

**MINUTES OF THE GENERAL MEETING
OF THE BARCALDINE REGIONAL COUNCIL
HELD IN THE COUNCIL CHAMBERS, 71 ASH STREET, BARCALDINE
ON WEDNESDAY 16 JANUARY 2019
COMMENCING AT 9.00AM**

ATTENDANCE

Councillor R Chandler (Mayor) (In the Chair), Councillors J Gray (Deputy Mayor), G Bettiens, S Dillon, M Rogers, B Plumb and G Peoples.

OFFICERS

S Boxall (Chief Executive Officer), D Howard (District Manager – Alpha and Jericho), J Lawrence (District Manager – Barcaldine), R Rolfe (Chief Engineer) and A Newton (Minute Secretary).

PRAYER – Cr Rogers read the prayer.

CONDOLENCES - Nil

LEAVE OF ABSENCE

Resolution:	Moved Cr Peoples	Seconded Cr Dillon
2019/01/001	That leave of absence be granted to Mr. Brett Walsh.	

Carried
7/0

ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The Mayor acknowledged the traditional owners of the land, past and present.

DECLARATIONS OF COUNCILLORS

Material Personal Interest on any items of Business

Cr Bettiens for Item 3.2.2 - "I declare that I have a material personal interest in this matter (as defined by Local Government Act 2009, section 175B). My brother-in-law Michael Horman who has requested a reduction in development application fees may stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of the Planning and Development Report. I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Cr Bettiens for Item 3.4.4 - "I declare that I have a material personal interest in sections of this matter (as defined by Local Government Act 2009, section 175B). My brother-in-law Michael Horman who has submitted a tender may stand to gain a benefit or suffer a loss depending on the outcome of Council's consideration of the Barcaldine Ski Park Tender Recommendation and I will be dealing with this declared material personal interest by leaving the meeting while this matter is discussed and voted on."

Conflict of Interest

Cr Peoples for Item 3.2.3 – "I declare that I have a conflict of interest in the Country Racing Awards Sponsorship (as defined the Local Government Act 2009, section 175D) due to being President of the Central West Racing Association; however I have determined that this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

overall public interest of the whole of the Council's area by participating in the discussion and voting on this matter.

However, I acknowledge that the remaining councillors must now determine, pursuant to section 175E(4) of the Local Government Act 2009: -

- (e) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (f) If so, whether: -
 - (i) I must leave the meeting while this matter is discussed or voted on; or
 - (ii) I may participate in the meeting in relation to the matter, including by voting on the matter."

Resolution: 2019/01/004 **Moved Cr Dillon** **Seconded Cr Gray**
That Councillor Plumb does not have either a real conflict of interest or perceived conflict of interest in the matter and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter.

Carried
6/0

Personal Gifts and Benefits

Councillor Dillon advised the meeting that he'd received \$750 from the Western Queensland Drought Appeal.

BUSINESS

1. CONFIRMATION OF MINUTES

*Summary: The following minutes required confirmation by Council:-
General Meeting – 12 December 2018.*

Resolution: 2019/01/005 **Moved Cr Gray** **Seconded Cr Bettiens**
That the minutes of the General Meeting held by Barcaldine Regional Council on the 12 December 2018 be received.

Carried
7/0

Resolution: 2019/01/006 **Moved Cr Dillon** **Seconded Cr Plumb**
That the minutes of the General Meeting held by Barcaldine Regional Council on 12 December 2018 be confirmed.

Carried
7/0

2. PETITIONS - Nil

3. REPORTS

3.1 CHIEF EXECUTIVE OFFICER

3.1.1 Chief Executive Officer Information Report December 2018 to January 2019

Summary: The Chief Executive Officer's report for December 2018 to January 2019 is presented to Council.

Resolution: 2019/01/007 **Moved Cr Dillon** **Seconded Cr Gray**
That Council receives the Chief Executive Officer's Report for December 2018 to January 2019.

Carried
7/0

3.1.2 Councillor Information Bulletin

Summary: From the Chief Executive Officer tabling a list of items sent to Councillors in the Councillor Information Bulletin up to and including 11 January 2019.

Resolution: 2019/01/008 **Moved Cr Dillon** **Seconded Cr Peoples**
That the report be received.

Carried
7/0

3.1.3 Queensland Victoria Cross Photographic Portraits Exhibition 2019

Summary: From the Chief Executive Officer reporting on a request from the Queensland Victoria Cross Photographic Portraits Exhibition 2019.

Resolution: 2019/01/009 **Moved Cr Plumb** **Seconded Cr Dillon**
That Council agrees support the Queensland Victoria Cross Photographic Portraits Exhibition 2019 by:-

- (a) providing the Galilee Gallery at The Globe as a suitable venue for the seventeen (17) portraits;**
- (b) providing a grant of \$800 to assist in meeting costs;**
- (c) hosting a Welcome and Official Opening for local guests; and**
- (d) suggesting potential sponsors for accommodation costs.**

Carried
7/0

3.1.4 IQ-RAP Working Group Executive - Request for Contribution

Summary: From the Chief Executive Officer tabling correspondence from the Inland Queensland Roads Action Project Working Group Executive requesting funding in 2018/19 for the benefit of all IQ-RAP partners.

Resolution: 2019/01/010 **Moved Cr Peoples** **Seconded Cr Gray**
That Council contributes \$1,500 + GST to the Inland Queensland Roads Action Project Secretariat support services from October 2018 to June 2019.

Carried
7/0

3.1.5 Pest and Weed Funding

Summary: From the Chief Executive Officer reporting on a proposal to apply for funding under the Communities Combating Pests and Weed Impacts During Drought Program from the Australian Government Department of Agriculture and Water Resources.

Resolution: 2019/01/011 **Moved Cr Peoples** **Seconded Cr Bettiens**
That Council applies for funding under the Communities Combating Pests and Weed Impacts during Drought Program from the Australian Government Department of Agriculture and Water Resources for \$400,000 for wild dog exclusion fencing and \$100,000 for pest weed management with the any funds received being distributed and administered by RAPAD (fencing) and Desert Channels Queensland (pest weeds).

Carried
7/0

3.2 DEPUTY CHIEF EXECUTIVE OFFICER

3.2.1 Deputy Chief Executive Officer's Information Report – January 2019

Summary: The Deputy Chief Executive Officer's report for January is presented to Council.

Resolution: 2019/01/012 **Moved Cr Plumb** **Seconded Cr Gray**
That Council receives the Deputy Chief Executive Officer's Report for January 2019.

Carried
7/0

Councillor Bettiens declared an interest in the following item and left the meeting during discussion thereon.

3.2.2 Planning and Development Report

Summary: The Planning and Development Report for the period ending 27 December 2018 is presented to Council.

Resolution: 2019/01/013 **Moved Cr Dillon** **Seconded Cr Gray**
That Council receives the Planning and Development Report.

Carried
7/0

Request for Waiver of Development Application Lodgement Fees

Resolution: 2019/01/014 **Moved Cr Dillon** **Seconded Cr Gray**
That Council refuse a request by Duggan & Hede Pty Ltd for a 50% fee waiver of the Application Lodgement Fee for a proposed development application for material change of use for a *Noxious Industry* (Asphalt Manufacturing Plant) over Lot 3 on DM9, and in lieu approved a 25% fee reduction.

Carried
5/1

At this stage Councillor Bettiens returned to the meeting.

The meeting adjourned at 10.00am for morning tea and resumed at 10.20am.

3.2.3 Country Racing Awards Sponsorship

Summary: A proposal to sponsor the Country Racing Awards to be held in Emerald on 16 February 2019.

Resolution: 2019/01/015 **Moved Cr Bettiens** **Seconded Cr Gray**
That Council agrees to sponsor the Country Racing Awards to the value of \$1,500.

Carried
7/0

3.2.4 Business Digital Workshops

Summary: A proposal to sponsor the Australian Small Business Advisory Services Digital Solutions program for local businesses.

Resolution: 2019/01/016 **Moved Cr Dillon** **Seconded Cr Gray**
That Council agrees to support the ASBAS program by providing marketing and venues for workshops.

Carried
7/0

3.2.5 Sale of Land - Barcaldine

Summary: A proposal to offer for sale parcels of freehold land in Ironwood Drive Barcaldine.

Resolution: 2019/01/017 **Moved Cr Peoples** **Seconded Cr Gray**
That Council offers for sale by tender the following parcels of freehold land:-

- (a) Lots 3 – 20 Ironwood Drive Barcaldine; and**
- (b) Lots 25 – 32 Ironwood Drive Barcaldine.**

Carried
7/0

3.2.6 Aged Care Royal Commission

Summary: A letter from the Royal Commission into Aged Care Quality and Safety requesting submissions from aged care providers.

Resolution: 2019/01/018 **Moved Cr Dillon** **Seconded Cr Rogers**
That Council receives the letter and provides a submission to the Royal Commission.

Carried
7/0

3.2.7 Register of Pre-Qualified Suppliers – Bulk Diesel Fuel

Summary: Tenders for entry on the Register of Pre-Qualified Suppliers for the supply of bulk diesel fuel have closed and the final evaluation report is presented for consideration.

Resolution: 2019/01/019 **Moved Cr Dillon** **Seconded Cr Bettiens**
That Council appoints the following suppliers to the Register of Pre-Qualified Suppliers – Bulk Diesel Fuel, for the period 1 February 2019 until 31 January 2021 as recommended by the Evaluation Report:

- 1. IOR Petroleum Pty Ltd**
- 2. Puma Energy (Australia) Holdings Pty Ltd**
- 3. ~~Lowes Petroleum Service~~ **A L Davies & Co and Lowes Petroleum Service****
- 4. The Alpha Gateway **[amended General Meeting 20 February 2019]****
- 5. Caltex Australia Petroleum Pty Ltd**
- 6. Liberty Oil Australia Pty Ltd**
- 7. The Whitebull Roadhouse**
- 8. Homestead Caravan Park Barcaldine.**

Carried
7/0

3.2.8 Bulk Diesel Fuel Price Margin

Summary: The Council Procurement Policy requires Council to determine the Council Allocated Margin for bulk diesel fuel in January each year.

Resolution: 2019/01/020 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council sets the Council Allocated Margin on bulk diesel fuel at 3 cents per litre.

Carried
7/0

3.2.9 Local Government Grants & Subsidies Program 2019-21

Summary: Applications for the Local Government Grants and Subsidies Program 2019-21 close on 8 February 2019.

Resolution: 2019/01/021 **Moved Cr Plumb** **Seconded Cr Dillon**
That Council applies for funding under the Local Government Grants and Subsidies Program 2019-21 for the following projects:

- 1. Relining of Water Reservoirs in Jericho and Barcaldine; and**
- 2. Barcaldine Pool Repairs.**

Carried
7/0

3.2.10 Grant – ICPA - Teens Resilience Day Alpha

Summary: Endorsement of a decision to provide a grant to the Alpha ICPA for the Teens Resilience Day held in Alpha on 10 December 2018.

Resolution: 2019/01/022 **Moved Cr Dillon** **Seconded Cr Plumb**
That Council endorses the decision of the Acting Chief Executive Officer to provide a grant of \$3,000 to the Alpha ICPA for the Teens Resilience Day held on 10 December 2018.

Carried
7/0

At 11.20am Council conducted a video conference with Michaela Huelin, Town Planner from Reel Planning to discuss the development application for the Barcaldine Ski Lake. The conference concluded at 11.45pm.

3.4.3 Barcaldine Recreational Park Development Application

Summary: From the Chief Engineer submitting the Development Application for the Barcaldine Recreational Park for Council’s consideration and approval.

Resolution: Moved Cr Bettiens **Seconded Cr Gray**
2019/01/026 That the Development Application (application number: DA491718) be approved and a Development Permit for Material Change of Use for Outdoor Recreation located at Landsborough Highway, Barcaldine, formally described as Lot 9 on SP297069 be granted, subject to the following conditions:-

1.0 APPROVED PLANS AND DOCUMENTS

1.1 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:

Title	Plan number	Revision	Date	Prepared by
General Layout, Typical Sections and Details	160158-1/01	P1	18/11/2016	GBA Consulting Engineers
Amenities Building – Location and 3D Views	160158-2/01	P2	04/12/2017	GBA Consulting Engineers
Amenities Building – Layout Plan	160158-2/02	P2	04/12/2017	GBA Consulting Engineers
Amenities Building – Elevations	160158-2/02	P2	04/12/2017	GBA Consulting Engineers
Plan Showing Offsets from Property Boundaries and Proposed Pond	17-412 (1 of 1)	A	09/02/2018	SMK Consultants

Title	Document number	Revision	Date	Prepared by
Cultural Heritage Risk Assessment Barcaldine Water Ski and BMX Park	160158	Approve	05/05/2017	GBA Consulting Engineers

1.2 Implement the recommendations of the Cultural Heritage Risk Assessment, herein listed under item 1.1, submitted to Council in support of the development application, and more specifically the following:

- (a) The cultural heritage mitigation strategies listed in Table 1 on page iii of the approved document be included on the project design and construction plan;
- (b) Establishment of an ‘Exclusion Zone’ with fencing and/or signage around the ‘Exclusion Zone Scatter’;
- (c) Restricted access to ‘Cultural Heritage Significant Area’ to the south west section of the site, which is to be submitted to the Department of Aboriginal and Torres Strait Islander Partnerships (DATSIP) Register as an Aboriginal cultural site under the status of an ‘Artefact Scatter’ in accordance with figure 3 of the approved document;
- (d) Traditional Owner Field Officer (TOFO) site monitoring requested during the first day of excavations in the front paddock area at the location of the ski lake excavation and filling works, to inspect for any potential sub-surface cultural material;

- (e) Should any material of a cultural nature be located on site during project operations, all works in the immediate location of the finds must be halted until further clearance can be undertaken by Bidjara representatives and suitably qualified personnel; and
- (f) Relocation of the historic tractor to Barcaldine Historical Society museum / storage place.

1.3 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.

1.4 The approved use must be conducted generally in accordance with the facts and circumstances as set out in the application submitted to Council.

1.5 A copy of this decision notice and stamped approved plans/drawings must be submitted with any development application for building work relating to or arising from this development approval.

1.6 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.

2.0 COMPLIANCE TIMING

2.1 Comply with all conditions of this development approval at no cost to Council and prior to the Final Inspection Certificate by a Building Certifier or commencement of the use, whichever comes first unless otherwise stated in a specific condition.

3.0 AMENITY

3.1 Undertake the activities associated with the construction between the hours of 6:30am and 6:30pm, Monday to Saturday. Construction works are not permitted to be carried out on Sundays or public holidays without the prior written approval of the Chief Executive Officer.

3.2 Undertake the use so that there is no environmental nuisance or detrimental effect on any surrounding land uses and activities by reasons of the emission of vibration, smell, fumes, smoke, vapour, steam, soot, ash, waste water, waste products, grit, oil or otherwise.

3.3 Conduct the activity in a manner that achieves the acoustic quality objectives outlined in Schedule 1 of the Environmental Protection (Noise) Policy 2008 and does not allow the unreasonable emission of noise to the environment.

3.4 A Noise Impact Assessment Study must be prepared that has regard to the proposed operations of the recreation park, including acceptable hours of operation, and include details of mitigation measures to address any adverse impacts to sensitive receptors, such as nearby dwelling houses. The Noise Impact Assessment Study must be submitted to Council for the Chief Executive's endorsement prior to, or with, the submission of any development application prior to commencement of the use.

3.5 Angle or shade lighting is to be used to illuminate the premises, so that light does not directly illuminate or cause any environmental nuisance (e.g. glare) to nearby premises or roads. Night lighting must be designed, constructed and operated in

accordance with *Australian Standard AS4282 "Control of the obtrusive effects of outdoor lighting"*.

4.0 BUILDING AND CERTIFICATION

4.1 Demolish or relocate off site all existing buildings and/or structures on site that are made redundant by the development. Ensure all services to the existing buildings and/or structures are disconnected and where required capped prior to demolition commencing.

5.0 ACCESS AND PARKING WORKS

5.1 The internal access driveway must be designed and constructed to a paved surface standard in accordance with *Austroads standards and Schedule 1, Division 2: Standards for Roads, Carparking, Manoeuvring Areas and Access* of the Barcaldine Shire Planning Scheme 2006, or to other accepted and Council endorsed engineering standards. Appropriate signage and line marking shall be provided.

5.2 All vehicles up to the maximum design vehicle for the premises, inclusive of refuse collection vehicles, must be able to enter and exit the site in a forward gear. Loading and unloading areas must be located clear of visitor parking areas.

5.3 Car parking shall be constructed generally in accordance with the approved plans and in accordance with *AS2890.1 – Off Street Car Parking*.

5.4 Disabled car parking is to be constructed generally in accordance with the approved plans and the *AS2890.6 – Off Street Parking for people with Disabilities*.

6.0 EXCAVATION AND FILLING

6.1 A Development Permit for Operational Works is required for the filling and/or excavation works.

6.2 No fill is to be imported and placed on the site for the BMX bike track.

Advisory note: *The State Planning Policy 2017 Mapping identifies the footprint of the BMX track located in the Flood Hazard Area. Preliminary calculations of the excavation to fill ratio for the ski lake is estimated at 1:125. It is expected that the excess material will be used to form the BMX track and will not result in a net increase in fill across the entire development site.*

6.2 Effective erosion and sedimentation control must be provided at all times during the works, including post construction in accordance with *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the Barcaldine Shire Planning Scheme 2006. Runoff from all areas where the natural surface is disturbed by construction shall be free of pollutants and / or sediment before it is dispersed to stable areas or directed to existing stormwater drains or natural watercourses.

7.0 FLOOD HAZARD ASSESSMENT STUDY

7.1 A Flood Hazard Assessment Study must be prepared to demonstrate that the development does not result in a material increase in the extent or severity of flood in terms of on-site and off-site flood hazard impacts. Where impacts from the development are known, further hazard and risk assessment is required to be undertaken to identify mitigation measures that ensure the safety of people is protected and the risk of harm to property and the natural environment from flood is minimised to an acceptable or tolerable level.

The Flood Hazard Assessment Study must include the following:

A. Flood Hazard Assessment Report

- i. Prepared and certified by a Register Practicing Engineer of Queensland (RPEQ) with experience in flood modelling and management in accordance with the industry best practice methodology;**
- ii. Consider Council's flood and drainage studies for the catchment (it is understood preliminary modelling of the proposed development has been undertaken which has identified impacts to properties on the eastern side of Lagoon Creek); and**
- iii. As relevant, include accurate hydrological and hydraulic modelling of the waterway network and assessment of existing flooding and flood levels of major water systems including modelling of the 50%, 10%, 5%, 1% and 0.2% AEP (annual exceedance probability) flood events and the PMF (probable maximum flood).**

B. Flood Hazard Mitigation Report

This report is required to:

- i. be consistent with the international risk management standard *AS/NZ ISO 31000:2009 Risk Management*;**
- ii. assess the potential impacts of the development on the flood hazard;**
- iii. assess the potential impacts of flood hazard on the development and any affected properties external to the site;**
- iv. recommend strategies to be incorporated into the development to satisfy the requirements of the *Assessment benchmarks – natural hazards, risk and resilience* as it relates to flood hazard under the State Planning Policy 2017;**
- v. recommend strategies to be incorporated into the development to satisfy the requirements of *PC42 Flooding* under the Open Space and Recreation Zone Code, Table 4.7.3.4 – Part B, of the Barcaldine Shire Planning Scheme 2006 (V2).**
- vi. describe and evaluate the impact of the proposed mitigation strategies on the existing and likely future use of land and buildings in proximity to the proposed development; and**
- vii. address the following:**
 - a. waterways, including bank stability;**
 - b. impacts on properties both upstream and downstream and mitigation strategies to address the protection of life and property on these properties;**
 - c. preferred areas and non-preferred areas on site for various activities, based on the probability of inundation and the volume and velocity of flows;**
 - d. the use of flood resistant materials and construction techniques able to withstand relevant hydraulic and debris loads where appropriate;**
 - e. the location and height of means of ingress and egress, including possible flood-free escape routes;**
 - f. structural design, including the design of footings and foundations to take account of static and dynamic loads (including debris loads and any reduced bearing capacity owing to submerged soils);**
 - g. the location and design of plant and equipment, including electrical fittings;**
 - h. the storage of any materials which are likely to cause environmental harm if released as a result of inundation or stormwater flows;**

- i. the appropriate treatment of water supply, sanitation systems and other relevant infrastructure;
- j. relevant management practices, including flood warning and evacuation measures;
- k. details of detention / retention storages or any easements or reserves required for stormwater design.

7.2 The Flood Hazard Assessment Study must be submitted to Council for the Chief Executive's endorsement prior to, or with, the submission of any development application for operational work.

8.0 STORMWATER DRAINAGE

8.1 All stormwater, with the exception of water captured onsite in rainwater tanks, is to be drained from the site without causing annoyance or nuisance to any person to a point where it may be lawfully discharged.

8.2 The design and construction criteria included in the *Queensland Urban Drainage Manual (QDUM)* and *Schedule 1, Division 5: Standards for Stormwater Drainage, Section 5.1* of the Barcaldine Shire Planning Scheme 2006 are met.

9.0 POTABLE WATER SUPPLY

9.1 Provide a sufficient potable water supply to service the development.

9.2 A Drinking Water Quality Management Plan must be prepared and submitted to the Chief Executive Officer, or delegate for approval. The Plan shall make recommendations in relation to the extent of works that will be undertaken to provide a potable water supply to the development. The Plan will detail the monitoring, treatment and maintenance works that will be carried out to ensure that the quality of the drinking water is achieved. The Plan will address the Risk Management Aspects required by Queensland Health to comply with the Australian Drinking Water Guidelines. All proposed works are to be designed and carried out generally in accordance with Council's standards.

10.0 SEWAGE TREATMENT

10.1 Connect the development to Council's sewerage infrastructure network.

11.0 VEGETATION MANAGEMENT

11.1 Undertake vegetation clearing of the 50 metre wide buffer to watercourse (Lagoon Creek) only within the development footprint of the ski lake, approved buildings and structures and their associated parking and access areas as identified on the approved plans. No clearing is permitted beyond the development footprint other than in accordance with section 4.7.3.4 Part B – Areas other than Protected Areas of the Barcaldine Shire Planning Scheme 2006.

11.2 Offset any clearing of vegetation within the 50 metre wide buffer to watercourse (Lagoon Creek) by planting trees, shrubs and grasses within the 'proposed vegetation / sound barrier trees and shrubs' area nominated on the approved plans. Plant the trees, shrubs and grasses within twelve months of the clearing occurring.

12.0 WASTE MANAGEMENT

12.1 Refuse storage area must be provided for the amenities building and maintained so as not to cause visual or odour nuisance to the surrounding properties. The refuse storage area must be screened from public view.

13.0 PROVISION OF UTILITIES

- 13.1** Documentary evidence to the Chief Executive Officer or delegate must be provided from relevant electrical and telecommunication service providers that satisfactory arrangements have been made for the provision of such services.

14.0 FOOD PREMISES

- 14.1** The food premises (kitchen area) is to be fitted out in accordance with the requirements of *Australia Standard 4674-2004: Design, construction and fit-out of Food Premises and Food Safety Standard 3.2.3, Food Premises and Equipment*.
- 14.2** Kitchen exhaust points for the development must be located and operated in accordance with *Australian Standard 16682.2-2002: The use of ventilation and air-condition in buildings* (specifically Section 5.10 – Air discharges).

15.0 CONSTRUCTION

- 15.1** The construction of all the works shall be undertaken in accordance with good engineering practice and workmanship and generally in accordance with the provisions of the *Schedule 1, Division 1: Standards for Construction Activities, Section 1.1* of the Barcaldine Shire Planning Scheme 2006.
- 15.2** The construction of all works associated with the proposal shall be supervised by a Registered Practicing Engineer Queensland (RPEQ) whose appointment shall require the approval of the Chief Executive Officer or delegate. On completion of the works the applicant/owner shall give to the Council a Certificate from the Engineer stating that the work of constructing the operational works has been completed in accordance with the plans and specification approved by Council.

ADVICE

- A.** The Developer and his employee, agent, contractor or invitee is responsible for ensuring compliance with the conditions of this development approval.
- B.** Where these Conditions refer to “Council” in relation to requiring Council to approve or to be satisfied as to any matter, or conferring on the Council a function, power or discretion, that role may be fulfilled in whole or in part by a delegate appointed for that purpose by the Council.
- C.** 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.
- D.** General environmental duty under the Environmental Protection Act 994 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.
- E.** 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”).

Carried
7/0

At this stage Councillor Bettiens declared an interest in the following item and left the meeting during discussions thereon.

3.4.4 Barcaldine Ski Park Tender Recommendation

Summary: From the Chief Engineer submitting the tender recommendation for the construction of the Ski Lake for Council’s consideration and approval.

Resolution: 2019/01/027 **Moved Cr Gray** **Seconded Cr Dillon**
That Council authorise the Chief Executive Officer to enter into a contract with Newlands Civil Construction Pty Ltd for the revised price of \$1,165,984.84 (excl. GST). This is an increase of \$47,703.87 from their original price of \$1,118,280.97 for rise and fall of materials; subject to the approval of funding from QTC and subject to conditions of the development approval being met.

Carried
6/0

At this stage Councillor Bettiens returned to the meeting.

The meeting adjourned for lunch at 12.55pm and resumed at 2.00pm.

At this stage Councillor Dillon excused himself from the remainder of the meeting.

3.5 DISTRICT MANAGER – ALPHA AND JERICHO

3.5.1 Information Report

Summary: From the District Manager – Alpha and Jericho submitting the Information Report for information.

Resolution: 2019/01/028 **Moved Cr Bettiens** **Seconded Cr Peoples**
That the District Manager’s Information Report be received.

Carried
6/0

3.5.2 Alpha Learn to Swim – Two Year Extension on Lease Agreement and Swim Lessons in the Aramac Region

Summary: Letter received from Alpha Learn to Swim and Alpha Amateur Swimming Club Inc. asking Council to consider matters regarding the Alpha Swimming Pool.

Procedural Motion

Resolution: 2019/01/032 **Moved Cr Peoples** **Moved Cr Plumb**
That the meeting move into open session.

Carried
6/0

At this stage Rick Rolfe returned to the meeting.

3.8.1 Consulting Engineering Contract - KPI Review

Summary: From the Chief Executive Officer reporting on the six (6) monthly review of the key performance indicators of the consulting engineering contract undertaken in December 2018.

Resolution: 2019/01/033 **Moved Cr Peoples** **Seconded Cr Gray**
That Council receives the report.

Carried
6/0

3.8.2 Community Services Program - Financial Services Program

Summary: From the Chief Executive Officer reporting on the Proposed Financial and Performance Reporting Framework for the Community Services Program.

Resolution: 2019/01/034 **Moved Cr Peoples** **Seconded Cr Gray**
That Council receives the report and engages Walsh Accounting to undertake the Financial and Performance Reporting Framework for the Community Services Program as outlined in the proposal.

Carried
6/0

3.9 NOTIFIED MOTIONS - Nil

As there was no further business, the Mayor declared the meeting closed at 2.40pm.

CONFIRMED AS A TRUE AND CORRECT RECORD

MAYOR: _____

DATED: 20 February 2019
