
MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 9 SEPTEMBER 2015 COMMENCING AT 9.00AM

ATTENDANCE

Mayor Cr. R S Loughnan chaired the meeting with, Deputy Mayor 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, Cr. D J Scheffe, Chief Executive Officer – Julie Reitano, Coordinator Corporate Communications – Jane Frith, and Elizabeth Elmes & Kelly Rogers Minutes Officers in attendance.

AS REQUIRED

Director Infrastructure Services – Cameron Castles, Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate, Community & Commercial Services – Sharon Frank, Manager Strategic Project Planning & Asset Management – Kym Downey, Manager Planning & Building Development – Danielle Pearn, Manager Facilities (Land, Buildings & Structures) – Tanya Mansfield, Manager Infrastructure Contracts – Dylan Hesselberg, Manager Administration & Information Services – Dale Waldron, Manager Economic & Community Development – Edward Sims, Manager Water, Sewerage & Gas – Troy Pettiford, Coordinator Grants, Local Development & Council Events – Susan Sands, Coordinator Corporate, Community & Commercial Services – Christina Ticknell, Specialist Business Development – Ryan Gittins, Engineer Infrastructure Contracts – Paul Cummins.

GUESTS

There were no guests in attendance at the meeting.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.11am, advising Council that Councillors O'Neil and Newman would be late arrivals to the meeting.

APOLOGIES

There were no apologies for the meeting.

CONFIRMATION OF MINUTES

Resolution No. GM/09.2015/01

Moved Cr Denton

Seconded Cr Chambers

That the minutes of the General Meeting (12-26.08.15) held on 26 August 2015 be confirmed.

CARRIED

7/0

BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

ON THE TABLE

Item L.1 - Drinking Water Quality Management Policy, was left on the table from the previous General Meeting held on 26 August 2015. This item was considered by Council under the 'Late Items' segment of the Agenda.

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:** D15/67963

SUBJECT HEADING: REQUEST FOR FOOTPATH CONSTRUCTION - CAROLINE STREET, MITCHELL

Author and Officer's Title: Graham Sweetlove, Engineer - Asset & Service Planning

Executive Summary:

Council received a further request to construct a footpath on Caroline Street, Mitchell (outside the Mitchell Motel). This item was first raised by the resident in 2009, and formally considered by Council upon request at the General Meeting on 16 September 2013. Council resolved (Resolution No. GM/09.2013/44) to further consider the request in future budget considerations. The applicant recently raised the matter again and met on site with Cr Chambers providing additional information in support of Council further considering the request. An inspection was carried out by officers, and it was recommended that a 21 metre paved footpath be constructed in the specified location.

Resolution No. GM/09.2015/02

Moved Cr Chambers

Seconded Cr Price

That:

1. Council approve the construction of a 21 metre footpath on Caroline Street, Mitchell.
2. The project be included as part of the 2015/16 Capital Works Program.
3. Council reallocate required funds of \$7,880 from the Dust Seal Subsidy – Work Order 15225 (noting that an increase of \$390 per annum in maintenance and renewal costs is also required).

CARRIED

6/1

Responsible Officer

Engineer - Asset & Service Planning

Item Number: 10.2 **File Number:** D15/69770

SUBJECT HEADING: REQUEST FOR FOOTPATH EXTENSION - WYNDHAM STREET, ROMA

Author and Officer's Title: Graham Sweetlove, Engineer - Asset & Service Planning

Executive Summary:

Council received a request to extend the footpath in Wyndham Street, Roma from Station Street through to Raglan Street East.

Resolution No. GM/09.2015/03

Moved Cr Scheffe

Seconded Cr Wason

That this request be included for consideration in future budget deliberations, secondary to Council's ten (10) year capital works plans.

CARRIED

7/0

Responsible Officer

Engineer - Asset & Service Planning

Item Number: 10.3 **File Number:** D15/69817

SUBJECT HEADING: POLICY REVIEW - WORKS IN ROAD RESERVES

Author and Officer's Title: Graham Sweetlove, Engineer - Asset & Service Planning

Executive Summary:

The policy "Works in Road Reserves" was adopted in December 2013. It is a requirement that policies are regularly reviewed.

Resolution No. GM/09.2015/04

Moved Cr Wason

Seconded Cr Flynn

That Council adopt the "Works in Road Reserves" Policy as follows:

1. Policy Purpose

This policy is to be read in conjunction with Subordinate Local Law No 1.1 (Alteration or Improvement to Local Government Areas and Roads) 2011 and provides further direction for application for Council permission to carry out works in road reserves.

2. Policy Scope

This policy applies to all road reserves under the authority of Maranoa Regional Council.

3. Definitions

Nil

4. Policy Details

4.1 Roadworks Carried out on the Road Reserve without Council Approval

4.1.1 Council does not condone or accept any responsibility for any work carried out on a road reserve under the care and control of Council, without its written approval and permission.

4.1.2 The section of roadway upon which unauthorised work has been undertaken will not be maintained or improved in any manner by Council and Council may remove or render impassable, the road section if a safety risk to the public or the environment has been established by the Chief Executive Officer (or delegate), at the cost of the proponent.

4.1.3 Similarly Council may seek restitution of damages generated by works undertaken without approval. Action under Chapter 3, Part 3, Section 75 of the Local Government Act 2009 may result.

4.1.4 No maintenance or legal liabilities are accepted by Council for works approved by other authorities, i.e. clearing.

4.2 Application

4.2.1 Applications must be made on the prescribed form and must be accompanied by all required supporting information and application fee.

4.3 Application Fees and Renewal Charges

4.3.1 The applicant will pay a fee on application.

4.3.2 The fee payable on application will be as determined by Council as part of annual budget deliberations.

4.4 Decision

Authority for the approval of applications has been delegated through the Chief Executive Officer to the Director Infrastructure Services or their representative.

4.5 Assistance with Works and Approval Conditions

As conditions of approval for works within a road reserve may prove onerous to some applicants Council may provide a level of assistance to the applicant.

This assistance may take the form of:

- a. Assistance with management of traffic**
- b. Provision of signage required for management of traffic**
- c. Supervision of works**
- d. Other as determined by Council through resolution.**

Applicants requiring assistance to comply with approval conditions should, in the first instance, advise Council in writing of assistance required. The level of assistance provided will be as determined by the Director Infrastructure Services.

4.6 Exceptional Circumstance

Through resolution, Council may declare exceptional circumstances under which works required to be undertaken in a road reserve will be completed by the Council workforce at minimal or no cost to the beneficiary.

A. DECLARATION OF DROUGHT

In those areas of Maranoa Regional Council that have been drought declared by the Queensland Government, Council will on receipt of an application, undertake the earthworks required to provide a road crossing for the purpose of provision of a rural water pipeline at no cost to the applicant. The applicant will be responsible for the supply of the materials for the pipeline.

Following receipt of a written application detailing location and dimensions, Council officers will negotiate a suitable timeframe with the applicant. During this negotiation, consideration must be given to the urgency of the request and the availability of suitable workforce and required plant. The maximum timeframe in which the works should be undertaken is 28 days from acknowledgement of receipt of application.

5. Special Provisions (e.g. Privacy Provisions etc)

Nil

6. Related Policies and Legislation

Nil

7. Associated Documents

- Application Form
- Subordinate Local Law No 1.1 (Alteration or Improvement to Local Government Areas and Roads) 2011

CARRIED

7/0

Responsible Officer	Engineer - Asset & Service Planning
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Item Number: 10.4 **File Number:** D15/69847

SUBJECT HEADING: POLICY REVIEW - CONSTRUCTION OF ROADS FOR ACCESS TO PROPERTY

Author and Officer's Title: Graham Sweetlove, Engineer - Asset & Service Planning

Executive Summary:

The policy "Construction of Roads for Access to Property" was adopted in December 2013. It is a requirement that policies be regularly reviewed.

Resolution No. GM/09.2015/05

Moved Cr Price

Seconded Cr Flynn

That Council adopt the "Construction of Roads for Access to Property" Policy as follows:

1. Policy Purpose

Maranoa Regional Council (Council) owns public roads for the community to use under the Local Government Act. The Act confers a “right of passage” by a member of the public to pass along a public road, subject to such restrictions as are imposed by the Council or law.

The purpose of this policy is to define the extent of capital improvement and / or maintenance Council provides in relation to access to properties on dedicated roads whether they are unmade, unformed or formed only.

This policy sets out Council's response to requests to construct new, extend or upgrade roads on road reserves or close roads under the care and control of Council, where no pavement currently exists. Typically these requests relate to historical subdivisions in rural areas which have gazetted road reserves but no constructed or maintained road assets.

The objectives of this policy are to clearly articulate that Council:

- a. is under no obligation to construct a road or pavement;
- b. is under no obligation to extend the length of an existing road;
- c. is under no obligation to upgrade the level of service or hierarchy class of an existing road;

And to:

- a. establish the basis and process for staff to deal with requests to construct new, lengthen existing and/or upgrade the level of service of roads;
- b. ensure that there is a process that ensures all requests to construct new, lengthen existing and/or upgrade the level of service of roads are dealt with in a consistent, transparent and equitable manner;
- c. ensure that there is a fair and transparent process in place for the improvement of formed, unformed and unmade roads.

2. Policy Scope

This Policy applies to historical gazetted road reserves under the jurisdiction of Council.

This policy does not apply to vehicular access (driveway) from the road to the property boundary, as the property owner is responsible for the construction and maintenance of such accesses.

To be clear this policy does not apply to new road reserves created by the reconfiguration of existing lots in accordance with a Council approved Development Application.

This policy should be read in conjunction with “Works in Road Reserve” policy and *Subordinate Local Law No 1.1 (Alteration or Improvement to Local Government Areas and Roads) 2011*.

3. Definitions

The Local Government Act 2009 Section 59 defines:

(2) A road is-

- a) an area of land that is dedicated to public use as a road; or
- b) an area of land that-
 - i. is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles; and

- ii. is open to, or used by, the public; or
- c) a footpath or bicycle path; or
- d) a bridge, culvert, ferry, ford, punt, tunnel or viaduct.

- (3) However, a *road* does not include-
- a) a State-controlled road; or
 - b) a public thoroughfare easement.

Dedicated Road	An area of land dedicated to public use as a road, but does not include a State-controlled road under the <i>Transport Infrastructure Act 1994</i> .
Formed Road	A public road reserve that does not have gravel paving but which is formed using a grader so that stormwater will drain off laterally.
Unformed Road	A public road reserve that has been cleared and open to, and customarily used by the public.
Unmade Road	A public road reserve that has had no capital improvements including clearing, formation and gravel paving. Notwithstanding, an unmade road may be trafficable or untrafficable in all weathers.

4. Policy Details

There is no legal obligation on the Council to undertake capital improvements on unmade, unformed, or formed roads within a public road reserve for the purpose of access by the land owner to their land. Thus, Council will not undertake capital improvements to unmade, unformed, or formed roads except where a benefit to the community can be demonstrated. Community benefit, and thus any work, is to be determined by a specific Council resolution.

Should a landowner require access via an unmade, unformed or formed road, Council expects that the landowner will upgrade the road access at their cost. This puts them in the same situation as a subdivider who has to upgrade roads at their cost as part of a new development.

Where it can be demonstrated that there may be benefit to the community or that more than one landowner may benefit from the construction of the access; Council may enter into negotiations with the applicant/s to determine the value, if any, of Council contribution to the works. The outcome of any negotiations would be subject to acceptance by Council through a specific resolution.

Where Council receives a written request in relation to:

- Clearing of road reserves and creation of access to properties;
- Construction of roads within the road reserve;
- Capital improvements to unmade, unformed, or formed roads;
- Maintenance of an existing road / access track which is not contained in Council's road register and has not been maintained by Council.

The standards and requirements in relation to these matters as detailed in the following sections will apply.

4.1 Clearing

- 4.1.1 Clearing of trees and access works on road reserves and any approvals required are issued by the relevant Government Department after consultation with Council.

Council reserves the right to refuse/object to clearing applications dependent on issues which may arise.

4.1.2 Council does not object to the Department issuing approvals for clearing or minor earthworks for purposes of vehicular access to a property along a road reserve, provided that the Department is satisfied the works are necessary and restricted to the minimum amount practical. No maintenance responsibilities or legal liabilities are accepted by Council.

4.1.3 Where clearing occurs without approval Council may seek restitution of damages generated if deemed necessary.

4.1.4 Proponents of such works are to be required to extend their property public liability coverage over the section of 'private' access roadway constructed within the road reserve.

4.2 Roadwork Carried out on the Road Reserve without Council Approval

4.2.1 Council does not condone or accept any responsibility for any work carried out on a road reserve under the care and control of Council, without its written approval and permission.

4.2.2 The section of roadway upon which unauthorised work has been undertaken will not be maintained or improved in any manner by Council and Council may remove or render impassable, the road section if a safety risk to the public or the environment has been established by the Chief Executive Officer (or delegate), at the cost of the proponent.

4.2.3 Similarly Council may seek restitution of damages generated by works undertaken without approval. Action under Chapter 3, Part 3, Section 75 of the *Local Government Act 2009* may result.

4.2.4 No maintenance or legal liabilities are accepted by Council for works approved by other authorities, i.e. clearing.

4.3 Approved Roadwork – Addition to Road Register

4.3.1 Council may consider accepting sections of road onto its road register for ongoing control and maintenance subject to the following conditions being met by the applicant:

- a. That a registered surveyor be engaged at the applicant's cost to prepare a survey plan, to ensure the existing or proposed roadway will be contained fully within the existing road reserve and not generate any encroachments or off alignment issues. This plan must be presented to and be approved by Council prior to any physical works being undertaken.
- b. The road is constructed in accordance with standards set by Council. All costs for such works shall be required to be borne by the applicant.

- c. Following completion of works to the required standards, it will be the applicant's responsibility to engage a Registered Surveyor to prepare an 'as constructed' plan of the road section reflecting constructed cross sections and levels for lodgement with Council.

Upon acceptance of the work and receipt of the 'as constructed' plan, Council's Road Register will be amended to reflect the addition of the road and the maintenance status of the new work.

Subject to the above conditions being achieved, Council will continue to maintain the road to a standard set by resource and budgetary constraints applicable within each financial year, in accordance with Council Asset Management Planning.

4.3.2 Completion of Road Construction

- a. Following acceptance of the project costs, negotiations can be undertaken with Council as to the method of delivery of the works, by contract or Council, and required materials and pavement and construction specifications required.
- b. Should the applicant request that Council undertake the works, following provision of survey data, Council will prepare a cost estimate to construct the roadway to Council's required standards. This information shall be transferred to the applicant/s who will be required to formally agree to accept responsibility for these costs. Alternatively, subject to Council approval, the applicant can arrange for a suitably qualified contractor to undertake the works to Council's standards, on the basis that Council undertake supervision of the works with the cost of such supervision being at the cost of the applicant.

4.4 Approved Roadwork – Roads Maintained by Others

- 4.4.1 Council may give consideration to the approval of works to construct a road or track which provides access to a limited number of properties or to one predominant user.
- 4.4.2 Where it is determined that the constructed access / track provides benefit to one predominant user and / or limited benefit to the public through minimal or occasional use, the road will not be maintained by Council.
- 4.4.3 Where roadwork is to be undertaken to construct a road that will not be maintained by Council, the constructed road will not be included in Council's Road Register.
- 4.4.4 Construction of a road deemed to not be maintained by Council will however require approval prior to the construction works commencing.
- 4.4.5 Roads maintained by other must be signed as such. Signage is to be placed at all access points along the road.
- 4.4.6 Signage must include the following:
 - a. A statement that the road is not maintained by Maranoa Regional Council
 - b. Details of a nominated contact point to whom queries / complaints can be directed.

<p>4.5 Development Works on Road Reserve</p> <p>Council will require road upgrading on any road reserve required for vehicular access to a proposed development generally within but not necessarily limited to the Sustainable Planning Act categories of material change of use or reconfiguration of a lot. Development Application and Operational Works procedures apply.</p> <p>4.6 General</p> <p>Nil</p> <p>5. Special Provisions (e.g. Privacy Provisions etc)</p> <p>Nil</p> <p>6. Related Policies and Legislation</p> <ul style="list-style-type: none"> • Maranoa Regional Council – Road Hierarchy Plans and Cross-sections • Council Policy - Works in Road Reserve • Council Policy – Register of Roads • Subordinate Local Law No 1.1 (Alteration or Improvement to Local Government Areas and Roads) 2011 • Local Government Act 2009 <p>7. Associated Documents</p> <p>Nil</p>	<p>CARRIED 7/0</p>
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Responsible Officer	Engineer - Asset & Service Planning
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Item Number: 10.5 **File Number:** D15/69868

SUBJECT HEADING: POLICY REVIEW - GRIDS & GATES

Author and Officer's Title: Graham Sweetlove, Engineer - Asset & Service Planning

Executive Summary:

The policy "Grids & Gates" was adopted in December 2013. It is a requirement that policies are regularly reviewed.

Resolution No. GM/09.2015/06	
Moved Cr Price	Seconded Cr Chambers
That Council adopt the "Grids & Gates" as follows:	
1. Policy Purpose	
This policy is to be read in conjunction with <i>Subordinate Local Law No. 1.16 (Gates and Grids) 2011</i> and provides further direction for application for grids and gates on Council managed roads.	
2. Policy Scope	
This policy applies to all applications for licensed grids and gates on public roads under the authority of Council.	

Subordinate Local Law No. 1.16 (Gates and Grids) 2011 provides details as to the ownership of and responsibility for grids and gates on roads under the control of Maranoa Regional Council.

3. Definitions

Definitions detailed in *Subordinate Local Law No. 1.16 (Gates and Grids) 2011* apply to this policy.

An owner of a gate or grid installed across a public road, means the person/s who receives the benefit of the gate or grid, i.e. does not have the roadway fenced out, which allows stock to graze the road reserve.

4. Policy Details

4.1 Repairs

Should works be required to the grid or gate, Council will notify the owner in writing and the owner shall rectify any problems immediately. If the works are not carried out within sixty (60) days of the date of the letter, then Council may perform the works itself or through a third party or remove the grid and invoice the owner for all associated costs.

In the event of a safety hazard at the grid or gate the owner will be required to address this immediately to a level that is satisfactory to Council and then to Council's standard specification within sixty (60) days.

4.2 Grids

4.2.1 Council's standard specification for a single (4m) and double (8m) grid be the Aprilla Model Type S4DMROE and Type S8DMROE respectively (or equivalent) load rated at 18 ton/axle up to 100km/hr. All grids shall be accompanied by adjacent double gates with a minimum opening of 7.0 metres;

4.2.2 Council may accept alternative designs for single and double grids for a load rating of 18 ton/axle up to 100km/hr, including concrete abutments (sill logs are not permitted);

4.2.3 Each application submitted for Council approval that is not Council's standard specification shall be accompanied by-

4.2.3.1 A certificate of design from a qualified Registered Professional Engineer Queensland (RPEQ) stating the design parameters.

4.2.3.2 Documentation providing details of the grid fabrication and installation.

4.3 Gates

Gates shall be:

4.3.1 Constructed so as to provide a minimum clear opening of 7.0 metres;

4.3.2 In two sections so as to permit convenient use by the public;

4.3.3 Of stock proof construction and to be swinging on hinges;

4.3.4 Fitted with a minimum of three delineators evenly spaced on each section of the gate;

4.3.5 Accompanied by a grid (Council will not licence a gate without a grid) where it is either across a road giving access to more than two properties, or more than one property which is residentially occupied, not taking into account the property of the applicant.

4.4 Signs

All signage will be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) Part 2.

4.5. General

4.5.1 Any licensed grid/gate approvals granted by Council shall have a ten year currency period, after which application will have to be made to Council for renewal.

4.5.2 Gates and Grids need to remain compliant during the period of the licence.

4.6 Standards and Exclusions

Licensed gate and grid requirements and exclusions will be as follows

Traffic volumes	Licence Grid and Gate Type Required
Road with greater than 250 vehicles per day	Not permitted
Road with traffic volumes less than 250 but more than 20 vehicles per day	Double grid
Road less than 20 vehicles	Single grid

4.7 Applications

4.7.1 Applications must be made on the prescribed form and must be accompanied by all required supporting information and application fee.

4.7.2 Notification from all boundary neighbouring property holders indicating their objection or non-objection to the application must be included as part of the application submission.

4.8 Application Fees and Renewal Charges

4.8.1 The applicant will pay a fee on application.

4.8.2 A fee to renew an existing grid or gate licence will be payable at the time of application for renewal.

4.8.3 On change of ownership of a property, a fee is payable for Council to transfer the licence to the new owner.

4.8.4 The fee payable on application, renewal or transfer will be as determined by Council as part of annual budget deliberations.

4.9 Decision

4.9.1 Authority for the approval of licensed grid and gate applications accompanied by a 'Non Objection Notice' from each and all boundary neighbouring property holders has been delegated to the Chief Executive Officer. This authority may be further delegated to the Director – Infrastructure Services.

4.9.2 For applications received where one (1) or more 'Notice/s of Objection/s' is/are received, the application will be referred to Council for determination.

4.10 Approval for Works in Road Reserve

Council policy - Works in Road Reserve – applies to all works carried out within road reserves under the control of Council, including the installation of grids and gates. Approval for the installation of grids and gates will be conditioned accordingly.

4.11 Council Works on Roads

In the event of Council performing new or upgrade construction roadwork at the grid or gate location, it is Council policy that the grid or gate be upgraded to meet Council specifications. The responsibilities in such a case are as follows:

Owner

- a. Supply of grid or gate components to specifications (including associated signage);
- b. Where applicable supply of materials and installation of any gates and fencing; and
- c. Maintenance and registration of grid or gate at completion or works.

Council

- a. Where applicable remove the existing grid and associated infrastructure and deliver to a mutually agreeable location;
- b. Installation of new grid, abutments and signage; and
- c. Complete associated roadworks.

Council may:

- a. Waive any grid application fee payable, but not any renewal charges applicable; and
- b. Waive any application process required at the time of installation.

To encourage landholders to voluntarily fence road reserves and eliminate grids and gates, Council will reimburse licensed gate and/or grid owners per grid/gate following:

- a. the road being fenced out to a permanent stockproof standard;
- b. the Council removal of the gate / grid and associated structures and reinstatement of the road (when Council is undertaking works in the area);
- c. the final inspection by Council.

With an exception in the case of a property boundary grid, each individual owner, upon fencing their section would be reimbursed \$750 (the maximum payment for any structure being \$1,500).

When future capital works improvements are undertaken, Council will negotiate the possible removal of any grids on that section of road with all affected landholders.

27 November 2013, GM/11.2013/72

Council will reimburse the owner the full subsidy value for the removal of a grid, where the adjoining neighbour is a government agency.

Where the owner of a grid and/or gate, fences out a road eliminating a grid / gate which was previously a boundary grid between two owners and one of these owners has previously fenced out their side of the grid and received half of the subsidy under this policy, the later owner shall only be paid half the total subsidy.

The value of the financial incentive offered will be as determined through annual budget deliberation processes.

1. This subsidy has been set at \$1,500 per grid or gate removed. (27 November 2013, GM/11.2013/72)

5. Special Provisions (e.g. Privacy Provisions etc)

Nil

6. Related Policies and Legislation

- Council Policy – Works in Road Reserve

7. Associated Documents

- Application Form
- Subordinate Local Law No. 1.16 (Gates and Grids) 2011 (D12/5737)

CARRIED

7/0

Responsible Officer

Engineer - Asset & Service Planning

Item Number:

10.6

File Number: D15/69886

SUBJECT HEADING:

POLICY REVIEW - REGISTER OF ROADS

Author and Officer's Title:

Graham Sweetlove, Engineer - Asset & Service Planning

Executive Summary:

The policy "Register of Roads" was adopted in December 2013. It is a requirement that policies are regularly reviewed.

Resolution No. GM/09.2015/07

Moved Cr Chambers

Seconded Cr Price

That Council adopt the Register of Road" Policy as follows:

1. Policy Purpose

The *Local Government Act 2009* (the Act) requires a local government in Queensland to adopt a register of roads categorised by the road surface and to map each road on the register. This register must be available for public inspection.

The purpose of this policy is to define the categories and classifications under which roads will be included on the Road Register and to provide processes for the management of the adopted register.

2. Policy Scope

This Policy applies to the Register of Roads as adopted by Council through resolution.

3. Definitions

The Local Government Act 2009 Section 59 defines:

(2) **A road is-**

- a) an area of land that is dedicated to public use as a road; or
- b) an area of land that-

- i. is developed for, or has a 1 of its main uses, the driving or riding of motor vehicles; and
- ii. is open to, or used by, the public; or
- c) a footpath or bicycle path; or
- d) a bridge, culvert, ferry, ford, punt, tunnel or viaduct.

- (3) However, a *road* does not include-
- a) a State-controlled road; or
 - b) a public thoroughfare easement.

Dedicated Road An area of land dedicated to public use as a road, but does not include a State-controlled road under the *Transport Infrastructure Act 1994*.

Urban developed area which may comprise densely developed uses such as residential, commercial, industrial, education, recreation or a mix of these. In general, this is characterised by evenly spaced street lighting, kerbed streets, and frequent closely spaced driveways. This will also include land designated for future urban development;

Rural sparsely developed area which may comprise rural development, rural residential lots greater than 1ha and isolated industrial sites. In general this is characterised by unkerbed streets, both sealed and unsealed roads, infrequent driveways and large tracts of undeveloped land.

4. Policy Details

4.1 General

Roads listed on the adopted road register are roads that are currently maintained, to differing extents, by Council. Road extensions beyond the Council's mapped road register will not be maintained by Council.

Roads on this register are considered public roads open to the public for access, as stated in the Act.

Roads on this register have been categorised according to surface and further classified by function.

4.2 Categorisation of Roads by Surface

In accordance with the Act, roads on the register will be categorized according to surface.

The following categories will apply:

- Sealed,
- Unsealed and
- Sealed/Unsealed for roads on which both surfaces are present.

4.3 Hierarchical Classification

The hierarchy principles of road classification provide a means of classifying a roadway according to its purpose, function and management.

The concept of the hierarchy of roadways is used to define the main functional objectives of each roadway type, which can then form the basis of ongoing planning and system management, aimed at reducing the mix of incompatible functions and maximising the role of roadways in the network.

Setting a road classification system provides guidance when considering the standard of maintenance and upgrading work on a particular road. It allows consistent standards to be applied across the region and ensures that the greatest value for money is attained.

It is intended that this process be carried out in a network sense, as it is imperative that corridor continuity be considered. Classification of existing roadways should support future amendments to the hierarchy and the associated changes in performance criteria.

To accommodate the different needs in urban and rural areas, each planning area has been considered separately.

4.3.1 Rural Road Classification

The five (5) functional classifications for rural roads under the control of Maranoa Regional Council are:

- Rural Arterial
- Rural Collector
- Rural Access
- Minor Access
- Unformed Tracks

Roads classified as National Highways or Declared State Roads do not come under local government authority

Three of these classifications have been expanded further as detailed below:

- Rural Arterial
 - Major
 - Minor
- Rural Collector
 - Major A
 - Major B
 - Minor
- Rural Access
 - Primary A
 - Primary B
 - Secondary

The function of each of these classifications is:

Arterial Road is the highest order of road. The primary objective of arterial roads is to provide major through routes for traffic. All longer distance traffic movements should be directed onto the arterial roads. Arterial roads should form a principal connection between major regional centre's and towns in rural areas. It is recognized that arterial roads will have direct property access. On arterial roads the priority is to provide efficient traffic flow through increased speed and capacity.

A Collector roads' primary purpose is for the collecting and distributing traffic from local access roads to the arterial and declared state road network.

Access roads provide access from properties through to a higher order road.

Minor access roads are roads that are used infrequently by the public that may provide access to a single property.

An unformed track is a road that has not been formed or improved.

The above categories relate to the function of a road within the road network and may not, in all instances, reflect the actual volume of traffic on the road. When attributing a functional classification to a road the importance of the road within the hierarchy should be the guiding consideration.

4.3.2 Urban Street Classification

The function of urban streets can be categorised by both the zone within which they are placed – residential, commercial or industrial – and their relative position in a hierarchy within that zone.

The adopted classifications, which consider both the purpose and hierarchical function, for urban streets under the control of Maranoa Regional Council are:

- Trunk Collector
- Urban Collector – Major
- Urban Collector – Minor
- Access Street
- Access Place
- Commercial
- Industrial Collector
- Industrial Access

The function of each of these classifications is:

Trunk Collector Street has almost no frontage to residences, parking is discouraged and the main function is the conveyance of traffic through a town.

A Major Urban Collector has a main function of traffic conveyance. High density residential amenity and non-residential amenity is on this street.

Minor Urban Collector streets connect major roads. Traffic speeds and volumes are restricted to increase safety and residential amenity.

Access Street, the next order, is still mainly focused on providing residential space amenity however it allows more vehicular movement, usually the connecting street of an access place.

Access Place is the lowest order street and its main function is residential space, vehicular movement is somewhat restricted in this area.

Commercial streets contained within the central business district. Provisions are made for parking and pedestrians.

Industrial Collector connects major roads to the industrial access space.

Industrial Access, provisions are made for large vehicle access.

4.4 Update and Review

4.4.1 The road register will be updated on an annual basis to reflect any changes to road categorisation by surface type or by classification. Additional roads approved and accepted by Council, will be added to the register at this time.

4.4.2 The register will be reviewed on an annual basis prior to the budget deliberations of elected members and endorsed by elected members at that time.

4.4.3 Following review and updating the register will be reissued with the addition of the details of the Council resolution through which it has been endorsed as the road register for Maranoa Regional Council.

4.5 Appeals and Amendments

4.5.1 The road register will be available for public review and comment at all times.

4.5.2 Should it be considered that a road has been incorrectly categorised or classified a request for review or revision of the category or classification should be made in writing to the Chief Executive Officer.

4.5.3 The applicant must provide details of the data considered to be in error or requiring review, proposed amendment and justification for the amendment.

4.5.4 Following receipt of a request for review or amendment a Council officer will inspect the nominated road and provide a recommendation to elected members for consideration. Should the amendment be endorsed by Council an addendum, detailing the accepted change and resolution number, will be added to the published road register and maps.

4.5.5 The accepted change will not be included in the register until the time of the annual review and update.

4.6 Addition to Road Register

4.6.1 Approved Roadwork

Council may consider accepting sections of road onto its road register for ongoing control and maintenance subject to the conditions detailed in Section 4.3 of Council Policy: Construction of Roads for Access to Property; being met by the applicant:

Subject to the above conditions being achieved, Council will continue to maintain the road to a standard set by resource and budgetary constraints applicable within each financial year in accordance with Council Asset Management Planning.

4.6.2 Approved Roadwork – Roads Maintained by Others

Where a road is constructed that will not be maintained by Council, the constructed road will not be included in Council's Road Register.

4.6.3 Development Works on Road Reserve

Roads constructed through the application of Development Application and Operational Works procedures will be accepted onto the road register for ongoing control and maintenance following acceptance of the road as off-maintenance by an authorised Council Officer.

4.6.4 Unapproved Roadworks

Roads constructed without the written approval of Council will not be included in Council's road register and will not be included in Council's regular road maintenance and renewal programs.

4.7 Documentation

In accordance with Section 74 (4) of the Act, on application and payment of a fee, a person may obtain:

- a. a copy of a map or register of roads; or**
- b. a signed certificate about:**
 - i. the category, alignment and levels of roads; or**
 - ii. the fact that the alignment or level of a road in its area has not been fixed.**

<p>4.8 Fees and Charges</p> <p>The fees will be as determined by Council as part of annual budget deliberations.</p> <p>5. Special Provisions (e.g. Privacy Provisions etc)</p> <p>Nil</p> <p>6. Related Policies and Legislation</p> <ul style="list-style-type: none"> ▪ Council Policy: Construction of Roads for Access to Property ▪ Local Government Act 2009 <p>7. Associated Documents</p> <p>Nil</p>	7/0
CARRIED	7/0

Responsible Officer	Engineer - Asset & Service Planning
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Item Number: 10.7 **File Number:** D15/70041

SUBJECT HEADING: REQUEST FOR GRAVEL RESHEET - MYALL ROAD, MT ABUNDANCE

Author and Officer's Title: Graham Sweetlove, Engineer - Asset & Service Planning

Executive Summary:

Council received a request for a gravel resheet of Myall Road, Mt Abundance.

Resolution No. GM/09.2015/08	
Moved Cr Wason	Seconded Cr Denton
That this request be included in future budget deliberations, secondary to Council's 10 year capital works plan, with maintenance works to be completed as per current schedule.	
CARRIED	7/0

Responsible Officer	Engineer - Asset & Service Planning
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CORPORATE, COMMUNITY & COMMERCIAL SERVICES

Item Number: 11.1 **File Number:** D15/70241

SUBJECT HEADING: REQUEST FOR HUB OFFICE SPACE EXTENSION - ST VINCENT DE PAUL

Author and Officer's Title: Julie Neil, Manager - Community Services

Executive Summary:

St Vincent de Paul temporarily manages the Crisis Accommodation and Community Housing portfolio under the Department of Housing and Public Works.

Service Agreements have not yet been formalised, and the Department has extended the current temporary arrangement with St Vincent de Paul to 30 June 2016.

St Vincent de Paul requested an extension of the current tenancy arrangements with Council at the community hub until finalisation of permanent arrangements - further requesting the same rental arrangement as resolved at the General Meeting 25 March 2015, that being two office spaces at no cost. It was recommended that Council charge 50% of the applicable rental cost, being an income of \$4,500 (excluding GST) over the duration of the rental period to cover the cost of providing basic utilities.

Resolution No. GM/09.2015/09
Moved Cr Price
Seconded Cr Chambers
That Council:

1. Approve the requested extension for St Vincent de Paul to occupy two office spaces within the Roma Community Hub for the duration of their temporary service agreement, being 30 September 2015 – 30 June 2016.
2. Charge 50% of the applicable rental charges for the specified term (i.e. 50% x \$500 plus GST / month x 2 spaces x 9 months = \$4,950 including GST).
3. Authorise the Chief Executive Officer or delegate to sign a formal agreement in confirmation of these arrangements.

CARRIED

7/0

Responsible Officer
Manager - Community Services
Item Number:

11.2

File Number: D15/70782
SUBJECT HEADING:
DELEGATION OF COUNCIL POWERS TO THE POSITION OF CHIEF EXECUTIVE OFFICER UNDER THE WORK HEALTH AND SAFETY ACT 2011
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 Work Health and Safety Act 2011 to the Chief Executive Officer, following minor amendments to the Act.

Resolution No. GM/09.2015/10
Moved Cr Denton
Seconded Cr Schefe
Under section 257 of the Local Government Act 2009, Council:

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 limitations contained in Schedule 2 of the attached Instrument of Delegation.
2. Repeal all prior resolutions delegating these same powers.

CARRIED

7/0

Responsible Officer
Coordinator – Corporate, Community & Commercial Services

Item Number: 11.3 **File Number:** D15/72757

SUBJECT HEADING: CONSIDERATION OF ELECTED MEMBER ATTENDANCE AT CONFERENCES

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

Executive Summary:

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

Action:

That the matter lay on the table for further consideration at a later point during the meeting to allow all Councillors to be present for discussion on the item.

Item Number: 11.4 **File Number:** D15/72852

SUBJECT HEADING: ROMA RURAL STUDENT HOSTEL COMMITTEE

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

Executive Summary:

This report sought to update Councillor representation in attending the Roma Rural Student Hostel Committee Meetings.

Resolution No. GM/09.2015/11

Moved Cr Flynn

Seconded Cr Wason

That:

1. Councillor Wason (Chair), Flynn and O'Neil be Council's nominated representatives to attend the Roma Rural Student Hostel Committee Meetings.
2. The Community Engagement Framework be updated to reflect these changes.

CARRIED

7/0

Responsible Officer

Coordinator - Elected Members & Community Engagement

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

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 9.26am, taking no further part in discussion or debate on the matter.

Item Number: 13.1 File Number: D15/70283

SUBJECT HEADING: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE "EXTRACTIVE INDUSTRY" (UP TO 100,000 TONNES PER ANNUM)

Location: Carnarvon Highway (Conroys Lane), Tingun QLD 4455 (Properly described as Lot 2 on RP 80121)

Applicant: Russell Fleming C/- Ausrocks Pty Ltd

Author and Officer's Title: Christopher Tickner, Town Planner
 Tammie Davidson, Support Officer - Planning & Building Development Support

Executive Summary:

The applicant sought approval for a Material Change of Use – "Extractive Industry" (up to 100,000 tonnes per annum) on land located at Carnarvon Highway (Conroys Lane), Tingun QLD 4455 (properly described as Lot 2 on RP 80121).

The application was subject to Impact Assessment against the relevant provisions of the Bungil Shire Planning Scheme 2006. Public Notification was carried out between 9 September 2014 and 2 October 2014 and two (2) properly made submissions were received during that period.

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

Resolution No. GM/09.2015/12

Moved Cr Price

Seconded Cr Scheffe

That Council approve the application for a Development Permit for a Material Change of Use – "Extractive Industry" (up to 100,000 tonnes per annum) on land located at Carnarvon Highway (Conroys Lane), Tingun QLD 4455 (properly described as Lot 2 on RP 80121), 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 Bungil 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) 16 2(a) extracting, other than by dredging in a year, more than 5,000t but no more than 100,000t; and
- b) 16 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 unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal cultural heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.

(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.

Use

1. The approved development is a Material Change of Use - "Extractive Industry", as shown on the approved plans.
 - a) The approved extraction tonnage is capped at 100,000 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.

Timing

3. 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.
4. Prior to commencement of use, the applicant shall contact Council to arrange a development compliance inspection.

Approved Plans and Documents

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

Drawing SP_002
 Bungil Quarry Site Layout Plan
 Prepared by Ausrocks Consulting Mining Engineers dated 16/04/2014

Drawing SP_003
 Bungil Quarry Layout Plan
 Prepared by Ausrocks Consulting Mining Engineers dated 16/04/2014

Drawing SP_004A
Bungil Quarry Site Infrastructure Plan
 Prepared by Ausrocks Consulting Mining Engineers dated 14/04/2014

Drawing SP_005
Bungil Quarry Site Infrastructure Plan
 Prepared by Ausrocks Consulting Mining Engineers dated 14/04/2014

Drawing SP_005
Bungil Quarry Office Layout Plan
 Prepared by Ausrocks Consulting Mining Engineers dated 14/04/2014

Drawing SP_006
Bungil Quarry Staging Plan
 Prepared by Ausrocks Consulting Mining Engineers dated 14/04/2014

Drawing SP_007
Bungil Quarry Pit Layout Plan
 Prepared by Ausrocks Consulting Mining Engineers dated 14/04/2014

Drawing
6x3 SITE OFFICE_BUNGIL QUARRY

Drawing
Elevation

Document – Bungil Quarry Site Based Management Plan
Version 1.1 Final
 Prepared by Ausrocks Consulting Mining Engineers dated 6/05/2014

Document – Bungil Quarry Traffic Engineering Assessment
 Prepared by Pekol Traffic & Transport dated 6 May 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

6. 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

- 7. 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).**

8. 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.
9. 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).
10. 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

11. 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.
12. 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.
13. 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

14. Any advertising signage is subject to a further development approval unless compliant with the self-assessable development provisions of the planning scheme.
15. Effluent storage and removal must not have an adverse effect on the surrounding areas and must not cause nuisance to neighbouring properties.
16. 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

17. 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.
18. Extraction areas, access and site roadways and surrounds shall be kept in an orderly fashion and free of rubbish.
19. 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.
20. 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

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

Erosion Control

22. Erosion and Sediment Control is to be managed in accordance with:
- a) Site Based Management Plan Version 1.1 Final, Section 9.10 Stormwater, Erosion and Sediment Control; and
 - b) Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.

Provision of Services

23. 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.
24. 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.
25. Any supply of potable water to the site, and disposal of effluent from the site is to be performed by a suitably licenced contractor.

Stormwater and Drainage

26. Stormwater is to be managed in accordance with:
- a) Site Based Management Plan Version 1.1, Appendix 8 Stormwater Management Plan Prepared by Ausrocks Consulting Engineers dated May 2014; and
 - b) Capricorn Municipal Development Guidelines D5 'Stormwater Drainage Design'.
27. Discharge of stormwater runoff from the development shall drain freely in all cases, and no nuisance of ponding will be created within the vicinity of the development.
28. 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

29. All vehicular access and related items must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area including Division 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas", (iii) Council's standard designs for such work where such designs exist, (iv) the Capricorn Municipal Development Guidelines (CMDG) Design Guidelines – D1 'Geometric Road Design' and (vi) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards,
30. All weather vehicle access shall be provided for traffic movement within the development site.

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

Environmental Management

32. All activities while the use continues are to be managed in accordance with:
- a) the relevant Environmental Authority issued by the Department of Environment and Heritage Protection or any subsequent Environmental Authority that is issued for the approved use;
 - b) the Site Based Management Plan Version 1.1 prepared by Ausrocks Consulting Engineers dated May 2014; and
 - c) all relevant sections of the Capricorn Municipal Development Guidelines.
33. Remediation of the site is to occur in consultation with the landowner, and is to be managed in accordance with:
- a) the relevant Environmental Authority issued by the Department of Environment and Heritage Protection or any subsequent Environmental Authority that is issued for the approved use; and
 - b) the Rehabilitation Management Plan, Appendix 7 of the Site Based Management Plan Version 1.1 prepared by Ausrocks Consulting Engineers dated May 2014
34. 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.
35. Weeds and pests are to be monitored and controlled in accordance with Site Based Management Plan Version 1.1 prepared by Ausrocks Consulting Engineers dated May 2014, Section 9.13 Pest and Weed Management

Fees, Infrastructure Charges and Impact Contributions

36. 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.
37. All matters contained within this development approval may be covered by infrastructure agreements or deeds of agreement between the relevant parties for each matter.
38. 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

39. 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.
40. 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

41. 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).
42. Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.

No Cost to Council

43. 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.
44. 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

45. 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

46. 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

47. 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.

48. 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.
49. 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.
50. 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.
51. 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.
52. 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.
53. 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.

54. 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.

CARRIED

6/0

Responsible Officer	Support Officer - Planning & Building Development Support
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At cessation of discussion and debate on the abovementioned item, Cr. Wason entered the Chamber at 9.29am.

Item Number: 13.2 **File Number:** D15/73019

SUBJECT HEADING: ECONOMIC DEVELOPMENT STRATEGY

Author and Officer's Title: Warren Oxnam, Specialist - Compliance

Executive Summary:

The Maranoa Regional Economic Development Strategy 2011-15 is due for review and has received a budget allocation in the 2015/16 financial year for this purpose. A number of recommendations were proposed for incorporation into development of the revised strategy.

Resolution No. GM/09.2015/13

Moved Cr Chambers

Seconded Cr Flynn

That Council endorse the proposed approach to the strategy's review including the following aspects:

1. Retention of the main elements of the original 2011-15 strategy with updating to reflect progress and regional changes.
2. Integration of the new strategy with the Maranoa Planning Scheme.
3. Increased integration of economic development components at the local community level with supporting mapping.
4. Incorporation of a "Whole-of-Council" commitment to economic development.
5. Use of the website as the primary vehicle for efficient and accessible economic development service delivery.
6. Incorporation of client and prospect referral triggers identified by business and community organisations.

CARRIED

7/0

Responsible Officer	Specialist - Compliance
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Item Number: 13.3 **File Number:** D15/73025
SUBJECT HEADING: **MATERIAL CHANGE OF USE - "CARETAKER'S RESIDENCE" AND "DWELLING HOUSE" (SECOND DWELLING) IN THE RURAL ZONE (2015/19336)**
Location: 105 Moorelands Lane, Roma QLD 4455 (Lot 240 on WAL5369)
Applicant: Bradley Murray
Author and Officer's Title: Jessica Reiser, Planning Officer

Executive Summary:

The applicant sought approval for a Material Change of Use – “Caretaker’s Residence and “Dwelling House” (second dwelling) on land at 105 Moorelands Lane, Roma 4455 (properly described as Lot 240 on WAL5369).

The application was subject to Impact Assessment against the relevant provisions of the Bungil Shire Council Planning Scheme 2006. No submissions were received during the public notification period (7 July 2015 to 28 July 2015).

The proposed development is generally consistent with the provisions of the Bungil Shire Council Planning Scheme 2006, including the Desired Environmental Outcomes and the Rural Zone Code.

Resolution No. GM/09.2015/14

Moved Cr Denton

Seconded Cr Price

That Council approve the application for a Material Change of Use – “Caretaker’s Residence and “Dwelling House” (second dwelling) on land at 105 Moorelands Lane, Roma 4455 (properly described as Lot 240 on WAL5369), 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 is the Bungil Shire Council Planning Scheme 2006. All references to the ‘Planning Scheme’ and ‘Planning Scheme Schedules’ within these conditions refer to the above Planning Scheme.**

Use

- 1. The approved development is a Material Change of Use – “Caretaker’s Residence” and “Dwelling House” (second dwelling) as shown on the approved plans.**
- 2. All conditions relating to the establishment of the approved development must be fulfilled prior to any approved use commencing, unless otherwise noted in these conditions.**
- 3. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.**
- 4. All civil and related work shall be designed and supervised by a Registered Professional Engineer of Queensland (RPEQ) who is competent in the construction of the works.**

Approved Plans and Documents

5. Complete and maintain the approved development - Material Change of Use “Caretaker’s Residence” and “Dwelling House” (second dwelling) generally in accordance with the following approved plans, subject to and modified by any conditions of this approval:

Plan/Document number	Plan/Document name	Date
Drawing No. 00235-15 Sheet 1 of 13 Issue H	Site Plan Prepared by Plans To Inspire Building Design	27/11/2014
Drawing No. 00223-14 Sheet 1 of 4 Issue F	Floor Plan Prepared by Plans To Inspire Building Design	21/11/2014
Drawing No. 00223-14 Sheet 2 of 4 Issue F	Front and Right Elevation Prepared by Plans To Inspire Building Design	21/11/2014
Drawing No. 00223-14 Sheet 3 of 4 Issue F	Left and Rear Elevation Prepared by Plans To Inspire Building Design	27/11/2014
Capricorn Municipal Development Guidelines		
D5	CMDG – Stormwater Drainage	02/15
D7	CMDG – Erosion Control and Stormwater Management	03/12

Avoiding Nuisance

6. Any air conditioning, generator, refrigeration, pump, exhaust, fans, or other equipment must be acoustically screened to ensure noise levels do not exceed 5dB above the background noise level.
7. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.
8. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
9. The area and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
10. Whilst the approved works are in progress, no nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
11. Whilst the approved works are in progress, waste containers must remain on site and be maintained in a clean and tidy state and shall be emptied and the waste removed from the site on a regular basis.
12. Any damage to roads and infrastructure that is attributable to the progress of works performed in order to establish the use onsite, or vehicles associated with the development of the site must be repaired to Council’s satisfaction or the cost of repairs paid to Council.
13. No nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, odour, rubbish, contaminant, stormwater discharge or siltation at any time.

Erosion Control

14. All construction works on site to be undertaken in accordance with the Institute of Engineers (Australia) (IEAUST) Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction sites and the CMDG Design Guidelines – D7.

15. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
16. Measures shall be applied to prevent site vehicles tracking sediment and other pollutants onto adjoining roads during the course of the construction period and to prevent dust nuisance during construction.

Earthworks

17. All earthworks for the development shall be undertaken in accordance with Capricorn Municipal Development Guidelines (CMDG) D6 'Site Regrading' Design Guidelines for residential development.

Services

18. Reticulated sewerage is unavailable to the development site. A development permit for plumbing and drainage works shall be sought from Council for any onsite sewerage system provided to the development. All onsite sewerage systems shall be designed in accordance with Schedule 6 of the planning scheme – Standards for Sewerage Supply.
19. The proposed development must have an approved water allocation as provided by the relevant agency and a potable water supply by way of rainwater tank having a minimum storage capacity of 20,000 litres. The proposed development must have an additional on-site storage of 45,000 litres of water using either a tank fitted with a 50mm male cam lock (standard rural Fire Service Fitting) "Free" for fire fighting purposes, swimming pool or dam located within 50 metres of the dwelling for fire fighting purposes.
20. The development is to be connected to an electricity supply service.
21. The development shall be connected to a telecommunications service in accordance with a local service provider's requirements and specifications.
22. All services installation, including sewer, water, gas, electricity and telecommunications connections to the respective networks, must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such designs exist (iv) the Capricorn Municipal Development Guidelines (CMDG) where it applies (v) any relevant Australian Standard that applies to that type of work and (vi) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.
23. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

Stormwater and Drainage

24. The developer shall ensure that in all cases, discharge of stormwater runoff from the roof and impervious areas drains freely to the lawful points of discharge for each dwelling and that no nuisance of ponding is created within the vicinity of each dwelling.
25. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

26. Stormwater must not be allowed to pond on the property being developed or upstream or downstream properties or roads either during the development process, or after the development has been established.

27. There shall be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after development has been completed.

Access, Car parking and Manoeuvring

28. The landowner shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required and for complying with the applicable designs and standards.

29. Access to the development is to be provided via the existing property access from Moorelands Lane.

30. All vehicular access and related items must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area including Schedule 2: "Standards for Roads, Car Parking, Access and Manoeuvring Areas", (iii) Council's standard designs for such work where such designs exist, (iv) any relevant Australian Standard that applies to that type of work and (v) the Capricorn Municipal Development Guidelines (CMDG) and (vi) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

No Cost to Council

31. 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.

32. 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 Council, shall be paid to the Council prior to the commencement of use.

Latest Versions

33. 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.

CARRIED

7/0

Responsible Officer	Planning Officer
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Item Number: 13.4

File Number: D15/70542

SUBJECT HEADING: INDUSTRY OFFER OF A CONTRIBUTION TOWARDS IMPROVING A SPORTING FIELD OR PLAYING SURFACE IN WALLUMBILLA

Author and Officer's Title: Fiona Vincent, Specialist - Sport and Recreation

Executive Summary:

Downer Group and Powerlink Queensland contacted Council requesting assistance to identify a local sporting group/s that could benefit from a contribution towards improving a sporting field or playing surface in Wallumbilla. The Wallumbilla Cricket Oval was identified as a potential site, recommending installation of an automatic watering system in line with a future stage of redevelopment of the site, which will also in turn invest in the future of the district.

Quotations were obtained for the works, with Downer Group and Powerlink Queensland agreeing to fund the project with support from Wallumbilla Herefords Cricket Club.

Resolution No. GM/09.2015/15

Moved Cr Price

Seconded Cr Flynn

That:

1. Council approve installation of a sprinkler system at the Wallumbilla Show Grounds Oval.
2. Council accept the quotation received from Westwet Plumbing Pty Ltd for the sum of \$24,860+GST (Total project cost - \$27,346).
3. The project be fully funded through the contributions as proposed being:

Group	Funding Contribution \$ (Inc. GST)
Downer Group	\$12,985
Powerlink Queensland	\$11,361
Wallumbilla Herefords Cricket Club	\$3,000
TOTAL PROJECT COST	\$27,346

4. On receipt of agreed funding contributions, Council oversee the works and make final payment to the approved contractor, subject to agreed works being carried out to Council's satisfaction.
5. Council be responsible for all ongoing maintenance and renewals on completion of the project.
6. Council approve the design and installation of an acknowledgement sign to be placed on the Warrego Highway at the eastern end of the grounds, nearest the Wallumbilla Creek (Noting that the full design and construction of the signage is funded by Downer Group and Powerlink Queensland, with installation to be undertaken by representatives of the Wallumbilla Herefords Cricket Club).
7. Council and contributors celebrate completion of the project by holding a cricket match, followed by a barbeque on a date suitable to all parties.

CARRIED

7/0

Responsible Officer

Specialist - Sport and Recreation

Item Number: 13.5 **File Number:** D15/72556

SUBJECT HEADING: **BIG RIG ENHANCEMENT PROJECT – COAL SEAM GAS DISPLAY**

Author and Officer's Title: **Ryan Gittins, Specialist - Business Development**

Executive Summary:

Prior to the submission of Council's funding application under the Building our Regions fund, Santos GLNG & Origin representatives have been consulted to determine if the companies are willing to contribute towards the proposed Coal Seam Gas (CSG) display at the Big Rig complex.

Santos GLNG & Origin have indicated their interest in contributing redundant field equipment to a display at the Big Rig (valued at approximately \$200,000), subject to Council confirming its intent to cover costs associated with the display's assembly.

Resolution No. GM/09.2015/16

Moved Cr Chambers

Seconded Cr Denton

That in the event of an unsuccessful funding application for the Big Rig Enhancement Project under round 1 of the Building our Regions fund, Council:

- **Commit funding equal to \$50,000 (budget contained with WO 17452), to cover expenses related to the construction of the Coal Seam Gas (CSG) Display (i.e. construct new footpaths, concrete pads for equipment, and assemble/secure the CSG display at the complex); or**
- **Commit to storing of the CSG display equipment at the Roma Depot (as contributed by Santos GLNG & Origin) should \$50,000 not be sufficient to complete the installation of the display. In such an event, the installation of the CSG display would be prioritised at the Q2 budget review in early January 2016.**

Further that the transport of the equipment to the agreed site be funded by Santos GLNG and Origin.

CARRIED

7/0

Responsible Officer

Specialist - Business Development

Cr. Newman entered the Chamber at 9.43am.

Item Number: 13.6 **File Number:** D15/73106

SUBJECT HEADING: **RELOCATION OF WALLUMBILLA STATE EMERGENCY SERVICE AND RURAL FIRE BRIGADE**

Author and Officer's Title: **Tanya Mansfield, Manager - Facilities (Land, Buildings & Structures)**

Executive Summary:

Wallumbilla's volunteer emergency services units, the State Emergency Service (SES) and Rural Fire Brigade (RFB) are currently located at the Wallumbilla Showgrounds. The groups have indicated that due to expanding responsibilities they require a larger area within which to work, train and store their plant and equipment.

Council was asked to consider the request from the State Emergency Service and Rural Fire Brigade to relocate to an alternative site in Wallumbilla.

Resolution No. GM/09.2015/17
Moved Cr Price
Seconded Cr Wason

That Council approve for the State Emergency Service and Rural Fire Brigade to relocate operations to the Wallumbilla Depot site in East Street described as Lot 4 on RP846105 subject to the following conditions:

- All groups enter a Memorandum of Understanding with Council in regard to the shared use of the site with Council's Infrastructure Services Team; and
- That appropriate licences and permits be acquired for all development on the site completed by or on behalf of the groups or affiliated organisations.

CARRIED

8/0

Responsible Officer	Manager - Facilities (Land, Buildings & Structures)
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Item Number:
13.7
File Number: D15/71057
SUBJECT HEADING:
**MAJOR MITCHELL CARAVAN PARK -
 ACCOMMODATION RENOVATIONS**
Author and Officer's Title:
**Madonna Mole, Specialist - Lease Management & User
 Facility Agreements**
Executive Summary:

The lessee of the Major Mitchell Caravan Park has requested from Council permission to conduct renovations to the Manager's accommodation at the property.

Resolution No. GM/09.2015/18
Moved Cr Denton
Seconded Cr Schefe

That Council approve for the lessees to renovate the 'Managers' accommodation at the Major Mitchell Caravan Park including:

- Removal of two in the wall type air conditioning units and replacement with windows;
- Conversion of the bedroom into a kitchen, and conversion of the old kitchen area into a bedroom;
- Removal of the window between the kitchen and the lounge room - to become a doorway entrance for the bedroom;
- Closure of the doorway area in the old kitchen area;
- Installation of a U shaped kitchen with new appliances purchased and a wall partition removed to make the room larger.

Note: These renovations do not require a building permit.

The approval is subject to the following conditions:

- Work is undertaken in a proper and workmanlike manner, by suitably qualified and reputable contractors and tradespeople in accordance with any directions, conditions and requirements imposed by Council; and

- Renovations must be completed at the Lessee's own expense and when the current lease expires or is terminated, no claim can be made against Council for the improvements.

CARRIED

8/0

Responsible Officer

Specialist - Lease Management & User Facility Agreements

Item Number:

13.8

File Number: D15/68054

SUBJECT HEADING:

MITCHELL BOXING SHED USER AGREEMENT – MITCHELL SHOW GROUNDS

Author and Officer's Title:

Dee Schafer, Support Officer - Facilities

Executive Summary:

Council received correspondence requesting permission to use a shed located at the Mitchell Showgrounds for boxing training.

Resolution No. GM/09.2015/19

Moved Cr Flynn

Seconded Cr Wason

That Council:

- Enter into a User Agreement with the Roma Police Citizens Youth Club (PCYC) for the use of the building known as the old bar at Mitchell Showgrounds, for the purpose of boxing training for a period of one (1) year.
- Pay all outgoings, and no rent be charged to the applicant.

CARRIED

8/0

Responsible Officer

Support Officer - Facilities

LATE ITEMS

Item Number:

L.1

File Number: D15/69661

SUBJECT HEADING:

DRINKING WATER QUALITY MANAGEMENT POLICY

Author and Officer's Title:

Benjamin (Ben) Godford, Coordinator - Water, Sewerage & Gas Projects, Compliance & Laboratory

Executive Summary:

To complement Council's Drinking Water Quality Management Plan (DWQMP), a Policy document was drafted for Council's review. The policy outlines Council's commitment to the management of its drinking water quality.

Resolution No. GM/09.2015/20

Moved Cr Flynn

Seconded Cr Chambers

That Council endorse the Drinking Water Quality Management Policy as follows:

1. Purpose

The purpose of this policy is to complement the Drinking Water Quality Management Plan and to ensure Maranoa Regional Council provides safe, reliable, efficient water and wastewater services to residents, visitors and businesses in the Maranoa Region. Maranoa Regional Council is committed to managing its drinking water supply systems effectively to provide customers with dependable, safe, high-quality water that consistently complies with the health based parameters.

2. Scope

This policy applies to all of Council's drinking water supply schemes.

3. Definitions

ADWG	Australian Drinking Water Guidelines
DWQMP	Drinking Water Quality Management Plan
MRC	Maranoa Regional Council
NHMRC	National Health and Medical Research Council

4. Details

In partnership with stakeholders and relevant agencies, Maranoa Regional Council will:

- Manage water quality at all points along the delivery chain from source water to the consumer's water meter by using a risk-based approach in which potential threats to water quality are identified and managed to minimise any threat to drinking water quality in accordance with the AWDG;
- Comply with statutory and regulatory requirements associated with the provision of safe drinking water;
- Implement and maintain a Drinking Water Quality Management Plan;
- Maintain regular monitoring of the quality of drinking water and have effective reporting mechanisms to provide relevant and timely information, which promotes confidence in the water supply and its management;
- Establish and implement appropriate contingency plans for response to incidents and monitor that the controls identified in these plans is effective;
- Commit to continually improving the capability of our staff by encouraging and supporting participation in training and professional development;
- Continually improving our practices by assessing performance against corporate commitments and stakeholder expectations.

5. Special Provisions Nil

6. Related Policies and Legislation

Water Supply (Safety & Reliability) Act

7. Associated Documents

Drinking Water Quality Management Plan

CARRIED (Cr. Denton requested her vote be recorded against the motion)

7/1

Responsible Officer

Coordinator - Water, Sewerage & Gas
Projects, Compliance & Laboratory

Item Number: L.2 File Number: D15/74701

SUBJECT HEADING: DRAFT UPDATED PROCUREMENT POLICY

Author and Officer's Title: Julie Reitano, Chief Executive Officer

Executive Summary:

In conjunction with ongoing discussions with Pilot Group members about Council's proposed new procurement documents, the Procurement Policy has been updated.

Council was asked to consider the draft updated Procurement policy as set out in the recommendation.

Resolution No. GM/09.2015/21

Moved Cr Schefe

Seconded Cr Newman

That Council approve the updated Procurement Policy, as follows:

1. Purpose and Objective

The purpose of the Maranoa Regional Council's (Council) Procurement Policy is to set down key principles and outline Council's framework for conducting Procurement and Contracting Activities in a manner that complies with the applicable laws, including Local Government Act 2009 (QLD) (LGA 2009) and Local Government Regulations 2012 (QLD) (LGR 2012).

Council's procurement activities aim to deliver excellence in procurement outcomes for Council and the community by:

- Promoting value for money with probity and accountability; and
- Providing reasonable opportunity for competitive local businesses that comply with relevant legislation to supply to Council; and
- Facilitating the procurement of goods and services in the most timely and cost effective manner; and
- Ensuring that all procurement activities are carried out in a professional manner and that all Council officers responsible for purchasing goods and services are adequately trained and have a clear understanding of the procurement processes, as well as their meaning and intent.

2. Scope

This policy and associated documents apply to the procurement of all goods, equipment, and related services, building and civil construction contracts and services contracts (including maintenance) and the disposal of assets by Council as defined in the LGA 2009 and LGR 2012.

3. Definitions

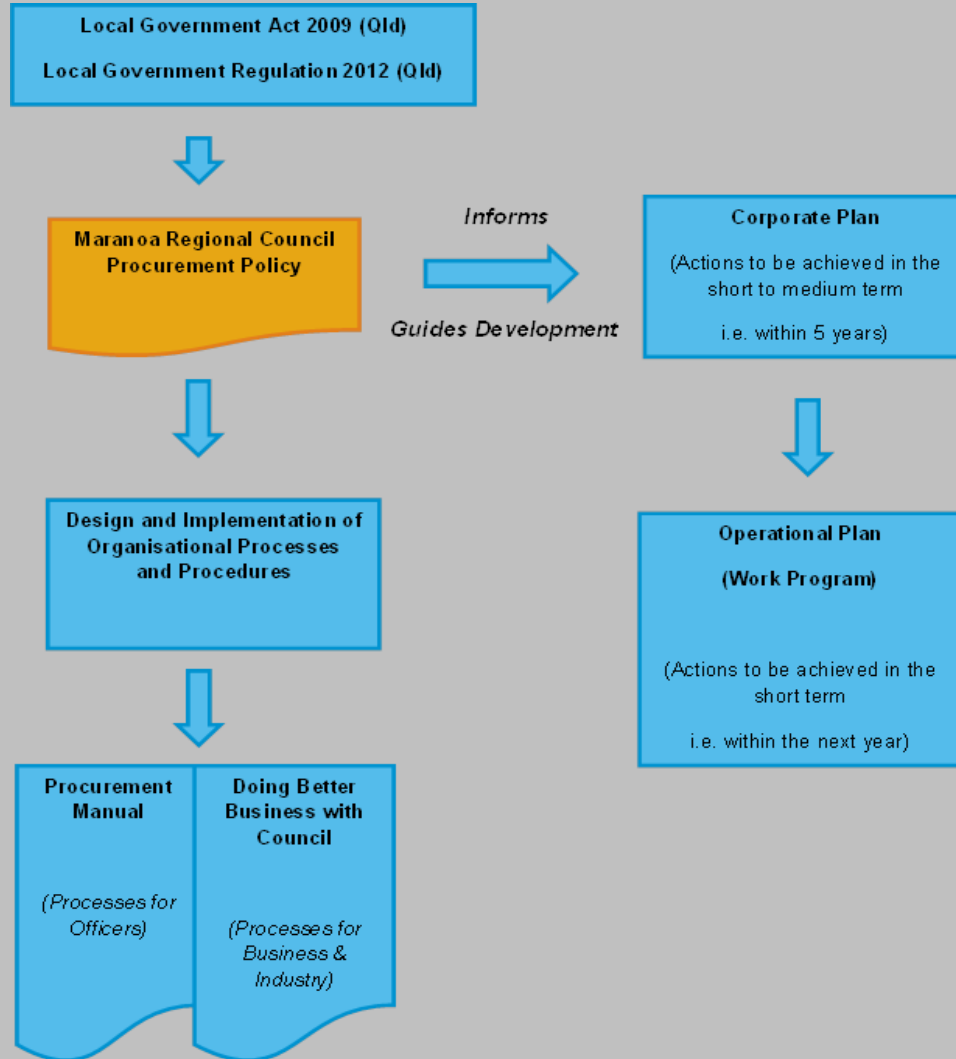
Contract	means a contract (including purchase order and purchase card transactions) for: <ul style="list-style-type: none"> (a) the supply of goods or services; or (b) the carrying out of work; or (c) the disposal of valuable non-current assets. In this instance, the term does not include a contract of employment between Council and a Local Government Employee.
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Genuine Emergency	<p>includes:</p> <p>(a) any time that the Local Disaster Coordinator is performing a function under the Disaster Management Act 2003; or</p> <p>(b) any time an event occurs resulting in actual or likely loss of life or serious injury to person/s and where action from Council may prevent or reduce the actual or likely loss of life or serious injury to person/s, or aid and assist in response to the event; or</p> <p>(c) any time an event occurs resulting in actual or likely serious damage to property and where action from Council may prevent or reduce the actual or likely serious damage, or aid and assist in response to the event.</p>
Government Agency	<p>means:</p> <p>(a) the State, a government entity, a corporatised business entity or another local government; or</p> <p>(b) another Australian government or an entity of another Australian government; or</p> <p>(c) a local government of another State.</p>
Low-Value Contractual Arrangement	is a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, less than \$15,000 in a financial year.
Large-Value Contractual Arrangement	<p>is a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$200,000 or more in a financial year.</p> <p>Note: The expected value of a contractual arrangement with a supplier for a financial year is the total expected value of all Council's contracts, in the financial year, with the supplier for goods and services of a similar type – rather than an individual transaction.</p>
LGA Arrangement	means an arrangement that has been entered into by LGAQ Ltd or Local Buy Pty Ltd and would otherwise be either a contract with an independent supplier under s232 of the LGR 2012 or a contract with an independent supplier under a preferred supplier arrangement under s233 of the LGR 2012.
Medium-Value Contractual Arrangement	<p>is a contractual arrangement with a supplier that is expected to be worth, exclusive of GST, \$15,000 or more but less than \$200,000 in a financial year.</p> <p>Note: The expected value of a contractual arrangement with a supplier for a financial year is the total expected value of all Council's contracts, in the financial year, with the supplier for goods and services of a similar type – rather than an individual transaction.</p>
Probity	is the evidence of ethical behaviour in a particular process.
Procurement	is the entire process by which all classes of resources (human, material, facilities and services) are obtained. This can include the functions of planning, design, standards determination, specification writing, selection of suppliers, financing, contract administration, disposals and other related functions.
Purchasing	is the acquisition process for goods, services and capital projects through purchasing, leasing and licensing.
Supplier	means an enterprise capable of supplying required goods and/or services. It includes manufacturers, stockists, resellers, merchants, distributors, consultants and contractors.
Valuable Non-Current Asset	means land or another non-current asset that has a value equal to or more than the limit set by Council. The limit set by Council cannot be more than \$5,000 for plant and equipment; and \$10,000 for other non-current assets.

4. Details

4.1 Key Document Relationships

The Procurement Policy has the following relationships to other key strategic and administrative Financial Management documents:



4.2 Procurement Principles

Council will conduct its Procurement and Contracting Activities in a manner that ensures its financial sustainability by establishing a procurement management system based on the following “sound contracting principles”:

4.2.1 Value for Money (LGR 2012, s. 198.)

PRINCIPLE 1:



The concept of value for money is not restricted to the price of the goods, services or works. Council will consider a number of factors when assessing value for money including but not limited to:

- i. Availability - including lead-times for current and future supply;
- ii. Fitness for purpose - whether the good/service will ‘do the job’ and meet the quality/standard required;

- iii. Whole of life costs - costs of acquiring, using, maintaining (spare-parts, accessories etc. if applicable) and disposing of the item;
- iv. Service standards - after-sales support, service frequency required;
- v. Sustainability – ability to ensure continuity of supply;
- vi. Benefits of engaging local suppliers - reduced transportation costs and lead times, and improved service responsiveness;
- vii. Risks - if the good or service exposes Council or the community to potential financial, operational, safety, legal, contractual or other issues;
- viii. Administration costs – the Council resources associated with acquisition or management of the ongoing supply of the good or service;
- ix. Advancement of Council priorities – if the good or service assists in achieving or addressing multiple Council goals, or remedying important issues identified by Council.

4.2.2 Open and Effective Competition (LGR 2012, s. 198.)

PRINCIPLE 2:



All Procurement and Contracting Activities will be conducted by Council using an open and competitive process. Open and effective competition will be achieved by ensuring that:



- i. procurement procedures and processes are transparent and minimise subjectivity;
- ii. prospective suppliers are given fair and equitable consideration; and
- iii. evaluation of offers is undertaken in accordance with legislation, procedures and evaluation criteria applicable to the quote or tender document.

4.2.3 Development of Competitive Local Business and Industry (LGR 2012, s. 198.)

PRINCIPLE 3:



Council encourages the development of competitive local businesses within the Maranoa Region, and will endeavour to promote and support competitive local industry in its Procurement and Contracting Activities.

When price, performance, quality and suitability and other evaluation criteria are comparable, Council may also consider the following factors when conducting its Procurement and Contracting Activities:

- i. creation of local employment opportunities;
- ii. economic growth within the local area; and
- iii. readily available servicing support.

4.2.4 Environmental Protection (LGR 2012, s. 198.) and Workplace Safety

PRINCIPLE 4:



Council will seek to complement its broader environmental and safety commitments and initiatives through its Procurement and Contracting Activities.

Whilst conducting Procurement and Contracting Activities, Council will:

- i. promote the purchase of environmentally friendly and safe goods and services that satisfy the value for money criteria; and
- ii. foster the development of products and processes of low environmental impact; and
- iii. consider the safety record of prospective Suppliers and their ongoing commitment to a safe workplace.

4.2.5 Ethical Behaviour and Fair Dealing (LGR 2012, s. 198.)



PRINCIPLE 5:

Council will conduct its Procurement and Contracting Activities with impartiality, fairness, independence, openness, and integrity to ensure probity, transparency and accountability for its procurement outcomes. Council will promote ethical and fair dealing by:

- i. ensuring legislative and policy compliance in Procurement and Contracting Activities;
- ii. ensuring compliance with Employee and Councillor Codes of Conduct and the Public Sector Ethics Act 1994;
- iii. creating and maintaining a robust and effective procurement process that operates in a fair and ethical environment; and
- iv. identifying and managing possible, real or perceived conflicts of interest between Council, its Local Government Employees and prospective or existing Suppliers.

4.3 Responsibility

This policy applies to all Local Government Employees or elected members of Council, who undertake any part of the Procurement and Contracting Activities on behalf of Council. It is the responsibility of the Local Government Employee or elected member of Council to understand the meaning and intent of this policy.

4.3.1 Limitation on Non-Council Employees involved in Procurement Activities

Persons engaged in contracts for services with Council, such as consultants and project managers are not authorised to initiate any procurement process, or contract on behalf of Council.

However, persons engaged by Council on Service Contracts or Consultancy Agreements, or particular external subject matter experts, may be invited to form part of evaluation panels and provide advice and expertise during the procurement process - they cannot initiate or undertake any activity that binds Council in contract.

4.4 Entering into Contracts - Procurement and Contracting Activities

4.4.1 Application to Council Contracting

Council adopts the contracting procedures contained in Chapter 6, Part 3 of the LGR 2012. Unless one of the exceptions outlined in 4.5 applies, Council will conduct its Procurement and Contracting Activities, having regard to the procurement principles (Section 4.2), in the following manner:

Contract Type	Legislative Requirement
Low-Value Contractual Arrangements Worth less than \$15,000 (GST exclusive)	Council will implement an appropriate and effective internal procurement process (see Procurement Manual), having appropriate regard to the procurement principles, for contractual arrangements worth less than the \$15,000 (GST exclusive) threshold.

<p>Medium-Sized Contractual Arrangements \$15,000 to \$200,000 (GST exclusive) LGR 2012, s. 225.</p>	<p>Council will not enter into a medium-sized contractual arrangement, without first inviting written quotes for the Contract from at least 3 persons the Council considers can meet the Council's requirements at competitive prices.</p> <p>Council may decide not to accept any of the quotes it receives.</p> <p>Council may decide to invite written tenders for medium sized contractual arrangements if the contract is high risk or complex in nature.</p> <p>Council will accept the quote most advantageous to it having regard to the sound contracting principles.</p>
<p>Large-Sized Contractual Arrangements \$200,000 + (GST exclusive) LGR 2012, s. 226.</p>	<p>Council will not enter into a large-sized contractual arrangement without first:</p> <ul style="list-style-type: none"> (a) inviting written tenders; or (b) inviting expressions of interest (EOI) before considering whether to invite written tenders, where Council decides (by resolution) that it would be in the public interest to invite expressions of interest before inviting written tenders. <p>Where Council invites an EOI before considering whether to invite written tenders, Council may prepare a short-list from respondents to the invitation to EOI and invite written tenders from the shortlist.</p> <p>Council may decide not to accept any of the tenders it receives.</p> <p>Council will accept the tender most advantageous to it, having regard to the sound contracting principles.</p>
<p>Contract for Disposal of a Valuable Non-Current Asset All land (regardless of value), plant and equipment - \$5,000, or any other non-current valuable asset - \$10,000</p>	<p>Council will not enter into a Contract for the disposal of a Valuable Non-Current Asset without first:</p> <ul style="list-style-type: none"> (a) inviting written tenders; or (b) inviting expressions of interest (EOI) before considering whether to invite written tenders; or (c) offering the Valuable Non-Current Asset for sale by auction.

4.5 Exceptions for Medium-Sized and Large-Sized Contractual Arrangements

Exceptions for Medium-Sized and Large-Sized Contractual Arrangements	
<p>Quote or Tender Consideration Plan LGR 2012, s. 230</p>	<p>Council decides by resolution to prepare a Quote or Tender Consideration Plan and then later adopts the plan. A quote or tender consideration plan is a document stating—</p> <ul style="list-style-type: none"> (a) the objectives of the plan; and (b) how the objectives are to be achieved; and (c) how the achievement of the objectives will be measured; and

	<p>(d) any alternative ways of achieving the objectives, and why the alternative ways were not adopted; and (e) the proposed terms of the contract for the goods or services; and (f) a risk analysis of the market from which the goods or services are to be obtained. Contract will be made in accordance with adopted plan.</p>
<p>Approved Contractor List</p> <p>LGR 2012, s. 231</p> <p>[Two Step Process – Expressions of Interest to establish an approved contractor list, then for each project, a decision on who will be invited to provide a price]</p>	<p>An approved contractor list is a list of persons who Council considers to be appropriately qualified to provide the services (including professionals).</p> <p>Council must put together the approved contractor list by inviting expressions of interest advertised in the local newspaper giving suitably qualified persons at least 21 days to respond and making a selection having regard to sound contracting principles. For each project, and having regard to the sound contracting principles, Council may enter into a Contract directly with a Supplier on the Approved Contractor List without first inviting quotes or tenders from other Suppliers on the approved contractor list.</p>
<p>Register of Pre-Qualified Suppliers (RPQS)</p> <p>LGR 2012, s. 232.</p> <p>[Capability Established by Tender]</p>	<p>Council may establish a register of pre-qualified suppliers of particular goods or services only if—</p> <p>(a) the preparation and evaluation of invitations every time the goods or services are needed would be costly; or</p> <p>(b) the capability or financial capacity of the supplier of the goods or services is critical; or</p> <p>(c) the supply of the goods or services involves significant security considerations; or</p> <p>(d) a precondition of an offer to contract for the goods or services is compliance with particular standards or conditions set by the local government; or</p> <p>(e) the ability of local business to supply the goods or services needs to be discovered or developed.</p> <p>A pre-qualified supplier is a supplier who has been assessed by Council as having the technical, financial and managerial capability necessary to perform contracts on time and in accordance with agreed requirements. Council must invite tenders to be on a RPQS, advertised in the local newspaper for at least 21 days and make a selection having regard to sound contracting principles. For each project, and having regard to the sound contracting principles, Council may place a purchase order directly with a supplier on a register of pre-qualified suppliers without first inviting quotes from other persons on the register of pre-qualified suppliers.</p>
<p>Preferred Supplier Arrangement (PSA)</p> <p>LGR 2012, s. 233.</p>	<p>Council may enter into a Preferred Supplier Arrangement for goods or services with a preferred supplier if Council—</p> <p>(a) needs the goods or services— (i) in large volumes; or (ii) frequently; and</p> <p>(b) is able to obtain better value for money by accumulating the demand for the goods or services; and</p>

	<p>(c) is able to describe the goods or services in terms that would be well understood in the relevant industry. Council must call tenders for a preferred supplier arrangement, advertised in the local newspaper for at least 21 days, advise the terms of the arrangement (including ability to cancel in the case of poor performance of the supplier) and make a selection having regard to sound contracting principles. A Preferred Supplier Arrangement may be entered into for a term of more than 2 years (including extensions) only if Council is satisfied the longer term will result in better value for Council.</p>
<p>Local Government Association Arrangement LGR 2012, s. 234.</p>	<p>The Contract entered into under an LGA Arrangement.</p>
<p>Sole Supplier LGR 2012, s. 235(a).</p>	<p>Council resolves it is satisfied that there is only one supplier who is reasonably available.</p>
<p>Specialised Supplier LGR 2012, s. 235(b).</p>	<p>Council resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for Council to invite quotes or tenders.</p>
<p>Genuine Emergency LGR 2012, s. 235(c).</p>	<p>Where a genuine emergency exists (see Section 3).</p>
<p>Auction Purchase LGR 2012, s. 235(d).</p>	<p>The Contract is for the purchase of goods and is made by auction.</p>
<p>Second-Hand Goods LGR 2012, s. 235(e).</p>	<p>The Contract is for the purchase of second-hand goods.</p>
<p>Government Agency LGR 2012, s. 235(f).</p>	<p>The Contract is made with, or under an arrangement with a government agency.</p>

4.6 Exceptions for Disposal of Valuable Non-Current Assets

Exceptions for valuable non-current asset disposal other than by tender or auction can only be exercised if the valuable non-current asset:

- (a) was previously offered for sale by tender or auction and was not sold; and
- (b) is sold for more than the highest tender or auction bid that was received; or

(c) is disposed of to a government agency; or

(d) is disposed of to a community organisation;

and Council has resolved that the exception may apply.

Further details on exceptions for disposal of valuable non-current assets are contained in section 236 of the LGR 2012.

4.7 Other Legislative Obligations

4.7.1 Powers to Delegate

Council may delegate, by resolution, a power under the LGA 2009 or another Act to the Chief Executive Officer (CEO). The Council may not delegate a power that an Act states must be exercised by resolution.

Under section 257 of the LGA 2009, Council can delegate to the CEO power to make, amend or discharge a contract for Council.

Under section 238 of the LGR 2012, the CEO may exercise this power:

- (a) where the expenditure has been provided for in Council's budget for that financial year (or for the financial year in which the delegation was made, provided the expenditure is within the limits set); or
- (b) the contractual action is taken because of a genuine emergency or hardship.

4.7.2 Procurement and Contracting Activity Delegation

The CEO is authorised to enter into contractual arrangements on behalf of Council within the expenditure delegation. Delegations are recorded in the Register of Delegations contained electronically in Authority.

Other Local Government Employees can only enter into contracts (including Purchase Orders) on behalf of Council if the employee has been granted financial delegation by the CEO and either:

- (a) it is in accordance with the delegation threshold granted by the CEO; or
- (b) the contractual action is taken because of a genuine emergency or hardship.

4.7.3 Procurement Policy Maintenance and Review

It is the responsibility of the CEO to monitor the adequacy of this policy. This policy will be formally reviewed by Council annually to ensure continued suitability.

5. Related Policies and Legislation

This policy complements existing documentation and should be read in conjunction with the following:

<ul style="list-style-type: none"> • My Maranoa: Doing Better Business with Council Guide • Procurement Manual • Local Government Act 2009 (Qld) • Local Government Regulation 2012 (Qld) • Statutory Bodies Financial Arrangements Act 1982 (Qld) • Public Sector Ethics Act 1994 (Qld) • Disaster Management Act 2003 (Qld) • Quality Management Policy • Workplace Health and Safety Policy • Environmental Management Policy 	
<p>6. Associated Documents Maranoa Regional Council's Corporate Plan Annual Operational Plan (Work Program) Employees' Code of Conduct Councillors' Code of Conduct Council's Delegation Register Quality, Safety & Environment Management System Documents Queensland Procurement Policy</p>	
CARRIED	8/0

Responsible Officer	Chief Executive Officer
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Cr. O'Neil entered the Chamber at 9.54am.

Item Number: L.3 **File Number:** D15/74801

SUBJECT HEADING: AIRPORT ADVISORY COMMITTEE MEETING
 RECOMMENDATIONS

Author and Councillor's Title: Cr. Joy Denton

Executive Summary:

Council was asked to consider two (2) recommendations put forward by the committee. The first was in relation to car parking line marking improvements at the Roma Airport, and the second regarding installation of a stock proof fence around the amenity buildings at the Mitchell Aerodrome to prevent potential damage from stock to the facility.

Resolution No. GM/09.2015/22	
Moved Cr Denton	Seconded Cr Newman
That Council:	
<ol style="list-style-type: none"> 1. Investigate the cost and potential location of additional line marking on the roadway at the Roma Airport Car Park, to assist motorists with distinguishing between different areas within the car park. 2. Investigate the cost to reinstate a stock proof fence for location on the original alignment surrounding the amenities building, in order to keep stock away from the area, preventing potential damage at the Mitchell Aerodrome. 3. Be provided a further report on both matters once investigations have been completed. 	
CARRIED	9/0

Responsible Officer	Manager – Airports (Roma, Injune, Mitchell & Surat)
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Cr. Flynn left Chamber at 9.57am.

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;
- (f) starting or defending legal proceedings involving the local government;
- (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/09.2015/23

Moved Cr Newman

Seconded Cr Wason

That Council close the meeting to the public 9.58am

CARRIED

8/0

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
COUNCIL ADJOURNED THE MEETING FOR A BRIEF RECESS AT 9.59AM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 10.12AM

Cr. Flynn returned to the meeting at 10.12am (Resumption of Standing Orders).

Cr. Schefe declared a 'Conflict of Interest' in Item C.1 – User Agreement – Injune Memorial Hall, due to the applicant being a relative, and left the Chamber at 10.13am, taking no further part in discussions.

At cessation of discussion on the abovementioned item, Cr. Schefe entered the Chamber at 10.17am.

The Mayor left the General Meeting at 10.31am, with the Deputy Mayor taking the role of Acting Chair.

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
COUNCIL ADJOURNED THE MEETING FOR MORNING TEA AT 10.39AM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 11.12AM

The Mayor returned to the Chamber at 11.14am, and assumed the Chair.

Cr. O'Neil left the Chamber at 11.22am, and entered at 11.25am.

The Mayor left the Chamber at 11.27am, with Cr. Wason assuming the role of Acting Chair.

The Mayor entered the Chamber at 11.45am, assuming the Chair.

The Mayor left the Chamber at 11.51am and did not return for the remainder of the meeting with the Deputy Mayor taking the role of Acting Chair.

Councillors Wason & Price declared a perceived 'Conflict of Interest' in Item LC.3 – Santos GLNG Service Level Agreements SLA 3 and SLA 4 – 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 11.53am, taking no further part in discussion, on the matter.

Council then voted to replace the role of Acting Chair, in the absence of Cr. Wason, which was recorded as follows:

Resolution No. GM/09.2015/24	
Moved Cr Chambers	Seconded Cr O'Neil
That Cr. Schefe be nominated Acting Chair.	
CARRIED	6/0

At cessation of discussion of Item LC.3 – Santos GLNG Service Level Agreements SLA 3 and SLA 4, Cr. Wason entered the Chamber, and assumed the role of Acting Chair at 12.01pm.

Cr. Price did not return to the Chamber at this time due to a perceived 'Conflict of Interest' in Item LC.5 – Variations to Origin APLNG SLA 1. Cr. Price receives financial compensation from Origin APLNG for activities carried out by them on parcels of land owned by her.

At cessation of discussion on the abovementioned item, Cr. Price entered the Chamber at 12.08pm.

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 IN CLOSED SESSION AT 1.34PM

Cr. O'Neil left the Chamber at 1.36pm, and entered at 1.39pm.

Resolution No. GM/09.2015/25	
Moved Cr Price	Seconded Cr Newman
That Council open the meeting to the public at 1.40pm.	
CARRIED	8/0

Cr. Schefe declared a 'Conflict of Interest' in the following item, due to the applicant being a relative, and left the Chamber at 1.47pm taking no further part in discussion or debate on the matter.

Item Number: C.1 **File Number:** D15/73121

SUBJECT HEADING: USER AGREEMENT - INJUNE MEMORIAL HALL

Author and Officer's Title: Shirley Horrobin, Administration Officer - Property & Legal

Executive Summary:

Council was asked to consider entering into a formal arrangement with a small business wishing to operate on a casual basis from the Injune Memorial Hall.

Resolution No. GM/09.2015/26

Moved Cr Price

Seconded Cr O'Neil

That Council enter into a User Agreement with the applicant for the use of the Injune Memorial Hall for a period of three (3) years and that:

- **The hire fees be set at \$13.20 per hour, for the current financial year, as per the 2015/16 Fees & Charges Register; and**
- **This fee be reviewed annually as part of the Fees & Charges review.**

CARRIED

7/0

Responsible Officer

Administration Officer - Property & Legal

At cessation of discussion and debate on the abovementioned item, Cr. Schefe entered the Chamber at 1.47pm.

Item Number: C.2 **File Number:** D15/71587

SUBJECT HEADING: USER AGREEMENT - YULEBA BUILDING

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

Executive Summary:

Council was asked to consider entering into a formal arrangement with a small business wishing to operate on a casual basis from the building in Yuleba known as the Rural Transaction Centre.

Resolution No. GM/09.2015/27

Moved Cr Schefe

Seconded Cr Flynn

That Council enter into a User Agreement with the applicant for the use of the Yuleba building known as the Rural Transaction Centre on the first Monday of every month to provide hair and beauty services, for a period of one (1) year and that:

- **The hire fee be set at \$13.20 per hour or a daily hire rate of \$86.60 per day; and**
- **This item be included in the 2015/16 Fees & Charges schedule.**

CARRIED

8/0

Responsible Officer

Support Officer - Facilities

Item Number: C.3 **File Number:** D15/72833

SUBJECT HEADING: ROMA COMMUNITY HUB TENANCY APPLICATION

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

Executive Summary:

Council received an Expression of Interest from Apprenticeship Support Australia requesting to tenant an office at the Roma Community Hub.

Action:

That the matter lay on the table to further investigate treatment of the GST arrangements in consideration of this item.

Item Number: C.4 **File Number:** D15/68247

SUBJECT HEADING: ADDITIONAL COSTS CLAIMED BY QUEENSLAND BRIDGE & CIVIL

Author and Officer's Title: Dylan Hesselberg , Manager – Infrastructure Contracts

Executive Summary:

Additional costs for work undertaken on an APLNG-funded project, over and above the funding provided by Origin Energy, have been claimed by the Contractor (Queensland Bridge & Civil).

The Contractor has subsequently approached the Principal (Maranoa Regional Council) to review the Superintendent's decision and determine whether in the Principal's view any payment is due to the Contractor.

Resolution No. GM/09.2015/28

Moved Cr Flynn

Seconded Cr O'Neil

That Council authorise payment of \$49,078.21 (Inc. GST) to Queensland Bridge & Civil with funding transferred from investments set aside for future capital works.

CARRIED

8/0

Responsible Officer

Manager – Infrastructure Contracts

Item Number: C.5 **File Number:** D15/72491

SUBJECT HEADING: SPONSORSHIP REQUEST - ROMA INTERNATIONAL LEGENDS OF LEAGUE

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

Executive Summary:

The Legends of League event is returning to Roma on 30-31 October 2015, and the organisers are seeking Council support.

Resolution No. GM/09.2015/29

Moved Cr Price

Seconded Cr Newman

That Council support the Roma International Legends of League event to be held in Roma on 30 – 31 October 2015, by way of providing a venue at no cost, should the event proceed.

CARRIED

8/0

Responsible Officer

Coordinator - Grants, Local Development & Council Events

Cr. O'Neil left the Chamber at 1.57pm.

Item Number:

C.6

File Number: D15/70376

SUBJECT HEADING:

**OBJECTION TO DIFFERENTIAL RATING
CATEGORISATION – ASSESSMENT NO. 13013388**

Author and Officer's Title:

Dana Harrison, Coordinator - Rates

Executive Summary:

Council received a Notice of Objection to the Differential Rating Categorisation for property described as Lot 12 on WT103, Lot 38 on WT127, Lot 67 on WT128, Lot 16 on WT17, Lot 9 on WT21, Lot 25 on WT22, Lot 7 on WT258, Lot 72 on WT327 and Lot 4 on WT391, Assessment Number 13013388.

Resolution No. GM/09.2015/30

Moved Cr Chambers

Seconded Cr Flynn

That Council:

1. Receive and note the objection to differential rating categorisation.
2. Authorise an inspection by a categorisation officer on Lot 9 WT21.
3. Further consider the matter when the inspection has been completed and a report is prepared for Council.

CARRIED

7/0

Responsible Officer

Coordinator - Rates

Cr. O'Neil entered the Chamber at 1.59pm.

Cr. Newman left the Chamber at 1.58pm and didn't return for the remainder of the Meeting.

Item Number:

C.7

File Number: D15/73096

SUBJECT HEADING:

REQUEST FOR WAIVER OF FEES

Author and Officer's Title:

Debbie Gelhaar, Coordinator - Debtors

Executive Summary:

The applicant has requested that Council dismiss/waive charges in relation to clean up costs.

Action:

That the matter lay on the table for further consideration at a later point during the meeting to confirm notification processes undertaken in this matter.

LATE CONFIDENTIAL ITEMS

Item Number: LC.1 **File Number:** D15/73349

SUBJECT HEADING: ROMA SWIMMING POOL HOURS AND ADMISSION FEES

Author and Officer's Title: Tanya Mansfield, Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

Council was asked by the contract pool manager to review the opening times and admission fees for the Denise Spencer Pool in Roma.

Resolution No. GM/09.2015/31

Moved Cr O'Neil

Seconded Cr Chambers

That Council:

1. **Maintain the original, approved Roma Pool Opening Hours being:**
 - **Monday** 5.00 am – 8.00 am and 3.00 pm – 6.30 pm
 - **Tuesday** 5.00 am – 8.00 am and 10.00 am – 6.30 pm
 - **Wednesday** 5.00 am – 8.00 am and 10.00 am – 6.30 pm
 - **Thursday** 5.00 am – 8.00 am and 10.00 am – 5.30 pm
 - **Friday** 5.00 am – 8.00 am and 10.00 am – 6.30 pm
 - **Saturday** 10.00 am – 6.00 pm
 - **Sunday** 10.00 am – 6.00 pm

2. **Decline the Roma Pool Manager's request to increase the price of season passes and confirm the existing Roma Pool Admission Fees being:**
 - **Adult** \$4.00
 - **Child** \$2.50
 - **Pensioners** \$2.00
 - **Spectators** \$1.00
 - **10 Entry Pass** Cost of single entry x 9 e.g. Adult \$36.00
 - **Single Season** \$200
 - **Double/Family Season** \$400

3. **Authorise the Chief Executive Officer to correspond with the manager regarding the management agreement.**

CARRIED

7/0

Responsible Officer	Manager - Facilities (Land, Buildings & Structures)
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Item Number: LC.2 **File Number:** D15/73815

SUBJECT HEADING: REVIEW OF APPROVALS TO GRAZE COUNCIL LAND

Author and Officer's Title: Tanya Mansfield, Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

At its General Meeting on 22 July 2015, Council resolved to enter arrangements to graze land in Yuleba and Mitchell. Council was asked to review these decisions, and also consider the standard terms for grazing on Council land.

Resolution No. GM/09.2015/32
Moved Cr Price
Seconded Cr Chambers
That Council:

1. Reaffirm resolution numbers GM/07.2015/68 and GM/07.2015/63 from the General Council Meeting on 22 July 2015 with the difference in fees charged being attributed to land type, improvements, block size and location.
2. Maintain an open, competitive process to allocate grazing rights to Council owned land.
3. Require all future applicants to nominate a weekly agistment fee as a condition of the Expression of Interest process.
4. Amend the Fees & Charges Schedule to include specific fee reference to the applicable parcel of land.

CARRIED

7/0

Responsible Officer
Manager - Facilities (Land, Buildings & Structures)

Councillors Wason and Price declared a perceived 'Conflict of Interest' in the following item, each of them receiving financial compensation from Santos GLNG activities carried out on parcels of land owned by each of them, and left the Chamber at 2.05pm, taking no further part in discussion or debate on the matter.

With the departure of Cr. Wason (acting Chair), Council undertook a vote to nominate a replacement Acting Chair as follows:

Resolution No. GM/09.2015/33
Moved Cr Chambers
Seconded Cr O'Neil
That Cr. Schefe be nominated Acting Chair.

CARRIED

5/0

Item Number:
LC.3
File Number: D15/74177
SUBJECT HEADING:
SANTOS GLNG SERVICE LEVEL AGREEMENTS (SLA) 3 AND 4
Author and Officer's Title:
Dylan Hesselberg , Manager – Infrastructure Contracts
Executive Summary:

The report sought to obtain Council approval for a budgetary amendment to SLA1 which in turn will facilitate the finalisation of negotiations for SLA 3.

Furthermore it sought to obtain formal authorisation from Council for the Mayor and Chief Executive Officer to sign, on behalf of Council, the Santos GLNG Service Level Agreements (SLA 3 and SLA 4) for the upgrade and maintenance of Council's Santos GLNG impacted roads.

Resolution No. GM/09.2015/34

Moved Cr Flynn

Seconded Cr O'Neil

That Council:

1. Approve an amendment (reduction) to SLA 1 so that funding packages for Fairview Road (Chg 5.1 to Chg 30.5) and Injune-Taroom Road (Chg 23.46 to Chg 38.3) in SLA 3 can be accommodated with budgeted amounts of \$12.236 M and \$16.8 M respectively, to be managed in accordance with the provisions in the Road Infrastructure Agreement.
2. Authorise the Mayor and Chief Executive Officer to sign on Council's behalf, Santos GLNG Service Level Agreements 3 and 4, conditional on the agreement being to the Chief Executive Officer's satisfaction.

CARRIED

5/0

Responsible Officer

Manager – Infrastructure Contracts

At cessation of discussion and debate on the abovementioned item, Councillors Wason and Price entered the Chamber at 2.07pm, with Cr. Wason assuming the Chair.

Item Number:

LC.4

File Number: D15/74654

SUBJECT HEADING:

ORGANISATIONAL STRUCTURE - INFRASTRUCTURE CONTRACTS

Author and Officer's Title:

Dylan Hesselberg , Manager – Infrastructure Contracts

Executive Summary:

The Infrastructure Contracts department is undertaking workforce planning since having recently reached in principle agreement with Santos GLNG in relation to Service Level Agreements 3 and 4. This report serves to obtain Council approval of a revised (and smaller) organisational structure for the Infrastructure Contracts department.

Resolution No. GM/09.2015/35

Moved Cr Chambers

Seconded Cr Denton

That Council approve the proposed organisational structure changes for the Infrastructure Contracts department, being a reduction of full time equivalent (FTE) staffing to a total of 6 officers.

CARRIED

7/0

Responsible Officer

Manager – Infrastructure Contracts

Cr. Price declared a perceived 'Conflict of Interest in the following item, due to her receiving financial compensation from Santos GLNG for activities carried out on parcels of land owned by her, and left the Chamber at 2.09pm, taking no further part in discussion or debate on the matter.

Item Number: L.5 **File Number:** D15/74163

SUBJECT HEADING: VARIATIONS TO ORIGIN APLNG SERVICE LEVEL AGREEMENT (SLA) 1

Author and Officer's Title: Paul Cummins, Engineer

Executive Summary:

Following a joint inspection between Council and Origin APLNG it was identified that a number of roads impacted by Origin APLNG Project Traffic to date have insufficient funds allocated to them within the current Origin APLNG Service Level Agreement 1 to rehabilitate or upgrade them to an appropriate standard to ensure they remain Fit for Use. The report sought authorisation for Council to vary the existing Service Level Agreement to include the required Roadworks and associated Funding Packages.

Resolution No. GM/09.2015/36

Moved Cr O'Neil

Seconded Cr Scheff

Authorise the Chief Executive Officer through agreement with Origin APLNG, to:

1. **Vary the Origin APLNG Service Level Agreement by adding the following Funding Packages to the applicable roads within the Initial Works Schedule:**
 - **Russell Street Wallumbilla from East Street to Chadford Street – Upgrade to 8m wide seal. Funding Package 50% of Work Cost up to \$150,000;**
 - **East Street Wallumbilla from George Street to Russell Street – Upgrade to 8m wide seal. Funding Package 50% of Work Cost up to \$150,000;**
 - **Wallumbilla North Road 0.00km to 27.90km – Rehabilitation. Funding Package \$5,000,000;**
 - **Cattle Creek Road 0.00km to 20.64km – Rehabilitation. Funding Package \$2,650,000.**
2. **Supersede all conditions surrounding the calculation of Work Costs as well as Invoicing and Payment Terms for Roadworks Work Costs detailed in the Infrastructure Agreement between Council and Origin APLNG for the projects listed above.**
3. **Agree to receive a lump sum payment from Origin APLNG to the value of the Funding Packages for the projects listed above.**
4. **Refund Origin APLNG the difference between 50% of the actual Work Cost and \$150,000 for Russell Street on completion of the works.**
5. **Refund Origin APLNG the difference between 50% of the actual Work Cost and \$150,000 for East Street on completion of the works.**

CARRIED

6/0

Responsible Officer

Engineer

At cessation of discussion and debate on the abovementioned item, Cr. Price entered the Chamber at 2.12pm.

Item Number: LC.6 **File Number:** D15/74923

SUBJECT HEADING: MINOR CHANGES TO THE ORGANISATIONAL STRUCTURE – ORGANISATIONAL DEVELOPMENT

Author and Officer's Title: Julie Reitano, Chief Executive Officer

Executive Summary:

The report sought Council's guidance on the structure of the Organisational Development Department.

Resolution No. GM/09.2015/37

Moved Cr Price

Seconded Cr Denton

That:

1. The currently vacant position 'Recruitment Officer,' be removed from the organisational structure.
2. The maternity relief be concluded at the end of October 2015.
3. Allow the Chief Executive Officer some flexibility to vary hours if needed for the 'Project Officer' position.
4. Make funding available from the former budget allocated to the retired position for any non-routine additional hours required.

CARRIED

7/0

Responsible Officer

Chief Executive Officer

Item Number: LC.7 **File Number:** D15/74924

SUBJECT HEADING: SIGNING OF THE CONSULTANT DEED OF COVENANT - ROMA FLOOD MITIGATION PROJECT

Author and Officer's Title: Julie Reitano, Chief Executive Officer

Executive Summary:

Council is in receipt of the Consultant Deed of Covenant signed by Oswald Bros Pty Ltd and SMEC Australia Pty Ltd.

Council's approval was requested for the Chief Executive Officer to sign the Deed being an Annexure to the Australian General Conditions of Contract – Part M of the Flood Mitigation contract.

Resolution No. GM/09.2015/38

Moved Cr Chambers

Seconded Cr O'Neil

That Council authorise the Chief Executive Officer to sign the Consultant Deed of Covenant on behalf of Council, noting that the Deed has already been signed by SMEC Australia Pty Ltd and Oswald Bros Pty Ltd.

CARRIED

7/0

Responsible Officer

Chief Executive Officer

Item Number: C.7 **File Number:** D15/73096
SUBJECT HEADING: REQUEST FOR WAIVER OF FEES
Author and Officer's Title: Debbie Gelhaar, Coordinator - Debtors

Executive Summary:

The applicant had requested Council to dismiss/waive charges in relation to clean up costs. This matter had been laid on the table at an earlier point during the meeting to allow additional time to investigate notification processes undertaken in relation to this matter.

Resolution No. GM/09.2015/39

Moved Cr Price

Seconded Cr Scheffe

That the matter lay on the table for further consideration at the next General Meeting on 23 September 2015, to allow time for details of the notification and authorisation processes for the works to be gathered and attached to the report for Council's consideration.

CARRIED

7/0

Responsible Officer	Coordinator - Debtors
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Item Number: 11.3 **File Number:** D15/72757
SUBJECT HEADING: CONSIDERATION OF ELECTED MEMBER ATTENDANCE AT CONFERENCES
Author and Officer's Title: Kelly Rogers, Coordinator - Elected Members & Community Engagement

Executive Summary:

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

This matter had been laid on the table earlier during the meeting to allow all Councillors to be present for discussions.

Resolution No. GM/09.2015/40

Moved Cr Price

Seconded Cr Chambers

That Council endorse the attendance of:

- **Cr Ree Price at the Destination Queensland Forum (DestinationQ) on 8 – 9 October 2015 in Townsville;**
- **Cr. Ree Price at the Great Inland Way Annual General Meeting (AGM) on 17 September 2015 in Charters Towers;**
- **Mayor Robert Loughnan and Councillors Cameron O'Neil and David Scheffe at the 119th Local Government Association of Queensland (LGAQ) Annual Conference on 18 – 21 October 2015 in Toowoomba, with the voting delegates to be nominated by the Mayor.**

CARRIED

7/0

Responsible Officer	Coordinator - Elected Members & Community Engagement
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Item Number: C.3 **File Number:** D15/72833

SUBJECT HEADING: ROMA COMMUNITY HUB TENANCY APPLICATION

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

Executive Summary:

Council received an Expression of Interest from Apprenticeship Support Australia to tenant an office at the Roma Community Hub.

This matter had been laid on the table earlier during the meeting to allow time for the reporting officer to provide additional information on the treatment of GST for Council's consideration.

Resolution No. GM/09.2015/41

Moved Cr Chambers

Seconded Cr Denton

That Council:

1. Enter into a tenancy arrangement with Apprenticeship Support Australia for tenancy in a single office at the Roma Community Hub for a period of twelve months.
2. Offer Apprenticeship Support Australia the opportunity to enter into this arrangement at the agreed rental amount of \$500.00 (Excluding GST) per month (for the purpose of invoicing this will be a payment of \$550 including GST).

CARRIED

7/0

Responsible Officer

Support Officer - Facilities

LATE ITEMS CONTINUED

Item Number: L. 4 **File Number:** N/A

SUBJECT HEADING: POLICE CITIZENS YOUTH CLUB (PCYC) MANAGEMENT COMMITTEE

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

Executive Summary:

The Community Engagement Framework previously omitted Councillor representation on the PCYC Management Committee.

Resolution No. GM/09.2015/42

Moved Cr Chambers

Seconded Cr Scheffe

That:

1. Councillor Flynn be Council's nominated representative to attend the PCYC Management Committee Meetings.
2. The Community Engagement Framework be updated to reflect this change.

CARRIED

7/0

Responsible Officer

Coordinator - Elected Members & Community Engagement

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 2.30PM.

These Minutes are to be confirmed at the next General Meeting of Council to be held on 23 September 2015, at Roma Administration Centre.

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Mayor.

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Date.