



# **MINUTES**

**of the**

**General Meeting of the Council**

**held in the**

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

**on**

**Thursday 15th August 2019**

**Commencing at 9:00am**

## **Table of Contents**

<b>MEETING BUSINESS BY CORPORATE FUNCTION .....</b>	<b>3</b>
<b>(CEO) CHIEF EXECUTIVE OFFICER .....</b>	<b>3</b>
<b>(FCS) FINANCE AND CORPORATE SERVICES .....</b>	<b>4</b>
<b>(IFS) INFRASTRUCTURE SERVICES .....</b>	<b>6</b>
<b>(CES) COMMUNITY &amp; ENVIRONMENTAL SERVICES .....</b>	<b>7</b>
<b>CONFIDENTIAL ITEMS.....</b>	<b>16</b>
<b>(CFCS) FINANCE AND CORPORATE SERVICES .....</b>	<b>16</b>
<b>INFORMATION REPORTS.....</b>	<b>16</b>
<b>(ICEO) CHIEF EXECUTIVE OFFICER .....</b>	<b>16</b>
<b>(IFCS) FINANCE AND CORPORATE SERVICES .....</b>	<b>16</b>
<b>(IIFS) INFRASTRUCTURE SERVICES .....</b>	<b>17</b>
<b>(ICES) COMMUNITY &amp; ENVIRONMENTAL SERVICES .....</b>	<b>17</b>

## **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

Mrs Michelle Clarke (Director Financial & Corporate Services), and Mr Digby Whyte (Director Community & Environmental Services).

## **LEAVE OF ABSENCE**

Nil

## **CONFIRMATION OF MINUTES**

Cr Gaske moved and Cr Paul seconded:

That the Minutes of the General Meeting held on 18 July, 2019 be confirmed  
CARRIED

## **BUSINESS ARISING FROM MINUTES**

Nil

## **DECLARATIONS OF INTEREST**

In accordance with s175E(2) of the Local Government Act 2009 **Councillor O'Toole** declared a Real Conflict of Interest in respect to matters contained in CEO1, on the grounds that:

the nature of the interest is Cr O'Toole is the Treasurer of the St George and District Chamber of Commerce and it is proposed the Chamber of Commerce will coordinate the Gift Card Program.

Councillor O'Toole advised that she will voluntarily leave the Meeting during these discussions.

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 the business she owns with her husband Jason O'Toole, Balonne Airwork, is a major sponsor of the St George & District Rugby Union.

Councillor O'Toole advised that she would request to remain in the meeting and vote on this matter in the public interest.

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 CES3, Community Grants & Assistance Programs, on the grounds that:

the nature of the interest is that a business that he sells products for sponsor the St George and District Rugby Union Club.

Councillor Scriven advised that he would request to remain in the meeting and vote on this matter in the public interest.

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

the nature of the interest is Cr Fuhrmeister is the President of the St George Heritage Centre and their interest in this matter stands to gain a benefit or suffer a loss depending on the outcome of Council's decision on this matter.

Councillor Fuhrmeister advised that she will voluntarily leave the Meeting during these discussions.

### **DEPUTATIONS**

Nil

### **COUNCILLOR REPORTS**

Cr Todd moved and Cr Fuhrmeister seconded

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

CARRIED UNANIMOUSLY

In accordance with s175E(2) of the Local Government Act 2009 **Councillor O'Toole** declared a Real Conflict of Interest in respect to matters contained in CEO1, on the grounds that:

the nature of the interest is Cr O'Toole is the Treasurer of the St George and District Chamber of Commerce and it is proposed the Chamber of Commerce will coordinate the Gift Card Program.

Cr O'Toole voluntarily left the meeting in accordance with S175E(4) of the Local Government Act 2009 at 9.36am and did not take part in discussion or voting in this matter.

## **MEETING BUSINESS BY CORPORATE FUNCTION**

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

#### **CEO1 BALONNE SHIRE GIFT CARD PROGRAM**

Request for Council to support the St George Chamber of Commerce to deliver a Balonne Shire Gift Card Program across Balonne Shire.

Cr Fuhrmeister moved and Cr Gaske seconded:

That:

1. Council provides support to the St George Chamber of Commerce as the lead agency for the Balonne Shire Gift Card Program;
2. Council provides the St George Chamber of Commerce with a one off financial contribution to the value of \$6,500 (ex GST) from the Economic Development budget to deliver the Balonne Shire Gift Card Program for three years, and
3. the St George Chamber of Commerce provide a regular quarterly update to Council on the outcomes of the program.

CARRIED UNANIMOUSLY

Cr O'Toole re-entered the meeting the time being 9:45am

**CHANGE IN ORDER OF PROCEEDINGS**

Cr Gaske moved and Cr Todd seconded:

That Council change the Order of Proceedings at 10:00am, to allow discussion of the Supplementary Agenda – Proposed Balonne Shire Council Planning Scheme, to allow Mr Andrew Foley, Manager – Planning, Planning & Development Services, Department of State Development, Manufacturing, Infrastructure and Planning, to attend via teleconference.

CARRIED

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

the nature of the interest is Cr Fuhrmeister is the President of the St George Heritage Centre and their interest in this matter stands to gain a benefit or suffer a loss depending on the outcome of Council's decision on this matter.

Councillor Fuhrmeister voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 9:48am and did not vote or partake in discussion on this matter.

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

FCS1 **ST GEORGE HERITAGE CENTRE - TRUSTEE LEASE**

St George Heritage Centre – Trustee Lease

Cr Gaske moved and Cr Paul seconded:

1. That Council delegate to the Chief Executive Officer under Section 257(1)(b) of the Local Government Act 2009 to enter into a Trustee Lease for a period of 30 years with a peppercorn rental of \$1 per annum with the St George Tourism & Museum Association Inc. for 231-233 Lot 71 BLM 889, Victoria Street, St George.
2. That Council approve the cancellation of Trustee Lease for Lot 182 BLM 1186 Lindores Street St George.
3. That the St George Tourism & Museum Association Inc. be responsible for the payment of annual rates and charges over Lot 71 BLM 889 Victoria Street, St George.
4. That Council bear the cost of the application and legal fees by way of donation to the St George Tourism & Museum Association Inc.

CARRIED UNANIMOUSLY

Cr Fuhrmeister returned to the Meeting at 9:50am

FCS2 **ICT STEERING COMMITTEE MINUTES 11 JULY 2019**

ICT Steering Committee Minutes 11 July 2019

Cr Gaske moved and Cr Todd seconded:

That Council receive and note the ICT Steering Committee minutes for 11 July 2019.

CARRIED UNANIMOUSLY

Mr Andrew Foley, Manager – Planning, Planning & Development Services, Department of State Development, Manufacturing, Infrastructure and Planning joined the meeting via teleconference, the time being 10:02am.

CES11 **BALONNE SHIRE COUNCIL PLANNING SCHEME - CONSIDERATION OF SUBMISSIONS AND RESOLUTIONS TO ENDORSE PLANNING SCHEME**

Balonne Shire Council Planning Scheme – Considerations of Submissions and Resolutions to Endorse the Planning Scheme

Cr Gaske moved and Cr Todd seconded

That:

1. Council receives this report
2. Council resolves to endorse the planning scheme and any changes made post consultation.
  - a. Council submits to the Minister the:
    - i. Draft Balonne Shire Planning Scheme
    - ii. Draft Mapping (including Flood Mapping) for the Balonne
    - iii. Consultation report

THE MOTION WAS LOST 3-4

Councillors requested that their reasons for voting for or against the motion be recorded in the minutes.

**Reasons for voting against the motion:-**

- Cr O’Toole disagrees with the zoning and wants to be able to further consider the submissions given to Council.
- Cr Scriven disagrees with the town zoning and minimum lot sizes in rural zone.
- Cr Fuhrmeister would like to see that all issues were dealt with prior to the submission of the plan.
- Cr Paul would like to see all of the submission reviewed again and given a fair hearing as Council never had any positive results out of the consultation and also the results of the rural blocks was never realised and the town have lack of spot zoning given that you have blocks where business are set up but not zoned correctly.

**Reasons for voting for the motion:-**

- Cr Todd: to progress the Shire via a modern up to date Planning Scheme and resolve outstanding issues via a review in 12 months’ time.
- Cr Gaske:-
  - The presented scheme is strategic and helps the shire plan for the future.
  - It allows us to progress; we would no longer be subject to the existing draconian scheme.
  - I don’t believe spot zoning is strategic and my sense is that there is a preference for this.
  - We would have the opportunity to amend the new plan in 12 months after implementing, trialling and testing.
  - A new planning scheme is never going to be perfect, however the new scheme is a step forward and caters for the greater majority of the shire and is significantly better for our community, than the existing scheme.

- It is going to be extremely costly, expensive and time consuming to go back to the beginning, which is what will happen if the scheme isn't adopted today.

### **LETTER OF THANKS**

Cr Marsh moved and Cr Gaske seconded:

That a letter of appreciation be forwarded to the Minister for State Development, Manufacturing, Infrastructure and Planning, and the Department of State Development, Manufacturing, Infrastructure and Planning, for their support in the assistance given in preparing the Balonne Shire Planning Scheme.

CARRIED UNANIMOUSLY

Mr Foley departed the teleconference at 10:38am.

The Meeting then adjourned for Morning Tea at 10:58am.

The Meeting resumed at 11:15am

## **(IFS) INFRASTRUCTURE SERVICES**

IFS1

### **CHURCH STREET DIRRANBANDI FOOTPATH REQUEST**

Church Street Dirranbandi Footpath Request

Cr Gaske moved and Cr O'Toole seconded:

That Council resolve to notify the requester that there is currently no budget allocation to construct a footpath in Church Street Dirranbandi from Dawes Street to Kirby Street and that the works are currently not included in future planned works programmes.

CARRIED UNANIMOUSLY

IFS2

### **BITUMEN AT ANCHORAGE HOMESTEAD**

Bitumen at Anchorage Homestead

Cr Fuhrmeister moved and Cr Paul seconded:

That Council resolve to:

- a) notify the requester that there is currently no budget allocation to extend the seal 500m on Wagoo Road and that the works are currently not included in future planned works programmes; and
- b) will include the request on a register of works to consider for future grant funding opportunities and/or future budgets.

CARRIED UNANIMOUSLY

Council noted that this application could be applied for under other grants but will be considered in future registered requests for works, and may be considered in future works funding.

IFS3

### **2019/20 TIDS PROGRAMME CHANGE REQUEST**

2019/20 TIDS Programme Change Request

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council resolve to submit a programme change request for the 2019/20 Transport Infrastructure Development Scheme (TIDS) funding to the South West Regional Roads Transport Group to adjust the proposed reseal location on the Bollon-Dirranbandi Road to the highest priority location.

CARRIED UNANIMOUSLY

Ms Kim Wildman (Manager Tourism) entered the Meeting at 11:15am

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

### **CES1 COST BENEFIT ANALYSIS OF THE 2019 YELLOWBELLY COUNTRY MUSIC FESTIVAL**

From the Manager Tourism reporting on the costs benefits of the annual Yellowbelly Country Music Festival (YCMF) for 2019.

Cr O'Toole moved and Cr Gaske seconded:

That:

1. Council receives this report
2. Council invests the same level of support for the 2020 Yellowbelly Country Music Festival.

CARRIED UNANIMOUSLY

### **CES2 RESTORATION OF THE NINDIGULLY BOOMERANGS**

From the Manager Tourism reporting on the restoration of the Boomerangs located in Nindigully which were created for the set of the movie *Paperback Hero*.

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council approves the restoration of the of the two small boomerangs associated with the movie *Paperback Hero*, and associated signage at Nindigully, to be funded from Rural and Regional Renewal grant monies.

CARRIED UNANIMOUSLY

Ms Kim Wildman (Manager Tourism) retired from the Meeting at 11:33am

Ms Dani Kinnear (Community and Multicultural Development Officer) entered the Meeting at 11:33am

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 The business she owns with her husband Jason O'Toole, Balonne Airwork, is a major sponsor of the St George & District Rugby Union.

Councillor O'Toole advised that having given due consideration to her position, she would like to vote on this matter in the public interest and requested that she be granted approval to remain in the meeting. Cr O'Toole then voluntarily left the meeting at 11.35am to allow council to vote on the matter in accordance with s175E(4) of the Local Government Act 2009.

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 CES3, Community Grants & Assistance Programs, on the grounds that:

the nature of the interest is that a business that he sells products for, sponsor the St George and District Rugby Union Club.

Councillor Scriven advised that having given due consideration to her position, he would like to vote on this matter in the public interest and requested that she be granted approval to remain in the meeting. Cr Scriven then voluntarily left the meeting at 11.35am to allow council to vote on the matter in accordance with s175E(4) of the Local Government Act 2009.

**CONFLICT OF INTEREST**

Cr Todd moved and Cr Gaske seconded:

That Cr O'Toole be allowed to remain in the Meeting during discussions on CES3, the time being 11:35am.

CARRIED UNANIMOUSLY

**CONFLICT OF INTEREST**

Cr Todd moved and Cr Gaske seconded:

That Cr Scriven be allowed to remain in the Meeting during discussions on CES3, the time being 11:35am.

CARRIED UNANIMOUSLY

Crs O'Toole and Scriven returned to the Meeting at 11:36am.

CES3

**COMMUNITY GRANTS AND ASSISTANCE PROGRAM - ST GEORGE & DISTRICT RUGBY UNION CLUB**

Donation Request from St George & District Rugby Union Club for Trophies and Awards for the end of the year Presentation Night

Cr Gaske moved and Cr Fuhrmeister seconded:

That Council Donates \$1,000 to St George and District Rugby Union Club towards their trophies and awards for the end of the year Presentation Night from the 2019/20 Community Grants and Assistance Program

CARRIED UNANIMOUSLY

CES4

**COMMUNITY GRANTS AND ASSISTANCE PROGRAM - DIRRANBANDI P & C**

Sponsorship Request from Dirranbandi P & C Association for their 2019 Dirranbandi P-10 State School Fete

Cr O'Toole moved and Cr Gaske seconded:

That Council sponsors Dirranbandi P & C \$1,000 for their 2019 Dirranbandi P-10 School Fete from the 2019/20 Community Grants and Assistance Program

CARRIED UNANIMOUSLY

CES5

**COMMUNITY GRANTS AND ASSISTANCE PROGRAM - QCWA THALLON AND DAYMAR BRANCH**

Queensland Country Women's Association (QCWA) Thallon Daymar Branch requests \$1,000 donation for their Adopt a Spot program



Cr Fuhrmeister moved and Cr Gaske seconded:

That Council donates \$1,000 from the Community Grants and Assistance program to the Queensland Country Women's Association (QCWA) Thallon Daymar Branch for their 12 month Adopt a Spot Clean-up of roadside rubbish on a section of the Carnarvon Highway, conditional upon:

1. QCWA Thallon Daymar getting an approval from the Department of Transport and Main Roads to adopt a spot and provide evidence of this approval to Council;

CARRIED UNANIMOUSLY

Ms Dani Kinnear retired from the Meeting at 11:39am

CES6 **BALONNE SHIRE WILD DOG ADVISORY COMMITTEE - TERMS OF REFERENCE**

The report outlines the formation of the Wild Dog Advisory Committee and provides a Terms of Reference.

Cr Scriven moved and Cr O'Toole seconded:

That Council approves the Wild Dog Advisory Committee (WDAC) as a Balonne Shire Council Committee established under Section 265 of the Local Government Regulations 2012, and the associated Terms of Reference.

CARRIED UNANIMOUSLY

CES7 **WILD DOG SCALP BOUNTY & RETAINER POLICY**

From the Rural Services Unit reporting on Wild Dog Bounty and Retainer Policy.

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council adopts the Wild Dog Bounty and Retainer Policy.

CARRIED UNANIMOUSLY

FCS3 **MONTHLY FINANCE REPORT JULY 2019**

Monthly Finance Report July 2019

Cr O'Toole moved and Cr Todd seconded:

That the monthly Financial Management Report for the period ending 31 July 2019, as tabled, be received and noted.

CARRIED UNANIMOUSLY

Ms Jessica (Jess) Reiser (Planning Officer) from Maranoa Regional connected via Conference phone.

CES8 **MCU 168 DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "INTENSIVE ANIMAL INDUSTRY" (SHEEP FEEDLOT 10,000 STANDARD SHEEP UNIT AND CATTLE FEEDLOT 1,000 STANDARD CATTLE UNIT) - "DEEPWATER" POWRUNNA ROAD, ST GEORGE, DESCRIBED AS LOT 1 ON RP195461**

A development application from JV and MH Brodie C/- Rod Davies (the applicant) for a Material

Change of Use (MCU 168) – “Intensive Animal Industry” (Sheep Feedlot (10,000 SSU) and Cattle Feedlot (1,000 SCU) located at “Deepwater”, Powrunna Road, St George, described as Lot 1 on RP195461.

Cr Gaske moved and Cr O'Toole seconded:

That:

- (i) Council receives this report.
- (ii) Council approves the Development Application MCU 168 for Material Change of Use – “Intensive Animal Industry” (Sheep Feedlot 10,000 Standard Sheep Unit (SSU) and Cattle Feedlot 1,000 Standard Cattle Unit (SCU)) – “Deepwater” Powrunna Road, St George described as Lot 1 on RP195461, subject to the permit conditions listed below;

### **DEVELOPMENT PERMIT CONDITIONS**

#### **Preamble**

- (i) The relevant planning scheme for this development is the *Balonne Shire Planning Scheme 2006*. All references to the ‘Planning Scheme’ and ‘Planning Scheme Schedules’ within these conditions refer to the above Planning Scheme.
- (ii) The related Environmental Authority(s) as included in the *Environmental Protection Act 1994* must have been given and remain current while the use continues. All references to the ‘Environmental Authority’ within these conditions refer to the Environmental Authority for this approved use.
- (iii) The related Environmental Authorities are:
  - 2(2)(a) Intensive Animal Feeding: 1000 – 10,000 Standard Sheep Units (SSU)
  - 2(1)(a) Intensive Animal Feeding: 150 -1,000 Standard Cattle Units (SCU)
- (iv) All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- (v) The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their ‘general environmental duty’ to minimise the risk of causing environmental harm to adjoining premises.
- (vi) It is the responsibility of the developer to obtain all necessary permits, including for any works in State or Council road reserve(s) and to submit all necessary plans to the relevant authorities prior to any works being undertaken.
- (vii) In completing an assessment of the proposed development, Council has relied on the

information submitted in support of the development application as true and correct. Any change to the approved operations on the site may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

- (viii) A permit from the National Heavy Vehicle Regulator (NHVR) to access the road network may be required if heavy vehicles larger than a Type 1 Road Train configuration are used. All Balonne Shire Council Rural roads are approved for Type 1 Road Trains.
- (ix) All persons involved in the operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.
- (x) Refer to Attachment 3 - Referral Agency Advice provided by Santos Ltd, dated 4 June 2019, which includes conditions for the approved development. The developer is advised that subsequent advice from Santos Ltd was provided to Council on 25 July 2019, confirming no objection to the proposed location of the internal access road on the northern side of the pipeline easement. It is recommended to contact Santos Ltd prior to commencing construction and for further advice in relation to this infrastructure.

CARRIED UNANIMOUSLY

CES9

**MCU 171 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "DWELLING HOUSE" (SECOND DWELLING) - 51 WILLOWTHAL ROAD, ST GEORGE QLD 4487 DESCRIBED ON LOT 60 ON SP158281**

Council has received a development application from S and S Timmer Constructions for a Material Change of Use – “Dwelling House” (Second Dwelling) on the property located at 51 Willowthal Road, St George described as Lot 60 on SP158281.

Cr Gaske moved and Cr Scriven seconded:

That:

1. Council receives this report.
2. Council approves the development application MCU171 for Material Change of Use – “Dwelling House” (Second Dwelling) on land located at 51 Willowthal Road, St George, described as Lot 60 on SP158281 subject to the permit conditions listed below.

**DEVELOPMENT PERMIT CONDITIONS**

**Preamble**

- (i) The relevant planning scheme for this development is *Balonne Shire Planning Scheme 2006 (As Amended July 2014)*. All references to the ‘Planning Scheme’ and ‘Planning Scheme Schedules’ within these conditions refer to the above Planning Scheme.
- (ii) Under the Balonne Shire Planning Scheme a “**Dwelling house**” means any separate premises used as a single detached dwelling unit. The term includes removal homes. The term does not include caretaker’s residence, caravans or relocatable homes, or a dwelling unit comprising part of a dual occupancy or accommodation units.
- (iii) The *Environmental Protection Act 1994* states that a person must not carry out any activity

that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.

- (iv) All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- (v) It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved use.
- (vi) An operational works application will be required to be submitted to and approved by Council for any cut exceeds 100m<sup>3</sup> and/or filling works that exceed 500m<sup>3</sup>.
- (vii) In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

## Use

1. The approved development is a Material Change of Use - "Dwelling house" (Second Dwelling) as defined in the Planning Scheme and as shown on the approved plans. It does not authorise the use of the "Dwelling house" (Second Dwelling) for any other activity.
2. A development permit for building works and plumbing and drainage works must be obtained prior to commencing construction of the outbuilding.
3. The siting of the approved dwelling must achieve compliance with the minimum separation distances provided by the applicable building standards and legislation.
4. The approved development is to be carried out generally in accordance with the following approved plans/documents and subject to approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Plan/Document Number	Plan/Document Name	Date
Job No: 19029 Issue A	Site Plan	03/04/2019
Job No: 19029 Issue A	Floor Plan	03/04/2019
Job No: 19029 Issue A	Elevations	03/04/2019

5. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including

public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.

### **Compliance inspection**

6. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted in these conditions.
7. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

### **Applicable Standards**

8. All works must comply with:
  - a) the development approval conditions;
  - b) any relevant provisions in the Planning Scheme
  - c) any relevant Australian Standard that applies to that type of work; and
  - d) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

### **Development works**

9. The developer shall ensure that all approved works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
10. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).

### **Waste Management**

11. All waste generated from construction of the premises must be effectively controlled on-site before disposal. All waste must be disposed of in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.
12. Waste containers must be provided on site for the exclusive use of the "Dwelling house" and must be maintained in a clean and tidy state at all times while the use continues. The waste containers shall be emptied and the waste removed from the site on a regular basis.
13. All waste generated on-site must be managed in accordance with the waste management hierarchy as detailed in the *Waste Reduction & Recycling Act 2011*.

### **Stormwater Drainage**

14. Stormwater shall be collected and discharged in accordance with *Schedule 6: "Standards for*

*Stormwater Drainage” of the Balonne Shire Planning Scheme.*

15. 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.
16. If erosion or silt or other materials may be washed off the property being developed during development, the developer must document and implement a management plan that prevents this from occurring.
17. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

### **Earthworks and Construction**

18. Excavation or filling must be undertaken in accordance with Schedule 7: “Standards for Construction Activity” of the Balonne Shire Planning Scheme.
19. All fill placed on the site is limited to that necessary to accommodate the approved use (i.e. building foundation).
20. During construction, soil erosion and sediment is managed in accordance with *Schedule 7: “Standards for Construction Activity” of the Balonne Shire Planning Scheme.*

### **Avoiding Nuisance**

21. 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 during or after the establishment of the approved development.
22. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.
23. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
24. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
25. Unless otherwise approved in writing by the Council, approved hours of construction are restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.

### **Services**

26. Reticulated sewerage is unavailable to the development site. The dwelling must be provided with an on-site sewerage disposal system to the standards described in Schedule 5: “Standards for Sewerage Supply” of the Balonne Shire Planning Scheme.
27. The dwelling must be provided with a minimum domestic water supply of 45,500 litres provided by way of rainwater tank. This water supply is required exclusively to service the

second dwelling approved by this development permit and must be provided in addition to the domestic water supply required to service the existing dwelling on the lot.

28. The premise must be provided with a minimum onsite storage of 20,000 litres of water for firefighting purposes supplied from Council's river water main via a storage tank fitted with a two (2) stage float system.
29. The dwelling must be connected to an electricity supply that is adequate for the use.

### **Access**

30. All-weather vehicle access is to be provided to the development site from the public roadway.
31. The landowner shall be responsible for the maintenance of vehicle crossovers from the road carriageway to the property boundary. Should any damage be caused at the approved access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.

### **No Cost to Council**

32. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

### **Latest versions**

33. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

### **Application Documentation**

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

CARRIED UNANIMOUSLY

Ms Jessica (Jess) Reiser (Planning Officer) from Maranoa Regional Council retired from the teleconference at 12:18pm

CES10

### **BROCHURE MANAGEMENT AND DISPLAY POLICY**

Brochure Management and Display Policy

Cr O'Toole moved and Cr Fuhrmeister seconded:

That:

1. Council receives this report;
2. Council approves the Brochure Management and Display Policy

CARRIED UNANIMOUSLY

### **CLOSED MEETING**

Cr Fuhrmeister moved and Cr O'Toole seconded:

That the Meeting go into a Closed Meeting to discuss CCFS1, the time being 12:21pm

CARRIED UNANIMOUSLY

### **OPEN MEETING**

Cr Fuhrmeister moved and Cr Scriven seconded:

That the Meeting resume it Meeting as an Open Meeting, the time being 12:22pm.

CARRIED UNANIMOUSLY

## **CONFIDENTIAL ITEMS**

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

#### CCFS1 **COMMUNITY RATES SUPPORT PROGRAM 2019/2020**

Community Rates Support Program 2018/2019

Cr Fuhrmeister moved and Cr Scriven seconded:

That:

1. Council not approve the application received after the closing date of 17 May 2019 from Balonne Lodge of Ancient Free & Accepted Masons of Queensland, for the following reasons:
  - a) The application was received after the closing date;
  - b) Approving the application would set a precedent for other organisations that have missed the cut-off date.
2. Council within the letter of response to Balonne Lodge of Ancient Free & Accepted Masons of Queensland advise of other alternatives of support.

CARRIED UNANIMOUSLY

## **INFORMATION REPORTS**

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

#### ICEO1 **ECONOMIC DEVELOPMENT UPDATE JULY 2019**

Economic Development Update July 2019

#### ICEO2 **MONTHLY REPORT - COMMUNICATIONS AND DISASTER MANAGEMENT**

Communications and Disaster Management Monthly Report for July 2019

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

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



Monthly Information Report – Director Finance & Corporate Services

ICFS2 **MONTHLY REPORT**

Monthly WHS information report

ICFS3 **MONTHLY FINANCIAL INFORMATION REPORT JULY 2019**

Monthly Financial Information Report for the period ended 31 July 2019.

**(IIFS) INFRASTRUCTURE SERVICES**

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

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

**(ICES) COMMUNITY & ENVIRONMENTAL SERVICES**

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

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

ICES2 **MONTHLY REPORT**

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

There being no further business, the Meeting closed, the time being 12:28pm

Confirmed at a General Meeting of the Council held on 19 September 2019.

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**MAYOR**