

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 19 September 2024

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 19 September 2024.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That this Report be received and that:

1. The Unconfirmed Minutes of the Ordinary Meeting of Council held on 19 September 2024, copies of which have been circulated to Members, be taken as read and confirmed.

CARRIED



Ordinary Meeting of Council Minutes

Date: Thursday, 19 September, 2024
Time: 9:30 am
Location: WDRC - Miles Leichhardt Centre
29 Dawson Street Miles

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)
- 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

Cecily Brockhurst from the 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. M. J. James requested that congratulations be extended to:

- Siblings Charlie and Matilda Salter of Dalby who have been selected to represent Angus Australia at the The Zoetis World Angus Youth Competition (which will take place alongside AngusTREK) - an event known as the 'Olympics of the Angus world'.
- Tara School Cluster: Glenmorgan State School, Hannaford State School, Meandarra State School, Moonie State School, Tara Shire State College, Teelba State School, The Gums State School, Westmar State School for winning the Griffith University Jack Pizzey Leadership Team of the Year at the Queensland Education Showcase.
- Dalby Rugby Union Wheatman player Sam Laffy who has been selected to play in the Australian Stockman team in the 'For King and Country' tour of England alongside former Australian Sevens and Super Rugby representatives.
- Dalby District Rugby Union Club Wheatmen for winning the downs Rugby Risdon Cup
- Dalby Diehards for winning the Toowoomba Rugby League U19 Grand Final.

Cr. K. A. Maguire requested that congratulations be extended to:

- Sarah Plumb from Dalby being a Finalist in the "National Wholelife Pharmacist" of the year awards.
- Dalby Wholelife Pharmacy and Healthfoods who won "Best Merchandising Store" of the year.at the National competition.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 15 August 2024

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 15 August 2024.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

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 15 August 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 minutes.

7. DECLARATIONS OF CONFLICTS OF INTEREST

Executive Services Confidential Report Proposed Disposal of Two Properties: 1 & 2 RP5565137 Day Street, Tara and Lot 6 RP184124 Retreat Road, Kowguran

Cr S. Bougoure

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

Her father having interest in the Day Street, Tara property.

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

Community and Liveability Confidential Report Re Further Evaluation of Tenders for MM02-24-25 for Waste Facility Operations

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.

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 August 2024

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

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby
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. K. A. Maguire

Seconded By Cr. S. Bougoure

That Council resolve to close the Meeting in accordance with Sections 254J (3) (g,h) of the *Local Government Regulation 2012* at 9:46am to discuss the following Confidential Reports:

1. Executive Services Confidential Report Proposed Compulsory Acquisition of Easement for Water Reticulation Purposes Objection Hearing Outcome
2. Executive Services Confidential Report Dalby Aerodrome Proposed Lease - GB Shaw & Co Pty Ltd - Lease T
3. Executive Services Confidential Report Proposed Disposal of Two Properties: 1 & 2 RP5565137 Day Street, Tara and Lot 6 RP184124 Retreat Road, Kowguran
4. Executive Services Confidential Report Proposed Lease for EV Charging Station in Bell Park - Tesla
5. Community and Liveability Confidential Report Re Further Evaluation of Tenders for MM02-24-25 for Waste Facility Operations

CARRIED

Cr. S. Bougoure left the meeting prior to the discussion for item 10.1.3 at 9:51am.

Cr. S. Bougoure re-joined the meeting at 9:52am.

CEO. J. Taylor and Cr. K. A. Maguire left the meeting prior to the discussion for item 10.3.1 at 9:54am

CEO. J. Taylor and Cr. K. A. Maguire re-joined the meeting at 9:55am

COUNCIL RESOLUTION - REOPEN MEETING

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That Council resolve to reopen the Meeting at 10:00am

CARRIED

10.1 EXECUTIVE SERVICES

10.1.1 Executive Services Confidential Report Proposed Compulsory Acquisition of Easement for Water Reticulation Purposes Objection Hearing Outcome

The purpose of this report is:

- a. to inform Council of the landowner's objections to the compulsory acquisition of an easement for water reticulation purposes on Lot 315 Crown Plan A342795 ("**the Land**") in accordance with the provisions of the *Acquisition of Land Act 1967* ("**ALA**");
- b. to discuss and explain the reasons why Council should make the recommended resolution.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. S. J. Condon

It is recommended that:

1. This report be received.
2. Council notes the grounds of objection raised on behalf of the landowner and the report concerning those grounds.
3. Council resolves to:
 - a. proceed with the acquisition of an easement for water reticulation purposes in relation to Lot 315 Crown Plan A342795, as identified in the notice of intention to resume dated 28 June 2024 comprising attachment 2 to this report.
 - b. apply to the Minister for the gazettal of the acquisition of an easement for water reticulation purposes as identified in the notice of intention to resume dated 28 June 2024 comprising attachment 2 to this report.
 - c. delegate to the Chief Executive Officer to sign any and all documents necessary to give effect to this resolution.
 - d. delegate to the Chief Executive Officer or delegate to negotiate with the landowner in relation to compensation for the acquisition on the bases required by the *Acquisition of Land Act 1967*.
 - e. delegate to the Chief Executive Officer power to discontinue the compulsory acquisition process in the event that agreement is reached for a voluntary grant of easement;
 - f. delegate to the Chief Executive Officer power to sign an easement for water reticulation purposes on appropriate conditions in the event that agreement is reached with the landowner.

CARRIED (8 to 1)

10.1.2 Executive Services Confidential Report Dalby Aerodrome Proposed Lease - GB Shaw & Co Pty Ltd - Lease T

The purpose of this report is to consider a request to enter a lease for the area surveyed as Lease T at the Dalby Aerodrome with GB Shaw & Co Pty Ltd.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. S. Bougoure

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 GB Shaw & Co Pty Ltd a lease over land described as Lease T on SP207425 at the Dalby Aerodrome on the terms as identified in this report at an assessed market value annual rent of \$12,072.00 plus GST, to be increased in accordance with the Consumer Price Index.
3. delegate authority to the CEO to negotiate and sign all documents necessary to finalise the lease.

CARRIED

10.1.3 Executive Services Confidential Report Proposed Disposal of Two Properties: 1 & 2 RP5565137 Day Street, Tara and Lot 6 RP184124 Retreat Road, Kowguran

The purpose of this report is to seek a resolution from Council to dispose of two properties owned by the Council.

Cr. S. Bougoure

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

Her father having interest in the Day Street, Tara property.

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

Cr. S. Bougoure left the meeting at 10:05am.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. P. T. Saxelby

That this report be received, and that Council resolve to:

- a. offer 1 & 2 RP5565137 Day Street, Tara and Lot 6 RP184124 Retreat Road, Kowguran, for sale by auction; and
- b. delegate authority to the Chief Executive Officer to finalise and sign all necessary documents to affect the aforementioned disposal by auction.

CARRIED

Cr. S. Bougoure re-joined the meeting at 10:09am.

10.1.4 Executive Services Confidential Report Proposed Lease for EV Charging Station in Bell Park - Tesla

The Purpose of this Report is to:

- a. inform Council as to the circumstances of a proposed lease of a portion of land located at Jacob Bell Park, more particularly described as Lot 121 on D924 (the **Land**), for the purpose of a charging station for electric vehicles.
- b. invite Council to resolve to grant the lease and delegate its negotiation and signing to the Chief Executive Officer.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

That this Report be received and Council resolves:

1. That the exception in section 236(1)(c)(v) of the *Local Government Regulation 2012* (Qld) applies to the proposed lease of Lot 121 D924, such that disposal by tender or auction is not required in the public interest.
2. That Council further resolves to:
 - a. offer to enter into a lease to Tesla Corporation or its relevant entity (Tesla) for the defined area of Joshua Bell Park (currently described as Lot 121 D924) for 15 years, on terms materially consistent with those identified in the report presented to Council, subject also to the following specific conditions:
 - i. for the purpose of the construction and conduct of super chargers for electric vehicles and associated infrastructure;
 - ii. the establishment of the facility, including the lease documentation and registration, shall be at no cost to Council;
 - iii. the rent payable shall be the assessed market rent of \$800 per annum plus GST to be increased annually according to the Consumer Price Index and to be revalued at the expiration of each 5 year period of the lease;
 - iv. Tesla must ensure that upon termination or cessation of the lease, all infrastructure associated with the facility is removed and the leased area left in a safe and clean condition.
 - b. approve a lease term of greater than 10 years pursuant to section 65(3A)(b) of the *Land Title Act 1994* (Qld); and
 - c. delegate to the CEO the negotiation, execution and registration of the lease with Tesla on the terms described in paragraph 2 of this resolution.

CARRIED

10.2 CORPORATE SERVICES

10.3 COMMUNITY AND LIVEABILITY

10.3.1 Community and Liveability Confidential Report Re Further Evaluation of Tenders for MM02-24-25 for Waste Facility Operations

This report is to re-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, as a follow up report to the matters considered at the 18 July 2024 Ordinary Meeting.

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.

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.

CEO. J. Taylor and Cr. K. A. Maguire left the meeting at 10:14am

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. S. J. Condon

That this report be received and that Council resolve:

1. That the report to Council be received.
2. In relation to item 10.3.1 of Council's Resolution dated 18 July 2024, that the following section of that item be repealed pursuant to section 262 of the *Local Government Regulation 2012* (Qld):
 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*
3. To award the Contract MM02-24/25 (A) – Operation of the Dalby, Chinchilla and Miles Hub Waste and Recycling Centres, to Iolar

Operational Services Pty Ltd ACN 164 030 988, 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

4. To delegate to the Chief Executive Officer or delegate pursuant to section 257 of the *Local Government Act 2009* (Qld) the power to negotiate and execute Contract MM02-24/25 (A) with Iolar Operational Services Pty Ltd.

CARRIED

CEO. J. Taylor and Cr. K. A. Maguire re-joined the meeting at 10:18am

10.4 INFRASTRUCTURE SERVICES

12. PLANNING

12.1 (030.2024.156.001) Community and Liveability Report Development Application for Material Change of Use for Caretaker's Accommodation at Lot 7 on SP175181 at 246 Aerodrome Road Chinchilla Tango Oilfield Solutions Pty Ltd C/- Swep Consulting

The purpose of this Report is for Council to decide the proposed development for a Material Change of Use for a Caretaker's Accommodation at Lot 7 on SP175181, 246 Aerodrome Road, Chinchilla.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne
Seconded By Cr. G. M. Olm

That this Report be received and that:

1. The application for a Material Change of Use to establish Caretaker's Accommodation on land described as Lot 7 on SP175181 situated at 246 Aerodrome Road, Chinchilla be approved, subject to the following conditions:

APPROVED PLANS

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

Plan No., Reference	Plan Title and Details	Dated
Job No. 20230063, Plan No. SD-050, Revision B	Site Plan, prepared by WD Building Design, as amended in red by Council on 29/08/2024	15-08-2023
2022-006b-001, Revision A	Caretaker's Floor Plan, prepared by Swep Consulting	14/03/2024
2022-006b-002, Revision A	Elevations, prepared by Swep Consulting	14/03/2024

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plans, the conditions of this development approval must prevail.
3. The following further Development Permits must be obtained prior to the commencement of any works associated with the process:
 - 3.1 Building Works; and
 - 3.2 Plumbing Works.

APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use for Caretaker's Accommodation on the property.

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, 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.

VISUAL AND GENERAL AMENITY

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

VISUAL PRIVACY TO BEDROOM WINDOWS

12. Durable, fixed and permanent external screening devices (eg shutters or lattice screens) having a maximum transparency of 25% shall be erected on windows or directly in front of windows facing the hardstand areas and vehicle parking and manoeuvring areas, prior to occupation of the development.

Timing: Prior to commencement of the use and maintained at all times thereafter.

CLOTHES DRYING AREAS

13. Clothes drying areas shall be fully screened from the Industrial Use areas on the site and adjoining properties by a solid screen of suitable height and width.

REFUSE STORAGE AREAS

14. 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.

WASTE MANAGEMENT

15. 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*.

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.

STORMWATER MANAGEMENT

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

WATER SUPPLY

20. Provide a potable water supply for the development independent of Council's water reticulation system. Monitor water quality continuously to ensure compliance with Australian Drinking Water Guidelines - current edition and enHealth Guidance of Use of Standards for Potable Water.

ON-SITE WASTEWATER DISPOSAL

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

PARKING AND ACCESS - GENERAL

23. Provide an additional car parking space for the Caretaker's Accommodation, separate from the Medium Impact Industry and Warehouse (Laydown Yard) parking within the site.
24. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during the hours of operation.

ELECTRICITY AND TELECOMMUNICATIONS

25. Maintain connection of the development to electricity and telecommunication services.

EROSION AND SEDIMENT CONTROL - GENERAL

26. 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.
27. 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.

ADVISORY NOTES

NOTE 1 - Currency Period

A part of a development approval lapses at the end of the currency period. The standard currency period, as stated in Section 85 of the *Planning Act 2016*, applies to this approval as outlined below:

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

- "Material Change of Use (**6 years** after the approval starts to have effect)."

NOTE 2 - Aboriginal Cultural Heritage

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

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 - 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 works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

NOTE 6 - Duty to Notify of Environmental Harm

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

NOTE 7 -Infrastructure Charges Notice

An Infrastructure Charges Notice is attached.

CARRIED

13. EXECUTIVE SERVICES

13.1 Executive Services Report Road Closure Application - Portion of Pluto Street, whole of Mercury Street and portion of Earth Street, Fairyland

The purpose of this report is to seek Council's decision in relation to an application to permanently close a portion of Pluto Street, the whole of Mercury Street, and a portion of Earth Street (the **Application**) pursuant to section 68 of the *Local Government Act 2009* (Qld) (**LGA**).

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. G. M. Olm

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

1. That Council does not object to the road closure application dated 14 May 2024;
2. Council delegate authority to the CEO or delegate to execute all documents relating to the road closure application and to lodge the application with the Department of Resources.

CARRIED

13.2 Executive Services Report - Road Closure Application D705 Louisa Street - Dalby Christian College

The purpose of this report is to determine an application for the permanent road closure of a portion of Louisa Street Dalby, the road corridor along the eastern boundary of Lot 2 SP281018 and the western boundary of Lot 1 on SP250095 (S705-Louisa Street). The permanent road closure application was lodged by Christian Community Ministries Property Ltd (**CCMP**), as Trustee for The Christian Community Ministries Property Trust.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That this report be received and resolves as follows:

1. Council objects to the road closure application lodged by Christian Community Ministries Property Ltd (CCMP) on 22 April 2024 for the following reasons:
 - a. Louisa Street currently provides a significant drainage corridor for the area to the north of the site. The existing tenure is suitable so that Council may maintain that drainage corridor;
 - b. The maintenance of the existing drainage corridor cannot be achieved by the granting of an easement;
 - c. Further improvements to the drainage infrastructure will be necessary to service future development to the north; and
 - d. There is a major overland stormwater flow path along this road reserve. Accordingly, the road should not be closed, the result of which would be that it would potentially become private land.

2. Council delegates authority to the Chief Executive Office to execute all the required forms and provide notification to the applicant and the Department of Resources advising that it objects to the permanent road closure of the subject road D705-Louisa Street, Dalby.

CARRIED (8 to 1)

11. DEPUTATION

11.1 Kerry Mulholland

Kerry provided an update on the Miles Historical Village.

COUNCIL RESOLUTION - ADJOURN MEETING

Moved By Cr. P. T. Saxelby

Seconded By Cr. G. M. Olm

That Council resolve to adjourn the Meeting.

The Meeting adjourned at 10:41am.

The Meeting resumed at 11:02am.

CARRIED

13.3 Executive Services Report Bunya Mountains Community Association Inc Request to lease an Area of Russell Park

The purpose of this report is to seek Council's direction on a proposal of the Bunya Mountains Community Association Inc to lease part of Russell Park for the purpose of a community centre.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. K. A. Maguire

That Council resolves to advise the Bunya Mountains Community Association Inc that it does not agree to grant a lease for community centre purposes over a section of Russell Park, Bunya Mountains, as proposed by the Association.

CARRIED (6 to 3)

13.4 Executive Services Report Outstanding Actions August 2024

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 15 August 2024.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. S. Bougoure

That this Report be received.

CARRIED

13.5 Executive Services Chief Executive Officer Report August 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 August 2024.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. S. Bougoure

That this Report be received.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Report Write Off Outstanding Unrecoverable Accounts Receivable 2024

The purpose of this report is to seek Council's approval to write off outstanding amounts which have been deemed unrecoverable. The write-offs of gas, infringements, and accounts receivable relate to amounts that have been provided for in the 2023-24 financial statements.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. K. A. Bourne

That Council resolves to write off:

1. \$56,209.80 comprising:
 - a. \$11,043.76 of unrecoverable accounts receivable (exclusive of goods and services tax);
 - b. \$27,611.90 of unrecoverable infringements notices (exclusive of goods and services tax); and
 - c. \$17,554.14 of unrecoverable gas accounts (exclusive of goods and services tax); and
2. \$12,585.00 being unrecoverable rates and charges in relation to a terminated permit to occupy.

CARRIED

14.2 Corporate Services Report Review Councillor Expenses Reimbursement - Council Policy

The purpose of this report is to present the proposed *Councillor Expenses Reimbursement - Statutory Policy* for adoption as a result of a review of the *Councillor Expenses Reimbursement - Council Policy*.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. M. J. James

That, pursuant to sections 250 and 251 of the *Local Government Regulation 2012*, Council resolves to:

1. adopt the amended *Councillor Expenses Reimbursement – Statutory Policy* as per Attachment two; and
2. ensure the policy is publicly available and published on Council's website as soon as practicable.

CARRIED (8 to 1)

14.3 Corporate Services Report Review Councillors as Portfolio Spokespersons - Council Policy

The purpose of this report is to present the proposed *Councillor Portfolios - Community Policy* for adoption as a result of a review of the *Councillors as Portfolio Spokespersons - Council Policy*.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. P. T. Saxelby

That Council resolves to adopt the *Councillor Portfolios - Community Policy* as contained within Attachment Two.

CARRIED

14.4 Corporate Services Report Review Investigation - Council Policy

The purpose of this report is to present the proposed *Councillor Investigation - Statutory Policy* for adoption as a result of a review of the *Investigation - Council Policy*.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. O. G. Moore

That Council resolves to adopt the *Councillor Investigation - Statutory Policy* as contained within Attachment Two.

CARRIED

14.5 Corporate Services Report Review Meetings - Council Policy

The purpose of this report is to present the proposed *Western Downs Regional Council Meetings Procedure* for adoption as a result of a review of the existing *Meetings - Council Policy*.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. G. M. Olm

That Council resolves to:

1. rescind the *Meetings - Council Policy*; and
2. adopt the *Western Downs Regional Council Meetings Procedure* as contained within Attachment Two.

CARRIED (8 to 1)

14.6 Corporate Services Report Audit Committee Meeting 12 August 2024

The purpose of this report is to provide Council with the report of the Western Downs Regional Council Audit Committee Meeting held on 12 August 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Maguire

That Council resolves to receive the Unconfirmed Minutes of the Western Downs Regional Council Audit Committee Meeting held on 12 August 2024.

CARRIED

14.7 Corporate Services Financial Report August 2024

The purpose of this report is to provide Council with the Financial Report for the period ending 31 August 2024, seek approval to carry-over capital projects not completed in the 2023-24 financial year to the 2024-25 financial year and approve the inclusion of three new fees to the fees and charges register.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. O. G. Moore

That Council resolves to:

1. receive the August 2024 Financial Report;
2. approve the proposed adjustment to the 2024-25 capital works programme to carry-over \$146,599,557 of capital expenditure and \$115,240,390 of capital revenue from 2023-24 to the 2024-25 capital works programme for projects that were not commenced or not completed in 2023-24 as detailed in attachment two; and
3. approve the inclusion of three new fees for the hire of council corporate office meeting rooms to be effective from 19 September 2024 as detailed in section five of this report.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Works August 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 August 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 Endorse Arts and Culture Strategy and Public Arts Strategy

The purpose of this report is to seek Council's endorsement of the Arts and Culture Strategy 2024-2029 and the Public Arts Strategy 2024-2029.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby
Seconded By Cr. K. A. Bourne

That this report be received and that Council approves the Arts and Culture Strategy 2024-2029 and the Public Arts Strategy 2024-2029.

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 12:04pm.