

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 6 December 2023

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 6 December 2023

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 6 December 2023, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED



Ordinary Meeting of Council Minutes

Date: Wednesday, 6 December 2023
Time: 9:30am
Location: WDRC - Dalby Corporate Office

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. Taylor, Chief Executive Officer
- B. Bacon, General Manager (Corporate Services Services)
- G. K. Cook, General Manager (Infrastructure Services)
- D. Fletcher, General Manager (Community & Liveability)
- A. Lyell, Executive Services Administration Officer

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Minister Alisi Manu from the Dalby Uniting Church, delivered the opening prayer. This was followed by the observance of a minute silence.

3. APOLOGIES

There were no apologies.

4. CONGRATULATIONS

Cr. M. J. James requested that congratulations be extended to Dalby local Agnes Cabe who has been elected the President of the Filipino Communities Council of Australia Inc. (FILCCA) Board for 2023-2025. This is only the second time that a Queenslanders has been given this honour and the first time ever that the President has hailed from a regional community.

Cr. M. J. James requested that congratulations be extended to Jarod Edwards, 10-year-old from Dalby, for competing at the School Sport Australia Track & Field Championship in Tasmania on the 23rd-27th November and came home with 2 gold medals (200m and combined relay), 2 silver (long jump and relay) and a bronze (100m).

Cr. M. J. James requested that congratulations be extended to Max Carson, 16-years from Dalby, who was selected in the Queensland Suns u17s men's netball representative side to compete at the national championships in March next year.

Cr. K. A. Maguire requested that congratulations be extended to Coggan Farms on the successful first export of 179 small ruminant animals including Meatmasters (impeccable sheep – White Dorper, Van Rooy, Wiltshire Horn and Damara), red ewes and rams, and goats - a total of 179 arriving in PNG in November.

Cr. K. A. Maguire requested that congratulations be extended to Condabilla Fish for their successful new line of Condabilla Premium Murray Cod products including hot smoked, cold smoked, pastrami and candied items which will soon be available commercially.

Cr. K. A. Maguire requested that congratulations be extended to Sonia Stenhouse and team for their successful event "Olly in the Outback 2023 & Qld Masters Championship " held at Miles High School Hall on Saturday 2nd and Sunday 3rd December 2023. There were 105 competitors attending from across Qld from the age of 5 years to 71years and there were State and National records broken at this event.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 15 November 2023

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Wednesday, 15 November 2023

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne
Seconded By Cr. P. T. Saxelby

That this Report be received and that:

1.The Unconfirmed Minutes of the Ordinary Meeting of Council held on 15 November 2023, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED

6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

There was no business arising from the previous minutes.

7. DECLARATIONS OF CONFLICTS OF INTEREST

Deputations

Cr P. M. McVeigh

In accordance with Chapter 5B of the *Local Government Act 2009*, Cr. P. M. McVeigh informed the meeting of a Declarable conflict of interest in respect to this matter due to:

1. commercial agreement with Arrow Energy (which includes Shell QGC)

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

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There was no presentations of petitions by councillors.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report November 2023

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of November 2023.

COUNCIL RESOLUTION

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

That this Report be received and noted.

CARRIED

10. CONFIDENTIAL ITEMS

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

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

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

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

(a) the appointment, discipline or dismissal of the chief executive officer;

(b) industrial matters affecting employees;

(c) the local government's budget;

(d) rating concessions;

(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government;

(f) matters that may directly affect the health and safety of an individual or a group of individuals;

(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government;

(h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967;

(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.

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

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

(a) state the matter mentioned in subsection (3) that is to be discussed; and

(b) include an overview of what is to be discussed while the meeting is closed.

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

COUNCIL RESOLUTION - CLOSE MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolve to close the Meeting in accordance with Sections 275 (1) (A-H) of the *Local Government Regulation 2012* at 10:05am to discuss the following Confidential Reports:

1. Infrastructure Services Confidential Report Wambo Wind Farm Stage 2 Road Infrastructure Agreement

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. P. T. Saxelby

That Council resolve to reopen the Meeting at 10:07am.

CARRIED

- 10.1 EXECUTIVE SERVICES**
- 10.2 CORPORATE SERVICES**
- 10.3 COMMUNITY AND LIVEABILITY**
- 10.4 INFRASTRUCTURE SERVICES**

**10.4.1 Infrastructure Services Confidential Report Wambo Wind Farm
Stage 2 Road Infrastructure Agreement**

The purpose of this report is to seek Council approval for Western Downs Regional Council to enter into a Deed of Amendment for Stage 1 and a Road Infrastructure Agreement for Stage 2, with the proponents of to Wambo Windfarm project.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. C. T. Tillman

That this report be received and that Council:

1. Enters into a Deed of Amendment - Stage 1 RIA with Cubico Wambo Project Co Pty Ltd as trustee for the Cubico Wambo Project Trust and Wambo 2 Project Co Pty Ltd as trustee for the Wambo 2 Project Trust; and
2. Enters into a Road Infrastructure Agreement (Stage 2 RIA) with Cubico Wambo 2 Project Co Pty Ltd as trustee for the Cubico Wambo 2 Project Trust and Stanwell Wambo Stage 2 Project Co Pty Ltd as trustee of the Stanwell Wambo Stage 2 Project Trust as proponents for Wambo Wind Farm Project - Stage 2; and
3. Delegates authority to the CEO to finalise and execute the agreements.

CARRIED

GM G. Cook left the meeting at 10:10am.

12. PLANNING

12.1 (030.2022.173.001) Community and Liveability Report Development Application Material Change Use Low Impact Industry, Outdoor Sales, Transport Depot, Warehouse Lot 364 AG1888 Lots 8 and 9 SP172016 Lot 13 SP188911 Lot 383 AG45 17728 Warrego Highway Winton S

The purpose of this Report is for Council to decide the proposed development for a Material Change of Use to establish Low Impact Industry, Outdoor Sales, Transport Depot and Warehouse in 4 Stages on land described as Lot 364 on AG1888, Lots 8 and 9 on SP172016, Lot 13 on SP188911 and Lot 383 on AG45 and situated at 17728 Warrego Highway, 12 Winton Street East, Winton Street East, Hedge Road and 28 Hedge Road, Dalby.

COUNCIL RESOLUTION

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

That this Report be received and that:

1. The application for Material Change of Use to establish Low Impact Industry, Outdoor Sales, Transport Depot and Warehouse in 4 Stages on land described as Lot 364 on AG1888, Lots 8 and 9 on SP172016, Lot 13 on SP188911 and Lot 383 on AG45 and situated at 17728 Warrego Highway, 12 Winton Street East, Winton Street East, Hedge Road and 28 Hedge Road, Dalby be approved, subject to the following conditions:

APPROVED PLANS AND DOCUMENTS

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

Plan/Document No./Reference	Title and Details	Dated
M01, Revision B	Material Change Use Existing Layout Plan, prepared by Baker Rossow Consulting Engineers	Aug 22
M02, Revision B	Material Change Use Staging Plan, prepared by Baker Rossow Consulting Engineers, as amended in red by Council on 17/11/2023	Aug 22
M03, Revision B	Material Change Use Detailed Layout Plan, prepared by Baker Rossow Consulting Engineers, as amended in red by Council on 17/11/2023	Aug 22
M04, Revision B	Material Change Use Detailed Layout Plan, prepared by Baker Rossow Consulting Engineers, as amended in red by Council on 17/11/2023	Aug 22
SK02, Revision A	Proposed Lot 1 Igloos - Floor, prepared by Revolution Town Planning	030/07/2023
SK01, Revision A	Proposed Lot 1 Igloos, prepared by Revolution Town Planning	030/07/2023

Plan/Document No./Reference	Title and Details	Dated
Project No. P3248Q5	Dalby Machinery Centre - Jan 2021; Elevations (Front and Back), prepared by R&F Steel Buildings Dalby	26/02/2021
P3248Q5	Dalby Machinery Centre - Jan 2021; Elevations (Left and Right), prepared by R&F Steel Buildings	26/02/2021
Project No. P3248Q5	Dalby Machinery Centre - Jan 2021; Elevations (Slab / Footing Plan), prepared by R&F Steel Buildings Dalby	26/02/2021
Project No. 210086, Version 1	Stormwater Management Plan, prepared by Baker Rossow Consulting Engineers	08.02.2023
Project No. 22-223, Rev A	Traffic Impact Assessment, prepared by PTT Traffic & Transport Engineering	30 June 2023

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plans and Documents, 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 Operational Work (where required).

APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use to establish Low Impact Industry, Outdoor Sales, Transport Depot and Warehouse in 4 Stages as shown on the Approved Plans.

Note: The Approved Plans illustrate a proposed new lot configuration, subject to a separate Reconfiguring a Lot application (035.2023.191.001). Any change to the lot configuration proposed as part of the Boundary Realignment (5 Lots into 5 Lots and Access Easement) application, would require amendment of the approval for the Material Change of Use.
5. No industrial activities associated with the approved Low Impact Industry, Outdoor Sales, Transport Depot and Warehouse uses are permitted to occur on proposed Lots 2, 3 or 4.
6. The development is to occur sequentially over 4 Stages as shown on the Approved Plans.
7. Conditions within this approval are applicable to each stage of the development, unless otherwise specified.

EXISTING BUILDINGS

8. Provide evidence that all repurposed existing residential buildings are subject to a Development Permit for Building Works for the appropriate classification of building issued by a qualified Building Certifier **by 6 June 2024**, or as otherwise approved in writing by Council's authorised delegate.

9. The existing Dwelling contained within Lot 8 on SP172016 must be removed as part of Stage 1 of the development.

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.

INFRASTRUCTURE CHARGES

13. 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

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

LANDSCAPING – GENERAL

15. The developer must submit to Council's Planning and Environment Manager or authorised delegate for endorsement, a detailed Landscape Plan for all landscaping associated with the development. The Landscape Plan must be submitted to Council **by 6 March 2024**, or as otherwise approved in writing by Council's authorised delegate.
16. The Landscape Plan must detail:
 - 16.1 a minimum 2 metre wide landscaped buffer to the site's boundaries as shown on the approved Plans;
 - 16.2 the typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on-site;
 - 16.3 the number and size of plants; and
 - 16.4 the typical planting detail including preparation, backfill, staking and mulching.
17. The developer must prepare and landscape the property in accordance with the Approved Landscape Plan, or as otherwise approved in writing by Council's authorised delegate. Any amendments approved by Council's authorised delegate are taken to be a part of the Approved Landscape Plan.
18. The 2 metre wide landscaping buffer to be provided to the site's boundaries as shown on the Approved Plans must be established **by 6 June 2024**, or as otherwise approved in writing by Council's authorised delegate.

19. All approved landscaping treatments for the development are to be maintained on the property at all times.

LIGHTING

20. Outdoor lighting associated with the use must be designed, sited, installed and tested to comply with Tables 2.1 and 2.2 of Australian Standard 4282-1997 Control of the Obtrusive Effects of Outdoor Lighting Using a Control Level of 1.
 - 20.1 Outdoor lighting of the development shall mitigate adverse lighting and illumination impacts by installation of outdoor lighting that:
 - 20.1.1 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;
 - 20.1.2 is directed onto the subject land and away from neighbouring properties; and
 - 20.1.3 uses shrouding devices to preclude light overspill onto surrounding properties where necessary.

REFUSE STORAGE AREAS

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

WASTE MANAGEMENT

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

ACOUSTIC AMENITY - NOISE LIMITS

24. Noise from activities associated with the use of the site must not exceed the Acoustic Quality Objectives listed in the *Environmental Protection (Noise) Policy 2019* when measured at any sensitive place or commercial place.

AIR QUALITY AND AMENITY - AIR RELEASE LIMITS

25. Air emissions (odour and dust) from the development shall not cause environmental nuisance or exceed the Air Quality Objectives listed in the *Environmental Protection (Air) Policy 2019* as measured at any sensitive place or commercial place.

OPERATING HOURS

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

Monday to Friday: 7:00am and 6:00pm

Saturday: 7:00am and 4:00pm

Loading and unloading of goods are restricted to between the following hours:

Monday to Friday: 6:00am and 6:00pm

Saturday: 6:00am and 12:00pm (noon)

No unloading or loading to occur on Sundays or public holidays.

FENCING

27. The applicant shall install a noise reducing fence between the boundary of the new internal road and new Lot 2 and existing Lots 10 and 11 on SP164655. The developer must submit to Council's Planning and Environment Manager or authorised delegate for endorsement, a detailed Plan illustrating the proposed fence, prior to commencement of the development.
28. The noise reducing fence must be established on the site **by 6 June 2024**, or as otherwise approved in writing by Council's authorised delegate.
29. Boundary fences are not to be erected in a parallel arrangement with existing fences erected along the same boundary. That is, any existing fence shall be completely removed.

ENGINEERING WORKS

30. Submit to Council, an Operational Work application for earthworks where applicable.
31. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, and relevant Australian Standards.
32. 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

33. 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.
34. 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

35. Provide stormwater management generally in accordance with the Approved Stormwater Management Plan, Version 1, prepared by Baker Rossow Consulting Engineers, dated 8 February 2023, subject to detailed design and except as altered by conditions of this development approval. Any use that results in

changes made in the assumption in the Report will require a new and updated Report to be submitted for Council approval.

36. All internal stormwater drains shall be contained within an easement.
37. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
 - 37.1 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).
 - 37.2 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

38. Ensure that the minimum finish floor levels of all future buildings are above 300mm of Council's defined flood level current at the time of construction.
39. 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

40. Install a separate water service connection to each lot as per Council's standards and requirements. Any upgrades to the reticulated water supply network required to adequately service the lots will be at the respective lot owners expense.
41. Remove any redundant water supply connections and reinstate the land.
42. 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.

Comment: It is not expected that the existing water reticulated network has sufficient flow/pressure to meet potential firefighting requirements for future uses on the proposed lots. Sufficient flow/pressure may not be available for normal use depending on the development use for each lot. Hence, future uses on the lots are expected to require water network upgrading, or on-site storage for firefighting and potentially normal use purposes.

ON-SITE WASTEWATER DISPOSAL

43. Future buildings where applicable must be connected to an on-site effluent 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.

44. The proposed effluent disposal areas to be contained on new Lot 3 are not approved.

Note: Except for effluent disposal areas for an on-site effluent disposal system associated with an approved use at the site.

HAZARDOUS CHEMICALS AND FUEL STORAGE

45. Ensure that all hazardous chemicals are stored and handled in accordance with the *Work Health and Safety Act 2011*.
46. Diesel is to be stored and handled in accordance with Australian Standard 1940-2004 - The Storage and Handling of Flammable and Combustible Liquids.

PARKING AND ACCESS - GENERAL

47. Provide car parking in accordance with 9.4.5 Transport, Access and Parking Code of the Western Downs Planning Scheme 2017 incorporating Amendment 1, as part of each stage of the development.
48. On-site car parking spaces for Stage 1 of the development are to be established **by 6 June 2024**, or as otherwise approved in writing by Council's authorised delegate.
49. Provide a minimum of 42 on-site car parking spaces as recommended in the Approved Traffic Impact Assessment, Rev A, prepared by PTT Traffic & Transport Engineering and dated 30 June 23.
50. 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 and in accordance with the Building Code of Australia requirements, and locate the parking space close to the main entrance of the proposed building.
51. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
52. Line mark or otherwise delineate the car park aisles and driveways within the development with directional arrows on the pavement, to enable vehicles to enter and leave the site in a forward gear.
53. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

PARKING AND ACCESS - SERVICING

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

VEHICLE ACCESS

55. Design and construct commercial crossovers between the property boundary and the edge of the access road pavement, having 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 the largest expected design vehicle for the proposed use.
56. Ensure that crossover splays are designed to be wholly within the frontage of the proposed development without encroaching onto the frontages of neighbouring lots.

ROADWORKS AND PEDESTRIAN SAFETY

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

ELECTRICITY AND TELECOMMUNICATIONS

58. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

59. Do not undertake any earthworks without a further approval from Council. For any other earthworks (filling), an Operational Work approval is required. A Flood Impact Assessment may be required as part of the Operational Work application.
60. Undertake any earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.
61. Do not place fill on adjacent properties without written permission from the respective property owner(s).

EROSION AND SEDIMENT CONTROL - GENERAL

62. Undertake erosion and sediment control during construction work in accordance with Council's Standard Drawing No's D-005 (Rev A), D-006 (Rev A) and D-007 (Rev A) as applicable.
63. 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.
64. 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

65. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
 - 65.1 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;
 - 65.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and ensure traffic safety; and
 - 65.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

Timing: During construction and on-maintenance period and the establishment period of the landscaping or areas disturbed during construction.
66. 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:
 - 66.1 uncontaminated overland stormwater flow; and
 - 66.2 uncontaminated stormwater to the stormwater system.

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

REFERRAL AGENCY RESPONSE

The application is subject to the following Referral Agency requirements:

1. State Assessment and Referral Agency's Concurrence Agency response dated 24 August 2023.

ADVISORY NOTES

NOTE 1 - Currency 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 twelve (12) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

NOTE 6 - Duty to Notify of Environmental Harm

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

CARRIED (8 to 1)

12.2 (030.2023.259.001) Community and Liveability Report Development Application for Material Change of Use for an Undefined Use (Micro Brewery) at 12 Mayne Street Chinchilla Hobson Family Super Fund Pty Ltd

The purpose of this Report is for Council to decide the application for a Material Change of Use to establish an Undefined Use (Micro Brewery) on land described as Lot 24 on C24330, located at 12 Mayne Street, Chinchilla.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

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 an Undefined Use (Micro Brewery) on land described as Lot 24 on C24330, located at 12 Mayne Street, Chinchilla, be approved, subject to the recommended conditions of approval:

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:

Drawing No.	Plan Title and Description	Dated
5 of 5	Site Plan, prepared by Steven Johnson	27/12/2022
4 of 5	Staging Plan, prepared by Steven Johnson	27/12/2022
2 of 5	Elevations - Front and Rear, prepared by Steven Johnson	27/12/2022
3 of 5	Elevations - Left Side and Right Side, prepared by Steven Johnson	27/12/2022

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plans, the conditions of this development approval must prevail.
3. The following further Development Permits must be obtained prior to commencement of any work associated with the process:
 - 3.1 Building Work; and
 - 3.2 Plumbing Works.

APPROVED DEVELOPMENT

4. The approved development is a Material Change Use for an Undefined Use (Micro Brewery) as shown on the Approved Plans
5. The development is to occur sequentially in the following Stages as shown on the Approved Plans:
 - STAGE 1** - Convent Brewing Club Area
 - STAGE 2** - Convent Brewing Club and Press Function Area, Front Deck Area and Additional Toilets
 - STAGE 3** - Convent Brewing Club, Press Function Area, Mayne Public Bar Area and Rear Deck Area

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

COMPLIANCE, TIMING AND COSTS

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

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.

MAINTENANCE

10. 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.
11. The site shall be maintained in a clean and orderly state at all times, to Council's satisfaction.

INFRASTRUCTURE CHARGES

12. 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.

HOURS OF OPERATION

13. The development must only operate during the following hours unless otherwise approved by Council:
Sunday to Thursday: 10:00am to 10:00pm
Fridays and Saturday: 10:00am to 12:00am
14. Loading and unloading shall occur only between the hours of:
Monday to Friday: 8:00am and 6:00pm
Saturdays: 8:00am and 12:00pm (noon)
15. No loading or unloading shall occur on Sundays or Public Holidays.

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.

OUTDOOR LIGHTING

- 17. Outdoor security lighting must ensure safety of users of the development by:
 - 17.1 providing outdoor lighting in accordance with Australian Standard 1158.3.1 – Road Lighting – Pedestrian Area (Category P) Lighting – Performance and Installation Design Requirements; and
 - 17.2 the use of vandal-resistant lighting in public or publicly accessible areas.
- 18. Lighting is to be provided from adjacent the pedestrian entry and exit to the building and throughout the car parking areas and along pedestrian access paths.
- 19. Lighting must be provided to the following areas of the site:
 - 19.1 the entries and exits of the approved buildings;
 - 19.2 the pathways between the parking areas and the entrances/exits of the building/s; and
 - 19.3 throughout car parking areas.

FENCING

- 20. Any fencing that is installed is to be in keeping with the character of the surrounding area.
- 21. 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.

VISUAL AND GENERAL AMENITY

- 22. Any graffiti on the buildings must be removed.
- 23. The buildings and the site must be maintained in a clean and tidy manner at all times.
- 24. All plant, air-conditioning equipment and the like shall be visually screened from the street.
- 25. 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 AREAS AND COLLECTION

26. 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.
27. 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.
28. 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.
29. Waste collection must be undertaken in a manner that complies with the following requirements:
 - 29.1 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;
 - 29.2 the collection of putrescible waste arising from any activities undertaken on this development must be collected and removed at periods not exceeding seven days;
 - 29.3 the collection of waste must be undertaken so as to minimise, so far as reasonable and practical, excessive noise to neighbouring occupants; and
 - 29.4 the collection method must ensure that waste is adequately managed to prevent escape of contamination.
30. Refuse bin collection areas must be maintained in a manner that complies with the following requirements:
 - 30.1 waste containers must be kept in a clean state and in good repair;
 - 30.2 waste containers are to be provided with tight-fitting lid assemblies designed to prevent ingress of pests and water;
 - 30.3 all waste containers supplied must be kept within the boundaries of the premises; and
 - 30.4 unobstructed access must be provided to all waste containers for the removal of waste.

WASTE MANAGEMENT

31. 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*.
32. 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

33. 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*.

34. Amplified music is limited to the indoor area of the Micro Brewery as shown on the Approved Plans and no amplified music is permitted after 10:00pm.
35. Prior to commencement of Stage 2 of the development, the applicant is to engage a suitably qualified and experienced Acoustic Consultant to undertake a Noise Impact Assessment for both Stages 2 and 3 of the development, that will provide recommendations as to how to manage the noise impacts of the development, for endorsement by Council.
36. Prior to commencement of Stage 2 of the development, the developer is to implement the recommendations specified by the Approved Noise Impact Assessment. Once the recommendations have been completed, the developer is to provide Council with written confirmation from the Acoustic Consultant that the recommendations of the Approved Noise Impact Assessment have been met.
37. The development is to operate at all times in accordance with the strategies and actions outlined in the Approved Noise Impact Assessment and to manage the impacts of the development on the environment and on sensitive land uses.

AIR EMISSIONS

38. 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

39. 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 commencement of the use unless stated otherwise.
40. Be responsible for the full cost of any alterations 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.

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

41. 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.
42. 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

STORMWATER MANAGEMENT

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

44. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.
45. 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).

WATER SUPPLY

46. Prior to commencement of the development of Stage 1 of the development, connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE

47. Prior to commencement of Stage 1 of the development, connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
48. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
49. Do not build works within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
50. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
51. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
52. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

TRADE WASTE DISPOSAL (COMMERCIAL KITCHEN)

53. Prior to commencement of the use for Stage 2 of the development, connect the commercial kitchen to Council's sewer reticulation. Obtain a Plumbing Approval from Council and the relevant inspections are to be undertaken prior to connection to the sewer.
54. Do not release contaminants or contaminated water directly or indirectly from the premises or to the ground or groundwater at the premises, except for:
 - 54.1 uncontaminated overland stormwater flow;
 - 54.2 uncontaminated stormwater to the stormwater system;
 - 54.3 contaminants released to the sewer under and in accordance with a Trade Waste Permit granted by the Local Government under the *Sewerage and Water Supply Act 1949*; or
 - 54.4 other water following treatment through an oil/silt interceptor trap or separator.

55. Releases to water must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible grease, scum, litter or floating oil.

PARKING AND ACCESS - GENERAL

56. Design and construct all driveway and parking areas to provide a dust suppressive gravel.
57. Provide a minimum of one (1) person with disability (PWD) car parking space prior to commencement of the use of Stage 1 of the development. This space is to be provided in the location of the two (2) car park spaces as shown on the Approved Plans.
58. Design and construct all PWD car parking spaces in accordance with AS2890.6.
59. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
60. 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.
61. In the event that Council receives a bona fide complaint in relation to dust emissions produced from the site, Council reserves the right to require the applicant to provide either concrete, asphalt, or bitumen seal vehicle manoeuvring or parking areas.

PARKING AND ACCESS - SERVICING

62. Provide a service vehicle park for a Small Rigid Vehicle in the location generally shown on the Approved Plans.
63. Design along the route to and from the service vehicle park, and the external road network, all driveways to accommodate the turning movements of a Small Rigid Vehicle and ensure that all vehicles are able to enter and exit the site in a forward direction.
64. Ensure loading and unloading operations are conducted wholly within the site.

ELECTRICITY AND TELECOMMUNICATIONS

65. Prior to commencement of Stage 1, connect the development to electricity and telecommunication services.

ENVIRONMENTAL HEALTH

66. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
 - 66.1 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;
 - 66.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
 - 66.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

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

67. 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:

67.1 uncontaminated overland stormwater flow; and

67.2 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.

ADVISORY NOTES

NOTE 1 - Flooding

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

NOTE 2 - Currency 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 3 - Aboriginal Cultural Heritage

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

NOTE 4 - General Environmental Duty

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

NOTE 5 - General Safety of Public During Construction

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

NOTE 6 - Property Note (Audit of Conditions)

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

NOTE 7 - Duty to Notify of Environmental Harm

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

NOTE 8 - Infrastructure Charges

An Infrastructure Charges Notice is attached to this approval for each stage of the development in accordance with the conditions of approval.

NOTE 9 - Food Licence - Commercial Kitchen

Please be advised that if you intend to operate a commercial kitchen as part of the development you will require a Food Licence approval from Council's Environmental Health Department.

NOTE 10 - Environmental Management Register

Council's records indicate that the property is identified on the Environmental Management Register (EMR) managed by the Department of Environment and Science, as the land has historically been used for a Notifiable Activity, being commercial printing, which has the potential to contaminate the land.

When dealing with land that is, or may be contaminated, as the land owner of the property, you must meet your general environmental duty (GED) and also obtain any permits that may be required to carry out development on the land or to remove contaminated soil.

Where the nature and extent of the contamination and associated risks to human health and the environment are not reasonably well known, meeting your GED would include actively seeking information to understand risks and implement measures to prevent or minimise environmental harm.

For further information on the EMR and the implications of the property being listed on the EMR, it is recommended that you contact the Department of Environment and Science for further information.

APPEAL RIGHTS

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."

CARRIED

12.3 (035.2023.191.001) Community and Liveability Report Development Application Reconfiguring a Lot of Lot 364 on AG1888 Lots 8 and 9 on SP172016 Lot 13 on SP188911 and Lot 383 on AG45 17728 Warrego Highway Winton Street East and Hedge Road Dalby Talramp Mach

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (Boundary Realignment - 5 Lots into 5 Lots and Access Easement) on land described as Lot 364 on AG1888, Lots 8 and 9 on SP172016, Lot 13 on SP188911 and Lot 383 on AG45 and situated at 17728 Warrego Highway, 12 Winton Street East, Winton Street East, Hedge Road and 28 Hedge Road, Dalby.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The application for Reconfiguring a Lot (Boundary Realignment - 5 Lots into 5 Lots and Access Easement) on land described as Lot 364 on AG1888, Lots 8 and 9 on SP172016, Lot 13 on SP188911 and Lot 383 on AG45 and situated at 17728 Warrego Highway, 12 Winton Street East, Winton Street East, Hedge Road and 28 Hedge Road, Dalby be approved, subject to the following conditions:

APPROVED PLANS AND DOCUMENTS

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

Plan No./Reference	Title and Details	Dated
M01, Revision B	Material Change Use Existing Layout Plan, prepared by Baker Rossow Consulting Engineers, as amended in red by Council on 15/11/2023	Aug 22
M02, Revision B	Material Change Use Staging Plan, prepared by Baker Rossow Consulting Engineers, as amended in red by Council on 15/11/2023	Aug 22
M03, Revision B	Material Change Use Detailed Layout Plan, prepared by Baker Rossow Consulting Engineers, as amended in red by Council on 15/11/2023	Aug 22
M04, Revision B	Material Change Use Detailed Layout Plan, prepared by Baker Rossow Consulting Engineers, as amended in red by Council on 15/11/2023	Aug 22
Project No. 210086, Version 1	Stormwater Management Plan, prepared by Baker Rossow Consulting Engineers	08.02.2023
Project Number: 22-223, Rev A	Traffic Impact Assessment, prepared by PTT Traffic & Transport Engineering	30 June 2023

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

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

- 3.1 Operational Work (Roadworks).

APPROVED DEVELOPMENT

4. The approved development is Reconfiguring a Lot (Boundary Realignment - 5 Lots into 5 Lots and Access Easement) as shown on the Approved Plans.

COMPLIANCE, TIMING AND COSTS

5. 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.
6. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.
7. 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

8. 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.

LOT/STREET NUMBERING

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

LANDSCAPING – MISCELLANEOUS

10. All declared weeds and pests shall be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of the development works and any ensuing defects liability period.
11. Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land shall be retained where possible, and action taken to minimise disturbance during construction work.

ENGINEERING WORKS

12. Submit to Council, an Operational Work application for Roadworks (internal and external), Accesses, Stormwater, Earthworks and any other works that will become Council infrastructure.
13. 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.

14. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, relevant Australian Standards, Codes of Practice, EDROC Regional Standards Manual and relevant Design Manuals.
15. 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.
16. 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.

MAINTENANCE

17. 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.
18. 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

19. 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.
20. 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.

STORMWATER MANAGEMENT

21. Provide stormwater management generally in accordance with the Approved Stormwater Management Plan prepared by Baker Rossow Consulting Engineers, Revision 1, dated 8 February 2023, subject to detailed design and except as altered by conditions of this development approval.
22. Stormwater from the internal road shall be conveyed to a lawful point of discharge via a suitably designed and constructed drain.
23. All stormwater drains shall be contained within an easement.
24. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

25. Design and construct the proposed table drains along the internal road with appropriate grade to convey flows to a free draining outlet, prior to Council's endorsement of the Survey Plan (Form 18B).
26. 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).
27. 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.

FLOOD IMPACT ASSESSMENT

28. Submit to Council for approval, a Flood Impact Assessment Report, assessing the potential flooding impacts of the proposed development including, but not limited to the following:
 - 28.1 demonstrate that there will be no adverse impacts at post-development for events up to 1 in 100 AEP to flooding and there will be no adverse impacts or actionable nuisance to all neighbouring, upstream and downstream properties, including the road reserve at post-development; and
 - 28.2 investigation on impacts to upstream or downstream properties and recommendations on flood mitigation works to address those impacts.

Timing: Prior to Council's approval of Operational Work.

Advice: It is a requirement that the Flood Impact Assessment be undertaken by Council's Hydraulic Consultant, Water Technology Pty Ltd.

WATER SUPPLY

29. Install a separate water service connection to each lot as per Council's standards and requirements. Any upgrades to the reticulated water supply network required to adequately service the lots will be at the respective lot owner's expense.
 - 29.1 Remove any redundant water supply connections and reinstate the land.
 - 29.2 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.

Comment: It is not expected that the existing water reticulated network has sufficient flow/pressure to meet potential firefighting requirements for future uses on the proposed lots. Sufficient flow/pressure may not be available for normal use depending on the development use for each lot. Hence, future uses on the lots are expected to require water network upgrading, or on-site storage for firefighting, and potentially normal use purposes.

ON-SITE WASTEWATER DISPOSAL

30. Future buildings, where applicable, must be connected to an on-site effluent 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.

31. The proposed effluent disposal areas to be contained on new Lot 3 are not approved.

Note: Except for effluent disposal areas for an on-site effluent disposal system associated with an approved use at the site.

TRAFFIC IMPACTS

32. Provide works generally in accordance with the Approved Traffic Impact Assessment prepared by PTT Traffic & Transport Engineering, Revision A and dated 30 June 2023 except as altered by conditions of this development approval.

VEHICLE ACCESSES

33. Access to proposed Lot 4 is to be from Hedge Road.
34. Remove the access to existing Lot 8 on SP172016 and reinstate the road verge to the standards adjacent. Access to new Lot 1 shall be taken from the new internal access road. The new access shall be generally in accordance with Council's Standard Drawing R-006.
35. All accesses from the internal road to the proposed new lots shall be constructed generally in accordance with Council's Standard Drawing R-006.
36. 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).

ROADWORKS - WINTON STREET EAST

37. The intersection of Winton Street East and the new intersection accessing the site shall be designed and constructed with a Channelised Right Turn Lane generally in accordance with Figure 7.5 of Austroads' Guide to Road Design Part 4A: Unsignalised and Signalised Intersections. The right turn shall be designed to accommodate a 25 metre B-Double.

Comment: Council may accept a lower standard of intersection treatment if justified.

38. Design and construct an extension of median as identified in Section 3.2.2 of the Approved Traffic Impact Assessment prepared by PTT Traffic & Transport Engineering, Revision A and dated 30 June 2023 and specifically include the following:

38.1 widening of the existing pavement and surfacing;

- 38.2 formation of a 1 metre shoulder and drainage works as applicable;
 - 38.3 tapers to existing road pavement, linemarking and signage associated with the road works; and
 - 38.4 re-location of any service infrastructure as applicable.
39. Design and construct a new "left out only" access from proposed Lot 1 as identified in Section 3.2.2 of the Approved Traffic Impact Assessment prepared by PTT Traffic & Transport Engineering, Revision A and dated 30 June 2023 and specifically include the following:
- 39.1 the new access shall be generally in accordance with Council's Standard Drawing R-006;
 - 39.2 signage as noted;
 - 39.3 removal of the existing access adjacent, and reinstate the verge to the standard adjacent; and
 - 39.4 relocation of any service infrastructure as applicable.

ROADWORKS - NEW INTERNAL ROAD

40. Design and construct the new road identified as Service Road on the proposed plans as an Industrial Access Street, generally in accordance with Table 1.12.3 of Council's Planning Scheme Policy 1, relevant Austroads' Standards, EDROC Guidelines and Council's Planning Scheme, and more specifically, include the following:
- 40.1 a minimum road reserve width of 25 metres;
 - 40.2 sealed carriageway (bitumen seal or asphalt) with a minimum width of 12 metres, plus curve widening where required;
 - 40.3 provision for stormwater drainage, line marking, signage associated with the road; and
 - 40.4 the cul-de-sac end suitably sized to accommodate the turn-around swept path of a 25 metre B-Double, 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).

STREET SIGNS AND LINE MARKING

- 41. Obtain written approval from Council for any works involving the removal or relocation of existing Council traffic signs prior to commencement of works.
- 42. Install at an appropriate location at the intersection of the new internal service 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.
- 43. Install and/or relocate any street signs and/or line marking in accordance with the Manual of Uniform Traffic Control Devices (MUTCD). Install new or relocated signage in accordance with IPWEAQ Standard Drawing No. RS-131 – Traffic Sign Installation Details.

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

ROADWORKS AND PEDESTRIAN SAFETY

45. Install signage for all works on or near roadways in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads".
46. 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.
47. Maintain safe pedestrian access along Council's footpaths at all times.

TELECOMMUNICATIONS

48. Design and provide underground telecommunications to all lots within the development.
49. Remove all redundant telecommunication connections and reinstate the land.

ELECTRICITY

50. Design and provide 3 phase for industrial electricity supply to all lots within the development to comply with Ergon Energy's requirements.
51. 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.
52. Remove all redundant electrical connections and reinstate the land.
53. 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

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

EARTHWORKS - GENERAL

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

EARTHWORKS - SOIL STOCKPILE

59. The soil stockpiled on existing Lot 13 on SP188911 must be removed and the site returned to natural ground level. The stockpile must be removed

by 6 April 2024, or as otherwise approved in writing by Council's authorised delegate.

REMOVAL OF EXISTING STRUCTURES

60. Remove the existing dwelling on existing Lot 8 on SP172016.

EROSION AND SEDIMENT CONTROL - GENERAL

61. 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.
62. 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.
63. 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

64. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 64.1 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;
 - 64.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and ensure traffic safety; and
 - 64.3 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.
65. 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:
- 64.1 uncontaminated overland stormwater flow; and
 - 65.2 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.

EASEMENT

66. Provide a reciprocal access and services easement having a minimum width of 25 metres from Winton Street to Lot 364 on AG1888 burdening proposed Lot 1 and Lot 364 on AG1888 to the benefit of proposed Lot 3 and vice versa.

PERMANENT SURVEY MARKS

67. Install a minimum of 1 permanent survey mark (PSM) and connect to Australian Height Datum. Ensure that the PSMs are 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).

ADVISORY NOTES

NOTE 1 - Currency 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 **reconfiguring a lot** - if a plan for the reconfiguration that, under the Land Title Act, is required to be 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 www.datsip.qld.gov.au.

NOTE 3 - General Environmental Duty

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

NOTE 4 - General Safety of Public During Construction

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

NOTE 5 - Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken twelve (12) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

NOTE 6 - Duty to Notify of Environmental Harm

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

APPEAL RIGHTS

"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."

CARRIED (8 to 1)

11. DEPUTATION

Cr. P. M. McVeigh left the meeting at 10.33am.

Cr. A. N. Smith assumed the Chair.

11.1 Glen Odgen

Mr Ogen addressed his concerns in relation to the impact of coal seam gas activity in the Western Downs Region.

11.2 Liza Ronnfeldt

Ms Ronnfeldt addressed her concerns in relation to the impact of coal seam gas activity in the Western Downs Region.

Cr. P. M. McVeigh re-joined the meeting at 10:52am.

GM G. Cook re-joined the meeting at 10:54am

11.3 Chinchilla Community Commerce and Industry - Beverly Taylor

Ms Taylor provided an update to Council on the Country University Centre Application and Science, Technology, Engineering and Mathematics Centre.

COUNCIL RESOLUTION - ADJOURN MEETING

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10:58am.

The Meeting resumed at 11:17am.

CEO J. Taylor did not re-joined the meeting at its resumption

GM B. Bacon did not re-joined the meeting at its resumption

13. EXECUTIVE SERVICES

13.1 Executive Services Report Surrender of Trusteeship over Lot 1 on SP190736

The purpose of this report is to seek Council's decision to surrender the Trusteeship for a Camping Reserve at the Tara Caravan Park, at Milne Street, Tara.

GM D. Fletcher left the meeting at 11:19am.

GM D. Fletcher re-joined at 11:19am.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That this report be received and that Council resolves to:

1. Agree to vacate the office of trustee over Lot 1 on SP190736, known as the 'Tara Caravan Park' by providing a notice of resignation to the Department of Resources to allow the State Government represented by the Department of Housing to become the new trustee.

2. Delegate authority to the CEO to negotiate and sign all documents necessary to finalise resignation of the trust.

CARRIED

13.2 Executive Services Chief Executive Officer Report November 2023

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 November 2023.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. I. J. Rasmussen

That this Report be received.

CARRIED

13.3 Executive Services Report Outstanding Actions November 2023

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 15 November 2023.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman

Seconded By Cr. K. A. Bourne

That this Report be received.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Report Caretaker Period for 2024 Local Government Election and Request for Ministerial Approval to Approve Contracts for Flood Repair Work

The purpose of this report is to consider arrangements for the continuation of flood damage repair work during the caretaker period associated with the March 2024 local government election.

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. A. N. Smith

That Council resolves:

1. that it considers that exceptional circumstances apply under section 90B of the *Local Government Act 2009* with respect to contracts which Council is likely to need to enter into during the 2024 caretaker period in order to complete the extensive restoration of vital local government assets damaged in the Central, Southern and Western Queensland Rainfall and Flooding, 10 November - 3 December 2021, the South East Queensland Rainfall and Flooding, 22 February - 5 April 2022, and Southern Queensland Flooding, 6 - 20 May 2022 events which are authorised under Disaster Recovery Funding Arrangements by the final date permitted for these works, which is 30 June 2024; and
2. to seek an exemption from the Minister from the major policy decision prohibition on contracts formed for undertaking Disaster Recovery Funding Arrangements approved works during the 2024 caretaker period.

CARRIED

14.2 Corporate Services Financial Report November 2023

The purpose of this Report is to provide Council with the Financial Report for the period ending 20 November 2023.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Maguire

That Council resolves to receive the November 2023 Financial Report.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Report Transport Asset Maintenance Management Plan (TAMMP) 2023 Review

The purpose of this Report is to provide Council with a summary of the Transport Asset Maintenance Management Plan 2023/24 review findings.

COUNCIL RESOLUTION

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

That this Report be Received

CARRIED

15.2 Infrastructure Services Capital Works Progress Update November 2023-24

The purpose of this Report is for the Works Department to provide an update to Council regarding the 2023/24 Capital Works Program for the month of November 2023

COUNCIL RESOLUTION

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

That this Report be received

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Report 2024 Australia Day Awards Regional Citizen of the Year Award

The purpose of this report is to seek Council's decision on the successful nomination for the 2024 Australia Day Awards category of Regional Citizen of the Year Award.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman

Seconded By Cr. K. A. Bourne

That this report be received, and that nominee (d) be awarded the 2024 Australia Day Award in the category of Regional Citizen of the Year.

CARRIED

16.2 Community and Liveability Report 2024 Australia Day Awards Regional Young Citizen of the Year Award

The purpose of this report is to seek Council's decision on the successful nomination for the 2024 Australia Day Awards category of Regional Young Citizen of the Year Award.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. C. T. Tillman

That this report be received and that nominee (c) be awarded the 2024 Australia Day Award in the category of Regional Young Citizen of the Year.

CARRIED

16.3 Community and Liveability Report 2024 Australia Day Awards Local Volunteer of the Year Award

The purpose of this report is to seek Council's decision on the successful nominations for the 2024 Australia Day Awards category of Local Volunteer of the Year Award.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. A. N. Smith

That this report be received, and that the following nominees be awarded a 2023 Australia Day award in the category of Local Volunteer of the Year: Chinchilla and District - nominee (b), Dalby and District - nominee (a), Miles and District - nominee (c), Tara and District - nominee (a) and Wandoan and District - nominee (c).

CARRIED

16.4 Community and Liveability Report 2024 Australia Day Awards Local Community Organisation Achievement Award

The purpose of this report is to seek Council's decision on the successful nominations for the 2024 Australia Day Awards category of Local Community Organisation Achievement Award.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. C. T. Tillman

That this report be received, and that the following nominees be awarded a 2023 Australia Day Award in the category of Local Community Organisation Award: Chinchilla and District - nominee (b), Dalby & District - nominee (b), Jandowae & District - nominee (a) and Wandoan and District - nominee (c).

CARRIED

16.5 Community and Liveability Report 2024 Australia Day Awards Local Creative Arts Award

The purpose of this report is to seek Council's decision on the successful nominations for the 2024 Australia Day Awards category of Local Creative Arts Award.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That this report be received and that the following nominees be awarded a 2023 Australia Day Award in the category of Local Creative Arts Award: Chinchilla and District - nominee (a) and Miles and District - nominee (b).

CARRIED

16.6 Community and Liveability Report 2024 Australia Day Awards Local Sports Award

The purpose of this report is to seek Council's decision on the successful nominations for the 2024 Australia Day Awards category of Local Sports Award.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this report be received, and that the following nominees be awarded a 2023 Australia Day Award in the category of Local Sports Award: Chinchilla and District - nominee (a), Dalby and District - nominee (d), Jandowae & District - nominee (a), Miles and District - nominee (a), Tara and District - nominee (a) and Wandoan and District - nominee (a).

CARRIED

16.7 Community & Liveability Report Considering Future Uses for 107 Drayton Street, Dalby

The purpose of this report is to provide options for council's consideration of future possible uses at 107 Drayton Street, Dalby ("the site") and to seek support to progress preliminary development work for mixed-use commercial and residential development.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. C. T. Tillman

That this report be received and that Council:

1. Approves to proceed with an Expression of Interest process from interested parties related to the future use of 107 Drayton Street, Dalby.

CARRIED

16.8 Community and Liveability Report Temporary Closure Lake Broadwater Boat Ramp

The purpose of this report is to seek Council's approval to temporarily close the Lake Broadwater Boat Ramp, due to water levels falling below recommended height for motorised watercraft.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Bourne

That this report be received and that:

1. Council resolves to temporarily and retrospectively close the Lake Broadwater Boat Ramp from 26 October 2023 until water levels rise to allow safe access for motorised watercraft for a maximum period of 6 months concluding on 26 April 2024.
2. Authority be delegated to the Chief Executive Officer to extend, amend or reduce the temporary closure of the Lake Broadwater Boat Ramp to ensure safe operations and accommodate fluctuating water levels contingent on rainfall.

CARRIED

16.9 Community and Liveability Report re Amendment to Capital Project Waste Facility Weighbridges

The purpose of this report is to seek Council approval to change the scope of two approved 2023/24 capital projects for the Tara and Wandoan Landfill Weighbridge projects by utilising grant funding to fund the increased scope.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. P. T. Saxelby

That Council receive this report and resolves to:

1. Increase the scope of the Tara Landfill Weighbridge 2023/24 capital expenditure budget from \$373,175 inc GST to \$513,524 inc GST and allocate a revenue budget of \$238,400; and
2. Increase the scope of the Wandoan Landfill Weighbridge 2023/24 capital expenditure budget from \$385,825 inc GST to \$524,280 inc GST and allocate a revenue budget of \$224,554.

CARRIED

16.10 Community and Liveability Report Miles District Fishing & Recreation Club Inc. Lease of Lot 2 on RP183541 - Karingal Reserve

The purpose of this report is to consider a request received from Miles District Fishing & Recreation Club Inc. to Lease the area known as "Karingal Reserve" described as Lot 2 RP183541 39604 Leichhardt Highway, Miles.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That this report be received and that:

1. Council resolves to continue the exception contained in section 236(1)(b)(ii) of the *Local Government Regulation 2012* to the proposed lease;
2. Offer the Miles District Fishing & Recreation Club a 20-year lease from 1 July 2025 over the land described as Lot 2 RP183451 for the purpose of recreational activities at the rate of \$1.00/annum (plus GST);
3. Delegates authority to the Chief Executive Officer to negotiate and sign all documents necessary to formalise the lease.

CARRIED

16.11 Community and Liveability Report 2024 Animal Management Approved Inspection Program

The purpose of this Report is to seek Council's approval of two Approved Inspection Programs for the Animal Management function of Council.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. I. J. Rasmussen

That this report is received, and that Council approve the Approved Inspection Programs as attached, pursuant to Section 113 of the *Animal Management (Cats and Dogs) Act 2008*.

CARRIED

17. NOTICES OF MOTION

17.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

There were no Notices of Motion/Business for consideration.

17.2 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

There were no Notices of Motion for the next meeting.

18. URGENT GENERAL BUSINESS

There was no Urgent General Business.

19. MEETING CLOSURE

The Meeting concluded at 12:04pm.