
MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 14 SEPTEMBER 2016 COMMENCING AT 9.08AM

ATTENDANCE

Mayor Cr. T D Golder chaired the meeting with Deputy Mayor Cr. J L Chambers, Cr. R Bryant, Cr. N H Chandler, Cr P J Flynn, Cr. C J O'Neil, Cr. G B McMullen, Cr. D J Schefe, Cr. J M Stanford, Chief Executive Officer – Julie Reitano, Coordinator Corporate Communications – Jane Frith, and Minutes Office – Kelly Rogers in attendance.

AS REQUIRED

Director Infrastructure Services – Cameron Castles, Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate, Community & Commercial Services – Sharon Frank, Manager Facilities (Land, Buildings & Structures) – Tanya Mansfield, Manager – Enterprise Risk, Quality, Safety & Environment – Cameron Hoffmann, Coordinator Community Safety – Gavin (Jason) Scott, Coordinator Grants, Local Development & Council Events – Susan (Sue) Sands, Coordinator Rates – Dana Harrison.

GUESTS

Mr Ben and Nick Cameron met with Councillors in relation to Item 13.2, during a brief adjournment of the Council meeting at 10.41am.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.08am.

APOLOGIES

There were no apologies for the meeting.

CONFIRMATION OF MINUTES

Resolution No. GM/09.2016/01

Moved Cr Chambers

Seconded Cr O'Neil

That the minutes of the General Meeting (29-24.08.16) held on 24 August 2016 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:** D16/72806

SUBJECT HEADING: CAPITAL UPGRADE REQUEST - KERB AND CHANNEL
IN FOOTT STREET, ROMA

Officer's Title: Manager - Strategic Asset Management & Planning

Executive Summary:

Council received a request to construct kerb and channel in Foott Street, Roma. The initial capital cost of the requested construction works is estimated at \$204,750, with an ongoing annual increase of \$840 in renewal costs.

Resolution No. GM/09.2016/02	
Moved Cr Chambers	Seconded Cr Flynn
That this request be included for consideration in future budget deliberations, secondary to Council's 10 year capital works plans.	
CARRIED	9/0

Responsible Officer	Manager - Strategic Asset Management & Planning
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Item Number: 10.2 **File Number:** D16/76774

SUBJECT HEADING: REQUEST FOR MASS CONCESSION - 2 AXLE BUSES

Officer's Title: Manager - Strategic Asset Management & Planning

Executive Summary:

Council received a request from Queensland Department of Transport and Main Roads (TMR) to consent to a proposed introduction of a National Notice to provide a mass concession for 2 axle buses to apply in the Maranoa region. It is proposed that this concession be introduced across Queensland.

Resolution No. GM/09.2016/03	
Moved Cr McMullen	Seconded Cr Stanford
That Council permit the mass concession for 2 axle buses on all urban streets and rural roads.	
CARRIED	9/0

Responsible Officer	Manager - Strategic Asset Management & Planning
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CORPORATE, COMMUNITY & COMMERCIAL SERVICES
Item Number: 11.1 **File Number:** D16/77622

SUBJECT HEADING: COMPLAINTS MANAGEMENT POLICY & GUIDELINE

Officer's Title: Coordinator – Corporate, Community & Commercial Services

Executive Summary:

This report presented updates to the Complaints Management Policy and Complaints Management Process Guideline following recommendations received from the Queensland Ombudsman's audit of Council's Complaints Management System.

Resolution No. GM/09.2016/04
Moved Cr Stanford
Seconded Cr Chandler

That Council adopt the amended Complaints Management Policy as follows, and Complaints Management Guideline as attached to the officer's report:

1.0 PURPOSE

The purpose of this policy is to support Council's priority to deliver inclusive and ethical governance for the community and has been established to provide a clear administrative method of managing and resolving administrative action complaints made by affected persons about:

- a) A decision, or failure to make a decision, including a failure to provide a written statement of reasons for a decision;
 - i. An act, or a failure to do an act;
 - ii. The formulation of a proposal or intention;
 - iii. The making of a recommendation

This policy demonstrates Council's commitment to resolving complaints in a fair, objective, effective, transparent, consistent and accountable way and facilitates the use of information obtained from the complaints management process to improve Council's overall service delivery.

The Complaints Management Guideline which accompanies this Policy outlines specifically how administrative action complaints are managed by Maranoa Regional Council.

2. SCOPE

This policy applies to all administrative action complaints (including a decision of Council) made to Maranoa Regional Council referring to all current and future staff, including full time, part time, temporary, casual employees and contractors of Maranoa Regional Council. This policy and its associated processes have been adopted in accordance with Council's obligations under section 268 of the *Local Government Act 2009*, and section 307 of the *Local Government Regulation 2012*.

3. OBJECTIVES AND MEASURES

Objectives	<input type="checkbox"/> Fair and Objective: All complaints are considered on their merits and Council is consistent in the treatment of complaints about decisions and other administrative actions of the Council. <input type="checkbox"/> Easy and Accessible: The complaints process is available on Council's website and upon request, and able to be understood by all people including those with special needs.
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	<ul style="list-style-type: none"> <input type="checkbox"/> Continuous Improvement: Council recognises that complaints provide an opportunity to identify areas of improvement in Council’s administrative practices while also increasing the awareness of the complaints process for Council staff and the community. This will help build the capacity of staff to effectively manage complaints in an environment of continuous improvement. <input type="checkbox"/> Confidential: Complaints are handled in accordance with the <i>Information Privacy Act 2009</i> and Council’s information management policies. <input type="checkbox"/> Transparent and Accountable: The reasons for decisions and outcomes are made available to the complainant, subject to statutory provisions, along with advice of other avenues of review, thereby enhancing the community’s confidence in the complaints process. <input type="checkbox"/> Effective and Efficient: The complaints process addresses the specific issues raised by the affected person and results in the correct outcome and appropriate redress. Council will respond to complaints promptly, professionally and efficiently, with training being provided to the appropriate officers.
Performance Measures	<p>Return your call – Same day if possible or no later than the next working day</p> <p>Acknowledge written complaints – within 5 working days</p> <p>Action complaint and communicate outcomes; or Advise appropriate timeframes for more complex complaints – within 15 working days</p> <p>Keeping you informed – notify you if there is a delay to our service commitment as soon as possible</p>

4. POLICY COMMITMENT

Maranoa Regional Council intends to provide a level of customer service that not does attract complaints, but acknowledges the rights of persons to provide feedback, both positive and negative, on its services and/or decisions. Maranoa Regional Council views feedback received as an opportunity for organisational improvement in our processes and operations. Data received from complaints is to be monitored, analysed and reported.

Council commits to providing adequate resources and trained officers to deal with complaints and to record and analyse complaints data through reporting to the Chief Executive Officer, Executive Management and Senior Management team.

However, if a complaint is determined to be frivolous, trivial, vexatious, or lacking in substance or detail, Council may elect to take no action in relation to this matter, and provide the complainant with written advice of the decision and the reason for it.

5. DEFINITIONS

Administrative Action Complaint	<p>As per section 268(2) of the <i>Local Government Act 2009</i>;</p> <p>(a) is about an administrative action of a local government including the following, for example –</p> <ul style="list-style-type: none"> (i) a decision, or a failure to make a decision including a failure to provide a written statement of reasons for a decision; (ii) an act, or a failure to do an act; (iii) the formulation of a proposal or intention;
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	(iv) the making of a recommendation; and (b) is made by an affected person
Affected Person	a person who is apparently directly affected by an administrative action of a local government.
CEO	is the Chief Executive Officer of Maranoa Regional Council (Senior Complaints Officer).
Council	means Maranoa Regional Council
Complaint	Is an expression of dissatisfaction by a person or organisation regarding a decision or other action of Council.
Complaints Officer	An appropriately trained officer authorised by an Instrument of Appointment from the CEO to undertake an Independent Review of a complaint.
Complainant	An affected person who complains about an administrative action of the Council.
Complaints Management Process	is a process for resolving complaints about administrative actions of a local government.
Executive Management	All Directors of Maranoa Regional Council
Frivolous or Trivial Complaint	A complaint made which at the discretion of the Complaints Officer and Chief Executive Officer, is considered to be minor/without merit therefore not warranting action
Independent Review	A review of a complaint by an Authorised Complaints Officer
Natural Justice	A person whose rights, interests, or legitimate expectations could be affected have a right to a non-biased, impartial hearing. All relevant, credible and disputed issues must be properly examined and the decision must be supported by evidence.
Request for Service	Is where a person wants Council to take action.
Senior Management Team	All Managers of Maranoa Regional Council
The Act	means <i>Local Government Act 2009</i>
Vexatious Complaint	A complaint which, at the discretion of the Complaints Officer and Chief Executive Officer, is determined to be mischievous, without sufficient grounds, serves only to cause annoyance, is not made in good faith, is an abuse of the complaints management process, or attempts to reopen the same or a similar issue/s that already has been determined by raising the same or similar issue/s again

6. HOW TO MAKE A COMPLAINT

In person to a Customer Service Officer located at one of Council's customer service centres. Our service centres are open 8:20am - 5:00pm, Monday to Friday (excluding public holidays).

Roma	Cnr Bungil and Quintin Streets Building, planning & environment enquiries 1 Cartwright Street
Injune	32 Hutton Street
Mitchell	100 Cambridge Street
Surat	73 Burrowes Street
Yuleba	20 Stephenson Street

By telephone: 1300 007 662

Facsimile: 07 4624 6990

In writing: PO Box 620
Roma QLD 4455

or email: council@maranoa.qld.gov.au

Complaints Form: You may lodge your complaint by completing a "Customer Request or Complaints Form" and submitting to Council either in person, via post, facsimile or via email.

Complaints forms can be found on Council's website www.maranoa.qld.gov.au, located on the "Contact Us" page.

Feedback Form: You may provide feedback to Council by using our online feedback form, www.maranoa.qld.gov.au, located on the "Contact Us" page.

Lodging a complaint on behalf of another person

If a person is unable to lodge their complaint personally due to ill health, distance, language, legal or other reasons, it may be lodged by another person or agent acting on their behalf.

A Council Officer who receives a complaint will take all reasonable steps to confirm that the person claiming to act on behalf of the complainant has the appropriate authority to do so.

Written authorisation by the complainant must be provided, as well as for any matter that involves disclosing personal information.

If a complaint is formally lodged by an authorised agent such as a solicitor or accountant, responses will be provided directly to that agent.

6.1 Any complainant who, at the conclusion of the process for resolving or investigating their complaint, remains dissatisfied with the outcome may request the matter be reviewed by a more senior officer. The manager responsible for the management of that complaint will refer the matter to their director, or if that manager is a director, to the CEO.

6.2 If a complainant is dissatisfied with the outcome of a complaint that has been dealt with by the CEO, he/she may seek advice from the Queensland Ombudsman's Office.

Freecall	1800 068 908	Phone	07 3005 7000
Fax	07 3005 7067	Web	www.ombudsman.qld.gov.au
Email	ombudsman@ombudsman.qld.gov.au		

7. WHAT IS OUTSIDE THE SCOPE OF THE COMPLAINTS MANAGEMENT POLICY

- (a) A complainant who is not an affected person.
- (b) Complaints about the merits of a Council resolution unless the administrative process in reporting to Council is so manifestly inadequate that Council is not able to make an informed decision.
- (c) Requests for a review of an administrative action which is subject to legislative or adopted policy timeframes, unless the timeframes have expired, or an agreed service level framework, unless all actions within the framework have been exhausted.
- (d) Complaints relating to Councillor Conduct (unless outside the scope of Chapter 6 Part 2 Division 6 of the Act)
 - i. Complaints about Councillor conduct or performance are governed by the *Local Government Act 2009*
- (e) Public Interest Disclosure
 - i. Complaints about Officers made under the *Public Interest Disclosure Act 2010* are dealt with under the Public Interest Disclosure Policy
- (f) Requests for service
 - i. Requests for service fall under Council's Customer Service Charter. Refer section 9 of this policy for further information about what is a request for service.
- (g) Internal work grievances between Council officers.

8. PRINCIPLES OF NATURAL JUSTICE

The principles which apply to complaints investigation are:

- (a) A person whose rights, interests or legitimate expectations could be affected by a decision should be given a right to a hearing on any adverse material which is credible, relevant and significant, and given reasonable notice to respond;
- (b) A person is entitled to an impartial hearing, i.e. absence of bias by the decision-maker;
- (c) All credible, relevant and disputed issues must be properly examined;
- (d) Evidence must support the decision;
- (e) If a complaint proceeds directly to a Final Review (i.e. without a Preliminary Review), a draft decision notice must be provided to the complainant for the complainant's comment prior to the decision notice being finalised.

Natural justice does not require the source of confidential information to be disclosed. A copy of the material with the confidential information blacked out may be provided or it may be sufficient to provide a summary of the effect of the material.

9. REQUESTS FOR SERVICE

'Complaints' are different from 'Requests for Service'.

Requests for services are a request for Council to take action on a matter and should be made to Council's Customer Service Team, who will log the request and forward to the appropriate department for action. A 'complaint' may result if the customer is not satisfied with Council's response to the request for service, the standard of service provided, or if Council has made a mistake.

Examples of requests for service commonly mistaken for an administrative action complaint:

- (a) grass to be mown
- (b) advice on a leaking meter
- (c) a Council barbecue to be cleaned
- (d) action on a barking dog
- (e) a pothole to be fixed
- (f) a missed wheelie bin to be emptied
- (g) a structure that is apparently inconsistent with Council's planning scheme to be investigated, but which is not a structure approved by Council.

Examples of administrative action complaints:

- (a) Failure to take action after a request has been received to fix a pothole in the complainant's street or other place they regularly travel.
- (b) A development approved by the Council affecting a person in the neighbourhood.
- (c) A repeated complaint by an affected person about the general quality of park maintenance.
- (d) Failure to take appropriate action following a request by an affected person to investigate e.g. a barking dog.
- (e) Conduct of a Council Officer where it directly impacts the complainant.
- (f) Inappropriate disclosure of a person's personal information (breach of privacy).
- (g) The amount of a charge or rate unless these are set by legislation.
- (h) A complaint about a Councillor, including the Mayor, which is outside Chapter 6 Part 2 Division 6 of the Act.
- (i) Online commercial advertising.
- (j) Competitive neutrality complaint.

10. POLICY STATEMENT

10.1 The complaints process is to be readily accessible to and able to be understood by all people including those with special needs. Information about the complaints process is to be available on Council's website and at its customer service centres.

- Council may offer reasonable assistance in lodging complaints by means of:
- (a) Lodging a customer request (marked as a complaint); or
 - (b) Providing administrative assistance in completing forms or writing letters.
- 10.2 All Complaints received by Council will be considered on their merits and addressed in an equitable and unbiased manner through an established complaints process and the observation of the principles of natural justice.
Complainants will not suffer any reprisal as a result of making a complaint.
- 10.3 Where Council detects an error in its policies and procedures and the level of service provided directly resulted in attracting a complaint being lodged, Council must review and amend as required all relevant policies, processes and associated documentation to rectify the detected error. This is further explained in Council's Complaints Management Guideline, section 19 'Remedies and Redress'.
- 10.4 Complaints may be categorised by the CEO for the purpose of prioritisation, reporting, effective resolution, and ensuring legislative compliance.
- 10.5 Where possible, a complainant and a Council manager/supervisor should attempt to have the matter resolved to avoid the need for a formal complaint requiring investigation, e.g. by the aggrieved person working the issue through with a Council manager to obtain an outcome that is satisfactory to both parties.
- 10.6 Receipt of each administrative action complaint will be acknowledged in accordance with the Complaints Management Guideline.
- 10.7 Complainants will be treated courteously; and will be kept informed of the progress of the handling of their complaint, the timing of its handling and the outcome of their complaint.
- 10.8 All complaints will be treated with appropriate respect for the confidentiality and privacy of the complainant and officers involved. It is Council's policy not to notify the subject of the complainant's name. Publication of information relating to complaints about Council officers will be limited to that prescribed by legislation.
- 10.9 The subjects of complaints will, at the time they are notified of a complaint against them, be informed that it is Council's policy to disclose information about the progress of the investigation and its' outcome to the complaint.
- 10.10 Council will co-operate fully with any investigating authority charged with dealing with a complaint, e.g. the Crime and Corruption Commission and the Queensland Ombudsman.
- 10.11 Where multiple complaints are received about the same or similar issue, an effective and efficient method of dealing with them will be determined.
- 10.12 The complaint process is not a tool to bring Council business to a halt nor to delay or prevent Council from making decisions.
- 10.13 Council officers who are authorised as a complaints officer for the purposes of resolving or investigating complaints will receive training, the effectiveness of which will be reviewed at least as frequently as this policy and associated guidelines.
- 10.14 A Council officer who attempts to informally resolve a complaint or who investigates a complaint must be senior to the person subject of the complaint (if the complaint is about an officer) and senior to the person directly responsible for providing the service (if the complaint is about that service). The only exception to this is for a complaint made about the CEO, in which case the CEO will delegate the responsibility to resolve or investigate the complaint to a director or manager of Council.

10.15 If there is any conflict between this policy or associated guideline and the requirements of the *Local Government Act 2009* or any other relevant legislation, the legislative requirements must take precedence.

10.16 Council's systems, this policy and associated guideline will be reviewed periodically to maintain best practice.

11. REVIEW

This policy will be reviewed when any of the following occur:

- (a) The related documents are amended or replaced;
- (b) Other circumstances as determined from time to time by a resolution of Council.

Notwithstanding the above, this policy is to be reviewed at intervals of no more than 2 years.

12. LEGISLATION

- *Local Government Act 2009* (section 268)
- *Local Government Regulation 2012* (section 306 and 187)
- *Information Privacy Act 2009*

13. POLICIES AND OTHER ASSOCIATED DOCUMENTS

- Maranoa Regional Council Corporate Plan 2014-2019
- Complaints Management Process Guidelines
- Public Interest Disclosure Policy
- Customer Service Charter
- Code of Conduct for Employees

CARRIED

9/0

Responsible Officer	Coordinator – Corporate, Community & Commercial Services
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Item Number: 11.2 **File Number:** D16/79750

SUBJECT HEADING: DRAFT ANNUAL FINANCIAL STATEMENTS 2015/16

Officer's Title: Coordinator - Accounting Services

Executive Summary:

Council's general purpose Financial Statements and current-year Financial Sustainability Statement for 2015/16 must be given to the Auditor-General for auditing.

A draft copy of the annual financial statements for 2015/16 (finalised on 17 August 2016) was presented to the Audit Committee meeting on 29 August 2016.

Discussion:

Cr. Chambers congratulated staff on their efforts in presenting the draft annual financial statements in a timely manner, and for their ongoing efforts during the year.

Resolution No. GM/09.2016/05

Moved Cr Chambers

Seconded Cr Stanford

That:

1. Council endorse the draft Annual Financial Statements for 2015/16 (including general purpose financial statements and current year financial sustainability statement) for presenting to the Auditor-General for auditing pursuant to section 212 of the *Local Government Regulation 2012*.

2. Council's draft Long Term Financial Sustainability Statement for 2015/16 be given to the Auditor-General for information.

CARRIED

9/0

Responsible Officer

Coordinator - Accounting Services

INFRASTRUCTURE SERVICES

Cr. Flynn declared a potential perceived 'Conflict of Interest' in the following item due to his personal business operations out of the Roma Airport. Cr. Flynn left the Chamber at 9.14am, taking no further part in discussion or debate on the matter.

Item Number:

12.1

File Number: D16/76911

SUBJECT HEADING:

PUBLIC UNVEILING OF SANTOS & ROMA ON BUNGIL GALLERY SCULPTURES - ROMA AIRPORT ENTRANCE

Officer's Title:

Associate to the Director - Infrastructure Services

Executive Summary:

The Roma on Bungil Gallery Inc. has written to Council requesting Council to:

- a) *Move the fence at the Roma Airport entrance to give the sculptures more display space and;*
- b) *Obtain permission to carry out a public unveiling of the Santos and Roma on Bungil Gallery sculptures.*

The Airport is required to maintain a stock proof fence and are unable to shift the fence around the sculptures at the Airport entrance.

Discussion:

Cr. Chandler spoke in favour of the motion, indicating that she had participated in extensive discussions with the Roma on Bungil Gallery Committee about the matter, further explaining that in raising the height of the sculptures additional engineering works and costs would be required, which have not been budgeted for. Cr. Chandler also advised that she felt the new sculptures are well displayed and visible to the public, and the stock proof fence must be maintained.

Resolution No. GM/09.2016/06

Moved Cr Chandler

Seconded Cr O'Neil

That Council:

- 1. Decline the request from Roma on Bungil Gallery Inc. to move the fence located at the Roma Airport entrance, in order to maintain stock control.**
- 2. Authorise the Roma on Bungil Gallery Inc. to proceed with an official public unveiling of the Santos and Roma on Bungil Gallery bottle tree sculptures located at the Roma Airport entrance.**

CARRIED

7/1

Responsible Officer

Associate to the Director - Infrastructure Services

At cessation of discussion and debate on the abovementioned item, Cr. Flynn entered the Chamber at 9.17am.

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Item Number: 13.1 **File Number:** D16/71316

SUBJECT HEADING: REPRESENTATIONS AGAINST DEVELOPMENT APPROVAL REF 2015/19430.

Location: 233 Bellevue Road, Roma QLD 4455 (Described as Lot 14 on SP130707)

Applicant: Justin Hunter Stivano & Sherrill Anne Stivano

Author and Officer's Title: Town Planner

Executive Summary:

Representations have been made against several conditions of Development Approval Ref 2015/19430, which was issued by Council on 1 June 2016 for a Material Change of Use "Intensive Animal Industry" (cattle feedlot up to 5,000 SCU).

Discussion:

Council determined that the matter should lay on the table to allow Councillors additional time to consider the matter pending further information from officers.

Resolution No. GM/09.2016/07

Moved Cr McMullen

Procedural Motion – that the matter lay on the table for further consideration at an upcoming General Meeting to allow Councillors additional time to receive further information about the application.

CARRIED

9/0

Responsible Officer

Town Planner

Item Number: 13.2 **File Number:** D16/79180

SUBJECT HEADING: REPRESENTATIONS AGAINST DEVELOPMENT APPROVAL REF 2015/19400

Location: 1115 Binya Lane, Mount Abundance QLD (Lot 17 on WV841)

Applicant: Northern Growers Pty Ltd C/- FSA Consulting

Author and Officer's Title: Town Planner

Executive Summary:

Representations have been made against condition 29 and condition 30 of Development Approval Ref 2015/19400, which was issued by Council on 24 February 2016 for a Material Change of Use "Intensive Animal Industry" (4,000 SCU).

Discussion:

Council determined that the matter should lay on the table to ensure the applicant has an opportunity to make representation to Council.

Resolution No. GM/09.2016/08

Moved Cr O'Neil

Procedural Motion – That the matter lay on the table for further consideration at an upcoming General Meeting to provide an opportunity for the applicant to make representation to Council, prior to consideration of the matter.

CARRIED

9/0

Responsible Officer

Town Planner

Cr. McMullen advised Council that he had been the previous lease holder for the pit under consideration. He further confirmed that the licence had been transferred to a neighbour long before the matter was presented to Council for consideration. Given that he or a relevant person (s172 (2) of the *Local Government Act 2009*) does not stand to gain a benefit or suffer a loss as a result of the decision before Council, and after seeking the thoughts of Councillors present, Cr McMullen felt that the potential perceived 'Conflict of Interest' was the only consideration. Cr. McMullen elected to remain for discussion and debate on the matter on the basis that it would not affect his ability to make a decision in the broader public interest.

Item Number:

13.3

File Number: D16/80293

SUBJECT HEADING:

DEVELOPMENT PERMIT FOR A MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY" (UP TO 100,000 TPA)

Location:

Dunkeld Road, Tingun QLD 4455 (Lot 22 on RP208342)

Applicant:

Roma Earthmoving Pty Ltd, Trading as DMAC Roma

Author and Officer's Title:

Town Planner

Executive Summary:

The application sought approval for a Material Change of Use – "Extractive Industry" (up to 100,000 tonnes per annum) on land at Dunkeld Road, Tingun QLD 4455 (described as Lot 22 on RP208342).

The application is subject to Impact Assessment against the relevant provisions of the Bungil Shire Planning Scheme 2006. Public notification was carried out between 22 July 2016 and 12 August 2016. No 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/09.2016/09

Moved Cr Bryant

Seconded Cr Stanford

That Council approve the application for Material Change of Use "Extractive Industry" on land at Dunkeld Road, Tingun (properly described as Lot 22 on RP208342), 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 5,000t but no more than 100,000t; and
 - b) 16(3)(b) screening, in a year, more than 5,000t but no more than 100,000t.
- (iv) A permit from the National Heavy Vehicle Regulator (NHVR) to access the road network may be required if heavy vehicles larger than a B-double configuration are used.
- (v) The land use rating category for the site may change upon commencement of any approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, available on the Council Website: www.maranoa.qld.gov.au
- (vi) 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.
- (vii) The Environmental Protection Act 1994 states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.

Use

1. The approved development is a Material Change of Use - "Extractive Industry", as shown on the approved plans.
 - a) The approved extraction tonnage is capped at 100,000 tonnes per annum.
 - b) This approval is current for 5 years commencing from the date of approval. The life of this approval is restricted as neither Council nor the extractive industry operator can be sure of the longer term impacts on the Council road system from the development. The conditions requiring road impact contributions are based on a timeframe of 5 years.
2. The period of the currency of this approval may be extended to 20 years by an infrastructure agreement which allows the Council, the extractive industry operator and the approval holder to establish longer term protocols and arrangements which address the possible variations to the impacts on Council's road infrastructure over an extended period.

Timing

3. All conditions relating to the establishment of the approved development must be fulfilled prior to any approved use commencing, unless otherwise noted within these conditions.
4. Prior to commencement of use, the applicant shall contact Council to arrange a development compliance inspection.

Approved Plans and Documents

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

Drawing 38160-1_Location_20160520 Rev A
Prepared by Fyfe Pty Ltd dated 20/05/2016

Drawing 38160-1_Site Layout_20160520 Rev A
Prepared by Fyfe Pty Ltd dated 20/05/2016

Drawing 38160-1_Contour and Detail_20160520 Rev A
Prepared by Fyfe Pty Ltd dated 20/05/2016

Drawing ESCP_P001_RevA
Erosion & Sediment Control Plan

Drawing ESCP_P002_RevA
Technical Notes

Drawing ESCP_P003_RevA
ESC Design Detail

Drawing ESCP_P004_RevA
ESC Assumptions & Calculations

Document – Ooline Gravel Pit
ROAD IMPACT ASSESSMENT REPORT
Prepared by one eng dated 27/04/2016

Document Ooline Gravel Pit
MANAGEMENT PLAN
Prepared by one eng dated 27/04/2016

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 environmental nuisance is to be caused to adjoining properties and their occupiers by the way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time.
20. Lighting of the site, including any temporary or security lighting, shall be such that the lighting intensity does not exceed:

8.0 lux at a distance of 1.5 metres from the site at any property boundary.

Earthworks

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) Ooline Gravel Pit Erosion & Sediment Control Plan; 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 licensed contractor.

Stormwater and Drainage

27. Stormwater is to be managed in accordance with:
 - a) Ooline Gravel Pit Management Plan, Section 6.3 – Soil & Water Quality; 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) 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;
 - b) the Reinstatement and Rehabilitation Plan, Section 6.10 of the Management Plan.
35. Weeds and pests are to be monitored and controlled in accordance with the Weed and Pest Management Plan shown in the Management Plan Section 6.9. All efforts are to be made to prevent the spread of Class 2 Pest, parthenium in the area.
36. 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

37. 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.

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

39. 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

40. 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.

41. 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

42. 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).

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

No Cost to Council

44. 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.

45. 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

46. 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

47. 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

48. 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.
49. 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.
50. 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.
51. 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.
52. 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.
53. 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.
54. 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.

55. 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 (Cr. McMullen voted in favour of the motion) 9/0

Responsible Officer	Town Planner
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Item Number: 13.4 **File Number:** D16/73793

SUBJECT HEADING: REQUEST FOR SPONSORSHIP MITCHELL CAMPDRAFT ASSOCIATION

Officer's Title: Coordinator - Grants, Local Development & Council Events

Executive Summary:

Council received a request for sponsorship from the Mitchell Campdraft Association, seeking financial support for their event which will be held 31 March – 2 April 2017.

Discussion:

Cr. Chandler spoke in favour of the motion indicating that it was important to encourage all community organisations to apply for funding through the Community Grants Program.

Resolution No. GM/09.2016/10

Moved Cr Chandler **Seconded Cr Stanford**

That Council:

1. Decline the request for financial sponsorship for the Mitchell Campdraft Association for their event to be held 31 March – 2 April 2017.
2. Recommend that alternative means of support, which are available through the Community Grants Program, be considered for the Club's future events.

CARRIED 9/0

Responsible Officer	Coordinator - Grants, Local Development & Council Events
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Item Number: 13.5 **File Number:** D16/73491

SUBJECT HEADING: MONTHLY POOL REPORTS

Officer's Title: Coordinator - Buildings & Structures

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, chemical levels, maintenance issues and consumables.

Regional Swimming Pool Reports for the month of July are presented for Council's information.

Resolution No. GM/09.2016/11	
Moved Cr O'Neil	Seconded Cr Stanford
That Council receive the Regional Swimming Pool Reports for the month of July 2016.	
CARRIED	9/0

Responsible Officer	Coordinator - Council Buildings & Structures
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LATE ITEMS

Item Number: L.1 **File Number:** D16/81805

SUBJECT HEADING: PROJECTS TO BE SUBMITTED UNDER 2016/17 GRANTS AND SUBSIDIES PROGRAM

Officer's Title: Coordinator - Grants, Local Development & Council Events

Executive Summary:

Maranoa Regional Council is eligible to submit projects for funding under the Queensland Government 2016/17 Grants & Subsidies Program.

The following projects have been identified as eligible, and are included in Council's 2016/17 budget:

- a. Wallumbilla Combined Emergency Services Centre*
- b. Orallo Road Re-alignment*
- c. Mitchell Stormwater Project*

The program has \$62.3m available for eligible projects, and will provide up to 60% of eligible project expenditure. (This is an increase on the 40% subsidy of recent years).

It was recommended that Council select and prioritise project/s for submission under the Program.

Discussion:

Cr. Flynn recommended that the Mitchell Stormwater Project be prioritised higher than the Orallo Road Re-Alignment as the Mitchell project has been awaiting a funding opportunity to progress the initiative since the previous term of Council.

Cr. O'Neil spoke in favour of the motion, highlighting the worthiness of all three (3) projects, from a much longer list that Council would like to achieve this term. He further indicated that without the assistance of funding programs like this Council would not be able to deliver important projects for the community. He further commended the Wallumbilla SES crew for their outstanding efforts both locally and further afield in responding to emergencies.

The Mayor spoke in favour of the motion, agreeing with Cr. O'Neil's comments relating to the recommended projects for submission, and highlighted the importance of putting forward the Wallumbilla Combined Emergency Services Centre Project in the support of emergency response.

Resolution No. GM/09.2016/12

Moved Cr O'Neil

Seconded Cr McMullen

That Council:

1. **Submit the following projects for funding under the Queensland Government 2016/17 Grants & Subsidies Program in order of priority:**
 - a. **Wallumbilla Combined Emergency Services Centre**
 - b. **Mitchell Stormwater Project**
 - c. **Orallo Road Re-alignment**
2. **Commit to providing appropriate co-contributions in the 2016/17 budget to allow completion of the projects within 12 months of advice of any successful projects (approximately October 2017).**
3. **Authorise the Chief Executive Officer to sign the appropriate Funding Deed of Agreements with the Department of Infrastructure, Local Government and Planning for any successful projects.**

CARRIED

9/0

Responsible Officer

Coordinator - Grants, Local Development & Council Events

Item Number:

L.2

File Number: D16/82126

SUBJECT HEADING:

RACQ GET READY QUEENSLAND FUNDING AVAILABLE FOR COUNCIL

Officer's Title:

Coordinator - Grants, Local Development & Council Events

Executive Summary:

Maranoa Regional Council has been allocated funding under the Queensland Government RACQ Get Ready Queensland grants program to encourage community participation in preparedness and resilience building activities.

Resolution No. GM/09.2016/13

Moved Cr Chambers

Seconded Cr Stanford

That Council:

1. **Accept the allocation of \$12,321 from the Queensland Government under the 2016/17 RACQ Get Ready Queensland program.**
2. **Authorise the Chief Executive Officer to sign the sub-agreement on behalf of Council.**

CARRIED

9/0

Responsible Officer

Coordinator - Grants, Local Development & Council Events

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;

Cr. O'Neil recommended that Council consider the following items as part of open access discussions:

- LC.1 Roma CBD Upgrade
- LC.5 Update on CBD Flashing Lights
-

Resolution No. GM/09.2016/14

Moved Cr O'Neil

Seconded Cr Stanford

That the following items be discussed as part of the open segment of the Agenda:

- **LC.1 Roma CBD Upgrade**
- **LC.5 Update on CBD Flashing Lights**

CARRIED

9/0

Resolution No. GM/09.2016/15

Moved Cr O'Neil

Seconded Cr Flynn

That Council close the meeting to the public at 9.36am.

CARRIED

9/0

Councillors Stanford, O'Neil and Bryant left the Chamber at 9.37am, and entered at 9.39am.

Cr. Flynn left the Chamber at 10.04am, and entered at 10.06am.

Cr. Stanford left the Chamber at 10.26am, and entered at 10.29am.

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS

COUNCIL ADJOURNED THE MEETING TO MEET WITH GUESTS, FOLLOWED BY MORNING TEA AT 10.41AM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS

COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 11.32AM.

Cr. Chambers declared a potential perceived 'Conflict of Interest' in relation to item C.13 – Application for rates payment arrangement, due to her association with the applicant. Cr. Chambers left the Chamber at 11.46am taking no further part in discussions on the matter.

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

Cr. Scheffe left the Chamber at 11.47am, and entered at 11.48am.

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
 COUNCIL ADJOURNED THE MEETING FOR LUNCH 1.05PM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 1.50PM.

Cr. Bryant left the Chamber at 2.23pm, and entered at 2.28pm.

Cr. Chandler left the Chamber at 2.31pm, and entered at 2.36pm.

Cr. Stanford left the Chamber at 2.34pm, and entered at 2.35pm.

Cr. O'Neil left the Chamber at 2.39pm, and entered at 2.40pm.

Cr. McMullen left the Chamber at 2.53pm, and entered at 2.55pm.

Cr. Bryant left the Chamber at 2.53pm, and entered at 2.56pm.

Cr. Scheffe left the Chamber at 2.55pm, and entered at 3.08pm.

Cr. Stanford left the Chamber at 2.55pm, and entered at 3.02pm.

Cr. Flynn left the Chamber at 2.57pm, and entered at 3.02pm.

The Mayor left the Chamber at 3.03pm, and entered at 3.04pm.

Cr. Flynn left the Chamber at 3.29pm, and entered at 3.31pm.

Resolution No. GM/09.2016/16

Moved Cr O'Neil

Seconded Cr Scheffe

That Council open the meeting to the public at 3.39pm.

CARRIED

9/0

Item Number:

C.1

File Number: D16/53157

SUBJECT HEADING:

**WALLUMBILLA SWIMMING POOL - OPTION TO EXTEND
 MANAGEMENT CONTRACT**

Officer's Title:

**Specialist - Lease Management & User Facility
 Agreements**

Executive Summary:

The Managers of the Wallumbilla Swimming Pool have exercised the option to extend their contract for a further three (3) years as provided for in clause 24 of their Management Agreement and also requested a reduction in the hours the pool is to be opened to the general public.

Resolution No. GM/09.2016/17

Moved Cr Chambers

Seconded Cr O'Neil

That Council:

1. Acknowledge that the current contractor is exercising their right to continue the management of the Wallumbilla Swimming Pool for a further three years until 14 December 2019.
2. Decline the proposed new hours of operation as requested by the pool contractor and require continuity of pool operations as per the hours included in the Management Agreement.
3. Offer the current contractor an increase in management fees payable for management of the Wallumbilla Pool with the new annual fee to be \$52,750 per annum (Exc. GST), with the new fee to be effective as from 15 December 2016.

CARRIED

8/1

Responsible Officer	Specialist - Lease Management & User Facility Agreements
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Item Number:

C.2

File Number: D16/57540

SUBJECT HEADING:

ROMA COMMUNITY HUB TENANCY - REQUEST TO REVIEW RENTAL FEE

Officer's Title:

Specialist - Lease Management & User Facility Agreements

Executive Summary:

St Vincent de Paul has requested that Council reduce the rent charged for offices within the Roma Community Hub.

Resolution No. GM/09.2016/18

Moved Cr O'Neil

Seconded Cr McMullen

That Council:

1. Decline the request from St Vincent de Paul to reduce the rental amount charged at the Roma Community Hub.
2. Confirm that rent payable on serviced office space at the Roma Community Hub is \$550 per month (Inc. GST) per office.
3. Advise the group of alternative office space options within the Roma Community Hub.

CARRIED

9/0

Responsible Officer	Specialist - Lease Management & User Facility Agreements
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Item Number: C.3 **File Number:** D16/75667

SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE - LOT 101 ON EG221

Officer's Title: Administration Officer – Land Administration

Executive Summary:

The Department of Natural Resources and Mines sought Council's views on an application it has received for conversion over Term Lease 213530 being Lot 101 on EG221 to freehold tenure.

Resolution No. GM/09.2016/19

Moved Cr Bryant

Seconded Cr Scheffe

That Council advise the Department of Natural Resources and Mines that it has no objection to the conversion over Term Lease 213530 being Lot 101 on EG221 to freehold tenure.

CARRIED

9/0

Responsible Officer

Administration Officer – Land Administration

Item Number: C.4 **File Number:** D16/76829

SUBJECT HEADING: AMENDMENTS TO THE CAPITAL WORKS BUDGET

Officer's Title: Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

Following the completion of detailed inspections and costings, Council was asked to consider amending the Capital Works Budget allocation for the Yuleba Memorial Hall Restumping (WO 18358) and Great Artesian Spa Amenities (WO 17466).

Resolution No. GM/09.2016/20

Moved Cr O'Neil

Seconded Cr Stanford

That Council:

1. Proceed with releveling the Yuleba Hall in the 2016/17 year.
2. Transfer \$72,000 from WO 18358 – Yuleba Hall Restumping to WO 17466 – Great Artesian Spa Amenities.
3. Complete maintenance of the deck at the Great Artesian Spa using funds allocated to WO 17465.

CARRIED

9/0

Responsible Officer

Manager - Facilities (Land, Buildings & Structures)

Item Number: C.5 **File Number:** D16/74723

SUBJECT HEADING: REQUEST - SURAT EARLY CHILDHOOD EDUCATION & CARE (ECEC) CENTRE

Officer's Title: Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

The lessee of the childcare centre in the Surat RSL building sought permission to increase the available area for outdoor play at the centre. The area requested is outside the current lease area.

Council was asked to consider the request.

Resolution No. GM/09.2016/21

Moved Cr Flynn

Seconded Cr Stanford

That Council:

1. Enter into a licence arrangement with FGP Moreton Inc. as lessee of part of Lot 703 on S282 (Surat Early Childhood Education and Care Centre) to allow an additional outdoor play area on the southern side of the building.
2. Give permission for FGP Moreton Inc. to install two (2) new fences as per the proposed fence location shown on the provided sketch on the condition that the fences are to be supplied, installed and maintained at no cost to Council.
3. Give permission for FGP Moreton Inc. to use the raised garden bed and remodel gardens located on the southern boundary with all work to be carried out and maintained at no cost to Council.

CARRIED

9/0

Responsible Officer

Manager - Facilities (Land, Buildings & Structures)

Item Number: C.6 **File Number:** D16/76825

SUBJECT HEADING: EXPRESSION OF INTEREST - DISPOSAL OF PLAYGROUND EQUIPMENT BASSETT PARK

Officer's Title: Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

Council was asked to consider the Expressions of Interest received from community groups interested in obtaining the playground and associated equipment located at Bassett Park Roma.

Resolution No. GM/09.2016/22

Moved Cr Bryant

Seconded Cr Chandler

That Council gift the playground and associated equipment at Bassett Park to the Life Christian Church Roma subject to the following conditions:

1. The equipment is gifted on an "as is, where is basis" and Council provides no warranties whatsoever in relation to the equipment including (without limitation) that it is:
 - fit for purpose;
 - currently, or will be at the time of collection, fit or safe for use in any manner; and
 - capable of being repaired to a safe and suitable condition such that it may be reused for any purpose.

2. The group must make all arrangements for the dismantling, removal and collection of the equipment from the site.
3. All materials recovered from the building will become the property of the group.
4. All materials/equipment must be removed from the site within thirty (30) days of notification being received from Council that the EOI was successful. If the group fails to collect the equipment within this timeframe then the agreement shall be at an end and Council will dispose of the equipment as it sees fit.
5. The site must be left in a clean and tidy condition to the satisfaction of the Council's officer.
6. Damage to adjoining areas including buildings, fences, or any above or underground services shall be reinstated to the satisfaction of the Council and at the cost of the group.
7. The group is required to barricade off the site while works are being undertaken.
8. The group shall be responsible for payment of any waste management charges associated with the disposal of material from the site.
9. The group shall execute all of the works in accordance with the requirements of Workplace Health and Safety Queensland.
10. The group shall execute the works in such manner to restrict noise and or dust nuisance to all adjoining properties and other users of Bassett Park.
11. Before works commence on site, nominated members of the group shall participate in a Workplace Health & Safety Induction with Council and complete a Job Safety Analysis for the job.

CARRIED

9/0

Responsible Officer	Manager - Facilities (Land, Buildings & Structures)
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Item Number: C.7 **File Number:** D16/80328

SUBJECT HEADING: MITCHELL RAILWAY YARDS

Officer's Title: Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

The railway siding located in Mitchell will be upgraded to allow cattle to be transported via rail from Mitchell.

Queensland Rail has offered Council the opportunity to enter into a lease in respect to the railway yards. Council was asked to consider this offer.

Resolution No. GM/09.2016/23

Moved Cr O'Neil

Seconded Cr McMullen

That Council decline the offer to enter into a lease in respect to the Railway Yards located at Mitchell.

CARRIED

9/0

Responsible Officer	Manager - Facilities (Land, Buildings & Structures)
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Item Number: C.8 **File Number:** D16/80589

SUBJECT HEADING: FEE WAIVER - HIBERNIAN HALL

Officer's Title: Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

At its General Meeting held on 11 May 2016, Council declined a request to partially waive two invoices issued for hire of the Hibernian Hall.

The applicant asked that Council reconsider its decision.

Discussion:

Cr. Stanford spoke in favour of the motion having regard for the new evidence provided by the applicant in support of their request.

Resolution No. GM/09.2016/24	
Moved Cr Stanford	Seconded Cr Chambers
That Council, in consideration of new information provided by applicant Dance wEST03, agree to the request to partially waive invoice numbers 31943 and 32611, totalling \$290.40.	
CARRIED	8/1

Responsible Officer	Manager - Facilities (Land, Buildings & Structures)
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Item Number: C.9 **File Number:** D16/77269

SUBJECT HEADING: FEES AND CHARGES - ERNEST BROCK ROOM AND AUDITORIUM

Officer's Title: Manager - Facilities (Land, Buildings & Structures)

Executive Summary:

Council's consideration was requested to add a fee to Council's Fees & Charges Register. This fee is for set up of the Ernest Brock Room and Auditorium when the venues are hired by not-for-profit organisations and the hirer requests set up.

Discussion:

Cr. Chambers spoke in favour of the motion, supporting the introduction of the recommended fees, adding that she felt that the fees' inclusion in Council's Register of Fees & Charges was the most efficient manner in which to implement them.

Resolution No. GM/09.2016/25	
Moved Cr Chambers	Seconded Cr Stanford
That Council amend the 2016/17 Fees & Charges Register to include the following set up fees for the Ernest Brock Room and Auditorium when these facilities are hired by not-for-profit organisations and set-up is requested:	
<ul style="list-style-type: none"> • Small set up (to accommodate less than 40 people) - \$55 including GST; • Large set up (to accommodate over 40 people) - \$110 including GST. 	
CARRIED	9/0

Responsible Officer	Manager - Facilities (Land, Buildings & Structures)
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Item Number: C.10 **File Number:** D16/65697

SUBJECT HEADING: EXCESS ANIMAL APPLICATION 2016/39 - EXCESS DOG

Officer's Title: Community Safety Administration Officer

Executive Summary:

An excess animal application for an additional dog has been lodged for Council's consideration.

Assessments have been made of the application, mandatory documents provided, site inspection results reviewed and the background checks performed on the dog owner and nominated dog(s). The assessments were made in accordance with the criteria specified in Local Law No 1 (Administration) 2011.

Based on these assessments, officers recommended that the application be approved.

Resolution No. GM/09.2016/26

Moved Cr Chandler

Seconded Cr Bryant

That, in accordance with the provisions of *Local Law No 1 (Administration) 2011* and *Local Law No 2 (Animal Management) 2011*, Council grants an excess dogs approval for the keeping of the three (3) dogs identified in Excess Animal Application Number 2016-39 (each an "identified dog") identified as Dog one Border Collie male white/black (not microchipped), Dog two Border Collie female black/white (not microchipped) and Excess Dog one microchip number 956 000 003 262 752 on the premises, 9-11 Phillip Street, Roma identified in Excess Animal Application Number 2016-39 (the "premises") for a term of 1 year subject to the following conditions:

- (a) this approval allows for a total of three (3) dogs to be kept on the premises and is limited to the three (3) identified dogs; and**
- (b) if any identified dog dies or is relocated to other premises or is kept by another owner or keeper at other premises, the dog may not be replaced by another dog unless the keeping of the dogs on the premises is approved under another excess dogs approval; and**
- (c) the approval holder must ensure each and every identified dog is:
 - (i) implanted with a prescribed permanent identification device in accordance with section 14 of the *Animal Management (Cats and Dogs) Act 2008*; and**
 - (ii) registered with Council; and****
- (d) the approval holder must take all reasonable steps to prevent each and every identified dog kept on the premises from making a noise or disturbance that causes a nuisance or disturbance to the occupiers of other premises; and**
- (e) the approval holder must ensure that any enclosure in which any identified dog is kept on the premises is properly drained and that run-off is kept off adjoining premises; and**
- (f) the approval holder must ensure that excreta, food scraps and other material that is, or is likely to become, offensive is collected daily and, if not immediately disposed of, is kept in a waste container of a kind approved by an authorised person; and**
- (g) the approval holder must ensure that any enclosure in which any identified dog is kept on the premises is maintained in:**

(i) a clean and sanitary condition and disinfected regularly; and (ii) an aesthetically acceptable condition; and	
(h) the approval holder must ensure a proper enclosure is maintained on the premises in accordance with the requirements of <i>Local Law No. 2 (Animal Management) 2011</i> ; and	
(i) the approval holder must notify Council in writing in the event of the suspension or cancellation of a relevant approval for the keeping of any identified dog on the premises within 3 days of the suspension or cancellation of the relevant approval. For example, if the approval holder is the occupier of the premises and the owner of the premises suspends or cancels the approval holder's right to keep any identified dog at the premises, the approval holder must notify Council in writing of the suspension or cancellation of the approval within 3 days of the suspension or cancellation.	
CARRIED	9/0

Responsible Officer	Coordinator – Community Safety / Community Safety Administration Officer
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Item Number: C.11 **File Number:** D16/76500

SUBJECT HEADING: EXCESS ANIMAL APPLICATION 2016/43 - EXCESS DOG

Officer's Title: Community Safety Administration Officer/Administration

Executive Summary:

An excess animal application for an additional dog has been lodged for Council's consideration.

Assessments have been made of the application, mandatory documents provided, site inspection results reviewed and the background checks performed on the dog owner and nominated dog(s). The assessments were made in accordance with the criteria specified in Local Law No 1 (Administration) 2011.

Based on these assessments, officers did not recommend that the application be approved.

Discussion:

Cr. Bryant spoke in favour of the motion, indicating that as the application did not meet the current policy guidelines, she did not believe it should be approved.

Resolution No. GM/09.2016/27	
Moved Cr Bryant	Seconded Cr Chandler
<p>That, in accordance with the provisions of <i>Local Law No 1 (Administration) 2011</i> and <i>Local Law No 2 (Animal Management) 2011</i>, Council not grant an excess dog(s) approval for the keeping of the four (4) dogs identified in Excess Animal Application Number 2016/43 (each an "identified dog") microchip numbers; 956 000 004 876 090, 900 079 000 114 325, 956 000 005 408 304, 900 079 000 114 324 on the premises, 39 Perry Street, Yuleba identified in Excess Animal Application Number 2016/43 - with the application declined on the basis that the property is not fully fenced or secure to prevent escape.</p>	
CARRIED (The Mayor requested that his vote against the motion be recorded)	8/1

Responsible Officer	Coordinator – Community Safety / Community Safety Administration Officer
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Discussion continued:

The Mayor requested a division of the vote, which was recorded as follows:

Resolution No. GM/09.2016/28
Moved Cr Bryant
Seconded Cr Chandler

That, in accordance with the provisions of *Local Law No 1 (Administration) 2011* and *Local Law No 2 (Animal Management) 2011*, Council not grant an excess dog(s) approval for the keeping of the four (4) dogs identified in Excess Animal Application Number 2016/43 (each an "identified dog") microchip numbers; 956 000 004 876 090, 900 079 000 114 325, 956 000 005 408 304, 900 079 000 114 324 on the premises, 39 Perry Street, Yuleba identified in Excess Animal Application Number 2016/43 – with the application declined on the basis that the property is not fully fenced or secure to prevent escape.

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Bryant	Cr. Golder
Cr. Chambers	
Cr. Chandler	
Cr. Flynn	
Cr. McMullen	
Cr. O'Neil	
Cr. Scheffe	
Cr. Stanford	

CARRIED

8/1

Responsible Officer
**Coordinator – Community Safety /
Community Safety Administration Officer**
Item Number:
C.12
File Number: D16/77107
SUBJECT HEADING:
**OPERATING GUIDELINES AGREEMENT - BUREAU OF
METEOROLOGY AND MARANOA REGIONAL COUNCIL
FOR DATA AND INFORMATION SHARING**
Officer's Title:
Specialist, Emergency Management
Executive Summary:

This report sought delegated authority for the Chief Executive Officer to sign the Operating Guidelines Agreement between the Bureau of Meteorology and Maranoa Regional Council for data and information sharing purposes to enhance Council's disaster management and community preparedness.

Resolution No. GM/09.2016/29
Moved Cr Flynn
Seconded Cr Chambers

That Council grant delegated authority to the Chief Executive Officer to sign the Operating Guidelines Agreement between the Bureau of Meteorology and Maranoa Regional Council for data and information sharing purposes.

CARRIED

9/0

Responsible Officer
Specialist - Emergency Management

Cr. Chambers declared a potential perceived 'Conflict of Interest' in the following item, due to her association with the applicant, and left the Chamber at 3.54pm, taking no further part in discussion or debate on the matter.

Item Number: C.13 **File Number:** D16/77537

SUBJECT HEADING: APPLICATION FOR RATES PAYMENT ARRANGEMENT – ASSESSMENT NO. 14000459

Officer's Title: Coordinator – Rates

Executive Summary:

An application for rates payment arrangement has been received from the ratepayer. The timeframe the applicant has proposed to have their rates paid in full extends beyond the current financial year timeframe that is adopted in Council's Revenue Statement.

Discussion:

Cr. O'Neil recommended that the matter should lay on the table for further consideration at a future meeting, along with other rate arrear issues identified by staff.

Resolution No. GM/09.2016/30

Moved Cr O'Neil

Seconded Cr Chandler

Procedural Motion – That the matter lay on the table for further consideration at a future meeting along with any additional rate arrear issues identified by staff.

CARRIED

8/0

Responsible Officer

Coordinator - Rates

At cessation of discussion and debate on the abovementioned item, Cr. Chambers entered the Chamber at 3.55pm.

Item Number: C.14 **File Number:** D16/77577

SUBJECT HEADING: PROPOSED BUDGET SAVINGS PROGRAM

Officer's Title: Chief Executive Officer

Executive Summary:

The report analysed the draft financial statements for 2015/16 and highlighted the significant fall in operating revenue resulting from the reduction in activity within the region. The report sets a target savings of \$9 million by May 2017.

Resolution No. GM/09.2016/31

Moved Cr Chambers

Seconded Cr O'Neil

That Council:

1. Endorse the "Tightening of the Belt" initiative.
2. Be provided a progress report on a monthly basis.

CARRIED

9/0

Responsible Officer

Chief Executive Officer

Item Number: C.15 **File Number:** D16/74748

SUBJECT HEADING: REQUEST FOR CONSIDERATION OF INFRINGEMENT NOTICES

Author and Councillor's Title: Cr. Tyson Golder

Executive Summary:

The customer wrote to Council regarding infringement notices received for failing to register two dogs within 14 days of starting to keep dogs in a local government area.

Moved Cr Golder

Seconded

That Council withdraw the infringement notices due to financial hardship.

MOTION LAPSED (due to the absence of a 'Seconder' being recorded for the motion)

Discussion:

An alternative draft motion was put, i.e. that Council not withdraw the infringement notices, with the outcome recorded below.

Cr. Stanford spoke in favour of the motion, indicating that a lengthy investigation process had occurred, commencing in 2015, which resulted in an infringement notice being issued to the applicant approximately 14 months after initial discussions commenced with the applicant. Cr. Stanford further advised that the infringement notice provided a number of alternative options a customer may take to pay the notice in full or instalments, or by participating in community service.

The Mayor spoke against the motion, indicating that he believed that Council was experiencing an issue with customers not receiving their renewal notices. He further advised that Australia Post was unreliable with postage and believed that Council should support a withdrawal of the infringement notices on the basis of financial hardship.

Cr. Chambers spoke in favour of the motion, highlighting that while there may be issues with Australia Post at times, the period of time over which staff had physically spoken with the applicant, including during the inspection program, was over a long duration giving the customer ample opportunity to take action.

Resolution No. GM/09.2016/32

Moved Cr Stanford

Seconded Cr Bryant

That Council not withdraw the infringement notices.

CARRIED (The Mayor requested his vote against the motion be recorded)

8/1

Responsible Officer

Manager Customer & Community Services

Cr. Bryant called for a division of the vote, and voting was again undertaken and recorded as follows:

Resolution No. GM/09.2016/33

Moved Cr Stanford

Seconded Cr Bryant

That Council not withdraw the infringement notices.

Cr. Bryant called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Bryant	Cr. Golder
Cr. Chambers	
Cr. Chandler	
Cr. Flynn	
Cr. McMullen	
Cr. O'Neil	
Cr. Scheffe	
Cr. Stanford	

CARRIED 8/1

Responsible Officer	Manager Customer & Community Services
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LATE CONFIDENTIAL ITEMS

Item Number: LC.1 **File Number: D16/80711**

SUBJECT HEADING: ROMA CBD UPGRADE

Officer's Title: Project Officer - Community Liaison

It was resolved that this item be considered as part of the open segment of the Agenda (refer item L.3).

Item Number: LC.2 **File Number: D16/80902**

SUBJECT HEADING: ROMA FLOOD MITIGATION PROJECT - STAGE 2: NEXT STEPS AND TIMING

Officer's Title: Manager – Program Management & Infrastructure Contracts

Executive Summary:

Stage 2 of the Roma Flood Mitigation Project is presently subject to a number of impediments. This report served to bring these to Council's attention and propose appropriate solutions in an aim to facilitate efficient delivery of the project.

Discussion:

Cr. Bryant spoke in favour of the motion, indicating that this is a large and important project for Roma. She further advised that Stage 2 provides a safety net for the affected community, highlighting the importance of it moving forward to ensure Council meets the funding approval requirements.

Resolution No. GM/09.2016/34	
Moved Cr Bryant	Seconded Cr Chambers
That Council:	
<ol style="list-style-type: none"> 1. Authorise the Chief Executive Officer or delegate to determine and make an appropriate offer to the landowners having regard to independent valuations obtained. 2. Authorise the Chief Executive Officer or delegate to commence compulsory acquisition of easements/land within 14 days in the event of Council's offer not being accepted. 	

3. Endorse a delayed start to the excavating of the Eastern Diversion Channel to 9 January 2017 commencement.
4. Approve a project budget contingency of \$416,000 from reserves should it be required.

CARRIED

7/2

Responsible Officer

Manager – Program Management & Infrastructure Contracts

Item Number:

LC.5

File Number: D16/80711

SUBJECT HEADING:

ROMA CBD UPGRADE

Officer's Title:

Project Officer - Community Liaison

It was resolved that this item be considered as part of the open segment of the Agenda (refer item L.4).

Item Number:

LC.6

File Number: D16/81609

SUBJECT HEADING:

MINOR AMENDMENTS TO THE ORGANISATIONAL STRUCTURE

Officer's Title:

Associate to the Chief Executive Officer

Executive Summary:

The report sought Council approval for a number of minor amendments to the organisational structure.

Resolution No. GM/09.2016/35

Moved Cr O'Neil

Seconded Cr Chambers

That Council endorse the following proposed amendments to the organisational structure:

- Removal of the position of Town Planner (0713) from the organisational structure, and redeployment of the current incumbent to the vacant position of Coordinator – Planning (0228) – formalising an existing Acting role on a permanent basis.
- Retitle the position of Support Officer – Office of the Mayor (0506) to Associate to the Mayor, and redeploy the Relief Officer (Temporary) – Corporate, Community & Commercial Services into the position.
- Retitle the position Coordinator – Elected Members and Community Engagement (0209) to Coordinator – Councillors and Community Engagement.
- Create a new position of Councillors and Community Engagement Officer, reporting to the Coordinator – Councillors and Community Engagement. The existing Support Officer – Office of the Mayor incumbent is to be redeployed to this position, and the role transitioned to a part-time position.
- Remove the temporary position of Relief Officer – Corporate, Community & Commercial Services (0986) from the organisational structure.

- Retitle the position of Coordinator – Corporate, Community & Commercial Services (0205) to Associate to the Director – Corporate, Community & Commercial Services.

CARRIED

9/0

Responsible Officer

Associate to the Chief Executive Officer

Item Number:

LC.3

File Number: D16/82013

SUBJECT HEADING:

GHD HYDROLOGY AND HYDRAULIC REPORT - STAGE 2 WESTERN LEVEE & EASTERN DIVERSION DRAIN

Officer's Title:

Manager – Program Management & Infrastructure Contracts

Executive Summary:

The report provided Council an opportunity to receive and note the contents of the GHD Hydrology and Hydraulic Study for the Stage 2 Roma Flood Mitigation, Western Levee and Eastern Diversion Drain, dated August 2016.

Resolution No. GM/09.2016/36

Moved Cr Chambers

Seconded Cr Scheffe

That:

1. The matter lay on the table pending receipt of the report and formal tabling at an upcoming General Meeting.
2. Council authorise the Chief Executive Officer or delegate to informally circulate the report prior to formal adoption.

CARRIED

9/0

Responsible Officer

Manager – Program Management & Infrastructure Contracts

Item Number:

LC.4

File Number: D16/82112

SUBJECT HEADING:

QUOTATION RESPONSES - DESIGN OF SALEYARDS MULTI-PURPOSE FACILITY

Officer's Title:

Manager - Procurement & Commercial Services

Executive Summary:

Council has proposed to replace the ageing Roma Saleyards Administration Building with a Multi-Purpose Facility by 2018 to coincide with the 50th Anniversary of the facility. However, the project is one for which Council will need to seek external funding through the Federal and/or State Governments. It is important, in order to progress the funding applications, for a detailed design and costing to be undertaken.

Suppliers submitted quotation responses for the facility's design, including the completion of stakeholder consultation, concept development, design, cost estimation and the necessary Council approvals, in preparation for the release of a construction tender.

Responses were reviewed by an evaluation panel comprising internal stakeholders and the summary report was submitted for Council's consideration.

Resolution No. GM/09.2016/37
Moved Cr Flynn
Seconded Cr Schefe
That Council:

1. **Select Gibson Architects Pty Ltd as preferred supplier for Vendor Panel Quotation Request VPR95748 – Roma Saleyards Multi-Purpose Facility Design.**
2. **Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with Gibson Architects Pty Ltd and raise a purchase order if the final terms are acceptable.**
3. **Assign the expenditure to work order 18556.**

CARRIED (The Mayor requested that his vote against the motion be recorded)

8/1

Responsible Officer	Manager - Procurement & Commercial Services
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Cr. Chambers requested a division of the vote, and a vote was again undertaken with the outcomes recorded as follows:

Resolution No. GM/09.2016/38
Moved Cr Flynn
Seconded Cr Schefe
That Council:

1. **Select Gibson Architects Pty Ltd as preferred supplier for Vendor Panel Quotation Request VPR95748 – Roma Saleyards Multi-Purpose Facility Design.**
2. **Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with Gibson Architects Pty Ltd and raise a purchase order if the final terms are acceptable.**
3. **Assign the expenditure to work order 18556.**

Cr. Chambers called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Bryant	Cr. Golder
Cr. Chambers	
Cr. Chandler	
Cr. Flynn	
Cr. McMullen	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

CARRIED

8/1

Responsible Officer	Manager - Procurement & Commercial Services
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The Mayor declared a potential perceived 'Conflict of Interest' in the following item, due to his personal business 'Golders' being situated at the intersection, the subject of the Roma CBD Upgrade. The Mayor left the Chamber at 4.09pm, taking no further part in discussion or debate on the matter. Deputy Mayor, Cr. Chambers, took the role of Acting Chair in his absence.

Item Number: L.3 **File Number:** D16/80711

SUBJECT HEADING: ROMA CBD UPGRADE

Officer's Title: Project Officer - Community Liaison

Executive Summary:

This report sought Council's decision on a number of matters pertaining to the CBD project, and tabled community feedback and project milestones provided by Council Officers.

Discussion:

Cr. O'Neil spoke in favour of the motion, advising that he is pleased to see the work progressing, reiterating the many reports and years of planning undertaken to progress the project, which predated his previous term with Council. He advised that the completed works will deliver a wonderful asset for businesses in the Roma CBD, their clientele and the broader community. Further, he fully supported the purchase of new street furniture and was looking forward to seeing the project completed in December 2016, or early in the new year.

Resolution No. GM/09.2016/39

Moved Cr O'Neil

Seconded Cr McMullen

That Council:

- 1. Retain existing light poles at the Arthur and McDowall Street intersection to be decommissioned and signed over from Ergon Energy to Council to be used for street flag braces, festoon light brackets and the PA system which can be accommodated within the existing project budget for WO17664.**
- 2. Confirm that new street furniture as per the current detailed designs for the Roma CBD Upgrade be ordered and installed as part of the Roma CBD Upgrade program which can be accommodated within the existing project budget for WO17664.**
- 3. Confirm that a memorial chair and plaque in memory of Jane Sheahan is to be placed on the bakery corner as part of the Roma CBD Upgrade.**
- 4. Formally receive the feedback provided as part of the Community Consultation process.**
- 5. Confirm the receipt of the Roma CBD Upgrade Project milestones.**

CARRIED

7/1

Responsible Officer	Project Officer - Community Liaison
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At cessation and discussion on the abovementioned item, the Mayor entered the Chamber at 4.14pm and assumed the Chair.

Cr. Flynn left the Chamber at 4.18pm, and did not return to the meeting, in order to travel to Chinchilla for another meeting.

Cr. Chambers left the Chamber at 4.37pm, and entered at 4.38pm.

Cr. Chandler left the Chamber at 4.47pm, and entered at 4.48pm.

Cr. Chambers left the Chamber at 4.50pm, and entered at 4.51pm.

The Mayor left the Chamber at 5.05pm with Deputy Mayor, Cr. Chambers taking the role of Acting Chair in his absence. The Mayor entered the Chamber at 5.06pm assuming the Chair.

Item Number: L.4 **File Number:** D16/82124

SUBJECT HEADING: UPDATE ON CBD FLASHING LIGHTS

Officer's Title: Chief Executive Officer
Manager - Enterprise Risk, Quality, Safety & Environment

Executive Summary:

A number of additional issues have arisen in relation to the planned flashing lights for McDowall Street, in terms of the lead time for delivery, some technical concerns, pricing and additional information now available from a road safety perspective. The report requested that Councillors review the new information and consider an alternative recommendation tabled as part of the report. Technical analysis of various options has been undertaken by the Manager Enterprise Risk, Quality, Safety & Environment as an input into the report.

Discussion:

Cr. McMullen spoke in favour of the motion, indicating that he felt the flashing lights were the best option to go with for the safety of pedestrians and motorists, given the changed conditions in the Roma CBD while the upgrade is in progress.

Cr. Bryant spoke against the motion, indicating that she felt the outlay was quite expensive given the minimal traffic data currently obtained, making their benefit unknown, and would rather delay their purchase until further data had been gathered. She further advised she would prefer to investigate the installation of the lower cost speed humps which provided a physical barrier to improve safety in the CBD.

The Mayor spoke in favour of the motion, indicating that he had seen a pedestrian hit on the crossing who did not recover, and felt that the placement of flashing signage may prevent further accidents. He further advised that the signage recommended had a high level rating for regulatory signage, and a trialled history backing its effectiveness. He further indicated that he was not opposed to the placement of speed humps in the CBD, but felt that the placement of flashing signage was the most effective as they could be moved to different locations.

Cr. O'Neil spoke against the motion, indicating that he did not think potentially spending \$18,000 without the appropriate data to hand was a good spend of ratepayers' money. He further advised that he felt the boards currently in place were put to good use, and would rather support the installation of the lower cost speed humps.

Cr. Schefe spoke against the motion, indicating that with the signs being electronic they will break down and require maintenance. He felt a better option to improve the safety for pedestrians and motorists in the entire Roma CBD was to place speed bumps at each of the crossings. He further supported this opinion by advising that they could be installed and removed quickly, used at multiple locations and were inexpensive to maintain, making them a better use of public money. Cr Schefe reinforced that the data collected to date, though minimal, had not indicated that a high volume of motorists were travelling at a speed greater than 40k/hr as directed, but rather that the community was finding the crossing location changes more challenging. The humps could also be removed once the community was familiar with the final crossing locations.

Resolution No. GM/09.2016/40

Moved Cr McMullen

Seconded Cr Stanford

That Council:

- 1. Approve the purchase of two (2) TC178 LED Vehicle Activated Speed Signs, with an estimated supply and installation cost of \$18,000, for installation at the eastern and western approaches of the CBD area between Hawthorne Street and Wyndham Street (installation to be at current location of the VMS boards), as depicted below:**



Example Sign



Placement in front of National Australia Bank
(Prior to entering the CBD heading east)



Placement in front of Toward
(Prior to entering the CBD heading west) – capturing the high vehicle traffic turning left into McDowall Street.

2. Remove the two (2) VMS Boards currently installed on McDowall Street and redeploy to major side streets, including the northbound and southbound legs of Hawthorne Street and northbound leg of Arthur Street, to alert motorists entering the area subject to CBD Upgrade Works.
3. Note that there is limited credible evidence and research in relation to the performance and safety benefits of pedestrian radar technology (particularly in Australia), and the option of pedestrian activated signals/flashing lights be discontinued as a possible countermeasure at this stage.
4. Remove all pedestrian ahead warning signs at the intersection of McDowall and Wyndham Street. These signs are excess to the requirements of MUCTD and are establishing inconsistent treatment expectations for road users approaching the main CBD area from the east.
5. Endorse the amendment of the Project Traffic Management Plan to facilitate the movement of the detour signs located in front of the School of Arts building and relocate to an area where it does not impede sight distance to pedestrians using the north-south crossing on McDowall Street.
6. Confirm that all installations are to be completed in accordance with the Transport Operations (Road Use Management) Act 1995 and Manual of Uniform Traffic Control Devices (Qld).
7. Source the budget from the 2016/17 budget surplus.

CARRIED (The Mayor exercised his casting vote in favour of the motion)

5/4

Responsible Officer	Manager - Enterprise Risk, Quality, Safety & Environment / Project Manager - CBD
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A further draft motion was put forward by Cr. Scheffe with regard to this item, recorded as follows:

Resolution No. GM/09.2016/41	
Moved Cr Scheffe	Seconded Cr O'Neil
That Council:	
<ol style="list-style-type: none"> 1. Purchase for immediate installation, speed humps for placement on the approach side of the permanent and temporary pedestrian crossings located within the Roma CBD. 2. Remove the speed humps six (6) weeks after the conclusion of the project works. 3. Draw the required funds, estimated at \$10,000, from the 2016/17 budget surplus. 	
CARRIED (Cr. Chandler requested her vote against the motion be recorded) 6/2	

Responsible Officer	Manager - Enterprise Risk, Quality, Safety & Environment / Project Manager - CBD
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CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 5.29pm.

These Minutes are to be confirmed at the next General Meeting of Council to be held on 28 September 2016, at Roma Administration Centre.

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 Mayor.

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 Date.