



**MINUTES OF THE GENERAL MEETING OF
BLACKALL-TAMBO REGIONAL COUNCIL
HELD AT THE BLACKALL COUNCIL CHAMBERS
ON WEDNESDAY 19th APRIL 2023
AT 8.30AM**

PRESENT:

Councillors: Cr AL Martin (Mayor), Cr LP Russell (Deputy Mayor), Cr JH Scobie, Cr BP Johnstone, Cr PJ Pullos, Cr GK Schluter, Cr DA Hardie

OFFICERS:

Mr Des Howard, Chief Executive Officer, Mr Alastair Rutherford, Director of Finance, Corporate and Community Services, Mr David Mangelsdorf, Interim Director of Works and Services, Mrs Andrea Saunders, Governance Coordinator, Ms Piper Hansen, Minute Taker

CONDOLENCES:

A minute's silence was observed to mark the passing of:

- Joan Thelma Dendle

DECLARATIONS OF INTEREST:

Cr GK Schluter for item 5.8 – I, Councillor Schluter, inform the meeting that I have a declarable conflict of interest in item 5.8 – Outback Queensland Masters. The nature of my interest is as follows:

- I am the president of the Blackall Golf Club.

As a result of my conflict, I will leave the meeting room while the matter is considered and voted on.

1.1 Confirmation of General Meeting Minutes

MOTION: Moved: Cr BP Johnstone

Seconded: Cr PJ Pullos

That the minutes of the General Meeting held on 15 March 2023 be taken as read and confirmed, and that the Mayor be authorised to sign same.

Minute No. 01/04A/23

Carried 7/0

4.0 Chief Executive Officer's Contract of Employment

The Chief Executive Officer's contract requires renewing.

MOTION: **Moved: Cr LP Russell**

Seconded: Cr GK Schluter

That Council:

- 1. Renews the contract of employment of Chief Executive Officer with Des Howard; and**
- 2. Authorise the Mayor to negotiate the contract of employment, including conditions of employment, with the Chief Executive Officer.**

Minute No. 02/04A/23

Carried 7/0

4.1.1. Financial Report for the Month of March 2023

In accordance with s204 of the *Local Government Regulation 2012* a monthly financial report is required to be presented to Council. The financial report for March 2023 details Council's current financial position and compares its performance against the adopted budget for 2022-2023.

MOTION: **Moved: Cr BP Johnstone**

Seconded: Cr DA Hardie

That Council receive the Financial Report for March 2023.

Minute No. 03/04A/23

Carried 7/0

4.1.2. DFCCS Operations Report – March 2023

The Director of Finance Corporate and Community Services operations report for March 2023 is presented to Council. The report includes housing and administration, community development program, Blackall aerodrome, libraries, visitor information centres, facility bookings, Tambo Multipurpose and Tambo Child Care Centre.

MOTION: **Moved: Cr GK Schluter**

Seconded: Cr DA Hardie

That Council receive the DFCCS Operations Report for March 2023.

Minute No. 04/04A/23

Carried 7/0

4.1.3. Code of Practice 2022 Managing the Risk of Psychosocial Hazards at Work

The Code of Practice presents risks to Council if not implemented appropriately. Providing training for staff and contracting Outback Futures for twelve months to assist with implementation will mitigate these risks.

MOTION: Moved: Cr PJ Pullos

Seconded: Cr DA Hardie

That Council:

1. Adopt the Code of Practice 2022 Managing the risk of psychosocial hazards at work; and
2. Outback Futures be contracted for twelve months to assist with the implementation of the Code of Practice.

Minute No. 05/04A/23

Carried 7/0

4.1.4. Retirement of the Tambo Childcare Policies

As of 3 April 2023, Lady Gowrie is the provider of the Tambo Childcare Centre.

MOTION: Moved: Cr GK Schluter

Seconded: Cr PJ Pullos

That Council retire:

- (a) Stat 23 – Tambo Childcare Policies and Procedures; and
- (b) Admin 49 – Diabetes Policy; and
- (c) Admin 50 – Asthma Policy; and
- (d) Admin 51 – Illness and Infectious Disease Policy; and
- (e) Admin 52 – Enrolment and Orientation Policy; and
- (f) Admin 53 – Fees Policy; and
- (g) Admin 54 – Parental Code of Conduct Policy; and
- (h) Admin 55 – Administering First Aid Policy; and
- (i) Admin 56 – Exclusion Due to Illness Policy; and
- (j) Admin 57 – Administering of Medication Policy; and
- (k) Admin 58 – Child Protection Policy; and
- (l) Admin 59 – Curriculum Policy; and
- (m) Admin 60 – Immunisation Policy; and
- (n) Admin 61 – Medical Conditions Policy; and
- (o) Admin 62 – Nutrition and Food Safety Policy; and
- (p) Admin 63 – Safe Sleeping, Rest and Relaxation Policy; and
- (q) Admin 65 – Supporting Relationship & Partnerships Policy; and
- (r) Admin 66 – Water Safety Policy; and
- (s) Admin 67 – Incident Reporting Policy

Minute No. 06/04A/23

Carried 7/0

4.1.5. Operational Plan Review

Section 174 (3) of the *Local Government Regulation 2012* requires Councils to review their Operational Plans every three months.

MOTION: Moved: Cr BP Johnstone

Seconded: Cr JH Scobie

That Council receive the March 2023 Operational Plan review.

Minute No. 07/04A/23

Carried 7/0

4.2.1. Director of Works and Services' Operations Report - March 2023

The Director of Works and Services report for March 2023 is presented to Council.

MOTION: **Moved: Cr GK Schluter** **Seconded: Cr DA Hardie**

That Council receive the Director of Works and Services' Operation Report for March 2023.

Minute No. 08/04A/23

Carried 7/0

5.1 Blackall Saleyards Monthly Report

The Blackall Saleyards monthly report for March is provided to Council.

MOTION: **Moved: Cr BP Johnstone** **Seconded: Cr JH Scobie**

That Council receive the Blackall Saleyards monthly report for March 2023.

Minute No. 09/04A/23

Carried 7/0

5.2 Planning and Development Report

The Planning and Development report provides a summary of building applications and planning and development activity in the Blackall-Tambo Regional Council area.

MOTION: **Moved: Cr LP Russell** **Seconded: Cr DA Hardie**

That Council receive the Planning and Development Report for March 2023.

Minute No. 10/04A/23

Carried 7/0

5.3 Environmental Health/Local Laws Officer's Report- March 2023

The Environmental Health/Local Laws Officer's report is provided to Council.

MOTION: **Moved: Cr GK Schluter** **Seconded: Cr JH Scobie**

That Council receive the Environmental Health/Local Laws Officer's report.

Minute No. 11/04A/23

Carried 7/0

5.4 Proposal for Shade Shed over Tambo Tennis Courts

A letter has been received from two people in the Tambo community requesting that Council consider the construction of a shed over the Tambo tennis courts and a funding allocation of \$37,000.00 for the 2023-2024 financial year.

MOTION: **Moved: Cr PJ Pullos**

Seconded: Cr LP Russell

That Council continue to work with Tambo State School as the preferred option for a shade structure over the existing court.

Minute No. 12/04A/23

Carried 7/0

5.5 Local Government Remuneration Commission Council Category Review

The Local Government Regulation Remuneration Commission is conducting a review on categories of Council's for Mayor and councillor remuneration.

MOTION: **Moved: Cr LP Russell**

Seconded: Cr DA Hardie

That Council advise the Local Government Remuneration Commission that Blackall-Tambo Regional Council remain as a category one local government.

Minute No. 13/04A/23

Carried 7/0

5.6 Local Disaster Management Group Meeting – March 2023

The Blackall-Tambo Local Disaster Management Group (LDMG) held a meeting on Friday 31 March 2023. The revised Blackall-Tambo Regional Council Local Disaster Management Evacuation Sub-Plan was adopted and the EMC and SES update reports were received.

MOTION: **Moved: Cr LP Russell**

Seconded: Cr PJ Pullos

That Council:

- 1. Receive the minutes from the 31 March 2023 Local Disaster Management meeting; and**
- 2. Adopt the revised BTRC LDMG Evacuation Sub-Plan.**

Minute No. 14/04A/23

Carried 7/0

5.7 Blackall-Tambo Tourism Workshop Report

Blackall-Tambo Regional Council hosted a two-day workshop in Blackall on Wednesday 22nd and Thursday 23rd of March 2023, various neighbouring councils were invited to attend. Representatives from Winton, Longreach and Barcaldine councils were able to attend.

MOTION: **Moved: Cr JH Scobie**

Seconded: Cr PJ Pullos

That Council receive the Blackall-Tambo Tourism Workshop Report.

Minute No. 15/04A/23

Carried 7/0

At this point, 9.31am, Cr GK Schluter left the meeting.

5.8 Outback Queensland Masters

Outback Queensland Masters is seeking Council's financial and in-kind support for a future event.

MOTION: **Moved: Cr PJ Pullos**

Seconded: Cr JH Scobie

That Council hold the decision over until the May 2023 Council Meeting pending further information from the organisers regarding the event.

Minute No. 16/04A/23

Carried 6/0

At this point, 9.45am Cr GK Schluter returned to meeting.

5.9 Horse Ride for Hope

Horse Ride for Hope is a fundraiser for Hope Reins and Outback Futures while connecting with communities and individuals along the route. There will be a horse ride starting in Gympie and ending in Longreach on 3 June 2023, travelling approximately 1200km.

MOTION: **Moved: Cr LP Russell**

Seconded: Cr DA Hardie

That Council provides in-kind support to Horse Ride for Hope by waiving the fees for the Blackall Showgrounds and contributes \$1000 sponsorship.

Minute No. 17/04A/23

Carried 7/0

5.10 Sale of Property by Tender – 67 Shamrock Street, Blackall

Council owns a property at 67 Shamrock Street, Blackall. The property is surplus to Council's requirements; therefore, it is proposed that the property be sold by tender.

MOTION: **Moved: Cr PJ Pullos**

Seconded: Cr JH Scobie

That this matter be held over until the next meeting.

Minute No. 18/04A/23

Carried 7/0

5.11 Development Application – DA 24-2022-2023 – 186-188 Shamrock Street, Blackall

The Applicant, Sean Maddison, seeks a Development Permit for a Material Change of Use for a Food and Drink Outlet over land 186-188 Shamrock Street, Blackall formally described as Lot 18 on RP905064.

The proposal involves the reuse of an existing building for a Food and drink outlet. The existing building is known as the Big Red and this name is intended to be retained for the new business. The food and drink outlet will be a fast-food restaurant specializing in kebabs and pizzas.

The site adjoins a state-controlled road and required referral to the State Assessment and Referral Agency (SARA). SARA has provided a referral agency response with no requirements.

Under the Blackall-Tambo Region Planning Scheme 2020 (the Planning Scheme), the subject site is in the Recreation and Open Space Zone. The defined use that has been applied for, being a Food and Drink Outlet, is subject to Code Assessment in the Recreation and Open Space Zone.

Based on an assessment of the proposal in accordance with the Code Assessment process articulated in the Planning Act 2016, this decision report recommends approval of the development application, subject to the conditions stated herein.

MOTION: **Moved: Cr JH Scobie**

Seconded: Cr GK Schluter

That Council approves the application for a Development Permit for Material Change of Use for a Food and Drink Outlet over land at 186-188 Shamrock Street, Blackall, formally described as Lot 18 on RP905064, subject to the following conditions:

1.0 PARAMETERS OF APPROVAL

1.1 The Developer is responsible for ensuring compliance with this development approval and the conditions of the approval by an

employee, agent, contractor or invitee of the Developer at all times unless otherwise stated.

- 1.2 Where these conditions refer to “Council” in relation to requiring Council to approve or be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role of the Council may be fulfilled in whole or in part by a delegate appointed for that purpose by Council.
- 1.3 All conditions, works, or requirements of this development approval must be undertaken and completed prior to commencement of the use and to Council’s satisfaction, unless otherwise stated in a development condition.
- 1.4 The cost of all works associated with the construction of the development including services, facilities and/or public utility alterations required are met at no cost to the Council or relevant utility provider, unless otherwise stated in a development condition.
- 1.5 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out for the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.
- 1.6 Unless otherwise stated, all works must be designed, constructed and maintained in accordance with the relevant Council policies, guidelines and standards.

2.0 APPROVED PLANS AND DOCUMENTS

- 2.1 The approved development must be completed and maintained generally in accordance with the approved plans and documents, except where amended by the conditions of this permit:

Plan/Document Name	Plan/Document Number	Revision Number	Date
Building Layout	SK1	-	14/03/2023 (Received date)
Site Plan 2	372_BLA_2	-	03/05/2006

- 2.2 Where there is any conflict between the conditions of this approval and the details shown on the approved plans and documents, the conditions of approval must prevail.

3.0 HOURS OF OPERATION

- 3.1 The Food and Drink Outlet is permitted to operate between 7:00am – 10:00pm Monday to Sunday.

4.0 ROOF AND ALLOTMENT DRAINAGE

- 4.1 Discharge of all roof and allotment drainage such that it does not restrict, impair or change the natural flow of runoff water or cause a nuisance to adjoining properties or infrastructure from the pre to the post-development condition.

5.0 SEWERAGE AND WATER

- 5.1 Maintain the existing connections to Council's reticulated water and sewerage network.

6.0 TELECOMMUNICATION AND ELECTRICITY SUPPLY

- 6.1 Maintain the electricity and telecommunication services in accordance with the standards and requirements of the relevant service provider.

7.0 WASTE MANAGEMENT

- 7.1 Store all waste within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera). The waste storage area must be:
 - 7.1.1 Designed to not cause nuisance to neighbouring properties;
 - 7.1.2 Screened from any road frontage or adjoining property;
 - 7.1.3 Of a sufficient size to accommodate a waste bin/s suitable to service the Short-term accommodation.

8.0 AMENITY AND ENVIRONMENTAL HEALTH

- 8.1 Undertake the approved development so there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reason of the emission of noise, vibration, odour, fumes, smoke, vapour, steam soot, ash, wastewater, waste products, oil or otherwise.
- 8.2 Install and operate all outdoor lighting to comply with *AS4282 – 1997 "Control of the Obtrusive Effects of Outdoor Lighting"*.

9.0 ASSET MANAGEMENT

- 9.1 Any alteration necessary to electricity, telephone, water mains, sewerage mains, and/or public utility installations resulting from the development or in connection with the development, must be undertaken and completed at no cost to Council.

10.0 CONSTRUCTION ACTIVITIES

- 10.1 All construction materials, waste, waste skips, machinery and contractors' vehicles must be located and stored or parked within the development site, unless otherwise approved in writing by Council.**
- 10.2 Construction activity and noise must be limited to the hours of 06:30 to 18:30 Monday to Saturday, with no work to occur on Sundays or public holidays.**

ADVISORY NOTES

- A. Prior to commencing any construction activities, the applicant/developer will be required to obtain further development permits for building work, and plumbing and drainage work, and potentially for operational work, as required under relevant legislation for this work.**
- B. This approval does not negate the requirement for compliance with all other relevant Local Laws and other statutory requirements. Any provisions contained in this approval relating to the enforcement of any of the conditions shall be in addition to all other rights, powers and privileges that the Council may possess or obtain, and nothing contained in these conditions shall be construed so as to prejudice, affect or otherwise derogate or limit these rights, powers and privileges of the Council.**
- C. General environmental duty under the Environmental Protection Act 1994 and subordinate legislation prohibits unlawful environmental nuisance caused by noise, aerosols, particles, dust, ash, fumes, light, odour or smoke beyond the boundaries of the development site during all stages of the development including earthworks, construction and operation.**
- D. This development approval does not authorise any activity that may harm Aboriginal cultural heritage. It is advised that under section 23 of the Aboriginal Cultural Heritage Act 2003, a person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage (the "cultural heritage duty of care").**

Minute No. 19/04A/23

Carried 7/0

At this point, 9.57am, Cr BP Johnstone left the meeting and returned at 9.57am.

5.12 Permit to Occupy Application – Part of Lot 14 on SP309893

Council has received a request to support an application for a Permit to Occupy a part of Lot 14 on SP309893 which is a reserve for the purpose of camping and road.

MOTION: Moved: Cr GK Schluter

Seconded: Cr LP Russell

That Council does not support the application to Department of Resources for a permit to occupy part of Lot 14 on SP309893 and the reserve be retained for its intended purpose.

Minute No. 20/04A/23

Carried 7/0

5.13 Blackall-Tambo Regional Council Land Valuation Update 2023

The Executive Director of the State Valuation Service has advised that the Valuer-General has issued new land valuation notices to all landowners within the Blackall-Tambo Regional Council area.

MOTION: Moved: Cr LP Russell

Seconded: Cr PJ Pullos

That Council receive the land valuation update 2023 provided by the Department of Resources' State Valuation Service.

Minute No. 21/04A/23

Carried 7/0

CLOSURE:

There being no further business to consider, the Mayor declared the Meeting closed at 10.04am.

CONFIRMATION OF MINUTES:

Confirmed by Council as a true and correct record at the General Meeting held on Wednesday 17 May 2023.

Signed.....Mayor