
MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 28 SEPTEMBER 2016 COMMENCING AT 9.05AM

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. G B McMullen, Cr. C J O'Neil, Cr. D J Scheffe, Chief Executive Officer – Julie Reitano, Coordinator Communications – Jane Frith, and Minutes Officer – 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, Acting Manager Saleyards – Paul Klar, Manager Planning & Building Development – Danielle Pearn, Manager Procurement & Commercial Services – Ryan Gittins, Coordinator Debtors – Debbie Gelhaar, Coordinator Rates – Dana Harrison, Specialist Sport and Recreation – Fiona Vincent, Project Officer Community Liaison – Cassandra Elder, Acting Coordinator Planning – Christopher Tickner.

GUESTS

Mr James Purtill (Director-General – State Department of Natural Resources and Mines) and Mr Mike Birchley (Regional Manager Land Services, South Region – State Department of Natural Resources and Mines) met with Councillors during morning tea recess.

WELCOME

The Deputy Mayor welcomed all present and declared the meeting open at 9.05am, with the Mayor absent at commencement of the meeting while attending to other Council business.

APOLOGIES

Resolution No. GM/09.2016/42

Moved Cr O'Neil

Seconded Cr McMullen

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

CARRIED

7/0

CONFIRMATION OF MINUTES

Resolution No. GM/09.2016/43

Moved Cr O'Neil

Seconded Cr Chandler

That the minutes of the General Meeting (30-14.09.16) held on 14 September 2016 be confirmed.

CARRIED

7/0

BUSINESS ARISING FROM MINUTES

There was no business arising from the minutes.

ON THE TABLE

Item L.1 – Representations against Development Approval Ref 2015/19430 of the Late Open Agenda. This item had been left on the table at the General Meeting of Council on 14 September 2016.

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

Prior to consideration of business, Cr. O'Neil recommended that Council consider the following items' alternative position in the agenda:

- Item 11.5 – Proposal to hire hay feeders for use at the Roma Saleyards, for discussion as part of the closed segment of the agenda; and
- Item C.8 – Roma CBD Upgrade for discussion as part of the open segment of the agenda.

Resolution No. GM/09.2016/44

Moved Cr O'Neil

Seconded Cr Bryant

That:

1. Item 11.5 – Proposal to hire hay feeders for use at the Roma Saleyards, for discussion as part of the closed segment of the agenda, in accordance with 275(h) of the *Local Government Regulation 2012*;
2. Item C.8 – Roma CBD Upgrade for discussion as part of the open segment of the Agenda.

CARRIED

7/0

OFFICE OF THE CEO
Item Number: 10.1 **File Number:** D16/79579

SUBJECT HEADING: CAPITAL REQUEST - KERB AND CHANNEL, WILLIAM STREET, SURAT

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

Executive Summary:

Council received a request to provide kerb and channel to the southern side of William Street, Surat, from Charlotte Street to Agatha Street.

The estimated capital costs for William St, Charlotte St to Sarah St are estimated at \$75,075 initially, with an annual increase of \$131.64 in maintenance and renewal costs.

The estimated capital costs for William St, Sarah St to Agatha St are estimated at \$96,663, with annual increase of \$522.09 in maintenance and renewal costs.

Discussion:

Cr. Chandler spoke in favour of the motion, indicating that the recommendation was in keeping with Council Policy.

Resolution No. GM/09.2016/45	
Moved Cr Chandler	Seconded Cr Flynn
That this request be included for consideration in future budget deliberations, secondary to Council's 10 Year capital works plans.	
CARRIED	7/0

Responsible Officer	Manager - Strategic Asset Management & Planning
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Mayor Golder entered the Chamber and assumed the Chair at 9.09am.

CORPORATE, COMMUNITY & COMMERCIAL SERVICES
Item Number: 11.1 **File Number:** D16/77246

SUBJECT HEADING: AMENDMENTS TO THE DEBT RECOVERY POLICY

Officer's Title: Coordinator - Debtors

Executive Summary:

The amended Debt Recovery Policy was tabled for Council's consideration. The policy provides clarity for Council officers who process accounts and administer debt collection proceedings, and also to the public who may owe sundry (excluding rates) monies to Council.

Resolution No. GM/09.2016/46	
Moved Cr Chambers	Seconded Cr Flynn
That Council adopt the amended Debt Recovery Policy as follows:	
1.	Policy Purpose To establish a policy for the recovery of sundry debts due to Council in a timely, efficient and effective manner

- 2. Policy Scope**
This policy applies to all sundry debts owing to Council unless otherwise specified.
- 3. Definitions**
In this policy unless the contrary intention appears:
- a) “sundry debt” – means any debt due to Council other than a rate or overdue rate
- 4. Policy Details**
The management and recovery of outstanding revenue is an important aspect of Council’s financial management function. The principles that will apply in the management and recovery of debt are:
- a) Council has a responsibility to recover sundry debts owing to it in a timely and efficient manner to finance its operations and ensure effective cash flow management;
- b) Council will operate effective billing and debt collection processes;
- c) Council will aim to minimise the amount of outstanding money that is owed;
- d) Debtors are expected to take responsibility for their sundry debt obligations and to organise their affairs in such a way as to be able to discharge their sundry debt obligations to Council as and when they fall due;
- e) If a debtor cannot discharge their sundry debt obligations on or before the due date, Council considers it to be in the interest of the debtor and Council for the debtor to contact Council at the earliest opportunity to discuss acceptable arrangements to address the debt;
- f) Council will not issue a final demand letter to a debtor without taking steps to endeavour to establish an acceptable payment commitment or negotiate settlement of the outstanding sundry debt;
- g) Monthly debtor statements detailing all sundry debts due to Council shall be forwarded by postal or electronic means to debtors.
- 4.1 Credit Management**
- 4.1.1** An account application must be completed, processed and approved prior to an account being opened/made active for a debtor, in accordance with the Granting of Credit Policy.
- 4.1.2** Credit terms for all Sundry debtors are thirty (30) days from the date of invoice, unless otherwise approved in writing.
- 4.1.3** Where appropriate, prepayment, bonds or deposits will be required prior to Council commencing the supply of goods and/or services.
- 4.2 Debt Management**
- 4.2.A General**
- 4.2.A.1** At the beginning of each new month a Statement is issued to the debtor advising of invoices still to be paid.
- 4.2.A.2** If payment has not been received within thirty (30) days of the invoice date, a 1st Reminder Letter will be issued to the debtor advising they have seven (7) days to pay outstanding monies.
- 4.2.A.3** If payment has not been received within seven (7) days from the date of the 1st reminder letter, where possible, telephone contact is made with the debtor requesting payment or to enter into a payment commitment. The debtor will also be issued a Demand Letter if applicable, advising that if payment is not received within seven (7) days, their account will be placed on ‘stop credit’ with Council and associated third parties.
- 4.2.A.4** If payment has not been received within seven (7) days of the date listed on the demand letter (4.2.3), a Final Demand Letter will be issued to the debtor requesting payment within seven (7) days. The letter will also state that Council may refer their account to the Debt Collection Agency.

4.2.A.5 If payment is not received within seven (7) days as stated in the final demand letter the account may be referred to the Debt Collection Agency.

4.2.B Natural Gas

4.2.B.1 If payment has not been received within thirty (30) days of the invoice/notice date, a 1st Reminder Letter will be issued to the debtor advising they have seven (7) days to pay outstanding monies.

4.2.B.2 If payment has not been received within seven (7) days from the date of the 1st reminder letter, where possible, telephone contact is made with the debtor requesting payment or to enter into a payment commitment. The debtor will also be issued a Disconnection/Demand Letter if applicable, advising that if payment is not received within fourteen (14) days, their natural gas service will be disconnected on a specified date.

4.2.B.3 If no response to the disconnection/demand letter has been received by the debtor – the gas service is disconnected and a final account and final gas account letter is issued advising they have fourteen (14) days from date of invoice/notice to make payment.

4.2.B.4 If payment has not been received within fourteen (14) days of the date listed on the final gas account letter (4.2.3), a Final Demand Letter will be issued to the debtor requesting payment within 7 days. The letter will also state that Council may refer their account to the Debt Collection Agency.

4.2.B.5 If payment is not received within seven (7) days as stated in the final demand letter the account may be referred to the Debt Collection Agency.

4.3 Debt Collection Agency Procedures

4.3.1 Councils Debt Collection Agency will as soon as practicable after receipt of a referral from Council issue a letter to the account holder in relation to each overdue account advising that Council has referred the debt to the agency for collection and that payment is required within fourteen (14) days of the date of the letter.

4.3.2 Following the expiration of the fourteen (14) days as requested in the letter, the Debt Collection Agency will issue a Letter of Demand to the debtor, advising that payment is required within fourteen (14) days.

4.3.3 If payment is not received within fourteen (14) days as stated, debtors (accounts receivable) staff will liaise with the debt collection agency as to how to proceed.

4.3.4 All accounts prior to the debt collection agency issuing a Claim & Statement of Claim to the debtor must have approval by way of Council Resolution to proceed with legal action. This resulting action will be determined on a case by case basis taking into consideration section 8 of this policy.

Special Provisions (e.g. Privacy Provisions etc)

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

5.1 Acceptable Arrangements

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

- a) Once an acceptable arrangement is approved no further interest shall be charged on the overdue sundry debt for the duration of the arrangement from the date the arrangement was made; unless the debtor has been issued with a Claim and Statement of Claim – where Council can recover interest and legal costs as part of the legal process;
- b) Payments must be made in the amounts agreed and at the specific intervals agreed;
- c) An arrangement must clear the sundry debt within no more than three (3) months from the date the arrangement was made, unless written application is made to Council;
- d) If Council has not received payments under an arrangement by the due date, a default letter will be sent advising the debtor that unless payment of the outstanding amount is received within seven (7) days, their arrangement will be cancelled and the matter will be referred to Council’s Debt Collection Agency or Solicitor for legal recovery action and their account will be immediately placed on “stop credit”;
- e) If there is a balance outstanding and the arrangement is cancelled or has expired, the total outstanding amount shall be referred to Council’s Solicitor or Debt Collection Agency for legal recovery action in accordance with this policy, further credit will be immediately stopped and the debtor may be listed with a Credit Reporting Body which may affect their credit history.

6. Residential Tenancies

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

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

7. Avdata Australia

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

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

8. Write off Bad Debts

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

9. Related Policies and Legislation

Queensland Local Government Act 2009
Queensland Local Government Regulation 2012
Gas Industry Code Sixth Edition
Residential Tenancies & Rooming Accommodation Act 2008
Australian Competition and Consumer Commission Debt Collection Guidelines

National Energy Retail Law (Queensland) Regulation 2014 (schedule 1) Gas Supply Act 2003 National Energy Customer Framework Privacy Act 1988 Queensland Information Privacy Act 2009	
10.	Associated Documents
	Debt Recovery Process for General Debtors Debt Recovery Process for Gas Billing
CARRIED	8/0

Responsible Officer	Coordinator - Debtors
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Item Number: 11.2 **File Number:** D16/78159

SUBJECT HEADING: AMENDMENTS TO THE RATE RECOVERY POLICY

Officer's Title: Manager - Communication, Information & Administration Services

Executive Summary:

The amended Rate Recovery Policy was tabled for Council's consideration. The policy outlines the process of how Council recovers outstanding rate arrears.

Resolution No. GM/09.2016/47	
Moved Cr Chambers	Seconded Cr Schefe
That Council adopt the amended Rate Recovery Policy as follows:	
1.0	Policy Purpose
To establish a policy for the timely recovery of rates and charges levied which seeks to achieve fair and consistent treatment of all ratepayers who have outstanding rates and charges.	
2.	Policy Scope
This policy will apply to all ratepayers who have an overdue rate or charge levied by Council, unless otherwise specified.	
3.	Definitions
Rates or charges – as per the <i>Local Government Regulation 2012</i> .	
Overdue rates and charges - as per the <i>Local Government Regulation 2012 (Chapter 4)</i> .	
Terms	
Due Date:	30 days from issue date of rate notice (coincides with discount period ending)
Interest Date:	60 days from issue date of rate notice
Payment Commitment:	A written undertaking from the property owner to pay the rates by regular payments over a time period to the satisfaction of Council.
Approved:	Formal acceptance by the Council of the commitment.

4. Policy Details

Council is committed to the collection of overdue rates and charges in a fair, equitable and timely manner but with due concern for any financial hardship faced by ratepayers. In order to ensure that all ratepayers meet their obligations to pay rates and charges levied, Maranoa Regional Council will apply the following procedures to recover any overdue rate or charge in a timely manner.

Small Debt Write-offs

If a ratepayer has short paid their rates by \$10.00 or less and as a consequence would have missed their discount, Council will allow the outstanding amount to be carried forward to the next rating period without penalty.

Payment Commitments

Council may enter into a payment commitment to pay rates and charges by way of payment schedule. Payment commitments will include a premium equal to the amount of interest which would have been charged (11% - refer to section 3.4 of the Revenue Statement) if the commitment had not been entered into. Council may approve a waiver of the premium, provided that the specified conditions of the commitment are met and all outstanding rates and charges are fully paid by the end of the current financial year. Requests for Payment Commitments are by application if the rates and charges will be fully paid by the end of the current financial year. In circumstances where the request extends beyond the current financial year, this will be subject of a separate report to Council for consideration

To request a payment commitment, the ratepayer must contact Council before the due date shown on the rate notice. All payment commitments and the applicable premium amount will be confirmed in writing. A premium (as referred to in Section 3.5 of the Revenue Statement) may be waived if the commitment has been approved by Council within 60 days of the date of issue of the rates notice.

- Payments must be made on the specific days agreed upon unless otherwise arranged prior to the due date of payment;
- A commitment must clear the debt prior to the next financial year;
- If Council does not receive the payment by the agreed specific day, a reminder letter will be sent advising the ratepayer, that unless payment of the outstanding amount is made within seven days their agreement will be cancelled and the matter will be referred to Council's debt collection agency;
- If payment is not received within the seven days allowed, a letter will be issued advising the ratepayer that their arrangement has been cancelled due to non-compliance and no further arrangements will be made;
- If there is a balance outstanding and the commitment has expired, a letter will be sent advising the ratepayer that unless payment of the outstanding amount is made in full within seven days, the total outstanding amount will be referred to Council's debt collection agency.

Rate Recovery Process

Council requires payment of rates and charges within the specified period and has an obligation to diligently recover overdue rates and charges. When pursuing overdue rates and charges Council will have due concern for the financial hardship faced by some members of the community and as such may enter into a rate payment commitments with ratepayers. Council will follow the below process to recover overdue rates and charges.

Where a rate becomes overdue, fourteen (14) days after the due date of the notice:

1. Council will issue a reminder letter, in respect of assessments that have an outstanding balance above the initial recovery action trigger, where a current approved payment plan is not in force. The reminder letter will give the ratepayer(s) fourteen (14) days from the date of the letter to satisfy the outstanding amount and the option to enter into a suitable payment commitment. The letter will also advise the ratepayer(s) that if they fail to pay the outstanding rates or enter into a suitable payment commitment then Council will refer the unpaid rates to Council's Debt Collection Agency.
2. 14 days after the Reminder Letter, all rates assessments with outstanding rates which have not entered into a satisfactory Payment Commitment with Council will be referred to Council's Debt Collection Agency for the issuing of Letter of Demand.
3. Council will proceed with legal recovery action against the ratepayer who has not satisfactorily responded to any Notices/Letters previously sent, by issuing a Claim that will be served on the ratepayer. Further action will proceed as outlined in the Rates Recovery Process shown in diagram 1.
4. Separate forms of Reminder Notices will be issued:
 - a) Requesting that approved payment commitment be continued or the payment commitment will be terminated.
 - b) Advising those in default that legal action may be taken should the default not be rectified in the fourteen (14) day period.
5. Further action will be suspended at any point in the process up to obtaining judgement if:-
 - a) Payment is made in full; or
 - b) the ratepayer enters into and maintains an approved payment commitment.

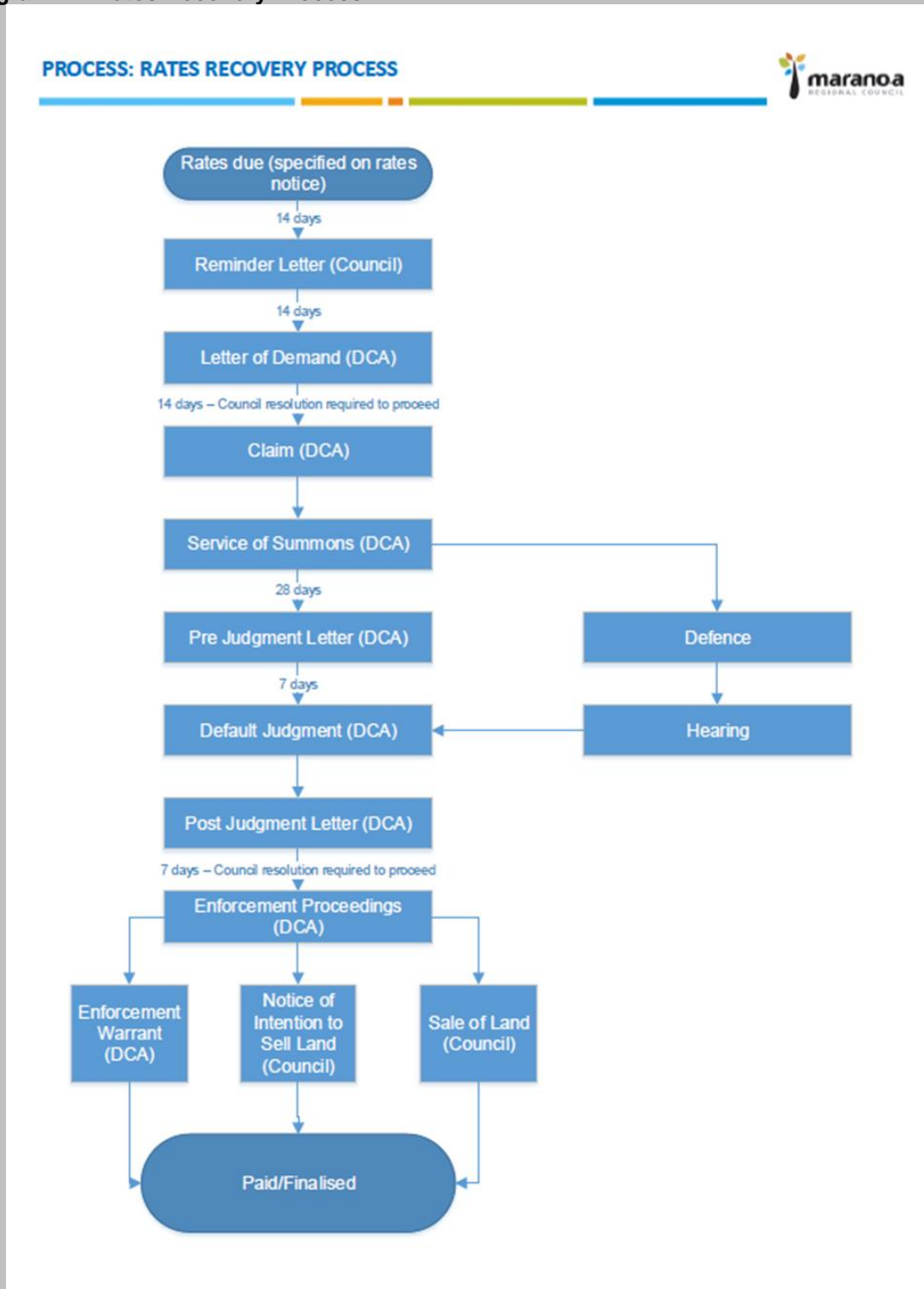
Debt Collection Agency

The following procedures will apply when the ratepayer list has been forwarded to the Debt Collection Agency:

1. A letter of demand will be sent from Council's recovery agency/law firm to all accounts that have a rates arrears, advising the subject ratepayers that Council will instruct its recovery agency/law firm to commence legal proceedings against them if the rates and charges in arrears are not paid or a suitable payment commitment is not entered into with Council's recovery agency/law firm within fourteen (14) days from the date of the letter;
2. When the fourteen (14) day time period has expired, Council's recovery agency/law firm will obtain instructions from Council on which accounts to commence legal action who have not complied with the letter of demand;
3. A claim and statement of claim ("Claim") will then be filed at the Local Magistrates Court and served on the rate payer;
4. 28 days after the Claim has been served Council's recovery agency/law firm will obtain instructions from Council to issue pre judgement warning letter to the rate payer giving seven (7) days to pay the account or contact Council's recovery agency/law firm to enter into a suitable payment commitment;
5. Seven (7) days after the expiry of the pre judgment warning letter Council's recovery agency/law firm will obtain instructions from Council on which accounts are to proceed to have default judgement filed against them on Council's behalf at the Local Magistrates Court;

6. Once default judgement has been obtained, Council’s recovery agency/law firm will issue the rate payer a post judgement letter advising the rate payer that default judgement has been obtained and that if the debt is not paid within seven (7) days from the date of the letter that further enforcement action will take place to recover the debt and all costs;
7. Council can then elect to proceed with the enforcement action of the judgement debt or proceed to sale of land pursuant to section 140 of the *Local Government Regulation 2012*.

Diagram 1 – Rates Recovery Process



Under, Section 140 of *Local Government Regulation 2012*, Selling or acquiring land for overdue rates or charges, applies to overdue rates or charges on the land that has remained unpaid for the following:

- Generally – 3 years; or
- If the rates or charges were levied on vacant land or land used only for commercial purposes, and the local government has obtained judgement for the overdue rates or charges – 1 year; or
- If the rates or charges were levied on a mining claim, 3 months.

Under this Division, Council by resolution, may sell the land for which the rates and charges were levied and remain unpaid. However, Council may not sell the land if the liability to pay the overdue rates and charges is the subject of court proceedings.

A report on properties listed in the 'Intention to sell land for rate arrears' must be referred to a Council meeting for a decision. Once Council has resolved to sell land for arrears of rates and charges, Council must, as soon as practicable, give all interested parties a notice of intention to sell the land.

A 'notice of intention to sell' is a document, signed by the Chief Executive Officer stating:

- That the local government has, by resolution, decided under Section 140, to sell the land for overdue rates or charges; and
- The day on which the resolution was made; and
- The terms of the resolution; and
- A description of the location and size of the land, as shown in the local government's land record; and
- Details of the overdue rates or charges for the land, as at the date of notice, including details of the period for which the rates or charges have been unpaid; and
- Details of the interest that is owing on the overdue rates or charges, as at the date of the notice, including –
 - Details of the rate at which interest is payable on the rates or charges; and
 - A description of the way the interest is calculated; and
 - The total amount of overdue rates or charges and the interest, as at the date of the notice; and
 - A copy, or general outline of Section 133 of the *Local Government) Regulation 2012*.

The Council must start the procedure for selling the land within the required period after the notice of intention to sell, unless the amount of all overdue rates or charges on the land has been paid. If the overdue rates or charges have not been paid in full within:

- Generally – 3 months after the local government gives the notice of intention to sell the land; or
- If the rates or charges were levied on a mining claim – 1 month after the local government gives the notice of intention to sell the land.

The Council must start the procedures of Section 141 for selling the land within 6 months after the local government gives the notice of intention to sell the land. However, the Council must end the procedures if the Council is paid:

- The amount of rates or charges in full; and
- All expenses that the Council has incurred in attempting to sell the land.

Once the required period of three (3) months has expired, a further report is to go to Council for consent to the time and place of the proposed auction and a recommendation on who shall hold the auction and the reserve price/s.

The Council must prepare an auction notice, stating the time and place of the auction and a full description of the land.

At least 14 days, but not more than 35 days, before the day of the auction, the Council must:

- Give a copy of the auction notice to all interested parties who were given a notice of intention to sell the land; and
- Advertise the auction notice in a newspaper that is circulating generally in the local government area; and
- Display the auction notice in a conspicuous place in the local government's public office, until the day of the auction; and
- Display the auction notice in a conspicuous place on the land, unless it is not reasonable practicable to do so because the land is in a remote location or difficult to access.

Under Section 143 of the *Local Government Regulation 2012*, the local government must set a reserve price for the auction that is at least:

- The market value of the land; or
- The higher of either the amount of the overdue rates or charges on the land or the value of the land.

If the reserve price is not reached at auction, the local government may enter into negotiations with the highest bidder at the auction to sell the land by agreement. However, the price for the land under the agreement must be more than the highest bid for and at the auction. If the highest bidder at the auction does not agree to buy the land, the land is taken to have been sold at the auction to the local government for the reserve price. This however, does not apply if the land is held on a tenure the local government is not competent to hold.

Under Section 146 of the *Local Government Regulation 2012*, the local government must use the proceeds of the sale in the following order:

- i. The pay any amount agreed for the release of a State encumbrance;
- ii. To pay the expenses of the sale;
- iii. To pay the overdue rates or charges for the land;
- iv. To pay any other amounts relating to the land that the owner of the land owed the local government immediately before the sale;
- v. To pay any rates or charges, other than overdue rates or charges, for the land;
- vi. To pay any registered encumbrances, other than State encumbrances, in order of their priority under the Land Title Act;
- vii. To pay the person who owned the land immediately before the sale.

If any of the proceeds of the sale remain unclaimed after 2 years, the local government must pay the proceeds to the public trustee as unclaimed money.

Once the property has been auctioned, Council will not release any remaining funds until evidence of identity from all owners is provided. Copies of identity documentation must be certified by a Justice of the Peace or a Commissioner of Declarations.

Any two (2) of the following documents will be accepted:

- Driver's Licence
- Passport

- Citizenship Certificate
- Credit Card
- Birth Certificate

Deferment of Recovery Action

Recovery action in some circumstances may be deferred for the following reasons:

- Deceased estates in probate
- Bankruptcy liquidations
- Approved hardship*
- Property sale where an unconditional contract has been signed**
- Special circumstances***

* Approved hardship is determined after written submission and/or interview

** A copy of the unconditional contract must be provided to Council for verification

*** Special circumstances can be approved by Council resolution, for any overdue rates and charges not falling into any of the above categories that may benefit from the deferment of recovery action.

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

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

6. Related Policies and Legislation

Local Government Regulation 2012
Local Government Act 2009
Revenue Policy

7. Associated Documents

Revenue Statement

CARRIED

8/0

Responsible Officer	Manager - Communication, Information & Administration Services
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Item Number:

11.3

File Number: D16/83404

SUBJECT HEADING:

MONTHLY FINANCIAL STATEMENTS JULY, AUGUST 2016

Officer's Title:

Coordinator - Accounting Services

Executive Summary:

The purpose of this report was for Council to receive a monthly financial report in accordance with section 204 of the Local Government Regulation 2012 for the months of July and August 2016.

Resolution No. GM/09.2016/48

Moved Cr Chambers

Seconded Cr Schefe

That the financial reports to 31 August 2016, as attached to the officer's report, be received and noted.

CARRIED

8/0

Responsible Officer	Coordinator - Accounting Services
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Item Number: 11.4 **File Number:** D16/86728
SUBJECT HEADING: INTERNAL AUDIT SERVICES
Officer's Title: Coordinator - Accounting Services

Executive Summary:

This report recommended to Council extending the appointment of Condon Treasure Certified Practising Accountants to provide specialist advisory services in a modified Internal Audit role to the 31 December 2017.

Resolution No. GM/09.2016/49	
Moved Cr McMullen	Seconded Cr Chambers
That Council:	
<ol style="list-style-type: none"> 1. Resolve that it is satisfied that there is only one supplier who is reasonably available with the requisite knowledge of Council's internal audit history to provide services during this transition period. 2. Approve extending the appointment of Condon Treasure Certified Practising Accountants to provide specialist advisory services in a modified Internal Audit role for a further period to 31 December, 2017. 	
CARRIED	8/0

Responsible Officer	Coordinator - Accounting Services
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Item Number: 11.5 **File Number:** D16/85735
SUBJECT HEADING: PROPOSAL TO HIRE HAY FEEDERS FOR USE AT THE ROMA SALEYARDS
Officer's Title: Manager - Saleyards

This item was moved to the closed segment of the Agenda for further discussion, refer to Item C.12.

Item Number: 11.6 **File Number:** D16/86381
SUBJECT HEADING: CONSIDERATION OF ELECTED MEMBER ATTENDANCE AT CONFERENCES
Officer's Title: Coordinator - Councillors & Community Engagement

Executive Summary:

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

Resolution No. GM/09.2016/50	
Moved Cr O'Neil	Seconded Cr Bryant
That Council endorse the attendance of:	
<ul style="list-style-type: none"> • Councillors O'Neil and Scheffe (delegates), and Councillors Bryant, Chandler, McMullen and Stanford (observers) at the 120th LGAQ Annual Conference on 18 – 20 October 2016 on the Gold Coast; 	

- Cr. Bryant to the position of delegate at the abovementioned conference on 20 October 2016, in place of Cr. O'Neil.
- Cr. Chandler at the 2016 Outback Queensland Tourism Awards & Symposium on 3 – 5 November 2016 in Jundah and Windorah;
- Cr. McMullen and Stanford at the 2016 National Local Roads and Transport Congress on 9 – 11 November 2016 in Toowoomba.

CARRIED

8/0

Responsible Officer
Coordinator - Councillors & Community Engagement
DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES
Item Number:

13.1

File Number: D16/72586

SUBJECT HEADING:
PROPOSED DONATION OF BIG YARD GAMES TO MARANOA PCYC
Officer's Title:
Specialist - Sport and Recreation
Executive Summary:

Council owns a number of big yard games that are available for community use that are also irregularly used in Council youth programs. The games are currently housed at the Roma Office and a hire system is in place.

The games of chess, mini golf, large timber blocks, target/disc game and hop scotch are contained in large kit bags. The games could have a higher level of use if centrally located and if local groups were aware of the games' availability for community events.

Discussion:

The Mayor enquired as to whether there would be a hire charge for use of the games. The reporting officer confirmed that there would not be, and advised that the PCYC would administer the bookings.

Cr. Flynn spoke in favour of the motion, indicating he felt they would be more accessible to the community being located at the PCYC, but that he would like to see a trial period to determine if this is the best place for the games to be held over a longer term.

Resolution No. GM/09.2016/51
Moved Cr Flynn
Seconded Cr McMullen

That Council provide the big yard games to the Maranoa PCYC, so they are more readily available for use within the community for a trial period of 12 months.

CARRIED

7/1

Responsible Officer
Specialist - Sport and Recreation

Item Number: 13.2 **File Number:** D16/86450

SUBJECT HEADING: YULEBA FOOTPATH IMPROVEMENT

Officer's Title: Local Development Officer Yuleba/Wallumbilla

Executive Summary:

Pedestrians require all-weather, all-abilities footpath access from Stephenson Street to the Yuleba War Monument.

GM/06.2016/46 authorised the carry forward of \$14,000 from the 2015/16 Yuleba/Wallumbilla operations budget to complete another section of the masterplan – the pathway across the railway line from the Park to the Hall.

It has since become evident that the highest priority for the community is completing the pedestrian connections between the new monument and Stephenson Street (rather than the section from the Park to the Hall) as elderly residents are finding it difficult to push their walkers across the turf.

Resolution No. GM/09.2016/52	
Moved Cr McMullen	Seconded Cr O'Neil
<p>That the \$14,000 allocated to the Yuleba Pedestrian Rail Crossing Improvement project (GM/06.2016/46) be redirected to improving pedestrian access from Stephenson Street to the Yuleba War Monument.</p>	
CARRIED	8/0

Responsible Officer	Local Development Officer Yuleba/Wallumbilla
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Item Number: 13.3 **File Number:** D16/81291

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.

Roma and Regional Swimming Pool Reports for the month of August were presented for Council's information.

Discussion:

Cr. O'Neil requested further information be presented at the next monthly report about current management arrangements in place for all pools across the region.

Cr. Flynn commented on the presentation of the Surat Swimming Pool in the lead up to the season, advising it was a credit to the current manager and staff at the pool as to how well they are maintaining the facility.

Resolution No. GM/09.2016/53

Moved Cr O'Neil

Seconded Cr Scheffe

That Council receive the Regional Swimming Pool Reports for the month of August 2016.

CARRIED

8/0

Responsible Officer

Coordinator - Buildings & Structures

COUNCILLOR BUSINESS

Item Number:

22.1

File Number: D16/86699

SUBJECT HEADING:

BUNGIL CREEK CLEARING

Author and Councillor's Title:

Cr. Jan Chambers

Executive Summary:

Council has in recent budgets undertaken a program of works in regard to creek clearing. Following on from recent flood mitigation sessions, local residents raised concerns regarding the clearing of the creek. It was then decided to have a meeting with residents to listen to their concerns.

Discussion:

Cr. Chambers spoke in favour of the motion, indicating that there had been a lot of community discussion over a long period of time on creek clearing. She also advised there had been some confusion about arrangements for personal and public land in this regard, stating that the production of a fact sheet is very important for the community, so they have a good understanding of what clearing has been undertaken to date by Council, what is planned for the future, and how the community can assist on private land.

Resolution No. GM/09.2016/54

Moved Cr Chambers

Seconded Cr O'Neil

That Council:

1. **Develop for circulation a fact sheet containing clarifying information for the community with respect to the clearing of Bungil Creek containing the following discussion points:**
 - **Information confirming what Council can and cannot undertake in relation to creek clearing;**
 - **Details of creek clearing program actions undertaken to date in the Bungil Creek catchment;**
 - **Details of upcoming program actions;**
 - **The provision of information clarifying what options and activities can be undertaken privately by property owners.**
2. **Suggest to the community that those interested in the program could consider forming a Friends of the Bungil Creek Group.**

CARRIED

8/0

Responsible Officer

Councillor

LATE ITEMS

Item Number: L.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

Officer's Title: Christopher Tickner

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). This item had been laid on the table at the previous General Meeting on 14/09/16, to allow Councillors additional time to consider the matter along with further information from officers. This information now to hand, Council again considered the matter.

Discussion:

Cr. Bryant spoke in favour of the motion, indicating that Council had discussed the application at length, and in consideration of any potential future applications of a similar nature. Cr. Bryant further advised that as similar applications in the past for feedlots had not been required to pay a Local Roads Additional Impacts Charge under policy at the time, she felt it was not unreasonable to remove the applicable fees for this application (which apply under current policy) to keep all feedlots in the region consistent in regard to the application of this charge.

Cr. Schefe spoke against the motion, indicating he would not be voting for the draft motion as it stood, as he was not in favour of removing the Local Roads Additional Impacts Charge which applies under current policy.

Resolution No. GM/09.2016/55

Moved Cr Bryant

Seconded Cr Chandler

That the following text be inserted in the preamble to the development approval conditions:

The land use 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, is available on the Council website: www.maranoa.qld.gov.au.

That Condition 7 be amended:

From

All civil and related work shall be designed and supervised by a Registered Professional Engineer of Queensland (RPEQ) who is competent in the construction of the works.

To

During the course of constructing the works, the developer shall ensure that all works are carried out by an appropriately qualified person(s). The developer and the person(s) carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.

That condition 19 be amended:

From

No nuisance is to be created to adjoining properties and their occupiers by way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.

To

No environmental nuisance is to be created to adjoining properties and their occupiers by way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.

That the following conditions be inserted after Condition 31:

Haulage Routes

The haulage routes for heavy vehicles transporting fattened livestock from the facility is along roads that are designed and constructed to a standard to meet the needs of the traffic generated without compromising the safety of other vehicles using the roads and the amenity of residential uses fronting the haul route.

And

Heavy vehicles transporting fattened livestock from the site are prohibited from travelling west along Bellevue Road. All heavy vehicles transporting fattened livestock from the site are to travel in an easterly direction along Bellevue Road to the intersection of Roma-Southern Road.

That Condition 8, 9, 10, 32, 33, 34, 41, 44, 45, 46, 47, 48, 49, 50, 51, 52, and 53 be deleted.

That Condition 25 remain.

CARRIED

7/1

Responsible Officer	Acting Coordinator – Planning
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Item Number:

L.2

File Number: D16/87020

SUBJECT HEADING:

COUNCIL INITIATED ADVISORY COMMITTEE MEETINGS

Officer's Title:

Coordinator - Councillors & Community Engagement

Executive Summary:

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

This report provides a copy of the confirmed and unconfirmed meeting minutes of the advisory committee meetings held during the months of June 2016 – September 2016.

Discussion:

Cr. Chandler indicated a preference to lay the item on the table to allow for additional time to review the report, given the lateness of receipt of the Late Agenda, so no vote was taken on the draft motion at that time.

Moved Cr O'Neil

Seconded Cr Bryant

That Council receive and note the confirmed and unconfirmed minutes of the following committees:

- Confirmed Minutes - Roma Saleyards Advisory Committee Meeting – 16/06/16;
- Confirmed Minutes – Roma Saleyards Advisory Committee Meeting – 07/07/16;
- Confirmed Minutes – Roma Saleyards Advisory Committee Meeting – 04/08/16
- Confirmed Minutes – Airport Advisory Committee Meeting – 06/07/16;
- Unconfirmed Minutes – Airport Advisory Committee Meeting – 07/09/16;
- Unconfirmed Minutes – Regional Roads Advisory Committee Meeting – 18/07/16;
- Unconfirmed Minutes – Bassett Park Advisory Committee Meeting – 05/07/16;
- Unconfirmed Minutes – Wallumbilla Show Grounds Advisory Committee – 07/07/16
- Unconfirmed Minutes – Wild Dog Advisory Committee Meeting – 11/07/16

NO VOTE TAKEN

Discussion:

Council undertook a vote in consideration of laying the item on the table, which was recorded as follows:

Resolution No. GM/09.2016/56

Moved Cr Chandler

Seconded Cr

That the matter lay on the table for further consideration at the General Meeting on 12 October 2016.

CARRIED

6/2

Responsible Officer

Coordinator - Councillors & Community Engagement

Item Number:

L.3

File Number: D16/88178

SUBJECT HEADING:

WILD DOG BARRIER FENCE PANEL - MEMBERSHIP ARRANGEMENTS

Officer's Title:

Coordinator - Councillors & Community Engagement

Executive Summary:

The Wild Dog Barrier Fence Panel oversees operations of the Wild Dog Barrier Fence carried out by the Department of Agriculture and Fisheries (DAF). The panel will be renewed following the South West Queensland Local Government Conference in November 2016.

Under the Terms of Reference one member is drawn from Group 2 Local governments, comprising Western Downs Regional Council and Maranoa Regional Council. The department requested that a representative from Group 2 be forwarded for panel finalisation.

Resolution No. GM/09.2016/57

Moved Cr Chandler

Seconded Cr McMullen

That Council:

- 1. Nominate Cr. Robyn Bryant as representative for Group 2 Local Government on the Wild Dog Barrier Fence Panel.**

2. Write to Western Downs Regional Council confirming Cr. Bryant's nomination to the Panel and seek their formal endorsement.

CARRIED

8/0

Responsible Officer

Coordinator - Councillors & Community Engagement

The Mayor declared a Material Personal Interest in the following item, due to his personal business 'Golders' being the applicant. The Mayor left the Chamber at 9.43am, 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:

12.1

File Number: D16/85860

SUBJECT HEADING:

ROMA CBD UPGRADE – STREET FURNITURE

Officer's Title:

Project Officer - Community Liaison

Executive Summary:

This report advised Council of feedback received requesting Council reconsider the installation of new outdoor furniture on the north east corner of the Arthur and McDowall Street intersection as part of the Roma CBD Upgrade, in favour of reusing the existing furniture on this corner with no new or additional seating to be installed to what was already there.

Resolution No. GM/09.2016/58

Moved Cr O'Neil

Seconded Cr Scheffe

That Council confirm that new street furniture, as per the current detailed designs for the Roma CBD Upgrade, be installed as part of the Roma CBD Upgrade program. Further that it be noted that the new furniture is already included within the existing project budget (WO 17664) for the Arthur and McDowall Street intersection as per Resolution No. GM/09.2016/39.

CARRIED

7/0

Responsible Officer

Project Officer - Community Liaison

At cessation of discussion and debate on the abovementioned item, the Mayor entered the Chamber at 9.46am, and assumed the Chair.

Resolution No. GM/09.2016/59

Moved Cr O'Neil

Seconded Cr Chambers

That Council close the meeting at 9.46am.

CARRIED

8/0

CONFIDENTIAL BUSINESS

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;
- (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;
- (e) contracts proposed to be made by it;

Also noting the earlier resolution making the following changes to the closed segment of the agenda:

- Item 11.5 – Proposal to hire hay feeders for use at the Roma Saleyards, for discussion as part of the closed segment of the agenda, in accordance with 275(h) of the *Local Government Regulation 2012*;
- Item C.8 – Roma CBD Upgrade – Street Furniture for discussion as part of the open segment of the Agenda.

Cr. O'Neil left the Chamber at 9.56am, and entered at 9.58am.

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
COUNCIL ADJOURNED THE MEETING FOR MORNING TEA 10.45AM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 11.35AM.

Cr. Flynn declared a Material Personal Interest in relation to Item C.11 – Roma Airport Terminal Redevelopment – Monthly Progress Report (Variations & Budget Update), due to the equipment under consideration being relevant to his business operations out of the Roma Airport. Cr. Flynn left the Chamber at 11.40am, taking no further part in discussions on the matter.

At cessation of discussion on the abovementioned item, Cr. Flynn entered the Chamber at 11.42am.

Cr. Flynn declared a 'Conflict of Interest' in relation to Item LC.6 – August 2016 – Monthly Business Unit Report – Airports, due to his personal business operations out of the Roma Airport. Cr. Flynn left the Chamber at 12.03pm, taking no further part in discussions on the matter.

At cessation of discussion on the abovementioned item, Cr. Flynn entered the Chamber at 12.04pm.

Cr. O'Neil left the Chamber at 12.03pm, and entered at 12.27pm.

Cr. O'Neil advised that based on preliminary enquiries in relation to Item LC.8 – Compost Trial, that he may have a potential 'Conflict of Interest' due to his personal association with another organisation. Pending further enquiries into the matter, Cr. O'Neil elected to leave the Chambers at 12.28 pm, taking no further part in discussions on the matter.

Discussions on the matter ceased just prior to adjournment of Standing Orders for lunch, with Cr. O'Neil joining Councillors during lunch.

Item Number: C.2 **File Number:** D16/79030
SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE - LOT 701 ON H1491
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 210320 being Lot 701 on H1491 to freehold tenure.

Resolution No. GM/09.2016/62	
Moved Cr O'Neil	Seconded Cr Bryant
<p>That Council advise the Department of Natural Resources and Mines it has no objection to the conversion over Term Lease 210320 being Lot 701 on H1491 to freehold tenure.</p>	
CARRIED	8/0

Responsible Officer	Administration Officer - Land Administration
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Item Number: C.3 **File Number:** D16/84502
SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE - LOT 15 ON DL472
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 Grazing Homestead Perpetual Lease (GHPL) 36/7292 being Lot 15 on DL472 to freehold tenure.

Resolution No. GM/09.2016/63	
Moved Cr Bryant	Seconded Cr O'Neil
<p>That Council advise the Department of Natural Resources and Mines it has no objection to the conversion over GHPL 36/7292 being Lot 15 on DL472 to freehold tenure.</p>	
CARRIED	8/0

Responsible Officer	Administration Officer - Land Administration
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Item Number: C.4 **File Number:** D16/81574
SUBJECT HEADING: BIG RIG MONTHLY REPORT
Officer's Title: Coordinator - Buildings & Structures

Executive Summary:

The Big Rig report for the months of July and August 2016, and was presented for Council's information.

Resolution No. GM/09.2016/64

Moved Cr Chandler

Seconded Cr Chambers

That Council receive and note the report as presented.

CARRIED

8/0

Responsible Officer

Coordinator - Buildings & Structures

Item Number:

C.5

File Number: D16/81895

SUBJECT HEADING:

EXPIRED BORE AGREEMENT - MITCHELL

Officer's Title:

Coordinator - Water, Sewerage & Gas Projects & Compliance

Executive Summary:

Council is seeking to finalise an Agreement between local property owners and the Booringa Shire Council, made on 3 December 1993. This agreement enabled Council to access their bore for use in supplying water to the town. The agreement expired on 3 December 2013, and the 5 year option for extension was not exercised.

Resolution No. GM/09.2016/65

Moved Cr McMullen

Seconded Cr Bryant

That Council:

1. Install an isolation valve at the property boundary.
2. Cancel Council's Ergon Account for the Bore, allowing the property owners to have power connected in their name.
3. Transfer all bore related assets on site to the property owner.
4. Decline the request for installation of the tank, as it was not part of the initial agreement.

CARRIED

8/0

Responsible Officer

Coordinator - Water, Sewerage & Gas Projects & Compliance

Item Number:

C.6

File Number: D16/83328

SUBJECT HEADING:

REQUEST FOR DISCOUNT AND INTEREST TO BE WAIVED - ASSESSMENT NUMBERS 12009734 AND 12009759

Officer's Title:

Coordinator - Rates

Executive Summary:

Correspondence was received from the applicant requesting discount to be granted for four (4) rating periods and interest accrued during this period to be waived. The applicant has also raised concerns regarding Council's procedure for receipting rates payments through the mail.

Discussion:

Cr. Chandler spoke in favour of the motion, indicating that the recommendation was in line with Council policy, further advising the circumstances of the request do not meet the criteria in the Revenue Statement for granting a discount.

Resolution No. GM/09.2016/66	
Moved Cr Chandler	Seconded Cr Bryant
That Council:	
<ol style="list-style-type: none"> 1. Not grant the discount on this occasion as the circumstances do not meet the criteria in Council's adopted Revenue Statement or the <i>Local Government Regulation 2012</i> for granting discount. 2. Advise the ratepayer that Council provides a number of payment methods including payment at any Post Office or by phone, which eliminate the risk of any postal delays. 	
CARRIED (The Mayor requested his vote against the motion be recorded) 7/1	

Responsible Officer	Coordinator - Rates
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Cr. O'Neil requested a 'Division of the Vote' and a vote was again undertaken by Council, recorded as follows:

Resolution No. GM/09.2016/67	
Moved Cr Chandler	Seconded Cr Bryant
That Council:	
<ol style="list-style-type: none"> 1. Not grant the discount on this occasion as the circumstances do not meet the criteria in Council's adopted Revenue Statement or the <i>Local Government Regulation 2012</i> for granting discount. 2. Advise the ratepayer that Council provides a number of payment methods including payment at any Post Office or by phone, which eliminate the risk of any postal delays. 	
Cr. O'Neil 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	
CARRIED 7/1	

Responsible Officer	Coordinator - Rates
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Item Number: C.7 **File Number:** D16/84715

SUBJECT HEADING: WRITE OFF AMOUNT IN DEBTORS – NATURAL GAS ACCOUNT – 1000651

Officer's Title: Coordinator - Debtors

Executive Summary:

This report recommended the formal write off of a debt that is deemed to be irrecoverable or unviable for Council to pursue further recovery action.

Resolution No. GM/09.2016/68	
Moved Cr Chambers	Seconded Cr Flynn
That Council approve the write off of the debt (Natural Gas Account – 1000651 for the amount of \$466.02) due to its current status of being irrecoverable or unviable for Council to pursue further recovery action.	
CARRIED	8/0

Responsible Officer	Coordinator - Debtors
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Item Number: C.8 **File Number:** D16/85860

SUBJECT HEADING: ROMA CBD UPGRADE – STREET FURNITURE

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 12.1).

Item Number: C.9 **File Number:** D16/86703

SUBJECT HEADING: ROMA FLOOD MITIGATION - SITE INSPECTION WITH RESIDENTS IN THE ROMA DOWNS AND TWO MILE ROAD ROMA VICINITY

Author and Councillor's Title: Cr. Jan Chambers

Executive Summary:

Roma Downs Road and Two Mile Road residents met with Councillors and Staff in relation to concerns they have regarding the Roma Flood Mitigation Project. An on-site inspection was also undertaken.

Resolution No. GM/09.2016/69	
Moved Cr Chambers	Seconded Cr O'Neil
That Council:	
<ol style="list-style-type: none"> 1. Undertake required survey levels and update flood mapping if required to provide the required information to advocate to the State Department of Natural Resources and Mines on behalf of residents. 2. Provide information to the concerned residents in relation to their other questions raised. 	
CARRIED	8/0

Responsible Officer	Director – Infrastructure Services
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Item Number: C.10 **File Number:** D16/85619

SUBJECT HEADING: **REQUEST FOR CONSENT TO ASSIGN AGREEMENT –
MOVEMENT AND CONTROL OF STOCK SERVICES**

Officer's Title: **Manager - Saleyards**

Executive Summary:

Livestock Link Pty Ltd and AAM Operations Pty Ltd is requesting consent from Council to assign the Movement and Control of Stock Services Agreement to AAM Operations, in accordance with clause 20.2.

Resolution No. GM/09.2016/70

Moved Cr Flynn

Seconded Cr Bryant

That Council:

- 1. Give consent for the Movement and Control of Stock Services Agreement to be assigned to AAM Operations Pty Ltd ACN 165 867167 subject to final negotiations with the parties on the Deed of Assignment by the Chief Executive Officer (or delegate).**
- 2. Authorise the Chief Executive Officer to sign the final document.**

CARRIED

8/0

Responsible Officer

Manager - Saleyards

Cr. Flynn declared a Material Personal Interest in the following item, due to the equipment under consideration being relevant to his business operations out of the Roma Airport. Cr. Flynn left the Chamber at 1.46pm, taking no further part in discussion or debate on the matter.

Item Number: C.11 **File Number:** D16/81064

SUBJECT HEADING: **ROMA AIRPORT TERMINAL REDEVELOPMENT -
MONTHLY PROGRESS REPORT, VARIATIONS &
BUDGET UPDATE**

Officer's Title: **Superintendent's Representative (Structural Engineer)**

Executive Summary:

Stage 1 construction of Roma Airport Terminal Redevelopment Project is now practically complete and Stage 2 construction work is in progress. A monthly progress report for the project was presented.

A budget update and forecast of final cost of the project based on a variations trend, was completed and a budget shortfall identified. It was recommended additional funds be allocated from the Airport Runway project

Resolution No. GM/09.2016/71

Moved Cr O'Neil

Seconded Cr McMullen

That Council:

- 1. Receive and note the Roma Airport Terminal Redevelopment Monthly Progress Report.**

2. Endorse the transfer of additional funds from the Airport Runway Overlay project (Work Order No 18375).

CARRIED

7/0

Responsible Officer

Superintendent's Representative (Structural Engineer)

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

LATE CONFIDENTIAL ITEMS

Item Number: LC.1 **File Number:** D16/86305

SUBJECT HEADING: REQUEST FOR GRID REMOVAL REBATE

Officer's Title: Senior Engineer - Construction & Works

Executive Summary:

A request was been received to increase the subsidy payable for removal of 2 grids on Bullagai Road.

Resolution No. GM/09.2016/72

Moved Cr McMullen

Seconded Cr Flynn

That Council:

1. **Separate to the review of the Grids & Gates Policy, increase the fencing subsidy payable for the removal of grids from \$1,500 per grid to \$3,000 per grid upon the applicant fencing the road reserve.**
2. **The associated costs for this request be funded from road maintenance – GL2455.**
3. **Give consideration to increasing the ongoing fencing subsidy of \$1,500 for future revisions of the policy and a budget be allocated as part of the policy review and adoption.**

CARRIED

8/0

Responsible Officer

Senior Engineer - Construction & Works

Item Number: LC.2 **File Number:** D16/83676

SUBJECT HEADING: ROMA FLOOD MITIGATION - STAGE 1

Officer's Title: Project Officer - Community Liaison

Executive Summary:

This report was been provided to update Council on negotiations with a landholder for Stage 1 levee to confirm a way forward with the Easement Agreement.

Resolution No. GM/09.2016/73
Moved Cr Chambers
Seconded Cr Scheffe
That:

1. Council authorise the Chief Executive Officer or delegate to negotiate an Easement Agreement with the owner based on the report provided for the property (Assessment Number 14021257).
2. Further, if negotiations are unsuccessful, Council proceed with compulsory acquisition of the land.

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

7/1

Responsible Officer
Project Officer - Community Liaison

Cr. Bryant requested a 'Division of the Vote' and a vote was again undertaken by Council, recorded as follows:

Resolution No. GM/09.2016/74
Moved Cr Chambers
Seconded Cr Scheffe
That:

1. Council authorise the Chief Executive Officer or delegate to negotiate an Easement Agreement with the owner based on the report provided for the property (Assessment Number 14021257).
2. Further, if negotiations are unsuccessful, Council proceed with compulsory acquisition of the land.

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	

CARRIED

7/1

Responsible Officer
Project Officer - Community Liaison

Item Number: LC.3 File Number: D16/87502

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

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

Executive Summary:

This report provides Council the opportunity to receive and note the contents of the final edit of the GHD Hydrology and Hydraulic Study for the Stage 2 Roma Flood Mitigation, Western Levee and Eastern Diversion Drain, dated September 2016.

Discussion:

Cr. Chambers spoke in favour of the motion, and shared key points of the report as follows:

- Stage 1, now complete, reduced the number of properties at risk of above floor flooding in an event equivalent to that of 2012, **from 580 down to approx. 120;**
- The objective of Stage 2 is to further reduce the number of properties still at risk of above floor flooding in an event equivalent to that of 2012;
- Stage 2 comprises the Federally funded Stage 2A (Western Levee and Eastern Diversion Channel) and the State subsidised Stage 2B (augmentation and drainage improvements at Railway Dam; drainage improvements in the long-drain and at Shady's Lagoon; and mitigation works east of the town centre);
- Once Stages 2A and 2B have been implemented, modelling indicates that **a further 31 and 20 properties respectively will be at reduced risk** of above floor flooding in an event equivalent to that of 2012;
- **No properties will be worse off as a result of implementing Stage 2 in respect to the risk of above floor flooding should an event equivalent to that of 2012 be experienced.**

Resolution No. GM/09.2016/75

Moved Cr Chambers

Seconded Cr Chandler

That Council:

1. 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 September 2016.
2. Formally adopt the report and in doing so authorise the release of the report to the public.

CARRIED

8/0

Responsible Officer

Manager – Program Management & Infrastructure Contracts

Item Number: LC.4 **File Number:** D16/88035
SUBJECT HEADING: ROMA FLOOD MITIGATION STAGE 1 - RESEEDING
Officer's Title: Senior Engineer - Infrastructure Contracts

Executive Summary:

The Contractor has not achieved the specified grass coverage on the levee as stipulated in their Contract. In accordance with the provisions of Clause 37 of the Contract, the Principal (Maranoa Regional Council) may carry out the rectification work.

It was proposed that Council undertake the rectification work under Clause 37 of the Contract, and this report seeks endorsement on the proposed rectification methodology.

Resolution No. GM/09.2016/76

Moved Cr O'Neil

Seconded Cr Scheffe

That Council endorse the proposed rectification methodology for the Stage 1 levee and authorise the Chief Executive Officer or delegate to progress in line with the contract.

CARRIED

8/0

Responsible Officer

Senior Engineer - Infrastructure Contracts

Item Number: LC.5 **File Number:** D16/88213
SUBJECT HEADING: LETTER OF AGREEMENT AND ROAD INFRASTRUCTURE AND COMPENSATION AGREEMENT - SENEX ENERGY LIMITED - NOTIFIABLE ROAD USE
Officer's Title: Senior Engineer Infrastructure Contracts

Executive Summary:

Senex Energy Limited has lodged a notice of a notifiable road use with Council for the use of Pickanjinie North Road, Mt. Hope Road and a section of an Un-Named Road Reserve west of Mt. Hope Road. This report outlined Council's proposed approach to mitigating the impact of Senex Energy Limited's traffic.

Resolution No. GM/09.2016/77

Moved Cr O'Neil

Seconded Cr Scheffe

That Council:

- 1. Authorise the Chief Executive Officer or delegate to enter into negotiations with Senex Energy Limited to agree on and execute the Letter of Agreement.**
- 2. Authorise the Chief Executive or delegate to negotiate a Road Infrastructure and Compensation Agreement with Senex Energy Limited.**

CARRIED

8/0

Responsible Officer

Senior Engineer Infrastructure Contracts

Cr. Flynn declared a 'Conflict of Interest' in the following item, due to his personal business operations out of the Roma Airport. Cr. Flynn left the Chamber at 1.59pm, taking no further part in discussion or debate on the matter.

Item Number: LC.6 **File Number:** D16/85614
SUBJECT HEADING: AUGUST 2016 - MONTHLY BUSINESS UNIT REPORT - AIRPORTS
Officer's Title: Support Officer - Airports

Executive Summary:

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

Resolution No. GM/09.2016/78	
Moved Cr O'Neil	Seconded Cr McMullen
That Council receive and note the Officer's report as presented.	
CARRIED	7/0

Responsible Officer	Support Officer - Airports
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At cessation of discussion and debate in relation to the abovementioned item, Cr. Flynn entered the Chamber at 2.00pm.

Item Number: LC.7 **File Number:** D16/86973
SUBJECT HEADING: SUMMARY OF QUOTATIONS - COORDINATED BAITING PROGRAM
Officer's Title: Coordinator - Rural Land Services

Executive Summary:

Quotations for the supply of meat for the 2016/17 Coordinated Wild Dog Baiting campaign have been received for consideration by Council

Resolution No. GM/09.2016/79	
Moved Cr McMullen	Seconded Cr Chandler
That Council accept the Quotation from Warroo Game Meats for the supply of meat for the 2016/17 coordinated baiting campaign.	
CARRIED	8/0

Responsible Officer	Coordinator - Rural Land Services
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Cr. O'Neil advised that based on preliminary enquiries in relation to Item LC.8 – Compost Trial, that he may have a potential 'Conflict of Interest' due to his personal association with another organisation. Pending further enquiries into the matter, Cr. O'Neil elected to leave the Chambers at 2.01 pm, taking no further part in discussions on the matter.

Item Number: LC.8 **File Number:** D16/87021
SUBJECT HEADING: COMPOST TRIAL - ROMA
Officer's Title: Manager - Environmental Health, Waste & Rural Land Services

Executive Summary:

In 2013 Council called for 'Expressions of Interest' to conduct a trial compost operation whereby Nugrow were the successful applicant. The initial trial period was extended until Council had called and evaluated tenders and made a selection. Correspondence has been received in relation to the current composting operation.

Resolution No. GM/09.2016/80	
Moved Cr Chambers	Seconded
That the matter lay on the table for further consideration at a future General Meeting, following discussion at an upcoming Councillor Workshop.	
CARRIED	7/0

Responsible Officer	Manager - Environmental Health, Waste & Rural Land Services
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At cessation of discussion and debate on the abovementioned item, Cr. O'Neil entered the Chamber at 2.02pm.

Item Number: LC.9 **File Number:** D16/87772
SUBJECT HEADING: REQUEST FOR QUOTATION - FAIRVIEW ROAD PROJECT SUPPLY OF DRAINAGE STRUCTURES
Officer's Title: Manager - Procurement & Commercial Services

Executive Summary:

A Local Buy quotation request for the supply of drainage structures for the Fairview Road Upgrade Project was distributed via Vendor Panel, between 7 June and 20 June 2016.

One response was received and the quotation was attached for Council's consideration.

Resolution No. GM/09.2016/81	
Moved Cr Flynn	Seconded Cr Chambers
That Council:	
<ol style="list-style-type: none"> 1. Endorse the selection of Rocla Pty Limited trading as Rocla Pipeline Products as the preferred supplier for Local Buy Quotation Request VP51935 – Fairview Road: Supply of Drainage Structures. 2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with Rocla Pty Limited trading as Rocla Pipeline Products and raise a purchase order if the final terms are acceptable. 3. Assign the expenditure to work order 15598. 	
CARRIED	8/0

Responsible Officer	Manager - Procurement & Commercial Services
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Item Number: LC.10 File Number: D16/88175
SUBJECT HEADING: EXCESS ANIMAL APPLICATION 2016/53 – EXCESS DOG
Officer's Title: Coordinator - Community Safety

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 recommend that the application be approved.

Resolution No. GM/09.2016/82

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 grants an excess dogs approval for the keeping of the three (3) dogs identified in Excess Animal Application Number 2016-53 (each an "identified dog") identified as 982000191009513, 982000356811840 and Excess Dog one, 98200356811845 on the premises, 41 George Street, Roma identified in Excess Animal Application Number 2016-53 (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 8/0

Responsible Officer	Coordinator - Community Safety
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Item Number: LC.11 **File Number:** D16/88448

SUBJECT HEADING: MINOR AMENDMENTS TO ORGANISATIONAL STRUCTURE - COMMENCEMENT OF PROCUREMENT & COMMERCIAL SERVICES DEPARTMENT

Officer's Title: Chief Executive Officer

Executive Summary:

The report updated the organisational structure with fine-tuned position titles and responsibilities for the new Procurement & Commercial Services department.

Resolution No. GM/09.2016/83

Moved Cr Chambers

Seconded Cr Scheffe

That Council approve the finalisation of the Organisational Structure for the Procurement & Commercial Services department, funded through identified long term and current year savings (as listed in the agenda report) pending final review of Council's service and resourcing requirements through the 'Tightening the Belt' initiative:

Position Number	Revised Title Description
0348	Procurement Officer - Contract Management Office (CMO)
0989	Procurement Officer - Project Management Office (PMO)
0741 Shared Resource	Procurement Officer - Stores & General Procurement (Also change in the Award Stream)
0742 Shared Resource	Procurement - Infrastructure Maintenance (RDP / WSG) / Costing Officer (WSG)
0959 Shared Resource	Procurement - Facilities / Relief Facilities Officer
0722 Shared Resource	Procurement / Costing Officer - Plant Management

0963 Shared Resource	Procurement / Costing Officer - Plant Maintenance & Workshops
0992	Procurement Officer – General
0505 Shared Resource	Support Officer - Procurement & Commercial Services / Resource Coordination / Costing Officer – Quarry
0740	Manager
CARRIED	
8/0	

Responsible Officer	Chief Executive Officer
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The Mayor declared a Material Personal Interest in the following item, due to his personal business 'Golders' being situated at the intersection, the subject of the Roma CBD Upgrade. The rate payment arrangements proposal under consideration pertained to businesses directly impacted by the fencing placed outside of specific businesses during construction. Golders is one of the directly affected businesses.

The Mayor left the Chambers at 2.04pm, taking no further part in discussion or debate on the matter, with the Deputy Mayor taking the role of Acting Chair during his absence.

Item Number: LC.12 **File Number:** D16/88451

SUBJECT HEADING: **RATE PAYMENT ARRANGEMENTS PROPOSAL – CBD BUSINESSES BEHIND CONSTRUCTION FENCES**

Officer's Title: **Chief Executive Officer**

Executive Summary:

The report tabled a proposal for Council to consider granting a concession to businesses impacted by the construction work area; by allowing additional time (into next financial year) to pay rates and charges, aligning rate payments to the post construction period when businesses cash flow will no doubt return to normal.

Discussion:

Cr. Chandler spoke in favour of the motion, indicating that she felt it was timely to offer some concession to businesses temporarily impacted by the construction fences currently in place during the CBD Upgrade.

Cr. Bryant spoke against the motion, indicating that while she understood and empathises with the inconvenience to impacted businesses, she felt the longer term gain for those business from the footpath improvements far outweighs the short term pain.

Resolution No. GM/09.2016/84

Moved Cr Chandler

Seconded Cr Scheffe

That:

- Council, through the Chief Executive Officer, authorise the Project Liaison Officer to liaise with affected businesses (those which are directly behind the construction fencing) to identify if a payment arrangement would be helpful, allowing them a maximum period (equivalent to the construction duration – estimated at five (5) months August 2016 – January 2017), added to the start of the 2017/18 financial year.**

2. Further that interest be waived if the ratepayer complies with the arrangement, detailed via letter or form, and to the satisfaction of the Coordinator Rates.

CARRIED

6/1

Responsible Officer

Chief Executive Officer

At cessation of discussion and debate on the abovementioned item, the Mayor entered the Chamber and assumed the Chair at 2.13pm.

Item Number:

C.12

File Number: D16/85735

SUBJECT HEADING:

PROPOSAL TO HIRE HAY FEEDERS FOR USE AT THE ROMA SALEYARDS

Officer's Title:

Manager - Saleyards

Executive Summary:

A proposal has been received from the applicant to hire to Council hay feeders for use at the Roma Saleyards. Council resolved to discuss this item as part of the Confidential Segment of the Agenda in accordance with Section 275 (h) of the Local Government Regulation 2012.

Discussion:

The Mayor foreshadowed his intent to vote against the motion, and called for a speaker for the motion. In the absence of a speaker for the motion the Mayor spoke against the motion, indicating that he felt that in Council hiring hay feeders on a short term basis it presented minimal risk and would reveal if users liked them. He further advised that he felt that a short term trial was more appropriate than undertaking wider consultation with users at the Roma Saleyards.

Resolution No. GM/09.2016/85

Moved Cr Flynn

Seconded Cr Bryant

That Council:

- 1. Decline the offer to hire hay feeders for use at the Roma Saleyards facility.**
- 2. Undertake wider consultation with saleyard users regarding use of feeders at the facility.**
- 3. Consider any outcomes from this consultation when developing the Roma Saleyards Business Plan, scheduled in Council's Work Program for 2016/17.**

CARRIED

7/1

Responsible Officer

Manager - Saleyards

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 2.18pm.

These Minutes are to be confirmed at the next General Meeting of Council to be held on 12 October 2016, at Roma Administration Centre.

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 Mayor.

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 Date.