



MINUTES

of the

General Meeting of the Council

held in the

Disaster Training Room, 118 Victoria Street, St George

on

Thursday 17th September 2020

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

Crs SC O'Toole, RD Avery, RG Fuhrmeister, RW Lomman, SS Scriven, ID Todd and WN Winks

Mr Matthew Magin (Chief Executive Officer), Mrs Michelle Clarke (Director Financial & Corporate Services), Mr Digby Whyte (Director Environment and Regulatory Services), Elizabeth Jones (Community Development & Cultural Services Manager), Mariella Perez (Community Development Officer) and Dani Kinnear (Community & Multicultural Development Officer)

LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES

Cr Avery moved and Cr Fuhrmeister seconded:

That the Minutes of the General Meeting held on 20 August, 2020 be confirmed.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

Nil

DECLARATION OF INTERESTS

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 IFS3, on the grounds that:

Her principle place of residence is located on Scott Street, which is outlined for resealing in the 2020-21 Roads to Recovery Programme.

Councillor O'Toole indicated she would request Council consider her declaration and that she be able to participate in the meeting.

CHANGE OF ORDER OF BUSINESS

Cr Todd moved and Cr Scriven seconded:

That Council change the Order of Proceedings to move the discussion of Councillor Reports to General Business.

CARRIED UNANIMOUSLY

DEPUTATIONS

Mr & Mrs Cooper made a deputation to Council regarding their request to remove or relocate an overhead banner structure from the front of 93 Victoria Street, St George. They referred to their letter

to Council dated 5 August 2020. They would like Council to reconsider their previous advice to remove the pole at their expense. They believe it should be removed by Council as it is no longer utilised and they consider it to be a safety concerns at the access point to their property.

Council received the deputation and a formal response to Mr & Mrs Cooper will be provided in writing.

MEETING BUSINESS BY CORPORATE FUNCTION

(OCEO) OFFICE OF THE CEO

OCEO1 AUSTRALIA DAY AWARDS 2021

Australia Day Awards to be held in Dirranbandi in 2021

Cr Todd moved and Cr Winks seconded:

That:

1. Council notes officer's report
2. Council endorses the use of an independent panel consisting of members of the community from Bollon, Hebel-Dirranbandi, Thallon-Mungindi, and St George, for the assessment and judging of the Australia Day nominations.
3. Council approves the funding for the host town of \$2,000 and for the non-hosting towns of \$200 each with a total of \$2,600 from Council's Community Events Program.

CARRIED UNANIMOUSLY

OCEO2 DONATION REQUEST - DIRRANBANDI POLOCROSSE

Dirranbandi Polocrosse have requested a financial donation for the 2020 Dirranbandi Polocrosse Horsemanship School.

Cr Winks moved and Cr Scriven seconded:

That Council resolves to donate \$2,000 to Dirranbandi Polocrosse for the 2020 Dirranbandi Polocrosse Horsemanship School from the 2020/21 Community Grants and Assistance Budget on the provision of providing appropriate public liability insurance.

CARRIED UNANIMOUSLY

Andrew Boardman (Director Infrastructure Services) entered the meeting the time being 9.18am

Dani Kinnear (Community & Multicultural Development Officer) left the meeting the time being 9.19am

OCEO3 RADF APPLICATION FOR FUNNY MUMMIES COMEDY GALA.

RADF Application for Funny Mummies Comedy Gala.

Cr Fuhrmeister moved and Cr Lomman seconded:

That Council resolves to approve the RADF Committee, Regional Arts Development Fund (RADF) application of \$3,500.00 for the 'Funny Mummies Comedy Gala' touring production, subject to current COVID-19 restrictions at the time of the event.

CARRIED 6-1

Cr Todd requested his name be recorded as against the motion and his reason for voting against the motion be recorded. Cr Todd believes due process was not followed prior to the recommendation

being presented to Council.

Mariella Perez (Acting Community Development Officer) left the meeting the time being 9.35am

OCEO4 **TOURISM BRANDING STRATEGY**

Cr Avery moved and Cr Fuhrmeister seconded:

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

CARRIED UNANIMOUSLY

Council congratulated Kim Wildman on an outstanding Tourism Strategy for the Shire.

(FCS) FINANCE AND CORPORATE SERVICES

FCS1 **PRE-QUALIFIED SUPPLIERS - TRADE SERVICES**

Pre-Qualified Suppliers – Trade Services.

Cr Winks moved and Cr Lomman seconded:

That Council resolves to appoint Queensland Murray Darling Catchments to the Supplier List for trade services for the provision of weed spraying.

CARRIED UNANIMOUSLY

FCS2 **QUARTERLY PERFORMANCE REPORT - QUARTER 4 - 2019/20**

Quarterly Performance Report – Quarter 4 – 2019/2020

Cr Todd moved and Cr Fuhrmeister seconded:

That Council resolves to adopt the Quarterly Performance Report for Quarter 4 of 2019/20, as attached, in accordance with, *Section 174(3) of the Local Government Regulations 2012*.

CARRIED UNANIMOUSLY

FCS3 **QUEENSLAND RECONSTRUCTION AUTHORITY - BUDGET AMENDMENT AND REVENUE RECOGNITION - FEBRUARY FLOOD EVENT**

February Flood Event – Disaster Recovery Government Funding

Cr Lomman moved and Cr Todd seconded:

that council resolves to:

1. amend the capital works budget in accordance with s170(3) of the local government regulations 2012 as attached.

and

2. acknowledge that while the funding agreement is for capital works it is unlikely that it is specific enough to create a specific performance obligation.

.CARRIED 6-1

Cr Scriven requested his name be recorded as against the motion and his reason for voting against the motion be recorded. Cr Scriven believes that the Balonne Shire Council, and the Project Services engaged to deliver the works, should have specific performance obligations.

FCS4

ICT STANDING COMMITTEE MINUTES 3 SEPTEMBER 2020

ICT Standing Committee 3 September 2020

Cr Lomman moved and Cr Fuhrmeister seconded:

That Council resolves to:

1. Receive and note the minutes of the ICT Standing Committee of 3 September 2020;
2. Adopt the ICT Standing Committee Terms of Reference, as attached, in accordance with S264 of the Local Government Regulations 2012;
3. Rescind the former ICT Steering Committee Terms of Reference of 16 June 2016;
4. adopt the Revised CCTV Strategy for the long-term enhancement and expansion of Council's CCTV Network, as attached;
5. Pursue conduit with draw wire to be installed as part of trenching across CBD and strategic locations to improve fibre, power and connectivity options across the network;
6. Develop a new ICT and Digital Strategy for internal organisational requirements and external requirements for the community around liveability and economic development;
7. Adopt the Cyber-Incident Response Policy, as attached.

CARRIED UNANIMOUSLY

FCS5

AUDIT & RISK COMMITTEE MINUTES 3 SEPTEMBER 2020

Audit & Risk Committee minutes 3 September 2020

Cr Todd moved and Cr Lomman seconded:

That Council resolves to:

1. receive and note the Audit & Risk Committee minutes of 3 September 2020;
2. adopt the risk appetite statement; and
3. hold a workshop with the Council to undertake a strategic risk assessment.

CARRIED UNANIMOUSLY

FCS6

LEGISLATIVE CHANGES - LOCAL GOVERNMENT ACT

Legislative changes to the Local Government Act

Cr Fuhrmeister moved and Cr Lomman seconded:

That Council resolves to receive and note the enactment of the *Local Government Legislation (Integrity) Amendment Regulation 2020 ("Amendment Regulation")*, which modifies the current Council meetings provisions in the *Local Government Regulation 2012 ("LGR")*.

CARRIED UNANIMOUSLY

FCS7

AMENDMENT TO BUDGET - GET READY FUNDING

Amendment to Budget – Get Ready Funding

Cr Winks moved and Cr Avery seconded:

That Council resolves to amend the Operational Projects Budget in accordance with S170(3) of the Local Government Regulations 2012 as follows:

Operational Projects 2020/21						
		2020-21 Budget				
		Total - Multi-Year Project Budget	Budget 20/21	Funding 20/21	2020-21 Council Expenditure	Restricted Cash (from prior years)
CARRY OVER ORIGINAL BUDGET 2020-21						
		\$11,305,260	\$10,340,508	\$3,245,265	\$ 1,824,147	\$5,271,096
DISASTER MANAGEMENT						
BalSC 0004.2021AGRG - Guardian Website			\$ 10,660	\$ 10,660		
Sub total Disaster Management			\$ 10,660	\$ 10,660		
TOTAL AMENDED OPERATIONAL PROJECTS BUDGET 2020/21						
			\$ 10,351,168	\$ 3,255,925	\$ 1,824,147	\$ 5,271,096

CARRIED UNANIMOUSLY

Elizabeth Jones (Community Development & Cultural Services Manager) left the meeting the time being 10.30am

The meeting adjourned at 10.30am for morning tea. The meeting reconvened at 10.47am.

(IFS) INFRASTRUCTURE SERVICES

IFS1 DUNKERRY ROAD EXTENSION REQUEST

Dunkerry Road Extension

Cr Avery moved and Cr Todd seconded:

That Council resolves to not further investigate and to not approve the extension of Dunkerry Road.

CARRIED UNANIMOUSLY

Fiona Macleod (Planning & Development Officer) entered the meeting the time being 10.51am

IFS2 HOUSING MANAGEMENT FRAMEWORK

Housing Management Framework

This report was withdrawn by the Director of Infrastructure Services and will be re-submitted to a later meeting following a further workshop with Councillors.

CONFLICT OF INTEREST – IFS3 - 2020-21 ROADS TO RECOVERY PROGRAMME

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 IFS3, on the grounds that:

Her principle place of residence is located on Scott Street, which is outlined for resealing in the 2020-21 Roads to Recovery Programme.

As Cr OToole requested she participate in the meeting stating she could make a decision in the public interest. Council considered if Cr O'Toole had a real or perceived conflict of interest in the matter.

Cr Scriven moved and Cr Fuhrmeister seconded:

That Council resolves that Cr O'Toole has a Perceived Conflict of Interest in respect to matters contained in IFS3 and that she may participate in the meeting in relation to the matter and vote on the matter.

IFS3

2020-21 ROADS TO RECOVERY PROGRAMME

2020-21 Roads to Recovery Programme

Cr Fuhrmeister moved and Cr Avery seconded:

That Council resolves to

1. amend the capital works budget in accordance with S170(3) of the Local Government Regulations 2012, by increasing budgeted revenue and expenditure for the Roads to Recovery by \$799,015 from \$913,160 to \$1,712,175.
2. request of the Department of Infrastructure, Transport, Cities and Regional Development that the following additional projects be added to the 2020/21 Roads to Recovery programme:

Road Name	Town Area	Proposed Works	Project Costs	Start Chainage	End Chainage
Whytes Road	St George	Reseal	\$31,200.00	0.05	0.83
Albert Street	St George	Reseal	\$34,400	0	0.86
Wilson Avenue	St George	Reseal	\$8,960.00	0	0.14
Alfred Street	St George	Reseal	\$273,312.00	0.42	3.37
Barlee Street	St George	Reseal	\$107,172.00	0.24	1.47
Scott Street	St George	Reseal	\$115,752.00	0	1.06
Commissioners Point Road	St George	Culvert Replacement	\$15,640.00	3.8	3.9
Cashelvale Road	Bollon	Culvert Installation	\$14,760.00	57	57
Kenny Lane	St George	Stormwater Drainage Rectification	\$207,528.00	0	0.62
Arthur Street	St George	Reseal	\$27,200.00	1.2	1.88
Commissioners Point Road	St George	Reseal	\$84,600.00	0	1.88
Thungaby Road	St George	Reseal	\$351,900.00	0	7.82
Balangarry Road	St George	Bitumen Seal Upgrade	\$140,560.00	38.82	39.22
Wagoo Road	St George	Bitumen Seal Upgrade	\$111,719.00	11.56	12.67
Thuraggi Road	St George	Gravel Resheet – 100mm top-up	\$187,472.00	0.62	4.2
Total			\$1,712,175.00		

CARRIED UNANIMOUSLY

Andrew Boardman left the meeting the time being 11.11am

(ERS) ENVIRONMENT & REGULATORY SERVICES

CHANGE OF ORDER OF BUSINESS

Cr Scriven moved and Cr Todd seconded:

That Council change the Order of Proceedings to move the discussion of Item ERS1 to after the discussion of Item ERS3.

CARRIED UNANIMOUSLY

ERS2

FEES AND CHARGES AMENDMENT - STOCK ROUTE MANAGEMENT REGULATIONS 2003 & SPRAY EQUIPMENT LOAN FEES

Amended to Fees and Charges 2020/21.

Cr Lomman moved and Cr Fuhrmeister seconded:

That Council resolve to amend the fees and charge schedule for 2020/21, in accordance with Section 262(3)(c) of the Local Government Act 2009 and Section 97 of the Local Government Regulations 2012, as follows:

1. That the fees and charges for Stock Routes be set at the maximum fee in accordance with the *Stock Route Management Regulations 2003*

Description	Cost Recovery or Commercial Fee	Statutory Reference	2020/21
Stock Route Travel Permit- Initial Application Fee	Commercial		\$150.00
Stock Route Travel Permit- Application Renewal or Change of Route	Commercial		\$75.00
Stock Route Travel Permit - Fee - Large Stock - per 20 head (or part of 20 head) per km	Commercial	Act, s 134(3))	\$0.02
Stock Route Travel Permit - Fee - Small Stock - per 100 head (or part of 100 head) per km	Commercial		\$0.02
Stock Route Grazing (Agistment) Permit - Initial Application Fee	Commercial		\$150.00
Stock Route Grazing (Agistment) Permit - Application Renewal or Change	Commercial		\$75.00
Stock Route Grazing (Agistment)- Large Stock- Minimum Fee per head per week	Commercial	Stock Route Management Regulations 2003 – Schedule 2 Fees (Section 17) & Act, s 116(5))	\$1.20
Stock Route Grazing (Agistment)- Large Stock- Maximum Fee per head per week	Commercial		\$2.90
Stock Route Grazing (Agistment)- Small Stock- Minimum Fee per head per week	Commercial		\$0.11
Stock Route Grazing (Agistment)- Small Stock- Maximum Fee per head per week	Commercial		\$0.46
Inspecting Register of Water Facility Agreements	Commercial	(Act, s164(3)(a))	\$16.75

- That the new fee be added to loan spraying equipment to Landholders from the St George Council Depot for a refundable deposit in accordance with Section 97 of the *Local Government Act 2009*

Description	Cost Recovery or Commercial Fee	Statutory Reference	2020/21
Equipment Loan Deposit – Refundable on return of Equipment in good working order (Rural Services Spray Equipment)	Cost Recovery		\$150.00

CARRIED UNANIMOUSLY

ERS3

REQUEST FOR SITING VARIATION 60 BARLEE STREET, ST GEORGE

Request for siting variation at 60 Barlee Street, St George by Fiona Macleod, Planning and Development Officer

Cr Scriven moved and Cr Todd seconded:

That Council resolves to:

- Approve the garden shed outbuilding at 60 Barlee Street, St George to be located up to 500mm from the eastern boundary as a siting variation from the standard 1.5m criterion.

CARRIED UNANIMOUSLY

ERS1

MCU 184 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "TELECOMMUNICATIONS FACILITY" LOCATED AT CASTLEREAGH HIGHWAY, DIRRANBANDI QLD 4486 (DESCRIBED AS LOT 11 ON BEL53144)

MCU 184 Development Application for Material Change of Use telecommunications facility at Castlereagh Highway, Dirranbandi (Lot 11 on BEL53144) by Council's planner.

Cr Fuhrmeister moved and Cr Winks seconded:

That:

- Council approves the development application MCU 184 for Material Change of Use – "Telecommunications Facility" on land located at Castlereagh Highway, Dirranbandi, described as Lot 11 on BEL53144 subject to the permit conditions listed below.

DEVELOPMENT PERMIT CONDITIONS

Preamble

- 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.
- Under the Balonne Shire Planning Scheme 2019 a "**Telecommunications Facility**" means *premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.*

- 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 100m³ and/or filling works that exceed 500m³.
- 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

2. The approved development is a Material Change of Use - "Telecommunications Facility" as defined in the Planning Scheme and as shown on the approved plans.
3. A development permit for building works must be obtained prior to commencing construction of the telecommunications facility.
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
067-B003-3 Revision A	Site Plan	29/07/2020
RQ5341-1-2 Revision A	Sample Drawing 45m RT40 General Arrangement	16/05/2018

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:
 - i. the development approval conditions;
 - ii. any relevant provisions in the Planning Scheme;
 - iii. any relevant Australian Standard 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

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).

Safety

11. Any required obstacle lighting or marking is to be installed and maintained on the approved "Telecommunication Facility" in accordance with the Civil Aviation Safety Authority's (CASA) and *Manual of Standards Part 139 – Aerodromes*.

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

21. The proposed development must be connected to an electricity supply that is adequate for the use.

Access

22. 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.
23. Vehicle access and manoeuvring shall be maintained generally in accordance with *Balonne Shire Council's Private property Entrance Policy* dated 15 January 2010 ensuring no damage to the kerb and channel and roadway.

24. Horizontal and Vertical Sight distances at the access point to Castlereagh Highway (St George – Dirranbandi Road) to be not less than 110 metres.
25. Vehicles entering and exiting the development site must be able to enter and leave in forward direction. Reversing out of the development site is not permitted. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.

No Cost to Council

26. 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

27. 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

28. 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

ERS4

MCU183 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "TELECOMMUNICATIONS FACILITY" LOCATED AT 1880 CASTLEREAGH HIGHWAY (ST GEORGE DIRRANBANDI ROAD), ST GEORGE QLD 4487 (DESCRIBED AS LOT 14 ON SP132520)

MCU 183 Development Application for Material Change of Use telecommunications facility at Castlereagh Highway (St George Dirranbandi Road), St George (Lot 14 on SP132520) by Council's planner.

Cr Lomman moved and Cr Scriven seconded:

That:

1. Council approves the development application MCU183 for a Material Change of Use – "Telecommunications Facility" on land located at 1880 Castlereagh Highway (Saint George Dirranbandi Road), St George, described as Lot 14 on SP132520 subject to the permit conditions listed below.

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 Balonne Shire Planning Scheme 2019 a “**Telecommunications Facility**” means premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.
- 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 100m³ and/or filling works that exceed 500m³.
- 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 - “Telecommunications Facility” 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 telecommunications facility.
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
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067-B003-2 Issue A	Site Plan	29/07/2020
RQ5341-1-2 Revision A	Sample Drawing 45m RT40 General Arrangement	16/05/2018

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.

Compliance inspection

5. 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.
6. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

Applicable Standards

7. 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

8. 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.
9. 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).

Safety

10. Any required obstacle lighting or marking is to be installed and maintained on the approved "Telecommunication Facility" in accordance with the Civil Aviation Safety Authority's (CASA) and *Manual of Standards Part 139 – Aerodromes*.

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. 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

13. 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

14. 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

15. 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.
16. 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.
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.

Services

20. The proposed development must be connected to an electricity supply that is adequate for the use.

Access

21. 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.

22. Vehicle access and manoeuvring shall be maintained generally in accordance with *Balonne Shire Council's Private property Entrance Policy* dated 15 January 2010 ensuring no damage to the roadway.
23. Horizontal and Vertical Sight distances at the access point to Castlereagh Highway (St George -Dirranbandi Road) to be no less than 110 metres.
24. Vehicles entering and exiting the development site must be able to enter and leave in forward direction. Reversing out of the development site is not permitted. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.

No Cost to Council

25. 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

26. 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

27. 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

ERS5

MCU 179 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "TELECOMMUNICATIONS FACILITY" LOCATED AT 185 CHELMER ROAD, THALLON QLD 4497 (DESCRIBED AS LOT 3 ON BLM1206)

MCU 179 Development Application for Material Change of Use telecommunications facility at 185 Chelmer Road, Thallon (Lot 3 on BLM1206) by Council's planner.

Cr Fuhrmeister moved and Cr Winks seconded:

That:

1. Council approves the development application MCU 179 for Material Change of Use – "Telecommunications Facility" on land located at 185 Chelmer Road, Thallon, described as Lot 3 on BLM1206 subject to the permit conditions listed below.

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 Balonne Shire Planning Scheme 2019 a “**Telecommunications Facility**” means premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.
- 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 100m³ and/or filling works that exceed 500m³.
- 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

2. The approved development is a Material Change of Use - “Telecommunications Facility” as defined in the Planning Scheme and as shown on the approved plans.
3. A development permit for building works must be obtained prior to commencing construction of the telecommunications facility.
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
067-B007 Revision C	Site Plan	15/07/2020
RQ5341-1-2 Revision A	Sample Drawing 45m RT40 General Arrangement	16/05/2018

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).

Safety

11. Any required obstacle lighting or marking is to be installed and maintained on the approved "Telecommunication Facility" in accordance with the Civil Aviation Safety Authority's (CASA) and *Manual of Standards Part 139 – Aerodromes*.

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

21. The proposed development must be connected to an electricity supply that is adequate for the use.

No Cost to Council

22. 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

23. 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

24. 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

ERS6

**MCU 180 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE -
"TELECOMMUNICATIONS FACILITY" LOCATED AT 29050 MOONIE HIGHWAY, ST GEORGE
QLD 4487 (DESCRIBED AS LOT 23 ON SP101401)**

MCU 180 Development Application for Material Change of Use telecommunications facility at 29050 Moonie Highway, St George (Lot 23 on SP101401) by Council's planner.

Cr Avery moved and Cr Lomman seconded:

That:

1. Council approves the development application MCU 180 for Material Change of Use – "Telecommunications Facility" on land located at 29050 Moonie Highway, St George, described as Lot 23 on SP101401 subject to the permit conditions listed below.

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 Balonne Shire Planning Scheme 2019 a "**Telecommunications Facility**" means premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.
- 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 100m³ and/or filling works that exceed 500m³.
- 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

- 2. The approved development is a Material Change of Use - "Telecommunications Facility" as defined in the Planning Scheme and as shown on the approved plans.
- 3. A development permit for building works must be obtained prior to commencing construction of the telecommunications facility.
- 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
067-B003-1 Revision A	Site Plan	17/07/2020
RQ5341-1-2 Revision A	Sample Drawing 45m RT40 General Arrangement	16/05/2018

- 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).

Safety

11. Any required obstacle lighting or marking is to be installed and maintained on the approved "Telecommunication Facility" in accordance with the Civil Aviation Safety Authority's (CASA) and *Manual of Standards Part 139 – Aerodromes*.

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

21. The proposed development must be connected to an electricity supply that is adequate for the use.

No Cost to Council

22. 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

23. 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

24. 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

ERS7

MCU 181 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "TELECOMMUNICATIONS FACILITY" LOCATED AT CASTLEREAGH HIGHWAY, HEBEL QLD 4486 (DESCRIBED AS LOT 19 ON BLM912)

MCU 181 Development Application for Material Change of Use telecommunications facility at Castlereagh Highway, Hebel (Lot 19 on BLM912) by Council's planner.

Cr Todd moved and Cr Winks seconded:

That:

1. Council approves the development application MCU 181 for Material Change of Use – "Telecommunications Facility" on land located at Castlereagh Highway, Hebel, described as Lot 19 on BLM912 subject to the permit conditions listed below.

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 Balonne Shire Planning Scheme 2019 a "**Telecommunications Facility**" means *premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.*
- 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 100m³ and/or filling works that exceed 500m³.
- 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

- 2. The approved development is a Material Change of Use - "Telecommunications Facility" as defined in the Planning Scheme and as shown on the approved plans.
- 3. A development permit for building works must be obtained prior to commencing construction of the telecommunications facility.
- 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
067-B001 Revision B	Site Plan	24/07/2020
RQ5341-1-2 Revision A	Sample Drawing 45m RT40 General Arrangement	16/05/2018

- 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).

Safety

11. Any required obstacle lighting or marking is to be installed and maintained on the approved "Telecommunication Facility" in accordance with the Civil Aviation Safety Authority's (CASA) and *Manual of Standards Part 139 – Aerodromes*.

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

21. The proposed development must be connected to an electricity supply that is adequate for the use.

No Cost to Council

22. 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

23. 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

24. 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

ERS8

**MCU 182 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE -
"TELECOMMUNICATIONS FACILITY" LOCATED AT DIRRANBANDI-HEBEL ROAD,
DIRRANBANDI QLD 4486 (DESCRIBED AS LOT 5 ON SP294964)**

MCU 182 Development Application for Material Change of Use telecommunications facility at Dirranbandi-Hebel Road, Dirranbandi (Lot 5 on SP294964) by Council's planner.

Cr Fuhrmeister moved and Cr Scriven seconded:

That:

1. Council approves the development application MCU 182 for Material Change of Use – “Telecommunications Facility” on land located at Dirranbandi-Hebel Road, Dirranbandi, described as Lot 5 on SP294964 subject to the permit conditions listed below.

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 Balonne Shire Planning Scheme 2019 a “**Telecommunications Facility**” means *premises used for systems that carry communications and signals by means of radio, including guided or unguided electromagnetic energy, whether such facility is manned or remotely controlled.*
- 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 100m³ and/or filling works that exceed 500m³.
- 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

2. The approved development is a Material Change of Use - “Telecommunications Facility” as defined in the Planning Scheme and as shown on the approved plans.
3. A development permit for building works must be obtained prior to commencing construction of the telecommunications facility.
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
067-B002 Revision B	Site Plan	28/07/2020
RQ5341-1-2 Revision A	Sample Drawing 45m RT40 General Arrangement	16/05/2018

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).

Safety

11. Any required obstacle lighting or marking is to be installed and maintained on the approved "Telecommunication Facility" in accordance with the Civil Aviation Safety Authority's (CASA) and *Manual of Standards Part 139 – Aerodromes*.

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

21. The proposed development must be connected to an electricity supply that is adequate for the use.

No Cost to Council

22. 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

23. 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

24. 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

ERS9

PROPOSED SITE - TELECOMMUNICATIONS FACILITY - DIRRANBANDI

Proposed Site – Telecommunications Facility – Dirranbandi, by the Director Environment and Regulatory Services.

Cr Avery moved and Cr Todd seconded:

That Council resolves to further investigate the tower location at the Showgrounds to apply to the Department of Natural Resources Mines and Energy [SLAM Roma] for this site to be considered for a telecommunication facility for the Balonne Digital Connectivity Project with Field Solutions Group.

CARRIED UNANIMOUSLY

Council congratulated Fiona Mcleod and Jess Reiser for their efforts to complete the development assessments on the telecommunications and the Mayor commented that this was a significant milestone in Council's strategic vision for connected communities and improved digital connectivity in the Shire. Fiona Macleod (Planning & Development Officer) left the meeting the time being 11.30am

CONFIDENTIAL ITEMS

Nil.

GENERAL BUSINESS

COUNCILLOR REPORTS

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

INFORMATION REPORTS

(IOCEO) OFFICE OF THE CEO

IOCEO1 MONTHLY REPORT COMMUNITY AND LIBRARY SERVICES

August Monthly Report for Communities and Libraries

IOCEO2 TOURISM SERVICES MONTHLY REPORT

Balonne Shire Tourism Report for August 2020 as supplied by the Manager Tourism.

IOCEO3 COMMUNICATIONS AND MEDIA MONTHLY REPORT

Monthly report for Media and Communications – 08 August to 04 September 2020

IOCEO4 ECONOMIC DEVELOPMENT REPORT - AUGUST 2020

Economic Development Update August 2020

(IFCS) FINANCE AND CORPORATE SERVICES

ICFS1 MONTHLY REPORT DIRECTOR FINANCE & CORPORATE SERVICES

Monthly report for August - Finance and Corporate Services

ICFS2 GRANTS MONTHLY REPORT

Grants Monthly Information Report – August 2020

(IIFS) INFRASTRUCTURE SERVICES

IIFS1 DEPARTMENT OF INFRASTRUCTURE SERVICE'S MONTHLY REPORT

From the Department of Infrastructure Services - reporting for the month of August 2020.

IIFS2 MONTHLY REPORT

Monthly information report.

(IERS) ENVIRONMENT & REGULATORY SERVICES

IERS1

MONTHLY REPORT ENVIRONMENT AND REGULATORY SERVICES

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

There being no further business, the Meeting closed, the time being 12.14pm.

Confirmed at a General Meeting of the Council held on 15 October 2020.

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MAYOR