



Ordinary Meeting of Council

MINUTES

Friday 18 February 2022

Quilpie Shire Council Boardroom
50 Brolga Street, Quilpie



**MINUTES OF QUILPIE SHIRE COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE QUILPIE SHIRE COUNCIL BOARDROOM, 50 BROLGA STREET, QUILPIE
ON FRIDAY, 18 FEBRUARY 2022 AT 9.30AM**

1 OPENING OF MEETING

The Mayor declared the meeting open at 10.06am.

2 ATTENDANCE

Cr Stuart Mackenzie (Mayor), Cr Jenny Hewson (Deputy Mayor), Cr Lyn Barnes, Cr Bruce Paulsen, Cr Roger Volz

In Attendance: Mr Justin Hancock (Chief Executive Officer), Ms Lisa Hamlyn (Director Corporate and Community Services), Mr Peter See (Director Engineering Services), Lorraine Mathieson (Secretariat)

3 APOLOGIES

Nil

4 CONDOLENCES

Condolence notices have been sent to note the passing of Cheryl Crawley, Bill Challenor, Alan Groves and Scott Turner.

5 DECLARATIONS OF INTEREST

Chapter 5B of the Local Government Act 2009 (the Act) requires Councillors to declare a Prescribed or Declarable Conflict of Interest. The Declaration is to be made in writing to the Chief Executive Officer, before the Ordinary Meeting of Council.

6 RECEIVING AND CONFIRMATION OF MINUTES**6.1 ORDINARY MEETING OF QUILPIE SHIRE COUNCIL HELD ON TUESDAY 18 JANUARY 2022**

RESOLUTION NO: (QSC009-02-22)

Moved: Cr Jenny Hewson

Seconded: Cr Roger Volz

1. That the Minutes of the Council Meeting held on 18 January 2022 be received and the recommendations therein be adopted.

5/0

7 ITEMS ARISING FROM PREVIOUS MEETINGS

Nil

8 MAYORAL REPORT

- 20/01/22 Deputy CHO teleconference
- 20/01/22 Regional Development Australia Meeting (Zoom) – regional housing discussed
- 28/01/22 Regional Development Australia Executive Meeting (Zoom)
- 17/2/22 Budget Workshop Meeting – phone in
- 18/2/22 Business Development Meeting (Quilpie)

9 COUNCILLOR PORTFOLIO REPORTS

Details	Date of Meeting	Location	Mackenzie	Hewson	Paulsen	Volz	Barnes
Ordinary Council Meeting	17-Jan-22	Quilpie	1	1	1	1	1
Deputy CHO teleconference	20-Jan-22	Teleconference	1				
Regional Development Australia Meeting	20-Jan-22	Zoom	1				
Australia Day Celebration	21-Jan-22	Quilpie		1		1	
Australia Day Activities - Quilpie Pool	26-Jan-21	Quilpie				1	
Regional Development Australia Executive	28-Jan-22	Zoom	1				
Quilpie Diggers Race Club	07-Feb-22	Quilpie					1
Eromanga District Community Association AGM	09-Feb-22	Eromanga		1		1	1
Agricultural Show Committee	10-Feb-22	Quilpie		1			
Budget Workshop	17-Feb-22	Quilpie	Phone	1	1	1	1
Queensland Treasury Corp Workshop	17-Feb-22	Quilpie		1	1	1	1
Dinner Queensland Treasury Corp	17-Feb-22	Quilpie		1	1	1	1
Business Development Group Meeting	18-Feb-22	Quilpie	1	1	1	1	1

10 OPERATIONAL STATUS REPORTS

10.1 ENGINEERING SERVICES STATUS REPORTS

10.1.1 ENGINEERING SERVICES STATUS REPORT JANUARY 2022

EXECUTIVE SUMMARY

This report provides an overview of the work in Engineering Services during the month of January 2022.

Noted

10.2 CORPORATE AND COMMUNITY SERVICES STATUS REPORTS

10.2.1 SWIMMING POOLS REPORT

EXECUTIVE SUMMARY

This report is to provide information to Council on programs and activities at Council's swimming pools.

Noted

10.2.2 PEST AND LIVESTOCK MANAGEMENT COORDINATOR REPORT

EXECUTIVE SUMMARY

This report provides information and updates to Council on various activities and programs that are facilitated within the Pest and Livestock Management Officer's portfolio.

Noted

10.2.3 DIRECTOR OF CORPORATE AND COMMUNITY SERVICES - MONTHLY STATUS REPORT**EXECUTIVE SUMMARY**

This report information and updates to Council on various activities and programs that are facilitated within the Director of Corporate & Community Services portfolio.

ACTION ITEMS

Meeting Date	Subject	Action	Comments	Status
9 Nov 2021	LGAQ Small Business Friendly Council	Apply to LGAQ to participate in their Small Business Friendly Council initiative.	Liaising with Manager of Tourism & Economic Development	Commenced
9 Jul 2021	Queens Jubilee	Create an event for the Queen's Platinum Jubilee 2 June 22	Need to establish size of event and budget to enable further planning.	Commenced

Noted

10.3 FINANCE SERVICES STATUS REPORTS**10.3.1 FINANCE SERVICES STATUS REPORT****EXECUTIVE SUMMARY**

This report is to provide Council with a summary of the cheques issued for month ending 31 January 2022.

Noted

10.4 GOVERNANCE SERVICES STATUS REPORTS**10.4.1 TOURISM AND ECONOMIC DEVELOPMENT REPORT****EXECUTIVE SUMMARY**

The purpose of this report is to update Council on Tourism and Economic Development activities.

Noted

10.4.2 WORKPLACE HEALTH AND SAFETY MANAGERS STATUS REPORT

EXECUTIVE SUMMARY

Workplace Health & Safety

The 2022-23 Workplace Health & Safety Management Plan was reviewed at the WHS Consultation Group Meeting on February 2, accepted and signed by the CEO. The plan outlines the strategic framework to support the 2022-23 WHS Management System to provide overall actions for reducing workplace injury and disease and to ensure Quilpie Shire Council employees, contractors, volunteers and visitors are free from hazards and risks to their health and wellbeing.

The plan will be reviewed at the end of each quarter over the next two years to measure WHS performance as outlined in the Quarterly Action Plans.

Hal Waddington from LGW advised that LGW hope to have the new WHS Management System functioning by mid-year. The new system will align with ISO45001 Occupational Health and Safety Management System and is purpose built for small and large councils allowing councils to build a system to suit their needs as it will be a base system with add on units relevant to operations.

- Bi-annual Fire Equipment inspection completed in January
- COVID19 Personal Safety Packs have been issued to employees and placed in vehicles.
- RAT kits are in stock should they be required by staff for self-testing requirements.

Noted

10.4.3 CHIEF EXECUTIVE OFFICER - MONTHLY STATUS REPORT

EXECUTIVE SUMMARY

This report provides information and updates to Council on various activities and programs that are facilitated within the Chief Executive Officer's portfolio.

Noted

11 ENGINEERING SERVICES

11.1 RFQ07 21-22 SUPPLY OF COMPACT TRACK LOADER

EXECUTIVE SUMMARY

Council has a 2021/22 budget allocation for the replacement of one (1) Compact Track Loader. The new plant item is to replace the current Skid Steer Unit, item #117 which is seven years old.

Tender T21-22 was issued for the purchase and trade-in of the Compact Track Loader with the responses considered by Council at the September 2021 meeting. Resolution 07-09-21 was passed awarding the tender to Black Truck and Ag for one (1) Kubota SVL97-2 for the price of \$106,232.24 excl GST, with a management decision for plant #117 to be sold at auction due to the low trade-in value offered. A notice was issued to Councillors on 9 February 2022 advising of the repeal of the resolution.

Purchase order number 40373 was issued on 21 September 2021. Subsequently Black Truck and Ag e-mailed Council on 28 January 2022 advising they wish to formally withdraw their tender.

RESOLUTION NO: (QSC010-02-22)

Moved: Cr Jenny Hewson

Seconded: Cr Bruce Paulsen

1. That Council:

- (a) rescind resolution 07-09-21 awarding Tender T21-22 for the purchase of a Kubota SVL97-2 Track Skid Steer Loader to Black Truck and Ag for \$106,232.24 excl GST;
- (b) award Tender T21-22 to Hastings Deering for a Caterpillar 289D3 Compact Track Loader for \$162,200.00 excl GST; and
- (c) accept the Tender T21-22 trade-in offer from Hastings Deering for plant item 117, Bobcat Skid Steer Loader, for \$43,000.00 excl GST.

5/0

12 CORPORATE AND COMMUNITY SERVICES**12.1 DEVELOPMENT APPLICATION - PROPOSED CONTAINER EXCHANGE DEPOT (LOW IMPACT INDUSTRY)**

EXECUTIVE SUMMARY

Near the intersection of Chipu Street and Galah Street in Quilpie, is a large, irregularly shaped lot that contains a large industrial type shed and associated laydown areas. The premises, more accurately described as 49 Chipu Street, Quilpie (Lot 81 on SP234974), is located on the fringe of the Quilpie residential precinct in an area of town made up of a range of land uses that include residential, commercial and industrial activities. The site has previously been used for commercial and industrial type activities, and the owner of the premises is now wanting to establish a container exchange drop off at the site, providing an opportunity for the general public to recycle aluminium cans and plastic bottles.

The proposal constitutes a *material change of use* as defined in the *Planning Act 2016* (being *the start of a new use at the premises*) and requires a development permit to be issued by Council prior to the commencement of use. Provisions of the *Quilpie Shire Scheme 2018* make the required development application subject to code assessment. A code assessable application must be assessed against the assessment benchmarks (to the extent relevant) and any matters prescribed by regulation. The *Development Assessment Rules* set out the procedural requirements for the development assessment process.

The development application has been assessed against all relevant assessment benchmarks and found to comply, or able to be conditioned to comply. Further, officers have identified a number of matters that support approval of the application, including; the development is for a low impact industrial type activity consistent with the type of activities already established at the premises and in the general vicinity, such that the use is not out of character and within a reasonable expectation of the type of use anticipated in this area; that there is an overall absence of negative impacts resulting from the proposed development, having regard to the previous uses on the land and those land uses directly adjacent and the impacts generated by those uses; and the proposal will provide a valuable service to the community and the wider region, and by doing so will promote commercial and economic growth.

RESOLUTION NO: (QSC011-02-22)

Moved: Cr Roger Volz

Seconded: Cr Lyn Barnes

The application for a Material Change of Use "Low impact industry" (container exchange depot) at 49 Chipu Street, Quilpie and being more accurately described as Lot 81 on SP234974 be approved subject to the listed relevant and reasonable General advice and Development conditions.

GENERAL ADVICE

- (a) The relevant planning scheme for this development is the *Quilpie Shire Planning Scheme 2018*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- (b) Under the Planning Scheme a "**Low impact industry**" means the use of premises for an industrial activity –
 - (a) that is the manufacturing, producing, processing, repairing, altering, recycling, storing, distributing, transferring or treating of products; and
 - (b) that a local planning instrument applying to the premises states is low impact industry; and
 - (c) that complies with any thresholds for the activity states in a local planning instrument applying to the premises, including, for example, thresholds relating to the number of products manufactured or the level of emissions produced by the activity.
- (c) 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.

- (d) The land use rating category may change upon commencement of any new use on the approved lot(s). Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: www.quilpie.qld.gov.au
- (e) 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.
- (f) It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans to the relevant authorities for the approved use.
- (g) All persons involved in the development, operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.
- (h) 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.
- (i) This development approval has been issued during a COVID-19 applicable event declared under 275F of the *Planning Act 2016*. The period for undertaking the approved development may be subject to an extension of time under section 275R of the *Planning Act 2016*.

DEVELOPMENT CONDITIONS

Development details

1. The approved development is a Material Change of Use – “Low impact industry” (Container Exchange drop-off facility) as defined in the Planning Scheme and as shown on the approved plans.

Compliance inspection

2. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless noted in the approval conditions or otherwise confirmed in writing by Council.
3. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

Approved plans and documents

4. The approved development is to be carried out in accordance with the following approved plans/documents and subject to the 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
001	Site Plan	
002	Traffic movement plan	

Development works

5. 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.
6. 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).

Separation distance

7. Approved use areas must maintain a minimum 15 metre separation distance from common boundaries it shares with accommodation activities. The storage of containers and other materials and machinery associated with the approved use must not occur within this buffer area at any time.

Applicable standards

8. All works must comply with:
 - a) the development approval conditions;
 - b) any relevant provisions in the Planning Scheme;
 - c) any relevant Australian Standard 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.

Works in road reserve

9. A Works in a Road Reserve Permit will be required from Council for any works associated with the development that are undertaken within the Council road reserve by private contractor/entity. Works include, but are not limited to, cutting work, kerb and channel and site access/crossovers. All works on or near roadways shall be adequately signed in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads".

No cost to Council

10. 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, survey, registration, document lodgment, easement documentation preparation and plan sealing.

Latest versions

11. 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

12. 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'.

Landscaping and fencing

13. Landscaping areas must run for the length of the development site frontage adjacent to Chipu Street (excluding accessways). Landscaping areas must be minimum of 2.0 metres wide, and plantings within the landscaping areas shall include a mix of shrubs and ground covers which must contribute to the amenity of the development and the street.
14. Site landscaping is to be irrigated during an establishment period of two years, and ground covers should fully cover vegetated areas within one year of planting.
15. 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.
16. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
17. Landscaping must not interfere with site lines at access driveways for vehicle traffic.
18. Existing fencing/screening separating the site from adjoining houses must be maintained whilst the use continues.

Access

19. Vehicle crossovers to and from the development site shall be provided from Chipu Street , generally in the locations shown on approved plan *002 Traffic movement plan*.
20. The landowner is responsible for the construction and maintenance of vehicle crossovers from the property boundary to the external road networks and access ways, and for obtaining any approvals that may be required and for complying with the applicable designs and standards.
21. Vehicle crossovers are to be designed and constructed to cater for the maximum vehicle size accessing the site, ensuring no damage to the roadway or kerb. Suitable flares and tapers are to be provided at the interface with the roadway to cater for vehicle swept path movements.
22. Vehicle crossovers must be located a minimum distance of one metre from any power poles, street signage, streetlights, manholes, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.

Directional signage

23. Signage shall be installed internal to the site at strategic locations that clearly demonstrate the direction that vehicles are to travel through the site.
24. Signage shall be installed in proximity of the site access points clearly advising the required entry and exit points for vehicle manoeuvres associated with the use.

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25. Signage shall be installed internal to the site restricting vehicle speed and making drivers aware of any potential for pedestrian and vehicle conflict.

Laydown area

26. The *laydown area for containers* as shown on approved plan 001 - *Site Plan* is to be clearly delineated from vehicle manoeuvring areas through the use of such things as temporary bollards, rope-fencing and/or other traffic management measures.

Parking and manoeuvring

27. A minimum of three onsite car parking spaces including PWD spaces in accordance with the Building Code of Australia, are to be provided within the development site.
28. Vehicles accessing the designated onsite parking area must be able to enter and leave in forward direction. All vehicle manoeuvres to and from the onsite parking spaces must be totally contained within the development site boundaries and must not encroach onto the adjacent roadway.
29. The vehicle parking area must not encroach into the swept paths for vehicle movements within the site.
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30. Vehicle movements within the site are to be clear of proposed parking areas, buildings, and landscape treatments.
31. On-street parking associated with the approved use is prohibited at all times.
32. On-site car parking spaces (widths and lengths), vehicle access lanes and manoeuvring areas are to comply with Australian Standard AS/NZS 2890.1:2004 Part 1: Off-street car parking.
33. Disabled car parking bays are to comply with Australian Standard AS/NZS 2890.6:2009 - Parking Facilities Part 6: Off-street parking for people with disabilities.
34. Onsite service vehicle access, parking and manoeuvring is to comply with Australian Standard AS/NZS 2890.2:2004 - Parking facilities Part 2: Off-street commercial vehicle facilities requirements.

Refuse storage

35. An enclosed bulk refuse storage area must be provided within the development site area.
36. Refuse storage areas are to be located behind the building/s and screened from view from the street and nearby sensitive land uses and retain reasonable standards of amenity for users of the premises and the surrounding properties.
37. A dedicated, convenient and unobstructed area for service vehicle access and manoeuvring to the bulk refuse storage area must be provided.
38. Waste containers shall be removed from the site on a regular basis.
39. Refuse collection from the site must not occur before 7:00am or after 6:00 pm, or on Sundays or public holidays.

Avoiding nuisance

40. No unreasonable and sustained 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.

Note: Refer to the *Environmental Protection Regulation 2019* for acceptable emission levels.

41. Dust emanating as a result of operations carried out onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks, nearby properties and sensitive land uses.
42. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.
43. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.

Note: The Queensland Government *Environmental Protection Act 1994* includes controls for light nuisances.

Maintain the premises

44. 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.

Screening mechanical equipment

45. All mechanical equipment (including air conditioners and the like) and rainwater tanks are to be screened from the adjoining roadway and nearby properties.

Services

46. All services installation, including sewer, water, electricity and telecommunications connections to the respective networks, must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such designs exist (v) any relevant Australian Standard that applies to that type of work and (vi) 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.
47. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

Stormwater and drainage

48. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed.
49. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed.
50. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

Construction activities and erosion control

51. If there is a possibility of erosion or silt or other materials being washed off the property during the development process or after the development is completed, the developer must document and implement a management plan that prevents this from occurring.
52. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
53. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.
54. Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sedimentation from the site, then such works shall be at no cost to Council. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.

Advertising signage

55. Any proposed advertising signage in addition to that identified in the approved development plans, is subject to further development approval unless complaint with the requirements for "Accepted development" or "Accepted development subject to requirements" identified in the planning scheme in force at the time.
56. Any advertising signage associated with the approved use must be fully contained within the development site boundaries and must not encroach into adjoining properties or roads.

Operating hours

57. Operating hours are restricted to 7:00am to 5:00pm Monday to Friday and 8:00am to 5:00pm on Saturdays. The development is not permitted to operate on Sundays or Public Holidays.

Delivery of goods

58. Loading and unloading of goods must not occur outside the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 5:00pm on Saturdays. No loading or unloading shall occur on Sundays or Public Holidays.

Individuals or Organisations to which the report applies:

Council's decision regarding this matter is likely to affect;

- the applicant and owner of the premises; and
- adjacent properties; and
- the wider Quilpie Shire community less directly.

Context:

This development application is subject to code assessment. Determination of a code assessable application sits outside the scope of Officer Delegations and a decision about the application is required to be made by Council resolution.

Proposal:

- The applicant is wanting to establish a container exchange drop off on her large industrial-type lot located at 49 Chipu Street in Quilpie. A container exchange depot accepts aluminium cans and bottles from the general public in exchange for payment. Containers are then transported off-site for further recycling.
- The proposed site plan and traffic movement plan is shown in Figure 1 below.

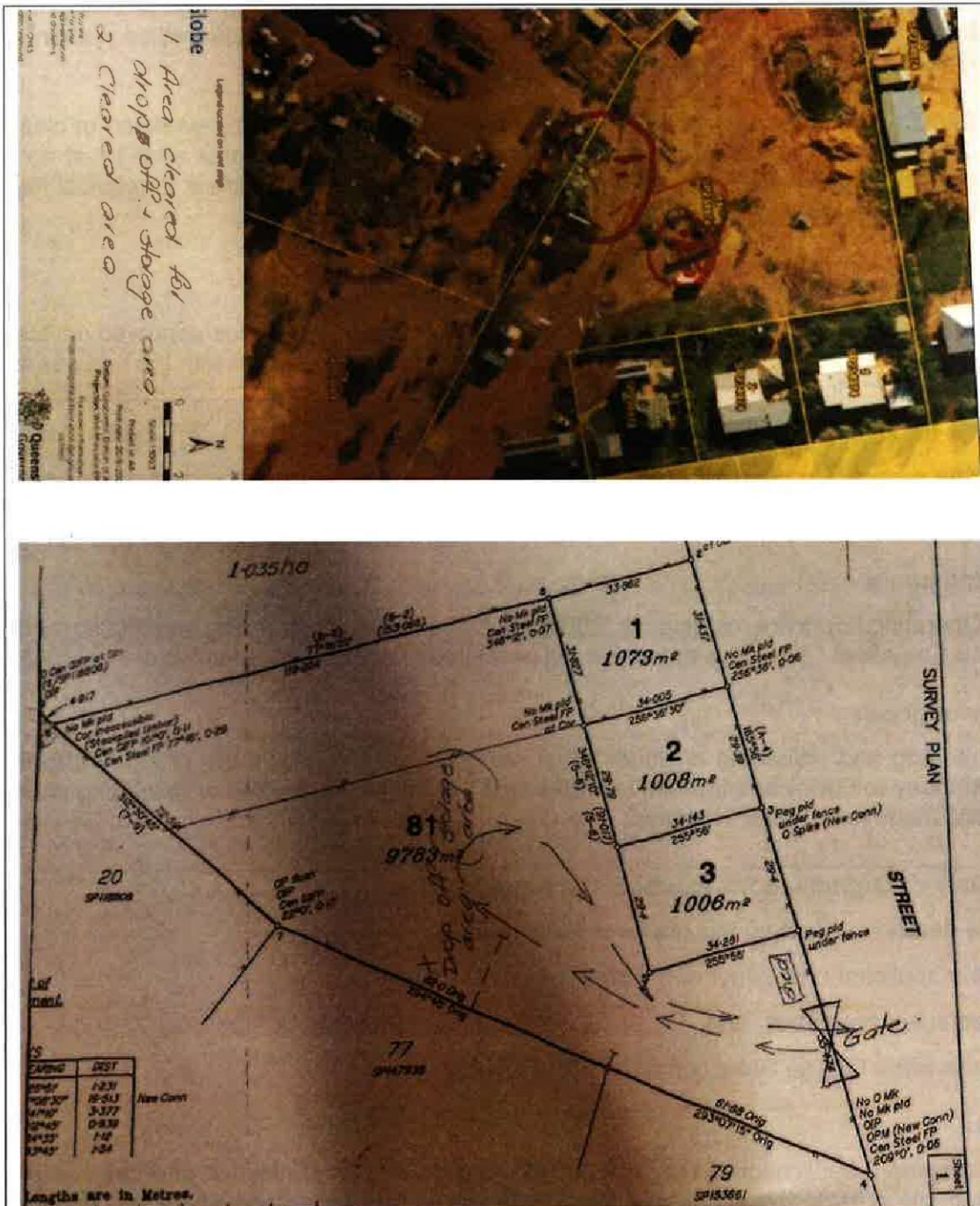


Figure 1 – Proposed site plan and Traffic Movement Plan

The proposed development in the context of the existing community infrastructure and zoning is shown in Figure 2.



- A full assessment of the application against the applicable assessment benchmarks prescribed by Regulation, including an assessment against the zone code is provided in the Supporting documents.

- The development is highly desirable from both a strategic planning perspective and economic development standpoint, as it provides for the adaptive and efficient reuse of underutilised industrial land and existing infrastructure, provides obvious and distinct links to the Quilpie township urban areas, and provides direct and convenient access major transport route. There is also a reasonable expectation that this type of use will occur in this area - having regard to the previous use of the site and existing adjacent uses - so much so that it is unlikely that there will be any negative impacts either tangible or perceived resulting from the proposed development.
- Notwithstanding the desirability of the proposal from a site-specific land-use and infrastructure perspective, should Council resolve to approve the development, it should ensure that relevant, reasonable, and enforceable conditions are imposed to mitigate potential impacts on surrounding development and that the proposed use both complements and contributes to the vitality of existing land uses in this area.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

The proposal constitutes a *Material change of use* as defined in the *Planning Act 2016* being the start of a new use at the premises and requires a development permit to be issued by Council.

Provisions of the *Quilpie Shire Planning Scheme* make the required development application subject to code assessment. Code assessment is an assessment that must be carried out against the applicable codes in the Planning Scheme.

An assessment of the application against these assessment benchmarks is attached in the Supporting Documents.

In accordance with Section 60 of the *Planning Act 2016*, after carrying its assessment Council must decide to:

- approve all or part of the application; or
- approve all or part of the application, but impose development conditions on the approval; or
- refuse the application.

Council Policies or Asset Management Plans:

The *Quilpie Shire Planning Scheme 2018* is applicable to the assessment of further application. The following sections of the planning scheme are applicable:

- Township Zoning Code
- General Development Code

Input into the Report & Recommendation:

- Manager Governance and Compliance

The Officer's recommendation has been informed by feedback from the party consulted.

Risks:

Potential risks associated with the proposal can be addressed in the development assessment. Other matters outside of this, which are not called up in the *Planning Act 2016*, cannot be considered in decision making.

As with any planning decision reached by Council, there is a risk that the applicant can appeal any aspect of the decision to the Planning and Environment Court (the Court).

Note: The likelihood of an appeal by any party is not a valid planning consideration and must not be used to inform Council's decision on any planning matter.

Advice to Council:

It is considered that the proposal presents no significant conflict with the applicable assessment benchmarks. Development conditions have been recommended to ensure compliance to the greatest extent possible. Any residual inconsistency with the assessment benchmarks needs to be considered in light of various relevant matters including:

- the development is a low impact industry on a lot previously used for industry activities and is adjacent to other industry activities, such that the use is not out of character and within a reasonable expectation of the type of use anticipated in this area;
- approval of the application would encourage and diversify economic development within the region and will support several key themes of Council's strategic planning framework including *encouraging economic commercial/growth* in Quilpie;
- the site achieves adequate infrastructure service levels;
- there is an absence of any significant impacts that result from the development; and
- the development has been deliberately located and designed, and includes landscaping and other elements to mitigate any perceived impacts to nearby sensitive receptors;

Based on the above, Council should endorse the officer recommendation and approve the development application for a material *change of use* for a "Low impact industry" (container exchange depot) at 49 Chipu Street, Quilpie (and being more accurately described as Lot 81 on SP234974) subject to relevant, reasonable and enforceable conditions that mitigate potential impacts from the development.

Attachments:

Assessment against the applicable sections of the Township Zone Code

Performance outcomes	Acceptable outcomes
For assessable development	
PO1 Development is consistent with the existing built form in terms of size, design, siting and physical characteristics. The appearance and siting of buildings, other structures, car parking areas or signage is compatible with the local streetscape character, the style and design of nearby buildings, and is respectful and sympathetic to any heritage place identified in the <u>SPP mapping – Environment, Cultural heritage</u> .	✓ The proposed development will be conditioned to ensure that reasonable levels of amenity are achieved and that impacts on adjoining land uses are mitigated.
PO2 Development with frontage to a highway must have safe access points that do not adversely impact on the safety and efficiency of the road.	N/A - the development does not front a highway.
PO3	N/A - the development does not front a highway.

Development adjacent to the highway corridor is setback from the corridor to avoid adverse impacts to the operation of the road corridor.	
PO4 All uses are located, designed, orientated and constructed to minimise the impacts from the noise, vibration and dust emissions from the State-controlled road and/or rail network.	✓ The proposed development will be conditioned to ensure that reasonable levels of amenity are achieved and that impacts on adjoining land uses are mitigated.
PO5 Tourist accommodation in the form of a caravan park or motel is provided in a location where it can be serviced with infrastructure, where it: (a) is complementary to the existing character of the area. (b) does not have an adverse impact on residential amenity in terms privacy, safety, noise, odour and fumes, lighting and traffic generation. does not lead to a reduced quality of accommodation experiences available within the location.	N/A – the development is not for tourist accommodation.
PO6 Commercial and industrial uses that support and service the residential areas are centrally located where they can be conveniently and safely accessed without having an adverse impact on residential amenity, privacy impacts, safety, noise, odour and fumes, lighting and traffic generation.	The use is appropriately located on the fringe of the Quilpie residential areas, with convenient access. Adequate separation distances and other mitigation measures imposed as development conditions will ensure adverse impacts on nearby receptors are limited.
PO7 Industrial land uses are protected from encroachment by incompatible land uses.	✓ The use will not encroach on industrial land uses.

Assessment against the applicable sections of the General Development Code

Performance outcomes	Acceptable outcomes
Site Layout	
PO1 The size and bulk of new buildings associated with development maintains and enhances the intended local character of the zone by avoiding over-development of the site, and allowing for development at a consistent scale, siting and intensity to nearby development.	✓ The development will not exceed 50% maximum site cover
PO2	

Landscaping is provided to enhance the visual appeal of the development and soften the appearance of the built form. The majority of landscaping is to be undertaken on the principal street frontage of the development.	✓ The development site provides areas for landscaping, as appropriate.
Building Design	
PO3 New development maintains the low-rise scale and character of the Shire.	✓ The proposed development will not exceed 8.5m above ground level.
PO4 New buildings or structures present a traditional façade to the street.	N/A – No new buildings are proposed as part of the development.
PO5 Development is generally in accordance with existing setbacks within the locality.	✓ Setbacks will be conditioned in to ensure amenity is maintained.
Access, manoeuvring and parking	
PO10 The proposed development accommodates sufficient car parking on site.	Car parking proportionate to the use will be conditioned. The site provides sufficient space for car parking and manoeuvring areas.
PO11 The proposed driveway is clear of all impediments.	✓ The proposed driveway is clear of street furniture, gully pits, man holes, power poles and street trees.
PO12 The location of driveways does not create a danger to the safety and efficiency of existing intersections.	✓ The minimum distance of a driveway from an intersection of one street with another is 6m.
PO13 Access to, from and within the site: <ul style="list-style-type: none"> • is adequate for the type and volume of traffic generated by the use. • does not adversely impact on the traffic network external to the site. • caters for safe pedestrian access. • provides for disabled access. 	✓ Vehicle crossovers conditioned to Quilpie Shire standards.
Infrastructure and Services	
PO14	Conditions will require that any telecommunications and electricity supplies

The development is supplied with an appropriate level of infrastructure to support the intended use.	are designed and installed to supplier standards.
PO16 Stormwater is collected and discharged to ensure no impacts on adjoining land owners, BSC or State infrastructure while also ensuring environmental values of waters in the Shire are maintained.	Conditions of development approval have been included to ensure stormwater is managed appropriately.
PO17 Wastewater discharge to a waterway is avoided or managed in a way that maintains ecological processes, riparian vegetation, waterway integrity, and downstream ecosystem health.	Conditions of development approval have been included to ensure wastewater is managed appropriately.
BSC assets	
PO18 Structures and buildings do not adversely impact on QSC infrastructure.	All proposed structures and buildings are clear of QSC easements and underground infrastructure within the site boundaries, as per <u>Queensland Development Code</u> requirements.

5/0

12.2 COMMUNITY ASSISTANCE PROGRAM APPLICATION - EROMANGA DISTRICT COMMUNITY ASSOCIATION (EDCA)

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider a request from the Eromanga District Community Association (EDCA) for financial support of up to \$1,373.76 for reimbursement of travel costs for All About Aquatics to provide swimming lessons to the wider Eromanga community.

RESOLUTION NO: (QSC012-02-22)

Moved: Cr Lyn Barnes

Seconded: Cr Roger Volz

That Council approves the request received from the Eromanga District Community Association for reimbursement of up to \$1,373.76 for travel costs for All About Aquatics to provide various swimming activities to the Eromanga Community between January and March 2022.

5/0

13 FINANCE

13.1 2021/2022 BUDGET - REVIEW DECEMBER 2021

EXECUTIVE SUMMARY

The 2021/2022 Budget was originally adopted on Friday 16 July 2021, a budget review was undertaken for the first quarter of the financial year (July – September) and presented to Council on 12 October 2021. This report covers a review of Council's actual performance against budgeted performance from July to December and projected final position as at 30 June 2022.

RESOLUTION NO: (QSC013-02-22)

Moved: Cr Jenny Hewson

Seconded: Cr Roger Volz

That

1. pursuant to section 170(3) and section 173 of the Local Government Regulation 2012, Council adopt the amended budget as tabled; and
2. Council endorse the following policies:
 - (a) Revenue Policy
 - (b) Revenue Statement.

5/0

13.2 INTEREST WRITE-OFF ON OVERVALUED MINING LEASES**EXECUTIVE SUMMARY**

This report is to request Council's authorisation to write off rates interest revenue raised against four petroleum leases due to historical land valuation reductions.

RESOLUTION NO: (QSC014-02-22)

Moved: Cr Jenny Hewson

Seconded: Cr Bruce Paulsen

That Council authorises the write off of the following rates interest amounts totalling \$37,767.49 comprising:

Rates Assessment	Total Interest
PL65 - Assessment 00886-00500-000	\$ 9,301.29
PL115 - Assessment 00886-00260-000	\$ 8,302.05
PL117 - Assessment 00886-00270-000	\$ 8,182.72
PL184 - Assessment 00886-00600-000	\$11,981.43

5/0

13.3 FINANCIAL SERVICES REPORT MONTH ENDING 31 JANUARY 2022**EXECUTIVE SUMMARY**

The purpose of this report is to present Council with the monthly financial report.

RESOLUTION NO: (QSC015-02-22)

Moved: Cr Lyn Barnes
Seconded: Cr Bruce Paulsen

That Council receive the Finance Report for the period ending 31 January 2022.

5/0

13.4 PROCUREMENT POLICY AMENDMENT AND ADOPTION

EXECUTIVE SUMMARY

Council is required to adopt a Procurement Policy at least once each financial year. The attached policy fulfils that requirement for 2021/22 as well as makes a number of functional and compliance improvements to the existing policy.

RESOLUTION NO: (QSC016-02-22)

Moved: Cr Bruce Paulsen
Seconded: Cr Roger Volz

That Council adopt the Procurement Policy 2022 as provided in the accompanying agenda.

5/0

14 GOVERNANCE

14.1 ORGANISATIONAL STRUCTURE - FEBRUARY 2022

EXECUTIVE SUMMARY

In accordance with Section 196 of the Local Government Act 2009, Council is required to adopt by resolution an 'organisational structure that is appropriate to the performance of the local government's responsibilities'. This structure was last reviewed in May 2021.

RESOLUTION NO: (QSC017-02-22)

Moved: Cr Jenny Hewson
Seconded: Cr Lyn Barnes

That Council adopt the Quilpie Shire Council Organisational Structure – February 2022 as presented in the accompanying agenda.

5/0

14.2 QUILPIE SHIRE COUNCIL - INDUSTRIAL ESTATE

EXECUTIVE SUMMARY

Council constructed an Industrial Estate in 2015, with blocks first offered for sale by tender in September 2015, closing on October 2015. Since this initial tender, remaining blocks have been offered for sale via listing through a local real estate agent and an auction took place in late 2020. This report is to seek Council's direction regarding the preferred method of sale.

RESOLUTION NO: (QSC018-02-22)

Moved: Cr Lyn Barnes

Seconded: Cr Roger Volz

1. That Council resolve to enact the exemption under S236 of the Local Government Regulation 2012 for the sale of lots 5, 6, 7, 12, 13 and 14 on SP273738 as these were previously offered for sale by tender and auction but were not sold; and
2. Council delegates authority to the Chief Executive Officer to undertake the following:
 - (a) Authorise for a written report about the market value of land from a valuer registered under the Valuers Registration Act 1992 and establish a reserve price of the lots based in the report received;
 - (b) Engage registered agents for the sale of lots 5, 6, 7, 12, 13 and 14 on SP273738; and
 - (c) Delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to enter into contract, negotiate, finalise and execute any and all matters associated with or in relation to lots 5, 6, 7, 12, 13 and 14 on SP273738, subject to Council's normal procurement policies and practices.

5/0

14.3 QUILPIE SHIRE COUNCIL - CURLEW ESTATE

EXECUTIVE SUMMARY

Council constructed a residential estate known as Curlew Estate in 2012, with blocks first offered for sale by auction in 2013. In November 2015, Council resolved (12-11-15) to advertise Curlew Estate allotments for a 30-day period as a special half-price offer subject to terms and conditions. In July 2021, Council released the New Home Owner Grant to support the expansion of private investment in residential housing. Due to the overwhelming response, in November 2021 Council resolved (QSC026-11-21) to auction Lots 5 and 6 on SP 234966, and Lots 12, 13, 21, 22, 26, 27, 33 and 34 on SP 234965. This report is to provide Council an update as to the outcome of the auction and seek Council's direction regarding the preferred method of sale for the remaining lots.

RESOLUTION NO: (QSC019-02-22)

Moved: Cr Bruce Paulsen

Seconded: Cr Jenny Hewson

1. That Council
 - a) resolve to offer Lots 3, 5 and 6 on SP234966; and Lots 14, 15, 18, 19, 20, 22, 23, 24, 25, 26, 27, 29, 31, 33, 34, 37, 42 and 46 on SP234965 for sale via public auction in accordance with Section S227 of the Local Government Regulation 2012; and
 - b) delegate authority to the Chief Executive Officer in accordance with the Local Government Act 2009 to set the reserve price per lot, enter into contract, negotiate, finalise and execute any and all matters associated with the sale, subject to Council's normal procurement policies and practices.

5/0

ADJOURNMENT

The meeting adjourned for lunch from 12.45pm to 1.09pm.

14.4 REMOTE ROADS UPGRADE PILOT PROGRAM

EXECUTIVE SUMMARY

The Australian Government Remote Roads Upgrade Pilot Program is designed to provide funding to State, Territory and Local Governments for projects which will address significant deficiencies on key regional and rural roads that limit community access, pose safety risks and impact the economic development of the surrounding area.

RESOLUTION NO: (QSC020-02-22)

Moved: Cr Lyn Barnes

Seconded: Cr Roger Volz

The Council endorse the application for the Adavale Black Road under the Remote Roads Upgrade Pilot Program.

5/0

14.5 2022-24 LOCAL GOVERNMENT GRANTS AND SUBSIDIES PROGRAM**EXECUTIVE SUMMARY**

The 2022–24 Local Government Grants and Subsidies Program is aimed at providing funding assistance to support councils to deliver priority infrastructure and essential services that meet the identified needs of their communities.

RESOLUTION NO: (QSC021-02-22)

Moved: Cr Jenny Hewson

Seconded: Cr Lyn Barnes

That Council endorse the application under the 2022–24 Local Government Grants and Subsidies Program for the Town House Residential Estate.

5/0

14.6 REMOTE AIRSTRIP UPGRADE PROGRAM – ROUND 9**EXECUTIVE SUMMARY**

The Remote Airstrip Upgrade Program provides grants to enhance the safety and accessibility of aerodromes in remote and very remote areas of Australia. It will provide year round all weather access, particularly where road access is unavailable or unreliable.

RESOLUTION NO: (QSC022-02-22)

Moved: Cr Bruce Paulsen

Seconded: Cr Roger Volz

That Council endorse the Remote Airstrip Upgrade Program Round 9 application for the Toompine Aerodrome for the:

- (a) Installation of solar runway delineation lighting;
- (b) Installation of cones to replace the existing tyres that delineate the runway; and
- (c) Replacement of windsock indicator.

5/0

14.7 AUDIT COMMITTEE FRAMEWORK**EXECUTIVE SUMMARY**

This report will provide a review of the Audit Committee Framework.

RESOLUTION NO: (QSC023-02-22)

Moved: Cr Bruce Paulsen

Seconded: Cr Lyn Barnes

That the Council resolves to:

1. rescind the current Internal Audit Policy and adopt the new Internal Audit Policy, as per the attachment; and
2. rescind the current Audit Committee Charter and adopt the new Audit Committee Charter, as per the attachment; and
3. rescind the current Audit Committee Policy.

5/0

14.8 TENURE OF CURRENT AUDIT COMMITTEE MEMBERS**EXECUTIVE SUMMARY**

This report provides the Council with an update in relation to the tenure of the current Audit Committee members.

RESOLUTION NO: (QSC024-02-22)

Moved: Cr Lyn Barnes

Seconded: Cr Bruce Paulsen

1. That the Council notes the report providing an update in relation to the membership of the current Audit Committee.
2. That the Council resolves to formally extend Kerri Mooring's tenure in the Audit Committee to April 2024.

5/0

14.9 RATIFICATION OF FLYING MINUTE T03 2122 VEHICLE PURCHASE**EXECUTIVE SUMMARY**

CEO forwarded a Flying Minute to Councillors to resolve the matter of the trade in of Unit 1114, misrepresented as GXL rather than GX which affected the value of the trade-in offered by South West Ford. A revised trade-in offer of \$38,000 incl GST based on the corrected information, representing a reduction of \$5,500. The trade-in of Unit 1050 remains unchanged.

RESOLUTION NO: (QSC025-02-22)

Moved: Cr Jenny Hewson

Seconded: Cr Lyn Barnes

That Council resolve to accept the trade-in values of \$35,500 and \$38,000 for plant items #1050 and #1114 respectively from South West Ford.

5/0

15 CONFIDENTIAL ITEMS

Nil

16 LATE ITEMS

Nil

17 GENERAL BUSINESS

Councillors were invited to raise any matters they wished to discuss. Matters raised included:

- Cr Hewson has been approached by a resident who has been in contact with a monumental mason, noting that the burial mounds at the cemetery are being left at a higher level, and not compacted, which makes the building of the grave monuments unstable. Council will send a notice to all residents in the Shire to ensure they are aware that in future, grave mounds will be made level to 100mm above surrounding ground level two weeks after the funeral.

ADJOURNMENT

The meeting adjourned from 1.48pm to 2.57pm while Councillors attended the Quilpie State College Leadership Ceremony.

- Cr Volz spoke about Brolga Street footpath between Dukkamurra and Chipu Streets which is becoming overgrown with weeds etc. He also noted thanks to the local people who maintain their own yards and footpaths to help improve the look of the towns.
- Cr Paulsen asked about the waiting list for units at Gyrica Gardens; Director Community & Corporate Services noted that the two oldest units in the complex were not designed for aged persons independent living.
- Cr Barnes asked if there had been progress with the Quilpie Sock venture. Manager Tourism and Economic Development has spoken with local business to gauge interest.
- Cr Barnes suggested we contact Geosciences Australia to ascertain their interest in Quilpie Shire.
- Cr Barnes suggested that Council approach Australia Post to clarify the mail delivery routes through Quilpie and Cooladdi.
- Cr Barnes requested that Council commemorate the Queen's Platinum Jubilee on 2 June with a beacon lighting event at Baldy Top. Director Community & Corporate Services to organise an event.
- Cr Mackenzie suggested that Council support a Shearing School this year during July school holidays. Councillors agreed.
- Cr Mackenzie suggested that Council provide a dog water drinking fountain near the Visitor Information Centre. Councillors agreed.
- Anzac Day sunset ceremony will be Sunday night 24 April, followed by dinner at the Club. Anzac Day will be commemorated at the dawn service, followed by the march, and service at the Shire Hall.

18 MEETING DATES

The next Ordinary Meeting of Quilpie Shire Council will take place on Friday 11 March 2022 in the Quilpie Shire Council Boardroom, 50 Brolga Street, Quilpie commencing at 9.30am.

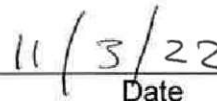
There being no further business the Mayor declared the meeting closed at 3.57pm.

I hereby certify that the foregoing is a true record of the Minutes of the Proceedings of the Ordinary Meeting held on the Friday, 18 February 2022.

Submitted to the Ordinary Meeting of Council held on Friday, 11 March 2022.


Cr Stuart Mackenzie

Mayor of Quilpie Shire Council


Date