

Ordinary Meeting of Council

***Held at Western Downs Regional Council's
Warra Memorial Hall***

On Wednesday, 13 April 2022

Commencing at 09:30 AM

J. Taylor
CHIEF EXECUTIVE OFFICER

16 March 2022

Ordinary Meeting of Council Agenda

Location: **Warra Memorial Hall**
 Warrego Highway
 Warra QLD 4411

Pages

1. **DECLARATION OF MEETING OPENING**
2. **OPENING PRAYER AND MINUTE SILENCE**
3. **APOLOGIES**
4. **CONGRATULATIONS**
5. **CONFIRMATION OF MINUTES**
 - 5.1. **Adopt Minutes Ordinary Meeting of Council** 1

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 16 March 2022
6. **BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS**
7. **DECLARATIONS OF CONFLICTS OF INTEREST**
8. **PRESENTATION OF PETITIONS BY COUNCILLORS**
9. **MAYORAL UPDATE**
 - 9.1. **Executive Services Mayoral Report March 2022** 55

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of March 2022.

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.

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Title **Adopt Ordinary Meeting of Council Minutes 16 March 2022**

Date 6 April 2022

Responsible Manager J. Taylor, CHIEF EXECUTIVE OFFICER

Summary

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 16 March 2022

Link to Corporate Plan

Nil

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 16 March 2022, copies of which have been circulated to Members, be taken as read and confirmed.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Attachments

1. Copy of Unconfirmed Minutes of the Ordinary Meeting of Council held on Wednesday, 16 March 2022.

Authored by: A. Lyell, EXECUTIVE SERVICES ADMINISTRATION OFFICER



Minutes of the Ordinary Meeting of Council

Date: Wednesday, 16 March 2022
Time: 9:30am
Location: WDRC - Miles Customer Service Centre
29 Dawson Street, Miles QLD 4415

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, Chief Executive Officer
- G. K. Cook, General Manager (Infrastructure Services)
- A. Yardley, Acting General Manager (Community and Liveability)
- S. Thompson, General Counsel

- H. Wex, Executive Officer to the Mayor
- A. G. Lyell, Executive Services Administration Officer
- E. Kendall, Communications and Marketing Manager

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Glen Perkins from the Presbyterian 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 Jilly Tyler from Dalby who is one of four Queensland women announced as finalists for the Agri Futures Rural Women's Awards.

Cr. K. A. Maguire requested that congratulations be extended to Jandowae Fishhooks for their win of the Annual Lindsay Williams Shield Football Carnival at Wandoan.

Cr. M. J. James requested congratulations be extended to the Western Downs Regional Council staff for the Words Out West Event.

Cr. P. T. Saxelby requested that congratulations be extended to the 21 people within the Western Downs region representing Queensland in the Australian Polocrosse National's 2022 Competition in Ballarat.

Cr. O. G. Moore requested that congratulations be extended to Brodie Coleman who received the Livestock and Rural Transporters Association of Queensland Inc Young Person In Transport Award 2022.

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, 16 February 2022

COUNCIL RESOLUTION

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

The Unconfirmed Minutes of the Ordinary Meeting of Council held on 16 February 2022, copies of which have been circulated to Members, be taken as read and confirmed with the following amendments:

1. "Date" of the meeting be included as: 16 February 2022.
2. "Venue" be included: Wandoan Customer Service Centre 6 Henderson Street, Wandoan QLD 4415
3. "Officers: J.K. Taylor, Acting Chief Executive Officer" be amended to read "J.K. Taylor, Chief Executive Officer"
4. Resolution 10.4.1 be amended to read as follows:

That this report be received and that:

1. Council enters into a large-size contractual arrangement for the delivery of the Chinchilla CBD Water Main Replacement under tender MM07-21-22 to Chris Buckley Plumbing (ABN) 19 126 182 018, for the tendered price of \$698,278 (ex GST).;
2. Council resolves to delegate authority to the Chief Executive Officer to negotiate, make, vary and discharge the contractual arrangement with Chris Buckley Plumbing ABN 19 126 182 018.

CARRIED

CARRIED

5.2 Adopt Special Meeting of Council Minutes 2 February 2022

The Purpose of this Report is for Council to adopt the Minutes of the Special Meeting of Council held on Wednesday, 2 February 2022

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne
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 2 February 2022, 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. DECLARATIONS OF CONFLICTS OF INTEREST

Item 10.3.1 Community and Liveability Confidential Report Health Services Governance Report

Cr. P. T. Saxelby

In accordance with Chapter 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.

Cr. C. T. Tillman

In accordance with Chapter 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.

Item 10.5.1 (030.2020.341.001) Community and Liveability Confidential Report Appeal Update Development Application Material Change of Use for a Service Station Lot 202 on SP183221 Johnson Street Chinchilla Watkins Group (Qld) Pty Ltd

Cr. A. N. Smith

In accordance with Chapter 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. His sister Louise Smith, although not a submitter, at the time of the original application had a residence in Riverdell Estate and would have been affected as a result of the decision.

Pursuant to section 150EM of the *Local Government Act 2009*, Cr A.N. Smith will leave the meeting while the matter is discussed and voted on.

Cr. K. A. Bourne

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

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

**Item 6.1 Community and Liveability Report Community Activation Program Round 2
2021.2022**

Cr. K. A. Maguire

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

1. She is the President of the Chinchilla Community Centre Committee.

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

**Item 6.4 Community and Liveability Report Regional Arts Development Fund Round Two
2021.2022**

Cr. C. T. Tillman

In accordance with Chapter 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 the president of Gallery107@Dalby.

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

8. PRESENTATION OF PETITIONS BY COUNCILLORS

Nil.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report February 2022

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of February 2022.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. A. N. Smith

That this Report be received and noted.

CARRIED

UNCONFIRMED

10. CONFIDENTIAL ITEMS

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

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

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

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

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

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

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

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

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

COUNCIL RESOLUTION - CLOSE MEETING

Moved By Cr. M. J. James

Seconded By Cr. P. T. Saxelby

That Council resolve to close the Meeting in accordance with Sections 275 (1)(3) (b),(g),(e) of the *Local Government Regulation 2012* at 10:10am to discuss the following Confidential Reports:

1. **Item 10.3.1** Community and Liveability Confidential Report Health Services Governance Report
2. **Item 10.5.1** (030.2020.341.001) Community and Liveability Confidential Report Appeal Update Development Application Material Change of Use for a Service Station Lot 202 on SP183221 Johnson Street, Chinchilla Watkins Group (Qld) Pty Ltd

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. C. T. Tillman

Seconded By Cr. O. G. Moore

That Council resolve to reopen the Meeting at 10:29am

CARRIED

11. DEPUTATION

11.1 Robert Smiley

Mr Robert Smiley addressed Council in relation to his Development Application for Material Change of Use for Rooming Accommodation in Maranda Court, Dalby.

COUNCIL RESOLUTION - ADJOURN MEETING

Moved By Cr. C. T. Tillman

Seconded By Cr. K. A. Maguire

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10:39am

The Meeting resumed at .11:10am

CARRIED

10.1 EXECUTIVE SERVICES

Nil.

10.2 CORPORATE SERVICES

Nil.

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:

- Council's management of Health Care Services, and
- the status of the transition of services to Southern Cross Care.

In accordance with Chapter 6, 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:

a. 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.

In accordance with Chapter 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:

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

Cr. P. T. Saxelby and Cr. C. T. Tillman re-joined the meeting at 10:13am

Cr. P. T. Saxelby and Cr. C. T. Tillman left the meeting during the vote at 11:10am

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. A. N. Smith

That this report be received and that Council.

1. apply the exceptions contained in the *Local Government Regulation 2012* (Qld), section 236(1)(b)(ii), (2) and (4), and
2. approve the disposal of land and the non-current assets as listed in this report to Southern Cross Care (Qld) Ltd , and

3. delegate authority to the Chief Executive Officer to finalise and sign all necessary documents and ancillary agreements to affect the aforementioned transfers to enable completion on 1 April 2022 of the Business Transfer Agreement dated 8 December 2021.

CARRIED

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

Cr. P. T. Saxelby and Cr. C. T. Tillman re-joined the meeting at 11:14am

10.4 INFRASTRUCTURE SERVICES

Nil.

UNCONFIRMED

10.5 PLANNING

10.5.1 (030.2020.341.001) Community and Liveability Confidential Report Appeal Update Development Application Material Change of Use for a Service Station Lot 202 on SP183221 Johnson Street Chinchilla Watkins Group (Qld) Pty Ltd

The purpose of this Report is for Council to consider the advice from King & Company Solicitors on its prospects of successfully defending its decision before the Planning and Environment Court to refuse Development Application 030.2020.341.001 for a Material Change of Use to establish a Service Station on land described as Lot 202 on SP183221, located at Johnson Street, Chinchilla and to decide on how to proceed with the Appeal.

In accordance with Chapter 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. His sister Louise Smith, although not a submitter, at the time of the original application had a residence in Riverdell Estate and would have been affected as a result of the decision.*

Pursuant to section 150EM of the Local Government Act 2009, Cr A.N. Smith will leave the meeting while the matter is discussed and voted on.

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

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

Cr. A. N. Smith and Cr. K. A. Bourne left the meeting during the discussion at 10:13am

Cr. A. N. Smith and Cr. K. A. Bourne re-joined the meeting at 10:28am

Cr. A. N. Smith and Cr. K. A. Bourne left the meeting during the vote at 11:14am

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman

Seconded By Cr. K. A. Maguire

That this Report be received and that Council resolve to settle Planning & Environment Court Appeal No. D30 of 2021 Watkins Group (Qld) Pty Ltd v Western Downs Regional Council.

CARRIED (6 to 1)

For: Cr. P. M. McVeigh, Cr. K. A. Maguire, Cr. I. J. Rasmussen, Cr. M. J. James, Cr. O. G. Moore and Cr. C. T. Tillman

Against: Cr. P. T. Saxelby

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

Cr. A. N. Smith and Cr. K. A. Bourne re-joined the meeting 11:16am

12. PLANNING

12.1 (030.2021.950.001) Community and Liveability Report Development Application for Material Change of Use for Rooming Accommodation (4 Bedrooms) on Lot 6 on SP244802 Maranda Court Dalby Smiley C/- Bplanned

The purpose of this Report is for Council to decide the development application seeking approval for a Material Change of Use to establish Rooming Accommodation (4 Bedrooms) on land described as Lot 6 on SP244802 and situated at Maranda Court, Dalby.

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. K. A. Maguire

That this Report be received and that:

1. The development application for a Material Change of Use to establish Rooming Accommodation (4 Bedrooms) on land described as Lot 6 on SP244802 and situated at Maranda Court, 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: Job No. 00183-21, Sheet 1 of 6, Issue B

Description: Site Plan, prepared by Plans to Inspire, dated 08-07-2021

Amendment: Amended in red by Council on 4 March 2022

Plan No: Job No. 00198-13, Sheet 2 of 6, Issue B

Description: Floor Plan, prepared by Plans to Inspire, dated 20-08-2013

Plan No: Job No. 00198-13, Sheet 3 of 6, Issue B

Description: Elevations of Dwelling, prepared by Plans to Inspire, dated 20-08-2013

Plan No: Job No. 00198-13, Sheet 4 of 6, Issue B

Description: Floor Plan and Elevations of Carport, prepared by Plans to Inspire, dated 20-08-2013

Plan No:L0.01, Revision B

Description: Coversheet and Specifications, prepared by LARC Collective, dated 05.05.14

Plan No:L1.01, Revision B

Description: Landscape Works Plan, prepared by LARC Collective, dated 05.05.14

Plan No:L3.01, Revision B

Description: Landscape Details, prepared by LARC Collective, dated 05.05.14

Plan No:L3.02, Revision B

Description: Plant Image Palette, prepared by LARC Collective, dated 05.05.14

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 a Material Change of Use for Rooming Accommodation (4 Bedrooms) as shown on the Approved Plans.

TERM OF APPROVAL

4. The approved Rooming Accommodation is to operate in accordance with the following definition:

"Premises used for -

(a)residential accommodation if each resident:

(i)has a right to occupy 1 or more rooms on the premises; and

(ii)does not have a right to occupy the whole of the premises; and

(iii)does not occupy a self-contained unit, as defined under the Residential Tenancies and Rooming Accommodation Act 2008, Schedule 2, or has only limited facilities available for private use; and

(iv)shares other rooms, facilities, furniture or equipment outside of the resident's room with 1 or more other residents, whether or not the rooms, facilities, furniture or equipment are on the same or different premises; or

(b)a Manager's residence, an office or providing food or other services to residents, if the use is ancillary to the use in paragraph (a)."

5. The development shall not operate as a Short-term Accommodation, as outlined in the following definition:

"(a)Premises used for -

(i)providing accommodation of less than 3 consecutive months to tourists or travellers; or

(ii)a Manager's residence, office, or recreation facilities for the exclusive use of guests, if the use is ancillary to the use in subparagraph (i); but

(b)does not include a hotel, nature-based tourism, resort complex or tourist park."

6. The applicant will maintain records, including a summary of compliance with Condition 4, and upon request of Western Downs Regional Council made on reasonable notice and not more than quarterly, to be produced for inspection by Council's Compliance Officers on-site. A copy of the summary is to be provided to Council Officers upon request.

LANDSCAPING

7. Landscaping shall be maintained in accordance with the Approved Landscape Plans prepared by LARC Collective, Issue B and dated 05.05.14.

FENCING

8. A 1.8 metre high solid screen fence shall be provided along the full extent of the boundary shared with Lot 5 on SP199320.

9. Boundary fences are not to be erected in a parallel arrangement with existing fences erected along the same boundary. That is, the existing fence shall be completely removed.

COMPLIANCE, TIMING AND COSTS

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

FEES AND CHARGES

12. 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

13. 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.

INFRASTRUCTURE CHARGES

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

ENGINEERING WORKS

16. Undertake work in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, Approved Plans and relevant Australian Standards.
17. 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

18. 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.
19. 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

20. Provide overland flow paths that do not alter the characteristics of existing overland flows or create an increase in flood damage on other properties.
21. Ensure that adjoining properties and roadways are protected from ponding as a result of any site works undertaken.

WATER SUPPLY

22. Connect the development to Council's reticulated water supply system.

PARKING AND ACCESS - GENERAL

23. Provide a minimum of 5 car parking spaces in accordance with Australian Standard 2890.1 - Parking Facilities - Off Street Car Parking.

VEHICLE ACCESS

24. Maintain the existing gravel crossover and access during the life of the use.

ELECTRICITY

25. Connect the development to electricity services.

EARTHWORKS - GENERAL

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

EROSION AND SEDIMENT CONTROL - GENERAL

27. 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.

ADVISORY NOTES

NOTE 1 -Relevant Period

*"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.

A P P E A L R I G H T S

The rights of an applicant to appeal to a tribunal or the Planning and Environment Court against decisions about a development application are set out in Chapter 6, Part 1 of the *Planning Act 2016*. For particular applications, there may also be a right to make an application for a declaration by a tribunal (see Chapter 6, Part 2 of the *Planning Act 2016*).

"Chapter 6 Dispute Resolution

Part 1 Appeal Rights

229 Appeals to Tribunal or P&E Court

(1) *Schedule 1 states -*

(a) *matters that may be appealed to -*

(i) *either a tribunal or the P&E Court; or*

(ii) *only a tribunal; or*

(iii) *only the P&E Court; and*

(b) *the person -*

(i) *who may appeal a matter (the **appellant**); and*

(ii) *who is a respondent in an appeal of the matter; and*

(iii) *who is a co-respondent in an appeal of the matter; and*

(iv) *who may elect to be a co-respondent in an appeal of the matter.*

(2) *An appellant may start an appeal within the appeal period.*

(3) *The **appeal period** is -*

(a) *for an appeal by a building advisory agency - 10 business days after a Decision Notice for the decision is given to the Agency; or*

(b) *for an appeal against a deemed refusal - at any time after the deemed refusal happens; or*

(c) for an appeal against a decision of the Minister, under Chapter 7, Part 4, to register premises or to renew the registration of premises - 20 business days after a Notice is published under Section 269(3)(a) or (4); or

(d) for an appeal against an Infrastructure Charges Notice - 20 business days after the Infrastructure Charges Notice is given to the person; or

(e) for an appeal about a deemed approval of a development application for which a Decision Notice has not been given - 30 business days after the applicant gives the Deemed Approval Notice to the Assessment Manager; or...

...(g) for any other appeal - 20 business days after a Notice of the decision for the matter, including an Enforcement Notice, is given to the person.

Note - See the P&E Court Act for the Court's power to extend the appeal period."

PROCEDURAL MOTION

Moved By Cr. I. J. Rasmussen

That the Motion be Put.

The **Motion** was **PUT** and **CARRIED**

12.2 (030.2021.953.001) Community and Liveability Report Development Application for Material Change of Use for Extension to Existing Educational Establishment at 68 to 76 Middle Street Chinchilla St Joseph's Catholic Primary School C/- Precinct Urban Planning

The purpose of this Report is for Council to decide the proposed development for a Material Change of Use for an extension to the existing Educational Establishment on land situated at 68-76 Middle Street, Chinchilla.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. C. T. Tillman

That this Report be received and that:

1. The application for a Material Change of Use to establish an extension to an existing Educational Establishment on land described as Lot 2 on RP59248, Lots 1 & 2 on RP1638, Lots 605, 606, 607 & 608 on C2431, Lot 3 on RP186254 and Easement A on SP278758, and Lots 1 & 2 on RP1639, situated at 68-76 Middle Street, Chinchilla, 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: A.110, Issue P3

Description: Site Plan, prepared by Brandon & Associates, dated 29.11.21

Plan No: A.211, Issue P3

Description: GLA - Floor Plan, prepared by Brandon & Associates, dated 29.11.21

Plan No: A.220, Issue P3

Description: GLA - Elevations, prepared by Brandon & Associates, dated 29.11.21

Plan No:A.411, Issue P3

Description: Library - Proposed Floor Layout, prepared by Brandon & Associates, dated 29.11.21

Plan No: A.421, Issue P3

Description: Library - Elevations, prepared by Brandon & Associates, dated 29.11.21

Plan No: C.200, Issue P4

Description: Vehicle Turn Path, prepared by Brandon & Associates, dated 12.01.22

Plan No: A201, Issue P1

Description: Landscaping Plan, prepared by Brandon & Associates, dated 29.11.21

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 Works; and
 - 3.2 Plumbing Works.

APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use for an Extension to an Educational Establishment as shown on the Approved Plans.

COMPLIANCE, TIMING AND COSTS

5. All conditions of the approval shall be complied with prior to commencement of the use and whilst 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.

INFRASTRUCTURE CHARGES

7. 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.

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.

VISUAL AND GENERAL AMENITY

9. Any graffiti on the buildings must be immediately removed.
10. The buildings and the site must be maintained in a clean and tidy manner at all times.
11. 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.

LIGHTING

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

LANDSCAPING

13. The existing trees in proximity to the proposed car parking area on Lot 605 on C2431 are to be retained on the property in accordance with the Approved Plans.

WASTE MANAGEMENT

14. 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 *Environmental Protection (Waste Management) Policy 2000*.
15. 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*.

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.

NOISE EMISSIONS

17. 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*.

ENGINEERING WORKS

18. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, and relevant Australian Standards.
19. 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

20. 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.
21. 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.

REMOVAL OF EXISTING BUILDINGS

22. Remove the existing storage shed located on the property prior to construction as illustrated within the Approved Plans. Removal of redundant buildings may require a Building Approval from a suitably qualified Building Certifier.

STORMWATER MANAGEMENT

23. Discharge stormwater run-off from sealed areas to a lawful point of discharge.
24. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows or create an increase in flood damage on other properties.
25. Ensure that the works undertaken as a part of the development will not cause any actionable nuisance to all adjoining properties.

WATER SUPPLY

26. Connect the development to Council's reticulated water supply system via the existing connection.

SEWERAGE

27. Connect the development to Council's existing reticulated sewerage system via the existing connection.

PARKING AND ACCESS - GENERAL

28. Design and construct all driveway and parking areas with concrete, asphalt or a two-coat bitumen seal.
29. Provide a minimum of seven (7) car parking spaces, constructed in accordance with AS2890.0.
30. Provide a person with disability (PWD) car parking space designed and line marked in accordance with AS2890.6 Off-Street Parking for People with Disabilities.
31. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
32. 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.

VEHICLE ACCESS

33. Upgrade the existing crossover to Canaga Street to provide a minimum width of 6 metres, generally in accordance with Council's Standard Drawing No. R-006, Revision C. Ensure that crossover splay is designed to accommodate turning movements of a Medium Rigid Vehicle.

ROADWORKS AND PEDESTRIAN SAFETY

34. Install signage for all work on or near roadways in accordance with the Manual for Uniform Traffic Control Devices – Part 3, Works on Roads.
35. Submit to Council, an application for any footpath, road or lane closures, and ensure all conditions of that approval are complied with during construction of the work.
36. Maintain safe pedestrian access along Council's footpaths at all times.

ELECTRICITY

37. Connect the development to electricity services.

EARTHWORKS - GENERAL

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

EROSION AND SEDIMENT CONTROL - GENERAL

39. 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.

40. 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.

AMALGAMATION OF LOTS

41. The subject land including Lot 1 on RP1638, Lot 2 on RP1638 and Lot 607 on C2431 must be amalgamated to form a single allotment. The Registered Survey Plan must be submitted to Council for Council's records prior to commencement of the use.

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 31 January 2022.

ADVISORY NOTES

NOTE 1 -CURRENCY 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 currency period) -

- a) **6 years** starting the day the approval takes effect;
- b) *if the approval states a different period from when the approval takes effect—the stated period."*

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 work, and to ensure safe traffic control and safe public access in respect of work 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 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 6 -INFRASTRUCTURE CHARGES NOTICE

An Infrastructure Charges Notice is attached.

NOTE 7 -Referral Agency Response

The Concurrence Agency response is attached.

NOTE 8 -NOISE

It is the responsibility of the property owner(s) to take all measures necessary to ensure that the proposed development is developed and maintained in such a way as to mitigate noise impacts to the surrounding lawful residential uses. These measures must be undertaken at the expense of the property owner(s).

NOTE 9 -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 10 -COMMENCEMENT OF USE

- I. 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.
- II. 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.

A P P E A L R I G H T S

An applicant or any eligible submitter may elect to appeal against Council's decision in accordance with the relevant Section of the *Planning Act 2016*, which states:

"Chapter 6Dispute Resolution

Part 1Appeal Rights

229Appeals to Tribunal or P&E Court

(1)Schedule 1 states -

(a) matters that may be appealed to -

(i) either a tribunal or the P&E Court; or

(ii) only a tribunal; or

(iii) only the P&E Court; and

(b) the person -

(i) who may appeal a matter (the **appellant**); and

(ii) who is a respondent in an appeal of the matter; and

(iii) who is a co-respondent in an appeal of the matter; and

(iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

(3) The **appeal period** is -

(a) for an appeal by a building advisory agency - 10 business days after a Decision Notice for the decision is given to the Agency; or

(b) for an appeal against a deemed refusal - at any time after the deemed refusal happens; or

(c) for an appeal against a decision of the Minister, under Chapter 7, Part 4, to register premises or to renew the registration of premises - 20 business days after a Notice is published under Section 269(3)(a) or (4); or

(d) for an appeal against an Infrastructure Charges Notice - 20 business days after the Infrastructure Charges Notice is given to the person; or

(e) for an appeal about a deemed approval of a development application for which a Decision Notice has not been given - 30 business days after the applicant gives the Deemed Approval Notice to the Assessment Manager; or...

...(g) for any other appeal - 20 business days after a Notice of the decision for the matter, including an Enforcement Notice, is given to the person.

Note -See the P&E Court Act for the Court's power to extend the appeal period."

CARRIED

12.3 (035.2021.510.001) Community and Liveability Report Development Application Reconfiguring a Lot (2 Lots into 10 Lots) Lot 3 on RP804508 and Lot 6 on SP209012 Winton Street West and 37 Winton Street West Dalby DOM Distribution C/- Precinct

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (2 lots into 10 lots over 3 Stages) on land described as Lot 3 on RP804508 and Lot 6 on SP209012 situated at Winton Street West and 37 Winton Street West, Dalby.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this report be received and that:

The application for Reconfiguring a Lot (2 Lots into 10 Lots over 3 Stages) on land described as Lot 3 on RP804508 and Lot 6 on SP209012 and situated at Winton Street West and 37 Winton Street West, Dalby be refused, on the following grounds:

(a) The development application for Reconfiguring a Lot has been assessed against the relevant Codes of the Western Downs Planning Scheme 2017 incorporating Amendment 1, and does not comply with the following matters:

(i) The development does not comply with Acceptable Outcome 1.1 of the Reconfiguring a Lot Code, as the development results in the creation of allotments that do not comply with the minimum lot size and frontage requirements of Table 9.4.4.2 - Minimum lot size and frontages for the Low Impact Industry Zone.

FORESHADOWED MOTION

Cr. M. J. James foreshadowed that if the motion on the floor failed she would move;

That this report be received and that:

1. The application for Reconfiguring a Lot (2 lots into 10 lots over 3 Stages) on land described as Lot 3 on RP804508 and Lot 6 on SP209012 and situated at Winton Street West and 37 Winton Street West, Dalby by approved, subject to the following conditions:

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: Project No. 16185, Drawing No. C-SK0003, Issue A

Description: Concept Subdivision Layout Plan, prepared by RMA Engineers and dated 21/06/2021.

Plan No: Project No. 16185, Drawing No. C-SK0004, Issue A

Description: Concept Staging Plan, prepared by RMA Engineers and dated 21/06/2021.

Plan No: Project No. 16185, Drawing No. C-SK0006, Issue A

Description: Concept Survey Plan, prepared by RMA Engineers and dated 21/06/2021.

Document: Stormwater Management Plan, Project Number 16185, Revision 0, prepared by RMA Engineers and dated 26 November 2021

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

APPROVED DEVELOPMENT

3. The approved development is Reconfiguring a Lot (2 lots into 10 lots over 3 Stages) as shown on the Approved Plans and Document.
4. The development is to occur sequentially over 3 Stages as shown on the Approved Plans.
5. Conditions within this approval are applicable to each Stage of the development, unless otherwise specified.

COMPLIANCE, TIMING AND COSTS

6. 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.
7. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.
8. 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

9. 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.

INFRASTRUCTURE CHARGES

10. 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 relevant to each Stage of the development.

MAINTENANCE

11. 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.

LOT NUMBERING

12. The numbering of all approved lots shall remain as indicated on the Approved Plans (unless otherwise amended/approved by Council).
13. The developer is to make a request to Council for street numbering.

LANDSCAPING

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

ENGINEERING WORKS

16. Submit to Council, an Operational Work application for all works that will become Council infrastructure, the access crossover for Lot 3, and stormwater drainage, at each Stage as applicable.
17. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan Form 18B unless stated otherwise.
18. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, relevant Australian Standards, Codes of Practice, WSAA, and relevant Design Manuals.
19. Be responsible for any alteration necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.
20. Submit to Council, certification from a Registered Professional Engineer of Queensland (RPEQ-Civil) that all works authorised by this development approval and any related approval issued by Council have been designed and constructed in accordance with the requirements of the development approval:
 - 20.1 submit a Design Certificate with the application; and
 - 20.2 submit a Construction Supervision Certificate at completion of the approved works and prior to Council's acceptance of the works on-maintenance.

MAINTENANCE

21. Maintain all works that will become Council infrastructure for a period of 24 months (maintenance period) from the date of on-maintenance unless a different on-maintenance period is specified for a particular asset. Any defective works must be rectified within the maintenance period.
22. Provide Council with a maintenance bond in an acceptable form equal to 5% of the value of Council infrastructure prior to commencement of the maintenance period.

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

23. 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.
24. 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.

REMOVAL OF EXISTING BUILDINGS

25. Remove redundant buildings and sections of buildings located across new common lot boundaries and reinstate the land.

Advice: This will require a Building Permit.

STORMWATER MANAGEMENT

26. Provide stormwater management generally in accordance with Approved Stormwater Management Plan prepared by RMA Engineers, Revision 0, dated 26 November 2021, subject to detailed design and except as altered by conditions of this development approval.
27. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or create a nuisance on other properties.
28. Design and construct the proposed table drains along the eastern boundary of Lots 2 and 4 and culvert crossing under the new access road, prior to Council's endorsement of the Survey Plan Form 18B for Stage 1.
29. Discharge all minor storm flows that fall or pass onto the site to the lawful point of discharge in accordance with the Queensland Urban Drainage Manual (QUDM).
30. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

FLOODING - GENERAL

31. Provide all habitable areas and areas associated with the storage of hazardous chemicals and all control panels of critical services built at a minimum 300mm above the defined flood level.

WATER SUPPLY

32. Connect the development to Council's reticulated water supply system.
33. Remove any redundant water supply connections and reinstate the land.
34. Design the system to provide fire flows required by WSAA Guidelines.
35. Design and construct all works in accordance with Council's requirements as set out in the WSAA Guidelines and relevant development standards used by Council.
36. Install a separate water service connection to each lot as per Council's standards.

WATER – EXTENSION

37. Prior to submission of an Operational Work application, provide an updated Water Services Report to Council's satisfaction, addressing:
 - which Council Codes or requirements have been used in the assessment of the suitability of the proposed water main works;

- how the water main works will meet the requirements in terms of flows/pressure; and
- in the event that Council's requirements cannot be met, what solutions are proposed to meet the requirements.

Comment: *Any agreed upon solutions/upgrades will form part of a future Operational Work application.*

38. Install fire hydrant valves to ensure that all allotments are within a distance of 40 metres of the nearest hydrant.
39. Provide isolation valves, hydrant markers and RPMs in accordance with WSAA Codes and Council's standards.
40. Submit to Council, the written consent from the property owner where such works require entry onto adjoining land prior to Council's approval of Operational Work.

ON-SITE WASTEWATER DISPOSAL

41. Prior to endorsement of the Survey Plan Form 18B for each Stage of the development, the applicant shall ensure that the on-site effluent disposal systems and corresponding treatment areas are located entirely within the proposed Lot it services.

Comment: *This condition has been applied as the lot is outside Council's sewer catchment area. The applicant can make enquiries to be connected to the reticulated sewer network, however, connection is at the sole discretion of Council's Utilities Department. Any upgrades or extension required to Council's network is at the cost of the developer, and will require an Operational Work Permit. If the development is connected to Council's sewer network, this condition is no longer valid.*

42. Future buildings, where applicable, must be connected to an on-site wastewater disposal system, in accordance with AS 1547 and the Queensland Plumbing and Waste Water Code.

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

REDUNDANT CROSSOVERS

43. Remove the redundant crossover from Winton Street West to Proposed Lot 1 and reinstate the verge and table drain, road pavement and any services, to Council's standard.

VEHICLE ACCESS

44. Design and construct a concrete crossover having a minimum width of 6 metres in accordance with Council's Standard Drawing No. R-006, to access the existing Dwelling on Proposed Lot 3, a 3/450x1200 RCBC.
45. Ensure that new crossover to Proposed Lot 3 will not impact vehicle swept paths of design vehicles exiting from Proposed Lot 10.

Timing: Prior to Council's endorsement of the Survey Plan Form 18B for Stage 1.

46. Access to Proposed Lot 10 is to be from Winton Street West.

47. Access to Proposed Lot 1 is to be from New Road 1.
48. 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).

PARKING

49. Provide required vehicle parking spaces and loading and unloading bays for existing uses on Proposed Lots 9 and 10.

Timing: Prior to Council's endorsement of the Survey Plan Form 18B for Stage 3.

ROADWORKS - NEW ROAD

50. Design and construct the new road/s identified as Road 1 on the proposed plans of development, as an Industrial Access Street, generally in accordance with Table 1.12.3 of Council's Planning Scheme Policy 1, relevant Austroads' Standards and Council's Planning Scheme and more specifically, include the following:

50.1 a minimum road reserve width of 22 metres;

50.2 concrete barrier kerb and channel;

50.3 asphalt concrete sealed carriageway with a minimum width of 12 metres; and

50.4 provision for stormwater drainage, line marking, signage and street lighting associated with the required road.

Timing: Prior to Council's endorsement of the Survey Plan Form 18B for Stage 1.

51. Construct a temporary gravelled surfaced turn-around to accommodate the turning movements of a 26 metre B-Double, where temporary dead ends are provided at Stage boundaries.

Timing: Prior to Council's endorsement of the Survey Plan Form 18B for Stages 1 and 2.

52. The cul-de-sac is to end with a minimum 20 metre radius to the bulb end and a minimum 30 metre radius approach curve, all measured to the invert of kerb and channel and designed in accordance with the requirements of the applicable Planning Scheme and Council's adopted standards.

Timing: Prior to Council's endorsement of the Survey Plan Form 18B for Stage 1.

ROADWORKS – INTERSECTION OF NEW ROAD AND WINTON STREET WEST

53. Design and construct the intersection of the new road and Winton Street West to an Industrial Access Street standard generally in accordance with Table 1.12.3 of Council's Planning Scheme Policy 1, relevant Austroads' Standards and Council's Planning Scheme and more specifically, include the following:

53.1 splay widening at the intersection to provide Basic Right Turn/Basic Left Turn (BAL) Treatment to accommodate the turning movements of a 26 metre B-Double;

53.2 concrete barrier kerb and channel;

53.3 a culvert crossover for 3/450x1200 RCBC with head wall and guide posts;

53.4 re-shape the table drain on Winton Street West along the site frontage as applicable, to ensure free draining;

53.5 provision for stormwater drainage, line marking, tapers to existing/new road pavements, signage, street lighting associated with the required road works and road reserve transitions between existing and proposed roads; and

53.6 submit to Council for approval, with any application for Operational Work, an AutoTurn plot that demonstrates that a 26 metre B-Double could safely manoeuvre through the intersection of the new road and Winton Street West. Clearly indicate road/street centre lines on drawings.

Timing: Prior to Council's endorsement of the Survey Plan Form 18B for Stage 1.

ROADWORKS - SIGNAGE

54. Install at an appropriate location at the intersection of the new road and Winton Street West, R1-2 "**Give Way**" signage as specified in the Manual of Uniform Traffic Control Devices – Part 13: Local Area Traffic Management, and provide line marking.

Timing: Prior to Council's endorsement of the Survey Plan Form 18B for Stage 1.

STREET SIGNS AND LINE MARKING

55. Obtain written approval from Council for any works involving the removal or relocation of existing Council traffic signs, prior to commencement of works.

56. Install and/or relocate any street signs and/or line marking in accordance with the Manual of Uniform Traffic Control Devices (MUTCD).

57. Provide all new signage with Class 1 retro-reflective material in accordance with Australian Standard 1743 - Road Signs - Specification.

ROADWORKS AND PEDESTRIAN SAFETY

58. Install signage for all works on or near roadways in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads".

59. Submit to Council, an application for any road or lane closures and ensure all conditions of that approval are complied with during construction of the works.

60. Maintain safe pedestrian access along Council's footpaths at all times.

TELECOMMUNICATIONS

61. Design and provide underground telecommunications to all lots within the development.

62. Remove all redundant telecommunication connections and reinstate the land.

ELECTRICITY

63. Design and provide 3 phase for industrial electricity supply to all lots within the development to comply with Ergon Energy's requirements.

64. Submit to Council, written confirmation from an electricity provider that an agreement has been made for the supply of electricity and where staged, written confirmation is required for each Stage of the development.

65. Remove all redundant electrical connections and reinstate the land.

66. Submit electrical plans for Council's review prior to Council's endorsement of the Survey Plan Form 18B. Be responsible to check and ensure that electrical drawings do not conflict with the civil engineering design.

SERVICES - EXISTING CONNECTIONS

67. Ensure that all services provided to all existing buildings on proposed new lots are wholly located within the lot it serves.

STREET LIGHTING

68. Design and install street lighting to the full frontage of the site/intersections and all streets within the development in accordance with AS/NZS1158 and the road classifications contained within this approval. Submit to Council, street light design plans showing the proposed public lighting system for Council's endorsement.
69. Enter into an agreement with an electricity supplier to provide a public lighting system in accordance with the lighting design plans as required by the previous condition. Submit to Council, written confirmation from an electricity provider that an agreement has been made to provide a public lighting system.
70. Ensure that any new street light poles required on external streets are of a consistent standard (ie steel poles) to street light poles within the immediate vicinity of the development. Heritage style poles are not permitted unless specifically approved by Council.
71. Install street lighting in all road reserves on the same side of the road that accommodates any footpath or shared path.

EARTHWORKS - GENERAL

72. Do not undertake any earthworks without a further approval from Council except for the works ancillary to building works.
73. Undertake any earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.
74. Do not place fill on adjacent properties without providing Council with written permission from the respective property owner(s).
75. Ensure that each lot is self-draining.

EROSION AND SEDIMENT CONTROL - GENERAL

76. Undertake erosion and sediment control during construction works in accordance with Council's Standard Drawing No's D-005 (Rev A), D-006 (Rev A) and D-007 (Rev A) as applicable.
77. 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.
78. Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

ENVIRONMENTAL HEALTH

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

79.1 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;

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

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

Timing: During construction and on-maintenance period and the establishment period of landscaping or areas disturbed during construction.

80. 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:

80.1 uncontaminated overland stormwater flow; and

80.2 uncontaminated stormwater to the stormwater system.

Timing: Prior to commencement of any works on-site, during works on-site and maintained for the period of the use of the development site.

EASEMENTS

81. Provide a stormwater drainage easement burdening Proposed Lots 2 and 4, over the proposed swale that will convey flows from the new lots to the existing detention basin, having a minimum width as determined in any approval for Operational Work, to the benefit of all lots served by the proposed swale.

82. Provide a stormwater drainage easement burdening Proposed Lot 10, over the proposed detention basin, and all associated drainage infrastructure required to achieve the outcomes in the Approved Stormwater Management Plan prepared by RMA Engineers, Revision 0, dated 26 November 2021. The easement document shall require that the owner of Lot 10 is responsible for maintaining the detention basin and associated infrastructure to ensure that the objectives in the RMA Report are achieved.

83. The restrictions imposed (non-permanent fixtures) on the properties within the drainage easements, will include but not be limited to:

- a building (habitable or not), regardless of size;
- a bridge or culvert;
- a tower, mast, pillar, or post;
- a wall or fence (other than a dividing fence);
- a shipping container or similar object;
- a sculpture or statue;
- a viaduct, railway line, roadway or path;
- a swimming pool or tank; or
- anything else that may be reasonably characterised as a structure when placed upon land (whether by affixation or by resting upon its own weight).

PERMANENT SURVEY MARKS

84. Install a minimum of 1 permanent survey mark (PSM) and connect to Australian Height Datum. Ensure that the PSM is located and installed in accordance with the *Survey and Mapping Infrastructure Act 2003*.

Timing: Prior to Council's endorsement of the Plan of Survey Form 18B for Stage 1.

REFERRAL AGENCY RESPONSE

1. The State Assessment and Referral Agency as Concurrence Agency (Department of Transport and Main Roads as Technical Agency) provided a Concurrence Agency response dated 18 January 2022 which is attached to this approval.

ADVISORY NOTES

NOTE 1 -Currency Period

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

Reconfiguring a Lot

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

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

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

NOTE 2 -Aboriginal Cultural Heritage

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

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

NOTE 3 -General Environmental Duty

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

NOTE 4 -General Safety of Public During Construction

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

NOTE 5 -Property Note (Audit of Conditions)

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

NOTE 6 -Duty to Notify of Environmental Harm

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

A P P E A L R I G H T S

"Chapter 6 Dispute Resolution

Part 1 Appeal Rights

229 Appeals to Tribunal or P&E Court

(1) Schedule 1 states -

(a) matters that may be appealed to -

(i) either a tribunal or the P&E Court; or

(ii) only a tribunal; or

(iii) only the P&E Court; and

(b) the person -

*(i) who may appeal a matter (the **appellant**); and*

(ii) who is a respondent in an appeal of the matter; and

(iii) who is a co-respondent in an appeal of the matter; and

(iv) who may elect to be a co-respondent in an appeal of the matter.

(2) An appellant may start an appeal within the appeal period.

*(3) The **appeal period** is -*

(a) for an appeal by a building advisory agency - 10 business days after a Decision Notice for the decision is given to the Agency; or

(b) for an appeal against a deemed refusal - at any time after the deemed refusal happens; or

(c) for an appeal against a decision of the Minister, under Chapter 7, Part 4, to register premises or to renew the registration of premises - 20 business days after a Notice is published under Section 269(3)(a) or (4); or

(d) for an appeal against an Infrastructure Charges Notice - 20 business days after the Infrastructure Charges Notice is given to the person; or

(e) for an appeal about a deemed approval of a development application for which a Decision Notice has not been given - 30 business days after the applicant gives the Deemed Approval Notice to the Assessment Manager; or...

...(g) for any other appeal - 20 business days after a Notice of the decision for the matter, including an Enforcement Notice, is given to the person.

Note -See the P&E Court Act for the Court's power to extend the appeal period."

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

UNCONFIRMED

13. EXECUTIVE SERVICES

13.1 Executive Services Chief Executive Officer Report February 2022

The purpose of this Report is to provide Council with:

Significant meetings, forums and delegations attended by the Chief Executive Officer during the month of February 2022.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. C. T. Tillman

That this Report be received and noted.

CARRIED

13.2 Executive Services Report Outstanding Actions February 2022

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 16 February 2022

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Bourne

That this Report be received and noted.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Report Call for Motions Australian Local Government Association General Assembly

The purpose of this report is to seek Council endorsement of motions proposed to be submitted to the Australian Local Government Association for consideration at the 2022 National General Assembly

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. P. T. Saxelby

That this Report be received and that Council endorse the following motions for the ALGA National General Assembly:

1. This National General Assembly calls on the Australian Government to increase and maintain the national grant entitlement for Financial Assistance Grants to at least 1.0% of Commonwealth taxation revenue.
2. This National General Assembly calls on the Australian Government to deliver a long-term reliable water source for regional communities to enable economic development opportunities, including hydrogen and agriculture.
3. This National General Assembly calls on the Australian Government to allocate more funding to road infrastructure to sustainably manage state and federal transport infrastructure and the backlog of work.
4. This National General Assembly calls on the Australian Government to increase funding for Connectivity in regional areas and revisit co-contribution as part of assessment criteria.
5. This National General Assembly calls on the Australian Government to collaborate with State and Local Government Areas to develop a strategy to build regional Allied Health Precincts. These precincts would provide currently unavailable specialist services and provide outreach services to smaller rural communities, whilst assisting in the development of a local workforce. Further, this strategy should include an action plan with aligned funding.
6. This National General Assembly calls on the Australian Government to invest in an extension of Inland Rail to the Gladstone Port via an inland route.
7. This National General Assembly calls on the Australian Government to create incentives to attract and train qualified childcare staff.

CARRIED

14.2 Corporate Services Report Bell Showgrounds Amenities Block

The purpose of this report is to seek Council's approval to reallocate \$40,000 from the 2021-22 Facilities Capital Program to assist the Bell Recreation Reserve Committee with the construction of a new amenities block at the Bell Showgrounds.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman

Seconded By Cr. M. J. James

That this report be received and that;

1. Council approves the construction of an amenities block at the Bell Showgrounds in accordance with the request of the Bell Recreation Reserve Committee for an estimate price of \$162,500.00; and
2. the project be funded over the 2021-22 and 2022-23 financial years from Bell Showgrounds accrued capital reserve funds of \$108,384, the \$20,000 capital reserve allocation for the 2022-23 financial year, with Council to supplement the balance of the project cost from savings identified in the adopted 2021-22 Facilities Capital Program.

CARRIED

14.3 Corporate Services Report Disposal of Surplus Council Owned Land

The purpose of this report is to seek Council's approval for the disposal by auction of the listed properties.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That this report be received and that Council;

1. Approve in accordance with s.224(7) of the Local Government Regulation 2012, the disposal of the following parcels of land:

Location	Street Address	Lot on Plan
Tara	4 Marfleet Street	Lot 12 on SP183239
	6 Marfleet Street	Lot 16 on SP209328
	8 Marfleet Street	Lot 10 on SP183239
	10 Marfleet Street	Lot 9 on SP183239
	9 Marfleet Street	Lot 6 on SP183239
	7 Marfleet Street	Lot 15 on SP209328
	5 Marfleet Street	Lot 14 on SP209328
	3 Marfleet Street	Lot 3 on SP183239
	1 Marfleet Street	Lot 2 on SP183239
	5 Henry Court	Lot 24 on SP209293
	6 Henry Court	Lot 11 on SP209293
	10 Henry Court	Lot 9 on SP209293
	26 Henry Court	Lot 1 on SP209293
Chinchilla	13 King Street	Lot 24 on SP188009
	26 Nowland Street	Lot 74 on RP869016
	28 Campbell Street	Lot 1 on SP199342
	139 Zeller Street	Lot 2 on SP199342
Wandoan	Corner North & West Streets	Lot 4 on SP130877

2. approve the public listing of any unsold properties for sale, and
3. delegate authority to the Chief Executive Officer to finalise and sign all necessary documents to effect the aforementioned disposal by auction.

CARRIED

14.4 Corporate Services Financial Report February 2022

The purpose of this Report is to provide Council with the Financial Report for the period ending 28 February 2022.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire
Seconded By Cr. K. A. Bourne

That this Report be received, and that:

1. Council notes the Financial Report as of 28 February 2022.

CARRIED

14.5 Corporate Services Report Early Career Program 2022

The purpose of this Report is to provide Council with an update on the Early Career Program.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire
Seconded By Cr. O. G. Moore

That this Report be received and noted.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Works February 2021/2022 Capital Works Progress Update

The purpose of this Report is for the Works Department to provide an update to Council regarding the 2021/2022 Capital Works Program for the month of February 2022.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. P. T. Saxelby

That this Report be received and noted.

CARRIED

15.2 Infrastructure Services Report Transport Asset Maintenance Management Review and Update

The purpose of this Report is to provide Council with a summary of changes made to Council's Transport Asset Maintenance Management Plan following review of the plan 2 years after implementation.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. O. G. Moore

That the Report be received and that Council;

1. Finalise the current trial of Transport Asset Maintenance Management Plan (TAMMP)
2. Implement the updated Transport Asset Maintenance Management Plan Version 1.7 as tabled

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 12:26pm

The Meeting resumed at 12:49pm

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Report Community Activation Program Round 2 2021.2022

The purpose of this Report is to provide Council with the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022 in relation to the Assessment of Round Two of the 2021/2022 Community Activation Program; and to seek adoption of the recommendations contained in those Unconfirmed Minutes.

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

a. She is the president of the Chinchilla Community Centre Committee.

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

Cr. K. A. Maguire left the meeting at 12:50pm

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. C. T. Tillman

That this Report be received and that:

1. Council note the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022.
2. The Recommendations of the Western Downs Regional Council Community Grants Assessment

Reference Group Meeting held on 16 February 2022 be adopted as follows:

a. Confirmation of Minutes of Previous Meeting

That the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 19 February 2020 copies of which have been circulated to Members, be taken as read and confirmed; and

b. That the applicants for Round Two of the 2021/2022 Community Activation Program be advised as follows:

Ordinary Meeting of Council Minutes 16 March 2022

	Applicant	Project Description	Total Project Cost	Applicant Contribution	Amount Requested	Amount Approved (Excl. G.S.T.)	Justification/ Conditions	Suggestions/ Conflicts of Interest
1	Murilla Community Centre	Local News Matters	\$86,997.00	\$20,350.00	\$10,000.00	\$10,000.00		
						FOR: Cr. K.A. Bourne, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman AGAINST: DID NOT VOTE: Cr. K.A. Maguire		
TOTAL FUNDED						\$10,000.00		

CARRIED

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

Cr. K. A. Maguire re-joined the meeting at 12:55pm

UNCONFIRMED

16.2 Community and Liveability Report Community Projects Program Round Two 2021.2022

The purpose of this Report is to provide Council with the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022. This is in relation to the assessment and proposed adoption of Round Two of the 2021/2022 Community Projects Program.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. C. T. Tillman

That this Report be received and that:

1. Council note the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022.
2. The Recommendations of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022 be adopted as follows:

a. Confirmation of Minutes of Previous Meeting

That the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 6 October 2021, copies of which have been circulated to Members, be taken as read and confirmed.

- b. That the applicants for Round Two of the 2021/2022 Community Projects Program be advised as follows:

Ordinary Meeting of Council Minutes 16 March 2022

	Applicant	Project Description	Total Project Cost	Applicant Contribution	Amount Requested	Amount Approved (Excl. G.S.T.)	Justification/ Conditions	Suggestions/ Conflicts of Interest
1	Sports Condamine Association Inc	Replace Kitchen Floor	\$8,325.00	\$4,000.00	\$4,325.00	\$4,325.00		
							FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman AGAINST: DID NOT VOTE:	
2	Chinchilla Polocrosse Club Inc	Purchaser Ride On Mower	\$13,299.00	\$5,000.00	\$8,299.00	\$6650.00		
							FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman AGAINST: DID NOT VOTE:	
3	Wandoan Arts Council	Soldier Sculpture Project	\$25,113.30	\$13,777.60	\$10,000.00	\$10,000.00		
							FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman AGAINST: DID NOT VOTE:	
TOTAL FUNDED						\$20,975.00		

CARRIED

16.3 Community and Liveability Report Local Events Program Round Two 2021.2022

The purpose of this Report is to provide Council with the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022 in relation to the Assessment of Round Two of the 2021/2022 Local Events Program and to seek adoption of the recommendations contained in those Unconfirmed Minutes.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. P. T. Saxelby

That this Report be received and that:

1. Council note the Unconfirmed Minutes of the Western Downs Regional Council Community Grants

Assessment Reference Group Meeting held on 16 February 2022.

2. The Recommendations of the Western Downs Regional Council Community Grants Assessment

Reference Group Meeting held on 16 February 2022 be adopted as follows:

a. Confirmation of Minutes of Previous Meeting

That the Unconfirmed Minutes of the Western Downs Regional Council Community Grants

Assessment Reference Group Meeting held on 6 October 2021 copies of which have been

circulated to Members, be taken as read and confirmed; and

b. Subject to a governance check by the CEO, that the applicants for Round Two of the 2021/2022 Local Events Program be advised as follows:

Ordinary Meeting of Council Minutes 16 March 2022

	Applicant	Project Description	Total Project Cost	Applicant Contribution	Amount Requested	Amount Approved (Excl. G.S.T.)	Justification/ Conditions	Suggestions/ Conflicts of Interest
1	Tara Race Club	2022 Annual Tara Cup	\$16 900.00	\$14 900.00	\$2 770.00 (\$2 000.00 Cash plus \$770.00 In Kind Assistance)	\$2 770.00 (\$2 000.00 Cash plus \$770.00 In Kind Assistance)		
							FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman	
							AGAINST:	
							DID NOT VOTE:	
2	Jandowae Race Club	2022 Jandowae Races	\$13 000.00	\$2 000.00	\$3 260.00 (\$2 000.00 cash plus \$1 260.00 In Kind Assistance)	\$3 260.00 (\$2 000.00 cash plus \$1 260.00 In Kind Assistance)		
							FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman	
							AGAINST:	
							DID NOT VOTE:	
3	Reining Australia Inc	Australian Reining Breeders Classic "ARBC" Show	\$251,871.50	\$44,000.00	\$8,918.00	\$7,466.00		
							FOR: Cr. C.T. Tillman, Cr. K.A. Bourne, Cr. P.T. Saxelby	
							AGAINST: Cr. K.A. Maguire, Cr. O.G. Moore	
							DID NOT VOTE: Nil	
4	Dalby and District Rugby Football Club Inc	GDL battle in the Bush Rugby Gala	\$34,000.00	\$15,000.00	\$3,000.00	\$2000.00		
							FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman	
							AGAINST:	
							DID NOT VOTE:	
TOTAL FUNDED						\$13,466.00 cash plus \$2030.00 In Kind Assistance		

CARRIED

16.4 Community and Liveability Report Regional Arts Development Fund Round Two 2021.2022

The purpose of this Report is to provide Council with the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022. This is in relation to the assessment and proposed adoption of Round Two of the 2021/2022 Regional Arts Development Fund Program.

In accordance with Chapter 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:

a. She is the president of Gallery107@Dalby.

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

Cr. C. T. Tillman left the meeting at 1:12pm

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

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 Community Grants Assessment Reference Group Meeting held on 16 February 2022.
2. The Recommendations of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022 be adopted as follows:
 - a. Confirmation of Minutes of Previous Meeting

That the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 7 October 2020, copies of which have been circulated to Members, be taken as read and confirmed.

b. That the applicants for Round Two of the 2021/2022 Regional Arts Development Fund Program be advised as follows:

Ordinary Meeting of Council Minutes 16 March 2022

	Applicant	Project Description	Total Project Cost	Applicant Contribution	Amount Requested	Amount Approved (Excl. G.S.T.)	Justification/ Conditions	Suggestions/ Conflicts of Interest
1	Hannaford Club Incorporated	Brushes in the Bush	\$4,773.00	\$100.00	\$3,102.00	\$2,863.00		
						FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore and Cr. P.T. Saxelby AGAINST: DID NOT VOTE: Cr. C.T. Tillman		
2	This Story Australia Ltd	Heroes of the Western Downs	\$12,961.75	\$2,641.75	\$10,000.00	\$0.00	Declined due to a lack of community collaboration and engagement with key stakeholders . There is no clear benefit to the local community. There was a lack of information or detail in the project plan including who the subjects of the videos would be.	
						FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore and Cr. P.T. Saxelby AGAINST: DID NOT VOTE: Cr. C.T. Tillman		
3	Gallery 107 @ Dalby Incorporated	From Easel to Exhibition	\$11,103.50	\$3,227.00	\$4,348.50	\$4,348.50		
						FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore and Cr. P.T. Saxelby AGAINST: DID NOT VOTE: Cr. C.T. Tillman		
TOTAL FUNDED						\$7,211.50		

CARRIED
Absent Did Not Vote: Cr. C. Tillman

Cr. C. T. Tillman re-joined the meeting at 1:15pm

16.5 Community and Liveability Report Destination Events Program 2020.2021

The purpose of this Report is to provide Council with the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022 in relation to the Assessment of the 2021/2022 Destination Events Program and to seek adoption of the recommendations contained in those Unconfirmed Minutes.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

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 Community Grants Assessment Reference Group Meeting held on 16 February 2022.
2. The Recommendations of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 16 February 2022 be adopted as follows:

a. Confirmation of Minutes of Previous Meeting

That the Unconfirmed Minutes of the Western Downs Regional Council Community Grants Assessment Reference Group Meeting held on 19 May 2021, copies of which have been circulated to Members, be taken as read and confirmed.

- b. That the applicants for the 2021/2022 Destination Events Program be advised as follows:

Ordinary Meeting of Council Minutes 16 March 2022

	Applicant	Project Description	Total Project Cost	Applicant Contribution	Amount Requested	Amount Approved (Excl. G.S.T.)	Justification/ Conditions	Suggestions/ Conflicts of Interest
1	Reining Australia Inc	Australian Reining Breeders Classic "ABRC" Show	\$258,371.50	\$20,000.00	\$15,956.50	\$0.00	Decision referred to Local Events Program. The Community Grants Assessment Reference Group suggest that the ARBC work to develop a sustainable financial model that would better reflect the event's success and impact.	
						FOR: Cr. K.A. Bourne, Cr. K.A. Maguire, Cr. O.G. Moore, Cr. P.T. Saxelby and Cr. C.T. Tillman AGAINST: DID NOT VOTE:		
TOTAL FUNDED						\$0.00		

CARRIED

16.6 Community and Liveability Report Planning Application Fee Review

The purpose of this report is to discuss Council's adopted Fees and Charges for multiple use Development Applications.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. C. T. Tillman

That this report be received and that the Council amend the 21/22 Adopted Fees and Charges, line 370, to read as follows:

Combined Applications involving more than 1 type of development - i.e. Material Change of Use and a Reconfiguring of a Lot in one application - and for applications with multiple uses: Fees for a combined development application are to be the sum of those fees that would have been required in the event of a separate development application being lodged for each type (e.g. Material Change of Use, Reconfiguring a Lot, Building Work etc.).

The Chief Executive Officer is to determine a Price on Application fee for a Development Application where multiple uses are proposed in a single application (e.g. MCU application involving two or more use types).

CARRIED

16.7 Community and Liveability Good News Report Safe Phones Project

The purpose of this Report is to share a good news report to Council on the Safe Phones project. Western Downs Regional Council has facilitated the donation of its old refurbished mobile phones to assist in getting domestic violence victims the help they need.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. M. J. James

That this Report be received.

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

Nil.

19. MEETING CLOSURE

The Chairperson declared the Meeting closed at 1:20pm

UNCONFIRMED

Title **Executive Services Mayoral Report March 2022**

Date 8 April 2022

Responsible Manager J. Taylor, CHIEF EXECUTIVE OFFICER

Summary

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of March 2022.

Link to Corporate Plan

Strategic Priority: Active Vibrant Communities

- We are a region without boundaries, united in community pride.
- Our community members are the loudest advocates for what's great about our region.
- Our social, cultural and sporting events are supported locally and achieve regional participation.
- Our parks, open spaces, and community facilities are well utilised and connect people regionally.
- A recognised culture of volunteerism is active throughout our communities.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and noted

Background Information

Nil

Report

Meetings, delegations and forums attended by the Mayor during the month of March 2022:

1 March 2022	<ul style="list-style-type: none"> • Councillor Information Sessions 	Dalby
2 March 2022	<ul style="list-style-type: none"> • Councillor Information Sessions • Dalby Chamber of Commerce Business After Hours 	Dalby Dalby
3 March 2022	<ul style="list-style-type: none"> • QDMC Extraordinary Meeting • Meeting with Deputy Premier for SEQ Mayors and CEOs • Development Assessment Panel Meeting 	Teleconference Teleconference Dalby
4 March 2022	<ul style="list-style-type: none"> • QDMC Extraordinary Meeting • Word Out West - Cocktail Chronicles with Samuel Johnson 	Teleconference Dalby
5 March 2022	<ul style="list-style-type: none"> • South East Queensland Rainfall & Flooding Recovery Meeting 	Teleconference
7 March 2022	<ul style="list-style-type: none"> • Meeting with Dalby Herald 	Dalby
8 March 2022	<ul style="list-style-type: none"> • Chanel 7 Interview • Dinner at Jimbour House 	Zoom Jimbour

9 March 2022	<ul style="list-style-type: none"> Meeting with Minister Hinchliffe Western Downs Local Disaster Management Group Meeting 	Teleconference Dalby
10 March 2022	<ul style="list-style-type: none"> Safe Phone Project 	Dalby
11 March 2022	<ul style="list-style-type: none"> International Women's Day 	Dalby
12 March 2022	<ul style="list-style-type: none"> Stan Kellett's 100th Birthday 	Bell
14 March 2022	<ul style="list-style-type: none"> Planning and Pre-Agenda Meeting Councillor Information Sessions 	Dalby Dalby
15 March 2022	<ul style="list-style-type: none"> Audit Committee Meeting Meeting with Mirabou Energy Health Sustainability Futures Meeting 	Dalby Dalby Dalby
16 March 2022	<ul style="list-style-type: none"> Ordinary Meeting of Council Councillor Information Session Meeting with Department of State Development, Infrastructure, Local Government and Planning & Queensland Reconstruction Authority Meeting with Southern Cross Care & Miles Chamber of Commerce. 	Miles Miles Teleconference Miles
17 March 2022	<ul style="list-style-type: none"> Meeting with Palladium 	Dalby
18 March 2022	<ul style="list-style-type: none"> Meeting with Campbell Newman 	Dalby
21 March 2022	<ul style="list-style-type: none"> Triple M Radio Interview Student Leader Workshop & Community Leader Morning Tea Meeting with Today News Group 	Phone Dalby Teams
23 March 2022	<ul style="list-style-type: none"> Meeting with RTC Consultancy Meeting with various Local Government Authorities regarding Financial Assistance Grant Funding 	Dalby Teleconference
29 March 2022	<ul style="list-style-type: none"> Sunrise Interview Meeting with a Ratepayer News Interviews 	Zoom Dalby Dalby
30 March 2022	<ul style="list-style-type: none"> Local Disaster Management Group Flooding Debrief 	Dalby
31 March 2022	<ul style="list-style-type: none"> ABC Radio Interview 	Phone

Consultation (Internal/External)

Nil

Legal/Policy Implications (Justification if applicable)

Nil

Budget/Financial Implications

Nil

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

The forgoing represents activities undertaken by the Mayor during the month of March 2022.

Attachments

Nil

Authored by: Hailey Wex, Executive Assistant

Title (030.2021.789.001) Community and Liveability Report Development Application for Material Change of Use for Function Facility Community Use Tourist Park at 283 Auburn Road Chinchilla The Dusty Chook

Date 4 April 2022

Responsible Manager T. Summerville, PLANNING AND ENVIRONMENT MANAGER

Summary

The purpose of this Report is for Council to decide the proposed development for Material Change of Use to establish a Function Facility, Community Use and Tourist Park on land described as Lot 4 on RP176712 and situated at 283 Auburn Road, Chinchilla.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We aggressively attract business and investment opportunities.
- Our region is a recognised leader in agribusiness, energy, and manufacturing.
- We deliver water security to enable future economic growth.
- We proactively advance our region as a tourism destination.
- Our business and industry actively live and buy local.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that:

1. The application for a Material Change of Use to establish a Function Facility, Community Use and Tourist Park on land described as Lot 4 on RP176712 and situated at 283 Auburn Road, Chinchilla, 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: -

Description: Proposed Development: The Dusty Chook, Version 3, dated 1.2.2022

Amendments: Plan to be amended as follows:

- On-site car parking areas to be nominated on the Approved Plan

2. The Plan to be amended must only incorporate the amendment listed within this Development Approval and must be resubmitted to Council for endorsement prior to the issue of a Development Permit for Building Work.
3. 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.
4. The following further Development Permits must be obtained prior to commencement of any work associated with the process:

- 4.1 Building Work; and
- 4.2 Plumbing Works.

PLANS FOR ENDORSEMENT

- 5. Floor Plans and Elevations of all proposed buildings and structures must be submitted to Council for endorsement prior to the issue of a Development Permit for Building Work for the relevant Stage.

Note: Infrastructure charges will be levied for the Gross Floor Area of all buildings and structures associated with the Function Facility, Community Use and per Cabin and Caravan Site for the Tourist Park in accordance with Council's Infrastructure Charges Resolution (No. 7.1) 2017. Once detailed plans are provided, an Infrastructure Charges Notice will be issued.

APPROVED DEVELOPMENT

- 6. The approved development is a Material Change Use for a Function Facility, Community Use and Tourist Park as shown on the Approved Plans.
- 7. The development is to occur sequentially in the following Stages as shown on the Approved Plans:
 - Stage 1:** Function Building (375m² GFA), Outdoor Art Workshop Structure (36m²), Ablutions Building (32m²) and installation of sculpture walk.
 - Stage 2:** Six (6) Accommodation Cabins (20.4m²), five (5) Caravan Sites and Ensuite Bathrooms (9m² each), Office/Reception Building (24m²).
 - Stage 3:** Bush Camping Area (3 camping sites) and a covered barbecue/camp kitchen area (40m²).
- 8. Conditions within this approval are applicable to all Stages of the development, unless otherwise specified.

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.

FEES 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** will be issued relevant to each Stage of the development.

Note: An Infrastructure Charges Notice for each Stage of the development will be issued following Council's endorsement of the Floor Plans (confirming the proposed Gross Floor Area of the buildings) and Elevations as required by Condition 5.

HOURS OF OPERATION

15. The Function Facility, Community Use and associated activities must only operate between the following hours:

Sunday to Thursday: 8am to 8pm

Friday and Saturday: 8am to 11pm. No amplified music is permitted after 10pm.

OUTDOOR LIGHTING - IMPACT MITIGATION

16. Outdoor lighting of the development shall mitigate adverse lighting and illumination impacts by:
- 16.1 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
 - 16.2 installation of outdoor lighting that:
 - 16.2.1 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;
 - 16.2.2 is directed onto the subject land and away from neighbouring properties; and
 - 16.2.3 uses shrouding devices to preclude light overspill onto surrounding properties where necessary.

LANDSCAPING – GENERAL

17. All declared weeds and pests shall be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of the development work and any ensuing defects liability period.
18. 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.

FENCING

19. Any fencing that is installed is to be in keeping with the character of the surrounding area.
20. Boundary fences are not to be erected in a parallel arrangement with existing fences erected along the same boundary. That is, the existing fence shall be completely removed.

STOCK ROUTE – AUBURN ROAD

21. Fencing along the site's frontage of the Stock Route (Auburn Road) must be maintained at all times.
22. Any new access provided to the property from Auburn Road must include a gate or grid to prevent stock entry to the premises.

VISUAL AND GENERAL AMENITY

23. Any graffiti on the buildings must be removed.
24. The buildings and the site must be maintained in a clean and tidy manner at all times.
25. All plant, air-conditioning equipment and the like shall be visually screened from the street.
26. All declared weeds and pests shall be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of the development work and any ensuing defects liability period.

REFUSE STORAGE AREA AND COLLECTION

27. Refuse bin storage areas must be provided on the premises within an enclosed structure or behind a building so that they are screened from public view with a minimum 1.5 metre high solid fence or wall.
28. The developer must provide a sufficient number of general waste bins with a sufficient capacity throughout the development footprint for the disposal of waste and rubbish associated with the use.
29. The size and capacity of the refuse storage areas must be sufficient to accommodate the level of waste likely to be generated from the development having regard to the frequency of refuse collection.
30. Waste collection must be undertaken in a manner that complies with the following requirements:
 - 30.1 the bins must be located in a manner that allows the refuse vehicle to pick them up automatically without the driver or any other person having to relocate them;
 - 30.2 the collection of putrescible waste arising from any activities undertaken on this development must be collected and removed at periods not exceeding seven days;
 - 30.3 the collection of waste must be undertaken so as to minimise, so far as reasonable and practical, excessive noise to neighbouring occupants;
 - 30.4 the collection method must ensure that waste is adequately managed to prevent escape of contamination; and
 - 30.5 waste removal is to be conducted between the hours of 7am and 6pm from Monday to Friday and between 8am and 6pm Saturdays and Sundays.
31. Refuse bin collection areas must be maintained in a manner that complies with the following requirements:
 - 31.1 waste containers must be kept in a clean state and in good repair;
 - 31.2 waste containers are to be provided with tight-fitting lid assemblies designed to prevent ingress of pests and water;
 - 31.3 all waste containers supplied must be kept within the boundaries of the premises; and
 - 31.4 unobstructed access must be provided to all waste containers for the removal of waste.

WASTE MANAGEMENT

32. 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*.
33. 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

34. Noise emissions from the development shall not cause environmental harm or nuisance to adjoining properties or "Sensitive Receptors" in accordance with the *Environmental Protection (Noise) Policy 2019*.
35. In the event that Council receives a bonafide noise complaint regarding noise emissions produced from the site, Council reserves the right to review the approved operating and loading/unloading hours and to require the applicant to re-assess site management procedures already in place. In this instance, the applicant may be required to undertake an assessment of noise impacts through a third party and implement any recommendations in relation to noise attenuation by a date agreed to by Council.

AIR EMISSIONS

36. 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*.

ENGINEERING WORKS

37. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, and relevant Australian Standards.
38. 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

39. 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.
40. 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

41. Design and construct stormwater drainage to ensure that there is no nuisance or interference to the current use or potential future use of all downstream properties including road reserves and the like, for design storms of ARI2, ARI5, ARI10, ARI20 and ARI50.
42. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows or create an increase in flood damage on other properties.
43. Ensure that adjoining properties and roadways are protected from ponding as a result of any site works undertaken.

FLOODING - GENERAL

44. Provide habitable areas and areas associated with the storage of hazardous chemicals and all control panels of critical services built at a minimum 300mm above the defined flood level.

RISK MANAGEMENT PLAN

45. Submit to Council, a Flood Risk Management Plan for the Bush Camping Area prepared by a suitably qualified person (Registered Professional Engineer of Queensland). As a minimum, the Plan is to address and document in detail, the following in relation to the proposed development and property:
 - 45.1 Awareness and preparation in the event of a flood event – knowing the risk, understanding the vulnerability, preparation requirements for the wet season, documentation and planning, and provision of an emergency kit.
 - 45.2 Trigger criteria and evacuation response – when to leave, when to stay, risk management of property and people, services management eg turn off solar panels, gas, water, power, evacuation destination/s.
 - 45.3. Post event action planning – steps to reoccupy after an event/move back, management of clearances required eg electrical services inspection, water quality in tanks.
 - 45.4 Familiarisation, review and updating of the Plan. Procedures for change of ownership/tenancy. Procedures for seeking advice/changes/approvals from the Manager of Planning and Environment.
46. Ensure a copy of the Council Approved Flood Risk Management Plan is available on-site to customers, staff and Council at all times.
47. Implement recommendations of the Risk Management Plan.

Timing: Prior to commencement of Stage 3 and to be maintained for the period of the use.

WATER SUPPLY

48. Provide a potable water supply for the development, and 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.

ON-SITE WASTEWATER DISPOSAL

49. Connect the cabins, twin ensuite bathrooms, and ablution block to an on-site wastewater disposal system in accordance with AS1547 and the Queensland Plumbing and Waste Water Code.
50. Obtain a Development Permit for Plumbing Work for the on-site sewerage treatment system.

OTHER WASTEWATER DISPOSAL

51. Wastewater from visitors at the Bush Camp Area shall not be disposed on-site, and shall only be disposed at Council dump points.

PARKING AND ACCESS - GENERAL

52. Design and construct all driveway and parking areas with a dust suppressive gravel.
53. Provide the below minimum number of car parking spaces:
 - 53.1 one car park per cabin/caravan site, plus two car parks for visitors and staff; and
 - 53.2 sufficient car parks to accommodate the number of visitors for the Function Facility and Art Workshop Building, with a minimum of one person with disability (PWD) car parking space.
54. All car parking shall be contained to the premises.

55. 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.

ELECTRICITY AND TELECOMMUNICATIONS

56. Connect the development to electricity and telecommunication services.

EROSION AND SEDIMENT CONTROL - GENERAL

57. 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.
58. 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

59. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 59.1 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;
 - 59.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and ensure traffic safety; and
 - 59.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).
60. 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:
- 60.1 uncontaminated overland stormwater flow; and
 - 60.2 uncontaminated stormwater to the stormwater system.

ADVISORY NOTES

NOTE 1 - Relevant Period

*"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 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.

Background Information

The relevant background information of this application is as follows:

Application No: 030.2021.789.001	Assessment No: A11942	Keywords Index: LG7.6.1 & AD6.6.2
Assessing Officer:	Kim Reeve CONSULTANT PLANNING OFFICER	
PART 1: APPLICATION		
Applicant:	The Dusty Chook	
Owner:	DR & LN Cross	
Site Address:	283 Auburn Road, Chinchilla	
Site Area:	14.4ha	
Real Property Description:	Lot 4 on RP176712	
Proposed Development:	Function Facility, Community Use and Tourist Park	
Level of Assessment:	Impact	
Type of Application:	Material Change of Use	
Relevant Planning Scheme:	Western Downs Planning Scheme 2017 incorporating Amendment 1	
Zone:	Rural	
Precinct:	Rural 10	
Overlays:	<ul style="list-style-type: none"> • Biodiversity - MSES Regulated Vegetation • Bushfire Risk - Medium Bushfire Risk • Flood Hazard - Low to Extreme • Extractive Industry - Authority to Prospect 676 - Petroleum Leases • Stock Routes - 50m Buffer • Agricultural Land Classification - Class A • Stormwater Overland Flow - Minor Flow Path • Waterway Corridors - Waterway Corridor 	
Pre-lodgement Meeting:	Yes	Date: 22/07/2021
Application Lodgement Date:	15/09/2021	
Properly Made Application:	No	N/A

Action Notice Issued:	Yes	Date: 29/09/2021
Required Action Taken:	Yes	Date: 19/11/2021
Confirmation Notice Issued:	Yes	Date: 25/11/2021
PART 2: REFERRAL		
State Assessment and Referral Agency (SARA) as Concurrence Agency (Department of Transport and Main Roads as Technical Agency)	<ul style="list-style-type: none"> • 14/12/2021 - SARA issued a Confirmation Notice confirming that the application had been properly referred. • 19/01/2022 - Council received a Concurrence Agency response from SARA confirming no requirements. 	
PART 3: INFORMATION REQUEST		
Information Request Issued:	Yes	Date: 09/12/2021
Applicant's Response:	Yes	Date: 01/02/2022
PART 4: PUBLIC NOTIFICATION		
Comment Period Commenced:	Yes	Date: 11/02/2022
Notice of Compliance Received:	Yes	Date: 11/03/2022
Submissions:	Nil	
PART 5: DECISION PERIOD		
Date Commenced:	14/03/2022	
Date Decision Due:	19/04/2022	

Report

1. Site

The property is legally described as Lot 4 on RP176712, is located at 283 Auburn Road, Chinchilla, and has a total area of 14.4ha. The property comprises a single allotment in a rural area approximately 4km north-east of the Chinchilla CBD. The property has sole road frontage to Auburn Road.

The property is located within the Rural Zone and Rural 10 Precinct of the Western Downs Planning Scheme 2017 incorporating Amendment 1 (the Planning Scheme). The Biodiversity, Bushfire Risk, Flood Hazard, Extractive Industry, Stock Routes, Agricultural Land Classification, Stormwater Overland Flow and Waterway Corridors Overlays impact the land.

The property currently contains a Dwelling House and associated Outbuildings.

Auburn Road comprises a bitumen sealed carriageway and is a State-controlled road. The property takes access to Auburn Road via an existing vehicle crossover. The property is not serviced by Council's water supply or sewerage infrastructure. The property is serviced by telecommunications and electricity networks.

2. Proposal

The applicant has submitted a development application for a Material Change of Use for a Function Facility (catering for up to 150 people), Community Use and Tourist Park on the subject site. The development will include the provision of six (6) accommodation cabins, five (5) ensuite caravan spaces, three (3) bush camping sites (catering for a maximum of 10 people), a sculpture walk, and a Function Facility catering for events such as art workshops and weddings.

The development is intended to be developed over three (3) stages as follows:

Stage 1: Stage 1 of the development will involve the establishment of a function building (375m² GFA), a small structure for outdoor art workshops (36m²), and an ablutions building (32m²). This Stage will cater for art workshops and functions and will also involve the installation of sculptures for the proposed sculpture walk.

Stage 2: Stage 2 of the development will involve the construction of the Tourist Park component including six (6) accommodation cabins (20.4m² each), five (5) caravan sites with ensuite bathrooms (9m² each), and an ancillary office/reception building (24m²). The proposed cabins are intended to be themed, self-contained, and will accommodate a maximum of two (2) people per cabin (total of 12 adults). The ensuite caravan sites will cater for a maximum of two (2) people each (total of 10 adults). The provision of accommodation on the property is intended to facilitate longer, more in-depth art workshops and experiences provided at Stage 1 of the development.

Stage 3: Stage 3 of the development will involve the expansion of the development, including the provision of a bush camping area and a covered barbecue/camp kitchen area (40m²), plus provision of a permanent gallery, an ancillary gallery shop and café. It is noted that no building plans have been submitted for a permanent gallery/gallery shop/café and it is understood these would occur within the existing buildings developed at earlier stages. In accordance with the definition of Community Use in the Western Downs Planning Scheme 2017 incorporating Amendment 1, the use can include preparing and selling of food and drink. The bush camping area is intended to provide camping to fully self-contained visitors only (ie guests would provide their own water supply, toilet facilities etc). In the event that campers are unable to provide their own facilities, the potable water and ablutions block provided as part of the function building would be accessible.

It is noted that the applicants intend to provide a rustic theme to the development, and buildings will include reclaimed and vintage materials to ensure a unique visual appearance. Accordingly, the buildings to be utilised are likely to be reclaimed buildings and will be selected based on availability, location and pricing. As a result, the applicant has provided general floor plans and dimensions of each building, however, has not provided individual elevation plans for each building. The development will be appropriately conditioned to ensure elevation plans are submitted to Council for endorsement prior to the issue of Building Approvals for each Stage of the development.

The development is located centrally on the property, and buildings associated with the development will be set back a minimum of 20m from adjoining properties. The site also benefits from extensive established native vegetation and landscaping between the development site area and adjoining boundaries.

The applicant proposes to make access to the facility via a crossover to Auburn Road. The applicant has not formally identified the provision of parking spaces on the property, however, this will be appropriately conditioned.

The applicant has not identified specific operating hours or days, but has advised that operating hours will be limited to those required by Council's standards. Operating hours will be appropriately conditioned.

The development will be connected to on-site water supply and sewerage infrastructure. Potable water will be provided via rainwater tanks and will be trucked to the site as required. An on-site effluent treatment system will be provided to the development site, and an on-site wastewater land application area has been identified adjacent to the proposed accommodation component of the development.

3. Assessment

Assessment against Western Downs Planning Scheme 2017 Incorporating Amendment 1 (the Planning Scheme)

The property is located within the Rural Zone, Rural 10 Precinct in which a Material Change of Use for a Function Facility, Community Use and Tourist Park is Impact Assessable development.

The application requires assessment against the Strategic Plan and the relevant Codes below:

- Strategic Plan
- Rural Zone Code
- Accommodation Activities Code
- Transport, Access and Parking Code
- Infrastructure Services Code
- Biodiversity Areas Overlay Code
- Bushfire Risk Overlay Code
- Flood Hazard Overlay Code
- Natural Resources Overlay Code
- Regional Infrastructure Corridor – Stock Route Overlay Code
- Stormwater Overland Flow Path Overlay Code
- Waterway Corridors Overlay Code

The application has been considered against the Strategic Plan and the Codes and is discussed below:

3.1 Strategic Plan

The development is consistent with the policy elements of the Strategic Plan. Specifically, the proposed development is considered to comply with the applicable Specific Outcomes sought in the Strategic Plan as outlined below.

Strategic Element 3.3.2 – Network of Centres

"3.3.2.1 - Specific Outcomes

- (1) *Chinchilla and Dalby accommodate the largest concentration of urban land uses and development in a compact, vibrant and active Major centre. Both centres accommodate regionally significant health care facilities, business services, manufacturing and retail markets, education facilities, Government services, entertainment and sporting facilities and civic spaces and functions."*

Complies

The development will contribute to the variety of urban land uses within the vicinity of the Chinchilla township and will enhance the town as a vibrant and active centre.

Strategic Outcome 3.3.7 - Safe Communities

"3.3.7.1 - Specific Outcomes

- (1) *Development is designed and located to minimise the risk to human safety from natural hazards such as bushfire, flooding or landslide."*

Complies

The proposed development has been suitably located within the subject land to avoid high natural hazard areas including the Low to Extreme Flood Hazard Areas identified on the Flood Hazard Overlay Mapping. In this regard, the development has been designed to ensure buildings and structures are located outside of Flood Hazard Areas.

The subject site does not contain areas of High Bushfire Hazard on the Bushfire Risk Overlay Mapping. While the development site is located within limited areas of Medium Bushfire Hazard, an assessment against the Bushfire Risk Overlay Code has indicated that the development is consistent with the requirements of the Code.

The site is not identified as being subject to landslide risk.

Strategic Element 3.3.10 – Rural Land Use

"3.3.10.1 - Specific Outcomes

- (1) *ALC Classes A and B land is protected from alienation, isolation, diminished productivity, fragmentation and encroachment by incompatible land use.*
- (2) *The soils of the Western Downs are a productive and high quality resource. Rural activities and production take advantage of access to the high quality soils to expand the rural economy. Land managers utilise best management practices to sustainably manage the resource for future generations.*
- (3) *The productive soils of the Western Downs are a valuable asset that underpins rural production and provides the foundation for the rural identity, character and economy of the region. The good management of soils ensures rural and urban activities maintain soil condition and productivity."*

Complies

The nature of the proposed development is such that it is not expected to prejudice or diminish the productive capacity of the land or conflict with intended rural activities in the surrounding area. The development represents an interim land use with minimal physical impacts and permanent infrastructure, and accordingly will not compromise the ability for the development site to be utilised for agricultural production in the future.

Strategic Element 3.4.4 – Waterways, Wetlands and Aquifers

"3.3.10.1 - Specific Outcomes

- (6) *The wetlands of the Western Downs identified on Strategic plan Map 2 - Natural Environment support a diversity of flora and fauna including habitats and refuges for migratory species. Significant wetlands such as The Gums Lagoon and Lake Broadwater provide valuable breeding grounds for water birds, and contribute to the diversity of landscape forms that attract visitors to the region..*
- (9) *Activities in non-sewered localities manage on-site waste disposal in a response and sustainable manner so as to ensure that this infrastructure does not negatively impact upon waterways, wetlands or aquifers."*

Complies

The property is identified as containing a Waterway Corridor on the Waterway Corridors Overlay Mapping. The development is appropriately set back from the identified Waterway Corridor and will not result in the clearing of native vegetation within proximity to this area. The development will be conditioned to ensure that stormwater and wastewater is appropriately managed and discharged.

Strategic Element 3.5.7 – Tourism

"3.5.7.1 - Specific Outcomes

- (2) *'Grey nomad' tourists and other tourists who provide their own mobile accommodation by way of caravan or motor homes are supported by tourism related development.*
- (3) *Ecotourism activities are encouraged where natural values are protected and enhanced.*

- (4) *Rural based tourism is facilitated where it does not impact on the continuing productive use of agricultural land and maintains the predominant rural amenity and landscape character of the region."*

Complies

The development involves a Function Facility, Community Use and Tourist Park designed to specifically enhance the tourism and arts industries within the region. The development provides five (5) caravan sites, in addition to cabin accommodation (6 cabins), alongside the proposed Function Facility and Community Use which will include a sculpture walk and art workshops. The development has been designed to ensure the natural values of the subject site are enhanced and protected. The nature and location of the use on the subject land are such that it will not compromise the long-term productive agricultural use of the land, or impact on the rural amenity or landscape character of the area.

3.2 Rural Zone Code

The property is located within the Rural Zone in which the development of a Tourist Park is listed as a consistent use. A Community Use and Function Facility are listed as inconsistent uses within the Zone. Notwithstanding any perceived conflict with the intent of the Zone, the specific nature of the use comprising a tourist/arts related development that relies on the endemic features and rural setting of the subject land, is such that it is considered to be an appropriate development in this instance.

The proposed development is generally consistent with the Outcomes sought for development in the Rural Zone. Specifically, the development involves establishment of a tourism activity that is directly associated with the natural environment and relies on the endemic features of the subject land including the natural bush setting and landscape values, whilst being conveniently located accessible to the township of Chinchilla, including associated urban services and infrastructure.

The nature of the proposed development is such that it will not prejudice or diminish the productive capacity of the subject land. The development represents an interim land use with minimal physical impacts and permanent infrastructure, and accordingly, will not compromise the ability for the development site to be utilised for agricultural production in the future. The development is suitably buffered from other rural activities to ensure the proposed use does not compromise agricultural production in the area.

The siting and design of the development are consistent with the building height, setbacks, gross floor area (GFA) and site coverage requirements of the Code. It is noted that the applicant has advised the GFA of each building and submitted examples of what the proposed buildings' floor plans/elevations may look like, however, the individual buildings have not yet been sourced. Accordingly, the development will be conditioned to ensure floor plans and elevations of each building are submitted to Council for endorsement prior to the issue of a Building Work approval.

The development has been appropriately designed and sited to ensure it protects the environmental, character and landscape values of the subject land and surrounding area.

The development site area is appropriately set back from adjoining land and nearby receptors and will be appropriately conditioned to ensure potential impacts on the amenity of the Rural Zone, having regard to noise, traffic, lighting, visual amenity and privacy are mitigated.

The development will be conditioned to comply with the requirements of the *Environmental Protection (Noise) Policy 2019* and the *the Environmental Protection (Air) Policy 2019* in regard to sensitive land uses.

The development will also be conditioned in order that light emitting from the development during hours of operation is limited, to ensure that it does not impact on the amenity of surrounding sensitive land uses.

The development will be conditioned to ensure it achieves appropriate stormwater management objectives.

The development is consistent with the Rural Zone Code, subject to the recommended conditions of approval.

3.3 Accommodation Activities Code

The proposed Tourist Park component of the development is consistent with the purpose of the Accommodation Activities Code and represents a development which will enhance the recreation vehicle tourist industry.

The location, scale, density and setbacks of cabins are consistent with the character and amenity of the area and the requirements of the Accommodation Activities Code.

Acceptable Outcome 29 of the Accommodation Activities Code requires that Tourist Parks provide a minimum of 3 caravan/recreation vehicle sites for every 1 cabin accommodation type. In this instance, a total of 6 cabins and 5 caravan sites are proposed, which results in 0.83 caravan sites per 1 cabin. Notwithstanding, the development is considered to achieve the associated Performance Outcome which seeks to ensure Tourists Parks provide a variety of accommodation types to meet the diversity of tourists visiting the region.

The location of the proposed Tourist Park is considered suitable given the subject land is in proximity to a Centre Zone and the use is directly associated with the natural environment and relies on the endemic features of the subject land including the natural bush setting and landscape values.

The development is consistent with the Accommodation Activities Code, subject to the recommended conditions of approval.

3.4 Transport, Access and Parking Code

The property has frontage to Auburn Road which comprises a bitumen sealed carriageway and is a State-controlled road. The development application was referred to the State Assessment and Referral Agency (SARA) as Concurrence Agency (Department of Transport and Main Roads as Technical Agency). Council received a Concurrence Agency response from SARA confirming no requirements.

The development will be accessed by light vehicles (B99 and B85 vehicles) and the largest design vehicle is expected to be a refuse vehicle (if utilised) servicing the development.

Council's Consultant Development Engineer considers that the design of the development will allow for vehicles to park and manoeuvre safely and to enter and exit the property in a forward motion.

The development will be conditioned to ensure access and internal manoeuvring areas are provided with a gravelled surface.

The applicant has not proposed any formal car parking for the development. Table 9.4.5.2 of the Code requires provision of 1 space per site for a Tourist Park use. A car parking rate for a Function Facility and Community Use is not nominated under the table, and the table notes sufficient spaces should be provided to accommodate the amount of vehicular traffic likely to be generated by the use. The development will be conditioned to provide car parking in accordance with the requirements of Table 9.4.5.2 of the Code.

The development is consistent with the Transport, Access and Parking Code, subject to the recommended conditions of approval.

3.5 Infrastructure Services Code

The property does not have access to reticulated water or sewer.

The development will be conditioned to ensure the development is connected to a safe and efficient on-site waste water disposal system in accordance with AS1547 and the Queensland Plumbing and Waste Water Code.

The development will be conditioned to ensure a suitable water supply is provided for the development.

The development will be conditioned to connect to an electricity service.

The development will be conditioned to ensure that stormwater on the property is managed in accordance with Council's standards.

The development is consistent with the Infrastructure Services Code, subject to the recommended conditions of approval.

3.6 Biodiversity Overlay Code

The property is identified as containing MSES Regulated Vegetation on the Biodiversity Overlay Mapping.

Buildings and structures associated with the development are not located in proximity to the MSES Regulated Vegetation areas and accordingly, the development is not expected to impact the identified environmental values.

The development is consistent with the Biodiversity Overlay Code.

3.7 Bushfire Risk Overlay Code

The property is identified as containing Medium Bushfire Hazard Areas on the Bushfire Risk Overlay Mapping.

Buildings and structures associated with the proposed development are generally located outside of identified Medium Bushfire Hazard Areas on the site, and the development complies with all acceptable outcomes nominated under the Bushfire Risk Overlay Code.

Auburn Road and the proposed internal roads are considered capable of providing access for fire fighting and other emergency vehicles.

The development is consistent with the Bushfire Risk Overlay Code.

3.8 Flood Hazard Overlay Code

The property is identified as containing Low to Extreme Flood Hazard Areas on the Flood Hazard Overlay Mapping.

All buildings associated with the development have been sited to avoid the Flood Hazard Areas. The Bush Camp Area is located partly within Low to High Flood Hazard Areas, however, this component of the development does not involve any buildings or structures. Part of the proposed sculpture walk is also located within Low to Extreme Flood Risk Areas.

A condition has been included to require that a Flood Risk Management Plan prepared by a suitably qualified person (Registered Professional Engineer of Queensland) is submitted to Council to ensure the Bush Camping Area is appropriately managed in regard to flood response, safety and evacuation.

The site access to Auburn Road and internal driveways providing access to the development site area are located entirely outside the mapped Flood Hazard Areas.

The development will be conditioned to ensure the design levels for all buildings comply with the flood immunity standard specified within the Code.

The development is consistent with the Flood Hazard Overlay Code, subject to the recommended conditions of approval.

3.9 Natural Resources Overlay Code

The property is identified as Class A Agricultural Land within the Agricultural Land Classification Overlay Mapping of the Planning Scheme.

The nature of the proposed development is such that it is not expected to result in the loss or fragmentation of productive rural land or conflict with intended rural activities in the area. The development represents an interim land use with minimal physical impacts and permanent infrastructure, and accordingly, will not compromise the ability for the development site to be utilised for agricultural production in the future.

The property is also identified in an Authority to Prospect (ATP 676) and Petroleum Lease on the Extractive Industry Overlay Mapping of the Planning Scheme. The development does not compromise any outcomes sought under the Code in relation to these areas.

The development is considered to be generally consistent with the Natural Resources Overlay Code.

3.10 Regional Infrastructure Corridor – Stock Route Overlay Code

The subject land is located adjacent to a Stock Route (Auburn Road) and is partly located within the Stock Route 50m Buffer on the Regional Infrastructure Corridor Overlay Mapping.

The development site area is not located within the Stock Route 50m Buffer Area.

The development has been appropriately conditioned to ensure boundary fencing to Auburn Road is maintained, and that any new access from Auburn Road includes a gate or grid to prevent stock entry to premises.

The development is consistent with the Regional Infrastructure Corridor – Stock Route Overlay Code.

3.11 Stormwater Overland Flow Path Overlay Code

The property is identified as containing a Minor Flow Path on the Stormwater Overland Flow Path Overlay Mapping.

The development site area is not located in proximity to the Minor Flow Path area. The development is consistent with the Stormwater Overland Flow Path Overlay Code.

3.12 Waterway Corridors Overlay Code

The property is identified as containing a Waterway Corridor on the Waterway Corridors Overlay Mapping.

Buildings associated with the development are not located in proximity to the identified Waterway Corridor and the development will not result in the clearing of native vegetation within the waterway corridor or waterway corridor buffer.

The development is consistent with the Waterway Corridors Overlay Code.

4. Other Relevant Matters

4.1 Public Notification

The applicant undertook formal public notification of the development for a period exceeding 15 business days between 11 February 2022 and 10 March 2022. Public Notification was undertaken generally in accordance with the requirements of the *Planning Act 2016* and Development Assessment Rules.

During the Public Notification Period, no properly made submissions were received.

4.2 Referrals

The application triggered referral to Concurrence Agency Department of State Development, Infrastructure, Local Government and Planning, with the Department of Transport and Main Roads as Technical Agency.

The Referral Agency response from the Department contained no requirements.

Consultation (Internal/External)

Internal

Council's Consultant Development Engineer has assessed the development application and provided conditions of approval where relevant.

Council's A/Principal Planner and Planning and Environment Manager have reviewed this Report and provided comments where necessary.

External

The application triggered referral to the State Assessment and Referral Agency as a Concurrence Agency (Department of Transport and Main Roads as Technical Agency). The Referral Agency response is included as an attachment to this Report.

Legal/Policy Implications (Justification if applicable)

An applicant may elect to appeal against Council's decision in accordance with the relevant Section of the *Planning Act 2016*, which states:

"Chapter 6 Dispute Resolution

Part 1 Appeal Rights

229 Appeals to Tribunal or P&E Court

(1) *Schedule 1 states -*

(a) *matters that may be appealed to -*

- (i) *either a tribunal or the P&E Court; or*
- (ii) *only a tribunal; or*
- (iii) *only the P&E Court; and*

- (b) *the person -*
 - (i) *who may appeal a matter (the **appellant**); and*
 - (ii) *who is a respondent in an appeal of the matter; and*
 - (iii) *who is a co-respondent in an appeal of the matter; and*
 - (iv) *who may elect to be a co-respondent in an appeal of the matter.*

(2) *An appellant may start an appeal within the appeal period.*

(3) *The **appeal period** is -*

- (a) *for an appeal by a building advisory agency - 10 business days after a Decision Notice for the decision is given to the Agency; or*
- (b) *for an appeal against a deemed refusal - at any time after the deemed refusal happens; or*
- (c) *for an appeal against a decision of the Minister, under Chapter 7, Part 4, to register premises or to renew the registration of premises - 20 business days after a Notice is published under Section 269(3)(a) or (4); or*
- (d) *for an appeal against an Infrastructure Charges Notice - 20 business days after the Infrastructure Charges Notice is given to the person; or*
- (e) *for an appeal about a deemed approval of a development application for which a Decision Notice has not been given - 30 business days after the applicant gives the Deemed Approval Notice to the Assessment Manager; or...*
- ...(g) *for any other appeal - 20 business days after a Notice of the decision for the matter, including an Enforcement Notice, is given to the person.*

Note - See the P&E Court Act for the Court's power to extend the appeal period."

Budget/Financial Implications

Nil

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the *Human Rights Act*) requires public entities "to act and make decisions in a way compatible with human rights".

There are no human rights implications associated with this Report.

Conclusion

The proposed development has been assessed against the requirements of the Western Downs Planning Scheme 2017 incorporating Amendment 1. It is considered that the proposed development is consistent with the assessment benchmarks of the Western Downs Planning Scheme 2017 incorporating Amendment 1, subject to the recommended conditions of approval.

Attachments

1. Locality Plans

2. Proposal Plan to be Approved
3. Proposal Plans to be Amended
4. Referral Agency Response


Authored by: Kim Reeve, CONSULTANT PLANNING OFFICER, PRECINCT URBAN PLANNING

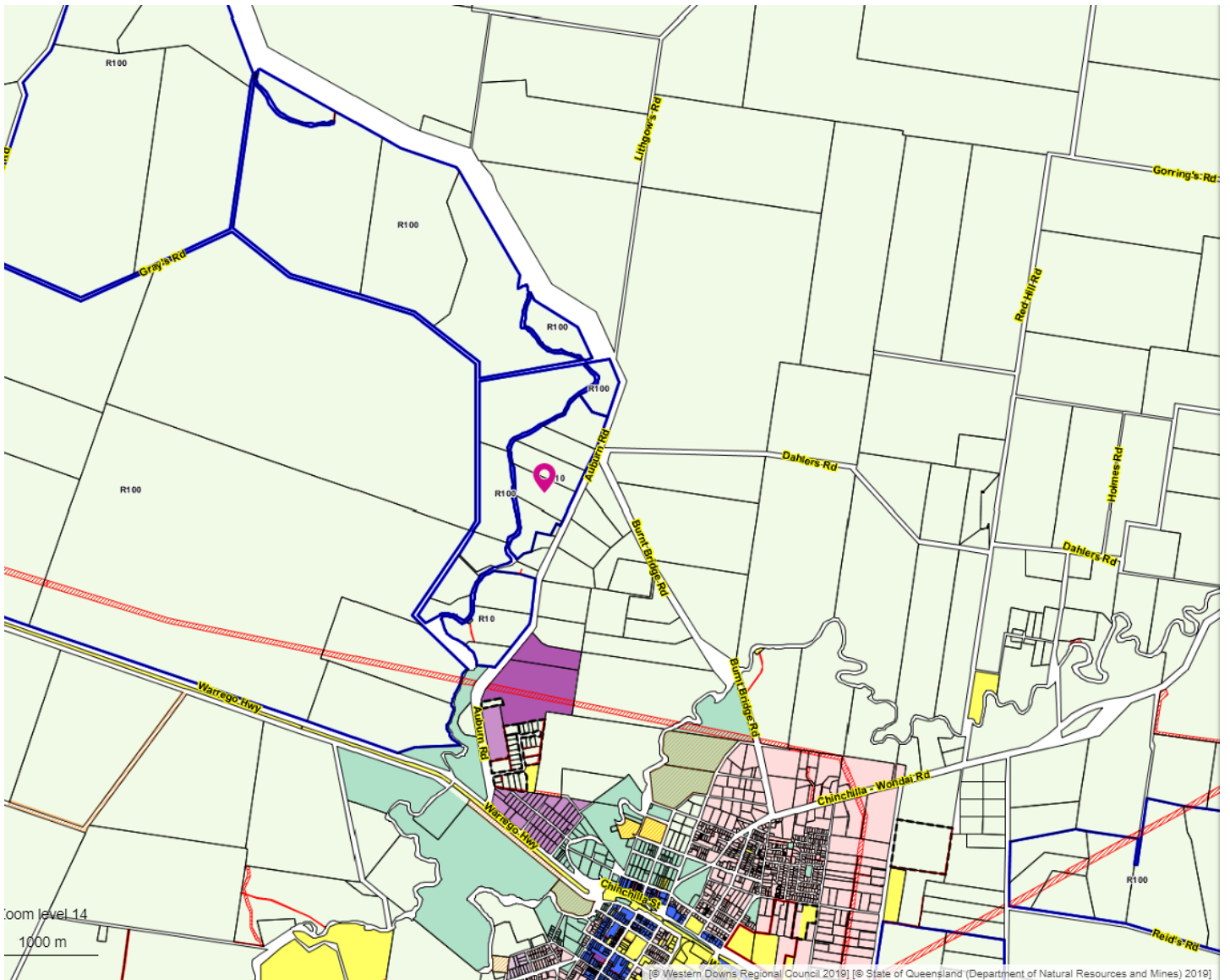
Attachment 1 - Locality Plans

Zone Map

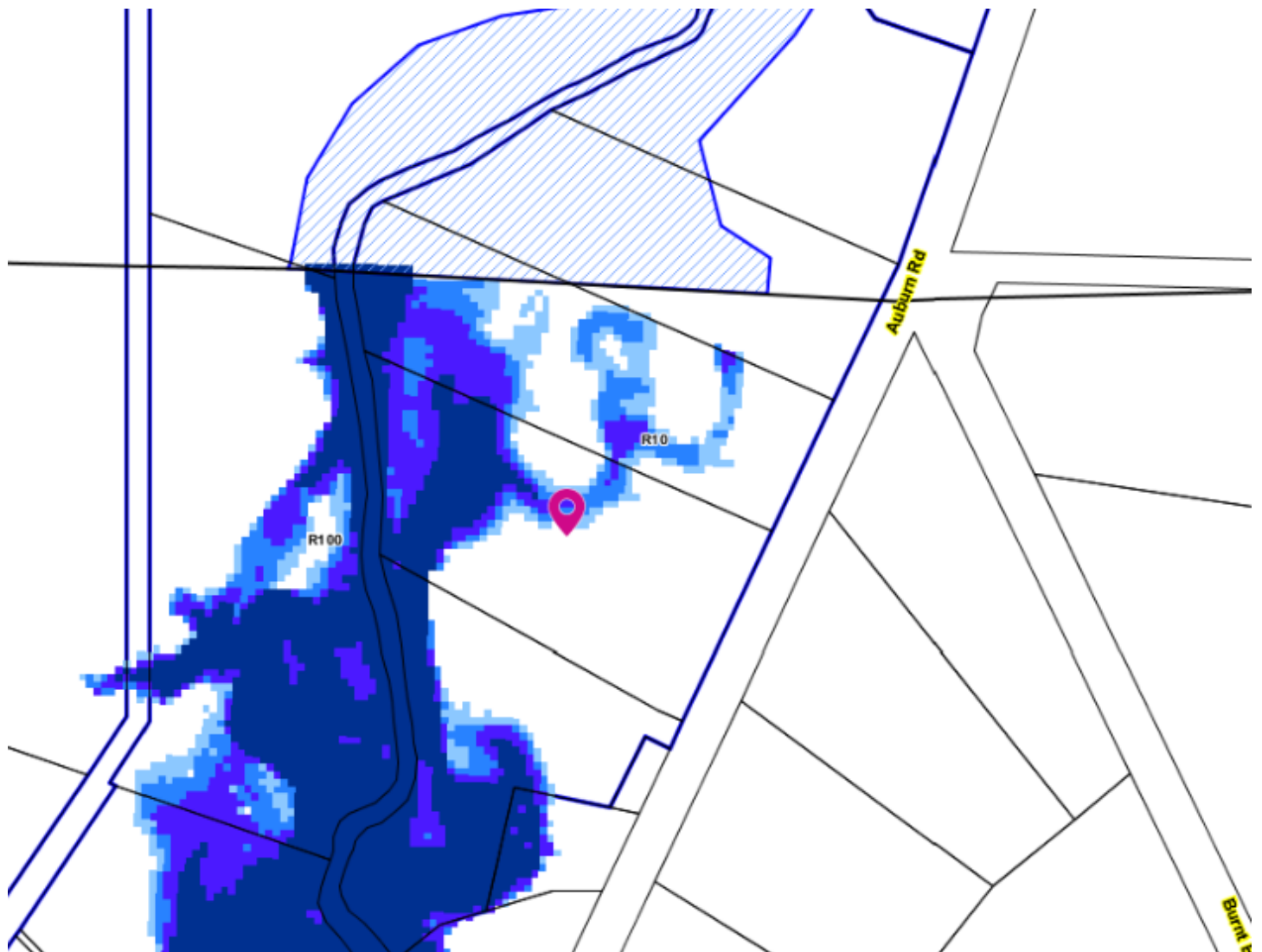


LEGEND

 Rural Zone



Flood Hazard Overlay Map




Flood Hazard

- Low
- Medium
- High
- Extreme

Waterway Corridors Overlay Map



 Waterway Corridor

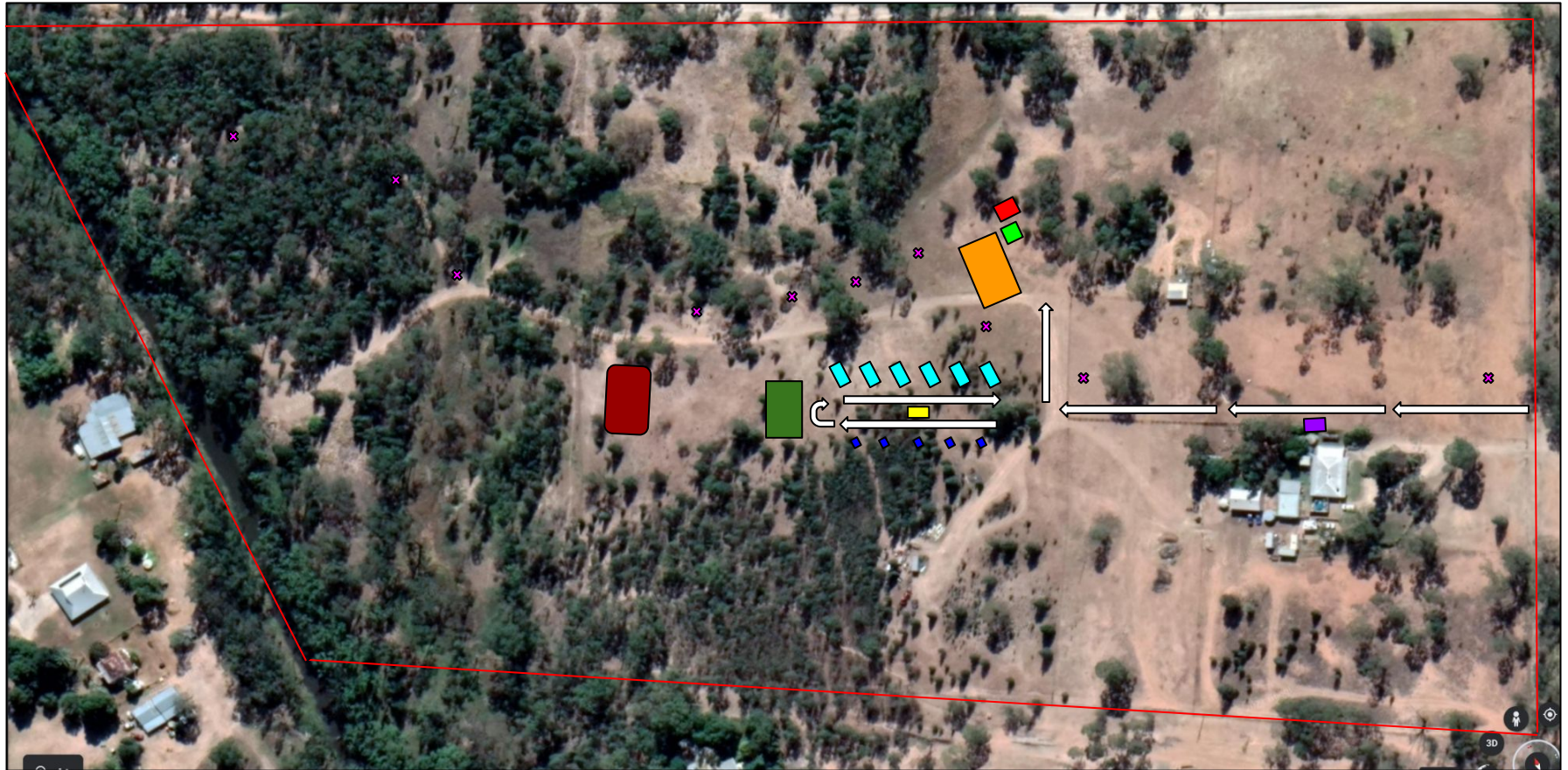
Aerial View














Zoom level 17

Proposed Development: The Dusty Chook

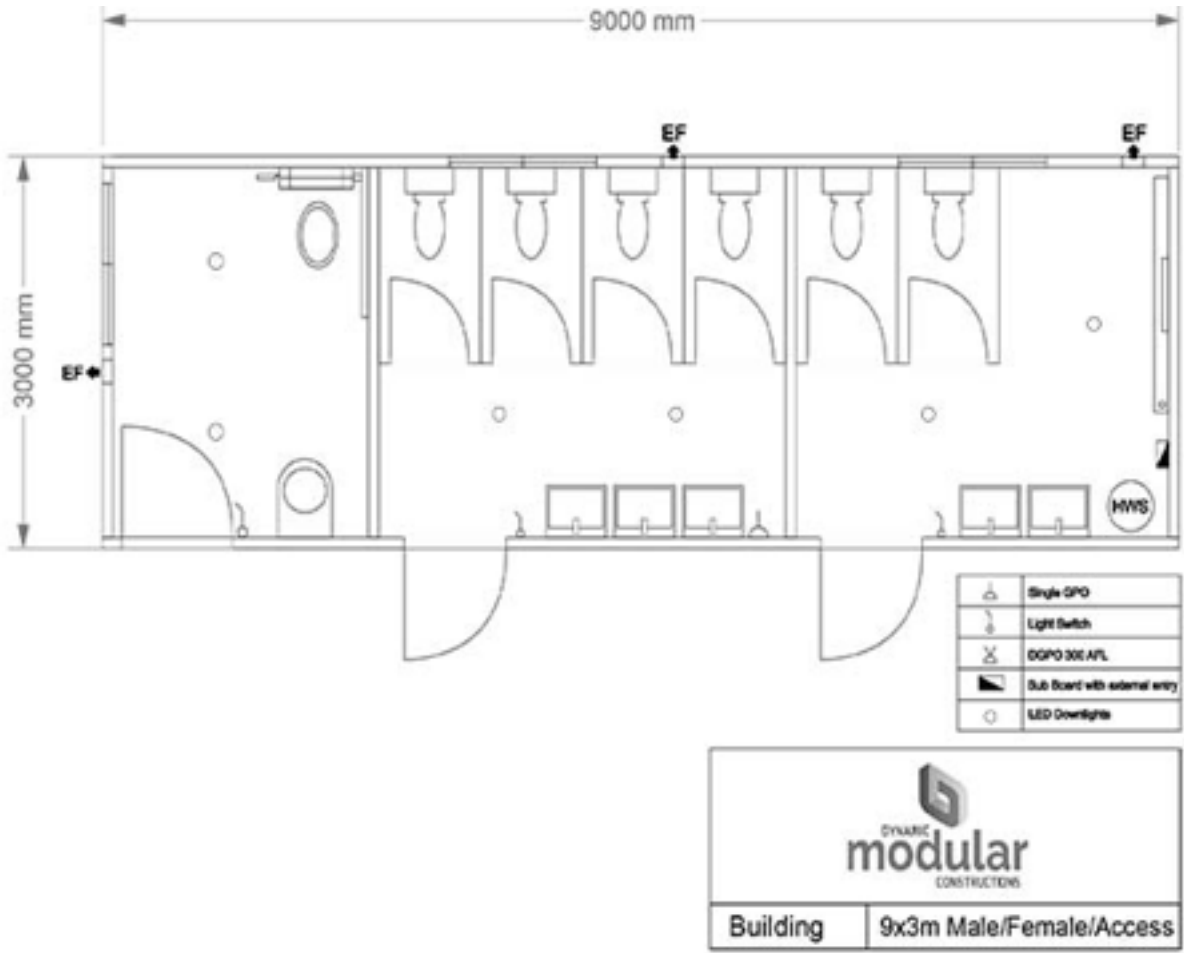
Location: 283 Auburn Road, CHINCHILLA, QLD 4413



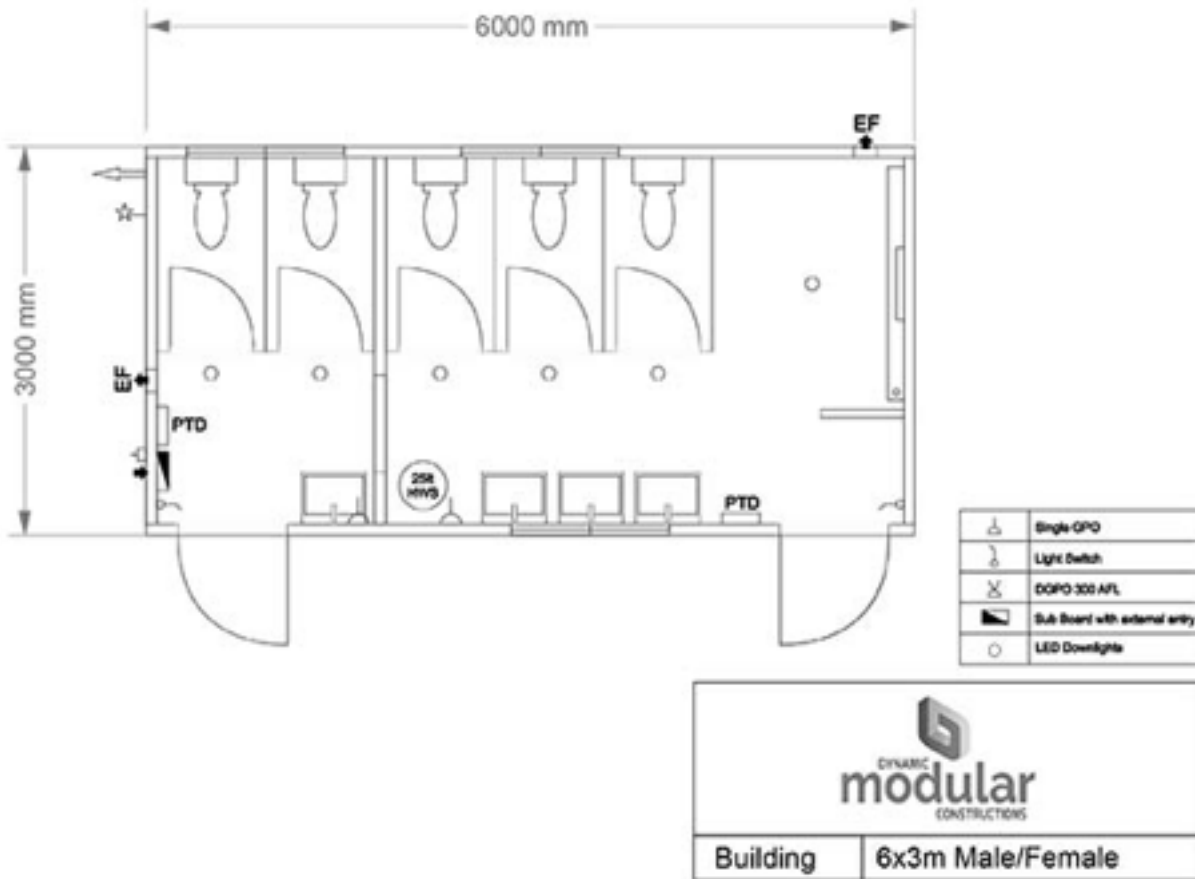
- | | | | | | |
|------------------------------------------------------------------------------------|-------------------|-------------------------------------------------------------------------------------|-----------------------------|-------------------------------------------------------------------------------------|--------------------------------------|
|  | Function Facility |  | Proposed Sculptures Sites |  | Waste Water Pump Out Designated Area |
|  | Cottage/Cabins' |  | Twin En-suite Bathrooms | | |
|  | Ablution Block |  | Small Art Workshop Building | | |
|  | Reception/Office |  | Internal Access Roads | | |
|  | Bush Camping |  | BBQ/ Camp Kitchen | | |

Scale: 1 : 2400

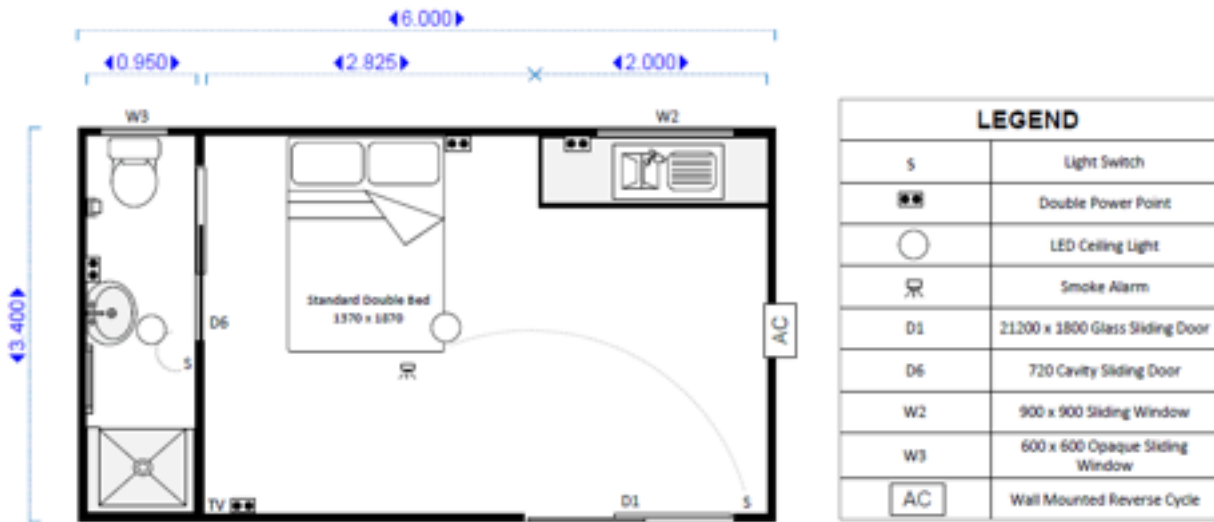
Proposed Examples of Ablution Block - 9 x 4 m



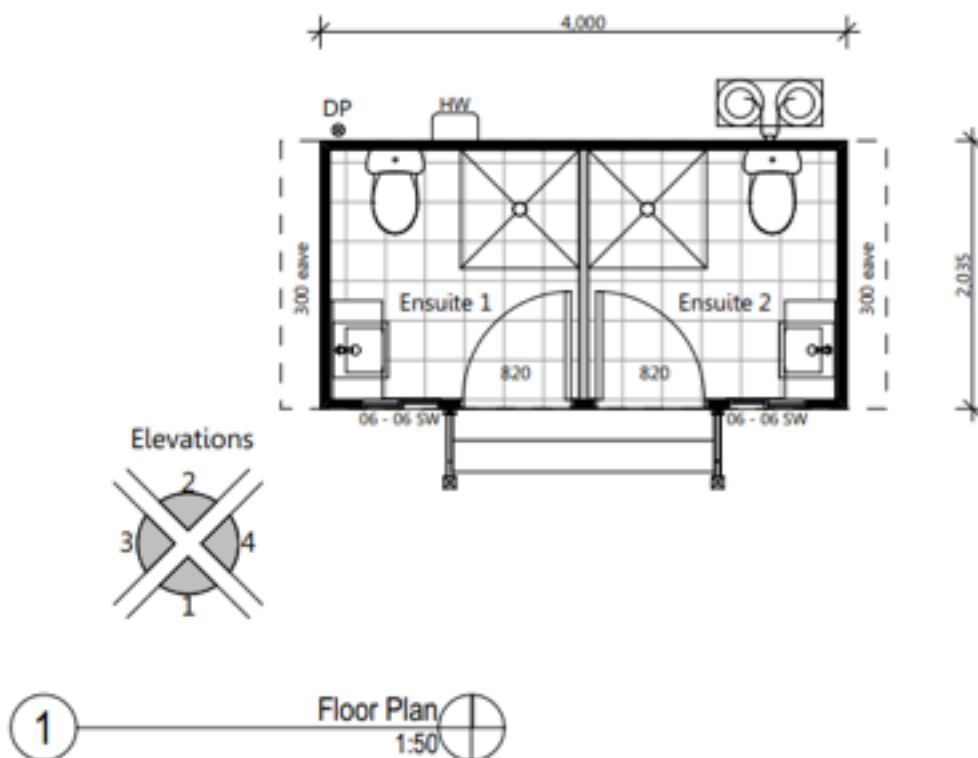
Proposed Examples of Ablution Block - 6 x 3 m



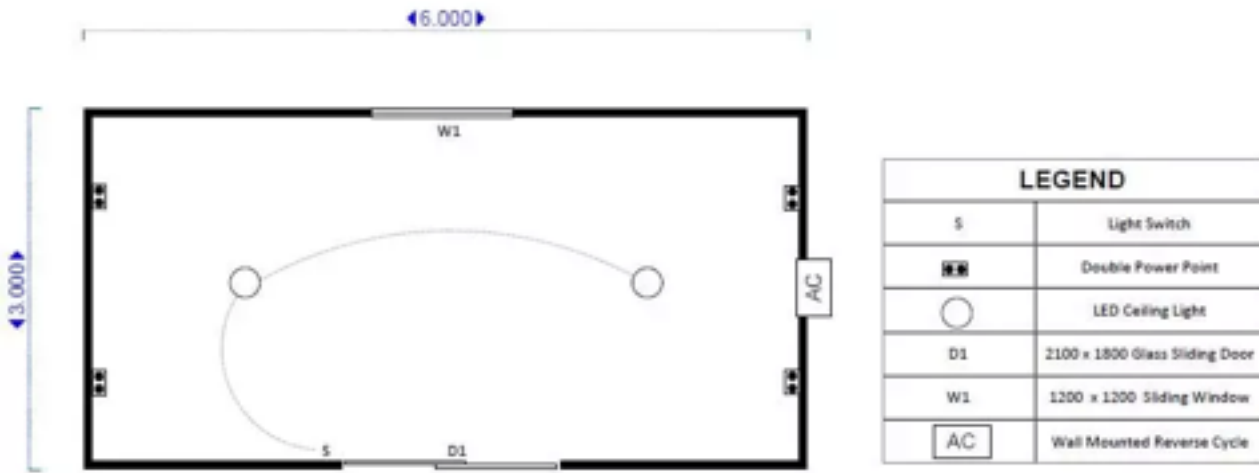
Proposed Example of Cottage/Cabin Accomodation - 6 x 3.4 m



Proposed Examples of Twin En-suite Bathrooms - 4 x 2.1 m



Proposed Example of Office/Reception - 6 x 3 m



Floor Plan

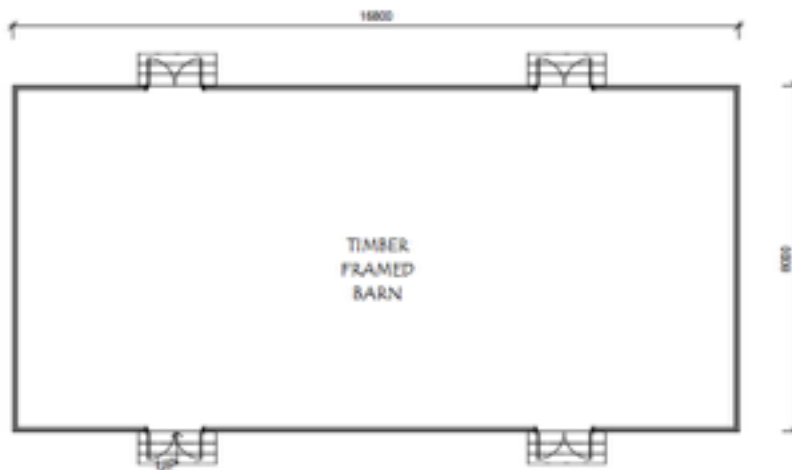
CEILING HT: 2.73m

SCALE 1 : 100

Floor Area
LIVING / GARAGE AREA = 37.48m ²
VERANDAH AREA = 11.21m ²
TOTAL FLOOR AREA = 48.69m ²

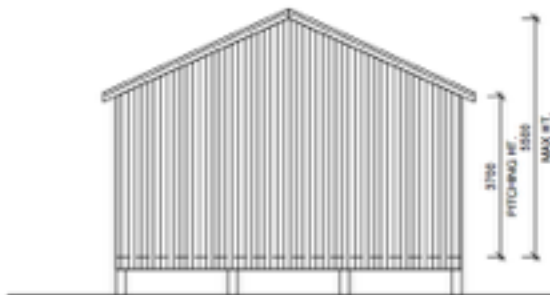
Floor Area
LIVING / GARAGE AREA = 4.03Sq
VERANDAH AREA = 1.21Sq
TOTAL FLOOR AREA = 5.24Sq

Proposed Examples of Function Facility



Floor Plan

SCALE 1 : 100



Elevation

SCALE 1 : 100

Floor Area

TOTAL FLOOR AREA = 134,4m²
 TOTAL FLOOR AREA = 13,58sq

CEILING HT: 3.7m OR 12FT4'



SARA reference: 2112-26384 SRA
Council reference: 030.2021.789.001

19 January 2022

Chief Executive Officer
Western Downs Regional Council
PO Box 551
DALBY QLD 4405
info@wdrc.qld.gov.au

Attention: Kim Reeve

Dear Sir/Madam

SARA response—283 Auburn Road, Chinchilla

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 8 December 2021.

Response

Outcome:	Referral agency response - No requirements Under section 56(1)(a) of the <i>Planning Act 2016</i> , the department advises it has no requirements relating to the application.
Date of response:	19 January 2022
Advice:	Advice to the applicant is in Attachment 1
Reasons:	The reasons for the referral agency response are in Attachment 2

Development details

Description:	Development Permit	Material Change of Use for Function Facility, Community Use and Tourist Park
SARA role:	Referral agency	
SARA trigger:	Schedule 10, Part 9, Division 4, Subdivision 2, Table 4, Item 1 (10.9.4.2.4.1) – Material change of use of premises near a state transport corridor (Planning Regulation 2017)	
SARA reference:	2112-26384 SRA	

Assessment Manager: Western Downs Regional Council
Street address: 283 Auburn Road, Chinchilla
Real property description: Lot 4 on RP176712
Applicant name: The Dusty Chook
Applicant contact details: 'Cross Country', 283 Auburn Road
Chinchilla QLD 4413
crosscountry.lx@gmail.com

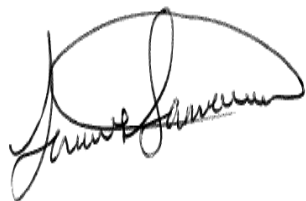
Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s. 30 Development Assessment Rules). Copies of the relevant provisions are in **Attachment 3**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Lydia Summers, Senior Planning Officer, on 07 5644 3217 or via email ToowoombaSARA@dasilgp.qld.gov.au who will be pleased to assist.

Yours sincerely



Javier Samanes
Acting Manager (Planning)

cc The Dusty Chook, crosscountry.lx@gmail.com
enc Attachment 1 - Advice to the applicant
Attachment 2 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response provisions

Attachment 1—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> , its regulation or the State Development Assessment Provisions (SDAP), version 2.6. If a word remains undefined it has its ordinary meaning.

Attachment 2—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

The proposed development complies with State code 1: Development in a state-controlled road environment. Specifically, the development:

- does not create a safety hazard for users of a state-controlled road
- does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works
- does not result in a worsening of the physical condition or operating performance of state-controlled roads and the surrounding road network
- does not compromise the state's ability to construct, or significantly increase the cost to construct state-controlled roads and future state-controlled roads
- does not compromise the state's ability to maintain and operate state-controlled roads, or significantly increase the cost to maintain and operate state-controlled roads
- does not compromise the structural integrity of public passenger transport infrastructure or compromise the operating performance of public passenger transport services.

Material used in the assessment of the application:

- the development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- the SDAP (version 2.6), as published by SARA
- the Development Assessment Rules
- SARA DA Mapping system
- *Human Rights Act 2019*.

Attachment 3—Representations about a referral agency response provisions

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

- 30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

Development Assessment Rules—Representations about a referral agency response

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Title **Executive Services Chief Executive Officer Report March 2022**

Date 5 April 2022

Responsible Manager J. Taylor, CHIEF EXECUTIVE OFFICER

Summary

The purpose of this Report is to provide Council with:

Significant meetings, forums and delegations attended by the Chief Executive Officer during the month of March 2022.

Link to Corporate Plan

Strategic Priority: Strong Economic Growth

- There is a confidence in our strong and diverse economy.
- We're open for business and offer investment opportunities that are right for our region.
- We optimise our tourism opportunities, unique experiences and major events.
- Business and industry in our region live local and buy local.
- Our region is a recognised leader in energy, including clean, green renewable energies.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and noted

Background Information

Nil

Report

Meetings, delegations and forums attended by the Chief Executive Officer during the month of March 2022:

Date	Who/Where	Details
1 March 2022	<ul style="list-style-type: none"> • Councillor Information Session 	Dalby
2 March 2022	<ul style="list-style-type: none"> • Councillor Information Session • Dalby Chamber of Commerce Business After Hours 	Dalby Dalby
3 March 2022	<ul style="list-style-type: none"> • Development Assessment Panel Meeting 	Dalby
4 March 2022	<ul style="list-style-type: none"> • Queensland Disaster Management Committee Meeting 	Teleconference
5 March 2022	<ul style="list-style-type: none"> • South East Queensland Rainfall & Flooding Recovery Meeting 	Teleconference
7 March 2022	<ul style="list-style-type: none"> • Meeting with Dalby Herald 	
9 March 2022	<ul style="list-style-type: none"> • Western Downs Local Disaster Management Group Meeting • Meeting with Mirabou Energy 	Dalby Dalby
11 March 2022	<ul style="list-style-type: none"> • International Women's Day Event 	Dalby

14 March 2022	<ul style="list-style-type: none"> • Planning and Pre Agenda Meeting • Councillor Information Session 	Dalby Dalby
15 March 2022	<ul style="list-style-type: none"> • Audit Committee Meeting • Meeting with Mirabou Energy • Health Sustainability Futures Meeting 	Dalby
16 March 2022	<ul style="list-style-type: none"> • Ordinary Meeting of Council • Councillor Information Session • Meeting with Department of State Development, Infrastructure, Local Government and Planning & Queensland Reconstruction Authority • Meeting with Southern Cross Care & Miles Chamber of Commerce. 	Miles Miles Teleconference Miles
17 March 2022	<ul style="list-style-type: none"> • Flood Recovery Support Meeting with Australian Defence Force • Meeting with Palladium 	Dalby Dalby
18 March 2022	<ul style="list-style-type: none"> • District Disaster Management Group Meeting • Meeting with Campbell Newman 	Teleconference Dalby
23 March 2022	<ul style="list-style-type: none"> • Meeting with RTC Consultancy • Meeting with various Local Government Authorities regarding Financial Assistance Grant Funding • Meeting with Mirabou Energy 	Dalby Teleconference Phone
24 March 2022	<ul style="list-style-type: none"> • Darling Downs South West Council of Mayors 	Cunnamulla
25 March 2022	<ul style="list-style-type: none"> • Darling Downs South West Council of Mayors 	Cunnamulla
30 March 2022	<ul style="list-style-type: none"> • Local Disaster Management Group Flooding Debrief 	Dalby
31 March 2022	<ul style="list-style-type: none"> • Local Government Managers Australia CEO Forum 	Brisbane

Consultation (Internal/External)

Chief Executive Officer and Communication and Marketing Department

Legal/Policy Implications (Justification if applicable)

Nil

Budget/Financial Implications

Nil

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

The foregoing represents activities undertaken by the Chief Executive Officer during the month of March 2022.

Attachments

Nil.

Authored by: A. Lyell, Executive Services Administration Officer

Title Executive Services Report Outstanding Actions March 2022

Date 6 April 2022

Responsible Manager J. Taylor, CHIEF EXECUTIVE OFFICER

Summary

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 16 March 2022

Link to Corporate Plan

Strategic Priority: Strong Economic Growth

- There is a confidence in our strong and diverse economy.
- We're open for business and offer investment opportunities that are right for our region.
- We optimise our tourism opportunities, unique experiences and major events.
- Business and industry in our region live local and buy local.
- Our region is a recognised leader in energy, including clean, green renewable energies.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and noted.

Background Information

Nil

Report

The purpose of this Report is to provide Council with an update on the status of Outstanding Council Meeting Action Items to the Meeting held on 16 March 2022.

1. Outstanding Council Meeting Action List (As at 16 March 2022)

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
23/09/2020	Executive Services Report Cr M. J. James Notice of Motion Development of a Communications and Community Engagement Strategy	AD6.6.2	Moved By: Cr. M. J. James Seconded By: Cr. K. A. Bourne That Council resolves to develop and adopt a communications and community Engagement Strategy to be prepared in consultation with Councillors. CARRIED	Executive Services
18/08/2021	Executive Services Report Communications and Engagement Strategy	AD6.6.2	Moved By: Cr. M.J. James Seconded by: Cr. K.A. Bourne That this report be received and that:	Executive Services

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division
			<p>1. Council proceeds with region-wide engagement to inform a Communications and Community Engagement Strategy for Western Downs Regional Council.</p> <p style="text-align: right;">CARRIED</p>	
19/01/2022	Corporate Services Report Land Disposal Part Lot 9 SP254412 Carmichael Street Chinchilla Ison Haulage	AD6.6.2	<p>Moved By: George Moore Seconded by: Kylie Bourne</p> <p>That this report be received and that Council;</p> <p>1. subdivide lot 9 to form a new lot, or lots, that satisfies the zoning requirements for Medium Impact Industrial Zone land, having regard to the land required for drainage.</p> <p>2. offer the new lot/s for sale by auction or tender, pursuant to the <i>Local Government Regulation 2012</i>.</p> <p style="text-align: right;">CARRIED</p>	Corporate Services
19/01/2022	Infrastructure Services Confidential Tender Evaluation Report Tender No MM10-21-22 Dalby Corporate Office Solar Upgrade	AD6.6.2	<p>Moved By: Andrew Smith Seconded by: Megan James</p> <p>That this Report be received and that Council;</p> <p>1. awards Contract MM10-21-22 for the design and construction of the Dalby Corporate Office Solar System Upgrade to Photon Energy Engineering Australia Pty Ltd for a tender price of \$658,480 (including gst).</p> <p>2. resolve to delegate authority to the Chief Executive Officer to negotiate, make, vary, and discharge the contract associated with the MM10-21-22 Solar, Dalby capital project.</p> <p style="text-align: right;">CARRIED</p>	Infrastructure Services
16/02/2022	Corporate Services Report Provision Additional Public Amenity Wandoan	AD6.6.2	<p>Moved By: Megan James Seconded by: Peter Saxelby</p> <p>That this Report be received, and that Council: Approve an additional single uni-sex disability compliant amenity block totalling \$115,000 on Lot 263 SP161830 and allocate funds as part of the current 2021/22 capital budget.</p> <p style="text-align: right;">CARRIED</p>	Corporate Services
16/03/2022	Corporate Service Report Bell Showgrounds Amenities Block	AD6.6.2	<p>Moved By: Carolyn Tillman Seconded by: Megan James</p> <p>That this report be received and that;</p> <p>1. Council approves the construction of an amenities block at the Bell Showgrounds in accordance with the request of the Bell Recreation</p>	Corporate Services

Meeting date	Item description	File No.	Council Resolution/Task	Responsible Division																							
			<p>Reserve Committee for an estimate price of \$162,500.00; and</p> <p>2. the project be funded over the 2021-22 and 2022-23 financial years from Bell Showgrounds accrued capital reserve funds of \$108,384, the \$20,000 capital reserve allocation for the 2022-23 financial year, with Council to supplement the balance of the project cost from savings identified in the adopted 2021-22 Facilities Capital Program.</p> <p style="text-align: right;">CARRIED</p>																								
16/03/2022	Corporate Services Report Disposal of Surplus Council Owned Land	AD6.6.2	<p>Moved By: Peter Saxelby Seconded by: Kylie Bourne</p> <p>That this report be received and that Council;</p> <p>1. Approve in accordance with s.224(7) of the Local Government Regulation 2012, the disposal of the following parcels of land:</p> <table border="1" data-bbox="778 976 1241 1805"> <thead> <tr> <th data-bbox="778 976 1007 1014">Location</th> <th data-bbox="1007 976 1241 1014">Street Address</th> </tr> </thead> <tbody> <tr> <td data-bbox="778 1014 1007 1536" rowspan="13">Tara</td> <td data-bbox="1007 1014 1241 1048">4 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1048 1241 1081">6 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1081 1241 1115">8 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1115 1241 1189">10 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1189 1241 1223">9 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1223 1241 1256">7 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1256 1241 1290">5 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1290 1241 1323">3 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1323 1241 1357">1 Marfleet Street</td> </tr> <tr> <td data-bbox="1007 1357 1241 1391">5 Henry Court</td> </tr> <tr> <td data-bbox="1007 1391 1241 1424">6 Henry Court</td> </tr> <tr> <td data-bbox="1007 1424 1241 1458">10 Henry Court</td> </tr> <tr> <td data-bbox="1007 1458 1241 1491">26 Henry Court</td> </tr> <tr> <td data-bbox="778 1536 1007 1738" rowspan="4">Chinchilla</td> <td data-bbox="1007 1536 1241 1570">13 King Street</td> </tr> <tr> <td data-bbox="1007 1570 1241 1644">26 Nowland Street</td> </tr> <tr> <td data-bbox="1007 1644 1241 1677">28 Campbell Street</td> </tr> <tr> <td data-bbox="1007 1677 1241 1711">139 Zeller Street</td> </tr> <tr> <td data-bbox="778 1738 1007 1805">Wandoan</td> <td data-bbox="1007 1738 1241 1805">Corner North & West Streets</td> </tr> </tbody> </table> <p>2. approve the public listing of any unsold properties for sale, and</p> <p>3. delegate authority to the Chief Executive Officer to finalise and sign all necessary documents to effect the aforementioned disposal by auction.</p> <p style="text-align: right;">CARRIED</p>	Location	Street Address	Tara	4 Marfleet Street	6 Marfleet Street	8 Marfleet Street	10 Marfleet Street	9 Marfleet Street	7 Marfleet Street	5 Marfleet Street	3 Marfleet Street	1 Marfleet Street	5 Henry Court	6 Henry Court	10 Henry Court	26 Henry Court	Chinchilla	13 King Street	26 Nowland Street	28 Campbell Street	139 Zeller Street	Wandoan	Corner North & West Streets	Corporate Services
Location	Street Address																										
Tara	4 Marfleet Street																										
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	26 Nowland Street																										
	28 Campbell Street																										
	139 Zeller Street																										
Wandoan	Corner North & West Streets																										

Consultation (Internal/External)

Chief Executive Officer;
General Manager (Community & Liveability);
General Manager (Corporate Services);
General Manager (Infrastructure Services); and
Relevant Managers, Coordinators and Officers.

Legal/Policy Implications (Justification if applicable)

Nil

Budget/Financial Implications

Nil

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

This report is provided to inform Council of the progress of resolutions of Council.

Attachments

Nil

Authored by: A. Lyell, Executive Services Administration Officer

Title Corporate Services Report Permanent Road Closure Application for Road Licence Lot 1 AP6104, Bogandilla

Date 4 April 2022

Responsible Manager S. Thompson, GENERAL COUNSEL

Summary

To determine an application for the permanent road closure of road licence Lot 1 AP6104 that is an unformed road that runs through Lot 10 BWR183 and along the part of the northern boundary and the eastern boundary of Lot 14 BWR813, Bogandilla.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that:

1. Council advises the Department of Resources and the applicant that it has no objections to the permanent closure of the identified road licence Lot 1 AP6104, that runs through Lot 10 BWR183 and along part of the northern and the eastern boundaries of Lot 14 BWR813, Bogandilla.

Background Information

- This road is an unformed and unused road located in Bogandilla. See **Attachment 1**.
- Callum Miller (applicant) is the owner of Lot 10 BWR183 and Lot 14 on BWR813.
- The applicant currently holds a Road Licence for Lot 1 AP6104 being the section of road they are applying to close. **See Attachment 2**.
- This Licenced area is currently used for grazing.
- The applicant has had a pre-lodgement meeting with DoR to permanently close the section of road.

Report

The unformed section of road that runs through Lot 10 BWR183 and along the part of the northern boundary and the eastern boundary of Lot 14 BWR813, Bogandilla is an unused and unformed road reserve. The applicant is applying for the permanent closure of the area that they currently hold a road licence for. The closure of this section of road does not result in any properties becoming landlocked.

Consultation (Internal/External)

Advice was sought from Council's:

- Planning and Environment Manager;
- Principle Planner;
- Utilities Manager;
- Acting Senior Works Manager; and
- Rural Services Coordinator.

with no objections raised on the application for the closure of this road.

Legal/Policy Implications (Justification if applicable)

As the land is owned by DoR the applicant must seek the owner's consent for the closure of the road. As standard practice, DoR requests the relevant Local Government to advise if it has any concerns or objections.

If Council offers no objection to the road closure, then the part road shown in purple highlighting in Attachment 2 will be permanently closed to the public, subject to final approval of the closure by the State. The land may then be offered by the State to the applicant for purchase.

The Chief Executive Officer has delegated power for submissions to be made to DoR under section 420CB of the *Land Act 1994* pursuant to Council's Delegations' Register B31.148.

Budget/Financial Implications

Nil

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

It is recommended that Council advise DoR that it has no objections to the permanent closure of the subject road licence area Lot 1 AP6104.

Attachments

1. Aerial views Road Licence area Lot 1 AP6104, Bogandilla.
2. Current Title Search Road Licence Lot 1 AP6104.

Authored by: S. Thompson, GENERAL COUNSEL

Attachment 1

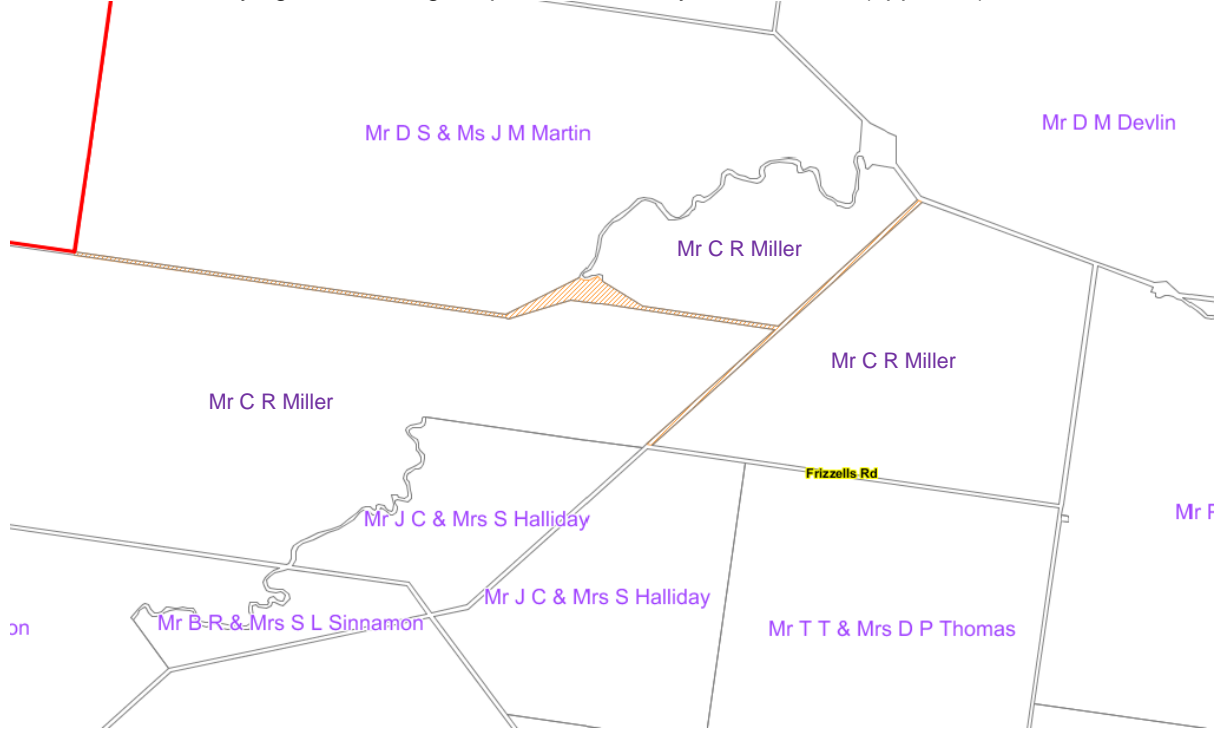
Aerial View - Location of Lot 1 AP6104 Bogandilla



Road Closure Application - Existing Road Licence Lot 1 AP6104



Aerial View - Identifying Surrounding Properties owned by Mr C R Miller (applicant)



INTERNAL CURRENT STATE TENURE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 04/04/2022 11:01

Title Reference: 40030370
Date Created: 13/09/2001

DESCRIPTION OF LAND

Tenure Reference: RL 0/216321

Lease Type: NO TERM

LOT 1 CROWN PLAN AP6104
 Local Government: WESTERN DOWNS

Area: 26.000000 Ha. (ABOUT)

No Land Description

No Forestry Entitlement Area

Purpose for which granted:
GRAZING - RESERVE, ROAD OR STOCK ROUTE

COMMENCEMENT DATE

Commencement Date: 01/09/2001

REGISTERED LICENSEE

Dealing No: 720886523 24/06/2021

CALLUM ROBERT MILLER

CONDITIONS

INTERNAL CURRENT STATE TENURE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 04/04/2022 11:01

Title Reference: 40030370

Date Created: 13/09/2001

CONDITIONS

- A63
- (1) The licensee must use the licence area for grazing purposes only.
 - (2) This licence may be cancelled if not used for the purpose stated above.
 - (3) The licence may be cancelled after giving the licensee reasonable notice in writing, in accordance with the Land Act 1994.
 - (4) The annual rent must be paid in accordance with the Land Act 1994.
 - (5) The Parties acknowledge that GST may be payable in respect of a supply made under this licence. Where GST becomes payable in respect of a supply made under this licence, the State (lessor) may recover the GST from the licensee by increasing the consideration payable by the licensee to the State by an amount equal to that which the State is obliged to remit to the Commonwealth as GST on the supply and that amount may be recovered from the licensee as part of the money payable to the State under this licence. The State will upon request by the licensee, issue to the licensee a valid GST tax invoice in respect of any taxable supply made under this licence. (NOTE: For the purpose of this condition "GST" means the goods and services tax which results from the enactment of A New Tax System (Goods and Services Tax) Act 1999 and the related Acts which constitute the Commonwealth Taxation Reform (as amended from time to time)).
 - (6) The licensee must pay the cost of any required survey or re-survey of the licence area.
 - (7) The licensee must control pest plants and animals, on the licence area, in accordance with the Land Protection (Pest and Stock Route Management) Act 2002 and the Local Laws and requirements of the Murilla Shire Council.
 - (8) The licensee has the responsibility for a duty of care, to take all reasonable and practicable measures to sustainably manage the licence area by conserving the physical, biological, productive and cultural values, either on the licence area or in areas affected by the management of the licence area.
 - (9) The licensee indemnifies and agrees to keep the State of Queensland, Crown Instrumentalities, local governments and other statutory bodies (the Indemnified) against all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses (Claim) arising out of or in any way connected to or resulting from the licensee's use and occupation of the licence area (all referred to as the indemnified acts or omissions) save to the extent that the Claim arises as a result of any negligent act or omission of the State of Queensland. The licensee hereby releases and discharges the Indemnified from any Claim relating to the indemnified acts or omissions which may be made against the Indemnified.
 - (10) The licensee must ensure that the use and development of the licence area conforms to the Planning Scheme, Local Laws and requirements of the Murilla Shire Council, binding on the licensee.

INTERNAL CURRENT STATE TENURE SEARCH
QUEENSLAND TITLES REGISTRY PTY LTD

Search Date: 04/04/2022 11:01

Title Reference: 40030370
Date Created: 13/09/2001

CONDITIONS

- (11) The licensee must give the Minister administering the Land Act 1994, information about the licence, when requested.
- (12) The licensee must not clear any vegetation on the licence area, unless in accordance with the Integrated Planning Act 1997.
- (13) The licensee must not effect any improvements other than fencing on the licence area.
- (14) No compensation for improvements or developmental work is payable by the State at the cancellation or surrender of the licence, but the licensee has the right to remove the licensee's moveable improvements within a period of three (3) months from the cancellation or surrender of the licence, provided all money due by the licensee to the State on any account whatsoever has been paid or be required to remove those improvements as specified in any further condition of licence.
- (15) This licence is subject to the Land Act 1994 and all other relevant State and Commonwealth Acts.

ENDORSEMENTS

1. COVENANT No 720688365 30/03/2021 at 11:20
THE STATE OF QUEENSLAND
(REPRESENTED BY (DEPARTMENT OF RESOURCES)
LOT 1 ON AP6104, LOT 24 ON BWR183 AND LOT 10 ON BWR183
Lodged at 11:20 on 30/03/2021 Recorded at 12:22 on 30/03/2021

ADMINISTRATIVE ADVICES - NIL
UNREGISTERED DEALINGS - NIL

Caution - Charges do not necessarily appear in order of priority

** End of Current State Tenure Search **

Information provided under section 34 Land Title Act (1994) or
section 281 Land Act (1994)

Title Corporate Services Dilbong Rural Fire Brigade Lease Moonie

Date 4 April 2022

Responsible Manager S. Thompson, GENERAL COUNSEL

Summary

The purpose of this Report is to consider a request received by the Queensland Fire and Emergency for a lease over a Council owned freehold property in Moonie to develop a Rural Fire Station.

Link to Corporate Plan

Strategic Priority: Active Vibrant Community

- We are a strong sustainable community supported by volunteers.

Strategic Priority: Quality Lifestyle

- Our residents are provided with modern infrastructure and quality essential services across our region.

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that Council:

1. Apply the exception contained in section 236(1)(b)(i) of the *Local Government Regulation 2012* (Qld) to the proposed lease;
2. Offer the State of Queensland (Represented by Queensland Fire and Emergency Services) a 10 year lease (plus a 10 year option period) to develop a Rural Fire Station over the land described as Lot 13 on Survey Plan 268002 at the rate of \$1.00 year (plus GST); and
3. Delegate authority to the CEO to negotiate and sign all documents necessary to finalise the lease.

Background Information

The Queensland Fire and Emergency Services ("QFES"), contacted Council on 15 March 2021 with their interest in obtaining a lease over an identified site of interest, either Lot 12 or Lot 13 on SP 268002, for a lease for a new fire station for the Dilbong Rural Fire Brigade in Moonie.

Site History

Lots 12 and 13 on Survey Plan 268002 are vacant freehold lots located on the Moonie Highway, Moonie. They are 2084 m² and 2188 m² respectively.

In 2011 WDRC were offered a number of lots from the Queensland Government, as they were disposing of 8 lots by auction, but were able to offer them to Council at Valuation prices. Council subsequently purchased 7 of these lots being Lots 11, 12, 13, 14, 15, 301 and 305 on Crown Plan M9392, for a total of \$2950.00.

In 2013, Lots 11 and 12 on Crown Plan M9392 were amalgamated to become Lot 12 on SP268002, and Lots 13, 14, and 15 on Crown Plan M9392 were amalgamated to become Lot 13 on SP268002 (see **Attachment 1** - Survey Plan 268002). With amalgamating these lots, the seven original lots have become four new lots. Council currently owns all four lots.

Lot 12 and Lot 13 on Survey Plan 268002 ("Lot 12" and "Lot 13") are 2084m² and 2188m² respectively, and are vacant, semi-cleared lots (see **Attachment 2** - Moonie Aerial).

The remaining Lots 301 and 305 on Crown Plan M9392 are only 390m² and 405m² respectively, and both are separate and small, and are heavily wooded. Neither of these lots are suitable for a Rural Fire Brigade.

Subsequent consultation with the QFES determined that they wished to construct a fire station consisting of a two-bay Colourbond steel shed with a concrete floor.

Report

The QFES first identified Lot 12 as their preferred site, but after completing their own investigations and due diligence, have revised their preference to Lot 13 on SP268002.

It was identified that Lot 12 offered access from an already formed road, Noonan Street, with electrical power also readily available (see **Attachment 3** - Aerial with Power poles).

Lot 13 would:

- Need to have the road access onto the Highway established/upgraded to permit access by medium/heavy vehicles at QFES cost; and
- Also has electrical power readily available.

Consultation (Internal/External)

Comments were sought internally at Council for both lots, to determine if one or either sites were suitable or available to be leased to QFES for a Rural Fire Brigade.

WDRC's Planning and Environment Manager was consulted and advised:

- A Rural Fire Brigade shed on either lot would be defined as Emergency Services under the Western Downs Planning Scheme;
- Emergency Services is a consistent use in the Township Zone and therefore Planning had no objection to the proposal;
- The development will require lodgement of a Code Assessable Material Change of Use application before any works commence;
- Will require referral to the State Assessment and Referral Agency (DTMR) as the property fronts the Moonie Highway; and
- Neither lot were subject to flooding.

There were no objections or requirements from the following WDRC staff:

- Rural Services Coordinator;
- Utilities Manager;
- Senior Works Manager; or
- Executive Officer of Infrastructure Services (in relation to Disaster Management)

Legal/Policy Implications (Justification if applicable)

Leases are considered a disposal of a valuable non-current asset (land) under the *Local Government Regulation* 2012 ("LGR") section 224(6). In order to dispose of land other than by following the set tendering/auction

process under sections 227 and 228 of the LGR, an exception under section 236 of the LGR needs to apply to the disposal.

The exception at section 236 (1)(b)(i) applies and provides an exception to the application of section 224(7) in that this disposal is for the purpose of disposing of the land to a government agency, being the QFES. Therefore, the disposal is not required to be by tender or auction as it is for the purpose of leasing the land to a government agency.

Budget/Financial Implications

It is recommended that a rental amount of \$1.00/year (plus GST) be applied as the establishment of a rural fire station will provide an increase of emergency services to the Moonie region. The rental amount is consistent with other community focused leases issued to QFES.

The disposal of an asset under s 236(3) LGR requires the disposal, or in this case the lease, to be at market value. However, section 236(4) excludes the operation of section 236(3) when the disposal is to a government agency. The proposed rental amount of \$1.00/year (plus GST) is compliant with the provisions of the LGR.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

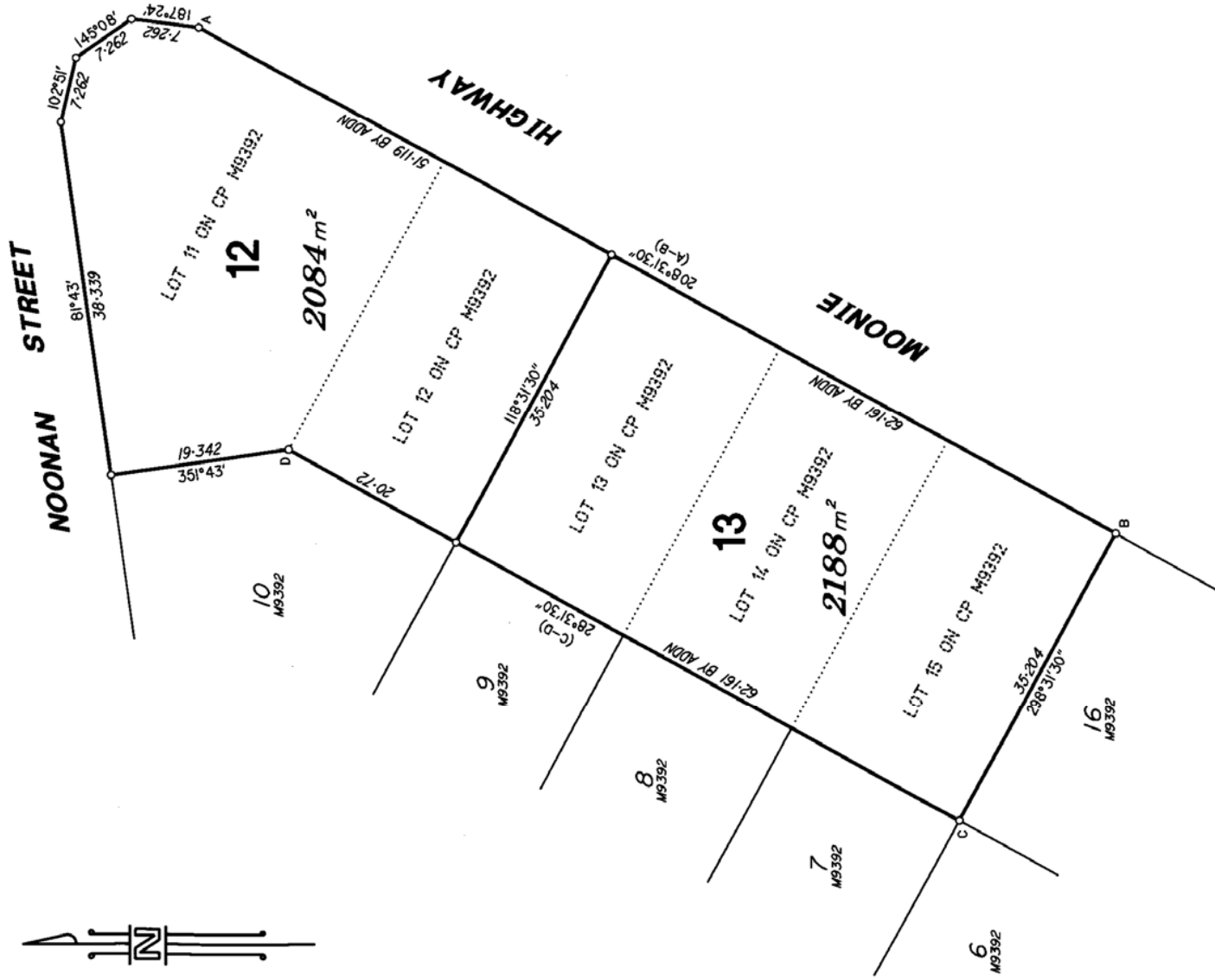
If approved, a lease can be drafted and negotiated between WDRC and the QFES using Council's standard terms for leases.

Entering into a lease of Lot 13 to the QFES to establish a Rural Fire Brigade shed will expand the coverage and operations of the Dilbong Rural Fire Brigade and benefit the Moonie and wider Western Downs Region.

Attachments

1. Survey Plan 268002
2. Moonie Aerial
3. Aerial with Power poles

Authored by: S. Thompson, GENERAL COUNSEL



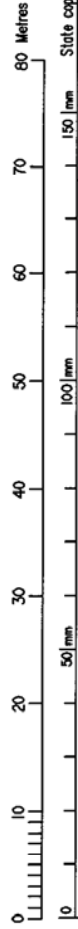
I, Stephen Lloyd RING, hereby certify that I have made this plan under Section 17 of the Survey and Mapping Infrastructure Regulation 2004 and pursuant to the Survey and Mapping Infrastructure Act 2003 and Surveyors Act 2003, and associated Regulations and Standards and that the plan is accurate, and compiled from M9392

in the Department of Natural Resources and Mines.

[Signature]

... .. Cadastrial Surveyor

Date 16-12-2013



PLAN OF LOTS 12 AND 13

Scale:

1:500

Format:

STANDARD

Cancelling Lots 11 - 15 on M9392

LOCAL GOVERNMENT: **WESTERN DOWNS REGIONAL COUNCIL LOCALITY: MOONIE**

Meridian: M9392

Survey Records

NO



SP268002

715567122

\$477.80
29/01/2014 11:27

BE 400 NT

WARNING : Folded or Mutilated Plans will not be accepted.
Plans may be rolled.
Information may not be placed in the outer margins.

5. Lodged by

C & R LEGAL PTY LTD
GPC 819 (43A)

PH 3... FAX 32213044
copy plan

CARROSSO & WINSHIP (DAGU)

(Includes address, phone number, reference, and Lodger Code)

1. Certificate of Registered Owners or Lessees.


1/We WESTERN DOWNS REGIONAL COUNCIL

(Names in full)

* as Registered Owners of this land agree to this plan and dedicate the Public Use Land as shown hereon in accordance with Section 50 of the Land Title Act 1994.

* as Lessees of this land agree to this plan:

Signature of * Registered Owners * Lessees


Philip Adrian Berthing
Chief Executive Officer

* Rule out whichever is inapplicable

2. Planning Body Approval.
* WESTERN DOWNS REGIONAL COUNCIL
hereby approves this plan in accordance with the :
%

SUSTAINABLE PLANNING ACT 2009

Dated this 14th day of January 2014

RAYMOND CLAUDE BROWN
MAYOR

* Insert the name of the Planning Body.
Insert designation of signatory or delegation

% Insert applicable approving legislation.

3. Plans with Community Management Statement :

CMS Number :
Name :
References :
Dept File :
Local Govt :
Surveyor : 134529

6. Existing Created

Title Reference	Description	New Lots	Road	Secondary Interests
50872430	LOT 11 ON M9392	12		
50872431	LOT 12 ON M9392	12		
50872432	LOT 13 ON M9392	13		
50872433	LOT 14 ON M9392	13		
50872434	LOT 15 ON M9392	13		

Development Approval:

12. Building Format Plans only.
I certify that :
* As far as it is practical to determine, no part of the building shown on this plan encroaches onto adjoining lots or roads
* Part of the building shown on this plan encroaches onto adjoining * lots and road

13. Lodgement Fees :
Survey Deposit \$
Lodgement \$
New Titles \$
Photocopy \$
Postage \$
TOTAL \$

14. Insert Plan Number
SP268002


7. Orig Grant Allocation :

8. Map Reference :
8942-13212

9. Parish : DILBONG

10. County : PRING

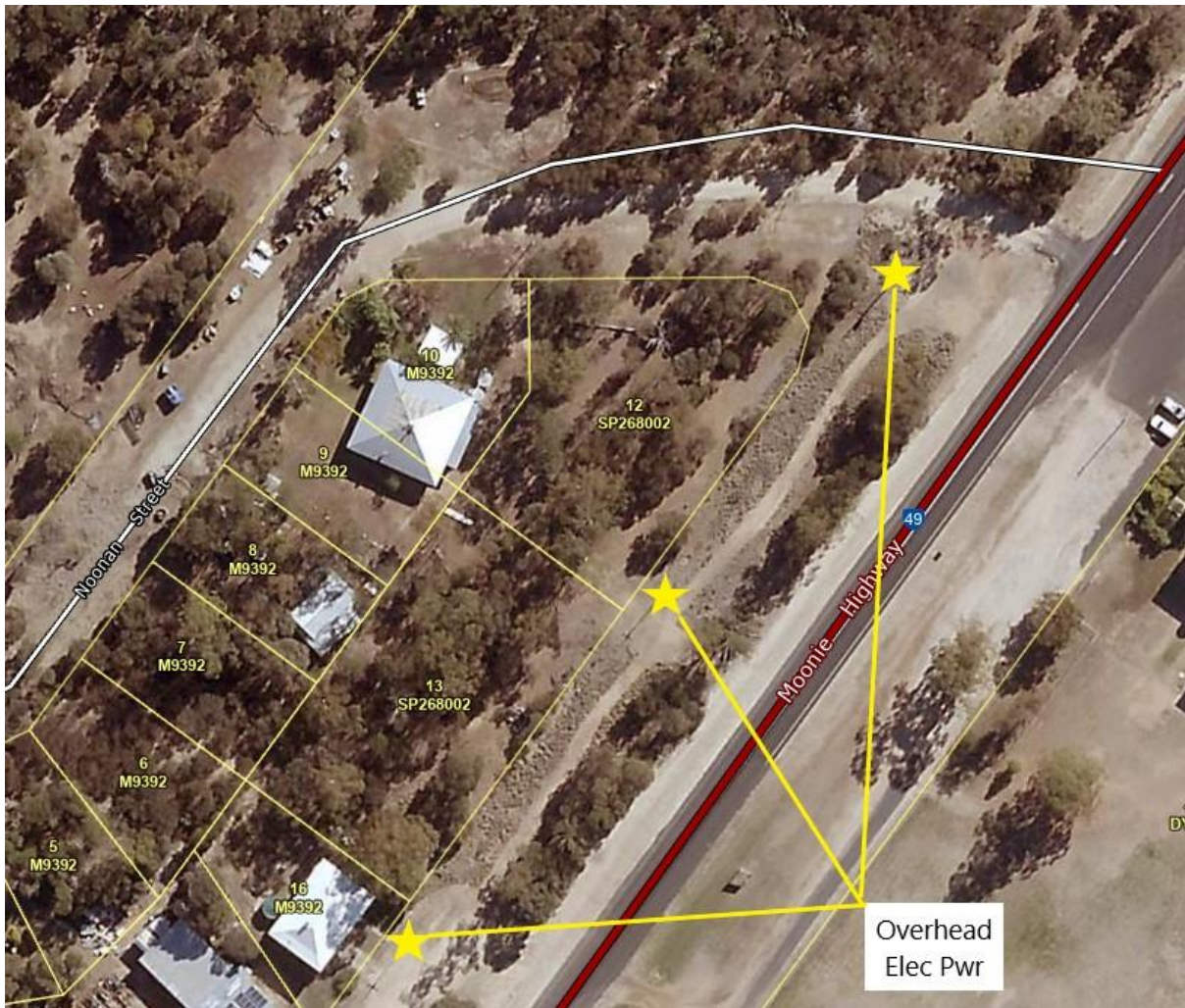
11. Passed & Endorsed :

By : Stephen Lloyd Ring
Date : 16-12-2013
Signed : 

Designation : Cadastral Surveyor



Attachment 3 - Aerial with Power poles



Title Corporate Services Report Audit Committee Meeting 15 March 2022

Date 18 March 2022

Responsible Manager K. Gillespie, A/CUSTOMER SUPPORT AND GOVERNANCE MANAGER

Summary

The purpose of this Report is to provide Council with the report of the Western Downs Regional Council Audit Committee Meeting held on 15 March 2022.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our people are skilled and values driven to make a real difference.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received, and that Council note the unconfirmed minutes of the Western Downs Regional Council Audit Committee Meeting held on 15 March 2022.

Background Information

As a Category 3 Council, Western Downs Regional Council is required under section 150(2) of the *Local Government Act 2009* (the LG Act) to establish an audit committee.

An audit committee is a committee that:

- a) *Monitors and reviews:*
 - i. *the integrity of financial documents;*
 - ii. *the internal audit function; and*
 - iii. *the effectiveness and objectivity of the local government's internal auditors.*
- b) *Makes recommendations to the local government about any matters that the audit committee considers need action or improvement (section 105(4) of the LG Act).*

The Western Downs Regional Council Audit Committee operates under the *Audit Committee - Terms of Reference* which was adopted by Council on 17 June 2020.

Report

Council's Audit Committee met on 15 March 2022. The report and recommendations of the meeting are provided to Council pursuant to section 211(1)(c) and (4) of the *Local Government Regulation 2012*.

Consultation (Internal/External)

Nil

Legal/Policy Implications (Justification if applicable)

The *Local Government Regulation 2012*, section 211 audit committee meetings states:-

(1) *the audit committee of the local government must -*

.....

(c) *as soon as practicable after a meeting of the committee, give the local government a written report about the matters reviewed at the meeting and the committee's recommendation about the matters.*

.....

(4) *the chief executive must present the report mentioned in subsection (1)(c) at the next meeting of the local government.*

Budget/Financial Implications

Nil

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

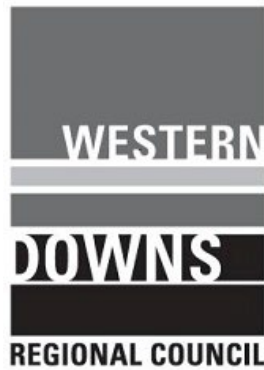
Conclusion

The report and recommendations of the Western Downs Regional Council Audit Committee meeting held on 15 March 2022 are provided in accordance with the legislative requirement.

Attachments

1. Audit Committee Meeting Unconfirmed Minutes 15 March 2022.

Authored by: W. Burton, PERFORMANCE RISK AND REPORTING OFFICER



Audit Committee Meeting Minutes

Date: Tuesday 15 March 2022
Time: 9:30 am
Location: WDRC - Corporate Office - Boardroom
30 Marble Street, Dalby Qld 4405

Committee Members: Cr. I.J. Rasmussen (Chair)
Cr. P.M. McVeigh
Mr. R. Bain, Independent Member

Officers: J. Taylor, Chief Executive Officer
P. Greet, A/ General Manager (Corporate Services)
T. Skillington, A/Chief Financial Officer
K. Gillespie, A/Customer Support & Governance Manager
W. Burton, Performance Risk and Reporting Officer
K. Sutton, Executive Officer
M. Keane, Queensland Audit Office
V. de Waal, Deloitte Touche Tohmatsu
J. Tait, Deloitte Touche Tohmatsu
J. Zabala, Crowe Australasia
C. Iafano, Crowe Australasia

1. Meeting Open

The Chair declared the meeting opened at 9.30 am.

2. Apologies

Nil

3. Confirmation of Minutes From Previous Meeting

Moved By Cr. P.M. McVeigh

Seconded By Mr. R. Bain

That the Unconfirmed Minutes of the Western Downs Audit Committee Meeting held on 5 October 2021, copies of which have been circulated to members are confirmed, noting amendment to 8.1 proposed meeting date being Tuesday 15 March 2022.

CARRIED

4. Chairperson Report

4.1 Chairperson Report Results of Evaluation on Annual Audit Committee Self-Assessment

The purpose of this Report is to provide the results of the evaluation on the annual self-assessment of the Audit Committee.

Moved By Mr. R. Bain
Seconded By Cr. P.M. McVeigh

That this Report be received and noted.

CARRIED

5. Outstanding Actions List

5.1 Governance Report Internal and External Outstanding Action Items January 2022

The purpose of this Report is to update the Audit Committee on outstanding internal and external audit items and seek authorisation of items recommended for closure.

Moved By Mr. R. Bain
Seconded By Cr. P.M. McVeigh

That this Report be received and noted and

1. the Audit Committee approve the closure of the following Internal Audit items:-
 - a. PCM1 Procurement Thresholds
 - b. PCM3 Panel Arrangements
 - c. PCM4 Bypassing Lowest Quotation Reasoning
 - d. PCM5 Inconsistencies in Procurements Through Quotations
 - e. PCM7 Self-Approved Purpose Orders
 - f. PCM8 Inconsistent Financial Delegations
 - g. PCM9 Overspent Contract Identification
 - h. PCM10 Lack of Procurement Training
 - i. AP/AR1 Accounts Payable Payment Mechanism
 - j. AP/AR2 Goods Receipting Process
 - k. AP/AR11 Fraud Risk Register; and
2. the Audit Committee approve the closure of the following External Audit items:-
 - a. IR-2021-1 User Access Management - User Termination
 - b. NFY19 Materials and Services Costs Treated as a Loss on Write off.

CARRIED

ACTIONS

1. PCM4 Bypassing Lowest Quotation Reasoning - Exception Reporting and report back on procurement process and oversight at the next Audit Committee Meeting.
2. Recommend the Internal and External Audit Registers be reviewed by the Executive Management Team on a regular basis.

6. Internal Audit Report

6.1 Governance Report Internal Audit of Accounts Payable and Receivable

The purpose of this Report is to provide the Audit Committee with the findings of the Internal Audit of Accounts Payable and Receivable.

Moved By Cr. P.M. McVeigh
Seconded By Mr. R. Bain

That this report be received and noted and all recommendations by Crowe Australasia for the Internal Audit of Accounts Payable and Receivable have been included in the action register.

CARRIED

FINANCIAL REPORTS

7. Financial Reports Item

7.1 Audit Committee Report 2022 - Queensland Audit Office Draft Audit Plan & Draft 2022-25 Forward Work Plan

The purpose of this report is to provide the Audit Committee with the draft Queensland Audit Office (QAO) 2022 Audit Plan for the audit of Council's annual financial statements. The 2022-25 Forward Work Plan is presented for awareness of areas of focus for QAO in the coming years which may impact future audits.

Moved By Mr. R. Bain
Seconded By Cr. P.M. McVeigh

That this Report and its attachments be received and noted by the Committee.

CARRIED

EXTERNAL AUDIT REPORTS

8. External Audit Reports Item

Nil

OTHER REPORTS

9. Other Report Item

9.1 Corporate Governance Report to Audit Committee Meeting March 2022

The purpose of this report is to provide the Audit Committee with a summary of governance, risk and internal audit activities to 1 March 2022.

Moved By Mr. R. Bain
Seconded By Cr. P.M. McVeigh

That this Report be received and noted and that Council amend the Three-Year Strategic Internal Audit Plan by removing the *Aged Care Internal Audit* and including the *Recruitment Internal Audit*.

CARRIED

9.2 Complaint Audit Committee Reporting Cr G Moore

The purpose of this report is to table, for the consideration of the Audit Committee, an official complaint submitted by Cr George Moore into the reporting of the August 2021 Audit Committee Meeting outcomes to the Ordinary Meeting of Council.

Moved By Mr. R. Bain
Seconded By Cr. P.M. McVeigh

That this Report be received and after due consideration the Audit Committee is satisfied that:-

1. The Audit Committee is meeting all elements of the Terms of Reference as resolved by Council on 17 June 2020.
2. The Audit Committee is complying with the LG Regulations 2012. As confirmed by QAO.
3. The Audit Committee is complying with its reporting obligations by reporting to the CEO as defined in the LG Regulations and Western Downs Audit Committee "Terms of Reference".

CARRIED

GENERAL BUSINESS ITEMS

10. **Business Items**

Nil

11. **Meeting Closure**

The Meeting concluded at 10:49 am.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Audit Committee Meeting held this 15 March 2022.

Cr. I.J. Rasmussen;
Chairman Western Downs Regional Council Audit Committee

Title **Chairperson Report Results of Evaluation on Annual Audit Committee Self-Assessment**

Date 22 February 2022

Responsible Manager J. Taylor, CHIEF EXECUTIVE OFFICER

Summary

The purpose of this Report is to provide the results of the evaluation on the annual self-assessment of the Audit Committee.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our people are skilled and values driven to make a real difference.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and noted.

Background Information

The Audit Committee Terms of Reference as adopted by Council 17 June 2020 provide:-

10. EVALUATION OF COMMITTEE ACTIVITIES

The operation of the Audit Committee will be assessed annually by way of a self-assessment questionnaire provided to all members and discussed as a group. Results will be presented to Council.

Report

As per Item 10 of the Audit Committee Terms of Reference, self - assessment questionnaire forms were provided in December 2021 to the Audit Committee members and senior staff from executive and governance who regularly attend Audit Committee meetings.

The Audit Committee members met on 8 February 2022 to discuss the results of the survey which were analogous. The Audit Committee had very lengthy discussion on all areas of the Terms of Reference and concluded unanimously that the Committee is operating within and fulfilling all areas of the Terms of Reference as resolved by Council at the Ordinary General Meeting 17 June 2020.

Areas of discussion and unanimous agreement included, but were not limited to the main points below:-

1. Qld Audit Office continues to give green lights to all areas of budget and audit for WDRC.
2. Council is receiving unqualified audits by the external auditors and Qld Audit Office.

3. The Committee believes that it is being adequately probing on reports which are presented in the agenda.
4. The Committee's recommendations are expediting staff to action.
5. Appointment of Internal Audit to an external experienced provider has raised the bar in levels of internal audit and respect and cooperation of staff to internal audit.
6. The Committee is confident that the CEO has strategies in place to ensure that enterprise risks are managed and that any inconsistencies are reported to the Audit Committee.
7. The Terms of Reference is adequate as it satisfies the role of the Audit Committee.

Consultation (Internal/External)

As indicated in the report, a self-assessment questionnaire was provided to all Audit Committee members and senior staff from Executive and Governance who regularly attend Audit Committee meetings.

Legal/Policy Implications (Justification if applicable)

Nil

Budget/Financial Implications

Nil

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

The annual self-assessment of the Audit Committee meets the requirements of the Terms of Reference for the Audit Committee.

Attachments

Nil

Authored by: Cr Ian Rassmussen, CHAIRPERSON WDRC AUDIT COMMITTEE

Title Corporate Services Financial Report March 2022

Date 31 March 2022

Responsible Manager T. Skillington, ACTING CHIEF FINANCIAL OFFICER

Summary

The purpose of this Report is to provide Council with the Financial Report for the period ending 31 March 2022.

Link to Corporate Plan

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received, and that:

1. Council notes the Financial Report as of 31 March 2022 and;
2. Resolves to approve the following adjustments to the capital program;
 - New Capital Projects being added to the program. \$0.355 million in expenditure and \$0.385 million in revenue.
 - Projects proposed to not go ahead and to be cancelled of \$0.408 million in expenditure.

Background Information

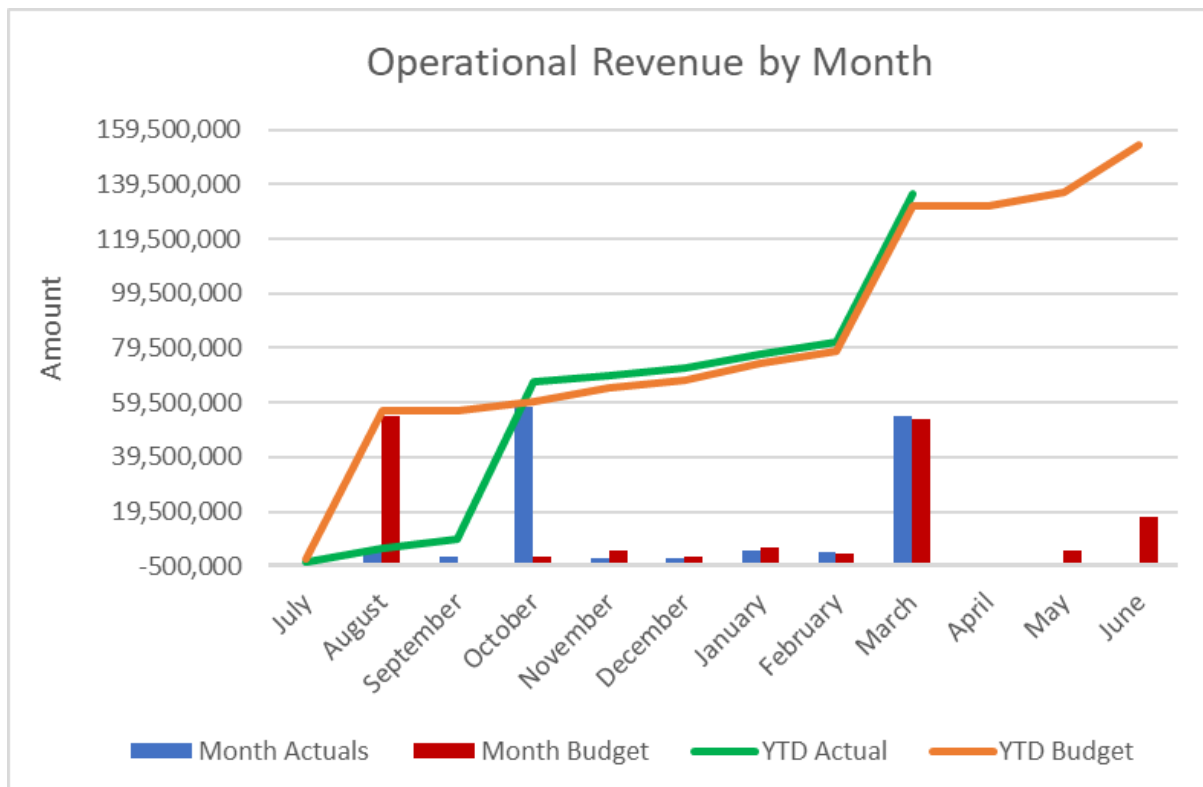
The Chief Executive Officer is required by Section 204 (2) of the Local Government Regulation 2012 to present the Financial Report at each meeting of the local government if each meeting is held less frequently than monthly, or monthly. The Financial Report must state the progress that has been made in relation to the local government's budget for the period of the financial year up to a day as near as practicable to the end of the month before the meeting is held (section 204 (3)).

Report

1. Operating Result

As of 31 March 2022, Council is making a \$29.923 million profit compared to the budgeted profit of \$19.715 million which is \$10.208 million better than budget. This favourable position is due to revenue being greater than budget by \$4.485 million and expenditure being behind budget \$5.723 million. This position will start to weaken with a majority of revenue now being received, expenditure being spent as projects are closed out and the grant payment to Southern Cross Care for the health services transition.

Graphs and a summary of the major variances for revenue and expenses is provided below.

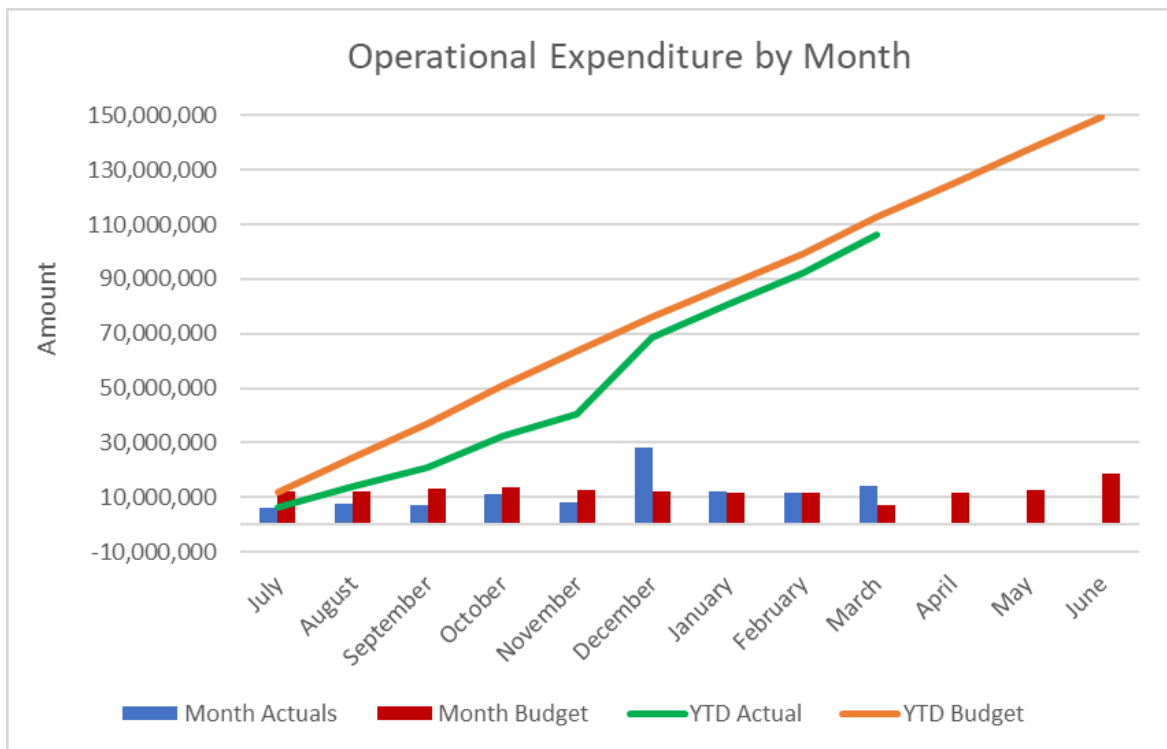


Operational Revenue is \$4.485 million ahead of budget. This is due to:

- ↑ \$7.641 million Rates and Utility Charges being ahead of budget due to the timing of sale of resource sector properties back to rural owners not progressing to date. It estimated that rates will remain ahead of budget for the year with this impact to affect later years (phasing issue). There is also \$1.601 million outstanding for the Fire Levy Payment. This will be paid in April. Once this is paid revenue will reduce. All general rates income has now been received for the year with only the final Water Volumetric to be received at the end of the financial year for this revenue stream.
- ↑ \$1.102 million Fees and Charges being ahead of budget mainly due to town planning & building application fees being greater than budget by \$0.429 million, \$0.241 million ahead in fines and penalties and \$0.180 million ahead in Washdown Bay fees due to higher patronage (also tied in with higher numbers at the Saleyards). Water sales and water installations are also exceeding budget by \$0.133 million.
- ↓ \$0.039 million Rental and Levies is in line with budget.
- ↓ \$5.566 million Sales of Major Services behind budget mainly due to Commercial Works being behind budget \$4.542 million. This is due to outstanding progress claims and is a phasing issue. The recent flooding has also delayed the program and claims are taking longer to approve with flood claims becoming priority over the standard contract. All projects will be delivered by year end. Quarry sales are also behind budget \$1.087 million. Production is on schedule at the Quarry with booking out to jobs behind budget. This lag in booking to jobs is due to the wet weather and projects being pushed out to the 2nd half of the year. Saleyards however is ahead of budget \$0.291 million due to higher cattle numbers.
- ↑ \$0.992 million Operating Grants and Subsidies being ahead of budget mainly due to \$0.477 million additional revenue received for the Financial Assistance Grant. It is now expected that this will come under budget for the year due to the grant allocation methodology being reviewed and Council now losing 11% each year until 2024-25. It is expected that this loss will be reflected in the last payment for

the year. There has also been \$0.403 million additional revenue received for Trainee/Apprentice and other numerous grants across council.

- ↑ \$0.023 million Interest Revenue ahead of budget. Council budgeted to receive 1% interest, however on average has only received 0.66%.
- ↑ \$0.332 million Other Income being ahead of budget due to disposal proceeds (sale of equipment not on the asset register), legal fees recovered and reimbursements being ahead of budget.



Operational Expenditure is \$5.723 million behind budget. This is due to:

- ↓ \$1.191 million Employee Benefits behind budget due to Workers Compensation coming under budget \$0.222 million and a lower FTE count than budgeted. It is expected that Employee benefits will be on budget for the year.
- ↓ \$3.499 million Materials and Services behind budget. Implementation of Procure to Pay system in February enables recognising expenditure on receipt of goods and services (rather than receipt of invoice). This new process will reduce the lag previously seen between works being completed and receiving invoices. Large underspends are material and services costs for Commercial Works projects (\$0.478 million), \$0.832 million outstanding waste contractor invoices and electricity costs (\$0.718 million). As of April, Materials and Services will be over budget and will remain over budget with the payment made to Southern Cross Care taking place on 1st of April 2022.
- ↓ \$1.349 million Depreciation behind budget due to the write off of assets (road assets) and the indexation being lower than budget for roads, bridges and footpath assets. These assets were budgeted to increase by 2.75% but actually have decreased by 1.0% meaning a positive effect of 3.75%. Draft revaluation for land, buildings and site improvements is expected in March with increases being

expected due to increases in various indices (e.g., construction cost index, CPI). This will increase depreciation in the last quarter of 2021-22.

↑ \$0.316 million Finance costs over budget due to bank charges now being costed to finance costs and not offset with interest revenue.

2. Business unit's commentary

↓ **Commercial Works:** Commercial Works is currently running at a deficit of \$5.174 million which is \$4.009 million behind budget. This less favourable position is due to outstanding progress claims and is a phasing issue. The recent flooding has also delayed the program and claims are taking longer to approve. All projects are expected to be delivered by year end. Expenditure is also slightly down due to this delay in works.

↓ **Gas:** Gas is making a \$0.601 million profit which is \$0.170 million behind budget. This less favourable position is due to revenue being behind budget \$0.263 million. This is a phasing issue relating to gas sales. Gas sales are expected to make budget for the year with no concerns.

↑ **Water:** The Water business unit is making a \$0.755 million deficit which is \$0.199 million better than budget. This more favourable position is mainly due to expenditure for Depreciation being behind budget (\$0.156 million). Water assets were budgeted to increase by 2.75% but actually have decreased by 1.0% meaning a positive effect of 3.75%. Water sales and installation revenue is also ahead of budget \$0.133 million.

↑ **Sewerage:** Sewerage is making a \$4.622 million profit which is \$0.162 million better than budget. This more favourable position is due to revenue being ahead of budget for Rates and Utility Charges (\$0.116 million) and expenditure for Depreciation being behind budget (\$0.045 million). Sewerage assets were budgeted to increase by 2.75% but actually have decreased by 1.0% meaning a positive effect of 3.75%.

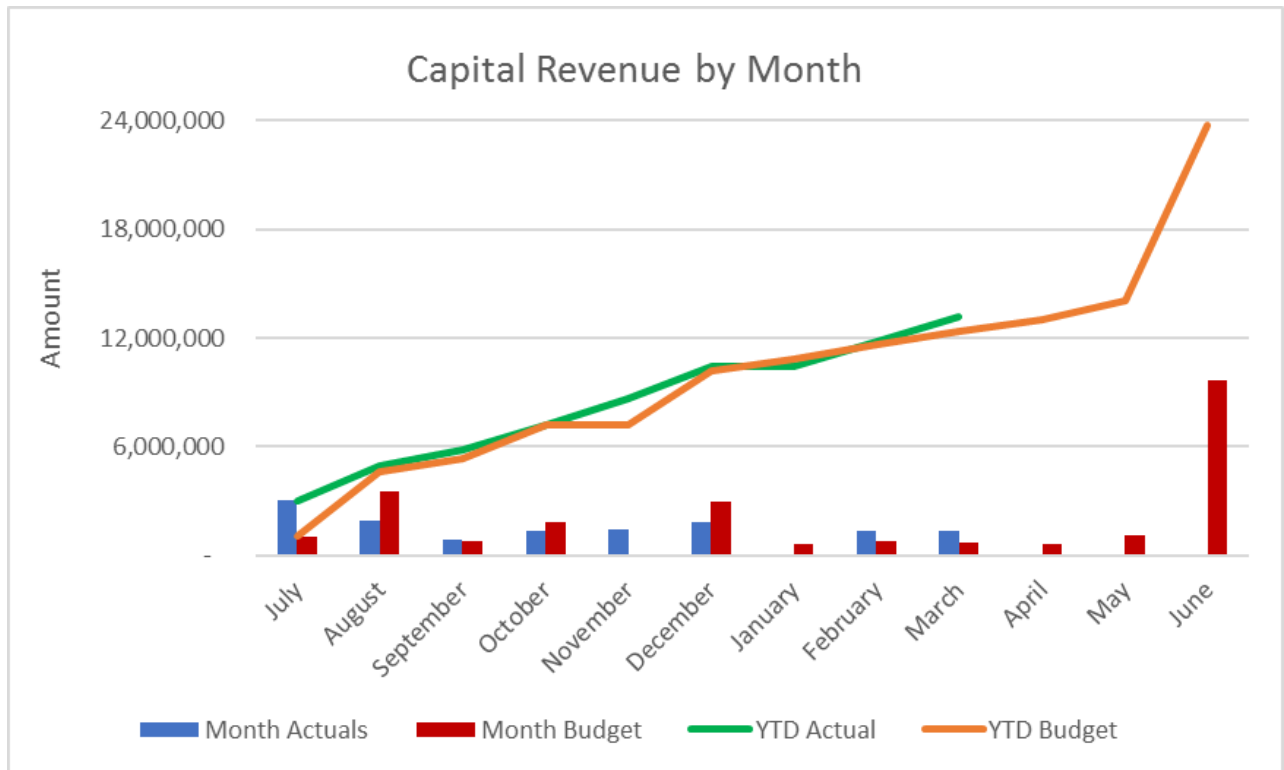
↓ **Quarry:** The Quarry is making a \$1.024 million profit which is \$0.930 million behind budget. Production is on schedule (expenditure) at the Quarry with booking out to jobs behind budget (revenue). This lag in booking to jobs is due to the wet weather and projects being pushed out to later in the financial year.

↑ **Waste:** Waste is making a \$1.247 million profit which is \$0.656 million better than budget. This more favourable position is due to Materials and Services being \$0.833 million behind budget. This is due to a delay in finalising waste contract invoices and is a phasing issue. Fees and charges are behind budget \$0.191 million due to one month of revenue not being received (timing issue) for waste disposal fees.

↑ **Saleyards:** The Saleyards is making a \$0.573 million profit which is \$0.575 million better than budget. This favourable position is due to revenue being ahead of budget \$0.291 million due to seasonal and market conditions. The early wet winter was followed by quite a number of dry weeks with forage crops and available feed running out across the vendor catchment. Coupled with record prices, the market has been very attractive to vendors and hence the Saleyards throughput has increased significantly. When the budget was formed it was formed on a conservative basis. Expenditure for Materials and Services is also down \$0.253 million due to some maintenance works being pushed out to later in the year.

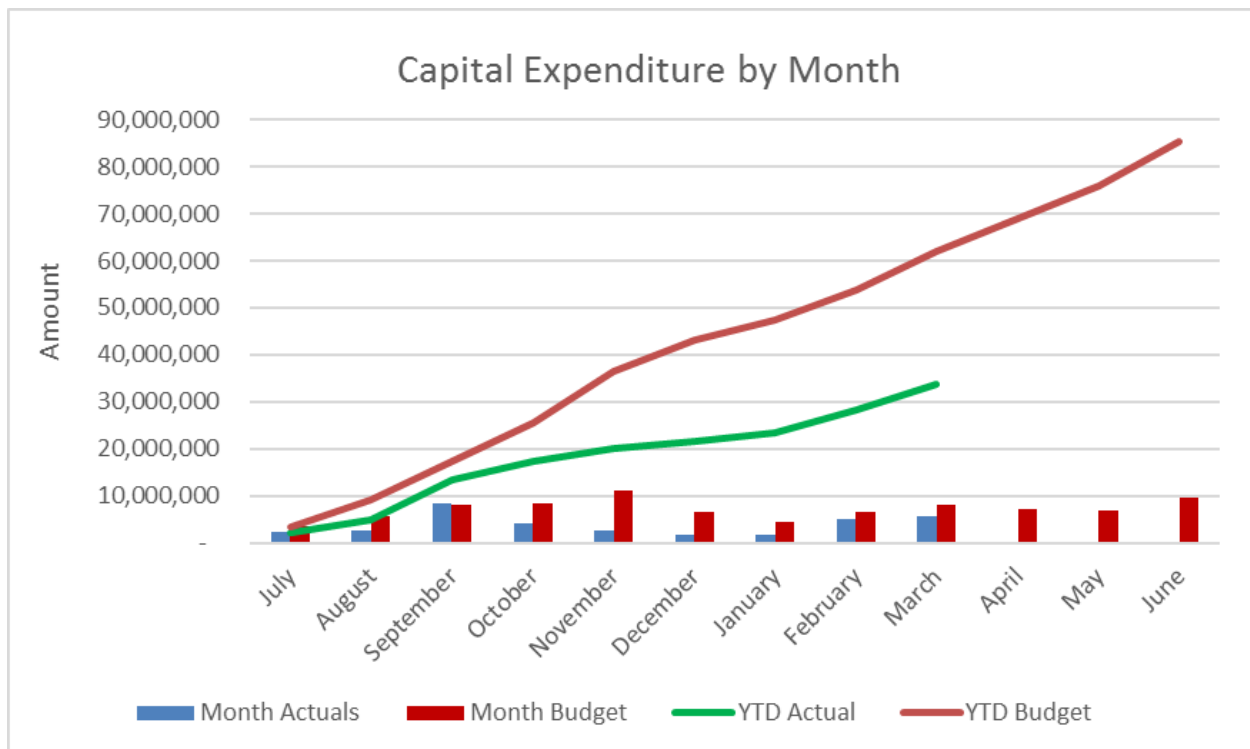
↑ **Washdown Bays:** The Washdown Bays is making a \$0.108 million profit which is \$0.056 million ahead of budget due to revenue being ahead of budget \$0.180 million due to higher patronage and is also linked to the increase in throughput at the Saleyards. Materials and Services is over budget \$0.098 million due to this increased input.

3. Capital Revenue and Expenditure



Capital Revenue is ahead of budget by \$0.772 million due to:

- ↑ Contributions from Developers exceeding budget by \$0.247 million for road and utility assets. When this budget was formed it was based on best estimate of what will be contributed throughout the year at that point in time. This is a non-cash item.
- ↑ Disposal of Non-Current Assets exceeding budget by \$0.508 million mainly due to the sale of council owned land (land sales were not budgeted only fleet assets were).



Capital Expenditure is behind budget by \$28.275 million due to:

Implementation of Procure to Pay system in February enables recognising project expenditure on receipt of payment/contract claims (rather than receipt of invoice). This new process will reduce the lag previously seen between works being completed and receiving invoices as staff become familiar with the new process.

- ↓ Major projects behind budget are Tara Pool, 120 Cunningham Street, Chinchilla Cultural Precinct, White Fleet Replacement vehicles (vehicles have been ordered, just waiting delivery), Regional Flood projects, Miles CBD and Russell Mountain Bike Trails projects. These projects are behind budget either due to phasing issues, contractor delays or weather. Project managers are closely watching these projects and are advising works should still be completed by year end.

There has been a decreased movement of \$0.054 million in expenditure and an increased movement in revenue of \$0.385 million in the capital program. As per the Budget Policy some of these projects have been approved by the Chief Executive Officer or, in some cases, the general managers. The projects are listed in the table below.

Project Name	Expenditure Budget	Income Budget	Comment
New Projects			
Royalty Road Reconstruction (Origin)	150,363	(172,918)	Approved by CEO Jodie Taylor 23/02/2022
Werona Rd (0.66 - 6.68) Reconstruction (Origin)	139,461	(160,380)	Approved by CEO Jodie Taylor 17/03/2022
Halliford Rd (6.43) Grid Installation (QGC)	45,141	(51,912)	Approved by CEO Jodie Taylor 17/03/2022
Wandoan Showgrounds- Supply & Install Open Air Shed	20,000	-	Approved by Acting General Manager Peter Greet 21/03/22. Funded from Showgrounds allocation reserve.
Total	354,965	(385,210)	
Projects proposed not to go ahead (Council Approval required)			
AIMS Phase 3 Asset Management Facilities	(200,000)	-	The solution for this project will now be cloud based which means it will become a operational item. This capital budget will not be used.
Miles Toilet Block (Council Depot) Refurbishment	(75,000)	-	Project delayed due to active building market disincentivising local contractors from quoting this project. Project to be resubmitted when market cools down.
Wandoan Workshop Skillion & Concrete Slab Extension	(85,000)	-	Project delayed due to active building market disincentivising local contractors from quoting this project. Project to be resubmitted when market cools down.
Hoffmann Street Footpath (Willacy to Stiller) Wandoan	(48,060)	-	Insufficient room to install a footpath in this location. Recommend this project to be cancelled.
Total	(408,060)	-	
Total Adjustments	(53,095)	(385,210)	

4. Cash and Investments

Council's Cash and Investments as of 31st of March 2022 totalled \$193.922 million which represents 15.5 months of operating expenses including depreciation. The balance as of 30 June 2021 was \$201.035 million. The balance remains high due to expenditure (mainly capital) being significantly behind budget. The final rates levy for the year has now been levied and the cash balance will increase in April as revenue is received.

Consultation (Internal/External)

Nil

Legal/Policy Implications (Justification if applicable)

Nil

Budget/Financial Implications

Council adopted the FY2022 Original Budget on 23 June 2021. The attached one-page report details the progress made against Year-To-Date (YTD) budget for the period ending 31 March 2022. Budget points to be noted:

- The timing of sale of resource sector properties back to rural owners has not progressed in line with the estimated phasing with no impact on rates to date. Phasing was projected over a four-year period and will be re-estimated when developing the 2022-23 budget.
- APLNG have advised that they will not seek back payment for the amalgamation of their petroleum leases saving council \$1.671 million.
- The transfer of Health Services with the termination payouts and the donation payment to Southern Cross Care occurred 1 April and will reflect in next month's financial report.
- Queensland Local Government Grants Commission has advised a decrease in Council's allocation of the Financial Assistance Grant by 11%. This will take effect from 2022-23 with similar reductions to occur until 2024-25. This will affect the current year's budget as 75% of the 2022-23 allocation will be paid in advance and received in 2021-22. The exact dollar impact on our grant allocation is not expected to be known until May 2022.
- All costs relating to Myall 107 (construction & demolition) will now be treated as operational in nature and not capital and therefore will be moved to the operational budget over the coming months. This is as per accounting standards and advice received from the external auditors.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

Council is currently ahead of budget by \$10.208 million at the end of March. The budget will continue to be closely monitored with a 30 June forecast to be prepared and updated over the coming months as the dollar impacts of the budget points above are quantified. It is expected that council will make a deficit this year. In addition, there are capital adjustments to be approved which are listed above.

Attachments

1. One Page Report March 2022

Authored by: C. Prain, FINANCIAL PLANNING & ANALYSIS SUPERVISOR

	Council Consolidated				Council Net				Commercial Works			
	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance
Operating Revenue												
Rates and Utility Charges	(96,237,784)	(97,726,370)	(105,565,363)	(7,838,993)	(74,892,215)	(76,380,801)	(84,045,730)	(7,664,929)	-	-	-	-
Volumetric	(6,344,978)	(3,172,489)	(2,982,604)	189,885	-	-	-	-	-	-	-	-
Less: Discounts & Pensioner Remissions	5,236,660	3,085,831	3,093,552	7,721	3,950,046	2,405,023	2,452,563	47,540	-	-	-	-
Net Rates and Utility Charges	(97,346,102)	(97,813,028)	(105,454,415)	(7,641,387)	(70,942,169)	(73,975,778)	(81,593,166)	(7,617,388)	-	-	-	-
Fees and Charges	(6,248,579)	(4,655,698)	(5,757,492)	(1,101,794)	(2,873,943)	(2,124,168)	(3,085,599)	(961,431)	-	-	-	-
Rental and Levies	(1,652,968)	(1,238,983)	(1,199,842)	39,141	(1,587,968)	(1,190,983)	(1,141,501)	49,482	-	-	-	-
Sales of Major Services	(24,659,198)	(16,374,179)	(10,808,146)	5,566,033	-	-	-	-	(12,017,500)	(6,680,414)	(2,138,677)	4,541,737
Operating Grants & Subsidies	(21,648,998)	(10,033,626)	(11,026,011)	(992,385)	(21,648,998)	(10,033,626)	(11,026,011)	(992,385)	-	-	-	-
Interest	(1,374,442)	(1,030,833)	(1,053,672)	(22,839)	(1,337,442)	(1,003,077)	(977,259)	25,818	-	-	-	-
Other Income	(1,001,376)	(563,573)	(895,427)	(331,854)	(941,376)	(518,573)	(866,666)	(348,093)	-	-	-	-
Total Operating Revenue	(153,931,663)	(131,709,920)	(136,195,005)	(4,485,085)	(99,331,896)	(88,846,205)	(98,690,202)	(9,843,997)	(12,017,500)	(6,680,414)	(2,138,677)	4,541,737
Operating Expenses												
Employee Benefits	56,773,001	43,123,299	41,718,300	(1,404,999)	47,080,037	35,932,894	34,308,414	(1,624,480)	2,146,710	1,591,675	1,536,629	(55,046)
Less Capitalised Employee Benefits	(6,814,413)	(4,249,502)	(4,035,202)	214,300	(6,392,288)	(3,932,909)	(3,481,781)	451,128	-	-	-	-
Net Employee Benefits	49,958,588	38,873,797	37,683,098	(1,190,699)	40,687,749	31,999,985	30,826,634	(1,173,351)	2,146,710	1,591,675	1,536,629	(55,046)
Materials and Services	54,489,395	39,495,907	35,996,467	(3,499,440)	25,441,001	18,470,772	16,629,137	(1,841,635)	8,069,856	5,927,181	5,449,234	(477,947)
Depreciation and Amortisation	44,708,456	33,531,363	32,181,991	(1,349,372)	36,277,815	27,208,377	26,082,710	(1,125,667)	-	-	-	-
Finance Costs	376,841	93,825	409,993	16,168	292,095	93,825	409,993	316,168	-	-	-	-
Corporate Overhead	-	-	-	-	(3,914,600)	(2,935,944)	(2,935,944)	-	435,173	326,376	326,376	-
Total Operating Expenses	149,533,280	111,994,892	106,271,548	(5,723,344)	98,784,060	74,837,015	71,012,529	(3,824,486)	10,651,739	7,845,232	7,312,239	(532,993)
Operating (surplus)/deficit	(4,398,383)	(19,715,028)	(29,923,457)	(10,208,429)	(547,836)	(14,009,190)	(27,677,672)	(13,668,482)	(1,365,761)	1,164,818	5,173,562	4,008,744
Capital Revenue												
Capital Grants & Subsidies	(19,692,779)	(9,679,767)	(9,780,882)	(101,115)	(19,489,799)	(9,476,787)	(9,439,678)	37,109	-	-	-	-
Contributions	(2,056,125)	(980,000)	(895,920)	84,080	(2,026,125)	(950,000)	(895,920)	54,080	-	-	-	-
Contributions - Contributed Assets	(250,000)	-	-	-	(250,000)	-	-	-	-	-	-	-
Contributions from Developers - Cash	(250,000)	(250,000)	(497,430)	(247,430)	(250,000)	(250,000)	(444,822)	(194,822)	-	-	-	-
Disposal of Non-Current Assets	(1,480,000)	(1,480,000)	(1,987,806)	(507,806)	(1,480,000)	(1,480,000)	(1,987,806)	(507,806)	-	-	-	-
Total Capital Revenue	(23,728,904)	(12,389,767)	(13,162,039)	(772,272)	(23,495,924)	(12,156,787)	(12,768,226)	(611,439)	-	-	-	-
Capital Expenses												
Loss of Revaluation of Inventory	-	-	-	-	-	-	-	-	-	-	-	-
Restoration of Land Provision	-	-	46,146	46,146	-	-	-	-	-	-	-	-
Capital Expense Write-Off	8,200,000	4,350,000	10,544,692	6,194,692	7,500,000	4,000,000	10,144,300	6,144,300	-	-	-	-
Total Capital Expenses	8,200,000	4,350,000	10,590,839	6,240,839	7,500,000	4,000,000	10,144,300	6,144,300	-	-	-	-
Net Result (surplus)/deficit	(19,927,287)	(27,754,795)	(32,494,657)	(4,739,862)	(16,543,760)	(22,165,977)	(30,301,599)	(8,135,622)	(1,365,761)	1,164,818	5,173,562	4,008,744
Capital Funding Applications												
Capital Expenditure - New Assets	17,872,685	17,012,934	10,525,233	(6,487,701)	15,961,102	15,818,851	10,068,664	(5,750,187)	-	-	-	-
Capital Expenditure - Upgrade Assets	13,763,831	6,886,555	3,137,196	(3,749,359)	12,113,735	6,274,189	3,021,637	(3,252,552)	-	-	-	-
Capital Expenditure - Replacement Assets	53,878,398	38,129,853	20,091,602	(18,038,251)	46,654,585	33,624,002	18,162,839	(15,461,163)	-	-	-	-
Loan Principal	-	-	-	-	-	-	-	-	-	-	-	-
Land Rehab	-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Funding Applications	85,514,914	62,029,342	33,754,031	(28,275,311)	74,729,422	55,717,042	31,253,140	(24,463,902)	-	-	-	-

	Gas				Water				Sewerage			
	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance
Operating Revenue												
Rates and Utility Charges	-	-	-	-	(6,180,459)	(6,180,459)	(6,174,249)	6,210	(9,393,219)	(9,393,219)	(9,509,539)	(116,320)
Volumetric	-	-	-	-	(6,344,978)	(3,172,489)	(2,982,604)	189,885	-	-	-	-
Less: Discounts & Pensioner Remissions	-	37,500	39,886	2,386	581,928	290,965	240,793	(50,172)	436,506	218,253	229,435	11,182
Net Rates and Utility Charges	-	37,500	39,886	2,386	(11,943,509)	(9,061,983)	(8,916,061)	145,922	(8,956,713)	(9,174,966)	(9,280,104)	(105,138)
Fees and Charges	(31,000)	(23,300)	(27,516)	(4,216)	(770,000)	(578,000)	(711,387)	(133,387)	-	-	(13,146)	(13,146)
Rental and Levies	-	-	-	-	(65,000)	(48,000)	(58,341)	(10,341)	-	-	-	-
Sales of Major Services	(2,924,488)	(2,209,062)	(1,945,796)	263,266	(12,070)	(9,070)	(48,376)	(39,306)	(12,500)	(9,300)	(5,021)	4,279
Operating Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	(20,000)	(15,003)	(34,092)	(19,089)	(12,000)	(9,000)	(28,827)	(19,827)
Other Income	-	-	-	-	-	-	-	-	-	-	-	-
Total Operating Revenue	(2,955,488)	(2,194,862)	(1,933,426)	261,436	(12,810,579)	(9,712,056)	(9,768,256)	(56,200)	(8,981,213)	(9,193,266)	(9,327,098)	(133,832)
Operating Expenses												
Employee Benefits	291,903	216,428	202,747	(13,681)	3,850,200	2,854,702	2,985,149	130,447	1,383,177	1,025,565	1,076,333	50,768
Less Capitalised Employee Benefits	-	-	-	-	-	-	(100,441)	(100,441)	-	-	(3,102)	(3,102)
Net Employee Benefits	291,903	216,428	202,747	(13,681)	3,850,200	2,854,702	2,884,707	30,005	1,383,177	1,025,565	1,073,231	47,666
Materials and Services	1,074,712	814,494	735,571	(78,923)	4,321,922	3,276,588	3,259,682	(16,906)	1,540,734	1,153,323	1,122,511	(30,812)
Depreciation and Amortisation	280,351	210,267	211,391	1,124	4,666,386	3,499,785	3,343,805	(155,980)	2,565,082	1,923,813	1,878,801	(45,012)
Finance Costs	49,467	-	-	-	6,075	-	-	-	-	-	-	-
Corporate Overhead	244,237	183,177	183,177	-	1,380,218	1,035,162	1,035,162	-	840,977	630,729	630,729	-
Total Operating Expenses	1,940,670	1,424,366	1,332,885	(91,481)	14,224,801	10,666,237	10,523,356	(142,881)	6,329,970	4,733,430	4,705,273	(28,157)
Operating (surplus)/deficit	(1,014,818)	(770,496)	(600,540)	169,956	1,414,222	954,181	755,100	(199,081)	(2,651,243)	(4,459,836)	(4,621,825)	(161,989)
Capital Revenue												
Capital Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-	-
Contributions	-	-	-	-	-	-	-	-	-	-	-	-
Contributions - Contributed Assets	-	-	-	-	-	-	-	-	-	-	-	-
Contributions from Developers - Cash	-	-	-	-	-	-	(36,730)	(36,730)	-	-	(15,879)	(15,879)
Disposal of Non-Current Assets	-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Revenue	-	-	-	-	-	-	(36,730)	(36,730)	-	-	(15,879)	(15,879)
Capital Expenses												
Loss of Revaluation of Inventory	-	-	-	-	-	-	-	-	-	-	-	-
Restoration of Land Provision	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expense Write-Off	-	-	3,942	3,942	500,000	250,000	169,234	(80,766)	100,000	100,000	209,802	109,802
Total Capital Expenses	-	-	3,942	3,942	500,000	250,000	169,234	(80,766)	100,000	100,000	209,802	109,802
Net Result (surplus)/deficit	(1,014,818)	(770,496)	(596,598)	173,898	1,914,222	1,204,181	887,604	(316,577)	(2,551,243)	(4,359,836)	(4,427,901)	(68,065)
Capital Funding Applications												
Capital Expenditure - New Assets	-	-	-	-	1,100,000	492,500	11,650	(480,850)	-	-	-	-
Capital Expenditure - Upgrade Assets	-	-	-	-	1,637,112	599,382	112,332	(487,050)	12,984	12,984	3,227	(9,757)
Capital Expenditure - Replacement Assets	-	-	-	-	3,192,371	1,910,409	1,069,437	(840,972)	3,505,097	2,156,597	818,036	(1,338,561)
Loan Principal	-	-	-	-	-	-	-	-	-	-	-	-
Land Rehab	-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Funding Applications	-	-	-	-	5,929,483	3,002,291	1,193,419	(1,808,872)	3,518,081	2,169,581	821,263	(1,348,318)

	Quarry				Waste				Saleyards				Washdown Bays			
	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance	Original Budget	YTD Budget	YTD Actuals	YTD Variance
Operating Revenue																
Rates and Utility Charges	-	-	-	-	(5,771,891)	(5,771,891)	(5,835,845)	(63,954)	-	-	-	-	-	-	-	-
Volumetric	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Less: Discounts & Pensioner Remissions	-	-	-	-	268,180	134,090	130,875	(3,215)	-	-	-	-	-	-	-	-
Net Rates and Utility Charges	-	-	-	-	(5,503,711)	(5,637,801)	(5,704,970)	(67,169)	-	-	-	-	-	-	-	-
Fees and Charges	-	-	-	-	(2,008,989)	(1,506,744)	(1,316,075)	190,669	-	-	-	-	(564,647)	(423,486)	(603,770)	(180,284)
Rental and Levies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Sales of Major Services	(7,452,640)	(5,786,330)	(4,699,558)	1,086,772	-	-	-	-	(2,240,000)	(1,680,003)	(1,970,718)	(290,715)	-	-	-	-
Operating Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	(5,000)	(3,753)	(13,494)	(9,741)	-	-	-	-	-	-	-	-
Other Income	-	-	(3,474)	(3,474)	(60,000)	(45,000)	(25,287)	19,713	-	-	-	-	-	-	-	-
Total Operating Revenue	(7,452,640)	(5,786,330)	(4,703,032)	1,083,298	(7,577,700)	(7,193,298)	(7,059,826)	133,472	(2,240,000)	(1,680,003)	(1,970,718)	(290,715)	(564,647)	(423,486)	(603,770)	(180,284)
Operating Expenses																
Employee Benefits	1,142,950	851,045	792,293	(58,752)	397,258	294,548	443,179	148,631	382,163	283,331	275,550	(7,781)	98,603	73,111	98,006	24,895
Less Capitalised Employee Benefits	(422,125)	(316,593)	(344,681)	(28,088)	-	-	(99,385)	(99,385)	-	-	(5,812)	(5,812)	-	-	-	-
Net Employee Benefits	720,825	534,452	447,612	(86,840)	397,258	294,548	343,794	49,246	382,163	283,331	269,737	(13,594)	98,603	73,111	98,006	24,895
Materials and Services	4,522,304	3,044,480	2,978,660	(65,820)	7,872,602	5,630,124	4,797,538	(832,586)	1,305,264	945,252	692,662	(252,590)	341,000	233,693	331,473	97,780
Depreciation and Amortisation	21,842	16,380	15,253	(1,127)	441,702	331,281	324,685	(6,596)	424,174	318,132	300,140	(17,992)	31,104	23,328	25,206	1,878
Finance Costs	-	-	-	-	24,844	-	-	-	1,120	-	-	-	3,240	-	-	-
Corporate Overhead	316,671	237,501	237,501	-	461,927	346,446	346,446	-	180,702	135,531	135,531	-	54,695	41,022	41,022	-
Total Operating Expenses	5,581,642	3,832,813	3,679,026	(153,787)	9,198,333	6,602,399	5,812,463	(789,936)	2,293,423	1,682,246	1,398,071	(284,175)	528,642	371,154	495,707	124,553
Operating (surplus)/deficit	(1,870,998)	(1,953,517)	(1,024,007)	929,510	1,620,633	(590,899)	(1,247,363)	(656,464)	53,423	2,243	(572,647)	(574,890)	(36,005)	(52,332)	(108,064)	(55,732)
Capital Revenue																
Capital Grants & Subsidies	-	-	-	-	(202,980)	(202,980)	(341,204)	(138,224)	-	-	-	-	-	-	-	-
Contributions	-	-	-	-	-	-	-	-	(30,000)	(30,000)	-	30,000	-	-	-	-
Contributions - Contributed Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Contributions from Developers - Cash	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Disposal of Non-Current Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Revenue	-	-	-	-	(202,980)	(202,980)	(341,204)	(138,224)	(30,000)	(30,000)	-	30,000	-	-	-	-
Capital Expenses																
Loss of Revaluation of Inventory	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Restoration of Land Provision	-	-	2,119	2,119	-	-	44,028	44,028	-	-	-	-	-	-	-	-
Capital Expense Write-Off	-	-	17,414	17,414	-	-	-	-	100,000	-	-	-	-	-	-	-
Total Capital Expenses	-	-	19,533	19,533	-	-	44,028	44,028	100,000	-	-	-	-	-	-	-
Net Result (surplus)/deficit	(1,870,998)	(1,953,517)	(1,004,474)	949,043	1,417,653	(793,879)	(1,544,540)	(750,661)	123,423	(27,757)	(572,647)	(544,890)	(36,005)	(52,332)	(108,064)	(55,732)
Capital Funding Applications																
Capital Expenditure - New Assets	-	-	-	-	803,083	693,083	441,983	(251,100)	-	-	-	-	8,500	8,500	2,936	(5,564)
Capital Expenditure - Upgrade Assets	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Capital Expenditure - Replacement Assets	-	-	-	-	64,500	22,000	16,919	(5,081)	416,845	416,845	24,371	(392,474)	45,000	-	-	-
Loan Principal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Land Rehab	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Capital Funding Applications	-	-	-	-	867,583	715,083	458,902	(256,181)	416,845	416,845	24,371	(392,474)	53,500	8,500	2,936	(5,564)

Title **Report on Request for Flood Damage Inspections for DRFA Funding Application Development**

Date 6 April 2022

Responsible Manager S. Fitzgerald, ACTING SENIOR WORKS MANAGER

Summary

The purpose of this Report is to provide an update on the progress of flood damages evidence collection and seek Council's approval to award ongoing data collection to Proterra Group Pty Ltd

Link to Corporate Plan

Strategic Priority: Quality Lifestyle

- Our residents are provided with modern infrastructure and quality essential services across our region.
- Our recreational spaces and community facilities are attractive, safe, and accessible.
- We invest in safe, well maintained road networks to connect our region and support economic activities.
- We attract families to live, work, prosper, and play in our region.
- We take pride in our natural assets, environment, and heritage.

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our people are skilled and values driven to make a real difference.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and that Council:

1. request approval of a single supplier exemption for Proterra Group Pty Ltd (ABN 82 626 886 771)
2. enter into a contractual arrangement via Local Buy Panel LB 279 for the ongoing collection of evidence of flood damage caused by recent and emerging floods with Proterra Group Pty Ltd (ABN 82 626 886 771) for an estimated cost of \$568,637.62 (ex GST) based on the quoted hourly rates.
3. delegate authority to the Chief Executive Officer to make, amend or discharge the contract with Proterra Group Pty Ltd, as required.

Background Information

Council has activated with the Queensland Reconstruction Authority (QRA) for the Disaster Recovery Funding Arrangements (DRFA) events listed below:

- Central, Southern and Western Queensland Rainfall and Flooding, 10 November - 3 December 2021;

- South East Queensland Rainfall and Flooding, 22 February - 7 March 2022; and
- South East Queensland Rainfall and Flooding, 27 March - ongoing (event under consideration).

Council is preparing to lodge submissions for Counter Disaster Operations and Reconstruction of Public Assets assistance measures offered as part of the DRFA. If successful, these submissions would allow Council to be reimbursed for the cost of repairing flood damaged assets.

To assist with this submission, Council have engaged Proterra (The Supplier) to perform inspections of Council's road network to identify hazardous flood damage sites requiring immediate repair and catalogue damage for submission of REPA claims to the QRA. These costs have been reimbursed by the QRA for previous REPA submissions.

A procurement process was implemented via Local Buy Panel LB279 for Project Management Services (Civil Infrastructure). The supplier was chosen as the best value option for Council from three providers that return pricing for the service.

The scope of inspections has increased since commencement of the program due to the damage to the network after two subsequent flooding events, as well as the systematic and thorough inspection practices of the Supplier. Council cannot perform these inspections internally, except at the frequencies of the Transport Asset Maintenance Management Plan, which delay detection of dangerous sites by up to 12 months, the longest inspection frequency of the local sealed and unsealed roads. With this more thorough collection, Council have also seen a higher value of flood damage works for submission to the QRA, with a draft recommended value of \$64.5M for all submissions compiled to 4 April 2022.

The increase in total time and cost of inspections is now beyond the original estimated contract value by 179% as of February 28 2022. Two (2) variations have been raised and authorised by the General Manager (Infrastructure Services) and Chief Executive Officer (CEO) under financial delegations, to ensure the contractor may be paid for completed works.

It has been identified that continued inspections will require Council Resolution to manage and mitigate potentials risks and ensure appropriate internal controls are applied. Council's Chief Procurement Officer (CPO) advised that works may continue in the interim with the inspections being considered emergency works to urgently sustain infrastructure and minimise risks to motorists by collecting evidence of the more recent and apparent damage.

Report

The CPO has advised that the final value of variations under the original procurement activity may be approved by the CEO under Financial Delegations to 28 February 2022 to ensure the contractor is paid for works completed.

For ongoing works, a new engagement is required and based on the estimated value of the program, Council Resolution should be sought at the April Ordinary Meeting of Council for Financial Delegations requirements and to ensure transparency of the procurement processes.

As the Supplier has been engaged for these works under a purchase order, a new procurement process was instigated via Local Buy Panel LB279 for Project Management Services (Civil Infrastructure). The Supplier was approached as a single supplier request for quote (RFQ). The RFQ sought confirmation of an existing hourly rate being applied under the new arrangement and confirmed via direct email on 31 March 2022.

The table below shows a linear forecast to produce an Estimated Final Cost (EFC) of \$568,637.62 excl GST remaining for approval as per the recommendations of this report.

Activity Progress	Activity	Forecast Expenditure requiring approval
43%	In-field damages collection	\$313,286.18
18%	Compilation of damages and additional evidence	\$255,351.44
TOTAL		\$568,637.62

Table 1 - Activity Progress and Forecast EFC

Consultation (Internal/External)

Independent references were sought prior to the engagement of a contractor to perform these works. The Supplier is highly recommended by industry professionals involved in the assessment and delivery of DRFA programs.

Legal/Policy Implications (Justification if applicable)

Civil Liabilities Act 2003 (QLD)
 Procurement - Council Policy. Version 108, Version Date: 04/11/2019
Local Government Act 2009 (QLD)
Local Government Regulation 2012 (QLD)
Work Health and Safety Act 2011
A New Tax System (Goods and Services) Act 1999
Corporations Act 2001

Budget/Financial Implications

This project will be funded by the Works Operational budget as determined by the Chief Executive Officer.

Collection of evidence of damages for the purpose of flood damage submissions to the Queensland Reconstruction Authority have been reimbursed previously by the QRA on approval of Disaster Recovery Funding Arrangement (DRFA) submissions.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

All activities will be undertaken in accordance with Council's human rights obligations.

Conclusion

It is recommended that Council approve a single supplier exemption to engage Proterra Group Pty Ltd under the Local Buy Panel LB279 for Project Management Services (Civil Infrastructure) for the ongoing inspections for the collection of flood damage evidence, and delegate authority to the CEO to make, amend, or discharge the contract as required.

Attachments

1. Purchase Order 6151836
2. Purchase Order 6151366
3. Proterra Group quote submitted 10th December 2021
4. Email response confirming submitted quote applies for engagement via LB 279

Authored by: Sam Fitzgerald, ACTING SENIOR WORKS MANAGER

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Order No: Display Values Favorites (favorites) Browse (browse/)

Navigation icons: back, forward, refresh, home, zoom (100%), save, print

PURCHASE ORDER ISSUED BY:
 PO BOX 551
 DALBY QLD 4405
 Phn: 07 4679 4000
 Fax: 07 4679 4099

OFFICIAL PURCHASE ORDER

ORDER NO: 6151836

SUPPLIER COPY

Please e-mail ALL Invoices & Enquiries,
 with the Purchase Order Number quoted,
 to accounts@wdrc.qld.gov.au

ABN 91 232 587 65

To view Terms and Conditions, Suppliers conducting business with Council should visit:
www.wdrc.qld.gov.au/doing-business/doing-business-with-council

ABN:	82626886771
To:	Proterra Group Pty Ltd 31 Glasser Street GOONDIWINDI QLD 4390
Contact Name:	David Bell
Phone:	4671 5701
Fax:	

Date: 13/01/2022
Enquiries to: Mr S E Robertson
Phone: 4679 4645
E-mail: sam.robertson@wdrc.qld.gov.au
Requisition No: 128401
Creditor: 8760

Line	Description	Qty/Value	UOM	Unit Price (ex GST)	GST	Total Value (inc. GST)
1	Hire of Consultant Program Manager for DRFA Damage s Collection	190.00	HOUR	\$165.00	\$3,135.00	\$34,485.00
2	Hire of Consultant Contract Administrator for DRFA Damage Collection	190.00	HOUR	\$125.00	\$2,375.00	\$26,125.00
3	Additional Inspector Hire for increased scope of W ork	190.00	HOUR	\$145.00	\$2,755.00	\$30,305.00
4	Travel	3,000.00	KM	\$1.10	\$330.00	\$3,630.00
5	Accommodation	20.00	EA	\$200.00	\$400.00	\$4,400.00
Total GST Value						\$8,995.0
Total Order Value incl GST						\$98,945.0

Home (browse/) > Finance Reports (browse/Finance%20Reports) > Operations Reports (brows...

Order No: Display Values Yes Favorites (favorites) Browse (browse/)



PURCHASE ORDER ISSUED BY:
 PO BOX 551
 DALBY QLD 4405
 Phn: 07 4679 4000
 Fax: 07 4679 4099

OFFICIAL PURCHASE ORDER

ORDER NO: 6151366

SUPPLIER COPY

Please e-mail ALL Invoices & Enquiries,
 with the Purchase Order Number quoted,
 to accounts@wdrc.qld.gov.au

ABN 91 232 587 651

To view Terms and Conditions, Suppliers conducting business with Council should visit:
www.wdrc.qld.gov.au/doing-business/doing-business-with-council

ABN:	82626886771
To:	Proterra Group Pty Ltd 31 Glasser Street GOONDIWINDI QLD 4390
Contact Name:	
Phone:	4671 5701
Fax:	

Date: 10/12/2021
Enquiries to: Mr S Fitzgerald

Phone:
E-mail: sam.fitzgerald@wdrc.qld.gov.au
Requisition No: 127834
Creditor: 8760

Line	Description	Qty/Value	UOM	Unit Price (ex GST)	GST	Total Value (inc. GST)
1	Hire of 1 x consultant inspector for flood damages recording for DRFA submission @ \$145/hr excl GST	400.00	HOUR	\$145.00	\$5,800.00	\$63,800.00
2	Travel @ \$1.10/km	7,000.00	KM	\$1.10	\$770.00	\$8,470.00
3	Accommodation & meals as required @ \$200/night	40.00	EA	\$200.00	\$800.00	\$8,800.00
Total GST Value						\$7,370.00
Total Order Value incl GST						\$81,070.00

1 of 1

Actioned on behalf of CEO

Presented to:



Provision of Inspection Services, Project Management, Supervision & Administration of Nov 2021 Flood Event

WESTERN DOWNS REGIONAL COUNCIL | DEC 2021

Presented by:



10th December 2021

The Chief Executive Officer
Western Downs Regional Council
PO Box 551, Dalby, Qld 4405

Attention: Mr Sam Fitzgerald, Works Manager - Maintenance

Dear Sam,

RE: Provision of Inspection Services, Project Management, Supervision & Administration of Nov 2021 Flood Event

Thank you very much for the opportunity to provide a proposal for the provision of Project Management and Supervision for the above project. Proterra Group currently have a number of resources available that can assist in this space.

Please find below details of our proposed resources.

Project Director	David Bell	\$195 per hour
Project Management	Cameron Mocke	\$165 per hour
Inspector	Bill Carr	\$145 per hour
Contract Administration /Submission Prep Vehicle(s)	Sandra Mocke	\$125 per hour
Meals & Accommodation per role if required		\$1.10 per km \$200 per night

All pricing is exclusive of GST.

LOCALBUY

These services will be delivered by direct engagement under the LocalBuy Contract arrangements which meet Council's procurement requirements. Please feel free to contact Mrs Liz MacFarlan of LocalBuy on 0455 066 829. Liz can vouch for our frequent use of the LocalBuy purchasing model, and high level of compliance with the rules and regulations that govern the LocalBuy Procurement system. For these projects and per Council's RFQ documentation, we propose to work under LocalBuy Contract **Project Management Services (Civil Infrastructure) Contract LB279**.

REFERENCES

The main resource for the initial delivery of these services will be Bill Carr based here in Toowoomba. A copy of CV is attached. A number of referees which may be contacted to further ascertain our experience are listed below.

Mr Shaun Coleman	Mr Gavin Williams	Mr Colin Bulmer
Maintenance Supervisor Southern Downs Regional Council	QRA Regional Liaison Officer	Business Owner L Bulmer and Co
Mobile: 0418 162 241	Mobile: 0438 389 373	Mobile: 0427 790 308

SUPPORT INFORMATION

In support of our submission, please find attached the following documentation for your review:

- Proterra Group Project Team CV's
- Proterra Group ISO Accreditations
- Proterra Group Insurances

Should you require any further information or expansion of the above, please don't hesitate to contact me at your convenience. Thank you again for the opportunity to provide this submission. We really look forward to the opportunity to work with you on this important project should we be successful in securing your business.

Yours Faithfully



Sean Rice
Managing Director
PROTERRA Group
M: 0488 715 700
E: sean.rice@proterragroup.com.au

Dawn Harms

From: David Bell <david.bell@proterragroup.com.au>
Sent: Thursday, 31 March 2022 10:09 AM
To: Sam Fitzgerald
Subject: RE: Confirm rates for Flood Damage Collection - Variation to PO 6151836

Sam, yes I can confirm that the previously submitted rates of 10th Dec 2021 will still apply under LB279.

David Bell | Regional Projects Manager

PROTERRA GROUP



w. www.proterragroup.com.au
e. david.bell@proterragroup.com.au
m. 0407 434 780
l. Toowoomba



CIVIL ENGINEERING | PROJECT MANAGEMENT | ASSET MANAGEMENT | WASTE MANAGEMENT

SUPPORTING OUR REGIONAL COMMUNITIES



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From: Sam Fitzgerald <Sam.Fitzgerald@wdrc.qld.gov.au>
Sent: Tuesday, 29 March 2022 8:42 AM
To: David Bell <david.bell@proterragroup.com.au>
Subject: Confirm rates for Flood Damage Collection - Variation to PO 6151836

Hi Dave,

As discussed a Council report is being prepared to authorise a variation to PO 6151836 for the Flood Damages collection Proterra is undertaking currently.

Its envisaged that this variation will be via Local Buy panel LB279 for Project Management Services (Civil infrastructure).

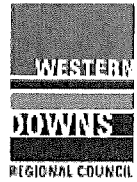
Could you please reply confirming your previously submitted rates still apply if engaged via LB279?

If you have any issues please give me a call.

Regards
Sam Fitzgerald
Senior Works Manager

WESTERN DOWNS REGIONAL COUNCIL
PO Box 551, Dalby, Qld 4405

Phone 07 4628 5360 Mobile 0472 517 720 Fax 07 4679 4099
Sam.Fitzgerald@wdrc.qld.gov.au



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Title **Infrastructure Services Works March 2021 2022 Capital Works Progress Update**

Date 4 April 2022

Responsible Manager D. Dibley, WORKS MANAGER CONSTRUCTION

Summary

The purpose of this Report is for the Work's Department to provide an update to Council regarding the 2021/2022 Capital Work's Program for the month of March 2022.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We aggressively attract business and investment opportunities.
- Our region is a recognised leader in agribusiness, energy, and manufacturing.
- We deliver water security to enable future economic growth.
- We proactively advance our region as a tourism destination.
- Our business and industry actively live and buy local.

Strategic Priority: Quality Lifestyle

- Our residents are provided with modern infrastructure and quality essential services across our region.
- Our recreational spaces and community facilities are attractive, safe, and accessible.
- We invest in safe, well maintained road networks to connect our region and support economic activities.
- We attract families to live, work, prosper, and play in our region.
- We take pride in our natural assets, environment, and heritage.

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- We focus on proactive, sustainable planning for the future.
- Our people are skilled and values driven to make a real difference.
- Our agile and responsive business model enables us to align our capacity with service delivery.
- Our effective asset management ensures that we responsibly maintain our community assets.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this Report be received and noted.

Background Information

On 21 July 2021, Council adopted the 2021/2022 Budget including Council's Capital Works Program.

Report

To ensure Council are well informed with key infrastructure projects, monthly reports will be presented outlining recently completed projects, projects in progress and upcoming projects.

RECENTLY COMPLETED PROJECTS

- Condamine Street, Dalby Ch 0.43 - 0.94km - Reconstruction Project, including a kerb and channel upgrade;
- River Road, Nandi - Gravel Resheet (Resource Sector contribution);
- Old Chinchilla Road, Guluguba - Gravel Resheet;
- D'Atkins Road, Langlands - Reconstruction of bitumen floodways;
- Baskervilles Road, Langlands Ch: 3.4-6.3 - Reconstruction Project;
- Dulacca South Road, Dulacca Ch: 27.4-30.5 - Road widening;
- Angle Road, Jinghi Gravel Resheet (3.9 - 4.6);
- QRA REPA Flood Damage Restoration Package # 11 (Dalby/Kaimkillenbun area); and
- QRA REPA Flood Damage Restoration Package # 8 (Chinchilla area)

PROJECTS IN PROGRESS

- Jimbour Station Road/Bunya Hwy Intersection Upgrade;
- Gill Weir Access Road, Gill Weir Ch: 0.00 - 1.25 - Upgrade Project gravel pavement to bitumen seal;
- Bundi Road, Bundi Ch: 33.7 - 39.2 Road Upgrade Project gravel pavement to bitumen seal;
- Halliford Road, Ducklo CH: 0.00 - 6.44 - Upgrade from gravel pavement to bitumen seal;
- Glenern Road, Glenmorgan Ch:7.75 - 13.75 - Road widening project;
- Bundi Road Ch 1.3km Bridge Replacement / Upgrade;
- North Strreer and Henderson Roads, Wandoan - New footpath construction works (W4Q);
- 21/22 Regional (Bitumen) Reseal Program;
- QRA REPA Flood Damage Restoration Package # 10 (Giligulgul area);
- QRA REPA Flood Damage Restoration Package #9 (Bell and Jimbour area) and
- QRA REPA Flood Damage Restoration Package # 12 (Miles/ Dulacca area).

UPCOMING PROJECTS

- Moreton Street, Dalby Ch: 0.462-0.925 - Reconstruction Project, including a kerb and channel upgrade;
- Sandlewood Avenue South Ch; 0.76-1.083) Upgrade from gravel to bitumen
- QRA REPA Flood Damage Restoration Packages 13 (Jandowae area);
- QRA REPA Flood Damage Restoration Package #14 (Tara area);
- QRA REPA Flood Damage Restoration Package #15 (Miles/ Wandoan area);
- Glasson Street, Chinchilla - New footpath construction works (W4Q)';Nicholson Street, Dalby - Replacement footpath works (W4Q);
- Bowen, Coxen, Foster and Kennedy Streets, Condamine - Upgrade from gravel to bitumen;
- Mary Street Precinct Stormwater Infrastructure Upgrade Project;
- Glasson Street, Chinchilla - parking lane upgrade / dust suppressions; and
- Macalister Bell Rehabilitation Project.

21/22 PROJECTS DESIGN STATUS UPDATE

Technical Services' Design Department have completed the following number of civil designs for the 2021/2022 Capital Works Program:-

- 90% - Roadworks Design Program (47/52) projects Issued for Construction (IFC);
 - 2 Projects have received DTMR approval and will be issued IFC;
 - 3 Projects awaiting DTMR approval; and
- 100% - Footpath Design Program (12/14) projects Issued for Construction. (noting 1 projects removed)

COMMERCIAL WORKS PROJECTS IN PROGRESS

- Disaster Recovery Funding Arrangement (Flood Damage) works on the state road network; and
- DTMR Reseal Prior Works Program (various state-controlled roads within the Western Downs)

UPCOMING COMMERCIAL WORKS

- Dalby Cooyar Road Rehabilitation Stage 2 (Ch. 0 to 4)
- 26B Leichardt Highway Rehabilitation (Wandoan Area)

Report

Consultation (Internal/External)

Following Council's resolution to receive the report, updates will be posted on Council's social media platforms to inform Western Downs Regional Council's community.

Legal/Policy Implications (Justification if applicable)

NIL

Budget/Financial Implications

Local Expenditure for the Works - Capital Works Projects for the month of March was unavailable.

Local Expenditure for the Works - Report was unavailable.

Human Rights Considerations

Section 4(b) of the Human Rights Act 2019 (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

All activities will be undertaken in accordance with Council's human rights obligations.

Conclusion

Due to the consistent and recent regional flooding events in December 2021, February 2022 and now March 2022, this has placed a massive strain on our 21/22 Capital Works program within the construction area and is now tracking behind program.

Attachments

Nil

Authored by: Deb Dibley, **WORKS MANAGER CONSTRUCTION**

Title **Community and Liveability Report Health Services Governance Report**

Date 6 April 2022

Responsible Manager A. Yardley, Acting General Manager (Community & Liveability)

Summary

The purpose of this Report is to provide Council with a Governance Update, an update in relation to the transition of Council's Health Services to Southern Cross Care (Qld) Ltd on 1 April 2022 and to seek approval for the write off Health Services' debtors totalling \$10,558.19.

Link to Corporate Plan

Strategic Priority: Quality Lifestyle

- Our residents are provided with modern infrastructure and quality essential services across our region.
- Our recreational spaces and community facilities are attractive, safe, and accessible.
- We attract families to live, work, prosper, and play in our region.

Strategic Priority: Sustainable Organisation

- We are recognised as a financially intelligent and responsible Council.
- Our agile and responsive business model enables us to align our capacity with service delivery.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this report be received and that Council resolves to approve the write-off of Health Services' Debtors totalling \$10,558.19.

Background Information

At the 2 September 2021 Special Meeting of Council, Council resolved to enter into a management agreement with Southern Cross Care (Qld) Ltd (SCC) to manage the Tarcoola Residential Aged Care Facility (Tarcoola) and agreed to negotiate the transfer of its aged care services, including its assets, to SCC with a proposed transfer date of 31 March 2022.

SCC assumed management of Tarcoola from 6 September 2021.

On 8 December 2021, Council resolved to approve the execution of a contract which will result in the transfer of all Residential Aged Care and Community Care services and associated assets to SCC on 1 April 2022 (revised from 31 March 2022). The transfer contracts were executed on this same date (8 December 2021). Although SCC managed Tarcoola, until 31 March 2022, Council remained responsible for the delivery of aged care services to residents and clients until this date.

Report

This report provides Council with an update on:

1. Legislative Covid requirements
2. Operational and Clinical Performance of Health Services
3. Progress of the transfer of Services to SCC.
4. Debtors Information

1. Legislative COVID Requirements

Booster vaccinations have been recommended for all residents and staff.

Tarcoola

100% staff double vaccinated
40% staff triple vaccinated

Carinya

100% staff vaccinated
44% staff triple vaccinated

Community Care

100% staff vaccinated
49% staff triple vaccinated

Western Downs Regional Council LGA remains in the high-risk Covid category and in line with this staff continue to wear full PPE when undertaking resident and client care.

2. Operational and Clinical Performance

• Tarcoola

Residential Aged Care Facility (RACF) Update:

Permanent Residents:	18
Respite Residents:	1
Discharges:	0
SIRS (see below):	0
Waiting List:	2

Serious Incident Response Scheme (SIRS) Reporting

There were no incidents for March 2022.

Tarcoola RACF Clinical Indicators

Refer to Attachment 1. All Registers are up to date.

Tarcoola RACF Update

Southern Cross Care continues to provide clinical management of Tarcoola.

Tarcoola Clinical Staffing Update

Staffing levels remain adequate given resident numbers.

Audits

Nil ACQSC audits conducted during March 2022.

- **Carinya**

Residential Aged Care Facility (RACF) Update

Permanent Residents:	15
Respite Residents:	0
Discharges:	0
SIRS	0
Waiting List:	0

Serious Incident Response Scheme (SIRS) Reporting

There were no incidents for March 2022.

Audits

Nil ACQSC audits conducted during the month of March 2022.

Carinya RACF Clinical Indicators

Registers are up to date. See Attachment 1.

Carinya Clinical Staffing Update

Staffing levels remain adequate given resident numbers.

- **Community Care**

Audit of Council's Community Care Services by ACQSC - Issues of Non-Compliance

ACQSC has made no requests for further information nor have they indicated when they would be undertaking a follow up audit. Monthly telephone meetings continue with the Department of Social Services.

Health Services Coordinator Update

This Position remains vacant - a staff member is currently acting in the position.

Community Care Key Performance Indicators

Key Performance Indicators have been reviewed with no trending issues of concern. See Attachment 1.

3. Progress of the transfer of Services to SCC.

The transfer of Health Services to SCC was finalised on 1 April 2022. All freehold title transfers, property leases, rental agreements and motor vehicle transfers have been effected. In addition, the Completion Payment comprising the Service Maintenance Amount and the Capital Expenditure Amount together with adjustments was also made.

The only issue of significance that remains outstanding is the transfer of freehold title for the Tarcoola Land to SCC. This requires successful resolution of Native Title issues which may take some time depending on what is the best approach available to Council. In the interim, a Trustee Lease provides SCC with access to and control of the Tarcoola Hostel until Native Title issues are resolved.

The Final Completion Adjustment Statement is required to be finalised within 30 days of 1 April 2022. This will make adjustments for any amounts owing to SCC or for amounts SCC may owe to WDRC. Adjustments are expected to be minor.

A full analysis of the financial benefits of the transfer of services and the accounting implications for Council will be provided to Council at its May meeting.

4. Debtors

Council was required to provide SCC a full list of debtors including outstanding invoices as at 31 March 2022. Under Clause 18 of the Business Transfer Agreement, SCC must pay to Council, all outstanding debts collected with the funds to be applied to the oldest outstanding debts with respect to each debtor. However, SCC is not obliged to take action to seek recovery.

A review of debtors revealed that a number of debts were outstanding with little hope of recovery due to a number of factors including:

- Deceased estate greater than 12 months old
- Unknown whereabouts
- Minor amount, and
- One-off use of the service.

The list of Health Services Debts proposed to be written-off is provided in Attachment 1. The total value of these debts is \$10,558.19.

Consultation (Internal/External)

Internal:
Health Services Clinical Staff
General Counsel

External:
Finance consultant
Minter Ellison Lawyers

Legal/Policy Implications (Justification if applicable)

The Health Services business and related property were handed over to SCC at midnight on 31 March 2022. The Business Transfer Agreement ("BTA") was settled and completed at 2.29pm on 1 April 2022

In order to address the outstanding items that were not able to be completed on 1 April 2022, and to prevent delaying the completion, WDRC and SCC entered into a side deed consistent with the terms of the BTA which we are now working through to finalise the "loose ends" of the transaction (see Attachment 2).

Budget/Financial Implications

The budget, financial and accounting implications of the transfer of services and associated assets will be provided to Council at its May meeting.

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

All activities will be undertaken in accordance with Council's human rights obligations.

Conclusion

The transfer of Council's Health Services to SCC was finalised on 1 April 2022. While there are some minor tasks to be performed, SCCQ is now responsible for all risks associated with the operation of Council's former Health Services.

The transfer of Health Services also results in a significant reduction in Council's overall risk profile. While it reduces Council's risk, the transaction ensures that the Region and, in particular, the region's remote areas have access to a reputable aged care service provider that is also committed to growing its Regional footprint and adopting innovative models of care to better service the Region.

This report also requests the write-off of what is considered unrecoverable debtors totalling \$10,558.19.

At its May meeting, Council will be provided with a report summarising all financial, accounting and other aspects of the transaction. This will include the request to approve the write-off of all property plant and equipment transferred to Southern Cross Care.

A final summary of Health Services performance against budget for the year to 31 March 2022 will also be provided.

Attachments

1. Health Services Debts proposed to be written off
2. Health Services - Key Performance Indicator Report March 2022

Authored by:

Jane Jackson
Health Services Manager, 30 March 2022
Western Downs Regional Council

Scott Thompson
General Counsel
Western Downs Regional Council

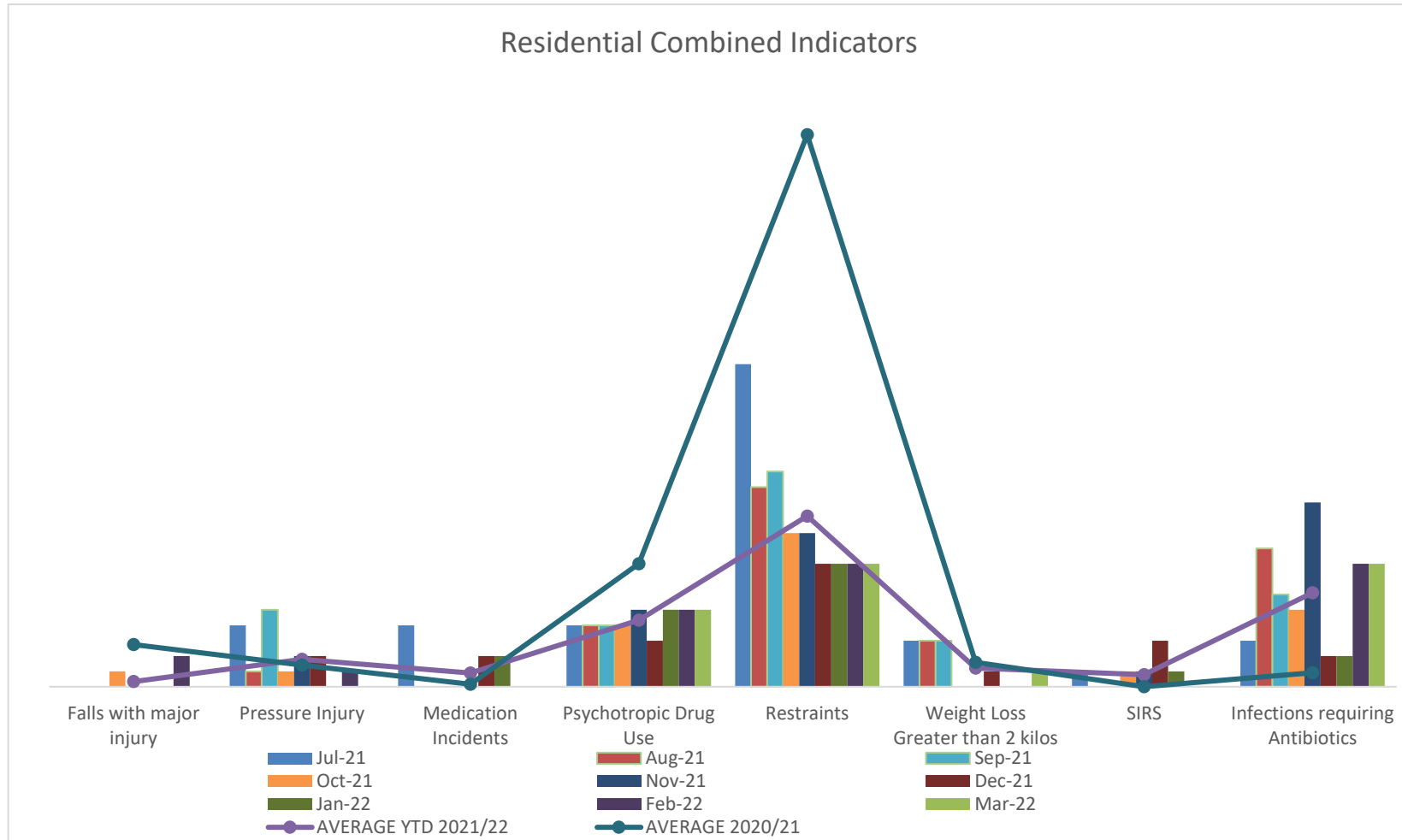
Neil Castles
Finance Contractor

Health Services - Key Performance Indicator Report March 2022



Data as at 30th March 2022:

Residential Aged Care [Tarcoola & Carinya]:



Comments regarding results for March 2022: Carinya:

- Falls with major injury: NIL
- Pressure injuries: NIL
- Medication incidents: NIL
- Residents on Psychotropics: 2x Prescribed Residents
- Restraints: NIL
- Monthly weight review: 1 Resident: Dementia resident, picky eater, is on pureed meats and mince, moist diet.
- SIRS - NIL
- Residents on antibiotics: 7 Residents: 3x UTI's, 1x Cellulitis, 1x preventative post tooth extraction, 1x infected finger 1x post lesion removal surgery

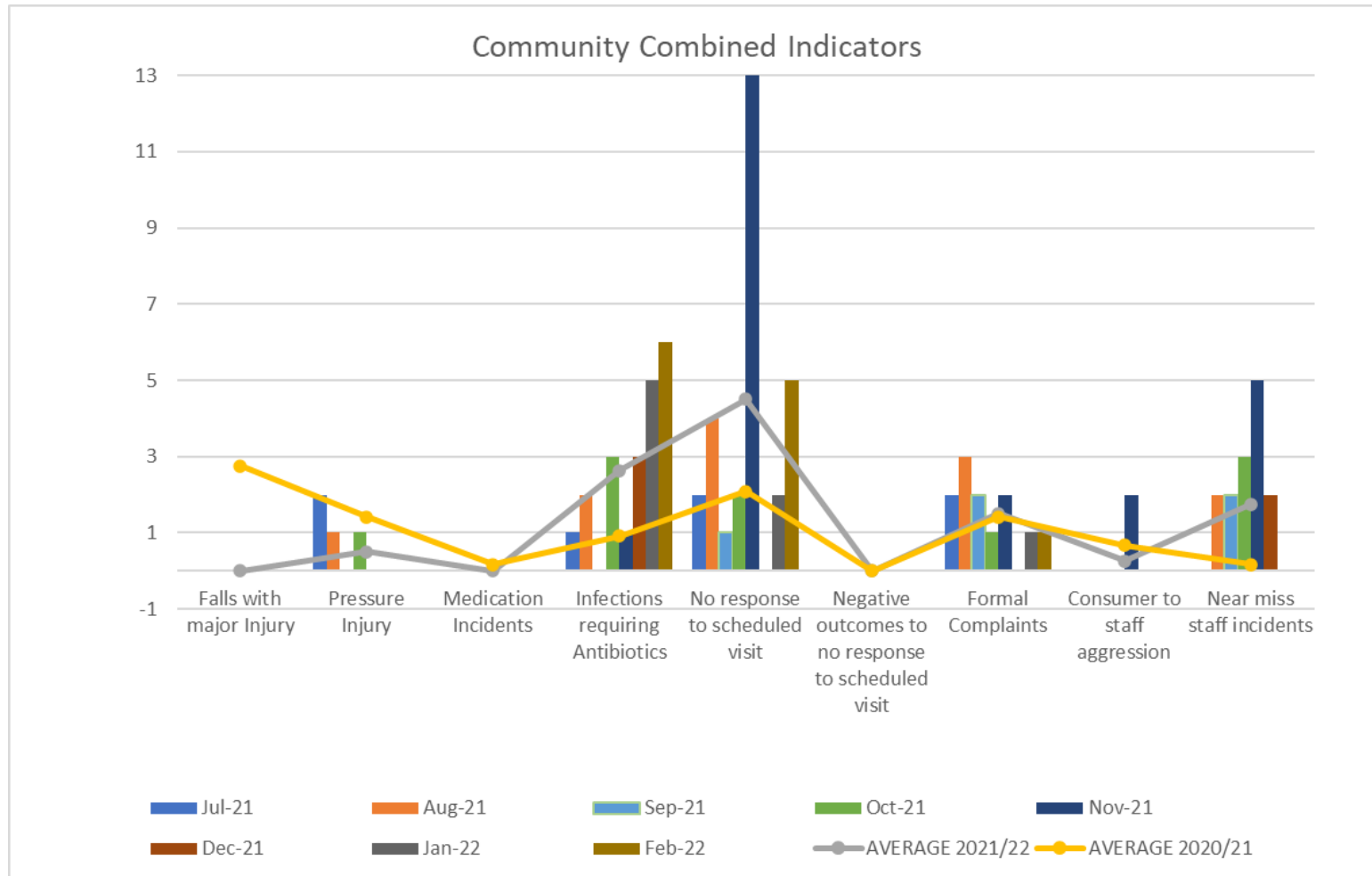
Comments regarding results for March 2022: Tarcoola:

- Falls with major injury: NIL
- Pressure Injuries: NIL
- Medication incidents: NIL
- Psychotropics Drug Use: 3x Prescribed Residents
- Restraints: 8: 2x perimeter alarms, 6 x Residents with cot bed rails -all with medical authorisation
- Monthly weight review: NIL
- SIRS: NIL
- Residents on antibiotics: 1 x Resident - cellulitis

Residential Combined

	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	AVERAGE YTD 2021/22	AVERAGE 2020/21
Falls with major injury	0	0	0	1	0	0	0	2	0	0	0	0	0.33	2.75
Pressure Injury	4	1	5	1	2	2	0	1	0	0	0	0	1.78	1.42
Medication Incidents	4	0	0	0	0	2	2	0	0	0	0	0	0.89	0.17
Psychotropic Drug Use	4	4	4	4	5	3	5	5	5	0	0	0	4.33	8.00
Restraints	21	13	14	10	10	8	8	8	8	0	0	0	11.11	35.92
Weight Loss Greater than 2 kilos	3	3	3	0	0	1	0	0	1	0	0	0	1.22	1.58
SIRS	1	0	0	1	1	3	1	0	0	0	0	0	0.78	NA
Infections requiring Antibiotics	3	9	6	5	12	2	2	8	8	0	0	0	6.11	0.92

Combined Community Care [Tara, Meandarra, Miles, Chinchilla & Jandowae]: March 2022



Comments regarding results for Community March 2022:

- Falls with Major Injury: 1: Client had a fall and arranged own ambulance. Client received staples to head injury and a CT scan. Was sent to Toowoomba Base Hospital for Femoral Fixation
- Pressure Injuries: NIL
- Medication Incidents: NIL
- Infections Requiring Antibiotics: 1: UTI
- No response to scheduled visit: 2: Negative Outcomes: NIL
- Formal Complaints: NIL
- Consumer to staff aggression: NIL
- Staff near miss incident: NIL

Community Combined	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	AVERAGE 2021/22	AVERAGE 2020/21
Falls with major Injury	0	0	0	0	0	0	0	0	1	0	0	0	0.00	2.75
Pressure Injury	2	1	0	1	0	0	0	0	0	0	0	0	0.50	1.42
Medication Incidents	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.17
Infections requiring Antibiotics	1	2	0	3	1	3	5	6	1	0	0	0	2.63	0.92
No response to scheduled visit	2	4	1	2	20	0	2	5	2	0	0	0	4.50	2.08
Negative outcomes to no response to scheduled visit	0	0	0	0	0	0	0	0	0	0	0	0	0.00	0.00
Formal Complaints	2	3	2	1	2	0	1	1	0	0	0	0	1.50	1.42
Consumer to staff aggression	0	0	0	0	2	0	0	0	0	0	0	0	0.25	0.67
Near miss staff incidents	0	2	2	3	5	2	0	0	0	0	0	0	1.75	0.17

Title **Community and Liveability Report Words Out West: Western Downs Readers & Writers Fest 2022**

Date 30 March 2022

Responsible Manager K.Beil, ACTING COMMUNITIES MANAGER

Summary

The purpose of this report is to provide Council with an overview of the success of Words Out West: Western Downs Readers & Writers Fest held in March 2022.

Link to Corporate Plan

Strategic Priority: Strong Diverse Economy

- We proactively advance our region as a tourism destination.

Strategic Priority: Active Vibrant Community

- Our people of diverse backgrounds and ages are united by social, cultural, and sporting activities.

Material Personal Interest/Conflict of Interest

Nil

Officer's Recommendation

That this report be received and noted.

Background Information

Following on from the breakout success of the first two festivals, and now considered a major event in the Western Downs calendar, *Words Out West: Western Downs Readers & Writers Fest* returned to deliver a flagship multi-day event in March 2022, consisting of a buffet of activities for readers, writers and lovers of words.

Satellite events took place across the region, with a focus on Dalby for the main festival weekend.

Words Out West has garnered a reputation for being a novel approach to storytelling, with events more intimate in size (compared to our metropolitan counterparts), open to all interests and age groups (not a highbrow, literary festival), and accessible to residents across the region (including visitors from Queensland's southeast). This uniqueness was highlighted as the selling point of the festival.

The Words Out West series of events included:

- Cocktail Chronicles: With Samuel Johnson (new event),
- Festival Day,
- Writers Retreat,
- Author Tour: In Conversation with Tricia Stringer (new event),
- School Days in Dalby & Chinchilla,
- Schooners & Stories: In Conversation with Sam Thaiday, (one additional location) and
- The Words Out West Short Story Competition, open to residents across the state

Report

After the COVID-19 lockdown, during which the Western Downs communities saw most of its popular events cancelled, the Community and Liveability Division developed, planned and hosted its third Readers & Writers Fest in March 2022.

Words Out West 2022 brought a new dimension to the festival by adding more events to the festival calendar across a number of Western Downs communities.

Although the Queensland weather event in early March prevented a large portion of Brisbane-based ticket holders from attending, Words Out West delivered its largest and most successful festival yet.

Opening the Festival with a bang, *Cocktail Chronicles: With Samuel Johnson* on Friday 4 March saw 185 attendees from the region and beyond captivated by cancer charity 'Love Your Sister's' chief flagbearer, Gold Logie winner and much-loved Australian personality Samuel Johnson OAM. Described as 'engaging, inspiring, glamorous, warm, welcoming and polished', *Cocktail Chronicles* launched a long weekend of events for every literary taste, encouraging visitors to stay and play in the region.

The highlight of the Words Out West calendar, the *Festival Day* on Saturday 5 March, highlighted the best of local and national storytelling talent. Featuring *The Book Thief's* Markus Zusak, *ABC News Breakfast's* Lisa Millar and more, our 178 attendees were entertained by keynote presentations, panels, book signings, and the chance to mingle with authors in an intimate setting unlike other Writers Festivals. The finalists of the *Words Out West Short Story Competition* and the new *Shout Out! Youth Storytelling Competition* were also awarded on the day.

Capping off the weekend was the fan-favourite *Writers Retreat* at Jubri's Hideaway in Dalby on Sunday 6 March. With the previous two retreats sold out within a matter of weeks, a second session was added to 2022's calendar to provide aspiring writers the opportunity to explore memoir or romance genres.

A new series of events to 2022, *Author Tour: In Conversation with Tricia Stringer* allowed residents from smaller towns across the region to get involved in the festival spirit. One of Western Downs Libraries' most borrowed authors, women's fiction author Tricia Stringer, visited library branches in Bell, Meandarra, Moonie, Wandoan, Tara and Miles, where smaller numbers made for personal connection with the author.

During this week, we also hosted the largest Words Out West events: *The Chinchilla and Dalby School Days* on Tuesday 8 and Wednesday 9 March. Over 1,800 students across 22 schools got curious, creative, and even cheeky, with children's authors Andrew Daddo, Stig Wemyss, Deano Yipadee and more. Now a must-attend event in the Western Downs school calendar, the School Days give rural students the opportunity to dream big and experience world-class literary talent without leaving the region.

Finally, *Schooners & Stories: An Evening with Sam Thaiday* rounded off Words Out West and encouraged those not usually interested in literary events to discover the power of story. Due to its popularity in 2021, we added a third night — The Pink Pub in Dulacca on Thursday 17, The Middle Pub in Jandowae on Friday 18 and The Commercial Hotel Tara on Saturday 19. Not only did Sam's story inspire, delight and garner plenty of laughs from the crowd, but revenue on the night provided a much-needed boost to local hotels following shutdowns from the pandemic. An auction in Tara even raised over \$1,200 for the junior rugby league community. Thanks to Sam's storytelling and partnerships with the hotels, we hosted 305 attendees across the events — 63% more than what we aimed for, and a 94% increase on 2021's numbers. All three of the Schooners and Stories venue owners were so appreciative of the boost this event gave them, both for themselves financially and for their communities socially. Some comments made by the publicans were as follows: -

'This couldn't have come at a better time; the vaccination requirements had hit us hard'

'We're so thankful you chose us and our community to bring Sam to, it's such a great event for our locals to come together'

'A name like his in our pub is such an honour. This is going to do a great job in boosting morale'

The Success

Words Out West comprised of 15 events held over nine days in 10 of Western Downs' towns. 42 sessions, workshops and presentations were conducted by 16 presenters.

The festival would not have been possible without the support of internal Council staff and the 57 external collaborators (including volunteers, sponsors, schools and community groups) who planned, organised and delivered this successful event to 635 unique adult and 1,808 student attendees.

With Western Downs creating its own mark in the growing self-drive tourism market, it is notable that 53% of attendees from across the 'main weekend' events (Friday 4, Saturday 5 and Sunday 5 March) were visitors to the region. In particular, the Festival Day audience was comprised of 68% visitors: including 21% Toowoomba, 14% Brisbane, 4% Redland, 4% Gold Coast and 4% Sunshine Coast.

Consultation (Internal/External)

Library Services Staff

Legal/Policy Implications (Justification if applicable)

NIL

Budget/Financial Implications

The Word out West Event was delivered under budget and income is estimated to be over the original budget.

Original budget allocations:

Expenditure	- \$120,000
Income	+ \$25, 000
Total Cost estimate	- \$95,000

Current estimated position: (please note the budget figures are not yet finalised and to date are as follows).

Expenditure	- \$114,953
Income	+\$43,000
Total Cost	- \$71,953

Human Rights Considerations

Section 4(b) of the *Human Rights Act 2019* (Qld) (the Human Rights Act) requires public entities 'to act and make decisions in a way compatible with human rights'.

There are no human rights implications associated with this report.

Conclusion

Words Out West has established itself as prestigious regional literary event in Queensland and is fast becoming a favourite of attendees and presenters alike.

Attachments

2022 Words Out West Infographic Report
2022 Words Out West Photo Highlights

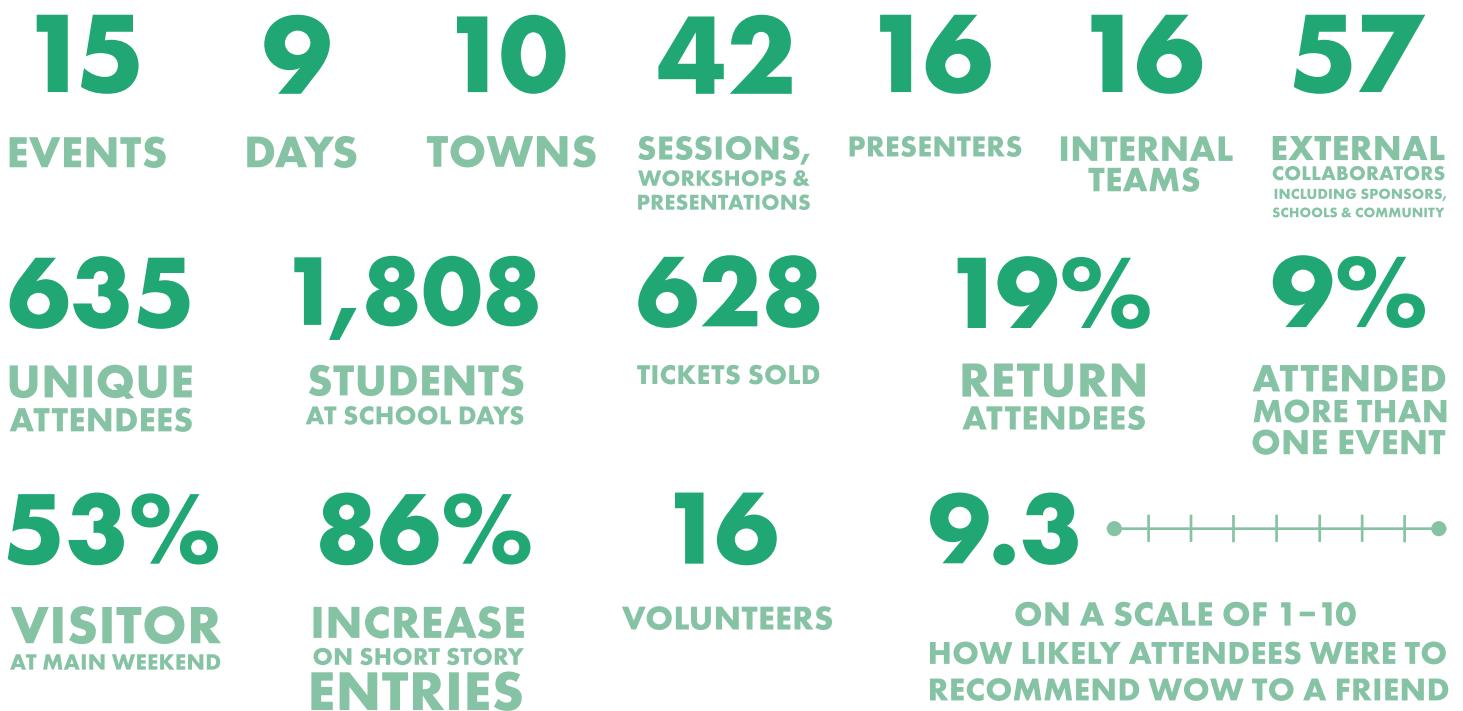
Authored by: C. Bermingham, LIBRARY SERVICE COORDINATO

Words Out West

WESTERN DOWNS READERS & WRITERS FEST

2022 REPORT

OVERALL



ATTENDANCE: GOAL **ACTUAL** WITHOUT CANCELLATIONS (QLD WEATHER EVENT)

180 ATTENDEES / 60% VISITOR
185 ATTENDEES / 34% VISITOR
 207 ATTENDEES / 34% VISITOR
COCKTAIL CHRONICLES

185 ATTENDEES / 70% VISITOR
178 ATTENDEES / 68% VISITOR
 203 ATTENDEES / 72% VISITOR

FESTIVAL DAY

40 ATTENDEES / 60% VISITOR
30 ATTENDEES / 84% VISITOR
 37 ATTENDEES / 87% VISITOR

WRITERS RETREAT

90 OVERALL / 15 PER BRANCH
62 OVERALL / 10 PER BRANCH

AUTHOR TOUR

1,400 STUDENTS / 15 SCHOOLS
1,808 STUDENTS / 22 SCHOOLS

SCHOOL DAYS

187 ATTENDEES / 85% CAPACITY
305 ATTENDEES / 139% CAPACITY

SCHOONERS & STORIES





