



MINUTES

of the

General Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 21st March 2019

Commencing at 9:00am

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OPENING

The Mayor declared the Meeting open at 9:00am.

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 Finance & Corporate Services), Dr Digby Whyte (Director Community & Environmental Sustainability) and Mr Andrew Boardman (Acting Director Infrastructure Services)

LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES

Cr Todd moved and Cr Paul seconded:

That the Minutes of the General Meeting held on 21 February, 2019 be confirmed
.CARRIED UNANIMOUSLY

CONFIRMATION OF MINUTES SPECIAL MEETING

Cr Scriven moved and Cr Fuhrmeister seconded:

That the Minutes of a Special Meeting held on 14th March, 2019, be confirmed.
CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

Nil

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 CES3, on the grounds that:

the nature of the interest is William DJ O'Toole is the son of Cr O'Toole and their interest in this matter is William attends St Patrick's School. William is not in Years 5/6 and is ineligible to attend the Literacy Camp.

Councillor O'Toole advised that she will leave the meeting, including any area set aside for the public, in accordance with S175E(4) of the Local Government Act 2009 and will not participate in discussion or voting on this matter.

In accordance with s175E(2) of the Local Government Act 2009 **Councillor Gaske** declared a perceived Conflict of Interest in respect to matters contained in CES3, on the grounds that:

The nature of the interest is that her son attends St Patrick's School and was chosen to go on the Literacy Camp.

Councillor Gaske advised that she will leave the Meeting, including any area set aside for the public, in accordance with s175E(4) of the Local Government Act 2009, and will not participate in discussion or voting on this matter.

In accordance with s175E(2) of the Local Government Act 2009 **Councillor Gaske** declared a perceived Conflict of Interest in respect to matters contained in FCS2, on the grounds that:

the nature of the interest is her husband Andrew Gaske is an Elders Staff employee. Councillor Gaske advised that she will voluntarily leave the meeting, in accordance with s175E(4) of the Local Government Act 2009, but that she would like to vote on this matter. She has received advice from the Integrity Commissioner on this matter.

PUBLIC PARTICIPATION

Nil

DEPUTATIONS

Nil

COUNCILLOR REPORTS

Cr Gaske moved and Cr O'Toole seconded:

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

MEETING BUSINESS BY CORPORATE FUNCTION (CEO) CHIEF EXECUTIVE OFFICER

Nil

(FCS) FINANCE AND CORPORATE SERVICES

FCS1 CEO DELEGATIONS ANNUAL REVIEW

Annual review of CEO Delegations

Cr Todd moved and Cr Gaske seconded:

1. That Council adopt the Instrument of Delegation for the Chief Executive Officer; and
2. Hereby delegate all powers referred to in the document titled "Register of Delegations – Council to CEO by Council to the Chief Executive Officer of the Balonne Shire Council pursuant to section 257 of the Local Government Act 2009".

CARRIED UNANIMOUSLY

Mrs Tracey Lee (Manager of Finance) attended the Meeting at 9:32am

In accordance with s175E(2) of the Local Government Act 2009 **Councillor Gaske** declared a perceived Conflict of Interest in respect to matters contained in FCS2, on the grounds that:

the nature of the interest is her husband Andrew Gaske who is an Elders Staff employee. Councillor Gaske advised that she will voluntarily leave the meeting, in accordance with s175E(4) of the Local Government Act 2009 for Council to consider whether she has a real or perceived conflict of interest.

Councillor Gaske voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 9:35am.

CR GASKE

Cr Todd moved and Cr O'Toole seconded:

That Council resolves that Cr Gaske has a Perceived Conflict of Interest in respect to matters contained in Report FCS2 and that she may participate in the meeting in relation to the matter and vote on the matter.

.CARRIED UNANIMOUSLY

Cr Gaske returned to the Meeting at 9:37am

Mr Andrew Boardman (Acting Director Infrastructure Services) entered the Meeting at 9:53am.

FCS2 **WDEF LANDHOLDER AGREEMENT**

Wild Dog Exclusion Fencing Landholder Agreement and Adjoining Landholder Agreement

Cr Fuhrmeister moved and Cr O'Toole seconded:

1. That the Landholder Agreement and Adjoining Landholder Agreement for the Wild Dog Exclusion Fencing scheme be adopted by Council, subject to minor modifications to be determined at a Council Workshop to be held on 28th March, 2019.

CARRIED UNANIMOUSLY

FCS3 **WDEF ADMINISTRATION CHARGE**

3% administration fee for WDEF to apply in first two years of scheme

Cr Scriven moved and Cr Paul seconded:

1. That the Register of Fees and Charges 2019/20 include a 3% administration fee for the Wild Dog Exclusion Fence Scheme in accordance with Section 97 and Section 262(3)(c) of the Local Government Act 2009, to be calculated on the total cost of fencing materials and construction costs for individual landholders;
2. That the 3% administration fee be collected over the first two years of the Wild Dog Exclusion Fence scheme.

CARRIED UNANIMOUSLY

FCS4 **ACCEPTABLE REQUEST GUIDELINES**

Acceptable Request Guidelines Reviewed

Cr Gaske moved and Cr Paul seconded:

That in accordance with Section 170A(6) of the Local Government Act 2009, Council adopt its

Acceptable Request Guidelines.

CARRIED UNANIMOUSLY

FCS5 **MONTHLY FINANCE REPORT FEBRUARY 2019**

Monthly Finance Report February 2019

Cr Todd moved and Cr Fuhrmeister seconded:

That the monthly Financial Management Report for the period ending 28 February 2019, as tabled, be received and noted.

CARRIED UNANIMOUSLY

FCS6 **ICT STEERING COMMITTEE MINUTES 19 FEBRUARY 2019**

Minutes of ICT Steering Committee 19 February 2019

Cr Gaske moved and Cr O'Toole seconded:

That the minutes of the ICT Steering Committee 19 February 2019 be received and noted by Council.

CARRIED UNANIMOUSLY

Mrs Tracey Lee (Manager Finance Services) retired from Meeting at 10:10am

Dr Digby Whyte (Director Community & Environmental Sustainability) and Ms Dani Kinnear (Community Development Officer) entered the Meeting at 10:12am

Ms Fiona Macleod (Planning and Development Officer) entered the Meeting at 10:19am

(IFS) INFRASTRUCTURE SERVICES

IFS1 **PROPOSED WATER RESTRICTION VARIATION DUE TO PLANNED SUNWATER WORKS AT BEARDMORE DAM**

Planned works by Sunwater around the Thuraggi Channel inlet at Beardmore Dam will require the dam to be lowered to 5% capacity or 4000ML. Works are scheduled to take 8 to 12 weeks starting from mid-April.

Council's current river water allocation for St George will be held in Jack Taylor Weir until the Beardmore Dam works are completed and subsequent inflow replenishes supply at the dam.

Given the uncertainty around the next significant inflow following completion of the Sunwater works, it is proposed that Council proactively raise water restriction levels ahead of existing policy trigger levels to conserve remaining allocation.

Cr Fuhrmeister moved and Cr Gaske seconded:

That:

1. Council move to increase water restrictions to Level 2 and maintain Level 2 restrictions until the Level 3 trigger level is reached or Beardmore Dam receives significant inflow.
2. Council delegate authority to the CEO in accordance with Section 257(1)b) of the Local Government Act 2009, to develop appropriate Level 2 winter watering hours.

CARRIED UNANIMOUSLY

The Meeting adjourned for Morning Tea at 10:25am, and resumed at 10:42am with Dr Digby Whyte, Ms Dani Kinnear and Ms Fiona Macleod in attendance, and Mr Andrew Boardman absent. The Land Access Ombudsman, Ms Jane Pires, (who is also the Energy & Water Ombudsman) and another two officers, were also in attendance.

Ms Pires gave the Council an overview of her position and role of the Land Access Ombudsman.

The Land Ombudsman's group retired from the Meeting at 10:54am

(CES) COMMUNITY & ENVIRONMENTAL SERVICES

CES1 COMMUNITY SPONSORSHIPS, DONATIONS AND GRANTS PROGRAM

Community Sponsorship Requested by St George Art Group Inc

Cr Fuhrmeister moved and Cr Todd seconded:

That Council resolves to approve the Community Sponsorship, Donations and Grants Application as Follows

APPLICANT	PROJECT	AMOUNT APPROVED
St George Art Group	Brush Strokes Art Exhibition	\$ 250

CARRIED UNANIMOUSLY

CES2 COMMUNITY SPONSORSHIPS, DONATIONS AND GRANTS PROGRAM

Request for sponsorship from Thallon Progress Association for the Design and Production of an Interpretative sign at the McGeever Recreation Grounds

Cr Fuhrmeister moved and Cr Paul seconded:

That Council

1. Declines the Thallon Progress Association's request for sponsorship from the Community Sponsorships, Donations, and Grants Program; and
2. That this item be considered at the 2019-2020 Budget Meeting as a community project for the design, production and erection of interpretative signage for the McGeever Recreation Grounds in Thallon.

CARRIED UNANIMOUSLY

In accordance with s175E(2) of the Local Government Act 2009 **Councillor Gaske** declared a perceived Conflict of Interest in respect to matters contained in CES3, on the grounds that:

The nature of the interest is that her son attends St Patrick's School and was chosen to go on the Literacy Camp.

Councillor Gaske advised that she will leave the Meeting, including any area set aside for the public, in accordance with s175E(4) of the Local Government Act 2009, and will not participate in discussion or voting on this matter.

Councillor Gaske voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 11:01am..

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 CES3, on the grounds that:

the nature of the interest is William DJ O'Toole is the son of Cr O'Toole and their interest in this matter is William attends St Patrick's School. William is not in Years 5/6 and is ineligible to attend the Literacy Camp.

Councillor O'Toole voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 11:01am.

CES3 **COMMUNITY SPONSORSHIPS, DONATIONS AND GRANTS PROGRAM**

Request for a Donation from St Patricks Primary school to send 15 Students to the Somerset Literacy Festival

Cr Scriven moved and Cr Fuhrmeister seconded:

That Council resolves to approve the Community Sponsorship, Donations and Grants Application as Follows

APPLICANT	Project	AMOUNT APPROVED
St Patricks Primary School	Attending Literacy Festival	\$ 1,375

CARRIED UNANIMOUSLY

Crs Gaske and O'Toole returned to the Meeting at 11:03am.

CES4 **COMMUNITY SPONSORSHIPS, DONATIONS AND GRANTS PROGRAM**

Sponsorship Request by Mungindi Community Preschool

Cr Gaske moved and Cr O'Toole seconded:

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

APPLICANT	SPONSORSHIP	AMOUNT APPROVED
Mungindi Community Preschool	Bronze sponsorship	\$ 330

CARRIED UNANIMOUSLY

CES5 **FEE WAIVER - CULTURAL CENTRE ANNEX**

Fee Waiver Request from St George Art Group Inc

Cr Gaske moved and Cr O'Toole seconded:

That Council approve the fee waiver request from the St George Art Group Inc for:

1. The Instructional Art Workshop to improve technique on the 4th and 5th May 2019; and
2. The Instructional Art Workshop to further their knowledge of pastels on the 31st August and 1st September 2019.

CARRIED UNANIMOUSLY

CES6

FEE WAIVER - ST GEORGE P & A ASSOCIATION

Fee Waiver Request from St George P & A Association

Cr Gaske moved and Cr O'Toole seconded:

That Council

1. Support the St George P & A Association by waiving the hire fees and the electricity fee this 2018/19 year for the annual show event, and;
2. Support the Dirranbandi P & A Association by waiving the hire fees for the annual show event.

CARRIED UNANIMOUSLY

CES7

BALONNE SHIRE SCHOOL CHAPLAINCY

The Balonne Shire School Chaplaincy

Cr Scriven moved and Cr O'Toole seconded:

1. That Council allocate \$10,000 in the 2019/20 budget towards the Balonne School Chaplaincy program;
2. That the funds be released in Council's first creditor payment run for the 2019/20 financial year; and
3. The funding is subject to the Chaplaincy Service actively participating with Council's Community Wellness Instep Program.

CARRIED UNANIMOUSLY

Ms Dani Kinnear retired from the Meeting at 11:36am

CES8

PROPOSED RENEWAL OF TERM LEASE 0/213078 LOCATED OVER LOT 48 ON CROWN PLAN BLM1023

The purpose of this report is for Council to consider the proposed renewal of Term Lease 0/213078 located over Lot 48 on BLM1023.

Cr Todd moved and Cr O'Toole seconded:

That:

1. Council objects to Department of Natural Resources, Mines and Energy renewing the Term Lease located over Lot 48 on BLM1023; *and*
2. Council recommends alternatively that a Permit to Occupy is issued over Lot 48 on BLM1023.

NOTE:

Lot 48 on BLM1023 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 UNANIMOUSLY

CES9

RL 100 - APPLICATION FOR RECONFIGURATION OF A LOT - BOUNDARY REALIGNMENT (2 INTO 2 LOTS) - 10 BEARDMORE PLACE AND 113 VICTORIA STREET, ST GEORGE AFFECTING LAND DESCRIBED AS LOT 7 ON RP211972 AND LOT 8 ON RP211972

Council has received a development application from the applicant, SMK Consultants on behalf of Maranoa Mechanical for Reconfiguration of a Lot specifically a boundary realignment (2 into 2 lots) located at 10 Beardmore Place and 113 Victoria Street, St George affecting land described as Lot 7 on RP211972 and Lot 8 on RP211972.

Cr Gaske moved and Cr Todd seconded:

1. Council receives this report.
2. Council approves the development application for a RL 100 - Application for Reconfiguration of a Lot - Boundary Realignment (2 into 2 Lots) - 10 Beardmore Place and 113 Victoria Street, St George affecting land described as Lot 7 on RP211972 and Lot 8 on RP211972 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.
4. Maintain the approved development being Reconfiguring a Lot – Boundary Realignment (2 into 2) in accordance with the approved plan:

Plan/Document Number	Plan/Document Name	Date
219018-1 Prepared by SMK Consultants Pty Ltd.	PLAN OF PROPOSED BOUNDARY REALIGNMENT OF LOTS 7 & 8 ON RP211972	05/0

Engineering

5. 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.
6. 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.*
- *Given existing infrastructure is located through both lots, Council advises that any future building works where located in close proximity to the infrastructure, must consider the Queensland Development Code (QDC) – MP 1.4 Building over or near relevant infrastructure.*
- *For sewerage connections to be provided to each realigned lot, an extension will be required to replace the existing combined drain. Accordingly, it is suggested that Council's Infrastructure Department be contacted to discuss this process further.*

CARRIED UNANIMOUSLY

CES10

MCU 164 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - INTENSIVE ANIMAL INDUSTRY EXPANSION (CATTLE FEEDLOT 2,300SCU) AND ERA 2-1(B) INTENSIVE ANIMAL FEEDLOTING (KEEPING 1,000-10,000SCU) - "EURABA" 12730 CASTLEREAGH HIGHWAY AND 700 EURABA ROAD, DIRRANBANDI DESCRIBED AS LOT 10 ON BLM369, LOT 1 ON BLM662, LOT 2 ON BLM368 AND LOT 3 ON BLM368

Council has received a development application from the applicant, Premise Agriculture on behalf of the landowner for MCU 164 Development Application for Material Change of Use - Intensive Animal Industry Expansion (Cattle Feedlot 2,300SCU) and ERA 2-1(b) Intensive Animal Feedlotting (Keeping 1,000-10,000SCU) - "Euraba" 12730 Castlereagh Highway and 700 Euraba Road, Dirranbandi described as Lot 10 on BLM369, Lot 1 on BLM662, Lot 2 on BLM368 and Lot 3 on BLM368.

Cr Paul moved and Cr Fuhrmeister seconded:

That:

1. Council receives this report.
2. Council approves the development application for MCU 164 Development Application for Material Change of Use - Intensive Animal Industry Expansion (Cattle Feedlot 2,300SCU) and ERA 2-1(b) Intensive Animal Feedlotting (Keeping 1,000-10,000SCU) - "Euraba" 12730 Castlereagh Highway and 700 Euraba Road, Dirranbandi described as Lot 10 on BLM369, Lot 1 on BLM662, Lot 2 on BLM368 and Lot 3 on BLM368 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 number	Plan/Document name	Date
SK003-A	Aerial Plan	12.09.18
SK001-B	Proposed Site Layout	15.06.18
SK002-A	Catchment Plan	12.06.18

Approved Development

2. The approved development is for a Material Change of Use to expand an existing Intensive Animal Industry (Cattle Feedlot to 2,300 SCU) and ERA 2-1(b) Intensive Animal Feedlotting (Keeping 1,000-10,000 SCU) on land described as Lot 10 on BLM369, Lot 1 on BLM662, Lot 2 on BLM368 and Lot 3 on BLM368 situated at "Euraba" 12730 Castlereagh Highway and 700 Euraba Road, Dirranbandi.

Compliance with Conditions

3. 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.
4. All costs associated with compliance with these conditions shall be the responsibility of the developer unless otherwise noted.

Application Documentation

5. It is the developer's responsibility to ensure all entities associated with this Development Permit have a legible copy of the Approved Plans and Approved Documents bearing "*Council Approval*" and the Decision Notice.

Fees and Charges

6. 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

7. 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.
8. The site shall be maintained in a clean and orderly state at all times to Council's satisfaction.

Avoiding Nuisance

9. 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.

10. The applicant must ensure compliance with all environmental conditions outlined under the Environmental Authority for the environmentally relevant activity.
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*.
14. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

Public Utilities

15. The developer shall be responsible for the location of and protection of any Council and Public Utility Services Infrastructure and Assets that may be impacted on during construction of the development
16. Any damage which is caused to Council's Infrastructure as a result of the approved development must be repaired immediately.

Environmental - Stormwater – Drainage

17. There is to 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.
18. The holder of the permit shall ensure that the use is to be conducted in a manner that the Cattle Feedlot activities do not cause contamination of groundwater or stormwater runoff.
19. 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.
20. During construction, soil erosion and sediment is managed in accordance with *Schedule 7: "Standards for Construction Activity" of the Balonne Shire Planning Scheme*.
21. Excavation and filling is undertaken in accordance with *Schedule 7: "Standards for*

Construction Activity” of the Balonne Shire Planning Scheme.

Onsite Manoeuvring

22. 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.*
23. Ensure access to car parking spaces, vehicle loading and manoeuvring areas and driveways remain unobstructed and available for their intended purpose.
24. Ensure loading and unloading operations are conducted wholly within the site and vehicles enter and exit the site in a forward direction.

Further Advice:

Please note that the DNRME and DAF (through DSDMIP) as concurrence agencies have provided conditions for the development within the concurrence agency response dated 4 January 2019. The applicant is required to ensure compliance with these conditions prior to the commencement/ and during the operation of the use. However DNRME and DAF 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 DNRME and DAF and Council have no further responsibility in this matter however it is important that this matter be noted.

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.*
- *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.*
- *If in the future the development’s internal roads/access interacts with local controlled roads, an application is required to be presented to Council for approval.*

CARRIED UNANIMOUSLY

CES11 **CHANGE APPLICATION TO MCU 30 - DEVELOPMENT APPROVAL FOR MATERIAL CHANGE OF USE - INDUSTRIAL DEVELOPMENT AT CARNARVON HIGHWAY, ST GEORGE QLD 4487 DESCRIBED AS LOT 1 ON RP206544**

Council has received a change application from TFA Project Group, for Development Permit (MCU 30) Material Change of Use – Industrial Development located at Carnarvon Highway, St George affecting land described as Lot 1 on RP206544.

Cr Scriven moved and Cr O'Toole seconded:

That:

1. Council receives this report.
2. The application for a Request to Change an Existing Approval for a Material Change of Use – Industrial Development on land described as Lot 1 on RP206544 and situated at Carnarvon Highway, St George, be approved.

CARRIED UNANIMOUSLY

CES12 **BALONNE SHIRE COUNCIL PLANNING SCHEME REVIEW - COMMENCE PUBLIC CONSULTATION AND STATE INTEREST REVIEW ON DRAFT NEW SCHEME**

Balonne Shire Council must resolve to commence public consultation and state interest review on the draft new planning scheme in order for the public consultation part to formally commence.

Cr Fuhrmeister moved and Cr Gaske seconded:

That:

1. Council receives this report.
2. Council proceed to state interest review and public consultation under section 18 of the *Planning Act 2016*:
 - a. Council submits the:
 - i. Draft Balonne Shire Planning Scheme (Attachment 1)
 - ii. Draft Mapping (including Flood Mapping) for the Balonne Shire (Attachment 2)
 - iii. Draft Communication Strategy (Attachment 3)
 - b. State interest review and public consultation steps will progress concurrently (40 business days)
 - c. Council agrees to proceed to public consultation on the draft new planning scheme to commence on 1st April, 2019.
3. Then:
 - a. Council has 20 business days to consider submissions and if required, an additional 20

business days to make changes to the proposed planning scheme.

CARRIED UNANIMOUSLY

CLOSED MEETING

Cr Gaske moved and Cr O'Toole seconded:

That Council go into its Meeting as a Closed Meeting, the time being 12:10pm.

CARRIED UNANIMOUSLY

OPEN MEETING

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council go into its Meeting as an Open Meeting, the time being 12:33pm.

CARRIED UNANIMOUSLY

CONFIDENTIAL ITEMS

(CCEO) CHIEF EXECUTIVE OFFICER

CCEO1

DIRECTOR INFRASTRUCTURE SERVICES

Due to the recent resignation of the former Director Infrastructure Services, a replacement needs to be appointed to this position.

Cr Gaske moved and Cr Paul seconded:

That Council endorses the appointment of Mr Andrew Boardman as Director Infrastructure Services effective from Monday March 25th 2019 for a period of 3 years on a performance based contract.

CARRIED UNANIMOUSLY

(CFCS) FINANCE AND CORPORATE SERVICES

CCFS1

ADMINISTRATIVE COMPLAINT - EUMERELLA SOUTH ROAD

Administrative Complaint – Eumerella South Road

Cr Gaske moved and Cr O'Toole seconded:

1. That Council seek further instruction from the Crime & Corruption Commission as to how it would like Council's Independent Investigators, Reinforcements Management Consulting, to proceed on the Eumerella South Road administrative complaint; and
2. The Council provides the Crime and Corruption Commission with a copy of the consultants confidential briefing note and request advice as to the further conduct of the investigation; and
3. The Council authorise the consultants to liaise with the Crime & Corruption Commission's case officers to provide relevant information concerning the progress of the investigation to enable the Commission's assessment and further advice.

.CARRIED UNANIMOUSLY

INFORMATION REPORTS

(ICEO) CHIEF EXECUTIVE OFFICER

ICE01 **ECONOMIC DEVELOPMENT UPDATE FEBRUARY 2019**

Economic Development Update February 2019

ICE02 **MONTHLY REPORT**

Grants report 9 February – 10 March 2019

(IFCS) FINANCE AND CORPORATE SERVICES

ICFS1 **MONTHLY REPORT**

WHS Monthly Information Report

ICFS2 **MONTHLY FINANCIAL INFORMATION REPORT FEBRUARY 2019**

Monthly Financial Information Report for the period ended 28 February 2019.

ICFS3 **MONTHLY REPORT - DIRECTOR FINANCE & CORPORATE SERVICES**

Monthly Information Report – Director Finance & Corporate Services

(IIFS) INFRASTRUCTURE SERVICES

IIFS1 **MONTHLY REPORT FOR THE MARCH 2019 COUNCIL MEETING**

From the Acting Director of Infrastructure Services - reporting for the month of February.

(ICES) COMMUNITY & ENVIRONMENTAL SERVICES

ICES1 **MONTHLY REPORT - RURAL SERVICES AND COMPLIANCE**

Manager of Rural Services report for February 2019 is presented to Council for information.

ICES2 **ST GEORGE HISTORY TOUR**

Pilot History Tour of St George, presented to Council for Information.

ICES3 **MONTHLY REPORT**

The Community & Environmental Sustainability Report for the month of February 2019 is presented for Council's information.

LGAQ DROUGHT RELIEF

The Mayor tabled correspondence he had received from the LGAQ concerning drought relief funding and Council agreed that the LGAQ should be advised to proceed.

There being no further business, the Meeting closed, the time being 12:58pm.

Confirmed at a General Meeting of the Council held on 18 April 2019.

MAYOR