

# UNCONFIRMED



## MINUTES

of the

General Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 28th June 2018

Commencing at 9:26am

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## **OPENING**

The Mayor declared the Meeting open at 9:26am

## **COUNCIL PRAYER**

The Mayor led the Council in the Opening Prayer.

## **ATTENDANCE**

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

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

## **LEAVE OF ABSENCE**

Cr SC O'Toole

## **LEAVE OF ABSENCE**

Cr Scriven moved and Cr Gaske seconded:

That Cr SC O'Toole be granted leave of absence.  
.CARRIED

## **CONFIRMATION OF MINUTES**

Cr Gaske moved and Cr Paul seconded:

That the Minutes of the General Meeting held on 17 May, 2018 and Minutes of the Special Meeting held on 14 June, 2018, as amended, be confirmed.

Director of Finance & Corporate Services advised that the deficits on water and sewerage as depicted on Page 5 of the Minutes of 17 May 2018, should be credits.

Cr Fuhrmeister noted that the her Conflict of Interest as depicted on Page 2 of the Minute of 17 May 2018 should read the same as was recorded on Page 7 of those Minutes.

CARRIED

Cr Gaske inquired when the application made under the Community Donation Sponsorship and Grants Program which was held over from the last meeting, would be presented to Council. Director Community & Environment is to provide Councillors with an update.

Cr Todd requested that a copy of the new tender format be brought to Council prior to being forwarded to tenderers.

## **BUSINESS ARISING FROM MINUTES**

Nil

## **CONFLICT OF INTEREST**

Cr Todd advised that in accordance with s175E(2) of the Local Government Act 2009 he will declare a Perceived Conflict of Interest in respect to matters contained in item number CCFS5 Objection Hearing Report – St George Levee Bank Easement as one of the affected property owners – Kylie

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Mulder - is an employee and former business partner. Cr Todd advised he will refrain from voting.

## **CONFLICT OF INTEREST**

Cr Gaske advised that she would be declaring a material personal interest under Section 175C(2) of the Local Government Act 2009, in CCFS5 Objection Hearing Report – St George Levee Bank Easement, as her husband, Andrew Gaske, owns a property adjoining the block wall levee in Hutt Street. Cr Gaske advised she will refrain from voting.

## **CONFLICTS OF INTEREST**

Cr Scriven advised that he would be declaring a perceived Conflict of Interest under Section 175E(2) of the Local Government Act 2009, in FCS3 Community Donations St George State High School application, on the grounds that his children attend the High School and his wife, Melissa Scriven works at the High School. Cr Scriven advised he will refrain from voting.

## **PUBLIC PARTICIPATION**

Nil

## **DEPUTATIONS**

Nil

## **COUNCILLOR REPORTS**

That Council receives and notes the Councillor reports on their activities during the preceding month.

Cr Gaske moved and Cr Todd seconded that the reports be received.

CARRIED

The meeting adjourned for morning tea at 10:25am, and resumed at 10:34am.

## **MEETING BUSINESS BY CORPORATE FUNCTION**

### **(CEO) CHIEF EXECUTIVE OFFICER**

#### **CE01 MURRAY DARLING ASSOCIATION 74TH NATIONAL CONFERENCE & AGM LEETON NSW**

Council has received an invitation to attend the above Conference.

Cr Gaske moved and Cr Fuhrmeister seconded:

1. That Council nominates Cr Marsh and Cr O'Toole (at her discretion) to attend the 74<sup>th</sup> National Conference and AGM of the Murray Darling Association to be held in Leeton on 29-31 August 2018.
2. That in accordance with section 162(1)(e) of the Local Government Act 2009 leave of absence be granted to the attending Councillor/s for the period 29-31 August 2018.

CARRIED

#### **CE02 TO IDENTIFY OPPORTUNITIES AND DEVELOP STRATEGIES TO ENHANCE CROSS BORDER TOURISM**

The annual migration of people from the south heading north in the winter months is well documented and known to all councils in Queensland and the tourism industry itself. The challenge has always been to identify how to leverage off that migration for the betterment of our communities

Cr Gaske moved and Cr Fuhrmeister seconded:

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That Council participate in the establishment and ongoing development of this new group given the ongoing importance of the grey nomad movement to our local tourism industry and with a cost benefit review in twelve (12) months.

CARRIED

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

FCS1

### **MONTHLY FINANCE REPORT**

Monthly Finance Report May 2018

Cr Todd moved and Cr Gaske seconded:

That the monthly Financial Management Report for the period ending 31 May 2018, as tabled, be received and noted.

CARRIED

Mr Jamie Gorry (Director Communities & Environmental Services), Mrs Mareea Lochel (Acting Community & Libraries Coordinator), and Ms Fiona Macleod (Planning & Development Officer) entered the Meeting at 10:59am

FCS2

### **CHANGES TO LEGISLATION - COUNCILLOR CONDUCT**

Councillor Complaints Review

Cr Gaske moved and Cr Fuhrmeister seconded:

That Council provide feedback to the Department of Local Government, Racing and Multicultural Affairs, on the draft policy and code of conduct documents, by 29 June 2018, as outlined in the report.

CARRIED

Cr Scriven declared a perceived Conflict of Interest under Section 175E(2) of the Local Government Act 2009, in FCS3 Community Donations in relation to the St George State High School application to waive hire fees, on the grounds that his children attend the High School and his wife, Melissa Scriven works at the High School. Cr Scriven left the Meeting, in accordance with s175E(4) of the Local Government Act 2009, at 11:02am.

FCS3

### **COMMUNITY DONATIONS**

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 Fuhrmeister seconded:

1. That Council refuse the request to waiver the \$1,650.00 in high fees to the St George High School as Council's Community Sponsorship, Donation and Grants Policy and Concessional Hall Hire is targeted at not for profit and community organisations;
2. Unless the School can produce prior approval of the waiver to Council.

CARRIED

Cr Scriven returned to the Meeting at 11:20am

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Cr Gaske declared a perceived Conflict of Interest under Section 175E(2) of the Local Government Act 2009, in FCS3 Community Donations in relation to the Mobile Dental Clinic requests for assistance, on the grounds that she is a member of the South West Hospital Board. Cr Gaske left the Meeting, in accordance with s175E(4) of the Local Government Act 2009, at 11:20am.

## **MOVING OF MOBILE DENTAL CLINIC BUS**

Cr Fuhrmeister moved and Cr Paul seconded:

That Council write to Queensland Health advising that Council cannot provide assistance to tow the mobile dental clinic, and the Department be encouraged to approach a locally based service provider to undertake this work.

CARRIED

Cr Gaske returned to the Meeting at 11:22am.

## **(IFS) INFRASTRUCTURE SERVICES**

Nil

In accordance with s175E(2) of the Local Government Act 2009 Councillor Fuhrmeister declared a Conflict of Interest in respect to matters contained in item number CES1 on the grounds that she is a member of the St George Heritage Centre. Cr Fuhrmeister left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 11:22am

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

### **CES1 ST GEORGE HERITAGE CENTRE - REQUEST TO WAIVE BUILDING APPLICATION FEES**

The purpose of this report is for Balonne Shire Council to consider the full waiver of building application fees for the proposed relocation of the St George Heritage Centre.

Cr Todd moved and Cr Gaske seconded:

That:

1. Council will waive the road bond provided that the St George Heritage Centre provide a written undertaking that any damage will be made good and a copy of the Contractor's insurance certificate of currency for the relocation of the building be supplied to Council.
2. Council refuse the St George Heritage Centre's application for waiver of the building works application fee of \$1,540.00.

CARRIED

Cr Fuhrmeister returned to the Meeting at 11:34am

## **CHANGE IN ORDER OF PROCEEDINGS**

Cr Gaske moved and Cr Scriven seconded:

That the order of proceedings be changed to allow the Council to discuss Item CCES1 the time being 11:36am.

CARRIED

## **CLOSED MEETING**

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Cr Gaske moved and Cr Scriven seconded:

That that the Council go into a closed Meeting to discuss various confidential matters on the Council Meeting Agenda, the time being 11:37am.

CARRIED

## **ADJOURNMENT**

The Mayor adjourned the Meeting at 11:48am to receive a Teleconference with Mr Ciaran Houston, Principal, McInnes Wilson Lawyers.

The Meeting resumed at 12.300pm, in closed session to continue to discuss various confidential matters on the Council Meeting Agenda.

Cr Gaske left Meeting at 12:30pm and returned at 12:32pm

Ms Kerry Sutter (Acting Economic Development Officer) entered the Meeting at 1:18pm.

Mr Jamie Gorry (Director Community & Environmental Services) entered the Meeting at 1:21pm

## **OPEN MEETING**

Cr Gaske moved and Cr Fuhrmeister seconded:

That the Meeting come out of its Closed Meeting, and the Meeting return being opened to the public the time being 1:35pm.

CARRIED

CES2

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

The Balonne Shire Council is committed to assisting community organisations whose activities provide benefit to Balonne Shire's population. 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
Mungindi Show Society	2018 Mungindi Show	\$2,000

CARRIED

## **CENTENARY OF ARMISTICE 2018**

Council has received a request from the St George RSL Sub - Branch for Council to be a partner for the 2018 Remembrance Day activities in 2018.

Cr Fuhrmeister moved and Cr Gaske seconded:

That:

1. Council accept the RSL Sub Branch's letter as an application to be assessed under the Community Drought Assistance Fund;

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2. Council provides in-kind support to assist with the planning and co-ordination of the community activities for Remembrance Day 2018; and
3. Council seek additional funds for the Remembrance Day community activities through the "Saluting Their Service Commemorations Program"

CARRIED

Mrs Mareea Lochel (Acting Community and Libraries Coordinator) attended the Meeting at 1:44pm

CES4

## **REGIONAL ARTS DEVELOPMENT FUND 2017/18 ROUND 2**

The Regional Arts Development Fund (RADF) is a state and local government partnership that supports local artist as well as arts and cultural activities in Queensland Communities. Round 2 of the 2017/18 Balonne Shire Council RADF Community grants program closed on the 25 May 2018. Council received **two (2)** funding requests however one (1) application was withdrawn before assessment. The remaining application has been assessed by the RADF Reference Panel with recommendations put forward.

Cr Todd moved and Cr Scriven seconded:

That:

1. That Council endorses the recommendation from the Balonne Shire RADF Reference Panel to decline the Begonia State School application.

CARRIED

CES5

## **APPLICATION FOR PERMIT TO OCCUPY OVER AREA OF LAND ON THE BALONNE RIVER ADJACENT TO LOT 9 ON SP299901**

The purpose of this report is for Council to consider an application that is to be lodged with the Department of Natural Resources, Mines and Energy (DNRME) for a Permit to Occupy over a portion of land between Wagoo Road and the Balonne River adjacent to Lot 9 on SP299901.

Cr Fuhrmeister moved and Cr Paul seconded:

That:

1. Council does not object to the application to Department of Natural Resources and Mines (DNRM) for a Permit to Occupy over the subject area identified as adjacent to Lot 9 on SP299901 known as Wagoo Road, St George.
2. Council advise that consent of the Permit to Occupy the land in no way provides permissions for structures to be erected on the site or further uses to occur beyond currently established/proposed. Further approvals may be required for the both the use and any associated structures on the site.

CARRIED

CES6

## **ADOPTION OF THE WASTE REDUCTION AND RECYCLING PLAN FOR THE BALONNE SHIRE COUNCIL**

The Queensland *Waste Reduction and Recycling Act 2011* (the Act) requires local governments to develop a Waste Reduction and Recycling Plan.

This draft Waste Reduction and Recycling Plan 2018-2028 was release for public comment on 4 May 2018 on Council's website.

Feedback was received and considered. No changes have been made to the Plan.

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Cr Gaske moved and Cr Scriven seconded:

That Council approves and adopts the Waste Reduction and Recycling Plan as presented.

CARRIED

Mr Matthew Magin (Chief Executive Officer) retired from the Meeting at 1:50pm

Cr Gaske left the Meeting at 1:55pm and returned at 1:58pm.

CES7

## **LPF REVIEW: OM GROUND AND RESEARCH COMPONENT**

State government co-investment to manage and support strategic weed and pest animal control initiatives in Queensland.

Cr Todd moved and Cr Scriven seconded:

That Council table a motion to South West Queensland Local Government Association (SWQLGA) requesting that the LGAQ support an investigation into the disproportion precept payment increase to the Balonne Shire.

CARRIED

## **VEGETATION MANAGEMENT**

Cr Fuhrmeister moved and Cr Todd seconded:

That the Balonne Shire Council table a motion at the South West Local Government Association of Queensland requesting that the LGAQ support a submission to the State Development Natural Resources and Agricultural Industry Development Committee in support of the Vegetation Management (Clearing for Relevant Purposes) Amendment Bill 2018 and, or other amendments.

CARRIED

## **CONFIDENTIAL ITEMS**

### **(CCEO) CHIEF EXECUTIVE OFFICER**

CCEO1

#### **UPDATE ON THE PROPOSED DIGITAL INFRASTRUCTURE PROJECT**

Update on the Proposed Digital Infrastructure Project

Cr Gaske moved and Cr Fuhrmeister seconded:

That the Proposed Digital Infrastructure Report be received and noted.

CARRIED

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

CCFS1

#### **INTERNAL AUDIT FUNCTION - BSC 2017-18 Q15**

Internal Audit Function – Consideration of Quotations

Cr Gaske moved and Cr Todd seconded:

That Arabon Audit & Assurance Services be appointed for Council's Internal Audit Services 2018-2022.

CARRIED



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CCFS2

## **PREFERRED SUPPLIER ARRANGEMENT - WET AND DRY PLANT HIRE**

Refresh of the preferred supplier arrangement for Trades.

Cr Scriven moved and Cr Paul seconded:

1. That Council appoint the following to the Register of Pre-qualified Suppliers for Wet and Dry Plant Hire:
  - a) Ace Rental
  - b) Baloney Bobcat & Tipper Hire
  - c) Bitu-mill
  - d) Joe Wagner Group
  - e) R Hamilton & KJ Mansfield
  - f) King Hire and Trailers
  - g) M & N Robertson Contracting Pty Ltd
  - h) Master Hire Pty Ltd
  - i) Lindores Earthmoving
  - j) Onsite Rental Group Operations Pty Ltd
  - k) PremiAir Services

CARRIED

Cr Marsh retired temporarily from the Meeting at 12:56pm, and Cr Fiona Gaske (Deputy Mayor) assumed the Chair.

CCFS3

## **PREFERRED SUPPLIER ARRANGEMENTS - REFRESH FOR TRADES**

Refresh of the preferred supplier arrangement for Trades.

Cr Fuhrmeister moved and Cr Gaske seconded:

1. That Council appoint the following respondents
  - a) Ago Vires Pty Ltd
  - b) Aspec Pty Ltd
  - c) Brown's Electrical & Air Conditioning
  - d) Bendy's Plumbing Service
  - e) Charleville Refrigeration & Electrical Pty Ltd
  - f) D & D Concreting
  - g) Damien Kings Building
  - h) Dencor Electrical
  - i) ESA Systems
  - j) JDP Applications Pty Ltd
  - k) Joe Wagner Group
  - l) Kylie Whitaker
  - m) Matchett Constructions
  - n) Rokk Industries Pty Ltd
  - o) Simmonds & Bristow Pty Ltd
  
2. That Council accepts of the non-conforming tender from Gavin Mathiske, Painter based on his previous work for Council.

CARRIED

Cr Marsh returned to the Meeting and resumed the chair at 1:00pm

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CCFS4

## **REVIEW OF SERVICE CHARGES**

The purpose of this report is to inform Council of the over charged services allocated to Ledland Pty Ltd at 52-96 Marie Street, St George on L26-27/STG854.

Cr Scriven moved and Cr Todd seconded:

That

1. Council resolve to proceed with a letter of reply to Inland Legal, indicating the responses outlined in the report in respect of items 1, 2 & 3; and
2. Council delegate to the Chief Executive Officer, under Section 257 of the Local Government Act, the power to negotiate a refund of service charges applied to Ledland Pty Ltd if they proceed with a request of a rate account adjustment.

CARRIED

In accordance with s175C(2) of the Local Government Act 2009 Councillor Gaske declared a material personal interest in respect to matters contained in item number CCFS5, on the grounds that her husband, Andrew Gaske owns a property adjoining the block wall levee in Hutt Street.

Councillor Gaske voluntarily left the meeting, in accordance with s175C(2)(b) of the Local Government Act 2009 at 2:04pm.

In accordance with s175E(2) of the Local Government Act 2009 Councillor Todd declared a Conflict of Interest in respect to matters contained in item number CCFS5, on the grounds that one of the affected property owners, Kylie Mulder, is an employee and former business partner.

Cr Todd voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 2:04pm.

CCFS5

## **OBJECTION HEARING REPORT - ST GEORGE LEVEE BANK EASEMENT**

Objection Hearing Report – St George Levee Bank Easement

A supplementary report was tabled in closed session provided by MacDonnells Law and considered by Council.

Cr Scriven moved and Cr Fuhrmeister seconded:

That Council:

1. Amend the Notice of Intention to Resume insofar as the agreed changes to the easement document is concerned; and
2. Proceed with the acquisition of the easement, as so amended.

CARRIED

Cr Paul requested that his name be recorded as against the resolution.

Crs Todd and Gaske returned to the Meeting at 2:07pm.

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

CCES1

**MCU 161 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - EXTRACTIVE INDUSTRY NOT EXCEEDING 100,000 TONNES PER ANNUM AND ENVIRONMENTAL RELEVANT ACTIVITY ERA 16-2(A) AND 3(A) (EXTRACTING AND SCREENING 5000T TO 100,000T PER ANNUM) - 'BONATHORNE' 7785 CASTLEREAGH HIGHWAY, DIRRANBANDI**

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## DESCRIBED AS LOT 1 SP101418

Council has received a development application from the applicant, Mr Dale Hadenfeldt for a Material Change of Use – Extractive Industry not exceeding 100,000 tonnes per annum and Environmental Relevant Activity ERA 16-2(a) and 3(a) (Extracting and Screening 5000t to 100,000t per annum) over 'Bonathorne' located at 7785 Castlereagh Highway, Dirranbandi described as Lot 1 SP101418.

Cr Todd moved and Cr Gaske seconded:

That:

1. Council receives this report.
2. Council approves the development application for MCU 161 Development Application for Material Change of Use - Extractive Industry not exceeding 100,000 tonnes per annum and Environmental Relevant Activity ERA 16-2(a) and 3(a) (Extracting and Screening 5000t to 100,000t per annum) - 'Bonathorne' 7785 Castlereagh Highway, Dirranbandi described as Lot 1 SP101418 subject to the permit conditions listed below;

## DEVELOPMENT PERMIT CONDITIONS

### Approved Plans and Supporting Documentation

1. 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.

Plan/Document name	Date
Lot Plan	14/12/2017
Site Image	14/12/2017
Site Plan	14/12/2017
Site Based Management Plan	14/12/2017

### Approved Development

2. The approved development is for a Material Change of Use for Extractive Industry not exceeding 100,000 tonnes per annum and Environmental Relevant Activity ERA 16-2(a) and 3(a) (Extracting and Screening 5000t to 100,000t per annum) on land described as Lot 1 on SP101418 situated at 'Bonathorne' 7785 Castlereagh Highway, Dirranbandi.
3. Material extracted from the site must not exceed an output of 100,000 tonnes per annum. A record of each year's output must be kept on-site and be available for review at the request of Council, within 48 hours of such request.

### Commencement of Use

4. The use cannot start until the later of the following events have occurred:
  - (a) all unfulfilled obligations under the development approval for a material

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- change of use -extractive industry (not exceeding 5,000 tonnes per annum) dated 23 March 2016 for land at 7785 Castlereagh Highway, Dirranbandi (MCU 147) have been completed; and
- (b) development approval MCU 147 has been cancelled.

## Compliance with Conditions

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.

## 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.

## Site Maintenance

8. The development (including parking, access and other external spaces) shall be maintained in accordance with the Approved Plans and Approved Document, subject to and modified by any conditions of this approval.
9. The site shall be maintained in a clean and orderly state at all times to Council's satisfaction.

## Avoiding Nuisance

10. 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.
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. In the event that a bona fide complaint of unreasonable noise emissions as a consequence of the operations of the approved use is received, Council may require submission of an Environmental Noise Level Study and Report that comply with Australian Standard 1055 and the Department of Environment and Heritage Protection's Noise Measurement Manual, and require works and/or management practices to be carried out to ensure noise emissions comply with the relevant requirements.
13. 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*.
14. Implement measures to control dust generated by operations to ensure no environmental nuisance or adverse health effects to workers on the site, neighbouring

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properties and road frontages during both operating and non-operating hours. Provide watering by water truck or fixed sprays, dust suppressing coats or seals and screening as appropriate, to reduce dust to a minimum.

## Hours of Operation

15. Quarrying operations and transport haulage must only operate between the following hours, or within hours otherwise approved by Council:

Monday to Saturday:	6:00am to 6:00pm
Public Holidays and Sundays:	No extractive operations permitted

## Waste Management

16. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.
17. Provision of toilet facilities at all times the site is operating for the use of staff. This may be a relocatable or chemical unit similar to a "portalo". The toilet must be operated and maintained in accordance with the manufacturer's operation manual.

## Environmental - Stormwater – Drainage

18. Ensure that adjoining properties and roadways are protected from ponding or nuisance from stormwater as a result of any site works undertaken as part of the proposed development.
19. Provide overland flow paths that do not alter the characteristics of existing overland flows on other properties or that create an increase in flood damage on other properties.
20. The holder of the permit shall ensure that the use is to be conducted in a manner that the extractive activities do not cause contamination of groundwater or stormwater runoff.
21. The holder of the permit shall ensure that all persons engaged in the conduct of the activity are trained in the practices and procedures necessary to prevent environmental harm as a consequence of carrying out the activity and in the event of any emergency.
22. Undertake operations and construction work associated with this development to the requirements of Council. Remove immediately, any material spilled or carried onto existing roads by vehicles emanating from the Quarry to restrict dust nuisance and ensure traffic safety.

## Site Based Management Plan

23. The operations of the development shall be undertaken in accordance with Approved Document Site Based Management Plan, prepared by K & D Hadenfeldt Pty Ltd, dated 14.12.17.

## Onsite Manoeuvring

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24. Vehicle access, manoeuvring and parking shall be maintained in accordance with *Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas" of the Balonne Shire Planning Scheme.*
25. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose during hours of operation.
26. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

## **Location, Protection and Repair of Damage to Council and Public Utility Services Infrastructure and Assets**

27. 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.
28. Repair all damages 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 damages immediately upon completion of works associated with the development.

## **Rehabilitation and Exit Plan**

29. At or prior to 12 months ahead of cessation of the use, the applicant shall prepare a Rehabilitation and Exit Plan (**Rehabilitation and Exit Plan**) for the development for endorsement by Council. The plan is to include (but not be limited to) the following:
  - a. detail on how the roads, detention basin and sedimentation ponds will be removed at completion of the use; and
  - b. detail on how the subject land will be rehabilitated to a state acceptable to Council and any applicable external Agencies.
30. The Applicant must ensure that the rehabilitation of the site is undertaken in accordance with the Rehabilitation and Exit Plan.
31. Prior to the cessation of the use, the Applicant must ensure that all works required by the Rehabilitation and Exit Plan have been completed.
32. Within ten (10) business days of completing the rehabilitation works in accordance with the Rehabilitation and Exist Plan, the Applicant must submit details of the completed rehabilitation works to Council.

### Further Advice:

Please note that the DTMR (through DSDMIP) as a concurrence agency have provided conditions for the development within the concurrence agency response dated 15 February 2018. The applicant is required to ensure compliance with these conditions prior to the commencement of the use.

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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 DSDMIP 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.

## 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 and permitted under this approval unless all relevant permits are obtained.*
- *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.*
- *General environmental duty under the Environmental Protection Act 1994 prohibits unlawful environmental nuisance caused by (including but not limited to) 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.*
- *The Extractive Industry use is identified as an Environmentally Relevant Activity (ERA) pursuant to the Environmental Protection Regulation 2008. Accordingly, separate approval must be obtained from the Department of Environment and Science (DES) prior to the commencement of the use.*

Crs Marsh, Todd and Gaske indicated their vote for the motion.

Crs Scriven, Fuhrmeister and Paul voted against the motion, and requested their vote be recorded in the negative.

The Mayor used his casting vote under Section 260(2)(c) of the Local Government Regulations 2012 to vote in favour of the motion.

CARRIED

CCES2

## **BSC 17/18-Q36 - ASSESSMENT AND COMPLIANCE OF GRAVEL, LOAM AND SAND PITS IN BALONNE SHIRE - UPDATE**

The purpose of this report is to provide Council with an update on the status of the audit to be conducted for Gravel, Loam and Sand Pits within Balonne Shire Council area.

# UNCONFIRMED

Cr Todd moved and Cr Fuhrmeister seconded:

That Council receives this report, and endorse the actions of the Chief Executive Officer's to appoint the contractor to perform an audit for Gravel, Loam and Sand Pits within Balonne Shire Council area.

CARRIED

CCES3

## **EXPRESSION OF INTEREST WILD DOG EXCLUSION FENCING**

This report outlines the results of an *Expression of Interest* (EOI) which was distributed to all Rural Ratepayers/Landholders in the Balonne Shire area, to gauge interest in the possibly of funding *Wild Dog Exclusion Fencing (WDEF)* through a *Special Rate Scheme* similar to the model implemented at Longreach Regional Council

Cr Scriven moved and Cr Paul seconded:

That:

1. Council receives this report, and uses the statistics from the EOI as the basis for development of a pre-feasibility business case with QTC for the introduction of a Special Rate Scheme;
2. Council send a letter to all EOI respondents, advising them of the likely timeframes to develop the business case with QTC, and the next steps;
3. Council endorse its officers to continue to apply for grant funding to subsidise Cluster and Wild Dog Exclusions Fencing Projects as a top priority given the measurable high demand for this investment.

CARRIED

## INFORMATION REPORTS

### (ICEO) CHIEF EXECUTIVE OFFICER

#### ICEO1 **GRANTS INFORMATION REPORT**

This report presents to Council grants data from 1 May – 15 June 2018.

### (IFCS) FINANCE AND CORPORATE SERVICES

#### ICFS1 **MONTHLY REPORT**

Monthly Safety Report

#### ICFS2 **MONTHLY REPORT - DIRECTOR FINANCE & CORPORATE SERVICES**

Director Finance & Corporate Services Monthly Report for May-June 2018

#### ICFS3 **MONTHLY REPORT - FINANCE**

Monthly Finance Report – month ending 31 May 2018

### (IIFS) INFRASTRUCTURE SERVICES

#### IIFS1 **MONTHLY REPORT FOR THE JUNE 2018 COUNCIL MEETING**



# UNCONFIRMED

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

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

### ICES1 MONTHLY REPORT

Manager of Rural Services report for June 2018 is presented to Council for information.

### ICES2 MONTHLY REPORT

The Community & Environmental Sustainability Report for the month of May 2018 is presented for Council's consideration.

Council requested that the Director of Community & Environment write to the Nindigully Sports Club advising that Council has been advised of some of the risks which could pertain to the old bridge opposite Nindigully Pub.

A Councillor workshop has been arranged for the 9 July at 11.00am for Councillors to develop a terms of reference to review of the Feral Animal Management Special Rate.

Councillors were reminded of NAIDOC week commencing 9<sup>th</sup> July 2018 and the invite to the Flag Raising Ceremony.

The Meeting noted that Cr Gaske would be away on 9<sup>th</sup> July 2018 on leave.

There being no further business, the Meeting closed, the time being 2:30pm.

Confirmed at a General Meeting of the Council held on 19 July 2018.

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**MAYOR**