



MINUTES

of the

General Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 29th October 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, RW Avery, RG Fuhrmeister, RW Lomman, SS Scriven, ID Todd and BN Winks

Mr Matthew Magin (Chief Executive Officer), Mrs Michelle Clarke (Director Financial & Corporate Services), Mr Digby Whyte (Director Environment and Regulatory Services).

LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES

Cr Fuhrmeister moved and Cr Avery seconded:

That the Minutes of the General Meeting held on 17 September, 2020.

.CARRIED UNANIMOUSLY

CONFIRMATION OF MINUTES

Cr Winks moved and Cr Scriven seconded:

That Minutes of the Special Meeting held on 15 October, 2020 be confirmed

CARRIED UNANIMOUSLY

DECLARATION OF INTERESTS

Councillor Richard Lomman declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **OCE03**, on the grounds that:

He is a representative of St George Golf Club Board and Management.

In accordance with s150EF(3) of the Local Government Act 2009, Councillor Richard Lomman indicated he would not participate in the decision and voluntarily leave the meeting.

Councillor Bill Winks declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **FCS5** on the grounds that:

He is a close friend with Brian Southern who is applying to become a self-constructing contractor
Councillor Bill Winks indicated he would request to participate in the decision.

Councillor Richard Lomman declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **FCS8**, on the grounds that:

He is a relative of Rebecca Lomman from Arcadian Communications BDO Group.
In accordance with s150EF(3) of the Local Government Act 2009, Councillor Lomman indicated he would not participate in the decision and voluntarily leave the meeting.

Councillor Scott Scriven declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **CERS1**, on the grounds that: His brother Mr John Scriven is applying for a stock dog permit.
In accordance with s150EF(3) of the Local Government Act 2009, Councillor Scriven indicated he would not participate in the decision and voluntarily leave the meeting.

Councillor Rod Avery gave notice of a **Prescribed Conflict of Interest** in respect to matters contained in **CERS1**, on the grounds that:
He is applying for approval from council for a stock dog permit.
In accordance with S150EM(2) of the Local Government Act 2009 Councillor Avery indicated he would not participate in the decision and voluntarily leave the meeting.

PUBLIC PARTICIPATION

NIL

DEPUTATIONS

NIL

MEETING BUSINESS BY CORPORATE FUNCTION (OCEO) OFFICE OF THE CEO

Elizabeth Jones (Community Development & Cultural Services Manager), Dani Kinnear (Community Development Officer), Mariella Perez (Community Development Officer), Kim Wildman (Manager of Tourism) entered the meeting at 9:15am.

OCEO1 RADF APPLICATION - THALLON PROGRESS ASSOCIATION

RADF Application for Placemaking in Thallon.

Cr Lomman moved and Cr Fuhrmeister seconded:

That Council resolves to decline this application in total due to insufficient funds.

AMENDMENT

Cr Fuhrmeister moved and Cr Winks seconded:

That the Council approves \$3500.00 to Thallon Progress Association for the place making in Thallon Project from 2019-2020 RADF surplus funds, this being the highest amount of funding approval in the 2019-2020 financial year.

The amendment on being put became the substantive motion and was then carried.

CARRIED 4/3

Cr Scriven requested that his name be recorded against the motion.

Cr Lomman requested that his name be recorded against the motion due to insufficient

documentation.

Cr Todd requested that his name be recorded against the motion due to insufficient evidence.

Mariella Perez (Community Development Officer) left the meeting at 9:26am.

OCE02 **INLAND QUEENSLAND ROAD ACTION PLAN (IQ-RAP)**

Continued funding of IQ-RAP for ongoing advocacy on behalf of Inland Qld road network

RECOMMENDATION:

Cr Avery moved and Cr Fuhrmeister seconded:

That Council resolves to discontinue funding for IQ-RAP and ask the Chief Executive Officer to write a letter of thanks to the IQ-RAP Chair for all the committee's efforts over the 5 years Balonne Shire Council has been involved.

CARRIED UNANIMOUSLY

TOURISM EVENTS APPLICATION - ST GEORGE GOLF CLUB

Councillor Richard Lomman declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **OCE03**, on the grounds that:

He is a representative of St George Golf Club Board and Management.

In accordance with s150EF(3) of the Local Government Act 2009, Councillor Lomman voluntarily left the meeting at 9:30am.

OCE03 **TOURISM EVENTS APPLICATION - ST GEORGE GOLF CLUB**

Cr Winks moved and Cr Todd seconded:

That Council resolves to sponsor the St George Golf Club with \$3,000 from the Tourism Events Grant Funding Program for the 2021 Dragon Country Sand green Cup and note the application has been approved at this level due to COVID-19 and congratulate the St George Golf Club on the 2020 event.

CARRIED UNANIMOUSLY

Councillor Richard Lomman returned to meeting the time being 9:42am.

OCE04 **TOURISM EVENTS GRANT APPLICATION – THALLON PROGRESS ASSOCIATION**

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to:

1. Sponsor the Thallon Progress Association with \$2,000.00 from the Tourism Events Grant Funding Program for the 2021 Grazing at the Watering Hole event.
2. Council waives the fee for the hire of the Recreational/Campgrounds (including electricity) for 2 days in the sum of \$2370.00 for the 2021 Grazing at the Watering Hole event.

CARRIED UNANIMOUSLY

Kim Wildman (Manager of Tourism) left meeting at 9:43am.

OCE05 **SPONSORSHIP REQUEST - ISOLATED CHILDREN'S PARENT'S ASSN**

St George Isolated Children's Parents Association (ICPA) have requested sponsorship for the 2020 Breaker Camp.

Cr Winks moved and Cr Todd seconded:

That Council resolves to donate \$1,800 to St George ICPA for the 2020 Breaker Camp from the 2020/21 Community Grants and Assistance Budget.

CARRIED UNANIMOUSLY

OCE06 **DONATION REQUEST - DIRRANBANDI PASTORAL & AGRICULTURAL ASSN**

Dirranbandi Pastoral & Agricultural Association (P&A) have requested a financial donation for the 2020 Dirranbandi Christmas in the Showgrounds.

Cr Fuhrmeister moved and Cr Avery seconded:

That Council resolves to donate \$2,000 to Dirranbandi P & A for the 2020 Dirranbandi Christmas in the Showgrounds from the 2020/21 Community Grants and Assistance Budget.

CARRIED UNANIMOUSLY

OCE07 **DONATION REQUEST - ST GEORGE PONY CLUB**

St George Pony Club have requested a financial donation towards Bringing One Day Events to the West.

Cr Lomman moved and Cr Winks seconded:

That Council resolves to

1. Make an exemption to Community Grants and assistance Policy for this project; and
2. Donate \$3,000 to St George Pony Club towards Bringing One Day Events to the West from the 2020/21 Community Grants and Assistance Budget

CARRIED UNANIMOUSLY

OCE08 **DONATION REQUEST - ST GEORGE BOXING CLUB**

St George Boxing Club, with Goondir Health Services being the Au spicing organisation have requested a financial donation for Boxing Club Polo shirts and Singlets.

Cr Avery moved and Cr Todd seconded:

That Council resolves to donate \$1,372.50 to St George Boxing with Goondir Health Services being their Au spicing organisation for their Boxing Shirts and Singlets from the 2020/21 Community Grants and Assistance Budget.

CARRIED UNANIMOUSLY

OCE09

COMMUNITY EVENTS PROGRAM - BALONNE COMMUNITY NAIDOC WEEK CELEBRATIONS 2020

St George Aboriginal Housing Company have requested sponsorship for the 2020 Balonne Communities NAIDOC Week Celebrations.

Cr Lomman moved and Cr Fuhrmeister seconded:

That Council resolves to sponsor St George Aboriginal Housing Company with \$3,000 for the Balonne Communities NAIDOC Week Celebrations in 2020, from the 2020/21 Community Events Program.

CARRIED UNANIMOUSLY

Elizabeth Jones (Community Development & Cultural Services Manager), Dani Kinnear (Community Development Officer) left the meeting the time being 10:03am.

Andrew Boardman (Director of Infrastructure Services) entered the meeting at 10:03am.

OCE010

SITE SELECTION - PROPOSED DIRRANBANDI HOT BATHS

Recommended Site for Dirranbandi Hot Baths located at Jack Dwyer Memorial Park properly described as Lot 56 SP101406, Dirranbandi, by the Chief Executive Officer.

Cr Avery moved and Cr Lomman seconded:

That Council resolves to:

1. locate Dirranbandi Hot baths project on Lot 56 SP101406;
2. further consult with the Dirranbandi Community on the concept and design;
3. delegate to the chief Executive Officer, under Section 257(1)(b) of the Local Government 2009, to complete all necessary phases of the project to meet the funding agreement timeframes and all applicable regulatory approval requirements.

AMENDMENT

Cr Fuhrmeister moved and Cr Avery seconded:

That Council resolves :

1. that the current preferred location of the Dirranbandi Hot Baths Project is Lot 56 SP101406;
2. to further consult with the Dirranbandi community on the concept, position and design; and
3. that a full business case and whole of life costing be submitted to Council for consideration prior to commencement of works due to the location of the site being on Council land.

The Amendment on being put became the substantive motion and was carried unanimously

CARRIED UNANIMOUSLY

Council adjourned for Morning Tea the time being 10:39am.

Councillors and executive staff met with Catherine Scott (Project Manager) for Library Hub during Morning Tea.

Council reconvened from Morning Tea the time being- 11:04am.

(FCS) FINANCE AND CORPORATE SERVICES

FCS1 CODE OF MEETING PRACTICE

Amended Code of Meeting Practice as outlined by the department.

Cr Lomman moved and Cr Avery seconded:

That Council resolves to

1. Adopt the amended Code of Meeting Practice, as attached and rescind all previous versions.
2. Note the contents of the amended Code of Meeting Practice particularly in relation to the new provisions around Conflict of Interests in Parts 3 and 4.

CARRIED UNANIMOUSLY

FCS2 COUNCILLOR COMPLAINTS INVESTIGATION POLICY

Councillor Complaints Investigation Policy as per the Department of Local Government Racing and Multi – Cultural Affairs guidelines.

Cr Fuhrmeister moved and Cr Winks seconded:

That Council resolves to:

1. Adopt the Councillor Complaints Investigation Policy in accordance with the Local Government (Councillor Complaints) and Other Legislation Amendment Act, 2020; and
2. Note the contents of the Councillor Complaints Investigation Policy and requirements for individual Councillors, the Mayor, Chief Executive Officer and Independent Assessor.

CARRIED UNANIMOUSLY

FCS3 COUNCILLOR CODE OF CONDUCT

Councillor Code of Conduct amended in accordance with Department of Local Government Racing and Multi-Cultural Affairs.

Cr Avery moved and Cr Lomman seconded:

That the amended Code of Conduct enacted under the Local Government Act, 2009 be adopted by Council and noted by all Councillors.

CARRIED UNANIMOUSLY

FCS4 ACCEPTABLE REQUEST GUIDELINES

Review of Current policy regarding Acceptable Request Guidelines, as per legislation changes.

Cr Todd moved and Cr Winks seconded:

That Council resolves to adopt the amended Acceptable Request Guidelines in accordance with Section 170AA of the Local Government Act, 2009 and rescind all previous versions.

CARRIED UNANIMOUSLY

WILD DOG EXCLUSION FENCING - CONTRACTORS PRE-QUALIFIED SUPPLIERS LIST

Councillor Bill Winks declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **FCS5**, on the grounds that:
He is a close friend with Brian Southern who is applying to become a self-constructing contractor.

Councillor Scriven moved the motion Councillor Avery seconded.
That Council resolve in accordance with s150ES(3)(a)(i) of the Local Government Act ,2009 that Councillor Winks may participate in the decision despite having a declarable conflict of interest in this matter.

CARRIED UNANIMOUSLY

FCS5 **WILD DOG EXCLUSION FENCING - CONTRACTORS PRE-QUALIFIED SUPPLIERS LIST**

Wild Dog Exclusion Fencing – Contractors Pre-Qualified Supplier List.

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves:

1. That the following contractors be appointed to the preferred supplier list for construction of wild dog exclusion fencing.
 - Sunset Group Australia Pty Ltd
 - Balonne Fencing Services Pty Ltd
 - The DHW Hill Family Trust
 - AJ & SJ Smith
 - B G Southern
 - Colemans High Security Fencing Pty Ltd
 - RNCO.CO
 - BSJ Rural Contractors
 - SA Outback Company Pty Ltd
 - Clean Management Solutions Pty Ltd

CARRIED UNANIMOUSLY

FCS6 **MONTHLY FINANCIAL MANAGEMENT REPORT SEPTEMBER 2020**

Monthly Financial Management Report as at 30 September 2020 to be tabled at the meeting.

Cr Lomman moved and Cr Scriven seconded:

That the monthly Financial Management Report for the period ending 30 September 2020, as attached, be received and noted.

CARRIED UNANIMOUSLY

The Mayor commended the Manager Finance Services, Tracey Lee and all relevant staff that completed the 2019/20 financial statements and audit.

AUDIT & RISK COMMITTEE 9 OCTOBER 2020

Audit & Risk Committee Meeting minutes 9 October 2020.

Cr Fuhrmeister moved and Cr Todd seconded:

That Council resolves to receive and note:

1. the minutes of the Audit & Risk Committee held on 9 October 2020; and
2. the closing report of the external auditors for the 2019/20 financial year; and
3. the financial statements for the 2019/20 financial year as certified by the Queensland Audit Office (under separate cover).

CARRIED UNANIMOUSLY

PRE-QUALIFIED CONSULTANCY PANEL

Councillor Richard Lomman declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **FCS8**, on the grounds that:

He is a relative of Rebecca Lomman from Arcadian Communications BDO Group

In accordance with s150EF(3) of the Local Government Act 2009, Councillor Lomman voluntarily left the meeting at 11:50am.

PRE-QUALIFIED CONSULTANCY PANEL

Pre-qualified Consultancy Panel.

Cr Fuhrmeister moved and Cr Todd seconded:

That Council resolves to appoint the following suppliers on a pre-qualified panel of providers for appointment under their nominated categories in accordance with S232 of the Local Government Regulations 2012.

Category	Tenderer
Asset Management	APV Valuers & Asset Man BDO Group CT Management Group Delos Delta Pty Ltd Leo Jensen Consulting Lonergans Marsh P/L T/A Assetval MBMPL Mead Perry Group Pavement Management Services Peak Services Q Solutions Group

Accounting & Financial Management	BDO Group Bentley's (Qld) Pty Ltd CPR Group CT Management Group Delos Delta Pty Ltd Kerry Phillips Leo Jensen Consulting Lonergans McGrath Nichol Advisory Mead Perry Group Pitcher Partners Q Solutions Group RSM Australia Vincent's Chartered Accountants
Change Management	CT Management Group Delos Delta Pty Ltd Information Professionals Leo Jensen Consulting Lonergans Mead Perry Group Q Solutions Group Integran Suttor and Associates Tracey Brunstorm & Hammond
Community Engagement & Consultation	Arcadian Communications BDO Group Delos Delta Pty Ltd Information Professionals Leo Jensen Consulting Lonergans Mead Perry Group Optium Planning Q Solutions Group Integran Suttor and Associates Tracey Brunstorm & Hammond
Disaster Management	CT Management Group Delos Delta Pty Ltd Ethos Urban Ironside Risk Partners Leo Jensen Consulting Lonergans Mead Perry Group Q Solutions Group Integran Suttor and Associates Tracey Brunstorm & Hammond
Economic Development	CPR Group CT Management Group Delos

	Delta Pty Ltd Ethos Urban Leo Jensen Consulting Lonergans MS Advisors Macroplan Mead Perry Group Q Solutions Group Integran Suttor and Associates Tracey Brunstorm & Hammond
Governance Risk & Policy Management	Advanced solutions Group Corporate Scorecard CT Management Group Delos Delta Pty Ltd Information Professionals Ironside Risk Partners JLT Public Sector Leo Jensen Consulting Local Buy Probity & Project Lonergans MBMPL Mead Perry Group Pitcher Partners Q Solutions Group RSM Australia Integran Suttor and Associates Tracey Brunstorm & Hammond
Strategic Planning	BDO Group CPR Group Delos Delta Pty Ltd Delta Pearl Partners Engage & Create Cons HRS Connect Information Professionals Leo Jensen Consulting Lonergans Macroplan MBMPL Mead Perry Group Otium Planning Q Solutions Group Integran Suttor and Associates Tracey Brunstorm & Hammond

CARRIED UNANIMOUSLY

Councillor Lomman returned to meeting time being 12:01pm.

(IFS) INFRASTRUCTURE SERVICES

IFS1 ALTERNATIVE ENERGY INITIATIVE

Alternative Energy Initiative.

Cr Lomman moved and Cr Avery seconded:

That Council resolves to:

1. Adopt an Alternative Energy Initiative as a formal Council project thus creating the "Alternative Energy Project".
2. Increase its operational budget in accordance with S170(3) of the Local Government Regulations 2012 by \$50,000 for the Alternative Energy Project, Pre-feasibility study.

CARRIED 4/3

Cr Scriven requested his name to be recorded against the motion due to not being a worthy project because the budget process had not been followed.

Cr O'Toole requested her name to be recorded against the motion.

IFS2 FORMATION OF SOUTH WEST QUEENSLAND WATER GROUP

Formation of South West Queensland Water Group

Cr Fuhrmeister moved and Cr Winks seconded:

That Council resolves to:

1. Support the formation of the South West Queensland Water Group through The South West Region of Council (SWROC); and
2. If a South West Queensland Water Group is formed, retain membership in the Downs and Surat Basin (DASB) until current programs/projects are completed.

CARRIED UNANIMOUSLY

IFS3 DROUGHT COMMUNITY PROGRAM - BUDGET ADJUSTMENT

Drought Community Program – Budget Adjustment.

Cr Lomman moved and Cr Avery seconded:

That Council resolves to make the following adjustments to its capital budget for the Drought Community Projects:

- Move \$6,000 from DCP09 to DCP03
- Move \$9,000 from DCP09 to DCP06
- Move \$20,000 from DCP02 to DCP12
- Remaining budget from DCP07 to be moved to DCP06

CARRIED UNANIMOUSLY

IFS4

BOLLON SKATE PARK LOCATION

Bollon Skate Park Location- (Withdrawal)

The Report was withdrawn by Director of Infrastructure Services to be discussed at a future meeting, to allow further community consultation with Kooma Native Title land holders.

Digby Whyte (Director Environmental & Regulatory Services) left the meeting the time being 12:41pm.

IFS5

HOUSING MANAGEMENT FRAMEWORK

Housing Management Framework.

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to adopt the attached Housing Management Framework in its entirety, inclusive of the Housing Management Strategy and Housing Asset Management Plan, recognising the operational Housing Management Directive as determined by SLG to meet operational requirements.

CARRIED UNANIMOUSLY

IFS6

THALLON FUEL - TAMAROO APPLICATION

Thallon Fuel - Tamaroo Application

Cr Winks moved and Cr Lomman seconded:

That Council resolves to:

1. Write a letter of support to Tamaroo Energy Pty Ltd that supports in principal the development of a fuel facility in Thallon, and
2. Advise that Council would prefer a new Lot development (planning compliant) or existing land use (a Lot previously used for a similar operation rather than use of the state road reserve.

CARRIED 6/1

Cr Todd requested his name to be recorded against the inclusion of part 2 of the motion.

Digby Whyte (Director Environmental & Regulatory Services) returned to meeting time being 12:45pm.

CHANGE ORDER OF BUSINESS

Cr Avery moved and Cr Fuhrmeister seconded:

That Council change the order of business to consider the agenda item (CIFS1).

CARRIED UNANIMOUSLY

CLOSED MEETING

Cr Fuhrmeister moved and Cr Scriven seconded:

Council resolve that the meeting go into closed session, to discuss infrastructure confidential agenda item (CIFS1) in accordance with section 254J of the Local Government Regulations 2012, the time being 12:55pm

CARRIED UNANIMOUSLY

OPEN MEETING

Cr Winks moved and Cr Fuhrmeister seconded:

That the meeting move out of closed session, the time being 12:57pm.

CARRIED UNANIMOUSLY

CONFIDENTIAL ITEM

CIFS1

BSC 20/21 - T02 SUPPLY AND DELIVERY OF EIGHT NEW VEHICLES

BSC 20/21 – T02 Supply and Delivery of Eight New Vehicles

Cr Avery moved and Cr Todd seconded:

That Council resolves to award the procurement of Eight (8) Council Vehicles to O'Brien Toyota under its plant replacement program for a total value of Four Hundred and Eighty Nine Thousand Nine Hundred and Ninety Seven Dollars and Eighteen Cents (\$489,997.18) excluding GST.

CARRIED UNANIMOUSLY

Dianne Francisco (Environmental Health Officer), Spencer Hodge (Environmental Fields Officer), Fiona MacLeod (Planning & Development Officer) entered meeting time being 12:56pm.

Andrew Boardman (Director Infrastructure Services) left the meeting time being 12:57pm.

(ERS) Environment & Regulatory Services

ERS1

RL 106 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT - BOUNDARY

REALIGNMENT (TWO LOTS INTO TWO LOTS) LOCATED AT 112-114 & 116 ALFRED STREET, ST GEORGE QLD 4487 (DESCRIBED AS LOT 4 ON SP276756 AND LOT 5 ON SP276756)

RL 106 Development Application for reconfiguring a lot – boundary realignment (two into two lots) at 112-114 & 116 Alfred Street, St George Qld 4487 (described as Lot 4 on SP276756 and Lot 5 on SP276756), by Council's planner.

Cr Lomman moved and Cr Scriven seconded:

That:

- a) Council receives this report.
- b) Council approves the development application RL 106 - Development Application for Reconfiguring a Lot - Boundary Realignment (two lots into two lots) located at 112-114 & 116 Alfred Street, St George QLD 4487 (described as Lot 4 on SP276756 and Lot 5 on SP276756), subject to the permit conditions listed below.

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. The land use rating category may change upon commencement of any new approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: <https://www.balonne.qld.gov.au/council/rates>.
- iii. A development permit for a Material Change of Use will be required for any activity or development on the approved lot(s) that does not comply with the accepted development criteria in the *Balonne Shire Planning Scheme 2019*.
- iv. The registered proprietor is responsible for gaining the approvals of any other Authorities having jurisdiction over any part of the works required to facilitate the approved development.
- v. New development on any of the approved lots must be provided with an adequate supply of electricity. In the event that an adequate supply of electricity cannot be achieved through efficient design and alternative energy technologies, a connection to the reticulated electricity network must be made available. Prospective purchasers and/or developers of the newly created lot/s are encouraged to contact the relevant electricity provider to determine the availability and costs associated with connecting to the reticulated network.
- vi. This approval lapses if a plan for the reconfiguration is not given to the Council within four (4) years of the approval taking effect.
- vii. The plan for the reconfiguration must be duly signed by the registered proprietor of the land and the surveyor, and submitted to Council for approval in a form acceptable to Council within the relevant period.

Unless otherwise stated all conditions shall be completed prior to the Council endorsing the relevant plan of survey.

- viii. All persons involved in the development, operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.
- ix. 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.
- x. It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans to the relevant authorities that are associated with the approved development, including any permits/approvals required by any State Agencies.
- xi. 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. Council should be contacted for advice in the event of any potential change in circumstances.

Approved development

1. The approved development is for a Reconfiguration of a Lot – Boundary Realignment (Two Lots into Two Lots) as shown on the approved plan.
2. The applicant shall contact Council to arrange a development compliance inspection prior to the endorsement of the survey plan.
3. Complete and maintain the approved development in accordance with:
 - (a) the development approval documents; and
 - (b) those parts of the approved development that have been specified in detail by the Council unless the Council agrees in writing that those parts will be adequately complied with by amended specifications.

General

4. The approved development is to be carried out generally in accordance with following approved plans and documents, as amended, and subject to the approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Drawing/report title:	Prepared by:	Date:	Reference no:	Version/iss
Proposal Plan to accompany Reconfiguring of a Lot Proposal over Lots 4 & 5 on SP276759 112-& 116 Alfred Street	SMK Consultants Pty Ltd	23/09/20	20026-1	

Proposal Plan to accompany Reconfiguring of a Lot Proposal over Lots 4 & 5 on SP276759 112-& 116 Alfred Street – Arial View	SMK Consultants Pty Ltd	23/09/20	20026-1	
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5. All works required to facilitate the development must be designed and constructed in accordance with:
 - (a) the development approval conditions;
 - (b) any relevant provisions of the applicable planning scheme;
 - (c) Council’s standard designs for such work where such designs exist;
 - (d) any relevant Australian Standard that applies to that type of work; and
 - (e) 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.
6. All civil and related work is to be designed and supervised by Registered Professional Engineers of Queensland (RPEQ-Civil) who are competent in the construction of the works.
7. Existing buildings, structures, infrastructure and services located on the development site are not to encroach on proposed allotment boundaries.

Provision of Services

8. Each lot is to have a water supply adequate for the intended use.
9. All services installation, including onsite sewerage and water connections, must comply with:
 - (a) the development approval conditions;
 - (b) the relevant service provider’s requirements and specifications;
 - (c) any relevant provisions in the planning scheme for the area;
 - (d) Council’s standard designs for such work where such designs exist;
 - (e) any relevant Australian Standard that applies to that type of work; and
 - (f) any alternative specifications that the 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.
10. Any conflicts associated with proposed and existing services are to be forwarded by the developer to the appropriate controlling authority for approval of any proposed changes.
11. Infrastructure and services required in connection with the establishment of the approved development must be provided at no cost to Council.

Access & Roads

12. The landowner is responsible for the construction and maintenance of crossovers from the road carriageway to the property boundary and all internal vehicle access ways, and for obtaining any

approvals that may be required and for complying with the applicable designs and standards.

Repair Damaged Infrastructure

13. Council and public utility services, infrastructure and assets must be located and protected at all times. Any damage to existing roads and infrastructure that is attributable to the development of the site must be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative/s, and at no cost to Council.

No Cost to Council

14. All costs associated with the approved development are to be met by the developer, including costs of survey, easement preparation and registration, document lodgement, plan sealing and land transfers, unless there is specific agreement by other parties, including the Council, to meeting those costs.

Latest versions

15. 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 available at the time the first operational works or compliance approval is lodged with the assessment manager or approval agency for those types of works to be performed or approved, unless a regulation or law requires otherwise.

Rates and charges

16. All rates and charges of any description and all arrears of such rates and charges, together with interest outstanding thereon, on the land, due to Council, shall be paid prior to the Council endorsing the plan of survey.

CARRIED UNANIMOUSLY

ERS2

MCU 187 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "TELECOMMUNICATIONS FACILITY" LOCATED AT 1 - 57 JANE STREET, DIRRANBANDI QLD 4486 (DESCRIBED AS LOT 1 ON RP100720)

MCU 187 Development Application for Material Change of Use telecommunications facility at 1-57 Jane Street, Dirranbandi (Lot 1 on RP100720) by Council's planner.

Cr Fuhrmeister moved and Cr Winks seconded:

That:

1. Council approves the development application MCU187 for a Material Change of Use – "Telecommunications Facility" on land located at 1-57 Jane Street, Dirranbandi, described as Lot 1 on RP100720 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	Plan/Document Name	Date
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Number		
067-B003A Issue A	Site Plan	13/10/2020
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. 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

24. 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

25. 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

26. 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

Fiona Macleod (Planning & Development Officer) left the meeting time being 1:07pm.

ERS3

BSC CLIMATE RESILIENCE POLICY STATEMENTS

BSC Climate Resilience Policy Statements by the Director Environment and Regulatory Services.

Cr Fuhrmeister moved and Cr Lomman seconded:

That Council resolves the 'basic' and 'intermediate'-level climate change adaptation policy statements, outlined in Table B of this report, be incorporated into those policy documents when they are reviewed or funded.

AMENDMENT

Cr Winks moved Cr Scriven seconded

That Council resolves the 'basic' level climate change adaptation policy statements, outlined in Table B of this report, to be incorporated into those policy documents when they are reviewed or funded.

The amendment on being put was lost 3/4

MOTION

That Council resolves the 'basic' and 'intermediate'-level climate change adaptation policy statements, outlined in Table B of this report, be incorporated into those policy documents when they are reviewed or funded

CARRIED 6/1

Cr Scriven requested his name to be recorded against the motion.

Michelle Clarke (Director Finance & Corporate Services) left the meeting time being 1:13pm and returned to the meeting time being 1:15pm.

ERS4

STOCK ROUTE COMPLIANCE PRIORITY POLICY AND COMPLIANCE PROCEDURE

Stock Route Compliance Priority Policy and Compliance Procedure by the Director Environment and Regulatory Services.

Cr Fuhrmeister moved and Cr Lomman seconded:

That Council resolves to approve the Stock Route Compliance Priority Policy and Compliance Procedure.

CARRIED UNANIMOUSLY

Councillor Winks requested his concerns in the following statement to be recorded:

He is concerned that some historical acceptable past practices by landholders on stock routes / road reserves, could, and will, now become compliance issues.

Some landholders may not fully understand or know the legislation surrounding the management of the stock route / road reserves by Council.

Therefore, he believes Council needs to make landholders more aware of their obligation and Councils around this legislation, through a consultation and education process, and that Council needs to take a cautious approach to compliance.”

Cr O'Toole left meeting the time being 1:51pm and returned to the meeting the time being 1:54pm.

Di Francisco (Environmental Health Officer), Spencer Hodge (Environmental Fields Officer) left the meeting the time being 1:55pm.

CLOSED MEETING

Cr Todd moved and Cr Fuhrmeister seconded:

That the meeting enters into a closed session to discuss confidential agenda items, CFS1, CERS1, CERS2, in accordance with section 254J of the Local Government Regulations 2012, the time being 1:55pm.

CARRIED UNANIMOUSLY

Councillor Scott Scriven declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **CERS1**, on the grounds that:

His brother Mr John Scriven is applying for a stock dog permit.

In accordance with s150EF(3) of the Local Government Act 2009, Councillor Scriven voluntarily left the meeting at 2:03pm, during closed session.

In accordance with s150EL of the Local Government Act 2009 **Councillor Rod Avery** gave notice of a **Prescribed Conflict of Interest** in respect to matters contained in **CERS1**, on the grounds that:
He has an application in to Council for approval for a stock dog permit
Councillor Avery voluntarily left the meeting, in accordance with s150EM(2) of the Local Government Act 2009 at 2:03pm, during closed session.

Cr Scriven and Cr Avery returned to meeting time being 2:04pm.

Di Francisco (Environmental Health Officer), Spencer Hodge (Environmental Fields Officer) returned to the meeting time being 2:03pm, in closed session to speak to report CERS2.

OPEN MEETING

Cr Winks moved and Cr Scriven seconded:

That the meeting moves out of closed session, the time being 2:25pm.

CARRIED UNANIMOUSLY

CONFIDENTIAL ITEMS (CFCS) FINANCE AND CORPORATE SERVICES

CCFS1 REQUEST FOR A RATING EXEMPTION ASSESSMENT 641

Request for rating exemption for Assessment 641

Cr Todd moved and Cr Scriven seconded:

That Council resolve to:

1. advise the property owner of Assessment 641 to enter into a payment arrangement with the option of applying for a hardship payment arrangement, in accordance with the Council's Revenue Statement 2020/2021 section 13.0 and
2. advise the property owner they can reduce the cleansing services to assist in minimising charges for the next two years.

CARRIED UNANIMOUSLY

Di Francisco (Environmental Health Officer), Spencer Hodge (Environmental Fields Officer) left the meeting time being 2:26pm.

(CERS) ENVIRONMENT & REGULATORY SERVICES

Councillor Scott Scriven declared a **Declarable Conflict of Interest** in accordance with s150EF(3) of the Local Government Act 2009, with respect to matters contained in **CERS1**, on the grounds that:
His brother Mr John Scriven is applying for a stock dog permit.

In accordance with s150EF(3) of the Local Government Act 2009, Councillor Scriven voluntarily left the meeting at 2:27pm, during open session.

In accordance with s150EL of the Local Government Act 2009 **Councillor Rod Avery** gave notice of

a **Prescribed Conflict of Interest** in respect to matters contained in **CERS1**, on the grounds that:
He has an application in to Council for approval for a stock dog permit
Councillor Avery voluntarily left the meeting, in accordance with s150EM(2) of the Local Government Act 2009 at 2:27pm, during open session.

(CERS) ENVIRONMENT & REGULATORY SERVICES

CERS1 APPROVAL OF STOCK DOG PERMITS

Approval of Stock Dog Permits

Cr Fuhrmeister moved and Cr Todd seconded:

That Council approves the applications by the following for the Keeping of Stock Dogs at their premises:

1. 11 Mary Street, BOLLON QLD 4488
2. 27 Crothers Street, DIRRANBANDI QLD 4486
3. 52-54 Main Street, BOLLON QLD 4488
4. 12517 Paltridge Road, ST GEORGE QLD 4487
5. 10-12 Perkins Street, DIRRANBANDI QLD 4486
6. 82 Ida Street, DIRRANBANDI QLD 4486
7. 45 Turvey Court ST GEORGE QLD 4487
8. 38 Herbert Street, ST GEORGE QLD 4487

CARRIED UNANIMOUSLY

Cr Scriven and Cr Avery returned to meeting at 2:28pm.

CERS2 ILLEGAL DUMPING - TYRE WALL - STOCK ROUTE RESERVE

Currently there is a tyre wall located on Council's stock route. Approximately 1200-1300 semi-trailer vehicle tyres are combined to make this tyre wall.

Cr Avery moved and Cr Lomman seconded:

That Council resolves to:

Meet the cost of the removal and recycling of the tyre wall from the waste budget.

CARRIED 6/1

Cr Fuhrmeister requested her name to be noted against the motion.

Council Meeting Adjourned for lunch, the time being 2:30pm.

Council reconvened from lunch, the time being 2:45pm.

COUNCILLOR REPORTS:

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

GENERAL BUSINESS

Councillor Lomman requested a workshop be scheduled with Councillors to discuss ideas for tourism within Balonne Shire.

INFORMATION REPORTS (IOCEO) OFFICE OF THE CEO

IOCEO1 MONTHLY REPORT COMMUNITY AND LIBRARY SERVICES

September Monthly Report for Communities and Libraries

IOCEO2 TOURISM SERVICES MONTHLY REPORT

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

IOCEO3 COMMUNICATIONS AND MEDIA MONTHLY REPORT

Monthly report for Media and Communications – 05 September to 16 October 2020

IOCEO4 ECONOMIC DEVELOPMENT UPDATE SEPTEMBER 2020

Economic Development Update September 2020

(IFCS) FINANCE AND CORPORATE SERVICES

ICFS1 MONTHLY REPORT

Grants Monthly Information Report

ICFS2 MONTHLY REPORT DIRECTOR FINANCE & CORPORATE SERVICES

Monthly report for September/October - Finance and Corporate Services

(IIFS) INFRASTRUCTURE SERVICES

IIFS1 DEPARTMENT OF INFRASTRUCTURE SERVICE'S MONTHLY REPORT

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

(IERS) ENVIRONMENT & REGULATORY SERVICES

IERS1 MONTHLY REPORT ENVIRONMENT AND REGULATORY SERVICES

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

There being no further business, the Meeting closed, the time being 3.10pm.
Confirmed at a General Meeting of the Council held on 19 November 2020.

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MAYOR