



Ordinary Meeting of Council Minutes

Date: 16 January 2025
Time: 9:30am
Location: Chinchilla Customer Service Centre

Councillors:

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

Officers:

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

1. DECLARATION OF MEETING OPENING

The Chairperson declared the Meeting open at 9.31AM.

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

There were no congratulations.

5. CONFIRMATION OF MINUTES

5.1 Adopt Ordinary Meeting of Council Minutes 5 December 2024

The Purpose of this Report is for Council to adopt the Minutes of the Ordinary Meeting of Council held on Thursday, 5 December 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 5 December 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 minutes of the previous meeting.

7. DECLARATIONS OF CONFLICTS OF INTEREST

There were no declarations of conflicts of interest.

8. PRESENTATION OF PETITIONS BY COUNCILLORS

There were no petitions presented by Councillors.

9. MAYORAL UPDATE

9.1 Executive Services Mayoral Report December 2024

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

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. S. Bougoure

That this Report be received and noted.

CARRIED

10. CONFIDENTIAL ITEMS

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

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

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

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

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

(b) industrial matters affecting employees;

(c) the local government's budget;

(d) rating concessions;

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

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

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

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

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

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

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

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

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

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

COUNCIL RESOLUTION - CLOSE MEETING

Moved By Cr. P. T. Saxelby
Seconded By Cr. G. M. Olm

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

1. Corporate Services Confidential Summary Report Quarterly Liability Update as at 31 December 2024

CARRIED

COUNCIL RESOLUTION - REOPEN MEETING

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

That Council resolve to reopen the Meeting at 9:46AM.

CARRIED

10.1 EXECUTIVE SERVICES

10.2 CORPORATE SERVICES

10.2.1 Corporate Services Confidential Summary Report Quarterly Liability Update as at 31 December 2024

The purpose of this Report is to provide Council with a quarterly update on liability matters as at 31 December 2024.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire
Seconded By Cr. S. J. Condon

That Council resolves to receive the *Corporate Services Confidential Summary Report Quarterly Liability Update, as at 31 December 2024*.

CARRIED

10.3 COMMUNITY AND LIVEABILITY

10.4 INFRASTRUCTURE SERVICES

11. DEPUTATION

There were no deputations.

12. PLANNING

12.1 (030.2024.476.001) Community and Liveability Report Development Application Material Change of Use Extension to Existing Non-resident Workforce Accommodation McNulty Street Miles Nguyen and Ngo C/- Reel Planning

The purpose of this Report is for Council to decide the proposed development for Material Change of Use to establish Non-resident Workforce Accommodation (Extension to Existing Non-resident Workforce Accommodation - additional 300 Rooms) on land described as Lots 10 and 11 on SP236997 and situated at McNulty Street, Miles.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. O. G. Moore

That this Report be received and that:

1. The application for Material Change of Use to establish Non-resident Workforce Accommodation (Extension to Existing Non-resident Workforce Accommodation - additional 300 Rooms) be approved, subject to the following conditions:

APPROVED PLANS AND DOCUMENT

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

Plan/Document No., Reference	Title and Details	Dated
Sheet No. DA-3003, Job No 23021, Issue B	Stage 3 - Overall Site Plan, prepared by Vision 1 Architects	07-10-24
Sheet No. DA-3004, Job No 23021, Issue B	Stage 4 - Overall Site Plan, prepared by Vision 1 Architects	07-10-24
Sheet No. DA-3005, Job No 23021, Issue B	Stage 5 - Overall Site Plan, prepared by Vision 1 Architects	07-10-24
Sheet No. DA-3010, Job No 23021, Issue B	Stage 3-5 - Part Site Plan, prepared by Vision 1 Architects	07-10-24
Sheet No. DA-3020, Job No 23021, Issue A	Stage 3 -5 - Setout Plan - Accommodation, prepared by Vision 1 Architects	24-09-24
Sheet No. DA-3021, Job No 23021, Issue B	Stage 3 -5 - Setout Plan - Carpark, prepared by Vision 1 Architects	07-10-24
Sheet No. DA-1110, Job No 23021, Issue B	Typical 2 Rooms and PWD, prepared by Vision 1 Architects	29-07-24
Sheet No. DA-1120, Job No 23021, Issue B	Typical 2 x 2 Rooms, prepared by Vision 1 Architects	29-07-24
Sheet No. DA-1130, Job No 23021, Issue B	Typical 8 Rooms, prepared by Vision 1 Architects	29-07-24
Sheet No. DA-1140, Job No 23021, Issue B	Typical Laundry, prepared by Vision 1 Architects	29-07-24
Sheet No. DA-1150, Job No 23021, Issue B	Typical BBQ Area, prepared by Vision 1 Architects	29-07-24
Sheet No. DA-1160, Job No 23021, Issue B	Typical Recreation Room, prepared by Vision 1 Architects	29-07-24

Sheet No. DA-1175, Job No 23021, Issue B	Kitchen - Proposed Floor Plan, prepared by Vision 1 Architects	29-07-24
Sheet No. DA-1176, Job No 23021, Issue B	Kitchen - Proposed Elevations, prepared by Vision 1 Architects	29-07-24
Sheet No. DA-1180, Job No 23021, Issue B	Consumables Store, prepared by Vision 1 Architects	29-07-24
C24035AR001, Revision B	Civil Engineering Services Report, prepared by Hurley Consulting Engineers	17/10/2024

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

APPROVED DEVELOPMENT

4. The approved development is a Material Change of Use for Non-resident Workforce Accommodation (Extension to Existing Non-resident Workforce Accommodation - additional 300 Rooms) as shown on the Approved Plans.
5. Unless otherwise approved in writing by Council, the overall development is to occur sequentially over 5 Stages as shown on the Approved Plans and as follows:
 - Stage 1** - Existing 200 room development on Lot 10.
 - Stage 2** - In accordance with existing Approvals 030.2013.108.001 and 050.2024.670.001.
 - Stage 2A** - 100 accommodation rooms and 72 car parking spaces.
 - Stage 2B** - Additional on-site communal facilities, including new gymnasium with bus shelter and locker room, new roofed sports court and outdoor seating, 5 barbecue huts and new community room.
 - Stage 3** - 100 rooms, barbecue hut, laundry, new driveway and parking area involving 229 car parking spaces and 17 heavy vehicle parking spaces, overflow parking area, locker building and the expansion of the central dining and kitchen buildings.
 - Stage 4** - 100 additional rooms, barbecue hut and laundry.

Stage 5 - 100 rooms, laundry, recreation room/community area and 2 barbecue huts.

6. Conditions within this approval are applicable to each Stage of the development, unless otherwise specified.

COMPLIANCE, TIMING AND COSTS

7. 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.
8. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

FEES AND CHARGES

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

INFRASTRUCTURE CHARGES

10. All infrastructure charges including those associated with Council's Water, Stormwater, Transport and Parks Networks are now levied under the *Planning Act 2016*. As required under Section 119 of the *Planning Act 2016*, a separate ***Infrastructure Charges Notice*** is attached.

MAINTENANCE

11. 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.

LANDSCAPING – GENERAL

12. The developer must submit to Council's Planning and Environment Manager or authorised delegate for endorsement, a detailed Landscape Plan for all landscaping associated with the development, prior to commencement of the development.
13. The Landscape Plan must detail:
 - 13.1 a minimum 2 metre wide vegetative buffer that shall be planted along all boundaries of the subject site for the extent of the development footprint, except any area reasonably required for vehicular and pedestrian access to the development; the buffer area is to be densely planted with high, medium and low profile plants and shrubs endemic to the local area;
 - 13.2 all landscaping areas as shown on the Approved Plans;
 - 13.3 the typical species to be planted, consisting mainly of drought-tolerant species suitable to their individual location on-site;
 - 13.4 the number and size of plants; and
 - 13.5 the typical planting detail including preparation, backfill, staking and mulching.
14. The developer must prepare and landscape the property in accordance with the Approved Landscape Plan, or as otherwise approved in writing by Council's

authorised delegate. Any amendments approved by Council's authorised delegate are taken to be a part of the Approved Landscape Plan.

15. All approved landscaping treatments for the development are to be maintained on the property at all times.

LANDSCAPING – MISCELLANEOUS

16. 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 development works and any ensuing defects liability period.

SCHEDULE OF EXTERNAL FINISHES

17. A detailed Schedule of External Treatments/Finishes shall be submitted to Council's Planning and Environment Manager for endorsement, demonstrating compliance with the following requirements:
 - 17.1 provision of a high degree of visual articulation in the elevations of the building;
 - 17.2 identification of each of the materials used in the elevations of the approved building; and
 - 17.3 identification of the colour of each of the materials used in the elevations of the approved building.

Once endorsed, the Schedule will form part of this Development Permit.

Timing: Prior to the issue of a Development Permit for Building Works or Operational Work.

VISUAL AND GENERAL AMENITY

18. Any graffiti on the buildings shall be removed immediately.
19. The buildings and the site shall be maintained in a clean and tidy manner at all times.
20. All plant, air-conditioning equipment and the like shall be visually screened from the street.
21. Open storage areas and their contents, loading areas and refuse bin storage areas and other unsightly areas, shall be screened from view from the street and public places.

INDOOR AND OUTDOOR LIGHTING FOR SAFETY AND SECURITY

22. All lighting provided within the proposed development shall not involve lighting that shines light above the horizontal, or coloured or flashing lights, or sodium lights, or flare plumes and shall not involve configurations of lights in straight parallel lines.
23. Lighting is to be provided throughout car parking areas and along the pedestrian access path in compliance with Australian Standard AS1158.3.1 – Road Lighting – Pedestrian Area (Category P) Lighting – Performance and Installation Design Requirements.
24. Lighting shall be provided to all operational areas within the site.

OUTDOOR LIGHTING – IMPACT MITIGATION

25. Outdoor lighting of the development shall mitigate adverse lighting and illumination impacts by:
- 25.1 providing outdoor lighting that is designed, installed and regulated in accordance with the parameters outlined in AS1158.1.1 – Control of Obtrusive Effects of Outdoor Lighting; and
 - 25.2 installation of outdoor lighting that:
 - 25.2.1 provides graduated intensity lighting with lower level brightness at the perimeter of the subject land and higher intensities at the center of the subject land;
 - 25.2.2 is directed onto the subject land and away from neighboring properties; and
 - 25.2.3 uses shrouding devices to preclude light overspill onto surrounding properties where necessary.

VISUAL PRIVACY TO BEDROOM WINDOWS

26. Bedroom windows shall be located no closer than 3 metres from common accessways, vehicle manoeuvring and parking areas. The 3 metre area between the bedroom window and the common accessways, vehicle manoeuvring and parking areas shall be landscaped with plants that will achieve a height of 1.8 metres within 3 years of planting and have a foliage that will obstruct views of the bedroom window.

ALTERNATIVELY

26. Durable, fixed and permanent screening devices having a maximum transparency of 25% shall be erected on the window or directly in front of the window (eg shutters or lattice screens), prior to occupation of the development. These screens are to be maintained until adjacent landscaping reaches a height of 1.8 metres and obstructs views of the bedroom window from common accessways, vehicle manoeuvring and parking areas.

RESTRICTIONS TO OPERATIONS

27. Unless otherwise approved in writing by Council, incoming deliveries of materials are to be restricted to the following hours:

Monday to Friday:	7.00am to 6.00pm
Saturday:	7.00am to 12.00 noon
Sundays and Public Holidays:	No unloading or loading are to occur

REFUSE STORAGE AREAS

28. 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.
29. The size and capacity of the refuse storage areas shall be sufficient to accommodate:
- 29.1 the level of waste likely to be generated from the development having regard to the frequency of refuse collection;
 - 29.2 general refuse bins of an industrial type appropriate to the nature and scale of the use;

- 29.3 recycling bins appropriate to the nature and scale of the use; and
 - 29.4 have a floor area with dimensions which exceed the size of the nominated bin size by at least 300mm at the rear and both sides, and 600mm at the front.
30. Waste collection shall be undertaken in a manner that complies with the following requirements:
- 30.1 the bins shall be located in a manner that allows the refuse vehicle to pick them up automatically without the driver or any other person having to relocate them;
 - 30.2 the collection of putrescible waste arising from the activities undertaken on this development shall be collected and removed at periods not exceeding 7 days;
 - 30.3 the collection of waste shall be undertaken so as to minimise, so far as reasonable and practical, excessive noise to neighboring occupants;
 - 30.4 the collection method shall ensure that waste is adequately managed to prevent escape of contamination; and
 - 30.5 waste removal is to be conducted between the hours of 7.00am and 6.00pm, excluding Sundays and Public Holidays.
31. Refuse bin collection areas shall be maintained in a manner that complies with the following requirements:
- 31.1 waste containers shall be kept in a clean state and in good repair;
 - 31.2 waste containers are to be provided with tight-fitting lid assemblies designed to prevent ingress of pests and water;
 - 31.3 the occupier of the serviced premises shall ensure that all waste containers supplied are kept within the boundaries of the premises; and
 - 31.4 the occupier shall ensure that there is unobstructed access to the container for the removal of waste.

WASTE MANAGEMENT

- 32. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
- 33. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction and Recycling Act 2011*.

ENGINEERING WORKS

- 34. Submit to Council, an Operational Work application for earthworks, vehicle parking, stormwater drainage management, stormwater quality management (removal of hydrocarbon), erosion and sediment control at each Stage.
- 35. Undertake Engineering designs and construction in accordance with Council's Planning Scheme, Development Manual and Standard Drawings and relevant Australian Standards.
- 36. Submit to Council, certification from a Registered Professional Engineer of Queensland (RPEQ-Civil) that all work authorised by this development approval

and any related approval issued by Council, have been designed and constructed in accordance with the requirements of the development approval.

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

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

38. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.
39. 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

40. Design stormwater management generally in accordance with the Approved Civil Engineering Services Report, Ref: C24035AR001, Revision B prepared by Hurley Consulting Engineers, dated 17 October 2024, including construction of the stormwater detention basin.
41. All stormwater infrastructure and relevant management practices must be in compliance with Council's plumbing and drainage requirements.
42. Provide overland flow paths that do not alter the characteristics of existing overland flows or create an increase in flood damage on other properties.
43. Ensure that works undertaken as a part of the development would not cause any actionable nuisance to all adjoining properties.

WATER SUPPLY

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

WATER SUPPLY - FIRE FIGHTING SUPPLY

45. Demonstrate that adequate water supply will be available to meet the peak demands of the development, and firefighting pressures/flows to Council requirements. Council's Water and Wastewater Department shall be consulted in the development of a response to this item. The proposed solution must be submitted to Council's Planning & Environment Manager for approval. In the event that Council's water network is not adequate, an alternative solution shall be provided that does not rely on Council's water network.

WASTEWATER DISPOSAL

46. If consent could not be obtained from the neighbouring property to connect to an existing 300mm diameter trunk sewer main that runs along the western boundary in the neighbouring property, a new sewer pump station will be constructed to the south of the development to pump sewage generated from the site to McNulty Street to the Council reticulation system. Council's Utilities Department shall be consulted in the development of a design of any proposed sewer management system.

47. Submit to Council, the written consent from the property owner/s where such work requires entry onto adjoining land prior to entry onto the adjoining land, prior to Operational Work approval.
48. Obtain a Development Permit for Plumbing Work for the on-site sewerage treatment system.
49. Connection of the development to Council's reticulated sewerage system via a single connection. The connection must be designed in accordance with Council's standards and be approved by Council's Utility Services Section.
50. Actual connection to Council's live sewerage infrastructure must be undertaken by or under the supervision of Council.
51. Do not build work within 1.5 metres from the centre of any existing sewer pipework or within the Zone of Influence, whichever is the greater (measured horizontally).
52. Maintain a minimum of a 3 metre wide corridor to be maintained for maintenance/upgrade purposes.
53. Ensure that a clear level area of a minimum of a 2.5 metre radius surrounding any existing sewer manholes on the site, is provided for future maintenance/upgrade purposes.
54. The above minimum clearances to Council's sewer infrastructure do not preclude the need for work to proposed structures to prevent loading to the sewer system.

TRADE WASTE DISPOSAL (COMMERCIAL KITCHEN)

55. Connect the commercial kitchen to Council's sewer reticulation. Obtain a Plumbing Approval from Council and the relevant inspections are to be undertaken prior to connection to the sewer.
56. Do not release contaminants or contaminated water directly or indirectly from the premises or to the ground or groundwater at the premises, except for:
 - 56.1 uncontaminated overland stormwater flow;
 - 56.2 uncontaminated stormwater to the stormwater system;
 - 56.3 contaminants released to the sewer under and in accordance with a Trade Waste Permit granted by the Local Government under the *Sewerage and Water Supply Act 1949*; or
 - 56.4 other water following treatment through an oil/silt interceptor trap or separator.
57. Releases to water must not cause any visible oil slick or other visible evidence of oil or grease, nor contain visible grease, scum, litter or floating oil.

PARKING AND ACCESS - GENERAL

58. Design and construct all internal roads, driveways, manoeuvring and car parking areas with concrete, asphalt or a two-coat bitumen seal.
59. Provide 229 car parking spaces including a minimum of 5 person with disability (PWD) car parking spaces and 17 12.5m long (48-seater) bus/Heavy Vehicle parking spaces generally in accordance with the Approved Plans.
60. Provide an overflow parking area with adequate number of parking spaces for 155 cars.

61. Provide PWD car parking spaces designed and line marked in accordance with AS2890.6, Off-Street Parking for People with Disabilities.
62. Provide a continuous concrete path from the person with disability (PWD) car parking spaces to the facility with a rest point.
63. Provide vehicle bollards or tyre stops to control vehicular access and to protect landscaping or pedestrian areas where appropriate.
64. Line mark or otherwise delineate the car park aisles and driveways within the development with directional arrows on the pavement, to enable all vehicles to enter and leave the site in a forward gear.
65. 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.
66. Ensure loading and unloading operations are conducted wholly within the site.
67. Install at exit locations from the development to Warrego Highway and Condamine Street, R1-1A "STOP" signage as specified in the Manual of Uniform Traffic Control Devices – Part 13: Local Area Traffic Management and provide line marking.

VEHICLE ACCESS

68. Construct a commercial crossover between the property boundary and the edge of the McNulty Street road pavement, having a minimum width of 9 metres, generally in accordance with Council's Standard Drawing No. R-006, Revision C. Ensure that crossover splay is designed to accommodate turning movements of a 12.5 metre bus.
69. Construct any new crossovers such that the edge of the crossover is no closer than 1 metre to any existing or proposed infrastructure, including any stormwater gully pit, manhole, service infrastructure (eg power pole, telecommunications pit), road infrastructure (eg street sign, street tree, etc).

ROADWORKS - ROAD WIDENING

70. Prior to the commencement of Stage 3, design and construct roadworks from the existing constructed location to the west up to the eastern boundary of proposed Lot 20 along McNulty Street to relevant Council's Standards, Council's Planning Scheme and more specifically, include:
 - 70.1 widening of the existing bitumen constructed using a compacted, gravelled pavement and a 30mm deep asphalt surface; asphalt shall conform to BCC Type 2 - 10mm or an equivalent;
 - 70.2 kerb and channel at the existing alignment and transition works to existing drainage;
 - 70.3 formation of a grassed verge; and
 - 70.4 1:10 tapers to the existing road pavement to the east.

ELECTRICITY AND TELECOMMUNICATIONS

71. Connect the development to electricity and telecommunication services.

EARTHWORKS - GENERAL

72. Undertake any earthworks in accordance with the provisions of AS3798 Guidelines on Earthworks for Commercial and Residential Developments.

EROSION AND SEDIMENT CONTROL - GENERAL

73. 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.
74. 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 following period (the currency period)—

- (a) *for any part of the development approval relating to a **Material Change of Use**—if the first change of use does not happen within—*
- (i) *the period stated for that part of the approval; or*
 - (ii) *if no period is stated—**6 years** after the approval starts to have effect."*

NOTE 2 - Aboriginal Cultural Heritage

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

The information on Aboriginal cultural heritage is available on the Department of Aboriginal and Torres Strait Islander and Partnerships' website www.datsip.qld.gov.au.

NOTE 3 - General Environmental Duty

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

NOTE 4 - General Safety of Public During Construction

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

NOTE 5 - Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken twelve (12) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

NOTE 6 - Duty to Notify of Environmental Harm

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

CARRIED

12.2 (035.2024.486.001) Community and Liveability Report Development Application Reconfiguring a Lot (1 lot into 2 Lots) of Lot 144 on LY907 490 Auburn Road Red Hill Handley C/- Swep Consulting

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (1 lot into 2 lots) on land described as Lot 144 on LY907 and situated at 490 Auburn Road, Red Hill.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby
Seconded By Cr. G. M. Olm

That this Report be received and that:

1. The application for Reconfiguring a Lot (1 lot into 2 lots) of land described as Lot 144 on LY907 and situated at 490 Auburn Road, Red Hill be approved, subject to the following conditions:

APPROVED PLAN

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

Plan No., Revision	Title and Details	Dated
34141-4_POD-001_r0, Revision A	Plan of Development, Subdividing 1 into 2 lots, Subdividing 144 LY907, Lithgows Road, Red Hill, prepared by FYFE Pty Ltd	26/07/2024

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

APPROVED DEVELOPMENT

3. The approved development is Reconfiguring a Lot (Subdivision of 1 lot into 2 lots) as shown on the Approved Plan.

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) and whilst the use continues, unless otherwise noted within these conditions.

5. All costs associated with compliance with these conditions shall be the responsibility of the developer.
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 NUMBERING

8. The numbering of all approved lots shall remain as indicated on the Approved Plan (unless otherwise amended/approved by Council).
9. The developer is to make a request to Council for street numbering.

INFRASTRUCTURE CHARGES

10. 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.

LANDSCAPING

11. 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.
12. 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

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

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

16. Be responsible for the location and protection of any Council and public utility services infrastructure and assets that may be impacted on during construction of the development.

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.

ELECTRICITY

18. All Dwellings developed on the proposed lots are to have an adequate electricity supply to satisfy the expected needs of the Dwelling House. Electricity supply can be provided via reticulated electricity, a generator, solar system, wind power or any other alternative agreed upon by Council's authorised delegate.

TELECOMMUNICATIONS

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

WATER SUPPLY

20. All Dwellings on the proposed lots are to be provided with a suitable water supply that is independent from Council's water reticulation system. Monitor water quality continuously to ensure compliance with *Australian Drinking Water Guidelines - current edition 2011 and Health Guidance of Use of Standards for Potable Water*.

ON-SITE WASTEWATER TREATMENT

21. Future buildings on the proposed lots must be connected to an on-site wastewater disposal system, in accordance with AS 1547 and the Queensland Plumbing and Waste Water Code.

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

STORMWATER MANAGEMENT

22. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.

ENVIRONMENTAL HEALTH

23. Undertake operations and construction work associated with this development to the requirements of Council, including the following:
- 23.1 do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;
 - 23.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
 - 23.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

Timing: During construction and on-maintenance period and the establishment period of landscaping or areas disturbed during construction.

24. Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:

24.1 uncontaminated overland stormwater flow; and

24.2 uncontaminated stormwater to the stormwater system.

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

REFERRAL AGENCY RESPONSE

1. The State Assessment and Referral Agency has provided a Referral Agency response dated 25 September 2024.

ADVISORY NOTES

NOTE 1 - Currency Period

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

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

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

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

NOTE 2 - Aboriginal Cultural Heritage

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

NOTE 3 - General Environmental Duty

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

NOTE 4 - General Safety of Public During Construction

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

NOTE 5 - Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken twelve (12) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

NOTE 6 - Duty to Notify of Environmental Harm

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

NOTE 7 - Infrastructure Charges

An Infrastructure Charges Notice is attached to this approval.

CARRIED

12.3 (035.2024.561.001) Community and Liveability Report Development Application Reconfiguring a Lot (Boundary Realignment 2 Lots into 2 Lots) of Lots 24 and 25 on SP176768 at 17540 and 17520 Warrego Highway Dalby Hedge

The purpose of this Report is for Council to decide the proposed development for Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) on land described as Lots 24 and 25 on SP176768, situated at 17540 and 17520 Warrego Highway, Dalby.

COUNCIL RESOLUTION

Moved By Cr. K. A. Bourne

Seconded By Cr. O. G. Moore

That this Report be received and that:

1. The application for Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) of land described as Lots 24 and 25 on SP176768, situated at 17540 and 17520 Warrego Highway, Dalby be approved, subject to the following conditions:

APPROVED PLAN

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

Plan No., Revision	Title and Details	Dated
10827-SK1, Revision A	Proposed Reconfiguration of Lots 24 & 25 on SP176768 Locality of Dalby, Western Downs RC, prepared by Cottrell Cameron & Steen Surveys Pty Ltd, as amended in red by Council on 1.10.2024	3.9.2024

2. Where there is any conflict between the conditions of this development approval and the details shown on the Approved Plan, the conditions of this development approval must prevail.

APPROVED DEVELOPMENT

3. The approved development is Reconfiguring a Lot (Boundary Realignment - 2 lots into 2 lots) as shown on the Approved Plan.

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) and whilst the use continues, unless otherwise noted within these conditions.
5. All costs associated with compliance with these conditions shall be the responsibility of the developer.
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.

MAINTENANCE

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

LOT NUMBERING

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

LANDSCAPING

10. 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.
11. 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

12. Complete all works approved and works required by conditions of this development approval and/or any related approvals at no cost to Council, prior to Council's endorsement of the Survey Plan (Form 18B) unless stated otherwise.
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.

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

14. 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.

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

STORMWATER MANAGEMENT

16. Provide overland flow paths that do not adversely alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
17. Adjoining properties and roadways to the development are to be protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.

VEHICLE ACCESS

18. Ensure that the existing vehicular access points from Warrego Highway are maintained.

SERVICES

19. Ensure that all services provided to each lot are wholly located within the lot it serves.

ELECTRICITY

20. Maintain existing electricity supply to all lots within the development.

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.

ENVIRONMENTAL HEALTH

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

- 22.1 do not cause nuisance to adjoining residents by the way of smoke, dust, stormwater discharge or siltation of drains, at any time, including non-working hours;
- 22.2 remove immediately, any material spilled or carried onto existing roads to avoid dust nuisance and to ensure traffic safety; and
- 22.3 do not carry out work on Sundays or Public Holidays (unless approved otherwise by Council).

Timing: During construction and on-maintenance period and the establishment period of landscaping or areas disturbed during construction.

23. Do not release contaminants or contaminated water directly or indirectly from the land subject to this approval, or to the ground or groundwater at the land subject to this approval, except for:

- 23.1 uncontaminated overland stormwater flow; and
- 23.2 uncontaminated stormwater to the stormwater system.

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

ADVISORY NOTES

NOTE 1 - Currency Period

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

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

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

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

NOTE 2 - Aboriginal Cultural Heritage

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

NOTE 3 - General Environmental Duty

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

NOTE 4 - General Safety of Public During Construction

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

NOTE 5 - Property Note (Audit of Conditions)

An inspection of the property to ascertain compliance with conditions will be undertaken twelve (12) months after the approval takes effect. If the works are completed prior to this time, please contact Council for an earlier inspection. A property note to this effect will be placed on Council's records.

NOTE 6 - Duty to Notify of Environmental Harm

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

CARRIED

13. EXECUTIVE SERVICES

13.1 Executive Services Chief Executive Officer Report December 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 December 2024.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. K. A. Bourne

That this Report be received.

CARRIED

13.2 Executive Services Report Outstanding Actions December 2024

The purpose of this Report is to provide Council with an updated on the status of outstanding Council Meeting Action Items to 5 December 2024.

Cr. M. J. James left the meeting at 10.05am (having declared a conflict of interest in response to a intended question regarding the Dalby Aerodrome proposed lease to Helismart. Cr James had determined that the conflict of interest arose as she is a close personal friend of two of the Directors of HeliSmart and has previously done consulting work for Helismart in her former role at BMO Accountants).

Cr. M. J. James re-joined the meeting at 10.09am.

COUNCIL RESOLUTION

Moved By Cr. P. T. Saxelby

Seconded By Cr. K. A. Bourne

That this Report be received.

CARRIED

14. CORPORATE SERVICES

14.1 Corporate Services Financial Report December 2024

The purpose of this Report is to provide Council with the Financial Report for the period ending 31 December 2024.

COUNCIL RESOLUTION

Moved By Cr. S. Bougoure

Seconded By Cr. O. G. Moore

That Council resolves to receive the December 2024 Financial Report and:

(1)note the amendments to the 2024-25 Capital Works Programme as listed in section three of this report, with additional expenditure of \$752,889 (exclusive of goods and services tax) and additional revenue of \$779,188 (exclusive of goods and services tax) being added to the programme;

(2) resolves to approve the deferral of capital expenditure budget from 2024-25 to 2025-26 for \$4,500 (exclusive of goods and services tax) as listed in section three of this report; and

(3)notes the 2023-24 Carry Forward Programme update as listed in attachment two of this report.

CARRIED

15. INFRASTRUCTURE SERVICES

15.1 Infrastructure Services Report Water Main Renewal Program - 2024/25 Budget Increase

The purpose of this Report is to request an increase in budget for the water main renewal program - 2024/25 from \$2,499,012 to \$3,050,000 (ex GST) for the 2024/25 financial year.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. G. M. Olm

That this Report be received and that Council:

1. Increase budget for the water main renewal program - 2024/25 from \$2,499,012 to \$3,050,000 (ex GST) for the 2024/25 financial year.

CARRIED

The Chairperson adjourned the meeting at 10:39am

The meeting resumed at 10:57am

15.2 Infrastructure Services Report Transport Asset Maintenance Management Plan (TAMMP) 2024 Review

The purpose of this Report is to provide Council with a summary of the Transport Asset Maintenance Management Plan 2024/25 review findings.

Moved By Cr. G. M. Olm

Seconded By Cr. K. A. Bourne

That this Report be Received.

CARRIED

15.3 Infrastructure Services Report 2024/25 Capital Works Progress Update December 2024

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 December 2024.

COUNCIL RESOLUTION

Moved By Cr. S. J. Condon

Seconded By Cr. O. G. Moore

That this report is received and noted.

CARRIED

16. COMMUNITY AND LIVEABILITY

16.1 Community & Liveability Big Skies Festival 2024

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 2024 and to seek endorsement of the proposed dates for future Big Skies Festival to enable planning to continue.

COUNCIL RESOLUTION

Moved By Cr. M. J. James

Seconded By Cr. K. A. Maguire

That this report be received and Council endorses the proposed dates for the 2026 Big Skies Festival for the long weekend from Thursday 30 April - Monday 4 May 2026 and the future of the event be considered during the 2025/2026 budget deliberations.

LOST (4 to 5)

For: Cr. A. N. Smith, Cr. K. A. Bourne, Cr. K. A. Maguire, and Cr. M. J. James

Against: Cr. O. G. Moore, Cr. S. J. Condon, Cr. P. T. Saxelby, Cr. G. M. Olm, and Cr. S. Bougoure

16.2 Community and Liveability Report Chambers of Commerce Partnering Agreement Outcomes 23/24

This Report is to inform Council about the initiatives delivered under the Chamber of Commerce 2023/24 Partnering Agreements.

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

Seconded By Cr. K. A. Bourne

That this Report be received.

CARRIED

16.3 Community and Liveability Report Queensland Country Tourism 2024

The purpose of this report is to provide Council with an annual report outlining outcomes of the 2023 / 2024 partnership between Western Downs Regional Council and Queensland Country Tourism (QCT).

COUNCIL RESOLUTION

Moved By Cr. K. A. Maguire

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.

18. URGENT GENERAL BUSINESS

Procedural Motion Moved By Cr. A. N. Smith

That the meeting be adjourned until 12:00pm.

CARRIED

The meeting resume at 12:09pm.

COUNCIL RESOLUTION

Moved By Cr. O. G. Moore

Seconded By Cr. S. Bougoure

That council resolve to no longer deliver the Big Skies music festival as a council run event. However, council would consider support if it were a community run event.

CARRIED (5 to 4)

For: Cr. O. G. Moore, Cr. S. J. Condon, Cr. P. T. Saxelby, Cr. G. M. Olm, and Cr. S. Bougoure

Against: Cr. A. N. Smith, Cr. K. A. Bourne, Cr. K. A. Maguire, and Cr. M. J. James

19. MEETING CLOSURE

The Meeting concluded at 12:34pm.