

LONGREACH REGIONAL COUNCIL



Ordinary Meeting

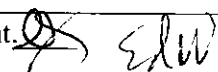
Thursday 16 May 2019

CONFIRMED MINUTES

**Minutes of the Longreach Regional Council Ordinary Meeting
held on Thursday 16 May 2019 at the Council Boardroom, 20 St Mary Street, Isisford**

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Int. 

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Opening of Meeting and Acknowledgement of Country

The Mayor declared the meeting open at 9:01am.

"We acknowledge the Traditional Owners of the land on which we meet today, and we acknowledge elders past, present and future."

Prayer

Pastor Steve Cavill, Outback Aerial Mission, opened the meeting with a prayer.

Present

Mayor
Deputy Mayor

Cr EL Warren
Cr LJ Nunn
Cr AJ Emslie
Cr TN Harris
Cr TJ Martin
Cr AC Rayner
Cr TF Smith

Officers

Chief Executive Officer
Director of Corporate Services
Director of Community and Cultural Services
Director of Infrastructure Services
Governance Executive Officer
Governance/Human Resources Trainee
Media and Communications Officer

Mr Ian Bodill
Ms Elizabeth West
Mr David Perry
Mr Roger Naidoo
Mrs Lorena Newton
Miss Joanne Bartley
Mr Simon Kuttner

Consideration of Leave of Absence

Nil

Declaration of any Material Personal Interests / Conflicts of Interest by Councillors and Senior Council Officers

Declaration of Material Personal Interest on any Item of Business

Pursuant to section 172 of the *Local Government Act 2009*, a Councillor who has a material personal interest in an issue to be considered at a meeting of the local government, or any of its committees must:

- (a) Inform the meeting of the Councillor's material personal interest in the matter; and
- (b) Leave the meeting room (including any area set aside for the public), and stay out of the meeting room while the matter is being discussed and voted on.

Declaration of Conflict of Interest on any Item of Business

Pursuant to section 173 of the *Local Government Act 2009*, a Councillor who has a real or perceived conflict of interest in a matter to be considered at a meeting of the local government, or any of its committees must inform the meeting about the Council's personal interest in the matter and if the Councillor participates in the meeting in relation to the matter, how the Councillor intends to deal with the real or perceived conflict of interest.

No declarations were made during this point of the meeting.

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Closure of Meeting 21

Minutes Certificate 21

Int. *[Signature]*

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Mr Bodill thanked the Mayor for his support and highlighted his appreciation of the work of the Councillors, and the staff of Longreach Regional Council.

Cr Smith thanked Mr Bodill for his time in this position, noting his efforts in changing the culture and the working environment for Councillors. Cr Nunn noted that she had learnt a lot from Mr Bodill and that she was grateful for what he had achieved for the community.

Chief Executive Officer Farewell

(Res-2019-05-106)

Moved Cr Warren seconded Cr Emslie

That Council thanks the Chief Executive Officer, Mr Ian Bodill, for the service he has provided to Council and the Community over the last four (4) years, and expressed his gratitude for this service to the region and to the Mayor personally.

CARRIED

Director of Community and Cultural Services Farewell

(Res-2019-05-107)

Moved Cr Warren seconded Cr Nunn

That Council notes the resignation of the Director of Community and Cultural Services, Mr David Perry, as of Monday 27 May 2019, and express their appreciation of Mr Perry's contribution to Council and the Community during his five (5) years of service.

CARRIED

Mr David Perry replied showing his appreciation of his roles with Council and especially the efforts of all the staff that have supported him during this time. He was proud of the achievements.

Chief Executive Officer's Report

Consideration was given to the Chief Executive Officer's Report.

Annual Operational Plan 2018-19 - Review for period ended 31 March 2019

Consideration of a review of the Annual Operational Plan 2018-19. Pursuant to the provisions of section 174 of the *Local Government Regulation 2012*, the Chief Executive Officer must present a written assessment of the local government's progress towards implementing the Annual Operational Plan at a meeting at regular intervals of not more than three (3) months.

(Res-2019-05-108)

Moved Cr Smith seconded Cr Harris

That pursuant to section 174(3) of the Local Government Regulation 2012, Council adopts a satisfactory evaluation of the Annual Operational Plan 2018-19, for the period ended 31 March 2019.

CARRIED

Review of Delegations Register

Consideration of Council's Delegation Register, requiring annual review as prescribed by section 257(5) of the *Local Government Act 2009*.

(Res-2019-05-109)

Moved Cr Martin seconded Cr Emslie

That: pursuant to section 257(5) of the Local Government Act 2009, Council adopts the Delegations Register (Council to the Chief Executive Officer), as presented.

CARRIED

**Minutes of the Longreach Regional Council Ordinary Meeting
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Confirmation of Minutes

Council - Thursday 18 April 2019

(Res-2019-05-102)

Moved Cr Rayner seconded Cr Smith

That the Minutes of the Council held on Thursday 18 April 2019, be confirmed.

CARRIED

Audit and Risk Committee - Tuesday 23 April 2019

(Res-2019-05-103)

Moved Cr Martin seconded Cr Rayner

That the Minutes of the Audit and Risk Committee held on Tuesday 23 April 2019, be received.

CARRIED

Council Special Meeting - Wednesday 1 May 2019

(Res-2019-05-104)

Moved Cr Nunn seconded Cr Harris

That the Minutes of the Council Special Meeting held on Wednesday 1 May 2019, be confirmed, as amended.

CARRIED

Advancing Agriculture Advisory Committee - Friday 3 May 2019

(Res-2019-05-105)

Moved Cr Rayner seconded Cr Emslie

That the Minutes of the Advancing Agriculture Advisory Committee held on Friday 3 May 2019, be received.

CARRIED

Mayoral Minute

The Mayor provided a verbal report on matters addressed by him since the last meeting.

The Mayor commended the processes of recruiting the incoming Chief Executive Officer, noting that Peak Services were engaged to coordinate the recruitment process, and that a thorough vetting process took place to ensure that the best candidates were selected for interviewing.

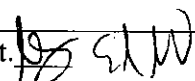
Cr Warren also highlighted that there are a number of upcoming meetings on which he will report on at the next meeting, mentioning the Regional Planning and Development Board (RAPAD) Review, in addition to the Central West Regional Pest Management Group meeting, the Quarterly Outback Regional Road and Transport Group Meeting, and the Quarterly RAPAD Water and Sewerage Alliance Meeting.

The Mayor commended the work of the Longreach Regional Council Events Team and their efforts in the organisation of the recent ANZAC Day remembrance services across the region. He thanked Cr Rayner, Cr Smith and Cr Nunn for attending services in Ilfracombe, Isisford and Yaraka, respectively, on behalf of Council. He also noted that inviting a special guest to speak at regional ANZAC Day Services might encourage larger participation in ceremonies, similar to the Australia Day Ambassadors.

Action: That Cr Warren speak to Mr Gavin Farry, President of the Longreach Returned and Services League (RSL), to discuss the matter further.

Cr Rayner commented that there was a large turn out in Ilfracombe, and that he supports Cr Warren in pursuing the idea of inviting a guest for future ANZAC Day services.

The Mayor thanked Mr Ian Bodill, Chief Executive Officer, and recognised that this is the last meeting that Mr Bodill will attend as Chief Executive Officer. He thanked Mr Bodill for his leadership and support in bettering the community throughout his tenure with an extensive list of achievements, notably the Longreach Wild Dog Exclusion Fencing Scheme.

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Mayoral Donations - May 2019

Consideration of applications received in accordance with the Mayoral Donation Policy No. 11.02.

(Res-2019-05-113)

Moved Cr Martin seconded Cr Nunn

That Council endorses the allocation of funds from the Mayoral Donation Program as contained in the following table. This was completed in accordance with the Mayoral Donations Policy No. 11.02:

Organisation/ Individual	Event/Project Activity	Event Date	Grant Requested	Grant Recommended
Connie Elliott	12 Years North West Netball State Trials	19 – 23 June 2019	\$350	\$350
TOTAL				\$350

CARRIED

Cr Rayner declared that a perceived conflict of interest in this matter could exist pursuant to section 173 of the *Local Government Act 2009*, due to his wife being Principal of Longreach State School, which hosts the Fuel Breakfast club, but had considered their position and was firmly of the opinion they could participate in debate and vote on this matter in the public interest.

(Res-2019-05-114)

Moved Cr Warren seconded Cr Smith

That Council recognises the perceived conflict of interest raised by Cr Rayner, however supports that he may participate in the debate and vote on this matter in the public interest.

CARRIED

Community Donation - May 2019

Consideration of applications received in accordance with the Community Grants Program Policy No. 11.06.

(Res-2019-05-115)

Moved Cr Smith seconded Cr Harris

1. That Council endorses the allocation of funds from the Community Grants Program as contained in the following table. This was completed in accordance with the Community Grants Program Policy No. 11.06:

Organisation/ Name	Event/Project Activity	Event Date	Grant Requested	Grant Approved
Reach Christian Church	Fuel Breakfast Club	May-November	Financial \$1,000	Financial \$1,000
Whitman's Memorial Museum	Community Morning Tea and Tours at the Isisford Old Hospital	April – November 2019	Financial \$5,000	Financial \$1,000
TOTAL				\$2,000

CARRIED

SLW

2020 Local Government Election - Postal Voting

Consideration of submitting an application to the Minister for Local Government, Racing and Multicultural Affairs, the Honourable Stirling Hinchcliffe MP, to allow for Postal Voting to occur in the Longreach Region during the 2020 Local Government Election.

(Res-2019-05-110)

Moved Cr Rayner seconded Cr Smith

That Council submits an application to the Minister for Local Government, Racing and Multicultural Affairs, the Honourable Stirling Hinchcliffe MP, to allow for Postal Voting to occur in the Longreach Region during the 2020 Local Government Election, due to there being a large rural sector as well as large areas of remoteness in a local government area consisting of 40,638 square kilometres.

CARRIED

Director Corporate Services Report

Consideration was given to the Director Corporate Services Report.

Monthly Financial Statements

Consideration of the financial statements for the period ending 30 April 2019:

- Income and Expenditure Statement
- Statement of Financial Position
- Statement of Cashflow

(Res-2019-05-111)

Moved Cr Emslie seconded Cr Martin

That the monthly financial statements for the period ending 30 April 2019, as presented, be adopted.

CARRIED

Communities Combating Pests and Weed Impacts During Drought Program - Biosecurity Management of Pests and Weeds

Council was successful in its application for federal funding through the *Communities Combating Pests and Weed Impacts During Drought Program – Biosecurity Management of Pests and Weeds*. This application was an initiative considered in conjunction with other regional councils through the Remote Area Planning and Development Board (RAPAD).

(Res-2019-05-112)

Moved Cr Rayner seconded Cr Smith

That Council endorses the appointment of the Remote Area Planning and Development Board (RAPAD) to administer the roll-out of the Communities Combating Pests and Weed Impacts During Drought Program funding for the agreed fee of \$40,000 (exc GST) and authorises the Chief Executive Officer to enter into contracts with RAPAD for administration of this funding.

CARRIED

Director Community and Cultural Services Report

Consideration was given to the Director Community and Cultural Services Report.

2 APPROVED DOCUMENTS

2.1 *The development of the site must be carried out generally in accordance with the following approved plans and documents; except as altered by other conditions of this development approval:*

Plan / Document Title	Drawing Number	Date	Prepared by
Site Plan	DA18/19-041 A	11 March 2019	Unknown

Decision notice and approved plans/drawings to be submitted with subsequent application(s)

Timing

As indicated within the wording of the condition.

2.2 *A copy of this decision notice and accompanying stamped approved plans/drawings must be submitted with any operational works or building works application relating to or arising from this development approval.*

Decision notice and approved plans/drawings to be retained on site

Timing

At all times.

2.3 *A copy of this decision notice and stamped approved plans/drawings must be retained on site at all times. This decision notice must be read in conjunction with the stamped approved plans to ensure consistency in construction, establishment and maintenance of approved works.*

3 AMENITY

Hours of operation

Timing

3.1 *All activities associated with the approved development are limited to:*
 a. *8:00am – 4:00pm Monday to Friday; and*
 b. *9:00am – 12:00pm Saturday*

At all times once use has commenced.

Noise Attenuation – Sliding Doors

Timing

3.2 *The sliding doors on the northern façade of the workshop, must remain closed during any use of any power tools on-site.*

At all times once use has commenced.

Noise Attenuation – Panel saw

Timing

3.3 *Use of the on-site panel saw is limited to the hours between 9:00am – 4:00pm, for a maximum of two hours per day.*

At all times once use has commenced.

Air quality – dust extraction

Timing

3.4 *All machines capable of generating powder must be fitted with appropriate dust extractors to eliminate exposure to any potential dust particles.*

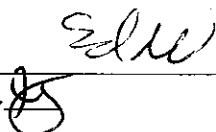
At all times once use has commenced.

Onsite chemical storage

Timing

3.5 *Storage of on-site chemicals is restricted to the following maximum quantities:*
 - *Kerosene – 20-litres*
 - *Spray contact – 20 litres; and*
 - *Cleaning thinners – 5 litres*

At all times once use has commenced.

Int. 

Material Change of Use for Medium Impact Industry (Cabinetry Business)

Consideration of a development application lodged with Longreach Regional Council on 20 March 2019 by James Hook for a Development Permit for Material Change of Use for Medium Impact Industry (Cabinetry Business).

Description:	Material Change of Use for Medium Impact Industry (Cabinetry Business)
Development:	Development Permit
Applicant:	James Hook
Owner:	Smith Bros Pty Ltd
Current Use of Land:	Vacant structure previously containing abandoned Low Impact Industry use (trailer repair workshop).
Address:	41 Eagle Street, Longreach
Real Property Description:	Lot 23 on L35710
Applicable Planning Scheme:	Longreach Regional Planning Scheme 2015 (v2.1)
Zone:	Low Density Residential zone
Level of Assessment:	Impact Assessable

(Res-2019-05-116)

Moved Cr Martin seconded Cr Harris

That pursuant to section 63 and 83 of the Planning Act 2016, Council approves the application for a development permit for a Material Change of Use for Medium Impact Industry (Cabinetry Business) on land located at 41 Eagle Street, Longreach and described as Lot 23 on L35710, subject to the following conditions:

Standard Conditions – Material Change of Use

1. NATURE OF DECISION

- 1.1 *Approval is granted for a development permit for a Medium Impact Industry (Cabinetry business) at located at 41 Eagle Street, Longreach on land described as Lot 23 on L35710.*

Relevant Period

- 1.2 *The relevant period for this approval is in accordance with Section 85 of the Planning Act 2016.*

Compliance Timing

- 1.3 *Comply with all conditions of this development approval at no cost to Council and prior to the commencement of the use, unless otherwise stated in a specific condition.*

Notification of Commencement of Use

- 1.4 *The applicant must give Council a written notice of commencement for the development which contains the following:*
- a. application number;*
 - b. site address;*
 - c. name and telephone number (work and after hours) of a suitable contact person to arrange a site inspection;*
 - d. the commencement date for the use.*

Timing

The notification is to be sent directly to Council's Planning Department and must be provided within 1 week of the use commencing.

Location of equipment and ventilation/refrigeration units

Timing

3.6 All service equipment, mechanical ventilation and refrigeration units associated with the use of the premises must be installed, located and screened to the satisfaction of the Chief Executive Officer and must not cause nuisance or disturbance to persons outside the boundaries of the premises.

At all times once use has commenced.

Refuse storage area

Timing

3.7 A screened refuse storage area must be located on-site and be located behind the main building façade.

Prior to the commencement of the use and maintained for the life of the development.

Screening of storage

Timing

3.8 The storage of any machinery or materials must be screened so as not to be visible from any road that the site fronts.

At all times once use has commenced.

3.9 The location of outdoor storage is to be to the satisfaction of the Chief Executive Officer.

No nuisance from lighting

Timing

3.10 All external lighting devices provided as part of the approved development must:

At all times.

- a. be positioned on the premises and shielded so as not to cause glare or other nuisance to surrounding residents and motorists; and
- b. not exceed 8.0 lux at 1.5 meters beyond the boundary of the site.

4 CAR PARKING, LOADING & UNLOADING

Loading and unloading of vehicles – operations

Timing

4.1 Loading and unloading of vehicles must:

At all times once use has commenced.

- a. Not cause undue disruption in Eagle Street, Swallow Street and Crow North Lane; and
- b. As practically possible, stand entirely within the site when waiting to be loaded and unloaded.

5 ACCESS, KERB & CHANNEL, FOOTPATHS

Access to the building

Timing

5.1 Any stairs, ramps, associated handrails and tactile ground surface indicators must be located wholly within private property.

At all times.

6 LANDSCAPING

6.1 A landscape plan must be submitted to the satisfaction of Council that provides;

Timing

- a. Tree/shrub planting along:
 - the southern side boundary, extending from the sites frontage to Eagle Street to the western façade of the structure where the proposed use will be located;
 - the Eagle Street frontage, in areas that do not conflict with areas for vehicle access and car parking; and

Approval of proposed landscape work must be obtained prior to the earlier of:

- (i) the commencement of operational works (landscaping); or

- *the Swallow Street frontage, in areas that do not conflict with areas for vehicle access and car parking, up to the western façade of the structure where the proposed use will be located;* (ii) *the issue of a certificate of classification*

The landscape plan must reflect the approved layout (including amendments through this approval) and comply with the Landscape code. The plan must also demonstrate the following:

- a. *Locations and names of existing and proposed trees;*
- b. *Location of drainage, sewerage and other underground services and overhead power lines;*
- c. *Fence sizes and materials;*
- d. *Locations and species of proposed plants;*
- e. *A method of retaining roof storm water for irrigation maintenance of landscaped areas.*

Use of quality landscape materials

Timing

- 6.2 *All plants, materials, hardscape and watering systems proposed in response to condition 6.1 must be of acceptable quality and be installed and maintained to the satisfaction of the Chief Executive Officer, prior to the commencement of the use.* **At all times.**

7 ADVERTISING DEVICES

Advertising device approval required

Timing

- 7.1 *No advertising device is to be erected on the premises without the necessary development permit for operational work (advertising device).* **At all times.**

8 EROSION AND SEDIMENT CONTROL

Erosion and sediment control

Timing

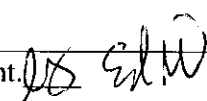
- 8.1 *Erosion and sediment control:* **At all times while works are occurring.**
 - a. *Erosion, sediment and dust control measures must be implemented in accordance with the approved plan/drawings and the Best Practice Erosion & Sediment Control (IECA Australasia, November 2008).*

9 WASTE

Design of waste storage facilities

Timing

- 9.1 *Sufficient waste storage including general waste, recyclable waste and other development-specific waste types are to be provided wholly within nominated Development Envelope.* **Prior to the commencement of the use.**
- 9.2 *Waste and recycling storage facilities must be provided in accordance with the following provisions:*
 - a. *Adequate waste containers must be provided to contain the volume and type of waste and recyclable matter generated by the development;*

Int. 

- b. *Waste storage area must be designed and constructed so it can be easily cleaned whilst ensuring that no waste or recyclable matter is released to the stormwater system or any waterway.*
- c. *The applicant must enter into a contract/agreement with a private waste collector, if using skip bins;*
- d. *General waste in wheelie bins must be brought to the kerbside for collection;*
- e. *The applicant must contact Council for the supply of wheelie bins, at their cost.*

10 CONSTRUCTION ACTIVITY AND NOISE

Management of construction activity

- 10.1 *Construction activity must be limited to the hours of 6.30am to 6.30pm Monday to Saturdays, with no work to occur on Sundays.*
- 10.2 *The release of dust and particulate matter from construction activities must not cause an environmental nuisance.*

Timing

At all times while works are occurring.

Noise management

- 10.3 *Noise from construction activities must not cause an environmental nuisance.*

Timing

At all times while works are occurring.

11 ENGINEERING

General – Engineering standard

- 11.1 *Construct all works in accordance with the approved plans of development and in accordance with Council's adopted standards.*
- 11.2 *The cost of carrying out works and providing services to the proposed development, as required by the conditions of approval, shall be at the expense of the applicant.*

Timing

As indicated within the wording of the condition

Rectification

- 11.3 *Be responsible for the full cost of any alteration necessary to electricity, telephone, water mains, sewer mains, stormwater drainage systems or easements and/or other public utility installations resulting from the development or from road and drainage works required in connection with the development.*

Timing

At all times

12 SEWERAGE/WASTE WATER INFRASTRUCTURE

Wastewater

- 12.1 *If required, connect the development to Council's wastewater reticulation system via internal reticulation works, at the applicant's cost.*
- 12.2 *Where required, a Plumbing Application must be submitted to Council.*

Timing

Prior to the commencement of the use.

13 WATER SUPPLY RETICULATION

- 13.1 Connect the development to Council's water reticulation system via internal reticulation works, at the applicant's cost. **Timing**
Prior to the commencement of the use.
- 13.2 Where required, a Plumbing Application must be submitted to Council.

14 ELECTRICITY AND TELECOMMUNICATIONS

Electricity and Telecommunications - General

- 14.1 Provide electricity supply and telecommunications to the development at the applicant's cost. **Timing**
Prior to the commencement of the use.

15 GENERAL

- 15.1 If any item of cultural heritage is identified during site works, all works must cease and the relevant State Agency must be notified. Work can resume only after State Agency clearance is obtained. **Timing**
As indicated within the wording of the condition
- 15.2 Pay all outstanding rates, sewerage, cleaning, water charges or other charges due to Council prior to the issuing of any building certification of the proposal.

ADVICE

(a) When an Application Lapses

Should the development not be completed within the relevant period, this approval will lapse. A new application will need to be made to Council, unless an approval has been obtained for an extension of this period.

For your information

(b) Changes requiring further approval

Changes to the approved design that are not generally in accordance with the approved plans/drawings require approval in accordance with the Planning Act 2016.

For your information

The Planning Act 2016 sets out the procedures for changing approvals where the change can be classified as a minor change. If the change is not a minor change, the change application must be assessed in accordance with Section 86 of the Planning Act 2016.

(c) Appeals

The applicant has a right of appeal to the Planning and Environment Court regarding this decision, pursuant to Schedule 1 of the Planning Act 2016. A copy of that section is attached to the decision notice.

Timeframes associated with appeals are set out in attached information.

For particular material changes of use, an appeal can also be made to a Building and Development Committee. Please refer to the prerequisites in Sections 308(3)5 of the Planning Act 2016, attached to this decision notice, to determine whether you have appeal rights to a Building and Development Committee.

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Submitters who made properly made submissions have a right of appeal to the Planning and Environment Court regarding this decision, pursuant to Schedule 1 of the Planning Act 2016. A copy of that section is attached to the decision notice.

A right of appeal to the Planning and Environment Court regarding this decision is available, pursuant to Schedule 1 of the Planning Act 2016. A copy of that section is attached to the decision notice.

A right of appeal to the Planning and Environment Court regarding this decision is available, pursuant to Schedule 1 of the Planning Act 2016. A copy of that section is attached to the decision notice.

(d) Applicant's responsibilities

For your information

The applicant is responsible for securing all necessary approvals and tenure, providing statutory notifications and complying with all relevant laws.

Nothing in this decision notice alleviates the need for the applicant to comply with all relevant local, State and Commonwealth laws and to ensure appropriate tenure arrangements have been made where the use of/reliance upon land other than that owned by the applicant is involved. Without limiting this obligation, the applicant is responsible for:

- a Obtaining all other/further necessary approvals, licences, permits, resource entitlements etc by whatever name called required by law before the development the subject of this approval can be lawfully commenced and to carry out the activity for its duration;*
- b Providing any notifications required by law (by way of example only, to notify the administering authority pursuant to the Environmental Protection Act 1994 of environmental harm being caused/threatened by the activity, and upon becoming aware the premises is being used for a 'notifiable activity');*
- c Securing tenure/permission from the relevant owner to use private or public land not owned by the applicant (including for access required by conditions of approval);*
- d Ensuring the correct siting of structures on the land. An identification survey demonstrating correct siting and setbacks of structures may be requested of the applicant to ensure compliance with this decision notice and applicable codes;
 - i) Providing Council with proof of payment of the Portable Long Service Leave building construction levy (or proof**

- of appropriate exemption) where the value of the Operational Works exceeds \$80,000. Acceptable proof of payment is a Q.Leave – Notification and Payment Form approved by the Authority. Proof of payment must be provided before Council can issue a development permit for the Operational Works. This is a requirement of section 77(1) of the Building and Construction Industry (Portable Long Service Leave) Act 1991; and*
- ii) *Making payment of any outstanding Council rates and charges applicable to the development site prior to the lodgement of subdivision plans.*

(e) Aboriginal Cultural Heritage Act

For your information

The Aboriginal Cultural Heritage Act 2003 ('AHCA') is administered by the Department of Aboriginal and Torres Strait Islander and Multicultural Affairs (DATSIMA). The AHCA establishes a duty of care to take all reasonable and practicable measures to ensure any activity does not harm Aboriginal cultural heritage. This duty of care:

- a. Is not negated by the issuing of this development approval;*
- b. Applies on all land and water, including freehold land;*
- c. Lies with the person or entity conducting an activity; and*
- d. If breached, is subject to criminal offence penalties.*

Those proposing an activity involving surface disturbance beyond that which has already occurred at the proposed site must observe this duty of care.

Details of how to fulfil this duty of care are outlined in the duty of care guidelines gazetted with the AHCA.

The applicant should contact DATSIMA's Cultural Heritage Coordination Unit on (07) 3405 3050 for further information on the responsibilities of developers under the AHCA.

CARRIED

Director Infrastructure Services Report

Consideration was given to the Director Infrastructure Report.

Attendance: Mr Ian Bodill, Chief Executive Officer, left the room at 10:22am, and returned at 10:25am.

Additional Late Item

(Res-2019-05-117)

Moved Cr Emslie seconded Cr Nunn

Council endorses the receipt of the following additional late item:

- 1. Regional Arts Development Fund (RADF) Committee Meeting recommendations from 30 April 2019.*

CARRIED

**Minutes of the Longreach Regional Council Ordinary Meeting
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Late Items

Material Change of Use for Tourist Park

Consideration of a development application lodged with Longreach Regional Council on 12 April 2019 by Tanya and David Neal c/- Michel Group Services Pty Ltd for a Development Permit for Material Change of Use for a Tourist Park.

Description:	Material Change of Use for a Tourist Park
Development:	Development Permit
Applicant:	Tanya and David Neal c/- Michel Group Services Pty Ltd
Owner:	Tanya and David Neal
Current Use of Land:	Dwelling House
Address:	Lot 162 Crossmoor Road, Longreach
Real Property Description:	Lot 162 on CP851193
Applicable Planning Scheme:	Longreach Regional Planning Scheme 2015 (v2.1)
Zone:	Rural zone
Level of Assessment:	Code assessable

(Res-2019-05-118)

Moved Cr Harris seconded Cr Martin

That pursuant to section 63 and 83 of the Planning Act 2016, Council approves the application for a development permit for a Material Change of Use for a Tourist Park on land located at Lot 162 Crossmoor Road, Longreach and described as Lot 162 on CP851193, 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 The cost of all works associated with the development and 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.*
- 1.4 The developer is required to have repaired any damage to existing infrastructure that may have occurred during any works carried out associated with the development. To the extent the damage is deemed to create a hazard to the community, it must be repaired immediately.*
- 1.5 The approved development is for Tourist Park as per the definition under the Longreach Regional Planning Scheme 2015 (V2.1). The 'Existing House' shown on the approved plans is permitted to be used as the manager's residence for the tourist park.*

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:*

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<i>Plan/Document Name</i>	<i>Plan/Document Number</i>	<i>Revision</i>	<i>Date</i>
<i>Location Plan</i>	<i>SK01</i>	<i>B</i>	<i>02-04-2019</i>
<i>Site Plan</i>	<i>SK02</i>	<i>B</i>	<i>02-04-2019</i>
<i>4.2m Couples Deluxe tent with Bathroom & Kitchenette</i>	-	-	-
<i>6.3m Family Deluxe tent with Bathroom & Kitchenette</i>	-	-	-
<i>6.3m Deluxe Gazebo with Kitchenette</i>	-	-	-
<i>Site & Soil Wastewater Evaluation Report</i>	<i>CWW:1736.19</i>	-	<i>11-04-2019</i>

- 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.*
- 2.3 *Submit to and have approved by Council, prior to commencement of the use, a Flood Management Plan (FMP) that demonstrates the development site is located where there is sufficient flood warning time to enable safe evacuation. In demonstrating this, the FMP should include the following, unless otherwise agreed to in writing by Council:*
- 2.3.1 *Flooding characteristics (the size and extent of flood);*
 - 2.3.2 *Effective warning time and rate of rise of floodwater, which is influenced by catchment characteristics and the rainfall event(s) that caused the flood;*
 - 2.3.3 *Flood free or low flood hazard access, by way of trafficable roads to facilitate evacuation or provision of supplies;*
 - 2.3.4 *Availability of emergency evacuation options including the ability to leave the flood affected land on foot (wading) or by vehicle, distance from flood free ground, and degree of isolation;*
 - 2.3.5 *Trigger conditions for evacuation; and*
 - 2.3.6 *Roles and responsibilities of the manager/employees in implementing the FMP.*

Once approved by Council, the FMP will become an approved document supplementing the list in condition 2.1.

- 2.4 *Implement the approved Flood Management Plan.*
- 2.5 *Make available a copy of the Flood Management Plan in each approved tent and any communal areas.*
- 2.6 *Submit and have approved by Council, prior to commencement of the use, a plan indicating the location of waste storage areas. The method of waste removal, via Council or another waste contractor, must also be advised for approval.*

3.0 ACCESS AND PARKING WORKS

- 3.1 *Provide and retain a minimum of 16 car parking spaces on-site for exclusive use by guests in accordance with the approved plans. All car parking spaces must be clearly delineated by either line-marking or signage.*
- 3.2 *Construct and maintain all car parking spaces and vehicle manoeuvring areas associated with the approved development to an all-weather standard, suitable for a two-wheel drive car.*

Advice Note: The vehicle manoeuvring areas include the existing and proposed sections of the driveway from Crossmoor Road to the parking areas.

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3.3 *Design, construct and maintain all car parking and access works generally in accordance with the approved plans, Australian Standard AS2890 "Parking Facilities" (Parts 1 to 6) and Manual of Uniform Traffic Control Devices (Queensland).*

3.4 *Vehicular access to/from Crossmoor Road is only permitted at the 'Existing Access Way' location as shown on the approved plans. Vehicles are not permitted to enter or exit the site in any other location.*

3.5 *Vehicular access must be constructed and maintained in accordance with the Institute of Public Works Engineering Australia Standard Drawing No. RS-056 (vehicle crossing for rural driveway).*

4.0 ROOF AND ALLOTMENT DRAINAGE WORKS

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

5.0 SITE WORKS

5.1 *Site works must be constructed such that they do not, at any time, in any way restrict, impair or change the natural flow of runoff water, or cause a nuisance or worsening to adjoining properties or infrastructure.*

5.2 *Implement and maintain an Erosion and Sediment Control Plan (ESCP) on-site, in accordance with the Best Practice Erosion and Sediment Control (BPESC) document, 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.*

6.0 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, vibration, odour, fumes, smoke, vapour, steam soot, ash, waste water, waste products, oil or otherwise*

6.2 *Maintain outdoor lighting to comply with AS4282 – 1997 "Control of Obstructive Effects of Outdoor Lighting".*

6.3 *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 AIRPORT ENVIRONS

7.1 *Construct and operate the approved development such that it does not involve:*

7.1.1 *Straight parallel lines of lighting 500m to 100m long;*

7.1.2 *Lighting that extends more than three (3) degrees above the horizon;*

7.1.3 *Flare plumes;*

7.1.4 *Buildings with reflective cladding;*

7.1.5 *Upward shining lights;*

7.1.6 *Flashing lights; or*

7.1.7 *Sodium lights.*

8.0 SERVICES

8.1 *Connect the development to Council's reticulated water network.*

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Advisory Note: *In accordance with section 5.7 and specifically Table 5.7.1. (Operational Work) of the Planning Scheme, Operational Work for a water supply connection is prescribed as 'Accepted subject to requirements.' The requirements are the Works Code of the Planning Scheme.*

- 8.2 *Provide the development with a supply of potable and general use water that has adequate capacity to cater for the Tourist Park. This includes capacity for consumption, domestic use, landscaping and firefighting.*
- 8.3 *Provide a water tank within 100 metres of each building (other than a class 10 building) for use as on-site water storage for firefighting, which:*
- 8.3.1 *Is of non-flammable construction;*
 - 8.3.2 *Has a take-off connection at a level that allows 5,000 litres to be left available for access by fire fighters; and*
 - 8.3.3 *Includes shielding of tanks and pumps.*
- 8.4 *Provide and maintain on-site sewerage treatment and disposal in accordance with the approved Site & Soil Wastewater Evaluation Report, the Queensland Plumbing and Wastewater Code, AS/NZ 1547:2012 On-site domestic wastewater management, AS/NZS 3500.1.2003 Plumbing and drainage – Water services, AS/NZS 3500.2.2003 Plumbing and drainage – Sanitary plumbing and drainage and the BCA: National Construction Code Series 2014, Volumes Three – Plumbing Code of Australia.*
- 8.5 *Electricity and telecommunication services must be provided to the premises in accordance with the standards and requirements of the relevant service provider.*

9.0 ASSET MANAGEMENT

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

10.0 LANDSCAPING

- 10.1 *Establish and retain all landscaping generally in accordance with the approved plans. The landscaping must predominantly contain species that are endemic to the Region due to their low water dependency.*
- 10.2 *Ensure the landscaped areas are subject to water and maintenance during the establishment phase, and an ongoing maintenance and replanting programme as required.*

ADVISORY NOTES

1. *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, as required under relevant legislation for this work.*
2. *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.*
3. *General environmental duty under the Environmental Protection Act 1994 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.*

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4. *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. *If food is to be made available/prepared for guests, then a licence under the Food Act may be required. Any provision of food must be at a small scale and ancillary to the Tourist Park use.*
6. *Natural/neutral colour tones, as reflected on the current approved plans, must be used in the construction of the tents for scenic amenity reasons, unless a change application is made to and approved by Council allowing otherwise.*
7. *Due to the scale of the Tourist Park and the peak design capacity required for the sewage treatment plant; sewage treatment may constitute an Environmentally Relevant Activity for which an Environmental Authority is required under the Environmental Protection Act/Regulation.*
8. *Part of the site is mapped as being located within the VHF Omnidirectional Range (VOR) Range 1,000m buffer of the Airport Environs Overlay Map (Aviation Facilities). Any development within the 1,000m buffer area must comply with the design standards identified in Figure 2 of the Airport Environs Overlay Code of the Planning Scheme.*

CARRIED

Adjournment: That the meeting adjourned for morning tea at 10:36am and resumed at 11:12am.

Regional Arts Development Fund (RADF) Committee Meeting - 30 April 2019

Consideration of the recommendations received from the Regional Arts Development Fund (RADF) Advisory Committee meeting held on 30 April 2019.

(Res-2019-05-119)

Moved Cr Smith seconded Cr Nunn

That in accordance with section 265 of the Local Government Regulation 2012, Council:

1. *Receives the Minutes of the Longreach Regional Council Regional Arts Development Fund (RADF) Advisory Committee Meeting held on 30 April 2019;*
2. *Accepts the decline of funds from the Ilfracombe Historical Society for the Lynn Cameron Machinery Mile Book Update for \$2,500;*
3. *Accepts the Western Queensland Touring Circuit Plan as presented;*
4. *Amends the previous Longreach Regional Council Arts and Cultural Strategic Framework and present at the next RADF meeting;*
5. *Approves the application by Yaraka Sports and Progress Association to hold the Furniture Restoration Workshop to the value of \$3,410, on the condition that there is an increased participant fee of \$25 per person per day;*
6. *Approves the application by Isisford Sheep and Wool Show for the Moovin Ballooning - Balloon Art and Fun Workshop to the value of \$2,595.41;*
7. *Approves the application by Longreach Arts and Cultural Association Inc to assess and repair weaving looms to the value of \$1,620. This is on the condition that the four (4) attendees are charged \$25 per person per day to attend the workshop and the workshop is advertised and open for all participants to attend;*
8. *Declines the application from Topology Inc for the Top Up Regional Western Central Queensland Creative Boot Camp due to a lack of funds;*
9. *Approves the application by Longreach Library for the Painting Workshops in the Longreach Region to the value of \$4,700 on the condition that only one (1) workshop is held in Isisford; and*
10. *Advises the Regional Arts Development Fund (RADF) Advisory Committee of these decisions.*

CARRIED

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Closed Matters

(Res-2019-05-120)

Moved Cr Smith seconded Cr Emslie

That pursuant to section 275(1) of the Local Government Regulation 2012 the meeting be closed at 11:25am to discuss the following matters, which are considered confidential for the reasons indicated.

Consideration of Tenders for the Management of the Longreach Landfill Facility

This report is considered confidential in accordance with section 275(1) e, of the Local Government Regulation 2012, as it contains information relating to: contracts proposed to be made by it.

CARRIED

(Res-2019-05-121)

Moved Cr Martin seconded Cr Emslie

That the meeting re-opened at 11:33am.

CARRIED

Consideration of Tenders for the Management of the Longreach Landfill Facility

Council to consider the Tenders for the Management of the Longreach Landfill Facility.

(Res-2019-05-122)

Moved Cr Harris seconded Cr Smith

That Council:

- 1. Accepts Proterra Group Pty Ltd, Option 2, fixed monthly offer of \$35,943.11 (exc GST), to manage the Longreach Landfill Facility, commencing on 1 July 2019 for a period of two (2) years; and*
- 2. Advises Proterra Group Pty Ltd, six (6) months prior to the contract end date, if Council wishes to grant an extension of the contract for a further year.*

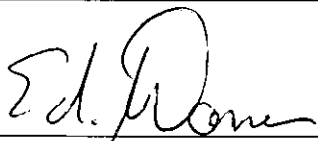
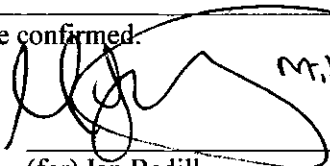
CARRIED

Attendance: The Isisford Branch Manager, Mrs Sally-Ann Edwards, entered the room at 11:35am and left the room at 12:15pm.

Closure of Meeting

There being no further business, the meeting was closed at 12:35pm.

Minutes Certificate

 _____ Cr Ed Warren Mayor	These minutes are confirmed.	 _____ (for) Ian Bodill Chief Executive Officer
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*M. Beth Murray
CEO, 10/7/19*

EdW

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