

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 18 January 2024

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 18 January 2024

COUNCIL RESOLUTION

Moved By Cr. I. J. Rasmussen

Seconded By Cr. K. A. Maguire

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 18 January 2024, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED



Ordinary Meeting of Council Minutes

Date: Thursday, 18 January 2024
Time: 9:30am
Location: WDRC - Chinchilla Cultural Centre

Councillors:

- Cr. P. M. McVeigh (Chairperson)
- Cr. A. N. Smith
- Cr. K. A. Bourne
- Cr. P. T. Saxelby
- Cr. K. A. Maguire
- Cr. M. J. James
- Cr. O. G. Moore
- Cr. C. T. Tillman

Officers:

- B. Bacon, Acting Chief Executive Officer
- T. Skillington, Acting General Manager (Corporate Services Services)
- G. Cook, General Manager (Infrastructure Services)
- D. Fletcher, General Manager (Community & Liveability)
- B. Donald, Senior Executive Officer
- A. Lyell, Executive Services Administration Officer
- E. Kendall, Communication and Marketing Manager

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Paster Sam Herd from the Chinchilla Presbyterian Church, delivered the opening prayer. This was followed by the observance of a minute silence.

3. APOLOGIES

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. O. G. Moore

That Council accept the apology for non-attendance from Cr. I. J. Rasmussen.

CARRIED

4. CONGRATULATIONS

Cr. P. T. Saxelby requested that congratulations be extended to Grace Radke who played for Queensland U16 Girls Softball Team that were undefeated at the Australian National Softball Competition.

Cr. K. A. Maguire requested that congratulations be extended to Bell Races Committee for a very successful Centenary Race Club meeting.

Cr. K. A. Maguire requested that congratulations be extended to Julie Mutch and Charmaine Nixon playing for Queensland in the Seniors Tennis Team.

Cr A. N. Smith requested that congratulations be extended to Tahlia Morgan for being invited to train with the New South Wales Waratahs Super W Women's Squad.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 6 December 2023

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

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this Report be received and that:

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

CARRIED

6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

There was no business arising from the previous minutes.

7. DECLARATIONS OF CONFLICTS OF INTEREST

10.1.1 - Executive Services Confidential Report - Lot 1 SP173901 Dalby-Apunyal Road DALBY

Cr. P. M. McVeigh

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

1. Due to Arrow Energy operating on his family properties.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.

Cr. M. J. James

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

1. Her parents and brother owning property in the Arrow Surat Gas Project footprint.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

14.1 - Corporate Services Report Proposed Transfer of Council's Community Housing Portfolio to a Registered Community Housing Organisation

Cr. K. A. Maguire

In accordance with Chapter 5B of the *Local Government Act 2009*, Cr. K. A. Maguire informed the meeting of a prescribed conflict of interest in respect to this matter due to:

1. She is on the Board of the Waminda Disability Service.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There was no presentations of petitions by councillors.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report December 2023

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

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. C. T. Tillman

That this Report be received and noted.

CARRIED

10. CONFIDENTIAL ITEMS

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

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

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

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

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

(b) industrial matters affecting employees;

(c) the local government's budget;

(d) rating concessions;

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

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

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

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

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

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

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

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

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

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

COUNCIL RESOLUTION - CLOSE MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolve to close the Meeting in accordance with Sections 254J (e,g) of the *Local Government Regulation 2012* at 9:47am to discuss the following Confidential Reports:

1. Executive Services Confidential Report - Lot 1 SP173901 Dalby-Apunyal Road DALBY
2. Executive Services Confidential Report - Winfields Road Landfill Cell 1B Project Update
3. Corporate Services Confidential Summary Report Quarterly Liability Update as at 31 December 2023

CARRIED

Cr. P. M. McVeigh, Cr. M. J. James, and General Manager G Cook left the meeting during the discussion at 9.48am.

Cr. A. N. Smith assumed The Chair.

Cr. P. M. McVeigh, Cr. M. J. James, and General Manager G Cook rejoined the meeting at 9.57am.

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That Council resolve to reopen the Meeting at 10.00am.

CARRIED

10.1 EXECUTIVE SERVICES

10.1.1 Executive Services Confidential Report - Lot 1 SP173901 Dalby-Apunyal Road DALBY

The purpose of this Report is to seek Council approval to negotiate the purchase of Lot 1 SP173901 at Dalby-Apunyal Road, Dalby.

Cr. P. M. McVeigh

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

- a) Due to Arrow Energy operating on his family properties.

Having given due consideration to his position he determined that he would leave the meeting while the matter is considered and voted on.

Cr. M. J. James

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

- a) Her parents and brother owning property in the Arrow Surat Gas Project footprint.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

Cr. P. M. McVeigh, Cr. M. J. James, and General Manager G Cook left the meeting during the vote at 10.00am.

Cr. A. N. Smith assumed The Chair.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. C. T. Tillman

That Council resolves to:

1. purchase Lot 1 on SP173901 at Dalby-Apunyal Road, Dalby ("Land"), for the purchase price as determined by the Herron Todd White Valuation Report dated 12 December 2023; and
2. Delegate authority to the Chief Executive Officer to negotiate, finalise, and execute all documents necessary for the purchase of the Land.

CARRIED (5 to 1)

Cr. P. M. McVeigh, Cr. M. J. James, and General Manager G Cook rejoined the meeting at 10.06am.

10.1.2 Executive Services Confidential Report - Winfields Road Landfill Cell 1B Project Update

The purpose of this report is to provide an update on the Winfield Road Landfill Cell1B Project and approval of budget increase.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That Council resolves to approve an increase in budget allocation for the Winfields Road Cell 1b project to the total project budget allocation of \$2,298,293.24 (including goods and services tax).

CARRIED

10.2 CORPORATE SERVICES

10.2.1 Corporate Services Confidential Summary Report Quarterly Liability Update as at 31 December 2023

The purpose of this Report is to provide Council with a quarterly update on liability matters as at 31 December 2023.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. A. N. Smith

That Council resolves to receive the *Corporate Services Confidential Summary Report Quarterly Liability Update, as at 31 December 2023.*

CARRIED

10.3 COMMUNITY AND LIVEABILITY

10.4 INFRASTRUCTURE SERVICES

11. DEPUTATION

There were no deputations.

12. PLANNING

12.1 (035.2023.420.001) Community and Liveability Report Development Application Reconfiguring a Lot (Boundary Realignment) of Lot 62 on LY134 and Lot 76 on LY1031 168 Clark's Road and Clark's Road Baking Board Stella Investments (QLD) Pty Ltd C/- Danya Cook T

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (Boundary Realignment) of land described as Lot 62 on LY134 and Lot 76 on LY1031 and situated at 168 Clark's Road and Clark's Road, Baking Board.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The application for Reconfiguring a Lot (Boundary Realignment) on land described as Lot 62 on LY134 and Lot 76 on LY1031 and situated at 168 Clark's Road and Clark's Road, Baking Board 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.	Title and Details	Dated
Job No. 2023-60	Plan of Development, prepared by Danya Cook Town Planning	25/07/2023
Job No. 2023-60	Plan of Development (Aerial Image), prepared by Danya Cook Town Planning	25/07/2023

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.

APPROVED DEVELOPMENT

3. The approved development is Reconfiguring a Lot (Boundary Realignment) as shown on the Approved Plans.

COMPLIANCE, TIMING AND COSTS

4. 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.
5. All costs associated with the compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

6. 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

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

LOT/STREET NUMBERING

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

LANDSCAPING – MISCELLANEOUS

9. 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.
10. Apart from declared weeds and pests, trees, shrubs and landscaped areas currently existing on the subject land shall be retained where possible, and action taken to minimise disturbance during construction work.

ENGINEERING WORKS

11. Complete all works approved and works required by conditions of this development approval at no cost to Council, prior to Council's endorsement of the Survey Plan Form 18B unless stated otherwise.
12. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings, relevant Australian Standards, Codes of Practice, EDROC Regional Standards Manual and relevant Design Manuals.
13. 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.

STORMWATER MANAGEMENT

14. Provide overland flow paths that do not alter the characteristics of existing overland flows or create an increase in flood damage on other properties.
15. Ensure that adjoining properties and roadways are protected from ponding as a result of any site works undertaken.

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

16. 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.

17. 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.

SERVICES

18. Ensure that all services provided to the existing Dwelling on Proposed Lot 76 are wholly located within the lot it serves.

VEHICLE ACCESS

19. Ensure the existing vehicular property access to proposed Lot 62 and Lot 76 are maintained in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.
20. The existing access to the Dwelling which is located on Lot 62 on LY134 (to be contained within proposed Lot 76) from Warrego Highway via adjoining Lot 63 on LY134 shall be formalised by an Access Easement.

Note: The creation of an Access Easement will require a separate Reconfiguring a Lot approval from Council.

OR

Access to the existing Dwelling on proposed Lot 76 shall be wholly contained within the allotment and via Clark's Road. Ensure the vehicular property access to proposed Lot 76 is provided in accordance with Council's Planning Scheme and the latest revision of Council's Standard Drawing R-004.

EROSION AND SEDIMENT CONTROL - GENERAL

21. 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.
22. 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.

ADVISORY NOTES

NOTE 1 - Flood Hazard

Proposed Lot 62 is located within the Low, Medium, High and Extreme Flood Hazard Areas on the Flood Hazard Overlay Map in the Western Downs Planning Scheme 2017 incorporating Amendment 1. Where the floor level is not elevated above the defined flood level, the proposed development may be subject to inundation during a flood event.

NOTE 2 - Currency Period

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

- (a) *for any part of the development approval relating to **reconfiguring a lot** - if a plan for the reconfiguration that, under the Land Title Act, is required to be given to the local government within -*

(i) the period stated for that part of the approval; or
(ii) if no period is stated - 4 years after the approval starts to have effect."

NOTE 3 - Aboriginal Cultural Heritage

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

NOTE 4 - General Environmental Duty

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

NOTE 5 - General Safety of Public During Construction

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

NOTE 6 - Property Note (Audit of Conditions)

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

FORESHADOWED MOTION

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

The application for Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) on land described as Lot 62 on LY134 and Lot 76 on LY1031, located at 168 Clark's Road and Clark's Road, Baking Board, be refused, for the following reasons:

- a) The development conflicts with Strategic Element 3.5.3 (Agriculture) and Strategic Element (Rural Land Use and Development) of the Strategic Plan as the development will not protect rural land that is identified as Class A Agricultural Land from further fragmentation and alienation.
- b) The development conflict with Overall Outcome 2 of the Rural Zone Code, as it will result in the fragmentation and alienation of land within the Rural Zone.
- c) The development is inconsistent with Overall Outcome 1 of the Reconfiguring a Lot Code, as the development is inconsistent with the Overall Outcomes in the Rural Zone Code.
- d) The development does not comply with Overall Outcome 2(b) of the Reconfiguring a Lot Code, as the development results in rural lots of a size or configuration that are not viable for productive rural activities.
- e) The development does not comply with Overall Outcome 2(f) of the Reconfiguring a Lot Code as the development results in the fragmentation of ALC Class A Land and creates uneconomical rural lot sizes.
- f) The development is inconsistent with Acceptable Outcomes 1.1 and 1.3 of the Reconfiguring a Lot Code, as the development will result in lots that are significantly smaller than the minimum lot size for the Rural Zone and a lot that does not comply with the minimum frontage requirements in the Rural Zone.
- g) The proposed development does not satisfy Performance Outcome 14 of the Reconfiguring a Lot Code, as the applicant has not justified that the development meets a demonstrated planning need for the further fragmentation of an already undersized rural lot within the Rural Zone.
- h) The development does not comply with Overall Outcome 2(d) of the Natural Resources Overlay Code, as the development will result in the further fragmentation of ALC Class A Land and does not demonstrate that an overriding need exists for the development in terms of a public benefit.
 - i. The development results in lots that are inconsistent with the minimum lot size of 500ha for Class A Agricultural Land within the Rural Zone and does not comply with Acceptable Outcome 6.2 of the Natural Resources Overlay Code.
 - ii. The development could not be conditioned to comply with the relevant Codes of the Western Downs Planning Scheme 2017 incorporating Amendment 1, as the proposed design and lot layout of the development are inconsistent with the Overall and Performance Outcomes of the relevant Codes.

The **ORIGINAL MOTION** Was **PUT** and **CARRIED (6 to 2)**

12.2 (050.2023.373.001) Community and Liveability Report Development Application Other Change to Existing Material Change of Use Approval for Undefined Use (Micro Brewery) and Extension to Tourist Park) Lot 3 on SP227690 1 Braithwaite Street Chinchilla JFW Ent

The purpose of this Report is for Council to decide an Other Change Application for an existing Development Approval for a Material Change of Use to establish an Undefined Use (Micro Brewery) and Extension to Tourist Park (10 Cabins) on land described as Lot 3 on SP227690, located at 1 Braithwaite Street, Chinchilla.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. O. G. Moore

That this Report be received and that:

1. The Other Change Application seeking to change the existing Material Change of Use approval for an Undefined Use (Micro Brewery) and Extension to Tourist Park (10 Cabins) on land described as Lot 3 **on SP227690 and situated at 1 Braithwaite Street, Chinchilla**, be approved, subject to the following amendments to the conditions of approval:
 - (a) Condition 1 is amended as follows:

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: 6/9

Description: Charley's Creek Net Zero Brewery, Elevations, dated 15/11/22

Plan No: 7/9

Description: Charley's Creek Net Zero Brewery, Isometric Plan, dated 15/11/22

Plan No: 8/9

Description: Charley's Creek Net Zero Brewery, Sections, dated 15/11/22

Plan No: 9/9

Description: Charley's Creek Net Zero Brewery, Isometric Plan, dated 15/11/22

Plan No: AES-01, Sheet 2 of 2

Description: Floor Plans & Elevations, prepared by O'Donohue Hanna & Associates Pty Ltd, dated 31st August 2021 and as amended in red by Council on 20/12/2022

Plan No: -

Description: Development - Site Plan - Approved / Amended, prepared by the applicant, dated 15/11/22 and as amended in red by Council on 19 July 2023

Plan No: DA-0A, Issue A

Description: Brewery Site Plan, prepared by Rohan Little Design & Development Consultant, dated 17/07/2023

~~1.1 Submit to Council for review and endorsement, a final Site Plan. The revised Site Plan shall be generally in accordance with the suite of drawings provided to Council with the Change Application. The revised Site Plan shall be in accordance with the conditions of approval and demonstrate compliance with Condition 58 which requires the provision of 40 on-site car parking spaces for customers and guests.~~

(b) Condition 13 is amended as follows:

HOURS OF OPERATION – STAGES 1 AND 2

13. Unless otherwise approved in writing by Council, the Micro Brewery, Food Outlet (Tourist Tasting Facility) and associated activities must only operate during the following hours:

~~Monday to Thursday: 12:00pm to 7:00pm~~

~~Friday: 12:00pm to 7:00pm~~

~~Saturday and Sunday: 9:00am to 6:00pm~~

13.1 Food Outlet (Tourist Tasting Facility)

06:00am to 10:00pm 7 days a week

13.2 Micro Brewery

10:00am to 10:00pm Sunday to Thursday

10:00am to midnight Friday and Saturday

13.3 Amplified music is limited to the indoor area of the Micro Brewery as shown on the Approved Plans and no amplified music is permitted after 10:00pm. Functions held at the Micro Brewery are permitted to have a maximum capacity of 100 people on-site at any one time.

OR

13.4 Prior to Council permitting functions held at the Micro Brewery to exceed a capacity of over 100 people and a maximum of 200 people on-site at any one time, the applicant is to submit a Noise Impact Assessment prepared by a suitably qualified and experienced Acoustic Consultant which provides recommendations as to how to manage the noise impacts of the development.

13.5 Prior to Council permitting the capacity of functions at the Micro Brewery to exceed a 100 people and a maximum of 200 people, the developer is to implement all recommendations specified by the

Approved Noise Impact Assessment and is to provide Council with written confirmation from the Acoustic Consultant that the recommendations of the Approved Noise Impact Assessment have been met.

- 13.6 Loading and unloading shall occur only between the hours of:
8:00am and 6:00pm Monday to Friday
8:00am and 12:00pm (noon) Saturdays
- 13.7 No loading or unloading shall occur on Sundays or Public Holidays.

(c) All other conditions remain unchanged.

CARRIED

COUNCIL RESOLUTION - ADJOURN MEETING

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

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10.51am.

The Meeting resumed at 11.05am.

CARRIED

13. EXECUTIVE SERVICES

13.1 Executive Services Chief Executive Officer Report December 2023

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Chief Executive Officer during the month of December 2023.

COUNCIL RESOLUTION

Moved By Cr. C. T. Tillman
Seconded By Cr. O. G. Moore

That this Report be received.

CARRIED

13.2 Executive Services Report Outstanding Actions December 2023

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 6 December 2023.

COUNCIL RESOLUTION

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

That this Report be received.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Report Proposed Transfer of Council's Community Housing Portfolio to a Registered Community Housing Organisation

The purpose of this report is to seek approval from Council for a preferred tenderer with respect to the proposed transfer of community housing to a registered community housing organisation.

Cr. K. A. Maguire

In accordance with Chapter 5B of the Local Government Act 2009, Cr. K. A. Maguire informed the meeting of a prescribed conflict of interest in respect to this matter due to:

- a) She is on the Board of the Waminda Disability Service.

Having given due consideration to her position she determined that she would leave the meeting while the matter is considered and voted on.

Cr. K. A. Maguire left the meeting at 11.11am.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. C. T. Tillman

That in respect to the transfer of Council's community housing portfolio to a registered community housing organisation, Council resolves to:

1. approve Community Housing (Qld) Limited as the preferred tenderer, subject to the Director-General, Department of Housing, Local Government, Planning and Public Works' final approval;
2. approve the transfer of the community housing portfolio for the sum of zero dollars; and
3. delegate to the Chief Executive Officer to negotiate, finalise, and execute all documents necessary for the transfer of Council's community housing portfolio to Community Housing (Qld) Limited.

CARRIED

Cr. K. A. Maguire re-joined the meeting at 11.15am.

14.2 Corporate Services Report Chinchilla Aquatic Site Selection and Inclusions Report

The purpose of this Report is to seek Council's endorsement of the site selection and inclusions recommendations to progress the replacement of the Chinchilla Aquatic Centre and establish a Stakeholder Steering Committee.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Maguire

That Council resolves to:

1. proceed with concept planning (within existing approved budgets) for the replacement of the Chinchilla Aquatic Centre at the former Cypress Pines Caravan Park site: 35-41 Villiers Street, Chinchilla. Lot 168 Survey Plan 172881;
2. include for consideration in the concept plan an indoor aquatic hall with a learn-to-swim and separate toddler's pool, an outdoor/indoor fifty (50) metre eight (8) lane pool, aquatic support areas, health and fitness areas, front of house areas including cafe, amenities and change areas, multi-purpose areas, outdoor precinct areas and multi-purpose centre;
3. establish a steering committee for the Chinchilla Aquatic Precinct Project concept planning as a forum for consideration of input from stakeholders and to provide advice to Council; and
4. commence application processes for suitable grant and project funding opportunities.

CARRIED

14.3 Corporate Services Financial Report December 2023

The purpose of this Report is to provide Council with the Financial Report for the period ending 31 December 2023.

COUNCIL RESOLUTION

Moved By Cr. A. N. Smith

Seconded By Cr. K. A. Bourne

That Council resolve to receive the December 2023 Financial Report and note the amendments to the 2023-24 Capital Works Programme as listed in section three of this report, with additional expenditure of \$33,919 (exclusive of goods and services tax) being added to the programme.

CARRIED

14.4 Corporate Services Report Annual Review of Council to Chief Executive Officer Delegations November 2023

The purpose of this Report is to conduct an annual review of delegations by Council to the Chief Executive Officer pursuant to section 257(5) of the *Local Government Act 2009*.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. A. N. Smith

That Council resolves to:

1. note that an annual review of delegations to the Chief Executive Officer has been conducted in accordance with section 257(5) of the *Local Government Act 2009*; and
2. pursuant to section 257(1) of the *Local Government Act 2009*:
 - a. revoke the delegations as detailed in the attached '*Annual Review of Register of Delegations Council to Chief Executive Officer November 2023*'; and
 - b. delegate the new and amended powers as detailed in the attached '*Annual Review of Delegations Council to Chief Executive Officer November 2023*' to the Chief Executive Officer.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Works December 2023/24 Capital Works Progress Update

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

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. P. T. Saxelby

That this Report be received and noted.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Big Skies Festival 2023

The purpose of this report is to provide Council with a summary of the key outcomes and statistics from the delivery of Big Skies Festival 2023 and endorse the proposed dates for Big Skies 2024 to enable planning and coordinating to continue.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Bourne

That this report be received, and that Council endorse the proposed dates for Big Skies Festival 2024 being held over the October long weekend, Thursday 3 October to Monday 7 October 2024.

CARRIED (7 to 1)

16.2 Community and Liveability Report Campervan Motorhome Club of Australia National Rally 2023

The purpose of this report is to provide Council with a summary of the key outcomes and statistics associated with the 36th National Campervan Motorhome Club of Australia (CMCA) Rally.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That this report be received and noted.

CARRIED

17. NOTICES OF MOTION

17.1 CONSIDERATION OF NOTICES OF MOTION/BUSINESS

There were no Notices of Motion/Business for consideration.

17.2 RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

There were no Notices of Motion for the next meeting.

18. URGENT GENERAL BUSINESS

There was no Urgent General Business.

19. MEETING CLOSURE

The Meeting concluded at 11:46am.