



Ordinary Meeting of Council Minutes

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:

D. Fletcher, Acting Chief Executive Officer
B. Bacon, General Manager (Corporate Services)
G. Cook, General Manager (Infrastructure Services)
T. Parsons, Acting General Manager (Community & Liveability)
B. Donald, Senior Executive Officer
A. Lewis, Executive Services Administration officer
B. Woodcock, Communications & Digital Marketing Officer

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Ron Evans from the Tara Community 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 requests for a congratulations to be extended to 14 year old Dalby Athlete, Amara Clemens, who competed at the Queensland Athletics Championships in March, coming first in the 400m and third in the 800m. These results have qualified Amara to compete at a National level. She also recently won the Qld Cotton Youths Under 18 Boys and Girls 75 yards, at the Arthur Postle Gift in Pittsworth

Cr. P. T. Saxelby requests for a congratulations to be extended to Kate Ellem. Kate has been chosen to represent Australia at the Asia Pacific Youth Touch Cup and has also been selected as the captain. It is living proof that country kids can do anything. Kate is back in Chinchilla working and is playing at the Chinchilla Comets Touch Club, giving back to the Club where it all began and inspiring the next generation.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 17 April 2025

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 17 April 2025.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. P. T. Saxelby

That this Report be received and that:

1.The Unconfirmed Minutes of the Ordinary Meeting of Council held on 17 April 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 April 2025

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

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

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. K. A. Bourne

That Council resolve to close the Meeting in accordance with Sections 254J (3) (g, e) of the *Local Government Regulation 2012* at 9:39AM to discuss the following Confidential Reports:

1. Lease Surrender & Proposed New Lease to Facilitate Hangar Sale - "Lease P" Dalby Aerodrome
2. Corporate Services Confidential Summary Report Quarterly Liability Update as at 31 March 2025

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. S. J. Condon

Seconded By Cr. K. A. Maguire

That Council resolve to reopen the Meeting at 9:47AM.

CARRIED

10.1 EXECUTIVE SERVICES

10.1.1 Lease Surrender & Proposed New Lease to Facilitate Hangar Sale - "Lease P" Dalby Aerodrome

The purpose of this report is to inform the Council about the Dalby Aero Club's decision to surrender their lease at the Dalby Aerodrome and sell the improvements on the land to South Burnett Air Services Pty Ltd. This report also requests that the Council consider entering into a lease with South Burnett Air Services Pty Ltd for the area known as Lease P at the Dalby Aerodrome, where the improvements are located.

COUNCIL RESOLUTION

Moved By Cr. S. Bougoure

Seconded By Cr. P. T. Saxelby

That Council receives this report and 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 Dalby Aero Clubs decision to surrender their lease and sell the improvements on the land to South Burnett Air Services Pty Ltd as permitted by the current Lease;*
3. *delegate authority to the Chief Executive Officer to sign all documents relating to the surrender of the lease;*

Council further resolves to:

1. *offer a lease for a term of twenty years to South Burnett Air Services Pty Ltd over Lease P for a market value rental value of \$8.00 per square metre totalling \$7912.00 per year (plus GST) and annual Consumer Price Indexation;*
2. *delegate authority to the Chief Executive Officer to negotiate any commercially appropriate terms and conditions associated with the lease with South Burnett Air Services Pty Ltd, and to sign all necessary documents to facilitate the execution and registration of the lease.*

CARRIED

10.2 CORPORATE SERVICES

10.2.1 Corporate Services Confidential Summary Report Quarterly Liability Update as at 31 March 2025

The purpose of this Report is to provide Council with a quarterly update on liability matters as at 31 March 2025.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolves to receive the *Corporate Services Confidential Summary Report Quarterly Liability Update, as at 31 March 2025.*

CARRIED

10.3 COMMUNITY AND LIVEABILITY

10.4 INFRASTRUCTURE SERVICES

11. DEPUTATION

12. PLANNING

12.1 (030.2024.17.001) Community and Liveability Report Development Application Material Change of Use High Impact Industry (Waste Processing Facility) 6216 Kogan-Condamine Road Condamine SCD Materials Pty Ltd C/- Epic Environmental Pty Ltd

The purpose of this Report is for Council to decide the proposed development for a Material Change of Use to establish a High Impact Industry (Waste Processing Facility) on land described as Lot 21 on RG447 and situated at 6216 Kogan-Condamine Road, Condamine.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That this Report be received and that:

1. The application for Material Change of Use to establish a High Impact Industry (Waste Processing Facility) be approved, subject to the following conditions:

APPROVED PLANS AND DOCUMENT

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

Plan/Document No., Reference	Title and Details	Dated
Figure 1, Rev 0	Site Location, prepared by Epic Environmental	12/01/2024
Figure 3, Rev 0	Site Layout, prepared by Epic Environmental	25/01/2025
J21195/R1V1	Draft Stormwater Management Plan, prepared by Allan & Dennis Pty Ltd	19 August 2022

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plans and Document, the conditions of this development approval must prevail.
3. The Approved Plans are to be amended in accordance with the conditions of this approval and as outlined below:
 - 3.1 Provide details of all proposed buildings and structures to be retained on-site for the life of the project. Building Floor Plans and Elevations must also be provided.

Note: Infrastructure charges will be levied for the gross floor area of all administration, control buildings, including storage sheds and site offices. Once detailed plans are provided, an Infrastructure Charges Notice will be issued.

- 3.2 Update the Site Plan to illustrate the location of all proposed buildings and structures on the property.
4. The following further Development Permits must be obtained prior to commencement of any work associated with the process:
 - 4.1 Building Works; and
 - 4.2 Plumbing Works.

APPROVED DEVELOPMENT

5. The approved development is a Material Change of Use for a High Impact Industry (Waste Processing Facility) as shown on the Approved Plans.
6. Material input into the Waste Processing Facility must not exceed 25,000 tonnes per annum.
7. The approved use does not include the permanent disposal of waste on the property.
8. A record of each year's intake must be kept on-site and made available for review at the request of Council's Planning and Environment Manager or authorised delegate, within 48 hours of such request.
9. The Operator must provide Council's Planning and Environment Manager or authorised delegate, with regular Quarterly Reports detailing the quantity of material processed at the site in the preceding 3 months.

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.

MAINTENANCE

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

VISUAL AND GENERAL AMENITY

15. Any graffiti on buildings or structures associated with the development must be immediately removed.
16. The buildings and the site must be maintained in a clean and tidy manner at all times.
17. 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

18. 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*.

OPERATING HOURS

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

19.1 Operating Hours:

Monday to Friday 7:00am to 5:00pm

19.2 Loading and unloading are to occur between the hours:

Monday to Friday: 7.00am to 5.00pm

Saturday, Sunday and Public Holidays: No loading or unloading is to occur

ACOUSTIC AMENITY - NOISE LIMITS

20. 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.
21. In the event that Council receives a bona fide noise complaint in relation to noise emissions produced from the High Impact Industry use, Council reserves the right to review the approved operating hours. In this instance, the applicant may be required

to undertake a Noise Impact Assessment and implement any recommendations in relation to noise attenuation.

AIR QUALITY AND AMENITY - AIR RELEASE LIMITS

22. 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.
23. In the event that Council receives a valid complaint in relation to odour emissions produced from the High Impact Industry use, the applicant may be required to undertake an Odour Impact Assessment and implement any recommendations in relation to odour attenuation.

REGIONAL INFRASTRUCTURE CORRIDOR - STOCK ROUTE

24. Any new access from the road servicing a Stock Route (Kogan-Condamine Road) must include a gate or grid to prevent stock entry to the premises.

WASTE MANAGEMENT

25. 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*.
26. 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*.

REHABILITATION MANAGEMENT PLAN

27. Submit to Council, a Rehabilitation Management Plan for endorsement by Council's Planning and Environment Manager or authorised delegate, outlining the works to be undertaken to rehabilitate the site at the time of decommissioning of the Waste Processing Facility operations.
28. The Plan is to include, but not be limited to the following:
 - 28.1 demonstrate that the site will be restored to a state acceptable to Council and any applicable external Agencies; and
 - 28.2 include an Action Plan, with timing for remedial work such as structure removal, removal of imported materials such as gravel, any soil erosion, drainage and vegetation cover work, along with weed and pest animal control activities required to meet the adopted rehabilitation performance criteria.

Timing: At or prior to 12 months ahead of cessation of the use.

29. The applicant shall be responsible, at no cost to Council, for rehabilitation of the site at the cessation of the use.
30. The applicant shall be responsible, at no cost to Council, for any clean-up resulting from spillage of waste material beyond approved storage and processing locations.

ENGINEERING WORKS

31. 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.
32. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, standards, relevant design guides, and Australian Standards.

33. 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

34. 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.
35. 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

36. Provide stormwater management generally in accordance with the Approved Document, Draft Stormwater Management Plan prepared by Allan & Dennis Pty Ltd, dated 19 August 2022, and updated to reflect the conditions of this approval.
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 stormwater nuisance on other properties.
38. 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.
39. 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

40. Provide an on-site potable water supply suitable to meet the requirements of the development.

ON-SITE WASTEWATER DISPOSAL

41. Connect the development to an on-site wastewater disposal system, in accordance with AS1547 and the *Queensland Plumbing and Waste Water Code*.
42. Obtain a Development Permit for Plumbing Works for the on-site wastewater treatment system.

PARKING AND ACCESS - GENERAL

43. Provide a minimum of four (4) car parking spaces for staff and visitors.
44. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

ELECTRICITY AND TELECOMMUNICATIONS

45. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

46. Earthworks per site involving cut or fill with a nett quantity of material greater than 50m³, requires an Operational Work application.
47. Undertake earthworks in accordance with the provisions of *AS3798 Guidelines on Earthworks for Commercial and Residential Developments*.

EROSION AND SEDIMENT CONTROL - GENERAL

48. 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.
49. 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.

REFERRAL AGENCY RESPONSE

1. The Department of State Development, Infrastructure and Planning provided a Concurrence Agency response on 14 April 2025 and is attached.

ADVISORY NOTES

NOTE 1 -Transport Route

The road transport haulage route that will be employed by the heavy transport vehicles during the transportation of waste materials from the premises at 168 Clarks Road, Baking Board to the subject site at 6216 Kogan-Condamine Road, Condamine, must be approved by Council as required by the current Enforcement Notice issued by Western Downs Regional Council dated 20 October 2021.

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 .

<http://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 work, 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 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 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.

CARRIED (6 to 3)

12.2 (030.2024.457.001) Community and Liveability Report Development Application for Material Change of Use for Function Facility, Short-term Accommodation and Food and Drink Outlet 86 Jimbour Station Road Jimbour East Logan Downs Pty Ltd t/a Russell Pastoral

The purpose of this Report is for Council to decide the development application for a Material Change of Use to establish a Function Facility, Short-term Accommodation and Food and Drink Outlet on Lot 1 on SP310946 and situated at 86 Jimbour Station Road, Jimbour East.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Maguire

That this Report be received and that:

1. The application for Material Change of Use to establish a Function Facility, Short-term Accommodation and Food and Drink Outlet on land described also Lot 1 on SP310946 and situated at 86 Jimbour Station Road, Jimbour East, be approved, subject to the following conditions:

APPROVED PLANS

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

Plan No., Rev	Title and Details	Dated
S023, Issue A	Staging Plan, prepared by JWA Mitchell Designs	4/4/25
S024, Issue A	House Precinct - Staging Plan, prepared by JWA Mitchell Designs	4/4/25
S031, Issue A	Existing Ground Floor Plan, prepared by JWA Mitchell Designs	25/6/24
S032, Issue A	Existing First Floor Plan, prepared by JWA Mitchell Designs	25/6/24

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. Prior to commencement of the use for Stage 2 of the approval, the Approved Plans are to be amended as outlined below:
 - 3.1 Provide additional floor plan and elevations of the guest accommodation establishing Stage 2 of the development, including the internal rooms layout and dimensions of the development.

Note: Infrastructure charges will be levied for the gross floor area for Stage 2 of the development. Once detailed plans are provided for Stage 2 of the development, an Infrastructure Charges Notice will be issued for Stage 2.

4. The following further Development Permits must be obtained prior to commencement of any work associated with the process:
 - 4.1 Building Works; and
 - 4.2 Plumbing Works.

APPROVED DEVELOPMENT

5. The approved development is a Material Change of Use to establish a Function Facility, Short-term Accommodation and Food and Drink Outlet as shown on the Approved Plans.
6. The development is to occur sequentially in the following Stages as shown on the Approved Plans:

Stage 1: Function Facility, Short-term Accommodation (Jimbour House) and Food and Drink Outlet

Stage 2: Short-term Accommodation (Stone House Building)
7. Conditions within this approval are applicable to each Stage of the development, unless otherwise specified.
8. The Stages are to occur in sequential order.

COMPLIANCE, TIMING AND COSTS

9. All conditions of the approval shall be complied with before the change occurs (prior to commencement of the use) and while the use continues, unless otherwise noted within these conditions.
10. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

FEES AND CHARGES

11. All fees, rates, interest and other charges levied on the property, shall be paid in full, in accordance with the rate at the time of payment.

MAINTENANCE

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

INFRASTRUCTURE CHARGES

13. All infrastructure charges including those associated with Council's Sewer, Water, Stormwater, Transport and Parks Networks are now levied under the *Planning Act 2016*. As required under Section 119 of the *Planning Act 2016*, an **Infrastructure Charges Notice** is attached to this approval, for each Stage of the development, subject to compliance with the conditions of approval.

LANDSCAPING

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

ACOUSTIC AMENITY - NOISE LIMITS

16. Noise from activity 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.

OUTDOOR LIGHTING IMPACT MITIGATION

17. 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*.

VISUAL AND GENERAL AMENITY

18. Any graffiti on the buildings or structures must be immediately removed.
19. The buildings and structures on the site must be maintained in a clean and tidy manner at all times.

WASTE MANAGEMENT

20. All waste generated from construction of the development 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*.

REFUSE STORAGE AREAS

22. 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.
23. 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.
24. 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.

ENGINEERING WORKS

25. 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.
26. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, standards, relevant design guides, and Australian Standards.
27. 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

28. 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.
29. 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.

WATER SUPPLY

30. Provide a suitable water supply to meet the needs of the development, including fire fighting. Monitor water quality in compliance with *Australian Drinking Water Guidelines - current edition 2011* and *enHealth Guidance of Use of Rainwater*.

ON-SITE WASTEWATER DISPOSAL

31. Connect the development to an on-site wastewater disposal system, in accordance with *AS1547* and the *Queensland Plumbing and Waste Water Code*.
32. If required, obtain a Development Permit for Plumbing Work for the on-site wastewater treatment system to accommodate the expected peak use period for the development.

PARKING AND ACCESS - GENERAL

33. Provide adequate on-site car parking to accommodate the requirements of the development.
34. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

ELECTRICITY AND TELECOMMUNICATIONS

35. Connect the development to electricity and telecommunication services.

ENVIRONMENTAL HEALTH

36. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
 - 36.1 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;
 - 36.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
 - 36.3 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.

37. 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:
 - 37.1 uncontaminated overland stormwater flow; and
 - 37.2 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

1. The Department of State Development, Infrastructure and Planning provided a Concurrence Agency response on 13 March 2025 and 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.

NOTE 7 -Infrastructure Charges Notice

An Infrastructure Charges Notice is attached for Stage 1 of the development. A further Infrastructure Charges Notice will be issued by Council once Condition 3 of the approval has been met.

NOTE 8 -Referral Agency Response

The State Assessment and Referral Agency has provided a Referral Agency response which is attached to this approval.

CARRIED

13. EXECUTIVE SERVICES

13.1 Executive Services Report - Road Closure Application - Dennis Street Dalby

The purpose of this report is to assist Council in their decision as to whether it will support the application to permanently close a portion of Dennis Street, Dalby (the Application) pursuant to Section 69 of the *Local Government Act 2009* (Qld) ("LGA")

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. M. J. James

That this report be received and that the Council resolves as follows:

1. That Council does not object to the road closure application dated 14 January, 2025.
2. That Council delegates authority to the CEO (or her lawful delegate) to execute a form LA30 - Statement confirming that the Council does not raise any objection to the proposed road closure and to lodge the application and LA30 with the Department of Natural Resources and Mines, Manufacturing, and Regional and Rural Development (DNRMMRR).

CARRIED

13.2 Executive Services Quarterly Report January to March 2025

The purpose of this Report is to provide Council with a summary of the Executive Services Division's strategic and operational activities for the third quarter of the 2024-2025 financial year.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. K. A. Maguire

That this report be received and noted.

CARRIED

13.3 Executive Services Chief Executive Officer Report April 2025

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 April 2025.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this Report be received.

CARRIED

13.4 Executive Services Report Outstanding Actions April 2025

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 17 April 2025.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That this Report be received.

CARRIED

The Chairperson adjourned the meeting at 10:34am.

The meeting resumed at 10:51am.

14. CORPORATE SERVICES

14.1 Corporate Services Report Proposed Sale of Land for Arrears of Rates 2025

The purpose of this Report is to seek Council's direction in relation to the proposed sale of land for arrears of rates.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. S. Bougoure

That Council resolves:

1. pursuant to Chapter 4, Part 12 Overdue Rates and Charges of the *Local Government Regulation 2012*, to sell the properties listed in Attachment One for overdue rates and charges; and
2. to delegate to the Chief Executive Officer its power to take all further steps under Chapter 4, Part 12, Division 3 of the *Local Government Regulation 2012* to effect sale of the land (including, the power to end sale procedures).

CARRIED

14.2 Corporate Services Procurement - Council Policy Reform

The purpose of this report is to adopt the *Procurement and Contracting Policy*, which is the culmination of a significant review and revision the *Procurement – Council Policy*. The recommended changes reflect a shift towards a more streamlined and focused policy document, with added emphasis on governance, roles and responsibilities, and specific procurement preferences and practices.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. G. M. Olm

That Council resolves to adopt the *Procurement and Contracting Policy*, as contained in Attachment Two.

CARRIED

14.3 Corporate Services Report Quarter Three 2024-25 Operational Plan and Enterprise Risk Management Review

The purpose of this report is to provide Council with the third quarter progress in achieving the actions outlined in the *2024-25 Operational Plan* and the status of the strategic risks which Council manages under the *Enterprise Risk Management Framework*.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolves to receive the *Quarter Three 2024-25 Operational Plan and Enterprise Risk Management Review*.

CARRIED

14.4 Corporate Services Quarterly Report January to March 2025

The purpose of this Report is to provide Council with a summary of the Corporate Services Division's strategic and operational activities for the third quarter of the 2024-2025 financial year.

COUNCIL RESOLUTION

Moved By Cr. S. Bougoure

Seconded By Cr. M. J. James

That Council resolves to receive the Corporate Services Quarterly Report for the period of January to March 2025.

CARRIED

14.5 Corporate Services Financial Report April 2025

The purpose of this report is to provide Council with the Financial Report for the period ending 30 April 2025 and to seek approval for amendments to the 2024-25 capital works programme.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. S. Bougoure

That Council resolves to receive the April 2025 Financial Report and:

1. approve capital expenditure budget being removed from 2024-25 of \$33,532 (exclusive of goods and services tax) as listed in section 3(a) of this report;
2. note the amendment to the 2024-25 capital works programme as listed in section 3(b) of this report, with additional expenditure budget of \$48,900 (exclusive of goods and services tax) being added to the programme; and
3. note the 2023-24 Carry Forward Programme update as listed in attachment two of this report.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Quarterly Report January to March 2025

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

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this report be received.

CARRIED

15.2 Infrastructure Services Report April 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 April 2025.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. K. A. Bourne

That this report be received and noted.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Quarterly Report Q3 January to March 2025

The purpose of this Report is to provide Council with an update in relation to the Community and Liveability Division's strategic and operational activities for the third quarter of the 2024/2025 Financial Year.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

That Council resolve to receive the Community and Liveability Quarterly Report for January to March 2025

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 11:27am.