

UNCONFIRMED



MINUTES

of the

Ordinary Meeting of the Council

held in the

Council Chambers, 118 Victoria Street, St George

on

Thursday 19th January 2023

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

Cr SC O'Toole (Chair), Crs RD Avery, RG Fuhrmeister, RW Lomman, WN Winks, SS Scriven and AC Benn

Mr Matthew Magin (Chief Executive Officer), Mrs Michelle Clarke (Director Financial & Corporate Services), Mr Digby Whyte (Director Community and Environmental Services) and Mr Paul O'Connor (Acting Director Infrastructure Services).

LEAVE OF ABSENCE

Nil

CONFIRMATION OF MINUTES

Cr Scriven moved and Cr Fuhrmeister seconded:

That the Minutes of the General Meeting held on 15 December, 2022 be confirmed.

CARRIED UNANIMOUSLY

CONFIRMATION OF MINUTES

Cr Fuhrmeister moved and Cr Winks seconded:

That the Minutes of the Special Meeting held on 21 December, 2022 be confirmed.

CARRIED UNANIMOUSLY

BUSINESS ARISING FROM MINUTES

Nil

PUBLIC PARTICIPATION

Nil

DEPUTATIONS

Nil

DECLARATION OF INTEREST

Councillor Samantha O'Toole gave notice of a **Prescribed Conflict of Interest** in accordance with S150EL of the Local Government Act 2009, in respect to matters contained in **CES3**, on the grounds that: one of the joint applicants in the report are related to Councillor O'Toole's husband Jason O'Toole.

Councillor O'Toole indicated that she would voluntarily leave the meeting and not participate in the

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debate or decision.

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

Kim Wildman (Tourism Manager) entered the meeting, the time being 9:10am.

OCEO1 TOURISM EVENTS GRANT APPLICATION – GRAZING AT THE WATERING HOLE

Cr Fuhrmeister moved and Cr Scriven seconded:

That Council resolves to:

1. Sponsor the Thallon Progress Association with \$3,000.00 from the Tourism Events Grant Funding Program for the 2023 Grazing at the Watering Hole event.
2. Waive the fee for the hire of the McGeever Recreational/Campgrounds and bins for the 2023 Grazing at the Watering Hole event.

CARRIED UNANIMOUSLY

Kim Wildman (Tourism Manager) left the meeting, the time being 9:19am.

(FCS) FINANCE AND CORPORATE SERVICES

FCS1 CEO DELEGATIONS ANNUAL REVIEW

Cr Lomman moved and Cr Benn seconded:

That Council resolves to:

1. Adopt the Instrument of Delegation for the Chief Executive Officer, as attached; and
2. Hereby delegate all powers referred to in the document titled "Register of Delegations – Council to CEO by Council to the Chief Executive Officer of the Balonne Shire Council pursuant to section 257 of the Local Government Act 2009' as tabled, and
3. Adopt the Delegation Policy, as attached.

CARRIED UNANIMOUSLY

FCS2 DECLARATION OF INTEREST - JANUARY COUNCILLOR WORKSHOP

Cr Avery moved and Cr Scriven seconded:

That individual Councillors declare any declarable conflicts of interest for eligible Councillors to consider how they may or may not participate in Councillor workshops and/or meetings to comply with S150ER and S150ES of the Local Government Act 2009.

Airport & Industrial Land Development

Councillor Samantha O'Toole declared a Prescribed Conflict of Interest in accordance with S150EM(2) of the Local Government Act 2009, with respect to matters relating to the Airport & Industrial Development, on grounds that Councillor O'Toole and husband Jason O'Toole own and operate Balonne Airwork.

Councillor O'Toole advised she would voluntarily leave any councillor workshop or standing committee meeting relating to this matter, in accordance with s150EQ(3) of the Local Government Act 2009.

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FCS3

MODEL MEETING PROCEDURES

Cr Fuhrmeister moved and Cr Winks seconded:

That Council resolves to:

1. rescind the previous version of the Code of Meeting Practice adopted by Council 29 October 2020; and
2. adopt the final version of the Code of Meeting Practice, as attached

CARRIED UNANIMOUSLY

FCS4

INVESTIGATION POLICY - STATUTORY - COUNCILLOR INAPPROPRIATE CONDUCT

Cr Fuhrmeister moved and Cr Lomman seconded:

That Council resolves to:

1. rescind the previous version of the Councillor Complaint Investigation Policy adopted by Council 20 October 2020;
2. adopt the final version of the Investigation Policy (Statutory) Councillor Inappropriate Conduct, as attached.

CARRIED UNANIMOUSLY

FCS5

REVISED ENTERPRISE RISK MANAGEMENT FRAMEWORK AND POLICY

Cr Winks moved and Cr Benn seconded:

That Council resolves to:

1. Rescind the previous version of the Enterprise Risk Management Framework and Policy adopted by Council 21 May 2021; and
2. Adopt the attached revised version of the Enterprise Risk Management Framework and Policy.

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Craig Dreher (Accountant) and Samantha Speedy (Accountant) entered the meeting, the time being 9:39am. Councillor Avery left the meeting, the time being 9:39am and returned at 9:44am.

Dianne Francisco (Manager of Environmental Services), Ron Petterson (Manager Community Services) Digby Whyte (Director Community and Environmental Services) entered the meeting, the time being 9:50am.

FCS6

FINANCE REPORT - MONTH ENDING 31 DECEMBER 2022

Cr Fuhrmeister moved and Cr Lomman seconded:

That the monthly Financial Management Report for the period ending 31 December 2022, as attached, be received and noted.

CARRIED UNANIMOUSLY

Craig Dreher (Accountant) and Samantha Speedy (Accountant) left the meeting, the time being 9:57am

FCS1

MUNGINDI PUMP TRACK

Cr Lomman moved and Cr Fuhrmeister seconded:

That Council resolves to

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1. Support the Mungindi community for the construction of the proposed pump track; and
2. Donate the \$15,000 as requested by the Moree Plains Shire Council and the Mungindi Progress Association; and
3. Funding to come from the project governance framework operational projects budget 2022/2023.

CARRIED UNANIMOUSLY

(IFS) INFRASTRUCTURE SERVICES

Nil Reports

(CES) COMMUNITY AND ENVIRONMENTAL SERVICES

CES1

AUTHORISED INSPECTION PROGRAM 1 MARCH TO 31 MAY 2023

Cr Avery moved and Cr Benn seconded:

1. That Council resolves to approve a systematic inspection program to monitor compliance with Section 134 of the Local Government Act, to be conducted for a period of three months commencing on 1 March 2023 and completed by 31 May 2023 located in the defined areas in the Shire.

CARRIED UNANIMOUSLY

Dianne Francisco (Manager of Environmental Services) left the meeting, the time being 10:31am.

CES2

COMPUTER ENGAGEMENT PROJECT - BUDGET AMENDMENT

Cr Lomman moved and Cr Winks seconded:

That Council resolves to, allocate \$14,000 from the library hub finalisation operational projects budget (2022/2023) to fund components for the construction of four high-specification computers by Balonne Youth Council members for the St George Library, to engage youth in library programs and increase computing capacity for library users.

CARRIED UNANIMOUSLY

Councillor Samantha O'Toole gave notice of a **Prescribed Conflict of Interest** in accordance with S150EL of the Local Government Act 2009, in respect to matters contained in **CES3**, on the grounds that: one of the joint applicants in the report are related to Councillor O'Toole's husband Jason O'Toole.

Councillor O'Toole left the meeting, the time being 10:42am.

Councillor Lomman (Deputy Mayor) assumed the chair, the time being 10:42am.

Kate Swepson (Maranoa Planning Consultant) joined the meeting via teleconference, the time being 10:43am.

CES3

REQUEST FOR SITING VARIATION 49 KENNY LANE, ST GEORGE

Cr Fuhrmeister moved and Cr Benn seconded:

That Council resolves to:

1. Approve the carport outbuilding at 49 Kenny Lane, St George to be located up to 500mm from the southern boundary as a siting variation from the standard 1.5m criterion.

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CES4

APPLICATION FOR A PERMIT TO OCCUPY - CHANGE OF REGISTERED PERMITTEE - LOCATED OVER LOT 1 ON CP PER4857

Cr Avery moved and Cr Benn seconded:

That:

1. Council does not object to the Application for Absolute of Surrender and Reissue of Permit to Occupy over Lot 1 on CP PER4857 for 'pump site' purposes; and
2. Council provides **Part C – Statement in relation to an application under the *Land Act 1994 over State Land*** to Inland Legal with no objection to the Application of Permit to Occupy over Lot 1 on CP PER4857 for 'pump site' with the same terms as the previous Registered Permittee.

CARRIED UNANIMOUSLY

Kate Swepson (Maranoa Planning Consultant) left the meeting via teleconference, the time being 10:51am.

CES5

TRAFFIC MANAGEMENT SPONSORSHIP - TRI ST GEORGE INC

Cr Fuhrmeister moved and Cr Avery seconded:

That Council approves the Traffic Management Sponsorship request amount of **\$3,000** from Tri St George Inc for the Battle on the Balonne event to be held on 25 and 26 February 2023, from the Community Grants and Assistance Traffic Management Sponsorship budget.

CARRIED UNANIMOUSLY

Ron Petterson (Manager Community Services) and Digby Whyte (Director Community and Environmental Services) left the meeting, the time being 10:54am.

Council adjourned for morning tea, the time being 10:55am.

Council resumed from morning tea in attendance – Councillor Lomman, Councillor Scriven, Councillor Avery, Councillor Benn, Councillor Winks, Councillor Fuhrmeister, Michelle Clarke (Director Finance & Corporate Services) and Matthew Magin (Chief Executive Officer) the time being 11:25am.

CLOSED MEETING

Cr Fuhrmeister moved and Cr Avery seconded:

That Council move into closed session, the time being 11:26am in accordance with S254J (1) of the Local Government Regulations 2012 relating to discuss confidential agenda items: CCFS1 and CCFS2.

.CARRIED UNANIMOUSLY

Paul O'Connor (Acting Director Infrastructure Services) entered the meeting in closed session, the time being 11:31am.

Councillor O'Toole returned to the meeting and resumed the chair in closed session, the time being 11:42am.

OPEN MEETING

Cr Fuhrmeister moved and Cr Winks seconded:

That Council enter into open session, the time being 11:42am.

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CONFIDENTIAL ITEMS

(CFCS) FINANCE AND CORPORATE SERVICES

CCFS1

AUDIT & RISK COMMITTEE MINUTES 6 DECEMBER 2022

Cr Avery moved and Cr Winks seconded:

That Council resolves to receive the Audit & Risk Committee Minutes dated 6 October 2022 and endorse the following recommendations:

1. FINAL EXTERNAL AUDIT REPORT 2021-2022
That Council receive and note the Final Management Letter for the 2021/2022 financial year.
2. RISK MANAGEMENT QUARTERLY REPORT 2022
That the Quarterly Report for Risk Management be received and noted;
3. CYBER REVIEW – BALONNE SHIRE COUNCIL
That Council note the attached Cybersecurity Controls Review.
4. REPORT OF THEFT
That Council note the loss in accordance with S307A of the Local Government Regulation 2012 and the introduction of additional internal controls.
5. REPORT OF A SCAM – SOCIAL ENGINEERING
That Council note the loss in accordance with S307A of the Local Government Regulations 2012 and subsequent internal controls.

CARRIED UNANIMOUSLY

CCFS2

SURRENDER OF LEASE A ON LOT 7 CP BLM834

Cr Scriven moved and Cr Fuhrmeister seconded:

That Council resolves to

1. accept Clay and Charmaine Driscoll's surrender of Lease A on Lot 7 CP BLM834 effective immediately; and
2. advertise the lease for tender to attract new lessees in accordance with S227 of the Local Government Regulations 2012.

CARRIED UNANIMOUSLY

Sharyn Arnold (Manager Assets and Projects) entered the meeting, the time being 11:44am.

GENERAL BUSINESS - Nil

Sharyn Arnold (Manager Assets and Projects) and Paul O'Conner left the meeting, the time being 12:59pm.

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Council adjourned for lunch, the time being 1:00pm.

Councillor Fuhrmeister left the meeting, the time being 1:52pm.

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 TOURISM SERVICES MONTHLY REPORT

IOCEO2 ECONOMIC DEVELOPMENT REPORT DECEMBER 2022

(IFCS) FINANCE AND CORPORATE SERVICES

ICFS1 MONTHLY REPORT DIRECTOR FINANCE & CORPORATE SERVICES - DECEMBER 2022

ICFS2 FINANCE INFORMATION REPORT - MONTH ENDING 31 DECEMBER 2022

(IIFS) INFRASTRUCTURE SERVICES

IIFS1 DRFA MONTHLY STATUS REPORT – DECEMBER 2022

IIFS2 DEPARTMENT OF INFRASTRUCTURE SERVICE'S MONTHLY REPORT

(ICES) COMMUNITY AND ENVIRONMENTAL SERVICES

ICES1 MONTHLY REPORT ENVIRONMENT AND REGULATORY SERVICES

There being no further business, the Meeting closed, the time being 2:15pm.

Confirmed at an Ordinary Meeting of the Council held on 16 February 2023.

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MAYOR