



MINUTES

of the

General Meeting of the Council

held in the

Disaster Training Room, 118 Victoria Street, St George

on

Thursday 17th December 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, SS Scriven, ID Todd and WN Winks

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

LEAVE OF ABSENCE

Cr Avery moved and Cr Winks second that Cr RW Lomman be granted a leave of absence.

CONFIRMATION OF MINUTES

Cr Fuhrmeister moved and Cr Avery seconded:

That the Minutes of the General Meeting held on 19 November, 2020 be confirmed.

CARRIED UNANIMOUSLY

DECLARATION OF INTERESTS

Councillor Ian Todd declared a **Prescribed Conflict of Interest**, in accordance with s150EL(2) of the Local Government Act 2009, in respect to matters contained in **FCS2** on the grounds that:

Councillor Todd qualified to be a contractor for purpose of constructing his own Wild Dog Exclusion fence.

In accordance with s150EM of the Local Government Act 2009 Councillor Todd indicated he would not participate in the decision and would voluntarily leave the meeting.

Councillor Samantha O'Toole declared a **Declarable Conflict of Interest** in accordance with s150EQ of the Local Government Act 2009, with respect to matters contained in **IFS3** on the grounds that:

Councillor O'Toole has ownership of the Balonne Airwork and aircraft and owns a remote airstrip.

Councillor O'Toole indicated she would request to participate in the decision in accordance with s150ES of the Local Government Act 2009 on the grounds should could make her decision in the public interest.

Councillor Samantha O'Toole declared a **Declarable Conflict of Interest** in accordance with s150EQ of the Local Government Act 2009, with respect to matters contained in **CCFS3** on the grounds that:

Councillor O'Toole is neighbours and friendly with the requesting party.

In accordance with s150ES of the Local Government Act 2009, Councillor O'Toole indicated she would not participate in the decision and would voluntarily leave the meeting.

Councillor Scriven advised that he no longer has an interest in **OCEO1**, as per S150EO of the Local Government Act 2009, he is not on the Executive of the St George 399 event committee.

BUSINESS ARISING FROM MINUTES

NIL

PUBLIC PARTICIPATION

NIL

DEPUTATIONS

NIL

Kim Wildman (Manager Tourism) entered the meeting, the time being 9:04am.

MEETING BUSINESS BY CORPORATE FUNCTION

(OCEO) OFFICE OF THE CEO

OCEO1 ST GEORGE 399 FUNDING AGREEMENT

Cr Avery moved and Cr Winks seconded:

That Council resolves to amend the Three (3) Year Deed of Funding Agreement with SEQORRA noting the next two payments will be made in the 2021/2022 and 2022/2023 financial years.

CARRIED UNANIMOUSLY

Kim Wildman (Manager Tourism) left the meeting, the time being 9:09am.

Elizabeth Jones (Community Development Services Manager) entered the meeting, the time being 9:10am.

OCEO2 RATIFICATION OF TERMS OF REFERENCE FOR COMMUNITY ADVISORY COMMITTEE AND WORK CAMP COMMUNITY ADVISORY COMMITTEE

The Terms of Reference (TOR) for Community Advisory Committee and Work Camp Community Advisory Committee

Cr Fuhrmeister moved and Cr Todd seconded:

That Council resolves to:

1. adopt the Community Advisory Committee Terms of Reference; as attached and
2. adopt the Work Camp Advisory Committee Terms of Reference, as attached.

CARRIED UNANIMOUSLY

Elizabeth Jones (Community Development Services Manager) left the meeting, the time being 9:15am.

Tracey Lee (Manager of Finance Services) entered the meeting, the time being 9:18am.

(FCS) FINANCE AND CORPORATE SERVICES

FCS1

BUDGET AMENDMENT AND REVENUE RECOGNITION - MDBEDP MUNGINDI RIVER PARK UPGRADE STAGES 2 AND 3

Amendment to Budget and Revenue Recognition Report – Mungindi River Park Upgrade Stages 2 and 3

Cr Winks moved and Cr Todd seconded:

That Council resolves to:

- 1) amend the Budget 2020/21 in accordance with S170(3) of the Local Government Regulations 2012 as follows:

AMENDED Capital Projects 2020/21									
	GL/Work Order	Asset Type (New, Upgrade, Renewal)	YTD Actuals As At 03/03/2020	Total - Multi-Year Project Budget	2020/21 Budget				2021/22 Project Budget
					Budget (total for 20/21)	Funding from external source	2020/21 Council's Expenditure	Restricted Cash (from prior years)	
CARRY OVER FROM ORIGINAL BUDGET 2020-21									
INFRASTRUCTURE PARKS & GARDENS									
				\$ 4,987,500	\$ 9,326,134	\$ 3,597,160	\$ 4,486,850	\$ 1,242,124	\$ 110,000
				\$ 239,000	\$ 150,000	\$ 150,000			\$ 89,000

- 2) note the revenue recognition assessment that revenue will be recognised as received.

CARRIED UNANIMOUSLY

FCS2 WILD DOG EXCLUSION FENCING - CONTRACTORS PRE-QUALIFIED SUPPLIERS LIST

In accordance with s150EL of the Local Government Act 2009 **Councillor Ian Todd** declared a **Prescribed Conflict of Interest** in respect to matters contained in **FCS2** on the grounds that:

Councillor Todd qualified to be a contractor for the purpose of constructing his own Wild Dog Exclusion fence. Councillor Todd voluntarily left the meeting, in accordance with s150EM(2) of the Local Government Act 2009 at 9:19am and did not participate in the decision.

FCS2

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 to appoint the following contractors to the preferred supplier list for construction of wild dog exclusion fencing:

- Sunset Group Australia Pty Ltd
- The Trustee for Hemming Family Trust
- The Trustee for Rathbone Family Grazing Trust
- Richard James Underwood
- BC & DJ Perkins
- DX Property Services
- ProCrew
- KF & SE Southern
- RF & OR Hams
- Douglas John Slack

- ID & RM Todd
- Dumeresq Partnership Pty Ltd
- Wodonga Pastoral Pty Ltd

CARRIED UNANIMOUSLY

Cr Todd returned to the meeting at 9:23am.

Andrew Boardman (Director Infrastructure Services) entered the meeting, the time being 9:25am.

Brenton Judge (Manager Transport and Drainage) and Peter Willey (Manager Water Sewerage and Towns) entered the meeting, the time being 9:36am.

FCS3 **MONTHLY FINANCIAL MANAGEMENT REPORT NOVEMBER 2020**

Monthly Financial Management Report as at 30 November 2020 as attached.

Cr Todd moved and Cr Fuhrmeister seconded:

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

CARRIED UNANIMOUSLY

Tracey Lee (Manager of Finance Services) left the meeting, the time being 9:37am.

(IFS) INFRASTRUCTURE SERVICES

IFS1 **SWIMMING POOL SEASON PASS FEE FOR DISABILITY CARD HOLDERS**

Swimming pool season pass fee for disability card holders.

Cr Scriven moved and Cr Fuhrmeister seconded:

That Council resolves to recognise disability card holders in the same category as pensioners with regard to St George annual pool pass fees as listed in Councils fees and charges.

CARRIED UNANIMOUSLY

IFS2 **BOLLON SKATE PARK LOCATION**

Bollon Skate Park Location

Cr Winks moved and Cr Fuhrmeister seconded:

That Council resolves to select Lot 53 SP135745, Walter Austin Park, as the preferred location to proceed with the Bollon Skate Park Project.

AMENDMENT

Cr Winks moved and Cr Fuhrmeister seconded

That the Council resolve to select Lot 1 RP102795 being open area beside the Civic Centre as the

preferred location to proceed with the Bollon Skate Park Project.

The amendment on being put was **LOST: 6:1**.

For - Cr Winks

Against - Crs O'Toole, Avery, Fuhrmeister, Scriven and Todd

The substantive motion was then put.

That Council resolve to select Lot 53 SP135745, Walter Austin Park, as the preferred location to proceed with the Bollon Skate Park Project.

CARRIED UNANIMOUSLY

IFS3 - **ST GEORGE AERODROME - REMOTE AIRSTRIP UPGRADE PROGRAM - ROUND 8**

Councillor Samantha O'Toole declared a **Declarable Conflict of Interest** in accordance with s150EQ of the Local Government Act 2009, with respect to matters contained in **IFS3** on the grounds that:

Councillor O'Toole has ownership in Balonne Airwork and they own aircraft and their own remote airstrip. Cr O'Toole requested to remain in the meeting and would make her decision in the public interest.

Councillor Scriven moved and Councillor Fuhrmeister seconded

That Council resolve under s150ES(3)(a)(i) of the Local Government Act ,2009 that Councillor O'Toole may participate in the decision despite having a declarable conflict of interest in the matter.

CARRIED UNANIMOUSLY

IFS3 **ST GEORGE AERODROME - REMOTE AIRSTRIP UPGRADE PROGRAM - ROUND 8**

St George Aerodrome – Remote Airstrip Upgrade Program – Round 8

Cr Avery moved and Cr Fuhrmeister seconded:

That Council resolves to co-contribute \$410,000 in the 2021/22 financial year towards the St George Aerodrome General Aviation Taxiway & Apron Upgrade if successful in the Remote Airstrip Upgrade Program – Round 8.

CARRIED 4:3 with the Mayor exercising her casting vote.

For - Crs O'Toole, Avery and Fuhrmeister

Against - Crs Scriven, Todd and Winks

Councillor Todd requested his reasons be recorded for voting against the motion due to budget constraints and due process not being followed.

IFS4 **CUSTOMER REQUEST TO BITUMEN SEAL THURAGGI ROAD**

Customer Request to Bitumen Seal Thuraggi Road

Cr Fuhrmeister moved and Cr Todd seconded:

That Council resolves to nominate \$315,000 out of the 2021/22 Roads to Recovery Grant Funding to the bitumen sealing of Thuraggi Road from Chainage 0.62km to 4.2km.

AMENDMENT

Cr Fuhrmeister moved and Cr Todd seconded

That Council receives the report and defers consideration of the request to the 2021/22 Budget deliberations on Council's Roads Program.

The amendment on being put became the substantive motion and was

CARRIED UNANIMOUSLY

Cr Todd left the meeting, the time being 10:42am and returned at 10:44am.

The meeting adjourned for Morning Tea the time being,10:46am.
The meeting resumed at 11:05am.

IFS5

BOLLON BEACH - PROJECT REQUEST

Bollon Beach – Project Request

Cr Avery moved and Cr Scriven seconded:

That Council resolves to

1. Accept the Bollon Beach proposal as a Council initiative under the Project Governance Framework and progress the proposal to the 'select' phase (consultation, options analysis, business case, concept) of the Framework.
2. Include the project within the Bollon RV and Streetscape Master Plan.

AMENDMENT

Cr Avery moved and Cr Scriven seconded

That Council receives the correspondence and not approve the project and not proceed.

The amendment on being put became the substantive motion and was

CARRIED UNANIMOUSLY

IFS6

THALLON ART HISTORY SCULPTURE TRAIL

Thallon Art History Sculpture Trail

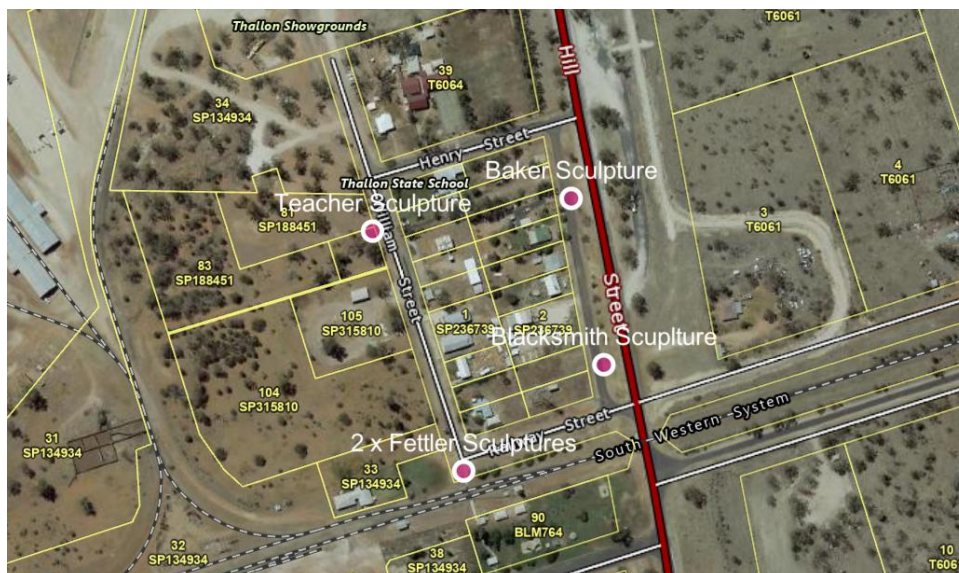
Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to:

1. advise the Thallon Progress Association that Council has no objections to the location of the first fettle sculpture as identified in table and map below, subject to installation having the appropriate permits (i.e. Road Corridor Permits, Local Laws requirement).
2. advise the Thallon Progress Association that Council has no objections to the location of the remaining sculptures as identified in table and map below, subject to installation having the appropriate permits (i.e. Road Corridor Permits, Local Laws requirement).
3. seek to develop a draft memorandum of understanding with the Thallon Progress

Association regarding liability and ownership with subject to final approval by Council.

Sculpture/Location	Latitude	Longitude
1st Fettle (near railway track)	-28.635931	148.867979
2nd Fettle (near railway track)	-28.635931	148.867979
Blacksmith (Hill Street Road Corridor)	-28.635192	148.869079
Baker (Hill Street Road Corridor)	-28.634047	148.868828
School Teacher (William Street)	-28.634270	18.867260



CARRIED UNANIMOUSLY

Digby Whyte (Director of Environmental and Regulatory Services) left the meeting, the time being 11:29am.
 Digby Whyte (Director of Environmental and Regulatory Services) returned to the meeting, the time being 11:32am.

Fiona Macleod (Planning and Development Officer) entered the meeting, the time being 11:32am.

Brenton Judge (Manager Transport and Drainage), Peter Willey (Manager Water Sewerage and Towns) left the meeting, the time being 11:37am.

(ERS) ENVIRONMENT & REGULATORY SERVICES

ERS1

RL 108 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT - BOUNDARY REALIGNMENT (TWO LOTS INTO TWO LOTS) LOCATED AT 9 & 22 JOHNSTON ROAD, ST GEORGE QLD 4487 (DESCRIBED AS LOT 6 ON SP127240 AND LOT 7 ON RP218855)

RL 108 Development Application for reconfiguring a lot – boundary realignment (two into two lots) at 9 & 22 Johnston Road, St George Qld 4487 (described as Lot 6 on SP127240 and Lot 7 on RP218855), by Council's planner.

Cr Scriven moved and Cr Avery seconded:

That:

- a) Council receives this report.
- b) Council approves the development application RL 108 - Development Application for Reconfiguring a Lot - Boundary Realignment (two lots into two lots) located at 9 & 22 Johnston Road, St George QLD 4487 (described as Lot 6 on SP127240 and Lot 7 on

RP218855), 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.
- viii. Unless otherwise stated all conditions shall be completed prior to the Council endorsing the relevant plan of survey.
- ix. 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*.
- x. 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.
- xi. 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.

- xii. 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/issue:
Proposal Plan to accompany Reconfiguring of a Lot Proposal over Lots 6/SP127240 and 7/RP218855	SMK Consultants Pty Ltd	28/09/20	20052	1
Proposal Plan to accompany Reconfiguring of a Lot Proposal over Lots 6/SP127240 and 7/RP218855– Arial View	SMK Consultants Pty Ltd	28/09/20	20052	1

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

Cr Todd moved and Cr Scriven seconded:

That Standing Orders be suspended in order to consider supplementary agenda item ERS2.

CARRIED UNANIMOUSLY

ERS1

RL 107 - DEVELOPMENT APPLICATION FOR RECONFIGURING A LOT - SUBDIVISION (TWO INTO THREE LOTS) LOCATED AT 'TARILLA' CARNARVON HIGHWAY, ST GEORGE QLD 4487 (DESCRIBED AS LOT 3 ON RP884728 AND LOT 4 ON BLM1132)

RL 107 Development Application for reconfiguring a lot – subdivision (two into three lots) at 'Tarilla' Carnarvon Highway, St George Qld 4487 (described as Lot 3 on RP884728 and Lot 4 on BLM1132), by Council's planner.

Cr Todd moved and Cr Avery seconded:

That:

- a) Council receives this report.
- b) Council approves the development application RL 107 - Development Application for Reconfiguring a Lot - Subdivision (two into three lots) located at 'Tarilla' Carnarvon Highway, St George QLD 4487 (described as Lot 3 on RP884728 and Lot 4 on BLM1132), 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.
- viii. Unless otherwise stated all conditions shall be completed prior to the Council endorsing the relevant plan of survey.
- ix. 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*.
- x. 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.
- xi. 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.
- xii. 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 – Subdivision (Two Lots into Three 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/issue:
Proposal Plan to accompany subdivision application over Lot 3 on RP884728 and Lot 4 on BLM1132	SMK QLD Pty Ltd	15/10/20	20051	1
Proposal Plan to accompany subdivision application over Lot 3 on RP884728 and Lot 4 on BLM1132 – Arial View	SMK QLD Pty Ltd	15/10/20	20051	1

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 and must achieve the minimum setbacks prescribed in the Planning Scheme.

Provision of Services

8. Each lot must be provided with a permanent water supply prior to endorsement of the Plan of Survey.

Note: If water is supplied to the lots by a shared bore arrangement, a copy of the approved water share agreement signed by all affected parties (including all new proposed lots and existing users) is to be provided to Council prior to endorsement of the Plan of Survey. This documentation should confirm that the consent of all affected parties has been given to the supply of water for all lots that will be created as a result of the subdivision.

9. Reticulated sewerage is unavailable to the development site. A development permit for plumbing and drainage works must be obtained from Council for any onsite sewerage system provided on the proposed lots.
10. Prior to endorsement of the Plan of Survey, certificate(s) must be obtained from a provider agency and presented to Council stating that electricity supply network connections can be made available to proposed Lots 2 & 3 and that adequate electricity supplies are available or can be made.
11. Infrastructure and services required in connection with the establishment of the approved development must be provided at no cost to Council.

Stormwater and drainage

12. Post-development stormwater runoff flows, whose characteristics include volume, concentration and velocities, from the development site are not to exceed pre-development stormwater runoff flows to adjoining properties.
13. There must be no increases in any silt loads or contaminants in any overland flow from the property during the course of any works required to establish the approved development or fulfil the requirements of the development approval conditions.

Access & Roads

14. Each lot must have vehicle access to a formed road. 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.
15. Vehicle access must be provided to the approved lots, prior to Council endorsing the Plan of Survey.

Repair Damaged Infrastructure

16. 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

17. 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

18. 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

19. 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

The order of business resumed.

Fiona MacLeod left the meeting, the time being 12:00pm.

CONFIDENTIAL ITEMS

CLOSED MEETING

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council move into closed session, the time being [12:00pm] in accordance with S254J of the Local Government Regulations 2012 relating to: CCFS1, CCFS2, CCFS3, CERS1 and CIS1]

CARRIED UNANIMOUSLY

IN CLOSED

Cr Todd left meeting the time being 12:05pm and returned at 12:06pm.

Cr Avery left meeting the time being 12:07pm and returned at 12:10pm.

CCFS3 REQUEST FOR REFUND OF WASTEWATER CHARGES - ASSESSMENT A1086

Councillor Samantha O'Toole declared a **Declarable Conflict of Interest** in accordance with s150EQ of the Local Government Act 2009, with respect to matters contained in **CCFS3** on the grounds that:

Councillor O'Toole is neighbours and friendly with the requesting party.

Councillor O'Toole voluntarily left the meeting, in accordance with s150ES(2) of the Local Government Act 2009 at 12:15pm.

Councillor Scriven assumed the Chair, the time being 12:16pm.

Cr O'Toole returned to the meeting in closed session and resumed the chair the time being 12:27pm.

Cr Avery left the meeting the time being 12:34pm and returned at 12:35pm.

Digby Whyte (Director of Environmental and Regulatory Services) left the meeting the time being 12:37pm and returned at 12:40pm.

OPEN MEETING

Cr Avery moved and Cr Fuhrmeister seconded:

That Council move back into open session, the time being 12:54pm.

CARRIED UNANIMOUSLY

The meeting was adjourned for lunch, the time being 12:55pm.

The meeting resumed at 1:45pm.

(CFCS) FINANCE AND CORPORATE SERVICES

CCFS1 LIBRARY REVITALISATION PROJECT - REQUEST FOR TENDER 2021 - T08 - DESIGN

St George Library Revitalisation Project RFT BSC 20/21-T08

Cr Winks moved and Cr Avery seconded:

That Council resolves to award the contract for the St George Library Revitalisation Project – Architect BSC 20/21-T08 to Fulton Trotter Architects at the fixed price of \$264,335 (exclusive of GST) to commence 18 December 2020.

CARRIED UNANIMOUSLY

CCFS2 SALE OF LAND FOR ARREARS OF RATES - PETROLEUM LEASES

Sale of Land for Arrears of Rates

Cr Fuhrmeister moved and Cr Todd seconded:

That Council resolve to:

1. cease proceedings of sale of land for arrears of rates for 01562-00000-000 with the new assessment number being A1635 in accordance with Local Government Regulation 2012 stipulates in part 12, section 140, (1), (b).
2. begin the sale of land for arrears of rates and charges by auction for 01303-00000-000 being new assessment number A1334 in the new year with other potential properties with overdue rates to ensure associated costs are recoverable.
3. advise the Department of Natural Resources, Mines and Energy of the outstanding rates and charges on petroleum leases;
4. continue to lobby the Queensland Government through the Local Government Association of Queensland regarding the issues with mining/petroleum leases and rate arrears and the limited options for rate recovery available to councils.

CARRIED UNANIMOUSLY

Councillor O'Toole voluntarily left the meeting, in accordance with s150ES(2) of the Local Government Act, the time being 1:50pm and did not participate in the decision for **CCFS3**.

Cr Scriven assumed the chair the time being 1:50pm.

CCFS3 **REQUEST FOR REFUND OF WASTEWATER CHARGES - ASSESSMENT A1086**

Water Connection Charges Assessment A1086 formerly Assessment 01072

Cr Fuhrmeister moved and Cr Avery seconded:

That Council resolves to:

1. Advise the landholder the unconnected wastewater charges have been allocated correctly therefore no refund is applicable and,
2. Request the landholder sign a letter of confirmation to request a change of rating category from category 11 – Commercial to category 1 – Residential if their business is no longer operational.
3. Delegate to the CEO to offer to meet to explain Council's decision with the landholder.

CARRIED UNANIMOUSLY

Cr O'Toole returned and resumed the chair the time being 1:51pm. Michelle Clarke returned to the meeting following the lunch adjournment at 1.55pm.

(CERS) ENVIRONMENT & REGULATORY SERVICES

CERS1 **APPROVAL OF STOCK DOG PERMITS**

Approval of Stock Dog Permits.

Cr Avery moved and Cr Fuhrmeister seconded:

That Council approves the applications by the following for the Keeping of Stock Dogs at their premises provided compliant with requirements in Local Laws:

1. 34 Andrew Street, ST GEORGE
2. 45 Roe Street, ST GEORGE
3. 69 Arthur Street, ST GEORGE

CARRIED UNANIMOUSLY

(CIFS) INFRASTRUCTURE SERVICES

CIFS1 **BALONNE SPLASH PARK TENDER**

Balonne Splash Park Tender

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to award the Balonne Splash Park Tender (BSC 20/21-T09) to be built at Lots 2&3 RP107730 Victoria Street St George Queensland to Beau Homes Pty Ltd (T/A Beau Corp Aquatics & Construction) for the Lump Sum amount of One Million and Fifty-Eight Thousand Nine Hundred and Forty-Eight Thousand Dollars (\$1,058,948.00).

CARRIED UNANIMOUSLY

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 **ECONOMIC DEVELOPMENT REPORT NOVEMBER 2020**

Economic Development Report November 2020

IOCEO2 **MONTHLY REPORT - COMMUNICATIONS AND MEDIA**

Communications and Media Monthly Report

IOCEO3 **TOURISM SERVICES MONTHLY REPORT**

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

IOCEO4 **MONTHLY REPORT COMMUNITY AND LIBRARY SERVICES**

November Monthly Report for Communities and Libraries

(IFCS) FINANCE AND CORPORATE SERVICES

ICFS1 **GRANTS MONTHLY REPORT**

Grants Monthly report Information October - November 2020

ICFS2 **MONTHLY REPORT DIRECTOR FINANCE & CORPORATE SERVICES**

Monthly report for November/December - 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 November 2020.

IIFS2 **MONTHLY REPORT**

Monthly Safety Report

(IERS) ENVIRONMENT & REGULATORY SERVICES

IERS1

MONTHLY REPORT ENVIRONMENT AND REGULATORY SERVICES

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

There being no further business, the Meeting closed, the time being 2:40pm..

Confirmed at a General Meeting of the Council held on 7 January 2021.

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MAYOR