



MINUTES

of the

General Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Friday 18th September 2015

Commencing at 9:00am

Table of Contents

MEETING BUSINESS BY CORPORATE FUNCTION	2
(CFS) CORPORATE FINANCIAL SERVICES.....	4
(IFS) INFRASTRUCTURE SERVICES	8
(GEN) GENERAL	8
(RLP) RURAL SERVICES	9
(CES) COMMUNITY & ENVIRONMENTAL SERVICES.....	9

MEETING BUSINESS BY CORPORATE FUNCTION

ATT1 ATTENDANCE

Cr DS Stewart (Mayor), Crs RW Marsh (Deputy Mayor), RD Avery, FM Gaske, J Kellock, RI Paul, and RIS Winks.

Mr Peter O'May (Chief Executive Officer), Mr Andrew McKenzie (Director Corporate & Financial Services), Mr Kevin Searle (Director Infrastructure Services), Ms Angela Jones (Director Community & Environmental Sustainability) and Mrs Kathy Elliott (Executive Assistant).

CLP1 COUNCIL PRAYER

The Mayor declared the Meeting open at 9:00am and led the Council in the Opening Prayer.

LOA1 LEAVE OF ABSENCE

Nil

COM1 CONFIRMATION OF MINUTES

Cr Avery moved and Cr Kellock seconded:

That the Minutes of the General Meeting held on 21 August, 2015 be confirmed.

CARRIED

BAM1 BUSINESS ARISING FROM MINUTES

BAM1 QDOG nomination – Cr Avery nomination to committee was unsuccessful.

IFS99 Lighting Bollon Airstrip – Funding application has been submitted awaiting outcome.

GEN2 Roads Conference – Cr Winks advised both he and Cr Paul were unable to attend the ALGA Annual Roads Conference at Ballarat.

CES6 Dirranbandi River / Rail Precinct – Update provided on the meeting with representatives.

PUBLIC PARTICIPATION

Nil

DEPUTATIONS

Nil

COUNCILLOR REPORTS

Councillors delivered their verbal reports on activities within their portfolios during the preceding month.

MEMORIAL SERVICE LATE RAY KIDD

Cr Paul moved and Cr Winks seconded:

That in recognition of the sterling service rendered to the Balonne Shire, by former Councillor Ray Kidd, Council donates Morning Tea for the Memorial Service to be held for him in the St George Cultural Centre on Monday 28th September, 2015.

CARRIED

SWRED OFFICER

Cr Gaske moved and Cr Kellock seconded:

That Council forward an invitation to Cr Lindsay Godfrey, Chair SWRED to attend a Balonne Shire Council Meeting to discuss the benefits to the Balonne Shire of an officer being employed by SWRED to promote economic and social outcomes for our Shire.

CARRIED

SENATE SELECT COMMITTEE - IMPACTS OF THE MURRAY DARLING BASIN PLAN

Cr Gaske moved and Cr Avery seconded:

That Council forward a letter to Mr Andrew McCosker thanking him for organising and assisting with the deputations held in Dirranbandi on 17th September, 2015 to obtain submissions to the Senate Select Committee Inquiry on the impacts of the Murray Darling Basin Plan to be held in St George on 29th September, 2015.

CARRIED

DONOR BLOOD PANEL

Cr Avery moved and Cr Winks seconded:

That Council forward a letter of support to the South West Hospital & Health Board for maintaining the Donor Blood Panel.

CARRIED

INNOVATION ROAD SHOW

Cr Gaske moved and Cr Kellock seconded:

That Council invite Mr Lou Boyle to give a presentation on the LGAQ Innovation Roadshow, to Council at some future date.

CARRIED

NEW CRICKET NETS ROWDEN PARK

Cr Avery moved and Cr Kellock seconded:

That Council supports the application by the St George Cricket Club for funding to provide cricket nets at Rowden Park at a site to be determined by the Rowden Park Advisory Committee.

CARRIED

ADJOURNMENT

The Meeting adjourned for Morning Tea at 11:13am and resumed at 11:38am with Mr Andrew McKenzie (Director of Corporate & Financial Services) in attendance.

GRIDS / GATES LINK ROAD

Cr Winks moved and Cr Kellock seconded:

That Council write to property owners on the Link Road requesting any fences be removed from across the formed road alignment and that grids or alternate fencing be installed to ensure access along the the new road alignment is maintained.

CARRIED

COUNCILLORS' REPORTS

Cr Gaske moved and Cr Avery seconded:

That the Councillors' verbal reports as presented be received.

CARRIED

(CFS) CORPORATE FINANCIAL SERVICES

CFS1 DIRRANBANDI P-10 STATE SCHOOL - REQUEST FOR DONATION - 2015 OPTI-MINDS FINALS.

(02.09.15) The Dirranbandi P-10 State School have applied for a donation through Council's Community Donations, Sponsorship and Grants program to contribute towards their fund raising activities for the 2015 Opti-Minds Finals.

Cr Winks moved and Cr Gaske seconded:

That Council provides funds to the amount of \$500.00 to Dirranbandi P-10 State School to contribute towards their fundraising to participation in the 2015 State Opti-Minds Challenge.

CARRIED

CFS2 COMMUNITY RATES SUPPORT PROGRAM 2015/2016

(08.09.15) Community Rates Support Program 2015/2016

Cr Gaske moved and Cr Winks seconded:

That in accordance with Section 122 of the *Local Government Regulation 2012*, Council grant the rate rebates as per the guidelines of the Community Rates Support Program.

AMENDMENT

Cr Marsh moved and Cr Kellock seconded:

That in accordance with Section 122 of the *Local Government Regulation 2012*, Council grant the following rate rebates as per the guidelines of the Community Rates Support Program;

Organisation	Address	Rates Services /	Gross Rates	Net with discount	Rebate 1/2 year	Rebate full year
St George Rugby League Club	124 St Georges Terrace, St George	Water	\$ 435.60	\$ 392.04	\$ -	\$ -
		Garbage	\$ 328.30	\$ 295.47	25% - \$36.94	\$ 73.87
		Emgcy Levy	\$ 235.80	\$ 235.80	\$ -	\$ -
		Totals	\$ 999.70	\$ 923.31	\$ 36.94	\$ 73.87

Organisation	Address	Rates / Services	Gross Rates	Net with discount	Rebate 1/2 year	Rebate full year
Dirranbandi Court Sports Assn Inc	47-57 Jane St, Dirranbandi	Water	\$ 435.60	\$ 392.04	\$ -	\$ -
		Sewerage	\$ 889.90	\$ 800.91	25% - \$100.12	\$ 200.23
		Garbage	\$ 328.30	\$ 295.47	25% - \$36.93	\$ 73.87
		Emgcy Levy	\$ 96.40	\$ 96.40	\$ -	\$ -
		Totals	\$ 1,750.02	\$ 1,584.82	\$ 137.05	\$ 274.10

Organisation	Address	Rates / Services	Gross Rates	Net with discount	Rebate 1/2 year	Rebate full year
QCWA	71 Victoria St, St George	Water	\$ 493.68	\$ 444.31	\$ -	\$ -
		Sewerage	\$ 889.90	\$ 800.91	50% - \$200.23	\$ 400.46
		Garbage	\$ 656.60	\$ 590.94	50% - \$147.74	\$ 295.47
		Emgcy Levy	\$ 96.40	\$ 96.40	\$ -	\$ -
		Totals	\$ 2,136.58	\$ 1,932.56	\$ 347.97	\$ 695.93

The amendment was then put and CARRIED

Subsequently it became the resolution, and when put again, was CARRIED

CFS3

LETTER FROM VALUER-GENERAL IN RESPONSE TO COUNCIL'S REQUEST FOR MEETING TO DISCUSS LAND VALUATIONS, LAND USE CODING AND LOCAL GOVERNMENT RATE CATEGORISATION.

(26.08.15) Letter from Valuer-General in response to Council's request for meeting to discuss land valuations, land use coding and local government rate categorisation.

Cr Marsh moved and Cr Kellock seconded:

That Council provide a copy of the correspondence sent to the Valuer-General and a copy of his response to Mr W Knights, Mr R Jakins and Ms L Hill.

CARRIED

CFS4

GREEN ARMY UTILISATION - FURTHER INFORMATION

(03.09.15) Investigation into utilising the "Green Army" project to combat youth unemployment and lack of training opportunities in rural areas.

Cr Kellock moved and Cr Gaske seconded:

That an invitation be extended to Esme Cairns of *Gateway to Training* to attend Council's next meeting to discuss the "Green Army" funding program.

CARRIED

CFS5

ENTERPRISE BARGAINING AGREEMENTS

(09.09.15) Following the last State election, amendments to the Industrial Relations Act has placed

the enterprise bargaining process in limbo, with a review of the Local Government Industrial Award to be completed. Given the expiration of Council's Certified Agreements Council consideration on living wage increases on employees' wages is requested.

SUSPENSION OF STANDING ORDERS

Cr Winks moved and Cr Gaske seconded:

That Standing Orders be suspended to allow Council to go into a closed meeting in accordance with Section 275 of the *Local Government Regulation 2012*, to discuss industrial matters affecting employees, the time being 12:48pm.:

CARRIED

RESUMPTION OF STANDING ORDERS

Cr Avery moved and Cr Gaske seconded:

That Standing Orders be resumed, the time being 1:14pm.

CARRIED

MOTION

Cr Marsh moved and Cr Avery seconded:

That given the expiry of both the Balonne Shire Council Certified Agreement (State) 2013 and the Balonne Shire Council Certified Agreement (Officers) 2012 that Council propose an Administrative Arrangement be implemented for both Employees and Officers based on the Queensland Industrial Relations Commission State Wage Case 2015 Ruling and that;

- Wage increases be provided in line with the ruling i.e. \$19.20 or 2.5% increase per week;
- Wage increases be effective 1st July, 2015 (*as opposed to 1 September 2015*);
- Any award increases including the State Wage Case 2015 Ruling be absorbed into the above increases.
- The Administrative Arrangement be for a period of 12 months.

CARRIED

CFS98

MONTHLY REPORT

(07.09.15) The Director of Corporate and Financial Services Report for the Month of September is presented for Council's consideration.

Cr Winks moved and Cr Gaske seconded:

That Council receives this report.

CARRIED

CFS7

MONTHLY FINANCE REPORT FOR PERIOD ENDING 31 AUGUST 2015

(16.09.15) Monthly Financial Management Report for period ending 31 August 2015.

Cr Winks moved and Cr Gaske seconded:

That the monthly Financial Management Report for the period ending 31 August 2015, as tabled, be received and noted.

CARRIED

GENERAL - CORPORATE FINANCIAL SERVICES**ADJOURNMENT**

The Meeting adjourned for Lunch at 1:23pm and resumed at 2:02pm.

SUSPENSION OF STANDING ORDERS

Cr Kellock moved and Cr Marsh seconded:

That in accordance with section 275(1)(f) of the *Local Government Regulation 2012* Council close the meeting to the public in order to discuss matters involving the starting and defending of legal action, the time being 2:02pm.

CARRIED

LEVEE EASEMENTS

Cr Gaske declared a Material Personal Interest in discussions involving the flood mitigation levee and easement documents in accordance with Section 172 of the *Local Government Act 2009*, as she is the owner of a property that has a section of the block wall flood mitigation levee on its boundary which is subject to an easement and retired from the Meeting at 2:02pm.

Mr Kevin Searle (Director of Infrastructure Services) entered, the Meeting at 2:06pm.

LEVEE EASEMENTS

Following the discussion on the levee bank, Cr Gaske returned to the Meeting at 3:05pm.

Cr Avery left the meeting at 3:06pm and Cr Avery returned to the meeting at 3:08pm.

RESUMPTION OF STANDING ORDERS

CR KELLOCK MOVED AND CR AVERY SECONDED:

THAT COUNCIL MOVE OUT OF THE CLOSED MEETING AND THAT THE STANDING ORDERS BE RESUMED THE TIME BEING 3:27PM.

CARRIED

LEVEE EASEMENTS

CR MARSH MOVED AND CR KELLOCK SECONDED:

THAT COUNCIL SEEKS EARLY RESOLUTION WITH MRS MOON, MRS CODRINGTON, MS CODRINGTON & MR CAMPBELL. MR MCNAMARA, MR & MRS MULDER, MR GEIGER, METREX PTY LTD BEING THE LANDHOLDERS IN ALFRED STREET WHO HAVE MATTERS OUTSTANDING IN THE ISSUE OF THE EASEMENTS.

CARRIED CR GASKE TOOK NO PART IN DISCUSSIONS AND DID NOT VOTE ON THIS MOTION.

MR ANDREW MCKENZIE RETIRED FROM THE MEETING AT 3:28PM

(IFS) INFRASTRUCTURE SERVICES

IFS1 BSC 1516 - T02 ASPHALT LAYING AND COMPACTION

(09.09.15) Tenders were called for works to be completed on behalf of the Department of Main Roads for the asphalt laying and compaction on various sections along the Carnarvon Hwy (Victoria and Grey St) within the town of St George.

Cr Avery moved and Cr Marsh seconded:

That Council accepts the tender submission from Fulton Hogan Industries Pty Ltd for tender BSC 1516 – T02 Asphalt Laying and Compaction for \$226,008.22 (excl GST) as per the tender documents.

CARRIED

IFS2 REGIONAL EXPRESS (REX) LEASE

(09.09.15) A lease or rental agreement between Council and Regional Express (REX) for the use of a portion of the St George Aerodrome Terminal Building to be drawn up to formalise the arrangement.

Cr Avery moved and Cr Kellock seconded:

That Council receives this report and a lease between Council and REX is drawn up.

CARRIED

IFS98 MONTHLY REPORT - INFRASTRUCTURE SERVICES REPORT

(08.09.15) From the Director of Infrastructure Services reporting for the month of August.

Cr Winks moved and Cr Gaske seconded:

That Council receives this report.

CARRIED

Mr John Randall (Investment Attractions Officer) entered the Meeting at 3:42pm.

Cr Gaske left the meeting at 3:44pm and returned to the meeting at 3:47pm.

Mr Kevin Searle (Director Infrastructure Services) retired from the Meeting 3:48pm.

IFS99 GENERAL - INFRASTRUCTURE SERVICES

(GEN) GENERAL

GEN1 MONTHLY REPORT INVESTMENT ATTRACTIONS OFFICER AUGUST 2015

(09.09.15) Monthly Report Investment Attraction Officer September 2015.

Cr Winks moved and Cr Kellock seconded:

That Council receives this report.

CARRIED

CLUSTER FENCING MODELS

Cr Avery moved and Cr Kellock seconded:

That Council request an Economic Development Feasibility Study be completed on cluster fencing models in the Balonne Shire as part of the Investment Attraction Project.

CARRIED

LARGE SCALE SOLAR PROJECTS

Cr Kellock moved and Cr Marsh seconded:

That Council consider the submission of an Expression of Interest, to the Australian Renewable Energy Agency (ARENA) funding initiative.

CARRIED

INVESTMENT ATTRACTION POLICY

Cr Kellock moved and Cr Avery seconded:

That Council receives the Draft Investment Attraction Policy and discuss it at a future meeting of the Council

CARRIED

Mr John Randall retired from the Meeting at 4:34pm.

(RLP) RURAL SERVICES

RLP98

MONTHLY REPORT FOR JULY 2015

(09.09.15) Rural Services August 2015 Monthly Report

Cr Gaske moved and Cr Kellock seconded:

That Council receives this report.

CARRIED

Ms Angela Jones entered the Meeting at 4:37pm.

Mr Kevin Searle entered the Meeting at 4:38pm.

(CES) COMMUNITY & ENVIRONMENTAL SERVICES

CES1

RELEASE OF FLOOD MAPPING INFORMATION

(09.09.15) This report is seeking approval to provide the Department of Natural Resources and Mines commissioned "St George Flood Investigation – Incremental Level Flood Mapping" DNRM flood mapping information to insurance companies.

Cr Gaske retired from the Meeting at 4:50pm.

Cr Kellock moved and Cr Winks seconded:

That the Department of Natural Resources and Mines commissioned BMT WBM "St George Flood Investigation – Incremental Level Flood Mapping" be made publically available

CARRIED

CES1

DENTAL SURGERY

(08.09.15) The purpose of this report is to request a letter of support from Council for a Dental Relocation and Infrastructure Support Scheme (DRISS) application to support a private dental practice to set up in St George.

Cr Winks moved and Cr Marsh seconded:

That Council provides a letter of support for an application to the Dental Relocation and Infrastructure Support Scheme (DRISS) by Mr Reza Gilani to establish a dental surgery at 14 Henry Street, St George.

CARRIED

CES2

MCU HEALTH CARE PREMISES ST GEORGE

(08.09.15) This report seeks approval of a development application (MCU144/RL85) with conditions.

Cr Marsh moved and Cr Kellock seconded:

That:

1. This report be received and;
2. development application for a staged application being for Reconfiguring a Lot (2 into 2) over Lots 4 and 5 on RP173004 to create Lots 4 and 5 on and for a Material Change of Use for Health Care Premises at 44-46 Grey Street, 112, 114 and 116 Alfred Street, St George Queensland 4487 and described as Lot 3 on TP74316 and Lots 4 and 5 on RP173004 be approved subject to the following conditions:

Aspect: Stage 1 – Health Care Premises – Pathology Clinic

Complete and Maintain

1. Complete and maintain the approved development as follows: (i) generally in accordance with development approval documents and (ii) strictly in accordance with those parts of the approved development which have been specified in detail by the Council or Referral Agency unless the Council or Referral Agency agrees in writing that those parts will be adequately complied with by amended specifications.
2. Complete and maintain all operational, building and plumbing and drainage work associated with this development approval, including work required by any of the development approval conditions.
3. Maintain the approved development being a material change of use for Health Care Premises (Pathology Clinic) generally in accordance with the approved plans described in the table below as amended to suit development approval conditions:

Plan/Document number	Plan/Document name	Date
152218 DWG No. SK03 Issue P5	Existing Site Plan and Proposed Site Plan	22/06/2015
152218 DWG No. SK04 Issue P6	Proposed Site Plan Stage 1	28/07/2015
152218 DWG No. SK08 Issue P5	Proposed Floor Plan – Medical Building	22/06/2015
152218 DWG No. SK09	Proposed Elevations – Medical Building	22/06/2015

Building work and additional approvals

4. Modify the existing structure as necessary in order to obtain and obtain a development permit for building work to use the existing structure as a Health Care Premises including, for example, but not limited to, fire safety installations to the satisfaction of Queensland Fire and Emergency Services (QFES).
5. Ensure signage meets the requirements of "Advertising Devices Code" in the *Balonne Shire Planning Scheme 2006*.

Waste Collection

6. Make provision for the disposal of general refuse in covered waste containers with a capacity sufficient for the use. At all times while the use continues, waste containers shall be maintained in a clean and tidy state involving being emptied and the waste removed from the site on a regular basis.

Access, Roads, Landscaping and Lighting

7. Provide and maintain vehicle access to proposed Lot 3, to the standards identified in Schedule 2: "Standards for Roads, Cap Parking, Access and Manoeuvring Areas" in the *Balonne Shire Planning Scheme 2006*.
8. All landscaping, vehicular access, parking and related items must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such designs exist (iv) any relevant Australian Standard that applies to that type of work and (v) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.
9. Provide landscape screening along all boundaries of Lot 3, in accordance with approved plan no. 152218 DWG No. SK04 Issue P5, 'Proposed Site Plan Stage 1', dated 22/06/2015. Landscaping must reach a minimum height of 2.5 metres within 18 months of planting and must be maintained at all times while the use is operating at the site.
10. A total of nine (9) car parking spaces are to be provided on-site including one (1) PWD space. All proposed car parking spaces and driveway areas (as shown on 152218 DWG No. SK04 Issue P6, 'Proposed Site Plan Stage 1', dated 28/07/2015) are to be covered in hardstand finishes (gravel, bitumen etc.) and marked with standard line markings identifying location and size of car parks and any marking required to identify direction or right of way for manoeuvring and access.

Services

11. The proposed development must maintain the existing reticulated sewerage system connection to the site in accordance with the standards described in Schedule 5: "Standards for Sewerage Supply" in the *Balonne Shire Planning Scheme 2006*.
12. The proposed development is to provide a water connection to the site adequate to cater for the proposed development at maximum capacity.

Stormwater and Overland Flow

13. Stormwater must not be allowed to pond on the property being developed during the development process and after development has been completed unless the type and size of ponding has been agreed in writing by the Council or as a specific development approval condition.
14. Stormwater shall be collected and discharged in accordance with Schedule 6: "Standards for Stormwater Drainage".
15. Any increases in volume, concentration or velocity of stormwater from the property being developed must be channelled to lawful points of discharge or to other storage or dispersal arrangements which must all be agreed in writing by the Council.
16. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after development has been completed.

Erosion Control

17. During construction and operation, soil erosion and sediment shall be managed in accordance with Schedule 7: "Standards for Construction Activity".

Avoiding Nuisance and Environmental Harm

18. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
19. Any air conditioning, generator, refrigeration, pump, exhaust, fans, processing or other equipment must be acoustically screened to ensure noise levels do not exceed 5dB above the background noise level.
20. No nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
21. A 1.8 metre high closed boarded fence or colourbond fence shall be erected in accordance with Approved Plan 152218 DWG No. SK04 Issue P6 dated 28/07/2015.

Operations

22. Hours of operation are restricted to 07.30am to 01.30pm Monday to Friday.

Note: The use may only operate outside of these hours in the event of a medical emergency.

Waste

23. All waste must wherever possible be recycled. Remaining waste must be regularly removed for

disposal to an approved waste disposal facility.

No Cost to Council

24. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs.

Use

25. All development approval conditions related to the establishment of the approved development must be fulfilled prior to any approved use commencing.

Aspect: Stage 2 Reconfiguring a Lot (2 into 2)

26. All outstanding rates and charges shall be paid prior to the submission to Council of the Plan of Survey.
27. Comply with all conditions of this approval prior to submitting the Plan of Subdivision to Council for endorsement unless otherwise agreed in writing by Council.
28. Maintain the approved development being Reconfiguring a Lot (2 into 2) in accordance with the approved plan:

Plan/Document number	Plan/Document name	Date
152218 DWG No. SK02 Issue: P5	Existing and Proposed Lot Boundaries	22/06/15

Engineering

29. Provide individual reticulated electricity supply to Lots 4 and 5.
30. Provide individual reticulated telecommunications supply to Lots 4 and 5.
31. Provide vehicular access to Lots 4 and 5 in accordance with the standards identified in Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas" in the Balonne Shire Planning Scheme 2006.
32. Submit to Council a certificate signed by a licensed surveyor stating that after the completion of all works associated with the subdivision, survey marks, including permanent survey marks, were reinstated where necessary and all survey marks are in their correct position in accordance with the Plan of Survey.

Aspect: Stage 2 – Health Care Premises – Medical Centre

Complete and Maintain

33. Complete and maintain the approved development as follows: (i) generally in accordance with development approval documents and (ii) strictly in accordance with those parts of the approved development which have been specified in detail by the Council or Referral Agency unless the Council or Referral Agency agrees in writing that those parts will be adequately complied with by amended specifications.

34. Complete and maintain all operational, building and plumbing and drainage work associated with this development approval, including work required by any of the development approval conditions.
35. Maintain the approved development being a Medical Centre in accordance with the approved plans described in the table below as amended to suit development approval conditions:

Plan/Document number	Plan/Document name	Date
152218 DWG No. SK10 Issue P6	Proposed Site Plan Stage 2	28/07/2015

Building work and additional approvals

36. Ensure signage meets the requirements of “Advertising Devices Code” in the *Balonne Shire Planning Scheme 2006*.

Waste Collection

37. Make provision for the disposal of general refuse in covered waste containers with a capacity sufficient for the use. At all times while the use continues, waste containers shall be maintained in a clean and tidy state involving being emptied and the waste removed from the site on a regular basis.

Access, Roads, Landscaping and Lighting

38. Provide and maintain vehicle access to proposed Lot 4, to the standards identified in Schedule 2: “Standards for Roads, Car Parking, Access and Manoeuvring Areas” in the *Balonne Shire Planning Scheme 2006*.
39. All landscaping, vehicular access, parking and related items must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council’s standard designs for such work where such designs exist (iv) any relevant Australian Standard that applies to that type of work and (v) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.
40. Provide landscape screening along all boundaries of Lot 4, in accordance with approved plan no. 152218 DWG No. SK10 Issue P6, ‘Proposed Site Plan Stage 2’, dated 28/07/2015. Landscaping must reach a minimum height of 2.5 metres within 18 months of planting and must be maintained at all times while the use is operating at the site.
41. A total of nineteen (19) car parking spaces are to be provided on-site including one (1) PWD space. All proposed car parking spaces and driveway areas (as shown on 152218 DWG No. SK10 Issue P6, ‘Proposed Site Plan Stage 2’, dated 28/07/2015.) are to be covered in hardstand finishes (gravel, bitumen etc.) and marked with standard line markings identifying location and size of car parks and any marking required to identify direction or right of way for manoeuvring and access

Services

42. The proposed development must maintain the existing reticulated sewerage system connection to the site in accordance with the standards described in Schedule 5: “Standards for Sewerage

Supply” in the Balonne Shire Planning Scheme 2006.

43. The proposed development is to provide a water connection to the site adequate to cater for the proposed development at maximum capacity.

Stormwater and Overland Flow

44. Stormwater must not be allowed to pond on the property being developed during the development process and after development has been completed unless the type and size of ponding has been agreed in writing by the Council or as a specific development approval condition.
45. Stormwater shall be collected and discharged in accordance with Schedule 6: “Standards for Stormwater Drainage”.
46. Any increases in volume, concentration or velocity of stormwater from the property being developed must be channelled to lawful points of discharge or to other storage or dispersal arrangements which must all be agreed in writing by the Council.
47. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after development has been completed.

Erosion Control

48. During construction and operation, soil erosion and sediment shall be managed in accordance with Schedule 7: “Standards for Construction Activity”.

Avoiding Nuisance and Environmental Harm

49. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
50. Any air conditioning, generator, refrigeration, pump, exhaust, fans, processing or other equipment must be acoustically screened to ensure noise levels do not exceed 5dB above the background noise level.
51. No nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
52. A 1.8 metre high closed boarded acoustic fence or colourbond fence shall be erected in accordance with Approved Plan 152218 DWG No. SK10 Issue P6 dated 28/07/2015.

Operations

53. Hours of operation are restricted to 08.30am to 05.00pm Monday to Friday and 08.30am to 12.00pm Saturday.

Note: The use may only operate outside of these hours in the event of a medical emergency.

Waste

54. All waste must wherever possible be recycled. Remaining waste must be regularly removed for disposal to an approved waste disposal facility.

No Cost to Council

55. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs.

Use

56. All development approval conditions related to the establishment of the approved development must be fulfilled prior to any approved use commencing.

CARRIED

CES3

RL86 DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT (2 INTO 2) AT "CAVILLON" CASTLEREAGH HIGHWAY, DIRRANBANDI QLD 4486 AND DESCRIBED AS LOT 4 ON BLM1021 AND LOT 5 ON BLM284

(08.09.15) This report seeks approval for a development application (RL86) with conditions.

Cr Kellock moved and Cr Winks seconded:

That:

1. This report be received and;
2. development application for a Reconfiguring a Lot (2 into 2) at "Cavillon" Castlereagh Highway, Dirranbandi QLD 4486 and described as Lot 4 on BLM1021 and Lot 5 on BLM284 be approved subject to the following conditions:

Aspect: Reconfiguring a Lot (2 into 2)

1. Compliance with the facts and circumstances set out in the application and all Council By-laws being adhered to and generally in accordance with the approved plan (except where varied by conditions of approval).
2. All outstanding rates and charges shall be paid prior to the submission to Council of the Plan of Survey.
3. Comply with all conditions of this approval prior to submitting the Plan of Subdivision to Council for endorsement unless otherwise agreed in writing by Council.
4. Maintain the approved development being Reconfiguring a Lot (2 into 2) in accordance with the approved plan:

Plan/Document number	Plan/Document name	Date
213077 DWG No. 213077-7 Prepared by SKM Consultants Pty Ltd.	PLAN OF PROPOSED SUBDIVISION (BOUNDARY ADJUSTMENT) LOT 4 BLM1021 & LOT 5 BLM284 "CAVILLON" DIRRANBANDI	2/06/2015

Engineering

5. Provide vehicular access to Lots 4 and 5 in accordance with the standards identified in Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas" in the Balonne Shire Planning Scheme 2006.
6. Stormwater collected on the site resulting from development shall be adequately managed on-site and drained to a legal point of discharge.
7. Water supply can be provided separately to each allotment in the subdivision in accordance with the requirements of Council's Planning Scheme.

All work shall be constructed in accordance with Schedule 4 – Standards for Water Supply in the Balonne Shire Planning Scheme. To this end, prior to the signing and sealing of any Plan of Survey for Reconfiguration of Lots on the site, each allotment shall be provided with a water service connection up to but excluding a water meter.

8. On-site sewerage disposal can be provided separately to each allotment in the subdivision in accordance with standards for on-site sewerage identified in Schedule 5 – Standards for Sewerage Supply of the Balonne Shire Planning Scheme.
9. Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the developer at no cost to Council.
10. The developer must submit a certificate signed by a licensed surveyor, stating that after the completion of all works associated with the subdivision, survey marks, including permanent survey marks, were reinstated where necessary and all survey marks are in their correct position, in accordance with the Plan of Survey.
11. Telephone and electricity services shall be provided to all allotments. Electricity may be provided overhead where the subdivision creates no more than two allotments and overhead power is already provided to the original allotments.
12. A certificate(s) must be obtained from a provider agency stating that electricity supply network connections can be made to each of the proposed allotments and that adequate electricity supplies are available or can be made available.
13. A certificate(s) must be obtained from a provider agency to indicate provision of a telephone supply to each of the proposed allotments is available.

CARRIED

CES4

DIRRANBANDI RAIL & RIVER

(08.09.15) To report on the meeting held 7 September 2015 about the railway precinct in Dirranbandi.

Cr Avery moved and Cr Kellock seconded:

That:

1. A lease is developed with the Dirranbandi RTC subject to confirmation by the committee on the basis that:
 - a. Council waives rates
 - b. The land area includes the building and the carpark

- c. The organisation owns the building and may remove the asset or transfer it to a like-minded organisation in the event of the non-renewal of the lease or the winding up of the organisation.

CARRIED

DIRRANBANDI RAIL & RIVER PRECINCT

Cr Avery moved and Cr Kellock seconded:

That Council write to the Dirranbandi Rail & River Precinct Committee, forwarding Minutes of the Meeting held on 7 September 2015 and requesting further advice on proposed options.

CARRIED

CES5

BIGAMBUL NATIVE TITLE CLAIM

(08.09.15)

The purpose of this Report is to advise on the status of a Federal Court proceeding to which Council is a Respondent Party. It is appropriate for Council to close the meeting to the public.

Cr Marsh moved and Cr Avery seconded:

That:

1. That Council agrees to recognise the native title rights and interests that are asserted by the Bigambul People subject to further discussion between Council and the Bigambul People in relation to the areas of land over which those native title rights and interests are to be recognised.
2. That Council commence the negotiation of an indigenous land use agreement with the Bigambul People.
3. That Council delegate to the Chief Executive Officer the power to negotiate the terms of an indigenous land use agreement and to reach in principle agreement on the terms of a draft consent determination, subject to Council resolving to enter into the final ILUA and to consent to a determination of the claim

CARRIED

Cr Winks retired from the meeting at 5:15pm.

CES6

OPERATIONAL PROJECTS

(09.09.15) Monthly Operational Projects Report attached.

Recommendation/s

That the report be accepted.

CES8

LOCAL LAW NO. 2 (KEEPING AND CONTROL OF ANIMALS)

(17.09.15) To provide information to Councillors on the current state of Council Local Laws in relation to the management of dogs, and to seek guidance from Council on actions to remedy the situation.

Cr Avery moved and Cr Kellock seconded:

That a Councillor workshop on the keeping and control of animals be held on 8 October 2015 commencing at 9am.

CARRIED

CES98

MONTHLY REPORT

(08.09.15) The Director of Community & Environmental Sustainability Report for the Month of August is presented for Council's consideration.

Cr Paul moved and Cr Kellock seconded:

That Council receives this report.

CARRIED

CES99

GENERAL - COMMUNITY & ENVIRONMENTAL SERVICES

There being no further business, the Meeting closed, the time being 6:00pm.

Confirmed at a General Meeting of the Council held on 16 October 2015.

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MAYOR