



# **MINUTES**

**of the**

**General Meeting of the Council**

**held in the**

**Council Chambers, 118 Victoria Street, St George**

**on**

**Thursday 16th November 2017**

**Commencing at 9:00am**

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## **OPENING**

The Mayor declared the Meeting open at 9am.

## **COUNCIL PRAYER**

The Mayor led the Council in the Opening Prayer.

## **ATTENDANCE**

Cr RW Marsh (Mayor), Crs FM Gaske (Deputy Mayor), RG Fuhrmeister, SC O'Toole, RI Paul, SS Scriven and ID Todd.

Mr Matthew Magin (Chief Executive Officer), Mrs Michelle Clarke (Director Financial & Corporate Services), Mr Jamie Gorry (Director Community & Environmental Services) and Mr Ross Drabble (Director Infrastructure Services).

## **LEAVE OF ABSENCE**

Nil

## **CONFIRMATION OF MINUTES**

Cr Fuhrmeister moved and Cr Todd seconded:

That the Minutes of the General Meeting held on 26 October, 2017 be confirmed.

CARRIED

## **BUSINESS ARISING FROM MINUTES**

Nil

## **PUBLIC PARTICIPATION**

Nil.

## **DEPUTATIONS**

Queensland Water Director of Innovation Partnerships Rob Fearon and Queensland Water Regional Alliance Program (QWRAP) project research officer Ryan Cosgrove spoke about the QWRAP program.

Queensland Gasfield Commission Chief Executive Officer Carolyn Collins; Director of Policy and Engagement Liam Jeory and Regional Engagement Officer Jane Walker provided an overview about the new vision adopted by the Commission, recent legislative changes and petroleum and gas activity in the region.

## **COUNCILLOR REPORTS**

Cr O'Toole moved and Cr Gaske seconded:

That Council receive and note the Councillor reports on their activities during the preceding month.

CARRIED

# MEETING BUSINESS BY CORPORATE FUNCTION

## (CEO) CHIEF EXECUTIVE OFFICER

### CE01 CHANGE OF MEETING DATE FOR DECEMBER 2017 GENERAL COUNCIL MEETING

Change of Date for December 2017 General Council Meeting.

Cr Todd moved and Cr Paul seconded:

That the December 2017 General Meeting of the Council be held on Thursday, 14 December, 2017.

#### Amendment

Cr O'Toole moved and Cr Fuhrmeister seconded:

That the December General Council Meeting be held on the original date of Thursday, 21 December 2017.

THE AMENDMENT WAS CARRIED

## (FCS) FINANCE AND CORPORATE SERVICES

Director of Community and Environmental Services Mr Jamie Gorry and Manager of Financial Sustainability Mrs Karen Searle entered the meeting at 9:40am. Director of Infrastructure Services Mr Ross Drabble entered the meeting at 9:41am.

The order of business was changed with FCS4, Budget Review – November 2017, discussed prior to FCS1, Annual Report 2016/17.

### FCS4 BUDGET REVIEW - NOVEMBER 2017

Budget Review – November 2017

Cr Gaske moved and Cr Todd seconded:

That the Budget Review with the following amendments be adopted:

- \$10,000 in the Operational Project Budget for construction of an enclosed weatherproof storage room at the St George Visitor Information Centre to be redirected to completing the installation of town entry signage throughout the shire.
- \$10,000 in the Capital Works Budget for a 10 metre x 10 metre concrete slab for chemical loading at the Dirranbandi Airport to be redirected to the Operational Projects Budget to initiate an airport master plan. (Additional grant funding to be sought for the master plan).

CARRIED

The Mayor requested that a councillor workshop be held on the Dirranbandi Water Treatment Plant Project funded by the Department of Infrastructure Local Government & Planning Grants & Subsidies Scheme prior to community consultation and commencement of works.

Director of Community and Environmental Services Mr Jamie Gorry and Director of Infrastructure Services Mr Ross Drabble left the meeting at 10:15am.

FCS1

**ANNUAL REPORT 2016/17**

Annual Report 2016/17

Cr Todd moved and Cr O'Toole seconded:

That council adopt the Annual Report 2016/17 in accordance with Section 182 of the Local Government Regulations 2012.

CARRIED

Council thanked the staff involved in putting together the Annual Report.

Manager of Financial Sustainability Mrs Karen Searle left the meeting at 10:18am.

FCS2

**QUARTERLY PERFORMANCE REPORT - QUARTER 1 - 2017/18**

The Quarterly Performance Report for Quarter 1 – 2017/18 is presented to council for adoption.

Cr Fuhrmeister moved and Cr O'Toole seconded:

That in accordance with Section 174(3) of the Local Government Regulations, 2012 council adopt the Quarterly Performance Report for Quarter 1 of 2017/18.

CARRIED

FCS3

**FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 31 OCTOBER 2017**

Financial Management Report for the period ended 31 October 2017.

Cr Fuhrmeister moved and Cr Paul seconded:

That the monthly Financial Management Report for the period ending 31 October 2017, as tabled, be received and noted.

CARRIED

The order of business was changed with confidential item, CCFS1, Community Rates Support Program 2017/18, discussed prior to CES - Community and Environmental Services.

**MEETING CLOSURE**

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council go into its Meeting as a Closed Meeting for the purpose of discussing a confidential item in accordance with Section 275(d) Local Government Regulations 2012, CCFS1, Community Rates Support Program 2017/18. The time of the meeting closure was 10:34am.

CARRIED

**MEETING REOPENING**

Cr Todd moved and Cr Fuhrmeister seconded:

That Council go into its Meeting as an Open Meeting, the time being 10:36am.

CARRIED

CCFS1

**COMMUNITY RATES SUPPORT PROGRAM 2017/2018**

Community Rates Support Program 2017/2018

Cr O'Toole moved and Cr Gaske seconded:

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

CARRIED

The meeting adjourned for morning tea at 10:38am and resumed at 10:55am. Director of Community and Environmental Services Mr Jamie Gorry and Planning and Development Officer Ms Fiona Macleod entered the meeting at 10:57am. The order of business resumed.

## **(CES) COMMUNITY & ENVIRONMENTAL SERVICES**

CES1

**RENEWAL OF LEASE - TL 0/211990 BEING OVER LOT 47 ON BLM991 - PURPOSE OF LAND FOR GRAZING - RESERVE, ROAD OR STOCK ROUTE**

The purpose of this report is for Council to consider the renewal of Term Lease – 0/211990 located over Lot 47 on BLM991.

Cr Fuhrmeister moved and Cr Gaske seconded:

That:

1. Council does not object to the Department of Natural Resources and Mines granting a new lease over the subject area identified as Lot 47 on BLM991 to the current lessee subject to existing lease conditions being carried over.

CARRIED

CES2

**CONVERSION TO FREEHOLD OF GRAZING HOMESTEAD PERPETUAL LEASE – GHPL 39/3634 LOCATED OVER LOT 5 ON MGL62.**

The purpose of this report is for Council to consider the conversion to freehold of Grazing Homestead Perpetual Lease – GHPL 39/3634 located over Lot 5 on MGL62.

Cr Todd moved and Cr O'Toole seconded:

That:

1. Council does not object to Department of Natural Resources and Mines converting the Grazing Homestead Perpetual Lease – GHPL 39/3634 located over both Lot 5 on MGL62 to freehold tenure subject to the appropriate application process as considered under the *Land Act 1994*.

**NOTE:**

A section Lot 5 on MGL62 is adjacent to a stock route. Accordingly, the landholder must NOT at any time impact the operations or utilise the stock route without consent of Council's Rural Services.

CARRIED

**MCU 160 APPLICATION FOR A MATERIAL CHANGE OF USE - TELECOMMUNICATIONS FACILITY - 320 BUNDORAN ROAD, ST GEORGE LOT 54 RP814047**

Council has received a development application from Telstra Corporation Limited for a Material Change of Use for a Telecommunications Facility located at 320 Bundoran Road, St George described as Lot 54 on RP814047.

Cr Gaske moved and Cr Scriven seconded:

That:

1. Council receives this report.
2. Council approves the development application MCU 160 Application for a Material Change of Use - Telecommunications Facility - 320 Bundoran Road, St George Lot 54 RP814047.

**DEVELOPMENT PERMIT CONDITIONS**

**Approved Plans and Supporting Documentation**

3. The development must be carried out generally in accordance with the Balonne Shire Council stamped/approved plan(s) and supporting documentation referenced in the table below which forms part of this approval, unless otherwise specified by any condition of this approval.

<b>Plan/Document number</b>	<b>Plan/Document name</b>	<b>Date</b>
Q114451 – S1	Locality Plan & Site Access	8/09/2017
Q114451 – S1-1	Site Layout	8/09/2017
Q114451 – S1-2	Antenna Layout	8/09/2017
Q114451 – S3	North West Elevation	8/09/2017
Q114451 – G1	Site Tenure Plan	8/09/2017

**Approved Development**

4. The approved development is for a Material Change of Use MCU 160 Application for a Material Change of Use - Telecommunications Facility - 320 Bundoran Road, St George Lot 54 RP814047 as shown on the approved plans.
5. All conditions of the approval shall be complied with before the change occurs (prior to the commencement of the use) and while the use continues, unless otherwise noted within the conditions.
6. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

**Hours of Operation**

7. Construction hours for the development are restricted to 6.30am to 6.30pm Monday to Saturday inclusive. Construction activities are not permitted on Sunday's and Public

Holidays.

### **Safety**

8. Install, operate and maintain remote monitored obstacle lighting generally in accordance with the Civil Aviation Safety Authority's (CASA) Manual of Standards (MOS).

### **Avoiding Nuisance**

9. Any lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
10. The site shall be maintained in a clean and orderly state, at all times to Council's satisfaction.
11. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Noise) Policy 2008*.
12. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or "Sensitive Land Uses" in accordance with the *Environmental Protection (Air) Policy 2008*.

### **Waste Management**

13. All waste generated from construction of the premises must be effectively controlled onsite before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

### **Environmental - Stormwater – Drainage**

14. There must be no increase in any silt loads or contaminants in any overland flow from the property during the development process and after development has been completed.
15. During construction, soil erosion and sediment shall be managed in accordance with *Schedule 7: "Standards for Construction Activity" of the Balonne Shire Planning Scheme 2006*.

### **Access, Parking & Manoeuvring**

16. Vehicle access and manoeuvring shall be maintained in accordance with relevant criteria of *Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas" of the Balonne Shire Planning Scheme*.
17. The developer shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards.
18. Ensure loading and unloading operations are conducted wholly within the site and

vehicles enter and exit the site in a forward direction.

**NOTES:**

- *This permit does not constitute any authority to carry out any building work, operational work or a different use to what is currently established and permitted under this approval unless all relevant permits are obtained.*
- *Nothing in this permit hereby issued approves the clearing of native vegetation.*
- *Connection to the electricity supply network will require separate consent from Ergon Energy. Council has no jurisdiction over this infrastructure.*
- *This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that 'A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain in the presence or otherwise of Aboriginal cultural heritage. Further information on cultural heritage responsibilities of developers can be obtained from the Department of Aboriginal and Torres Strait Islander Partnerships.*

CARRIED

CES1

**RL 92 - APPLICATION FOR RECONFIGURATION OF A LOT - ACCESS EASEMENT - 7785 CASTLEREAGH HIGHWAY, DIRRANBANDI AFFECTING LAND DESCRIBED AS LOT 12 ON BLM1070 AND LOT 3 ON BLM345**

Council has received a development application from the owner of "Beverleigh" for Reconfiguration of a Lot affecting two lots to formalise access to the property over the existing access track on "Bonathorne" property.

Cr Scriven moved and Cr Todd seconded:

That:

1. Council receives this report.
2. Council approves the development application for a RL 92 - Application for Reconfiguration of a Lot - Access Easement - 7785 Castlereagh Highway, Dirranbandi affecting land described as Lot 12 on BLM1070 and Lot 3 on BLM345 subject to the permit conditions listed below;

**DEVELOPMENT PERMIT CONDITIONS**

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.

- Maintain the approved development being Reconfiguring a Lot – Access Easement in accordance with the approved plan:

Plan/Document Number	Plan/Document Name	Date
217049-1 Prepared by SMK Consultants Pty Ltd.	PLAN OF PROPOSED EASEMENT FOR ACCESS IN LOT 12 ON BLM1070	18/07/2017

## Engineering

- 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.
- Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the developer at no cost to Council.

## NOTES:

- Nothing in this permit hereby issued approves the clearing of native vegetation.*
- This permit does not constitute any authority to carry out any building work, operational work or a different use to what is currently established unless all relevant permits are obtained.*
- Both Lot 12 on BLM1070 and Lot 3 on BLM345 are affected by the Flood Hazard Overlay. Any future development on these lots will be subject to the Flood Hazard Overlay Code and depending on the use will have mandatory minimum finished floor level requirements that new structures must be constructed to.*
- This development approval does not authorise any activity that may harm Aboriginal cultural heritage. Under the Aboriginal Cultural Heritage Act 2003 you have a duty of care in relation to such heritage. Section 23(1) provides that 'A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. It may therefore be prudent for you to carry out searches, consultation, or a cultural heritage assessment to ascertain in the presence or otherwise of Aboriginal cultural heritage. Further information on cultural heritage responsibilities of developers can be obtained from the Department of Aboriginal and Torres Strait Islander Partnerships.*

## Further Advice:

Please note that the DTMR (through DILGP) as a concurrence agency have provided conditions for the development within the concurrence agency response dated 1 November 2017. The applicant is required to ensure compliance with these conditions. However DTMR are responsible for overseeing the compliance with these conditions. A copy of the concurrence agency response is provided as **Attachment 2**.

Under the requirements of the Planning Act 2016 (PA), Balonne Shire Council are required to include the concurrence agency response received from DILGP received as part of the DA process which includes the abovementioned advice.

The requirement to enforce compliance with the aforementioned outstanding conditions falls to the

Department of Transport and Main Roads and Council have no further responsibility in this matter however it is important that this matter be noted.

CARRIED

Planning and Development Officer Ms Fiona Macleod left the meeting at 11:23am. Community and Business Development Officer Mrs Mareea Lochel entered the meeting at 11:23am.

CES4 **BALONNE SHIRE COUNCIL COMMUNITY SAFETY STRATEGY**

This report recommends adoption of the draft Community Safety Strategy

Cr Todd moved and Cr Gaske seconded:

That Council resolve to adopt the Community Safety Strategy.

CARRIED

CES5 **AUTHORISED INSPECTION PROGRAM - DOG REGISTRATIONS AND LOCAL LAWS ISSUES**

The Manager of Rural Services & Compliance is seeking Council's approval to undertake an Authorised Inspection program (*Selective inspection program – Local Government Act 2009 – Section 134.*) in order to investigate unregistered dogs (including microchipping), residences with more than two (2) dogs, breaches of new dog breeding laws and other local laws issues.

Cr Fuhrmeister moved and Cr Paul seconded:

That Balonne Shire Council approves the Selective Inspection Program from Monday, 5 February 2018 until Friday, 6 April 2018 in accordance with Section 134 of the Local Government Act 2009.

CARRIED

CES6 **COMMUNITY DONATION, SPONSORSHIP AND GRANTS PROGRAM**

The Balonne Shire Council is committed to assisting community organisations whose activities provide benefit to Balonne Shire's communities. The application process for the Community Donation, Sponsorship and Grants program is designed to ensure that all assistance is provided in an equitable and accountable manner for projects and events that meet the cultural, community, education and recreational needs of the Balonne Shire.

Cr Todd moved and Cr Gaske seconded:

That Council resolves to approve the Community Donations Sponsorship and Grants application as follows:

APPLICANT	PROJECT	AMOUNT APPROVED
Sarah Goddard (Community Coach)	Donation to participate in the Pacific School Games December 2017	\$500

CARRIED

Director of Community and Environmental Services Mr Jamie Gorry and Community and Business Development Officer Mrs Mareea Lochel Mareea left the meeting at 11:40am.

## **INFORMATION REPORTS**

### **(ICEO) CHIEF EXECUTIVE OFFICER**

ICE01 **MONTHLY REPORT**

Communications Officer Monthly Report for the months of September and October 2017.

### **(IFCS) FINANCE AND CORPORATE SERVICES**

ICFS1 **MONTHLY INFORMATION REPORT - FINANCE - OCTOBER 2017**

Monthly Finance Information Report – October 2017.

ICFS2 **MONTHLY SAFETY REPORT**

Monthly Safety Report for October 2017.

### **(IIFS) INFRASTRUCTURE SERVICES**

IIFS1 **MONTHLY REPORT FOR THE NOVEMBER 2017 COUNCIL MEETING**

From the Director of Infrastructure Services - reporting for the month of October.

### **(ICES) COMMUNITY & ENVIRONMENTAL SERVICES**

ICES1 **MONTHLY REPORT**

The Community & Environmental Sustainability Report for the month of October 2017 is presented for Council's consideration.

ICES2 **MONTHLY REPORT**

Manager of Rural Services report for October 2017 is presented to Council for information.

The monthly information reports were noted by council.

There being no further business, the Meeting closed, the time being 11:40am..

Confirmed at a General Meeting of the Council held on 21 December 2017.

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**MAYOR**