

**MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 23 AUGUST 2017 COMMENCING AT 12.37PM.**

**ATTENDANCE**

Mayor Cr. T D Golder chaired the meeting with, Deputy Mayor Cr. J L Chambers, Cr. N H Chandler, Cr. P J Flynn, Cr. G B McMullen, Cr. C J O'Neil, Cr. D J Scheffe, Cr. J M Stanford, Chief Executive Officer – Julie Reitano, 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, Manager Procurement & Commercial Services – Ryan Gittins, Manager Planning & Building Development – Danielle Pearn, Rates Officer – Catherine (Katie) Ballard.

**GUESTS**

There were no guests in attendance at the meeting.

**WELCOME**

The Mayor welcomed all present and declared the meeting open at 12.37pm, noting the meeting's historical significance as part of Council's celebrations for 150 Years of Local Government in Roma.

**APOLOGIES**

**Resolution No. GM/08.2017/35**

**Moved Cr O'Neil**

**Seconded Cr Chambers**

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

**CARRIED**

**8/0**

**CONFIRMATION OF MINUTES**

**Resolution No. GM/08.2017/36**

**Moved Cr Stanford**

**Seconded Cr McMullen**

**That the minutes of the General Meeting (16-16.08.17) held on 16 August 2017 be confirmed.**

**CARRIED**

**8/0**

**BUSINESS ARISING FROM MINUTES**

There was no business arising from the minutes.

**ON THE TABLE**

There were no items for discussion on the table.

**PRESENTATIONS/PETITIONS AND DEPUTATIONS**

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

## CONSIDERATION OF NOTICES OF BUSINESS

There were no notices of business for consideration.

## CONSIDERATION OF NOTICES OF MOTION

There were no notices of motion for consideration.

## RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

No notices of motion were received for the next meeting.

## BUSINESS

### OFFICE OF THE CEO

**Item Number:** 10.1 **File Number:** D17/65372

**SUBJECT HEADING:** CONTRIBUTION TO INLAND QUEENSLAND ROADS ACTION PLAN

**Officer's Title:** Support Officer - Strategic Asset Management & Planning (SAMP)

#### ***Executive Summary:***

*Council received a request from the Chair of the Inland Queensland Roads Action Group to contribute \$1,000 (excluding GST), towards updating critical information in the Inland Queensland Roads Action Plan that will be used to lobby for funding at State and Commonwealth levels.*

#### **Resolution No. GM/08.2017/37**

**Moved Cr Stanford**

**Seconded Cr McMullen**

#### **That Council:**

- 1. Contribute \$1,000 (excluding GST), to progress the information update required for the development of the Inland Queensland Roads Action Plan that will be used to lobby for funding at State and Commonwealth levels.**
- 2. Draw the funds from GL 2211.2001.2001.**

CARRIED

8/0

**Responsible Officer**

**Support Officer - Strategic Asset Management & Planning (SAMP)**

## CORPORATE, COMMUNITY & COMMERCIAL SERVICES

**Item Number:** 11.1 **File Number:** D17/65774

**SUBJECT HEADING:** MONTHLY FINANCIAL STATEMENTS JULY 2017

**Officer's Title:** Contractor - Finance Systems Support

#### ***Executive Summary:***

*The purpose of this report was for Council to receive a monthly financial report in accordance with section 204 of the Local Government Regulation 2012 for the month of July 2017.*

**Resolution No. GM/08.2017/38**

**Moved Cr Chambers**

**Seconded Cr Stanford**

**That the financial reports to 31 July 2017 be received and noted.**

CARRIED

8/0

**Responsible Officer**

**Contractor - Finance Systems Support**

**DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES**

**Item Number:**

**13.1**

**File Number: D17/60424**

**SUBJECT HEADING:**

**PUBLIC LIBRARY STATISTICAL RETURN 2016/17**

**Officer's Title:**

**Regional Libraries, Arts & Culture Development  
Coordinator**

***Executive Summary:***

*As required under the Service Level Agreement with State Library of Queensland, Maranoa Regional Council library service is required to complete the Annual Statistical Return, Public Libraries Outcome Report (with Library Strategic Plan attached) and Certification by the Chief Executive Officer to be eligible to receive our yearly funding allocation.*

**Resolution No. GM/08.2017/39**

**Moved Cr Chandler**

**Seconded Cr Stanford**

**That Council endorse the Chief Executive Officer to sign the Certification by the Chief Executive Officer, which accompanies the Queensland Public Library Statistical return for 2016/17.**

CARRIED

8/0

**Responsible Officer**

**Regional Libraries, Arts & Culture  
Development Coordinator**

**Item Number:**

**13.2**

**File Number: D17/65342**

**SUBJECT HEADING:**

**MENOPAUSE THE MUSICAL - WOMEN ON FIRE  
PERFORMANCE IN ROMA - 28 OCTOBER 2017**

**Officer's Title:**

**Regional Libraries, Arts & Culture Development  
Coordinator**

***Executive Summary:***

*Jally Entertainment currently owns the rights to perform Menopause the Musical – Women on Fire in Australia. This is the sequel to the original Menopause the Musical which toured Australia to over 900,000 people. Jally Entertainment is offering the performance to Roma as they are travelling back through our region on Saturday 28 October.*

**Discussion:**

Cr. Chandler spoke in favour of the motion, indicating that this presented a wonderful opportunity for the community with the show passing through the region. She further said that there were minimal costs to Council, and in fact having the event provided an opportunity for Council to receive 30% of the ticket sales.

**Resolution No. GM/08.2017/40**
**Moved Cr Chandler**
**Seconded Cr Stanford**
**That Council:**

1. **Commit to hosting “Menopause the Musical – Women on Fire” on Saturday 28 October 2017.**
2. **Authorise the Chief Executive Officer to sign the contract for this performance from Jally Entertainment.**

CARRIED

8/0

**Responsible Officer**
**Regional Libraries, Arts & Culture  
Development Coordinator**
**Resolution No. GM/08.2017/41**
**Moved Cr O'Neil**
**Seconded Cr Schefe**
**That Council close the meeting to the public at 12.43pm.**

CARRIED

8/0

**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:-

- (c) the local government budget;
- (d) rating concessions;
- (e) contracts proposed to be made by it;
- (g) any action to be taken by the local government under the Planning Act, including deciding applications made to it under that Act;
- (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. Flynn declared a perceived 'Conflict of Interest' in relation to Item C.1 – July 2017 – Monthly Business Unit Report – Airports, due to his personal business operations out of the Roma Airport. Cr. Flynn left the Chamber at 12.47pm taking no further part in discussions on the matter.

At cessation of discussion on the abovementioned item, Cr. Flynn entered the Chamber at 12.48pm.

Cr. Stanford left the Chamber at 1.32pm, and entered at 1.36pm.

**Resolution No. GM/08.2017/42**
**Moved Cr O'Neil**
**Seconded Cr Chandler**
**That Council open the meeting to the public at 2.14pm.**

CARRIED

8/0

**SUBJECT HEADING: SUSPENSION OF STANDING ORDERS**  
 COUNCIL ADJOURNED THE MEETING FOR A BRIEF RECESS AT 2.15PM

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS**  
 COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 2.28PM

Cr. Flynn declared a 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 2.29pm taking no further part in discussion or debate on the matter.

**Item Number: C.1 File Number: D17/64537**

**SUBJECT HEADING: JULY 2017 - MONTHLY BUSINESS UNIT REPORT - AIRPORTS**

**Officer's Title: Manager - Airports (Roma, Injune, Surat, Mitchell)**

**Executive Summary:**

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

**Discussion:**

Cr. O'Neil spoke in favour of the motion, and requested the Director of Infrastructure Services pass on his thanks to staff for a comprehensive report. He further said that while passenger numbers through the airport weren't the same as they were two (2) years ago, there continued to be a good average number of passengers transiting through the facility.

<b>Resolution No. GM/08.2017/43</b>	
<b>Moved Cr O'Neil</b>	<b>Seconded Cr Stanford</b>
<b>That Council receive and note the Officer's report as presented.</b>	
CARRIED	7/0

<b>Responsible Officer</b>	<b>Manager - Airports (Roma, Injune, Surat, Mitchell)</b>
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At cessation of discussion and debate on the abovementioned item, Cr. Flynn entered the Chamber at 2.30pm.

**Item Number: C.2 File Number: D17/65534**

**SUBJECT HEADING: INJUNE RETIREMENT VILLAGE PLUMBING INVOICE**

**Officer's Title: Manager - Water, Sewerage & Gas**

**Executive Summary:**

*The Injune Retirement Village put forward a claim for damages as a result of works carried out by Council at the facility.*

**Resolution No. GM/08.2017/44**

**Moved Cr McMullen**

**Seconded Cr Stanford**

**That Council:**

1. Approve a one off payment of the invoice for plumbing services for the amount of \$657.58.
2. Draw the funds from Work Order 10816 2033.

CARRIED

8/0

**Responsible Officer**

**Manager - Water, Sewerage & Gas**

**Item Number:**

**C.3**

**File Number: D17/65539**

**SUBJECT HEADING:**

**REQUEST FOR RELIEF FOR HIGH WATER USAGE - MITCHELL**

**Officer's Title:**

**Manager - Water, Sewerage & Gas**

***Executive Summary:***

*A resident has had two significant water leaks on his property and is requesting relief from the water charges. The leaks occurred over two billing periods, however the billing for the first leak was amended to an estimated reading and is therefore included in the second bill, compounding the issue.*

**Resolution No. GM/08.2017/45**

**Moved Cr Stanford**

**Seconded Cr O'Neil**

**That Council pay 50% of any water usage charges over and above the usual average charges levied at the specified address.**

CARRIED

7/1

**Responsible Officer**

**Manager - Water, Sewerage & Gas**

**Item Number:**

**C.4**

**File Number: D17/65015**

**SUBJECT HEADING:**

**APPLICATIONS FOR REGIONAL ARTS DEVELOPMENT PROGRAM (RADF) FUNDING**

**Officer's Title:**

**Regional Grants & Council Events Development Coordinator**

***Executive Summary:***

*The Maranoa Regional Council Regional Arts Development Fund (RADF) Committee received and reviewed two (2) out-of-round applications for arts and cultural projects. It was recommended that the Committee's assessments be endorsed.*

**Discussion:**

Cr. Chandler spoke in favour of the motion, indicating that both projects were very worthy of funding under the program.

**Resolution No. GM/08.2017/46**

**Moved Cr Chandler**

**Seconded Cr Stanford**

**That Council endorse the Regional Arts Development Fund (RADF) Committee's out-of-round grant assessment recommendations, and as follows:**

Organisation	Project Description	Total Project Cost	Approved Funding
Maranoa Artists Inc.	Two-day skills development workshop for animal painting	\$2,090	\$1,293
	Two-day skill development workshop in creative acrylics	\$1,486	\$749

CARRIED

8/0

<b>Responsible Officer</b>	<b>Regional Grants &amp; Council Events Development Coordinator</b>
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**Item Number:**

**C.5**

**File Number: D17/64436**

**SUBJECT HEADING:**

**REQUEST FOR FEE WAIVER - REQUEST FOR FLOOD LEVEL INFORMATION**

**Officer's Title:**

**Support Officer - Planning & Building Development  
Manager - Planning & Building Development**

***Executive Summary:***

*Council received a request to waive fees associated with the provision of property specific flood level information.*

**Discussion:**

The Mayor spoke in favour of the motion, indicating that there were still members of the community so badly affected by the floods in the area, and further that there was also a lot of residual material and mental health devastation. Mayor Golder said that if Council could help in some small way when people were being proactive with the use of their private land and considering the potential resulting water flow changes from the new levee construction, then waiving the fee was a positive thing for Council to do.

Cr. Flynn spoke against the motion, indicating that everybody, particularly land owners, had a duty to pay their costs especially when minimal.

Mayor Golder, in 'Summing Up' debate said that small things can make a big difference to the community in Roma, and if approved it would be great to see Council on their side by giving important information to this landholder.

**Resolution No. GM/08.2017/47**

**Moved Cr Golder**

**Seconded Cr McMullen**

**That Council approve the requested fee waiver.**

CARRIED (The Mayor exercised his Casting Vote in favour of the motion)

5/4

Councillors Flynn and Chandler requested their vote against the motion be recorded.

<b>Responsible Officer</b>	<b>Manager - Planning &amp; Building Development</b>
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**Item Number:** C.6 **File Number:** D17/65282  
**SUBJECT HEADING:** APPLICATIONS FOR RATE PAYMENT ARRANGEMENTS  
**Officer's Title:** Rates Officer

**Executive Summary:**

*Applications for rates payment arrangements had been received from various ratepayers. The timeframes the applicants have proposed to have their rates paid in full extends beyond the current financial year timeframe that is included in Council's adopted Revenue Statement.*

**Resolution No. GM/08.2017/48**

**Moved Cr Schefe**

**Seconded Cr Chambers**

**That Council accepts the applicant's payment arrangements as set out in Table A of the officer's report and as follows, subject to all rates, charges and arrears accumulated being paid in full by 30 June 2019 as follows:**

Assessment Number	Approved Payment Plan
15008279	\$500/month
14029094	\$1,000/month
15010507	\$300/month

CARRIED

8/0

**Responsible Officer**

**Rates Officer**

**Item Number:** C.7 **File Number:** D17/65524  
**SUBJECT HEADING:** BIOSECURITY PROTOCOL - DECONTAMINATION COSTS  
 - POUND SERVICES  
**Officer's Title:** Manager - Customer & Community Services

**Executive Summary:**

*The applicant approached Council seeking a contribution to assist with recovering the costs associated with work undertaken as a biosecurity protocol in relation to the use of their facility to quarantine a number of sick animals on Council's behalf during the month of June 2017.*

*Council did not have an adequate alternative available. The applicant provided this service to assist Council, enabling it to continue operating the impound facility. The work for which partial payment was requested was undertaken to remove any contaminants from the pens used, limiting any further risks of reinfection at the facility and other animals in care.*

**Discussion:**

Cr. Chandler spoke in favour of the motion, indicating that this had come about due to unfortunate incidents of Parvo Virus coming into the community, adding to the dog control issues.

**Resolution No. GM/08.2017/49**

**Moved Cr Chandler**

**Seconded Cr Chambers**

**That Council contribute \$808 to the cost of works undertaken (being the quoted cost to replace the existing materials with new sand) as was the scope of work originally discussed.**

CARRIED

8/0

**Responsible Officer**

**Manager - Customer & Community Services**



**Item Number:** C.8 **File Number:** D17/64685

**SUBJECT HEADING:** ROMA QUARRY - BUSINESS UNIT REPORT APRIL, MAY AND JUNE 2017

**Officer's Title:** Support Officer - Procurement & Commercial Services

**Executive Summary:**

*This Quarterly Report was presented to Council providing a summary of the performance of Council's Quarry for the fourth quarter of 2016/17 and the financial year to date. The information in the 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/08.2017/50**

**Moved Cr Chambers**

**Seconded Cr Stanford**

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

CARRIED

8/0

**Responsible Officer**

**Support Officer - Procurement & Commercial Services**

**Item Number:**

**C.9**

**File Number:** D17/65526

**SUBJECT HEADING:**

**APPLICATION FOR SELLING PERMIT - ROMA SALEYARDS 2017/01**

**Officer's Title:**

**Manager - Saleyards**

**Executive Summary:**

*An application for a permit to sell (cattle) at the Roma Saleyards was lodged for Council's consideration.*

*An assessment had been made of the application and mandatory documents provided. The assessments were made in accordance with Subordinate Local Law 1.17 (Sale or Consignment of Stock at a Saleyard) 2011, Local Law No 6 (Operation of Saleyards) 2011 and Local Law No 1 (Administration) 2011.*

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

**Resolution No. GM/08.2017/51**

**Moved Cr Flynn**

**Seconded Cr Stanford**

**That, in accordance with the provisions of Local Law 1 (Administration) 2011, Local Law No 6 (Operation of Saleyards) 2011 and Subordinate Local Law 1.17 (Sale or Consignment of Stock at a Saleyard) 2011, Council grants a permit to sell to Elders Rural Services Australia Limited with the following terms and conditions:**

**AGENTS' SELLING PERMIT - ROMA SALEYARDS**

**Issued in accordance with Maranoa Regional Council Local Law No. 1 (Administration) 2011, Local Law No. 6 (Operation of Saleyards) 2011 and Subordinate Local Law No. 1.17 (Sale or Consignment of Stock at a Saleyard) 2011**

## 1. DEFINITIONS AND INTERPRETATION

### 1.1 Definitions

The following definitions apply in this document:

Approval:

- (a) has the meaning given in *Local Law No. 1 (Administration) 2011*, schedule 1; and
- (b) includes this Permit for the undertaking of the Prescribed Activity.

Approval Holder see Permit Holder.

Authorised person has the meaning given in *Local Law No. 1 (Administration) 2011*.

Commencement Date means the 23rd day of August 2017.

Commodity vendor declaration, for fodder—

- (a) means a statement from the supplier of the fodder that specifies what chemicals have been used in the production of the fodder; and
- (b) includes a commodity vendor declaration form no. 980902 of the Queensland Government Department of Employment, Economic Development and Innovation.

Council means Maranoa Regional Council.

Expiry Date means 3 years from the Commencement Date.

Fees means fees charged for a service or facility made available for use by Council at the Saleyard under the *Local Government Act 2009*, section 262(3)(c).

Further Term, if the Permit Holder applies to Council to renew or extend the Permit and Council, under *Local Law No. 1 (Administration) 2011*, section 14, grants the application - means a period of 3 years.

Permit means this Permit to undertake the Prescribed Activity.

Permit Holder means the holder of this Permit, Elders Rural Services Australia Limited.

Prescribed Activity means the use of the Saleyard by a person if the person:

- (a) sells or offers to sell stock by auction or otherwise at the Saleyard; or
- (b) consigns stock from the Saleyard.

Sale Day means any day and time during the Term fixed by Council or the Saleyard Manager as a day on which the sale of cattle at or from the Saleyard may be conducted.

Saleyard means the Roma Saleyards, located on land described as Lot 285 on CRP WV1474, Title Reference 50926377.

Saleyard Law includes, collectively:

- (a) *Local Law No. 1 (Administration) 2011*; and
- (b) *Local Law No. 6 (Operation of Saleyards) 2011*; and
- (c) *Subordinate Local Law No. 1.17 (Sale or Consignment of Stock at a Saleyard) 2011*.

Saleyard Manager means the person appointed by Council as the manager and/or operator of the Saleyard.

Selling pen means each pen allocated for the sale of stock or a specified type of stock at the Saleyard by Council from time to time.

Stock has the meaning given in *Local Law No. 6 (Operation of Saleyards) 2011*.

**Term** means the period commencing on the Commencement Date and expiring on the Expiry Date.

**Zoonosis** means infectious diseases which are naturally transmitted from vertebrate animals to human.

## **2. GRANT OF PERMIT**

Council grants the Permit Holder the Permit for the Prescribed Activity subject to the conditions specified in this Permit.

## **3. TERM OF PERMIT**

Unless sooner cancelled or suspended, the Permit remains in force for the Term. Under *Local Law No. 1 (Administration) 2011*, section 14, the Permit Holder may, before the end of the Term, apply to Council to renew or extend the Permit for the Further Term.

## **4. SALES**

### **4.1 Stock Sales**

- (a)** Council may fix the days and times during which regular stock sales may be conducted at the Saleyard.
- (b)** The Permit Holder is authorised to sell or offer to sell cattle by auction or otherwise at the Saleyard on all Sale Days but, subject to condition 4.1(c), not on any other day.
- (c)** Council may grant an approval to the Permit Holder to conduct a sale of stock at the Saleyard on a day, or at a time, other than a Sale Day or time fixed under condition 4.1(a).
- (d)** The Permit Holder must not conduct a sale at the Saleyard on a day, or at a time, other than a Sale Day unless the Permit Holder:
  - (1)** has obtained Council's approval under condition 4.1(c); and
  - (2)** complies with the conditions (if any) imposed on the approval under condition 4.1(c).
- (e)** If Council grants an approval to the Permit Holder to conduct a sale at the Saleyard on a day, or at a time, other than a day and time fixed under condition 4.1(a) then the sale will, for the purposes of this Permit, be a Sale Day.

### **4.2 Sale Charges**

Council may, from time to time, prescribe fees applicable for use of the Saleyard and associated facilities.

### **4.3 Compliance with Council decisions and Saleyard Manager directions**

- (a)** The Permit Holder must comply with each decision of Council about the operation of the Saleyard.
- (b)** The Permit Holder must comply with each lawful direction of the Saleyard Manager.

## **5. OBLIGATIONS OF THE PERMIT HOLDER**

### **5.1 Conditions ordinarily imposed**

- (a)** Stock must not be sold or offered for sale at any place at the Saleyard other than the pens designated as selling pens by the Saleyard Manager at the Saleyard.
- (b)** Council may, from time to time, nominate a particular day of the week as a regular Sale Day for the sale of stock, for example, each of the following:

- (1) bulls;  
 (2) store cattle;  
 (3) prime cattle.
- (c) Council may, from time to time, change a regular Sale Day for the sale of stock or a specified type of stock at the Saleyard.
- (d) The Permit Holder must -
- (1) at all times during the currency of the Permit, have and maintain a place of business in the local government area of Council; and
- (2) use the Saleyard for the operation of the Prescribed Activity on a bona fide commercial basis, for example, the Prescribed Activity must be undertaken at the Saleyard:
- (A) regularly; and  
 (B) except where circumstances beyond the control of the Permit Holder do not permit - on each regular Sale Day for the sale of stock at the Saleyard.
- (e) The Permit Holder must provide all labour which is necessary to facilitate the reception, yarding, removal and delivery of stock in the custody, or under the control, of the Permit Holder which are brought into the Saleyard.
- (f) If stock are delivered to the Saleyard for sale by the Permit Holder, the Permit Holder must –
- (1) count the stock delivered to the Saleyard, note any anomalies and put the stock into holding yards as directed by an authorised person or the Saleyard Manager; and
- (2) deleted intentionally; and
- (3) complete the reception/delivery docket in the prescribed form of Council for all stock entering and leaving the Saleyard; and
- (4) if 1 or more of the stock escape from the Saleyard - bring the stock under control and procure the safe return of the stock to the Saleyard; and
- (5) not supply or make available for consumption by the stock any fodder unless the fodder is accompanied by, and the Permit Holder produces to an authorised person or the Saleyard Manager on demand –
- (A) a commodity vendor declaration which satisfies the prescribed criteria for fodder; and  
 (B) a certificate of analysis for chemical residues from a laboratory which holds a current accreditation from the National Association of Testing Authorities which satisfies the prescribed criteria for fodder; and  
 (C) a complete and continuous written record which -
- tracks the production, harvesting, storage and transportation of the fodder at all times up to and including delivery of the fodder to the Saleyard; and
  - identifies the fodder fed to stock by reference to a specified period; and
  - identifies the stock to which the fodder was fed during the specified period; and
  - identifies the pens in which the stock were located during the specified period; and

- (6) not request that Council allocate, for the sale of stock by the Permit Holder on a Sale Day, a number of selling pens in excess of the number of selling pens reasonably required to accommodate the stock to be offered for sale by the Permit Holder on the Sale Day; and
- Example—**  
If 6,000 or less cattle are offered for sale at the Saleyard on a Sale Day, 18 cattle should be allocated to each selling pen.
- If more than 6,000 cattle are offered for sale at the Saleyard on a Sale Day—
- (a) firstly, 18 cattle (limited to steers and heifers) should be allocated to each selling pen; and
  - (b) secondly, 15 cattle (limited to cows) should be allocated to each selling pen.
- In any event, a permit holder should consult with the authorised person responsible for the allocation of selling pens if issues about the health, safety or wellbeing of cattle arise as a result of the allocation of selling pens.
- (g) ensure that all stock are provided with sufficient food and water; and
- (h) if 1 or more stock at the Saleyard contract, or is suspected of contracting, a disease—
- (1) isolate the stock from all other animals; and
  - (2) take immediate action to ensure prompt notification, treatment and removal of the stock; and
- (i) if 1 or more of the stock die at the Saleyard—promptly remove the dead stock from the Saleyard by a waste transporter to a waste disposal facility.
- (j) If the Permit Holder is offering cattle for sale at the Saleyard, the Permit Holder must -
- (1) have the cattle drafted and penned in selling pens as directed by an authorised person or the Saleyard Manager; and
  - (2) not draft or pen cattle in selling pens other than selling pens allocated to the Permit Holder by an authorised person or the Saleyard Manager; and
  - (3) not swap or exchange selling pens to be used for the sale of cattle with a person other than the Permit Holder. However, on the morning of a Sale Day, the Saleyard Manager may allocate the selling pens of a Permit Holder (“First Permit Holder”) for use by another permit holder, but only in circumstances where the First Permit Holder has drafted and penned the cattle of the First Permit Holder in the selling pens allocated to the First Permit Holder and 1 or more selling pens allocated to the First Permit Holder remain empty; and
  - (4) be present at the Saleyard to –
    - (A) facilitate the weighing of the cattle; and
    - (B) provide details to the weighbridge operator at the Saleyard to facilitate computerised weighing and printout of the weight and price of the cattle; and
    - (C) attest to the second count of the cattle following the counting out of the cattle from the selling pens.
- (k) The Permit Holder must perform National Livestock Identification Scheme identification procedures –
- (1) as necessary to ensure the efficient operation of the Saleyard; and
  - (2) in the manner directed by an authorised person or the Saleyard Manager.

- (l) The Permit Holder must not bring or permit to be brought onto the Saleyard any animal which is infected with a contagious disease or zoonosis.

## 5.2 Compliance with Laws

The Permit Holder must comply with each of the following:

- (a) the Saleyard Law;
- (b) any local law or subordinate local law made about or in connection with the operation of the Saleyard, developed by Council; and
- (c) any other applicable laws including, but not limited to:
- (1) the *Local Government Act 2009* (Qld);
  - (2) the *Motor Dealers and Chattel Auctioneers Act 2014*;
  - (3) the *Motor Dealers and Chattel Auctioneers Regulation 2014*;
  - (4) any law or regulation, whether Local, State or Commonwealth which relates to the welfare of livestock (including the Model Code of Practice for the Welfare of Animals: Cattle, Second Edition); and
  - (5) the EU Code of Practice for Agents.

## 6. INSURANCE

- (a) The Permit Holder must take out and maintain, at all times during the Term, the following insurance policies:
- (1) insurance under the *Workers Compensation and Rehabilitation Act 2003* to cover workers, eligible persons, self employed contractors, directors, trustees and partners; and
  - (2) public liability insurance in an amount not less than \$20,000,000 in respect of any 1 occurrence and for an unlimited number of claims; and
  - (3) a general business (liability) insurance policy in an amount not less than \$20,000,000 in respect of any 1 occurrence and for an unlimited number of claims.
- (b) The Permit Holder must, upon receipt of a written request at any time from Council, produce evidence that the insurances required by condition 6(a) have been effected and maintained.
- (c) The public liability insurance policy must insure the Permit Holder and Council (in its capacity as the owner of the Saleyard) severally, for their respective entitlements and interests, and for this purpose accept that the insured comprises at least the Permit Holder and Council as if a separate insurance policy were issued to each of them (but not so as thereby to increase the sum insured).
- (d) Each insurance policy must:
- (1) limit the insurer's entitlement to avoid the policy to be available only against whichever of the insured has actually breached its obligation of disclosure or an obligation under the policy; and
  - (2) contain no exclusions, endorsements or alterations not approved in writing by Council (that approval not to be unreasonably withheld); and
  - (3) otherwise contain provisions acceptable to, or required by Council (but Council may not require unreasonably) the inclusion, retention, modification or exclusion of a provision; and
  - (4) remain current at all times during the Term.
- (e) Each insurance policy must be taken out and maintained with a reputable insurer.
- (f) This condition 6 shall survive suspension or cancellation of each of the Permit and the Term.

**7. RELEASE AND INDEMNITY**

- (a) The Permit Holder will be liable for loss or damage (including personal injury whether or not resulting in death) suffered by Council or any officer, servant or agent of Council arising from the unlawful or negligent acts or omissions of the Permit Holder, its employees, subcontractors or agents, in the course of the undertaking of the Prescribed Activity under this Permit.
- (b) The Permit Holder releases and indemnifies Council and all officers, servants and agents of Council from and against all actions whatsoever and howsoever arising which may be brought or made against any of them by any person, including the Permit Holder, arising from:
- (1) any wilful or negligent act or omission of the Permit Holder or any person for whose conduct the Permit Holder is liable; and
  - (2) any unlawful or negligent act or omission of the visitors, invitees or licensees of the Permit Holder; and
  - (3) death, injury, loss or damage suffered by the Permit Holder, its employees, subcontractors or agents, or any of its visitors, invitees or licensees except where the death, injury, loss or damage is caused by the negligence or other wrongful act or omission of Council or any officer, servant or agent of Council.
- (c) The release and indemnity in this condition 7(a) and (b) are given by the Permit Holder in consideration of the grant of the Permit by Council.

**8. PROCEDURE FOR AMENDING, SUSPENDING OR CANCELLING THE PERMIT**

- (a) *Local Law No. 1 (Administration) 2011*, section 18 applies if Council considers there is a ground under section 17 of *Local Law No. 1 (Administration) 2011* to amend, suspend or cancel the Permit.
- (b) *Local Law No. 1 (Administration) 2011*, section 16 applies if the Permit Holder applies to Council to amend the conditions of the Permit.

**9. TRANSFER OF PERMIT**

- (a) Under *Local Law No. 1 (Administration) 2011*, section 15(2) the Permit cannot be transferred if it is of a category declared to be non-transferable under a subordinate local law.
- (b) *Subordinate Local Law No. 1.17 (Sale or Consignment of Stock at a Saleyard) 2011*, section 6, and schedule 2 declare that a Permit for the Prescribed Activity (as defined in condition 1.1) is non-transferable.

**10. EXCLUSIVITY**

The Permit Holder acknowledges that:

- (a) the Permit Holder is not granted an exclusive right to undertake the Prescribed Activity at the Saleyard at any time; and
- (b) before or after the date of the Permit, Council may grant 1 or more Permits or Approvals to undertake the Prescribed Activity at the Saleyard to any of the following:
- (1) a person other than the Permit Holder;
  - (2) a person who is the holder of a current Permit or Approval to undertake the Prescribed Activity at the Saleyard;
  - (3) a person who is not the holder of a current Permit or Approval to under the Prescribed Activity at the Saleyard;



- (c) no person who is the holder of a Permit or Approval to undertake the Prescribed Activity at the Saleyard is granted an exclusive right to undertake the Prescribed Activity at the Saleyard.

CARRIED

8/0

Responsible Officer

Manager - Saleyards

**LATE CONFIDENTIAL ITEMS**

Item Number: LC.1 File Number: D17/63617

SUBJECT HEADING: EXCESS ANIMAL APPLICATION 2016/54 - EXCESS DOG

Officer's Title: Administration Officer - Customer & Community Services

***Executive Summary:***

*An excess animal application for an additional dog was lodged for Council's consideration.*

*Assessments had been made of the application, mandatory documents provided, site inspection results reviewed, the attached Statutory Declaration completed 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/08.2017/52**

Moved Cr Chandler

Seconded Cr Chambers

That, in accordance with the provisions of *Local Law No 1 (Administration) 2011* and *Local Law No 2 (Animal Management) 2011*, Council grant an excess dogs approval for the keeping of the three (3) dogs identified in Excess Animal Application Number 2017/54 (each an "identified dog") identified as microchip numbers 981 000 300 646 089, 981 000 300 653 110 & Excess Dog 981 000 300 707 466 on the premises, 69 Robert Street Surat in Excess Animal Application Number 2017/54 (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 *Local Law No. 2 (Animal Management) 2011*; and

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

<b>Responsible Officer</b>	<b>Administration Officer - Customer &amp; Community Services</b>
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**Item Number:** LC.2 **File Number:** D17/66562

**SUBJECT HEADING:** TENDER 18007 - BLYTHDALE AND WALLUMBILLA NORTH - GRAVEL HAULAGE (ROAD TRAIN SIDE TIPPERS)

**Officer's Title:** Manager - Procurement & Commercial Services

***Executive Summary:***

*Council publicly advertised the tender, inviting suitably skilled, qualified, and experienced businesses to tender for gravel haulage for the Blythdale and Wallumbilla North projects.*

*Tenders were invited for the provision of a maximum of four (4) road train side tippers (and prime movers) for gravel haulage at the Blythdale North Road project and/or three (3) vehicles for the Wallumbilla North Road project.*

*The tender period opened on 28 July with a closing date of 21 August 2017.*

*Responses were reviewed by an evaluation panel and the report submitted for Council's consideration.*

**Resolution No. GM/08.2017/53**

**Moved Cr Schefe**

**Seconded Cr Stanford**

**That Council:**

1. **Select SKS Contractors Pty Ltd as the preferred lead tenderer for Tender 18007 – Blythdale and Wallumbilla North - Gravel Haulage (Road Train Side Tippers).**

2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with SKS Contractors Pty Ltd and raise a Purchase Order if the final terms are acceptable.
3. Assign the expenditure to Work Orders 18465 and 18020.

CARRIED

8/0

Responsible Officer	Manager - Procurement & Commercial Services
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Item Number: LC.3 File Number: D17/66764

SUBJECT HEADING: BITUMEN SURFACING - WALLUMBILLA & BLYTHDALE NORTH ROAD

Officer's Title: Manager - Procurement & Commercial Services

**Executive Summary:**

Maranoa Regional Council invited Pre-qualified Suppliers of Civil Construction & Road Resurfacing (Local Buy contract BUS-242-1013) to submit a schedule of pricing and supporting documentation for the delivery of the bitumen sealing works located along Wallumbilla and Blythdale North Roads.

Responses were reviewed by an evaluation panel and the report submitted for Council's consideration.

**Resolution No. GM/08.2017/54**

Moved Cr Scheffe

Seconded Cr Stanford

That Council:

1. Select RPQ Spray Seal Pty Ltd as the preferred supplier for Request VP82970 – Bitumen Surfacing Wallumbilla & Blythdale North Road.
2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with RPQ Spray Seal Pty Ltd, noting the value of \$909,471.50 Inc. GST, and raise a Purchase Order if the final terms are acceptable.
3. Assign the expenditure to Work Orders 18465 and 18020.

CARRIED

8/0

Responsible Officer	Manager - Procurement & Commercial Services
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Item Number: LC.4 File Number: D17/66770

SUBJECT HEADING: REQUEST FOR REDUCTION IN TRADING TERMS

Officer's Title: Manager - Procurement & Commercial Services

**Executive Summary:**

Council received correspondence from one supplier, requesting a reduction in trading terms from 28 days to 14 days.

The request was tabled for Council's consideration.

**Resolution No. GM/08.2017/55**

**Moved Cr McMullen**

**Seconded Cr O'Neil**

**That Council approve the requested reduction in trading terms from 28 days to 14 days for any invoiced works by the entity, as referenced in this Officer's Report.**

**CARRIED**

**8/0**

**Responsible Officer**

**Manager - Procurement & Commercial Services**

**Item Number:**

**LC.5**

**File Number: D17/66962**

**SUBJECT HEADING:**

**REQUEST FOR CONFIRMATION THAT PROPOSED WORKS BE ACCEPTED AS "GENERALLY IN ACCORDANCE" WITH CONDITIONS OF DEVELOPMENT APPROVAL 2016/19547 FOR MATERIAL CHANGE OF USE - CARAVAN PARK**

**Location:**

155 Geoghegan Road, Roma (Lot 317 SP219057)

**Applicant:**

Roma Clay Target Club INC

**Officer's Title:**

**Manager Planning & Building Development**

***Executive Summary:***

*Council recently granted approval to the Roma Clay Target Club INC (RCTC) for the development of a "Caravan park" at 155 Geoghegan Road, Roma. Conditions of the original decision notice were subsequently amended following an assessment of various representations that were made by the applicant.*

*Upon review of the amended conditions, the RCTC have requested confirmation from Council that proposed works achieve will be accepted as "generally in accordance" with the conditions of approval.*

**Resolution No. GM/08.2017/56**

**Moved Cr Chambers**

**Seconded Cr Stanford**

**That Council:**

**1. Confirm the following works will be accepted as "generally in accordance" with the development approval conditions:**

- (a) The alignment of the Stage 1 fence be located between the northern most row of established trees and the row of trees immediately to the south. Additionally, the applicant be advised that in order to achieve compliance with Condition 24, the Stage 1 fence must extend the distance necessary to screen all aspects of the development used in connection with Stage 1, including all accommodation sites, the Club House, refuse bins and amenity block 1 as shown on approved plan 16220601 P5.**
- (b) Landscaping associated with Stage 1 of the development be limited to existing plantings alternating with shrubs along the Stage 1 fence.**
- (c) The existing cattle yard panel fence established in the north-east corner of Stage 1 remain in place, with panelling attached to achieve a total fence height of 2.7 metres. Panelling affixed to this existing fence must provide a solid screen with a gap not exceeding 500mm above ground level.**

**Note: Acceptance of the above works as “generally in accordance” with the development conditions does not negate the requirement for detailed plans to be submitted to Council for approval in accordance with Condition 9 of the development approval;**

- 2. Acknowledge that a 3.0 metre setback of the Stage 2 fence as per the requirements of Condition 24, cannot be achieved without the need to relocate existing infrastructure (water and power supply) within the site and that Council will consider an alternative solution that achieves the intent of Condition 24, upon receipt of a Change application once the development approval takes effect; and**
- 3. Advise that Council is unable to accept the surfacing of the Stage 2 vehicle driveways with blue metal gravel as generally in accordance with Condition 61, however Council will consider the use of this material upon receipt of a Change application to vary the condition once the development approval takes effect.**

CARRIED

8/0

<b>Responsible Officer</b>	<b>Manager - Planning &amp; Building Development</b>
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**Item Number:** LC.6 **File Number:** D17/66743

**SUBJECT HEADING:** **REQUEST FOR WAIVER OF DEVELOPMENT INFRASTRUCTURE CHARGES ASSOCIATED WITH DEVELOPMENT APPROVAL 2016/19547 - MATERIAL CHANGE OF USE - "CARAVAN PARK"**

**Location:** 155 Geoghegan Road, Roma QLD 455

**Applicant:** Roma Clay Target Club Inc

**Author and Councillor’s Title:** **Cr. Tyson Golder**

***Executive Summary:***

*Council recently granted approval to the Roma Clay Target Club INC (RCTC) for the development of a “Caravan park” at 155 Geoghegan Road, Roma. The RCTC has requested that Council waive the infrastructure contributions required to be paid in accordance with the conditions of the development approval.*

**Discussion:**

The Mayor moved a draft motion as recorded below, which was ‘Seconded’ by Cr. McMullen.

The Mayor spoke in favour of the motion, indicating that this was an opportunity to help a ‘Not for Profit’ organisation as recognised by the Australian Tax Office. He further said that the group brought enormous benefit to the region, having a national level club attracting many people to the region. Mayor Golder said that his recommendation was in line with other approvals given to other ‘Not for Profit’ organisations for fee waivers. Further, Mayor Golder said that no revenue was budgeted to be received, nor subsequent expenditure allowed for under the 2017/18 budget. In closing, he said that if approved, the waiver would not affect other industry competitors as none had paid Infrastructure fees.

At this point Cr. Scheffe raised his concerns that the matter had only come to the table on the day of the meeting, and that he felt a lot further discussion was required before a decision should be made by Council.

**Moved Cr Golder**

**Seconded Cr McMullen**

**That Council waive the development infrastructure charges associated with development approval ref: 2016/19547 for a Caravan Park at 155 Geoghegan Road, Roma.**

NO VOTE TAKEN

**Resolution No. GM/08.2017/57**

**Moved Cr Schefe**

**Procedural Motion – That the matter lay on the table for further discussion at an upcoming workshop, prior to Council’s determination on the matter at a General Meeting.**

CARRIED

6/2

**Responsible Officer**

**Manager Planning & Building Development**

The Mayor asked if there was any further business for the meeting.

Cr Flynn enquired about the status of the runway project.

The Director of Infrastructure Services advised that an update would be provided to the next scheduled workshop on 5 September 2017. He further indicated he was happy to receive questions in the interim from Councillors.

## **CLOSURE**

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 2.52pm.

**These Minutes are to be confirmed at the next General Meeting of Council to be held on 13 September 2017, at Roma Administration Centre.**

.....  
 Mayor.

.....  
 Date.