



# **MINUTES**

**of the**

**General Meeting of the Council**

**held in the**

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

**on**

**Thursday 20th February 2020**

**Commencing at 9:00am**

## **Table of Contents**

MEETING BUSINESS BY CORPORATE FUNCTION .....	4
(CEO) CHIEF EXECUTIVE OFFICER .....	4
(FCS) FINANCE AND CORPORATE SERVICES .....	6
(IFS) INFRASTRUCTURE SERVICES .....	8
(ERS) ENVIRONMENT & REGULATORY SERVICES .....	12
CONFIDENTIAL ITEMS.....	18
(CFCS) FINANCE AND CORPORATE SERVICES .....	18
INFORMATION REPORTS.....	21
(ICEO) CHIEF EXECUTIVE OFFICER .....	21
(IFCS) FINANCE AND CORPORATE SERVICES .....	22
(IIFS) INFRASTRUCTURE SERVICES .....	22
(IERS) ENVIRONMENT & REGULATORY SERVICES .....	22

## **OPENING**

The Mayor declared the Meeting open at 9.04am

## **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 Mr Digby Whyte (Director Environment and Regulatory Services)

## **LEAVE OF ABSENCE**

Nil

## **CONFIRMATION OF MINUTES**

Cr Fuhrmeister moved and Cr O'Toole seconded:

That the Minutes of the General Meeting held on 23 January, 2020 be confirmed.

CARRIED UNANIMOUSLY

## **BUSINESS ARISING FROM MINUTES**

Nil

## **PUBLIC PARTICIPATION**

Nil

## **DEPUTATIONS**

Nil

## **COUNCILLOR REPORTS**

Cr Scriven moved and Cr Gaske seconded:

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

CARRIED UNANIMOUSLY

## **CONFLICT 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 CEO1, on the grounds that:

She is the Treasurer of the St George and District Chamber of Commerce that has previously sought assistance under this grants program.

Councillor O'Toole indicated she would leave the meeting in accordance with S175E(4) and not participate in discussion on this matter.

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 IFS6, on the grounds that:

Cr O'Toole and her husband own Balonne Airwork. They operate their business from their own airstrip at Mollabah St George.

Councillor O'Toole indicated she would request that she be able to participate in the meeting.

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 IFS8, on the grounds that:

Cr O'Toole and her husband own Balonne Airwork. CS Agriculture P/L is a client of theirs.

Note: Advice was sought from the Department of Local Government, Racing & Multicultural Affairs by Cr O'Toole with regards to how to manage this conflict of interest.

Councillor O'Toole indicated she would request that she be able to participate in the meeting.

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 FCS1, on the grounds that:

He may be applying under the Wild Dog Exclusion Fencing Round 2.

Councillor Todd indicated he would leave the meeting in accordance with S175E(4) and 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 IFS8, on the grounds that:

He has the potential to operate in this Water Market.

Councillor Todd indicated he would leave the meeting in accordance with S175E(4) and not participate in discussion on this matter.

In accordance with s175E(2) of the Local Government Act 2009 Councillor Scriven declared a Real Conflict of Interest in respect to matters contained in CCFS2, on the grounds that:

the nature of the interest is that the CCFS2 recommendation includes a number of his business customers.

Councillor Scriven indicated he would leave the meeting in accordance with S175E(2) and 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 ERS2, on the grounds that:

the nature of the interest is that he is a member of a committee that has the intention of becoming the executive in the future.

Councillor Scriven indicated he would leave the meeting in accordance with S175E(4) and not participate in discussion on this matter.

In accordance with s175E(2) of the Local Government Act 2009 Councillor Marsh declared a Perceived Conflict of Interest in respect to matters contained in CCFS2, on the grounds that:

He is a partner in the St George Newsagency of which some suppliers listed in CCFS2 recommendation are customers of the retail business.

Councillor Marsh indicated he would request that he be able to participate in the meeting.

## MEETING BUSINESS BY CORPORATE FUNCTION

DANI KINNEAR (COMMUNITY DEVELOPMENT OFFICER) ENTERED THE MEETING, THE TIME BEING 9.15AM.

LEO JENSEN (ACTING COMMUNITY COLLECTIVE AND WELLBEING COORDINATOR) ENTERED THE MEETING, THE TIME BEING 9.15AM.

### **COMMUNITY GRANTS AND ASSISTANCE POLICY REVIEW**

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 CEO1, ON THE GROUNDS THAT:

SHE IS THE TREASURER OF THE ST GEORGE AND DISTRICT CHAMBER OF COMMERCE THAT HAS PREVIOUSLY SOUGHT ASSISTANCE UNDER THIS GRANTS PROGRAM.

COUNCILLOR O'TOOLE VOLUNTARILY LEFT THE MEETING, IN ACCORDANCE WITH S175E(4) OF THE LOCAL GOVERNMENT ACT 2009 AT 9.16AM.

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

CEO1

### **COMMUNITY GRANTS AND ASSISTANCE POLICY REVIEW**

Community Grants and Assistance Policy review to include Traffic Management Sponsorship.

Cr Gaske moved and Cr Paul seconded:

That Council resolves to adopt the updated Community Grants and Assistance Policy to include Traffic Management Sponsorship grants.

CARRIED UNANIMOUSLY

Cr O'Toole returned to the meeting a 9.17am.

CEO2

### **COMMUNITY GRANTS AND ASSISTANCE - NETBALL QLD DARLING DOWNS BRANCH**

Netball Qld Darling Downs Branch has requested a Donation from the Community Grants and Assistance Program.

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to sponsor \$1000 to Netball Qld Darling Downs Branch Inc for their 2020 Darling Downs Regional Netball Country Tour from the Community Grants and Assistance budget on the condition that there will be no charge to participants.

CARRIED UNANIMOUSLY

Kim Wildman (Manager Tourism) entered the meeting, the time being 9.20am.

CEO3

### **ORGANISATIONAL STRUCTURE**

Organisational Structure

Cr Todd moved and Cr O'Toole seconded:

That Council resolves to adopt the organisational structure as attached in accordance with S196(1)

of the Local Government Act 2009.

CARRIED UNANIMOUSLY

CE04

**TRAFFIC MANAGEMENT SPONSORSHIP - BATTLE OF THE BALONNE**

Traffic management sponsorship request from Tri St George for their annual Battle of the Balonne

Cr Gaske moved and Cr Scriven seconded:

That Council resolves to:

1. increase the 2019/20 Community Grants and Assistance – Traffic Sponsorship Budget, in accordance with Section 170(3) of the Local Government Regulations 2012, by \$2059.20 to sponsor Tri St George to develop and implement a Traffic Management Plan for the 2020 Battle of the Balonne;
2. allocate \$2059.20 to Tri St George to develop and implement a Traffic Management Plan for the 2020 Battle of the Balonne from the Community Grants and Assistance program – Traffic Management Sponsorship.

CARRIED UNANIMOUSLY

CE05

**DIRRANBANDI BUSINESS IMPROVEMENT SCHEME - AUTHORITY TO APPROVE RECIPIENTS REQUEST**

Cr Fuhrmeister moved and Cr O'Toole seconded:

That Council resolves to delegate authority to the Chief Executive Officer (CEO) in accordance with Section 257(1)(b) of the Local Government Act 2009 to:

1. approve the recipients of the Dirranbandi Business Improvement Schemes (Stream 1 and Stream 2) as recommended by the Evaluation Assessment Panel; and
2. correspond with the applicants who were successful in their submission(s) of the Dirranbandi Business Improvement Scheme(s) with a letter of offer and contract / agreement(s).

CARRIED UNANIMOUSLY

CE06

**TRAFFIC MANAGEMENT SPONSORSHIP - RSL ST GEORGE**

RSL St George has requested traffic management sponsorship for the 2020 ANZAC Day Event.

Cr Paul moved and Cr O'Toole seconded:

That Council resolves to Sponsor RSL – St George with \$1200 for the development and implementation of the Traffic Management Plan for Anzac day from the Community Grants and Assistance program – Traffic Management Sponsorship.

CARRIED UNANIMOUSLY

Dani Kinnear and Leo Jensen left the meeting, the time being 9.45am.

CE07 **DRAFT TOURISM & EVENTS STRATEGY**

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council resolves to receive and adopt the Tourism & Events Strategy, as attached.

CARRIED UNANIMOUSLY

Cr O'Toole moved and Cr Fuhrmeister seconded:

That on behalf of Council, a vote of thanks be given to Kim Wildman, Krista Hauritz and the team for the Events and Tourism Strategy and Welcome Mate Program.

CARRIED UNANIMOUSLY

Matthew Magin (Chief Executive Officer ) left the meeting, the time being 9.46am, and returned to the meeting, the time being 9.47am.

Tracey Lee (Manager Finance Services entered the meeting, the time being 9.47am.

Kim Wildman left the meeting, the time being 9.50am.

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

### **WILD DOG EXCLUSION FENCING - SPECIAL RATE SCHEME**

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 FCS1, on the grounds that:

He may be applying under the Wild Dog Exclusion Fencing Round 2.

Councillor Todd voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 9.55am.

FCS1 **WILD DOG EXCLUSION FENCING - SPECIAL RATE SCHEME**

Wild Dog Exclusion Fencing – Special Rate Scheme Round 2

#### **Recommendation/s**

That Council resolves:

1. to call for applications for Round 2 of the Wild Dog Exclusion Fencing Special Rate Scheme up to the value of \$4,825,750 (excluding capitalised interest) to be considered by Council with the 2020/21 Budget on 25 June 2020.
2. to delegate authority to the Chief Executive Officer in accordance with Section 257(1)(b) of the Local Government Act 2009 to approve landholder applications up to a total value of \$4,825,750 in accordance with the evaluation panel's recommendations.

Councillor Todd Returned to the meeting, the time being 10.06am.

The meeting adjourned for morning tea at 10:06am.

During morning tea, Councillors presented Kathy Elliott with a framed photo of the Balonne River in recognition of her 47 years service to Council and to thank her for her dedicated services. They wished her all the best in her retirement.

Cr O'Toole left the meeting at 10:25am.

The meeting reconvened at 10:35am, with Mrs Tracey Lee (Manager Finance Services) and Andrew Boardman (Director Infrastructure Services) in attendance.

FCS2 **THALLON HOME AND COMMUNITY CARE LEASE**

Thallon Home and Community Care Lease with Churches of Christ

Cr Gaske moved and Cr Fuhrmeister seconded:

That Council enter into a memorandum of understanding with the St George Medical Centre to exclusively use the entire Thallon Home and Community Hall one day per fortnight (on a Monday) with the option to keep a lockable cupboard on the premises, at a hire rate of 50% discount of Council's hall hire fee per day, for a term of one year with an option to extend for a further year.

CARRIED UNANIMOUSLY

FCS3 **QUARTERLY PERFORMANCE REPORT - QUARTER 2 - 2019/20**

Cr Todd moved and Cr Gaske seconded:

That Council resolves to adopt the Quarterly Performance Report for Quarter 2 of 2019/20, as attached, in accordance with, *Section 174(3) of the Local Government Regulations 2012*.

CARRIED UNANIMOUSLY

FCS4 **MONTHLY FINANCIAL MANAGEMENT REPORT JANUARY 2020**

Monthly Financial Management Report January 2020

Cr Fuhrmeister moved and Cr Todd seconded:

That the monthly Financial Management Report for the period ending 31 January 2020, as attached, be received and noted.

CARRIED UNANIMOUSLY

FCS5 **BUDGET REVIEW - JANUARY 2020**

Budget Review – January 2020

Cr Gaske moved and Cr Fuhrmeister seconded:

That the 2<sup>nd</sup> Quarter Budget Review for 2019/2020 be adopted in accordance with Section 170 (3) of the Local Government Regulation 2012, as attached.

CARRIED UNANIMOUSLY

FCS6

### **CEO DELEGATIONS ANNUAL REVIEW**

Cr Fuhrmeister moved and Cr Todd seconded:

1. That Council resolves to 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". (to be tabled at the meeting)

CARRIED UNANIMOUSLY

## **(IFS) INFRASTRUCTURE SERVICES**

IFS1

### **TMR - TRANSPORT INFRASTRUCTURE DEVELOPMENT SCHEME (TIDS) FUNDS**

TMR – Transport Infrastructure Development Scheme (TIDS) Funds

Cr Gaske moved and Cr Paul seconded:

That Council resolves to:

- 1) commit a capital co-contribution of 50% (\$975,000) to the Transport Infrastructure Development Scheme each year over the next four years for works on its Local Roads of Regional Significance; and,
- 2) send a letter to the Department of Transport and Main Roads stating that Balonne Shire Council commits to co-contribute 50% towards Transport Infrastructure Development Scheme Projects nominated over the next 4 years.

CARRIED UNANIMOUSLY

IFS2

### **ST GEORGE - NOONDOO RD AND NOONDOO - THALLON RD ROAD EXCHANGE**

St George – Noondoo Rd and Noondoo – Thallon Rd Road Exchange

Cr Scriven moved and Cr Gaske seconded:

That Council resolves to lobby the Queensland Government to take ownership of both St George – Noondoo Rd and Noondoo – Thallon Rd.

CARRIED UNANIMOUSLY

IFS3

### **2019/20 - TIDS ALLOCATION UPDATE**



2019/20 – TIDS Allocation Update

Cr Gaske moved and Cr Fuhrmeister seconded:

That Council resolve to reallocate \$85,000 from the St George – Noondoo Road Transport Infrastructure Development Scheme (TIDS) project amending the project value to \$215,000 and reallocate the funds to the Bollon – Dirranbandi Road TIDs project, amending the project value to \$431,698.

CARRIED UNANIMOUSLY

IFS4

**THALLON CEMETERY PROJECT SCOPE CHANGE REQUEST**

Thallon Cemetery Project Scope Change Request

Cr Paul moved and Cr Scriven seconded:

That Council resolves to amend the project scope for the Thallon Cemetery Remembrance Area to implement the attached Thallon Cemetery Staged Concept Proposal as submitted by the Thallon Progress Association on behalf of the community.

CARRIED UNANIMOUSLY

IFS5

**PROJECT GOVERNANCE FRAMEWORK**

Project Governance Framework

Cr Todd moved and Cr Fuhrmeister seconded:

That Council resolves to adopt the Project Governance Framework and included Policy, Strategy and Process as attached.

CARRIED UNANIMOUSLY

Councillor O'Toole Returned to the meeting at 11.11am

**ST GEORGE AERODROME LAND SUBDIVISION**

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 IFS6, on the grounds that:

Cr O'Toole and her husband own Balonne Airwork. They operate their business from their own airstrip at Moolabah St George.

Cr O'Toole voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 11.12am.

IFS6

**ST GEORGE AERODROME LAND SUBDIVISION**

St George Aerodrome Land Subdivision

Cr Gaske moved and Cr Todd seconded:

That Council resolves to

- 1) In accordance with Section 170 (3) of the Local Government Regulation 2012, amend it's 2019/20 budget, creating a new operation work budget of ten thousand dollars (\$10,000) to undertake the surveying and subdivision of the land adjacent to Lot 11 RP850190 as indicated in the image below.
- 2) Delegate, in accordance with Section 257 (1) of the Local Government Act 2009, to the CEO authority to dispose of the surplus land adjacent to Lot 11 RP850190 as indicated in the image below, as a valuable non-current asset in accordance with Division 2 of the Local Government Regulation 2012.



CARRIED UNANIMOUSLY

Cr O'Toole returned to the meeting a 11.13am.

IFS7

### **TRANSPORT AND WATER ASSET MANAGEMENT PLANS**

Transport and Water Asset Management Plans

Cr Gaske moved and Cr Fuhrmeister seconded:

That Council resolves to receive and adopt:

1. The BSC Transport Asset Management Plan, as attached.
2. The BSC Water Asset Management Plan, as attached.

CARRIED UNANIMOUSLY

### **TRADE OF CAP FOR ALLOCATION WATER**

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 IFS8, on the grounds that:

he has the potential to operate in this water market.

Councillor Todd voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 11.22am.

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 IFS8, on the grounds that:

Cr O'Toole and her husband own Balonne Airwork and CS Agricultural P/L is a client of theirs.

Having given due consideration to her position, Cr O'Toole stated that she would vote on this matter in the public interest and requested that she be granted approval to remain in the meeting. Councillor O'Toole voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 11.24am for council to make that determination.

As Cr O'Toole requested she participate in the meeting, Council considered if Cr O'Toole had a real or perceived conflict of interest in the matter.

Moved Cr Gaske, Seconded Cr Scriven;

That Council resolves that Cr O'Toole has a Perceived Conflict of Interest in respect to matters contained in Report IFS8 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 11.25am.

IFS8 **TRADE OF CAP FOR ALLOCATION WATER**

Trade of CAP for Allocation Water

Cr Gaske moved and Cr Scriven seconded:

That Council resolves to offer CS Agriculture Pty Ltd a trade of 224.014ML CAP for the 224.014ML allocation water Council is required to transfer back to CS Agriculture Pty Ltd.

CARRIED UNANIMOUSLY

Cr Todd returned to the meeting, the time being 11.55am

IFS9 **DIRRANBANDI WATER TREATMENT PLANT UPGRADE**

Contract for the Dirranbandi water treatment plant upgrade (heat exchanger and cooling tower)

Cr Gaske moved and Cr O'Toole seconded:

That Council resolves to:

1. Adopt the evaluation report (under separate cover), and
2. Award the project to Proterra Group P/L for the contract price of \$331,680.00 (excluding GST) to design and construct the Dirranbandi Bore Water cooling system with the option of additional \$100,000.00 for a dosing system, if required.

CARRIED UNANIMOUSLY

Cr Gaske left the meeting at 12:04pm and returned at 12.06pm.

Cr O'Toole left the meeting at 12:05pm and returned at 12.07pm.

Jessica Reiser (Town Planner) attended the meeting via teleconference at 12.07pm

# (ERS) ENVIRONMENT & REGULATORY SERVICES

ERS1

## MCU 174 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "DWELLING HOUSE" LOCATED AT 93 VICTORIA STREET, ST GEORGE QLD 4487 (DESCRIBED AS LOT 1 ON RP50989)

MCU 174 - Development Application for Material Change of Use - "Dwelling House" Located at 93 Victoria Street, St George QLD 4487 (described as Lot 1 on RP50989).

Cr Scriven moved and Cr Fuhrmeister seconded:

That:

1. Council receives this report.
2. Council approves the development application Material Change of Use – "Dwelling House" MCU 174 - Development Application for Material Change of Use - "Dwelling House" Located at 93 Victoria Street, St George QLD 4487 (described as Lot 1 on RP50989), described as Lot 1 on RP50989 subject to the permit conditions listed below and subject to Council receiving no material objections or concerns from the adjoining State owned land within 5 business days from the date of approval.

### DEVELOPMENT PERMIT CONDITIONS

#### Preamble

- (i) The relevant planning scheme for this development is *Balonne Shire Planning Scheme 2019*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- (ii) Under the Planning Scheme a "Dwelling House" - means a residential use of premises for one household that contains a single dwelling. The use includes out-buildings and works normally associated with a dwelling and may include a secondary dwelling.
- (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:

- (i) Operational works that is excavation and/or filling where there would be a change 1m or more in the level of any part of the land or where any drainage path is affected; or
  - (ii) Operational works for urban purposes that involve disturbing more than 2,500m<sup>2</sup> of land.
- (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" as defined in the Planning Scheme and as shown on the approved plans.
2. A development permit for building works must be obtained prior to commencing construction of the Dwelling House.
3. 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
00115/19 Issue F	Site Plan Sheet 1 of 16	13/01/19
00115/19 Issue F	Floor Plan Sheet 2 of 16	13/01/19
00115/19 Issue F	Elevations Sheet 3 of 16	13/01/19

4. 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.

## Building Design

5. The proposed development shall include design element that presents a traditional façade to the street and may include the following elements:
  - verandas or porches.
  - awnings and shade structures.
  - variations to the roof and building lines.
  - a range of building materials, matching prevailing materials in neighbouring buildings.
6. Elevations and floor plans for the proposed carport are to be submitted to Council prior to the construction of the carport. The elevation plans will form part of the approved documents for the development permit.

## Compliance inspection

7. 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.
8. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

### **Applicable Standards**

9. All works must comply with:
  - (i) the development approval conditions;
  - (ii) any relevant provisions in the Planning Scheme
  - (iii) any relevant Australian and Austroads Standards and the National Construction Code that applies to that type of work; and
  - (iv) 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**

10. 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.
11. 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**

12. 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*.
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 drainage is to be provided in accordance with:
  - (a) Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013;
  - (b) Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987; and
  - (c) Class 1 and Class 10 buildings – National Construction Code, Volume 2.

### **Earthworks and Construction**

15. During construction, erosion controls and silt collection measures are to be put in place to protect environmental values and mitigate potential impacts to adjoining properties and roadway/s.

### **Avoiding Nuisance**

16. 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.
17. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
18. 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.
19. 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.
20. 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*.
21. 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*.

### **Provision of Services**

22. The development must be connected to Council’s reticulated water supply network in accordance with the applicable standards and policies.
23. The development must be connected to Council’s reticulated sewerage supply network the applicable standards and policies.
24. The development must be connected to an electricity reticulation service in accordance with the relevant service provider’s requirements and specifications along with relevant building standards, requirements and specifications (as relevant).
25. If the premises is connected to a telecommunications service, then such works shall be undertaken in accordance with the relevant service provider’s requirements and specifications along with relevant building standards, requirements and specifications (as relevant).

### **Access**

26. The developer shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards. 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.

27. A minimum of one (1) covered car parking space is to be provided within the development site area.

### **Landscaping**

28. Landscaping is to be provided to enhance the visual appeal of the development. The majority of the landscaping is to be established along the Victoria Street frontage.
29. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
30. Landscaping must not interfere with site lines at access driveways for vehicle traffic.

### **No Cost to Council**

31. 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**

32. 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**

33. 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

### **ST GEORGE 399 CHAMPIONSHIPS RALLY EVENT - TOWN EXTENSION RESERVE - LOT 12 CROWN PLAN 898986**

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 ERS2, on the grounds that:

He is a member of a committee that has the intention of becoming the executive in the future.

Councillor Scriven voluntarily left the meeting, in accordance with s175E(4) of the Local Government Act 2009 at 12.25pm.



**ST GEORGE 399 CHAMPIONSHIPS RALLY EVENT - TOWN EXTENSION RESERVE - LOT 12  
CROWN PLAN 898986**

Proposed St George 399 Championships Rally Event 3-5 April 2020 – Town Extension Reserve – Lot 12 on Crown Plan 898986.

Cr O'Toole moved and Cr Gaske seconded:

That:

1. Council receives this report.
2. Council, as Trustee of the primary authorising purpose of the reserve for 'Town Extension', approve a trustee permit to the South East Queensland off Road Rally Association (SEQORRA) to host the St George 399 Championships (Off-Road Race Rally) event on 3-5 April 2020 on 'Town Extension' Reserve Lot 12 on Crown Plan 898986 subject to conditions (see below).
3. Council identify within the permit issued to the event organiser that the site is located within an area that may have cultural heritage significance. Accordingly, the event organiser is to ensure duty of care requirements have been met in accordance with *Native Title Act 1993* and *Aboriginal Cultural Heritage Act 2003*.
4. Council inform the event organiser that should the event be proposed to occur on 'Town Extension' Reserve Lot 12 on Crown Plan 898986 for any dates beyond 3–5 April 2020, the event organiser will be required to write into Council again formally seeking permission to use the reserve.
5. Council supply the twelve (12) wheelie bins for the event with the event organiser collecting and returning the bins and the fees be waived. If the bins are returned damaged the organisation will be charged the full replacement cost of the bin/s;

**Conditions to form part of the Trustee Permit**

6. *Prior to the event*, written consent from the Trustee Lessee to the event organiser permitting the use over the land must be provided to Council.
7. *Prior to the event*, a copy of the event organiser's public liability insurance (minimum \$20,000,000) must be provided to Council. (Attached)
8. *Prior to the event*, a signed indemnity agreeing to keep indemnified the Minister administering the Land Act 1994 (Qld), the State of Queensland, all Crown Instrumentalities, and Local Government (the "Indemnified parties") against, all actions, suits, proceedings, claims, demands, costs, losses, damages and expenses ("Claim") arising out of or resulting from the use and occupation of Township Reserve (Lot 12 on crown plan 898986) for the event must be provided to Council.
9. An Event Management Plan must be supplied to Council (Attached); and
10. Eight (8) portable toilets to be erected on site prior to the event commencing; and
11. Designated spectator areas inclusive of barriers are to be erected prior to the event commencing; and

12. Designated spectator crossing should be erected prior to the event commencing; and
13. Where food and refreshments are served a temporary food stall permit will need to be approved by Council prior to the event commencing;
14. To supply a site plan inclusive of proposed locations, temporary structures (e.g. tents, portable toilets, waste bins), to Council prior to the event commencing;
15. The organisers must take all reasonable and practical measure to minimise noise nuisance;
16. The organisers must take all reasonable and practical measure to minimise any environmental nuisance; and
17. No vegetation is permitted to be cleared at any time to facilitate the event.

CARRIED UNANIMOUSLY

Jessica Reiser left the meeting at 12.25pm

Councillor Scriven returned to the meeting, the time being 12.25pm

Cr O'Toole left the meeting, the time being 12:25pm.

### **CLOSED MEETING**

Cr Fuhrmeister moved and Cr Paul seconded,

that in accordance with *section 275 of the Local Government Regulation 2012* Council go into a Closed Meeting, the time being 12:25pm.

CARRIED UNANIMOUSLY

## **CONFIDENTIAL ITEMS**

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

#### **PRE-QUALIFIED SUPPLIERS FOR WET & DRY PLANT HIRE**

In accordance with s175E(2) of the Local Government Act 2009 Councillor Marsh declared a Perceived Conflict of Interest in respect to matters contained in CCFS2, on the grounds that:

the nature of the interest is he is a partner in the St George Newsagency of which some suppliers listed in CCFS2 recommendation are customers of the retail business.

Having given due consideration to his position, Cr Marsh stated that he would vote on this matter in the public interest and requested that he be granted approval to remain in the meeting.

Councillor Gaske, Deputy Mayor assumed the role as the Chairperson as Cr Marsh requested he participate in the meeting, Council considered if Cr Marsh had a real or perceived conflict of interest in the matter.

Moved Cr Fuhrmeister, Seconded Cr Todd;

That Council resolves that Cr Marsh has a Perceived Conflict of Interest in respect to matters contained in Report CCFS2 and that he may participate in the meeting in relation to the matter and vote on the matter.

Cr Marsh, resumed the role as the Chairperson.

In accordance with s175E(2) of the Local Government Act 2009 Councillor Scriven declared a Real Conflict of Interest in respect to matters contained in CCFS2, on the grounds that:

the nature of the interest is the CCFS2 report recommendation includes a number of his business customers.

Councillor Scriven indicated he would leave the meeting in accordance with S175E(2) and not participate in discussion on this matter.

Councillor Scriven left the meeting at 12.27pm and returned at 12.30pm during the closed session during discussion of CCFS2.

### **OPEN MEETING**

Cr Todd moved and Cr Fuhrmeister seconded,

that the meeting open to the public, the time being 12:32pm.

CARRIED UNANIMOUSLY

### CCFS1 **COUNCIL LAND FOR SALE**

The purpose of this report is for Council to consider an offer made on one of Council's property that is on the market for sale.

Cr Todd moved and Cr Fuhrmeister seconded:

That Council:

1. accept the cash offer of \$9,000 for Assessment 00520-60000-000 being L14/M23911 – Mungindi; and
2. Delegate authority to the Chief Executive Officer in accordance with S257(1)(b) of the Local Government Regulations 2012 to finalise the sale.

CARRIED UNANIMOUSLY

Councillor Scriven voluntarily left the meeting at 12.32pm and did not participate in vote on CCFS2, in accordance with s175E(4) of the Local Government Act 2009.

### CCFS2 **PRE-QUALIFIED SUPPLIERS FOR WET & DRY PLANT HIRE**

Pre- Qualified Suppliers for Wet & Dry Plant Hire

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council resolves to:

1. appoint the following suppliers to the Register of Suppliers for Wet & Dry Plant Hire for a period of two (2) years:
  - A.C Cleary & L Cleary
  - Advanced Sweepers Pty Ltd
  - Advanced Environmental Services Pty Ltd
  - Ag Vac Waterblasting
  - AH & JH Earthmoving
  - All Lift and Access Equipment
  - Balonne Bobcat and Tipper Hire

- Bendy's Plumbing Service
- Bitu-Mill (Road Maintenance) Pty Ltd
- Brackey Alliance Pty Ltd
- Brown Contractors
- Burke Trucking Logistics Pty Ltd
- Coates Hire Operations Pty Ltd
- Conplant Pty Ltd
- Donpon Earthmoving Pty Ltd
- Downer Infrastructure Services
- Ellis Profiling (QLD) Pty Ltd
- Environmental Wastewater Catchment Services
- Ezyquip Hire Pty Ltd
- Hill Earthmoving
- HTD Australia Pty Ltd
- JD & TJ Bell
- Joe Wagner Group Pty Ltd
- K & D Hadenfeldt Pty Ltd
- King Hire & Trailers
- Kooroon Pastoral Pty Ltd
- Krangadoo Pty Ltd
- L Bulmer and Co Pty Ltd
- Maranoa Mechanical
- Master Hire Pty Ltd
- Milbrae Quarries Pty Ltd
- Onsite Rental Group
- PKM Mini Diggers
- Retex Pavement Services
- Rollers Australia
- Roma Earthmoving Pty Ltd T/A DMAC Roma
- SAT Civil Constructions
- Sherrin Rentals Pty Ltd
- South West Water Trucks Pty Ltd
- Southwest Plant & Pastoral Trust
- St George Excavators Pty Ltd
- Stabilised Pavements of Australia Pty Ltd
- Strathbogie Quarry CD and AL Stewart
- Sucked in Vacuum Excavations
- Tuff Bryant Hire
- VE Group Au Pty Ltd
- W & T Hickey Pty Ltd
- Warner Earthmoving

2. appoints the following suppliers on the condition the relevant documentation is supplied prior to engaging them for work:
  - A.W.D Equipment Sales Pty Ltd
  - Edsel Fabian FDT
  - Dirran Bobcat Services
  - G J Groves
  - Ron Irwin Builders T/AS Safeway Excavations

- Tobamb Pty Ltd
  - Tranto Hire & Sales Pty Ltd
3. accepts the late conforming tender from Tierney Crushing and Transport Pty Ltd and appoints the supplier.
  4. delegates to the Chief Executive Officer under Section 257(1)(b) of the Local Government Act 2009 authority to accept and appoint Hastings Deering (Australia) Limited on the condition that the supplier and Council's Solicitor reach an agreement regarding the departures.

CARRIED UNANIMOUSLY

Cr Scriven returned to the meeting, the time being 12.32pm.

CCFS3 **PRE-QUALIFIED SUPPLIERS - SUPPLY & DELIVER OF ROAD BUILDING MATERIALS**

Pre-Qualified Suppliers - Supply & Deliver of Road Building Materials

Cr Scriven moved and Cr Gaske seconded:

That Council resolves to:

1. appoint the following suppliers to the Register of Suppliers for Road Building Materials for a period of two (2) years:
  - Corbert Group
  - K & D Hadenfeldt Pty Ltd
  - Ron Irwin Builders T/AS Safeway Excavations
  - St George Excavators Pty Ltd
  - Strathbogie Quarry CD and AL Stewart
  - Tierney Crushing and Transport Pty Ltd
  - Wagners Cement Pty Ltd

CARRIED UNANIMOUSLY

## INFORMATION REPORTS

### (ICEO) CHIEF EXECUTIVE OFFICER

ICEO1 **MONTHLY REPORT - COMMUNITIES**

The Community & Libraries Report for the month of January 2020 is presented for Council's information

ICEO2 **MONTHLY REPORT TOURISM SERVICES**

JANUARY 2020

ICEO3 **ECONOMIC DEVELOPMENT JANUARY 2020 UPDATE**

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

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

Monthly report for Finance and Corporate Services

### **ICFS2 MONTHLY REPORT - GRANTS**

Grants information from 11 January 2020 to 7 February 2020.

### **ICFS3 MONTHLY FINANCE INFORMATION REPORT JANUARY 2020**

Monthly Finance Information Report January 2020

## **(IIFS) INFRASTRUCTURE SERVICES**

### **IIFS1 DEPARTMENT OF INFRASTRUCTURE SERVICE'S MONTHLY REPORT**

From the Department of Infrastructure Services - reporting for the month of January 2019.

### **IIFS2 WHS MONTHLY REPORT**

WHS Monthly information report

## **(IERS) ENVIRONMENT & REGULATORY SERVICES**

### **IERS1 MONTHLY REPORT ENVIRONMENT AND REGULATORY SERVICES**

The Environment and Regulatory Services Report for the month of January 2020 is presented for Council's information.

There being no further business, the Meeting closed, the time being 12.35pm.

Confirmed at a General Meeting of the Council held on 19 March 2020.

.....  
**MAYOR**