

MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 21 JANUARY 2015 COMMENCING AT 9.00AM

ATTENDANCE

Mayor Cr. R S Loughnan chaired the meeting with, Deputy Mayor Cr W S Wason, Cr. J L Chambers, Cr. R J Denton, Cr P J Flynn, Cr. W M Newman, Cr. C J O'Neil, Cr. M L Price, Chief Executive Officer – Julie Reitano, Coordinator Corporate Communications – Jane Frith, and Kelly Rogers Minutes Officer in attendance.

AS REQUIRED

Director Infrastructure Services – Cameron Castles, Director Development, Facilities & Environmental Services – Rob Hayward, Manager Planning & Building Development - Danielle Pearn, Town Planner – Christopher Tickner, Manager Facilities (Land, Buildings, Structures), (Acting) Coordinator Local Development & Council Events, Manager Environmental Health, Compliance & Waste – Sandra Crosby, Manager Infrastructure Contracts – Peter Weallans, Project Manager – Scott Turner, Coordinator Tourism – Megan Swords.

GUESTS

There were no guests in attendance at the meeting.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.11am.

APOLOGIES

Resolution No. GM/01.2015/01

Moved Cr Chambers

Seconded Cr Wason

That apologies be received and leave of absence granted for Cr. Scheffe for this meeting.

CARRIED

8/0

CONFIRMATION OF MINUTES

Resolution No. GM/01.2015/02

Moved Cr Chambers

Seconded Cr Denton

That the minutes of the General Meeting (22-10.12.14) held on 10 December 2014 be confirmed.

CARRIED

8/0

BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

ON THE TABLE

There were no items for discussion on the table.

PRESENTATIONS/PETITIONS AND DEPUTATIONS

There were no presentations/petitions or deputations at the meeting.

CONSIDERATION OF NOTICES OF BUSINESS

There were no notices of business for consideration.

CONSIDERATION OF NOTICES OF MOTION

There were no notices of motion for consideration.

RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

No notices of motion were received for the next meeting.

BUSINESS

OFFICE OF THE CEO

Item Number: 10.1 **File Number:** D15/3923

SUBJECT HEADING: APPOINTMENT OF ACTING CHIEF EXECUTIVE OFFICER

Author and Officer's Title: Donald Wells, Manager - Human Resources

Executive Summary:

The Chief Executive Officer, who had approved annual leave up to Friday 9 January 2015, needed to extend leave due to personal reasons, with the extension approved by the Mayor. Mr Robert Hayward, Director Development, Facilities & Environmental Services was available to undertake the duties of the Chief Executive Officer.

This report sought Council's endorsement of Mr Robert Hayward as Acting Chief Executive Officer for the period.

This report also sought Council's approval for the appointment of Mr Robert Hayward as Acting Chief Executive Officer to cover the duties of the Chief Executive Officer during any future short periods of unplanned and planned leave by the Chief Executive Officer, unless otherwise resolved by Council.

Resolution No. GM/01.2015/03

Moved Cr Denton

Seconded Cr Wason

That Council endorse:

- 1. The actions of the Mayor in requesting that Mr Robert Hayward undertake the duties of the Acting Chief Executive Officer until the close of business on Friday 16 January 2015 (inclusive of Council's Christmas closure period when Mr Hayward was on call).**
- 2. The appointment of Mr Robert Hayward in the position of Acting Chief Executive Officer during any future short periods of unplanned and planned leave by the Chief Executive Officer, unless otherwise resolved by Council.**

CARRIED

8/0

Responsible Officer

Manager - Human Resources

CORPORATE, COMMUNITY & COMMERCIAL SERVICES
Item Number: 11.1 **File Number:** D14/93928

SUBJECT HEADING: AUDIT COMMITTEE MEMBER REMUNERATION

Author and Officer's Title: Sharon Frank, Director - Corporate, Community & Commercial Services

Executive Summary:

Council has re-established the Audit Committee with four external members (including one chairperson), being appointed to the committee. Council was asked to consider an appropriate remuneration in the form of a meeting allowance.

Resolution No. GM/01.2015/04
Moved Cr O'Neil
Seconded Cr Price
That Council set the External Audit Committee Members meeting allowance to:

- **Chairperson \$390 per meeting**
- **Member \$300 per meeting**

effective from the re-establishment of the committee, and their first meeting on 12 September, 2013.
CARRIED
8/0
Responsible Officer
Director - Corporate, Community & Commercial Services
Item Number: 11.2

File Number: D15/3911

SUBJECT HEADING: ROMA RURAL STUDENT HOSTEL

Author and Officer's Title: Sharon Frank, Director - Corporate, Community & Commercial Services

Executive Summary:

Both the chairman, Mr Alf Golder and the Secretary/Treasurer, Ann Gibbes of the Roma Rural Student Hostel have advised Council that they wish to resign from their positions at the Annual General Meeting to be held in March. The committee members have tried a number of avenues to seek replacements for both positions as there are no current members willing to take on these positions.

Council owns the land, and the Roma Rural Youth Hostel Inc have a management agreement with Council to operate the hostel to 2024. In the absence of a Chairperson and Secretary/Treasurer the committee wishes to hand over the operations of the facility.

Resolution No. GM/01.2015/05
Moved Cr Chambers
Seconded Cr Wason
That Council, on behalf of the Roma Rural Student Hostel, call for Expressions of Interest for the position of Secretary/Treasurer as a casual contractor providing bookkeeping, accounting and secretarial services to the committee.

CARRIED	8/0
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Responsible Officer	Director - Corporate, Community & Commercial Services
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Item Number: 11.3 **File Number:** D14/94762

SUBJECT HEADING: **DELEGATION OF COUNCIL POWERS TO THE POSITION OF CHIEF EXECUTIVE OFFICER UNDER RESIDENTIAL TENANCIES AND ROOMING ACCOMMODATION ACT 2008**

Author and Officer's Title: **Christina Tincknell, Coordinator - Corporate, Community & Commercial Services**

Executive Summary:

This report sought Council's approval for delegation of powers under the Residential Tenancies and Rooming Accommodation Act 2008, to the Chief Executive Officer.

Resolution No. GM/01.2015/06	
Moved Cr Price	Seconded Cr Newman
Under section 257 of the Local Government Act 2009, Council:	
<ol style="list-style-type: none"> 1. Delegate the exercise of powers contained in Schedule 1 of the Instrument of Delegation attached to the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitation contained in Schedule 2 of the attached Instrument of Delegation. 2. Repeal all prior resolution delegating the same powers. 	
CARRIED	8/0

Responsible Officer	Coordinator - Corporate, Community & Commercial Services
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Item Number: 11.4 **File Number:** D15/3610

SUBJECT HEADING: **MONTHLY FINANCIAL STATEMENTS**

Author and Officer's Title: **Christina Tincknell, Coordinator - Corporate, Community & Commercial Services**

Executive Summary:

The purpose of this report is for Council to receive a Monthly Financial Report in accordance with section 204 of the Local Government Regulation 2012, on the progress that has been made in relation to the 2014/15 Budget for the period of the financial year up to 30 November, 2014.

Resolution No. GM/01.2015/07	
Moved Cr Wason	Seconded Cr Flynn
That the Financial Report to 30 November, 2014 be received and noted.	
CARRIED	8/0

Responsible Officer	Coordinator - Corporate, Community & Commercial Services
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Item Number: 11.5 **File Number:** D15/3335

SUBJECT HEADING: **CONSIDERATION OF ELECTED MEMBER ATTENDANCE AT CONFERENCES**

Location: Brisbane & Emerald

Author and Officer's Title: **Kelly Rogers, Coordinator - Elected Members & Community Engagement**

Executive Summary:

The report sought formalisation of Elected Member attendance at an upcoming conference as part of advocacy activities and/or enhancing strategy and policy development for Maranoa Regional Council.

The Mayor made special mention of Councillor David Scheffe's involvement in the inaugural Water and Sewerage Advisory Group Meeting and formally recorded his congratulations to Cr Scheffe - in summary, a great positive for Council, the region and for him personally to be invited to be part of the group.

Resolution No. GM/01.2015/08	
Moved Cr O'Neil	Seconded Cr Chambers
That Council:	
<ol style="list-style-type: none"> 1. Endorse the attendance of Cr. David Scheffe at the inaugural Water and Sewerage Advisory Group Meeting (WSAG) on 30 January 2015 in Brisbane. 2. Endorse the attendance of the Mayor at the Central Queensland Regional Organisation of Council (CQROC) on 5 – 6 February 2015 in Emerald. 	
CARRIED	8/0

Responsible Officer	Coordinator - Elected Members & Community Engagement
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INFRASTRUCTURE SERVICES

Cr. Wason declared a 'Conflict of Interest' in the following four (4) items due to him owning the parcel of land on which Mt Saltbush Quarry is sited, the operation of which sees him entitled to payment of Royalties (funds) for material extracted from the site. Cr. Wason left the Chamber at 9.18am, taking no further part in discussion or debate on each of the items.

Item Number:	12.1	File Number: D14/93721
SUBJECT HEADING:	REPRESENTATIONS UNDER S361 (1) (A) OF THE SUSTAINABLE PLANNING ACT 2009 REGARDING CONDITIONS OF DEVELOPMENT APPROVAL FILE 2014/18918	
Location:	Jackson-Wandoan Road, Jackson North (Lot 1 on SP180960)	
Applicant:	Susan Anne Kneebone C/- Brandon & Associates Pty Ltd	
Author and Officer's Title:	Christopher Tickner, Town Planner	

Executive Summary:

On behalf of Susan Anne Kneebone, the applicant has sought to negotiate conditions of the development approval for a Material Change of Use for "Extractive Industry" (up to 500,000 tonnes/annum) & ERA (16(2)(b) and 16(3)(b) at Jackson - Wandoan Road, Jackson (properly described as Lot 1 on SP180960) issued 19 September, 2014.

The representations relate to conditions of approval 1b), 38, 50, 51 and 54;

- Condition 1b) places a 5 year period of currency on the approval.*
- Conditions 38 and 50 relate to the Local Roads Additional Impacts Charge of \$0.50 per tonne on material extracted.*
- Condition 51 requires the Local Roads Additional Impacts charge to be paid by the industry operator within 14 days of the end of each 3 month period.*
- Condition 54 relates to Council's ability to inspect, copy and audit any records that may help determine the actual use of the road network by the extractive industry operator.*

The applicant has requested that Council amend or delete the above conditions to allow:

- an extension in the currency of development approval from 5 years to 10 years to allow the industry operator enough time to prepare longer term cost forecasts for the operation.*
- the Local Roads Additional Impacts Charge to be applied on a site by site basis and reflect the amount the Maranoa Local Road Network that will be used (i.e. if \$0.50 per tonne is for 100% of use of Maranoa Roads then 5% use should be 2.5 cents per tonne).*
- thirty (30) days from the end of each 3 month period to pay any applicable Local Roads Additional Impacts charge.*
- For Council not to inspect, copy or audit any quarry records.*

Discussion:

A 'Mover and 'Seconder' for the draft motion was called for as recorded below, however, at that time no vote was taken on the draft motion, and the matter was laid on the table for further consideration at a later point during the meeting, allowing Council additional time to consider the draft motion.

Moved Cr Newman

Seconded Cr Chambers

That Condition 50 be amended from:

Condition 50

A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site. This is the local roads additional impacts charge for the 2013/14 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.

To two separate conditions:

Condition 50-1

A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site using any part of the Maranoa Regional Council Local Road Network. This is the local roads additional impacts charge for the 2013/14 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.

Condition 50-2

The extractive industry operator or the approval holder(s) shall provide Maranoa Regional Council with a Quarry Material Distribution Report every three (3) months. The reports shall clearly identify the routes used in the delivery of all extracted material to all end user(s), the types of vehicles used in the delivery of material, a date log of the vehicle movements and confirmation of the end user receiving the material. For the purpose of this condition, the end user is considered to be the person or persons that uses the product and does not include any intermediary distributors.

In the absence of a Quarry Material Distribution Report, Council will assume that the Maranoa Regional Council Local Road network is being used and the Local Roads Additional Impacts charge will be invoiced quarterly based on the approved capped extraction tonnage.

Condition 51 be amended from:

Condition 51

The payment of the local roads additional impacts charge must be made by the extractive industry operator within 14 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.

To the following:

Condition 51

The payment of the local roads additional impacts charge must be made by the extractive industry operator within 30 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.

Condition 1 remains unchanged and the applicant be advised that the currency of the approval can be extended through an infrastructure agreement.

Condition 38 remains unchanged.

Condition 54 remains unchanged.

NO VOTE TAKEN

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Item Number: 13.1 **File Number:** D15/2887

SUBJECT HEADING: MATERIAL CHANGE OF USE "EXTRACTIVE INDUSTRY"
(UP TO 20,000 TONNES PER ANNUM) FILE 2014/19174

Location: Yuleba-Taroom Road, Yuleba North, QLD 4427 (Lot 43 on WV1313)

Applicant: B Harvey and Sons Pty Ltd c/- Brandon & Associates Pty

Author and Officer's Title: Christopher Tickner, Town Planner

Executive Summary:

The application sought approval for a Material Change of Use -"Extractive Industry" – Extractive and Screening Activities on land at Yuleba-Taroom Road, Yuleba North, QLD, 4427 (properly described as Lot 43 on WV1313).

The application is subject to Impact Assessment against the relevant provisions of the Bendemere Shire Planning Scheme 2006. Public notification was carried out between December 9, 2014 and January 14, 2015 with one (1) properly made submissions received during this period.

The application is generally consistent with the provisions of the Bendemere Shire Planning Scheme 2006 including the Desired Environmental Outcomes and Rural Zone Code.

Resolution No. GM/01.2015/09

Moved Cr Newman

Seconded Cr Price

That Council approve the development application for a Material Change of Use - "Extractive Industry" on land at Yuleba-Taroom Road, Yuleba North QLD 4427 (properly described as Lot 43 on WV1313, subject to the following conditions:

Preamble

- (i) Refer to <http://www.cmdg.com.au> for the Capricorn Municipal Development Guidelines (CMDG).
- (ii) The relevant planning scheme for this Development Approval is the Bendemere Shire Planning Scheme 2006. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- (iii) The related Environmental Authority(s) as included in the Environmental Protection Act 1994 must have been given and remain current while the use continues. All references to the 'Environmental Authority' within these conditions refer to the Environmental Authority for this approved use.

The related Environmental Authorities are:

- a) 2(a) extracting, other than by dredging in a year, more than 5,000t but no more than 100,000t; and
- b) 3(a) screening, in a year, more than 5,000t but no more than 100,000t.
- (iv) All Aboriginal Cultural Heritage in Queensland is protected under the Aboriginal Cultural Heritage Act 2003 and penalty provisions apply for any unauthorized 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.
- (v) 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.
- (vi) Building construction is to accord with the Building Code of Australia, Queensland Development Code and State Planning Guidelines for building in bushfire prone areas.

Construction standards for a Medium Bushfire Hazard area will apply.

Use

1. The approved development is a Material Change of Use - "Extractive Industry" and related Environmentally Relevant Activities 16(2)(a) and 16(3)(a) – Extractive and Screening Activities, as shown on the approved plans.

- a) The approved extraction tonnage is capped at 20,000 tonnes per annum.

b) This approval is current for 5 years commencing from the date of approval. The life of this approval is restricted as neither Council nor the extractive industry operator can be sure of the longer term impacts on the Council road system from the development. The conditions requiring road impact contributions are based on a timeframe of 5 years.

2. The period of the currency of this approval may be extended to 20 years by an infrastructure agreement which allows the Council, the extractive industry operator and the approval holder to establish longer term protocols and arrangements which address the possible variations to the impacts on Council's road infrastructure over an extended period.

3. The operator is to develop and implement appropriate bushfire mitigation plans for the development site prior to the commencement of use.

Timing

4. All conditions relating to the establishment of the approved development must be fulfilled prior to any approved use commencing, unless otherwise noted within these conditions.

5. Prior to commencement of use, the applicant shall contact Council to arrange a development compliance inspection.

Approved Plans and Documents

6. Maintain the approved development, in accordance with the following approved plans, subject to and as modified by any conditions of this approval:

Drawing 15205001

Locality Plan

Prepared by Brandon & Associates

dated 31/10/14

Drawing 15205002

Site Plan

Prepared by Brandon & Associates

dated 26/11/14

Drawing 15205003

Access off Yuleba-Taroom Road

Prepared by Brandon & Associates

dated 26/11/14

Document – Site Based Management Plan

Issue P2

Prepared by Brandon and Associates

dated 20/10/2014

Documents – Capricorn Municipal Development Guidelines

While all of the Capricorn Municipal Development Guidelines apply to the approval the following guidelines have direct application:

D5 Stormwater Drainage Design

dated 03/2012

D6 Site Regrading

dated 03/2012

D7 Erosion Control and Stormwater Management

dated 03/2012

7. All works must comply with:

- a) the development approval conditions;
- b) any relevant provisions in the Planning Scheme;
- c) Council's standard designs for such work where such designs exist;
- d) the Capricorn Municipal Development Guidelines;
- e) any relevant Australian Standard that applies to that type of work; and

- f) 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.

Environmental Authorities

8. This approval relies on the relevant approved Environmental Authority(s) (and its related documents) applicable to the site to identify and state that all the requirements for this approval related to all Environmentally Relevant Activities for the site (where those Environmentally Relevant Activities are not expressly devolved to the Council).
9. This approval relies on the entity responsible for approving and managing the Environmental Authority to meet its responsibilities. The Council will not take any responsibility for the management of environmental impacts covered by the Environmental Authority unless and until that entity (or its legal successors) is unable to act.
10. The standards and approval of civil works and services and aspects of environmental management not covered by the Environmental Authority are the responsibility of the Council, but subject to the environmental impact management requirements that may be imposed by the Environmental Authority (or any approval that effectively replaces that Environmental Authority).
11. Where there is a conflict between the conditions and standards set by an Environmental Authority for the site and the conditions and standards set by the Development Permit, those set in the Environmental Authority shall prevail in those matters covered by the Environmental Authority.

Operating Hours

12. Hours of operation are 6:00am to 6:00pm Monday to Saturday. No work is permitted on Sundays or public holidays. Hours of operation include the transporting of material from the site.
13. The quarry operator may apply to Council to vary the hours of operation for a particular project where the extended operating hours are necessary in the opinion of the Council having considered the requirements and community benefits of the particular project and the duration of the additional impacts upon the local community.
14. Any Council approval of the varied hours will be restricted to the duration of the project, and may be rescinded by the Council on seven days notice if the extended hours of operation are considered to be causing undue nuisance or disruption to other persons.

Amenity

15. Any advertising signage is subject to a further development approval unless compliant with the self-assessable development provisions of the planning scheme.
16. Effluent storage and removal must not have an adverse effect on the surrounding areas and must not cause nuisance to neighbouring properties.
17. Waste containers shall be maintained in a clean and tidy state at all times while the use continues, and shall be emptied, and the waste removed from the site on a regular basis.

Avoiding Nuisance

18. 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.
19. Extraction areas, access and site roadways and surrounds shall be kept in an orderly fashion and free of rubbish.
20. No nuisance is to be caused to adjoining properties and their occupiers by the way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
21. Lighting of the site, including any temporary or 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.

Earthworks

22. All earthworks for the development shall be undertaken in accordance with Capricorn Municipal Development Guidelines D6 'Site Regrading' Design Guidelines.

Erosion Control

23. Erosion and Sediment Control is to be managed in accordance with:
 - a) Site Based Management Plan Issue P2, Section 4.7 Erosion and Sediment Control; Plan; and
 - b) Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management.'
24. Where it is necessary for a road and/or drainage system to be reinstated or cleaned up as a result of erosion and/or sedimentation from the site, such works must be undertaken at the developer's expense. Such works shall be undertaken immediately, where it is a potential hazard to pedestrians and/or passing traffic.

Provision of Services

25. At all times during the operation on site effluent are to be disposed of in accordance with Queensland Plumbing and Wastewater Code 2013 and AS1547.2012 (On-site domestic wastewater management). A development permit for plumbing and drainage works shall be sought from Council for any onsite sewerage system provided to the development.
26. The site must be provided with an on-site water supply with sufficient capacity to meet all operational needs, including watering to minimise dust nuisance and also a potable water supply sufficient to meet the needs of staff and visitors to the site.
27. Any supply of potable water to the site, and disposal of effluent from the site is to be performed by a suitably licensed contractor.

Stormwater and Drainage

28. Stormwater is to be managed in accordance with:
 - a) Site Based Management Plan, Section 4.6 Stormwater Management Plan; and
 - b) Capricorn Municipal Development Guidelines D5 'Stormwater Drainage Design'.
29. There shall be no increases in any silt loads or contaminants in any overland flow from the site being developed, or into creeks or roadways, either during the development process or after the development has been completed.

Access, Car parking and Manoeuvring

30. Unsealed internal roads are to be watered upon receipt of any complaint regarding dust nuisance caused by vehicle movements within the site.

Environmental Management

31. All activities while the use continues are to be managed in accordance with:
- the relevant Environmental Authority issued by the Department of Environment and Heritage Protection, DEHP's conditions of approval, or any subsequent Environmental Authority that is issued for the approved use;
 - the Site Based Management Plan, Chapter 5; Control Measures to Minimise the Likelihood of Environmental Harm and
 - all relevant sections of the Capricorn Municipal Development Guidelines.
32. Remediation of the site is to occur in consultation with the landowner, and is to be managed in accordance with:
- the relevant Environmental Authority issued by the Department of Environment and Heritage Protection, DEHP's conditions of approval, or any subsequent Environmental Authority that is issued for the approved use; and
 - Section 5.5 of the Site Based Management Plan.
33. If the environmental approval issued by a State agency (Department of Environment and Heritage Protection or its successor) to undertake this use on this site ceases to have effect and is not replaced by an appropriate approval, code or law to manage the use and the rehabilitation of the site, then the conditions, requirements and obligations of the original environmental approval given for this use on this site shall become conditions of this approval. References in the original environmental approval to the State agency will then be construed as references to the Council to the greatest extent possible. The standards referenced by the most recent environmental approval will be the applicable standards.

Fees, Infrastructure Charges and Impact Contributions

34. A local roads additional impacts charge will be paid to Maranoa Regional Council in accordance with the Local Roads Additional Impacts Charges Schedule A, attached to and forming part of these conditions. This condition and the conditions in Local Roads Additional Impacts Charges Schedule A are based on division 2 of chapter 8, more specifically sections 650 and 651 and linked sections, of the Sustainable Planning Act 2009.
35. All matters contained within this development approval may be covered by infrastructure agreements or deeds of agreement between the relevant parties for each matter.
36. All fees, rates, interest and other charges levied on the property, shall be paid in accordance with the rate at the time of payment.

Complete and Maintain

37. Complete and maintain the approved development as follows: (i) in accordance with development approval documents and (ii) strictly in accordance with those parts of the approved development which have been specified in detail by the Council or Referral Agency unless the Council or Referral Agency agrees in writing that those parts will be adequately complied with by amended specifications.

38. Complete and maintain all operational, building and plumbing and drainage work associated with this development approval, including work required by any of the development approval conditions.

Repair Damaged Infrastructure

39. 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 (road pavement, existing underground assets, signs or other) 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).
40. Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.

No Cost to Council

41. 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.
42. All rates and charges of any description and all arrears of such rates and charges, together with interest outstanding thereon, on the land, due to the Council, shall be paid to the Council prior to any approved use commencing.

Latest Versions

43. 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 time the first operational works or compliance approval is lodged with the assessment manager or approval agency for those types of works to be performed or approved, unless a regulation or law requires otherwise.

Application Documentation

44. It is the developer's responsibility to ensure all entities associated with this Development Approval have a legible copy of the Decision Notice and the Approved Plans and Approved Documents bearing 'Council Approval'.

Charges Schedule A - Local Roads Additional Impacts

1. These conditions are required because the development will impact on the local roads when materials associated with the operation of the extractive industry are carried along those local roads. The local roads additional impacts charge covers all roads in the Maranoa Regional Council Area where heavy vehicles of the type used in this activity/use are permitted to travel. The tonnage of extracted material leaving the extractive industry is deemed to be a proportional measure of the total traffic to and from the site.
2. A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site using any part of the Maranoa Regional Council Local Road Network. This is the local roads additional impacts charge for the 2013/14 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined

in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.

3. The payment of the local roads additional impacts charge must be made by the extractive industry operator within 30 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.
4. The extractive industry operator or the approval holder(s) shall provide Maranoa Regional Council with a Quarry Material Distribution Report every three (3) months. The reports shall clearly identify the quantity of material transported from the site, the routes used in the delivery of all extracted material to all end user(s), the types of vehicles used in the delivery of material, a date log of the vehicle movements and confirmation of the end user is considered to be the person or persons that uses the product and does not include any intermediary distributors.

In the absence of a quarterly Quarry Material Distribution Report, Council will assume that the Maranoa Regional Council Local Road network is being used and the Local Roads Additional Impacts charge will be invoiced quarterly based on the maximum approved capped extraction tonnage.

5. The holder of the development approval or the extractive industry operator may ask for the local roads additional impacts charge to be reviewed once in every three year period after the approval for the activity/use is given. The review will take account of the rates and methodology applying to similar operators in the Council Area and the facts and circumstances applying to this approved activity/use.
6. Despite the payment of a local roads additional impacts charge, the Council may stop the extractive industry operator from using particular roads. The reasons may include Council concerns about the level of damage being caused or may be caused to those particular local roads by the addition to total road use of heavy vehicles associated with the extractive industry.
7. Council has the ability to engage an independent certified auditor to review any records which may help to prove the actual use of the road network by the extractive industry operator or the approval holder(s) for the purpose of assessing the local roads additional impacts charge. If the records are found to be accurate the review will be at Council's cost. Where the independent review indicates any discrepancies in the information, the cost of the audit is to be borne by the operator. The extractive industry operator and the approval holder(s) have agreed by the acceptance of this condition that the Council has their agreement and permission to engage an independent certified auditor to access those records wherever held and that their agreement and permission cannot be revoked.
8. The extractive industry operator or the approval holder(s) may undertake roadworks in lieu of paying a local roads additional impacts charge. The roadworks must be of the same value as the local roads additional impacts charge. The value of roadworks will be determined by Council or by an independent RPEQ standard engineer agreed to by the Council. The roadworks must be roadworks included the Council current roadworks program and within a 50 kilometre radius of the extractive industry site on roads that may be used by the operator. The carrying out of roadworks must comply with CMDG guidelines and other requirements which normally apply to works carried out on Council roads by contractors, including warranties for the works performed.

The onus is on the entity intending to perform the roadworks to gain all necessary approvals for the roadworks. The roadworks must be completed within 3 months after the local roads additional impacts charge was due to be paid or within a period agreed in writing with the Council.

9. The charges or roadworks or other relevant matters can be included within an infrastructure agreement or deed of agreement with the Council, the extractive industry operator and any other relevant parties by consent of the parties. The extractive industry operator, the approval holder and the Council may vary the charges and other factors by mutual consent where circumstances warrant such variations and the community interest is protected.

Infrastructure Agreements

10. The applicant may enter into an Infrastructure Agreement with Council in a standard format to be provided by Council. This agreement will show details of charges, review period and dispute resolution procedures.

CARRIED 7/0

Responsible Officer	Town Planner
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Item Number: 13.2 **File Number:** D14/92849

SUBJECT HEADING: REPRESENTATIONS UNDER SECTION 361(1) (A) OF THE SUSTAINABLE PLANNING ACT 2009 REGARDING CONDITIONS OF DEVELOPMENT APPROVAL REF 2014/18848

Location: Pei Road, Jackson (Lot 12 on BWR: 775, Lot 62 on BWR: 411, Lot: 63 on BWR: 411 and Lot 64 on BWR: 411)

Applicant: Southern Gravel C/- ADAMS+ SPARKES Town Planning + Development

Author and Officer's Title: Christopher Tickner, Town Planner

Executive Summary:

The applicant has sought to negotiate conditions of the development approval for a Material Change of Use for "Extractive Industry" (5,000 to 100,000 tonnes per annum) at Pei Road, Jackson (properly described as Lot 12 on BWR775, Lot 62, 63 and 64 on BWR411) issued by Council on the 8 September 2014.

The representations relate to Condition 1b), 2, 15, 36, 38, 40, 41 and 59 of the development approval.

- *Condition 1b) places a 5 year period of currency on the approval.*
- *Condition 2 states that the period of currency can be extended to 20 years by an infrastructure agreement.*
- *Condition 15 relates to the storage and removal of effluent.*
- *Conditions 36 and 38 require upgrades to sections of Edward Street and Railway Street in Jackson.*
- *Condition 40 and 41 make reference to Department of Environment and Heritage Protection (DEHP) conditions.*

- Condition 55 relates to the payment of the Local Roads Additional Impacts Charge.
- Condition 59 provides Council the ability to stop the extractive industry operator from using particular roads.

The applicant has also requested that;

- the requirement for a Building Works Permit is removed.
- the correct revision date for a stamped plan be referenced in the Decision Notice.
- the relevant period (when the approval lapses if development has not started) be increased from two (2) years to four (4) years.

Resolution No. GM/01.2015/10

Moved Cr Newman

Seconded Cr O'Neil

That the matter lay on the table for further consideration at the General Meeting on 11 February 2014, pending discussions at an upcoming Councillor Workshop in consideration of approval durations for this and similar requests in the future.

CARRIED

7/0

Responsible Officer

Town Planner

Item Number:

13.3

File Number: D15/57

SUBJECT HEADING:

REPRESENTATIONS UNDER S361 (1) (A) OF THE SUSTAINABLE PLANNING ACT 2009 REGARDING CONDITIONS OF DEVELOPMENT APPROVAL FILE 2014/18422

Location:

775 Surat Road, Yuleba 4427, Qld (Lot 2 on SP 197617)

Applicant:

Yuleba Minerals Pty Ltd

Author and Officer's Title:

Christopher Tickner, Town Planner

Executive Summary:

Yuleba Minerals has sought to negotiate conditions of the development approval for a Material Change of Use for "Extractive Industry" (up to 1,000,000 tonnes/annum) & ERA 16(2)(b) and 16(3)(b) at Jackson- Wandoan Road, Jackson (properly described as Lot 1 on SP180960) issued 19 September, 2014.

The representations relate to conditions 11, 16 and 23 of the development approval.

- *Condition 11 requires the applicant upgrade the access link road from the intersection of Yuleba Surat Road and Bedwell Street to the Warrego to a two lane bitumen sealed road.*
- *Conditions 16 relates to the Local Roads Additional Impacts Charge of \$0.50 per tonne on material extracted.*
- *Condition 23 restricts the hours of operation.*

The applicant has requested that Council amend or delete the above conditions so as:

- *the burden of cost associated with road upgrades be shared with other quarries located along the Yuleba-Surat Road;*
- *the Local Roads Additional Impacts Charge be deleted, or if not deleted, it only be applied to material transported off site greater than 100,000 tonnes; and*
- *the quarry can operate 7 days a week 24 hours a day.*

Resolution No. GM/01.2015/11

Moved Cr Newman

Seconded Cr O'Neil

That Condition 16 be amended from:

Condition 16

A local roads additional impacts charge of \$0.50 per tonne will be paid for all quarry material transported to and from the site. This amount will be increased or decreased annually by a percentage equivalent to the change in All groups consumer price index for Brisbane published by the Australian Statistician. The holder of the development approval may ask for the local roads additional impacts charge to be reviewed once in every three year period after the approval for the facility was given. The review will take account of the rates and methodology applying to similar facility operators in the Council Area and the facts and circumstances applying to this approved quarry.

To three separate conditions:

Condition 16-1

A local roads additional impacts charge of \$0.50 per tonne will be paid for all quarry material transported to and from the site using any part of the Maranoa local road network. This amount will be increased or decreased annually by a percentage equivalent to the change in 'All groups consumer price index' for Brisbane published by the Australian Statistician. The holder of the development approval may ask for the local roads additional impacts charge to be reviewed once in every three year period after the approval for the facility was given. The review will take account of the rates and methodology applying to similar facility operators in the Council Area and the facts and circumstances applying to this approved quarry.

Condition 16-2

The extractive industry operator is not required to pay a local roads impact charge for the first 25,000 tonnes extracted each quarter. The "first 25,000 tonnes" is defined as the material extracted beginning the first day of the quarter and then on sequential days until the 25,000 tonne exemption for that quarter is reached. This unused component of the first 25,000 tonnes can be carried over and added to the next quarter if less than 25,000 tonnes is extracted in a quarter.

Condition 16-3

The extractive industry operator or the approval holder(s) shall provide Maranoa Regional Council with a Quarry Material Distribution Report every three (3) months. The reports shall clearly identify the routes used in the delivery of all extracted material to all end user(s), the types of vehicles used in the delivery of material, a date log of the vehicle movements and confirmation of the end user receiving the material. For the purpose of this condition, the end user is considered to be the person or persons that uses the product and does not include any intermediary distributors.

In the absence of a Quarry Material Distribution Report, the Local Roads Additional Impacts charge will be invoiced quarterly based on the approved capped extraction tonnage.

Condition 23 be amended from:

Hours of operation of the approved use are limited to 6am-6pm Monday to Saturday. No operations are to occur on Sundays or Public Holidays.

To the following:

Hours of operation of the approved use are limited to 6am-6pm Monday to Saturday. No operations are to occur on Sundays or Public Holidays.

The quarry operator may apply to Council to vary the hours of operation for a particular project where the extended operating hours are necessary in the opinion of the Council having considered the requirements and community benefits of the particular project and the duration of the additional impacts upon the local community.

Any Council approval of the varied hours will be restricted to the duration of the project, and may be rescinded by the Council on seven days notice if the extended hours of operation are considered to be causing undue nuisance or disruption to other persons.

and;

Condition 11 remains unchanged.

CARRIED

7/0

Responsible Officer	Town Planner
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At cessation of discussion and debate on abovementioned 4 items, Cr. Wason entered the Chamber at 9.45am.

Cr. Price declared a potential perceived 'Conflict of Interest' in the following item, due to her being a member of the Wallumbilla Heritage Association. Cr. Price elected to remain for discussion and debate on the matter, on the basis that it would not influence her ability to consider the broader public interest.

Item Number: 13.4 **File Number:** D14/94604

SUBJECT HEADING: WALLUMBILLA (CALICO COTTAGE) ERGON ACCOUNT

Author and Officer's Title: Amanda Schneekloth, Coordinator - Buildings & Structures Maintenance

Executive Summary:

Wallumbilla Heritage Association sought permission for Council to pay electricity account, on the Heritage Railway Building located on the Western side of the Calico Cottage Precinct.

Resolution No. GM/01.2015/12

Moved Cr Denton

Seconded Cr O'Neil

That Council pay the electricity account for the Heritage Railway Building in conjunction with Calico Cottage.

CARRIED (Cr. Price voted in favour of the motion)

7/1

Responsible Officer	Coordinator - Buildings & Structures Maintenance
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Item Number: 13.5 **File Number:** D15/128

SUBJECT HEADING: GRANTING OF EASEMENT OVER RESERVE R88 – LOT 128 ON DL500 - ERGON ENERGY

Author and Officer's Title: Dee Schafer, Support Officer - Facilities

Executive Summary:

Ergon Energy was seeking consent from Council to grant an easement over land described as Reserve R88 Dublin Lot 128 on DL500 for the purposes of Electrical Works. Council is asked to consider the request for easement from Ergon Energy.

Resolution No. GM/01.2015/13	
Moved Cr Price	Seconded Cr Flynn
That Council:	
<ol style="list-style-type: none"> 1. Consent as trustee to the Granting of Easement over Reserve R88 being Lot 128 on DL500 to Ergon Energy for the purpose of Electrical Works. 2. Authorise its Chief Executive Officer to sign the Form 18 Consent by Council, on Council's behalf. 	
CARRIED	8/0

Responsible Officer	Support Officer - Facilities
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Item Number: 13.6 **File Number:** D15/149

SUBJECT HEADING: GRANTING OF EASEMENT OVER RESERVE R407 – LOT 39 ON WV1940 - ERGON ENERGY

Author and Officer's Title: Dee Schafer, Support Officer - Facilities

Executive Summary:

Ergon Energy was seeking consent from Council to grant an easement over land described as Reserve R407 Lot 39 on WV1940 for the purposes of Access and Services Purposes. Council was asked to consider the request for easement from Ergon Energy.

Resolution No. GM/01.2015/14	
Moved Cr Wason	Seconded Cr Chambers
That Council:	
<ol style="list-style-type: none"> 1. Consent as trustee to the Granting of Easement over Reserve R407 being Lot 39 on WV1940 to Ergon Energy for the purpose of access and services purposes. 2. Authorise its Chief Executive Officer to sign the Form 18 Consent by Council, on Council's behalf. 	
CARRIED	8/0

Responsible Officer	Support Officer - Facilities
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Item Number: 13.7 **File Number:** D15/2676

SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE -
 GRAZING HOMESTEAD PERPETUAL LEASE (GHPL)
 36/7522 BEING LOT 7 ON EG246 AND (GHPL) 36/7797
 BEING LOT 2 ON EG32

Author and Officer's Title: Josephine Horsfall, Coordinator - Land Administration

Executive Summary:

The Department of Natural Resources and Mines sought Council's views on an application it has received for conversion of Grazing Homestead Perpetual Lease (GHPL) 36/7522 being Lot 7 on EG246 and (GHPL) 36/7797 being Lot 2 on EG32 to freehold tenure.

Resolution No. GM/01.2015/15	
Moved Cr O'Neil	Seconded Cr Price
<p>That Council advise the Department of Natural Resources and Mines that it has no objection to the conversion of (GHPL) 36/7522 being Lot 7 on EG246 and (GHPL) 36/7797 being Lot 2 on EG32 to freehold tenure.</p>	
CARRIED	8/0

Responsible Officer	Coordinator - Land Administration
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Item Number: 13.8 **File Number:** D15/3150

SUBJECT HEADING: OLD INJUNE MINE SITE: HERITAGE SIGNAGE

Author and Officer's Title: Megan Swords, Coordinator - Tourism

Executive Summary:

Injune and District Tourism Association has sought assistance from Council to seek approval for and erect heritage signage directing visitors from the Carnarvon Highway to the Old Injune Mine historic site, approximately 4 kilometres south of Injune.

The Department of Transport and Main Roads requires that the proposed heritage sites must be registered on the Queensland Heritage Register or the Local Heritage Register, in order to qualify for 'Heritage Site' signage along a state controlled road.

The site was home to the Midwinter Coal Mine from 1926 – 1963, employing many local men and contributing significantly to the development and growth of the township of Injune.

This report sought Councillors' approval to identify the Old Injune Coal Mine site as a place of heritage significance in the draft Maranoa Planning Scheme.

Resolution No. GM/01.2015/16	
Moved Cr Denton	Seconded Cr Wason
<p>That Council register the Old Injune Coal Mine site as a place of significance in Schedule 10 of the draft Maranoa Planning Scheme - Historic and Cultural Places.</p>	
CARRIED	8/0

Responsible Officer	Coordinator - Tourism
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Item Number: 13.9 **File Number:** D15/3445
SUBJECT HEADING: DROUGHT ASSISTANCE PROGRAM FUNDING PROJECT
Applicant: Maranoa Regional Council Wild Dog Advisory Group
Author and Officer's Title: Maree Winter, Senior Lands Officer

Executive Summary:

Maranoa Regional Council has received funding (\$80,000 for wild dog control), from the Federal Government Drought Assistance Program to support improved pest animal management in drought affected areas. Providing further information to landholders in the region is a part of Council's project, whereby six (6) forums were held in October last year. Due to the success of these forums, it was proposed to hold another six forums at different venues across the region to inform landholders what services Council can offer in pest animal control.

Resolution No. GM/01.2015/17

Moved Cr Chambers

Seconded Cr O'Neil

That Council approve a further round of feral animal forums as proposed, as part of the Federal Government Drought Assistance Funding project. Sessions will be held at the following locations, dates and times across the region:

- Hodgson – Wednesday, 18 February – 5.30pm
- Amby – Thursday, 19 February – 5.30pm
- Noonga – Monday, 23 February – 5.30pm
- Injune – Tuesday, 24 February – 5.30pm
- Surat – Wednesday, 25 February – 5.30pm
- Begonia – Thursday, 26 February – 5.30pm

CARRIED

8/0

Responsible Officer

Senior Lands Officer

Item Number: 13.10 **File Number:** D15/3485
SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE - TERM LEASE 0/230142 BEING LOT 2 ON COG40 TO FREEHOLD TENURE
Author and Officer's Title: Josephine Horsfall, Coordinator - Land Administration

Executive Summary:

The Department of Natural Resources and Mines sought Council's views on an application it has received for conversion of Term Lease 0/230142 being Lot 2 on COG40 to freehold tenure.

Resolution No. GM/01.2015/18

Moved Cr Denton

Seconded Cr Flynn

That Council advise the Department of Natural Resources and Mines that it has no objection to the conversion of Term Lease 0/230142 being Lot 2 on COG40 to freehold tenure.

CARRIED

8/0

Responsible Officer	Coordinator - Land Administration
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Item Number: 13.11 **File Number:** D15/3527

SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE -
 GRAZING HOMESTEAD PERPETUAL LEASE (GHPL)
 36/7366 BEING LOT 3 ON BDR96 TO FREEHOLD TENURE

Author and Officer's Title: Josephine Horsfall, Coordinator - Land Administration

Executive Summary:

The Department of Natural Resources and Mines sought Council's views on an application it has received for conversion of Grazing Homestead Perpetual Lease 36/7366 being Lot 3 on BDR96 to freehold tenure.

Resolution No. GM/01.2015/19	
Moved Cr Price	Seconded Cr Newman
<p>That Council advise the Department of Natural Resources and Mines that it has no objection for conversion of Grazing Homestead Perpetual Lease (GHPL) 36/7366 being Lot 3 on BDR96 to freehold tenure.</p>	
CARRIED	8/0

Responsible Officer	Coordinator - Land Administration
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Item Number: 13.12 **File Number:** D15/3658

SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE -
 GRAZING HOMESTEAD PERPETUAL LEASE (GHPL)
 36/7823 BEING LOT 7 ON BDR41 TO FREEHOLD TENURE

Author and Officer's Title: Josephine Horsfall, Coordinator - Land Administration

Executive Summary:

The Department of Natural Resources and Mines sought Council's views on an application it has received for conversion of Grazing Homestead Perpetual Lease (GHPL) 36/7823 being Lot 7 on BDR41 to freehold tenure.

Resolution No. GM/01.2015/20	
Moved Cr Chambers	Seconded Cr Wason
<p>That Council advise the Department of Natural Resources and Mines that it has no objection to the conversion of Grazing Homestead Perpetual Lease (GHPL) 36/7823 being Lot 7 on BDR41 to freehold tenure.</p>	
CARRIED	8/0

Responsible Officer	Coordinator - Land Administration
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LATE ITEMS
Item Number: L.1 **File Number:** D15/5058

SUBJECT HEADING: **VOTING ARRANGEMENTS FOR THE 2016 LOCAL GOVERNMENT ELECTION**
Author and Councillor's Title: **Cr. Robert Loughnan**
Executive Summary:

Correspondence was received from the Minister for Local Government, Community Recovery and Resilience, advising that local government elections should be conducted by attendance by ballot where possible. This Minister has also advised that applications by Councils to conduct the 2016 elections by postal vote will be unlikely to be approved, unless exceptional circumstances are demonstrated. LGAQ have written to the Minister urging that he reconsider this position, as has Toowoomba Regional Council outlining its request for an undivided postal ballot.

This report sought Council's support to retain the current postal electoral arrangements for the 2016 Local Government elections for the Maranoa Regional Council area.

Resolution No. GM/01.2015/21
Moved Cr O'Neil
Seconded Cr Chambers

That Council makes immediate application to the Department of Local Government, Community Recovery and Resilience stating its strong preference toward retaining the current postal electoral arrangements for the 2016 Local Government elections, emphasising the following rationale:

- The increased cost to the ratepayers of opening at least ten fully manned polling booths across the region simultaneously.
- The cost and inconvenience to all voters of having to travel to their nearest polling booth for no valid reason or benefit.
- The likelihood of weather impacting on the election being a realistic threat across a council area of 58,000 square kilometres and 6,000 voters.
- The cost and inconvenience to all intending candidates of trying to man a presence at all polling booths.

CARRIED

7/1

Responsible Officer
Chief Executive Officer
Item Number: L.2 **File Number:** D15/5411

SUBJECT HEADING: **CORPORATE PLAN UPDATE**
Author and Officer's Title: **Erin Tompkins, Associate to the CEO & Mayor**
Executive Summary:

This report sought Council's approval of an extension for the final review of the Corporate Plan to February 2015, to allow for staff feedback and amendments to be collated and endorsed by the Senior Management Team.

Resolution No. GM/01.2015/22
Moved Cr Flynn
Seconded Cr Price

That Council approve an extension for the final review of the updated Corporate Plan, to take place at a meeting in February 2015.

CARRIED

8/0

Responsible Officer
Associate to the CEO & Mayor
CONFIDENTIAL ITEMS

In accordance with the provisions of section 275 of the Local Government Regulation 2012, Council resolved to close the meeting to discuss items it has deemed to be of a confidential nature and specifically pertaining to the following sections:-

- (a) the appointment, dismissal or discipline of employees;
- (d) rating concessions;
- (e) contracts proposed to be made by it;
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage;

Resolution No. GM/01.2015/23
Moved Cr Denton
Seconded Cr O'Neil
That Council close the meeting to the public at 10.07am.

CARRIED

8/0

Cr. Wason declared a 'Conflict of Interest' in Item C.1 – Business Activity Report, due to him owning the parcel of land on which Mt Saltbush Quarry is sited, the operation of which sees him entitled to payment of Royalties (funds) for material extracted from the site. Cr Wason left the Chamber at 10.08am taking no further part in discussion on the matter.

At cessation of discussion on Item C.1 – Business Activity Report, Cr. Wason entered the Chamber at 10.10am.

Cr. Flynn declared a 'Conflict of Interest' in items C.9 – Passenger Tax Fees – Roma Aerodrome & Item C.10 – Business Unit Report – Airport – December 2014, due to his personal business operations out of Roma Airport, and left the Chamber at 10.25am taking no further part in discussion on the items.

Cr. Flynn did not return to the Chamber until after morning tea, with discussion closing on the abovementioned items at commencement of morning tea.

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
 COUNCIL ADJOURNED THE MEETING FOR MORNING TEA AT 10.36AM.

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 11.10AM.

Cr. Wason & Price declared a 'Conflict of Interest' in item C.11 – Delegated Authority for Chief Executive Officer to approve contractual variations for the Injune Taroom Road Project & Item C.13 – Santos GLNG Service Level Agreement 2015/17, due to each of them receiving financial compensation from Santos GLNG activities carried out on parcels of land owned by each of them. Both Councillors left the Chamber at 11.11am, taking no further part in discussion on the items.

At cessation of discussion Item C.11 - Delegated Authority for Chief Executive Officer to approve contractual variations for the Injune Taroom Road Project and Item C.13 - Santos GLNG Service Level Agreement 2015/17 Councillors Wason & Price entered the Chamber at 11.41am.

Cr. Price & O'Neil declared a 'Conflict of Interest' in Item C.12 – Proposed Private Works Agreement between Maranoa Regional Council and Powerlink Queensland on Non-Energy Sector Roads, and left the Chamber at 11.42am taking no further part in discussion on the matter.

Cr Price's declaration was due to her receiving financial compensation from Powerlink Queensland for activities carried out on land owned by her.

Cr O'Neil's declaration was due to him negotiating contracts on behalf of his employer Queensland Murray Darling Committee (QMDC) with Powerlink Queensland.

At cessation of discussion on Item C.12 – Proposed Private Works Agreement between Maranoa Regional Council and Powerlink Queensland on Non-Energy Sector Roads the abovementioned Item, Councillors Price and O'Neil entered the Chamber at 11.46am.

Cr. Wason & Price declared a 'Conflict of Interest' in Item C.15 – Upgrade of the Intersection of Carnarvon Highway and Injune Taroom Road including the widening of the first 600m of Injune Taroom Road, due to each of them receiving financial compensation from Santos GLNG activities carried out on parcels of land owned by each of them. Councillors Wason and Price left the Chamber at 11.49am.

At cessation of discussion on Item C.15 – Upgrade of the Intersection of Carnarvon Highway and Injune Taroom Road including the widening of the first 600m of Injune Taroom Road, Councillors Wason & Price entered the Chamber at 11.57am.

The Mayor left the Chamber at 12.01pm, and entered at 12.02pm.

Resolution No. GM/01.2015/24

Moved Cr O'Neil

Seconded Cr Chambers

That Council open the Meeting to the public at 12.13pm.

CARRIED

8/0

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
COUNCIL ADJOURNED THE MEETING FOR A BRIEF RECESS AT 12.14PM.

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 12.18PM.

Cr. Wason declared a 'Conflict of Interest' in the following item, due to him owning the parcel of land on which Mt Saltbush Quarry is sited, the operation of which sees him entitled to payment of Royalties (funds) for material extracted from the site. Cr. Wason left the Chamber at 12.18pm, taking no further part in discussion or debate on the matter.

Item Number: C.1 **File Number:** D14/92476
SUBJECT HEADING: BUSINESS ACTIVITY REPORT - QUARRY
Author and Officer's Title: Deborah Bond, Support Officer - Corporate & Commercial Services
Month & Year of Report: November 2014
Name of Department: Commercial Services

Executive Summary:

This monthly report was presented to Council to provide a summary of the performance of Council's Quarry over the past month and year to date. The information in this report aimed to review the month's activities, give an overview of financial performance and bring to Council's attention any emerging issues.

Resolution No. GM/01.2015/25	
Moved Cr O'Neil	Seconded Cr Chambers
That Council receive and note the Officer's report as presented.	
CARRIED	7/0

Responsible Officer	Support Officer - Corporate & Commercial Services
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At cessation of discussion and debate on the abovementioned item, Cr. Wason entered the Chamber at 12.19pm.

Item Number: C.2 **File Number:** D14/92480
SUBJECT HEADING: BUSINESS ACTIVITY REPORT - SALEYARDS
Author and Officer's Title: Deborah Bond, Support Officer - Corporate & Commercial Services
Month & Year of Report: November 2014
Name of Department: Commercial Services

Executive Summary:

This monthly report was presented to Council to provide a summary of the performance of Council's Saleyards over the past month and year to date. The information in this report aimed to review the month's activities, give an overview of financial performance and bring to Council's attention any emerging issues.

Resolution No. GM/01.2015/26	
Moved Cr Newman	Seconded Cr Flynn
That Council receive and note the Officer's report as presented.	
CARRIED	8/0

Responsible Officer	Support Officer - Corporate & Commercial Services
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Item Number: C.3 **File Number:** D14/93750
SUBJECT HEADING: REQUEST FOR DISCOUNT AFTER LATE PAYMENT OF RATES
Location: Assessment Numbers: 12010575 & 12010567
Author and Officer's Title: Dana Harrison, Coordinator - Rates

Executive Summary:

Correspondence had been received from the applicant requesting discount be granted although payment was received by post after the close of discount.

Resolution No. GM/01.2015/27

Moved Cr Newman

Seconded Cr Price

That Council:

1. Not grant the requested discount on this occasion, as the circumstances do not meet the criteria in Council's adopted Revenue Statement or the Local Government Regulation 2012 for granting discount.
2. Include in return correspondence to the applicant, reference to the details contained in Council's remittance register, as well as a copy of the envelope containing post mark details confirming the postage date stamp for the received payment via mail.

CARRIED

8/0

Responsible Officer

Coordinator - Rates

Item Number: C.4 **File Number:** D14/94395
SUBJECT HEADING: FEE WAIVER - BASSETT PARK
Author and Officer's Title: Dee Schafer, Support Officer - Facilities

Executive Summary:

Council had received a request to waive fees incurred during the applicant's stay at Bassett Park, Roma.

Resolution No. GM/01.2015/28

Moved Cr Flynn

Seconded Cr Wason

That Council, whilst acknowledging the hardship being experienced by the rural industries across the region, not agree to the request to waive the invoice for the applicant's stay at Bassett Park Roma.

CARRIED

8/0

Responsible Officer

Support Officer - Facilities

Item Number: C.5 **File Number:** D15/1654

SUBJECT HEADING: AUSTRALIA DAY 2014 AWARD NOMINATIONS

Author and Officer's Title: Susan (Sue) Sands, (Acting) Coordinator - Local Development & Council Events

Executive Summary:

The 2015 Australia Day Awards Selection Panel has assessed the award nominations for the Maranoa Region. Council was asked to consider the panel recommendations.

Resolution No. GM/01.2015/29	
Moved Cr O'Neil	Seconded Cr Newman
That Council approve the recommendations from the Awards Selection Panel for the 2015 Australia Day Award Recipients for the Maranoa Region.	
CARRIED	8/0

Responsible Officer	(Acting) Coordinator - Local Development & Council Events
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Item Number: C.6 **File Number:** D15/2675

SUBJECT HEADING: EXPRESSION OF INTEREST IN LAND AT AIRPORT PRECINCT

Author and Officer's Title: Josephine Horsfall, Coordinator - Land Administration

Executive Summary:

Council has received correspondence from an applicant who has indicated an interest in purchasing Council owned land, being Lot 8 on RP855185. This land is freehold tenure of approximately 0.654 hectares and is situated at 21 Hangar Drive, Roma.

Resolution No. GM/01.2015/30	
Moved Cr Denton	Seconded Cr O'Neil
That Council offer for sale by tender Lot 8 on RP855185, situated at 21 Hangar Drive Roma, subject to Council first obtaining a current market value for the land.	
CARRIED	8/0

Responsible Officer	Coordinator - Land Administration
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Item Number: C.7 **File Number:** D15/3082

SUBJECT HEADING: GOLDEN DOGGER AWARDS

Applicant: Maranoa Regional Council Wild Dog Advisory Group

Author and Officer's Title: Kymlee Seiler, Land Management Officer

Executive Summary:

Council encourages members of the community to participate and reduce known risks caused by wild dogs by offering prizes to those who capture and destroy this pest animal each calendar year.

Resolution No. GM/01.2015/31	
Moved Cr Chambers	Seconded Cr Price
That Council approve:	
<ol style="list-style-type: none"> 1. The recommendations put forward by the Maranoa Regional Council Wild Dog Advisory Group for the Golden Dogger Awards for recipients. 2. The provision of prizes to the identified applicants of 'Claim for additional bonus payments' for the 2014 calendar year. 	
CARRIED	8/0

Responsible Officer	Land Management Officer
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Cr. Flynn left the Chamber at 12.31pm.

Item Number: C.8 **File Number:** D14/94638

SUBJECT HEADING: STATE LIBRARY OF QUEENSLAND - SERVICE LEVEL AGREEMENT

Author and Officer's Title: Larissa Pears, Support/Project Officer - Economic & Community Development

Executive Summary:

The State Library of Queensland has offered Council the opportunity to enter into a Service Level Agreement for the Best Start Family Literacy Initiative.

Resolution No. GM/01.2015/32	
Moved Cr Price	Seconded Cr Newman
That Council authorise the Chief Executive Officer to sign the Service Level Agreement for the Best Start Family Literacy Initiative.	
CARRIED	7/0

Responsible Officer	Support/Project Officer - Economic & Community Development
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Cr. Flynn had left the Chamber at 12.31pm, and did not return when Council commenced discussion on the following item at 12.33pm, declaring a 'Conflict of Interest' in the following two items, due to his personal business operations out of Roma Airport, and remained outside the Chamber, taking no further part in discussion or debate on the matter.

Item Number: C.9 **File Number:** D15/2530

SUBJECT HEADING: PASSENGER TAX FEES - ROMA AERODROME

Author and Officer's Title: Ben Jones, Manager - Airports (Roma, Injune, Surat & Mitchell)

Executive Summary:

The applicant is the only company with aircraft < 5,700kg or B350's that Council had charged a passenger tax to under the previous fees & charges schedule. Since the alteration of the fees & charges from 1 September 2014 this resulted in these particular movements of aircraft being exempt from passenger fees.

Resolution No. GM/01.2015/33

Moved Cr Newman

Seconded Cr Wason

That Council write off the applicant's outstanding debt of \$116,187.50.

MOTION LOST

2/5

As the motion was lost, the existing fees and charges remain applicable up until the new charges came into effect from 1 September 2014. Council asked that the response letter include comparative information had the change not been implemented and the previous charges remained in effect. Further that this information be provided to all Councillors in advance of the response.

Responsible Officer

Manager - Airports (Roma, Injune, Surat & Mitchell)

Item Number: C.10 **File Number:** D15/3242

SUBJECT HEADING: BUSINESS UNIT REPORT - AIRPORT - DECEMBER 2014

Author and Officer's Title: Ben Jones, Manager - Airports (Roma, Injune, Surat & Mitchell)

Month & Year of Report: December 2014

Name of Department: Airports (Roma, Injune, Mitchell & Surat)

Executive Summary:

This monthly report is presented to Council to provide a summary of the performance of Council's Airports (Roma, Injune, Surat & Mitchell) over the past month and year to date. The information in this report aims to review the month's activities, give an overview of financial performance and bring to Council's attention any emerging issues.

Resolution No. GM/01.2015/34

Moved Cr Denton

Seconded Cr O'Neil

That Council receives and note the Officer's report as presented.

CARRIED

7/0

Responsible Officer

Manager - Airports (Roma, Injune, Surat & Mitchell)

At cessation of discussion and debate on the two abovementioned items, Cr. Flynn entered the Chamber at 12.37pm.

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
 COUNCIL ADJOURNED THE MEETING FOR LUNCH AT 12.38PM.

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 1.02PM.

THE DEPUTY MAYOR TOOK THE CHAIR, WHILE THE MAYOR ATTENDED TO A SCHEDULED MEETING, AND CR. FLYNN DID NOT RETURN TO THE MEETING AT RESUMPTION OF BUSINESS.

Cr. Price & O'Neil declared a 'Conflict of Interest in the following item.

Cr Price's declaration was due to her receiving financial compensation from Powerlink Queensland for activities carried out on land owned by her.

Cr O'Neil's declaration was due to him negotiating contracts on behalf of his employer Queensland Murray Darling Committee (QMDC) with Powerlink Queensland.

Both Councillors left the meeting at 1.05pm, taking no further part in discussion or debate on the matter.

Cr. Flynn entered the Chamber at 1.05pm.

Item Number: **C.12** **File Number: D15/3121**

SUBJECT HEADING: PROPOSED PRIVATE WORKS AGREEMENT BETWEEN MARANOA REGIONAL COUNCIL AND POWERLINK QUEENSLAND ON NON-ENERGY SECTOR ROADS

Author and Officer's Title: **Paul Cummins, Engineer**

Executive Summary:

Powerlink is undertaking significant infrastructure upgrades within the Maranoa region which involves the use of Council roads. To ensure Council is being adequately reimbursed for the damage done by Powerlink traffic Council must enter into a Private Works Agreement with Powerlink.

Resolution No. GM/01.2015/35	
Moved Cr Newman	Seconded Cr Chambers
That Council authorise the Chief Executive Officer to enter into the Private Works Agreement between Council and Powerlink Queensland on non-energy sector roads, and that Council be provided a map of the identified roads.	
CARRIED	5/0

Responsible Officer	Engineer
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At cessation of discussion and debate on the abovementioned item, Councillors Price and O'Neil entered the Chamber at 1.11pm.

Item Number: C.14 **File Number:** D15/3289

SUBJECT HEADING: ROMA CBD DESIGNER APPOINTMENT

Author and Officer's Title: Scott Turner, Project Manager

Executive Summary:

The CBD design (McDowall and Arthur street intersection) assessment was circulated to Councillors in mid December 2014 and approval by Council on the recommended designer is required.

Resolution No. GM/01.2015/36	
Moved Cr O'Neil	Seconded Cr Denton
That Council appoint HIG to do the design for the CBD redevelopment at a cost of \$44,000 (Excl GST); \$48,400 (Including GST).	
CARRIED	7/0

Responsible Officer	Project Manager/Specialist – Strategic Finance
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Item Number: C.16 **File Number:** D15/3920

SUBJECT HEADING: YULEBA SERVICE CENTRE UPGRADE TENDER

Author and Officer's Title: Sharon Frank, Director - Corporate, Community & Commercial Services

Executive Summary:

Council called tenders for the upgrade of the Yuleba Services Centre in November. Tenders closed on the 19 December, 2014. A Tender Evaluation has been undertaken.

Resolution No. GM/01.2015/37	
Moved Cr Price	Seconded Cr Flynn
That Council:	
<ol style="list-style-type: none"> 1. Award the Yuleba Services Centre Upgrade to Lennox Wildman Pty Ltd ATF Wildman Building Trust at a cost of \$245,473 (excluding GST). 2. Fund the additional \$20,000 required for the project from a surplus in work order 15297. 	
CARRIED	7/0

Responsible Officer	Director - Corporate, Community & Commercial Services/Specialist – Strategic Finance
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Item Number: LC.1 **File Number:** D15/5479

SUBJECT HEADING: EMPLOYMENT CONTRACTS UPDATE

Author and Officer's Title: Erin Tompkins, Associate to the CEO & Mayor

Executive Summary:

The report sought Council's endorsement of the extension of staff employment contracts that are past their expiry dates to 27 February 2015, to allow final work to be completed on remuneration packages and the employment contract template.

Resolution No. GM/01.2015/38

Moved Cr Chambers

Seconded Cr Denton

That Council approve the extension of staff employment contracts past their expiry dates to 27 February 2015, with an update/report to be provided at a February meeting.

CARRIED

7/0

Responsible Officer

**Associate to the CEO & Mayor/Manager –
Human Resources**

Cr. Wason foreshadowed that he would declare a 'Conflict of Interest' in the following item. As a result of this declaration Council undertook a vote to nominate an alternate Chair in his absence, and recorded below:

Resolution No. GM/01.2015/39

Moved Cr Denton

Seconded Cr O'Neil

That Cr. Chambers be nominated Chair during Cr. Wason's absence from the Chamber.

CARRIED

7/0

Councillors Wason and Price declared a 'Conflict of Interest' in the following two items, due to each of them receiving financial compensation from Santos GLNG activities carried out on parcels of land owned by each of them. Both Councillors left the Chamber at 1.16pm, taking no further part in discussion or debate on the items.

Item Number: C.13 **File Number:** D15/3215

SUBJECT HEADING: SANTOS GLNG SERVICE LEVEL AGREEMENT 2015/17

Author and Officer's Title: Peter Weallans, Manager - Infrastructure Contracts

Executive Summary:

Council at its General Meeting on 10 December 2014 considered a report in relation to the Santos GLNG Infrastructure Agreement with specific reference to Not Fit For Use Roads (NFFU).

A further meeting is planned for discussion with all parties, and Council's direction was sought in progressing those discussions.

Resolution No. GM/01.2015/40

Moved Cr O'Neil

Seconded Cr Flynn

That Council note the contents of this report, and guidance was provided in terms of the Chief Executive Officer articulating Council's position to Santos GLNG.

CARRIED

5/0

Responsible Officer

Manager - Infrastructure Contracts & Engineering Services

Item Number:

C.15

File Number: D15/3295

SUBJECT HEADING:

UPGRADE OF THE INTERSECTION OF CARNARVON HIGHWAY AND INJUNE TAROOM ROAD INCLUDING THE WIDENING OF THE FIRST 600M OF INJUNE TAROOM ROAD

Author and Officer's Title:

Paul Cummins, Engineer

Executive Summary:

Council has requested a quotation from two contractors on its Panel of Providers – Road Construction Services to carry out the upgrade of the Carnarvon Highway and Injune Taroom Road Intersection including the widening of the first 600m of Injune Taroom Road.

Resolution No. GM/01.2015/41

Moved Cr Denton

Seconded Cr Flynn

That Council authorise the Chief Executive Officer to enter into a Construction Contract for the upgrade of the intersection on the Carnarvon Highway with Injune Taroom Road, including the widening of the first 600m of Injune Taroom Road with Hazel Bros Group Pty Ltd at a contract value of \$1,012,938.17 (including GST), subject to Council first receiving:

- **Written confirmation from Santos GLNG that the company will fund the full cost of construction and other associated Infrastructure Agreement costs.**
- **The receipt of purchase orders from Santos GLNG to fund the works.**

CARRIED

5/0

Responsible Officer

Engineer

The Mayor entered the Chamber at 1.19pm and assumed the Chair.

At cessation of discussion on the abovementioned items, Cr Price entered the Chamber at 1.20pm.

Cr. Wason did not enter the Chamber at that time, declaring a 'Conflict of Interest' in the following item due to him owning the parcel of land on which Mt Saltbush Quarry is sited, the operation of which sees him entitled to payment of Royalties (funds) for material extracted from the site.

Item Number: 12.1 **File Number:** D14/93721

SUBJECT HEADING: REPRESENTATIONS UNDER S361 (1) (A) OF THE SUSTAINABLE PLANNING ACT 2009 REGARDING CONDITIONS OF DEVELOPMENT APPROVAL FILE 2014/18918

Location: Jackson-Wandoan Road, Jackson North (Lot 1 on SP180960)

Applicant: Susan Anne Kneebone C/- Brandon & Associates Pty Ltd

Author and Officer's Title: Christopher Tickner, Town Planner

Executive Summary:

On behalf of Susan Anne Kneebone, the applicant has sought to negotiate conditions of the development approval for a Material Change of Use for "Extractive Industry" (up to 500,000 tonnes/annum) & ERA (16(2)(b) and 16(3)(b) at Jackson- Wandoan Road, Jackson (properly described as Lot 1 on SP180960) issued 19 September, 2014.

The representations relate to conditions of approval 1b), 38, 50, 51 and 54:

- Condition 1b) places a 5 year period of currency on the approval.*
- Conditions 38 and 50 relate to the Local Roads Additional Impacts Charge of \$0.50 per tonne on material extracted.*
- Condition 51 requires the Local Roads Additional Impacts charge to be paid by the industry operator within 14 days of the end of each 3 month period.*
- Condition 54 relates to Councils ability to inspect copy and audit any records that may help determine the actual use of the road network by the extractive industry operator.*

The applicant has requested that Council amend or delete the above conditions to allow:

- an extension in the currency of development approval from 5 years to 10 years to allow the industry operator enough time to prepare longer term cost forecasts for the operation.*
- the Local Roads Additional Impacts Charge to be applied on a site by site basis and reflect the amount the Maranoa Local Road Network that will be used (i.e. if \$0.50 per tonne is for 100% of use of Maranoa Roads then 5% use should be 2.5 cents per tonne).*
- thirty (30) days from the end of each 3 month period to pay any applicable Local Roads Additional Impacts charge.*
- For Council not to inspect, copy or audit any quarry records.*

Discussion:

Earlier during the meeting, the following draft motion was left on the table for further consideration at a later point during the meeting. Council again commenced discussion on the draft motion.

Moved Cr Newman	Seconded Cr Chambers
That Condition 50 be amended from:	
Condition 50	
A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site.	

This is the local roads additional impacts charge for the 2013-2014 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.

To two separate conditions:

Condition 50-1

A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site using any part of the Maranoa Regional Council Local Road Network. This is the local roads additional impacts charge for the 2013-2014 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.

Condition 50-2

The extractive industry operator or the approval holder(s) shall provide Maranoa Regional Council with a Quarry Material Distribution Report every three (3) months. The reports shall clearly identify the routes used in the delivery of all extracted material to all end user(s), the types of vehicles used in the delivery of material, a date log of the vehicle movements and confirmation of the end user receiving the material. For the purpose of this condition, the end user is considered to be the person or persons that uses the product and does not include any intermediary distributors.

In the absence of a Quarry Material Distribution Report, Council will assume that the Maranoa Regional Council Local Road network is being used and the Local Roads Additional Impacts charge will be invoiced quarterly based on the approved capped extraction tonnage.

Condition 51 be amended from:

Condition 51

The payment of the local roads additional impacts charge must be made by the extractive industry operator within 14 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.

To the following:

Condition 51

The payment of the local roads additional impacts charge must be made by the extractive industry operator within 30 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time,

the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.

Condition 1 remains unchanged and the applicant be advised that the currency of the approval can be extended through an infrastructure agreement.

Condition 38 remains unchanged.

Condition 54 remains unchanged.

NO VOTE TAKEN

Discussion continued:

The Director of Development, Facilities & Environmental Services put forward additional information for Council to consider. With this information to hand, an amendment to the draft motion was put forward by the 'Mover' of the initial draft motion, accepted by the 'Seconder' and put to the vote, the outcome of which is recorded below.

Resolution No. GM/01.2015/42

Moved Cr Newman

Seconded Cr Chambers

That Condition 50 be amended from:

Condition 50

A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site. This is the local roads additional impacts charge for the 2013/14 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.

To two separate conditions:

Condition 50-1

A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site using any part of the Maranoa Regional Council Local Road Network. This is the local roads additional impacts charge for the 2013/14 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.

Condition 50-2

The extractive industry operator or the approval holder(s) shall provide Maranoa Regional Council with a Quarry Material Distribution Report every three (3) months.

The reports shall clearly identify the routes used in the delivery of all extracted material to all end user(s), the types of vehicles used in the delivery of material, a date log of the vehicle movements and confirmation of the end user receiving the material. For the purpose of this condition, the end user is considered to be the person or persons that uses the product and does not include any intermediary distributors.

In the absence of a Quarry Material Distribution Report, Council will assume that the Maranoa Regional Council Local Road network is being used and the Local Roads Additional Impacts charge will be invoiced quarterly based on the approved capped extraction tonnage.

Condition 51 be amended from:

Condition 51

The payment of the local roads additional impacts charge must be made by the extractive industry operator within 14 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.

To the following:

Condition 51

The payment of the local roads additional impacts charge must be made by the extractive industry operator within 30 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.

Condition 54 be amended from:

Condition 54

Council or its representatives is entitled to inspect, copy and audit any records which may help to prove the actual use of the road network by the extractive industry operator or the approval holder(s) for the purposes of assessing the local roads additional impacts charge. The extractive industry operator and the approval holder(s) have agreed by the acceptance of this condition that the Council has their agreement and permission to access those records wherever held and that their agreement and permission cannot be revoked.

To the following:

Condition 54

Council or its representatives is entitled to inspect, copy and audit any records which may help to prove the actual use of the road network by the extractive industry operator or the approval holder(s) for the purposes of assessing the local roads additional impacts charge. The extractive industry operator may request Council engage an independent certified auditor to undertake the review. Where an independent certified auditor is engaged, the

costs will be borne by the operator. The extractive industry operator and the approval holder(s) have agreed by the acceptance of this condition that the Council has their agreement and permission for Council, or its representatives, or an agreed auditor to access those records wherever held and that their agreement and permission cannot be revoked.

Condition 1 remains unchanged and the applicant be advised that the currency of the approval can be extended through an infrastructure agreement.

Condition 38 remains unchanged.

CARRIED

7/0

Responsible Officer	Town Planner
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At cessation of discussion and debate on the abovementioned item, Cr. Wason entered the Chamber at 1.24pm.

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
 COUNCIL ADJOURNED THE MEETING FOR A BRIEF RECESS AT 1.24PM.

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 1.28PM.
 CR. NEWMAN DID NOT RETURN TO THE MEETING AT RESUMPTION OF BUSINESS

Cr. Newman entered the Chamber at 1.30pm.

Councillors Wason and Price declared a 'Conflict of Interest' in the following item, due to each of them receiving financial compensation from Santos GLNG activities carried out on parcels of land owned by each of them. Both Councillors left the Chamber at 1.29pm, taking no further part in discussion or debate on the matter.

Item Number: C.11 **File Number:** D14/93870

SUBJECT HEADING: DELEGATED AUTHORITY FOR CHIEF EXECUTIVE OFFICER TO APPROVE CONTRACTUAL VARIATIONS FOR THE INJUNE TAROOM ROAD PROJECT

Author and Officer's Title: Peter Weallans, Manager - Infrastructure Contracts & Engineering Services

Executive Summary:

The purpose of this report was two fold.

1. *To seek Chief Executive Officer delegation to approve contract variations for the GLNG-IT2 Injune Taroom Road Project that was awarded to Ostwald Bros by Council on 10 September 2014.*
2. *To retrospectively approve a variation amounting to \$250,000 for the replacement of existing cross drainage pipes from Ch 0.6 – Ch 2.1km as the pipes are at the end of their useful lives.*

Resolution No. GM/01.2015/43

Moved Cr Flynn

Seconded Cr Chambers

That Council:

1. **Approve a variation amounting to \$250,000 for the replacement of existing cross drainage pipes from Ch 0.6 – Ch 2.1km.**

2. Pursuant to section 257 of the Local Government Act 2009, resolve to delegate to the Chief Executive Officer the power to approve contractual variations for the Injune Taroom Road Project GLNG IT2 within the value of Council's approved annual budget and the project contingency amount.

CARRIED

6/0

Responsible Officer	Manager - Infrastructure Contracts & Engineering Services
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CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 1.32pm

These Minutes are to be confirmed at the next General Meeting of Council to be held on 11 February 2015, at Roma Administration Centre.

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Mayor

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Date