



**MINUTES OF THE GENERAL MEETING OF
BLACKALL-TAMBO REGIONAL COUNCIL
HELD AT THE BLACKALL COUNCIL CHAMBERS
ON WEDNESDAY 21ST JUNE 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 Ajay Agwan, Director of Works and Services, Mrs Andrea Saunders, Governance Coordinator.

CONDOLENCES:

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

- Rhonda Dern
 - John Austin Henderson
 - Colin Gordon Tanzer
 - Robert Stanton Elliot
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DECLARATIONS OF INTEREST:

Cr Martin for item 4.1.4 - I, Councillor Martin, inform the meeting that I have a declarable conflict of interest in item 4.1.4 – RADF Application – Tambo Tourism and Business Association. The nature of interest is as follows:

- My wife, Louise Martin, is a member of the Tambo Tourism and Business 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 5.16 – I, Councillor Martin, inform the meeting that I have a prescribed conflict of interest in item 5.16 – Outback Queensland Tourism Association – 2023-2024 Council Partnership. The nature of my interest is as follows:

- I am the chair of Outback Queensland Tourism Association.

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

Minute No. 03/06B/23

Carried 7/0

At this point, 8.49am, the Director of Works and Services left the meeting and returned at 8.51am.

At this point, 8.54am, Cr Hardie left the meeting and returned at 8.56am.

4.1.3. RADF Meeting Minutes

The fourth round of the 2022-2023 RADF program closed for applications on April 28th and the RADF Committee held a meeting on the May 17th.

MOTION: Moved: Cr DA Hardie

Seconded: Cr BP Johnstone

That Council receive the meeting minutes of the RADF committee dated 17 May 2023.

Minute No. 04/06B/23

Carried 7/0

At this point, 8.58am, Cr Pullos and Cr Martin left the meeting.
Cr Russell assumed the chair.

4.1.4. RADF Application – Tambo Tourism and Business Association

On 28th April 2023, the fourth round of the RADF program for 2022-2023 closed for applications, and the Committee recommended that the Tambo Tourism and Business Association application be approved.

MOTION: Moved: Cr JH Scobie

Seconded: Cr GK Schluter

That Council endorse the recommendation of the RADF Committee to approve the application from Tambo Tourism and Business Association, for \$3,500.00.

Minute No. 05/06B/23

Carried 5/0

At this point, 9.00am, Cr Pullos and Cr Martin returned to the meeting.
Cr Martin resumed the chair.

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

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

MOTION: Moved: Cr GK Schluter

Seconded: Cr PJ Pullos

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

Minute No. 06/06B/23

Carried 7/0

minimum of 15 business days. During the public notification period, one (1) submission was received. The issues raised in the submission have been addressed in the decision report.

The proposal has been assessed against the entire Planning Scheme and is consistent with the intent of the zone code and all other relevant assessment benchmarks.

Based on an assessment of the proposal in accordance with the Impact 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 LP Russell**

Seconded: Cr DA Hardie

That Council approves the application for a Development Permit for Material Change of Use for Short-term Accommodation (up to 13 guests) over land at 18 & 18A Edward Street, Tambo, formally described as Lot 61 TB217 and Lot 2 on RP610529, 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
Site Plan	DA26-2022-2023	-	30/03/2023 (Received date)

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 OPERATION

3.1 Guests of the Short-term accommodation are limited to a maximum stay of three (3) consecutive months at any one time.

3.2 The total number of guests at any one time must not exceed thirteen (13).

3.3 No pets are permitted to stay at the Short-term accommodation.

3.4 A minimum one (1) onsite car space is to be available at all times to guests.

4.0 SITE MANAGEMENT PLAN

4.1 Maintain and implement a site management plan for the Short-term accommodation. The site management plan is to include measures to manage operational aspects of the development including, but not limited to, hours of operation, noise management, site care and maintenance, complaints management and refuse management.

5.0 PRIVACY FENCE

5.1 Construct a 2m high privacy fence to the full length of the western boundary within 3 months of the date of this approval.

6.0 ENVIRONMENTAL HEALTH

6.1 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.

6.2 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.

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.

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”).**

5.13 Development Application – DA 27-2022-2023 – 1 Banksia Street & 3 Mulberry Street, Blackall

The Applicant, Bruce F Crook-King, seeks a Development Permit for a Material Change of Use for a Transport Depot over land 1 Banksia Street and 3 Mulberry Street, Blackall formally described as Lot 21 & 25 on SP210376.

The proposal is for a Transport depot. The proposal will allow for the housing and operation of up to three (3) trucks and 15 trailers. The proposal will have up to four (4) staff members. The proposal will essentially act as an extension to the existing Storage Facility (truck and trailers for freight transport).

The site is located in the established industrial precinct of Blackall.

Under the Blackall-Tambo Region Planning Scheme 2020 (the Planning Scheme), the subject site is in the Industrial Precinct of the Township Zone. The defined use that has been applied for, being a Transport Depot, is subject to Code Assessment in the Industrial Precinct of the Township 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 PJ Pullos

Seconded: Cr JH Scobie

That Council approves the application for a Development Permit for Material Change of Use for a Transport Depot over land 1 Banksia Street and 3 Mulberry Street, Blackall formally described as Lot 21 & 25 on SP210376, 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
Site Plan	SK1	-	21/04/2023

- 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 Hours of operation are 24 hours a day, 7 days a week for the primary use activity involving heavy vehicle site access, egress and trailer hitching / unhitching.
- 3.2 Hours of operation are 7:00am to 6:00pm, 7 days a week for ancillary maintenance and servicing activities associated with the primary use.

4.0 LIMITATIONS OF USE

- 4.1 The use is limited to three (3) trucks, up to 15 trailers and up to four (4) operators on site.
- 4.2 No loading, unloading or storage of goods is permitted to occur on site.
- 4.3 All ancillary servicing and maintenance activities, including cleaning of trucks and trailers, undertaken in conjunction with the approved use must be limited to the existing shed. The area within

the shed where service and maintenance activities will occur must be maintained to a concrete floor or similar surface treatment to prevent ground and water contamination, and to provide containment of spills and hazardous materials and liquids.

4.4 All waste oils are to be collected within a sump and disposed of lawfully at a Blackall-Tambo Regional Council waste oil facility or by an authorised waste oil collection service provider.

4.5 Any spray painting associated with the ancillary maintenance of vehicles is limited a maximum of five (5) litres per week. All spray painting must be undertaken within the existing shed and in a manner to ensure there is no spray drift outside the existing shed.

5.0 ACCESS AND MANOEUVRING AREAS

5.1 Design, construct and maintain the Mulberry Street crossover in accordance with the approved plans (see Condition 2.1) and generally in accordance with the standard drawing, Figure 1 or 2, from the General Development Code of the Blackall-Tambo Region Planning Scheme.

5.2 All new vehicle manoeuvring areas must be constructed to an all weather standard.

8.0 STORMWATER WORKS

8.1 Undertake the development such that all stormwater, except for rainwater captured on-site in rainwater tanks, is to be drained from the site to a lawful point of discharge and carried without causing annoyance or nuisance to any person or property. All works must be designed, constructed and maintained in accordance with the *Queensland Urban Drainage Manual*.

7.0 SEWERAGE AND WATER

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

8.0 TELECOMMUNICATION AND ELECTRICITY SUPPLY

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

9.0 WASTE MANAGEMENT

9.1 Store all waste within a waste storage area (for example, general waste, recyclable waste, pallets, empty drums etcetera). The waste storage area must be:

- 9.1.1 **Designed to not cause nuisance to neighbouring properties;**
- 9.1.2 **Screened from any road frontage or adjoining property;**
- 9.1.3 **Of a sufficient size to accommodate a waste bin/s suitable to service the development.**
- 9.2 **Appropriate materials and equipment are to be available onsite at all times to contain and clean up spills of potentially polluting materials. The materials and equipment must be maintained.**

10.0 AMENITY AND ENVIRONMENTAL HEALTH

- 10.1 **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**
- 10.2 **Install and operate all outdoor lighting to comply with AS4282 – 1997 “Control of the Obtrusive Effects of Outdoor Lighting”.**

11.0 ASSET MANAGEMENT

- 11.1 **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.**

12.0 CONSTRUCTION ACTIVITIES

- 12.1 **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.**
- 12.2 **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. 20/06B/23

Carried 7/0

5.14 Special Holiday for 2024

The Office of Industrial Relations annually invite local governments to make a request to the Minister for special and show holidays for the following year.

MOTION: Moved: Cr GK Schluter

Seconded: Cr DA Hardie

That Council request a special holiday for the Blackall-Tambo Regional Council area as Melbourne Cup Day, 5 November 2024.

Minute No. 21/06B/23

Carried 7/0

5.15 Infrastructure Investment Program

The LGAQ are seeking feedback from Council for the Federally funded Infrastructure Investment Program.

MOTION: Moved: Cr PJ Pullos

Seconded: Cr LP Russell

That Council provides feedback to LGAQ for the review into the Infrastructure Investment Program.

Minute No. 22/06B/23

Carried 7/0

At this point, 11.03am, Cr Martin left the meeting and Cr Russell assumed the chair.

5.16 Outback Queensland Tourism Association – 2023-2024 Council Partnership

The Outback Queensland Tourism Association have thanked Council for its ongoing commitment to Outback Queensland tourism during 2022/23 and advises of the increase in fees for the 2023/24 period.

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

That Council receive the letter from Outback Queensland Tourism Association and approve the membership for 2023-2024 and note the fee will increase by CPI of 6.89%.

Minute No. 23/06B/23

Carried 6/0

At this point, 11.06am, 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 11.06am.

CONFIRMATION OF MINUTES:

Confirmed by Council as a true and correct record at the General Meeting held on Wednesday 19 July 2023.

Signed.....Mayor