

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 18 July 2024

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

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. G. M. Olm

That this Report be received and that:

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

CARRIED



Ordinary Meeting of Council Minutes

Date: Thursday, 18 July, 2024
Time: 9:30 am
Location: WDRC - Customer Service Centre - Boardroom
80-86 Heeney Street, Chinchilla Qld 4413

Councillors:

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

Officers:

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

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.30AM.

2. OPENING PRAYER AND MINUTE SILENCE

Pastor Sam Heard from the Chinchilla Presbyterian Church delivered the opening prayer. This was followed by the observance of a minute silence.

3. APOLOGIES

There were no apologies

4. CONGRATULATIONS

Cr Kaye Maguire: Congratulations to Lindsey Doolan who is a member of the Australian Team playing in the 2024 World Cup Polocrosse being held in Durban South Africa from 15th to 28th July 2024.

Cr Peter Saxelby: Congratulations to the Australian National Polocrosse Nationals that was held in Chinchilla on the 24-30 June.

Cr Sam Condon: Congratulations to the Dalby Rugby Union Club on its 60th Anniversary. The club recently held its 60-year anniversary dinner in Dalby where over 300 people attended.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 20 June 2024

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 20 June 2024.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

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

CARRIED

5.2 Adopt Minutes Special Meeting of Council Adopt 2024-25 Budget 20 June 2024

The purpose of this Report is for Council to adopt the Minutes of the Special Meeting of Council Adopt 2024-25 Budget held on Thursday, 20 June 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Maguire

That this Report be received and that:

1.The Unconfirmed Minutes of the Special Meeting of Council Adopt 2024-25 Budget held on Thursday, 20 June 2024, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED

6. BUSINESS ARISING FROM THE MINUTES OF PREVIOUS MEETINGS

There was no business arising from the previous meeting.

7. DECLARATIONS OF CONFLICTS OF INTEREST

10.3.1 - Community and Liveability Confidential Report Outcome of Tender MM02-24-25 for Waste Management Contracts

Cr. K. A. Maguire

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

She is considered close friends with one of the tenderers and attended their wedding.

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

10.3.1 - Community and Liveability Confidential Report Outcome of Tender MM02-24-25 for Waste Management Contracts

CEO J. Taylor

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

She is considered close friends with one of the tenderers and attended their wedding.

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

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There were no petitions presented by Councillors.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report June 2024

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

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. P. T. Saxelby

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 Section 254J (a - i) of the *Local Government Regulation 2012* at 9.50 am to discuss the following Confidential Reports:

1. Executive Services Confidential Report - Dalby Aerodrome Proposed Lease W
2. Corporate Services Confidential Summary Report Quarterly Liability Update as at 30 June 2024
3. Community and Liveability Confidential Report Outcome of Tender MM02-24-25 for Waste Management Contracts

CARRIED

Cr. K. A. Maguire and CEO J. Taylor left the meeting at 9.56am.

Cr. K. A. Maguire and CEO J. Taylor re-joined the meeting at 10:06am.

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. P. T. Saxelby

Seconded By Cr. S. J. Condon

That Council resolve to reopen the Meeting at 10:07am.

CARRIED

10.1 EXECUTIVE SERVICES

10.1.1 Executive Services Confidential Report - Dalby Aerodrome Proposed Lease W

The purpose of this report is to consider a request to enter into a lease for the area surveyed as "W" at the Dalby Aerodrome.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. M. J. James

That this report be received and that Council:

1. apply the exception contained within section 236(1)(c)(iii) of the *Local Government Regulation 2012* to the proposed lease;
2. offer Mr Robert Keen a lease over land described as Lease W on SP237292 at the Dalby Aerodrome on the terms as listed in this report; and
3. delegate authority to the CEO to negotiate and sign all documents necessary to finalise the lease.

CARRIED

10.2 CORPORATE SERVICES

10.2.1 Corporate Services Confidential Summary Report Quarterly Liveability Update as at 30 June 2024

The purpose of this Report is to provide Council with a quarterly update on liability matters as at 30 June 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

That Council resolves to receive the *Corporate Services Confidential Summary Report Quarterly Liability Update, as at 30 June 2024*.

CARRIED

10.3 COMMUNITY AND LIVEABILITY

Cr. K. A. Maguire and CEO J. Taylor left the meeting at 10.10am.

10.3.1 Community and Liveability Confidential Report Outcome of Tender MM02-24-25 for Waste Management Contracts

This report is to present the results of a suite of operational tenders that relate to Council's Waste Operations, and for Council to decide to award tenders and form contracts.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. G. M. Olm

That this report be received and that Council resolve:

1. To award the Contract MM02-24/25 (A) – Operation of the Dalby, Chinchilla and Miles Hub Waste and Recycling Centres, to the Proterra Group, for its tender submission for a five (5) year contract period, in accordance with the tender specifications, addenda issued, tender submission including the schedule of rates, and all post tender clarifications and negotiations, and
2. To award the Contract MM02-24/25 (B.1) – Operation of the Condamine Satellite Waste and Recycling Centre, to Shane Hickey, for its tender submission for a five (5) year contract period, in accordance with the tender specifications, addenda issued, tender submission including the schedule of rates, and all post tender clarifications and negotiations, and
3. To award the Contract MM02-24/25 (B.2) – Operation of the Kaimkillenbun Satellite Waste and Recycling Centre, to BP Postle, for its tender submission for a five (5) year contract period, in accordance with the tender specifications, addenda issued, tender submission including the schedule of rates, and all post tender clarifications and negotiations, and
4. To award the Contract MM02-24/25 (C) – Line Haul Waste Services (Various Waste Facilities), to JJ's Waste and Recycling, for its alternative tender submission for a ten (10) year contract period, in accordance with the tender specifications, addenda issued, tender submission including the schedule of rates, and all post tender clarifications and negotiations, and
5. To award the Contract MM02-24/25 (D) – Operation of Tara and Wandoan Waste Facilities, to the Proterra Group, for its tender submission for a five (5) year contract period, in accordance with the tender specifications, addenda issued, tender submission including the schedule of rates, and all post tender clarifications and negotiations, and
6. To award the Contract MM02-24/25 (E) – Operation and Maintenance of the Winfields Road Waste Management Centre, Jandowae, to JJ's Waste and Recycling, for its alternative tender submission for a twelve (12) year contract period, in accordance with the tender specifications,

addenda issued, tender submission including the schedule of rates, and all post tender clarifications and negotiations, and

7. Delegate to the Chief Executive Officer or delegate power to complete negotiations and prepare and sign the formal contracts between the parties.

CARRIED

Cr. K. A. Maguire and CEO J. Taylor re-joined the meeting at: 10.15am.

10.4 INFRASTRUCTURE SERVICES

12. PLANNING

13. EXECUTIVE SERVICES

PROCEDURAL MOTION

Cr K. Bourne moved that item 13.1 be deferred until after the deputations.

The **PROCEDURAL MOTION** was **PUT** and **CARRIED**

13.2 Executive Services Chief Executive Officer Report June 2024

The purpose of this Report is to provide Council with significant meetings, forums and delegations attended by the Chief Executive Officer during the month of June 2024.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. K. A. Maguire

That this Report be received.

CARRIED

13.3 Executive Services Report Outstanding Actions June 2024

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 16 May 2024.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. P. T. Saxelby

That this Report be received.

CARRIED

14. CORPORATE SERVICES

14.1 Dalby Regional Saleyards Reference Group revised Terms of Reference

The purpose of this Report is to recommend for adoption, revised terms of reference for the Dalby Regional Saleyards Reference Group.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. S. Bougoure

That Council resolves to adopt the revised *Dalby Regional Saleyards Reference Group Terms of Reference June 2024*, as contained in Attachment One.

CARRIED

UNCONFIRMED

11. DEPUTATION

11.1 Thomas and Leisa Obrien

Re: Agenda Item 13.1 Executive Services Report Permanent Road Closure Application - 76LY25 Kingaroy - Jandowae Road

Mr and Mrs Obrien addressed Council regarding their application to purchase Lot 76 on Crown Plan LY25 "Bottle Tree Downs" 3260 Kingaroy-Jandowae Road, Jandowae. The land in question has been used for illegal dumping of weed infestation, with cattle losses being experienced due to consumption of the weeds.

Mr and Mrs Obrien would like to purchase the Lot and amalgamate it with the adjoining property. They would clean up the reserve, remove the weeds, pay rates, and utilise it as a laneway for their cattle.

11.2 Craig Hartley

Mr Hartley addressed Council regarding the Dalby cultural centre project. He acknowledged that the front section of Thomas Jack Park had been excluded from the proposed development but stated that that was not enough. Mr Hartley believed that 107 Drayton Street is a better location than Thomas Jack Park. He also requested that the full results of all Council surveys be made public.

11.3 Peter Alford

Mr Alford addressed Council regarding the Dalby cultural centre project. Mr Alford stated that the engagement process had been ambiguous and outlined what he thought were the benefits of using the former 'Myall 107' site.

11.4 Tania Marshall

Ms Marshall addressed Council regarding the Dalby cultural centre project. Ms Marshall acknowledged that prior to seeing proposed planning ideas she was fearful of losing Thomas Jack Park, however now believed that it would be an asset to the community, especially those with additional needs - having an all access site in one location.

Ms Marshall believed that the park would benefit from development, as it currently has limited useable space and is not comfortable outside daylight hours. She also stated that many people have supportive views but do not wish to state publicly due to the attacks from those who disagree and impacts on their mental health.

11.5 Sharlene Smith

Ms Smith addressed Council regarding the Dalby cultural centre project. Ms Smith believes everyone needs a cultural centre and that within Thomas Jack Park is the best location. Ms Smith would enjoy an all-abilities accessible experience for those with additional needs (including the disability swing being incorporated into any playground) and she would love to see a revitalisation of the bush tucker garden.

11.6 Carolyn Tillman

Mrs Tillman addressed Council regarding the Dalby cultural centre project. Mrs Tillman stated that those who are in favour of having the cultural centre located in the park are not having their voices heard. Those who were for the development were feeling intimidated by those who opposed it.

Co-locating the park, library and cultural hub would see these all work together to benefit the community. This location would see an influx of visitors. Mrs Tillman commented on the recent 'Sunday Funday' and the success that it was and is excited to see the proposed inclusions to the park.

COUNCIL RESOLUTION - ADJOURN MEETING

Moved By Cr. S. J. Condon

Seconded By Cr. P. T. Saxelby

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 11.09am.

The Meeting resumed at 11.31am.

CARRIED

13.1 Executive Services Report Permanent Road Closure Application - 76LY25 Kingaroy - Jandowae Road

The purpose of this report is to consider the application for a permanent road closure on the unformed road reserve on behalf of the registered owners of Lot 76 on Crown Plan LY25 "Bottle Tree Downs" 3260 Kingaroy-Jandowae Road, Jandowae.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

That this report be received, and that Council:

- a. objects to the permanent road closure application made on behalf of the registered owners of Lot 76 on Crown Plan LY25;
- b. authorises the Chief Executive Officer to provide the required form of notification to the applicants and the Department of Resources advising that it objects to the permanent closure of the subject road but that it does not object to the temporary closure of the road to enable weed and general management of the road.

CARRIED (6 to 3)

14.2 Corporate Services Report Rescind Delegation of Powers and Appointment of Authorised Persons - Council Policy

The purpose of this report is to seek Council's resolution to rescind the *Delegation of Powers and Appointment of Authorised Persons - Council Policy*.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That Council resolves to rescind the *Delegation of Powers and Appointment of Authorised Persons - Council Policy*, noting it will be replaced by the *Delegations and Authorisations - Organisational Policy*.

CARRIED

14.3 Corporate Services Report Advertising Spending - Statutory Policy

The purpose of this report is to present the amended *Advertising Spending - Statutory Policy* for Council's adoption.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolve to adopt the *Advertising Spending - Statutory Policy* (Attachment Two).

CARRIED

14.4 Corporate Services Report Complaints Management - Statutory Policy

The purpose of this report is to present the amended *Complaints Management - Statutory Policy* for Council's adoption.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. S. Bougoure

That Council resolve to adopt the *Complaints Management - Statutory Policy*.

CARRIED

14.5 Corporate Services Financial Report June 2024 Interim

The purpose of this report is to provide Council with the interim Financial Report for the period ending 30 June 2024.

A final report will be provided to the October 2024 Council meeting after the Queensland Audit Office (QAO) has audited and provided its opinion. It will include a report on the business unit outcomes and the finalised capital works programme.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. G. M. Olm

That Council resolves to receive the June 2024 Interim Financial Report and:

1. note the amendments to the 2023-24 Capital Works Programme as listed in section three of this report, with additional expenditure of \$42,751 (exclusive of goods and services tax) being added to the programme for a multi-year project;
2. resolve to approve the removal of budgeted capital expenditure from the 2023-24 Capital Works Programme for \$93,950 (exclusive of goods and services tax) as listed in section three of this report;
3. note the amendments to the 2024-25 Capital Works Programme as listed in section three of this report, with additional expenditure of \$2,103,071 (exclusive of goods and services tax) and additional revenue of \$1,107,041 (exclusive of goods and services tax) being added to the programme; and
4. resolve to approve the deferral of one project from 2024-25 to 2025-26 for \$661,500 (exclusive of goods and services tax) as listed in section three of this report.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Report Tree Removal Jandowae Pool Access Road

The purpose of this report is to seek Council's approval to remove a tree on Council's Road reserve to facilitate the road upgrade of Jandowae Pool Access Road.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. P. T. Saxelby

That this report be received and that:

1. Council approves the removal of the one (1) tree within the cul-de-sac of Jandowae Pool Access Road, Jandowae as part of the road upgrade project.

CARRIED

15.2 Infrastructure Services Works June 23/24 Capital Works Progress Update

For the Works Department to provide an update to Council regarding the 2023/24 Capital Works Program for the month of June 2024.

COUNCIL RESOLUTION

Moved By Cr. G. M. Olm

Seconded By Cr. P. T. Saxelby

That this Report be received and noted.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community and Liveability Report Australia Day Community Policy

The purpose of this report is to present for Council's consideration, amendments to the operations of the Australia Day Awards and seek Council approval Australia Day - Community Policy.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this report be received and Council:

1. Adopt the Australia Day - Community Policy as per Attachment 1;
2. Endorse the Australia Day - Organisation Procedure as per Attachment 2;
3. Adopt the Terms of Reference for the Reference Panel as per Attachment 3; and
4. Approve three (3) Councillors to be members of the Australia Day Assessment Panel as per the Terms of Reference, which include:
 - a. Mayor (or delegate);

- b. Communities Portfolio Councillor; and
- c. Councillor S.J. Condon

CARRIED

16.2 Community & Liveability Report Request Council Motion to be considered at the 2024 LGAQ Annual Conference

This report serves to request the consideration and approval of Council motions for the upcoming 2024 Local Government Association of Queensland (LGAQ) Annual Conference.

The LGAQ is convening its Annual Conference from Monday, 21 October to Wednesday, 23 October 2024, in Brisbane. Proposed motions to the conference require formal council resolutions before being submitted to the LGAQ for inclusion in the conference agenda.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Maguire

That this Report be received and Council:

1. Endorse the motions attached to this report for submission to the Local Government Association Queensland and consideration at the 2024 LGAQ Annual Conference, which include:
 - a. Re-orientate Infrastructure Development Assessment Frameworks: Propose enhancements to the existing frameworks to better meet contemporary needs and challenges.
 - b. Accessible and Affordable Insurance for All Queenslanders: Advocate for measures ensuring that insurance products are within reach for all residents of Queensland.
 - c. Allocate Adequate Funding and Resources to Coexistence Queensland: Call for increased financial and logistical support to Coexistence Queensland, enhancing its capabilities and outreach.
 - d. Ensure Suitable Consultation and Submission Timeframes: Urge for the establishment of more reasonable and accommodating timelines for consultations and submissions to ensure comprehensive community and stakeholder engagement.
2. Appoints two (2) Councillors, Cr A. N. Smith, and Cr K. A. Bourne, as the delegates representing the Western Downs Regional Council for the 2024 LGAQ Annual Conference to participate in voting of motions; and
3. Delegates authority to the Chief Executive Officer in accordance with the *Local Government Act 2009* to make amendments, if required, to the motions.

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 12.16 PM.

UNCONFIRMED