

MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 28 OCTOBER 2015 COMMENCING AT 9.00AM

ATTENDANCE

Mayor Cr. R S Loughnan chaired the meeting with, Deputy Mayor Cr W S Wason, Cr. J L Chambers, Cr. R J Denton, Cr P J Flynn, Cr. W M Newman, Cr. C J O'Neil, Cr. M L Price, Cr. D J Scheffe, Chief Executive Officer – Julie Reitano, Corporate Communications Officer – Amy Rickleman, and Kelly Rogers Minutes Officer 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 Administration & Information Services – Dale Waldron, Manager Planning & Building Development – Danielle Pearn, Manager Facilities (Land, Buildings & Structures) – Tanya Mansfield, Manager Airports (Roma, Injune, Surat & Mitchell – Ben Jones, Specialist Accounting Services – Deelea Sullivan, Specialist Sport & Recreation – Fiona Vincent, Specialist Business Development – Ryan Gittins, Coordinator Grants, Local Development & Council Events – Susan Sands, Coordinator Debtors – Debbie Gelhaar, Finance Officer – Linda Acutt.

GUESTS

There were no guests in attendance at the meeting.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.15am.

APOLOGIES

There were no apologies for the meeting.

CONFIRMATION OF MINUTES

Resolution No. GM/10.2015/37

Moved Cr Denton

Seconded Cr Chambers

That the minutes of the General Meeting (13-14.10.15) held on 14 October 2015 be confirmed.

CARRIED

9/0

BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

ON THE TABLE

There were no items for discussion on the table.

PRESENTATIONS/PETITIONS AND DEPUTATIONS

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

CONSIDERATION OF NOTICES OF BUSINESS

There were no notices of business for consideration.

CONSIDERATION OF NOTICES OF MOTION

There were no notices of motion for consideration.

RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

No notices of motion were received for the next meeting.

BUSINESS

OFFICE OF THE CEO

Item Number: 10.1 File Number: D15/81105

SUBJECT HEADING: POLICY REVIEW - ROAD NETWORK DESIGN STANDARDS

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

Executive Summary:

The policy "Road Network Design Standards" was adopted in December 2013. There is a requirement that approved policies be regularly reviewed. It was recommended that a line item be included in the reviewed policy - that Section 4.2.1 Standard Cross-section be amended by adding in the line: "For unsealed rural roads, the crossfall shall be 5%, rather than 3%."

Resolution No. GM/10.2015/38

Moved Cr Price

Seconded Cr Scheffe

That Council adopt the updated "Road Network Design Standards Policy as follows:

1. POLICY PURPOSE

Maranoa Regional Council has adopted the Capricorn Municipal Development Guidelines (www.cmdg.com.au) as a guide to requirements within the Maranoa region.

The design and construction specifications and drawings to be applied to road network infrastructure within the Maranoa Regional Council region is displayed on the Capricorn Municipal Development Guidelines website (www.cmdg.com.au). The purpose of this policy is to provide direction as to the standard to be applied when determining the standard to which a road is to be constructed or upgraded.

2. POLICY SCOPE

This Policy applies to all roads in Council's adopted Road Register or for which construction approval is to be issued.

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.

Hierarchical Classification As defined in Council Policy: Road Register

4. POLICY DETAILS

4.1. General

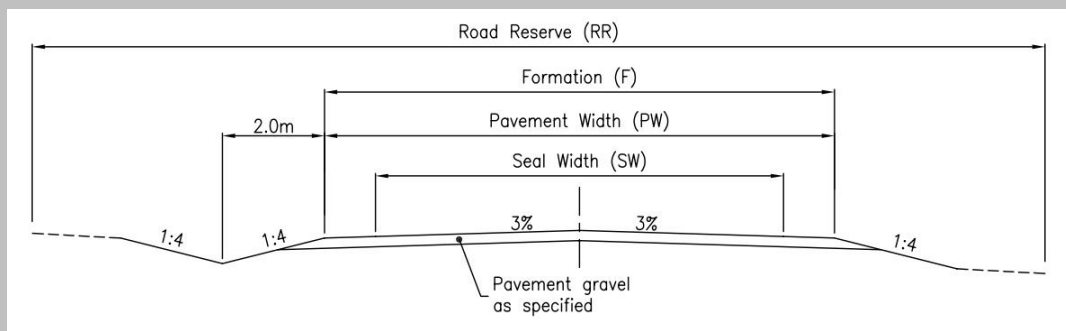
When determining the standard to which a road or street is to be constructed or upgraded to, consideration must be given to the function of the road and the volume of traffic which may use the road.

Design standards should be applied to individual road issues as they arise within Council's road network. It is important to recognise the need for flexibility in these design standards (although some aspects may be mandatory) in order to accommodate site specific examples, where other issues represent a major constraint. Nonetheless, in applying flexibility, it is important that the objectives for the overall hierarchy are satisfied.

4.2. Rural Roads

4.2.1. Standard Cross-section

The standard cross section of a sealed rural road includes the formation, pavement, surface and infrastructure to assist in drainage of the road as detailed below (3% crossfall).



For unsealed rural roads, the crossfall shall be 5% (rather than 3%).

4.2.2. Standards

The standards applicable to rural roads give consideration to the volume of traffic on the road.

Vehicles per Day (VPD)			Component Width (m)			Flood Immunity (ARI Years)	Indicative Hierarchical Classification
			Formation (F)	Pavement (PW)	Seal (SW)		
			As constructed				Minor Access
0	-	9	6	0	0	1	Rural Access - Secondary
10	-	39	8	4	0	2	Rural Access - Primary B
40	-	99	8	7	0	2	Rural Access - Primary A
100	-	149	8	8	7	2	Rural Collector - Minor
150	-	250	9	8	7 (8)*	5	Rural Collector - Major B
Vehicles per Day (VPD)			Component Width (m)			Flood Immunity (ARI Years)	Indicative Hierarchical Classification
			Formation (F)	Pavement (PW)	Seal (SW)		
250	-	1,000	9	8	8	5	Rural Collector - Major A
1000	-	3,000	10	9	9	10	Arterial - Minor
3000	-	5,000	10	9	9	10	Arterial - Major
> 5,000							

* As the material available for construction or upgrade of roads is of a lower quality than that available historically there is benefit, through reduced maintenance costs, in sealing the shoulders of sealed roadways. Extending the sealed area to cover the shoulders assists in keeping the pavement dry and prevents loss of pavement strength through the impact of moisture.

Design speed is to be generally used as the basic parameter of design standards and the determination of the minimum design value for other elements on rural roads is to be based on the concept of a "speed environment" as outlined in AUSTROADS Guide to Road Design – Part 3: Geometric Design.

Where appropriate the design of superelevation, widening and centreline shift and their associated transitions are to comply with relevant AUSTROADS Guide.

Where the table drain is likely to scour, a stone pitched or suitably lined dish drain is to be constructed along the invert. Also for grades of less than 0.5%, the inverts of the drain are to be lined to prevent siltation.

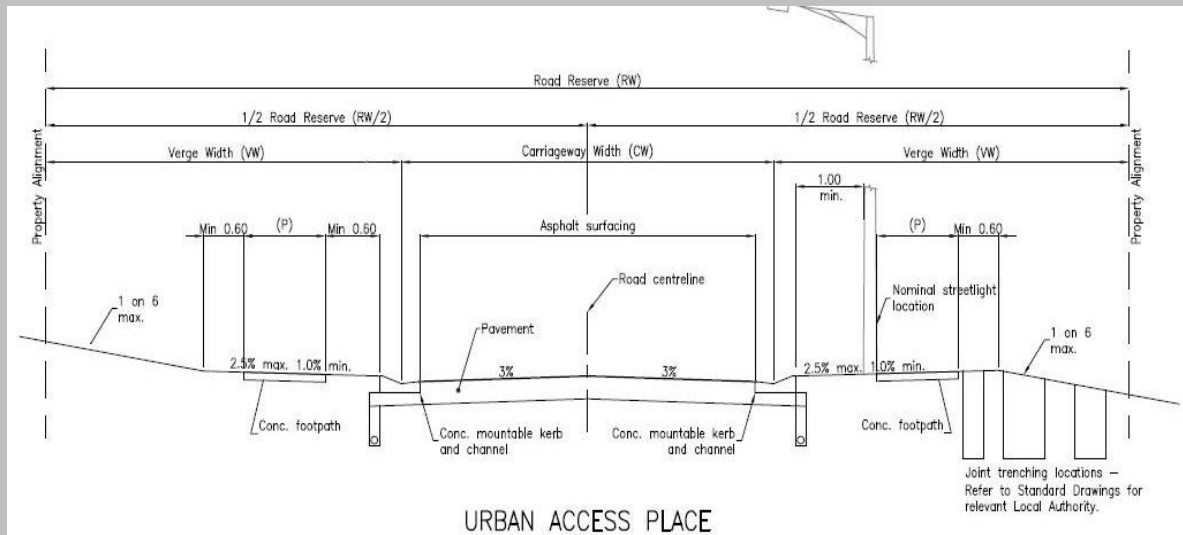
Where the upgrade or construction of a road, and particularly resulting overland flow, may impact on adjoining land, the landholder must be consulted as part of the design process prior to commencement of works.

Horizontal and vertical curves are to be designed generally to the requirements of AUSTROADS Guide to the Road Design – Part 3: Geometric Design. These requirements are essential to satisfy the safety and performance criteria of proper road design. Roads having both horizontal and vertical curvature should be designed to conform to the terrain to achieve desirable aesthetic quality and being in harmony with the landform.

4.3. Urban Streets

4.3.1. Standard Cross-section

In addition to the components which are part of a rural road; formation, pavement and surface, urban street standard cross-sections may also include kerb and channel, pathways, lighting and utility services.



4.3.2. Urban Street Standards

The standard component requirements applicable to urban streets are determined by the function of the street.

Classification	No of Dwellings	Traffic Generation (AADT)	Minimum Reserve Width (m) (RW)	Nominal Carriageway Width (m) (CW)	Max Design Speed (kph)	Pathways (no. x m)
Access Place	0-25	0-250	18	10	30	Nil
Access Street	26-60	251-600	18	10	40	Nil
Minor Urban Collector	61-150	601-1,500	20	12	50	1 x 1.5
Major Urban Collector	151-300	1501-3,000	25	12	60	1 x 1.5
Trunk Collector Street	N/A	>3,000	25	14	60	1 x 2
Commercial	N/A	-	30	22	40	Full width x 2
Industrial Access	<8ha	-	25	12	50	Nil
Industrial Collector	<30ha	-	30	18	60	1 x 2

Detailed design standards can be found in CMDG documentation.

4.4. Review of Standards

Council will regularly review the volume of traffic using a public road as a means to determine the standard required for the road.

<p>Maranoa Regional Council has adopted the Capricorn Municipal Development Guidelines (www.cmdg.com.au) as a guide to requirements within the Maranoa region. The standards listed in the CMDG documents will reviewed regularly to ensure their continued appropriateness and value to this region.</p>	
5.	<p>Special Provisions (e.g. Privacy Provisions etc)</p> <p>Nil</p>
6.	<p>Related Policies and Legislation</p> <ul style="list-style-type: none"> • Council Policy: Road Register • Local Government Act 2009
7.	<p>Associated Documents</p> <p>Capricorn Municipal Development Guidelines Austroads Guide to Road Design</p>
<p>CARRIED 9/0</p>	

Responsible Officer	Engineer - Asset & Service Planning
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Item Number: 10.2 **File Number:** D15/84039

SUBJECT HEADING: POLICY REVIEW - GRIDS & GATES

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

Executive Summary:

The policy "Grids & Gates" V2 was adopted on 9 September 2015. The policy referred to a proprietary grid (or equivalent). It was recommended that this reference be removed and replaced with an alternate specification, to encourage the use of local suppliers. This amendment refers to Section 4.2.1 of the policy.

<p>Resolution No. GM/10.2015/39</p> <p>Moved Cr Denton Seconded Cr Newman</p> <p>That Council adopt the updated Grids & Gates Policy as follows:</p>	
1.	<p>POLICY PURPOSE</p> <p>This policy is to be read in conjunction with Subordinate Local Law No. 1.16 (Gates and Grids) 2011 and provides further direction for application for grids and gates on Council managed roads.</p>
2.	<p>POLICY SCOPE</p> <p>This policy applies to all applications for licensed grids and gates on public roads under the authority of Council.</p> <p>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.</p>

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 to be largely in accordance with CMDG standard drawing CMDG-G-018 Standard Council Grid, 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	Licensed 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.

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

9/0

Responsible Officer

Engineer - Asset & Service Planning

CORPORATE, COMMUNITY & COMMERCIAL SERVICES

Item Number:

11.1

File Number: D15/82112

SUBJECT HEADING:

REQUIREMENTS FOR GRAVE RESERVATION/BURIAL - ROMA MONUMENTAL CEMETERY

Author and Officer's Title:

Dale Waldron, Manager - Administration & Information Services

Executive Summary:

The applicant was seeking consideration of the following request for a reservation held in the Roma Monumental Cemetery (Reserve 753 – Row 110 North):

- The family independently pay all fees to dry hire a suitable mini excavator delivered to the Roma Cemetery, at no cost to Council;*
- Council's authorised machine operator for grave excavations to use this mini-digger with due care and diligence on reserved plot 753. Council staff only to assist if and when required.*
- Excavation to proceed down through the existing grave reserve floor to 1,800mm depth*
- Family will accept responsibility for any damage that may occur to the existing granite family monument. In documented form if required.*
- Family representatives to be present throughout the excavation process.*

Resolution No. GM/10.2015/40

Moved Cr Price

Seconded Cr Scheffe

That Council:

- Not allow the family to hire the required equipment and prepare the burial site at time of burial, as this request is outside of Council Policy and the burial fees are inclusive of this service.**
- Allow the family to involve a professional stone mason in the burial preparation process because of the existing memorial, at their own cost and on their completion of a Cemetery Indemnity Form.**
- Allow family representatives to be present throughout the burial preparation process.**

CARRIED (Cr Flynn requested his vote against the motion be recorded)

5/4

Responsible Officer

Manager - Administration & Information Services

Item Number:

11.2

File Number: D15/77688

SUBJECT HEADING:

GRANTING OF CREDIT POLICY, CREDIT APPLICATION AND AMENDED DEBT RECOVERY POLICY

Author and Officer's Title:

Debbie Gelhaar, Coordinator - Debtors

Executive Summary:

To minimise the risk of non payment by customers and the necessity to write off bad debts, a proposed Credit Application for existing and new customers of Council was tabled for Council's consideration, as well as a Granting of Credit Policy and an amended Miscellaneous Debt Recovery Policy. The policies will provide clarity for customers and Council officers in the processing and administration of debt collection proceedings, in relation to sundry (excluding rates) monies owed to Council.

Resolution No. GM/10.2015/41

Moved Cr Newman

Seconded Cr O'Neil

That Council adopt the Granting of Credit Policy, Credit Application and the amended Debt Recovery Policy as follows:

Granting of Credit Policy

1. POLICY PURPOSE

To establish a policy for the Granting of Credit to applicants by Council. Council accepts that there is a business requirement to grant credit facilities to certain applicants who need to purchase Council's goods or services.

2. POLICY SCOPE

This policy is guided by the following principles:

- **Transparency - by making clear the obligations of credit account holders;**
- **Simplicity - by making the processes that are used to decide which applicants are granted a credit account as simple and efficient to administer as possible; and**
- **Consistency - by providing uniformity for applicants in similar circumstances.**

This policy applies to payments for goods or services of the Maranoa Regional Council, including but not limited to:-

- **Waste Management**
- **Private Works**
- **Quarry Products**
- **Laboratory Services**
- **Saleyards**
- **Avdata**

3. DEFINITIONS

Applicant – Person, Company or entity requesting the credit account.

Credit Account – A contractual agreement in which an applicant receives Council goods or services and agrees to pay Council or its third party affiliates in accordance with the terms and conditions of the agreement.

Credit Reporting Body – A bureau or company that collects information about the credit worthiness of a person or company.

Delegate – Officer who has been delegated authority under Council’s Register of Delegations.

Credit Provider - Maranoa Regional Council (provides credit in connection with the sale of goods, or the supply of services).

4. POLICY STATEMENT/DETAILS

4.1 Applications

Applicants who wish to establish a credit account with Council are required to lodge an Account Application with the exception of:

- Local Governments
- Commonwealth or State Government Departments
- Commonwealth, State or Local Government Owned Enterprises
- Community Groups within the Maranoa Regional Council area
- Organisations sponsoring Maranoa Regional Council events

Applications for a credit account can only be made by individuals, companies or registered associations using the Account Application form. The application must be lodged with Council and approved by the delegate before goods or services are provided and charged against the credit account. The application will be assessed by the delegate who will determine whether or not to grant the credit account and the extent of the credit limit.

4.2 Terms

A 30 day invoice account will be the maximum term granted. This means the invoice/s are payable within 30 days from date of invoice.

In the event that the terms are unsatisfactory for the applicant, they will be required to write a letter of request to Council for consideration by way of resolution.

Unless otherwise approved, all goods and/or services must be fully paid in advance.

4.3 Assessment of Account Applications

In determining whether or not to grant a credit account, an application will be assessed having regard to the amount applied for and an assessment of credit references and other information provided and gathered.

The Debtors work unit is responsible for assessing and processing credit applications.

- Applicants that have existing or prior outstanding debts with Council or its third parties (e.g. Avdata) will not be considered for a credit account.
- Credit checks will be undertaken with a registered credit reporting body as part of the approval process.

- A Request for Trade Credit Reference form will be sent to each of the three (3) references listed on the Account Application to provide a credit reference of the applicant.
- An ABN check will be conducted using the ABN Lookup and if required, a search will be extracted from the Australian Securities and Investments Commission (ASIC).

All costs involved with assessing an account application will be the responsibility of Maranoa Regional Council.

Additional information may be requested from the applicant if the information obtained is inadequate to enable an assessment to be made.

4.4 Credit Reporting Information

Maranoa Regional Council is committed to protecting the privacy of individuals. Council will take all reasonable steps to ensure that the collection, use, disclosure and handling of all personal information comply with all relevant legislation.

Council is unlikely to disclose credit information or credit eligibility information to entities that do not have an Australian link. Council would require written approval from the account holder prior to any information being disclosed.

4.5 Withdrawal or Cancellation of Credit Account

The delegate is authorised to withdraw or cancel a credit account (temporarily or permanently) for any applicant who fails to meet the terms of payment agreed to.

4.6 Credit Limit

The credit limit is initially considered by the Debtors work unit by assessing:

- The limit requested by the applicant; and
- The credit worthiness of the applicant; and
- Any other known history of the applicant.

Should the credit limit be insufficient for the requirements of the applicant, the applicant must submit a request, outlining reasons for the credit limit increase - in writing and addressed to:

The Chief Executive Officer
Maranoa Regional Council
PO Box 620
ROMA QLD 4455

All requests for a credit limit increase received by Council will be assessed and the applicant advised of the outcome.

5. COMPLAINTS

Council is committed to a complaints management process which ensures effective and timely resolution of complaints. We set and strive to maintain the highest standards of service to ensure we are delivering real value for ratepayers and residents.

All complaints or disputes can be made:

- In writing addressed to:

The Chief Executive Officer
Maranoa Regional Council
PO Box 620
ROMA QLD 4455
- By telephoning Council on 1300 007 662
- Emailing Council at council@maranoa.qld.gov.au
- Visiting Council's various applicant service centres.

If you require further information about the complaints management process, view Council's Complaints Management Policy, Complaints Management Process or Guide for Applicant Complaints.

6. CORRECTIONS

An account holder may seek the correction of credit information or credit eligibility information relating to an account that is held by Council at any time by submitting a request in writing and addressed to:

The Chief Executive Officer
Maranoa Regional Council
PO Box 620
ROMA QLD 4455

7. TRUST FUND

Credit is not to be given for monies to be held by Council in trust. All trust monies must be prepaid.

8. RECOVERY PROCEDURES

Overdue accounts will be recovered in accordance with Council's Debt Recovery Policy.

9. RELEVANT LEGISLATION

Local Government Act 2009
Local Government Regulation 2012
Information Privacy Act 2009
Privacy Act 1988

10. RELATED POLICIES

Debt Recovery Policy

11. RELATED FORMS

- Account Application Form including:
 - Terms and Conditions of Trade
 - Deed of Guarantee and Indemnity
 - Request for Trade Credit Reference

Debt Recovery Policy

1. POLICY PURPOSE

To establish a policy for the recovery of sundry debts due to Council in a timely, efficient and effective manner.

2. POLICY SCOPE

This policy applies to all sundry debts owing to Council unless otherwise specified.

3. DEFINITIONS

In this policy unless the contrary intention appears:

- a) “sundry debt” – means any debt due to Council other than a rate or overdue rate

4. POLICY DETAILS

The management and recovery of outstanding revenue is an important aspect of Council’s financial management function. The principles that will apply in the management and recovery of debt are:

- a) Council has a responsibility to recover sundry debts owing to it in a timely and efficient manner to finance its operations and ensure effective cash flow management;
- b) Council will operate effective billing and debt collection processes;
- c) Council will aim to minimise the amount of outstanding money that is owed;
- d) Debtors are expected to take responsibility for their sundry debt obligations and to organise their affairs in such a way as to be able to discharge their sundry debt obligations to Council as and when they fall due;
- e) If a debtor cannot discharge their sundry debt obligations on or before the due date, Council considers it to be in the interest of the debtor and Council for the debtor to contact Council at the earliest opportunity to discuss acceptable arrangements to address the debt;
- f) Council will not issue a final demand letter to a debtor without taking steps to endeavour to establish an acceptable payment arrangement or negotiate settlement of the outstanding sundry debt;
- g) Monthly debtor statements detailing all sundry debts due to Council shall be forwarded by postal or electronic means to debtors.

4.1 Credit Management

4.1.1 Credit terms for all Sundry debtors are thirty (30) days from the date of invoice, unless otherwise approved in writing.

4.1.2 Where appropriate, prepayment, bonds or deposits will be required prior to Council commencing the supply of goods and/or services.

4.2 Debt Management

4.2.A General

- 4.2.A.1** At the beginning of each new month a Statement is issued to the debtor advising of invoices still to be paid.
- 4.2.A.2** If payment has not been received within 30 days of the invoice date, a 1st Reminder Letter will be issued to the debtor advising they have seven (7) days to pay outstanding monies.
- 4.2.A.3** If payment has not been received within seven (7) days from the date of the 1st reminder letter, where possible, telephone contact is made with the debtor requesting payment or to enter into a payment arrangement. The debtor will also be issued a Demand Letter if applicable, advising that if payment is not received within 7 days, their account will be placed on 'stop credit' with Council and associated third parties.
- 4.2.A.4** If payment has not been received within seven (7) days of the date listed on the demand letter (4.2.3), a Final Demand Letter will be issued to the debtor requesting payment within 7 days. The letter will also state that Council may refer their account to the Debt Collection Agency for legal proceedings unless payment is received within this timeframe.
- 4.2.A.5** If payment is not received within seven (7) days as stated in the final demand letter the account may be referred to the Debt Collection Agency for legal proceedings to commence.

4.2.B Natural Gas

- 4.2.B.1** If payment has not been received within 30 days of the invoice/notice date, a 1st Reminder Letter will be issued to the debtor advising they have seven (7) days to pay outstanding monies.
- 4.2.B.2** If payment has not been received within seven (7) days from the date of the 1st reminder letter, where possible, telephone contact is made with the debtor requesting payment or to enter into a payment arrangement. The debtor will also be issued a Disconnection/Demand Letter if applicable, advising that if payment is not received within fourteen (14) days, their natural gas service will be disconnected on a specified date.
- 4.2.B.3** If no response to the disconnection/demand letter has been received by the debtor – the gas service is disconnected and a final account and final gas account letter is issued advising they have fourteen (14) days from date of invoice/notice to make payment.
- 4.2.B.4** If payment has not been received within fourteen (14) days of the date listed on the final gas account letter (4.2.3), a Final Demand Letter will be issued to the debtor requesting payment within 7 days. The letter will also state that Council may refer their account to the Debt Collection Agency for legal proceedings unless payment is received within this timeframe.
- 4.2.B.5** If payment is not received within seven (7) days as stated in the final demand letter the account may be referred to the Debt Collection Agency for legal proceedings to commence.

4.3 Debt Collection Agency Procedures

- 4.3.1 Council's Debt Collection Agency will as soon as practicable after receipt of a referral from Council issue a letter to the account holder in relation to each overdue account advising that Council has referred the debt to the agency for collection and that payment is required within seven (7) days of the date of the letter.**
- 4.3.2 Following the expiration of the 7 days as requested in the letter, the debt collection agency, where possible make telephone contact with the debtor requesting payment and issue a Solicitor's Letter to the debtor, advising that payment is required within seven (7) days.**
- 4.3.3 If payment is not received within 7 days as stated, debtors (accounts receivable) staff will liaise with the debt collection agency as to how to proceed.**
- 4.3.4 All accounts prior to the debt collection agency issuing a claim & statement of claim to the debtor must have approval by way of Council Resolution to proceed with legal action. This resulting action will be determined on a case by case basis taking into consideration section 8 of this policy.**

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

Council respects and protects people's privacy and collects, stores, uses and discloses personal information responsibly and transparently in the delivery of Council services and business. Council will comply with all relevant legislative requirements relating to the collection, storage, use and disclosure of personal information acquired for the purposes of administering this policy.

5.1 Acceptable Arrangements

If a debtor has difficulty in paying a sundry debt by the due date and they meet the qualifying criteria set out below 5.1(a), Council will, upon application being made by the debtor, enter into an acceptable arrangement with the debtor on the following basis.

- a) Once an acceptable arrangement is approved no interest shall be charged on the overdue sundry debt for the duration of the arrangement from the date the arrangement was made;**
- b) Payments must be made in the amounts agreed and at the specific intervals agreed;**
- c) An arrangement must clear the sundry debt within no more than three (3) months from the date the arrangement was made, unless written application is made to Council;**
- d) If Council has not received payments under an arrangement by the due date, a default letter will be sent advising the debtor that unless payment of the outstanding amount is received within seven (7) days, their arrangement will be cancelled and the matter will be referred to Council's debt collection agency or solicitor for legal recovery action and their account will be immediately placed on "stop credit".**

- e) If there is a balance outstanding and the arrangement is cancelled or has expired, the total outstanding amount shall be referred to Council's solicitor or debt collection agency for legal recovery action in accordance with this policy, further credit will be immediately stopped and the debtor may be listed with Veda Information Services and Solutions Ltd, which may affect their credit history.

6. Residential Tenancies

Should the sundry debt be in relation to a Residential Tenancy, then the provisions of the Residential Tenancy legislation must also be addressed and complied with.

To the extent of any inconsistency between this policy and the Residential Tenancy legislation, the provisions of the Residential Tenancy legislation shall take precedence.

7. Avdata Australia

Avdata's Billing Service involves invoicing and collecting payments on Council's behalf in relation to Council owned Airports (Landing and Usage), Council owned Standpipes and Wash-down facilities across the region.

Should the sundry debt be in relation to an Avdata account, the debt is the responsibility of Avdata until the debt reaches an outstanding period of 90 days. The debt is then the responsibility of Maranoa Regional Council. Council will arrange for Avdata to forward the account to Council's debt collection agency or solicitor for legal recovery action and their account will be immediately placed on "stop credit" with Avdata and Maranoa Regional Council; and the debtor may be listed with a Credit Reporting Body, once approved by way of Council Resolution to confirm the listing on such website, which may affect the debtor's credit history.

8. Write off Bad Debts

All amounts listed as bad debts must only be written off by Council Resolution.

9. Related Policies and Legislation

Queensland Local Government Act 2009
 Queensland Local Government Regulation 2012
 Gas Industry Code Sixth Edition
 Residential Tenancies & Rooming Accommodation Act 2008
 Australian Competition and Consumer Commission Debt Collection Guidelines
 National Energy Retail Law (Queensland) Regulation 2014 (schedule 1)
 Gas Supply Act 2003
 National Energy Customer Framework
 Privacy Act 1988
 Queensland Information Privacy Act 2009

10. Associated Documents

Debt Recovery Process for General Debtors
 Debt Recovery Process for Gas Billing

CARRIED

9/0

Responsible Officer

Coordinator - Debtors

Item Number: 11.3 **File Number:** D15/86114

SUBJECT HEADING: COUNCIL INITIATED ADVISORY COMMITTEE MEETING MINUTES

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

Executive Summary:

As part of Council's Community Engagement Strategy, Council has initiated a number of Advisory Committees to seek community and stakeholder input on key projects and businesses of Council. Feedback, or the outcomes of these forums, assists Council to identify priorities, inform decisions and develop future strategies and policies.

The report provided a copy of the confirmed meeting minutes of the advisory committees that held meetings during the month of August 2015.

Resolution No. GM/10.2015/42	
Moved Cr Wason	Seconded Cr Flynn
That Council receive and note the confirmed minutes of the Roma Saleyards Advisory Committee Meeting, held on 27 August 2015.	
CARRIED	9/0

Responsible Officer	Coordinator - Elected Members & Community Engagement
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Item Number: 11.4 **File Number:** D15/85851

SUBJECT HEADING: 2014/15 ANNUAL FINANCIAL STATEMENTS

Author and Officer's Title: Deelea (Dee) Sullivan, Specialist - Accounting Services

Executive Summary:

The Annual Financial Statements for the year ended 30 June 2015, including the general purpose financial statements and current year financial sustainability statement, were certified by the Queensland Audit Office on 14 October 2015 with an unmodified audit opinion.

Discussion:

Council acknowledged the work of staff in preparing the statements in a timely manner, and also highlighted the quality of the report. An 'unmodified' audit opinion is a 'clean bill of health' for Council's financial statements – this is the ultimate achievement for Council's annual audit and financial statements' preparation, and is a fantastic result for Council and the team members involved in the statements' preparation.

Resolution No. GM/10.2015/43	
Moved Cr Chambers	Seconded Cr Wason
That Council note and receive the audited Annual Financial Statements for 2014/15.	
CARRIED	9/0

Responsible Officer	Specialist - Accounting Services
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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 9.38am, taking no further part in discussion or debate on the matter.

Item Number: 13.1 **File Number:** D15/83842

SUBJECT HEADING: **DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY" (UP TO 300,000 TONNES/ANNUM) & ENVIRONMENTALLY RELEVANT ACTIVITY 16 (EXTRACTIVE AND SCREENING ACTIVITIES)**

Location: 805 Conroys Lane Tingun, QLD 4455 (29WV374)

Applicant: Lionheart Resources Pty Ltd C/- Town Planning Alliance

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

Executive Summary:

The application was for a Development Permit for a Material Change of Use – "Extractive Industry" (up to 300,000 tonnes per annum) on land located at 805 Conroys Lane, Tingun (properly described as Lot 29 on WV374).

The application was subject to Impact Assessment against the relevant provisions of the Bungil Shire Planning Scheme 2006. Public Notification was carried out between 15 September 2015 and 10 October 2015. No properly made submissions were received during this 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/10.2015/44

Moved Cr Newman

Seconded Cr O'Neil

That Council approve the application for Material Change of Use "Extractive Industry" on land at 805 Conroys Lane, Tingun (properly described as Lot 29 on WV374), 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(b) extracting, other than by dredging in a year, more than 100,000t but no more than 1,000,000t; and**
- b) 16 3(b) screening, in a year, more than 100,000t but no more than 1,000,000t.**

(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 300,000 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 C10 Revision B
Existing Site Layout
Prepared by BG Group Engineers dated 20/04/2015

Drawing C101 Revision B
Zone 1 – Site Establishment
Prepared by BG Group Engineers dated 20.04.2015

**Drawing C102 Revision B
Zone 1 – Sediment Basins Sections and Details
Prepared by BG Group Engineers dated 20.04.2015**

**Drawing C203
Extraction Staging Plan
Prepared by BG Group Engineers dated 20.04.2015**

**Drawing Figure 1
Predicted Noise Impact Contours from Combined Activities
Prepared by Acoustic Works**

**Document – SBSMP – Quality & Quantity
Version 1
Prepared by BG Group Engineers**

**Document Sapphire Hill Quarry Environmental Assessment Report
Prepared by Vanguard Touring Pty Ltd**

**Document Sapphire Hill Quarry Environmental Management Plan
Prepared by Mathew Cosgrove dated 29-5-2015**

**Document Traffic Engineering Report
Reference 14BRT0689
Prepared by TTM dated January 2015**

**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.

Noise

21. Recommendations contained in “Section 8 – Recommendations” of the acoustic report prepared by Acoustic Works dated 26 May 2015 are to be implemented, including the construction of a 3 metre high earth mounding along the eastern and southern boundaries of the extraction area in the event noise complaints are received as a result of the operations, and are unable to be resolved.

Earthworks

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

Erosion Control

23. Erosion and Sediment Control is to be managed in accordance with:
- a) Section 9.0 of SBSMP – Quality & Quantity dated May 2015; and
 - b) Capricorn Municipal Development Guidelines D7 ‘Erosion Control and Stormwater Management’.

Provision of Services

24. 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.
25. 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.
26. 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

27. Stormwater is to be managed in accordance with:
- a) SBSMP – Quality & Quantity dated May 2015; and
 - b) Capricorn Municipal Development Guidelines D5 ‘Stormwater Drainage Design’.
28. 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.
29. There shall be no increases in any silt loads or contaminants in any overland flow from the site being developed, or into creeks or roadways, either during the development process or after the development has been completed.

Access, Car parking and Manoeuvring

30. 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.

31. All weather vehicle access shall be provided for traffic movement within the development site.
32. Unsealed internal roads are to be watered to mitigate dust and upon receipt of any complaint regarding dust nuisance caused by vehicle movements within the site.

Environmental Management

33. 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) Sapphire Hill Quarry Environmental Assessment Report dated 1 Jan 2015;
 - c) all relevant sections of the Capricorn Municipal Development Guidelines.
34. 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 Phase, Section 3.5.3 of the Sapphire Hill Quarry Environmental Management Plan prepared by Matthew Cosgrove dated 29-5-2015.
35. If the environmental approval issued by a State agency (Department of Environment and Heritage Protection or its successor) to undertake this use on this site ceases to have effect and is not replaced by an appropriate approval, code or law to manage the use and the rehabilitation of the site, then the conditions, requirements and obligations of the original environmental approval given for this use on this site shall become conditions of this approval. References in the original environmental approval to the State agency will then be construed as references to the Council to the greatest extent possible. The standards referenced by the most recent environmental approval will be the applicable standards.

Fees, Infrastructure Charges and Impact Contributions

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 2015-2016 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 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

8/0

Responsible Officer

Town Planner

At cessation of discussion and debate on the abovementioned item, Cr Wason entered the Chamber at 9.41am.

Item Number: 13.2 **File Number:** D15/84780

SUBJECT HEADING: **REQUEST FOR A PERMISSIBLE CHANGE TO DEVELOPMENT PERMIT 2012/18398**

Location: 68-70 Gregory Street & 17 Bowen Street, Roma (Lot 1 & 2 on RP77270)

Applicant: Bryant Property Group

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

Executive Summary:

The applicant was seeking a permissible change to Development Permit 2012/18398, issued for a Motel (27 Units and a Manager's Residence) at the subject site. Conditions of the Development Permit presently prohibit the construction of a covered carport on the site's Gregory Street frontage. The applicant has requested that these conditions be deleted to allow the construction of a PVC membrane type canopy over the existing single car park and outdoor courtyard on this street frontage. Additional landscaping along this elevation is proposed to help integrate the proposed canopy with the streetscape.

Resolution No. GM/10.2015/45

Moved Cr Denton

Seconded Cr Wason

That Council amend Development Permit 2012/18398 for a Material Change of Use – "Motel" (27 Units and a Manager's Residence) as follows:

- **Remove Condition 9.a. and Condition 11; and**
- **Include the revised Site Plan and additional streetscape perspectives within the schedule of approved documents.**

CARRIED

9/0

Responsible Officer

Town Planner

Item Number: 13.3 **File Number:** D15/84092

SUBJECT HEADING: **MONTHLY POOL REPORTING**

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

Executive Summary:

Across the region Council maintains five swimming pool complexes and The Great Artesian Spa Complex. The pools are operated by Contractors under management arrangements. Contractors provide monthly reports to Council identifying attendance, pool temperatures, chemicals levels, maintenance issues and consumables. Reports for the month of September were presented for Council's information.

Discussion:

Council noted that attendance data was not recorded for the Surat swimming pool during the reported month. This was due to the facility being closed during that time.

Resolution No. GM/10.2015/46

Moved Cr O'Neil

Seconded Cr Price

That Council receive and note the regional swimming pool reports for the month of September 2015.

CARRIED

9/0

Responsible Officer
**Coordinator - Buildings & Structures
Maintenance**

Cr. Price declared a potential perceived 'Conflict of Interest' in the following item, due to the club's president, and letter initiator on behalf of the committee, being a relative. Cr. Price elected to remain for discussion and debate on the matter on the basis that it would not influence her ability to consider the broader public interest.

Item Number:
13.4
File Number: D15/85543
SUBJECT HEADING:
**SIGNAGE REQUEST - ROMA & DISTRICT LAPIDARY &
MINERAL SOCIETY**
Author and Officer's Title:
Dee Schafer, Support Officer - Facilities
Executive Summary:

Council has received correspondence from the Roma & District Lapidary & Mineral Society seeking permission to install signage at the front of their club house located on Council land at 17 McDowall Street Roma.

Council was asked to consider the request.

Resolution No. GM/10.2015/47
Moved Cr O'Neil
Seconded Cr Denton

That Council grant permission for the Roma & District Lapidary & Mineral Society to install signage at the front of their clubhouse located at 17 McDowall Street, Roma subject to the following conditions:

- **The sign be installed on existing sign posts under the existing Roma History Lodge sign; and**
- **The group liaise with the Roma Family History Group in regard to installation.**

CARRIED (Cr Price voted in favour of the motion)

9/0

Responsible Officer
Support Officer - Facilities
Item Number:
13.5
File Number: D15/85606
SUBJECT HEADING:
**REQUEST FOR MEMORIAL - MUNGALLALA HALL
GROUNDS**
Author and Officer's Title:
Dee Schafer, Support Officer - Facilities
Executive Summary:

Council received correspondence requesting permission to install a small memorial rock with attached plaque at the Mungallala Hall.

Council was asked to consider the request.

Resolution No. GM/10.2015/48
Moved Cr Chambers
Seconded Cr Schefe

That Council provide permission for the described memorial rock to be placed in the garden at the Mungallala Hall, with associated costs to be outlaid by the applicant.

CARRIED
9/0
Responsible Officer
Support Officer - Facilities
Item Number:
13.6
File Number: D15/85638
SUBJECT HEADING:
APPLICATION FOR CONVERSION OF TENURE - LOT 11 ON SP209790 AND LOT 4 ON WV666
Author and Officer's Title:
Shirley Horrobin, Administration Officer - Property & Legal
Executive Summary:

The Department of Natural Resources and Mines sought Council's views on an application it received for conversion of Tenure over Grazing Homestead Perpetual Lease (GHPL) 36/7596 being Lot 11 on SP209790 and GHPL 36/7560, being Lot 4 on WV666 to freehold tenure.

Resolution No. GM/10.2015/49
Moved Cr Price
Seconded Cr Schefe

That Council advise the Department of Natural Resources and Mines it has no objection to the conversion over GHPL 36/7596 being Lot 11 on SP209790 and GHPL 36/7560 being Lot 4 on WV666 to freehold tenure.

CARRIED
9/0
Responsible Officer
Administration Officer - Property & Legal
LATE ITEMS
Item Number:
L.1
File Number: D15/81736
SUBJECT HEADING:
AMENDMENT - SUBORDINATE LOCAL LAW NO. 1.5 (KEEPING OF ANIMALS) 2015 - SUBORDINATE LOCAL LAW NO.2 (ANIMAL MANAGEMENT) 2015
Author and Officer's Title:
Julie Neil, Customer & Community Services
Executive Summary:

Council undertook a review of its Local Laws with regards to Animal Management – specifically excess dogs.

At its General Meeting on 23 September 2015, it was resolved:

That Council:

1. Propose to make each of:

- Animal Management (Amendment) Subordinate Local Law (No. 1) 2015; and*
- Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2015.*

...

...

4. Proceed with community consultation as part of the local law making process for the proposed amendments to the Animal Management (Amendment) Subordinate Local Law (No. 1) 2015 and Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2015 for a twenty-one (21) day period, commencing Friday 25 September 2015 and ending close of business 16 October 2015.

The report considered the outcome of the consultation process. In summary no submissions were received by Council; and therefore no amendment was proposed as a direct consequence of consideration of any submission.

However, Council received verbal feedback (x2) which has been considered.

Action:

That the matter lay on the table for further consideration at a later point during the meeting, pending the outcome of further legal advice.

Item Number: L.2 **File Number:** D15/81737

SUBJECT HEADING: FEES AND CHARGES 2015/16 – AMENDMENT FOR DESEXED DOGS

Author and Officer’s Title: Julie Neil, Customer & Community Services

Executive Summary:

Under the Animal Management Act 2008, a local government must fix registration fees to give the owner of a dog an incentive to have it de-sexed. Excess Dog Registration Fees have previously been set by Council at \$250 for each excess dog, and \$50 for each excess dog for the pensioner fee.

The report recommended Council set separate registration fees for excess desexed dogs for the 2015/16 financial year.

Resolution No. GM/10.2015/50

Moved Cr Price

Seconded Cr O’Neil

That Council set the following fees for the 2015/16 year:

- Desexed excess dog registration fee - \$200 (for each excess dog); and
- Desexed excess dog registration pensioner fee - \$40 (for each excess dog).

CARRIED

9/0

Responsible Officer

Customer & Community Services

Item Number: L.3 **File Number:** D15/85722

SUBJECT HEADING: MONTHLY FINANCIAL STATEMENTS SEPTEMBER 2015

Author and Officer’s Title: Michael Chow, Specialist - Finance Systems Support

Executive Summary

The purpose of this report was for Council to receive a monthly financial report in accordance with section 204 of the Local Government Regulation 2015 for the month of September 2015.

Resolution No. GM/10.2015/51

Moved Cr Newman

Seconded Cr Flynn

That Council receive and note the financial reports to 30 September 2015.

CARRIED

9/0

Responsible Officer

Specialist - Finance Systems Support

Item Number:

L.4

SUBJECT HEADING:

PROPOSAL FOR THE REDEVELOPMENT OF THE OLD YULEBA POST OFFICE

Author and Officer's Title:

Erin Tompkins, Associate to the CEO & Mayor

Executive Summary:

The Yuleba Development Group put forward a proposal for redevelopment of the Old Yuleba Post Office (also known as the Rural Transaction Centre (RTC) Building). This proposal would see the building used as a museum, housing local memorabilia as well as tourist information. Council was asked to consider this proposal.

Action:

That the matter lay on the table for further consideration at a later point during the meeting to allow Council additional time to consider the received request.

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;
- (c) the local government budget;
- (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/10.2015/52

Moved Cr O'Neil

Seconded Cr Denton

That Council close the meeting to the public at 10.10am.

CARRIED

9/0

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
COUNCIL ADJOURNED THE MEETING FOR MORNING TEA AT 10.48AM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 11.38AM

In relation to Item LC.5 – Community Grant Applications for Round 1 2015/16, the following declarations were made by Councillors:

- Cr Price - potential perceived 'Conflict of Interest' due to her being a member of the Wallumbilla Pastoral Society;
- Cr O'Neil - potential perceived 'Conflict of Interest' due to his involvement with the Roma Show Society;
- The Mayor - potential perceived 'Conflict of Interest' due to him being a member of the Roma Show Society;
- Cr. Newman - potential perceived 'Conflict of Interest' due to him being a member of the Roma Show Society.

Each of the associations were applicants to the program under consideration.

All Councillors having declared an interest remained for discussion on the item on the basis that it would not influence their ability to consider the broader public interest.

Councillors O'Neil and Chambers declared a 'Conflict of Interest' in Item LC.6 – Assessment – Installation of Solar Electricity, due to:

- Cr O'Neil being an employee of the Queensland Murray Darling Committee (QMDC);
- Cr Chambers being an executive member of the Queensland Murray Darling Committee (QMDC).

QMDC was the applicant subject to Council's consideration for the abovementioned item.

Councillors O'Neil left the Chamber at 12.14pm, taking no further part in discussion on the matter.

At cessation of discussion on the abovementioned item, Councillors O'Neil returned to the Chamber at 12.16pm.

Councillor Chambers exited the Chamber during the decision making in relation to the QMDC item.

During the closed session, there was no discussion required or questions to be asked in relation to item C.2 – September – Monthly Business Unit Report – Airport, therefore Cr Flynn did not exit the Chamber.

Resolution No. GM/10.2015/53

Moved Cr O'Neil

Seconded Cr Wason

That Council open the meeting to the public at 12.45pm.

CARRIED

9/0

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
 COUNCIL ADJOURNED THE MEETING FOR LUNCH AT 12.46PM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 1.26PM

Item Number: C.1 **File Number:** D15/83589

SUBJECT HEADING: REQUEST FOR DISCOUNT
ASSESSMENT NO. 15014897

Author and Officer's Title: Dana Harrison, Coordinator - Rates

Executive Summary:

The applicant requested that Council consider granting the discount after receiving the rates notice following the close of discount.

Resolution No. GM/10.2015/54

Moved Cr Price

Seconded Cr O'Neil

That Council not grant the discount in this instance, giving consideration that it was the buyer's agent's (Solicitor and/or Financial Institution) responsibility to lodge the transfer documents with the Department of Natural Resources and Mines in a timely manner.

CARRIED

9/0

Responsible Officer

Coordinator - Rates

Cr Flynn declared a 'Conflict of Interest' in the following item due to his personal business operations out of Roma Airport, and left the Chamber at 1.30pm, taking no further part in discussion or debate on the matter.

Item Number: C.2 **File Number:** D15/83377

SUBJECT HEADING: SEPTEMBER - MONTHLY BUSINESS UNIT REPORT - AIRPORT

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

Executive Summary:

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

Resolution No. GM/10.2015/55

Moved Cr Denton

Seconded Cr Wason

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

CARRIED

8/0

Responsible Officer

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

At cessation of discussion and debate on the abovementioned item, Cr. Flynn entered the Chamber at 1.31pm.

Item Number: C.3 **File Number:** D15/83557

SUBJECT HEADING: REQUEST FOR ASSISTANCE - INJUNE RETIREMENT VILLAGE

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

Executive Summary:

On 7 November 2013, the trusteeship for the Injune Retirement Village was transferred from the Churches of Christ Care organisation to a community committee.

Representatives from the Injune Retirement Village approached Council to seek financial support to cover a portion of the facility's operational expenditure.

It was recommended that Council consider a contribution to the Injune Retirement Village.

That Council grant the Injune Retirement Village Inc. financial support in the form of a one-off payment valued at \$5,000 (GST free) - the funds to be transferred from GL2882.2001.2001 (Economic Development – Materials & Services).

MOTION LAPSED (Due to there not being a 'Mover' and 'Seconder' of the draft motion)

Resolution No. GM/10.2015/56

Moved Cr Wason

Seconded Cr Scheffe

That Council grant the Injune Retirement Village Inc. financial support in the form of a one-off payment valued at \$9,498.38 (Excl. GST), with funding transferred from GL2882.2001.2001 (Business Development - Materials & Services) to GL2887.2249.2001 (Grants - Sponsorship) to facilitate the payment.

CARRIED

5/4

Responsible Officer

Specialist - Business Development

Item Number: C.4 **File Number:** D15/84027

SUBJECT HEADING: CONSIDERATION OF QUOTES - MEMBERS' BAR/DECK AREA DESIGNS AT BASSETT PARK

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

Executive Summary:

Council has undertaken extensive planning at Bassett Park during the past four years, with adoption of the Bassett Park Master Plan, and other associated planning arrangements.

To progress elements of the Master Plan, quotations were requested and received for detailed designs of proposed upgrades to the Members' Bar and Grandstand area. This work will assist Council to make an informed decision on a suitable design, and obtain indicative construction costs to inform the budget for the renovations as the Master Plan is progressed.

Three (3) quotations were received for the project.

Resolution No. GM/10.2015/57
Moved Cr Newman
Seconded Cr Price

That Council accept the quotation received from Chris Pritchett – Architect for \$24,232.50 (Excl. GST) to proceed with obtaining detailed designs for the Members' Bar area including the accessible lift and upper and lower decks, steps to grandstand and shade structures.

MOTION LOST

4/5

Responsible Officer
Specialist - Sport and Recreation
Resolution No. GM/10.2015/58
Moved Cr Schefe
Seconded Cr Flynn
That Council:

1. Accept the quotation received from Brandon & Associates for \$30,500 (Excl. GST) to proceed with obtaining detailed designs for the Members' Bar area including the accessible lift and upper and lower decks, steps to grandstand and shade structures, with additional funds required of \$15,500 to be transferred from WO 17512.2800.2001 (Consultancy Budget) to WO 17515.2800.2001.
2. Review the Consultancy Budget allocation at the next quarterly review, given the reduced available funds resulting from this resolution.

CARRIED

9/0

Responsible Officer
Specialist – Sport & Recreation
Item Number:
C.5
File Number: D15/84034
SUBJECT HEADING:
WALL OF FAME INDUCTEES FOR CONSIDERATION
Author and Officer's Title:
Fiona Vincent, Specialist - Sport and Recreation
Executive Summary:

Council approval was sought to include a potential inductee on the Wall of Fame at the Roma Bungil Recreation Centre.

The program recognises local sporting people who have represented Australia in their chosen sport by way of including them on the 'Wall of Fame' (situated in the Maranoa PCYC foyer), including an accompanying photograph of the inductee. There are currently 29 people on the Wall.

The current guidelines and nomination form for candidates was approved by Council in 2009. Nominations for the Wall of Fame are currently received or recommended by Council staff and assessed, prior to final endorsement by Council.

Resolution No. GM/10.2015/59
Moved Cr Flynn
Seconded Cr Price

That Council approve for Sade Ferguson to be included on the Wall of Fame, in recognition of her achievements in representing Australia under a recognised National Sporting Organisation, for water skiing.

CARRIED

9/0

Responsible Officer
Specialist - Sport and Recreation

Item Number: C.6 **File Number:** D15/84998

SUBJECT HEADING: CLAIM FOR DAMAGES – BROKEN WINDSCREEN AT LIONS PARK, SURAT

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

Executive Summary:

The windscreen of a vehicle was damaged during Council's routine mowing of Lions Park in Surat.

Council was asked to consider the request for the windscreen to be replaced.

Resolution No. GM/10.2015/60	
Moved Cr Chambers	Seconded Cr Wason
<p>That Council replace the damaged windscreen with work to be completed by Roma Windscreens as per the quotation submitted by the applicant.</p>	
CARRIED	9/0

Responsible Officer	Coordinator - Land Administration
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Item Number: C.7 **File Number:** D15/85030

SUBJECT HEADING: REQUEST TO WAIVE FEES – ACCOUNT NUMBER 1000211 (REVIEW OF DECISION 22 July 2015 - GM/07.2015/60)

Author and Officer's Title: Linda Acutt, Finance Officer

Executive Summary:

The applicant's Power of Attorney requested that Council reconsider a previous request to waive fees – which was previously denied by Council under Resolution GM/07.2015/60. At that time Council encouraged the applicant to apply for financial assistance with an external party. Since receipt of the initial request, additional information has been submitted for Council's further consideration.

Resolution No. GM/10.2015/61	
Moved Cr Price	Seconded Cr Newman
<p>That Council not waive the fees and propose the applicant reconsider a payment arrangement so that all outstanding charges are paid in full within one year from the date the arrangement is made.</p>	
MOTION LOST	2/7

Resolution No. GM/10.2015/62	
Moved Cr Denton	Seconded Cr O'Neil
<p>That Council waive the outstanding natural gas account charges on account number 1000211.</p>	
CARRIED	9/0

Responsible Officer	Finance Officer
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Item Number: C.8 **File Number:** D15/85580

SUBJECT HEADING: REQUEST FOR PAYMENT ARRANGEMENT ON NATURAL GAS ACCOUNT NUMBER 1000746

Author and Officer's Title: Linda Acutt, Finance Officer

Executive Summary:

The Applicant made a request to enter into a payment arrangement for their natural gas account.

Resolution No. GM/10.2015/63

Moved Cr O'Neil

Seconded Cr Newman

That Council accept the proposed payment arrangement (consisting of seventeen (17) weekly payments of \$1,000 and one (1) payment of \$923), for Natural Gas Account No.1000746, with payments to continue under the arrangement until the account reflects a nil balance.

CARRIED

9/0

Responsible Officer

Finance Officer

Item Number: C.9 **File Number:** D15/85654

SUBJECT HEADING: REQUEST FOR PAYMENT ARRANGEMENT ON NATURAL GAS ACCOUNT NUMBER 1000012

Author and Officer's Title: Linda Acutt, Finance Officer

Executive Summary:

The applicant has made a request to enter into a payment arrangement for natural gas account No.1000012. The proposed payment arrangement consists of an initial payment of \$2,500 and subsequent payments of \$2,000 per fortnight. The proposed arrangement extends beyond the completion timeframe that is adopted in Council's Miscellaneous Debt Recovery Policy.

Resolution No. GM/10.2015/64

Moved Cr Chambers

Seconded Cr Wason

That Council decline the applicant's payment plan and propose to the applicant a new payment arrangement so that all outstanding charges and charges accumulated are paid in full within one year from the date the arrangement is made.

CARRIED

9/0

Responsible Officer

Finance Officer

LATE CONFIDENTIAL ITEMS

Item Number: LC.1 **File Number:** D15/86370

SUBJECT HEADING: ROMA FLOOD MITIGATION PROJECT – CLAIMANT REQUEST – IMPACT OF NEW LEVEE REGULATIONS

Author and Officer’s Title: Ross Drabble, Specialist - Flood Mitigation

Executive Summary:

At the General Meeting held on 12 August 2015 Council considered claimants’ circumstances for several properties located on Northern Road, Roma (Resolution No. GM/08.2015/47).

Council confirmed its position to the property owners in a letter to them dated 19 August 2015. A claimant has responded that regulation of levees introduced by the State Government on 16 May 2014 was not considered for the construction of the Stage 1 Levee.

Resolution No. GM/10.2015/65	
Moved Cr Denton	Seconded Cr Flynn
<p>That Council respond to the claimant(s) that the legislation introduced by the State Government on 16 May 2014 was not retrospective - the construction of Stage 1 of the levee was well underway at the time of its introduction, and therefore not impacted by the new requirements.</p>	
CARRIED	9/0

Responsible Officer	Specialist - Flood Mitigation
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Item Number: LC.2 **File Number:** D15/83900

SUBJECT HEADING: ROMA FLOOD MITIGATION PROJECT STAGE 2 - DETAILED DESIGN AND CONSTRUCTION RELATED PRELIMINARIES

Author and Officer’s Title: Ross Drabble, Specialist - Flood Mitigation

Executive Summary:

Council invited GHD Pty Ltd (GHD) to submit a fee proposal for works associated with the detailed design and construction related preliminaries for Stage 2 (Western Levee and Eastern Diversion Channel) of the Roma Flood Mitigation Project.

The GHD proposal is competitively priced and they have provided quality, value for money advice to Council during Stage 1.

Council’s approval of the engagement of GHD is now sought.

<p>Action: That the matter lay on the table for further consideration at a later point during the meeting to allow Council additional time to consider the recommendation, particularly in the context of the “Exceptions for medium-sized and large-sized contractual arrangements” under the Local Government Regulation 2012.</p>
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Item Number: LC.3 **File Number:** D15/86009

SUBJECT HEADING: ROMA FLOOD MITIGATION PROJECT - CLAIM FOR COMPENSATION

Author and Officer's Title: Ross Drabble, Specialist - Flood Mitigation

Executive Summary:

The landholders of the specified property submitted a claim for compensation alleging that damage has been/will be caused by the construction of the Roma Stage 1 Levee.

The particulars of the claim are similar to those considered by Council at the General Meeting held on 12 August 2015.

Resolution No. GM/10.2015/66

Moved Cr Price

Seconded Cr Newman

That Council engage the legal advisors who have been advising on the flood levee construction contract to represent its interest in this landholder matter, and any similar matters likely to arise from owners of adjacent properties.

CARRIED

9/0

Responsible Officer

Specialist - Flood Mitigation

Item Number: LC.4 **File Number:** D15/86330

SUBJECT HEADING: NHVR MAINTENANCE MANAGEMENT POLICIES AND PROCEDURES MANUAL

Author and Officer's Title: Michael Kelly, Manager - Resource Coordination (Plant, Workshop, Depots & Materials)

Executive Summary:

Council must maintain structured maintenance management policies and procedures with regard to the National Heavy Vehicle Regulator (NHVR) requirements. Over 60 plant items are currently registered under NHVR. This documentation provides formal policies and procedures by which Council Plant, present and future will be managed, maintained and registered with Queensland Transport.

Resolution No. GM/10.2015/67

Moved Cr Wason

Seconded Cr Denton

That Council approve the revised Maranoa Regional Council National Heavy Vehicle Maintenance Management Policies and Procedures Manual (V1.0) as required by the NHVR audit standards as presented.

CARRIED

9/0

Responsible Officer

Manager - Resource Coordination (Plant, Workshop, Depots & Materials)

In relation to the following item, the following declarations were made by Councillors:

- Cr Price - potential perceived 'Conflict of Interest' due to her being a member of the Wallumbilla Pastoral Society;
- Cr O'Neil - potential perceived 'Conflict of Interest' due to his involvement with the Roma Show Society;

- The Mayor - potential perceived 'Conflict of Interest' due to him being a member of the Roma Show Society;
- Cr. Newman - potential perceived 'Conflict of Interest' due to him being a member of the Roma Show Society.

Each of the associations were applicants to the program under consideration.

All Councillors having declared a potential perceived interest remained for discussion and debate on the item, on the basis that it would not influence their ability to consider the broader public interest.

Item Number: LC.5 **File Number:** D15/84672

SUBJECT HEADING: COMMUNITY GRANT APPLICATIONS FOR ROUND 1 2015/16

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

Executive Summary:

The Maranoa Regional Council's first round of Community Grant applications for the 2015/16 financial year have been received and assessed. A total of fourteen (14) applications were received under the funding round.

Resolution No. GM/10.2015/68

Moved Cr Flynn

Seconded Cr Denton

That Council:

- 1. Endorse the recommendations of the assessment panel and approve the Community Grant applications submissions as follows:**

Applicant	Project Description	Approved Funding \$	Total Project Cost \$
Roma Apex Club	Complete fencing of Apex Park in Roma	4,000	17,490
Roma Show Society	Upgrade of poultry shed and additional cages	3,500	14,222
Wallumbilla Pastoral Society	Construct shed to use as a poultry pavilion and storage area	10,565	21,130
Maranoa Basketball	Trainer and volunteer training delivered by Basketball Queensland	2,000	4,000
Eumamurrin Hall Association	Upgrade of community hall kitchen	15,000	49,495
Surat Ladies Bowls Club	Replacement floor coverings in kitchen and toilets at the club	6,913	13,827

- 2. Endorse the recommendations of the assessment panel, and approve the following Major Grant application:**

Applicant	Project Description	Approved Funding \$	Total Project Cost \$
Orange Hill Fire Brigade	Construct a 3 bay shed to house the rural fire brigade truck	20,876	83,502

3. Endorse the recommendations of the panel and fund the following applications from alternative sources specified:

Applicant	Project Description	Approved Funding \$	Total Project Cost \$	Internal Funding Transfer
Roma Historical Society	Purchase of poster boards for display purposes	500	1,000	Transfer from WO14825.2539.2001 to GL2887.2244.2001
Bendemere Blue Light	Construction of a storage facility for Blue Light shed	700	1,400	Transfer from WO14826.2539.2001 to GL2887.2244.2001
Roma Golf Club	Renew fairway pipes and irrigation system	15,000	31,127	Transfer from Water Reserves to GL2887.2244.2001

CARRIED (The Mayor, Councillors Newman, O'Neil and Price voted in favour of the motion) 9/0

Responsible Officer	Coordinator - Grants, Local Development & Council Events
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Councillors O'Neil and Chambers declared a 'Conflict of Interest' in the following item, due to:

- Cr O'Neil being an employee of the Queensland Murray Darling Committee (QMDC);
- Cr Chambers being an executive member of the Queensland Murray Darling Committee (QMDC).

QMDC was the applicant subject to Council's consideration for the item.

Councillors O'Neil and Chambers left the Chamber at 1.56pm, taking no further part in discussion or debate on the matter.

Item Number: LC.6 **File Number:** D15/86353

SUBJECT HEADING: QUEENSLAND MURRAY DARLING COMMITTEE
COORDINATION OF ASSESSMENTS FOR INSTALLATION
OF SOLAR ELECTRICITY

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

Executive Summary:

The Queensland Murray Darling Committee has offered to coordinate assessments of Council facilities and determine their suitability for solar energy installations.

The Committee works in partnership with a solar energy company and it is necessary for the company to have access to Council's electricity accounts and other energy related data for the last 12 months.

Council was asked to consider the proposal.

Resolution No. GM/10.2015/69

Moved Cr Newman

Seconded Cr Flynn

That Council:

- 1. Accept the offer from the Queensland Murray Darling Committee to coordinate the assessment of Council facilities to determine opportunities for solar installations.**
- 2. Acknowledge that assessments will be completed by a third party solar company.**

3. Authorise the Chief Executive Officer to sign the attached Electrical Data Request Authorisation, to allow the third party solar company access to interval data, electricity accounts and other energy related data.
4. Advise Queensland Murray Darling Committee that if Council decides to implement any recommendations resulting from the assessments, that work will be awarded through quotation or tender in accordance with Council's Procurement Policy.

CARRIED

7/0

Responsible Officer	Manager - Facilities (Land, Buildings & Structures)
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At cessation of discussion and debate on the abovementioned item, Councillors Chambers & O'Neil entered the Chamber at 1.58pm.

Item Number: LC.2 **File Number:** D15/83900

SUBJECT HEADING: ROMA FLOOD MITIGATION PROJECT STAGE 2 - DETAILED DESIGN AND CONSTRUCTION RELATED PRELIMINARIES

Author and Officer's Title: Ross Drabble, Specialist - Flood Mitigation

Executive Summary:

Council invited GHD Pty Ltd (GHD) to submit a fee proposal for works associated with the detailed design and construction related preliminaries for Stage 2 (Western Levee and Eastern Diversion Channel) of the Roma Flood Mitigation Project.

The GHD proposal is competitively priced and they have provided quality, value for money advice to Council during Stage 1. Council's approval of the engagement of GHD is now sought.

This item was laid on the table earlier during the meeting to provide Council additional time to consider the officer's recommendation.

Resolution No. GM/10.2015/70

Moved Cr Wason

Seconded Cr Price

That:

1. In accordance with Section 235 (b) of the Local Government Regulation 2012, which states:

A local government may enter into a medium-sized contractual arrangement or large-sized contractual arrangement without first inviting written quotes or tenders if:

The local government resolves that, because of the specialised or confidential nature of the services that are sought, it would be impractical or disadvantageous for the local government to invite quotes or tenders.

Council resolve to engage GHD to provide detailed design and construction related preliminaries associated with the Roma Flood Mitigation Project Stage 2, in accordance with the scope and fee proposal 41/27129/469420, at an estimated value of \$495,572 (GST exclusive).

2. Funds be drawn from Work Order 15201 (this allocation is funded by the Federal Government as part of the National Insurance Affordability Initiative (NIAI) funding arrangement).

CARRIED

9/0

Responsible Officer	Specialist - Flood Mitigation
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Item Number: LC.7 File Number: D15/87532

SUBJECT HEADING: MINOR CHANGE TO ORGANISATIONAL STRUCTURE - PROCUREMENT

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

Executive Summary:

The report suggested the appointment of a Specialist – Procurement (Tendering & Commercial Services).

Resolution No. GM/10.2015/71

Moved Cr Schefe

Seconded Cr Wason

That Council authorise the Chief Executive Officer to commence advertising for the position of Specialist – Procurement (Tendering & Commercial Services). Furthermore, that the matter to be brought back to Council in the event that a suitable candidate is identified through the recruitment process.

CARRIED

9/0

Responsible Officer	Chief Executive Officer
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Item Number: L.1 File Number: D15/81736

SUBJECT HEADING: AMENDMENT - SUBORDINATE LOCAL LAW NO. 1.5 (KEEPING OF ANIMALS) 2015 - SUBORDINATE LOCAL LAW NO.2 (ANIMAL MANAGEMENT) 2015

Author and Officer's Title: Julie Neil, Customer & Community Services

Executive Summary:

Council undertook a review of its Local Laws with regards to Animal Management – excess dogs.

At its General Meeting on 23 September 2015, it was resolved:

That Council:

1. Propose to make each of:

- *Animal Management (Amendment) Subordinate Local Law (No. 1) 2015; and*
- *Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2015.*

...

4. Proceed with community consultation as part of the local law making process for the proposed amendments to the Animal Management (Amendment) Subordinate Local Law (No. 1) 2015 and Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2015 for a twenty-one (21) day period, commencing Friday 25 September 2015 and ending close of business 16 October 2015.

The report considered the outcome of the consultation process. In summary no submissions were received by Council; and therefore no amendment was proposed as a direct consequence of consideration of any submission.

However, Council received verbal feedback (x2) which has been considered.

Resolution No. GM/10.2015/72

Moved Cr Newman

Seconded Cr Price

That Council resolve to:

1. Proceed with the making of, and make, each of Animal Management (Amendment) Subordinate Local Law (No. 1) 2015 and Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2015, as advertised, but with Keeping of Animals (Amendment) Subordinate Local Law (No. 1) 2015 amended as follows:-
 - (i) section 3(5) (inserting new section 6(1)), after paragraph (e)(ii)—
 insert —
 - (iii) 2 dogs on multi-residential premises — a condition limiting the approval to the 2 dogs identified in the approval.
2. Pursuant to section 32 of the Local Government Act 2009, adopt a consolidated version of each of:-
 - (i) Subordinate Local Law No. 2 (Animal Management) 2011; and
 - (ii) Subordinate Local Law No. 1.5 (Keeping of Animals) 2011, as attached to this report to Council.
3. Let the community know that the subordinate local law has been made, by publishing a notice of the making of the subordinate local law in accordance with the requirements of section 29B(1) to (4) of the Local Government Act 2009.
4. As soon as practicable after the notice is published in the gazette, ensure that a copy of the subordinate local law may be inspected and purchased at Council's public office.
5. Within 14 days after the notice is published in the gazette, give the Minister:
 - (a) a copy of the notice; and
 - (b) a copy of the subordinate local law in electronic form.
6. Update Council's register local laws.
7. Implement a transition process to allow owners to achieve compliance with the new Local Laws by 30 June 2016.

CARRIED

7/2

Responsible Officer	Customer & Community Services
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Item Number:

L.4

File Number: D15/85682

SUBJECT HEADING:

PROPOSAL FOR THE REDEVELOPMENT OF THE OLD YULEBA POST OFFICE – YULEBA DEVELOPMENT GROUP

Author and Officer's Title:

Erin Tompkins, Associate to the CEO & Mayor

Executive Summary:

The Yuleba Development Group put forward a proposal for the redevelopment of the Old Yuleba Post Office (also known as the Rural Transaction Centre (RTC) Building). This proposal would see the building used as a museum housing local memorabilia as well as tourist information. Council was asked to consider this proposal.

The matter was laid on the table earlier during the meeting to provide Councillors additional time to consider the request.

Resolution No. GM/10.2015/73
Moved Cr Price
Seconded Cr Newman
That Council:

1. Receive and note the Yuleba Development Group's proposal to redevelop the Old Yuleba Post Office (RTC Building) for the purpose of a museum as well as tourism information.
2. Consult with the Yuleba Development Group about potential strategies which include exploring the Group's interest in leasing the building, noting that this would enable the group to access additional funding opportunities for its future use.

CARRIED

9/0

Responsible Officer	Associate to the CEO & Mayor
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Item Number:

LC.8

File Number: N/A
SUBJECT HEADING:
PROJECTS SUBMITTED FOR FUNDING UNDER THE STATE GOVERNMENT'S 'BUILDING OUR REGIONS' PROGRAM
Author & Officer's Title:
Susan (Sue) Sands – Coordinator – Grants, Local Development & Council Events
Executive Summary:

Council at its General Meeting on 26 August 2015 committed to submitting projects for funding under the 'Building our Regions' Program (Resolution Number GM/08.2015/90), and to providing appropriate co-contributions for any successful projects. The Department has requested additional clarification regarding Council's commitment to the ongoing operation and maintenance of the infrastructure post construction.

Resolution No. GM/10.2015/74
Moved Cr Chambers
Seconded Cr Flynn

That to further clarify its intent, Council commit to the ongoing operation and maintenance of the infrastructure post construction, for the following projects submitted under the 'Building our Regions' program, if they are successful under the program:

- Roma Big Rig Enhancement
- Roma Flood Mitigation – Levee
- Roma Airport Runway Upgrade

CARRIED

9/0

Responsible Officer	Coordinator – Grants, Local Development & Council Events
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Item Number: LC.9 **File Number:** D15/85544

SUBJECT HEADING: ROMA FLOOD MITIGATION PROJECT STAGE 1 - LANDHOLDER NEGOTIATIONS

Author and Officer's Title: Cameron Castles, Director - Infrastructure Services

Executive Summary:

At the General Meeting held on 12 August 2015 Council considered claimants' circumstances for several properties located on Northern Road, Roma (Resolution No. GM/08.2015/47).

Council confirmed that position to the property owners in a letter to them dated 19 August 2015. A claimant has responded making reference to an earlier letter from Council dated 1 October 2014 where Council proposed to construct a fence and correct a boundary alignment as well as addressing other matters raised in a customer request.

The claimant has requested that the Council resolution (GM/08.2015/46) be reconsidered with respect to the letter dated 1 October 2014.

Resolution No. GM/10.2015/75	
Moved Cr Scheffe	Seconded Cr O'Neil
That Council:	
<ol style="list-style-type: none"> 1. Authorise the Chief Executive Officer to give effect to the letter dated 1 October 2014, relating to the supply of a colourbond fence, and to remedy the boundary alignment, with reference to documents D14/73031 and D14/70659 with funds drawn from WO 15723. 2. To remove any doubt, this resolution replaces resolution GM/08.2015.45. 	
CARRIED	9/0

Responsible Officer	Director - Infrastructure Services
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CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 2.26pm.

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

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 Mayor.

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 Date.