

# BUSINESS PAPER

## General Meeting

**Wednesday 10 July 2019**

Roma Administration Centre

### NOTICE OF MEETING

Date: 5 July 2019

Mayor:

Councillor T D Golder

Deputy Mayor:

Councillor J L Chambers

Councillors:

Councillor N H Chandler

Councillor P J Flynn

Councillor G B McMullen

Councillor W M Newman

Councillor C J O'Neil

Councillor D J Schefe

Councillor J M Stanford

Chief Executive Officer:

Ms Julie Reitano

Senior Management:

Mr Rob Hayward (Deputy Chief Executive Officer/Director  
Development, Facilities & Environmental Services)

Ms Sharon Frank (Director Corporate, Community & Commercial  
Services)

Please find attached agenda for the **General Meeting** to be held at the Roma Administration Centre on **July 10, 2019 at 9.00AM.**



Julie Reitano  
**Chief Executive Officer**

## TABLE OF CONTENTS

Item No	Subject	
<b>1</b>	<b>Welcome</b>	
<b>2</b>	<b>Attendances</b>	
<b>3</b>	<b>Confirmation of Minutes</b>	
	General 26 June 2019.....	6
	Budget Submissions & Financial Planning Standing Committee 2 July 2019 .....	51
<b>4</b>	<b>Declaration of Conflicts of Interest</b>	
<b>5</b>	<b>On the Table</b>	
<b>5.1</b>	<b>Revised Expenses Reimbursement Policy (Councillors) .....</b>	<b>60</b>
	Prepared by: Chief Executive Officer	
	Attachment 1: Draft Updated Expenses Reimbursement Policy .....	64
	Attachment 2: Draft Updated Appendix A Form .....	82
<b>6</b>	<b>Presentations/Petitions and Deputations</b>	
<b>7</b>	<b>Consideration of notices of business</b>	
<b>8</b>	<b>Consideration of notices of motion</b>	
<b>9</b>	<b>Reception of notices of motion for next meeting</b>	
<b>Reports</b>		
<b>10</b>	<b>Office of the CEO</b>	
<b>10.1</b>	<b>Annual Show (Public) Holidays for 2020 .....</b>	<b>91</b>
	Prepared by: Human Resources & Training Advisor	
	Attachment 1: 2020 Roma Show Public Holiday Date Confirmation PDF .....	95
	Attachment 2: 2020 Mitchell Show Public Holiday Date Confirmation PDF .....	97
	Attachment 3: Email 2020 Special Holidays Nominations .....	99
<b>10.2</b>	<b>Corporate Plan - Minor Amendments .....</b>	<b>101</b>
	Prepared by: Chief Executive Officer	
<b>11</b>	<b>Corporate, Community &amp; Commercial Services</b>	
<b>11.1</b>	<b>Proposed Animal Management (Amendment) Local Law and Subordinate Local Law .....</b>	<b>103</b>
	Prepared by: Acting Executive Services Officer	
	Attachment 1: Animal Management (Amendment) Subordinate Local Law (No.1) 2019 - Anti-Comp Provisions.....	112
	Attachment 2: Animal Management (Amendment) Local Law (No.1) 2019 .....	113

Attachment 3:	Animal Management (Amendment) Subordinate Local Law (No.1) 2019 .....	121
Attachment 4:	Animal Management (Amendment) Subordinate Local Law (No.2) 2019 .....	125
<b>11.2</b>	<b>Selective Inspection Program 2019 .....</b>	<b>129</b>
Prepared by:	Manager - Community Services	
<b>11.3</b>	<b>Annual Valuation Consultation for the Maranoa Region .....</b>	<b>138</b>
Prepared by:	Rates and Utilities Billing Officer	
Attachment :	Department of Natural Resources, Mines and Energy - Consultation - Annual Valuation effective 30 June 2020. ....	142
<b>11.4</b>	<b>Delegation of Council Powers to the Chief Executive Officer under the Plumbing and Drainage Regulation 2019.....</b>	<b>143</b>
Prepared by:	Governance Officer	
Attachment :	Plumbing and Drainage Regulation 2019 - Instrument of Delegation - 10 July 2019.....	148
<b>11.5</b>	<b>Delegation of Council Powers to the Chief Executive Officer under the Plumbing and Drainage Act 2018 .....</b>	<b>158</b>
Prepared by:	Governance Officer	
Attachment :	Plumbing and Drainage Act 2018 - Instrument of Delegation - 10 July 2019.....	162
<b>11.6</b>	<b>Delegation of Council Powers to the Chief Executive Officer under the Waste Reduction and Recycling Act 2011 .....</b>	<b>166</b>
Prepared by:	Governance Officer	
Attachment :	Waste Reduction and Recycling Act 2011 - Instrument of Delegation - 10 July 2019.....	174
<b>11.7</b>	<b>Delegation of Council Powers to the Chief Executive Officer under the Waste Reduction and Recycling Regulation 2011 .....</b>	<b>189</b>
Prepared by:	Governance Officer	
Attachment :	Waste Reduction and Recycling Regulation 2011 - Instrument of Delegation - 10 July 2019.....	194
<b>11.8</b>	<b>Amendment to Council's Fees and Charges Schedule - Right to Information (RTI) Application .....</b>	<b>197</b>
Prepared by:	Manager - Communication, Information & Administration Services	
Attachment :	Department of State Development, Manufacturing, Infrastructure and Planning Advising of RTI access application fee and processing charge changes for 2019/20 .....	202
<b>11.9</b>	<b>Consideration of Councillor Attendance at the National Saleyards Expo.....</b>	<b>204</b>
Prepared by:	Lead Officer - Councillors' Support & Community Engagement	

## 12 Infrastructure Services

## 13 Development, Facilities & Environmental Services

<b>13.1</b>	<b>Showgrounds Camping Policy.....</b>	<b>209</b>
	Prepared by: Manager - Facilities (Land, Buildings & Structures)	
	Attachment : Showgrounds Camping Policy .....	213
<b>13.2</b>	<b>Container Collection Agreement.....</b>	<b>215</b>
	Prepared by: Manager - Environment, Health, Waste & Rural Land Services	
<b>13.3</b>	<b>Request to host Arts as Exchange from the Queensland Art Gallery - Gallery of Modern Art (QAGOMA).....</b>	<b>219</b>
	Prepared by: Local Development Officer - Roma	
	Attachment : Request to host QAGOMA.....	223
<b>13.4</b>	<b>Opportunity to nationally advertise Roma's Avenue of Heroes .....</b>	<b>225</b>
	Prepared by: Local Development Officer - Roma	
	Attachment : TLP Places of Pride .....	229
<b>13.5</b>	<b>Request for Sponsorship - Australian Livestock Markets Association .....</b>	<b>233</b>
	Prepared by: Local Development Officer - Roma	
	Attachment : Sponsorship requests - Quote transportation ALMA .....	237
<b>13.6</b>	<b>Western Downs and Maranoa Silo Art Trail .....</b>	<b>239</b>
	Prepared by: Regional Tourism Development Coordinator	
	Attachment : Silo Trail Project Update 2019.....	243
<b>13.7</b>	<b>Queensland Training Awards - Darling Downs South West Regional Final.....</b>	<b>245</b>
	Prepared by: Regional Tourism Development Coordinator	

## Status Reports

### Next General Meeting

- To be held at the Roma Administration Centre on 24 July 2019.

## Confidential Items

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items that it's Councillors or members consider it necessary to close the meeting.

### 14 Confidential Items

### 15 Confidential Items

#### C.1 Anti-Corruption Commitment Statement

**Classification:** Closed Access

Local Government Regulation 2012 Section 275(c) (h) the local government budget; AND 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.

- C.2 Request for Water Supply to Chappell Lane and Evans Lane**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(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.
- C.3 Billboard at the Roma Saleyards**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(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.
- C.4 Tender 19015 - Mobile Camp Mt Moffatt Road Project**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.
- C.5 Roma Airport Car Parking Options**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(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.
- C.6 Request to install waste transfer tanks at Roma Landfill**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.
- C.7 Request to collect eligible containers from public bins**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(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.
- C.8 Indigenous Land Use Agreement - Gunggari People and Maranoa Regional Council**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(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.
- C.9 Payment to Local Government Mutual Assets - Annual Asset Insurance Payment**  
**Classification:** Closed Access  
Local Government Regulation 2012 Section 275(c) the local government budget.
- C.10 Payment to Queensland Local Government Mutual managed by Jardine Lloyd Thompson Pty Ltd - Annual Liability Insurance Payment**  
**Classification:** Closed Access

Local Government Regulation 2012 Section 275(c) the local government budget.

**C.11 Agistment of Horse Paddocks - Dargal Road**

**Classification:** Closed Access

Local Government Regulation 2012 Section 275(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.

**C.12 Bassett Park - KD Bar Extension Project**

**Classification:** Closed Access

Local Government Regulation 2012 Section 275(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.

**C.13 Request to name sporting facility**

**Classification:** Closed Access

Local Government Regulation 2012 Section 275(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.

**C.14 Business Excellence Program Hall Hire agreement**

**Classification:** Closed Access

Local Government Regulation 2012 Section 275(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.

**C.15 Injune Caravan Park**

**Classification:** Closed Access

Local Government Regulation 2012 Section 275(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.

**Councillor Business**

**16 Councillor Business**

**16.1 Council In-Kind Contributions - Key Regional Events .....249**

Prepared by: Councillor

**16.2 Policy for Grant Writing for Community Groups .....250**

Prepared by: Councillor

**16.3 Landholder Contribution to Roadworks .....251**

Prepared by: Councillor

**Closure**

**MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 26 JUNE 2019 COMMENCING AT 9.11AM**

**ATTENDANCE**

Mayor Cr. T D Golder chaired the meeting (until 6.15pm) with, Deputy Mayor Cr. J L Chambers (until 4.07pm), Cr. N H Chandler, Cr. P J Flynn (until 6.15pm), Cr. G B McMullen, Cr. W M Newman, Cr. C J O'Neil (by telephone), Cr. D J Schefe, Cr. J M Stanford, Chief Executive Officer – Julie Reitano, and Minutes Officer – Kelly Rogers in attendance.

**AS REQUIRED**

Deputy Chief Executive Officer/Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate, Community & Commercial Services – Sharon Frank, Deputy Director Infrastructure Services/Strategic Road Management – Cameron Hoffmann, Manager Economic & Community Development – Ed Sims, Manager Procurement & Plant – Ryan Gittins, Facility Lease Management & Housing Officer/Team Coordinator – Madonna Mole.

**WELCOME**

The Mayor welcomed all present and declared the meeting open at 9.10am.

Cr. Flynn entered the Chambers at 9.11am.

**APOLOGIES**

There were no apologies for the meeting.

**CONFIRMATION OF MINUTES**

**Resolution No. GM/06.2019/85**

**Moved Cr Chambers**

**Seconded Cr Newman**

**That the minutes of the General Meeting held on 12 June 2019 be confirmed.**

**CARRIED**

**9/0**

**Resolution No. GM/06.2019/86**

**Moved Cr Schefe**

**Seconded Cr Chandler**

**That the minutes of the Budget Submissions & Financial Planning Standing Committee Meeting held on 25 June 2019 be confirmed.**

**CARRIED**

**9/0**

**DECLARATION OF CONFLICTS OF INTEREST**

Cr. Chambers declared a 'Material Personal Interest' with the following item:

- C.17 – Register of Sole Supplier Arrangements

due to her son being an employee of one of the businesses listed in the report.

Cr. Chambers foreshadowed that she would remove herself from discussions and decisions on this matter.

Cr. Flynn declared a 'Conflict of Interest' with the following items:

- C.11 – May 2019 – Monthly Business Unit Report

due to him being the owner of a business that has a contract with a major air service provider at the Roma Airport.

- C.23 – Update of Flood Mitigation Landholder Matters – Assessment No. 14019137

due to him owning a house in the area that the levee is bound by, and that voting on these matters may cause a perception that he may have directly benefited from the levee or various aspects of the levee.

Cr. Flynn foreshadowed that he would remove himself from discussions and decisions on both the abovementioned items.

Cr. Sचेefe declared a Material Personal Interest' with the following item:

- 12.1 – Delegate Authority to the Chief Executive Officer to sign the Department of Transport and Main Roads (TMR) Deed of Indemnity for the Installation of Mitchell Bore 3

due to him currently owning a house rented to the Department of Transport and Main Roads (TMR) through his superannuation fund (self-managed), for which he is also the Landlord through that same superannuation fund. The Department of Transport and Main Roads is the applicant under Council's consideration in this matter.

Cr. Sचेefe foreshadowed that he would remove himself from discussions and decisions on this matter.

Cr. Stanford declared a 'Conflict of Interest' with the following item:

- C.23 – Update of Flood Mitigation Landholder Matters – Assessment No. 14019137

due to her having a long term personal friendship with the applicant under Council's consideration in this matter.

Cr. Stanford foreshadowed that she would remove herself from discussions and decisions on this matter.

Mayor Golder declared a 'Conflict of Interest' with the following three (3) items:

- C.23 – Update of Flood Mitigation Landholder Matters – Assessment No. 14019137

due to his mother having a legal agreement with Maranoa Regional Council in relation to flood mitigation back in 2014 (prior to his time on Council), which has not been fully completed.

Mayor Golder foreshadowed that he would remove himself from discussions and decisions on the abovementioned item.



## ON THE TABLE

Item Number: 5.1 File Number: D19/52705

SUBJECT HEADING: REVISED EXPENSES REIMBURSEMENT POLICY (COUNCILLORS)

Officer's Title: Chief Executive Officer

### **Executive Summary:**

*The report sought adoption of a revised Expenses Reimbursement Policy (Councillors).*

**Resolution No. GM/06.2019/87**

**Moved Cr Stanford**

**That the matter lay on the table for further consideration at a later point during the meeting.**

CARRIED

9/0

## BUSINESS

### CORPORATE, COMMUNITY & COMMERCIAL SERVICES

Item Number: 11.1 File Number: D19/48527

SUBJECT HEADING: DELEGATION OF COUNCIL POWERS TO THE CHIEF EXECUTIVE OFFICER UNDER THE ENVIRONMENTAL PROTECTION REGULATION 2008

Officer's Title: Governance Officer

### **Executive Summary:**

*Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.*

*This report sought Council's approval for the delegation of Council powers under the Environmental Protection Regulation 2008 to the position of Chief Executive Officer.*

**Resolution No. GM/06.2019/88**

**Moved Cr Scheffe**

**Seconded Cr Chandler**

**That Council:**

1. Under section 257 of the *Local Government Act 2009*, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Environmental Protection Regulation 2008*.
2. All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

CARRIED

9/0

Responsible Officer

Governance Officer

Item Number: 11.2 File Number: D19/48570

**SUBJECT HEADING:** DELEGATION OF COUNCIL POWERS TO THE CHIEF EXECUTIVE OFFICER UNDER THE RIGHT TO INFORMATION ACT 2009

**Officer's Title:** Governance Officer

**Executive Summary:**

*Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.*

*This report sought Council's approval for the delegation of Council powers under the Right to Information Act 2009 to the position of Chief Executive Officer.*

**Resolution No. GM/06.2019/89**

**Moved Cr Chambers**

**Seconded Cr Stanford**

**That Council:**

1. Under section 257 of the *Local Government Act 2009*, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Right to Information Act 2009*.
2. All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

CARRIED

9/0

**Responsible Officer**

**Governance Officer**

Item Number: 11.3 File Number: D19/48697

**SUBJECT HEADING:** DELEGATION OF COUNCIL POWERS TO THE CHIEF EXECUTIVE OFFICER UNDER THE STATE PENALTIES ENFORCEMENT ACT 1999

**Officer's Title:** Governance Officer

**Executive Summary:**

*Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.*

*This report sought Council's approval for the delegation of Council powers under the State Penalties Enforcement Act 1999 to the position of Chief Executive Officer.*

**Resolution No. GM/06.2019/90**

**Moved Cr Chandler**

**Seconded Cr Newman**

**That Council:**

1. Under section 257 of the *Local Government Act 2009*, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *State Penalties Enforcement Act 1999*.

2. All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

CARRIED

9/0

Responsible Officer

Governance Officer

Item Number:

11.4

File Number: D19/48770

SUBJECT HEADING:

DELEGATION OF COUNCIL POWERS TO THE CHIEF EXECUTIVE OFFICER UNDER THE LAND ACT 1994

Officer's Title:

Governance Officer

**Executive Summary:**

*Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.*

*This report sought Council's approval for the delegation of Council powers under the Land Act 1994 to the position of Chief Executive Officer.*

**Resolution No. GM/06.2019/91**

**Moved Cr Newman**

**Seconded Cr Stanford**

**That Council:**

1. Under section 257 of the *Local Government Act 2009*, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Land Act 1994*.
2. All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

CARRIED

9/0

Responsible Officer

Governance Officer

Item Number:

11.5

File Number: D19/49771

SUBJECT HEADING:

AMENDMENT TO COMMUNITY SAFETY FEES & CHARGES 2019/20

Officer's Title:

Manager - Community Services

**Executive Summary:**

*Two changes to Community Safety Fees & Charges 2019/20 were requested:*

- *Cat registration to be reflected as free or nil charge to align with Resolution GM/06.2019/05 commencing the Local Law making process to introduce mandatory cat registration, offering free cat registration for the 2019/20 financial year.*
- *Modification of the description associated with the impoundment release fee for registered dogs and cats to the 1<sup>st</sup> offence in a 12 month period in lieu of 1<sup>st</sup> offence in a registration period.*

**Resolution No. GM/06.2019/92**
**Moved Cr Chandler**
**Seconded Cr Newman**
**That Council:**

1. Update the Community Safety Fees & Charges to reflect free or nil charge for cat registration for the 2019/20 financial year.
2. Update the description for Impoundment Release Fee for a Registered Dog or Cat – 1<sup>st</sup> offence in registration period to 1<sup>st</sup> offence in a 12 month period.

CARRIED

8/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

**Responsible Officer**
**Manager - Community Services**
**Item Number:**
**11.6**
**File Number: D19/49790**
**SUBJECT HEADING:**
**DEPARTMENT OF HUMAN SERVICES - SURAT AGENCY AGREEMENT - 2019/20**
**Officer's Title:**
**(Acting) Regional Libraries, Arts & Culture Development Coordinator**
***Executive Summary:***

*The Department of Human Services has invited the Maranoa Regional Council to continue to provide Agent Services (Centrelink) in Surat for the period commencing 1 July 2019 and ending on 30 June 2020. The report needs to be returned to the Department by 30 June 2019 through electronic upload via the Agent Portal.*

**Moved Cr Newman**
**That Council:**

1. Endorse a continuation of the provision of services in Surat as an agent for the Department of Human Services.
2. Authorise the Chief Executive Officer to sign the agreement, if the final terms are acceptable.

NO VOTE TAKEN

The motion did not proceed at that point with Council further discussing financial implications for delivery of the service.

Cr. Newman put forward a 'procedural motion' for Council's consideration to allow additional time for the reporting officer to make further enquires in this regard. The outcome was recorded as follows:

**Resolution No. GM/06.2019/93**

**Moved Cr Newman**

**That the matter lay on the table for further consideration at a later point during the meeting following further investigation on the matter.**

CARRIED

8/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

**Item Number:**

**11.7**

**File Number: D19/51062**

**SUBJECT HEADING:**

**WASTE REGISTER OF GENERAL COST - RECOVERY FEES AND COMMERCIAL CHARGES 2019/20**

**Officer's Title:**

**Contractor - Strategic Finance**

***Executive Summary:***

*The consolidated fees and charges schedule were presented to Council for approval on 12 June 2019.*

*This report provided the revised/grossed up amount and GST treatment of the State Government Waste Levy for the 2019/20 financial year.*

**Resolution No. GM/06.2019/94**

**Moved Cr McMullen**

**Seconded Cr Stanford**

**That Council:**

- 1. Receive and note the report.**
- 2. Approve the revised/grossed up amount and GST treatment of the State Government Waste Levy as listed in the Waste fees in the Register of General Cost-Recovery Fees and Commercial Charges 2019/20.**

CARRIED

8/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

<b>Responsible Officer</b>	<b>Contractor - Strategic Finance</b>
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**Item Number:** 11.8 **File Number:** D19/51143

**SUBJECT HEADING:** MONTHLY FINANCIAL REPORTS AS AT 31 MAY 2019

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

***Executive Summary:***

*The purpose of this report was for the Chief Executive Officer to present a monthly financial report to Council in accordance with section 204 of the Local Government Regulation 2012 for the month of May 2019 and year to date.*

**Resolution No. GM/06.2019/95**

**Moved Cr Chambers**

**Seconded Cr Scheffe**

**That the monthly financial report for the period ending 31 May 2019 be received and noted.**

**CARRIED**

**9/0**

<b>Responsible Officer</b>	<b>Contractor - Finance Systems Support</b>
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**Item Number:** 11.9

**File Number:** D19/51414

**SUBJECT HEADING:** INVESTMENT REPORT AS AT 31 MAY 2019

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

***Executive Summary:***

*The purpose of this report was to present the Investment Report (including the Trading Limits Report) as at 31 May 2019.*

**Resolution No. GM/06.2019/96**

**Moved Cr Newman**

**Seconded Cr Chambers**

**That the Investment Report as at 31 May 2019 be received and noted.**

CARRIED

8/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

**Responsible Officer**

**Contractor - Finance Systems Support**

**Item Number:** 11.10

**File Number:** D19/51528

**SUBJECT HEADING:** ENDORSEMENT OF COUNCILLOR ATTENDANCE AT A  
 LOCAL GOVERNMENT NEW SOUTH WALES (LGNSW)  
 WATER MANAGEMENT CONFERENCE

**Officer's Title:** Lead Officer - Councillors' Support & Community  
 Engagement

**Executive Summary:**

*The report sought endorsement of councillor attendance at the annual Local Government NSW (LGNSW) Water Management Conference on 2 – 4 September 2019, as part of enhancing strategy and policy development for Council.*

**Resolution No. GM/06.2019/97**

**Moved Cr Newman**

**Seconded Cr Chandler**

**That Council:**

1. Endorse the attendance of Cr. David Scheffe at the Local Government NSW (LGNSW) Water Management Conference to be held on 2 – 4 September 2019 in Albury, on behalf of Council.
2. Note that the Local Government Association of Queensland (LGAQ) has agreed to fund Cr. Scheffe's flight and accommodation costs, and that the Local Government NSW (LGNSW) Water Management Conference has confirmed that a registration fee will not be charged.
3. Allocate any additional incidental costs to Cr. Scheffe's Conference Budget (Work order 14057.2424.2001).

CARRIED

9/0

**Responsible Officer**

**Lead Officer - Councillors' Support &  
 Community Engagement**

**INFRASTRUCTURE SERVICES**

Cr. Scheffe, having previously foreshadowed a 'Material Personal Interest' in the following item, for reasons stated under Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the Chamber at 9.14am, taking no part in discussions and debate on the matters.



**Item Number:** 12.1

**File Number:** D19/52202

**SUBJECT HEADING:** DELEGATED AUTHORITY FOR THE CHIEF EXECUTIVE OFFICER TO SIGN THE DEPARTMENT OF TRANSPORT AND MAIN ROADS (DTMR) DEED OF INDEMNITY FOR THE INSTALLATION OF MITCHELL BORE 3

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

**Executive Summary:**

*Council has a requirement to apply to the Department of Transport and Main Roads for permission to install the new Mitchell bore 3 in their road reserve on the Mitchell St George Road. The Department of Transport and Main Roads requires Council to sign a Deed of Indemnity for these works to be undertaken.*

**Resolution No. GM/06.2019/98**

**Moved Cr Chambers**

**Seconded Cr Stanford**

**That Council authorise the Chief Executive Officer or delegate to sign the Deed of Indemnity, attached to the application to Department of Transport and Main Roads, for the installation of the Mitchell Bore 3.**

CARRIED

8/0

**Responsible Officer**

**Manager - Water, Sewerage & Gas**

At cessation of discussion and debate on the abovementioned item, Cr. Scheffe returned to the Chamber at 9.42am.

**DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES**

**Item Number:** 13.1

**File Number:** D19/47901

**SUBJECT HEADING:** REQUEST FOR USE OF COUNCIL LAND - SURAT STATE EMERGENCY SERVICES

**Officer's Title:** Associate to the Director / Directorate Budget & Emergency Management Coordination

**Executive Summary:**

*A report was previously presented to Council requesting the use of Council land in Surat for the Surat State Emergency Group. Since this meeting it has been identified that there is a different parcel of land that would meet all needs of the Surat State Emergency Service.*

**Resolution No. GM/06.2019/99**

**Moved Cr Golder**

**Seconded Cr Newman**

**That Council provide permission for the construction of a shed and placement of an accommodation donga on the land described as Lot 16 Plan S282 and Lot 21 Plan S282, which is vacant land located behind the Surat Shire Hall for the purpose of accommodating the Surat State Emergency Service Group.**

CARRIED

9/0

**Responsible Officer**

**Associate to the Director / Directorate Budget**

		<b>&amp; Emergency Management Coordination</b>
<b>Item Number:</b>	<b>13.2</b>	<b>File Number: D19/49837</b>

**SUBJECT HEADING:** **REGIONAL POOL REPORT MAY 2019**

**Officer's Title:** **Administration Officer - Council Buildings & Structures**

**Executive Summary:**

*Across the region, Council maintains five swimming pool complexes and the Great Artesian Spa complex.*

*Contractors operate the pools under Management Agreements, and provide monthly reports to Council identifying attendance, pool temperatures, chemical levels, maintenance issues and consumables.*

*Reports were presented for the month of May 2019 including Denise Spencer Pool Roma, Wallumbilla Pool, Surat Pool, Mitchell Pool and The Great Artesian Spa. The Injune Pool report was not received in time for the agenda report.*

<b>Resolution No. GM/06.2019/100</b>	
<b>Moved Cr McMullen</b>	<b>Seconded Cr Flynn</b>
<p><b>That Council receive the Regional Swimming Pool reports for the Denise Spencer Pool Roma, Wallumbilla Pool, Surat Pool, Mitchell Pool and the Great Artesian Spa for the month of May 2019.</b></p>	
<b>CARRIED</b>	<b>9/0</b>

<b>Responsible Officer</b>	<b>Administration Officer - Council Buildings &amp; Structures</b>
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**Item Number:** **13.3** **File Number: D19/37985**

**SUBJECT HEADING:** **INJUNE PROFESSIONAL RODEO ASSOCIATION  
INCORPORATED - DRAFT USER AGREEMENT**

**Officer's Title:** **Facility Lease Management & Housing Officer/Team Coordinator**

**Executive Summary:**

*Council was asked to consider entering into a formal agreement with Injune Professional Rodeo Association Incorporated for the use of the Injune Rodeo and Cutting Grounds.*

<b>Resolution No. GM/06.2019/101</b>	
<b>Moved Cr Chandler</b>	<b>Seconded Cr Scheffe</b>
<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Enter into a non-exclusive user agreement with Injune Professional Rodeo Association Incorporated for a period of five (5) years for the use of Injune Rodeo and Cutting Grounds.</b></li> <li><b>2. Charge <u>no hire</u> fee for the use of the Injune Rodeo and Cutting Grounds by the Injune Professional Rodeo Association Incorporated for the term of this agreement.</b></li> </ol>	

3. Require the group to provide a copy of public liability insurance to the value of ten (10) million dollars, before its annual event is held.

CARRIED

9/0

Responsible Officer

Facility Lease Management & Housing  
Officer/Team Coordinator

Item Number:

13.4

File Number: D19/46300

SUBJECT HEADING:

DRAFT USER AGREEMENT - INJUNE CRICKET CLUB  
INC

Officer's Title:

Facility Lease Management & Housing Officer/Team  
Coordinator

***Executive Summary:***

*Council was asked to consider entering into a formal agreement with the Injune Cricket Association Incorporated for the use of the Steve Murray Sports Oval and Cricket Clubhouse.*

**Resolution No. GM/06.2019/102**

**Moved Cr McMullen**

**Seconded Cr Stanford**

**That Council:**

1. Enter into a non-exclusive user agreement with Injune Cricket Association Incorporated for a period of five (5) years for the use of the Steve Murray Sports Oval.
2. Charge no hire fee for the use of the Steve Murray Sports Oval and clubhouse for the term of this agreement.
3. Require the Injune Cricket Association Incorporated to provide Council a copy of their public liability insurance to the value of ten (10) million dollars.

CARRIED

9/0

Responsible Officer

Facility Lease Management & Housing  
Officer/Team Coordinator

Item Number: 13.5 File Number: D19/46986

SUBJECT HEADING: INJUNE TENNIS CLUB - LEASE AGREEMENT

Officer's Title: Facility Lease Management & Housing Officer/Team Coordinator

**Executive Summary:**

*Council was asked to consider entering into a formal agreement with the Injune Tennis Club Incorporated for the use of the Injune Tennis Courts. Injune Tennis Club Incorporated held a trustee lease over a 3,150m<sup>2</sup> area within Lot 3 on I71817, which expired in December 2011.*

**Resolution No. GM/06.2019/103**

**Moved Cr Chandler**

**Seconded Cr Flynn**

**That:**

1. Council enter into a trustee lease with the Injune Tennis Club Incorporated for the use of the Injune Tennis Courts for a period of ten (10) years.
2. A copy of the public liability insurance to the value of ten (10) million dollars be provided to Council by the group.

CARRIED

9/0

**Responsible Officer**

**Facility Lease Management & Housing  
Officer/Team Coordinator**

**Item Number:** 13.6

**File Number:** D19/49098

**SUBJECT HEADING:** DISPOSAL OF DONATED GABBA LIGHTS TO SURAT COMMUNITY

**Officer's Title:** Regional Sport & Recreation Development Coordinator

***Executive Summary:***

*This report was tabled to seek Council's approval to dispose of 43 donated Gabba lights to a community organisation in Surat (at no charge).*

*This approval is required pursuant to Section 236 (1)(b)(ii) of the Local Government Regulation 2012, that the local government resolves to dispose of the valuable non-current asset to a community organisation (rather than by tender or auction).*

**Resolution No. GM/06.2019/104**

**Moved Cr Newman**

**Seconded Cr McMullen**

**That:**

1. Council approve disposal of 43 donated Gabba lights to any interested sporting clubs and community organisations in Surat, at no charge.
2. The disposal of the lights be made pursuant to Section 236 (1)(b)(ii) of the *Local Government Regulation 2012*, that Council is not required to dispose of valuable non-current assets via tender or auction if the assets are disposed of to community organisations.
3. Interested sporting clubs and community organisations be publicly invited to submit an expression of interest for the lights, with expression of interest documentation to include conditions that sporting clubs and community organisations must assume responsibility for maintenance and future replacement of the lights. Further that Council ensure that interested sporting clubs and community groups are made aware of potential challenges sourcing replacement bulbs and lighting supplies.

CARRIED

9/0

**Responsible Officer**

**Regional Sport & Recreation Development Coordinator**

**Item Number:** 13.7

**File Number:** D19/51686

**SUBJECT HEADING:** KHB YOUNG LIFE FOUNDATION DONATION TO MITCHELL YOUTH

**Officer's Title:** Regional Sport & Recreation Development Coordinator

***Executive Summary:***

*KHB Construction Pty Ltd ran Australia Day fundraising events for a number of years in Mitchell with monies raised to be spent to benefit the local youth. Suggestions have been made to put a half court at the Mitchell Skate Park.*

*KHB Constructions Pty Ltd has considered this recommendation and is offering Council a basketball court (10 x 10 metres slab), with shade to be constructed at the Mitchell Youth Precinct.*

*Council staff met with Keith and Lisa Harrison on site to discuss the dimensions and scope of the project, to ensure it meets the current and future needs of the community in relation to Council requirements and asset management for Council.*

**Resolution No. GM/06.2019/105**

**Moved Cr Chambers**

**Seconded Cr Stanford**

**That Council:**

1. **Accept KHB Construction Pty Ltd's donation of a half basketball court, approximately 10 x 10 metres at the Mitchell Youth Precinct.**
2. **Provide KHB Constructions Pty Ltd with the agreed scope of works for the project.**
3. **Include the project in the Mitchell Memorial Park master planning with MAK Planning and Design.**
4. **Commence the project after removal of the train from Mitchell Memorial Park.**
5. **Purchase a Basketball cage and hoop up to a value of \$5,000 with funds drawn from the Be Healthy Maranoa program (GL 2831.2001.2001).**

**CARRIED**

**9/0**

**Responsible Officer**

**Regional Sport & Recreation Development Coordinator**

## COUNCILLOR BUSINESS

Item Number: 16.1

File Number: D19/52154

**SUBJECT HEADING:** END OF YEAR FINANCIAL STATEMENTS FOR YEAR  
ENDING 30 JUNE 2019 - REPORTING OF COUNCILLOR  
REMUNERATION AND EXPENSES

**Councillor's Title:** Cr. Tyson Golder

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***Executive Summary:***

*Mayor Golder proposed to report individual remuneration and expenses for each of the nine (9) Councillors for Maranoa Regional Council in the end of financial year statements, for the year ending 30 June 2019.*

**Resolution No. GM/06.2019/106**

**Moved Cr Golder**

**Seconded Cr McMullen**

**That the end of year financial statements, for the year ending 30 June 2019, clearly report individual remuneration totals and expenses totals separately for each of the nine (9) Councillors of Maranoa Regional Council.**

**NO VOTE TAKEN**

No vote was taken on the draft motion at that time, with Mayor Golder proposing the following Procedural Motion:

**Resolution No. GM/06.2019/107**

**Moved Cr Golder**

**That the matter lay on the table for further consideration at an upcoming meeting.**

**NO VOTE TAKEN**

Further discussion ensued, with the officers confirming that the requested break down of information is published each year in Council's Annual Report, as is legislatively required.

Following receipt of this information, Mayor Golder elected to withdraw the item from the agenda.

COUNCIL ADJOURNED THE MEETING AT 10.14AM

During this time Councillors met Ann Leahy MP - Member for Warrego and Shadow Minister for Local Government, and Steven Minikin MP - Shadow Minister for Transport and Main Roads, followed by Morning Tea.

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS**  
COUNCIL RESUMED THE MEETING AT 11.35AM

Item Number: 16.2 File Number: D19/52187

SUBJECT HEADING: MIGRANT AND REFUGEE SETTLEMENT IN THE MARANOA

Councillor's Title: Cr. Tyson Golder

**Executive Summary:**

Mayor Golder proposed that Council consider its views in regard to future migrant and refugee settlement in the Maranoa.

**Resolution No. GM/06.2019/108**

Moved Cr Golder

Seconded Cr Chandler

That a report be prepared for an upcoming Council meeting.

CARRIED

9/0

Responsible Officer

Manager - Economic & Community Development

Item Number: 16.3

File Number: D19/52190

SUBJECT HEADING: 2020 QUEENSLAND TRAINING AWARDS

Councillor's Title: Cr. Cameron O'Neil

**Executive Summary:**

Notification was received from the Queensland Government that the 2020 Queensland Training Awards for the Darling Downs South West finalists will be held in Roma.

**Resolution No. GM/06.2019/109**

Moved Cr O'Neil

Seconded Cr Stanford

That Council note the correspondence received.

CARRIED

9/0

Responsible Officer

Lead Officer - Councillors & Community Engagement



**CONFIDENTIAL ITEMS**

**Item Number:** C.1 **File Number:** D19/49836

**SUBJECT HEADING:** FACILITY HOUSING PROPERTY - 181 ALICE ST MITCHELL

**Officer's Title:** Facility Lease Management & Housing Officer/Team Coordinator

**Executive Summary:**

Assessment 12003125 -181 Alice Street Mitchell became part of Council's housing portfolio on 27 March 2019. The previous owner would now like to remain in the property for a period of twelve months, and sought Council's consideration of their request.

**Resolution No. GM/06.2019/110**
**Moved Cr Chambers**
**Seconded Cr Newman**
**That Council:**

1. Acknowledge that 181 Alice Street Mitchell has been added to Council's Housing portfolio.
2. Acknowledge that the house is not fit for tenancy at present.
3. Request that the previous owners vacate the property within four (4) weeks.
4. Will assist with finding alternative accommodation if required.

CARRIED

8/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

<b>Responsible Officer</b>	<b>Facility Lease Management &amp; Housing Officer/Team Coordinator</b>
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Item Number:

C.2

File Number: D19/50973

SUBJECT HEADING:

**FURTHER DEALING OVER RESERVE FOR GRAVEL  
PURPOSES - LOT 115 ON WV1551**

Officer's Title:

**Administration Officer - Land Administration**

***Executive Summary:***

*Council received further correspondence from the Department of Natural Resources, Mines and Energy concerning the further dealing over Reserve for Gravel Purposes being Lot 115 on WV1551.*

*Additional information was sought as follows:*

- 1. Council views/requirements on the revocation of the whole of the gravel reserve over whole of Lot 115 on WV1551.*
- 2. Council views/requirements on the partial revocation of the gravel reserve over the area shaded on drawing DWG 19/012.*

**Resolution No. GM/06.2019/111**

**Moved Cr Newman**

**Seconded Cr McMullen**

**That Council advise the Department of Natural Resources, Mines and Energy that it:**

- 1. Objects to the revocation of the whole of the gravel reserve over whole of Lot 115 on WV1551.**
- 2. Offers no objection to the partial revocation of the gravel reserve over the area shaded on drawing DWG 19/012.**

**CARRIED**

**9/0**

**Responsible Officer**

**Administration Officer - Land Administration**

Item Number: C.3 File Number: D19/39215  
 SUBJECT HEADING: CONVERSION OF TENURE - LOT 23 ON CP847082  
 Officer's Title: Administration Officer - Land Administration

**Executive Summary:**

*The Department of Natural Resources, Mines and Energy sought Council's views on an application it has received for conversion of Grazing Homestead Perpetual Lease (GHPL) 36/7977 over Lot 23 on CP847082. The proposed use of the land is grazing.*

**Resolution No. GM/06.2019/112**

**Moved Cr Chambers**

**Seconded Cr Newman**

That Council advise the Department of Natural Resources, Mines and Energy it offers no objection to the conversion of GHPL 36/7977 over Lot 23 on CP847082 to freehold tenure on the condition that, as part of the conversion, the applicant completes the required simultaneous road open and closing action to ensure the existing/constructed section of Redford Road is fully contained within reserve allocated for road. This includes ensuring that direct and adjacent access is maintained to the:

1. Unmade Road Reserve on the western side of Redford Road to the north of the lot.
2. Unmade Road Reserve on the western side of Redford Road to the south of the lot.
3. Camping & Water Reserve, described as Lot 25 on DL3351, in the middle of the lot.

CARRIED

9/0

**Responsible Officer**

**Administration Officer - Land Administration**

**Item Number:**

**C.4**

**File Number: D19/47507**

**SUBJECT HEADING:**

**REQUEST FOR FEE WAIVER FROM ENDEAVOUR  
FOUNDATION ENTRANTS**

**Officer's Title:**

**Regional Grants & Council Events Development  
Coordinator**

***Executive Summary:***

*Council received a request to waive the fees for audio-visual equipment for a fundraising event in the Roma Cultural Centre.*

**Resolution No. GM/06.2019/113**

**Moved Cr Chandler**

**Seconded Cr McMullen**

**That Council:**

- 1. Grant a fee waiver for the hire of the audio-visual equipment in the Roma Cultural Centre for the Endeavour Foundation fundraiser, which amounts to \$118.10 per day.**
- 2. Review the Fees and Charges around the hire costs for audio-visual equipment for not-for-profit organisations, and charitable events.**

**CARRIED**

**6/3**

Mayor Golder called for a division of the vote. The outcomes were recorded as follows:

<b>Those in Favour of the Motion</b>	<b>Those Against the Motion</b>
Cr. Chandler	Cr. Chambers
Cr. Flynn	Cr. Newman
Cr. Golder	Cr. Schefe
Cr. McMullen	
Cr. O'Neil	
Cr. Stanford	

**Responsible Officer**

**Manager - Economic & Community  
Development/Regional Grants & Council  
Events Development Coordinator**

**Item Number:**

**C.5**

**File Number: D19/52112**

**SUBJECT HEADING:**

**REQUEST FOR FEE WAIVER FROM MOTOV8**

**Officer's Title:**

**Regional Grants & Council Events Development  
Coordinator**

***Executive Summary:***

*Motov8 are a commercial organisation who are bringing a mental health seminar aimed at teenage males to Roma in August 2019. They requested Council waive some or all associated fees for the hire of the Ernest Brock Room.*

**Resolution No. GM/06.2019/114**

**Moved Cr Chandler**

**Seconded Cr Chambers**

**That Council charge the hall hire fees for Motov8 to hold a mental health seminar in the Ernest Brock room on 21 August 2019.**

CARRIED

7/2

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

<b>Those in Favour of the Motion</b>	<b>Those Against the Motion</b>
Cr. Chambers	Cr. Golder
Cr. Chandler	Cr. Mullen
Cr. Flynn	
Cr. Newman	
Cr. O'Neil	
Cr. Scheffe	
Cr. Stanford	

**Responsible Officer**

**Manager - Economic & Community  
Development/Regional Grants & Council  
Events Development Coordinator**

Item Number:

C.6

File Number: D19/52182

SUBJECT HEADING:

**REQUEST FOR FEE WAIVER FROM QUEENSLAND  
SYMPHONY ORCHESTRA**

Officer's Title:

**Regional Grants & Council Events Development  
Coordinator**

***Executive Summary:***

*Queensland Symphony Orchestra will be presenting a community concert at the Roma Cultural Centre in October 2019, and has requested a fee waiver for set-up and AV fees.*

**Resolution No. GM/06.2019/115**

**Moved Cr Chandler**

**Seconded Cr Newman**

**That Council:**

1. Charge the set-up and audio-visual fees for the Queensland Symphony Orchestra to hold a community concert in the Roma Cultural Centre on 9 October (estimated to be \$291.10) to the Arts and Culture budget GL 2885.2001.2001.
2. Request Queensland Symphony Orchestra to include an acknowledgement of Council in their promotional material.

CARRIED

9/0

**Responsible Officer**

**Manager - Economic & Community  
Development/Regional Grants & Council  
Events Development Coordinator**

**Item Number:** C.7 **File Number:** D19/52272  
**SUBJECT HEADING:** REQUEST FOR FEE WAIVER FROM BOORINGA ACTION GROUP FOR FIRE AND WATER FESTIVAL  
**Officer's Title:** Regional Grants & Council Events Development Coordinator

**Executive Summary:**

*Booringa Action Group (BAG) is planning the Fire and Water Festival to be held in Mitchell on 20-21 September, 2019. They have requested a fee waiver for the use of the Mitchell Showgrounds, and associated assistance.*

**Resolution No. GM/06.2019/116**

**Moved Cr Chambers**

**Seconded Cr Newman**

**That Council:**

1. Approve the request from Booringa Action Group (BAG) for assistance with the Fire and Water Festival to be held in Mitchell on 20-21 September by providing:
  - a) Use of the Mitchell Showgrounds
  - b) Hire and delivery of tables and chairs
2. Allocate the cost of this request, estimated to be \$650 to the Major In-kind Budget for 2019/20 (GL 2887.2248).

CARRIED

9/0

**Responsible Officer**

**Manager - Economic & Community Development/Regional Grants & Council Events Development Coordinator**

Councillors McMullen and Chambers left the Chamber at 12.09pm.

Councillors McMullen and Chambers returned to the Chamber at 12.12pm.

**Item Number:** C.8 **File Number:** D19/30880  
**SUBJECT HEADING:** CAPITAL WORKS PROGRAM 2018/19 AMENDMENT - GLEN ARDEN ROAD GRAVEL RESHEET  
**Officer's Title:** Deputy Director Infrastructure Services/Strategic Road Management

**Executive Summary:**

*The report sought to make an amendment to the budget and scope of a project that is currently approved on the capital works program for 2018/19.*

*It was noted that there was a later item in the agenda for the final budget amendments for the year and the budget documents could be updated to reflect this change if Council provided its in-principle support for that to occur.*

**Resolution No. GM/06.2019/117**

**Moved Cr Stanford**

**Seconded Cr McMullen**

**That:**

1. Council give its 'In-principle' support to making a budget amendment to give effect to the proposal to expand the scope of the Glen Arden Road Gravel Resheet Project to include additional gravel resheeting from Ch 12.10 to Ch 17.74 (Council Boundary).

2. Council note the additional contributions to be provided by the relevant Coal Seam Gas proponents.
3. The matter be referred to the Quarter 4 budget review (later agenda item for this meeting).

CARRIED

9/0

<b>Responsible Officer</b>	<b>Deputy Director Infrastructure Services/Strategic Road Management</b>
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**Item Number:** C.9 **File Number:** D19/39354

**SUBJECT HEADING:** ANALYSIS OF WATER METERS GREATER THAN 25MM DIAMETER

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

***Executive Summary:***

*At its meeting of 10 April 2019, Council resolved to have a review undertaken on all connections over 25mm (GM/04.2019/09). This report provided feedback on this matter.*

**Resolution No. GM/06.2019/118**

**Moved Cr Scheff**

**Seconded Cr Newman**

**That:**

1. Correspondence be sent to all water customers requesting that they review the size of their water meter as a potential cost saving.
2. A report be prepared for an upcoming general meeting with the outcomes.

CARRIED

9/0

<b>Responsible Officer</b>	<b>Manager - Water, Sewerage &amp; Gas</b>
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**Item Number:** C.10 **File Number:** D19/46751

**SUBJECT HEADING:** ROMA QUARRY BUSINESS REPORT - MARCH AND APRIL 2019

**Officer's Title:** Administration / Costing Officer – Materials Production (Quarry & Quarry Pits)

**Executive Summary:**

*This report was presented to Council to provide a summary of the Council's Quarry for March and April 2019 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/06.2019/119**

**Moved Cr McMullen**

**Seconded Cr Chambers**

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

CARRIED

9/0

**Responsible Officer**

**Administration / Costing Officer – Materials Production (Quarry & Pits)**

Cr. Flynn, having previously foreshadowed a 'Conflict of Interest' in the following item, for reasons stated under Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the Chamber at 12.22pm, taking no part in discussions and debate on the matter.

**Item Number:** C.11 **File Number:** D19/49382

**SUBJECT HEADING:** MAY 2019 - MONTHLY BUSINESS UNIT REPORT - AIRPORTS

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

**Executive Summary:**

*The 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 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/06.2019/120**

**Moved Cr O'Neil**

**Seconded Cr Newman**

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

CARRIED

8/0

**Responsible Officer**

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

At cessation of discussion and debate on the abovementioned item, Cr. Flynn returned to the Chamber at 12.23pm.

Item Number: C.12 File Number: D19/48698

SUBJECT HEADING: APPLICATION FOR COMMUNITY ORGANISATION CONCESSION - ASSESSMENT NO: 12008967

Officer's Title: Lead Rates and Utilities Billing Officer/Systems Administrator

**Executive Summary:**

An application for Rates and Water Access Concession for Community Organisations was received for Council's consideration, in regard to Assessment No: 12008967.

**Resolution No. GM/06.2019/121**

**Moved Cr McMullen**

**Seconded Cr Chandler**

That Council grant the applicant a "Concession Class A" concession in accordance with the Community Organisations – Rates and Charges Rebates and Concessions policy from when the policy commenced 1 July 2017.

CARRIED

9/0

**Responsible Officer**

**Lead Rates and Utilities Billing Officer/Systems Administrator**

Item Number: C.13 File Number: D19/39428

SUBJECT HEADING: QUARTER 4 2018/19 BUDGET CHANGES AND CARRY OVER PROJECTS

Officer's Title: Contractor - Strategic Finance

**Executive Summary:**

In accordance with S170 (3) of the Local Government Regulation 2012, the local government may, by resolution, amend the budget for a financial year at any time before the end of the financial year.

The change to this budget review (excluding carry over projects) is \$1.9 million.

Funding sources are as follows:

- \$ 2.2 million is funded by capital grants and contributions
- \$ 40,782 from specific reserves, e.g. airport

Savings of \$269,702.

Total carry over projects is \$24.4 million.

- \$11.8 million is funded by capital grants and contributions
- \$9.0 million by specific reserves
- \$3.6 million from general fund reserves

**Resolution No. GM/06.2019/122**

**Moved Cr Chambers**

That the matter lay on the table for further consideration at a later point during the meeting.

CARRIED

9/0

**Item Number:**

**C.14**

**File Number: D19/50437**

**SUBJECT HEADING:**

**BANK CHARGES - OPTION TO RECOVER THROUGH A PAYMENT SURCHARGE**

**Officer's Title:**

**Financial Accountant/Team Coordinator**

**Executive Summary:**

*When Council accepts payment for goods or services by a debit or credit card, it usually incurs costs for processing the payment. Some businesses include these costs in the price they charge for their goods or services, and others pass the costs on as a payment surcharge. Council does not currently impose payment surcharges on its customers. This report outlined the costs incurred by Council to accept payments by debit or credit cards and the options available to recover these charges from the customer.*

**Resolution No. GM/06.2019/123**

**Moved Cr Newman**

**Seconded Cr Stanford**

**That Council not impose a payment surcharge on its customers who make a payment using a credit, debit or prepaid card.**

**CARRIED**

**9/0**

**Responsible Officer**

**Financial Accountant/Team Coordinator**

**CONFIDENTIAL ITEM – (Discussed in closed session)**

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss Item C.15, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage;

**Resolution No. GM/06.2019/124**

**Moved Cr Newman**

**Seconded Cr McMullen**

**That Council close the meeting to the public at 12.29pm.**

**CARRIED**

**9/0**

Cr. Stanford left the Chamber at 12.39pm, and returned at 12.41pm.

**Resolution No. GM/06.2019/125**

**Moved Cr McMullen**

**Seconded Cr Newman**

**That Council open the meeting to the public at 12.42pm.**

**CARRIED**

**9/0**

Item Number: C.15 File Number: D19/51757

SUBJECT HEADING: ROMA SALEYARDS - REQUEST TO CONTINUE  
FORTNIGHTLY PRIME SALES

Officer's Title: Manager - Saleyards

**Executive Summary:**

*Roma Livestock Agents Association is requesting that the Roma Saleyard prime sales continue to be conducted fortnightly from 4 July 2019 until 30 September 2019.*

**Resolution No. GM/06.2019/126**

Moved Cr Newman

Seconded Cr McMullen

That Council, in accordance with *Subordinate Local Law No 6 (Operation of Saleyards) 2011* Part 4 12(1) set the prime sales as fortnightly commencing from Thursday 4 July 2019 until 30 September 2019, as per the request from the Roma Livestock Agents Association.

CARRIED

9/0

**Responsible Officer**

**Manager - Saleyards**

**CHANGE TO 'ORDER OF BUSINESS'**

**Resolution No. GM/06.2019/127**

Moved Cr Chambers

Seconded Cr Schefe

That the 'Order of Business' be amended to allow for Item LC.1 - Binya Lane, to be the next item of business to be considered by Council.

CARRIED

9/0

**LATE CONFIDENTIAL ITEM****Item Number:** LC.1**File Number:** D19/52131**SUBJECT HEADING:** BINYA LANE**Officer's Title:** Manager - Construction**Executive Summary:**

*In February 2016, a Development Approval was issued to Northern Growers Pty Ltd for the establishment of a feedlot off Binya Lane, Mount Abundance (Ref 2015/19400). This approval is conditioned with a requirement to upgrade Binya Lane to accommodate the generated traffic required to support the development.*

*Council has been approached by the Developer (refer GM/01.2018/39) to complete the upgrade works necessary in conjunction with planned maintenance works on the network.*

*In completing the preconstruction activities for the upgrades, it has become evident that an opportunity exists to broaden the scope of the project to potentially renew the road pavement in conjunction with the upgrade works and ultimately reduce future asset "renewal" costs.*

**Resolution No. GM/06.2019/128****Moved Cr Stanford****Seconded Cr O'Neil****That:**

- 1. Council give its 'In-principle' support to fund \$210,000 from the 2018/19 Capital Works Budget to enable a gravel resheet of the existing Binya Lane formation to be completed in conjunction with the planned development upgrade works.**
- 2. The expanded scope be conditional on the Developer committing to supplying the additional gravel necessary to complete these works.**
- 3. The matter be referred to the Quarter 4 budget review (later agenda item).**

**CARRIED****9/0****Responsible Officer****Manager - Construction**

COUNCIL ADJOURNED THE MEETING  
FOR LUNCH AT 12.48PM

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS**

COUNCIL RESUMED THE MEETING AT 1.50PM

Item Number: C.16 File Number: D19/51945

SUBJECT HEADING: RENEWAL - POSTBILLPAY AGREEMENT

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

**Executive Summary:**

*Council's current agreement with Australia Post for Post Billpay is due to expire 31 July 2019. The new agreement, if approved, will continue the service for another three (3) years.*

**Resolution No. GM/06.2019/129**

**Moved Cr Chambers**

**Seconded Cr Newman**

**That Council:**

1. Enter into a Post Billpay Standard Agreement with Australia Post for a further three (3) years to continue the service for payment of rates at Post Office outlets, and by phone/internet.
2. Authorise the Chief Executive Officer to sign the Agreement, if the final terms are acceptable.

CARRIED

9/0

**Responsible Officer**

**Manager - Communication, Information & Administration Services**

**CONFIDENTIAL ITEM (Discussed in closed session)**

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss Item C.17, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

(e) contracts proposed to be made by it;

Cr. Chambers, having previously foreshadowed a 'Material Personal Interest' in the following item, for reasons stated under Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the Chamber at 1.52pm, taking no part in discussions and debate on the matter.

Following discussion about report contents, Cr. Flynn declared a perceived 'Conflict of Interest' in the following item due to one of the businesses under Council's consideration being owned by a close relative by marriage. Cr. Flynn left the Chamber at 1.54pm, taking no part in discussion or debate on the matter.

**Resolution No. GM/06.2019/130**

**Moved Cr McMullen**

**Seconded Cr Golder**

**That Council close the meeting to the public at 2.02pm.**

CARRIED

7/0

**Resolution No. GM/06.2019/131**

**Moved Cr McMullen**

**Seconded Cr Newman**

**That Council open the meeting to the public at 2.14pm.**

**CARRIED**

**7/0**

**Item Number:**

**C.17**

**File Number: D19/37952**

**SUBJECT HEADING:**

**REGISTER OF SOLE SUPPLIER ARRANGEMENTS**

**Officer's Title:**

**Manager - Procurement & Plant**

***Executive Summary:***

*Council's Procurement Policy states that three or more suppliers must be invited to submit quotes prior to the formation of a contract valued at greater than \$1,000 exclusive of GST (and below \$200,000 exclusive of GST).*

*This report sought Council's approval of sole supplier arrangements. The intent is to limit the number of ad hoc reports that are submitted to Council, seeking approval for specific sole supplier arrangements. It is anticipated that additional sole supplier arrangements will be submitted for Council's consideration at future General Meetings.*

**Resolution No. GM/06.2019/132**

**Moved Cr Schefe**

**Seconded Cr Newman**

**That:**

- 1. Council approve the formation of sole supplier arrangements with the following entities, pursuant to Section 235(a) of the *Local Government Regulation 2012*, as Council is satisfied that there is only one (1) supplier reasonably available to provide the goods/services listed.**
- 2. The delegation to the Chief Executive Officer be updated (thereby permitting sub-delegation to other employees) to reflect approval to form small-sized and medium-sized contractual arrangements (i.e. less than \$200,000 exclusive of GST) with the listed entities in the event that Council's requirements are consistent with the scope of the sole supplier arrangement(s) listed.**

<b>Supplier Name</b>	<b>Scope of Sole Supplier Arrangement</b>
<b>Telstra Corporation Limited</b>	<b>Provision of telecommunications and internet service to Council. Service and repairs to telecommunications infrastructure.</b>
<b>Civica Pty Ltd</b>	<b>Expenditure related to subscriptions, servicing, trouble-shooting, and consultancy for the development of new modules/functionality within Council's ERP software (Authority).</b>
<b>Astec Australia Pty Ltd</b>	<b>Provision of OEM parts and servicing of Astec-branded quarry equipment (crushers, screens etc.).</b>
<b>SKIDATA Australasia Pty Ltd</b>	<b>supply of parts and servicing for the car parking management system at the Roma Airport (proprietary system).</b>
<b>Glidepath Australia Pty Ltd</b>	<b>supply of parts, belt repairs, servicing, programming, reliability improvements and fault rectification for the baggage handling system at Roma Airport (proprietary system).</b>

Smiths Detection (Australia) Pty Ltd	supply of parts, consumables and servicing of security screening equipment at the Roma Airport (proprietary equipment).
Airport Lighting Specialists Pty Ltd	supply of parts and servicing for airfield lighting systems (proprietary equipment).
The trustee for Mawn Family Trust T/A West-Tech Systems	supply of parts and maintenance services (including system alterations) for CCTV and security access systems installed by West-Tech Systems (branded Integrity).
Pitney Bowes Australia Pty Ltd	Expenditure related to subscriptions, servicing, trouble-shooting, and consultancy for the development of new modules/functionality within Council's GIS software (Spectrum Spatial).
Airways Engineering Services Pty Ltd	Supply of parts, troubleshooting, and maintenance of the Automated Weather Information Broadcast equipment at Roma Airport (proprietary equipment).
AvData Pty Ltd	Supply and servicing of airport usage billing equipment and services (proprietary equipment).
Hastings Deering (Australia) Limited	Provision of OEM parts and servicing for Caterpillar construction equipment, as stipulated by existing warranty and/or service plan requirements.
Hitachi Construction Machinery (Australia) Pty Ltd	Provision of OEM parts and servicing for Hitachi and John Deere construction equipment, as stipulated by existing warranty and/or service plan requirements.
Komatsu Australia Pty Ltd	Provision of OEM parts and servicing for Komatsu construction equipment, as stipulated by existing warranty and/or service plan requirements.
Harvey Black Group Pty Ltd ATF the HFB Unit Trust T/A Black Truck Sales	Provision of OEM parts and servicing of Western Star trucks, Isuzu trucks and vehicles, and Kubota mowers and tractors, as stipulated by existing warranty and/or service plan requirements.
Vanderfield Pty Ltd	Provision of OEM parts and servicing of John Deere agricultural equipment and plant (mowers, tractors and slashers etc.) as stipulated by existing warranty and/or service plan requirements.
Australian Airports Association	Membership fees for the Australian Airports Association - the peak industry body for Australian airports and providers of training, advocacy and support services.
CARRIED	
7/0	

Responsible Officer	Manager - Procurement & Plant Governance Officer
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At cessation of discussion and debate on the abovementioned item, Councillors Chambers and Flynn returned to the Chamber at 2.19pm.

Item Number: C.18 File Number: D19/51310

SUBJECT HEADING: TENDER 19023 - LEASE OF LOT 2 ON DUB5333 - PLASERY ROAD, MITCHELL

Officer's Title: Manager - Procurement & Plant

#### **Executive Summary:**

Council invited tenders for the lease of a parcel of land located on Plasery Road/Piggery Lane, Mitchell, for a period of two years.

The tender evaluation report was tabled for Council's consideration.



**Resolution No. GM/06.2019/133**
**Moved Cr McMullen**
**Seconded Cr Newman**
**That Council:**

1. **Select J & B Stanton as the recommended Tenderer for Tender 19023 – Lease of Lot 2 on DUB5333 Plasery Road/Piggery Lane, Mitchell.**
2. **Delegate authority to the Chief Executive Officer to enter into final negotiations with J & B Stanton and execute the lease (2 years) if the terms are acceptable.**
3. **Assign the Income to Council Buildings and Facilities Operating Revenue – Lease Income.**

**CARRIED**
**9/0**
**Responsible Officer**
**Manager - Procurement & Plant**
**CONFIDENTIAL ITEM (Discussed in closed session)**

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss Item C.19, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

(e) contracts proposed to be made by it;

**Resolution No. GM/06.2019/134**
**Moved Cr Golder**
**Seconded Cr McMullen**
**That Council close the meeting to the public at 2.22pm.**
**CARRIED**
**9/0**
**Resolution No. GM/06.2019/135**
**Moved Cr Flynn**
**Seconded Cr Newman**
**That Council open the meeting to the public at 2.25pm.**
**CARRIED**
**9/0**
**Item Number:**
**C.19**
**File Number: D19/52046**
**SUBJECT HEADING:**
**PURCHASE OF SECOND HAND PRIME MOVER**
**Officer's Title:**
**Manager - Procurement & Plant**
**Executive Summary:**

*Plant 4001 (Western Star Prime Mover) requires replacement. This report was tabled to seek Council's approval to procure a replacement item.*

**Resolution No. GM/06.2019/136**
**Moved Cr Chandler**
**Seconded Cr McMullen**
**That Council:**

1. Procure a 2017 Western Star 4800FS Prime Mover from The Trustee for Pengelly Family Trust T/A Pengelly Trucks and Trailer, pursuant to Section 235(e) of the *Local Government Regulation* (purchase of second- hand plant/equipment).
2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with The Trustee for Pengelly Family Trust T/A Pengelly Trucks and Trailer and raise a purchase order if the final terms are acceptable.
3. Assign expenditure to the 2018/19 budget allocation for plant capital expenditure.

CARRIED

7/2

Mayor Golder called for a division of the vote. The outcomes were recorded as follows:

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

**Responsible Officer**
**Manager - Procurement & Plant**
**Item Number:**
**C.20**
**File Number: D19/52146**
**SUBJECT HEADING:**
**REQUEST FOR REDUCTION IN TRADING TERMS**
**Officer's Title:**
**Manager - Procurement & Plant**
**Executive Summary:**

*Council received correspondence from one supplier requesting a reduction in trading terms. The request was tabled for Council's consideration.*

**Resolution No. GM/06.2019/137**
**Moved Cr Schefe**
**Seconded Cr Newman**

**That Council approve the requested reduction in trading terms from 28 days to 14 days for any invoices submitted by Creditor 14983.**

CARRIED

9/0

**Responsible Officer**
**Manager - Procurement & Plant**

Item Number:

C.21

File Number: D19/51984

SUBJECT HEADING:

**PRINCIPAL CYCLE NETWORK PLAN - REVIEW OF  
DRAFT PRIORITY ROUTE MAP**

Officer's Title:

**Assets Officer - Transport Network**

**Executive Summary:**

*Council received a request from the Department of Transport and Main Roads' Transport Strategy and Planning Branch to conduct a review of the Priority Routes Map for Roma. The Priority Routes Map for Roma forms part of the state wide Principal Cycle Network Plan.*

**Resolution No. GM/06.2019/138**

**Moved Cr Chambers**

**Seconded Cr Scheffe**

**That Council:**

1. **Acknowledge the request and thank the Department for the opportunity to review the Principal Cycle Network Plan and Priority Routes Map for Roma.**
2. **Provide support for the following changes proposed by Department of Transport and Main Roads:**
  - a. **Amend the link to the Airport to a Priority A Route;**
  - b. **Include Feather Street (Council Street) as a Priority A Route**
3. **Request consideration be given to the following amendments to the Priority Cycle Routes Map for Roma:**
  - a. **Reprioritise Miscamble Street, from Queen Street to Currey Street, from a Priority A Route to a Priority B Route;**
  - b. **Reprioritise Queen Street, from Miscamble to McDowall Street, from a Priority B Route to a Priority A Route;**
  - c. **Addition of Miscamble Street, from Carnarvon Highway to Arthur Street as a Priority C Route;**
  - d. **Addition of Arthur Street, from Miscamble Street to Adungadoo Pathway, as a Priority C Route;**
  - e. **Amend Spencer Street link to Feather Street and extend through from Bowen to McDowall Street as Priority C Route;**
  - f. **Extend Bowen Street to intersect with Feather Street and maintain as Priority C Route.**
  - g. **Addition of Bungil Street, from Adungadoo Pathway to the entry to Roma Touch Fields and Little Athletics as a Priority C Route.**

**CARRIED**

**9/0**

**Responsible Officer**

**Assets Officer - Transport Network**

**Item Number:** C.22 **File Number:** D19/52323

**SUBJECT HEADING:** FOOTPATH MAINTENANCE – MCDOWALL STREET, ROMA (NEAR BETTA ELECTRICAL)

**Officer's Title:** Deputy Director Infrastructure Services/Strategic Road Management

**Executive Summary:**

*Council received a number of recent enquiries regarding the condition of the footpath along the southern side of McDowall Street, Roma between Betta Electrical and the Commonwealth Bank.*

*The report provided Council with details of the footpath and a proposed treatment for this location.*

**Resolution No. GM/06.2019/139**

**Moved Cr O'Neil**

**Seconded Cr McMullen**

**That Council endorse a change to the level of service on the southern side of McDowall Street Footpath (Roma) – between Betta Electrical and the Commonwealth Bank – from asphalt to pavers, with this change to be completed as part of upcoming maintenance works on this section.**

CARRIED

9/0

**Responsible Officer**

**Deputy Director Infrastructure Services/Strategic Road Management**

Mayor Golder, Cr. Flynn and Cr. Stanford, having previously foreshadowed a 'Conflict of Interest' in the following item, for reasons stated under Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the Chamber at 2.33pm, taking no part in discussions and debate on the matter.

The Deputy Mayor, Cr. Chambers took the role of 'Acting Chair' in the Mayor's absence.

**CONFIDENTIAL ITEM (Discussed in closed session)**

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss Item C.23, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage;

**Resolution No. GM/06.2019/140**

**Moved Cr McMullen**

**Seconded Cr Schefe**

**That Council close the meeting to the public at 2.34pm.**

CARRIED

6/0

Cr. Chandler left the Chamber at 2.36pm, and returned at 2.39pm.

**Resolution No. GM/06.2019/141**

**Moved Cr Newman**

**Seconded Cr McMullen**

**That Council open the meeting to the public at 2.40pm.**

CARRIED

6/0

**Item Number:** C.23 **File Number:** D19/52531

**SUBJECT HEADING:** UPDATE ON FLOOD MITIGATION LANDHOLDER MATTERS - ASSESSMENT NO. 14019137

**Officer's Title:** Acting Executive Services Officer

**Executive Summary:**

*The report tabled a draft Deed for Council's formal consideration.*

**Resolution No. GM/06.2019/142**

**Moved Cr McMullen**

**Seconded Cr Schefe**

**That Council:**

1. Approve the updated Deed, incorporating the amendment as proposed by the landowner.
2. Authorise the Chief Executive Officer to sign the Deed on behalf of Council under delegated authority.

CARRIED

6/0

**Responsible Officer**

**Acting Executive Services Officer**

At cessation of discussion and debate on the abovementioned item, Mayor Golder and Councillors Flynn and Stanford returned to the Chamber at 2.44pm.

**CONFIDENTIAL ITEM (Discussed in closed session)**

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss Items C.24 and C.13, which it has deemed to be of a confidential nature and specifically pertaining to the following sections:

- (b) industrial matters affecting employees;
- (c) the local government budget;

**Resolution No. GM/06.2019/143**

**Moved Cr Schefe**

**Seconded Cr McMullen**

**That Council close the meeting to the public at 2.44pm.**

CARRIED

9/0

Cr. Chambers left the Chamber at 3.21pm, and returned at 3.25pm.

Cr. Flynn left at 3.33pm, and returned at 3.37pm.

Mayor Golder left the Chamber at 3.53pm, and returned at 4.05pm.

Cr. Chambers left the Chamber at 4.07pm to attend a Local Emergency Coordination Committee Meeting in Mitchell, and did not return for the remainder of the meeting.

Cr. Chandler left the Chamber at 4.16pm, and returned at 4.18pm.

Cr. Stanford left the Chamber at 4.18pm.

**Resolution No. GM/06.2019/144**

**Moved Cr O'Neil**

**Seconded Cr McMullen**

**That Council open the meeting to the public at 4.19pm.**

**CARRIED**

**7/0**

Cr. Stanford returned to the Chamber at 4.20pm.

Cr. Flynn left the Chamber at 5.46pm, and returned at 5.50pm.

**Item Number:**

**5.1**

**File Number: D19/52705**

**SUBJECT HEADING:**

**REVISED EXPENSES REIMBURSEMENT POLICY  
(COUNCILLORS)**

**Officer's Title:**

**Chief Executive Officer**

***Executive Summary:***

*The report sought adoption of a revised Expenses Reimbursement Policy (Councillors).*

*This matter had been laid on the table earlier during the meeting. Council resumed its deliberations.*

**Resolution No. GM/06.2019/145**

**Moved Cr O'Neil**

**Seconded Cr Flynn**

**That the feedback provided at the meeting be incorporated into the draft policy for further consideration at a Special Meeting on 2 July 2019.**

**CARRIED**

**8/0**

**Responsible Officer**

**Chief Executive Officer**

**Item Number:**

**11.6**

**File Number: D19/49790**

**SUBJECT HEADING:**

**DEPARTMENT OF HUMAN SERVICES - SURAT AGENCY  
AGREEMENT - 2019/20**

**Officer's Title:**

**(Acting) Regional Libraries, Arts & Culture Development  
Coordinator**

***Executive Summary:***

*The Department of Human Services has invited Council to continue to provide Agent Services (Centrelink) in Surat for the period commencing 1 July 2019 and ending on 30 June 2020. The report needs to be returned to the Department by 30 June 2019 through electronic upload via the Agent Portal.*

*This matter had been laid on the table earlier during the meeting to allow the reporting officer additional time to investigate financial implications in delivering this service. This information now to hand, Council resumed its deliberations.*

**Resolution No. GM/06.2019/146**
**Moved Cr Flynn**
**Seconded Cr Newman**
**That Council:**

1. Endorse a continuation of the provision of services in Surat as an agent for the Department of Human Services.
2. Authorise the Chief Executive Officer to sign the agreement, if the final terms are acceptable.

**CARRIED**
**8/0**
**Responsible Officer**
**(Acting) Regional Libraries, Arts & Culture  
Development Coordinator**
**Item Number:**
**C.13**
**File Number: D19/39428**
**SUBJECT HEADING:**
**QUARTER 4 2018/19 BUDGET CHANGES AND CARRY  
OVER PROJECTS**
**Officer's Title:**
**Contractor - Strategic Finance**
**Executive Summary:**

*This item had been laid on the table earlier during the meeting to enable the outcome of Resolution Numbers GM/06.2019/117 and GM/06.2019/128 to be incorporated. Full updated documentation for this item was circulated to Councillors by email, and hard copy provided to the Mayor.*

*In accordance with S170 (3) of the Local Government Regulation 2012, the local government may, by resolution, amend the budget for a financial year at any time before the end of the financial year.*

*The change to this budget review excluding carry over projects is \$2.4 million.*

*Funding sources are as follows:*

- \$ 2.5 million is funded by capital grants and contributions
  - \$ 40,782 from specific reserves, e.g. airport
- Savings of \$132,599.*

*Total carry over projects is \$24.9 million.*

- \$12.3 million is funded by capital grants and contributions
- \$9.0 million by specific reserves
- \$3.6 million from general fund reserves

**Resolution No. GM/06.2019/147**
**Moved Cr McMullen**
**Seconded Cr Stanford**
**That the Council adopt the Fourth Quarter Budget Review 2018/19 as shown in the following attachments:**

1. Quarter 4 Capital budget changes
2. Quarter 4 Operating budget changes
3. Quarter 4 Capital carry over projects
4. Quarter 4 One off carry over projects
5. Revised Budget Financial Statements 2018/19 & following two years
6. Revised Budget Financial Statements 2018/19 & following nine years
7. Revenue Policy 2018/19

8. Revenue Statement 2018/19
9. Total Value of Change in Rates and Charges
10. Revised Financial Sustainability Ratios 2018/19

CARRIED

8/0

Responsible Officer

Contractor - Strategic Finance

Item Number:

C.24

File Number: D19/50787

SUBJECT HEADING:

UPDATE ON THE DRAFT NEW CERTIFIED AGREEMENT

Officer's Title:

Chief Executive Officer

**Executive Summary:**

The agenda item provided an update to Council on the key feedback received and the proposed updates to the draft following consideration of feedback. The item provided the opportunity for the Chief Executive Officer to seek Council's thoughts on the items.

**Resolution No. GM/06.2019/148**

Moved Cr Chandler

Seconded Cr Stanford

That the Chief Executive Officer continue with negotiations.

CARRIED

7/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

Responsible Officer

Chief Executive Officer

**LATE ITEM**

Item Number:

L.1

File Number: D19/51688

SUBJECT HEADING:

QUEENSLAND OPERA PERFORMANCE SEPTEMBER 2019

Officer's Title:

Regional Grants & Council Events Development Coordinator

**Executive Summary:**

Council has previously resolved to host a performance of the Queensland Opera in the Maranoa region on Friday, 6 September 2019. The report provided recommendations regarding venue, budget and ticket prices.



**Resolution No. GM/06.2019/149**
**Moved Cr Chandler**
**Seconded Cr Stanford**

**That the matter lay on the table for further consideration at an upcoming meeting, following additional consultation with Queensland Opera.**

CARRIED

7/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

<b>Those in Favour of the Motion</b>	<b>Those Against the Motion</b>
Cr. Chandler	Cr. Golder
Cr. Flynn	
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

**Responsible Officer**
**Manager - Economic & Community  
Development/Regional Grants & Council  
Events Development Coordinator**
**LATE CONFIDENTIAL ITEM (VERBAL)**
**Resolution No. GM/06.2019/150**
**Moved Cr O'Neil**
**Seconded Cr McMullen**

**That Item – LC.2 – Update on Flood Mitigation Matters – Assessment No. 14019194 be added to the Late Confidential Agenda.**

CARRIED

8/0

Mayor Golder declared a 'Material Personal Interest' in the following item due to the matter under consideration being his mother, who has a legal agreement with Maranoa Regional Council in relation to flood mitigation back in 2014, which has not been fully completed.

Cr. Flynn declared a 'Conflict of Interest' in the following item, due to him owning a house in the area that the levee is bound by, and that voting on these matters may cause a perception that he may have directly benefited from the levee or various aspects of the levee.

Mayor Golder and Cr. Flynn left the Chamber at 6.15pm, and did not return for the remainder of the meeting.

**Resolution No. GM/06.2019/151**
**Moved Cr O'Neil**
**Seconded Cr Stanford**

**That Cr. Newman be nominated 'Acting Chair' in the absence of the Mayor.**

CARRIED

6/0

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss Item LC.2, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage.

**Resolution No. GM/06.2019/152**

**Moved Cr McMullen**

**Seconded Cr Scheffe**

**That Council close the meeting to the public at 6.16pm.**

CARRIED

6/0

**Resolution No. GM/06.2019/153**

**Moved Cr Scheffe**

**Seconded Cr McMullen**

**That Council open the meeting to the public at 6.31pm.**

CARRIED

6/0

**Item Number:**

**LC.2**

**File Number: N/A**

**SUBJECT HEADING:**

**UPDATE ON FLOOD MITIGATION LANHOLDER  
MATTERS - ASSESSMENT NO. 14019194**

**Officer's Title:**

**Chief Executive Officer**

***Executive Summary:***

*Council received correspondence from the landowner's representatives for Council's further consideration.*

**Resolution No. GM/06.2019/154**

**Moved Cr Stanford**

**Seconded Cr Chandler**

**That Council endorse the arrangements outlined in the email dated 24 June 2019, in relation to a request from the landowner.**

CARRIED

6/0

**Responsible Officer**

**Chief Executive Officer**

## CLOSURE

There being no further business, the Acting Chair, Cr. Newman, thanked Council for their attendance and declared the meeting closed at 6.34pm.

**These Minutes are to be confirmed at the next General Meeting of Council to be held on 10 July 2019, at Roma Administration Centre.**

.....  
Mayor.

.....  
Date.

.....  
Deputy Mayor and Acting Chair

.....  
Date.

.....  
Cr. Newman and Acting Chair

.....  
Date.

**MINUTES OF THE BUDGET SUBMISSIONS & FINANCIAL PLANNING STANDING COMMITTEE MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 2 JULY 2019 COMMENCING AT 4.09PM**

**ATTENDANCE**

Mayor Cr. T D Golder chaired the meeting with Deputy Mayor J L Chambers, Cr. N H Chandler (until 5.03pm), Cr. P J Flynn, Cr. G B McMullen, Cr. W M Newman, Cr. C J O'Neil, Cr D J Scheffe, Chief Executive Officer – Julie Reitano and Minutes Officer – Kelly Rogers in attendance.

**AS REQUIRED**

Director Corporate, Community & Commercial Services – Sharon Frank, Contractor - Strategic Finance - Claire Alexander.

**WELCOME**

The Mayor welcomed all present and declared the meeting open at 4.09pm.

**APOLOGIES**

**Resolution No. BUD/07.2019/01**

**Moved Cr Chambers**

**Seconded Cr McMullen**

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

**CARRIED**

**8/0**

**DECLARATION OF CONFLICTS OF INTEREST**

There were no declarations of Conflicts of Interest.

**BUSINESS**

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, the Committee resolved to close the meeting to discuss items C.1 – C.11, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (c) the local government budget.

**Resolution No. BUD/07.2019/02**

**Moved Cr Chambers**

**Seconded Cr O'Neil**

**That the Committee close the meeting to the public at 4.09pm.**

**CARRIED**

**8/0**

Mayor Golder left the Chamber at 4.25pm, and returned at 4.28pm.

Mayor Golder left the Chamber at 4.37pm, and returned at 4.37pm.

Cr. Chandler left the Chamber at 5.03pm, and did not return for the remainder of the meeting.

**Resolution No. BUD/07.2019/03**

**Moved Cr O'Neil**

**Seconded Cr Schefe**

**That the Committee open the meeting to the public at 5.42pm.**

**CARRIED**

**7/0**

## **CONFIDENTIAL ITEMS**

**Item Number:**

**C.1**

**File Number: D19/54805**

**SUBJECT HEADING:**

**ADDITIONAL BUDGET ITEMS 2019/20**

**Officer's Title:**

**Contractor - Strategic Finance**

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

*The report provided various budget items for discussion.*

**Resolution No. BUD/07.2019/04**

**Moved Cr Chambers**

**Seconded Cr Schefe**

**That the Committee recommend to the Mayor that the proposed list of budget items be included in the draft budget 2019/20.**

**CARRIED**

**7/0**

**Responsible Officer**

**Contractor - Strategic Finance**

**Item Number:**

**C.2**

**File Number: D19/54807**

**SUBJECT HEADING:**

**MITCHELL CARAVAN PARK**

**Officer's Title:**

**Contractor - Strategic Finance**

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

*The report provided the result of an inspection conducted for the Mitchell Caravan Park. There were two pricing options identified in the inspection report for the Committees consideration.*

**Resolution No. BUD/07.2019/05**

**Moved Cr Chambers**

**Seconded Cr O'Neil**

**That the Committee recommend to the Mayor the inclusion of Option 2 works for the Mitchell Caravan Park in the draft 2019/2020 budget.**

**CARRIED**

**7/0**

**Responsible Officer**

**Contractor - Strategic Finance**

Item Number: C.3 File Number: D19/54830

SUBJECT HEADING: INTEREST ON OVERDUE RATES

Officer's Title: Contractor - Strategic Finance

**Executive Summary:**

*This report provided an update on the legislative requirements regarding interest rate on overdue rates and charges from 1 July 2019.*

**Resolution No. BUD/07.2019/06**

**Moved Cr O'Neil**

**Seconded Cr Flynn**

**That the Committee recommend to the Mayor:**

- The application of an 8.95% interest rate on overdue rates and charges. (This figure represents the average interest rate applied by the Australian Tax Office (ATO) for the 2018/19 financial year);
- That the Revenue Statement 2019/20 be updated to reflect the interest rate as decided by the Committee.

CARRIED

6/1

Mayor Golder called for a division of the vote. The outcomes were recorded as follows:

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

**Responsible Officer**

**Contractor - Strategic Finance**

Item Number: C.4 File Number: D19/55665

SUBJECT HEADING: CAPITAL UPGRADE REQUEST 2019/20 BUDGET - BITUMEN SEAL ON CREEK STREET ROMA

Officer's Title: Lead Infrastructure Program Funding & Budget Coordination Officer

**Executive Summary:**

*Council received a request to consider the upgrade of Creek Street, Roma to bitumen seal standard, which was considered by the Committee for the 2019/20 draft budget.*

**Resolution No. BUD/07.2019/07**

**Moved Cr Schefe**

**Seconded Cr Flynn**

**That the Committee recommend to the Mayor the inclusion of \$65,000 in the 2019/20 draft budget.**

CARRIED

9/0

**Responsible Officer**

**Lead Infrastructure Program Funding & Budget Coordination Officer**

**Item Number:** C.5 **File Number:** D19/56105  
**SUBJECT HEADING:** 2019/2020 DRAFT CAPITAL WORKS PROGRAM AMENDMENT  
**Officer's Title:** Lead Infrastructure Program Funding & Budget Coordination Officer

**Executive Summary:**

*The report considered the inclusion of an additional budget item.*

**Resolution No. BUD/07.2019/08**

**Moved Cr Chambers**

**Seconded Cr Newman**

**That the Committee recommends to the Mayor the inclusion of \$50,000 in the draft 2019/20 Capital Works Program, for the purpose of further investigation and design work for the Golf Links Remedial Works Project.**

CARRIED

6/1

Mayor Golder called for a division of the vote. The outcomes were recorded as follows:

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

**Responsible Officer**

**Lead Infrastructure Program Funding & Budget Coordination Officer**

**Item Number:** C.6 **File Number:** D19/55785  
**SUBJECT HEADING:** UPDATE - PROPOSED SPECIAL CHARGE FOR CONSTRUCTION OF THE CHAPPELL LANE AND EVANS LANE WATER MAIN EXTENSION  
**Officer's Title:** Director - Corporate, Community & Commercial Services

**Executive Summary:**

*The purpose of this report was to consider feedback from the landowners in the benefited area of Chappell Lane and Evans Lane about a proposed special charge.*

**Resolution No. BUD/07.2019/09**

**Moved Cr Golder**

**That Council consider the feedback.**

**That the Committee does not proceed with this proposal for the draft 2019/2020 budget, and work with the developer to try to find another solution.**

MOTION WITHDRAWN

**Responsible Officer**

**Director - Corporate, Community & Commercial Services**

**Resolution No. BUD/07.2019/10**
**Moved Cr Schefe**
**Seconded Cr Chambers**

**That the Committee recommend to the Mayor this project not be included in the draft 2019/20 budget, given the results of community consultation.**

**CARRIED**
**6/1**

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

<b>Those in Favour of the Motion</b>	<b>Those Against the Motion</b>
Cr. Chambers	Cr. Golder
Cr. Flynn	
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	

**Responsible Officer**
**Director - Corporate, Community & Commercial Services**
**Item Number:**
**C.7**
**File Number: D19/55909**
**SUBJECT HEADING:**
**NEW PROPOSED CATEGORY - ABATTOIR**
**Officer's Title:**
**Contractor - Strategic Finance**
***Executive Summary:***

*The Committee was asked to consider a proposed new rating category "Abattoir."*

**Resolution No. BUD/07.2019/11**
**Moved Cr Chambers**
**Seconded Cr O'Neil**

**That the Committee recommend to the Mayor that the Revenue Statement 2019/20 be updated to reflect the new proposed rating categories, including rate in the dollar, with the minimum rate based on rural rating.**

**CARRIED**
**7/0**
**Responsible Officer**
**Contractor - Strategic Finance**
**Item Number:**
**C.8**
**File Number: D19/56079**
**SUBJECT HEADING:**
**BUDGET CONSIDERATIONS**
**Officer's Title:**
**Contractor - Strategic Finance**
***Executive Summary:***

*The report provided various budget items for discussion, including:*

- *Non-urban industrial categories*
- *Councillors' capital projects listing*



**Resolution No. BUD/07.2019/12**
**Moved Cr Chambers**
**Seconded Cr O'Neil**
**That the Committee recommend to the Mayor:**

1. The inclusion of the committee's preferred capital works listing in the draft 2019/20 budget as discussed.
2. That the Non-urban industrial category increases be implemented as proposed in the officer's report, with flexibility of plus 10%.

CARRIED

6/1

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

**Responsible Officer**
**Contractor - Strategic Finance**
**Item Number:**
**C.9**
**File Number: D19/56099**
**SUBJECT HEADING:**
**2019/20 RATING SCENARIO MAYOR'S RATES AND CHARGES PROPOSAL**
**Officer's Title:**
**Contractor - Strategic Finance**
**Executive Summary:**
*AEC modelling of Mayor's proposed options for rates and charges parameters for 2019/20 was presented to the Committee for consideration.*
**Resolution No. BUD/07.2019/13**
**Moved Cr Golder**
**Seconded Cr McMullen**
**That the Committee note the AEC modelling of Mayor's proposed rates and charges parameters - proposal 1 and 2.**

CARRIED

5/2

Mayor Golder called for a division of the vote. The outcomes were recorded as follows:

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

**Responsible Officer**
**Contractor - Strategic Finance**

Item Number: C.10 File Number: D19/56107

SUBJECT HEADING: 2019/20 RATING SCENARIO BUDGET COMMITTEE'S PROPOSAL

Officer's Title: Contractor - Strategic Finance

**Executive Summary:**

AEC modelling of the Budget Committee's proposed options for rates and charges parameters for 2019/20 was presented for consideration.

**Resolution No. BUD/07.2019/14**

**Moved Cr Chambers**

**Seconded Cr Flynn**

**That the Committee:**

1. Note the results of AEC modelling of Budget Committee's proposed options - including proposal 1 and 3 for rates and charges parameters for 2019/20.
2. Recommend to the Mayor the inclusion of proposal 3 in the 2019/20 draft budget.

CARRIED

7/0

**Responsible Officer**

**Contractor - Strategic Finance**

Item Number: C.11 File Number: D19/55890

SUBJECT HEADING: MAYOR'S DRAFT CAPITAL AND ONE OFF PROJECTS - REVIEW OF CONSISTENCY WITH CORPORATE PLAN AND OPERATIONAL PLAN - SECTION 169 LOCAL GOVERNMENT REGULATION 2012

Officer's Title: Director - Corporate, Community & Commercial Services

**Executive Summary:**

Council's annual budget must be consistent with its Corporate Plan and Annual Operational Plan.

The purpose of this report was to facilitate the Committee's review of the Mayor's Draft Capital and One Off Projects in the context of Council's Corporate and Operational Plans, and to consider potential amendments.

**Resolution No. BUD/07.2019/15**

**Moved Cr Golder**

**Seconded Cr McMullen**

**That the Committee consider the proposed amendments to the Corporate Plan and Annual Operational Plan.**

MOTION LOST

2/5

Mayor Golder called for a division of the vote.

The outcomes were recorded as follows:

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

<b>Responsible Officer</b>	<b>Director - Corporate, Community &amp; Commercial Services</b>
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#### LATE CONFIDENTIAL ITEM

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, The Committee resolved to close the meeting to discuss items it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (c) the local government budget.

<b>Resolution No. BUD/07.2019/16</b>	
<b>Moved Cr O'Neil</b>	<b>Seconded Cr Newman</b>
<b>That the Committee close the meeting to the public at 6.00pm.</b>	
CARRIED	7/0

<b>Resolution No. BUD/07.2019/17</b>	
<b>Moved Cr O'Neil</b>	<b>Seconded Cr McMullen</b>
<b>That the Committee open the meeting to the public at 6.08pm, and include for consideration Late Item LC.1 – Update on Draft Certified Agreement.</b>	
CARRIED	7/0

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, the Committee resolved to close the meeting to discuss item LC.1, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (c) the local government budget.

<b>Resolution No. BUD/07.2019/18</b>	
<b>Moved Cr O'Neil</b>	<b>Seconded Cr Newman</b>
<b>That the Committee close the meeting to the public at 6.09pm.</b>	
CARRIED	7/0

**Resolution No. BUD/07.2019/19****Moved Cr O'Neil****Seconded Cr McMullen****That the Committee open the meeting to the public at 6.37pm.****CARRIED****7/0****Item Number:****LC.1****File Number: N/a****SUBJECT HEADING:****UPDATE ON THE DRAFT CERTIFIED AGREEMENT****Officer's Title:****Chief Executive Officer*****Executive Summary:***

The Committee was presented with an overview of the draft new Certified Agreement with guidance sought on a number of matters that would have budget implications.

**Resolution No. BUD/07.2019/20****Moved Cr Chambers****Seconded Cr O'Neil****That the Committee note the update.****CARRIED****7/0****CLOSURE**

There being no further business, the Committee Chair and Mayor thanked the Committee for their attendance and declared the meeting closed at 6.38pm.

**These Minutes are to be confirmed at the next General Meeting of Council to be held on 10 July 2019 at the Roma Administration Centre.**

.....  
Committee Chair and Mayor......  
Date.

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 5 July 2019

**Item Number:** 5.1

**File Number:** D19/57753

**SUBJECT HEADING:** Revised Expenses Reimbursement Policy  
(Councillors)

**Classification:** Open Access

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

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### **Executive Summary:**

The report seeks adoption of a revised Expenses Reimbursement Policy (Councillors).

### **Officer's Recommendation:**

That Council adopt the revised Expenses Reimbursement Policy (Councillors).

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

No

### **Acronyms:**

***Are there any industry abbreviations that will be used in the report?***

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

No

### **Context:**

***Why is the matter coming before Council?***

A request has been received to alter the administrative support available for Councillors – specifically requesting the provision of printed copies of correspondence and diary information.

The Office of Independent Assessor has also recommended that Council review the Expenses Reimbursement Policy in relation to Frequent Flyer points and consider any associated policy implications for credit card use.

Some additional suggestions have also been included in the draft policy following the first two months' implementation post adoption on 27 March 2019.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

The policy was initially considered by Council on 27 March 2019.

The new draft has been prepared based on feedback received, and a further review conducted since the date of implementation.

The updated draft was considered again on 26 June 2019 and the further updated copy was originally intended to be discussed at a special meeting on 2 July 2019. However, the Budget Committee meeting went longer than expected and the Special meeting didn't proceed.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?***

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

***Division 2 Reimbursement of expenses and provision of facilities***

***249***

*(1) This division is about the expenses reimbursement policy.*

*(2) The **expenses reimbursement policy** is a policy providing for the following—*

*(a) payment of reasonable expenses incurred, or to be incurred, by councillors for discharging their duties and responsibilities as councillors;*

*(b) provision of facilities to councillors for that purpose.*

***250 Requirement to adopt expenses reimbursement policy or Amendment***

*(1) A local government must adopt an expenses reimbursement policy.*

*(2) A local government may, by resolution, amend its expenses reimbursement policy at any time.*

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

**Expenses Reimbursement Policy (Councillors)**

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?***

(Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Councillors of MRC

Chief Executive Officer

### Funding Bodies:

*Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.* (Please do not just include names)

No

### This Financial Year's Budget:

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

Expenses incorporated in the current budget and revised annually.

### Future Years' Budgets:

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?* (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Revision undertaken annually.

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?* (Interested Parties Analysis - IS9001:2015)

No

### Risks:

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Mitigated	In adopting this revised policy Council maintains its legislative requirements.

### Advice to Council:

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Adopt the revised policy.

### Recommendation:

*What is the 'draft decision' based on the advice to Council?*

*Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

*Does this recommendation suggest a decision contrary to an existing Council policy?  
If so, for what reason?*

That Council adopt the revised Expenses Reimbursement Policy (Councillors).

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 5: Managing our operations well

5.1 Continue to improve everything we do

5.1.3 Comply with our legal obligations.

**Supporting Documentation:**

- 1 [↓](#) Draft Updated Expenses Reimbursement Policy
- 2 [↓](#) Draft Updated Appendix A Form

D19/47941

D19/47942

Chief Executive Officer



## 1. Purpose

The purpose of this policy is to:

- Provide authorisation for the payment of reasonable expenses incurred, or to be incurred, by Councillors, while carrying out their duties and responsibilities under the *Local Government Act 2009*.
- Ensure that Councillors are provided with the necessary facilities to carry out their Councillor duties.
- Provide accountability and transparency in the expenditure of public funds.

Prior to seeking authorisation for the payment of reasonable expenses or seeking provision of the facilities referred to in this policy, all Councillors must complete the 'Councillor Options Form' included in Appendix A to this policy.

## 2. Scope

This policy applies to all Councillors of Maranoa Regional Council, and is made pursuant to Sections 249, 250 and 251 of the *Local Government Regulation 2012*.

Spouses, partners, family members or associates of Councillors are not entitled to:

- reimbursement of expenses; or
- use of Facilities (as defined in this policy) allocated to Councillors unless expressly permitted in accordance with this policy and paid for by the Councillor.

## 3. Definitions

<b>Councillors</b>	Mayor, Deputy Mayor and all persons elected as a Councillor for the current term of Council (2016-2020).
<b>Council Business</b>	<p>Activities conducted on behalf of Council where a Councillor is required to undertake certain tasks to satisfy legislative requirements, participate in Council events, or achieve business objectives of the Council which will result in a benefit being achieved for the local government and the community. This includes:</p> <ul style="list-style-type: none"> <li>• Attending or preparing for General or Special Meetings or Advisory Committees, workshops, deputations and inspections;</li> <li>• Advocacy to other tiers of government;</li> </ul>

	<ul style="list-style-type: none"> <li>• Council community engagement activities including advisory committees and town meetings;</li> <li>• Council civic and ceremonial events;</li> <li>• Professional development;</li> <li>• Deputations or meetings with residents of the local government area about Council matters;</li> <li>• Councillor Portfolio activities;</li> <li>• Council/Councillor representation at local government events;</li> <li>• Matters otherwise resolved by Council.</li> </ul>
<b>Council Civic and Ceremonial Events</b>	<p>Events primarily for the residents of the region (where organised by Council), including:</p> <ul style="list-style-type: none"> <li>• Anzac Day Ceremonies</li> <li>• Australia Day Ceremonies and/or Celebrations</li> <li>• Remembrance Day Ceremonies</li> <li>• Official Openings of Council Projects</li> <li>• Citizenship Ceremonies</li> <li>• Council Arranged Events to recognise citizens' contributions to the region (e.g. Launch of Volunteer Week, Seniors Week).</li> </ul> <p>The format of the event's proceedings may:</p> <ul style="list-style-type: none"> <li>• Include dignitaries and other invited guests, including representatives of the Federal and State Government;</li> <li>• In whole or part be governed by the Federal or State Government.</li> </ul>
<b>Industry Events</b>	<p>Events normally arranged by other entities, including conferences, seminars and forums, where attendance is for the benefit of attendees inside and outside the region and where individual Councillors are invited as Councillors.</p>
<b>Community Initiated and Arranged Events</b>	<p>Social events and community initiated activities where individual Councillors are invited as Councillors including but not limited to: school awards nights, dinners, sporting and recreational events, celebrations, fetes, shows and annual general meetings.</p>
<b>Community Engagement</b>	<p>A planned process of communication, participation and relationship building by encouraging the community, business, State and Federal Government, and other key stakeholders to provide input into Council's determination of priorities, decisions or policies or to advocate on issues of importance to Council. This includes participating in:</p>

	<ul style="list-style-type: none"> <li>• Advisory Committees;</li> <li>• Councillor Out &amp; About programs;</li> <li>• Town Meetings;</li> <li>• Representation on community committees as a Council representative;</li> <li>• Project specific engagement activities.</li> </ul> <p>Refer also Council's Community Engagement Framework.</p>
<b>Expenses</b>	<p>Payments made by Council for Councillors' reasonable expenses incurred or to be incurred when discharging their duties as Councillors. These expenses may be either reimbursed or paid directly by Council.</p> <p>Expenses are not included in remuneration.</p>
<b>Facilities</b>	<p>Equipment, resources and administrative support (employee time) that facilitate the performance of Councillor duties.</p>
<b>Professional Development</b>	<p>All types of facilitated learning opportunities, both mandatory and discretionary.</p> <p><b>Mandatory Professional Development:</b></p> <p>Where Council resolves that all Councillors are to attend a specific course, conference, workshop or external meeting for skills development related to a Councillor's role. E.g. Councillor Induction, Legislative obligations, Code of Conduct and meeting procedures.</p> <p><b>Discretionary Professional Development:</b></p> <p>Discretionary Professional Development is considered to be Council approved training where Councillors choose to attend, and is identified as relevant to their role as a Councillor (other than mandatory training as outlined above).</p>
<b>Reasonable</b>	<p>Refers to what would be perceived as prudent, responsible and acceptable to the community. What the community would expect in terms of limits and Council being able to demonstrate that there is no excessive use or abuse of public funds.</p>

## 4. Details

### 4.1 KEY PRINCIPLES

This policy has been written to reflect the following key principles outlined in the *Local Government Act 2009*:

- Transparent and effective processes, and decision-making in the public interest;
- Sustainable development and management of assets and infrastructure, and delivery of effective services;
- Democratic representation, social inclusion and meaningful community engagement;
- Good governance of, and by, local government;
- Ethical and legal behaviour of Councillors and local government employees.

The policy aims to provide a range of options for Councillors to select which best meet their personal circumstances, while still complying with the local government principles in the performance of their responsibilities.

### 4.2 APPROVAL AND AUTHORISATION

Council officers will provide the specified facilities and administer expenses in accordance with this policy and the processes approved by the Chief Executive Officer for:

- payments made for or on behalf of Councillors; or
- payments to financial institutions relating to a Council issued credit card (where the card is issued to an officer or Councillor); or
- reimbursement to a Councillor for expenses incurred by a Councillor; or
- issue of invoices to Councillors where reimbursement of ancillary personal expenses is permitted under this policy (only where incurred concurrently in the performance of a Councillor's responsibilities – e.g. travel).

**Appendix A ('Councillor Options Form') provides the form required to be completed by each Councillor advising whether or not they require a Council issued credit card – to be used in accordance with this policy.**

The payment or reimbursement of expenses and the provision of facilities for Councillors is subject to Council approval for costs associated with travel outside the region and budget provisions.

Where Councillors claim reimbursement or are accountable for acquittal of expenses incurred via a credit card, payment forms / copies of receipts or other supporting documentation must be signed by the requesting Councillor and the officer delegated by the Chief Executive Officer.

Whilst this policy establishes clear accountabilities there may be instances where the particular circumstances of a Councillor has not been envisioned in this policy. Such request can be brought to Council for a decision, and an amendment made to the policy if required.

## **4.3 EXPENSES**

### **4.3.1 Council Business & Other Events**

Where Councillors are attending to Council Business or other events defined in this policy, Council will pay for relevant expenses, including tickets, associated with that activity:

- Council Business
- Council Civic and Ceremonial Events
- Industry Events
- Community Initiated and Arranged Events

In the instance of spouses, partners, family members or associates of Councillors wishing to accompany the Councillor to community or industry events and/or travel outside the region with the Councillor, such attendance will not include participation in Council Business (other than ancillary social events) and will be at no cost to Council. Whichever is the most practical in the circumstances, arrangements for such attendance will be as follows:

- (a) The Councillor or other person will book and pay for the event participation directly to the relevant organisation/business; or
- (b) Payment will be made concurrently with the normal administrative processes for this policy where advised by the Councillor prior to the RSVP date, with the cost of such attendance reimbursed to Council via a Council invoice.

Where a Councillor is accompanied by a spouse, partner, family member or associate, Council is to be reimbursed for any incremental cost associated with more than the Councillor attending (e.g. airfares, meals, accommodation - number or size of rooms) where the amount is reasonably practical to quantify.

#### 4.3.2 Professional Development

Council will reimburse expenses incurred for:

- Mandatory Professional Development; and
- Discretionary Professional Development.

Council will reimburse, or Council will pay for all, reasonable course, travel, accommodation and meals for attendance.

Councillors are encouraged to submit their registrations in sufficient time to take advantage of any 'early bird' discounts.

Councillors will provide a report on the outcomes of any professional development or conference attendance at a Council meeting.

#### 4.3.3 Flights, Transport

Payment for all flights will be made by the officer delegated by the Chief Executive Officer, or via a Council issued credit card. Other than in the case of an after-hours emergency, personal or non-Council credit cards or accounts/funds are not to be used for the purposes of airfares for Council Business if reimbursement is sought.

**Appendix A ('Councillor Options Form') provides the form required to be completed by each Councillor to advise if Frequent Flyer points will accrue while on Council Business.**

Where a Councillor identifies Option 2 (Section 4.3.3 of the form), a record will be maintained with the Elected Members Support & Community Engagement Officer of the value of points that would accrue at the lowest membership level. This is having regard to the minimal number of flights undertaken for Council Business each year. In the event of the need for further Council Business flights, the value of such points will be applied to offset the cost of the flights. Redemption of points for Council Business will be through either:

- a) points plus pay (by the Councillor using the Council credit card); or
- b) via the website for reward seats, booked by the Elected Members Support & Community Engagement Officer in consultation with the Councillor (to facilitate access to the site).

The Councillor selecting a) will ensure that the Elected Members Support & Community Engagement Officer has copies of records in relation to the award redemption.

In the case of airfares, generally Economy fares as a cost effective option will be used unless otherwise resolved by Council. Airline tickets are not transferable and can only be procured for the Councillor's travel on Council Business.

All fines incurred while travelling in either Council or privately owned vehicles when attending to Council Business, will be the responsibility of the Councillor incurring the fine. Toll fees will be reimbursed or paid for by Council.

Any transfer expenses associated with Councillors travelling for Council Business will be reimbursed or paid for by Council (e.g. trains, taxis, buses and ferry fares).

Council recognises that in some instances Councillors may wish to remain at the travelled location for a further time. As such, Council accepts that Councillors may remain provided it incurs no additional costs for the travel or accommodation (4.3.4).

This extends to ensuring any airline / transit fares are no more than what would have been incurred had the Councillor returned at the end of the official business. Should the costs be additional to what Council would ordinarily be responsible for these costs must be borne by the Councillor.

Costs for incidental personal travel expenses ancillary to travel outside the region for Council Business must be met by the Councillor.

#### **4.3.4 Accommodation**

All Councillor accommodation for Council Business will generally be booked and paid for by Council through the normal administrative processes approved by the Chief Executive Officer.

Alternatively, a Councillor may use a Council issued credit card subject to limits or be reimbursed upon production of receipts – e.g. in instances where a credit card is required upon registration and the Councillor doesn't have a Council card with sufficient limit.

Council will generally pay for the most economical deal available for bookings outside of the region of a three or four star rating. For accommodation within the town of Roma, Council will make available two options:

- Council provided accommodation; or
- Local accommodation service provider.

**Appendix A ('Councillor Options Form') provides the form required to be completed by each Councillor to advise of their selected accommodation type while attending Roma for Council Business and events covered by this policy.**

Where particular accommodation is recommended by conference organisers, Council will take advantage of the package deal that is the most economical and convenient to the event.

Accommodation may also be made available for Councillors when attending to Council Business if it is impractical to return home for that evening or where travel is required the day before.

#### **4.3.5 Meals and Beverages**

Councillors are entitled to be provided with a meal including non-alcoholic beverages, or reimbursed for the cost of a meal and non-alcoholic beverages, when travelling or attending to Council Business upon presentation of an official tax invoice, provided:

- The Councillor incurs the cost personally;
- The meal was not provided as part of registration costs of an activity, or during a funded flight;

Expenses associated with alcohol, including alcohol from the minibar, will be funded by the individual Councillor either through direct payment or reimbursement to Council.

Notwithstanding this clause, in instances where an elected member is hosting a dignitary/dignitaries at the invitation of Council, hospitality may include the purchase of meals or alcoholic beverages by either direct payment by Council or reimbursement to the Councillor.

#### **4.3.6 Councillor Community Engagement (Excluding Caretaker Period)**

Councillors may incur expenses for the purpose of conducting community engagement activities relevant to their portfolio or other business of Council (e.g. signs, non-election related-flyers, Council annual reports and other Council published information broadly available for the community).

Each Councillor has an allocation for conducting community engagement activities of \$3,000 per annum (any unspent funds cannot be carried forward to the subsequent financial year).

#### **4.3.7 Additional Expenses for Mayor Hospitality**

The Mayor may have occasion to incur hospitality expenses to entertain dignitaries while conducting Council Business.

The maximum amount of hospitality expenses that may be reimbursed to the Mayor, or paid for by Council, in this regard is \$4,000 per annum. Notwithstanding clause 4.2.6, Mayor Hospitality pursuant to this clause may include the purchase of alcoholic beverages.



#### 4.4 FACILITIES

Facilities provided for Councillors must be deemed necessary and required to assist Councillors in their official capacity. In accordance with legislative provisions, Council may only provide Councillors with the facilities listed below.

All facilities (equipment, resources, administrative support) provided to Councillors at all times must be used for Council Business in line with this policy.

In the case of equipment, it must be returned to Council when the Councillor's term expires, unless the Councillor wishes to purchase the low value item at the market value as advised by the relevant officer through the Chief Executive Officer.

##### 4.4.1 Office Space, Access to Meeting Rooms and Office Supplies and Equipment

Council provides an individual office for the Mayor, and access to meeting rooms for Councillors. In general, rooms provided for Councillor use will be located at Council owned or controlled premises such as regional offices, community centres or libraries.

While conducting Council business from a Council owned or controlled premises, Councillors will be provided access to or use of:

- Teleconferencing or video conference facilities (when physically available, and booked through the Elected Members Support & Community Engagement Officers);
- Photocopier/scanner, and paper shredding arranged through the Elected Members Support & Community Engagement Officers;
- Council publications where available.
- Councillor letterhead arranged through the Elected Members Support & Community Engagement Officers and used in accordance with this policy;

The following stationery and office supplies will be made available in reasonable quantities to Councillors for official (Council) purposes arranged through the Elected Members Support & Community Engagement Officers;

- business cards
- customer contact cards
- 'with compliments' slips

- paper for printing
- notepaper
- pens
- other stationery as required from time to time (e.g. folders)

Council stationery containing logos etc is not to be converted or modified in any way and may only be used for carrying out the functions of the role of Councillor.

Stationery does not include any form of advertising by Council.

#### **4.4.2 Diaries & Administrative Support for Diary Management - Appointments, Deputations, Meetings, Functions, Events**

Scheduling of appointments, meetings and invitations will be coordinated through the Elected Members' Support and Community Engagement Officers. All invitations / requests, however received, will be recorded and managed via Microsoft Outlook, with invitation Subject Headings clearly identifying the RSVP due dates.

As soon as dates are known, the meeting, appointment or event will be recorded and invitations sent via Microsoft Outlook to invited Councillors. To facilitate the scheduling of the diaries of all nine Councillors, Councillors are encouraged to blank out any specific times in their diaries where they are temporarily unavailable for Council Business appointments to assist with the planning process.

RSVP's in relation to invitations sent to Council will be provided by a Council representative, which will ordinarily be an Elected Members Support & Community Engagement Officer. RSVPs will be provided based on the responses received by the RSVP date – either electronically through (a) Elected Member Diary Meetings or (b) Electronic Diary Invitations.

##### **(a) Elected Member Diary Meetings**

An Elected Members Support & Community Engagement Officer will meet collectively with all available Councillors. Meetings will generally take place from 9.00am - 9.45am on Workshop day preceding the Council meeting (approximately once a fortnight), or at an alternative time if periodically required due to other Council commitments or officer availability.

The Elected Members Support & Community Engagement Officer will seek to obtain:

- Guidance about preferred dates for official openings and collective community engagement initiatives;

- Advice on attendees for the various appointments, meetings and other functions/events where Council representation has been requested, RSVP's are required or other guests/visitors' (e.g. Ministers or other government representatives') attendance needs to be coordinated.

The joint scheduling and central coordination of all Councillors' electronic diaries helps to:

- Provide quick and easy visibility to identify dates and Councillors' (including the Mayor's) availability for planning purposes;
- Maximise Councillor attendance at Council initiated events;
- Maximise Councillors' attendance where possible where Council is invited to provide representation within or outside the region;
- Enable RSVP's to be efficiently responded to on behalf of Council (attendees/apologies);
- Identify early where speech notes need to be researched for the attending Councillor/Mayor;
- Ensure sufficient time is available to prepare for events including invitations / guests, ordering of plaques, catering and advertising for community participation;
- Provide a safety net (cross check) so that all Councillors are aware of upcoming events and have the opportunity to participate where practical and invited to do so;
- Identify instances where the Mayor is unable to attend and to facilitate the delegation of the responsibility to represent Council to another Councillor or Councillors.

An example of this is for Anzac Day ceremonies where there are multiple ceremonies across the region within a short period of time and given the distance involved it is not possible for one person to be at multiple places at the same time.

#### **(b) Electronic Diary Invitations**

Due to high volume of diary events pertaining to Councillors each year, Councillors' diaries are managed electronically through Microsoft Outlook by an Elected Members Support & Community Engagement Officer. Not only does this reduce printing and paper costs, it also provides automatic record-keeping and effective, efficient and economical management of public resources, with invitations sent to all Councillors in one step, and individual Councillors are able to indicate their attendance by clicking on 'Accept'.

Alternatively, Councillors may wish to use a mix of Option (a) and (b) depending on availability.

**(c) Diary Entries' Printing / Record Keeping**

In lieu of (a) and (b) Councillors may elect to have their diary entries (appointments, meetings, events) printed to view, and accept or decline in writing (on the printed copy) or verbal advice to the Elected Members Support & Community Engagement Officer or delegate.

Where this is a Councillor's preference, the Elected Members Support & Community Engagement Officer or delegate will undertake the following additional steps for the Councillor/s selecting this option:

- print diary entries;
- Accept or Decline based on the Councillor's written or verbal advice;
- Store associated records / advice confirmations;
- Print a copy of the calendar for the week in advance and the month ahead.

The Councillor will meet on a weekly basis with the Elected Members Support & Community Engagement Officer or delegate at a mutually agreed time to provide the Councillor's advice on attendance for each appointment/meeting/event.

This will also provide the Councillor the opportunity to advise of:

- any specific times in their diaries where they are temporarily unavailable for Council Business to assist in the planning of appointment/meeting/event invitations and requests;
- in the event of the Mayor selecting this option, any delegations in relation to the Mayoral responsibilities under Section 12 (5) of the *Local Government Act 2009*.

Where the Mayor is unable to attend a particular appointment/meeting/event, such advice is to be provided to the Elected Members Support & Community Engagement Officer by the RSVP date and in sufficient time to enable alternative speech preparations to be made.

**Appendix A ('Councillor Options Form') provides the form required to be completed by each Councillor to advise of their selected option for diary management.**

#### 4.4.3 Other Administrative Support to Elected Members and Use of Letterhead

Correspondence pertaining to a Council decision, policy or service is to be prepared and distributed solely by the relevant officer/s in accordance with the adopted Organisational Structure – this includes but is not limited to:

- Customer Requests
- Complaints
- Council Meeting Correspondence

All Customer Requests and/or Complaints are to be administered in accordance with the adopted policies.

Administrative support and letterhead is for Council Business and is not for the purpose of communicating personal opinions, progressing personal interests or individual priorities or seeking to damage the reputation of Council, other Councillors or Council employees.

Administrative support and letterhead for elected members is provided solely for the purpose of:

- letters of support for a community groups' funding applications that increase the liveability of the region (e.g. may be signed by the Mayor or a relevant Councillor) provided that:
  - the content is consistent with the role of a Councillor;
  - an individual Councillor is not speaking for or on behalf of Council;
  - the letter does not indicate or provide Council in-kind or financial support;
  - the signatory would not ordinarily have a conflict of interest in the matter (material personal interest or otherwise) if the matter came before Council.
- invitations to individual community engagement initiatives;
- congratulatory or thank-you messages;
- advocacy to other tiers of government for Council Business reflecting Council's position on matters;
- facilitating the reimbursement of expenses and other arrangements under this policy;

- preparation of speech notes where the request is received from the Councillor in sufficient time to enable information to be collated – as a general guide:
  - dot points (3) clear business days of the event;
  - 5 clear business days (full speech);
- acknowledgement letters/e-mails for correspondence to the Elected Members' Office;
- assisting with professional development arrangements and resources for elected members.

To remove any doubt, at no time is:

- Administrative support to be used to direct or facilitate the direction of Council employees (Section 170 of the *Local Government Act 2009*).
- A Councillor's letterhead or individual e-mail addresses to be used to speak on behalf of Council or to commit Council (or imply Council's commitment to) potential / future decisions about Council expenditure or Council policy.
- Seek to direct staff in contravention of this policy.

#### **4.4.4 Maintenance Costs of Council Equipment**

Council will cover all ongoing maintenance costs associated with Council owned equipment to ensure it is operating for optimal professional use.

#### **4.4.5 Insurance Cover**

In accordance with Section 107 of the *Local Government Act 2009*, Council will take out professional indemnity and Workers Compensation Insurance cover for Councillors while carrying out their legislative responsibilities.

Council will pay the applicable excess (to the relevant insurer), in relation to claims made (against Council and/or a Councillor) relating to the conduct of a Councillor, who was performing their role as a Councillor (i.e. conducting official Council business).

#### **4.4.6 Uniform**

On an 'as needed' basis Council will provide Councillors with the following corporate uniform as supplied by Council's preferred supplier arrangement:

- Name Badge
- Corporate branded shirts (upon request)
- Corporate branded jacket (upon request)
- Personal Protective Equipment (PPE) as required in the discharge of official duties

#### 4.5 VEHICLES

The aim of this policy is to ensure that no Councillor is financially disadvantaged by undertaking their Councillor responsibilities. However, it is recognised that due to an individual's personal/business circumstances their preference may be to use their private vehicle for all travel.

**Appendix A ('Councillor Options Form') provides the form required to be completed by each Councillor to confirm their selected option.**

##### 4.5.1 Vehicle

- **Option 1 or Option 2 (Council Owned Vehicle)**

Due to the size of the Maranoa Regional Council area (58,834.5km<sup>2</sup>), and to ensure Councillors participate in Council and community events across the region, a fully serviced, Council owned vehicle will be made available to Councillors who would like to access these options. This will include the provision of a break down service and fuel card for Council Business use.

The type of vehicles made available to Councillors considers the large area and distances covered within the Council area, and the fact that rural roads are predominantly gravel. Night travel is also necessary for Councillors in attending to Council Business.

Councillors will be provided with a 'fit for purpose' 4WD vehicle or similar vehicles considering individual location, value for money and the context of the abovementioned considerations.

Use of the vehicle is for Council Business and associated events only and is subject to compliance with any applicable motor vehicle policy adopted by Council from time to time.

- **Option 2 (Purchase of Limited Private Use)**

Councillors may enter into a private use agreement of the Council issued vehicle including for limited and reasonable private use (Note: To remove any doubt, travel to/from home wholly or mainly to undertake Councillor responsibilities is considered Council Business and not private use for the purpose of this policy).

The cost of limited private use at the commencement of this option was \$3,500 per annum (indexed annually by CPI 30 June).

Fuel purchased outside the Maranoa Regional Council area is to be covered by the Councillor if the vehicle is being used for private use.

The set private use agreement fee will be deducted automatically from the fortnightly Councillor remuneration payments.

It is recognised that from time to time, another person, with the Councillor's consent, may drive the vehicle. In those instances, the Councillor must be aware of the general exclusions under Council's insurance policy. Specifically, a Councillor may be required to reimburse Council for any payments incurred by Council as a consequence of a claim made relating to the private use of a Council vehicle, where that claim is not covered by Council's insurance policy.

- **Option 3 or 4 (Private Vehicle for Council Business)**

Due to their personal / business arrangements, a Councillor may prefer to use their private vehicles for undertaking their Councillor responsibilities.

It should be noted that Council insurance does not cover private vehicles used for Council business.

For the purpose of this policy, Council has determined that the allowance for use of a motor vehicle will be 88c/km (subject to annual review). Any claim is to be based on log book details to substantiate the relevance of the travel for Council Business.

Details of the private use is to be recorded on a Councillor Expense Claim Form.

## **4.6 INFORMATION AND COMMUNICATION TECHNOLOGY (ICT) EQUIPMENT AND COMMUNICATIONS**

### **4.6.1 Mobile Devices (Calls and Data)**

The aim of this policy is to ensure that Council have a range of options for how they would like to be contactable while undertaking their Councillor responsibilities.

**Appendix A ('Councillor Options Form') provides the form required to be completed by each Councillor to confirm their selected option.**

Councillors, including those using a personal mobile phone to conduct Council Business, are to advise which number (if any) is to be published on Council's website and other Council communication networks (internal and external use).

### **4.6.2 Form of Councillor Communications for Correspondence**



Due to high volume of correspondence received and documents generated by Council each year, these are managed electronically through Council's electronic document management system and Microsoft Outlook.

Not only does this reduce printing and paper costs, it automates a large part of Council's legislative record-keeping responsibilities, and assists in the effective, efficient and economical management of public resources.

**Appendix A ('Councillor Options Form')** provides the form required to be completed by each Councillor to confirm their selected option (i.e. electronic or printed/written format).

In lieu of electronic receipt and responses in relation to correspondence, Councillors may elect to have copies printed to view and to provide instructions in paper/written format.

Where this is a Councillor's preference, an Executive Services Officer will:

- Print correspondence including correspondence sent to the Councillors' internal e-mail address;
- Enter the notes in Council's document management system and workflow the document to the relevant area.

The Councillor will meet on a weekly basis with the Executive Services Officer or delegate at a mutually agreed time to receive the Councillor's written advice on each piece of correspondence.

Where a Councillor has selected to receive correspondence electronically, Attachment A (**'Councillor Options Form'**) seeks clarification whether it is to be used for external correspondence direct to the Councillor noting that all internal communications will be direct to the Councillor address.

#### **4.6.3 Other Methods of Contact for Council and Councillors**

A number of e-mail address contacts for contacting Council to request a service, information or action are available on the Council website:

[council@maranoa.qld.gov.au](mailto:council@maranoa.qld.gov.au)

[customer.service@maranoa.qld.gov.au](mailto:customer.service@maranoa.qld.gov.au)

As some government correspondence (e.g. from Ministers) and residents prefer to send correspondence electronically to Council and Councillors, the following addresses are established and administrative support provided to assist in the management of the correspondence:

Office of the Mayor [mayor@maranoa.qld.gov.au](mailto:mayor@maranoa.qld.gov.au)

Mayor and Councillors [councillors@maranoa.qld.gov.au](mailto:councillors@maranoa.qld.gov.au)

Multiple Council officers will have access to the above e-mail accounts to help ensure the continuity of service delivery to Council in accordance with this policy.

A copy of requests from customers for a service, information or action, received through the above e-mail addresses will be acknowledged and managed in accordance with Council's adopted Customer Request Policy, for example, the request will be forwarded to:

[customer.service@maranoa.qld.gov.au](mailto:customer.service@maranoa.qld.gov.au)

A copy of correspondence from customers in relation to something that Council or one of its representatives has done or failed to do will be acknowledged and managed in accordance with Council's adopted Complaint Management Policy & Processes. Administrative action complaints, for example, will be forwarded to:

[internal.review@maranoa.qld.gov.au](mailto:internal.review@maranoa.qld.gov.au)

## 5. Related Legislation and Policies

- *Local Government Act 2009*
- *Local Government Regulation 2012*

*Council Policies developed and reviewed from time to time in relation to:*

- *Credit Cards*
- *Councillors' Motor Vehicles*
- *Customer Service*
- *Complaints Management*
- *Mandatory Councillors' Code of Conduct (State Government)*

## 6. Associated Documents

Nil

## 7. Revision History

Policy Revision	Approval Date	Internal Reference
1.00	25 January 2017	D17/3993 GM/01.2017/20
2.00	27 March 2019	D19/22790 GM/03.2019/108
3.00	2 July 2019	DRAFT

<b>SELECTION OF OPTIONS</b>
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**Decision 1 – Council issued credit card (Credit card facility)****Section 4.2**

Expenses or Facilities incurred / used by Councillors	New Councillor Checklist (Please tick to select preferred option)	
	Option 1	Option 2
Credit card facility	<b>Council issued credit card</b>  <div style="text-align: center; margin-top: 20px;"> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/> </div>	<b>No Council credit card</b>  <div style="text-align: center; margin-top: 20px;"> <input style="width: 50px; height: 20px; border: 1px solid black;" type="checkbox"/> </div>

**Reminder:**

Payment for all flights will be made by the officer delegated by the Chief Executive Officer (generally the Elected Member Support & Community Engagement Officer), or via a Council issued credit card.

**Councillor Initial:** \_\_\_\_\_

## Decision 2 – Frequent flyer program

### Section 4.3.3

Expenses or Facilities incurred / used by Councillors	Councillor's Selected Option (Tick applicable box)	
	Option 1	Option 2
Frequent Flyer points will accrue while on Council Business	<p style="text-align: center;"><b>No</b></p> <p style="text-align: center;"><input type="checkbox"/></p>	<p style="text-align: center;"><b>Yes</b></p> <p style="text-align: center;"><input type="checkbox"/></p>

### Reminder:

Where a Councillor identifies Option 2 (Section 4.3.3 of the form), a record will be maintained with the Elected Members Support & Community Engagement Officer of the value of points that would accrue at the lowest membership level. This is having regard to the minimal number of flights undertaken for Council Business each year. In the event of the need for further Council Business flights, the value of such points will be applied to offset the cost of the flights. Redemption of points for Council Business will be through either:

- a) points plus pay (by the Councillor using the Council credit card); or
- b) via the website for reward seats, booked by the Elected Members Support & Community Engagement Officer in consultation with the Councillor (to facilitate access to the website).

The Councillor selecting a) will ensure that the Elected Members Support & Community Engagement Officer has copies of records in relation to the award redemption.

**Councillor Initial:** \_\_\_\_\_

**Decision 3 – Accommodation Preference within Roma for Councillor's Use while on Council Business or events where invited as a Councillor**

**Section 4.3.4**

Expenses or Facilities incurred / used by Councillors	Councillor's Selected Option (Tick applicable box)		
	Option 1	Option 2	Not required
Accommodation for Councillor's Use	<p><b>Council provided accommodation</b></p> <p><input type="checkbox"/></p>	<p><b>Local accommodation service provider (i.e. motel)</b></p> <p><input type="checkbox"/></p>	<p><input type="checkbox"/></p>

**Reminder:**

Where a Councillor wishes to be accompanied by a spouse, partner, family member or associate, Council is to be reimbursed for any incremental cost associated with more than the Councillor's accommodation (e.g. number or size of rooms) where the amount is reasonably practical to quantify.

**Councillor Initial:** \_\_\_\_\_

## Decision 4 – Diary management

### Section 4.4.2

Expenses or Facilities incurred / used by Councillors	Elected Members Support & Community Engagement	Councillor's Selected Option (Tick applicable box)	
		Option 1	Option 2
Diaries & Administrative Support for Diary Management - Appointments, Deputations, Meetings, Functions, Events	Calendar invitations received or initiated by Council for Councillors entered into Microsoft Outlook	<b>Electronic</b>  This include mainly electronic (Printing infrequently upon request – e.g. for large attachments)  <input type="checkbox"/>	<b>Printed</b>  <input type="checkbox"/>

### Reminder:

An Elected Members Support & Community Engagement Officer will meet collectively with all available Councillors ('Diary meetings'). Meetings will generally take place from 9.00am - 9.45am on Workshop day preceding the Council meeting (approximately once a fortnight), or at an alternative time if periodically required due to other Council commitments or officer availability.

### For Councillors selecting Option 2:

Councillors will meet collectively (generally on a weekly basis) with the Elected Members Support & Community Engagement Officer or delegate at a mutually agreed time to provide the Councillor's advice on attendance for each appointment/meeting/event.

This will also provide the Councillor the opportunity to advise of:

- any specific times in their diaries where they are temporarily unavailable for Council Business to assist in the planning of appointment/meeting/event invitations and requests;
- in the event of the Mayor selecting this option, any delegations in relation to the Mayoral responsibilities under Section 12 (5) of the *Local Government Act 2009* (by RSVP date to allow sufficient time for alternative speech arrangements to be made).

Councillor Initial: \_\_\_\_\_

**Decision 5 – Vehicle****Section 4.5**

Expenses or Facilities incurred or used by Councillors	Councillor's Selected Option (Tick applicable box)			
	Option 1	Option 2	Option 3	Option 4
Vehicle	<p><b>Council Vehicle</b> for Council Business Use <u>Only</u> <u>No</u> Private Use</p> <p><input type="checkbox"/></p>	<p><b>Council Vehicle</b> – Council Business Use Purchase of <u>Limited</u> Private Use by Councillor</p> <p><input type="checkbox"/></p> <p>Payment by <u>Councillor to Council</u> of \$3,500 per annum indexed by CPI (30 June 2020).</p> <p>Council will periodically review usage to confirm reasonableness of usage to individual Councillor payments pursuant to this option. Excessive usage may, subject to a Council resolution, result in an additional Councillor payment being required.</p>	<p>Use of <b>Private Vehicle</b> Allowance based on kms of Council Business Use</p> <p><input type="checkbox"/></p> <p>88c per km of Council business use (log book maintained and copies provided as part of the payment request) paid to the Councillor</p>	<p>Use of <b>Private Vehicle</b> Council Business Use</p> <p><input type="checkbox"/></p> <p>In the absence of a Log Book, the Councillor acknowledges that no claim for reimbursement can be made to Council for a contribution or reimbursement of expenses associated with use of a Private Vehicle for Council Business Use.</p>

Councillor Initial: \_\_\_\_\_

## Decision 6 – Information and Communication Technology (ICT) Equipment

### Section 4.6.1

Expenses or Facilities incurred or used by Councillors	Councillor's Selected Option (Tick applicable box)				
	Option 1	Option 2	Option 3	Option 4	Option 5
Mobile Devices for Councillor's Use	<b>Council Mobile (Smart) Phone</b>	<b>Council Mobile (Smart) Phone + Call redirection</b> to personal phone number	<b>Personal Mobile Phone</b>	<b>Personal Mobile Phone</b>	<b>Personal Mobile Phone</b>
	<b>Council iPad</b> (choice of 9.7 inch or 12.9 inch)	<b>Council iPad</b> (choice of 9.7 inch or 12.9 inch)	<b>Council iPad</b> (choice of 9.7 inch or 12.9 inch)	<b>Personal iPad</b> (with Council Outlook and Calendar App to access information relating to Councillor responsibilities).	<b>No mobile access to Council information</b>
	Calls (includes Council secured fixed cost monthly plan for calls and data within Australia).	Calls (includes Council secured fixed cost monthly plan for calls and data within Australia) for Council phone.	Reimbursement of Mobile Plan including Data to the equivalent of what Council is currently paying for a Council device.	Reimbursement of Mobile Plan including Data to the equivalent of what Council is currently paying for a Council device.	<b>Council Skype notification of urgent messages</b>
	Council will only pay for the purchase and arrange installation and support of Software Applications or 'Apps', or individually priced services that are required to conduct official Councillor business, specifically: <b>Microsoft</b>	Council will only pay for the purchase and arrange installation and support of Software Applications or 'Apps', or individually priced services that are required to conduct official Councillor business, specifically: <b>Microsoft</b>	Council will only pay for the purchase and arrange installation and support of Software Applications or 'Apps', or individually priced services that are required to conduct official Councillor business, specifically: <b>Microsoft Outlook</b>	Council will only pay for the purchase and arrange installation and support of Software Applications or 'Apps', or individually priced services that are required to conduct official Councillor business, specifically:	



	Outlook (E-mail and Calendar) and Microsoft Office Suite.	Outlook (E-mail and Calendar) and Microsoft Office Suite.	(E-mail and Calendar) with corporate management of the Council Outlook app. and pin security, managed through Council's mobile application management platform. + Microsoft Office Suite on iPad	Microsoft Outlook (E-mail and Calendar) with corporate management of the Council Outlook app. and pin security, managed through Council's mobile application management platform.	
SMS (Text Messages) about Council Business are not to be sent from personal mobile phones to ensure compliance with the <i>Public Records Act 2002</i> . Any receipt of SMS are to be copied and included in Council's system.					
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Phone number to be displayed on the Council website and other external Council communication networks	<input type="text"/>
Phone number to be displayed on Council internal communication networks (contact by a Councillor or Council Officer)	<input type="text"/>

**Reminder:**

Councillors, including those using a personal mobile phone to conduct Council Business, are to advise which number (if any) is to be published on Council's website and other Council communication networks (internal and external use).

**Councillor Initial:** \_\_\_\_\_

## Decision 7 – Councillor Communications for Correspondence

### Section 4.6.2

Expenses or Facilities incurred or used by Councillors	Councillor's Selected Option (Tick applicable box)	
	Option 1	Option 2
	Electronic	Paper
Communications	<input type="checkbox"/>	<input type="checkbox"/> <i>Note: Spam/Marketing/ Junk Mail will be separately sorted.</i>
If using your Councillor e-mail address to correspond externally, please tick.	<b>External contact</b> – Councillor address <input type="checkbox"/>	

### Reminder:

In lieu of electronic receipt and responses in relation to correspondence, Councillors may elect to have copies printed to view and provide instructions in paper/written format. The Councillor will meet on a weekly basis with the Executive Services Officer or delegate at a mutually agreed time to receive the Councillor's written advice in relation to correspondence (date received / date instructions provided or noted on the correspondence).

**Councillor Initial:** \_\_\_\_\_

**Decision 8 – Speech Notes (As required)**

Expenses or Facilities incurred or used by Councillors	Councillor's Selected Option (Tick applicable box)		
	Option 1	Option 2	Option 3
Speech notes	Dot points	Full speech	Dependent on type of event
	Councillor requested to advise of request for speech notes (3) clear business days prior to the event	Councillor requested to advise of request for speech notes (5) clear business days prior to the event	Lead time noted.
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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 Councillor Signature

Date

/ 7 / 19

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 28 June 2019

**Item Number:** 10.1

**File Number:** D19/55219

**SUBJECT HEADING:** Annual Show (Public) Holidays for 2020

**Classification:** Open Access

**Officer's Title:** Human Resources & Training Advisor

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### **Executive Summary:**

The Office of Industrial Relations has invited Maranoa Regional Council to submit nominations for the show (public) holidays for 2020.

The 2020 Roma Agricultural Show is scheduled for Friday 8 and Saturday 9 May 2020 and the 2020 Mitchell Agricultural Show is scheduled for Monday 11 and Tuesday 12 May 2020.

### **Officer's Recommendation:**

That the Chief Executive Officer make application for Ministerial approval for the following special holidays:

- Friday 8 May 2020 for the 2020 Roma Annual Show Holiday; and
- Tuesday 12 May 2020 for the 2020 Mitchell Annual Show Holiday.

---

### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

All community members who reside or operate within the boundary of the Maranoa Regional Council Area

Note potential Conflict of Interest - Nita (Puddy) Chandler – President, Roma Show Society however Cr Chandler will be an apology for the meeting at which this is discussed.

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
NIL	

**Context:**

***Why is the matter coming before Council?***

Correspondence from the Office of Industrial Relations has been forwarded to Maranoa Regional Council inviting Council to make nominations for the 2020 show holidays for Ministerial consideration.

Upon receipt of Ministerial approval, the public holidays will be published in the Queensland Government Gazette.

**2019 Roma Show Public Holiday**

The 2019 Roma Show is scheduled for Friday 10 and Saturday 11 May 2019. Traditionally People's Day, a public (show) holiday, for the Roma Agricultural Show occurs on a Friday.

The Roma Show Society was contacted to confirm their endorsement for Council to nominate Friday 8 May 2020 for the 2020 Roma Annual Show Holiday. The Secretary of the Roma Show Society, Sally Rollo, has confirmed the Show Society's endorsement of Friday 8 May 2020 being nominated for the 2020 Roma Annual Show Holiday.

The Roma Show Holiday would cover businesses operating and persons residing or working in the area from the Eastern boundary of Maranoa Regional Council authority area, including the towns of Jackson, Yuleba, Wallumbilla, Roma, Hodgson and Muckadilla to the Northern boundary of the Maranoa Regional Council authority area, including the town of Injune and the area known as Bymount. South of Roma to the Southern boundary of the Maranoa Regional Council authority area including the township of Surat and the area East and South of Surat Township.

**2020 Mitchell Show Public Holiday**

The 2020 Mitchell Show is scheduled for Monday 11 and Tuesday 12 May 2020. Traditionally People's Day, a public (show) holiday, for the Mitchell Agricultural Show occurs on a Tuesday. The Mitchell Show Society was contacted to confirm their endorsement for Council to nominate Tuesday 12 May 2020 for the 2020 Mitchell Annual Show Holiday.

The President of the Mitchell Show Society, Steven Hancock, has confirmed the Show Society's endorsement of Tuesday 12 May 2020 being nominated for the 2020 Mitchell Annual Show Holiday.

The Mitchell Show Holiday would cover businesses operating and persons residing or working West of Amby to the Western boundary of the Council authority area including the towns of Mitchell and Mungallala. South of Amby to the Southern boundary of the Council authority area including the area known as Dunkeld and North of Amby to the Northern boundary of the Council authority area.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

N/A

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?***

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

If approved by Council application will need to be made to the Queensland Office of Industrial Relations for the Public Holidays to be officially Gazetted

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

N/A

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?***

(Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Nita (Puddy) Chandler – President, Roma Show Society

Sally Rollo – Secretary, Roma Show Society

Steven Hancock – President, Mitchell Show Society Inc.

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.***

(Please do not just include names)

N/A

**This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

N/A

**Future Years' Budgets:**

***Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?*** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

N/A

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*  
(Interested Parties Analysis - IS9001:2015)

Roma and Mitchell Show Society

### Risks:

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
N/A	N/A

### Advice to Council:

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

N/A

### Recommendation:

*What is the 'draft decision' based on the advice to Council?*

*Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

*Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

N/A

### Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.11 Support development of our local communities through planning, programs and events

4.11.3 Deliver community based programs, planning, projects and initiatives in partnership with our local groups including town development, indigenous, tourism, arts, cultural and heritage, sporting and recreation.

### Supporting Documentation:

- 1 [2020 Roma Show Public Holiday Date Confirmation PDF](#) D19/55204
- 2 [2020 Mitchell Show Public Holiday Date Confirmation PDF](#) D19/55217
- 3 [Email 2020 Special Holidays Nominations](#) D19/57426

### Report authorised by:

Chief Executive Officer

**From:** [Oliver \(Ollie\) Dowd](#)  
**To:** [Kym-Maree \(Kym\) Walters](#)  
**Subject:** FW: 2020 Roma Show Public Holiday Date Confirmation  
**Date:** Friday, 28 June 2019 4:06:52 PM

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**Oliver (Ollie) Dowd**  
Human Resources & Training Advisor,  
Organisational Development & Human Resources

D: (07) 4624 0729 M: 0488 422 817 F: (07) 4624 6990

---

**From:** roma.show.society@bigpond.com [mailto:roma.show.society@bigpond.com]  
**Sent:** Tuesday, 25 June 2019 8:00 AM  
**To:** Oliver (Ollie) Dowd <Oliver.Dowd@maranoa.qld.gov.au>  
**Subject:** Re: 2020 Roma Show Public Holiday Date Confirmation

Hi Oliver,

I can confirm that the dates below are correct.

Kind Regards  
*Sally Rollo*

Secretary  
Roma Show Society

email: [roma.show.society@bigpond.com](mailto:roma.show.society@bigpond.com)  
mobile: 0497 225 698  
office: 46 225 696



----- Original Message -----

From: "Oliver (Ollie) Dowd" <[Oliver.Dowd@maranoa.qld.gov.au](mailto:Oliver.Dowd@maranoa.qld.gov.au)>  
To: "[roma.show.society@bigpond.com](mailto:roma.show.society@bigpond.com)" <[roma.show.society@bigpond.com](mailto:roma.show.society@bigpond.com)>  
Sent: 12-Jun-19 2:27:46 PM  
Subject: 2020 Roma Show Public Holiday Date Confirmation

Good afternoon

Maranoa Regional Council has been invited by Mr Tony James from the Office of Industrial Relations to submit a nomination for the 2020 Roma Show Public Holiday.

Can you please confirm Roma Show will be Thursday 7, Friday 8 and Saturday 9 of May 2020 and that the Roma Show Society's endorsement of Council's nomination of Friday 8 May 2020 for the 2020 Roma Show Public Holiday.



It would be greatly appreciated if you could provide your confirmation by Monday 25 June 2019 to enable Council to submit the nomination and secure the date for the 2020 Roma Show Public Holiday.

Should you require any additional information please do not hesitate to contact me.

Kind regards  
Ollie

Oliver (Ollie) Dowd  
Human Resources & Training Advisor  
Organisational Development & Human Resources



**Maranoa Regional Council**  
**Infrastructure Office**  
**P.O. Box 620, Roma, QLD 4455**  
1 Cartwright Street Roma QLD 4455  
P: 1300 007 662  
D: (07) 4624 0729 M: 0488 422 817 F: (07) 4624 6990  
Email: [Oliver.Dowd@maranoa.qld.gov.au](mailto:Oliver.Dowd@maranoa.qld.gov.au)  
Web: [www.maranoa.qld.gov.au](http://www.maranoa.qld.gov.au)

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**From:** [Oliver \(Ollie\) Dowd](#)  
**To:** [Kym-Maree \(Kym\) Walters](#)  
**Subject:** FW: 2020 Mitchell Show Public Holiday Date Confirmation  
**Date:** Friday, 28 June 2019 4:07:13 PM

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**Oliver (Ollie) Dowd**  
Human Resources & Training Advisor,  
Organisational Development & Human Resources

D: (07) 4624 0729 M: 0488 422 817 F: (07) 4624 6990

---

**From:** Steven Hancock [mailto:Steven.Hancock@landmark.com.au]  
**Sent:** Wednesday, 26 June 2019 3:50 PM  
**To:** Oliver (Ollie) Dowd <Oliver.Dowd@maranoa.qld.gov.au>  
**Subject:** RE: 2020 Mitchell Show Public Holiday Date Confirmation

Afternoon Oliver,

Just confirming dates for Mitchell Show Holiday 2020.

Mitchell Show – 11/12<sup>th</sup> May 2020.  
Public Holiday – Tuesday 12<sup>th</sup> May 2020

Regards,  
Steven Hancock  
President  
Mitchell Show Society

---

**From:** Oliver (Ollie) Dowd <[Oliver.Dowd@maranoa.qld.gov.au](mailto:Oliver.Dowd@maranoa.qld.gov.au)>  
**Sent:** Wednesday, 26 June 2019 12:34 PM  
**To:** Steven Hancock <[Steven.Hancock@landmark.com.au](mailto:Steven.Hancock@landmark.com.au)>  
**Subject:** [EXT] 2020 Mitchell Show Public Holiday Date Confirmation

**WARNING:** This email originated from outside of the organization. Exercise caution when viewing attachments, clicking links, or responding to requests.

Good afternoon Steven,

Maranoa Regional Council has been invited by Mr Tony James from the Office of Industrial Relations to submit a nomination for the 2020 Mitchell Show Public Holiday.

I have been given your contacts by Councils Local Development Officer.

Can you please confirm Mitchell Show will be Monday 11 and Tuesday 12 of May 2020 and that the Mitchell Show Society's endorsement of Council's nomination of Tuesday 12 May 2020 for the 2020 Mitchell Show Public Holiday.

It would be greatly appreciated if you could provide your confirmation by Monday 1 July 2019 to enable Council to submit the nomination and secure the date for the 2020 Mitchell Show Public Holiday.

Should you require any additional information please do not hesitate to contact me.

Kind regards

Ollie

Oliver (Ollie) Dowd  
Human Resources & Training Advisor  
Organisational Development & Human Resources



**Maranoa Regional Council**  
**Infrastructure Office**  
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Web: [www.maranoa.qld.gov.au](http://www.maranoa.qld.gov.au)

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**From:** [Oliver \(Ollie\) Dowd](#)  
**To:** [Kym-Maree \(Kym\) Walters](#)  
**Subject:** FW: 2020 Special Holidays Nominations  
**Date:** Friday, 5 July 2019 10:32:12 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[Request letter 2020.docx](#)

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**Oliver (Ollie) Dowd**  
Human Resources & Training Advisor,  
Organisational Development & Human Resources

D: (07) 4624 0729 M: 0488 422 817 F: (07) 4624 6990

---

**From:** Jacqui McGuire [mailto:[Jacqui.McGuire@oir.qld.gov.au](mailto:Jacqui.McGuire@oir.qld.gov.au)]  
**Sent:** Friday, 7 June 2019 3:24 PM  
**To:** Jacqui McGuire <[Jacqui.McGuire@oir.qld.gov.au](mailto:Jacqui.McGuire@oir.qld.gov.au)>  
**Subject:** 2020 Special Holidays Nominations

Dear Chief Executive Officer,

The *Holiday's Act 1983* provides for the granting and observance of special holidays which includes show days. Each year local governments are requested to nominate special and show holidays for the following year.

Nominations are made via an online form which is 'signed or endorsed' by the Chief Executive Officer. The attached letter of request includes a link to the online form. Should you have any enquiries regarding the nomination process please contact me on the number below. Should you have trouble accessing the online form, I am happy to receive the nomination via email. Should you wish to make a nomination for special holiday/s for 2020, please complete the online nomination form at your earliest convenience. If for some reason, you are unable to make a nomination at this time, please advise via return email or contact me on telephone (07) 3406 9854 to discuss further.

I would also appreciate your advice should Council choose not to make a nomination.

Once we have received all nominations, they will be prepared for Ministerial approval, gazettal and publishing on the website. A confirmation letter will be emailed to Councils advising of the Ministerial approval of their nominations.

Please contact me if you have any questions.

Kind regards,

**Jacqui McGuire**

Senior Industrial Officer  
Industrial Relations Regulation and Compliance  
Office of Industrial Relations  
P: 07 3406 9854 E: [jacqui.mcguire@oir.qld.gov.au](mailto:jacqui.mcguire@oir.qld.gov.au)

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## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 5 July 2019

**Item Number:** 10.2

**File Number:** D19/57763

**SUBJECT HEADING:** Corporate Plan - Minor Amendments

**Classification:** Open Access

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

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### **Executive Summary:**

Preparation of the draft Operational Plan is continuing and some minor amendments have been identified.

### **Officer's Recommendation:**

That:

1. The tabled document be received and noted.
2. The amendments be incorporated.

---

### **Body of Report:**

The amendments reflect core business, but will assist in ensuring that the Corporate Plan and draft Operational Plan are aligned.

### **Consultation (internal/external):**

The minor amendments were tabled at the Budget Submissions and Financial Planning Standing Committee **BUD/06.2019/14**.

The draft updates will be circulated under separate cover.

### **Risk Assessment (Legal, Financial, Political etc.):**

Nil

### **Policy Implications:**

The Corporate Plan is one of the key financial planning documents required under Section 104 (5)(a)(i) of the *Local Government Act 2009*.

Key points to note:

- The Corporate Plan must be for a 5-year period;
- The operational plan and budget needs to be consistent with the Corporate Plan;
- Council must discharge its responsibilities in a way that is consistent with its 5 year corporate plan, but can amend the plan at any time by resolution.

- It outlines the strategic direction and key performance indicators for measuring progress in achieving the vision.

**Financial Resource Implications:**

The budget also needs to be consistent with the Corporate Plan.

**Link to Corporate Plan:**

Corporate Plan 2014-2019

Strategic Priority 10: Organisational Management

10.1 Organisational Culture

10.1.4 Communicate what we do and why

**Supporting Documentation:**

Nil.

Chief Executive Officer

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 2 May 2019

**Item Number:** 11.1

**File Number:** D19/34272

**SUBJECT HEADING:** Proposed Animal Management (Amendment)  
Local Law and Subordinate Local Law

**Classification:** Open Access

**Officer's Title:** Acting Executive Services Officer

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### **Executive Summary:**

The purpose of this report is to commence the local law making process for:

- Animal Management (Amendment) Local Law (No.1) 2019,
- Animal Management (Amendment) Subordinate Local Law (No. 1) 2019; and
- Animal Management (Amendment) Subordinate Local Law (No. 2) 2019.

### **Officer's Recommendation:**

Council resolves to propose to make each of:-

- (a) Animal Management (Amendment) Local Law (No. 1) 2019; and
  - (b) Animal Management (Amendment) Subordinate Local Law (No. 1) 2019; and
  - (c) Animal Management (Amendment) Subordinate Local Law (No. 2) 2019.
- 

### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Animal owners within the Maranoa Regional Council local government area, with specific interest to cat and dog owners.

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
AMA	<i>Animal Management (Cats and Dogs) Act 2008</i>

### **Context:**

***Why is the matter coming before Council?***

It has been identified that an amendment to Council's *Local Law No. 2 (Animal Management) 2011* and *Subordinate Local Law No. 2 (Animal Management) 2011* is required.



This report is the first step in the process for Council to undertake amendment to its local laws, which requires Council to consult with relevant state government entities regarding the proposed amendments.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

A number of recent developments relevant to Community Safety have resulted in the requirement for Council's Local and Subordinate Local Laws relating to animal management to be amended, these are:

**Cat registration**

At the Council meeting held 12 June 2019, Council resolved to introduce mandatory cat registration:

***Resolution No. GM/06.2019/05***

***That Council:***

- 1. Propose to make amendment to Subordinate Local Law No. 2 (Animal Management) 2011 to include mandatory cat registration to support responsible pet ownership within the Maranoa.***
- 2. Implement a transition process that encourages cat owners to register their cat/s with:***
  - registration to be free of charge for the financial year 2019/20.***
  - advisory notices only (no fines) to be issued on detection of non-compliance from introduction to 30 June 2020.***

In order for Council to align its local laws to the above resolution, an amendment of *Local Law No.2 (Animal Management) 2011 and Subordinate Local Law No.2 (Animal Management) 2011* is required to include the necessary provisions.

Attached to the officer's report are proposed amendments relating to cat registration:

- (a) *Animal Management (Amendment) Local Law (No. 1) 2019; and*
- (b) *Animal Management (Amendment) Subordinate Local Law (No. 1) 2019; and*

**Dog off-leash area**

In May 2019, Council officially opened the Roma off-leash dog park. *Subordinate Local Law No.2 (Animal Management) 2011*, Schedule 7 states that there is no designed off-leash areas and should be amendment to reflect this recent change.

The proposed amendment provides the location for the off-leash dog area, which is:

'Shady's Lagoon at the Charles Street Entrance of the Adungadoo Pathway (lot 207 on plan R861).'

Attached to the officer's report are proposed amendments relating to dog off-leash areas:

(a) *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019*  
Please refer to section 5 on page 2.

### **Prohibition on the keeping of animals (dogs)**

Community Safety have identified an opportunity to better work with the community regarding responsible animal ownership with a goal of assisting the community in being compliant with state legislation and local laws rather than through enforcement.

The proposed amendments will only be applicable to dogs and no other animals listed in the schedule.

Below is an extract from the current *Subordinate Local Law No. (2) Animal Management 2011*

1	Dog	<p>(a) More than 4 dogs over the age of 3 months on an allotment in a designated town area.</p> <p><i>Note - An approval is required to keep more than 2 dogs over the age of 3 months on an allotment in a designated town area - see schedule 2, item 2(a).</i></p> <p>(b) More than 2 dogs over the age of 3 months on multi-residential premises.</p> <p><i>Note - An approval is required to keep more than 1 dog over the age of 3 months on multi-residential premises - see schedule 2, item 2(b).</i></p> <p><b>Any of the following breeds anywhere in the local government area: American pit bull terrier or pit bull terrier; dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario.</b></p>
---	-----	---

The proposed amendments will 'loosen' the prohibitions for residents that have larger allotment sizes and aims to bring our local laws in line with the *Animal Management (Cats and Dogs) Act 2008* section 44(2) which states:

"An owner of a dog must comply with section 46 to register the dog in the relevant local government's area within 14 days after starting to keep the dog in the area unless the person has a reasonable excuse."

The proposed amendment are as follows:

- (a) use the existing rules for multi-residential properties.
- (b) for blocks under 2,000m<sup>2</sup> – the existing rules will apply, being only 2 dogs. Up to 4 dogs may be kept with an approval.
- (c) for block sizes 2,000m<sup>2</sup> – 4,000m<sup>2</sup> – allow the keeping of 3 dogs without an approval. Up to 4 dogs may be kept with an approval.
- (d) For block sizes that are over 4,000m<sup>2</sup> and less than 40,000m<sup>2</sup> amend to allow the keeping of up to 4 dogs without an approval.
- (e) For block sizes over 40,000m<sup>2</sup> amend to allow the keeping of up to 5 dogs without an approval.

Attached to the officer's report are proposed amendments relating to proposed amendment to the keeping of animals (dogs):

(b) *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019*.

Specific attention is drawn to the above mentioned attached, Part 2 Amendments to subordinate local law, section 3(2).

As the intention of these amendments is to make it easier for the community to be compliant with Council's local laws a transitional provision has been included in this amendment. The intention of this is to safeguard against any unforeseen circumstances and not introduce a circumstance where a resident is no longer compliant with the local law following the proposed amendments being implemented.

(1) Schedule 1, from 'A prohibition' to 'local law.'—

*omit, insert—*

'A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals on premises in circumstances as follows—

- (a) if the animal or animals is an animal other than a dog—
  - (i) the animal or animals were kept on the premises before the commencement of the authorising local law; and
  - (ii) the keeping of the animal or animals on the premises immediately before the commencement of the authorising local law did not contravene any provision of a local law of the local government that was repealed contemporaneously with the making of the authorising local law;
- (b) if the animal or animals is a dog—
  - (i) the animal or animals were kept on the premises before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019*; and
  - (ii) the keeping of the animal or animals on the premises immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019* did not contravene any provision of the authorising local law.'

**Local Law making process:**

Section 29(1) of the *Local Government Act 2009* provides that a local government may decide its own process for making a local law to the extent that the process is not inconsistent with this part (of the Act).

At the Council meeting held 24 September 2014, Council resolved the process for the making of local laws (**GM09.2014/47**). This process shall apply to the proposed making of:

- a) *Animal Management (Amendment) Local Law (No. 1) 2019*;
- b) *Animal Management (Amendment) Subordinate Local Law (No. 1) 2019*; and
- c) *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019*

Pursuant to section 29(5) of the *Local Government Act 2009* (**Act**), a local government must ensure that its local laws are drafted in compliance with the guidelines issued by the Parliamentary Counsel under the *Legislative Standards Act 1992*, section 9 for local laws and subordinate local laws.

#### **Anti-Competitive provisions:**

Section 38(1) of the Act provides that a local government must not make a local law that contains any anti-competitive provision unless the local government has complied with the procedures prescribed under a regulation for the review of anti-competitive provisions.

In the drafting of the:

- d) *Animal Management (Amendment) Local Law (No. 1) 2019*;
- e) *Animal Management (Amendment) Subordinate Local Law (No. 1) 2019*; and
- f) *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019*

no anti-competitive provisions were identified. Attached to this report is a list of the likely anti-competitive provisions each showing no provisions identified.

#### **State interest check**

Pursuant to section 29A of the Act:

(1) *This section applies if a local government proposes to make a local law other than the following—*

- (a) *a local law that incorporates a model local law;*
- (b) *a subordinate local law.*

(2) *However, this section also applies to a local law that incorporates a model local law if the local law includes more than—*

- (a) *the model local law; or*

*(b) any amendment or repeal of an existing local law that would be inconsistent with the model local law.*

*(3) A local government must consult with relevant government entities about the overall State interest in the proposed local law before making the local law.*

Because it is proposed to amend a local law under the Act Council must consult with the relevant government entities about the overall state interest in the proposed amendments before proceeding to community consultation.

It is Council's responsibility to undertake appropriate State interest checks. Furthermore it is Council's responsibility to identify which State agencies are likely to have an interest in the issue to be addressed in a proposed local law. In order to avoid any doubt, consultation will be undertaken with all State agencies.

Any feedback received by Council that requires Council to consider a change to the proposed amendments, will be tabled for Council's consideration at the completion of this consultation process.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

The local law making process must be completed in accordance with the *Local Government Act 2009* as outlined in the body of this report.

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

As outlined in this report.

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Manager – Community Services; and  
King and Company.

*Note: a briefing paper was presented to Councillors at the policy workshop 23 April 2019.*

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

N/A

### **This Financial Year's Budget:**

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

Nil.

### **Future Years' Budgets:**

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)*

Nil.

### **Impact on Other Individuals or Interested Parties:**

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns? (Interested Parties Analysis - IS9001:2015)*

Animal owners within the Maranoa Regional Council local government area, with specific interest to cat and dog owners.

### **Risks:**

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)*

<b>Risk</b>	<b>Description of likelihood &amp; consequences</b>
Compliance with State legislation regarding the local law making process.	The process for Council to make the local law has been done so in compliance with the <i>Local Government Act 2009</i> .  Furthermore it should be noted that the proposed local and subordinate local laws have been drafted in compliance with the guidelines issued by the Parliamentary Council under the <i>Legislative Standards Act 1992</i> , section 9 for local laws and subordinate local laws.
Alignment with Council processes	As Council has already proposed to amend its local laws in order to include mandatory cat registration for the Maranoa region, and now has a designated off-leash dog area, Council should align its own local laws to reflect this. Amendment of the local law and subordinate local law ensures transparency and provides officers with the ability to administer the resolutions of Council.
Identification of improved processes for community benefit	The proposed amendments regarding allotment sizes for dog owners have been developed to recognise the varied circumstances of residents within the Maranoa region. Specifically that a portion of the resident population live on larger allotment sizes for lifestyle and responsible pet ownership should be encouraged

	through registration of animals rather than prohibition and enforcement.
	By making compliance with Council's Local Laws easier

### Advice to Council:

***What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?***

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

It is recommended that Council resolve to commence the local law making process to align its *Local Law No. 2 (Animal Management) 2011* and Subordinate *Local Law No. 2 (Animal Management) 2011* with current processes and to make the process of compliance with these local laws easier for those residents who have larger block sizes

### Recommendation:

***What is the 'draft decision' based on the advice to Council?***

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

N/A

***Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

N/A

### Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 3: Helping to keep our communities safe

3.1 Help to keep residents safe from other people's animals and property

3.1.2 Ensure compliance with the State Government's Animal Management (Cats & Dogs) Act 2008 and Regulation 2008, Council's Local Laws and Subordinate Local Laws with a particular focus on: - Animal control - Abandoned vehicles - Unsightly and overgrown allotments.

### Supporting Documentation:

<a href="#"><u>1</u></a>	Animal Management (Amendment) Subordinate Local Law (No.1) 2019 - Anti-Comp Provisions	D19/34330
<a href="#"><u>2</u></a>	Animal Management (Amendment) Local Law (No.1) 2019	P19/2
<a href="#"><u>3</u></a>	Animal Management (Amendment) Subordinate Local Law (No.1) 2019	D19/34306
<a href="#"><u>4</u></a>	Animal Management (Amendment) Subordinate Local Law (No.2) 2019	P19/1

### Report authorised by:

Manager - Community Services

Director - Corporate, Community & Commercial Services



**Local Law:** Animal Management (Amendment) Local Law (No. 1) 2019

**Subordinate Local Law:** Animal Management (Amendment) Subordinate Local Law (No. 1) 2019  
Animal Management (Amendment) Subordinate Local Law (No. 2) 2019

**Purpose:** The purpose of each of the local law and the 2 subordinate local laws is to provide for the registration of cats in the local government area by imposing obligations on cat owners, prohibit the keeping of dogs in specified circumstances, amend dog approval requirements, and identify a dog off-leash area.

Anti-competitive Provisions	Relevant criteria	Explanatory Comments
No anti-competitive provisions identified		

# Maranoa Regional Council

## Animal Management (Amendment) Local Law (No. 1) 2019

### Contents

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<b><u>Part 1</u></b>	<b><u>Preliminary</u></b> .....	<b>1</b>
	1 <u>Short title</u> .....	1
	2 <u>Local law amended</u> .....	1
	3 <u>Object</u> .....	1
<b><u>Part 2</u></b>	<b><u>Amendments to local law</u></b> .....	<b>1</b>
	4 <u>Amendment of s2 (Purpose and how it is to be achieved)</u> .....	1
	5 <u>Insertion of new pt 2, div 3A (Registration of cats)</u> .....	1
	6 <u>Amendment of pt 2, div 5 (Identification of registered cats and dogs)</u> .....	5
	7 <u>Amendment of s9 (Identification for cats and dogs in certain circumstances)</u> .....	5
	8 <u>Amendment of s43 (Subordinate local laws)</u> .....	5
	9 <u>Amendment of sch (Dictionary)</u> .....	6

## Part 1 Preliminary

### 1 Short title

This local law may be cited as *Animal Management (Amendment) Local Law (No. 1) 2019*.

### 2 Local law amended

This local law amends *Local Law No. 2 (Animal Management) 2011*.

### 3 Object

The object of this local law is to provide for the registration of cats by imposing registration obligations on cat owners.

## Part 2 Amendments to local law

### 4 Amendment of s2 (Purpose and how it is to be achieved)

(1) Before section 2(2)(b) —

*insert—*

‘(aa) the registration of cats by imposing registration obligations on cat owners; and’.

(2) Section 2(2), paragraphs (aa) to (f) —

*renumber* as paragraphs (b) to (g).

### 5 Insertion of new pt 2, div 3A (Registration of cats)

After section 7—

*insert—*

#### ‘Division 3A Registration of cats

##### 7A Registration obligation

(1) This section does not apply to—

- (a) the operator of a pound or shelter; or
- (b) the owner of a cat less than 12 weeks old.

(2) An owner of a cat must comply with section 7B to register the cat within 14 days after starting to keep the cat in the local government area unless the person has a reasonable excuse.

Maximum penalty—20 penalty units.

(3) A person who becomes an owner of a cat must comply with section 7B to register the cat in the local government area within 14 days unless the person has a reasonable excuse.

Maximum penalty — 20 penalty units.

- (4) It is a defence to a prosecution for an offence against subsection (2) or (3) for the defendant to prove that the cat is of a class of cat prescribed under a subordinate local law.

## **7B What the owner of a cat must do**

To register a cat with the local government, the owner of the cat must—

- (a) give the local government a registration form for the cat that complies with section 7C; and
- (b) ensure the registration form is accompanied by—
  - (i) the registration fee for the cat; and
  - (ii) if the cat is desexed — a signed veterinary surgeon's certificate stating, or other evidence, that it has been desexed; and
- (c) if a written notice is given to the owner under section 7D — give the chief executive officer of the local government any other information or documents required to be given in the notice.

## **7C What registration form must state**

A registration form for the registration of a cat must comply with requirements prescribed by subordinate local law.

## **7D Chief executive officer may ask for further information**

- (1) This section applies if the owner of a cat gives the local government—
  - (a) a registration form for the cat under section 7B; or
  - (b) a notice mentioned in section 7G(3) or 7I(2) for the cat.
- (2) The chief executive officer may, by written notice, require the owner to give other information or documents reasonably required to register the cat.
- (3) The notice must state a reasonable period of at least 14 days to comply with the notice.

## **7E Local government must give registration notice**

- (1) This section applies if an owner of a cat complies with section 7B for the cat.
- (2) The local government must give the owner of the cat notice (a **registration notice**) that the cat has been registered by the local government.
- (3) The registration notice must—
  - (a) comply with the requirements prescribed by subordinate local law; and

- (b) be accompanied by any registration device for the cat.

#### **7F Duration of registration**

The registration of a cat is for the period fixed by resolution of the local government for the cat.

#### **7G Amendment of registration**

- (1) If any information stated on the registration notice for a cat changes (the *changed information*), the owner of the cat must, within 7 days, give the local government notice of the changed information.

Maximum penalty — 5 penalty units.

- (2) The notice must be—
  - (a) in the prescribed form; and
  - (b) accompanied by other information or documents to enable the local government to record the changed information in the local government's register of cats.
- (3) If the owner complies with subsection (2), the local government must, within 14 days after receiving the notice, ensure the owner is given a written notice for the cat that includes the changed information.

#### **7H Renewal of registration**

- (1) This section applies if—
  - (a) a cat has been registered by the local government; and
  - (b) the local government has given the owner of the cat a registration notice.
- (2) The local government must give the owner notice (a *renewal notice*) to renew the registration for the cat.
- (3) The renewal notice must comply with requirements prescribed by subordinate local law.

#### **7I What owner of a cat must do about renewal of registration**

- (1) This section applies to the owner of a cat whether or not the owner has been given a renewal notice.
- (2) The owner of the cat must, before the period of registration for the cat expires—
  - (a) if the local government has given the owner a renewal notice and any information on the renewal notice has changed—give the local government written notice of the change (the *changed information*); and
  - (b) pay the registration fee for the cat; and

- (c) if the cat is desexed—ensure the fee is accompanied by a signed veterinary surgeon’s certificate stating, or other evidence, that it has been desexed.

Maximum penalty — 20 penalty units.

- (3) However, if a registration form for the cat has already been accompanied by the certificate or evidence mentioned in subsection (2) for the cat, the certificate or evidence need not accompany the fee.

## **7J Local government’s obligations if owner complies**

- (1) This section applies if the owner of a cat given a renewal notice under section 7H complies with section 7I for the cat.
- (2) The local government may ask the owner for other information or documents in the way mentioned in section 7D.
- (3) The owner must give the local government the information or documents required to be given in the notice mentioned in section 7D(2).

Maximum penalty — 5 penalty units.

- (4) If the owner complies with subsection (3), the local government must—
  - (a) within 7 days after receiving the notice mentioned in section 7I(2), ensure the information is updated in the local government’s register of cats in a way that reflects the change; and
  - (b) within 14 days after receiving the fee, any information or documents mentioned in section 7I(2) or other information or documents given under section 7D, give the owner any registration device for the cat.

## **7K Obligations of owner of registered cat**

The owner of a registered cat must—

- (a) ensure that the cat carries the registration device required by resolution of the local government; and
- (b) ensure that the registration device is attached to a collar worn by the cat; and
- (c) notify the local government within 14 days if the registration device for the cat has been lost or destroyed.

Maximum penalty for each of paragraphs (a), (b) and (c) —20 penalty units.

## **7L Cat not registered at commencement of amending local law**

- (1) This section applies to an owner of a cat other than the operator of a shelter or pound if the cat—

- (a) is not registered at the commencement of *Animal Management (Amendment) Local Law (No. 1) 2019*; or
- (b) is less than 12 weeks old.
- (2) The owner must ensure the cat is registered within 3 months after whichever is the later of—
  - (a) the commencement of *Animal Management (Amendment) Local Law (No. 1) 2019*; and
  - (b) the cat is 12 weeks old.’.

## 6 Amendment of pt 2, div 5 (Identification of registered cats and dogs)

Part 2, division 5, heading, ‘cats and’ —  
*omit.*

## 7 Amendment of s9 (Identification for cats and dogs in certain circumstances)

- (1) Section 9, heading, ‘cats and’—  
*omit.*
- (2) Section 9, ‘for a cat or dog that’ —  
*omit, insert—*  
 ‘for a dog that’.
- (3) Section 9, ‘notice for the cat or’—  
*omit, insert—*  
 ‘notice for the’.
- (4) Footnote 10, ‘cat or’—  
*omit.*

## 8 Amendment of s43 (Subordinate local laws)

- (1) After section 43(c)—  
*insert—*
  - ‘(ca) the class of cat prescribed for the purposes of section 7A(4) (Registration obligation) of this local law;<sup>28A</sup> or
  - (cb) prescribed requirements for a registration form;<sup>28B</sup> or
  - (cc) prescribed requirements for a registration notice;<sup>28C</sup> or
  - (cd) prescribed requirements for a renewal notice;<sup>28D</sup> or’.

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<sup>28A</sup> See section 7A(4).

<sup>28B</sup> See section 7C.

<sup>28C</sup> See section 7E(3).

<sup>28D</sup> See section 7H(3).

- (2) Section 43(e), ‘cats and’—  
*omit.*
- (3) Section 43, paragraphs (ca) to (s) —  
*renumber* as paragraphs (d) to (w).
- (4) Footnotes 28A to 45—  
*renumber* as footnotes 29 to 49.

## 9 Amendment of sch (Dictionary)

Schedule—

*insert—*

‘*cat* has the meaning given in section 11 of the *Animal Management (Cats and Dogs) Act 2008*.

***changed information***—

(a) for section 7G—see section 7G(1); and

(b) for section 7I—see section 7I(2).

***desex*** see *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

***pound***, for part 2, division 3A, means premises maintained for the purpose of impounding animals.

***prescribed form*** means the form approved by the local government.

***registered*** —

(a) for a cat, means that the information about the cat is recorded in the local government’s register of cats;

(b) for a dog, means the dog is registered under the *Animal Management (Cats and Dogs) Act 2008*.

***registration*** — see registered.

***registration device*** means a device to assist in identifying an animal which is decided by resolution of the local government.

***registration fee***, for a cat, means the prescribed fee for the registration of the cat.

***registration form***, for the registration of a cat, means the prescribed form for registering cats in the local government area.

***registration notice***—

(a) for a cat — see section 7E(2);

(b) for a dog — see *Animal Management (Cats and Dogs) Act 2008*, schedule 2.

***renewal notice*** — see section 7H(2).

***shelter***, for part 2, division 3A, means premises maintained for the purpose of providing shelter to, or finding a home for, stray, abandoned or unwanted animals.

***veterinary surgeon*** means a person registered as a veterinary surgeon under the *Veterinary Surgeons Act 1936*.’.



This and the preceding 7 pages bearing my initials is a certified copy of *Animal Management (Amendment) Local Law (No. 1) 2019* made in accordance with the provisions of the *Local Government Act 2009* by Maranoa Regional Council by resolution dated the                      day of                      2019.

.....  
Chief Executive Officer

832170\_1

# **Maranoa Regional Council Animal Management (Amendment) Subordinate Local Law (No. 1) 2019**

## **Contents**

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<b>Part 1</b>	<b>Preliminary.....</b>	<b>1</b>
	1 Short title .....	1
	2 Subordinate local law amended.....	1
<b>Part 2</b>	<b>Amendments to subordinate local law.....</b>	<b>1</b>
	3 Insertion of new ss7A to 7C .....	1
	4 Amendment of s9 (Identification for cats and dogs in certain circumstances — Authorising local law, s9) .....	2
	5 Amendment of sch14 (Dictionary) .....	2

## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Animal Management (Amendment) Subordinate Local Law (No. 1) 2019*.

### 2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 2 (Animal Management) 2011*.

## Part 2 Amendments to subordinate local law

### 3 Insertion of new ss7A to 7C

After section 7—

*insert—*

#### **‘7A What registration form must state — Authorising local Law, s7C**

- (1) For section 7C of the authorising local law, a registration form for the registration of a cat must—
  - (a) be in the prescribed form; and
  - (b) state all of the following information about the owner of the cat—
    - (i) name;
    - (ii) residential address;
    - (iii) contact telephone number;
    - (iv) email address, if any; and
  - (c) state all of the following information about the cat—
    - (i) age;
    - (ii) breed;
    - (iii) colour;
    - (iv) sex;
    - (v) any other noticeable distinguishing features or marks;
    - (vi) address;
    - (vii) if it is desexed—that it is desexed.
- (2) In this section, the **address** for a cat is the address of the place where the cat is usually kept or proposed to be kept.

#### **7B Local government must give registration notice — Authorising local Law, s7E(3)**

For section 7E(3) of the authorising local law, a registration notice must—

- (a) be given to the owner within 14 days after the cat is registered by the local government; and
- (b) state—
  - (i) the information, for the owner and the cat, required to be given under sections 7C and 7D(2) of the authorising local law; and
  - (ii) the period of the registration.

#### **7C Local government must give renewal notice — Authorising local Law, s7H(3)**

For section 7H(3) of the authorising local law, a renewal notice must—

- (a) be given at least 14 days before the period of registration for the cat expires; and
- (b) state—
  - (i) the information, for the owner and the cat, stated in the register of cats maintained by the local government; and
  - (ii) the period of renewal of registration; and
  - (iii) that the owner must, within 7 days, give the local government notice of any change to the information.’.

#### **4 Amendment of s9 (Identification for cats and dogs in certain circumstances — Authorising local law, s9)**

- (1) Section 9, heading, ‘cats and’—

*omit.*

- (2) Section 9, ‘a cat or’—

*omit, insert—*

‘a’.

- (3) Section 9, ‘the cat or’—

*omit, insert—*

‘the’.

#### **5 Amendment of sch14 (Dictionary)**

Schedule 14, definition **registered**, ‘Animal Management (Cats and Dogs) Act 2008’—

*omit, insert—*

‘the authorising local law’.

This and the preceding 3 pages bearing my initials is a certified copy of *Animal Management (Amendment) Subordinate Local Law (No. 1) 2019* made in accordance with the provisions of the *Local Government Act 2009* by Maranoa Regional Council by resolution dated the     day of                      2019.

.....  
Chief Executive Officer

832235\_1

# **Maranoa Regional Council Animal Management (Amendment) Subordinate Local Law (No. 2) 2019**

## **Contents**

---

<b>Part 1</b>	<b>Preliminary.....</b>	<b>1</b>
	1 Short title .....	1
	2 Subordinate local law amended.....	1
<b>Part 2</b>	<b>Amendments to subordinate local law.....</b>	<b>1</b>
	3 Amendment of sch 1 (Prohibition on keeping animals) .....	1
	4 Amendment of sch2 (Requirement for approval to keep animal) .....	2
	5 Amendment of sch7 (Dog off-leash areas) .....	2
	6 Amendment of sch14 (Dictionary) .....	3

## Part 1 Preliminary

### 1 Short title

This subordinate local law may be cited as *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019*.

### 2 Subordinate local law amended

This subordinate local law amends *Subordinate Local Law No. 2 (Animal Management) 2011*.

## Part 2 Amendments to subordinate local law

### 3 Amendment of sch 1 (Prohibition on keeping animals)

(1) Schedule 1, item 1, column 2—

*omit, insert—*

- ‘(a) More than 4 dogs (other than working dogs) over the age of 3 months on an allotment with an area less than 2,000m<sup>2</sup>.

*Note—*

*An approval is required to keep more than 2 dogs (other than working dogs) over the age of 3 months on an allotment with an area less than 2,000m<sup>2</sup>—see schedule 2, item 2(a).*

- (b) More than 4 dogs (other than working dogs) over the age of 3 months on an allotment with an area between 2,000m<sup>2</sup> and 4,000m<sup>2</sup>.

*Note—*

*An approval is required to keep more than 3 dogs (other than working dogs) over the age of 3 months on an allotment with an area between 2,000m<sup>2</sup> and 4,000m<sup>2</sup>—see schedule 2, item 2(b).*

- (c) More than 4 dogs (other than working dogs) over the age of 3 months on an allotment with an area between 4,001m<sup>2</sup> and 40,000m<sup>2</sup>.

- (d) More than 5 dogs (other than working dogs) over the age of 3 months on an allotment with an area more than 40,000m<sup>2</sup>.

- (e) More than 2 dogs over the age of 3 months on multi-residential premises.

*Note —*

*An approval is required to keep more than 1 dog over the age of 3 months on multi-residential premises —see schedule 2, item 2(c).*

- (f) Any of the following breeds anywhere in the local government area: American pit bull terrier or pit bull terrier; dogo Argentino; fila Brasileiro; Japanese tosa; Perro de Presa Canario or Presa Canario.’

(2) Schedule 1, from ‘A prohibition’ to ‘local law.’—

*omit, insert—*

‘A prohibition prescribed in this schedule does not apply to the keeping of an animal or animals on premises in circumstances as follows—

- (a) if the animal or animals is an animal other than a dog—
  - (i) the animal or animals were kept on the premises before the commencement of the authorising local law; and
  - (ii) the keeping of the animal or animals on the premises immediately before the commencement of the authorising local law did not contravene any provision of a local law of the local government that was repealed contemporaneously with the making of the authorising local law;
- (b) if the animal or animals is a dog—
  - (i) the animal or animals were kept on the premises before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019*; and
  - (ii) the keeping of the animal or animals on the premises immediately before the commencement of *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019* did not contravene any provision of the authorising local law.’.

#### 4 Amendment of sch2 (Requirement for approval to keep animal)

Schedule 2, item 2, column 2—

*omit, insert—*

- ‘(a) More than 2 dogs (other than working dogs) over the age 3 months on an allotment with an area less than 2,000m<sup>2</sup>.

*Note—*

*Keeping more than 4 dogs (other than working dogs) over the age of 3 months on an allotment with an area less than 2,000m<sup>2</sup> is prohibited—see schedule 1, item 1(a).*

- (b) More than 3 dogs (other than working dogs) over the age of 3 months on an allotment with an area between 2,000m<sup>2</sup> and 4,000m<sup>2</sup>.

*Note—*

*Keeping more than 4 dogs (other than working dogs) over the age of 3 months on an allotment with an area between 2,000m<sup>2</sup> and 4,000m<sup>2</sup> is prohibited—see schedule 1, item 1(b).*

- (c) More than 1 dog over the age of 3 months on multi-residential premises.

*Note—*

*Keeping more than 2 dogs over the age of 3 months on multi-residential premises is prohibited—see schedule 1, item 1(e).’.*

#### 5 Amendment of sch7 (Dog off-leash areas)

Schedule 7, ‘No dog off-leash area described.’—

*omit, insert—*



‘Shady’s Lagoon at the Charles Street Entrance of the Adungadoo Pathway (lot 207 on plan R861).’.

## 6 Amendment of sch14 (Dictionary)

Schedule 14—

*omit—*

‘**working dog** has the meaning given in the *Animal Management (Cats and Dogs) Act 2008*, schedule 2.’.

This and the preceding 3 pages bearing my initials is a certified copy of *Animal Management (Amendment) Subordinate Local Law (No. 2) 2019* made in accordance with the provisions of the *Local Government Act 2009* by Maranoa Regional Council by resolution dated the     day of                      2019.

.....  
Chief Executive Officer

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## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 24 June 2019

**Item Number:** 11.2

**File Number:** D19/53028

**SUBJECT HEADING:** Selective Inspection Program 2019

**Classification:** Open Access

**Officer's Title:** Manager - Community Services

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### **Executive Summary:**

A Selective Inspection Program is proposed for all township areas within the Maranoa Regional Council Area. The selective inspection program will monitor compliance with the *Animal Management (Cats and Dogs) Act 2008* regarding registration and regulated dog provisions.

The inspection program may result in remedial action being undertaken and infringements issued where non-compliance is observed.

Properties will be selected where a Council Authorised Person has a reasonable belief that an unregistered and/or regulated dog may be present on the premises.

Public notice of the selective inspection program will be given in the local newspaper on 9 August 2019 and on the Council website stating that the program will commence on Monday 2 September and conclude on Friday 29 November 2019.

### **Officer's Recommendation:**

That Council resolve:

1. That under section 113(1) of the *Animal Management (Cats and Dogs) Act 2008* (AMCAD) Council approves a selective inspection program to allow authorised persons to enter and inspect selected properties in part of its local government area.
  2. In accordance with section 113(5)(a) of the AMCAD Act 2008 the purpose of the program is to monitor compliance with the Chapter 3 registration and Chapter 4 regulated dog provisions of the AMA.
  3. In accordance with section 113(5)(b) and (e) of the AMCAD Act 2008 the program will commence on Monday 2 September and conclude on Friday 29 November 2019.
  4. In accordance with section 113(5)(c) of the AMCAD Act 2008 inspections may occur in premises situated within the townships of Amby, Injune, Jackson, Mitchell, Muckadilla, Mungallala, Roma, Surat, Wallumbilla and Yuleba being the areas defined as designated town areas in Schedule 13 of *Subordinate Local Law No. 2 (Animal Management) 2011* where an Authorised Person has
-

reasonable belief that an unregistered and/or regulated dog may be present.

5. In accordance with section 114 of the AMCAD Act 2008 a public notice will be given in the local newspaper on 9 August 2019 and on the Council website stating that the program will commence on Monday 2 September and conclude on Friday 29 November 2019
6. Where non-compliance is observed, remedial action will be sought and infringements issued.

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**Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Not Applicable

**Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
AMCAD	Animal Management (Cats & Dogs) Act 2008
SIP	Selective Inspection Program
LGA	Local Government Area

**Context:**

***Why is the matter coming before Council?***

Prior to an inspection program being conducted, it is a legislative requirement that the local government approve by resolution the conduct of a program. The resolution must provide details of the type, length and purpose of the program and the places to be inspected. Notice of the program must be provided to the public and published in a newspaper circulating in the local government area and displayed on the local government website. This notice must be given at least 14 days, but not more than 28 days before the start of the program.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

Between 1 August and 26 October 2018 Community Safety Officers inspected a total of 359 properties as part of a Council approved Selective Inspection Program assessing compliance with dog registration and regulated dog provisions.

At the conclusion of the program 316 properties were compliant, and 43 were deemed as non-compliant, meaning that dog registration had not been received by

end of the program. A total of 114 infringement notices for unregistered dogs were issued during this period.

The program was very successful resulting in seven hundred twenty nine (729) dog registrations being received which is a 53% fifty three per cent increase in the number of dogs registered within the Maranoa Regional Council local government area.

Prior to the conduct of this program a number of initiatives have been implemented and tasks undertaken to increase community awareness of requirements of the Animal Management (Cats & Dogs) Act and Regulation in relation to registration requirements and regulated dog provisions. This includes:

- A refreshed renewal notice – including information relating to registration requirements, inspection programs and penalties for non-compliance
- Following up on any renewal notices that have been returned to sender to determine if address details are required to be updated or dogs removed from council records
- Media Release/s – alerting animal owners that registration renewal is due
- Facebook posts – alerting animal owners that registration renewal is due and that non payment may result in an infringement being issued
- Messages on Hold featuring notifications relating to registration renewal
- Magnetised signs placed on Community Safety Vehicles promoting the message that registration is now due
- An outbound contact program is planned to be conducted during July attempting to contact owners of animals listed in Councils database that have not renewed registration by the due date (30 June 2019) by a number of methods – including SMS, phone call and email
- A fact sheet providing information on the Selective Inspection Program will be made available at Customer Service Centres, on the Council Website and posted on Facebook to increase awareness of the program
- A media release is planned to be issued on approval of the program and a statutory notice placed in the Western Star and included on the Council website providing details of the approved program
- A letterbox drop is planned to be conducted during the month of August to inform residents that an inspection program will commence in September 2019
- Messages on Hold will feature a notification relating to the Selective Inspection Program

The purpose of this report is to approve the conduct of the annual selective inspection program for the financial year 2019/20.

### **Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under***

***consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

### **Animal Management (Cats & Dogs) Act 2008 Section 111 General power to enter places**

- (1) An authorised person may enter a place if—
  - (h) the entry is—
  - (i) under an approved inspection program; and
  - (ii) made at any reasonable time of the day or night.

### **Section 113 Approval of inspection program authorising entry**

- (1) A local government (the **approving local government**) may by resolution approve a program (an **approved inspection program**) under which an authorised person may enter a place to monitor compliance with this Act or an aspect of this Act.  
Examples of approved inspection program— monitoring compliance with requirements of permit conditions
- (2) An approved inspection program must be a selective inspection program or systematic inspection program.
- (3) A selective inspection program provides for the selection, in accordance with the resolution, of places in the local government's area, or a particular part of the area, to be entered and inspected.
- (4) A systematic inspection program provides for all places, or all places of a particular type, in the local government's area, or a particular part of the area, to be entered and inspected.
- (5) An approved inspection program must state the following—
  - (a) the purpose of the program;
  - (b) when the program starts;
  - (c) for a selective inspection program—
    - (i) objective criteria for selecting places to be entered and inspected; and
    - (ii) if the places are to be selected from a part of the local government's area—a description of the part;

### **Section 114 Notice of proposed inspection program**

- (1) At least 14 days, but not more than 28 days, before an approved inspection program starts, the approving local government must give notice of the program.
- (2) The notice must be published—
  - (a) in a newspaper circulating generally in the local government's area; and
  - (b) on the local government's website.
- (3) The notice must state the following—
  - (a) the name of the local government;
  - (b) in general terms, the purpose and scope of the program;
  - (c) when the program starts;
  - (d) the period over which the program is to be carried out;
  - (e) that a copy of the program is open to inspection at the public office of the local government until the end of the program;
  - (f) that a copy of the program may be purchased at the public office of the local government until the end of the program;
  - (g) the price of a copy of the program.

- (4) The price of a copy of the program must be no more than the cost to the local government of having the copy available for purchase and, if the copy is posted to the purchaser, the postage cost.

### **Section 115 Access to program**

From the publication by an approving local government of a notice about an approved inspection program until the end of the program—

- a) a copy of the program must be open to inspection at the public office of the local government; and
- b) copies of the program must be available for purchase at the public office of the local government at the price stated in the notice.

### **Subdivision 3 Entry under other powers other than for public places**

#### **Section 122 Procedure for other entries**

- (1) This section applies if –

- (a) an authorised person is intending to enter a place under section 111(1), other than paragraph (a) or (c), or 112; and
- (b) the occupier of the place is present at the place.

- (2) Before entering the place, the authorised person must do or make a reasonable attempt to do the following things –

- (a) comply with section 107 for the occupier;
- (b) tell the occupier the purpose of the entry;
- (c) tell the occupier the authorised person is permitted under this Act to enter the place without the occupier's consent.

### **Part 3 Powers on entry**

#### **123 General powers after entering places**

- (1) An authorised person who has, under part 2, entered a place may -

- (a) search any part of the place the authorised person is authorised, under section 111(1)(a) or (c), to search; or
- (b) inspect, test, photograph or film anything in or on the place; or
- (c) copy a document in or on the place; or
- (d) take samples of or from anything in or on the place; or
- (e) take into or onto the place any persons, equipment and materials the authorised person reasonably requires for exercising a power under this part; or
- (f) require the occupier of the place, or a person in or on the place, to give the authorised person reasonable help to exercise the authorised person's powers under paragraphs (a) to (e).

**Council Policies or Asset Management Plans:**

*Does Council have a policy, plan or approach ordinarily followed for this type of decision?*

*What are relevant sections of the policy or plan?*

(Quote/insert the relevant section's wording / description within the report)

This inspection program is listed in Councils Annual Operational Plan as a yearly proactive service. It is undertaken to encourage responsible pet ownership within the community and is directly linked to the Corporate Plan 2019 – 2023 Section 3.1.2 *Ensure compliance with the State Governments Animal Management (Cats & Dogs) Act & Regulation 2008.*

**Input into the Report & Recommendation:**

*Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?* (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Lead Animal Control/Community Safety Officer – Jason Scott  
Manager Community Services – Samantha Thrupp  
Director Corporate, Community & Commercial Services – Sharon Frank

**Funding Bodies:**

*Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.* (Please do not just include names)

Not applicable

**This Financial Year's Budget:**

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

Included in operating budget.

**Future Years' Budgets:**

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?* (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Not applicable

**Impact on Other Individuals or Interested Parties:**

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*

(Interested Parties Analysis - IS9001:2015)

Not applicable

**Risks:**

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
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Regulated Dog provisions not being maintained	To reduce further incidents or attacks it is essential that regulated dog provisions are maintained. Without this inspection program this would not be able to be adequately monitored therefore increasing the risk of future incident
Lack of compliance to dog registration requirements	<p>A lower amount of lost dogs being reunited with their owners. Higher number of unclaimed dogs in the pound, creating additional demand on resources and increase costs associated with the operation of the pound facility, with the likelihood of increasing costs associated with euthanasia.</p> <p>Not fulfilling requirements to State Government Legislation – Local Governments are responsible for enforcing the AMCAD Act requirements in their LGA</p>

### Advice to Council:

***What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?***

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

It is recommended that Council approve a Selective Inspection Program for 2019.

By continuing to conduct this program on an annual basis, and applying a consistent approach to non-compliance will indicate to the community of the Maranoa that Council are determined to increase responsible animal ownership and actively enforce the applicable State Legislation related to registration and regulated dog provisions. This includes the issue of on the spot fines for non-compliance with dog registration requirements and remedial notices and fines if warranted for non-compliance to regulated dog provisions. In the previous program, officers took the reasonable approach of issuing one fine per animal owner, in lieu of one fine per non-compliant animal, it is recommended that this approach be followed in subsequent inspection programs.

Throughout the year as part of standard operating procedures, officers on determination of non-compliance, issue advisory notices (warnings) providing animal owners with the opportunity to take appropriate action to avoid financial penalties. On the spot fines are rarely issued on a first offence, outside of this program, as our policy is to educate first, providing an opportunity for the owner to take the appropriate action.

Given the actions already undertaken and the planned tasks relating to the conduct of this program, it is reasonable to suggest that Council have taken sufficient action to generate awareness of legislative requirements, providing ample opportunities for animal owners to take appropriate action. I would advise to continue to follow the approach used in the last SIP, being the Issue of on the spot fines throughout the duration of this program.



**Recommendation:**

***What is the 'draft decision' based on the advice to Council?***

That Council resolve:

1. That under section 113(1) of the Animal Management (Cats and Dogs) Act 2008 (AMCAD) Council approves a selective inspection program to allow authorised persons to enter and inspect selected properties in part of its local government area.
2. In accordance with section 113(5)(a) of the AMCAD Act 2008 the purpose of the program is to monitor compliance with the Chapter 3 registration and Chapter 4 regulated dog provisions of the AMA.
3. In accordance with section 113(5)(b) and (e) of the AMCAD Act 2008 the program will commence on Monday 2 September and conclude on Friday 29 November 2019.
4. In accordance with section 113(5)(c) of the AMCAD Act 2008 inspections may occur in premises situated within the townships of Amby, Injune, Jackson, Mitchell, Muckadilla, Mungallala, Roma, Surat, Wallumbilla and Yuleba being the areas defined as designated town areas in Schedule 13 of Subordinate Local Law No. 2 (Animal Management) 2011 where an Authorised Person has reasonable belief that an unregistered and/or regulated dog may be present.
5. In accordance with section 114 of the AMCAD Act 2008 a public notice will be given in the local newspaper on 9 August 2019 and on the Council website stating that the program will commence on Monday 2 September and conclude on Friday 29 November 2019
6. Where non-compliance is observed, remedial action will be sought and infringements issued.

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

It is recommended that Council approve a Selective Inspection Program for 2019. This program will select properties where Authorised Persons have a reasonable belief that unregistered dogs and/or regulated dogs may be present on premises in the township areas. Property and dog status can be then substantiated, evidence collected and remedial action or infringements issued if required.

***Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

No

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 3: Helping to keep our communities safe

3.1 Help to keep residents safe from other people's animals and property

3.1.2 Ensure compliance with the State Government's Animal Management (Cats & Dogs) Act 2008 and Regulation 2008, Council's Local Laws and Subordinate Local Laws with a particular focus on: - Animal control - Abandoned vehicles - Unsightly and overgrown allotments.

**Supporting Documentation:**

Nil

**Report authorised by:**

Director - Corporate, Community & Commercial Services

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 28 June 2019

**Item Number:** 11.3

**File Number:** D19/54833

**SUBJECT HEADING:** Annual Valuation Consultation for the Maranoa Region

**Classification:** Open Access

**Officer's Title:** Rates and Utilities Billing Officer

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### **Executive Summary:**

Correspondence has been received from the Department of Natural Resources, Mines and Energy seeking Council's opinion on whether a valuation is required for the Maranoa Region to be effective 30 June 2020.

### **Officer's Recommendation:**

That Council consider the Department of Natural Resources, Mines and Energy request.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Valuer-General, Department of Natural Resources, Mines and Energy.

### **Acronyms:**

***Are there any industry abbreviations that will be used in the report?***

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
Nil	

### **Context:**

***Why is the matter coming before Council?***

Correspondence was received from the Department of Natural Resources, Mines and Energy seeking Council's opinion if a valuation should be undertaken for the Maranoa Region to be effect from 30 June 2020.

### **Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

A revaluation has recently taken place for the Maranoa Region effective 30 June 2018 which saw a significant increase in the rural sector.

Representatives of State Valuation Services including the Valuer General Mr Neil Bray, advised that 435 objections for the valuations effective 30/06/2018 were received for the Maranoa Region. Due to these objections Council received approximately 700 new valuations and 100 amalgamations, some which were back dated 4 years, since January 2019.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

**Land Valuation Act 2010**

**Section 74 Exceptions to annual valuation requirement**

- (1) The valuer-general need not make an annual valuation of land in a local government area if the valuer-general considers it is not possible to do so because of unusual circumstances.
- (2) The valuer-general may decide not to make an annual valuation of land in a local government area after considering -
  - (a) a market survey report for the area; and
  - (b) the results of consultation with the local government for the area, and appropriate local groups and industry groups.

*Example of local group -*

the local Chamber of Commerce

*Examples of industry groups -*

AgForce, Queensland Industrial Union of Employers and Queensland Canegrowers Organisation Limited

- (2) In this section -  
***market survey report***, for a local government area, means a report to the valuer-general giving -
  - (a) details of sales of land, including sales of land outside the area, since the last annual valuation was made; and
  - (b) the probable impact of the sales on the value of land in the area if an annual valuation were to be made.

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Nil

### Input into the Report & Recommendation:

*Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?* (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

The letter pertains to the State Government consulting with Council.

### Funding Bodies:

*Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.* (Please do not just include names)

Nil

### This Financial Year's Budget:

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

Nil

### Future Years' Budgets:

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?* (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Any changes to valuations will need to be considered when making differential rates for 2020/21.

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?* (Interested Parties Analysis - IS9001:2015)

Landowners in the Maranoa Regional Council area.

### Risks:

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Reputational	<p>The Valuer-General (Department of Natural Resources, Mines and Energy decides whether an annual valuation of the land in the Maranoa is required (not Council).</p> <p>The Valuer-General may decide not to make an annual valuation of land in a local government area after considering a market survey report for the area; and the results of consultation with the local government for the area, and appropriate local groups and industry groups.</p>

**Advice to Council:**

***What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?***

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council consider the Department of Natural Resources, Mines and Energy request.

**Recommendation:**

***What is the 'draft decision' based on the advice to Council?***

That Council consider the Department of Natural Resources, Mines and Energy request.

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

***Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

No

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 2: Delivering strong financial management

2.2 Collect the revenue needed

2.2.5 Prepare, review and adopt revenue documents required by legislation (e.g. Revenue Policy, Revenue Statement, Fees and Charges Scheduled).

**Supporting Documentation:**

[1](#) Department of Natural Resources, Mines and Energy - D19/54654  
Consultation - Annual Valuation effective 30 June 2020.

**Report authorised by:**

Manager - Communication, Information & Administration Services

Director - Corporate, Community & Commercial Services



Department of  
Natural Resources,  
Mines and Energy

21 June 2019

Ms Julie Reitano  
Chief Executive Officer  
Maranoa Regional Council  
PO Box 620  
ROMA QLD 4455

Dear Ms Reitano

**Consultation – annual valuation effective 30 June 2020**

The *Land Valuation Act 2010* (the Act) requires the Valuer-General to undertake an annual statutory valuation of all rateable land in Queensland except in unusual circumstances or after consideration of:

- a market survey report of the Local Government Area which reviews sales of land since the last valuation and the probable impact of the sales on the value of land since the last annual valuation; and
- the results of consultation with the local government for the area, and appropriate local and industry groups.

Under the Act, annual valuations are required to be issued prior to 31 March in the year the valuation is to take effect.

In line with the requirements of the Act, I seek your local government's opinion on whether a valuation of your local government should be undertaken to be effective on 30 June 2020.

Please provide your response in writing by Friday, 19 July 2019 to the Office of the Valuer-General via the email or postal address details below.

When deciding if an annual valuation will be undertaken in your Local Government Area, I will consider the opinion of your local government, together with the other criteria as specified in this letter, and will advise you in due course.

Should you have any further enquiries, please do not hesitate to contact Mr John Thomas, Area Manager of the department on telephone 4529 1383.

Yours sincerely

A handwritten signature in black ink, appearing to be "Neil Bray".

Neil Bray  
**Valuer-General**

Level 3  
1 William Street, Brisbane  
PO Box 15216 City East, Brisbane  
Queensland 4002 Australia  
Telephone +61 7 3199 7770  
valuation.enquiries@dnrme.qld.gov.au  
www.qld.gov.au/landvaluation  
ABN 59 020 847 551

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 1 July 2019

**Item Number:** 11.4

**File Number:** D19/55635

**SUBJECT HEADING:** Delegation of Council Powers to the Chief Executive Officer under the Plumbing and Drainage Regulation 2019

**Classification:** Open Access

**Officer's Title:** Governance Officer

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### **Executive Summary:**

Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.

This report seeks Council's approval for the delegation of Council powers under the *Plumbing and Drainage Regulation 2019* to the position of Chief Executive Officer.

### **Officer's Recommendation:**

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Plumbing and Drainage Regulation 2019*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa Regional Council

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
PLDR	Plumbing and Drainage Regulation



**Context:**

***Why is the matter coming before Council?***

MacDonnell's Law provides monthly updates to Maranoa Regional Council as part of the Monthly Delegation Update service. Legislative changes to the *Plumbing and Drainage Regulation 2003* and the *Standard Plumbing and Drainage Regulation 2003* has subsequently changed local government powers.

Powers contained in the Instrument of Delegation attached had previously been delegated under the *Plumbing and Drainage Regulation 2003*, and the *Standard Plumbing and Drainage Regulation 2003*. On the 1<sup>st</sup> July 2019, these two pieces of legislation expired and were replaced by the *Plumbing and Drainage Regulation 2019*.

Whilst Council hadn't previously adopted powers under the *Plumbing and Drainage Regulation 2003*, we recommend that all powers listed under the new *Plumbing and Drainage Regulation 2019* be delegated, as in doing so, will contribute to the effective operation of Council and ensure work undertaken meets the legislative requirements of this regulation.

Instrument of Delegation has been updated accordingly (as attached).

**Background to the Delegation of Powers**

Council is vested with the power to make a range of decision and various actions under legislation and other statutory instruments. Council derives those powers from State law, such as the *Local Government Act 2009*, and under its local laws and planning scheme.

Section 257 of the *Local Government Act 2009* allows Council, by resolution, to delegate its powers under State and other laws, to one or more individuals or standing committees, including to the Chief Executive Officer.

The delegation of a Council's power does not involve Council parting with or surrendering those powers. Council continues to retain all powers which are the subject of delegation. A delegation involves the "sharing" of power, so that both Council and the Chief Executive Officer can exercise the same power.

Other important legal principles which apply to the delegation proposal set out in the report are:

- a) Council at all times retains the power to revoke the delegation. Accordingly Council retains ultimate control.
- b) Council, as the delegator, still has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- c) A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations. However, as with any vesting power, the delegated power cannot be unduly fettered.
- d) The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.

- e) A local government must not delegate a power that an Act states must be exercised by resolution.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

The *Standard Plumbing and Drainage Regulation 2003* Instrument of Delegation was last tabled at a Council meeting on 9 December 2015 to delegate Council powers to the Chief Executive Officer.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

This report has been provided in compliance with section 257 of the *Local Government Act 2009*, which allows for the Local Government, by resolution, to delegate power under the *Plumbing and Drainage Regulation 2019* and any other act to the Chief Executive Officer.

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Nil

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

MacDonnell's Law

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

Nil

**This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

The delegation update service is funded in the current financial years' budget.

**Future Years' Budgets:**

***Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?*** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Nil

**Impact on Other Individuals or Interested Parties:**

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*

(Interested Parties Analysis - IS9001:2015)

Chief Executive Officer

**Risks:**

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
If Council were to not delegate powers	The delegation of Local Government powers plays a vital part of the effective operation of Council.

**Advice to Council:**

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Delegation of Council powers to the Chief Executive Officer as per the Instrument of Delegation.

**Recommendation:**

*What is the 'draft decision' based on the advice to Council?*

*Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

*Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Plumbing and Drainage Regulation 2019*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 10: Organisational Management

10.4 Building Capability and Performance

10.4.1 Defining expectations and boundaries

**Supporting Documentation:**

1 [↓](#) Plumbing and Drainage Regulation 2019 - Instrument of Delegation - 10 July 2019 D19/55844

**Report authorised by:**

Director - Corporate, Community & Commercial Services

## **INSTRUMENT OF DELEGATION**

### **Maranoa Regional Council *Plumbing and Drainage Regulation 2019 ("PLDR")***

Under section 257 of the *Local Government Act 2009*, Maranoa Regional Council resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

## Schedule 1

**Plumbing and Drainage Regulation 2019 ("PLDR")****Part 4 – Treatment plant approvals and related matters****Division 1 – Applications**

Entity power given to	Section of PLDR	Description
Person	16(1)(a)	Power to apply to the Chief Executive for a treatment plant approval for a greywater treatment plant of a particular type.
Person	16(1)(b)	Power to apply to the Chief Executive for a treatment plant approval for a secondary on site sewage treatment plant of a particular type.
Holder of a treatment plant approval	16(2)	Power to apply to the Chief Executive to amend an approval.

**Division 2 – Duration and transfer of approvals**

Entity power given to	Section of PLDR	Description
Holder of a treatment plan approval.	23(b)(i)(B)	In the specified circumstances, the power to agree to a longer period with the Chief Executive.
New Holder	24(2)	In the specified circumstances, the power to give the Chief Executive notice of the transfer in the approved form.

**Division 3 – Inspecting approved treatment plans**

Entity power given to	Section of PLDR	Description
Local Government	26(1)	In the specified circumstances, the power to give the Chief Executive the specified information.
Person	27(c)	In the specified circumstances, the power to consent to the person arranged by the Chief Executive to enter the premises to carry out an inspection.

**Division 4 – Cancellation of approvals**

Entity power given to	Section of PLDR	Description
Holder of a treatment plant approval	29(1)	Power to make written representations about a show cause notice to the Chief Executive in the show cause notice period.

**Division 5 – Special provisions**

Entity power given to	Section of PLDR	Description
Holder of an existing treatment plant approval	34(1)	In the specified circumstances, the power to apply to the Chief Executive to renew an approval under this section.

**Part 5 –****Permits****Division 2 – Permits issued by a local government****Subdivision 2 – Local government declarations about permit work**

Entity power given to	Section of PLDR	Description
Local Government	41(a)	In the specified circumstances, the power to publish a fast-track work declaration or a fast-track opt-out declaration on the local government's website.
Local Government	41(b)	Power to give a copy of a fast-track work declaration or fast-track opt-out declaration for a local government area to the Chief Executive and, if the local government is a participating local government for a distributor-retailer, the distributor retailer.
Local Government	41(c)	Power to make a fast-track work declaration or fast-track opt-out declaration for a local government area available to be inspected, free of charge, at the local government's public office.

**Subdivision 4 – Processing applications**

Entity power given to	Section of PLDR	Description
Local Government	44(1)(b)(iv)	In the specified circumstances, the power to set the local government application fee.
Local Government	45(1)(a)	Power to consider that an application is not a properly made application.
Local Government	45(1)(b)	Power to consider that the local government does not have the expertise to assess work the subject of an application.
Local Government	45(1)(c)	Power to consider that the local government requires further information to decide an application.
Local Government	45(2)	In the specified circumstances, the power to give a notice, to the applicant in the initial consideration period, ask the applicant to do a specified thing.
Local Government	45(4)	In the specified circumstances, the power to treat an application as having lapsed and to retain the local government application fee.
Local Government	46	In the specified circumstances, the power to consider each properly made application and decide to: <ol style="list-style-type: none"> <li>1. Refuse the application; or</li> <li>2. approve the application with:</li> </ol>

		(a) in the specified circumstances to approve the application with the conditions of approval; and (b) any other conditions that the Local Government considers reasonable and relevant for carrying out the work.
Local Government	47(1)	In the specified circumstances, the power to assess whether each plan for work accompanying an application complies with the code requirements for the work.
Local Government	47(2)	In the specified circumstances, the power to approve an application if the local government is satisfied with the specified things.
Local Government	47(5)	In the specified circumstances, the power to be satisfied that the specialist work referred to in this section would, if carried out in compliance with the permit applied for comply with the code requirements for the work and the power to approve the application to the extent it relates to the specialist work if so satisfied.
Local Government	48(a)	In the specified circumstances, the power to issue a permit, or an amended permit, in the approved form to the applicant.
Local Government	48(b)	In the specified circumstances, the power to give a copy of a permit or amended permit to the persons and entities listed in this section.
Local Government	49(3)(a)(ii)	In the specified circumstances, the power to agree to a longer required period with an applicant of a fast-track application.
Local Government	49(3)(b)(ii)	In the specified circumstances, the power to agree to a longer required period with an applicant of any other application.
Local Government	50(2)	Power to give an applicant an information notice about a decision.

### Division 3 – Permits issued by public sector entities

Entity power given to	Section of PLDR	Description
Local Government	53(2)(e)(i)	In the specified circumstances, the power to provide written consent for an application relating to SEQ water work.
Local Government	53(2)(f)(i)	In the specified circumstances, the power to provide written consent for work relating to SEQ sewerage work.

### Division 4 – Effects and duration of permits

Entity power given to	Section of PLDR	Description
Local Government	59(3)	In the specified circumstances, the power to give notice of the day a permit is to end to the permit holder and if the permit holder is not the owner of the premises to which the permit relates, the owner of the premises.



**Part 6 – Inspecting, enforcing and certifying permit work and notifiable work**

**Division 2 – Inspecting work under permits**

***Subdivision 1 – Inspecting work under permit issued by local government***

Entity power given to	Section of PLDR	Description
Local Government	64(2)(a)	Power to agree to a time for inspection with the responsible person.
Local Government	67(2)	In the specified circumstances, instead of inspecting work under section 64, the power to allow the responsible person to give the local government a covered work declaration for the work.

***Subdivision 3 – Inspecting work under permit issued by public sector entity***

Entity power given to	Section of PLDR	Description
Local Government	68(3)	In the specified circumstances, the power to inspect the work if the public sector entity has asked the local government to inspect the work under subsection 68(2).

**Division 3 – Alternatives to local government inspections**

***Subdivision 1 – Declarations for onsite sewage work***

Entity power given to	Section of PLDR	Description
Local Government	69(2)	In the specified circumstances, the power to allow an appropriate person to give the local government a declaration in the approved form stating that the person has inspected the onsite sewage work and is satisfied the work is compliant.
Local Government	69(3)	In the specified circumstances, the power to consider a person has appropriate knowledge about the design and function of an onsite sewage facility to which the work relates and is otherwise competent to make a declaration

***Subdivision 2 – Notices for particular work in remote areas***

Entity power given to	Section of PLDR	Description
Local Government	71(2)	In the specified circumstances, the power to publish each declaration on the local government's website, to give the Chief Executive a copy of each declaration, to ensure that the declaration may be inspected free of charge at the local government's public office and to ensure each remote area declaration includes a map identifying the remote area.

Local Government	73(2)	In the specified circumstances, the power to be satisfied the person is a suitability qualified person for giving the notice and to decide to accept a remote area compliance notice, or otherwise refuse to accept the notice.
Local Government	73(3)	In the specified circumstances, the power to, within 5 business days after receiving a remote area compliance notice, give the responsible person a notice stating whether the local government has accepted or refused to accept the notice.

#### **Division 4 – Assessment and compliance procedures**

##### ***Subdivision 2 – Minor plan amendments***

<b>Entity power given to</b>	<b>Section of PLDR</b>	<b>Description</b>
Local Government	75(1)(a)	Power to consider the work carried out under a permit is not correctly represented in an approved plan for the work because of a minor inconsistency between the plan and the work.
Local Government	75(1)(b)	Power to, other than for the work the subject of a decision under subsection 75(1)(a), consider the work carried out under the work permit is compliant.
Local Government	75(2)	In the specified circumstances, the power to amend an approved plan so that the plan correctly reflects the work carried out under a permit.

##### ***Subdivision 3 – Testing or commissioning plumbing or drainage***

<b>Entity power given to</b>	<b>Section of PLDR</b>	<b>Description</b>
Local Government	76(3)(b)	In the specified circumstances, the power to consider a person is competent to carry out the testing or commissioning.
Local Government	77(4)(b)	In the specified circumstances, the power to decide a report may be given within a longer period.

#### **Division 5 – Inspection and final inspection certificates**

##### ***Subdivision 2 – Certificates given by a local government***

<b>Entity power given to</b>	<b>Section of PLDR</b>	<b>Description</b>
Local Government	83(1)	In the specified circumstances, the power to give an inspection certificate for work to the responsible person for the work.
Local Government	84(1)	In the specified circumstances, the power to give a final inspection certificate for the work to the responsible person for the work.
Local Government	84(1)(c)	In the specified circumstances, the power to be satisfied the plumbing or drainage resulting from, or affected by, the work is operational and fit for use.

Local Government	86(1)	In the specified circumstances, the power to after giving a final inspection certificate for work under section 84, give a copy of the certificate to the permit holder, and if the permit holder is not the owner of the premises the owner of the premises, and if the work involves installing a water meter and the local government is not the water service provider for the premises the water service provider.
Local Government	86(3)	In the specified circumstances, the power to give a distributor retailer the specified information in subsection 86(2)(b).
Local Government	87(3)	In the specified circumstances, the power to give an information notice about the decision to refuse to give an inspection certificate or final inspection certificate.

### Division 6 – Inspecting notifiable work not under permit

Entity power given to	Section of PLDR	Description
Local Government	94(2)(a)	In the specified circumstances, the power to agree to a time to inspect work with the responsible person.
Local Government	95(1)(b)	In the specified circumstances, the power to contact the occupier of the premises to arrange to inspect the work.

### Division 7 – Requirements for action notices

Entity power given to	Section of PLDR	Description
Local Government	97(3)	In the specified circumstances, the power to include an information notice about the decision by the local government to give an action notice.
Local Government	98(2)(b)	In the specified circumstances, the power to decide a longer period before the end of a stated period.
Local Government	98(3)	In the specified circumstances, the power to consider the person has not complied with an action notice and to give a copy of the action notice to the owner of a premises within 5 business days after the end of the required period for compliance under subsection 98(2).

### Part 7 – Installation, maintenance and related matters

Entity power given to	Section of PLDR	Description
Local Government	101	Power to establish a program for registering each testable backflow prevention device installed at premises in the local government area and for monitoring the maintenance and testing of each device.
Local Government	107(2)	In the specified circumstances, the power to: <ol style="list-style-type: none"> <li>1. Remove the obstruction or fix the damage; and</li> <li>2. Fairly apportion the reasonable cost of removing the obstruction or fixing the damage between the owners; and</li> </ol>

		3. To recover as a debt from each owner, the owner's share of the cost.
Local Government	108(2)	In the specified circumstances, the power to issue a notice to the owner of an old building and the owner of a new building requiring the owners to take specified action in section 108(2)(a) and section 108(2)(b).

## Part 8 – Registers

### Division 2 – Registers kept by local governments

Entity power given to	Section of PLDR	Description
Local Government	112(1)	Power to keep a register containing the specified information.
Local Government	113(1)	Power to keep a register containing each notice given to the local government under section 102(2) or 103(3).
Local Government	114(1)	Power to keep a register containing a copy of each service report for a greywater use facility or onsite sewage facility given to a local government under section 106.
Local Government	115(1)	Power to keep a register containing a copy of each show cause notice and enforcement notice given by the local government.
Local Government	115(2)	Power to remove a notice mentioned in subsection 115(1) from the register if the premises to which the notice relates is demolished or removed.
Local Government	116(2)	In the specified circumstances, the power to decide the reasonable cost of producing a copy of an entry into a register, and to allow a person to inspect the register, free of charge, at the local governments public office or buy a copy of an entry in the register for not more than the reasonable cost of producing a copy.

## Part 9 – Miscellaneous provisions

### Division 2 – Other matters

Entity power given to	Section of PLDR	Description
Local Government	124(2)(b)	In the specified circumstances, the power to determine what qualifications and experience is necessary to enable a person to assess plans for, or inspect, plumbing work competently.
Local Government	124(3)(b)	In the specified circumstances, the power to determine what qualifications and experience necessary to enable the person to assess plans for, or inspect, drainage work competently.
Local Government	124(4)(c)	In the specified circumstances, the power to determine what qualifications and experience necessary to enable a person to assess for, or inspect, onsite sewage facility competently.

**SCHEDULE 6 – DOCUMENTS TO ACCOMPANY PERMIT APPLICATIONS****Part 3 – Additional documents required for particular applications**

Entity power given to	Section of PLDR	Description
Local Government	6(3)(c)	In the specified circumstances, the power to decide whether a person is competent to develop the performance solution.
Local Government	7(3)(c)	In the specified circumstances, the power to consider whether a person is competent to develop the alternative solution.

**Part 4 – Requirements for plans**

Entity power given to	Section of PLDR	Description
Local Government	8(2)(b)	In the specified circumstances, the power to determine if a plan provided for an application other than a fast track application or a fast track amendment application shows enough detail to allow the local government to assess the work to which the plan relates.
Local Government	8(3)(c)	In the specified circumstances, the power to determine if the relevant details provided for work relating to a greywater use facility of an onsite sewage facility provides enough information about the person's qualifications and experience to allow the local government to decide whether the person is a qualified person to design the facility.

**SCHEDULE 10 – DICTIONARY**

Entity power given to	Section of PLDR	Description
Local Government	Schedule 10 definition of "Suitably qualified trade person" (a)	In the specified circumstances, the power to determine whether a person has the experience and skills appropriate for preparing and giving a notice, statement or other document.
Local Government	Schedule 10 definition of "Suitably qualified trade person" (d)	Power to consider whether a person is competent to prepare and give the document.

## Schedule 2

**LIMITATIONS TO THE EXERCISE OF POWER**

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

[2019 07 01 - PLDR - Delegation Instrument]

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 2 July 2019

**Item Number:** 11.5

**File Number:** D19/55897

**SUBJECT HEADING:** Delegation of Council Powers to the Chief Executive Officer under the Plumbing and Drainage Act 2018

**Classification:** Open Access

**Officer's Title:** Governance Officer

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### **Executive Summary:**

Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.

This report seeks Council's approval for the delegation of Council powers under the *Plumbing and Drainage Act 2018* to the position of Chief Executive Officer.

### **Officer's Recommendation:**

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Plumbing and Drainage Act 2018*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa Regional Council

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
PLDA	Plumbing and Drainage Act 2018

**Context:**

***Why is the matter coming before Council?***

MacDonnell's Law provides monthly updates to Maranoa Regional Council as part of the Monthly Delegation Update service. Legislative changes to the *Plumbing and Drainage Act 2002* has subsequently changed local government powers.

All of the powers contained in the Instrument of Delegation attached had previously been delegated under the Plumbing and Drainage Act 2002. On 11 September 2018, the Plumbing and Drainage Act 2002 expired and was replaced by the Plumbing and Drainage Act 2018, with the powers subsequently coming into force on 1 July, 2019.

The Instrument of Delegation has been updated accordingly (as attached).

**Background to the Delegation of Powers**

Council is vested with the power to make a range of decision and various actions under legislation and other statutory instruments. Council derives those powers from State law, such as the *Local Government Act 2009*, and under its local laws and planning scheme.

Section 257 of the *Local Government Act 2009* allows Council, by resolution, to delegate its powers under State and other laws, to one or more individuals or standing committees, including to the Chief Executive Officer.

The delegation of a Council's power does not involve Council parting with or surrendering those powers. Council continues to retain all powers which are the subject of delegation. A delegation involves the "sharing" of power, so that both Council and the Chief Executive Officer can exercise the same power.

Other important legal principles which apply to the delegation proposal set out in the report are:

- a) Council at all times retains the power to revoke the delegation. Accordingly Council retains ultimate control.
- b) Council, as the delegator, still has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- c) A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council to impose checks and balances on its delegations. However, as with any vesting power, the delegated power cannot be unduly fettered.
- d) The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.
- e) A local government must not delegate a power that an Act states must be exercised by resolution.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)



The Plumbing and Drainage Act 2002 Instrument of Delegation was last tabled at a Council meeting on 9 December 2015 to delegate Council powers to the Chief Executive Officer.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

This report has been provided in compliance with section 257 of the *Local Government Act 2009*, which allows for the Local Government, by resolution, to delegate power under the *Plumbing and Drainage Act 2018* and any other act to the Chief Executive Officer.

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Nil

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

MacDonnell's Law

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

Nil

**This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

The delegation update service is funded in the current financial years' budget.

**Future Years' Budgets:**

***Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?*** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Nil

**Impact on Other Individuals or Interested Parties:**

***Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?***

(Interested Parties Analysis - IS9001:2015)

Chief Executive Officer

**Risks:**

***What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)*** (List each identified risk in a table)

Risk	Description of likelihood & consequences
If Council were to not delegate powers	The delegation of Local Government powers plays a vital part of the effective operation of Council.

**Advice to Council:**

***What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?***

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Delegation of Council powers to the Chief Executive Officer as per the Instrument of Delegation.

**Recommendation:**

***What is the 'draft decision' based on the advice to Council?***

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

***Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Plumbing and Drainage Act 2018*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 10: Organisational Management

10.4 Building Capability and Performance

10.4.1 Defining expectations and boundaries

**Supporting Documentation:**

[1](#) Plumbing and Drainage Act 2018 - Instrument of Delegation - 10 July 2019

D15/99510

**Report authorised by:**

Director - Corporate, Community & Commercial Services

## **INSTRUMENT OF DELEGATION**

### **Maranoa Regional Council *Plumbing and Drainage Act 2018 ("PLDA")***

Under section 257 of the *Local Government Act 2009*, Maranoa Regional Council resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

## Schedule 1

**Plumbing and Drainage Act 2018 ("PLDA")****Part 3 – General Offences****Division 5 – Discharge and disposal offences**

Entity power given to	Section of PLDA	Description
Local Government	75(4)(e)(i)	In the specified circumstances, the power to approve a maximum temperature for a substance.
Local Government	77	Power to grant approval to a person to dispose of the contents of a greywater treatment plan into the sewerage system in an area for which the plant is located.

**Division 6 – Offences relating to finishing notifiable work**

Entity power given to	Section of PLDA	Description
Local Government	83(7)(c)	In the specified circumstances, the power to contact an occupier to arrange for the local government to inspect the work.

**Part 4 – Legal proceedings****Division 1 – General**

Entity power given to	Section of PLDA	Description
Local Government	90(1)(d)	Power to commence a prosecution for an offense against this act, other than a crime.

**Part 6 – Role of local governments****Division 3 – Plumbing and drainage inspectors**

Entity power given to	Section of PLDA	Description
Local Government	139(1)	Power to be satisfied an authorised person has the qualification and experience prescribed by regulation to be appointed as an inspector under this act and to appoint that authorised person as an inspector under this act.
Local Government	139(2)	Power to place conditions on the appointment of an inspector by placing those conditions in the instrument of appointment.
Local Government	142(a)	Power to advise the commissioner of each appointment of an inspector made by the local government.
Local Government	142(b)	Power to give the commissioner a list of the local government's inspectors as at 1 July in each year, within 20 business days after that day.

## Division 4 – Enforcement by local governments

Entity power given to	Section of PLDA	Description
Local Government	143(1)	In the specified circumstances, the power to form a reasonable belief that the plumbing or drainage work does not comply with this Act and the power to give a notice to a person who carried out the plumbing or drainage work requiring the person to take stated action.
Local Government	143(2)	The power to form a reasonable belief in the nature set out in section 143(2)(a) to (c) and to give a notice to the owner of a premises requiring the owner to take stated action.
Local Government	143(3)	In the specified circumstances, the power to give the owner of a premises a notice requiring the owner to take stated action if the local government reasonably believes plumbing on the premises has polluted or could be polluting the water supply in a premise or a water service providers water service.
Local Government	144(2)	In the specified circumstances, the power to form a reasonable belief that an enforcement notice relating to plumbing and drainage is a danger to persons or a risk to public health, otherwise, the power to give a notice (a <b>show cause notice</b> ) to a person before giving an enforcement notice.

## Schedule 2

**LIMITATIONS TO THE EXERCISE OF POWER**

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

[2018 10 19 - PLDA - Delegation Instrument]

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 2 July 2019

**Item Number:** 11.6

**File Number:** D19/55956

**SUBJECT HEADING:**

Delegation of Council Powers to the Chief Executive Officer under the Waste Reduction and Recycling Act 2011

**Classification:**

Open Access

**Officer's Title:**

Governance Officer

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### **Executive Summary:**

Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.

This report seeks Council's approval for the delegation of Council powers under the *Waste Reduction and Recycling Act 2011* to the position of Chief Executive Officer.

### **Officer's Recommendation:**

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Waste Reduction and Recycling Act 2011*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa Regional Council

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
WRRRA	Waste Reduction and Recycling Act

**Context:**

*Why is the matter coming before Council?*

MacDonnell's Law provides monthly updates to Maranoa Regional Council as part of the Monthly Delegation Update service. Legislative changes to the Waste Reduction and Recycling Act 2011 has subsequently changed local government powers.

MacDonnell's Law advised of the following changes and the Instrument of Delegation has been updated accordingly (attached).

**CHAPTER 3 – WASTE LEVY**

**Part 2 – Identifying exempt waste**

**Division 1A – Serious local event waste**

27A(1)	Power to withdraw an infringement notice at any time before the fine is satisfied in full.	<i>New addition to the table of powers.</i>
27A(2)(a) to (c)	In the specified circumstances, the power to give to the Chief Executive a notice, as soon as practicable of the specified matters.	<i>New addition to the table of powers</i>

**Division 2A – Approval of waste as exempt waste**

28(1)	Power to apply to the Chief Executive for approval of waste, identified in the application (an <b>exempt waste application</b> ), as exempt waste.	<i>New addition to the table of powers.</i>
28(3A)	Power to make an application about serious local event waste generated in the local government area.	<i>New addition to the table of powers</i>
29(1)	In the specified circumstances, the power to provide the Chief Executive with the further reasonable information or documents sought.	<i>New addition to the table of powers.</i>
29(2)	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.	<i>New addition to the table of powers</i>
31(3)	In the specified circumstances, the power to ask for or agree to conditions being imposed on the approval.	<i>New addition to the table of powers.</i>
33(1)	In the specified circumstances, the power to agree to amendment of the approval.	<i>New addition to the table of powers</i>
34(3)(e)	In the specified circumstances, the power to make written submissions to show why the action proposed by the Chief Executive should not be taken.	<i>New addition to the table of powers</i>



### Part 3 – Operation of waste levy

40(2)	In the specified circumstances, the power to agree to a method of working out the waste that is taken to have been generated outside the non-levy zone and the total amount of that waste.	<i>New addition to the table of powers</i>
42(2)	In the specified circumstances, the power to make a reasonable estimate of the amount of each type of waste included in the mixed waste using the information given to the operator under section 53.	<i>New addition to the table of powers</i>

### Part 4 – Discounting waste levy for residue waste

44(1)	Power to apply to the Chief Executive for approval of a discounted rate for the waste levy for residue waste identified in the application (a <b>residue waste discounting application</b> ).	<i>New addition to the table of powers.</i>
45(2)	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.	<i>New addition to the table of powers</i>
47(3)	In the specified circumstances, the power to agree to or ask for a condition to be imposed on the approval.	<i>New addition to the table of powers.</i>
49(1)	In the specified circumstances, the power to agree with the Chief Executive to the amendment of the approval.	<i>New addition to the table of powers</i>
50(3)(e)	Power to make written submissions to show why the proposed action should not be taken.	<i>New addition to the table of powers</i>

### Part 5 – Obligations relating to waste levy

#### Division 1 – Obligations of persons delivering waste

53(2)	<p>In the specified circumstances, the power to form a belief regarding what is reasonably required from the person who delivers waste to a waste disposal site to identify:</p> <ul style="list-style-type: none"> <li>(a) how much of the waste is exempt waste and how much of it is leviable waste; and</li> <li>(b) for each type of waste required to be measured by the operator under section 59 – how much waste there is; and</li> <li>(c) whether the waste was generated in the waste levy zone, the non-levy zone or outside Queensland.</li> </ul>	<i>New addition to the table of powers</i>
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**Maranoa Regional Council**

**General Meeting - 10 July 2019**

53(5)	In the specified circumstances, the power to ask a person for information in the approved form.	<i>New addition to the table of powers.</i>
54(2)	In the specified circumstances, the power is to form a view about what is reasonably required to identify: (a) how much of the waste is exempt waste and how much of it is leviable waste; and (b) whether the waste was generated in the waste levy zone or outside Queensland.	<i>New addition to the table of powers</i>
54(4)	Power to require a person to give the delivery information to the operator or entity in the approved form.	<i>New addition to the table of powers</i>

**Division 2 – Obligations of operators of waste disposal sites**

***Subdivision 3 – Measurement of waste***

60(3)	In the specified circumstances, the power to agree with the Chief Executive how to measure and record a particular amount of waste or other material	<i>New addition to the table of powers</i>
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***Subdivision 4 – Monitoring system***

64(3)(f)(i)	In the specified circumstances, the power to approve a person to erase or destroy a recording.	<i>New addition to the table of powers.</i>
64(4)(b)	In the specified circumstance, the power to destroy a recording.	<i>New addition to the table of powers</i>
64(5)(a)(ii)	Power to approve a person to operate a monitoring system.	<i>New addition to the table of powers</i>

**Division 3 – Payment options**

***Subdivision 1 – Waste levy instalment agreements***

72C(1)	Power to apply to the Chief Executive to enter into a waste levy instalment agreement for a waste levy amount the operator must pay the State.	<i>New addition to the table of powers</i>
72D(1)	Power to apply to the Chief Executive for an amendment of the waste levy instalment agreement in the prescribed manner.	<i>New addition to the table of powers</i>

***Subdivision 2 – Extension of time***

72G(1)	In the specified circumstances, the power to apply to the Chief Executive for an extension of time to pay the waste levy amount.	<i>New addition to the table of powers</i>
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<p align="center"><b>Maranoa Regional Council</b></p> <p align="center"><b>General Meeting - 10 July 2019</b></p>
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72H(1)	In the specified circumstances, the power to apply to the Chief Executive for an extension of time to submit a waste data return and pay a waste levy amount.	<i>New addition to the table of powers</i>
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**Subdivision 2 – Bad debt credit**

72L(1)	In the specified circumstances, the power to apply to the Chief Executive for relief.	<i>New addition to the table of powers</i>
72M(2)	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents requested by the Chief Executive.	<i>New addition to the table of powers</i>

**Part 6 – Resource recovery area**

**Division 1 – Declaration of resource recovery area**

72R	In the specified circumstances, the power to declare an area within the site a <u>resource recovery area</u> .	<i>New addition to the table of powers</i>
72S(1)	In the specified circumstances, the power to give the Chief Executive notice of a proposed resource recovery area at least 20 days before using the area as a resource recovery area.	<i>New addition to the table of powers.</i>
72U(1)	In the specified circumstances, the power to amend the area's declaration as resource recovery area by giving the Chief Executive notice of the proposed amendment at least 20 days before the amendment is to take effect.	<i>New addition to the table of powers</i>
72V(1)	In the specified circumstances, the power to cancel the area's declaration as a resource recovery area by giving the Chief Executive notice of the proposed cancellation at least 30 days before the cancellation is to take effect.	<i>New addition to the table of powers</i>
72W(2)(e)	In the specified circumstances, the power to make written submissions to show why the proposed action should not be taken.	<i>New addition to the table of powers</i>

**Part 3 – Transitional provisions for Waste Reduction and Recycling (Waste Levy) Amendment Act 2019**

**Division 1 – Exemption from waste levy for particular residue waste during transition period**

310(1)	In the specified circumstances, the power to apply to the Chief Executive for an approval that residue waste identified in the application (a <b>transition period exempt</b>	<i>New addition to the table of powers</i>
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	<b>residue waste application</b> ) is exempt waste for the transition period.	
313(3)	In the specified circumstances, the power to agree to or ask for a condition.	<i>New addition to the table of powers</i>
315(3)(e)	In the specified circumstances, the power within a stated period to make written submissions to show why the proposed action should not be taken.	<i>New addition to the table of powers</i>

### **Division 2 – Exemption from weighbridge requirements for particular sites under 20 June 2029**

317(2)	In the specified circumstances, the power to apply to the Chief Executive for an exemption during the transition period from the requirements under section 57.	<i>New addition to the table of powers</i>
320(3)	In the specified circumstances, the power to ask for or agree to a condition with the Chief Executive.	<i>New addition to the table of powers</i>

### **Division 3 – Other matters**

322(a)	In the specified circumstances, the power to give the Chief Executive notice that it is not practicable to use the weighbridge to measure and record waste or other material delivered to the site.	<i>New addition to the table of powers</i>
325(a)	In the specified circumstances, the power to give the Chief Executive written notice of a proposed alternative methodology for measuring and recording waste at the site.	<i>New addition to the table of powers</i>

#### **Background:**

##### ***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

The Waste Reduction and Recycling Act 2011 Instrument of Delegation was last tabled at a Council meeting on 26 October 2012 to delegate Council powers to the Chief Executive Officer.

#### **Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

##### ***What does the legislation and other statutory instruments include about the matter under consideration?***

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

This report has been provided in compliance with section 257 of the *Local Government Act 2009*, which allows for the Local Government, by resolution, to delegate power under the *Waste Reduction and Recycling Act 2011* and any other act to the Chief Executive Officer.

#### **Council Policies or Asset Management Plans:**

**Does Council have a policy, plan or approach ordinarily followed for this type of decision?  
What are relevant sections of the policy or plan?**

(Quote/insert the relevant section's wording / description within the report)

Nil

**Input into the Report & Recommendation:**

**Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

MacDonnell's Law

**Funding Bodies:**

**Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.** (Please do not just include names)

Nil

**This Financial Year's Budget:**

**Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).**

**If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?**

The delegation update service is funded in the current financial years' budget.

**Future Years' Budgets:**

**Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Nil

**Impact on Other Individuals or Interested Parties:**

**Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?** (Interested Parties Analysis - IS9001:2015)

Chief Executive Officer

**Risks:**

**What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)** (List each identified risk in a table)

Risk	Description of likelihood & consequences
If Council were to not delegate powers	The delegation of Local Government powers plays a vital party of the effective operation of Council.

**Advice to Council:**

**What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?**

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Delegate Council powers to the Chief Executive Officer as per the Instrument of Delegation attached.

**Recommendation:**

***What is the 'draft decision' based on the advice to Council?***

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

***Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Waste Reduction and Recycling Act 2011*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 10: Organisational Management

10.4 Building Capability and Performance

10.4.1 Defining expectations and boundaries

**Supporting Documentation:**

[1](#) [2](#) Waste Reduction and Recycling Act 2011 - Instrument of Delegation - 10 July 2019 D16/18214

**Report authorised by:**

Director - Corporate, Community & Commercial Services

## **INSTRUMENT OF DELEGATION**

### **Maranoa Regional Council *Waste Reduction and Recycling Act 2011 ("WRRRA")***

Under section 257 of the *Local Government Act 2009*, Maranoa Regional Council resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

## Schedule 1

**Waste Reduction and Recycling Act 2011 ("WRRRA")****CHAPTER 3 – OBLIGATIONS OF OPERATOR OF WASTE DISPOSAL SITE****Part 2 – Waste data returns**

Entity power given to	Section of WRRRA	Description
Operator of waste disposal site	52(2)	Power to give the Chief Executive a return in the approved form for the period prescribed under a regulation.

**CHAPTER 3 – WASTE LEVY****Part 2 – Identifying exempt waste****Division 1A – Serious local event waste**

Entity power given to	Section of WRRRA	Description
Chief Executive Officer	27A(1)	Power to form a reasonable belief: (a) there is or will be a serious local event in the local government's local government area; and (b) an exemption from the levy on types of waste generated as a result of the serious local event and delivered to particular waste disposal sites should be allowed.
Chief Executive Officer	27A(2)(a) to (c)	In the specified circumstances, the power to give to the Chief Executive a notice, as soon as practicable of the specified matters.

**Division 2A – Approval of waste as exempt waste**

Entity power given to	Section of WRRRA	Description
Applicant	28(1)	Power to apply to the Chief Executive for approval of waste, identified in the application (an <b>exempt waste application</b> ), as exempt waste.
Chief Executive Officer	28(3A)	Power to make an application about serious local event waste generated in the local government area.
Applicant	29(1)	In the specified circumstances, the power to provide the Chief Executive with the further reasonable information or documents sought.
Applicant	29(2)	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.
Applicant	31(3)	In the specified circumstances, the power to ask for or agree to conditions being imposed on the approval.
Holder of the Approval	33(1)	In the specified circumstances, the power to agree to amendment of the approval.
Holder of the Approval	34(3)(e)	In the specified circumstances, the power to make written submissions to show why the action proposed by the Chief Executive should not be taken.



**Part 3 – Operation of waste levy**

Entity power given to	Section of WRRRA	Description
Person who mixed the waste	40(2)	In the specified circumstances, the power to agree to a method of working out the waste that is taken to have been generated outside the non-levy zone and the total amount of that waste.
Operator of the site	42(2)	In the specified circumstances, the power to make a reasonable estimate of the amount of each type of waste included in the mixed waste using the information given to the operator under section 53.

**Part 4 – Discounting waste levy for residue waste**

Entity power given to	Section of WRRRA	Description
Person who conducts a recycling activity prescribed by regulation	44(1)	Power to apply to the Chief Executive for approval of a discounted rate for the waste levy for residue waste identified in the application (a <b>residue waste discounting application</b> ).
Applicant	45(2)	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents.
Applicant	47(3)	In the specified circumstances, the power to agree to or ask for a condition to be imposed on the approval.
Holder of the approval	49(1)	In the specified circumstances, the power In the specified circumstances, the power to agree with the Chief Executive to the amendment of the approval.
Holder of the approval	50(3)(e)	Power to make written submissions to show why the proposed action should not be taken.

**Part 5 – Obligations relating to waste levy****Division 1 – Obligations of persons delivering waste**

Entity power given to	Section of WRRRA	Description
Operator of a waste disposal site	53(2)	In the specified circumstances, the power to form a belief regarding what is reasonably required from the person who delivers waste to a waste disposal site to identify: <ul style="list-style-type: none"> <li>(a) how much of the waste is exempt waste and how much of it is leviable waste; and</li> <li>(b) for each type of waste required to be measured by the operator under section 59 – how much waste there is; and</li> <li>(c) whether the waste was generated in the waste levy zone, the non-levy zone or outside Queensland.</li> </ul>
Operator of the waste disposal site	53(5)	In the specified circumstances, the power to ask a person for information in the approved form.
Operator of the resource recovery and transfer facility or Entity	54(2)	In the specified circumstances, the power is to form a view about what is reasonably required to identify: <ul style="list-style-type: none"> <li>(a) how much of the waste is exempt waste and how much of it is leviable waste; and</li> <li>(b) whether the waste was generated in the waste levy zone or outside Queensland.</li> </ul>

Entity or Operator	54(4)	Power to require a person to give the delivery information to the operator or entity in the approved form.
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## **Division 2 – Obligations of operators of waste disposal sites**

### ***Subdivision 3 – Measurement of waste***

Entity power given to	Section of WRRRA	Description
Operator	60(3)	In the specified circumstances, the power to agree with the Chief Executive how to measure and record a particular amount of waste or other material

### ***Subdivision 4 – Monitoring system***

Entity power given to	Section of WRRRA	Description
Operator	64(3)(f)(i)	In the specified circumstances, the power to approve a person to erase or destroy a recording.
Operator	64(4)(b)	In the specified circumstances, the power to destroy a recording
Operator	64(5)(a)(ii)	Power to approve a person to operate a monitoring system.

## **Division 3 – Payment options**

### ***Subdivision 1 – Waste levy instalment agreements***

Entity power given to	Section of WRRRA	Description
Operator of a leviable waste disposal site	72C(1)	Power to apply to the Chief Executive to enter into a waste levy instalment agreement for a waste levy amount the operator must pay the State.
Operator of a leviable waste disposal site	72D(1)	Power to apply to the Chief Executive for an amendment of the waste levy instalment agreement in the prescribed manner.

### ***Subdivision 2 – Extension of time***

Entity power given to	Section of WRRRA	Description
Operator of a leviable waste disposal site	72G(1)	In the specified circumstances, the power to apply to the Chief Executive for an extension of time to pay the waste levy amount.
Operator of a leviable waste disposal site	72H(1)	In the specified circumstances, the power to apply to the Chief Executive for an extension of time to submit a waste data return and pay a waste levy amount.

### ***Subdivision 4 – Bad debt credit***

Entity power given to	Section of WRRRA	Description
Operator or Former Operator of a waste disposal site	72L(1)	In the specified circumstances, the power to apply to the Chief Executive for relief.

Applicant	72M(2)	In the specified circumstances, the power to agree with the Chief Executive about extending the time for providing the further information or documents requested by the Chief Executive.
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**Part 6 – Resource recovery area**

**Division 1 – Declaration of resource recovery area**

Entity power given to	Section of WRRRA	Description
Operator of a waste disposal site	72R	In the specified circumstances, the power to declare an area within the site a <u>resource recovery area</u> .
Operator of a waste disposal site	72S(1)	In the specified circumstances, the power to give the Chief Executive notice of a proposed resource recovery area at least 20 days before using the area as a resource recovery area.
Operator of a waste disposal site for which a resource recovery area has been declared	72U(1)	In the specified circumstances, the power to amend the area's declaration as resource recovery area by giving the Chief Executive notice of the proposed amendment at least 20 days before the amendment is to take effect.
Operator of a waste disposal site for which a resource recovery area has been declared	72V(1)	In the specified circumstances, the power to cancel the area's declaration as a resource recovery area by giving the Chief Executive notice of the proposed cancellation at least 30 days before the cancellation is to take effect.
Operator of a waste disposal site	72W(2)(e)	In the specified circumstances, the power to make written submissions to show why the proposed action should not be taken.

**CHAPTER 4 – MANAGEMENT OF PRIORITY PRODUCTS AND PRIORITY WASTE**

**Part 3B – Beverage container refund scheme**

**Division 3 – Refund amounts for empty containers and container refund points**

**Subdivision 3 – Container refund points**

Entity power given to	Section of WRRRA	Description
Operator of a container refund point	99V(1)	Power to pay refund amounts for containers presented at the container refund point in one of the manners set out in section 99V.
Person	99ZA(3)(a)	Power to ask the Organisation, in writing, to enter into a container collection agreement for the purpose of the person operating a container refund point.
Operator of a container refund point	99ZB(1)	Power to claim a collection amount from the Organisation for containers collected.
Operator of a container refund point	99ZB(4)	Power to accept an information notice from the Organisation.

### Division 4 – Recovery amounts for empty containers recycled by material recovery facilities

Entity power given to	Section of WRRRA	Description
Operator of a material recovery facility	99ZF(4)(a)	Power to ask the Organisation, in writing, to enter into a <b>material recovery agreement</b> for the purpose of claiming recovery amounts for containers.
Operator of a material recovery facility	99ZH(1)	In certain circumstances, the power to claim the recovery amount for a quantity of containers from the Organisation of the operator.

### Division 6 - Miscellaneous

Entity power given to	Section of WRRRA	Description
Operator of a container refund point or material recovery facility	99ZY(2)	Power to apply to the chief executive for an exemption (an <b>extraordinary circumstances exemption</b> ).

## CHAPTER 5 – OFFENCES RELATING TO LITTERING AND ILLEGAL DUMPING

### Part 2 – Material that may become waste

#### Division 1 – Roads

Entity power given to	Section of WRRRA	Description
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	110(1) <sup>1</sup>	Power to hold a belief on reasonable grounds that documents have been distributed by being placed in or on motor vehicles, or attached to buildings or other fixed structures in contravention of s109.
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	110(2) <sup>2</sup>	Subject to s110(1), power to give a notice to a person who is an adult if on the reasonable belief that the person: <ul style="list-style-type: none"> <li>(a) authorised or arranged for the distribution of the documents; or</li> <li>(b) authorised or arranged for the printing of the documents; or</li> <li>(c) placed or attached any of the documents.</li> </ul>

<sup>1</sup> The power can only be exercised as it relates to Chapter 5, Part 2 of the Act.

<sup>2</sup> The power can only be exercised as it relates to Chapter 5, Part 2 of the Act.

Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	111(1) <sup>3</sup>	Power to hold a belief on reasonable grounds that advertising material has been distributed in an area by being delivered to premises in contravention of the unlawful delivery provision or the secure delivery provision.
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	111(2) <sup>4</sup>	Subject to s111(1), power to give a notice to a person who is an adult if on the reasonable belief that the person: <ul style="list-style-type: none"> <li>(a) authorised or arranged for the distribution of the documents; or</li> <li>(b) authorised or arranged for the printing of the documents; or</li> <li>(c) placed or attached any of the documents.</li> </ul>
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	112(3) <sup>5</sup>	In the circumstances and subject to s112(4), power to direct a responsible entity to collect material from premises within a period of time.

## CHAPTER 6 – STRATEGIC PLANNING FOR WASTE REDUCTION AND RECYCLING

### Part 2 – Local government strategic planning for waste

#### Division 3 – Chief executive action to prepare waste reduction and recycling plan for local government

Entity power given to	Section of WRRRA	Description
Local Government	128(3)(c)	Power to make written submissions.

<sup>3</sup> The power can only be exercised as it relates to Chapter 5, Part 2 of the Act.

<sup>4</sup> The power can only be exercised as it relates to Chapter 5, Part 2 of the Act.

<sup>5</sup> The power can only be exercised as it relates to Chapter 5, Part 2 of the Act.

## CHAPTER 8 – PROVISIONS FOR END OF WASTE

## Part 2 – End of Waste Codes

## Division 3 – Amendment, cancellation or suspension of end of waste codes

Entity power given to	Section of WRRRA	Description
Person	168	Power to apply to the Chief Executive to amend an end of waste code.

## Division 4 – Registration of end of waste resource producers

Entity power given to	Section of WRRRA	Description
Person	173B(1)	Power to give the Chief Executive a notice that Council intends to become a registered resource producer for the code.
Person	173B(3)	Power to give the Chief Executive notice, in the approved form, that it is no longer a registered resource producer for an end of waste code.
Person	173D(1)(e)	Power to make a written submission to the Chief Executive about why the proposed action should not be taken.

## Part 3 – End of Waste Approvals

Entity power given to	Section of WRRRA	Description
Person	173I(1)	Power to apply to the Chief Executive for an end of waste approval for 1 kind of waste to be used as a resource.
Holder	173L(1)	Power to apply to the Chief Executive, on 1 occasion, to extend the approval.
Holder	173M(1)	Power to apply to the Chief Executive to amend the approval.
Holder	173O(1)	Power to apply to the Chief Executive to transfer the approval to another person.
Proposed Transferee	173O(2)	Power to consent to a proposed transfer.

## CHAPTER 8A – GENERAL PROVISIONS FOR APPROVALS

## Part 3 – Amendment, suspension or cancellations

Entity power given to	Section of WRRRA	Description
Holder	173ZB(3)(f)	Power to, within a stated period (the <b>show cause period</b> ), make a written submission to the Chief Executive about why the proposed action should not be taken.

**Part 4 –                      Miscellaneous**

<b>Entity power given to</b>	<b>Section of WRRRA</b>	<b>Description</b>
Holder	173ZE	Power to surrender the approval by giving the Chief Executive a notice about the surrender.
Holder	173ZF(1)	Power to provide Chief Executive with information about an approval.

**CHAPTER 9 – REVIEWS**

**Part 1 –                      Internal Reviews**

<b>Entity power given to</b>	<b>Section of WRRRA</b>	<b>Description</b>
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2015	175 <sup>6</sup>	Subject to conditions, power to consider an application for an internal review of a decision.
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2015	176(2) <sup>7</sup>	Power to extend the time for making an internal review application.
Applicant of an internal review application	177(2)	Power to apply for a stay of an original decision.
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2015	178(1)(a) <sup>8</sup>	Power to conduct an internal review of the decision the subject of the application.

<sup>6</sup> The power can only be exercised as it relates to sections 248(2) and 253(3) of the Act.

<sup>7</sup> The power can only be exercised as it relates to sections 248(2) and 253(3) of the Act.

<sup>8</sup> The power can only be exercised as it relates to sections 248(2) and 253(3) of the Act.

Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2015	178(1)(b) <sup>9</sup>	Power to make a decision to: (i) confirm the original decision; or (ii) amend the original decision; or (iii) substitute another decision for the original decision.
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## CHAPTER 10 – AUTHORISED PERSONS

### Part 2 – General matters about authorised persons

#### Division 2 – Appointment

Entity power given to	Section of WRRRA	Description
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2015	183(1) <sup>10</sup>	Power to appoint an authorised person.
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Authorised Persons) Delegation (No. 1) 2015	187 <sup>11</sup>	To issue an identify card to an authorised person.

<sup>9</sup> The power can only be exercised as it relates to sections 248(2) and 253(3) of the Act.

<sup>10</sup> The authorised person can be appointed to exercise the powers in section 117 and Chapter 10 of the WRRRA in relation to the following offences:

- (a) Chapter 5: Parts 1, 2 and Part 3, Division 1 and 2 of the Act;
- (b) Section 251(a) in relation to a contravention of section 107(1), 108, 109(1) or (2);
- (c) Section 251(b) in relation to a contravention of section 103 or 104;
- (d) Section 254, and section 264 of the Act.

<sup>11</sup> The authorised person can be appointed to exercise the powers in section 117 and Chapter 10 of the WRRRA in relation to the following offences:

- (a) Chapter 5: Parts 1, 2 and Part 3, Division 1 and 2 of the Act;
- (b) Section 251(a) in relation to a contravention of section 107(1), 108, 109(1) or (2);
- (c) Section 251(b) in relation to a contravention of section 103 or 104;
- (d) Section 254, and section 264 of the Act.



## **CHAPTER 11 – SHOW CAUSE NOTICES AND COMPLIANCE NOTICES**

### **Part 2 –                      Show cause notices**

<b>Entity power given to</b>	<b>Section of WRRRA</b>	<b>Description</b>
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	246(1) <sup>12</sup>	Power to reasonably believe a person has contravened a prescribed provision.
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	246(2) <sup>13</sup>	Power to give a person a show cause notice, subject to subsection (3).
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	246(3) <sup>14</sup>	Power to reasonably consider that it is not appropriate in the circumstances to give the show cause notice.

<sup>12</sup> The power can only be exercised as it relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2), and 112(2) of WRRRA.

<sup>13</sup> The power can only be exercised as it relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2), and 112(2) of WRRRA.

<sup>14</sup> The power can only be exercised as it relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2), and 112(2) of WRRRA.

**Part 3 – Compliance notices**

Entity power given to	Section of WRRRA	Description
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	248(1) <sup>15</sup>	Subject to s246 (2) and subject to holding a reasonable belief that a person has contravened, or is contravening, a prescribed provision, power to give a compliance notice to a person requiring the person to do either or both of the following – (a) to refrain from contravening the prescribed provision; (b) to remedy the contravention in the way stated in the notice.
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	249(2) <sup>16</sup>	Power to give a compliance notice if the Chief Executive: (a) has considered all submissions made by the person about the show cause notice within the period state in that notice; and (b) still believes it is appropriate to give a compliance notice.

**CHAPTER 12 – WASTE AUDITS**

**Part 2 – Chief executive may require conduct of waste audits**

Entity power given to	Section of WRRRA	Description
Powers delegated to Council in first instance by Chief Executive pursuant to Waste Reduction and Recycling (Local Government - Waste Management) Delegation (No. 1) 2015	253(1) <sup>17</sup>	Subject to holding a reasonable suspicion that a person is contravening or has contravened a prescribed provision, power to give a notice requiring a person to commission a waste audit of the matter and to provide a waste report on the audit.

**Part 3 – Other provisions**

Entity power given to	Section of WRRRA	Description
A recipient as defined in s253(1).	256(1)	Power to make and provide a statutory declaration.

<sup>15</sup> The power can only be exercised as it relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2), and 112(2) of WRRRA.

<sup>16</sup> The power can only be exercised as it relates to sections 103(1), 104(1), 107(1), 108, 109(1) or (2), and 112(2) of WRRRA.

<sup>17</sup> The power can only be exercised as it relates to section 104 of WRRRA.

## **CHAPTER 15 – TRANSITIONAL PROVISIONS**

### **Part 2 –                      Discounted levy for residue waste disposal until 30 June 2014**

<b>Entity power given to</b>	<b>Section of WRRRA</b>	<b>Description</b>
Entity who conducts a recycling activity	278(1)	Power to make a residue waste discounting application.
Applicant of a residue waste discounting application	279(3)	Power to agree to a later date for the provision of further information.
Applicant of a residue waste discounting application	281(3)	Power to agree to or ask for a condition to a grant of application.

### **Part 3 –                      Exempt from waste levy for residue waste until 30 June 2014**

<b>Entity power given to</b>	<b>Section of WRRRA</b>	<b>Description</b>
Entity who conducts a recycling activity	287(1)	Power to make a transition period exempt residue waste application.
Applicant of a transition period exempt residue waste application	290(3)	Power to agree to or ask for a condition to a grant of application.
Holder of a transition period exempt residue waste application	293(3)(e)	Power to make written submissions.

## **CHAPTER 16 – OTHER TRANSITIONAL PROVISIONS**

### **Part 2 –                      Transitional provisions for Waste Reduction and Recycling Amendment Act 2017**

<b>Entity power given to</b>	<b>Section of WRRRA</b>	<b>Description</b>
Person	308(2)	Power to, before the collection transition day, deal with or do the specified things in relation to a container that does not display the refund marking.

**Part 3 – Transitional provisions for Waste Reduction and Recycling (Waste Levy) Amendment Act 2019**

**Division 1 – Exemption from waste levy for particular residue waste during transition period**

Entity power given to	Section of WRRRA	Description
Entity that conducted a recycling activity during the qualifying period	310(1)	In the specified circumstances, the power to apply to the Chief Executive for an approval that residue waste identified in the application (a <b><i>transition period exempt residue waste application</i></b> ) is exempt waste for the transition period.
Applicant for approval that residue waste is exempt waste	313(3)	In the specified circumstances, the power to agree to or ask for a condition.
Holder of an approval	315(3)(e)	In the specified circumstances, the power within a stated period to make written submissions to show why the proposed action should not be taken.

**Division 2 – Exemption from weighbridge requirements for particular sites under 20 June 2029**

Entity power given to	Section of WRRRA	Description
Operator of a leviable waste disposal site	317(2)	In the specified circumstances, the power to apply to the Chief Executive for an exemption during the transition period from the requirements under section 57.
Applicant	320(3)	In the specified circumstances, the power to ask for or agree to a condition with the Chief Executive.

**Division 3 – Other matters**

Entity power given to	Section of WRRRA	Description
Operator of a waste disposal site	322(a)	In the specified circumstances, the power to give the Chief Executive notice that it is not practicable to use the weighbridge to measure and record waste or other material delivered to the site.
Operator of a small site	325(a)	In the specified circumstances, the power to give the Chief Executive written notice of a proposed alternative methodology for measuring and recording waste at the site.

## Schedule 2

**LIMITATIONS TO THE EXERCISE OF POWER**

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

[2019 02 21 - WRRRA - Delegation Instrument]

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 2 July 2019

**Item Number:** 11.7

**File Number:** D19/55971

**SUBJECT HEADING:**

Delegation of Council Powers to the Chief Executive Officer under the Waste Reduction and Recycling Regulation 2011

**Classification:**

Open Access

**Officer's Title:**

Governance Officer

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### **Executive Summary:**

Council's delegations are reviewed and updated throughout the year according to changes in State Government legislation.

This report seeks Council's approval for the delegation of Council powers under the *Waste Reduction and Recycling Regulation 2011* to the position of Chief Executive Officer.

### **Officer's Recommendation:**

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Waste Reduction and Recycling Regulation 2011*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa Regional Council

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
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WRRR

Waste Reduction and Recycling Regulation 2011

**Context:**

*Why is the matter coming before Council?*

MacDonnell's Law provides monthly updates to Maranoa Regional Council as part of the Monthly Delegation Update service. Legislative changes to the *Waste Reduction and Recycling Regulation 2011* has subsequently changed local government powers.

MacDonnell's Law advised of the following changes and the Instrument of Delegation has been updated accordingly (attached).

Whilst Council hadn't previously adopted powers under Waste Reduction and Recycling Regulation 2011, we recommend that all powers listed in the attached Instrument of Delegation be delegated, as in doing so, will contribute to the effective operation of Council and ensure work undertaken meets the legislative requirements of this regulation.

**Part 3 – Waste Levy**

**Division 4 – Discounting waste levy for residue waste**

11J(1)(b)	In the circumstances, the power to give the chief executive a report that complies with subsection (2) within 2 months after each reporting period ends.	<i>New addition to the table of powers.</i>
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**Background to the Delegation of Powers**

Council is vested with the power to make a range of decision and various actions under legislation and other statutory instruments. Council derives those powers from State law, such as the *Local Government Act 2009*, and under its local laws and planning scheme.

Section 257 of the *Local Government Act 2009* allows Council, by resolution, to delegate its powers under State and other laws, to one or more individuals or standing committees, including to the Chief Executive Officer.

The delegation of a Council's power does not involve Council parting with or surrendering those powers. Council continues to retain all powers which are the subject of delegation. A delegation involves the "sharing" of power, so that both Council and the Chief Executive Officer can exercise the same power.

Other important legal principles which apply to the delegation proposal set out in the report are:

- Council at all times retains the power to revoke the delegation. Accordingly Council retains ultimate control.
- Council, as the delegator, still has responsibility to ensure that the relevant power is properly exercised. Council will therefore continue to supervise and oversee the exercise of its powers.
- A delegation of power by Council may be subject to any lawful conditions which Council wishes to impose. The imposition of conditions enables Council

to impose checks and balances on its delegations. However, as with any vesting power, the delegated power cannot be unduly fettered.

- d) The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.
- e) A local government must not delegate a power that an Act states must be exercised by resolution.

### **Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

Nil

### **Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?***

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

This report has been provided in compliance with section 257 of the *Local Government Act 2009*, which allows for the Local Government, by resolution, to delegate power under the *Waste Reduction and Recycling Regulation 2011* and any other act to the Chief Executive Officer.

### **Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Nil

### **Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?***

(Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

MacDonnell's Law

### **Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.***

(Please do not just include names)

Nil

### **This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

The delegation update service is funded in the current financial years' budget.

### **Future Years' Budgets:**



**Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Nil

**Impact on Other Individuals or Interested Parties:**

**Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?**  
(Interested Parties Analysis - IS9001:2015)

Chief Executive Officer

**Risks:**

**What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)** (List each identified risk in a table)

Risk	Description of likelihood & consequences
If Council were to not delegate powers	The delegation of Local Government powers plays a vital part of the effective operation of Council.

**Advice to Council:**

**What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?**

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Delegate Council powers to the Chief Executive Officer as per the Instrument of Delegation attached.

**Recommendation:**

**What is the 'draft decision' based on the advice to Council?**

**Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?**

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

**Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?**

That Council:

- (a) under section 257 of the Local Government Act 2009, resolve to delegate the exercise of powers contained in Schedule 1 of the Instruments of Delegation included in the officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the attached Instruments of Delegation for the *Waste Reduction and Recycling Regulation 2011*.
- (b) all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

**Link to Corporate Plan:**


Corporate Plan 2018-2023

Strategic Priority 10: Organisational Management

10.4 Building Capability and Performance

10.4.1 Defining expectations and boundaries

**Supporting Documentation:**

[1](#)  Waste Reduction and Recycling Regulation 2011 -  
Instrument of Delegation - 10 July 2019

D17/2518

**Report authorised by:**

Director - Corporate, Community & Commercial Services

## **INSTRUMENT OF DELEGATION**

### **Maranoa Regional Council *Waste Reduction and Recycling Regulation 2011 ("WRRR")***

Under section 257 of the *Local Government Act 2009*, Maranoa Regional Council resolves to delegate the exercise of the powers contained in Schedule 1 to the Chief Executive Officer.

These powers must be exercised subject to the limitations contained in Schedule 2.

All prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

Schedule 1

**Waste Reduction and Recycling Regulation 2011 ("WRRR")**

**Part 2A – Designation of areas by local governments for general or green waste collection**

Entity power given to	Section of WRRR	Description
Local Government	7(b) <sup>18</sup>	Power to decide the frequency of general waste or green waste collection in the designated areas.

**Part 3 - Waste levy**

**Division 4 – Discounting waste levy for residue waste**

Entity power given to	Section of WRRR	Description
Holder of the approval	11J(1)(b)	In the circumstances, the power to give the chief executive a report that complies with subsection (2) within 2 months after each reporting period ends.

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<sup>18</sup> Section 7A of the WRRR confirms that this section expired on 1 July 2018

## **LIMITATIONS TO THE EXERCISE OF POWER**

1. Where Council in its budget or by resolution allocates an amount for the expenditure of Council funds in relation to a particular matter, in exercising delegated power in relation to that matter, the delegate will only commit Council to reasonably foreseeable expenditure up to the amount allocated.
2. The delegate will not exercise any delegated power in relation to a matter which, to the delegate's knowledge, adversely affects, or is likely to adversely affect, Council's relations with the public at large.
3. The delegate will not exercise any delegated power contrary to a resolution or other decision of Council (including a policy decision relating to the matter).
4. The delegate will not exercise any delegated power in a manner, or which has the foreseeable effect, of being contrary to an adopted Council policy or procedure.
5. The delegate will only exercise a delegated power under this resolution in a manner which complies with the requirements of Council's Planning Scheme, and any exercise of power which involves a departure from or variation of those requirements will only be undertaken by Council.
6. The delegate will not exercise any delegated power which cannot lawfully be the subject of delegation by Council.

[2019 03 22 - WRRR - Delegation Instrument]

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 28 June 2019

**Item Number:** 11.8

**File Number:** D19/54871

**SUBJECT HEADING:** Amendment to Council's Fees and Charges  
Schedule - Right to Information (RTI) Application

**Classification:** Open Access

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

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### **Executive Summary:**

Council's Fees and Charges Schedule includes a fee associated with Right to Information (RTI) Applications. These fees are administered by the *Right to Information Regulation 2012*. An amendment to the regulation requires Council to update the relevant fees to reflect the legislative change.

### **Officer's Recommendation:**

That Council note the need to amend the Fees and Charges Schedule as follows in line with the *Right to Information Regulation 2012*:

1. Increase the *Right to Information (RTI) Application Fee* to \$50.80; and
2. Increase *Right to Information (RTI) Processing Charges* to \$7.85, noting the condition that this fee is nil, if the agency spends no more than 5 hours processing the application; or \$7.85 per 15 minutes or part of 15 minutes, if the agency spends more than 5 hours processing the application.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Department of State Development, Manufacturing, Infrastructure and Planning

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
RTI	Right to Information

**Context:*****Why is the matter coming before Council?***

The Department of State Development, Manufacturing, Infrastructure and Planning advised that the *Justice Legislation (Fees) Amendment Regulation 2019* will commence on 1 July 2019 which will change the fees for RTI applications and processing.

**Background:*****Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

Under the *Right to Information Act 2009* applications can be made to Council seeking documents for release to the applicant. In order for the application to be deemed as made, the application must be accompanied by the application fee, as per section 24(2)(a) of the *Right to Information Act 2009*. (An application fee cannot be waived.)

The process may also incur processing charges for time spent to prepare and review the documents requested under the application.

Council's Fees and Charges Schedule includes both a *Right to Information (RTI) Application Fee* and *Right to Information (RTI) Processing Charges*. Whilst Council have included these fees in the schedule, the rate is administered by the *Right to Information Regulation 2012*:

**Part 3 Fees and charges****4 Amount of application fee—Act, sch 6, definition *application fee***

The application fee in relation to an access application is \$50.80.

**5 Amount of processing charge—Act, s 56**

- 1) The processing charge under section 56 of the Act for an access application for a document is—
  - a. if the agency or Minister spends no more than 5 hours processing the application—nil; or
  - b. if the agency or Minister spends more than 5 hours processing the application—\$7.85 for each 15 minutes or part of 15 minutes spent processing the application.

Below details the fees currently included Council's Fees and Charges schedule along with the updated fees under the *Right to Information Regulation 2012*

Fee name	Current Fee (GST incl.)	Increased Fee (GST incl.)
Right to Information (RTI) Application Fee	\$49.70	\$50.80
Right to Information (RTI) Processing Charges – Nil, if the agency spends no more than 5 hours processing the application; or \$7.85 per 15 minutes or part of 15 minutes, if the agency spends more than 5 hours processing the application	\$7.70	\$7.85

Whilst the regulation supersedes any variance within Council's Fees and Charges Schedule, to remain consistent and avoid any confusion it is recommended that Council increase these fees to align with the regulation.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

*Right to Information Act 2009*

*Right to Information Regulation 2012*

*Justice Legislation (Fees) Amendment Regulation 2019*

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Within scope of Council's Right to Information Policy

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Sharon Frank, Director – Corporate, Community & Commercial Services

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

N/A

**This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

Increase of fees

- Right to Information (RTI) Application Fee from \$49.70 to \$50.80
- Right to Information (RTI) Processing Charges \$7.70 to \$7.85

**Future Years' Budgets:**

***Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?*** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)



### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*  
(Interested Parties Analysis - IS9001:2015)

Nil

### Risks:

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Not charging the correct fee	An application made without the correct fee being paid would mean the application is not properly made. Under the section 38 of the RTI Act, Council may need to transfer an application to another agency; therefore it is important Council has charged the applicant the correct amount in accordance with the RTI Regulation.

### Advice to Council:

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council amend the Fees and Charges Schedule as follow in line with the Right to Information Regulation 2012:

1. Increase the Right to Information (RTI) Application Fee to \$50.80; and
2. Increase Right to Information (RTI) Processing Charges to \$7.85, noting the condition that this fee is nil, if the agency spends no more than 5 hours processing the application; or \$7.85 per 15 minutes or part of 15 minutes, if the agency spends more than 5 hours processing the application

### Recommendation:

*What is the 'draft decision' based on the advice to Council?*

*Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

*Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

That Council amend the Fees and Charges Schedule as follow in line with the Right to Information Regulation 2012:

1. Increase the Right to Information (RTI) Application Fee to \$50.80; and
2. Increase Right to Information (RTI) Processing Charges to \$7.85, noting the condition that this fee is nil, if the agency spends no more than 5 hours processing the application; or \$7.85 per 15 minutes or part of 15 minutes, if the agency spends more than 5 hours processing the application

### Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 2: Delivering strong financial management

2.2 Collect the revenue needed

2.2.5 Prepare, review and adopt revenue documents required by legislation (e.g. Revenue Policy, Revenue Statement, Fees and Charges Scheduled).

**Supporting Documentation:**

1 [D](#) Department of State Development,  
Manufacturing, Infrastructure and Planning  
Advising of RTI access application fee and processing  
charge changes for 2019/20

D19/57225

**Report authorised by:**

Director - Corporate, Community & Commercial Services

**From:** Karen Paraskevas  
**To:** [ceo@aurukun.qld.gov.au](mailto:ceo@aurukun.qld.gov.au); [Julie.Hempstead@balonne.qld.gov.au](mailto:Julie.Hempstead@balonne.qld.gov.au); [Lisa.Yeo@banana.qld.gov.au](mailto:Lisa.Yeo@banana.qld.gov.au); [brettw@barc.qld.gov.au](mailto:brettw@barc.qld.gov.au); [ceo@barcoo.qld.gov.au](mailto:ceo@barcoo.qld.gov.au); [DFCCS@btrc.qld.gov.au](mailto:DFCCS@btrc.qld.gov.au); [execassist@boulia.qld.gov.au](mailto:execassist@boulia.qld.gov.au); [david.simons@brisbane.qld.gov.au](mailto:david.simons@brisbane.qld.gov.au); [council@bulloo.qld.gov.au](mailto:council@bulloo.qld.gov.au); [RTI@bundaberg.qld.gov.au](mailto:RTI@bundaberg.qld.gov.au); [vicki.walker@burdekin.qld.gov.au](mailto:vicki.walker@burdekin.qld.gov.au); [Nhay@burke.qld.gov.au](mailto:Nhay@burke.qld.gov.au); [RTI\\_IP@cairns.qld.gov.au](mailto:RTI_IP@cairns.qld.gov.au); [oliver.pring@carpentaria.qld.gov.au](mailto:oliver.pring@carpentaria.qld.gov.au); [nancy.gassin@ccrc.qld.gov.au](mailto:nancy.gassin@ccrc.qld.gov.au); [VLangtry@chrc.qld.gov.au](mailto:VLangtry@chrc.qld.gov.au); 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**Subject:** RTI access application fee and processing charge  
**Date:** Monday, 24 June 2019 3:23:39 PM  
**Attachments:** [image002.png](#)  
[image007.jpg](#)  
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**Importance:** High  
**Sensitivity:** Confidential

Good afternoon

I wish to advise that the *Justice Legislation (Fees) Amendment Regulation 2019* will commence on 1 July 2019 - <https://www.legislation.qld.gov.au/view/pdf/asmade/sl-2019-0105>. (refer to page 102)

The RTI access application fee will increase from \$49.70 to \$50.80 and the processing charge from \$7.70 to \$7.85.

There is no change to the copying charge.

Kind regards

Karen Paraskevas  
 Principal RTI Officer  
 Business, Commercial and Performance  
 Department of State Development,  
 Manufacturing, Infrastructure and Planning  
 P 07 3452 6951  
 Level 18, 1 William Street, Brisbane QLD 4000  
 PO Box 15009, City East QLD 4002  
[www.dsdmip.qld.gov.au](http://www.dsdmip.qld.gov.au)

LET'S CONNECT





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## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 4 July 2019

**Item Number:** 11.9

**File Number:** D19/57244

**SUBJECT HEADING:** Consideration of Councillor Attendance at the National Saleyards Expo

**Classification:** Open Access

**Officer's Title:** Lead Officer - Councillors' Support & Community Engagement

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### **Executive Summary:**

Formalisation of councillor attendance at upcoming elected member training as part of enhancing strategy and policy development for Maranoa Regional Council.

### **Officer's Recommendation:**

That Council:

1. Endorse the attendance of Cr. Flynn at the 2019 National Saleyards Expo on 23 - 25 July 2019 in Roma.
2. Endorse the attendance of remaining Councillors who have confirmed their availability to attend the Networking Dinner and/or Expo Dinner on 24 and 25 July respectively.
3. Draw the required funds from attending individual Councillor Conference budgets.

---

### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

No

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

No

### **Context:**

***Why is the matter coming before Council?***

To seek formal endorsement of Councillor attendances so as to not compromise insurance entitlements should circumstances arise that lead to the submission of an insurance claim.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

**National Saleyards Expo**

This annual conference brings together representing saleyard and lairage owners and operators to hear about and discuss regional and national issues that affect the industry.

The National Saleyards Expo will be held alongside the Australian Livestock Markets Association (ALMA) annual conference and Annual General Meeting. The event allows stakeholders to engage with the industry board and hear from experts and industry peers about the future.

This year the expo will be held in Roma, home to the Roma Saleyards with up to 400,000 head of cattle passing through the center.

Cr. Flynn in his role as Portfolio Chair for Saleyards, and as a current board member on the Australian Livestock Markets Association has indicated a keen interest to attend the full conference.

As the expo is being held during business hours when Council formally meets for its Agenda Familiarisation/Policy Development Workshop (23/07/19) and General Meeting (24/07/19), a number of Councillors have confirmed their availability to attend the evening networking event and annual expo dinner.

The event will be held in Roma on 23 – 25 July 2019.

**Policy Implications:**

Expenses Reimbursement Policy (Councillors)

**Financial Resource Implications:**

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?***

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

***Local Government Act 2009***

**Chapter 2**

**12 Responsibilities of councillors**

(1) A councillor must represent the current and future interests of the residents of the local government area.

(2) All councillors of a local government have the same responsibilities, but the mayor has some extra responsibilities.

(3) All councillors have the following responsibilities—

- (a) ensuring the local government—
  - (i) discharges its responsibilities under this Act; and
  - (ii) achieves its corporate plan; and
  - (iii) complies with all laws that apply to local governments;
- (b) providing high quality leadership to the local government and the community;
- (c) participating in council meetings, policy development, and decision-making, for the benefit of the local government area;
- (d) being accountable to the community for the local government's performance.

### **Section 107 Insurance**

- (1) A local government must maintain the following insurance—
  - (a) public liability insurance;
  - (b) professional indemnity insurance.
- (2) The insurance must be for at least the amount required under a regulation.
- (3) A local government may enter into a contract of insurance with WorkCover Queensland, or another insurer, to cover its councillors.
- (4) For that purpose, a councillor's role includes attending—
  - (a) meetings of the local government or its committees that the councillor is entitled or asked to attend; and
  - (b) meetings for a resident of the local government area; and
  - (c) conferences, deputations, inspections and meetings at which the councillor's attendance is permitted by the local government; and
  - (d) official functions organised for the local government.

### **Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

### **Expenses Reimbursement Policy (Councillors)**

### **Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

### **Councillors of Maranoa Regional Council**

### **Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

No

### **This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

**2019 National Saleyards Expo**

Registration:	\$550 ALMA member
Networking Dinner:	\$50
Annual Dinner:	\$100
Travel & Accommodation:	Nil due to event being held in Roma, and accommodation arrangements are already in and budgeted for, for those Councillors wishing to attend the dinner/s
<b>Total:</b>	<b>\$700</b>

Associated costs to be drawn from Councilor's individual Conference budget.

**Future Years' Budgets:**

***Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?*** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

No

**Impact on Other Individuals or Interested Parties:**

***Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?***  
(Interested Parties Analysis - IS9001:2015)

No

**Risks:**

***What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)*** (List each identified risk in a table)

Risk	Description of likelihood & consequences
None identified	<Provide details>

**Advice to Council:**

***What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?***

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Endorse attendances in support of expanding knowledge of Councillors in their role as leaders in delivering strong and sustainable financial management for the Maranoa.

**Recommendation:**

***What is the 'draft decision' based on the advice to Council?***

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

***Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***



That Council:

1. Endorse the attendance of Cr. Flynn at the 2019 National Saleyards Expo on 23 - 25 July 2019 in Roma.
2. Endorse the attendance of remaining Councillors who have confirmed their availability to attend the Networking Dinner and/or Expo Dinner on 24 and 25 July respectively.
3. Draw the required funds from attending individual Councillor Conference budgets.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 2: Delivering strong financial management

2.1 Plan for our region's financial future

2.1.1 Consider both the short-term and longer term financial impacts of Council's policy development and decisions, on behalf of current and future residents.

**Supporting Documentation:**

Nil.

**Report authorised by:**

Director - Corporate, Community & Commercial Services

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 13 June 2019

**Item Number:** 13.1

**File Number:** D19/49448

**SUBJECT HEADING:** Showgrounds Camping Policy

**Classification:** Open Access

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

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### **Executive Summary:**

Council currently allows camping at Bassett Park, Mitchell Showgrounds and the Wallumbilla Showgrounds. The purpose of this policy is to provide guidelines for the control of camping that takes place at these facilities.

### **Officer's Recommendation:**

That Council adopt the Showgrounds Camping Policy as presented.

---

### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

This policy will apply to the travelling public camping at Council showgrounds being Bassett Park, Mitchell and Wallumbilla.

### **Acronyms:**

***Are there any industry abbreviations that will be used in the report?***

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
Nil	Nil

### **Context:**

***Why is the matter coming before Council?***

It is recommended that Council formalise current camping arrangements at Council Showgrounds through the adoption of a Showgrounds Camping Policy.

### **Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

Council currently allows camping at Bassett Park, Mitchell Showgrounds and Wallumbilla Showgrounds to accommodate the travelling public who are travelling with livestock/animals or have circumstances that preclude them from staying in commercial caravan parks in the region.

Council also aims to encourage and grow the caravan and camping market in Wallumbilla by meeting the individual needs of that community.

This policy will formalise the existing camping arrangements at these facilities.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

*Queensland State Government Caravan Park Policy PUX/901/102.*

*A Reserve for Recreation may be used for camping with the provision of limited facilities. The length of stay is to be restricted to no more than three nights.*

*Section 52 of the Land Act 1994 allows a trustee to apply to use trust land for a purpose inconsistent with the purpose for which the trust land was dedicated. An example of how this provision can be utilised to satisfy the election commitment is for Reserves for Showgrounds and the like in country areas where for the majority of the year the reserve is unused. If there is no caravan park in the locality, or the existing caravan park does not have the capacity to meet the needs of the customer [for example - where park restrictions (size limitations etc) for an existing caravan park would otherwise prevent a customer from using the facility], the showgrounds or other similar reserve may be used for short term stays (no more than 3 nights).*

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Council does not currently have a policy to manage camping at Showgrounds. The proposed policy will become an operational policy of Council.

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the

funding body, any dates of critical importance or updates or approvals required)

Regional Sport and Recreation Coordinator  
Department Natural Resources, Mines and Energy  
Environment, Health, Waste & Rural Land Services

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

Not applicable.

### **This Financial Year's Budget:**

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

No.

### **Future Years' Budgets:**

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)*

No.

### **Impact on Other Individuals or Interested Parties:**

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?* (Interested Parties Analysis - IS9001:2015)

Wallumbilla Town Improvement Group

### **Risks:**

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Traveller may not comply with the established camping conditions	Established camping conditions aren't documented and Council may have difficulty enforcing conditions without a policy.

### **Advice to Council:**

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

It is recommended that Council adopt the policy to formalise how it currently manages camping at Council showgrounds being Bassett Park, Surat and Wallumbilla.

### **Recommendation:**

*What is the 'draft decision' based on the advice to Council?*

*Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

*Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

That Council adopt the Showgrounds Camping Policy as presented.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.9 Manage Council's land and buildings that contribute to the provision of a range of services across the region and are used by residents, visitors, business, industry and Council

4.9.3 Develop and implement agreements for the long term use of facilities (including leases, management agreements, user agreements).

**Supporting Documentation:**

[1](#) [Showgrounds Camping Policy](#)

D19/51980

**Report authorised by:**

Deputy Chief Executive Officer/Director - Development, Facilities & Environmental Services

## POLICY: Showgrounds Camping Policy



### 1. Policy Purpose

The purpose of this policy is to provide guidelines for the control of camping that takes place at Bassett Park Showgrounds, Mitchell Showgrounds and Wallumbilla Showgrounds.

The objectives of this policy are;

- To establish a clear position and direction that builds on the existing Queensland State Government Caravan Park Policy PUX/901/102.
- To advise what type of travellers can camp at Council Showgrounds in the Maranoa region.
- To ensure visitor and community safety is upheld and minimum standards are met in accordance with existing Council policies.
- To foster and support local business and ensure Council does not unfairly compete with local business.

### 2. Policy Scope

This policy applies to any individual or group wishing to camp at Maranoa Regional Council Showgrounds being at Bassett Park, Mitchell Showgrounds and Wallumbilla Showgrounds.

### 3. Definitions

Maranoa Regional Council seeks to accommodate the travelling public who are travelling with livestock/animals or have circumstances that preclude them from staying in commercial caravan parks in the region. Council also aims to encourage and grow the caravan and camping market in Wallumbilla by meeting the individual needs of that community.

### 4. Policy Details

Camping may take place at Bassett Park, Mitchell Showgrounds and Wallumbilla Showgrounds under the following general conditions:-

- Approval to be obtained prior to camping at Bassett Park and Mitchell Showgrounds.
- Camping is to be provided for the travelling public only and any stay be limited to no longer than three (3) nights in accordance with State Government Policy.
- All campers respect their fellow campers and the surrounding community by observing noise levels to ensure no inconvenience is caused.
- Dogs to be under the control of someone capable of restraining the animal, kept on a leash and waste to be cleaned up and placed in bins on site.
- For any livestock applicable to the NLIS Database, if unloaded at the grounds a transfer is required for the movement in and out of the showgrounds.
- Livestock/ animals must not be allowed to damage any building, fixture, fence, watering system or arena surface at the facility.
- Travellers are responsible for cleaning up after their livestock/animals including cleaning out any available stalls that have been used.

## POLICY: Showgrounds Camping Policy



- This policy does not apply to stock travelling under a stock route travel permit.

Council allows the travelling public to camp at Bassett Park, Mitchell Showgrounds and Wallumbilla Showgrounds in the following circumstances:-

- The persons are directly associated with the operation of an event held at the showgrounds i.e. members of the showman's guild, trade displays or exhibitors.
- People travelling with large oversize vehicles and/or livestock i.e. horses.
- Armed forces on tour and staying overnight in our region.
- Where an organised tour are travelling through the region and require camping for a large group, and the purpose of the tour is to benefit a charity e.g. car rally fundraiser.
- Where camping is associated with an event and the event organisers have hired the entire complex and event organisers make arrangements with Council to offer camping i.e. Easter in the Country, Roma Cup, Mitchell Camel Races.

### Wallumbilla Showgrounds

- In addition, camping is available at the Wallumbilla Showgrounds for bona fide travellers and tourists to meet the individual needs of this community. At its General Meeting on 12 July 2017, Council resolved to offer free camping at the Wallumbilla Showgrounds and to allow the Wallumbilla Town Improvement group to install a donation box at the showgrounds and for the group to retain all donations received. (*Resolution No. GM/07.2017/15*). When travellers and tourists stay at the Wallumbilla Showgrounds, no prior approval to camp needs to be sought from Council.

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

### 6. **Related Policies and Legislation**

**State Government Caravan Park Policy PUX/901/102**

[https://www.dnrm.qld.gov.au/?a=109113%3apolicy\\_registry%2fcaravan-park-policy.pdf](https://www.dnrm.qld.gov.au/?a=109113%3apolicy_registry%2fcaravan-park-policy.pdf)

### 7. **Associated Documents**

**Council Fees and Charges Register**

**State Government Caravan Park Policy PUX/901/102**

**Local laws:-**

**Local Law No. 1 – Administration 2011 - Schedule 2**

**Local Law No. 4 – Local Government controlled Areas, Facilities and Roads 2011**

**Subordinate Local Law 1.6 – Operation of Camping Grounds 2011**

**Subordinate Local Law 1.8 – Operation of Caravan Parks 2011**

**The Land Act 1994**

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 13 June 2019

**Item Number:** 13.2

**File Number:** D19/49829

**SUBJECT HEADING:** Container Collection Agreement

**Classification:** Open Access

**Officer's Title:** Manager - Environment, Health, Waste & Rural  
Land Services

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### **Executive Summary:**

Council commenced a three month 'Container Collection Agreement' on 13 February 2019, which has expired. A new agreement has been sent for execution purposes, which is for an extension of three months to commence on the "effective date" (date of signature).

### **Officer's Recommendation:**

That Council enter into another three month agreement with Container Exchange (Qld) Limited, and authorise the Chief Executive Officer to sign the agreement on behalf of Council.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Council will gain a financial benefit through the payment of an eligible container handling fee. However, Council will also have an expenditure of wages, plant hire and the use of Council management facilities where container exchange is undertaken – Mitchell Office, Cartwright Street Office and Roma Landfill Container Exchange area.

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
Nil	Nil



**Context:**

***Why is the matter coming before Council?***

Council has previously undertaken a three month agreement with Container Exchange for the implementation of sites within the region, to collect and count eligible containers under the State's stewardship scheme.

The three month agreement trial period expired in May 2019. Due to a number of private people expressing their interest to Council in undertaking the collection and counting process to Council, officers have sought approval from its Account Manager Ellie O'Connor to enter into another three month agreement.

This process would allow private persons to make application to Container Exchange and go through the appropriate process and enter into a formal agreement.

Under this (next) agreement Council will be paid a handling fee.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

The previous agreement with Container Exchange provided a weekly payment as well as the container handling fee.

The scheme has been very beneficial to Council, and a small financial gain has been achieved, not taking into consideration the extra wage fees for the initial three month period.

Council has undertaken a leadership role in this stewardship scheme, providing a number of sites within the region for community members to deliver their containers which has been well received – within the first five months 1,000,000 were collected resulting in approximately:

**Kilograms of weight**

**Glass** 34,549.3

**Aluminium** 11,997.7

**PET Clear** 8,877.1

**PET Colour** 710.3

**HDPE** 790

**LPB** 87.3

This has resulted in reducing waste to landfill by 66.35 tonnes.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

By implementing the program within the region, Council is implementing recommendations within its own Waste Strategy – recycling waste, reducing waste to landfill.

The program also meets legislative requirements, and implements the State container refund stewardship scheme.

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?*** (Quote/insert the relevant section's wording / description within the report)

The program is consistent with a number of Council goals:

- Reducing waste to landfill
- Creating employment within the region
- Creating economic benefit to our community through provision of over \$100,000 direct to participating community members and or organisations reducing the cost of waste going into landfill.

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Ellie O'Connor – Manager of Council's agreement with Container Exchange  
Director Development, Facilities and Environmental Services – Rob Hayward  
Environment Health Officers – Bob Campbell and Cara Cicero

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

Not applicable

**This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

This project will not have an impact on Council's budget.

**Future Years' Budgets:**

***Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?*** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Not applicable

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*  
(Interested Parties Analysis - IS9001:2015)

Not applicable for the proposed period.

### Risks:

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Nil	Nil

### Advice to Council:

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council agree to enter into another three month agreement, allowing for interested persons within the community to complete an agreement with Container Exchange through their normal process.

### Recommendation:

*What is the 'draft decision' based on the advice to Council?*

*Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

*Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

That Council enter into another three month agreement with Container Exchange (Qld) Limited, and authorise the Chief Executive Officer to sign the agreement on behalf of Council.

### Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 1: Getting the basics right

1.5 Manage waste generated by and delivered to our towns

1.5.2 Extract recyclable materials where it is economical to do so, to minimise waste going to landfill.

### Supporting Documentation:

1⇒ Container Exchange Agreement - Second three months D19/57446  
(Enclosure)

### Report authorised by:

Deputy Chief Executive Officer/Director - Development, Facilities & Environmental Services

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 2 July 2019

**Item Number:** 13.3

**File Number:** D19/56156

**SUBJECT HEADING:** Request to host Arts as Exchange from the Queensland Art Gallery - Gallery of Modern Art (QAGOMA)

**Classification:** Open Access

**Officer's Title:** Local Development Officer - Roma

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### **Executive Summary:**

The Queensland Art Gallery / Gallery of Modern Art (QAGOMA) program "Arts for Exchange" round table discussion, is an initiative to offer arts and cultural learning outcomes via workshops with QAGOMA's regional gallery partners. QAGOMA has proposed that Roma host this event on Monday 9 September 2019.

### **Officer's Recommendation:**

That Council:

1. Note the request from The Queensland Art Gallery | Gallery of Modern Art to host the event in the Ernest Brock room Monday 9 September.
2. Support our Arts and Cultural community in hosting the The Queensland Art Gallery | Gallery of Modern Art program and comply with the venue responsibilities as an offer of in-kind sponsorship.
3. Charge the room hire and associated fees estimated to be \$500 to the Arts and Culture General Operation's budget (GL 2887.2246.2001).

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Maranoa region community arts groups

Business owners

QAGOMA

## Acronyms:

### Are there any industry abbreviations that will be used in the report?

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
QAGOMA	Queensland Art Gallery and Gallery of Modern Art
RGAQ	Regional Galleries Association Queensland
QCAA	Queensland Curriculum and Assessment Authority

## Context:

### Why is the matter coming before Council?

The Queensland Art Gallery | Gallery of Modern Art (QAGOMA) is offering regional Queensland venues their new regional workshop program 'Art as Exchange'.

This initiative seeks to offer arts and cultural learning outcomes via workshops with QAGOMA's regional gallery partners. Workshops will craft, capture and transmit personal narratives via storytelling facilitated between people, regions and the arts sector, enhancing knowledge of issues and experiences arising, creative skills and capacity of participants.

In consultation with Regional Galleries Association Queensland (RGAQ), Queensland Curriculum and Assessment Authority (QCAA), Queensland Art Teachers' Association (QATA) and Flying Arts Alliance (FAA), this program has been facilitated in sixteen regional centres across Queensland, over the last two years.

QAGOMA has extended the invitation to the Roma Arts community and surrounding arts and learning communities from the Maranoa to take part in this program.

## Background:

### Has anything already happened in relation to this matter?

*(Succinct overview of the relevant facts, without interpretation)*

Maranoa Regional Council has previously supported and worked in conjunction with QAGOMA to provide a series of library workshops Kids on Tour. (**Resolution No. GM/11.2018/01**)

## Legislation, Local Laws, State Policies & Other Regulatory Requirements:

### What does the legislation and other statutory instruments include about the matter under consideration?

*(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)*

N/A

## Council Policies or Asset Management Plans:

### Does Council have a policy, plan or approach ordinarily followed for this type of decision?

### What are relevant sections of the policy or plan?

*(Quote/insert the relevant section's wording / description within the report)*

N/A

### Input into the Report & Recommendation:

*Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?* (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Regional Libraries, Arts & Cultural Development Coordination Joanna Weinert supports approval of the program

### Funding Bodies:

*Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.* (Please do not just include names)

N/A

### This Financial Year's Budget:

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

The initiative would be valued at approximately \$500 and could be sourced from the Arts and Cultural Budget (GL 2887.2246.2001) to cover the cost of room hire, setup and catering.

### Future Years' Budgets:

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?* (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

N/A

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?* (Interested Parties Analysis - IS9001:2015)

Maranoa region community arts groups and artisan business owners for further development

### Risks:

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Decline request to host QAGOMA	May be seen negatively within our arts community refer to corporate plan 4.10.4

**Advice to Council:**

***What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?***

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Actively participating in this type of initiative would continue to build rapport between Council and the local community.

**Recommendation:**

***What is the 'draft decision' based on the advice to Council?***

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

***Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

1. Note the request from The Queensland Art Gallery | Gallery of Modern Art to host the event in the Ernest Brock room Monday 9 September
2. Support our Arts and Cultural community in hosting the The Queensland Art Gallery | Gallery of Modern Art program and comply with the venue responsibilities as an offer of in-kind sponsorship
3. Charge the room hire and associated fees estimated to be \$500 to the Arts and Culture General Operation's budget (GL 2885.2001.2001).

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.10 Foster arts and culture within our communities and help preserve our local history

4.10.4 Source and coordinate arts and cultural events and programs within the Maranoa.

**Supporting Documentation:**

[1](#) Request to host QAGOMA

D19/56159

**Report authorised by:**

Manager - Economic & Community Development  
Chief Executive Officer

**Malinda Moreton**

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**From:** Joanna Weinert  
**Sent:** Wednesday, 26 June 2019 11:32 AM  
**To:** Malinda Moreton  
**Subject:** HPRM: FW: Art as exchange proposal

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

**Record Number:** D19/55969

Hi Malinda

Just because it's Wednesday, I thought I would send the below email your way as well ☺ Hope you don't mind. The responsibilities of the 'host/venue' are quite demanding. Hopefully by the time this rolls around, we would have a new Arts & Culture person that could assist further if we went ahead with hosting the program.

Cheers

Jo

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

D: (07) 4626 5136 M: 0417 785 132 F: (07) 4624 6990

**From:** Regional Touring [mailto:regionaltouring@qagoma.qld.gov.au]

**Sent:** Monday, 24 June 2019 11:57 AM

**To:** 'injunelibrary@maranoa.qld.gov.au' <injunelibrary@maranoa.qld.gov.au>; Glenda McKnight <Glenda.McKnight@maranoa.qld.gov.au>; Joanna Weinert <Joanna.Weinert@maranoa.qld.gov.au>

**Subject:** MARKETING MAIL Art as exchange proposal

Good afternoon Glenda and Joanna

I am emailing you in regards to the Queensland Art Gallery | Gallery of Modern Art (QAGOMA) program Art as Exchange.

This program has been facilitated at 17 venues around the state since March 2017, to create a network of arts communities and look at the challenges, successes and future opportunities of each arts community. This program has also been the catalyst for changes within QAGOMA's regional program in our Backstage Pass program and creating exhibitions that can tour to venues that might not otherwise be able to host our tours.

We hope that you are able to host the round table discussion in your region.  
 To move forward I would ask for the following.

- A contact person who can be the main contact for myself and your arts community
- A venue where to hold the discussion (see venue responsibilities for the requirements)
- Confirmation about the date 5 to 8 pm 9<sup>th</sup> September 2019

Once I have received the information I will email you the EOI for you to send to your arts communities.

FYI we have also created a second iteration of the Art as Exchange program which is a three day workshop held at places of rich historical value, so far that has been Bunya Mountains followed by K'Gari (fraser Island). The next three day workshop will be held at Carnavron Gorge. I will send you more information on that in a different email.

I am hoping to lock in the date by mid next week as I will be on leave from the 5<sup>th</sup> of July till the 2<sup>nd</sup> of September. Feel free to contact me if you have any additional questions.



Below is more information

The Queensland Art Gallery | Gallery of Modern Art (QAGOMA) is pleased to offer regional Queensland venues our new regional workshop program 'Art as Exchange'.

This initiative seeks to offer arts and cultural learning outcomes via workshops with QAGOMA's regional gallery partners. Workshops will craft, capture and transmit personal narratives via storytelling facilitated between people, regions and the arts sector, enhancing knowledge of issues and experiences arising, creative skills and capacity of participants.

In consultation with Regional Galleries Association Queensland (RGAQ), Queensland Curriculum and Assessment Authority (QCAA), Queensland Art Teachers' Association (QATA) and Flying Arts Alliance (FAA), this program has been facilitated in sixteen regional centres across Queensland, over the last two years.

We would like to extend the invitation to Roma Arts community and surrounding arts and learning communities from the Maranoa council area to partake in this program.

#### **QAGOMA LEARNING RESPONSIBILITIES:**

- Workshop facilitators, materials and resources
- Marketing material and promotional images
- Promotional support on the Gallery website and social media sites

#### **VENUE RESPONSIBILITIES:**

- Staff participation / co-facilitation
- Adequate facilities, including but not limited to: workshop spaces, tables, chairs, computer data-projector (required for one day).
- Selecting a date that is compatible with the QAGOMA program scheduling timeframes
- Sourcing and managing engagement of schools, educators, local artists, and arts workers
- Catering supplied /managed on needs basis
- Cross-promotional and allied local marketing of project to audiences where requested

Enclosed is the information about the touring program 'Art as Exchange' with the 9<sup>th</sup> September as the suggestion of date.

Would you be able to share the invitation with your artists, arts workers and arts educators from the Roma and surrounding communities with particular interest in people working in the areas of Arts Learning, Art and Wellbeing, Cultural Learning and Digital Learning.

The expressions of interest are to be send by 5 PM Tuesday the 20<sup>th</sup> August to the ..... Art Gallery (please add email address).

Should you have any questions please contact me by phone on (07) 3840 7198 or by email [regionaltouring@qagoma.qld.gov.au](mailto:regionaltouring@qagoma.qld.gov.au).

We look forward to seeing you at 'Art as Exchange'.

Yours sincerely

Henri

**HENRI VAN NOORDENBURG** | Project Officer, Regional Services  
Regional Services  
T: +61 7 3840 7198  
E: [henri.vannoordenburg@qagoma.qld.gov.au](mailto:henri.vannoordenburg@qagoma.qld.gov.au)



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PO Box 3686, South Brisbane, Queensland 4101 Australia  
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## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 3 July 2019

**Item Number:** 13.4

**File Number:** D19/56886

**SUBJECT HEADING:** Opportunity to nationally advertise Roma's Avenue of Heroes

**Classification:** Open Access

**Officer's Title:** Local Development Officer - Roma

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### **Executive Summary:**

Council has been approached with an opportunity to partner with The Last Post Magazine and The Australian War Memorial to advertise our Avenue of Heroes in a special edition of The Last Post – 'Places of Pride' which is designed to help raise awareness of the digital record that they are compiling for future generations. This organisation is endorsed by RSL Australia President, Cameron Dick and the Governor General His Excellency the Honourable Sir Peter Cosgrove. Cutoff date for inclusion Wednesday 10 July 2019.

### **Officer's Recommendation:**

That Council:

1. Accept the proposal from The Last Post Magazine and advertise the Avenue of Heroes in their upcoming special edition
2. Allocate funds up to \$500 from the Material and Services Local Development budget (GL 2883.2001.2001)

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision-making).

The Maranoa region and local economy may benefit from the additional exposure to this special interest market, with the potential to increase tourism

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
TLP	The Last Post Magazine

**Context:**

***Why is the matter coming before Council?***

Council has been offered an opportunity to partner with The Last Post Magazine and the Australian War Memorial in a special edition of The Last Post – ‘Places of Pride’. The last post is Australia’s national magazine for veterans and comes out 3 times a year for Anzac & Remembrance Days and with a Winter edition. We work closely with the RSL National, Australian War Memorial, Red Cross, Department of Veteran Affairs and many others.

It is a free ‘A4’ Magazine and the by-line ‘Keeping the Anzac Spirit Alive’ reflects the magazine’s focus on positive successful Australians honouring that legacy. A full colour, 100 + page publication, TLP is Australia’s most recognised independent online and print veteran magazine. Acclaimed for its quality and journalism. The Last Post is unlike any veteran’s magazine seen before. The reason? It speaks to all Australians as a reminder that the legacy of the Anzac Spirit is relevant to us all. With engaging interviews and input from great writers covering relevant topics, this magazine is well received by a wide audience that reaches far beyond the veteran community - now in its 10<sup>th</sup> year with readership growing with each issue.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

The magazine will offer a ¼ page spread.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section’s wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

No

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?***

(Quote/insert the relevant section’s wording / description within the report)

Council’s corporate plan 4.10.5 – Identify and implement council or joint approved projects to preserve our heritage and local history for current and future generations, identifying opportunities for external funding or support

**Input into the Report & Recommendation:**

***Have others’ views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Anne Craig GTR Publishing editor – The Last Post Magazine – cutoff date for inclusion 10 July 2019.

This report’s author has attempted to contact Roma RSL sub branch George Mehay and Sarah Mehay coordinator for the Avenue of Heroes for their input and possible co-contribution, at the time of submission no response had been received.

### Funding Bodies:

*Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.* (Please do not just include names)

No

### This Financial Year's Budget:

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)?* *Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

\$500 could be accommodated from the Material and Services Local Development budget (GL 2883.2001.2001).

### Future Years' Budgets:

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?* (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

No, this is a one off project - future consideration is not required.

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?* (Interested Parties Analysis - IS9001:2015)

- RSL Roma sub-branch
- Avenue of Heroes organising committee

### Risks:

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Decline to advertise	It would be a missed opportunity for nationwide marketing which could also potentially increase tourism within the Maranoa region.

### Advice to Council:

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

The avenue of heroes is a memorial unique to Roma - nationwide advertising could potentially increase tourism. Acknowledgement of the memorial in TLP will reflect Council's support for community initiatives and our dedication to preserving our local history.

**Recommendation:**

***What is the 'draft decision' based on the advice to Council?***

***Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?***

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

***Does this recommendation suggest a decision contrary to an existing Council policy?***

***If so, for what reason?***

That Council:

1. Accept the proposal from The Last Post Magazine and advertise the Avenue of Heroes in their upcoming special edition.
2. Allocate funds up to \$500 from the Material and Services Local Development budget (GL 2883.2001.2001).

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.10 Foster arts and culture within our communities and help preserve our local history

4.10.5 Identify and implement approved Council or joint projects to preserve our heritage and local history for current and future generations, identifying opportunities to secure external funding and support.

**Supporting Documentation:**

[1](#) TLP Places of Pride

D19/56893

**Report authorised by:**

Manager - Economic & Community Development

Chief Executive Officer



# THE LAST POST

KEEPING THE ANZAC SPIRIT ALIVE FOR AUSTRALIA'S  
VETERANS AND THEIR SUPPORTERS

*Story*

Through bloodlines, The Last Post (TLP) magazine started at Gallipoli. Its acorn then fought with the 2/10th in Milne Bay, Buna and Balikpapan and trekked the Kokoda in WW2. By the late-sixties, The Last Post magazine was ready to be born.

Raymond Thorsby Ross, who had fought in PNG and the son of Joseph Thorsby Ross, who had fought at Gallipoli, leased a small office in George Street, Sydney. Raymond had decided that a small magazine, designed to help RSLs and their members, should be introduced in New South Wales. To do this he would need advertising to help pay printing and distribution costs. Daily, Raymond would take the train from suburban Chatswood to the city and phone local businesses and sporting clubs, asking for their support. This ex-digger and RSL member worked long hours to get each edition out and was effectively the magazine's editor, graphic designer and distributor.

In 1974, Raymond and his partner moved to Scarborough in suburban Perth and continued The Last Post in Western Australia until his death in 1983.

Twenty-eight years later, Raymond's son and Joseph's grandson, Gregory Thorsby Ross brought his father's magazine back to life. Greg had lived with his father as a 15-year old, when he started working as a copy-boy and cadet journalist at The Sydney Morning Herald. The teenager became a first-hand observer of the early days of the ex-servicemen and women's publication. By 2011 he had put everything in place to re-introduce The Last Post to a public in desperate need of a modern, quality magazine to assist the veteran community. Only this time it would be a national. And this time, it would be for all Australians.

With this humble background, and from a history steeped in the Anzac tradition, the new national TLP was born and is now respected and read by not only Australian veterans but the wider global community.

Featuring profiles on contemporary and historical veteran issues as well as honourable Australians, organisations, institutions and companies, TLP has matured to be Australia's most recognised independent online and print veteran magazine.

Acclaimed for its quality and journalism The Last Post is unlike any veteran's magazine seen before.

The reason?

It speaks to all Australians as a reminder that the legacy of the Anzac Spirit is relevant to us all.

With editor Greg T Ross' up-close interviews with famous Australians, stunning layout and production and input from great writers covering relevant topics in history, music, arts, entertainment, sport, travel, gardening, this magazine is so well received by a wide audience that reaches far beyond the veteran community.

[thelastpostmagazine.com](http://thelastpostmagazine.com)

Photo: Tim Page

# Media Kit

*The Last Post*, was first launched in 2011 and is Australia's highly acclaimed national magazine for veterans and the wider community.

TLP is a released online and in print, three times per year:

**Anzac Day – April 18th**  
**Special Edition – July 20th**  
**Remembrance Day – November 1st**

Show your care for Australia's veterans by supporting their magazine.

Advertising space that will give national coverage to you and your brand, demonstrating how you help to keep the Anzac spirit alive, is available at affordable rates.

Help our veterans and increase consumer awareness and support for your brand now with an appearance in *The Last Post*.

The Last Post magazine includes:

- Interviews with well known Australians
- Stories and articles from some of the country's best known writers
- Music, Arts and Entertainment
- Health
- Travel
- Sport
- Veteran's Issues
- Gardening
- DVA Updates

"There is the acknowledgement that our frail human nature has yet to find a way to repudiate war, yet hold safe our fundamental values. I applaud The Last Post for doing its part to ensure we are keeping the Anzac spirit alive. It is the least we owe for a debt we can never repay."

His Excellency General  
 The Honourable Sir Peter Cosgrove AK MC (Retd)  
 Governor-General of the Commonwealth of Australia



## READERSHIP DEMOGRAPHIC

<b>Gender</b>	
Male	51%
Female	47%
Undeclared	2%

**Average Age**  
 53 years old

**Average Income**  
 \$95,000

<b>By State</b>	
Queensland	21%
New South Wales	26%
Victoria	25%
South Australia	12%
Western Australia	10%
Tasmania & Northern Territory	5%
Overseas & Miscellaneous	5%

<b>By Age</b>	
18-40 Years old	18%
40-70 Years Old	71%
70+ Years Old	11%

## Frequency

Published 3 times per year:

April  
 July  
 November

## TOTAL DISTRIBUTION

With its unique coverage of issues that affect veterans and the wider community, *The Last Post* magazine has been highly acclaimed nationally since it launched in 2011.

Our distribution is 100,000 copies electronically and printed, distributed through subscription, mailout to corporate supporters, state and national libraries, veterans groups and governments.

The Last Post magazine is released three times per year (April, July, November).

The TLP eNews is released every three months, and, along with our very active Facebook page, is another way we connect and keep in touch with veterans and their supporters.



Photo: Tim Page

AUSTRALIAN WAR MEMORIAL

P04959.062



## ADVERTISING RATES – SPECIAL EDITION 'PLACES OF PRIDE'

Casual (per issue)		
	Double Page Spread	\$3000 (plus gst)
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	Half Page Horizontal	\$1000 (plus gst)
	Quarter Page	\$500 (plus gst)
	Eighth Page	\$400 (plus gst)

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- Please ensure that your type does not go all the way to the edge of your artwork, leave a reasonable margin.
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	Half Page Vertical 297h x 105w
	Half Page Horizontal 148.5h x 210w
	Quarter Page 148.5h x 105w (vertical) 74.25h x 210w (horizontal)
	Eighth Page 74.25h x 105w (vertical) 37.125h x 210w (horizontal)

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Growing in popularity, the TLP eNews is an electronic version of our great magazine, regularly distributed via email, to our vast online database of RSLs, subscribers, libraries, schools, government and council officeholders and corporate supporters.

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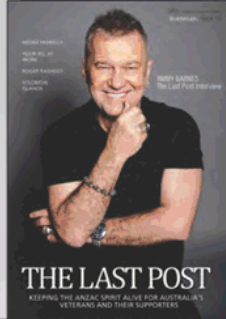
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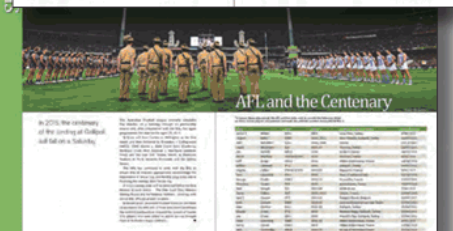
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## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 3 July 2019

**Item Number:** 13.5

**File Number:** D19/56915

**SUBJECT HEADING:** Request for Sponsorship - Australian Livestock Markets Association

**Classification:** Open Access

**Officer's Title:** Local Development Officer - Roma

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### **Executive Summary:**

The Australian Livestock Markets Association has requested sponsorship from Maranoa Regional Council for their transportation costs during their National Saleyards Exhibition hosted in Roma Tuesday 23 July – Thursday 25 July 2019.

### **Officer's Recommendation:**

That Council:

1. Note the request from the Australian Livestock Markets Association and support the national event by providing sponsorship of their transportation costs throughout the exhibition.
2. Allocate funds of up to \$2,000 from the sponsorship budget (GL 2887.2249.2001)

---

### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Australian Livestock Markets Association (ALMA)  
Maranoa Regional Council – Roma Saleyards

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
ALMA	Australian Livestock Markets Association

**Context:**

***Why is the matter coming before Council?***

The Australian Livestock Markets Association (ALMA) is continuing in a new era, staging the National Saleyards Expo alongside our annual conference and Annual General Meeting, to be held in Roma in 2019. They are providing a number of charter services to transport the delegates to and from the scheduled venues and they have requested sponsorship from Council to cover these costs.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

Kate McGilvray - Executive Officer of ALMA, has obtained quotations from local providers.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

No

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Maranoa Regional Council's corporate plan section 4.11 and 4.11.5. Supporting community events through access to financial and in-kind assistance.

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

ALMA Executive Officer Kate McGilvray  
Roma Saleyards Paul Klar

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

No

**This Financial Year's Budget:**

***Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).***

***If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?***

Funds of up to \$2,000 can be made available from the sponsorship budget GL 2887.2249.2001.

### Future Years' Budgets:

**Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

The request is one-off during the event in Roma this year.

### Impact on Other Individuals or Interested Parties:

**Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?** (Interested Parties Analysis - IS9001:2015)

ALMA Executive Officer Kate McGilvray  
Roma Saleyards Paul Klar  
ALMA Delegates

### Risks:

**What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)** (List each identified risk in a table)

Risk	Description of likelihood & consequences
Decline sponsorship	May impact future opportunities of securing the event.

### Advice to Council:

**What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?**

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

A national event of this caliber will boost the local economy and potentially increase our tourism in the long term by exposing a number of visitors to the region. Offering sponsorship would enhance the working relationship between Maranoa Regional Council and ALMA and improve our chances to host the event in future years.

### Recommendation:

**What is the 'draft decision' based on the advice to Council?**

**Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?**

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

**Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?**

That Council:

1. Note the request from the Australian Livestock Markets Association and support the national event by providing sponsorship of their transportation costs throughout the exhibition.
2. Allocate funds of up to \$2,000 from the sponsorship budget (GL 2887.2249.2001)

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.11 Support development of our local communities through planning, programs and events

4.11.5 Provide support to community festivals and events through access to opportunities for financial and in kind assistance.

**Supporting Documentation:**

[1](#) Sponsorship requests - Quote transportation ALMA D19/56939

**Report authorised by:**

Manager - Economic & Community Development

Chief Executive Officer

Malinda as discussed!

With thanks.

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**Edward (Ed) Sims**

Manager,  
Economic & Community Development

D: (07) 4626 6118 / (07) 4624 0813 M: 0447 733 109 F: (07) 4624 6990

---

**From:** Paul Klar

**Sent:** Wednesday, July 3, 2019 10:49:35 AM

**To:** Edward (Ed) Sims

**Subject:** FW: Support from Maranoa Shire Council for bus services for National Saleyards Expo

Hi Ed,

As discussed below is the request for support. Any Questions let me know.

Regards,  
Paul

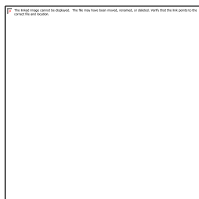
Hi Paul,

Quotes received from Palmers Bus Company are as follows:

1. Wed – pick up delegates from various accommodation and deliver to Roma Explorers Inn - \$496 (48 seater bus)
2. Wed - Roma Explorers Inn to Site Visit 1 (currently Brindley Feedlot and return) - \$528 per 48 seater bus
3. Wed – pick up delegates from various accommodation and deliver to Royal on 99 - \$264 per 48 seater bus
4. Wed – pick up delegate from Royal on 99 and deliver to various accommodation - \$264 per 48 seater bus
5. Thursday - Various accommodations to Site visit 2 Roma Saleyards - \$264 per 48 seater bus

Prices seem high compared with other towns, however, Richmond Valley Council funded all last year and we did not see prices/invoices for the services provided. Not sure whether the prices listed are inflated for us or just the true cost of services in Roma. I guess we could say they are worst case scenarios.

Kind regards,  
Kate



Kate McGilvray

Executive Officer 0409 810 954

e: [kate@australiansaleyards.com.au](mailto:kate@australiansaleyards.com.au) w: [www.australiansaleyards.com.au](http://www.australiansaleyards.com.au)

Australian Livestock Markets Association PO Box 833 Mudgee NSW 2850

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**Paul Klar**  
Manager,  
Saleyards

D: (07) 4624 0401 M: 0407 029 249 F: (07) 4624 6990

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## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 4 July 2019

**Item Number:** 13.6

**File Number:** D19/57148

**SUBJECT HEADING:** Western Downs and Maranoa Silo Art Trail

**Classification:** Open Access

**Officer's Title:** Regional Tourism Development Coordinator

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### **Executive Summary:**

With the success of various silo art projects in other regions in Australia, the Chinchilla Chamber of Commerce and Industry (CCCI) would like to form a Committee and investigate the possibility of developing a silo art trail in this region.

The purpose of this report to seek approval to provide the Wallumbilla Town Improvement Group with a letter of support that can be used in a joint grant application to develop a Scoping Study for the regional silo arts trail.

### **Officer's Recommendation:**

That Council provide a letter of support to the Wallumbilla Town Improvement Group stating 'in principle' support for a Scoping Study for the regional silo art trail project.

---

### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Wallumbilla Town Improvement Group

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
CCCI	Chinchilla Chamber of Commerce and Industry

### **Context:**

***Why is the matter coming before Council?***

A representative of the Wallumbilla Town Improvement Group has become a member of the Committee progressing the regional silo art trail. The CCCI are intending on submitting a grant application at the end of this month and the Wallumbilla Town Improvement Group has requested that Council provide a Letter of Support for the project to help strengthen the grant application.



**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

In the Draft Local Community Plan developed by Council last year the grain silos in Wallumbilla were identified as having potential tourism value.

The Western Downs and Maranoa Silo Art Trail is loosely based on the recently developed Sunset Way Tourist Trail, along with the Warrego Highway and will initially focus on the smaller towns of the region such as Wallumbilla, Meandarra, Tara, Wandoan and Brigalow. The initial sites being considered are primarily Grain Corp silos and ones that Grain Corp has identified as being safe and suitable for the project.

The initial meeting of the group was held in Chinchilla on Tuesday 2 July in which two representatives of the Wallumbilla Town Improvement Group attended along with Council's Regional Tourism Development Coordinator.

A Committee was formed and consists of community groups and businesses members from the region who will continue to lobby and apply for funding for the project. It is estimated that each silo art project will cost in the vicinity of \$100,000.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?***

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Nil

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Nil

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?***

(Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Wallumbilla Town Improvement Group Secretary, Meagan Dickson  
Chinchilla Chamber of Commerce and Industry, Shannon McDermott  
Ed Sims, Manager Economic and Community Development

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

Nil

**This Financial Year's Budget:**

**Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).**

**If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?**

Nil

### **Future Years' Budgets:**

**Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?** (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Nil

### **Impact on Other Individuals or Interested Parties:**

**Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?**

(Interested Parties Analysis - IS9001:2015)

Wallumbilla Town Development Group

### **Risks:**

**What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)** (List each identified risk in a table)

Risk	Description of likelihood & consequences
Nil	Nil

### **Advice to Council:**

**What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?**

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council provide a letter of support to the Wallumbilla Town Improvement Group offering 'in principle' support of a Scoping Study for the Regional Silo Art Trail.

### **Recommendation:**

**What is the 'draft decision' based on the advice to Council?**

**Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?**

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

**Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?**

As above.

That Council provide a letter of support to the Wallumbilla Town Improvement Group offering 'in principle' support of a Scoping Study for the Regional Silo Art Trail.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.3 Attract visitors to our region to bring additional customers to our region's businesses

4.3.1 In partnership with the community, commence implementation of the Maranoa Tourism strategy, with the key strategies including: Position Maranoa as a destination of Outback Queensland - Enhance the network of Maranoa attractions - Big Rig progressively upgraded and expanded - Attract and feature high quality events - Enhance experience and adventure tourism and marketing of the Maranoa.

**Supporting Documentation:**

[1](#)  Silo Trail Project Update 2019

D19/57154

**Report authorised by:**

Manager - Economic & Community Development

Deputy Chief Executive Officer/Director - Development, Facilities & Environmental Services

## *Western Downs Silo Art Trail*

### SUMMARY

With the success of various Mural Silo trail project's in other region in Australia, it is proposed that the CCCI initiate a similar project not only for Chinchilla but the Western Downs & Maranoa regions.

This Silo Trail would make its way through the Western Downs, travelling south west from Dalby off the Moonie Hwy, following the Sunset Way to Surat then heading North to Roma and heading back east along the Warrego Highway to Dalby. The possible sites for Silo Art work would be Tara, Meandarra, Wallumbilla, Dulacca, Chinchilla & Brigalow with the possibility of Water towers being used at sites where Grain Corp silo's are not available. This project could include a point of difference to those already existing by including lighting to enable viewing at night. We could also propose to challenge the artists to include an interactive style selfie location within the Mural. This would be a point within the viewing area where a picture taken at the right angle would appear as though the person within the photograph became part of the image, with the popularity of social media this would generate a lot of free publicity for the Silo Trail.

This project would generate increased tourism, fill motels and caravan parks, stimulate the local economy and generate extra revenue for local community and Charity Groups. Driven by a recognised opportunity to increase tourism for the Western Downs & Maranoa.

### ISSUE

- Western Downs & Maranoa are currently lacking significant tourism drive for the region, apart from Bi-Annual events in the region such as the Chinchilla Melon Festival, Tara Camel Races or the Annual Easter in the Country in Roma.
- The economy of the Western Down's & Maranoa regions would benefit from a more regular stream of tourism income
- Previous Silo projects across QLD and Victoria have illustrated that they are a long-term project and require an investment of around \$100K per location

### BACKGROUND

Success of other mural silo trail projects in recent years, a Western Downs Silo Trail would piggyback on the idea to create our own silo tourist route. Contact has been made with the Thallon Progress Association, Yarriambiack Shire Council (Silo Trail in Victoria), Grain Corp, Tara futures group, Meandarra, Wallumbilla Town Improvement Group, Tourism & Events QLD as well as Arts QLD who have all provided valuable information, including lessons learnt, budgets needed, processes to follow, and who to talk to. Discussions with WDRC highlighted the benefits of murals for the region, but also that the initiative needs to be led by community groups.

### RATIONALE

- Grow Western Downs & Maranoa tourism numbers all year round with Murals on the Grain Corp Silo's.
- Benefits will flow into the local communities stimulating the economy
- The majority of the Grain Corp Silo's for this project are based directly on the Warrego Highway – high traffic area
- Great positioning for tourism / parking. Plenty of room for tourists to pull over and view the Silo's up close without interrupting traffic flow or creating danger
- Re direct the focus of Western Downs as not just a Gas / Resource hub, to a tourist destination

- Grain Corp have expressed interest in leasing their silos and have already provided the CCCI with details on how to move forward

### RECOMMENDATION

A “Western Downs & Maranoa silo Art Trail” committee to be formed consisting of community groups and business members to work together gaining community input into design subjects and ideas. It is important for the communities to have ownership of the silos and what they stand for. Initiate further discussions with both the Western Downs and Maranoa Councils to facilitate further understanding of ongoing responsibilities with site maintenance and viewing areas. Funding be sought to design and create Murals and formulate a master plan for Grain Corp Silos in the Western Downs & Maranoa Region.

### FURTHER OPPORTUNITY

To jump on board with and take advantage of Queensland’s Sunset Way & Warrego Way Tourist route marketing. Discuss with local community groups the potential to look at projection murals as an option to painted murals, these would only be able to be viewed at night thus virtually ensuring overnight stays at each location and boosting the local economy.

### NEXT STEPS

Make formal contact with all interested parties to form the “Western Downs & Maranoa Silo Trail Committee”.

Seek seed funding to have Artist/s travel to region to supply formal quotes for each site.

Investigate further costs for each site with regards to viewing areas, safety barriers, roadworks etc.

Seek funding for Master Plan.

Submit Grant applications.

### CONTACT

For further information contact Chinchilla Community Commerce & Industry Manager Robyn Haig,  
[manager@chinchilla.org.au](mailto:manager@chinchilla.org.au) M. 0407 554 862

## **OFFICER REPORT**

**Meeting:** General 10 July 2019

**Date:** 4 July 2019

**Item Number:** 13.7

**File Number:** D19/57191

**SUBJECT HEADING:** Queensland Training Awards - Darling Downs  
South West Regional Final

**Classification:** Open Access

**Officer's Title:** Regional Tourism Development Coordinator

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### **Executive Summary:**

Visitor Information Centre Officer, Ms Tayla Dennis, is a finalist in two Queensland Training Awards - Darling Downs South West Region. Tayla has been nominated by Golden West Apprenticeships for her achievements as a Trainee when she completed her Cert III in Tourism whilst being hosted at The Roma Visitor Information Centre and The Big Rig.

The Award ceremony is being held in Gatton on Friday 26 July 2019. As a Finalist Tayla is provided with accommodation and a complimentary ticket. To support Tayla at the Awards Council's Tourism Officer, Leanne Crawford, will be attending the awards evening also. Tickets must be purchased by Wednesday 17 July 2019.

### **Officer's Recommendation:**

That Council:

1. Reimburse Roma Tourism Officer Leanne Crawford for the cost of Gala Awards Nights ticket (\$105).
2. Sponsor relevant Maranoa Regional Councillor/s to attend the Gala Awards Dinner to be held in Gatton on Friday 26 July 2019 in support of Ms Dennis' nominations.

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### **Individuals or Organisations to which the report applies:**

***Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?***

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Leanne Crawford

### **Acronyms:**

**Are there any industry abbreviations that will be used in the report?**

*Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).*

Acronym	Description
Nil	Nil

**Context:**

***Why is the matter coming before Council?***

Being a Finalist in these prestigious awards is an exciting and distinguished achievement for a Maranoa Regional Council employee.

**Background:**

***Has anything already happened in relation to this matter?***

(Succinct overview of the relevant facts, without interpretation)

Tayla Dennis was a finalist in two categories at the Queensland Training Awards - Darling Downs South West Region in 2018. Tayla subsequently won both those categories and then attended the State Queensland Training Awards.

To be announced a finalist in two award categories in 2019 is further confirmation of the outstanding achievement of Ms Dennis whilst completing her Traineeships.

At the Gala Awards last year there was significant reference and promotion of Maranoa Regional Council as the host employer. Other award nominees were heavily supported and well represented by their host employers at the Gala Awards Dinner last year.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**

***What does the legislation and other statutory instruments include about the matter under consideration?***

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Nil

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision?***

***What are relevant sections of the policy or plan?***

(Quote/insert the relevant section's wording / description within the report)

Nil

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Ed Sims, Manager Economic and Community Development

**Funding Bodies:**

***Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application.*** (Please do not just include names)

Nil

### **This Financial Year's Budget:**

*Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).*

*If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?*

There is a cost of \$105/person to attend the Gala Awards dinner.

### **Future Years' Budgets:**

*Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)*

Nil

### **Impact on Other Individuals or Interested Parties:**

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?* (Interested Parties Analysis - IS9001:2015)

Nil

### **Risks:**

*What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does)* (List each identified risk in a table)

Risk	Description of likelihood & consequences
Nil	Nil

### **Advice to Council:**

*What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?*

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council reimburse the cost of the Gala Awards Dinner for Maranoa Regional Council's Tourism Officer – Roma and sponsor any Councillors who may wish to attend in support of Tayla Dennis.

### **Recommendation:**

*What is the 'draft decision' based on the advice to Council?*

*Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

*Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?*

That Council:

1. Reimburse Roma Tourism Officer Leanne Crawford for the cost of Gala Awards Nights ticket (\$105).
2. Sponsor relevant Maranoa Regional Councillor/s to attend the Gala Awards Dinner to be held in Gatton on Friday 26 July 2019 in support of Ms Dennis' nominations.



**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 5: Managing our operations well

5.1 Continue to improve everything we do

5.1.2 Deliver our services and projects with excellence in mind.

**Supporting Documentation:**

Nil

**Report authorised by:**

Manager - Economic & Community Development

Chief Executive Officer

## **COUNCILLOR REQUEST FOR AN AGENDA REPORT**

**Meeting:** General 10 July 2019

**Date:** 4 July 2019

**Item Number:** 16.1

**File Number:** D19/57308

**SUBJECT HEADING:** Council In-Kind Contributions - Key Regional Events

**Classification:** Open Access

**Councillor's Title:** Cr Cameron O'Neil

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### **Executive Summary:**

Proposal to review Council's In-kind support and contributions for key regional events.

### **Councillor's Recommendation:**

That a report be prepared for an upcoming Council meeting.

That a report be prepared for an upcoming Council meeting detailing the In-kind contributions Council has made or has committed to key events across the region, including:

- Easter in the Country
- Annual Shows
- Race meets (Roma, Mitchell and Surat)
- Mitchell Fire and Water Festival
- Cobb & Co Festival
- Any other additional festivals or similar identified

In addition, identification of potential options to include a specified Council liaison officer.

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### **Details of Requested Agenda Report:**

Key events and volunteer committees work tirelessly to deliver outstanding events often with Council support, the need for increased support from Council is growing, and we need a stock stake of what we are currently providing to assist future discussions.

### **Supporting Documentation:**

Nil

**COUNCILLOR REQUEST FOR AN AGENDA REPORT**

**Meeting:** General 10 July 2019

**Date:** 4 July 2019

**Item Number:** 16.2

**File Number:** D19/57104

**SUBJECT HEADING:** Policy for Grant Writing for Community Groups

**Classification:** Open Access

**Councillor's Title:** Cr Jan Chambers

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**Executive Summary:**

Proposal to develop a policy to support grant writing for community groups.

**Councillor's Recommendation:**

That a report be prepared for an upcoming Council meeting.

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**Details of Requested Agenda Report:**

There has been lots of discussion in the past around Council providing support for grant writing for Community Groups. It would be worthwhile for Council to formulate policy around this so all parties know what is involved.

Many community groups require assistance to write grants, the volunteers often have the ability to gather the required information, but need help with the wording of the application.

**Supporting Documentation:**

Nil

**COUNCILLOR REQUEST FOR AN AGENDA REPORT**

**Meeting:** General 10 July 2019

**Date:** 4 July 2019

**Item Number:** 16.3

**File Number:** D19/57127

**SUBJECT HEADING:** Landholder Contribution to Roadworks

**Classification:** Open Access

**Councillor's Title:** Cr Jan Chambers

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**Executive Summary:**

Proposal to further investigate development of a policy in regard to potential landholder contributions for roadworks.

**Councillor's Recommendation:**

That a report be prepared for an upcoming Council meeting.

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**Details of Requested Agenda Report:**

Councillors and staff recently held an on-site inspection with landholders. The question was posed as to whether there is opportunity for landholders to make contributions towards upgrades and maintenance. As this is a topic that Council has had some discussion on in the past it is timely that a report be prepared looking at all aspects including pros and cons, legal requirements etc. and formulate policy so that future direction can be advised to landholders when the question is asked.

Suggested items to be looked at in the report:

- Supply of gravel and water, testing requirements for gravel
- Legal Requirements/Procurement Requirements regarding plant usage
- Legal Requirements in regards to responsibility
- Use of Local Contractors
- Private Works Arrangements
- And any other items relevant to the discussion and policy formulation process

**Supporting Documentation:**

Nil