

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



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:

**J. Taylor, Chief Executive Officer
B. Bacon, General Manager (Corporate Services)
G. K. 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
N. Collins, Communications & Marketing Manager
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

Grace Ireland, a representative 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

Cr S. J. Condon requests for congratulations to be extended to the Dalby Devils Junior Rugby League under 12's team for winning the Darren Lockyer shield from Roma last weekend. The Darren Lockyer shield is held every April in Roma for teams in Under 10's and 12's. Teams travel from a far for this well-run competition and is highly regarded amongst the league community. Dalby under 12's played 10 games across 3 days, coming away with 9 wins and 1 draw. Allowing only 2 tries to cross their line in 3 days. I would also like to pass on congratulations to the team captain Archie Percival who was named player of the carnival. This couldn't have happened without the coaching staff and volunteers who are guiding these young men and women.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 20 March 2025

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 20 March 2025.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. S. Bougoure

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 20 March 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

Cr. O. G. Moore requested to hold an information session regarding the Community Tenure Strategy to align the details of all community groups.

7. DECLARATIONS OF CONFLICTS OF INTEREST

Item 12.1 (035.2021.409.001) Community and Liveability Report Development Application for Reconfiguring a Lot (1 Lot into 7 Lots) Lot 266 on LY201 Slessar Street Chinchilla Hicks C/- PATS Consulting Pty Ltd

Cr. P. T. Saxelby

In accordance with Chapter 5B of the Local Government Act 2009, I would like to advise of a declarable conflict of interest in respect of agenda item 12.1 Community and Liveability Report, Development Application for Reconfiguring a Lot (1 Lot into 7 Lots) of Lot 266 on LY201 Slessar Street Chinchilla Hicks C/- PATS Consulting Pty Ltd, namely:

I am a close personal friend of the applicant.

Having given due consideration to my position I have determined that I will leave the meeting while the matter is discussed and voted upon.

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There were no petitions presented to Councillors

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report February 2025

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

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon
Seconded By Cr. G. M. 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. K. A. Bourne

That Council resolve to close the Meeting in accordance with Sections 254J (3) (g) of the *Local Government Regulation 2012* at 9:43AM to discuss the following Confidential Reports:

1. Executive Services Confidential Report - Request for New Surveyed Lease Area at Dalby Aerodrome
2. Community and Liveability Confidential Report Re Capital Budget Adjustment for Dalby Washdown Facility Project

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. S. J. Condon

That Council resolve to reopen the Meeting at 9:49AM.

CARRIED

10.1 EXECUTIVE SERVICES

10.1.1 Executive Services Confidential Report - Request for New Surveyed Lease Area at Dalby Aerodrome

The purpose of this report is to consider the request for a potential surveying of an additional lease area at the Dalby Aerodrome adjacent to "Lease B" for the storage of aircraft and a potential lease agreement with Dalby General Steel.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. S. Bougoure

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 approve surveying a new lease area adjacent to the south-west side of "Lease B" at dimensions of approximately 25m by 15m to facilitate the Lessee of "Lease B", Dalby General Steel, to expand storage, with Lessee to meet those costs.*
3. *to offer a ten-year lease to Dalby General Steel over the newly surveyed lease area for the market rental value of \$8.00 per square meter totalling \$3,000.00 per year (plus GST) and annual Consumer Price Indexation.*
4. *to delegate authority to the Chief Executive Officer to negotiate any commercially appropriate terms and conditions associated with the surveying of the proposed new lease area, and the lease agreement with Dalby General Steel, 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

10.3.1 Community and Liveability Confidential Report Re Capital Budget Adjustment for Dalby Washdown Facility Project

This report seeks Council's support for a capital budget adjustment of \$173,650.91 (excl. GST) to support the completion of the Dalby Washdown Facility upgrade. This adjustment responds to a number of contractor-related challenges that have emerged, requiring additional oversight and technical support to ensure the project is delivered to standard.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. S. Bougoure

Further, that Council:

Approve the proposed increase of \$173,650.91 (excl. GST) to the 2024–25 capital budget for the Dalby Washdown Facility.

CARRIED

10.4 INFRASTRUCTURE SERVICES

11. DEPUTATION

There were no deputations

12. PLANNING

12.1 (035.2021.409.001) Community and Liveability Report Development Application for Reconfiguring a Lot (1 Lot into 7 Lots) Lot 266 on LY201 Slessar Street Chinchilla Hicks C/- PATS Consulting Pty Ltd

The purpose of this Report is to decide the development application for Reconfiguring a Lot (1 lot into 7 lots) on land described as Lot 266 on LY201, Slessar Street, Chinchilla.

Cr. P. T. Saxelby

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

He is considered a close personal friend of the applicant.

Having given due consideration to his position he determined that he would leave the meeting while the matter was discussed and voted upon.

Cr P. T. Saxelby left the meeting at 9:54AM.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. G. M. Olm

That this Report be received and that:

1.The applicant be advised that the development application for Reconfiguring a Lot (1 lot into 7 lots) on land described as Lot 266 on LY201, located at Slessar Street, Chinchilla, be approved, subject to the following conditions:

APPROVED PLAN

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

Drawing No.	Title and Details	Dated
21124901, Issue P1	Proposed Lot Layout plan, prepared by Brandon & Associates as amended in red by Council on 28/03/2025	-

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.
3. Obtain the following further Permits prior to commencement of any work associated with the process:
 - 3.1 Road Corridor (Vehicle Crossovers); and
 - 3.2 Operational Work.

APPROVED DEVELOPMENT

4. The approved development is Reconfiguring a Lot (1 lot into 7 lots) as shown on the Approved Plan.

COMPLIANCE, TIMING AND COSTS

5. All conditions of the approval shall be complied with before Council's endorsement of the Plan of Survey (Form 18B) unless otherwise noted within these conditions.
6. All costs associated with compliance with these conditions shall be the responsibility of the developer.
7. The Plan of Survey (Form 18B) shall not be executed until a letter of compliance is received demonstrating the development's compliance with all conditions of this approval.

FEES AND CHARGES

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

INFRASTRUCTURE CHARGES

9. 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*, a separate **Infrastructure Charges Notice** is attached for the development.

MAINTENANCE

10. The development shall be maintained in accordance with the Approved Plan, subject to and modified by any conditions of this approval.

LOT NUMBERING

11. The numbering of all approved lots shall remain as indicated on the Approved Plan (unless otherwise amended/approved by Council).
12. The developer must make a request to Council for street numbering within 30 days of registration of the Survey Plan with the Titles Office.

LANDSCAPING

13. 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.
14. 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 FENCE

15. Prior to Council's endorsement of the Plan of Survey (Form 18B), the applicant is to provide an acoustic assessment for review and endorsement by Council's Planning and Environment Manager or authorised delegate, prepared by a qualified and experienced Acoustic Consultant regarding the erection of acoustic fencing along the western boundary of the subject land shared with Lot 1 on RP202873 (67 Slessar Street, Chinchilla) as illustrated by the Approved Plan.
16. The acoustic assessment must provide the following details:
 - 16.1 the nominated height in metres above ground level relative to the site;
 - 16.2 how the acoustic fence will be constructed of an aesthetically pleasing and weather-resistant material;

- 16.3 that the acoustic fence is continuous and gap free; and
- 16.4 the surface density of the acoustic fencing and the impact of the fencing on the likely acoustic impacts on the operation of the Ergon Energy Depot.
- 17. Prior to Council's endorsement of the Plan of Survey (Form 18B), the acoustic fencing is to be erected at the nominated height and located in accordance with the recommendations within the Approved Acoustic Assessment.
- 18. Acoustic fencing is to be installed by the developer at the developer's cost.
- 19. Fences must be maintained in a good state of repair and to ensure that privacy is maintained between the development and adjoining properties.

ENGINEERING WORKS

- 20. Submit to Council, an Operational Work application for all works that will become Council infrastructure.
- 21. Complete all works approved and works required by the conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan (Form 18B) unless stated otherwise.
- 22. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, relevant Australian Standards, Codes of Practice and relevant Design Manuals.
- 23. Be responsible for any alteration necessary, to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.

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

- 24. 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.
- 25. 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.

FLOOD HAZARD

- 26. The habitable floor level of future Dwellings on each proposed lot is to be elevated a minimum of 300mm above the defined flood level for the proposed lot.

STORMWATER MANAGEMENT

- 27. 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).
- 28. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

ON-SITE WASTEWATER DISPOSAL

- 29. Future Dwellings must be connected to an on-site wastewater disposal system, in accordance with AS1547 and the Queensland Plumbing and Waste Water Code.

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

WATER SUPPLY

30. Prior to Council's endorsement of the Survey Plan (Form 18B) for the development, connect proposed Lots 2 to 5 to Council's reticulated water network in accordance with Council standards.

VEHICLE ACCESS

31. The developer is to construct a crossover for each proposed lot with a minimum width of 3 metres in accordance with Council's Standard Drawing R-004, prior to Council's endorsement of the Survey Plan (Form 18B).
32. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit) or road infrastructure (eg street sign, street tree, etc).

Comment: Accesses for the development are required to be constructed prior to Council's endorsement of the Survey Plan (Form 18B). Accesses are encouraged to be located on the western and/or southern end of the frontage to encourage passive house design.

TELECOMMUNICATIONS

33. Design and provide telecommunications to all lots within the development in accordance with the *Australian Government Telecommunications in New Developments Policy*.

ELECTRICITY

34. Submit to Council, written confirmation from an electricity provider that a supply of electricity is available to all proposed lots, prior to Council's endorsement of the Survey Plan (Form 18B).

STREET LIGHTING

35. Prior to Council's endorsement of the Survey Plan (Form 18B) for the development, design and install street lighting along the frontage of Proposed Lots 2 to 7 along Rodger Street and Slessar Street and the intersection of Rodger Street and Slessar Street in accordance with *AS/NZS1158.3.1:2020* to a PR6 L33 standard. Submit to Council for endorsement, street lighting design plans showing the proposed public lighting system.
36. Enter into an agreement with an electricity supplier to provide a public lighting system in accordance with the lighting design plans as required by the previous condition. Submit to Council, written confirmation from an electricity provider that an agreement has been made to provide a public lighting system.

EROSION AND SEDIMENT CONTROL - GENERAL

37. 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.
38. Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

ENVIRONMENTAL HEALTH

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

- 39.1 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;
- 39.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
- 39.3 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 landscaping or areas disturbed during construction.

40. 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:

- 40.1 uncontaminated overland stormwater flow; and
- 40.2 uncontaminated stormwater to the stormwater system.

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

ADVISORY NOTES

NOTE 1 -Currency Period

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

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

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

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

NOTE 2 -Aboriginal Cultural Heritage

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

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

NOTE 3 -General Environmental Duty

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

NOTE 4 -General Safety of Public During Construction

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

NOTE 5 -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 6 -Infrastructure Charges

An Infrastructure Charges Notice is attached to this approval.

CARRIED

Cr P. T. Saxelby rejoined the meeting at 9:57AM.

12.2 (030.2024.562.001) Community and Liveability Report Development Application for Material Change of Use for Hardware and Trade Supplies on Lot 12 on SP342954 at 18 Inverai Road Chinchilla Jacksons Parts n Industrial Supplies C/- Sweb Consulting

The purpose of this Report is for Council to decide the proposed development for Material Change of Use for Hardware and Trade 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. K. A. Maguire

That this Report be received and that:

1. The application 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, 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./Revision	Drawing/Document Title and Details	Dated
SD-051, Rev F	Proposed Site Plan, prepared by WD Building Design	6-11-2024
SD-110, Rev F	Ground Floor Plan, prepared by WD Building Design	6-11-2024
SD-111, Rev F	Level 1 Floor Plan, prepared by WD Building Design	6-11-2024
SD-200, Rev F	Elevations, prepared by WD Building Design	6-11-2024
SD-201, Rev F	Elevations, prepared by WD Building Design	6-11-2024
R0002-24-25/014, Rev A	Stormwater Management Plan, prepared by McMurtrie Consulting Engineers	7/01/2025

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 following further permits must be obtained prior to commencement of any work associated with the process:
 - 3.1 Development Permit for Building Works;
 - 3.2 Compliance Permit for Plumbing Work; and
 - 3.3 Road Corridor Permit (Vehicle Crossovers).

APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use to establish a Hardware and Trade Supplies on the subject property in accordance with the Approved Plans and Document.

COMPLIANCE, TIMING AND COSTS

5. 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.

FEES AND CHARGES

6. 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

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

INFRASTRUCTURE CHARGES

8. 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.

OPERATING HOURS

9. Unless otherwise approved in writing by Council's Planning and Environment Manager or authorised delegate, the approved use must only operate between the following hours:

Monday to Saturday: 7:00am to 6:00pm

Sundays and Public Holidays: No operation

10. Unless otherwise approved in writing by Council's Planning and Environment Manager or authorised delegate, loading and unloading shall occur only between the hours of:

Monday to Saturday: 7:00am to 6:00pm

Sundays and Public Holidays: No deliveries to occur and no audible noise

FENCING

11. The developer is to install solid screen fencing with a minimum height of 1.8 metres above ground level along the side and rear boundaries of the property as illustrated on the Approved Plans.
12. Fencing material shall be compatible with that used within the locality and maintained in good repair.
13. Boundary fences are not to be erected in a parallel arrangement with existing fences erected along the same boundary. That is, the existing fence shall be completely removed.

LANDSCAPING

14. The developer must submit to Council's Planning and Environment Manager or authorised delegate for endorsement, an updated detailed Landscape Plan for all landscaping associated with the development, prior to commencement of the development.
15. The Landscaping Plan is to illustrate the following:
 - 15.1 a 1 metre wide landscaping strip along the frontage of the property to Inverai Road as illustrated by the Approved Plans;
 - 15.2 three street trees within the road reserve of Short Street as illustrated by the Approved Plans;
 - 15.3 the typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on-site;
 - 15.4 the number and size of plants; and
 - 15.5 the typical planting detail including preparation, backfill, staking and mulching.

Note: Please refer to Part 6 of Panning 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 Chinchilla.

16. Once the Landscaping Plan is endorsed by Council, the landscaping treatments illustrated on the Approved Landscape Plan are to be retained and maintained on the property. Any amendments approved by Council's authorised delegate are taken to be a part of the Approved Landscape Plan.
17. All approved landscaping treatments for the development are to be maintained on the property at all times.

NOISE EMISSIONS

18. 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 a commercial place.

OUTDOOR LIGHTING - IMPACT MITIGATION

19. 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

20. Any graffiti on the buildings must be immediately removed.
21. The buildings and the site must be maintained in a clean and tidy manner at all times.
22. All plant and air-conditioning equipment and the like must be visually screened from Short Street.

REFUSE STORAGE AREAS

23. 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.
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.

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*.

ENGINEERING WORKS

27. 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.
28. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, and relevant Australian Standards.

29. Be responsible for the full cost of any alterations necessary, to easements and/or other public utility installations in connection with the development.

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

30. 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.
31. Repair all damage incurred to Council and public utility services infrastructure and assets, as a result of the proposed development immediately should hazards exist for public health and safety or vehicular safety. Otherwise, repair all damage immediately upon completion of work associated with the development.

STORMWATER MANAGEMENT

32. Provide stormwater management generally in accordance with the Approved Stormwater Management Plan prepared by McMurtrie Consulting Engineers, dated 7 January 2025, subject to detailed design and except as altered by conditions of this development approval.
33. Design and construct stormwater drainage to ensure that the development will achieve "no worsening" as described in the Queensland Urban Drainage Manual (QUDM) to all downstream properties including road reserves and the like, for design storms up to ARI100.
34. 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.
35. Stormwater from sealed areas and overflow pipes from stormwater detention structures and/or tanks installed for the stormwater system is required to be piped to the kerb and channel.
36. Design and construct all internal stormwater drainage works to comply with the relevant Section/s of AS/NZS 3500.3.2.
37. 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.

LAWFUL POINT OF DISCHARGE

38. 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

39. Connect the development to Council's reticulated water supply system via a single connection.

ELECTRICITY AND TELECOMMUNICATIONS

40. Connect the development to electricity and telecommunication services.

SEWERAGE

41. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utilities Services Section.

42. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
43. Do not build works within 1.5 metres of the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
44. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
45. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
46. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.

PARKING AND ACCESS

47. Design all access driveways, aisles, and car parking spaces in accordance with *Australian Standard 2890.1 - Parking Facilities - Off Street Car Parking*.
48. Design and construct all driveway and parking areas to provide a concrete, asphalt or a two-coat bitumen seal.
49. Provide a minimum of 13 car parking spaces including a minimum of 1 person with disability (PWD) car parking space.
50. Provide a PWD car parking space designed and line marked in accordance with *AS2890.6 Off-Street Parking for People with Disabilities*.
51. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
52. 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

53. Provide loading bay facilities for a Medium Rigid Vehicle in the location generally shown on the Approved Plans.
54. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.
55. Install R2-4 Regulatory Signs (NO ENTRY) at each of the entry/exit points, erected 1 metre offset from the driveway and facing the opposite direction to the one-way flow, in accordance with the Manual for Uniform Traffic Control Devices (MUTCD).

VEHICLE ACCESS

56. Construct a commercial crossover between the property boundary and the edge of the Short Street and Inverai Road road pavement, with widths as shown on Approved Plan No. SD-051, Rev F, prepared by WD Building Design and dated 6 November 2024. Accesses shall be constructed in accordance with Council's Standard Drawing R-006. Ensure that crossover splay is designed to accommodate turning movements of a Medium Rigid Vehicle.
57. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit,

manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

ELECTRICITY AND TELECOMMUNICATIONS

58. Connect the development to electricity and telecommunication services.

EROSION AND SEDIMENT CONTROL - GENERAL

59. 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.
60. 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

61. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 61.1 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;
 - 61.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
 - 61.3 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.

62. 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:
- 62.1 uncontaminated overland stormwater flow; and
 - 62.2 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 RESPONSE

1. The Department of State Development, Infrastructure, Local Government and Planning provided a Concurrence Agency response on 23 October 2024 and is attached.

ADVISORY NOTES

NOTE 1 -Currency Period

*"To the extent a development approval is for a **Material Change of Use** of premises, the approval lapses if the first change of use under the approval does not start within the following period (the currency period) -*

*(a) **6 years** starting the day the approval takes effect;*

(b)if the approval states a different period from when the approval takes effect—the stated period."

NOTE 2 -Aboriginal Cultural Heritage

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

NOTE 3 -General Environmental Duty

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

NOTE 4 -General Safety of Public during Construction

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

NOTE 5 -Property Note (Audit of Conditions)

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

NOTE 6 -Works in Road Reserve Permit

It is advised that a Works in Road Reserve Permit (including a fee for the vehicle crossover and compliant with Western Downs Regional Council's Development Manual) may be accepted in place of the application for a Development Permit for Operational Work (access works).

NOTE 7 -Infrastructure Charges Notice

An Infrastructure Charges Notice is attached.

NOTE 8 -Referral Agency Response

The Department of State Development, Infrastructure, Local Government and Planning provided a Referral Agency response as Concurrence Agency for the application.

NOTE 9 -Duty to Notify of Environmental Harm

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

NOTE 10 -Commencement of Use

(i)Prior to commencement of this use, the applicant is to request a Compliance Inspection be undertaken by Council to confirm that all conditions of this Development Permit are considered compliant.

(ii) Upon receipt of confirmation from Council that all conditions of this Development Permit are considered compliant, the applicant is to notify Council **within 20 business days**, that this approved use has lawfully commenced.

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

"Chapter 6 Dispute Resolution

Part 1 Appeal Rights

229 Appeals to Tribunal or P&E Court

(1) Schedule 1 states -

(a) matters that may be appealed to -

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

(ii) only a tribunal; or

(iii) only the P&E Court; and

(b) the person -

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

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

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

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

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

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

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

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

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

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

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

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

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

CARRIED

**12.3 (030.2024.779.001) Community and Liveability Report Development
Application for Material Change of Use for a Tourist Park on Lots 7-10 on
RP75401 and Lot 2 on RP186292 Myall Street Dalby Campervan &
Motorhome Club of Australia Ltd**

The purpose of this Report is for Council to decide the application for a Material Change of Use for a Tourist Park on land described as Lots 7 to 10 on RP75401 and Lot 2 on RP186292, located at Myall Street, Dalby.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. S. J. Condon

That this Report be received and that:

1. The application for a Material Change of Use for a Tourist Park on land described as Lots 7 to 10 on RP7540 and Lot 2 on RP186292, located at Myall Street, Dalby, be approved, subject to the following conditions:

APPROVED PLAN

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

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

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.
3. Obtain the following further Permits prior to commencement of any work associated with the process:
 - 3.1 Building Work;
 - 3.2 Operational Work (Earthworks);
 - 3.3 Road Corridor (Vehicle Crossover); and
 - 3.4 Plumbing Works.

APPROVED DEVELOPMENT

4. The approved development is for a Material Change of Use for a Tourist Park (40 Recreational Vehicle Sites including Manager's Site) as shown on the Approved Plan.

OPERATING HOURS

5. Unless otherwise approved in writing by Council, check-in and check-out hours are limited to between 7:00am and 6:00pm, 7 days a week.

LAND USE

6. The development use is limited to part of the subject land outlined in the signed agreement for lease with Council.

7. Site use is limited to self-contained Recreational Vehicles (RVs) with inbuilt amenities only.
8. No tents or camping are permitted on the site.

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.

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.

INFRASTRUCTURE CHARGES

12. 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*, a separate **Infrastructure Charges Notice** is attached for each stage of the development.

RISK MANAGEMENT PLAN

13. Prior to commencement of the use, submit a Flood Risk Management Plan for review and endorsement by Council's Planning and Environment Manager or an authorised delegated, prepared and signed by a Registered Professional Engineer Queensland (RPEQ) including, but not limited to the following matters:
 - 13.1 flood free emergency access to the development site;
 - 13.2 flood warning triggers;
 - 12.3 evacuation and safety procedures;
 - 13.4 emergency services' contact numbers;
 - 13.5 electrical services protection;
 - 13.6 property protection; and
 - 13.7 signage.
14. Ensure a copy of the Council Approved Flood Risk Management Plan is available on-site to customers, staff and Council at all times.
15. Implement recommendations of the approved, Risk Management Plan for the period of the use.

SITE MANAGEMENT PLAN

16. Prior to commencement of the use, prepare and submit a Site Management Plan (SMP) for endorsement by Council's Planning and Environment Manager or authorised delegate, that outlines how the operator will manage the operational aspects for the development. The SMP must include the following aspects:
 - 16.1 code of conduct for guests;

- 16.2 a dedicated contact person (including name and contact details); the contact person must be available 24 hours a day, 7 days a week, be responsible for the premises and be available to address complaints;
- 16. 3a complaints management process;
- 16.4 hours of operation, including hours of operation for check-in and RV generator usage;
- 16.6 noise management procedures;
- 16.7 site care and maintenance including clean-up of flood debris;
- 16.8 refuse management; and
- 16.9 security and access.
- 17. Once endorsed by Council, the measures and procedures outlined in the approved SMP are to be implemented by the developer at all times.

MAINTENANCE

- 18. 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.

FENCING

- 19. The applicant is to install a 1.8 metre high screen fence along the shared boundaries of the subject land with Lot 3 on RP2072 (Bagot Street), Lot 1 on RP186292 (10 Amos Street, Dalby) and Lot 6 on RP75401 (1A Myall Street, Dalby) as illustrated on the Approved Site Plan prior to commencement of the use. The installed screen fence shall provide appropriate gaps underneath the fence line to allow for the conveyance of flood water.
- 20. Existing boundary fencing is to maintained in good state of repair.
- 21. Boundary fences are not to be erected in a parallel arrangement with existing fences erected along the same boundary. That is, the existing fence shall be completely removed.
- 22. Other than area used for vehicle access to Myall Street, the applicant is to install suitable fencing around the boundaries of the remaining approved lease area for security of occupants and to delineate the tourist park use area from the remaining park land.
- 23. Proposed boundary fencing is to consider flood conveyance of the property and is not to obstruct overland flow of flood water.

VISUAL AND GENERAL AMENITY

- 24. The buildings and the site must be maintained in. a clean and tidy manner at all times.

LANDSCAPING

- 25. The developer must submit to Council's Planning and Environment Manager or authorised delegate for endorsement, a detailed Landscaping Plan for all landscaping associated with the development. The Detailed Landscaping Plans shall be prepared by a suitably qualified and experienced Landscape Architect, Horticulturalist, or other person experienced in landscape design and construction.

26. The Landscape Plan must detail:
 - 26.1 a landscaping strip 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 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;
 - 26.3 the typical species to be planted, consisting mainly of drought-tolerant native species suitable to their individual location on-site;
 - 26.4 the number and size of plants to be planted; and
 - 26.5 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.
27. Once the Landscape Plan has been endorsed by Council's Planning and Environment Manager or authorised delegate, the developer must prepare and landscape the property in accordance with the Approved Landscape Plan, or as otherwise approved in writing by Council's authorised delegate. Any amendments approved by Council's authorised delegate are taken to be a part of the Approved Landscape Plan.
28. All approved landscaping treatments for the development are to be maintained on the property at all times.
29. 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.
30. 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

31. 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.
32. Generators associated with individual Recreational Vehicles are only permitted to be used between the hours of 7:00am and 6:00pm.
33. In the event that Council receives a bona fide noise complaint in relation to noise emissions produced from the site, 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.

REFUSE STORAGE AREAS

34. 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.

35. 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. The bins are to be secured to prevent access from pests and animals to bin areas throughout the subject land.
36. 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.

WASTE MANAGEMENT

37. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Waste Reduction and Recycling Act 2011*.
38. 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*.

OUTDOOR LIGHTING - IMPACT MITIGATION

39. 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*.
40. Installation of outdoor lighting that:
 - 40.1 provides graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the centre of the subject land;
 - 40.2 is directed onto the subject land and away from neighbouring properties; and
 - 40.3 uses shrouding devices to preclude light overspill onto surrounding properties where necessary.

OUTDOOR LIGHTING FOR SAFETY AND SECURITY

41. Outdoor security lighting must ensure safety of users of the development by:
 - 41.1 providing outdoor lighting in accordance with *Australian Standard 1158.3.1 – Road Lighting – Pedestrian Area (Category P) Lighting – Performance and Installation Design Requirements*; and
 - 41.2 the use of vandal-resistant lighting in public or publicly accessible areas.
42. Lighting must be provided to the following areas of the site:
 - 42.1 the pathways between the parking areas and the entrances/exits of the building/s; and
 - 42.2 throughout RV parking areas.

ENGINEERING WORKS

43. Submit to Council, an Operational Work application for all civil works including earthworks, internal road and stormwater.
44. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, standards, relevant design guidelines, and Australian Standards.
45. 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

46. 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.
47. 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

48. 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 and the like for design storms up to ARI100.
49. 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.
50. 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.
51. 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).

PARKING

52. Provide a maximum of 40 RV parking spaces including the Caretaker's site as shown on the Approved Plan.
53. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.

INTERNAL ROADWAY AND MANOEUVRING - GENERAL

54. Design and construct all internal roadway and manoeuvring areas to provide a dust suppressive gravel.
55. Maintain dust suppression treatment to all internal roadways and vehicle manoeuvring areas, ensuring not to have an adverse impact on adjoining properties.
56. Provide directional signage to indicate proposed one-way and two-way internal roads.
57. In the event that Council receives a bona fide complaint in relation to dust emissions produced from the site, Council reserves the right to require the applicant to provide either concrete, asphalt, or bitumen seal to all vehicle manoeuvring areas.

VEHICLE ACCESS

58. Construct a commercial crossover between the property boundary and the edge of the Myall Street road pavement, having a minimum width of 6 metres, generally in accordance with Council's Standard Drawing R-006. This includes any required

culverts across the existing swale drain, which shall be reinforced concrete bulk culverts unless approved by Council.

59. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

WATER SUPPLY

60. Connect the development to Council's reticulated water supply system via a single connection.

SEWERAGE

61. Connect the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
62. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
63. Do not build works within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
64. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
65. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site is provided for future maintenance/upgrade purposes.
66. The above minimum clearances to Council's sewer infrastructure do not preclude the need for works to proposed structures to prevent loading to the sewer system.
67. Install a "Dump Point" that connects via gravity to Council's sewer network. The "Dump Point" shall be located away from nearby residences to avoid odour nuisance. The Dump Point shall automatically seal in the event of flooding on the site. The Dump Point shall be approved by Council prior to installation.

ELECTRICITY

68. Connect the development to electricity and telecommunication services.

SITE LEVELS

69. There shall be no change to finished ground levels, including but not limited to the access and internal roadways unless otherwise approved by Council through a related Operational Work approval.

EROSION AND SEDIMENT CONTROL - GENERAL

70. 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.
71. Remove and clean-up the sediment or other pollutants in the event that sediment or other pollutants are tracked or released onto adjoining streets or stormwater systems, at no cost to Council.

ENVIRONMENTAL HEALTH

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

- 72.1 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;
- 72.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
- 72.3 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 landscaping or areas disturbed during construction.

73. 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:

- 73.1 uncontaminated overland stormwater flow; and
- 73.2 uncontaminated stormwater to the stormwater system.

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

ADVISORY NOTES

NOTE 1 - Flood Hazard

The proposed development is located on land subject to Extreme Flood Hazard Areas. Any building work not raised above the Defined Flood Level may be subject to inundation.

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.

NOTE 4 -General Environmental Duty

General environmental duty under the *Environmental Protection Act 1994* prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes,

light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.

NOTE 5 -General Safety of Public During Construction

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

NOTE 6 -Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken 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.

NOTE 8 - Infrastructure Charges

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

CARRIED

13. EXECUTIVE SERVICES

13.1 Executive Services Chief Executive Officer Report March 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 March 2025.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore
Seconded By Cr. G. M. Olm

That this Report be received.

CARRIED

13.2 Executive Services Report Outstanding Actions March 2025

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 20 March 2025.

COUNCIL RESOLUTION

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

That this Report be received.

CARRIED

The Chairperson adjourned the meeting at 10:29AM.

The meeting resumed at 10:47AM.

14. CORPORATE SERVICES

14.1 Corporate Services Financial Report March 2025

The purpose of this report is to provide Council with the Financial Report for the period ending 31 March 2025 and to seek approval for amendments to the 2024-25 capital works programme.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

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

1. note the amendment to the 2024-25 capital works programme as listed in section 3(a) of this report, with additional expenditure budget of \$19,520 (exclusive of goods and services tax) being added to the programme;
2. approve capital expenditure budget being moved from 2025-26 to 2024-25 of \$297,718 (exclusive of goods and services tax) as listed in section 3(b) of this report; 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 Report Tender Evaluation RFT000050 DWSUP Evaporation Ponds

The purpose of this Report is to provide Council with an assessment of the tenders received for RFT000050 DWSUP Evaporation Ponds and to make a recommendation for the award of contract.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. O. G. Moore

That this Report be received and that Council:

1. Accept the tender from Civil Mining & Construction Pty Ltd ABN 18 102 557 175 received under Request for Tender 000050 DWSUP Evaporation Ponds for a final contract sum of \$15,774,073.04; and
2. Provision is made during 2025/26 budget deliberations to permit completion of the project; and
3. Delegate to the Chief Executive Officer power to make, amend or discharge a contract to deliver the tender from Civil Mining & Construction Pty Ltd ABN 18 102 557 175

CARRIED

15.2 Infrastructure Services Works April 24/25 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 March 2025

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. K. A. Maguire

That this report be received and noted.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Report SES Local Controller Honorary Payment

To seek Council's consideration and approval for an increase to the annual honorary payment provided to the SES Regional Local Controller, recognising the leadership, time commitment, and operational responsibility attached to this voluntary role.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That Council resolve to:

1. Increase the annual honorary payment for the State Emergency Service Regional Local Controller from \$5,000 to \$20,000.
2. Retain existing honorary payments for the State Emergency Service Deputy Local Controller (\$2,000) and Local Group Leaders (\$1,000).
3. Endorse the development of a performance and reporting agreement between Western Downs Regional Council and the State Emergency Service Regional Local Controller to support accountability, transparency, and performance evaluation.

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 10:58AM.