



LATE ITEMS BUSINESS PAPER

General Meeting

Wednesday 28 August 2019

Roma Administration Centre

NOTICE OF MEETING

Date: 28 August 2019

Mayor:

Councillor T D Golder

Deputy Mayor:
Councillors:

Councillor J L Chambers
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 **August 28, 2019 at 9.00AM.**

Julie Reitano
Chief Executive Officer

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OFFICER REPORT

Meeting: General 28 August 2019

Date: 19 June 2019

Item Number: L.1

File Number: D19/51743

SUBJECT HEADING: Removal of Outdoor Fitness Equipment

Classification: Open Access

Officer's Title: Regional Sport & Recreation Development Coordinator

Executive Summary:

Three pieces of outdoor fitness equipment with rubberised softfall, were removed from Shadys Lagoon to allow construction of the off leash dog park. A small number of residents who used the equipment on a regular basis, have enquired about the reinstatement of the equipment at this location or an alternative location along Adungadoo Pathway. Two of the three pieces have extremely limited life remaining, with one piece deemed not suitable for reinstall. The equipment was purchased from Family Fitness and Playground Equipment in 2010. The company is no longer in operation and parts for the equipment cannot be sourced within Australia.

This report seeks the approval of Council to further investigate the replacement of like equipment and present to Council for future budget consideration.

Officer's Recommendation:

That Council:

1. Do not reinstate the original outdoor fitness equipment removed from Shadys Lagoon area, due to the age and condition of the equipment
2. Staff to provide Council with a quotation to replace items similar to those removed with softfall, for budget consideration

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).

A small number of aged residents have requested reinstallation of the outdoor equipment, in particular the butterfly chest press.

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
<Insert Acronym>	<Provide details>

Context:

Why is the matter coming before Council?

The removal of the equipment has been raised with Councillors by residents and Councillors have raised customer requests in Council's system, hence a decision from Council is sought on the best outcome for all.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

During construction of the off leash dog park situated near Shadys Lagoon, three pieces of aged outdoor fitness equipment were removed. The equipment had damage prior to removal and also sustained some damage during removal. Two of the three pieces have small dents and damage to them, with one piece having a broken cast foot plate that cannot be replaced or welded. The equipment is currently stored at Cartwright Street Depot.

The equipment was purchased during 2010 from Family Fitness and Playground Equipment (see quotation attached) and pieces were located in Roma, Injune, Mitchell, Surat, Wallumbilla and Yuleba. The equipment in the smaller towns is still in reasonable condition due to minimal use. The Roma equipment has endured more rigorous use and due to not being of a high quality commercial nature initially, has reached the end of its life.

Two of the three pieces with significant repairs undertaken by a local fabricating business could be returned to fair working condition, but there is no space on the current work stations along Adungadoo Pathway where there would be adequate softfall located underneath the pieces. Safety concerns for users would be high if there is no cushioning for falls off the equipment, with those residents requesting reinstatement of the equipment aged over 70 years of age.

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)

Outdoor play equipment must comply with AS 4685.0:2017, Playground equipment and surfacing – Part 0: Development, installation, inspection, maintenance and operation. The objective of AS 4685.0 is to minimise the risk of injury to playground users. It provides designers, owners and operators of playgrounds with guidance on the development, installation, inspection, maintenance and operation of playgrounds.

Council also has a duty of care to protect the safety and well-being of the community.

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)

Each piece of equipment must be manufactured and installed as per manufacturers recommendations. There will be an Australian Standard regarding the manufacture

of equipment e.g. Exercise cycles AS 4092:1993. Maintenance and service should also comply with manufacturer's recommendations to ensure as far as reasonably practicable that the equipment is fit for purpose. Product Safety Australia is part of the Australian Competition and Consumer Commission, gives some high level guidance on products safety but the individual standard would be required to be consulted to form a specific recommendation on each piece of equipment and the appropriate method of installation.

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)

Konrad Crawford-Team Coordinator - Roma Parks, Gardens & Regional Horticulturist
Evan Woods-Manager, Construction
Tanya Mansfield-Manager, Facilities
Marian Vierveyzer-Operations Manager – Enterprise Risk, Quality, Safety & Environment
Ed Sims-Manager, Economic and Community Development
Rob Hayward-Deputy CEO / Director, Development, Facilities & Environmental Services
Emma Boardman, Urban Play

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)

Council may consider approving budget for supply of replacement equipment and softfall.

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)

A small number of aged residents who were using the decommissioned equipment may be impacted due to the specific nature of one piece of equipment, being the butterfly press curls.

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
Safety for users if aged equipment is reinstated	Equipment that was removed has broken and damaged parts, which require replacement from a non-approved fabricator/contractor due to no original parts available. Equipment should be operated with some type of softfall underneath, due to all ages and abilities using equipment. Safety audits are not undertaken on a regular basis to check equipment safety and to review end of life.

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)

After speaking with Council staff and Urban Play staff (suppliers of playground and outdoor fitness equipment), I recommend that Council do not reinstate the aged and unsafe equipment removed from Shadys Lagoon area for use by residents.

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. Do not reinstate the outdoor fitness equipment removed from Shadys Lagoon area, due to the age and condition of the equipment
2. Staff to provide Council with a quotation to replace items similar to those removed with softfall, for budget consideration

Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.12 Develop healthy and connected communities through sport and recreation activities and facilities

4.12.4 Deliver sport and recreation facilities and infrastructure projects for the community as funding is approved, including engagement with key stakeholders.

Supporting Documentation:

- | | | |
|-------------------|--|-----------|
| 1 | HCI- Revised costing for Outdoor Exercise equipment from Family Fitness and Playground Equipment | D19/75637 |
| 2 | Elliptical Cross Trainer_outdoor fitness equipment | D19/74739 |

- removed
- 3↓ Butterfly Press Curls_outdoor fitness equipment D19/74740
removed
- 4↓ Waist Twister and Stepper_outdoor fitness equipment D19/74741
removed

Report authorised by:

Manager - Economic & Community Development

Deputy Chief Executive Officer/Director - Development, Facilities & Environmental Services

From: [Arnold Nooren](#)
To: [Kate Thompson](#)
Subject: RE: Revised costing
Date: Wednesday, 17 November 2010 9:07:56 AM
Attachments: [image001.jpg](#)
[image002.png](#)
[Revised Quotation.pdf](#)
[Tax Invoice.pdf](#)
[L & S.jpg](#)

Hi Kate,

I've attached the revised Quotation and Tax Invoice.

Could you pass the Tax invoice on to the Accounts dept. and request a 50% deposit to be lodged into our Bank Account.

I have given the details to the factory to commence manufacture.

I'll keep you informed as to the progress.

Cheers

Arnold

From: Kate Thompson [mailto:KateT@maranoa.qld.gov.au]
Sent: Thursday, 11 November 2010 12:25 PM
To: 'Arnold Nooren'
Subject: Revised costing

Hi Arnold,

Please find attached Maranoa Regional Councils order for Outdoor Exercise Equipment, installation and freight. I am still working off the quote that you sent me through with a few revisions including 5 x Rowing Machine @ \$835 each, installation costs @ \$4071.76 and freight @ \$1250 (plus GST).

Please feel free to contact me with any concerns regarding this order. Obviously delivery drop off points will be discussed at a later date.

Thanks for all of your help and wonderful service regarding this order. I know that Karen Sellars (MHEP) and myself are both very happy with your commitment to service.

Look forward to the installation,

Kate Thompson
Healthy Communities Coordinator



Yuleba Administration Centre
20 Stephenson Street, Yuleba Q 4427

Postal Address: PO Box 21, Yuleba. Q 4427
Ph: 1300 007 662 / Fax: 07 4623 5277
Email: kate@maranoa.qld.gov.au
Web: www.maranoa.qld.gov.au



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 **Please consider the environment before printing this e-mail**



Family Fitness + Playground Equipment
6/15-25 Helen St Lane Cove NSW 2066 ABN 32 107 782 570

QUOTATION
Kate Thompson
Maranoa Regional Council



Multi 4 Station Exercise

\$1965



Combined 3 Station Exercise with Single Cross Trainer

\$2296



Double Curved sit up Benches

\$1185



Lat Pull down, combined with Single Leg Press

\$1825



Butterfly bench Curls

\$1250



Waist twister and Stepper

\$1250



Rowing Machine

\$4175



Elliptical Cross Trainer

\$1102

<i>Sub Total</i>	\$15048:00
<i>Freight from Port Brisbane to Roma</i>	\$1250:00
<i>Total</i>	\$16,298:00
<i>GST</i>	\$1629:80

Total to supply Equipment only \$17,927:80

Total to Supply and Install Equipment GST inclusive \$22,327:80

A Warranty Certificate will be issued on completion of the project.

All items of equipment have instruction and warning labels.

We thank you for the opportunity to submit a Quotation for the above project and look forward to hearing from you in the near future.

Should you require any further information please do not hesitate to call me on 0417238105

Yours truly,

ARNOLD NOOREN
17/11/10

Family Fitness + Playground Equipment

6/15-25 Helen St
LANE COVE NSW 2066

A.B.N.: 32 107 782 570

Tax Invoice

Invoice #: 00000067
Date: 17/11/2010

Bill To:

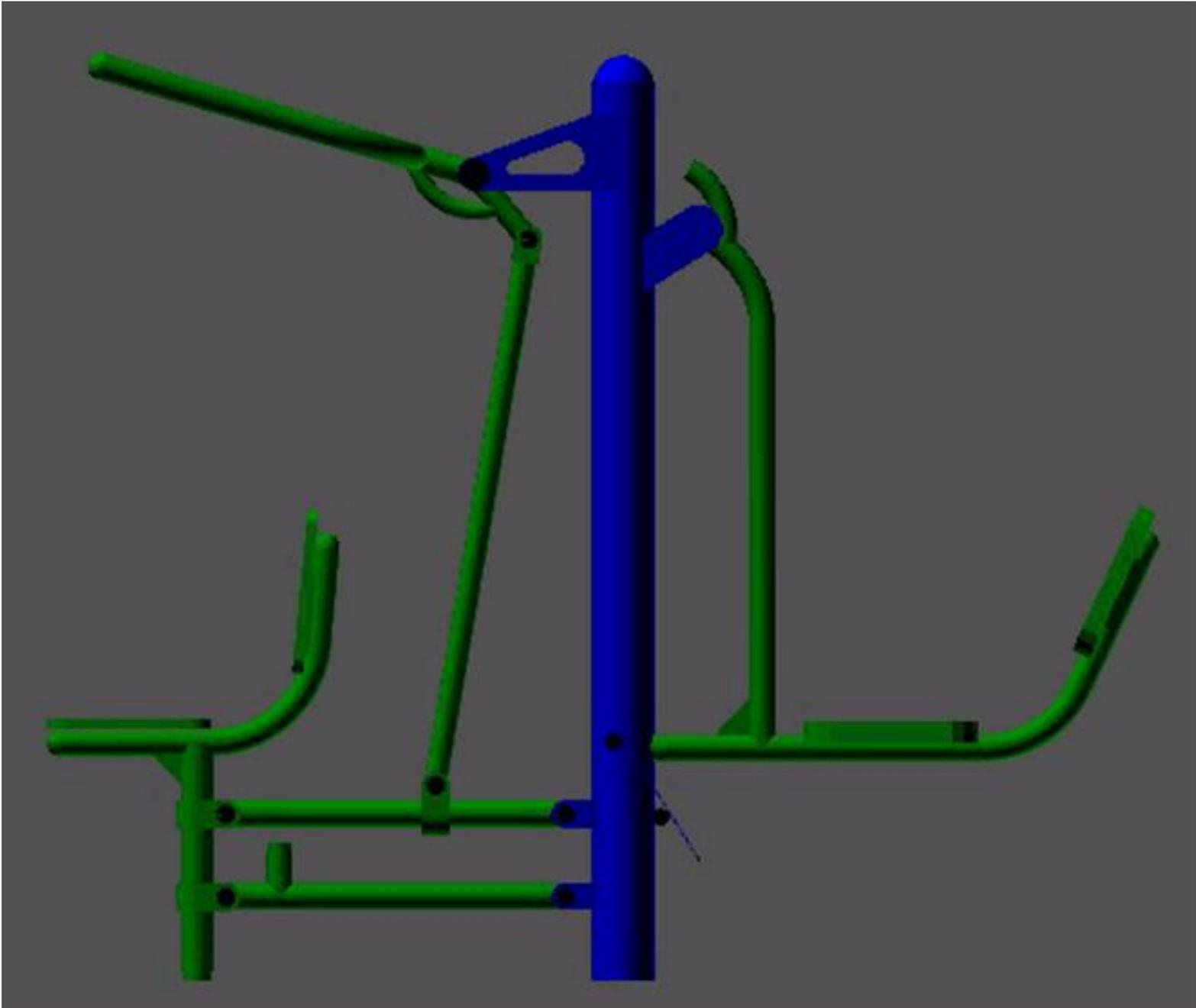
Maranoa Regional Council
PO Box 21
YULEBA Qld 4427

Description	Amount	Code
Supply, Deliver and install Outdoor Fitness Equipment as listed below	\$22,327.80	GST
Multi 4 Station Exercise		
Combined 3 Station Exercise with Cross Trainer		
Double Curved Sit up bench		
Lat Pull down with Leg Press		
Butterfly Bench Curls		
Waist twister with Stepper		
5 of Rowing Machines		
Eliptical Cross Trainer		

Bank Details
Family Fitness & Playground
Equipment
WestPac Banking Corp
BSB 032-164
A/C 10-8081

Your Order #: 23968	Customer ABN:		
		GST:	\$2,029.80
		Total Inc GST:	\$22,327.80
		Balance Due:	\$22,327.80

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OFFICER REPORT

Meeting: General 28 August 2019

Date: 26 August 2019

Item Number: L.2

File Number: D19/75005

SUBJECT HEADING: Disposal of waste material-Bassett Park

Classification: Open Access

Officer's Title: Regional Sport & Recreation Development
Coordinator

Executive Summary:

This report is tabled to seek Council's approval to dispose of waste material from Bassett Park to a private business in Rockhampton, the only charge being loading and haulage at the cost of the business.

Dick Easy, Director of Easy Haul at Gracemere has approached Council staff verbally, to trial the feasibility of incorporating the waste material which will be removed from horse stalls at Bassett Park with others materials for use in his business.

The value for Council is in the offset of its costs to remove the material and the potential sale of more of the material if it proves useful to Easy haul.

Officer's Recommendation:

That Council:

- Approve a formal request in writing, from Easy Haul to collect 4 road trains (640 cubic metres) of waste material from the spoil pit at Bassett Park, at no cost to Council.
- Invite expressions of interest after the initial trial period, if a larger quantity of material is required.

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).

Easy Haul is a registered business and can potentially profit from this material as it is sold through the business.

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?

This report is tabled to seek Council's approval to dispose of the waste material from horse stalls at Bassett Park to a private business in Gracemere (at no charge).

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Dick Easy, Director of Easy Haul at Gracemere has approached Council staff verbally, to trial the feasibility of incorporating the waste material which will be removed from horse stalls at Bassett Park with others materials for use in his business. A formal request in writing will be sought from Easy Haul if Council approves of the officer's recommendation.

Council has commenced removing the material from the spoil pit which has been the dumping point for over 15 years for the waste material that is removed from the horse stalls at Bassett Park. It is estimated that Council has incurred cost of in excess of \$15,000 to date to remove this material. As the waste material is removed, clean soil has been used to fill the area which has allowed more space for camping and parking at events and functions.

Recently over 45 road trains (7200 cubic metres) of waste material was moved to Roma Motocross track on Kimbler Road. This move allowed clean fill from the Duke Street South project to be compacted into the space, giving an area of 40 metres wide by 80 metres long for additional camping and parking space inside the race track.

More waste material is planned for removal to allow clean fill from the Railway Dam project (Quarter 2 or 3) to be dumped into this area growing the flat area that is desired by Bassett Park users for equestrian and camping events. There is no budget for this to occur, so an opportunity exists for Council to offset removal costs by allowing Easy Haul to trial the material, incorporating it with fresh material removed from Injune Cypress sawmill in Injune.

Movement of the clean fill from the Railway Dam, within close proximity to the project will reduce costs of moving the material off site.

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)

In accordance with Section 227 of the Local Government Regulation 2012, local governments are required to dispose of valuable non-current assets via tender or auction. The threshold for a 'valuable' non-current asset is \$5,000 for plant or equipment, and \$10,000 for other types of non-current asset (Section 224). Although the total value of the sawdust/manure material is unknown, it could be reasonably assumed that the value could exceed the threshold for a 'valuable' non-current asset due to the quantity removed, if significant.

As such, Council would be required to dispose of the assets via tender or auction unless one of the exceptions applies. Section 236(1)(b)(ii) lists an exception that is available for the disposal of assets to community organisations:

236 Exceptions for valuable non-current asset contracts

(1) Subject to subsections (2) to (4), a local government may dispose of a valuable non-current asset other than by tender or auction if—

....

(b) the valuable non-current asset is disposed of to—

(i) a government agency; or

(ii) a community organisation; or

Council must resolve to use this exception under Section 236(2) of the Local Government Regulation 2012:

236 Exceptions for valuable non-current asset contracts

.....

(2) An exception mentioned in subsection (1)(a) to (e) applies to a local government disposing of a valuable non-current asset only if, before the disposal, the local government has decided, by resolution, that the exception may apply to the local government on the disposal of a valuable non-current asset other than by tender or auction.

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)

Tanya Mansfield-Manager, Facilities

Lloyd Waldron- Bassett Park Worker / Team Leader

Ed Sims-Manager, Economic and Community Development

Rob Hayward- Deputy CEO / Director, Development, Facilities & Environmental 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)

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)

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
Material given free of charge to a commercial business outside of the Maranoa region	If the material is desirable for Easy Haul and larger quantities are requested, arrangements will need to be discussed at a later date. Someone may decide they have a use for the waste material locally.

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)

This is a wonderful opportunity for Council to have the waste material moved off site free of charge, to allow clean fill to be placed in the depression used as a spoil pit for waste, to be turned into productive flat land for camping, parking and use during events. Future discussions with Easy Haul, could allow the waste to be removed in its entirety. The matter would be bought back to Council to determine a response.

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:

- Approve request from Easy Haul to collect 4 road trains (approximately 640 cubic metres) of sawdust material from the spoil pit at Bassett Park, at no cost to Council
- Invite expressions of interest after the initial trial period, if a larger quantity of material is requested.

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:

Nil

Report authorised by:

Manager - Economic & Community Development

Deputy Chief Executive Officer/Director - Development, Facilities & Environmental Services

OFFICER REPORT

Meeting: General 28 August 2019

Date: 26 August 2019

Item Number: L.3

File Number: D19/75112

SUBJECT HEADING: Consideration of Elected member attendance at an upcoming conference

Classification: Open Access

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

Executive Summary:

Formalisation of elected member attendance at an upcoming conference as part of advocacy activities and/or enhancing strategy and policy development for Maranoa Regional Council.

Officer's Recommendation:

That Council:

1. Nominate its two (2) delegates and observers for attendance at the 2019 LGAQ Annual Conference on 14 - 16 October 2019 in Cairns.
2. Draw the required funds from attending individual Councillor Conference Work Order numbers.

Body of Report:

2019 LGAQ Annual Conference

As part of Council's annual membership subscription with the Local Government Association of Queensland (LGAQ), Council pays a conference levy which entitles the attendance of two (2) delegates from Maranoa Regional Council at the LGAQ Annual Conference.

Council can send additional representatives, which are registered as observers. Observer attendance attracts additional registration costs for each additional individual attending.

Council's nominated delegates have voting rights on behalf of Maranoa Regional Council for consideration of the formal AGM/Motions segment of the conference agenda. Attending observers do not have voting rights.

The theme for this year's conference is 'Taking it to the Streets' says it all. In one way or another, much of local government does is linked to a street or road, sealed or

otherwise. It also demonstrates the importance of taking Council's message to their communities – reinforcing the importance of their council to community liveability and prosperity.

The conference will be held in Cairns 14 – 16 October 2019.

Councillors Chandler, O'Neil and Schefe have indicated an interest to attend this important annual conference for local government across the state.

Consultation (internal/external):

MRC Councillors

Risk Assessment (Legal, Financial, Political etc.):

The Act requires that Councillors' attendance at conferences and deputations be permitted by the local government. Unauthorised Councillor attendance at conferences could compromise insurance entitlements should circumstances arise that lead to the submission of an insurance claim.

2019 LGAQ Annual Conference - Delegate attendance to the annual conference ensures that Maranoa Regional Council is able to formally vote on the motions put forward for consideration.

Policy Implications:

Expenses Reimbursement Policy (Councillors)

Financial Resource Implications:

Delegate registration costs are incorporated into the LGAQ Annual subscription costs. Additional costs apply for travel and accommodation arrangements, these are estimated at \$1,350 per person.

Council Observer Early Bird Registration Cost: \$1,540 per person (registration after 13 September 2019 - \$1,850 per person).

Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Work with our communities to identify priorities, and provide leadership and advocacy to grow our region

4.1.3 Participate in local government decision making in accordance with the Local Government Principles (Section 4) and Councillors' responsibilities (Section 12) under the Local Government Act 2009.

Supporting Documentation:

Nil.

Report authorised by:

Director - Corporate, Community & Commercial Services