



**MINUTES OF THE GENERAL MEETING OF  
BLACKALL-TAMBO REGIONAL COUNCIL  
HELD AT THE BLACKALL COUNCIL CHAMBERS  
ON WEDNESDAY 17 AUGUST 2022  
AT 8.37AM**

**PRESENT:**

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

**OFFICERS:**

Mr Des Howard, Chief Executive Officer, Mr Garth Kath, Director of Works and Services, Mr Alastair Rutherford, Director of Finance Corporate and Community Services, Ms Jodie Richardson, Minute Taker, Miss Piper Hansen, Administration Trainee.

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**DECLARATIONS OF INTEREST:**

**Cr Martin for item 5.5** – I, Councillor Martin, inform the meeting that I have a prescribed conflict of interest in item 5.5 Outback Queensland Tourism Association. The nature of my interest is as follows:

- I am chair of the Outback Queensland Tourism Association.

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

**Cr Martin for item 5.11** – I, Councillor Martin, inform the meeting that I have a prescribed conflict of interest in item 5.11 Development Application – DA 01-2021-2022 – 35 Garden Street, Blackall. The nature of my interest is as follows:

- The applicant, Louise Martin, is my wife.

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

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**1.1 Confirmation of General Meeting Minutes**

**MOTION:**      Moved: Cr PJ Pullos

Seconded: Cr JH Scobie

That the minutes of the General Meeting held on 20 July 2022 be taken as read and confirmed, and that the Mayor be authorised to sign same.

**Minute No. 01/08A/22**

**Carried 7/0**

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#### **4.1.1 Financial Report for the Month of July**

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 July 2022 details Council's current financial position and compares its performance against the adopted budget for 2022-2023.

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

**That Council receive the Financial Report for July 2022.**

**Minute No. 02/08A/22**

**Carried 7/0**

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#### **4.1.2 DFCCS Operations Report – July 2022**

The Director of Finance Corporate and Community Services operations report for July 2022 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 PJ Pullos**                      **Seconded: Cr BP Johnstone**

**That Council receive the DFCCS Operations Report for July 2022.**

**Minute No. 03/08A/22**

**Carried 7/0**

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#### **4.1.3 Operating Plan Review 30 June 2022**

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

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

**That Council receive the 30 June 2022 operational review.**

**Minute No. 04/08A/22**

**Carried 7/0**

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#### **4.1.4 Employee Conflict of Interest Policy Review**

The Employee Conflict of Interest Policy – Stat 44 has been reviewed.

**MOTION:**      **Moved: Cr PJ Pullos**                      **Seconded: Cr BP Johnstone**

**That Council adopt the revised Employee Conflict of Interest Policy.**

**Minute No. 05/08A/22**

**Carried 7/0**

#### **4.2.1 Director of Works and Services Operations Report – July 2022**

The Director of Works and Services report for July 2022 is presented to Council.

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

That Council receive the Director of Works and Services' Operations Report for July 2022.

**Minute No. 06/08A/22**

**Carried 7/0**

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#### **4.2.2 Work Health and Safety Report**

The Work Health and Safety Report has been provided to Council.

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

That Council receive the Work Health and Safety Report for July 2022.

**Minute No. 07/08A/22**

**Carried 7/0**

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#### **4.2.3 Purchase of Tractor Mower**

Quotations were requested from 5 mower dealers for the purchase of one (1) tractor mower.

**MOTION:**      Moved: Cr BP Johnstone                      Seconded: Cr GK Schluter

That Council accept the quotation from Vanderfield/RDO Roma to supply one (1) new John Deere 2038R mower for \$37,000.00 (ex GST). This mower is preferred as it will provide like for like change out and is value for money. Local Buy (LG282) contract will apply.

**Minute No. 08/08A/22**

**Carried 7/0**

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#### **5.1 Blackall Saleyards Monthly Report**

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

**MOTION:**      Moved: Cr PJ Pullos                      Seconded: Cr LP Russell

That Council receive the Blackall Saleyards monthly report for July 2022.

**Minute No. 09/08A/22**

**Carried 7/0**

## **5.2 Planning and Development Report**

The Planning and Development monthly 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 JH Scobie**

**That Council receive the Planning and Development Report for July 2022.**

**Minute No. 10/08A/22**

**Carried 7/0**

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## **5.3 Environmental Health/Local Laws Officer's Report**

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

**MOTION:**     **Moved: Cr PJ Pullos**

**Seconded: Cr DA Hardie**

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

**Minute No. 11/08A/22**

**Carried 7/0**

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## **5.4 Regional Arts Development Fund**

Arts Queensland have approved funding allocation for the 2022-23 Regional Arts Development Fund as \$49,500.00.

**MOTION:**     **Moved: Cr PJ Pullos**

**Seconded: Cr GK Schluter**

**That Council receive the letter from the Department of Communities, Housing and Digital Economy advising that Arts Queensland has approved the funding allocation of \$49,500.00 for the 2022-23 Regional Arts Development Fund.**

**Minute No. 12/08A/22**

**Carried 7/0**

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At this point 9.24am am/pm, Cr Martin left the meeting.  
Cr Russell assumed the chair.

## **5.5 Outback Queensland Tourism Association**

Outback Queensland Tourism Association is a destination marketing organisation. They partner with local governments as Outback Queensland's peak leadership and advocacy body.

**MOTION:**     **Moved: Cr BP Johnstone**

**Seconded: Cr JH Scobie**

**That Council receive the letter and report card from Outback Queensland Tourism Association and approve the membership for 2022-2023 and note the fee is \$23,430.00 (GST inclusive).**

**Minute No. 13/08A/22**

**Carried 6/0**

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At this point, 9.25am, Cr Martin returned to the meeting and resumed the chair.

**5.6     Disaster Management Coordinator Position**

The Disaster Management Coordinator has been funded with the Resilience and Risk Reduction Funding. The Coordinator is shared with five councils in the central western region.

**MOTION:**     **Moved: Cr LP Russell**

**Seconded: Cr JH Scobie**

**That Council support the Disaster Management Coordinator position by providing an estimated contribution of \$28,000.00 towards the position.**

**Minute No. 14/08A/22**

**Carried 7/0**

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**5.7     Council Online Auction**

NASCO, on behalf of Council, held an online auction for the sale of a property for overdue rates, along with several non-current valuable assets.

**MOTION:**     **Moved: Cr GK Schluter**

**Seconded: Cr LP Russell**

**That Council ratifies the Chief Executive Officer signing contracts for the sale of:**

- 1. Lot 4 on RP608958, \$50,000.00; and**
- 2. Lot 2 on SP223550, \$15,500.00; and**
- 3. Lot 804 on T1501, \$177,500.00; and**
- 4. The old railway building for removal, \$21,250.00.**

**Minute No. 15/08A/22**

**Carried 7/0**

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**5.8     Community Drought Support Program - Events**

Blackall-Tambo Regional Council made an application for funding with the Department of Communities, Housing and Digital Economy for the delivery of the Community Drought Support Program – Event. The event is the Blackall-Tambo Circus Carnival.

**MOTION:**     **Moved: Cr GK Schluter**

**Seconded: Cr DA Hardie**

**That Council receive the letter from the Department of Communities, Housing and Digital Economy and acknowledges the funding of \$46,000.00 (ex GST) for the Community Drought Support Program, Blackall-Tambo Circus Carnival Event.**

**Minute No. 16/08A/22**

**Carried 7/0**

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**5.9 Application for Domestic Water Connection – 11856 Isisford-Blackall Road, Blackall**

The landowner of 11856 Isisford- Blackall Road, Blackall has written to Council requesting approval to connect the property to the Blackall town water supply. The property is outside the defined water area shown in Appendix C of Council's Revenue Statement.

**MOTION:     Moved: Cr PJ Pullos**

**Seconded: Cr LP Russell**

**That Council decline the request to connect 11856 Isisford-Blackall Road to the Blackall town water supply as the property is outside the defined water area, Council has a legislative requirement to ensure that users within the defined water area receive an adequate service and the property is not connected to the private water infrastructure.**

**Minute No. 17/08A/22**

**Carried 7/0**

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**5.10 Development Application – DA 42-2021-2022 – 24 Clematis Street, Blackall**

The Applicant, Alison McNall, seeks a Development Permit for Material Change of Use for a Dwelling house over land at 24 Clematis Street, Blackall, formally described as Lot 4 on RP603594. The subject site is vacant. The Applicant proposes to build a dwelling house with an ancillary storage shed and carport.

The dwelling house will have a floor area of approximately 72m<sup>2</sup> and a maximum height of 4.4m and will contain a single bedroom, bathroom and shared kitchen, dining and living area.

The storage shed will have a floor area of approximately 60m<sup>2</sup> whilst the open carport will have an area of approximately 36m<sup>2</sup>.

Under the Blackall-Tambo Region Planning Scheme 2020 (the Planning Scheme), the subject site is in the Commercial Precinct of the Township Zone. The defined use that has been applied for, being 'Dwelling house', is subject to Code Assessment in the Township Zone where in the Commercial Precinct.

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 DA Hardie**

**Seconded: Cr JH Scobie**

**That Council approves the application for a Development Permit for Material Change of Use for a Dwelling house over land at 24 Clematis Street, Blackall, formally described as Lot 4 on RP603594, 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:**

<b>Plan/Document Name</b>	<b>Plan/Document Number</b>	<b>Revision Number</b>	<b>Date</b>
<b>Site Plan and Elevations</b>	<b>DA-01</b>	<b>-</b>	<b>06/07/2022 (Received date)</b>

- 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 SEWER WORKS**

- 3.1 At the time of submitting an application for a Development Permit for Building Work or Plumbing and Drainage Work Permit (whichever is lodged first) to Council provide an RPEQ certified plan demonstrating that the construction of the building will not cause impacts to Council's sewer infrastructure. Alternatively submit a request to Council to shorten the sewer line. All works associated with the sewer are met at no expense to Council.**

### **4.0 STORMWATER WORKS**

- 4.1 Stormwater from the approved development must drain to a lawful point of discharge, being Clematis Street. Stormwater run-off must not adversely affect adjoining land or infrastructure in comparison to the pre-development condition by way of blocking, altering or diverting existing stormwater runoff patterns or have the potential to cause damage to other infrastructure.**

### **5.0 ACCESS WORKS**

- 5.1 Construct and maintain a single vehicle crossover from Clematis Street generally in accordance with the standard drawing, Figure 2 – Vehicle Crossover – Piped, from the General Development Code of the Blackall-Tambo Region Planning Scheme.**

### **6.0 SERVICES**

- 6.1 The site must be connected to Council's reticulated water and sewer networks.**
- 6.2 Electricity and telecommunication services must be provided to the premises in accordance with the standards and requirements of the relevant service provider.**



## **7.0 ASSET MANAGEMENT**

- 7.1 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.**

## **8.0 CONSTRUCTION ACTIVITIES**

- 8.1 Prior to construction of the vehicle access and water and sewer connections, forms for a Minor Works on Road Application and a Water/Sewer Connection Application must be completed and submitted to Council to notify the details of work being undertaken.**
- 8.2 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site, in accordance with the *IECA 2008 Best Practice Erosion and Sediment Control* document (as amended) for the duration of the works, and until such time all exposed soil areas are permanently stabilised. The ESCP must be available on-site for inspection by Council Officers during the works.**
- 8.3 The construction of any works must be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the provisions of any relevant standards under the *Blackall-Tambo Region Planning Scheme*.**
- 8.4 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.**
- 8.5 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. 18/08A/22**

**Carried 7/0**

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At this point 9.49 am, Cr Martin left the meeting.  
Cr Russell assumed the chair.

**5.11 Development Application – DA 01-2021-2022 – 35 Garden Street, Blackall**

The Applicant, Louise Martin, seeks a Development Permit for Material Change of Use for Short-term accommodation over land at 35 Garden Street, Blackall, formally described as Lot 1 on RP817732. The subject site contains an existing dwelling house that will be used to provide accommodation.

The dwelling house contains three bedrooms and one bathroom, and it is intended to provide accommodation to a single family or group at a time. The site contains an existing carport that can be utilised for parking.

Under the Blackall-Tambo Region Planning Scheme 2020 (the Planning Scheme), the subject site is in the Township Zone. The defined use that has been applied for, being ‘Short-term accommodation, is subject to Code Assessment in the Township Zone where contained within an existing building and with a maximum of six guests.

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 PJ Pullos**

**Seconded: Cr DA Hardie**

**That Council approves the application for a Development Permit for Material Change of Use for Short-term accommodation over land at 35 Garden Street, Blackall, formally described as Lot 1 on RP17732, 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:

<b>Plan/Document Name</b>	<b>Plan/Document Number</b>	<b>Revision Number</b>	<b>Date</b>
Site Plan	DA-01	-	09/08/2022

- 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 LIMITATIONS OF USE**

- 3.1 The total number of guests at any one time must not exceed six (6).
- 3.2 One onsite car space is to be available at all times to guests.

### **4.0 ENVIRONMENTAL HEALTH**

- 4.1 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, dust, vibration, odour, fumes, smoke, vapour, steam, soot, wastewater, waste products, oil or otherwise.
- 4.2 In accordance with the Environmental Protection (Waste Management) Regulations, all waste storage areas must be kept in a clean, tidy condition, and sufficient waste containers and services are to be provided to cater for the containment and removal of all waste generated on the site. Waste must be removed to a lawful landfill.

### **5.0 ASSET MANAGEMENT**

- 5.1 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.

### **6.0 CONSTRUCTION ACTIVITIES**

- 6.1 Prior to construction of the vehicle access and water and sewer connections, forms for a Minor Works on Road Application and a Water/Sewer Connection Application must be completed and submitted to Council to notify the details of work being undertaken.
- 6.2 Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site, in accordance with the *IECA 2008 Best Practice Erosion and Sediment Control* document (as amended) for the duration of the works, and until such time all exposed soil areas are permanently stabilised. The ESCP must be available on-site for inspection by Council Officers during the works.
- 6.3 The construction of any works must be undertaken in accordance with good engineering practice and workmanship and generally in

accordance with the provisions of any relevant standards under the *Blackall-Tambo Region Planning Scheme*.

- 6.4 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.
- 6.5 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. 19/08A/22**

**Carried 6/0**

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At this point, 9.53 am, Cr Martin returned to the meeting and resumed the chair.

**CLOSURE:**

There being no further business to consider, the Mayor declared the Meeting closed at 9.54 am.

**CONFIRMATION OF MINUTES:**

Confirmed by Council as a true and correct record at the General Meeting held on Wednesday 21 September 2022.

Signed.....Mayor