

**5. CONFIRMATION OF MINUTES**

**5.1 Adopt Minutes Ordinary Meeting of Council**

**5.1.1 Adopt Ordinary Meeting of Council Minutes 17 November 2021**

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 17 November 2021

**COUNCIL RESOLUTION**

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

**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 17 November 2021, copies of which have been circulated to Members, be taken as read and confirmed.

**CARRIED**

**Absent Did Not Vote:** Cr. O. G. Moore



## Ordinary Meeting of Council Minutes

**Date:** Wednesday, 17 November 2021  
**Time:** 9.30am  
**Location:** Tara Customer Service Centre  
19 Fry Street  
Tara Qld 4421

**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  
E.J. Kendall, Communications and Marketing Manager

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**1. DECLARATION OF MEETING OPENING**

The Chairperson declared the Meeting open at 9.31AM.

**2. OPENING PRAYER AND MINUTE SILENCE**

Pastor Ron Evans from the Community Church, delivered the opening prayer. This was followed by the observance of a minute silence.

**3. APOLOGIES**

Nil

**4. CONGRATULATIONS**

Cr. M. J. James requested that congratulations be extended to the Western Downs Regional Council, Customer Contact Centre Team for taking out the award for Customer Service Organisation of the Year - Government/Not-for-Profit in the CSIA Australian Service Excellence Awards on Thursday the 28th of October 2021 and wish the team well in the international awards in February.

Cr. M. J. James requested that congratulations be extended to the Chinchilla Bears Soccer team for winning the TFL Championship Division in 2021.

Cr. M. J. James requested that congratulations be extended to the Dalby Gold Club for winning Queensland Golf club of the year 2021 for clubs under 400 members at the Queensland Golf Industry Awards.

Cr. M. J. James requested that congratulations be extended Ella Bache Dalby for winning the Queensland Salon of the year.

Cr. M. J. James requested that congratulations be extended to Jack Lewis from Dalby State High School for being selected in the under 12 Queensland Rugby League Side.

Cr. K. A. Maguire requested that congratulations be extended to Western Downs Regional Council Team for the Words Out West event that won Gold at the QPLA Awards.

**5. CONFIRMATION OF MINUTES**

**5.1 Adopt Ordinary Meeting of Council Minutes 20 October 2021**

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 20 October 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 20 October 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**

Nil.

**7. DECLARATION OF CONFLICTS OF INTEREST**

**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.

**Cr. P. T. Saxelby**

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.

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

UNCONFIRMED

**8. PRESENTATION OF PETITIONS BY COUNCILLORS**

**8.1 Tara Memorial Swimming Pool - ACEO J Taylor**

Acting CEO, Jodie Taylor, presented a petition received from Principal Petitioner, Gayle Porter, in relation to the Tara Memorial Pool.

**COUNCIL RESOLUTION**

**Moved By** Cr. A. N. Smith  
**Seconded By** Cr. C. T. Tillman

That the petition from Gayle Porter in relation to the Tara Memorial Swimming Pool be received and a report be brought back to Council.

**CARRIED**

**9. MAYORAL UPDATE**

**9.1 Executive Services Mayoral Report October 2021**

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

**COUNCIL RESOLUTION**

**Moved By** Cr. A. N. Smith  
**Seconded By** Cr. K. A. Bourne

That this Report be received and noted.

**CARRIED**

**COUNCIL RESOLUTION - ADJOURN MEETING**

**Moved By** Cr. P. T. Saxelby  
**Seconded By** Cr. C. T. Tillman

That Council resolve to adjourn the Meeting.

*The Meeting adjourned at 9:57am*

*The Meeting resumed at 10:39am*

**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. A. N. Smith

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

That Council resolve to close the Meeting in accordance with Sections 254 (3) (A-H) of the *Local Government Regulation 2012* at 10:39am to discuss the following Confidential Reports:

1. Corporate Services Confidential Report MM02-21-22 Dalby Saleyards Canteen Lease
2. Community and Liveability Confidential Report Health Services Governance Report
3. Infrastructure Services Confidential Report Vendor Panel Quote RFQ11-21-22 Mary Street Precinct, Dalby - Stormwater Project Stage 1

**CARRIED**

**COUNCIL RESOLUTION - REOPEN MEETING**

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

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

That Council resolve to reopen the Meeting at 10:54am

**CARRIED**



**10.1 EXECUTIVE SERVICES**

**10.2 CORPORATE SERVICES**

**10.2.1 Corporate Services Confidential Report MM02-21-22 Dalby Saleyards Canteen Lease**

The purpose of this Report is to seek Council's approval to award Tender MM02-21-22 for Lease A of the Dalby Saleyards - Canteen Lease.

**COUNCIL RESOLUTION**

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

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

That this Report be received and that:

1. Council award the Tender MM02-21-22 for Lease A of the Dalby Saleyards Canteen Lease to Maree Myrtle Perkins and Martin Douglas Frame for the tendered price offering a two (2) year lease plus one (1) x two (2) year option to extend, subject to satisfactory clarifications as per s10 of the Tender Evaluation Probity Plan, Tender Process.
2. Authority be delegated to the CEO to make, amend or discharge the contract where necessary to finalise the lease and option as necessary.

**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 Department

#### **Conflict of Interest 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.*

#### **Conflict of Interest Cr. P.T. Saxelby**

*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 Enduring Power of Attorney have applied for a bed for their mother at the Illoura Aged Care Facility in Chinchilla.*

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

Cr. C. T. Tillman and Cr. P. T. Saxelby left the meeting during the discussion at 10:41am

Cr. C. T. Tillman and Cr. P. T. Saxelby re-joined the meeting at 10:43am

Cr. C. T. Tillman and Cr. P. T. Saxelby left the meeting during the vote at 10:55am

#### **COUNCIL RESOLUTION**

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

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

That this report be received and noted.

**CARRIED**

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

Cr. C. T. Tillman and Cr. P. T. Saxelby re-joined the meeting at 10:57am.

## 10.4 INFRASTRUCTURE SERVICES

### 10.4.1 Infrastructure Services Confidential Report Vendor Panel Quote RFQ11-21-22 Mary Street Precinct, Dalby - Stormwater Project Stage 1

The purpose of this Report is to seek Council's approval to award Vendor panel Quote RFQ11-21-22 for the supply for stormwater components for the Dalby North Stormwater Project, Stage 1.

#### **COUNCIL RESOLUTION**

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

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

That this report be received and that;

1. Council award the contract for Vendor panel Quote RQF11-21-22 for the supply of stormwater components for the Mary St Precinct Dalby Stormwater Project, Stage 1 to Holcim Australia for \$539,126.59 (excluding GST).

**CARRIED**

## 11. DEPUTATIONS

### 11.1 David Parry

David Parry addressed Council in regard to the roads and infrastructure across the region. He advised that that road sections are being washed out up to 4x a year and flood ways are being blocked. David is concerned that if the roads aren't maintained that a serious incident may occur.

### 11.2 Belle Sinclair

Belle Sinclair requested that Council clarify the term 'Basic Services' from the Rating Category Booklet. She also questioned if Basic Services includes roads and why do they get patched instead of a complete upgrade.

### 11.3 Jen Abdi

Jen Abdi addressed Council to find out where she can find the description of the property locality in Tara. She also questioned the reasons of the 25% rate rise.

## 12. PLANNING

### 12.1 (035.2021.695.001) Community and Liveability Report Development Application Reconfiguring a Lot (Boundary Realignment 2 Lots into 2 Lots) Lots 1 and 3 on RP893198 59 and 73 Dalby Street Jandowae Zeller

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) on land described as Lots 1 and 3 on RP893198, situated at 59 and 73 Dalby Street, Jandowae.

#### **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 Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) on land described as Lots 1 and 3 on RP893198 and situated at 59 and 73 Dalby Street, Jandowae 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:**14115-PRO-01, Rev A

**Description:**Proposed Reconfiguration Lots 1 & 3 on RP893198, prepared by DSQ Land Surveyors, dated 28.07.21

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 (Boundary Realignment - 2 lots into 2 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).

**LANDSCAPING**

12. 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.

13. 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**

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

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

**VEHICLE ACCESS**

16. Ensure the existing vehicular property accesses to Dalby Street are maintained in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.

**SERVICES - EXISTING CONNECTIONS**

17. Ensure that all services provided to the proposed lots are wholly located within the lot(s) it serves.

**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.

**CARRIED**

**13. EXECUTIVE SERVICES**

**13.1 Executive Services Acting Chief Executive Officer Report October 2021**

The purpose of this Report is to provide Council with the significant meetings, forums and delegations attended by the Acting Chief Executive Officer during the month of October 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 October 2021**

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 20 October 2021.

**COUNCIL RESOLUTION**

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

**Seconded By** Cr. C. T. Tillman

That this Report be received and noted.

**CARRIED**

**14. CORPORATE SERVICES**

**14.1 Corporate Services Report Queensland Audit Office 2021 Final Management Letter**

The purpose of this Report is to provide Council with a copy of the Final Management Report issued by Queensland Audit Office for the audit of Council's 2020/21 financial statements.

**COUNCIL RESOLUTION**

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

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

That this report be received and noted by Council.

**CARRIED**

**14.2 Corporate Services Report Q1 2021-22 Enterprise Risk Management and Operational Plan Review**

The purpose of this Report is to provide Council with:

1. The status of the strategic risks which Council manages under its Enterprise Risk Management Framework; and
2. First quarter progress towards achieving the 2021-22 Operational Plan outcomes.

**COUNCIL RESOLUTION**

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

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

This Report be received and noted, and Council approve the following amendment to the 2021/22 Operational Plan.

2. Amend the financial period to 2022/2023 for the Action "Adoption of 2021/2022 Budgeted within statutory timeframes" and the corresponding Measure, which is under Strategic Priority 'Sustainable Organisation' - Success Driver 'We are recognised as a financially intelligent and responsible Council'.

**CARRIED**



**14.3 Corporate Services Financial Report October 2021**

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

**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 October 2021 Financial Report, and
2. Resolves to approve \$1.165 million in capital expenditure and \$0.730 million in capital revenue being added to Council's 2021-22 capital works program.

**CARRIED**

**14.4 Corporate Services Quarterly Report July to September 2021**

The purpose of this Report is to provide Council with an update in relation to the Corporate Services Departments during the first quarter of the 2021-2022 financial year.

**COUNCIL RESOLUTION**

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

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

That this Report be received and noted.

**CARRIED**

**14.5 Corporate Services Report CSIA Australian Service Excellence Awards Customer Service Organisation of the Year Government/Not-for-Profit**

The purpose of this report is to advise that Council is a national award winner the Customer Service Institute of Australia's Australian Service Excellence Awards. Council has won the *Customer Service Organisation of the Year - Government/Not-for-Profit*.

**COUNCIL RESOLUTION**

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

**Seconded By** Cr. C. T. Tillman

That this report be received and noted.

**CARRIED**

**15. INFRASTRUCTURE SERVICES**

**15.1 Infrastructure Services Report Wandoan And Westmar Camps Feasibility Review**

The purpose of this report is to seek Council's approval to decommission the Wandoan and Westmar Workers Camps and dispose of existing camp infrastructure.

**COUNCIL RESOLUTION**

**Moved By** Cr. P. T. Saxelby  
**Seconded By** Cr. A. N. Smith

That this report be received and Council

2. Decommission the Council Westmar Workers Camp and dispose of the 5 demountable buildings;
3. Decommission the Council Wandoan Workers Camp and dispose of the 3 demountable buildings.

**CARRIED**

**15.2 Infrastructure Services Quarterly Report July to September 2021**

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

**COUNCIL RESOLUTION**

**Moved By** Cr. A. N. Smith  
**Seconded By** Cr. O. G. Moore

That this Report be received and noted.

**CARRIED**

**16. COMMUNITY AND LIVEABILITY**

**16.1 Community and Liveability Report Recycle Market Enviro Grants Program 2021**

The purpose of this report is to inform Council of the outcome of the funding round for the Recycle Market Enviro Grants Program funded by Iolar Operational Services which closed on 30 September 2021.

**COUNCIL RESOLUTION**

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

**Seconded By** Cr. C. T. Tillman

That this report be received and noted.

**CARRIED**

**16.2 Community and Liveability Report QICA Conference 2021**

The purpose of this report is to provide Council with a summary of the Queensland Information Centres Association (QICA) conference held in Miles, Tuesday 12 October 2021 to Thursday 14 October 2021

**COUNCIL RESOLUTION**

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

**Seconded By** Cr. C. T. Tillman

That this report be received and noted

**CARRIED**

**17. NOTICES OF MOTION**

**17.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS**

Nil.

**17.2 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING**

Nil.

**18. URGENT GENERAL BUSINESS**

That information be provided to Councillors in relation to the CEO delegation to amend the Capital Budget.

**19. MEETING CLOSURE**

The Meeting concluded at 12:15pm

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