



# **MINUTES**

**of the**

**General Meeting of the Council**

**held in the**

**Disaster Co-ordination Room, 118 Victoria Street, St George**

**on**

**Thursday 19th March 2020**

**Commencing at 9:00am**

## **Table of Contents**

MEETING BUSINESS BY CORPORATE FUNCTION .....	3
(OCEO) OFFICE OF THE CEO .....	3
(FCS) FINANCE AND CORPORATE SERVICES .....	4
(IFS) INFRASTRUCTURE SERVICES .....	5
(ERS) ENVIRONMENT & REGULATORY SERVICES .....	5
CONFIDENTIAL ITEMS.....	13
INFORMATION REPORTS.....	13
(IOCEO) OFFICE OF THE CEO .....	13
(IFCS) FINANCE AND CORPORATE SERVICES .....	13
(IIFS) INFRASTRUCTURE SERVICES .....	13
(IERS) ENVIRONMENT & REGULATORY SERVICES .....	13

### **OPENING**

The Mayor declared the Meeting open at 9.00am.

### **COUNCIL PRAYER**

The Mayor led the Council in the Opening Prayer.

### **ATTENDANCE**

Cr RW Marsh (Mayor), Crs FM Gaske (Deputy Mayor), RG Fuhrmeister, SC O'Toole, RI Paul, SS Scriven and ID Todd.

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

### **LEAVE OF ABSENCE**

Nil

### **CONFIRMATION OF MINUTES**

Cr Scriven moved and Cr O'Toole seconded:

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

CARRIED UNANIMOUSLY

### **BUSINESS ARISING FROM MINUTES**

Nil

### **PUBLIC PARTICIPATION**

Nil

### **DEPUTATIONS**

Nil

### **COUNCILLOR REPORTS**

Cr Fuhrmeister moved and Cr Gaske seconded

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

CARRIED UNANIMOUSLY

## **CONFLICT OF INTEREST**

In accordance with s175E(2) of the Local Government Act 2009 Councillor O'Toole declared a Real Conflict of Interest in respect to matters contained in OCEO3, on the grounds that:

Her son attends St Patricks School and was to attend the Somerset Literacy Festival.

Councillor O'Toole indicated she would leave the meeting in accordance with s175E(2) of the Local Government Act and not participate in discussion of this matter.

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

Dani Kinnear (Community Development Officer) entered the meeting, the time being 9.09am.

### **OCEO1 SPONSORSHIP REQUEST - ST GEORGE GOLF CLUB**

St George Golf Club have requested sponsorship from the Community Grants and Assistance Fund.

Cr Gaske moved and Cr O'Toole seconded:

That Council resolves to Sponsor St George Golf Club \$2,000 for their 2020 Dragon Country Sandgreen Cup from the 2019/20 Community Grants and Assistance Budget.

CARRIED UNANIMOUSLY

Andrew Boardman (Director Infrastructure Services) entered the meeting, the time being 9.30am

### **OCEO2 COMMUNITY GRANTS AND ASSISTANCE PROGRAM - BOLLON POLOCROSSE**

Bollon Polocrosse Association has requested sponsorship from the community grants and assistance program.

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council resolves to not sponsor Bollon Polocrosse for their 2020 Polocrosse Carnival due to cancellation of the event and encourage the Bollon Polocrosse to re-apply in 2020/21.

CARRIED UNANIMOUSLY

## **SPONSORSHIP REQUEST – ST PATRICKS P & F**

In accordance with s175E(2) of the Local Government Act 2009 Councillor O'Toole declared a Perceived Conflict of Interest in respect to matters contained in OCEO3, on the grounds that:

Her son attends St Patricks School and was to attend the Somerset Literacy Festival.

Councillor O'Toole voluntarily left the meeting in accordance with s175E(4) of the Local Government Act at 9.33am.

OCE03 **SPONSORSHIP REQUEST - ST PATRICKS P & F**

St Patricks P&F have requested sponsorship to for five students to attend the Somerset Literacy Festival.

Cr Scriven moved and Cr Todd seconded:

That Council resolves to not sponsor the P & F to send 5 students to the Somerset Literacy Festival due to the cancellation of the event and encourage the P&F to reapply in 2020/21.

CARRIED UNANIMOUSLY

Dani Kinnear left the meeting, the time being 9.35am.

Cr O'Toole returned to the meeting, the time being 9.35am.

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

FCS1 **ICT STEERING COMMITTEE MINUTES 13 FEBRUARY 2020**

Minutes of the ICT Steering Committee held 13 February 2020

Cr Gaske moved and Cr Todd seconded:

That Council resolves:

1. to receive and note the ICT Steering Committee minutes; and
2. re-affirm with the external auditors and Queensland Audit Office that it has addressed the risks and provided the resources to progress the new enterprise resource planning system with a Go Live date 15-20 May 2020.

CARRIED UNANIMOUSLY

Tracey Lee (Manager Financial Services) entered the meeting, the time being 9.40am.

FCS2 **AUDIT & RISK COMMITTEE 18 FEBRUARY 2020**

Audit & Risk Committee minutes of 18 February 2020

Cr Fuhrmeister moved and Cr Gaske seconded:

That Council resolves to receive and note the Audit & Risk Committee minutes and adopt the following:

- a. the amended Audit & Risk Committee's Terms of Reference, as attached
- b. the Business Continuity Plan 2020, as attached
- c. the financial statements action plan for 2019/20, as attached
- d. the External Audit Plan 2019/20, as attached
- e. the amended Internal Audit Plan 2019/20 – 2020/21, as attached

CARRIED UNANIMOUSLY

FCS3 **MONTHLY FINANCIAL MANAGEMENT REPORT FEBRUARY 2020**

Monthly Financial Management Report as at 29 February 2020.

Cr Scriven moved and Cr O'Toole seconded:

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

CARRIED UNANIMOUSLY

Tracey Lee (Manager Financial Services) left the meeting the time being 9.50am.

FCS4

#### **HUMAN RIGHTS POLICY**

Human Rights Policy

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council resolves to adopt the attached Human Rights Policy to ensure compliance with the Queensland *Human Rights Act 2019* and to ensure Council upholds its obligations, as a public entity, under Act.

CARRIED 6-1

## **(IFS) INFRASTRUCTURE SERVICES**

IFS1

#### **KLINGE LANE - PROPOSAL FOR A SHARED ZONE**

Klinge Lane – Proposal for a Shared Zone

Cr O'Toole moved and Cr Fuhrmeister seconded:

That Council resolves to host a Speed Management Committee meeting to endorse a speed review of Klinge Lane to make the environment a Shared Zone.

CARRIED UNANIMOUSLY

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

ERS1

#### **MCU 176 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "TOURIST PARK"**

MCU 176 development application for material change of use – "Tourist Park"

Item ERS1 was withdrawn from the Council Meeting.

Digby Whyte (Director of Environmental & Regulatory Services) left the meeting, the time being 10.15am.

Digby Whyte (Director of Environmental & Regulatory Services) returned to the meeting, the time being 10.19am.

Jessica Reiser (Town Planner) attended the meeting via teleconference, the time being 10.19am.

ERS2

**MCU175 - DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "LOW IMPACT INDUSTRY" AND "CARETAKER'S ACCOMMODATION" LOCATED AT 92 VICTORIA STREET, ST GEORGE QLD 4487 (DESCRIBED AS LOT 1 ON RP81547)**

MCU175 - Development Application for Material Change of Use - "Low Impact Industry" and "Caretaker's Accommodation" Located at 92 Victoria Street, St George QLD 4487 (described as Lot 1 on RP81547) (described as Lot 1 on RP81547)

Cr Fuhrmeister moved and Cr Paul seconded:

That:

- a) Council receives this report.
- b) Council approves the development application Material Change of Use – "Low Impact Industry" and "Caretaker's Accommodation" located at 92 Victoria Street, St George QLD 4487 described as Lot 1 on RP81547, subject to the permit conditions listed below.

**DEVELOPMENT CONDITIONS APPLICABLE FOR BOTH "LOW IMPACT INDUSTRY" AND "CARETAKER'S ACCOMMODATION"**

**Preamble**

1. 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.
2. Under the *Balonne Shire Planning Scheme 2019*:

**Low-impact Industry** means: *Premises used for industrial activities that include the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products and have one or more of the following attributes:*

- a) *negligible impacts on sensitive land uses due to offsite emissions including aerosol, fume, particle, smoke, odour and noise*
- b) *minimal traffic generation and heavy-vehicle usage*
- c) *demands imposed upon the local infrastructure network consistent with surrounding uses*
- d) *the use generally operates during the day (e.g. 7am to 6pm)*
- e) *offsite impacts from storage of dangerous goods are negligible*
- f) *the use is primarily undertaken indoors.*

Examples include: *Repairing motor vehicles, fitting and turning workshop*

• The use does not include the following examples: *Panel beating, spray painting or surface coating, tyre recycling, drum re-conditioning, wooden and laminated product manufacturing, service industry, medium impact industry, high impact industry, special industry*

• **Caretaker's Accommodation** means: *A dwelling provided for a caretaker of a non-residential use on the same premises.*

3. 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.

4. 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.
5. 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.
6. An Operational works application will be required to be submitted to and approved by Council for:
  - a) Operational works that is excavation and/or filling where there would be a change 1m or more in the level of any part of the land or where any drainage path is affected; or
  - b) Operational works for urban purposes that involve disturbing more than 2,500m<sup>2</sup> of land.
7. 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.

## Conditions of Approval

### Use

1. The approved development is a Material Change of Use - "Low Impact Industry" and "Caretaker's Accommodation" 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 "Low Impact Industry" and "Caretaker's Accommodation".
3. The approved development is to be carried out generally in accordance with the following approved plans/documents and subject to approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Plan/Document Number	Plan/Document Name	Date
200110.01 Revision 5	Site Plan	20/01/2020
200110.02 Revision 5	Proposed New Residence Floor Plan	20/01/2020
200110.03 Revision 5	Proposed New Residence Elevations	20/01/2020

Q06588;A	Proposed Workshop Building Floor Plan	10/01/2020
Q06588;A	Proposed Workshop Building Elevations	10/01/2020
	Stormwater Management Plan Prepared by Proterra Group	31/01/2020

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 and Austroads Standards and the National Construction Code 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).

### **Waste Management**

10. 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.*

11. Adequate refuse storage areas and facilities must be provided on the site to service the approved development. Refuse storage facilities are to be screened from view at the street frontage and from adjoining properties.
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) Stormwater Management Report, Prepared by Proterra Group, dated 31/01/2020.
  - b) Queensland urban drainage manual, 3rd Edition, Queensland Department of Energy and Water Supply, 2013;
  - c) Pilgrim, DH, (ed)., Australian Rainfall & Runoff – A Guide to Flood Estimation, Institution of Engineers, Australia, Barton, ACT, 1987; and
  - d) 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. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
17. 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.
18. 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.
19. Noise emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the *Environmental Protection (Noise) Policy 2008*.
20. Air emissions from the development shall not cause environmental harm of nuisance to adjoining properties or “Sensitive Land Uses” in accordance with the *Environmental Protection (Air) Policy 2008*.

## **Provision of Services**

21. The development must be connected to Council's reticulated water supply network in accordance with the applicable standards and policies.
22. The development must be connected to Council's reticulated sewerage supply network the applicable standards and policies.
23. Proposed buildings located over or near the existing sewer main within the property must be constructed in accordance with '*Queensland Development MP1.4 – Building Over or Near Relevant Infrastructure*'.
24. The development must be connected to an electricity reticulation service in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).
25. If the premises is connected to a telecommunications service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications (as relevant).

## **Access**

26. The developer shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards. Should any damage be caused at the approved access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.
27. Vehicle movements within the site are to be clear of proposed parking areas, buildings and landscape treatments. Vehicle access, parking and manoeuvring areas are to be clearly delineated from pedestrian accessways within the site through the use of linemarking, signage, bollards or similar.

## **Landscaping**

28. Landscaping is to be provided and maintained at a minimum width of two metres for the extent of the site frontage adjacent to Victoria Street (excluding vehicle access) to enhance the visual appeal of the development and contribute to the local streetscape.
29. Site landscaping is to be irrigated during an establishment period of two years.
30. All site landscaping is to be maintained throughout the duration of the approved use. Any dead and/or unhealthy plants are to be promptly removed and replaced.
31. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
32. Landscaping must not interfere with site lines at access driveways for vehicle traffic.

## **No Cost to Council**

33. 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**

34. 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**

35. 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'.

## **CONDITIONS APPLICABLE TO LOW IMPACT INDUSTRY**

### **Building Design**

36. The office area contained within the workshop building is to be orientated towards Victoria Street. The office shall have a clearly defined front entry or entry path that is visible from Victoria Street.
37. The front building facade is to be cladded using building materials (e.g matrix cladding or similar) that are consistent with commercial development and complementary to the amenity of the development and local streetscape.

### **Car Parking**

38. A minimum of ten (10) car parking spaces, including one (1) car parking space for persons with disabilities, are to be provided within the development site area generally in accordance with the approved development plans. Car parking areas must be clearly delineated and/or signposted.
39. Car parking areas are to be designed in accordance with:
  - a) AS2890.1 – Parking Facilities
  - b) Austroads AP-34/95 - Design Vehicles and Turning Path Templates
  - c) The Access to Premises Standard' (Vol 1 of the National Construction Code).
  - d) Vehicle access, car parking and manoeuvring areas are to be sealed with impervious surface.

## **CONDITIONS APPLICABLE TO THE CARETAKER'S ACCOMMODATION**

### **Use**

40. The "Caretaker's Accommodation" is for the exclusive use of persons having responsibility for the security, maintenance and/or management of the premises. It must not be occupied

by any other member of the public, including any guest, contractor or associate of the occupant at any time.

*Note: immediate family members of the resident caretaker are permitted to reside at the "Caretaker's Accommodation".*

### **Car Parking**

41. A minimum of one (1) covered car parking space is to be provided within the development site area to cater for the resident caretaker.

CARRIED UNANIMOUSLY

Michelle Clarke (Director Finance & Corporate Services) left the meeting, the time being 10.28am.

Michelle Clarke (Director Finance & Corporate Services) returned to the meeting, the time being 10.29am.

Jessica Reiser (Town Planner) left the meeting, the time being 10.34am.

Cr Gaske left the meeting, the time being 10.35am.

Cr Gaske returned to the meeting, the time being 10.37am.

## **GENERAL BUSINESS**

### **GENERAL BUSINESS - ANZAC DAY**

Cr O'Toole moved and Cr Todd seconded:

That Council provide support to the RSL sub branches and Community Groups to deliver alternative ANZAC Day commemorative services, in all towns, appropriate to the circumstances evolving with the Novel Coronavirus (COVID-19).

CARRIED UNANIMOUSLY

### **GENERAL BUSINESS - THANKS & APPRECIATION**

The Mayor expressed his sincere thanks to the CEO, Directors and their teams and appreciation of the organisations achievements during his term as Mayor. He also expressed his sincere thanks and appreciation to all the Councillors and praised their efforts in various projects and achievements that have contributed to the strong growth of the Shire and extensive benefits for the community.

The Councillors expressed their thanks and appreciation to the CEO, Directors and staff.

The CEO, on behalf of all staff, thanked the Councillors and acknowledged their achievements during this term as Councillors and presented each Councillor with a Commemorative Book in recognition of their hard work, contributions and accomplishments.

## CONFIDENTIAL ITEMS

Nil

## INFORMATION REPORTS (IOCEO) OFFICE OF THE CEO

### IOCEO1 MONTHLY REPORT - COMMUNITIES

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

### IOCEO2 ECONOMIC DEVELOPMENT UPDATE FEBRUARY 2020

### IOCEO3 TOURISM SERVICES MONTHLY REPORT

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

## (IFCS) FINANCE AND CORPORATE SERVICES

### ICFS1 MONTHLY REPORT ON GRANTS FEBRUARY 2020

Grants information from 8 February 2020 to 4 March 2020.

### ICFS2 MONTHLY REPORT DIRECTOR FINANCE & CORPORATE SERVICES

Monthly report for Finance and Corporate Services.

### ICFS3 MONTHLY FINANCE INFORMATION REPORT FEBRUARY 2020

Monthly Finance Information Report February 2020.

## (IIFS) INFRASTRUCTURE SERVICES

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

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

## (IERS) ENVIRONMENT & REGULATORY SERVICES

### IERS1 FEBRUARY MONTHLY REPORT ENVIRONMENT AND REGULATORY SERVICES

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

There being no further business, the Meeting closed, the time being 11.00am.  
Confirmed at a General Meeting of the Council held on 30 April 2020.

.....  
**MAYOR**