



# **MINUTES**

**of the**

**General Meeting of the Council**

**held in the**

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

**on**

**Thursday 20th December 2018**

**Commencing at 9:02am**

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## **OPENING**

The Mayor declared the Meeting open at 9:02am.

## **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), and Dr Digby Whyte (Director Community & Environmental Services) and Mr Andrew Boardman (Acting Director Infrastructure Services).

## **LEAVE OF ABSENCE**

NIL

## **CONFIRMATION OF MINUTES**

Cr Gaske moved ,Cr O'Toole seconded.

## **Recommendation/s**

That the Minutes of the General Meeting held on 15 November, 2018 be confirmed.

CARRIED UNANIMOUSLY

Mrs Michelle Clarke (Director of Finance and Corporate Services) left the meeting at 9:36am and returned at 9:38am.

## **BUSINESS ARISING FROM MINUTES**

NIL

## **DECLARATION OF INTEREST**

In accordance with s175E(2) of the Local Government Act 2009 Councillor O'Toole declared a perceived Conflict of Interest in respect to matters contained in FCS1, on the grounds that:

the nature of the interest is that Cr O'Toole, who is the Treasurer of St George and District Chamber of Commerce, has a membership of Local Businesses, and she may be perceived as biased in the matter towards the Procurement Policy for Council.

## **PUBLIC PARTICIPATION**

Nil

## **COUNCILLOR REPORTS**

Cr Scriven moved ,Cr Gaske seconded.

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

CARRIED UNANIMOUSLY

## **MEETING BUSINESS BY CORPORATE FUNCTION (CEO) CHIEF EXECUTIVE OFFICER**

### **CE01 ATTENDANCE AT ROC ASSEMBLY**

2019 LGAQ ROC Assembly will be held on Thursday 7 February 2019, with a field trip on Wednesday 6 February 2019.

The LGAQ President, Mayor Mark Jamieson has kindly offered to host the ROC Assembly in his region, the Sunshine Coast.

Cr O'Toole moved and Cr Todd seconded.

That Council agree to the Mayor and CEO representing all SWQLGA councils at the upcoming ROC Assembly on the Sunshine Coast and incurring the costs for the Assembly.

CARRIED UNANIMOUSLY

### **CE02 MDA STRATEGIC PLANNING WORKSHOP**

The Murray Darling Association's (MDA) 2019 Strategic Planning Workshop will be held at Echuca/Moama from Friday, February 1 to Monday, February 4, 2019.

This event will incorporate the following:

- Board meeting 383 on 11.30am Friday, February 1;
- Strat Planning Workshop Day 1 – commencing 1.30pm Friday, February 1;
- Strat Planning Workshop Day 2 8.30am – 4.00pm Saturday, February 2;
- Dinner;
- Paddleboat lunch on either the Friday, Saturday or Sunday.

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council approves the Mayor and CEO to attend the strategic planning workshop and meeting with the owners of St George Meatworks.

CARRIED UNANIMOUSLY

Mrs Tracey Lee ( Manager Finance Services) and Miss Anna McMillan (Graduate Accountant) entered meeting at 9:45am.

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

### **Cr O'Toole – FCS1 Procurement Policy**

In accordance with *s175E(2) of the Local Government Act 2009* Cr O'Toole declared a personal interest in respect to matters contained in Report FCS1 on the grounds that she is the Treasurer for the St George Chamber of Commerce and membership consists of local businesses. The procurement policy supports local business development and may be perceived as a conflict of interest.

Having given due consideration to her position, Cr O'Toole stated that she would vote on this matter in the public interest and would request that she be granted approval to remain in the meeting.

Cr O'Toole voluntarily left the meeting at 9.51am, in accordance with *s175E(4) of the Local Government Act 2009* for Council to consider if Cr O'Toole has a real or perceived conflict of interest in the matter.

Cr Scriven moved and Cr Gaske seconded that Cr O'Toole has a perceived Conflict of Interest in respect to matters contained in the Report FCS1 Procurement Policy and that she may participate in the meeting in relation to the matter and vote on the matter.

Cr O'Toole returned to the meeting at 9.52am.

FCS1

### **PROCUREMENT POLICY**

Purchasing Policy

Cr Fuhrmeister moved and Cr Gaske seconded:

That the Procurement Policy be deferred pending a councillor workshop.

CARRIED UNANIMOUSLY

FCS2

### **QUARTERLY PERFORMANCE REPORT - QUARTER 1 - 2018/19**

The Quarterly Performance Report for Quarter 1 – 2018/19 is presented to council for adoption.

Cr O'Toole moved and Cr Todd seconded:

1. That in accordance with Section 174(3) of the Local Government Regulations, 2012 Council adopt the Quarterly Performance Report for Quarter 1 of 2018/19;
2. That Council note the changes made to the Quarter 1 Report that includes minor amendments the Operational Plan 2018/19.

CARRIED UNANIMOUSLY

The meeting adjourned at 10:26am for morning tea, to join Mrs Margaret Wedge The Acting Director of Nursing at St George Hospital and Ms Joy Weatherall, grandmother of the year recipient.

### **DEPUTATIONS**

Mrs Margaret Wedge – Acting Director of Nursing for St George Hospital at 10:30am.

Ms Joy Weatherall – Presentation of 2018 Grandparent of the Year Award at 10:30am.

Meeting resumed at 11:05am with Mrs Tracy Lee (Manager Finance Services) and Miss Anna McMillian (Graduate Accountant) present.

FCS3

### **MONTHLY FINANCE REPORT NOVEMBER 2018**

Monthly Finance Report for month ending 30 November 2018

Cr Scriven moved and Cr Gaske seconded:

That the monthly Financial Management Report for the period ending 30 November 2018, as tabled, be received and noted.

CARRIED UNANIMOUSLY

Mrs Tracy Lee ( Manager Finance Services ) and Miss Anna McMillian (Graduate Accountant) left the meeting time being 11:14am.

Dr Digby Whyte (Director of Community and Environmental Services ) and Ms Fiona McLeod (Planning and Development Officer) entered meeting at 11:16am.

## **(IFS) INFRASTRUCTURE SERVICES**

IFS1

### **LOCAL ROADS OF REGIONAL SIGNIFICANCE (LRRS) SHIRE NETWORK REVIEW**

A recent review of Council's Local Roads of Regional Significance (LRRS) network has not the undertaken. Council's endorsement to undertake a review is sort.

Cr O'Toole moved and Cr Paul seconded:

That Council endorse a review of the Local Roads of Regional Significance (LRRS) Network within the Shire.

CARRIED UNANIMOUSLY

Mrs Mareea Lochel (Community Collective and Wellbeing Co-Ordinator) entered meeting and Mr Andrew Broadman (Acting Director Infrastructure Services) left meeting time being 11:22am

## **.(CES) Community & Environmental Services**

CES1

### **RL 98 - APPLICATION FOR RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT (3 INTO 3 LOTS) - 81-85 ALFRED STREET, ST GEORGE AFFECTING LAND DESCRIBED AS LOT 1 ON RP41282, LOT 2 ON RP41282 AND LOT 1 ON RP100467**

Council has received a development application from the owner, Dr John Stone for Reconfiguration of a Lot, specifically a boundary realignment (3 into 3 lots) located at 81-85 Alfred Street, St George affecting land described as Lot 1 on RP41282, Lot 2 on RP41282 and Lot 1 on RP100467.

Cr Fuhrmeister moved and Cr Todd seconded:

1. Council receives this report.

2. Council approves the development application for a RL 98 - Application for Reconfiguration of a Lot - Boundary Realignment (3 into 3 Lots) - 81-85 Alfred Street, St George affecting land described as Lot 1 on RP41282, Lot 2 on RP41282 and Lot 1 on RP100467 subject to the permit conditions listed below;

#### **DEVELOPMENT PERMIT CONDITIONS**

3. 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).
4. All outstanding rates and charges shall be paid prior to the submission to Council of the Plan of Survey.
5. 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.
6. Maintain the approved development being Reconfiguring a Lot – Boundary Realignment (3 into 3) in accordance with the approved plan.

<b>Plan/Document Number</b>	<b>Plan/Document Name</b>	<b>Date</b>
218122-1 Prepared by SMK Consultants Pty Ltd.	PLAN OF PROPOSED BOUNDARY REALIGNMENT OF LOTS 1 & 2 ON RP41282 AND LOT 1 ON RP100467	20/9

#### **Engineering**

7. 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.
8. 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.*
- *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 UNANIMOUSLY

Dr Digby Whyte ( Director Community and Environmental Services) left the meeting at 11:31am.

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 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 O'Toole moved and Cr Gaske seconded:

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

APPLICANT	PROJECT	AMOUNT APPROVED
Dirranbandi P&A	2019 Dirranbandi Show	\$1,000

CARRIED UNANIMOUSLY

Dr Digby Whyte (Director Community and Environmental Services) returned to meeting at 11:33am.  
Mrs Dianne Francisco (Environmental Health Officer) entered meeting at 11:33am

CES3

**COMMUNITY SPONSORSHIPS, DONATIONS 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 Fuhrmeister moved and Cr Todd seconded:

That Council approves half sponsorship to the following Schools in the Balonne Shire:

- Bollon State School
- Dirranbandi P – 10 State School
- Hebel State School
- St George State School
- St George State High School
- St Patricks Catholic School
- Thallon State School

The motion on being put was lost.

**AMENDMENT**

Cr Todd moved and Cr O'Toole seconded

That Council not sponsor the Queensland Police Legacy Child safety handbooks.

The amendment on being put was CARRIED UNANIMOUSLY

Mrs Michelle Clarke left meeting at 11:41am and returned at 11:42am

CES4

**EXCLUSION FENCE UPGRADE TO ST GEORGE LANDFILL FENCE**

A proposal to upgrade the St George landfill boundary fence

Cr O'Toole moved and Cr Gaske seconded:

1. That Council erects of an exclusion boundary fence which adjoins Mr and Mrs D Lee's property "Riverston" and the St George Landfill.

CARRIED UNANIMOUSLY

Mrs Dianne Francisco (Environmental Health Officer) left the meeting time being 11:42am.

CES5

**RADF COMMUNITY GRANTS PROGRAM**

The Regional Arts Development Fund (RADF) is a state and local government partnership that supports local artist and arts and cultural activities in Queensland Communities. Council has received one out of round application. The application has been assessed by the RADF Reference Panel and has been determined to comply with the appropriate assessment criteria as detailed through the Balonne Shire RADF Program.

Cr Todd moved and Cr Fuhrmeister seconded:

That :

1. That Council ratify and approve the RADF application Bollon Sewing Group as follows:

<b>APPLICANT</b>	<b>PROJECT</b>	<b>AMOUNT APPROVED</b>
Bollon Sewing Group	Rugs for a reason	\$ 1,440.00

CARRIED UNANIMOUSLY

CES6

**RL 99 - APPLICATION FOR RECONFIGURATION OF A LOT - 1 TO 3 LOT SUBDIVISION - 85 BOWEN STREET, ST GEORGE AFFECTING LAND DESCRIBED AS LOT 11 ON STG857**

Council has received a development application from the owners, Nicholas and Miriam Bligh for Reconfiguration of a Lot specifically a 1 to 3 lot subdivision located at 85 Bowen Street, St George described as Lot 11 on STG857.

Cr Scriven moved and Cr Todd seconded:

1. Council receives this report.
2. Council approves the development application for RL 99 - Application for Reconfiguration of a Lot - 1 to 3 Lot Subdivision - 85 Bowen Street, St George affecting land described as Lot 11 on STG857subject to the permit conditions listed below;

**DEVELOPMENT PERMIT CONDITIONS**



3. 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).
4. All outstanding rates and charges shall be paid prior to the submission to Council of the Plan of Survey.
5. 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.
6. Maintain the approved development being Reconfiguring a Lot – 1 to 3 Lot Subdivision in accordance with the approved plan:

Plan/Document Name	Date
Plan of Proposed Subdivision	27.11.18

### **Engineering**

7. *Prior to the signing of the Survey Plan of Subdivision*, certificate(s) must be obtained from a provider agency and presented to Council stating that electricity supply network connections can be made to proposed allotments (Lot 2 and 3) and that adequate electricity supplies are available or can be made available.
8. *Prior to the signing of the Survey Plan of Subdivision*, proposed allotments (Lot 2 and 3) are connected to Council's reticulated water supply system in accordance with *Schedule 4: "Standards for Water Supply"*.
9. Each lot is provided with an on-site sewerage disposal system to the standards described in *Schedule 5: "Standards for Sewerage Supply" in the Balonne Shire Planning Scheme*.
10. Where deemed necessary by Council, the relocation of services within the subject land shall be undertaken by the developer at no cost to Council.

### **Access**

11. Access points to newly created Lot 2 and 3 off Arthur Street are constructed in accordance with the standards identified in *Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas"* in the Balonne Shire Council Planning Scheme.
12. The developer shall be responsible for the 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.
13. Vehicle crossovers to newly created Lot 2 and 3 must not be higher than the existing table drain at the invert. The crossovers must be at a minimum all weather gravel with a minimum pavement depth of 300 mm between the property boundary and the road carriageway.

### **NOTES:**

14. *Nothing in this permit hereby issued approves the clearing of native vegetation.*

15. *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.*

16. *Prior to any future infrastructure connection works occurring Council's Infrastructure Department should be consulted to discuss Council's requirements.*

CARRIED UNANIMOUSLY

Ms Fiona McLeod (Planning and Development Officer) left meeting time being 11:50am.

CES7

### **BALONNE SHIRE YOUNG LEADERS' BURSARY**

This report presents to Council, the revised Balonne Shire Young Leaders Bursary policy, guidelines and application for Council adoption.

Cr Fuhrmeister moved and Cr O'Toole seconded:

That:

1. Council endorse the changes to the Balonne Shire Young Leaders Bursary Policy and Guidelines/application form, and
2. Council announces the winners of the bursary during National Youth Week.

CARRIED UNANIMOUSLY

Michelle Clarke left at 11:54am and returned at 11:56am.

Dr Digby Whyte (Director Community and Environmental Services) and Mrs Mareea Lochel (Community Collective and Wellbeing Co-Ordinator) left meeting time being 11:56am.

### **CLOSED MEETING**

Cr Fuhrmeister moved and Cr O'Toole seconded

That Council go into its meeting as a Closed Meeting, time being 11:57am.

CARRIED UNANIMOUSLY

During the confidential session to discuss the Legal Services Panel the St George Landfill tender and St George Levee Bank were mentioned as they are currently with some of the legal service providers. Councillors were advised the St George Landfill tender closed Monday and both tenderers had put in a submission. The status of the St George Levee Bank matters was mentioned. Therefore Councillors Gaske, Scriven and Todd declared interests and left the meeting as follows:

In accordance with s175C(2) of the Local Government Act 2009 Councillor Gaske declared a Material Personal Interest in respect to matters contained in CCFS1, on the grounds that:

One of the effected property owners her husband Andrew Gaske, owns a property on the block wall levee.

Councillor Gaske left the meeting in accordance with s175C(2)(b) and did not participate in discussion on this matter.

In accordance with s175E(2) of the Local Government Act 2009 Councillor Todd declared a Perceived Conflict of Interest in respect to matters contained in CCFS1, on the grounds that:

One of the affected property owners on whose land the levee is situated, Kylie Mulder is a former business partner and current employee of Councillor Todd.

Councillor Todd left the meeting in accordance with s175E(4) and did not participate in discussion on this matter.

In accordance with s175E(2) of the Local Government Act 2009 Councillor Scriven declared a Perceived Conflict of Interest in respect to matters contained in CCFS1, on the grounds that:

the nature of the interest is Rodney Geiger on whose land the levee is situated, has a contract of employment with Councillor Scriven.

Councillor Scriven left the meeting in accordance with s175E(4) and did not participate in discussion on this matter.

Councillors Gaske, Todd and Scriven left the meeting at 12.14pm and returned at 12.20pm.

## **OPEN MEETING**

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council re-open the meeting and resume the order of business, time being 12:21pm.

CARRIED UNANIMOUSLY

## **CONFIDENTIAL ITEMS**

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

CCFS1

#### **LEGAL SERVICES PANEL**

This report recommends a legal services panel of preferred suppliers.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That the following firms be appointed to Council's Legal Services Panel of preferred suppliers.

1. AJ & CO LAWYERS
2. PEAK SERVICES
3. COLLECTION HOUSE
4. P & E LAW
5. MARRAWAH LAW
6. FOX AND THOMAS
7. INLAND LEGAL
8. MCINNES WILSON
9. MIINTERELLISON GC
10. GADENS
11. MACDONNELLS LAW
12. MCCULLOUGH ROBERTSON
13. KING & COMPANY
14. WILSON/RYAN/GROSE

15. HOLDING REDLICH
16. PRESTON LAW
17. REDENBACH LEE

CARRIED UNANIMOUSLY

## **INFORMATION REPORTS**

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

ICE01 **BI-MONTHLY REPORT**

Information report on Council Communications activities from 1 October – 30 November 2018.

ICE02 **ECONOMIC DEVELOPMENT REPORT NOVEMBER 2018**

Economic Development Report November 2018.

ICE03 **MONTHLY REPORT**

Monthly grants information report 3 November – 7 December 2018.

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

ICFS1 **MONTHLY REPORT - DIRECTOR FINANCE & CORPORATE SERVICES**

Monthly Information Report – Director Finance & Corporate Services.

ICFS2 **WHS MONTHLY REPORT**

Monthly Safety Report.

ICFS3 **MONTHLY FINANCE REPORT - 30 NOVEMBER 2018**

Monthly Finance Information Report 30 November 2018.

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

IIFS1 **MONTHLY REPORT FOR THE DECEMBER 2018 COUNCIL MEETING**

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

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

ICES1 **MONTHLY REPORT**

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

ICES2 **MONTHLY REPORT**

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

There being no further business, the Meeting closed, the time being 12:40pm.

Confirmed at a General Meeting of the Council held on 17 January 2019.

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**MAYOR**