



Ordinary Meeting of Council Minutes

Date: Thursday, 18 April 2024
Time: 9:30am
Location: WDRC - Jandowae Memorial Hall

Councillors:

- Cr. A. N. Smith
- Cr. K. A. Bourne
- Cr. P. T. Saxelby
- Cr. K. A. Maguire
- Cr. M. J. James
- Cr. O. G. Moore
- Cr. S. Bougoure
- Cr. S. J. Condon
- Cr. G. J. Olm

Officers:

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

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.32AM.

2. OPENING PRAYER AND MINUTE SILENCE

Daphne Polzin from the Jandowae 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. P. T. Saxelby requested that congratulations be extended to Cameron Obst who attempted "The most take offs and landings by a single plane during daylight". Cameron broke the record after making 145 successful landings. Cameron has now made it into the Australian Book of Records and was interviewed on the ABC by Ian McNamara

Cr. M. J. James requested that congratulations be extended to Midwest Fabrications in Dalby for being awarded a 2024 Australian Small Business Champion Award (the country's premier small business award program) in the category of manufacturing

Cr. K. A. Maguire requested that congratulations be extended to Chinchilla Community Commerce and Industry for being successful in receiving a federal grant to set up and deliver a Country University Centre in Chinchilla. This centre will be a great support and opportunity for all ages to complete any university course for any person in the Western Downs and further afield.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 07 March 2024

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 07 March 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

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 07 March 2024, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED

5.2 Adopt Post-Election Meeting of Council Minutes 09 April 2024

The purpose of this Report is for Council to adopt the Minutes of the Post-Election Meeting of Council held on Tuesday, 09 April 2024.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. M. J. James

That this Report be received and that:

1.The Unconfirmed Minutes of the Post-Election Meeting of Council held on Tuesday, 09 April 2024 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

There were no declarations of conflicts of interest.

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There were no presentations of petitions by councillors.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report March 2024

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of March 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. G. J. Olm

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. P. T. Saxelby

Seconded By Cr. S. Bougoure

That Council resolve to close the Meeting in accordance with Sections 254J (3) (g) of the *Local Government Regulation 2012* at 9:52am to discuss the following Confidential Reports:

1. Infrastructure Services Confidential Evaluation Report Tender No MM25-23-24 - Dalby Recycled Water Scheme (Disposal) - Closed Tender

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That Council resolve to reopen the Meeting at 10.06am.

CARRIED

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

10.4.1 Infrastructure Services Confidential Evaluation Report Tender No MM25-23-24 - Dalby Recycled Water Scheme (Disposal) - Closed Tender

This report is to seek Council's authorisation to enter into a long-term agreement to supply Class A recycled water to a third party in Dalby following tender assessment of MM25-23-24 Dalby Recycled Water Scheme.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. O. G. Moore

That this Report be received, and that Council;

1. Enter into a recycled water agreement with Liquid Power Co Pty Ltd (ABN 38 665 703 766) for the supply of Class A recycled water for a minimum period of 5 years, proposed to commence 1 January 2025 and the agreement includes;
 - a. a fixed access charge for 5 years for a total of \$421,250.00 ex GST and;
 - b. a volumetric charge of \$2.81 ex GST per kilolitre and;
 - c. a total of \$1,641,040.00 ex GST "take or pay" for the final 2 years

2. Authorise the Chief Executive Officer under Section 257 of the Local Government Act 2009 (QLD) to make, amend or discharge an agreement with acceptable conditions associated with MM25-23-24 Dalby Recycled Water (Disposal).

CARRIED

12. PLANNING

There were no planning reports.

13. EXECUTIVE SERVICES

13.1 Executive Services Chief Executive Officer Report March 2024

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 2024.

COUNCIL RESOLUTION

Moved By Cr. S. Bougoure
Seconded By Cr. P. T. Saxelby

That this Report be received.

CARRIED

13.2 Executive Services Report Outstanding Actions March 2024

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 7 March 2024.

COUNCIL RESOLUTION

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

That this Report be received.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Report MM23-23-24 Movement and Control of Livestock and MM24-23-24 Dalby Saleyards National Livestock Identification System (NLIS) Scanning and Retagging

The purpose of this report is to seek Council's approval to award Downs Livestock Pty Ltd (ABN 63 160 647 343) Tender MM23-23-24 Movement and Control of Livestock together with Tender MM24-23-24 Dalby Saleyards National Livestock Identification System (NLIS) Scanning and Retagging.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. O. G. Moore

That Council resolves to:

1. award Tender MM23-23-24 Dalby Saleyards Movement and Control of Livestock and Tender MM24-23-24 Dalby Saleyards National Livestock Identification System (NLIS) Scanning and Retagging to Downs Livestock Pty Ltd (ABN 63 160 647 343), inclusive of Option One and Option Two, as proposed by the vendor (namely the discount for a combined contract and the additional service for stock loadout,) for a base contract value of \$955,963.19 (inclusive of goods and services tax) for year one of the contract and \$832,367.19 per annum (inclusive of goods and services tax) for years two to five of the contract, totalling \$4,640,989.15 (inclusive of goods and services tax and consumer price indexation) across the five-year term; and
2. delegate to the Chief Executive Officer, the authority to make, amend, or discharge a contract with Downs Livestock Services Pty Ltd to deliver the tendered services.

CARRIED

14.2 Corporate Services Financial Report March 2024

The purpose of this Report is to provide Council with the Financial Report for the period ending 26 March 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

That Council resolve to receive the March 2024 Financial Report and:

1. note the amendments to the 2023-24 Capital Works Programme as listed in section three of this report, with additional expenditure of \$98,472 (exclusive of goods and services tax) and additional revenue of \$50,000 (exclusive of goods and services tax) being added to the programme;
2. resolve to approve the removal of budgeted capital expenditure from the 2023-24 Capital Works Programme for \$281,364 (exclusive of goods and services tax) as listed in section three of this report;
3. resolve to approve for \$819,585 (exclusive of goods and services tax) of 2024-25 capital budget expenditure for multi-year projects to be moved back from 2024-25 to 2023-24, as listed in section three of this report; and
4. resolve to approve the inclusion of one new fee to the 2023-24 fees and charges register for Flood Impact Assessment, as listed in section four of this report, including the ability of the Chief Executive Officer to refund any payments of this fee which were paid to Council in the four (4) weeks prior to the amendment of the *Housing and Land Development Incentives - Council Policy* at the Ordinary Meeting of 7 March 2024.

CARRIED

11. DEPUTATION

11.1 Lynn Sharpe

Ms Sharpe addressed Council regarding the community's concerns for the proposed Dalby Cultural Centre being placed in Thomas Jack Park. She presented a petition "We, the undersigned, respectfully petition the Western Downs Regional Council that the proposed cultural centre not be located in Thomas Jack Park. We believe the entirety of Thomas Jack Park should remain open space and parkland for all locals and visitors".

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That this petition be received, and a report be brought back to Council.

CARRIED

11.2 Dorothy Finlayson

Ms Finlayson addressed council regarding Niagara Road, Jandowae. Due to semi-trailers and road trains using this road regularly, drivers need to be able to safely pull off to the side. She has requested that Council repairs the road edges and that the sides of the road are kept maintained, including roadside slashing.

COUNCIL RESOLUTION - ADJOURN MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. O. G. Moore

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10.42am.

The Meeting reopened at 11.04am.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Capital Works Progress Update March 2024

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 March 2024.

COUNCIL RESOLUTION

Moved By Cr. G. J. Olm

Seconded By Cr. O. G. Moore

That this Report be received.

CARRIED

UNCONFIRMED

16. COMMUNITY AND LIVEABILITY

16.1 Community & Liveability Report Retrospective Temporary Closure Bunya Mountains Mountain Bike Trails

The Purpose of this report is to seek Council's retrospective approval to temporarily close the Bunya Mountains Mountain Bike Trails due to safety implications associated with the trail conditions.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this report be received and that:

1. Council resolves to close the Bunya Mountains Mountain Bike trails temporarily and retrospectively from 30 January 2024 until 30 June 2024, unless completed earlier, to complete the identified emergent maintenance works to rectify safety concerns.

CARRIED (8 to 1)

17. NOTICES OF MOTION

17.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

17.1.1 Cr. K. A. Maguire - Notice of Motion Dalby Cultural Centre

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. M. J. James

A report be presented at the next ordinary meeting of Council with respect to the proposed Dalby Cultural Centre, outlining:

1. the timeline of the engagement which has occurred to date, including an overview of community feedback received;
2. future engagement opportunities for considering the expected uses, spaces, and cultural aspirations within the proposed cultural centre; and
3. a summary of the process which has led to the decision to develop the cultural centre within Thomas Jack Park.

CARRIED

17.2 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

There were no notices of motion for the next meeting.

18. URGENT GENERAL BUSINESS

18.1 Nomination of Representative to the Local Government Association of Queensland Policy Executive

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolve to nominate Councillor Megan James as the representative for District Four (Darling Downs) on the Local Government Association of Queensland's Policy Executive.

CARRIED

18.2 Suspend Dalby Cultural Centre Planning

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. S. Bougoure

That planning works regarding Dalby Cultural Centre be suspended until the petition is considered and matters pertaining to location and budget are resolved.

FORESHADOWED MOTION

Cr. K. A. Bourne Foreshadowed that if the motion on the floor failed, she would move:

That proposed concept planning and consultation associated with Dalby Cultural Centre continue whilst further Reports requested from the meeting of 18 of April, 2024 are tabled.

The **ORIGINAL MOTION** was **PUT** and **CARRIED (5 to 4)**

19. MEETING CLOSURE

The Meeting concluded at 12.40pm.