant Australian Standards.

25. Be responsible for the full cost of any alterations necessary, to easements and/or other public utility installations in connection with the development.

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

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

27. 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

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

29. Ensure that adjoining properties and roadways are protected from ponding as a result of any site works undertaken.

WATER SUPPLY

30. Provide a potable water supply for the development independent of Council's water reticulation system. Monitor water quality continuously to ensure compliance with

Australian Drinking Water Guidelines - current edition 2011 and enHealth Guidance of Use of Standards for Potable Water.

WATER SUPPLY - FIRE FIGHTING SUPPLY

31. Dedicated on-site fire fighting equipment must include a minimum of 5,000 litres of water provided in a tank. The tank must be equipped with a 50mm male camlock fitting for rural fire fighting connections.

ON-SITE WASTEWATER DISPOSAL

32. Connect the development to an on-site wastewater disposal system, in accordance with AS1547 and the Queensland Plumbing and Waste Water Code.

33. Obtain a Development Permit for Plumbing Work for the on-site sewerage treatment system.

Note: Where the proposed system has a total daily peak design capacity of 21EP or more, an Environmental Authority will be required.

PARKING AND ACCESS - GENERAL

34. Construct all driveway and parking areas to provide an all-weather gravelled surface.

35. Provide a minimum of 12 car parking spaces as shown in Approved Drawing No. C0-133-2000-09, Rev B, prepared by RDC Engineers, dated 24 June 2021.

ELECTRICITY AND TELECOMMUNICATIONS

36. Connect the development to reliable electricity and telecommunication services.

EARTHWORKS - GENERAL

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

EROSION AND SEDIMENT CONTROL - GENERAL

38. 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.

REFERRAL AGENCY RESPONSE

The application is subject to the following Referral Agency requirements:

- The State Assessment and Referral Agency issued a Concurrence Agency response dated 16 August 2021.

ADVISORY NOTES

NOTE 1 -Relevant Period

Material Change of Use

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

(a) for any part of the development approval relating to a material change of use—if the first change of use does not happen within—

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

(ii) if no period is stated—6 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

ACEO re-joined the meeting at 10:27am

11. DEPUTATION

11.1 Kerry Mulholland

Kerry Presented Council with photos of the new upgrades to the Miles Historical Village and Visitor Information Centre and thanked Council for their input into the project. Kerry also presented Council the stage 2 plans for the Great Artesian Basin and asked for Councils ongoing support for funding for this project.

11.2 Jenny Acton

Jenny addressed Council in regard to the Miles Streetscape plans and her concerns with the parking for the elderly customers in the street particularly those coming to her business. She also raised concern with deliveries and the community bus in relation to wheelchair access. Jenny has asked that Council reconsider the current plans to accommodate for these issues.

11.3 Rodney Rafter

Rodney addressed Council regarding the Miles Streetscape Project and advised that it does not meet the needs of the community and that he feels that the community hasn't had enough input into the plans. Rodney addressed his concerns with the project and with facilities being taken away from the community. Rodney requested that the current plans and designs be changed.

Moved By Cr. A. N. Smith

Seconded By Cr. P. T. Saxelby

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10:50am

The Meeting resumed at 11:10am

**12.3 (035.2021.429.001) Community and Liveability Report Development
Application for Reconfiguring a Lot (2 lots into 3 lots) Lot 9 on SP177942 17
Acacia Avenue and Lot 32 on SP177940 14 Jacaranda Court Dalby Porter**

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (2 lots into 3 lots) of land described as Lot 9 on SP177942 and Lot 32 on SP177940, situated at 17 Acacia Avenue and 14 Jacaranda Court, Dalby.

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

1. *his wife works for Elders Real Estate Dalby*

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

GM Cook left the meeting at 11:10am

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. M. J. James

That this Report be received and that:

1. The application for Reconfiguring a Lot (2 lots into 3 lots) of land described as Lot 9 on SP177942 and Lot 32 on SP177940 and situated at 17 Acacia Avenue and 14 Jacaranda Court, 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:1

Description: Proposed Lots 709m², prepared by PJ & EM Porter

Amendment: Amended in red by Council on 25 August 2021

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

APPROVED DEVELOPMENT

3. The approved development is Reconfiguring a Lot (2 lots into 3 lots) as shown on the Approved Plan.

COMPLIANCE, TIMING AND COSTS

4. All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18B), 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 (Form 18B) 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 shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

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

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

10.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 works associated with the development.

LOT NUMBERING

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

12.The developer is to make a request to Council for street numbering.

LANDSCAPING

13.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.

14.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.

STORMWATER MANAGEMENT

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

16.Ensure that adjoining properties and roadways are protected from ponding as a result of any site works undertaken.

FLOODING - GENERAL

17.Ensure that the minimum habitable floor levels of all future buildings are 300mm above Council's defined flood level current at the time of construction.

VEHICLE ACCESS

18.Ensure the existing vehicular property access to Acacia Avenue is maintained in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.

19. Prior to obtaining a Building Approval for any future Dwelling on Proposed Lots 1 and 2, construct a dedicated vehicular property access to Jacaranda Court in accordance with Council's Standard Drawing No. R-004.

20. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit) or road infrastructure (eg street sign, street tree, etc).

WATER SUPPLY

21. Connect each lot to Council's reticulated water supply system.

22. Install a separate water service connection to each lot as per Council's standards.

SEWERAGE

23. Connect all lots to Council's reticulated sewerage system.

24. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.

25. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.

ELECTRICITY AND TELECOMMUNICATIONS

26. Provide electricity and telecommunication services to any future Dwelling on Proposed Lots 1 and 2.

27. Submit to Council, written confirmation from an electricity provider that supply of electricity is available to all lots prior to Council's endorsement of the Survey Plan (Form 18B).

INFRASTRUCTURE CHARGES

28. All infrastructure charges including those associated with Council's Water, 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.

ADVISORY NOTES

NOTE 1 -Relevant 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 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 twelve (12) 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.

FORESHADOWED MOTION

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

That this Report be received and that:

1.The application for Reconfiguring a Lot (2 lots into 3 lots) of land described as Lot 9 on SP177942 and Lot 32 on SP177940 and situated at 17 Acacia Avenue and 14 Jacaranda Court, Dalby be refused, for the following conditions:

The reconfiguring of a lot:

- 1. Does not comply with the Reconfiguring a Lot Code 9.4.4.1 PO1 (a) as it would create a density that is not consistent with the intended character and amenity of the Jacaranda Court neighbourhood, which has predominantly larger residential lots;*
- 2. Does not comply with the Reconfiguring a Lot Code 9.4.4.1 AO1.1 as it would create two lots that have less than the minimum lot size and frontage*

The **ORIGINAL MOTION** was **PUT** and **LOST (3 to 6)**

FORESHADOWED MOTION MOVED

Moved By Cr. I. J. Rasmussen

Seconded By Cr. K. A. Maguire

That this Report be received and that:

1. The application for Reconfiguring a Lot (2 lots into 3 lots) of land described as Lot 9 on SP177942 and Lot 32 on SP177940 and situated at 17 Acacia Avenue and 14 Jacaranda Court, Dalby be refused, for the following conditions:

The reconfiguring of a lot:

1. Does not comply with the Reconfiguring a Lot Code 9.4.4.1 PO1 (a) as it would create a density that is not consistent with the intended character and amenity of the Jacaranda Court neighbourhood, which has predominantly larger residential lots;
2. Does not comply with the Reconfiguring a Lot Code 9.4.4.1 AO1.1 as it would create two lots that have less than the minimum lot size and frontage

CARRIED (7 to 2)

GM Cook re-joined the meeting at 11:28am

12.4 (050.2021.439.001) Community and Liveability Report Other Change Application to Existing Development Approval Material Change of Use for a Transport Depot and Operational Work Lot 11 SP200480 Edward Street Chinchilla Shaun Robinsen Earthmoving Excavation

The purpose of this Report is for Council to consider the application for an Other Change to an existing development approval for a Material Change of Use to establish a Transport Depot and Operational Work (Earthworks) on land described as Lot 11 on SP200480, located at Edward Street, Chinchilla; to consider the Planning Officer's assessment of the merits of the application; and the Planning Officer's recommendation to decide the application.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. P. T. Saxelby

That this Report be received and that:

1.The application for an Other Change to an existing Development Approval for a Material Change of Use to establish a Transport Depot and Operational Work (Earthworks) on land described as Lot 11 on SP200480 and situated at Edward Street, Chinchilla, be approved, subject to the following amendments to the conditions of approval:

(a)Condition 1 of the approval is amended as follows:

M A T E R I A L C H A N G E O F U S E

APPROVED PLANS AND DOCUMENT

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

Plan No:094-001, Issue E

Description:Plan of Development, prepared by Out of the Woods Planning

Plan No:094-002, Issue A

Description:Ablutions & Office Drawings, prepared by Out of the Woods Planning

Plan No:Q07813;B

Description:Elevations, prepared by Precision Steel Framing, dated 27/05/2021

Plan No:Q07813;A

Description:Floor Plan, prepared by Precision Steel Framing, dated 27/05/2021

Document No:21020256_R02_V01

Description:Riverine Hydraulic Impact Assessment - Lot 11 on SP200480 - Edward Street, Chinchilla, prepared by Water Technology Pty Ltd, dated 21 July 2021

(b)A new condition is added to the conditions of approval as follows:

3.The following further Development Permits must be obtained prior to commencement of any work associated with the process:

3.1Building Work;

3.2 Operational Work; and

3.3 Plumbing Work.

(c) Existing Condition 3 is renumbered and amended as follows:

APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use for a Transport Depot as shown on the Approved Plans. ~~No buildings are approved as part of this Permit.~~

No buildings are approved as part of this Permit.

(d) A new condition is added to the conditions of approval as follows:

INFRASTRUCTURE CHARGES

7. All infrastructure charges including those associated with Council's Sewer, Water, 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.

(e) Existing Condition 6 is renumbered and amended as follows:

OPERATING HOURS

8. Unless otherwise approved in writing by Council, the approved use must only operate between the following hours:

8.1 Operating hours: 6am to 6pm

(f) New conditions are added to the conditions of approval as follows:

12. A 1.8 metre high chain-link fence or alternative fencing arrangement approved by Council's Planning and Environment Manager or authorised delegate shall be provided and maintained around the development footprint as illustrated by Approved Plan No. 094-001, Issue E, Plan of Development, prepared by Out of the Woods Planning

13. Fencing material shall be compatible with that used within the locality.

(g) New conditions are added to the conditions of approval as follows:

VISUAL AND GENERAL AMENITY

18. Any graffiti on buildings or structures associated with the development must be immediately removed.

19. The buildings and the site must be maintained in a clean and tidy manner at all times.

20. All plant and air-conditioning equipment and the like must be visually screened from Edward Street.

(h) A new condition is added to the Schedule of Conditions as follows:

REFUSE STORAGE AREAS

22. Refuse bin storage areas must be screened from public view. Where bin storage occurs outside any buildings, such storage areas shall be screened with a minimum 1.5 metre high solid screen fence or wall.

(i) A new condition is added to the Schedule of Conditions as follows:

WATER SUPPLY

35. Connect the development to Council's reticulated water supply system via a single connection.

(j) New conditions are added to the conditions of approval as follows:

ON-SITE WASTEWATER DISPOSAL

36. Connect the development to an on-site wastewater disposal system, in accordance with AS1547 and the Queensland Plumbing and Waste Water Code.

37. Obtain a Development Permit for Plumbing Work for the on-site wastewater treatment system.

(k) A new condition is added to the Schedule of Conditions as follows:

FLOODING - GENERAL

45. Ensure that areas associated with the storage of hazardous chemicals and all control panels of critical services are built at a minimum 300mm above the defined flood level for the property.

(l) Existing Condition 34 is renumbered and amended as follows:

PARKING AND ACCESS - GENERAL

46. A minimum of fifteen (15) car and five (5) truck parking spaces are to be provided.
and five (5) truck

46. A minimum of fifteen (15) car and five (5) truck parking spaces are to be provided.

(m) Existing Condition 40 is renumbered and amended as follows:

VEHICLE ACCESS - TURNOUTS

52. Design and construct the two (2) vehicle turnouts generally in accordance with Council's Standard Drawing No. R-007. The turnouts' widths and splays shall be designed to accommodate the largest expected vehicle.

(n) A new condition is added to the Schedule of Conditions as follows:

EARTHWORKS

54. Undertake earthworks assessed under Approved Document No. 21020256_R02_V01, Riverine Hydraulic Impact Assessment, prepared by Water Technology Pty Ltd, dated 21 July 2021.

(o) Condition 3 is amended as follows:

OPERATIONAL WORK

3. The approval is subject to construction being undertaken in accordance with the Approved Plan and Document listed below:

Plan No: 094-00, Issue E

Description: Plan of Development, prepared by out of the Woods Planning, Date 2/6/2021

Reference no: 21020256_R02_V01, version R02 V01

Document: Riverine Hydraulic Impact Assessment- Lot 11 on SP200480 - Edward Street Chinchilla, Prepared by Water Technology, Dated 21 July 2021

(p) A new condition is added to the Schedule of Conditions as follows:

4. Submit to Council, certification from a suitably qualified Engineer (RPEQ) that the work has been undertaken in accordance with the Approved Plans, Approved Document, specifications and to Council's requirements, prior to commencement of the use.

(q) Existing Condition 17 is renumbered and amended as follows:

18. The depth and volume of the fill shall be in accordance with Approved Document No. 21020256_R02_V01, Riverine Hydraulic Impact Assessment, prepared by Water Technology Pty Ltd, dated 21 July 2021.

(r) All other conditions are renumbered but remain unchanged.

CARRIED

12.5 (050.2021.684.001) Community and Liveability Report Request to Extend Currency Period of Existing Material Change of Use Approval Non-resident Workforce Accommodation (1,292 Accommodation Units) Lot 6 RP203808 100 Laycock Road Miles Room2move.com Pty Ltd

The purpose of this Report is for Council to decide the Request to Extend the Currency Period of Existing Material Change of Use approval to establish a Non-resident Workforce Accommodation (1,292 Accommodation Units) on land described as Lot 6 on RP203808 and situated at 100 Laycock Road, Miles.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The application to Extend the Currency Period of Existing Development Approval 050.2021.39.001 and Planning and Environment Court Final Order No. 2255 of 2018 dated 26 July 2019 for a Material Change of Use to establish Non-resident Workforce Accommodation (1,292 Accommodation Units) on land described as Lot 6 on RP203808, situated at 100 Laycock Road, Miles be approved for 8 months to 22 May 2022.

CARRIED (7 to 2)

13. EXECUTIVE SERVICES

13.1 Executive Services Chief Executive Officer Report August 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 August 2021.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. P. T. Saxelby

That this Report be received and noted.

CARRIED

13.2 Executive Services Report Outstanding Actions August 2021

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 18 August 2021.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. C. T. Tillman

That this Report be received and noted.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Financial Report August 2021

The purpose of this Report is to provide Council with the Financial Report for the period ending 31 August 2021.

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 August 2021 Financial Report.

CARRIED

14.2 Corporate Services Report Audit Committee Meeting 17 August 2021

The purpose of this Report is to provide Council with the report of the Western Downs Regional Council Audit Committee Meeting held on 17 August 2021.

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. A. N. Smith

That this Report be received and that:

1. Council note the unconfirmed minutes of the Western Downs Regional Council Audit Committee Meeting held on 17 August 2021.

CARRIED

14.3 Corporate Services Report Facilities Funding Program Update

The purpose of this Report is to provide Council with an update in relation to the funding programs for which Council is a recipient or awaiting an outcome.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this Report be received and noted.

CARRIED

14.4 Corporate Services Report MyALL107 Project Update

The purpose of this Report is to provide an update to Council on the MyALL107 Cultural Centre refurbishment project.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Maguire

That this Report be received and noted.

CARRIED

14.5 Corporate Services Report One Twenty Cunningham Street Project Update

The purpose of this Report is to provide Council with an update on the progress of the One Twenty Cunningham Street project.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. C. T. Tillman

That this Report be received and noted.

CARRIED

14.6 Corporate Services Report Tara Lagoon Parklands Project Update

The purpose of this Report is to provide an update on the progress of the Tara Lagoon Parklands project.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman

Seconded By Cr. M. J. James

That this Report be received and noted.

CARRIED

14.7 Corporate Services Report Tara Memorial Pool Project Update

The purpose of this Report is to provide an update to Council on the Tara Memorial Pool Redevelopment project.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. C. T. Tillman

That this Report be received and noted and that an information session for communications and engagement on this project be provided to Council.

CARRIED

COUNCIL RESOLUTION - ADJOURN MEETING

Moved By Cr. C. T. Tillman

Seconded By Cr. P. T. Saxelby

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 12:08pm

The Meeting resumed at 12:33pm

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Report Non-Potable Water Supply Options

The purpose of this Report is to provide Council with an alternative water supply option to support non-potable water supply schemes.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. O. G. Moore

That this Report be received and that Council;

1. Creates a new category in the Rainwater Rebate Scheme in addition to existing approvals specifically targeted for properties connected to a Council non-potable water supply network.

2. Include an additional rebate of \$2,000 in the Rainwater Rebate Scheme for single or multiple tanks with a combined storage volume of greater than 40,000litres, available only for properties connected to a Council non-potable network.

CARRIED

15.2 Infrastructure Services Report One Basin Co-operative Research Centre Round 23

The purpose of this report is to provide Council information regarding the Murray Darling Basin and Council's potential involvement in the One Basin Co-operative Research Centre for Round 23.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this Report be received and noted.

CARRIED

15.3 Infrastructure Services Report Capital Works August 2021/2022 Progress Update

The purpose of this Report is for the Works Department to provide an update to Council regarding the 2021/22 Capital Works Program for the month of August 2021.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. P. T. Saxelby

That this Report be received and noted.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Quarterly Report April to June 2021

The purpose of this Report is to provide Council with an update in relation to the Community and Liveability Division for the fourth quarter of the 2020 / 2021 Financial Year.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. M. J. James

That this Report be received and noted.

CARRIED

16.2 Community and Liveability Report Chamber of Commerce Partnering Agreement Funding Acquittals 2020/21

The purpose of this Report is to inform Council on the initiatives delivered under the Chamber of Commerce 2020/21 Partnering Agreements.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. C. T. Tillman

That this Report be received and noted and

1. Council request the Miles Chamber of Commerce to return the non-acquitted Chamber of Commerce Partnering Agreement funding totalling \$14,050.89.

CARRIED

16.3 Community and Liveability Report Fun Run Fever Youth Event

The purpose of this report is to update the Council on the recent success of the Fun Run Fever Youth Event held in Chinchilla at the Recreation Grounds.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That this report be received and noted.

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

19. MEETING CLOSURE

The Meeting concluded at 12:54pm