

5.2 Adopt Ordinary Meeting of Council Minutes 19 June 2025

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 19 June 2025.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Maguire

That this Report be received and that:

1.The Unconfirmed Minutes of the Ordinary Meeting of Council held on 19 June 2025, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED



Ordinary Meeting of Council Minutes

Date: 19 June 2025
Time: 9:30am
Location: Dalby Corporate Office

Councillors:

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

Officers:

- B. Bacon, Acting Chief Executive Officer
- S. Fitzgerald, General Manager (Corporate Services)
- G. Cook, General Manager (Infrastructure Services)
- D. Fletcher, General Manager (Community & Liveability)
- B. Donald, Senior Executive Officer
- A. Lewis, Executive Services Administration officer
- K. Carroll, Senior Executive Communications Advisor

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Colin Watters from St John's Anglican Church, delivered the opening prayer. This was followed by the observance of a minute silence.

3. APOLOGIES

There were no apologies.

4. CONGRATULATIONS

There were no congratulations.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 15 May 2025

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 15 May 2025.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

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 15 May 2025, 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 minutes of the previous meeting.

7. DECLARATIONS OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There were no petitions presented to councillors.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report May 2025

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Mayor during the month of May 2025.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. O. G. Moore

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. S. J. Condon

Seconded By Cr. G. M. Olm

That Council resolve to close the Meeting in accordance with Sections 254J (3) (j) of the *Local Government Regulation 2012* at 9.56AM to discuss the following Confidential Reports:

1. Executive Services Confidential Report Lease Surrender & Proposed New Lease to Facilitate Hangar Sale - "Lease X" Dalby Aerodrome
2. Executive Services Confidential Report - Potential New Lease Chinchilla Aerodrome - Lease "P" - Fraser Valuers Pty Ltd
3. Executive Services Confidential Report - Potential New Leases Chinchilla Aerodrome Lease Q & Lease R

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 10:12AM.

CARRIED

10.1 EXECUTIVE SERVICES

10.1.1 Executive Services Confidential Report Lease Surrender & Proposed New Lease to Facilitate Hangar Sale - "Lease X" Dalby Aerodrome

The purpose of this Report is to consider a request to surrender 'Lease X' at the Dalby Aerodrome (which includes the current lessee selling the improvements) and subsequently to enter into a new lease agreement for 'Lease X'.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. S. Bougoure

That Council resolves:

1. that the exception in section 236(1)(c)(iii) of the *Local Government Regulation 2012* (Qld) applies in relation to the lease area, such that the disposal is not required to be by way of tender or auction;
2. to accept the current Lessee of Lease X's decision to surrender the lease and sell the improvements on the land to the potential buyer, as is their right under the current lease agreement;
3. to delegate authority to the Chief Executive Officer to sign all documents relating to the surrender of the lease agreement;
4. to offer a lease of thirty years to Russell Grundy over Lease X for a market rental value of \$8.00 per square metre, totalling \$2,608.00 per year (exclusive of goods and services tax) and annual Consumer Price Indexation; and
5. to delegate authority to the Chief Executive Officer to negotiate any commercially appropriate terms and conditions associated with the lease agreement with Grundy, and to sign all necessary documents to facilitate the execution and registration of the lease.

CARRIED

10.1.2 Executive Services Confidential Report - Potential New Lease Chinchilla Aerodrome - Lease "P" - Fraser Valuers Pty Ltd

The purpose of this Report is to consider the request for a potential new lease agreement for lease area "P" at the Chinchilla Aerodrome to Fraser Valuers Pty Ltd for the purposes of constructing a hangar for both private and professional aircraft.

COUNCIL RESOLUTION

Council requests for a clause to be included in the lease requiring a five-year review of the market price.

Moved By Cr. P. T. Saxelby

Seconded By Cr. M. J. James

That Council resolves:

1. that the exception in section 236(1)(c)(iii) of the *Local Government Regulation 2012* (Qld) applies in relation to the lease area, such that the disposal is not required to be by way of tender or auction;
2. to offer a thirty (30) year lease to Fraser Valuers Pty Ltd over the surveyed lease area known as 'Lease P' for the market rental value of \$2.08 per square metre totalling \$1,300.00 per year (exclusive of goods and services tax) and annual Consumer Price Indexation; and
3. to delegate authority to the Chief Executive Officer to negotiate any commercially appropriate terms and conditions associated with the proposed lease and to sign all necessary documents to facilitate the execution and registration of the lease.

CARRIED

10.1.3 Executive Services Confidential Report - Potential New Leases Chinchilla Aerodrome Lease Q & Lease R

The purpose of this Report is to consider the request for two potential new lease agreements for lease areas 'Q' and 'R' at the Chinchilla Aerodrome to Higher Yield Aviation Pty Ltd for the purposes of agricultural aircraft hangar, parking, and loading aircrafts.

COUNCIL RESOLUTION

Council requests for a clause to be included in the lease requiring a five-year review of the market price.

Moved By Cr. K. A. Bourne

Seconded By Cr. P. T. Saxelby

That Council resolves:

1. that the exception in section 236(1)(c)(iii) of the *Local Government Regulation 2012* (Qld) applies in relation to the lease area, such that the disposal is not required to be by way of tender or auction;
2. to offer a three-year lease to Higher Yield Aviation Pty Ltd over the surveyed lease areas known as 'Lease R' and 'Lease Q' for the market rental value of \$2.08 per square metre totalling \$2,123.68 per year (exclusive of goods and services tax) and annual Consumer Price Index.
3. to delegate authority to the Chief Executive Officer to negotiate any commercially appropriate terms and conditions associated with the proposed lease and to sign all necessary documents to facilitate the execution and registration of the lease.

CARRIED

10.2 CORPORATE SERVICES

10.3 COMMUNITY AND LIVEABILITY

10.4 INFRASTRUCTURE SERVICES

11. DEPUTATION

11.1 Sean Constable

Mr Constable addressed Council on behalf of the Campervan and Motorhome Club of Australia regarding its request for a negotiated decision notice for its development permit for a material change of use for a tourist park at Myall Street, Dalby.

The Chairperson adjourned the meeting at 10:38am.

The meeting resumed at 10:50am

12. PLANNING

12.1 (030.2024.779.001) Community and Liveability Report Representations for Negotiated Decision Notice for Development Application for Material Change of Use for a Tourist Park on Lots 7-10 on RP75401 and Lot 2 on RP186292, known as Myall Street, Dalby, by the Campervan and Motorhome Club of Australia Ltd

The purpose of this Report is for Council to decide the request for a Negotiated Decision Notice for a development application for a Material Change of Use for a Tourist Park (40 Recreation Vehicle Sites including a Manager's Site) on land described as Lots 7-10 on RP75401 and Lot 2 on RP186292, located at Myall Street, Dalby.

COUNCIL RESOLUTION

This motion will be vote on after the deputation.

Moved By Cr. K. A. Bourne

Seconded By Cr. O. G. Moore

That this Report be received and that:

1. The applicant be advised that the Request for a Negotiated Decision Notice for Development Application 030.2024.779.001 for a Material Change of Use to establish a Tourist Park (40 Recreation Vehicle Sites including a Manager's Site) on land described as Lots 7-10 on RP75401 and Lot 2 on RP186292, situated at Myall Street, Dalby, has been considered by Council and is approved, as follows:

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

APPROVED PLAN

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

Drawing No.	Title and Details	Dated
001	Site Plan, prepared by Campervan & Motorhome Club of Australia Ltd as amended by Council on 04/06//2025	-

- (b) Conditions 19 to 23 of the approval remain unchanged.
 - (c) Condition 25 of the approval remains unchanged.
 - (d) Condition 26 of the approval is amended as follows:

LANDSCAPING

26. The Landscape Plan must detail:

- 26.1 landscaping ~~treatments with a minimum width of 2 metres is to be provided in the locations shown on the Site Plan (as amended in red); and to the common boundaries with all adjoining residential lots and along the frontage of the property to Amos Street and Myall Street;~~
 - 26.2 **landscaping strips with a minimum width of 2 metres will screen the development along the frontage of the property to Amos Street and Myall Street in the locations illustrated on the Site Plan (as amended in red);**

- 26.3 **landscaping is not required to be provided adjacent to adjoining residential properties where there is existing or proposed solid screen fencing;**
- 26.4 the plant species selected are not to have invasive roots and are to be suitable to locate in proximity to Council's sewer network on the property;
- 26.5 the typical species to be planted, consisting mainly of drought-tolerant native species suitable to their individual location on-site;
- 26.6 the number and size of plants to be planted; and
- 26.7 the typical planting detail including preparation, backfill, staking and mulching.

Note: Please refer to Part 6 of Planning Scheme Policy 1 within the Western Downs Planning Scheme 2017 incorporating Amendment 1 for guidance on the type of trees, shrubs and groundcover recommended for Dalby. Alternative plant species not listed suitable for Dalby under Part 6 of Planning Scheme Policy 1 will be considered by Council's Planning Department and the Parks and Gardens Department.

- (e) Conditions 27 to 30 of the approval remain unchanged.
- (f) Condition 34 of the approval remains unchanged.
- (g) Conditions 39 to 41 of the approval remain unchanged.
- (h) Condition 42 of the approval is amended as follows:

42. Lighting must be provided to **facilitate the safe passage of vehicles and pedestrians within the site, including:**

42.1 the entrance to the Park;

42.2 adjacent to the dump point; and

42.3 between the driveways and buildings.

Note: Lighting should not be directed towards residential properties and should operate between 6pm and 10pm only.

- (i) The Infrastructure Charges Notice attached to the development approval remains unchanged.
- (j) All other conditions of the approval remain unchanged.

FORESHADOWED MOTION

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

That Council resolve as per recommendation, with the exception of item (i), which is to be amended as follows:

That Council enter into an Infrastructure Agreement with Campervan and Motorhome Club of Australia Ltd to waive 25% of the Infrastructure Charges for Development approval 030.2024.779.001, reflecting the undefined classification of this development (somewhere between tent and caravan classification). The terms of the Infrastructure Agreement shall be determined by the Chief Executive Officer.

The ORIGINAL MOTION was PUT and CARRIED (7 to 2)

12.2 (030.2024.562.001) Community and Liveability Report Representations for Development Application for Material Change of Use for Hardware and Trade Supplies on Lot 12 on SP342954, known as 18 Inverai Road, Chinchilla, by Sweb Consulting on behalf of Jacksons Parts N Industrial Supplies

The purpose of this Report is for Council to decide the representations received regarding the proposed development for a Material Change of Use to establish Trade and Hardware Supplies on land described as Lot 12 on SP342954, located at 18 Inverai Road, Chinchilla.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. O. G. Moore

That this Report be received and that:

1. The applicant be advised that the representations regarding the conditions and Infrastructure Charges Notice for the Development Approval for a Material Change of Use to establish Hardware and Trade Supplies on land described as Lot 12 on SP342954, located at 18 Inverai Road, Chinchilla, have been considered and Council has decided the following with regard to the representations:
 - (a) Condition 8 of the approval remains unchanged.
 - (b) The Infrastructure Charges Notice attached to the approval remains unchanged.
 - (c) A Negotiated Decision Notice will not be issued.

CARRIED (5 to 4)

For: Cr. A. N. Smith, Cr. K. A. Bourne, Cr. O. G. Moore, Cr. K. A. Maguire, and Cr. M. J. James

Against: Cr. S. J. Condon, Cr. P. T. Saxelby, Cr. G. M. Olm, and Cr. S. Bougoure

12.3 (030.2024.690.001) Community and Liveability Report Development Application Material Change of Use Special Industry (Peaking Power Plant) Major Electricity Infrastructure (Transmission Line) Substation (Extension to Existing Substation) and ERA 1039 at Banana Bridge Road, Brigalow, by Attexo Group Pty Ltd on behalf of CSE H2 Pty Ltd

The purpose of this Report is for Council to decide the proposed development for a Material Change of Use to establish a Special Industry (Peaking Power Plant), Major Electricity Infrastructure (Transmission Line), Substation (Extension to Existing Substation) and Environmentally Relevant Activity 14 (Electricity Generation) on land described as Lot 6 on DY532 and situated at 1039 Banana Bridge Road, Brigalow.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The application for a Material Change of Use to establish a Special Industry (Peaking Power Plant), Major Electricity Infrastructure (Transmission Line), Substation (Extension to Existing Substation) and Environmentally Relevant Activity 14 (Electricity Generation) be approved, subject to the following conditions:

APPROVED PLAN AND DOCUMENTS

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

Plan/Document No., Reference	Title and Details	Dated
CSE-002_032 (E)	Project Layout, prepared by Attexo	2/10/2024
Project No. 001233, Version 04	Brigalow Power Station Stormwater Management Plan, prepared by BMT	3 October 2024
Rp 002 R01 20230213, Rev 01	Brigalow Peaking Power Plant Noise Assessment, prepared by Marshall Day Acoustics Pty Ltd	09/09/24
Project No: 23-020, Rev C	Bushfire Hazard Assessment and Management Plan, prepared by Meridian Urban	28/08/2024

2. The development must comply with the noise mitigation recommendations of the Approved "Noise Assessment" prepared by Marshall Day Acoustics Pty Ltd and dated 9 September 2024.
3. The applicant shall submit an amended Bushfire Hazard Assessment Management Plan for Council's Planning and Environment Manager or authorised delegated for review and endorsement. The amended Bushfire Hazard Assessment Management Plan is to address the following matters:
 - 3.1 Provide scenario planning for local emergency respondents with regards to a bushfire;

- 3.2 How will access be provided to firefighting equipment and infrastructure to external responders; and
- 3.3 Classification of fire breaks distances between vegetation on the property and external fencing of the development footprint.

Once the amended Bushfire Hazard Assessment Management Plan has been endorsed by Council's Planning and Environment Manager or authorised delegate, the recommendations of the approved plan are to be implemented during the construction and operation of the development.

- 4. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan and Documents, the conditions of this development approval must prevail.
 - 5. The Approved Plan is to be amended in accordance with the conditions of this approval and as outlined below:
 - 5.1 Provide details of all proposed buildings to be retained on-site for the life of the project, including office and amenities building, storage sheds, workshop shed, etc. Building Floor Plans and Elevations must also be provided.
 - 5.2 Update the Site Plan to illustrate the location of all proposed buildings on the site.
 - 5.3 Update the Site Plan to illustrate the location of on-site car parking areas.
- Note:** Infrastructure charges will be levied for the gross floor area of all administration and control buildings including storage sheds and site offices. Once detailed plans are provided, an Infrastructure Charges Notice will be issued.
- 6. The following further Development Permits must be obtained prior to commencement of any work associated with the process:
 - 6.1 Building Works;
 - 6.2 Plumbing Works; and
 - 6.3 Operational Work.

APPROVED DEVELOPMENT

- 7. The approved development is a Material Change of Use to establish a Special Industry (Peaking Power Plant), Major Electricity Infrastructure (Transmission Line), Substation (Extension to Existing Substation) and Environmentally Relevant Activity 14 (Electricity Generation) as shown on the Approved Plans.

COMPLIANCE, TIMING AND COSTS

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

FEES AND CHARGES

- 10. 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

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

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.

VISUAL AND GENERAL AMENITY

13. Any graffiti on buildings or structures associated with the development must be immediately removed.
14. The buildings and the site must be maintained in a clean and tidy manner at all times.
15. All declared weeds and pests must be removed from the subject land and the subject land kept clear of such nuisance varieties at all times during the course of development work and any ensuing defects liability period.

LIGHTING

16. 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*.

ACOUSTIC AMENITY - NOISE LIMITS

17. 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.
18. In the event that Council receives a bona fide noise complaint in relation to noise emissions produced from the development, Council reserves the right to require the applicant to re-assess operational procedures already in place. In this instance, the applicant may be required to undertake further noise impact assessment and implement any recommendations in relation to noise attenuation.

AIR QUALITY AND AMENITY - AIR RELEASE LIMITS

19. 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.

WASTE MANAGEMENT

20. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
21. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

ENGINEERING WORKS

22. Submit to Council, an Operational Work application for all civil works including earthworks, stormwater and roadworks (if required).
23. 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.
24. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, and relevant Australian Standards.
25. 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.
26. 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.

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

27. 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.
28. 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

29. Provide stormwater management generally in accordance with the Approved "Brigalow Power Station Stormwater Management Plan" prepared by BMT, Version 04, dated 3 October 2024, subject to detailed design and except as altered by conditions of this development approval.
30. Design and construct stormwater drainage to ensure that the development will achieve "no nuisance" as described in the Queensland Urban Drainage Manual (QUDM), to all downstream properties including road reserves up to the 1% AEP storm event.
31. 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.

WATER SUPPLY

32. Provide a potable water supply suitable to meet the needs of the development.

ON-SITE WASTEWATER

33. Wastewater shall be held in a holding tank and pumped out by a licensed contractor, at a frequency so that the tanks will not release water to the environment. Provide annually to Council, the records of pumping out of the holding tanks including details of the licensed waste operator, dates, volumes, etc.

34. Where regulated waste is removed from the premises, records must be kept of the following:
- 34.1 the date, quantity and type of waste removed;
 - 34.2 the name of the waste transporter and/or disposal operator who removed the waste; and
 - 34.3 the intended treatment/disposal destination of the waste.

PARKING AND ACCESS - GENERAL

35. Provide adequate car parking areas to meet the needs of the development.
36. 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

37. Design along the route to and from Banana Bridge Road and the development site, all access driveways, and the like with a layout that accommodates the turning movements of a B-Double vehicle, and ensure that all vehicles are able to enter and exit the site in a forward direction.
38. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

VEHICLE ACCESS

39. Access to the development shall be via the existing access to the Kogan Creek Power Station Site Access.
40. The existing left turn lane in the Kogan Creek Power Station site access shall be maintained by the applicant. Any pavement defects shall be rectified by the applicant and repaired to its original condition within a reasonable timeframe. If repairs are not carried out within a reasonable timeframe, Council may rectify the defect and the costs be borne by the applicant.
41. Prior to commencement of construction, construct a Basic Right (BAR) Turn Treatment into the Kogan Creek Power Station site access. In addition, implement a Traffic Management Plan/Traffic Guidance Scheme approved by Council for the length of the construction period. The BAR will require an Operational Work Permit from Council.

Comment: The Traffic Management Plan/Traffic Guidance Scheme is in lieu of constructing a CHR(S) at the access.

ELECTRICITY AND TELECOMMUNICATIONS

42. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

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

EROSION AND SEDIMENT CONTROL - GENERAL

44. 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.

45. 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

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

- 46.1 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;
- 46.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
- 46.3 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.

47. 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:

- 47.1 uncontaminated overland stormwater flow; and
- 47.2 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.

REFERRAL AGENCY RESPONSES

- 1. The State Assessment and Referral Agency provided a Concurrence Agency response on 20 May 2025 which is attached.
- 2. Powerlink Queensland provided an Advice Agency response on 13 December 2024 which is attached.

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 .

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

NOTE 3 -General Environmental Duty

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

NOTE 4 - General Safety of Public During Construction

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

NOTE 5 - Property Note (Audit of Conditions)

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

NOTE 6 -Duty to Notify of Environmental Harm

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

CARRIED

13. EXECUTIVE SERVICES

13.1 Executive Services Report Preparation of Management Plans for Thomas Jack Park

The purpose of this report is to approve the land management plans which have been prepared for Lot 2 SP 294272 and Lot 3 on SP2934272, which form part of Thomas Jack Park. Thomas Jack Park consists of land predominantly held by the Council as trustee for specific community related purposes. The *Land Act 1994* requires that the use of trust land for any purpose that is inconsistent with the trust purpose requires the preparation of a management plan in relation to that use. The proposed development of the Dalby Cultural Centre involves use of parts of Thomas Jack Park for purposes which are arguably inconsistent with the purpose of the grant of trust.

This report:

1. outlines the statutory regime that applies to Council's actions;
2. identifies the nature and extent of the inconsistency; and
3. discusses the ways in which the draft management plans address the statutory and practical requirements.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That Council resolves that the draft management plans comprising Attachment One and Attachment Two to this report, prepared respectively in relation to Lot 2 RP294272 and Lot 3 RP 294272, are Council's approved management plans for taking inconsistent actions in respect of that land for the purposes of s52AB of the *Land Act 1994*.

CARRIED

13.2 Executive Services Report Outstanding Actions May 2025

The purpose of this report is to provide Council with an update on the status of outstanding Council Meeting Action Items.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. S. J. Condon

That Council resolves to receive the Outstanding Actions Report for June 2025.

CARRIED

13.3 Executive Services Chief Executive Officer Report May 2025

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Chief Executive Officer and Acting Chief Executive Officer during the month of May 2025.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Maguire

That this Report be received.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Report Additional Water Concession Due to a Concealed Leak – 2 Bell Street, Chinchilla

The purpose of this report is to consider a request for charges relief associated with a concealed leak. Council's *Water Meters Policy* provides for relief of up to twenty-five (25) per cent of the consumption charge actually levied and the request is for an amount greater than this percentage.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. S. J. Condon

That with regards to a request for charges relief associated with a concealed leak at 2 Bell Street, Chinchilla, Council resolves to grant further water charge relief of \$2,865.21 (in addition to the \$1,000.01 already granted), based on deemed average water consumption charges issued for this property of \$134.81 per half-year.

CARRIED (8 to 1)

14.2 Corporate Services Financial Report May 2025

The purpose of this report is to provide Council with the Financial Report for the period ending 31 May 2025, seek approval for amendments to the 2024-25 capital works programme and approve the inclusion of a new fee to the 2024-25 fees and charges register.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

That Council resolves to receive the May 2025 Financial Report and approve:

1. the proposed amendments to the 2024-25 Capital Works Programme as stated in attachment two;
2. the inclusion of one (1) new fee to the 2024-25 fees and charges register for a Bookable Experience Guided Tour Fee, to be effective from 19 June 2025; and
3. note the 2023-24 Carry Forward Programme update as listed in attachment three of this report.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Report Dalby Archibald Street Public Carpark Temporary Closure For Tower Maintenance

The purpose of this report is to seek Council's approval to temporarily close the Public Carpark off Archibald Street, Dalby to provide a clear zone for external planned maintenance work on the telecommunications tower.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this report be received.

CARRIED

15.2 Infrastructure Services 2024-25 Transport Infrastructure Capital Project Budget Variances

The purpose of this report is to inform council of budget variances in the works 2024-25 capital programme and seek Council approval for the cost variances greater than ten per cent.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. O. G. Moore

That this report be received.

CARRIED

15.3 Infrastructure Services Report May 2024/25 Capital Works Progress Update

The purpose of this Report is for the Works Department to provide an update to Council regarding the 2024/25 Capital Works Program for the month of May 2025.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. P. T. Saxelby

That this report be received.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Report Exception Inviting Written Quotes Tenders Maintenance Bunya Mountains Bike Trails

This report seeks a Council resolution to approve an exception from inviting written quotes or tenders in accordance with Section 235 (b) of *the Local Government Regulation 2012* for the maintenance of the Bunya Mountain bike trails. The exception is sought on the basis that there is only one supplier who is reasonably available to provide the required service.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That Council resolves to enter into a large-sized contractual arrangement with VFG Landscape Construction (ABN 91 244 868 266) for the continued maintenance of the Bunya Mountains bike trails, without first inviting written quotes or tenders, on the basis that the specialised nature of the required works renders it impractical or disadvantageous for Council to seek offers from other providers. This exemption is to remain in effect for a period of up to four years, expiring no later than 30 June 2029, at which time a further assessment and recommendation is to be brought before an Ordinary Meeting of Council.

FORESHADOWED MOTION

Cr. O. G. Moore foreshadowed that if the motion on the floor failed, he would move:

That Council resolve to invite written tenders for the maintenance of the Bunya Mountains Bike Trails for a period ending 30 June 2029.

The ORIGINAL MOTION was PUT and CARRIED (6 to 3)

16.2 Community and Liveability Report Proposed Queensland Country Tourism Agreement 2025 -2028

The purpose of this report is to seek Council approval of the proposed 3-year agreement between Western Downs Regional Council (WDRC) and Queensland Country Tourism (QCT).

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this Report be received, and Council approves the proposed new 3-year agreement between Queensland Country Tourism (QCT) and Western Downs Regional Council.

CARRIED

17. NOTICES OF MOTION

17.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

There were no notices of motion/business for consideration.

18. URGENT GENERAL BUSINESS

There was no urgent general business.

19. MEETING CLOSURE

The Meeting concluded at 11:49AM.