

BUSINESS PAPER

Ordinary Meeting

Wednesday 23 September 2020

Roma Administration Centre

NOTICE OF MEETING

Date: 14 September 2020

Mayor:

Councillor T D Golder

Deputy Mayor:
Councillors:

Councillor G B McMullen
Councillor J R P Birkett
Councillor M C Edwards
Councillor J L Guthrie
Councillor J M Hancock
Councillor W L Ladbrook
Councillor C J O'Neil
Councillor W M Taylor

Chief Executive Officer:

Ms Julie Reitano

Executive Management:

Mr Rob Hayward (Deputy Chief Executive Officer/Director
Development, Facilities & Environmental Services)
Ms Sharon Frank (Director Corporate & Community Services)

Attached is the agenda for the **Ordinary Meeting** to be held at the Roma Administration Centre on
23 September, 2020 at 9.00AM.

A handwritten signature in black ink, appearing to read 'Julie Reitano'.

Julie Reitano
Chief Executive Officer

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Status Reports

Next General Meeting

- To be held at the Mitchell Administration Centre on 14 October 2020.

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.

C Confidential Items

- C.1 Booringa Heritage Group Inc. - Request to erect shed at Booringa Heritage Museum**
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.2 State Government Surplus Properties - Maranoa Region**
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 Expression of Interest - Agistment of Paddock - Police Paddock No. 2, Dargal Road, Roma**
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 Claim for Damages - Arthur Street, Roma

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.5 Tender 20031 - New House Construction at 171 Alice Street Mitchell QLD 4465.

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 Tender - Bottle Tree Bulletin

Classification: Closed Access

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

C.7 Application for Community Organisation Concession - Assessments 14011183, 14010029, 14015218

Classification: Closed Access

Local Government Regulation 2012 Section 275(d) rating concessions.

C.8 Application for Community Organisation Concession - Assessment 12000634

Classification: Closed Access

Local Government Regulation 2012 Section 275(d) rating concessions.

C.9 Policy Review - Rate Recovery

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.10 Relief for Water Supply Invoices - Debtor 77244.24

Classification: Closed Access

Local Government Regulation 2012 Section 275(d) rating concessions.

C.11 Request from Assessment 11007721

Classification: Closed Access

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

C.12 Bassett Park Stables Upgrade

Classification: Closed Access

Local Government Regulation 2012 Section 275(e) contracts proposed to be made by it.

C.13 Replacement of concrete causeway to culvert

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

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Prepared by: Mayor
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Prepared by: Mayor

Closure

MINUTES OF THE ORDINARY MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 9 SEPTEMBER 2020 SCHEDULED TO COMMENCE AT 9.00AM

ATTENDANCE

Mayor Cr. T D Golder chaired the meeting with, Deputy Mayor Cr. G B McMullen, Cr. J R P Birkett, Cr. M C Edwards, Cr. J L Guthrie, Cr. J M Hancock, Cr. W L Ladbrook, Cr. C J O'Neil, Cr. W M Taylor, 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 Services – Sharon Frank, Deputy Director / Strategic Road Management – Cameron Hoffmann, Manager Water, Sewerage & Gas – Graham Sweetlove, Manager Planning & Building Development – Danielle Pearn, Manager Facilities (Land, Buildings & Structures) – Tanya Mansfield, Manager Procurement & Plant – Michael Worthington, Manager Environment, Health, Waste & Rural Land Services – Sandra (Kay) Crosby, Manager Organisational Development & Human Resources – Noela Ward, Regional Tourism Development Coordinator – Justine Miller, Specialist Arts & Culture – Kym-Maree Walters, Regional Sport & Recreation Development Coordinator – Fiona Vincent, Lead Accounts Processing Officer / System Administrator – Debbie Gelhaar, Rates and Utilities Billing Officer – Catherine (Katie) Ballard.

WELCOME

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

CONFIRMATION OF MINUTES

Resolution No. OM/09.2020/01

Moved Cr McMullen

Seconded Cr Guthrie

That the minutes of the Ordinary Meeting [held] on 26 August 2020 be accepted as true and correct [confirmed].

CARRIED

9/0

Resolution No. OM/09.2020/02

Moved Cr Edwards

Seconded Cr Birkett

That the minutes of the Special Budget Meeting held on 2 September 2020 be confirmed.

CARRIED

9/0

Resolution No. OM/09.2020/03

Moved Cr McMullen

Seconded Cr Taylor

That the minutes of the Special Meeting held on 3 September 2020 and scheduled to commence at 10.30am be confirmed.

CARRIED

9/0

Resolution No. OM/09.2020/04

Moved Cr Taylor

Seconded Cr McMullen

That the minutes of the Special Meeting held on 3 September 2020 and scheduled to commence at 3.30pm be confirmed.

CARRIED

9/0

DECLARATION OF CONFLICTS OF INTEREST

Cr McMullen

Item	Subject Heading
C.1	Expressions of Interest – Corner of Ironbark and Barnard Road, Roma (Lot 3 on SP230317)

Cr McMullen advised:

I, Cr Geoff McMullen, declare that I have a perceived 'Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for agenda Item C.1, with the subject heading - *Expressions of Interest – Corner of Ironbark and Barnard Road [Roma (Lot 3 on SP230317)]*. Perceived conflict is because I was previously a sponsor of the Roma & District Motorcycle Club.

I have determined this personal interest is not of sufficient significance that it will lead me to making a decision on the matter that is contrary to the public interest. I will best perform my responsibility of serving the overall public interest of the whole of the Council area by participating in the discussion and voting on the matter.

However, I acknowledge that the remaining Councillors must now determine pursuant to section 175E(4) of the *Local Government Act 2009*:

- (a) Whether I have a real conflict of interest in this matter or a perceived conflict of interest in this matter; and
- (b) If so, whether:
 - I. I must leave the meeting while this matter is discussed or voted on; or
 - II. I may participate in the meeting in relation to the matter, including by voting on the matter.

Regarding Cr McMullen's declared conflict, Cr Hancock asked Cr McMullen as to how long ago he was a sponsor of the club (Roma & District Motorcycle Club), in response, Cr McMullen indicated he was a sponsor of the club prior to his time on Council, and this ceased also once he got out of his business.

Cr Hancock further enquired regarding Cr McMullen's grandchildren's involvement in the club from a prior declaration at a previous meeting in regard to the club. In response, Cr McMullen advised his grandchildren were no longer committee members, but that one may still have a permit to ride, however, he was uncertain if they were still in the club.

Moved Cr Guthrie

Seconded Cr Birkett

That Cr McMullen does not have either a real conflict of interest or a perceived conflict of interest in the matter and is accordingly free to participate in the meeting while this matter is discussed, including by voting on the matter.

NO VOTE TAKEN

No vote was taken on the abovementioned motion at that time, with Cr Hancock querying that Cr McMullen had declared a perceived conflict of interest in the matter, and that the draft procedural motion put forward by Cr Guthrie was in conflict with Cr McMullen's declared perceived conflict of interest. Cr Guthrie in turn put forward an alternate procedural motion, which the 'Seconder' confirmed he was happy to support.

Resolution No. OM/09.2020/05
Moved Cr Guthrie
Seconded Cr Birkett

That Cr McMullen has a perceived conflict of interest in the matter and notwithstanding the conflict, Cr McMullen may participate in the matter, discuss and vote upon it.

CARRIED

8/0

Cr McMullen did not vote on this motion as he was the declaring Councillor under consideration in this matter.

Responsible Officer
Lead Officer – Elected Members & Community Engagement
Cr Birkett

Item	Subject Heading
C.8	Scout Hut - Mitchell

Cr Birkett advised:

I, Cr John Birkett, declare that I have a 'Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for agenda item C.8, subject heading – *Scout Hut - Mitchell*. The personal interest arises because of my relationship with another person, the name of the person is Gary Birkett and Lola Birkett. The nature of my relationship with these people is my father and daughter. The nature of the person's interests in the matter is my father is the President of the Mitchell Rotary Club and my daughter is joining Scouts. I will be dealing with the matter by leaving the room while the matter is discussed and voted upon.

Cr Hancock enquired as to whether the nature of Cr Birkett's interest was a 'Material Personal Interest.' In response, and following further discussion with Councillors, Cr Birkett confirmed that he was leaving the room for discussion on the matter.

Cr Hancock

Item	Subject Heading
C.1	Expressions of Interest – Corner of Ironbark and Barnard Road, Roma (Lot 3 on SP230317)

Cr Hancock advised:

I, Johanne Hancock, declare that I have a 'Material Personal Interest' as defined by the *Local Government Act 2009*, section 175B for agenda item C.1, with the subject heading – *Expressions of Interest – Corner of Ironbark and Barnard Road, Roma (Lot 3 on SP230317)*. The name of the person who stands to gain a benefit or suffer a loss (either directly or indirectly) depending on the outcome of the consideration of the matter at the meeting is Nicholas Hancock. The nature of my relationship to the person is he is my son.

Describe how you, the person or other entity stands to gain a benefit or suffer a loss (either directly or indirectly) depending on the outcome of Council's consideration of this matter. Depending on the decision of Council in this decision Nicholas may gain a benefit or suffer a loss.

In accordance with Section 175C (2)(b) of the *Local Government Act 2009*, I will leave the room while the matter is being discussed and voted on.

Cr Birkett

Item	Subject Heading
C.8	Scout Hut - Mitchell

Cr Birkett re-visited his stated conflict for Item C.8.

Cr O'Neil added the comment, that we've got to be clear that MPI's aren't defined by money, material doesn't mean money, that's been clear throughout the training.

I, John Birkett, declare that I have a 'Material Personal Interest' as defined by the *Local Government Act 2009*, section 175B for agenda item C.8, subject heading – *Scout Hut – Mitchell*. The nature of my relationship to the person or entity is, the person is my father and child (parent and child). In accordance with Section 175C (2)(b) of the *Local Government Act 2009*, I will leave the room while the matter is discussed and voted on. Sorry, I should have had, He's President of the Mitchell Rotary Club, my daughter is joining Mitchell Scout Group.

Cr. Edwards brought to Council's attention a potential conflict he was uncertain if it was required to be declared in regard to Item LC.4 – Audit Committee – Appointment of External Members.

Cr Edwards is one of Council's representatives on the Audit Committee. Through discussion, it was confirmed that no conflict existed in this regard.

ON THE TABLE

Item 8.1 – *Structures for Community Contact* was laid on the table at the Ordinary Meeting on 12 August 2020.

Item L.2 – *Successful Application for Community Drought Support* was laid on the table at the Ordinary Meeting on 26 August 2020.

CONSIDERATION OF NOTICES OF MOTION

Item Number:	8.1	File Number: D20/83104
SUBJECT HEADING:	STRUCTURES FOR COMMUNITY CONTACT	
Councillor's Title:	Cr. Tyson Golder	

Executive Summary:

I would like Council to consider the notice of motions I have proposed.

This notice was proposed at the Ordinary Meeting on 12 August 2020, and was laid on the table in order for Council to further discuss the matter at a Councillor Briefing. A briefing was held on 25 August 2020.

Moved Cr Golder

Seconded Cr McMullen

That Council:

- 1. Not elect to have portfolios for the 2020-2024 term.**

2. All Councillors be invited for photo opportunities.
3. All Councillors be invited for consultation with the community at meetings.
4. Elect the Mayor to be the spokesman in press releases and if he is not available, the Deputy Mayor to be.
5. Instead of having advisory groups, schedule special meetings to hear feedback and concerns of former advisory members and community members on such topics as wild dogs, saleyards etc. with the frequency of meetings decided by Council. Thus incorporating involvement of all Councillors in all issues.

[Wording amended by Mayor Golder from his original motion following a request from Cr McMullen to amend points 2 and 3 of the motion, for which the Mayor confirmed he was happy to accept.]

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Cr Taylor enquiring about a further briefing regarding the proposal and following further comment from the Chief Executive Officer at the initial briefing. In consideration of the Chief Executive Officer's comments, Cr Taylor then proposed the following procedural motion:

Moved Cr Taylor

I'd like to lay it on the table until we have that briefing.

MOTION LOST

6/3 [intended 3/6]

OM/09.2020/06 intentionally deleted – motion lost.

Responsible Officer

Lead Officer – Elected Members & Community Engagement

With the procedural motion lost, Council again considered the initial motion put forward by Mayor Golder and seconded by Cr McMullen:

Resolution No. OM/09.2020/07

Moved Cr Golder

Seconded Cr McMullen

That:

1. Council not elect to have portfolios for the 2020-2024 term.
2. All Councillors be invited for photo opportunities.
3. All Councillors be invited for Council endorsed community meetings.
4. Contact be made initially with the Mayor who will be spokesperson for Maranoa Regional Council in all media releases where a quote or quotes are required, or at his sole discretion, he may nominate the Deputy Mayor to be spokesperson. To remove any doubt, this does not preclude individual Councillors from making comment to the media about matters pertaining to Maranoa Regional Council.
5. Instead of having advisory groups, schedule special meetings to hear feedback and concerns of former advisory members and community members on such topics as wild dogs, saleyards etc. with the frequency of meetings decided by Council. Thus incorporating involvement of all Councillors in all issues.

[Wording amended by Mayor Golder from his original motion following comment from the Chief Executive Officer seeking further detail to clarify the Mayor's intent for points 3 and 4. Following further discussion these points were amended by the Mayor, which the Seconder confirmed he was happy to accept.]

CARRIED

6/3

Cr. 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. Birkett	Cr. Hancock
Cr. Edwards	Cr. O'Neil
Cr. Golder	Cr. Taylor
Cr. Guthrie	
Cr. Ladbrook	
Cr. McMullen	

Responsible Officer	Chief Executive Officer / Lead Officer – Elected Members & Community Engagement / (Acting) Lead Corporate Communications & Design Officer
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BUSINESS

INFRASTRUCTURE SERVICES

Item Number:

12.1

File Number: D20/80934

SUBJECT HEADING:

**REQUEST FROM ASSESSMENT 13014683 FOR
EXTENSION TO COUNCIL'S REGIONAL WATER SUPPLY
ZONE BOUNDARY**

Officer's Title:

Manager - Water, Sewerage & Gas

Executive Summary:

The applicant wishes to develop their lot and have requested a connection to the Council water reticulation network. There is a water main across the road from this lot, but they are outside of the Regional Water Supply Zone. They have therefore requested that Council extend the boundary of the supply zone to allow them to access this network.

Resolution No. OM/09.2020/08

Moved Cr McMullen

Seconded Cr Ladbrook

That Council approve this request to expand the Regional Water Supply Zone and advise the applicant of the decision.

CARRIED

9/0

Responsible Officer	Manager – Water, Sewerage & Gas
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Item Number: 12.2 File Number: D20/82496

SUBJECT HEADING: APEX ROMA - CHILDREN ROAD SAFETY SIGNAGE INITIATIVE

Officer's Title: Deputy Director / Strategic Road Management
Assets Officer - Transport Network

Executive Summary:

Council received a request from the Apex Roma Club seeking Council's support of a road safety initiative to install signage to improve road safety for pedestrians around Roma and the Maranoa. This report outlined the details of the request and possible locations.

Resolution No. OM/09.2020/09

Moved Cr McMullen

Seconded Cr Edwards

That Council:

1. Approve the installation of the yellow and red road signage at the following four (4) locations:
 - Site 1 – Bungil Street Pedestrian Crossing – Near the Kindergarten
 - Site 2 – Duke Street Pedestrian Crossing – Near the corner store
 - Site 3 – McDowall Street Pedestrian Crossing – Near the Pool
 - Site 4 – McDowall Street Crossings – Near the Hospital, Skate park and play grounds and Childcare
2. Prepare and issue a media release, including a photo with representative(s) from Apex Roma, once the sign[age] has been installed at the above locations.

CARRIED

9/0

Responsible Officer

Deputy Director / Strategic Road Management

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Item Number: 13.1 File Number: D20/80939

SUBJECT HEADING: ANNUAL MEMBERSHIP OF OUTBACK QUEENSLAND TOURISM ASSOCIATION AND GREAT INLAND WAY COMMITTEE FOR 2020/2021

Officer's Title: Regional Tourism Development Coordinator

Executive Summary:

Annual membership of Council's Regional Tourism Organisation, Outback Queensland Tourism Association (OQTA) and the Great Inland Way (GIW), are now overdue for renewal.

Resolution No. OM/09.2020/10

Moved Cr O'Neil

Seconded Cr Hancock

That Council:

1. Renew their Outback Queensland Tourism Association (OQTA) Local Government Membership in the 2020/21 financial year.

2. Renew their Great Inland Way Committee (GIW) Local Government Membership in the 2020/21 financial year.
3. Pay a total of \$32,851.50 (inc GST) Local Government Contribution to OQTA, and \$3,000 (inc GST) Local Government Contribution to Great Inland Way with expenses to be costed to Council's Tourism Budget – Memberships and Contributions, with Work Order 14484.2537.2001.

CARRIED

9/0

Responsible Officer	Regional Tourism Development Coordinator
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Item Number: 13.2 **File Number:** D20/81358

SUBJECT HEADING: BRIGHT NIGHTS PROJECTION PROJECT

Officer's Title: Specialist - Arts & Culture

Executive Summary:

A request was received to provide in principle support to South West Queensland Regional Arts Services for an application for the Bright Nights Projection Project in 2021. This project delivers on Council's strategic objectives of fostering arts and culture within our communities through a variety of events across the region.

The purpose of this report was to seek approval to provide South West Queensland Regional Arts Services with a letter of support that can be used for a grant application to deliver the Bright Nights Projection Project in 2021.

Resolution No. OM/09.2020/11

Moved Cr Hancock

Seconded Cr Taylor

That Council provide a letter of support to the South West Queensland Regional Arts Services for an application for the Bright Nights Projection Project in 2021.

CARRIED

9/0

Responsible Officer	Specialist – Arts & Culture
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COUNCILLOR BUSINESS

Item Number: 16.1 **File Number:** D20/80866

SUBJECT HEADING: ATTRACTIVE COMMUNITIES IN THE MARANOA

Councillor's Title: Cr. Tyson Golder

Executive Summary:

Mayor Golder proposed that Council consider recognising and acknowledging residents in the Maranoa who continue to keep their houses / yards attractive in the community.

Resolution No. OM/09.2020/12

Moved Cr Golder

Seconded Cr Guthrie

That a report be prepared for an upcoming Council meeting.

CARRIED

9/0

Responsible Officer	Manager – Economic & Community Development
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**COUNCIL ADJOURNED THE MEETING
FOR MORNING TEA AT 10.46AM**

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 11.22AM**

LATE CONFIDENTIAL ITEM

Resolution No. OM/09.2020/13

Moved Cr McMullen

Seconded Cr O'Neil

That we add item LC.5 – Update on Flood Mitigation Matter, [and this] be included as part of the Late Confidential Agenda.

[In accordance with *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.]

CARRIED

9/0

Responsible Officer

**Lead Officer – Elected Members &
Community Engagement**

DECLARATION OF CONFLICTS OF INTEREST (CONTINUED)

Cr Golder

Item	Subject Heading
LC.5	Update on Flood Mitigation Matter

Cr Golder advised:

I, Cr Tyson Golder, declare that I have a perceived 'Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for agenda item LC.5 – Flood Mitigation. The personal interest arises because my mother, because of the name of the person with the personal interest is Carmen Golder, my nature with the person is she is my mother, and the nature of the person's interest in the matter is my mother had a flood mitigation matter in the previous Council term which has been concluded, which had been concluded in the last term, and I'll be dealing with this matter by leaving the room whilst the matter is discussed and voted on.

CONFIDENTIAL ITEMS

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss item C.1, 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. OM/09.2020/14

Moved Cr Golder

Seconded Cr McMullen

That in accordance with Section 275 of the *Local Government Regulation 2012* a local government may resolve to close the meeting, I'd like to resolve to close the meeting to discuss confidential items that the Council or members consider it necessary to close the meeting [at 11.26am].

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

Cr. Hancock, having previously foreshadowed a 'Material Personal Interest' for the item C.1, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 11.26am, taking no part in discussion on the matter.

At cessation of discussion on the abovementioned item, Cr Hancock returned to the meeting at 11.45am.

Resolution No. OM/09.2020/15

Moved Cr Golder

Seconded Cr McMullen

That Council open the meeting to the public [at 11.47am].

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

DECLARATION OF CONFLICTS OF INTEREST (CONTINUED)

Cr Taylor

Item	Subject Heading
C.2	Injune Caravan Park – Amendment to Fees and Charges

Cr Taylor advised:

I, Cr Wendy Taylor, declare that I have a 'Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for agenda item C.2, with the subject heading – *Injune Caravan Park – Amendment to Fees and Charges*. The conflict - because I am the Treasurer of the Roma Clay Target Club. I will be dealing with this matter by leaving the room while the matter is discussed and voted on.

CONFIDENTIAL ITEMS CONTINUED

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss items C.2 – C.18, 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;
- (d) rating concessions;
- (e) contracts proposed to be made by it;
- (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. OM/09.2020/16
Moved Cr Golder
Seconded Cr McMullen
I move that we go back into closed session [close the meeting to the public at 11.48am].
CARRIED
9/0
Responsible Officer
Lead Officer – Elected Members & Community Engagement

Cr. Taylor, having previously foreshadowed a 'Material Personal Interest' for the item C.2, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST - CONTINUED,' left the meeting at 11.49am, taking no part in discussion on the matter.

Cr. O'Neil left the meeting at 11.58am.

At cessation of discussion on Item C.2, Cr Hancock returned to the meeting at 11.59am.

Cr O'Neil returned to the meeting at 12.00pm.

Cr Ladbrook left the meeting at 12.21pm, and returned at 12.23pm.

Cr. Birkett, having previously foreshadowed a 'Material Personal Interest' for the item C.8, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 12.26pm, taking no part in discussion on the matter.

At cessation of discussion on the abovementioned item, Cr Birkett returned to the meeting at 12.31pm.

COUNCIL ADJOURNED THE MEETING
FOR LUNCH AT 1.27PM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 2.26PM

Cr Hancock was not present at resumption of Standing Orders.

Cr Hancock returned to the meeting at 2.32pm.

Resolution No. OM/09.2020/17
Moved Cr Golder
Seconded Cr McMullen
That Council open the meeting to the public [at 4.05pm].
CARRIED
9/0
Responsible Officer
Lead Officer – Elected Members & Community Engagement
DECLARATION OF CONFLICTS OF INTEREST (CONTINUED)
Cr Taylor

Item	Subject Heading
C.19	Injune Caravan Park Management or Lease Agreement

Cr Taylor advised:

I, Cr Wendy Taylor, declare that I have a 'Conflict of Interest' as defined by the *Local Government Act 2009*, section 175D & E for the agenda item C.19 with the subject heading – *Injune Caravan Park Management or Lease Agreement*, because I am the Treasurer of the Roma Clay Target Club. I will be dealing with this matter by leaving the room while the matter is discussed and voted upon.

Cr. Taylor, having declared a 'Conflict of Interest' in the abovementioned item, left the meeting at 4.07pm, taking no part in the vote to close the meeting, and further was not present when the matter was discussed during closed session.

CONFIDENTIAL ITEMS CONTINUED

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss items 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. OM/09.2020/18	
Moved Cr O'Neil	Seconded Cr Ladbrook
I'll move that we go back into closed [close the meeting to the public at 4.07pm].	
CARRIED	8/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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At cessation of discussion of Item C.19, Cr Taylor returned to the meeting at 4.11pm.

Resolution No. OM/09.2020/19	
Moved Cr Golder	Seconded Cr Guthrie
That Council open the meeting to the public [at 4.13pm].	
CARRIED	9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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LATE ITEM

Item Number: L.3 **File Number:** D20/84398

SUBJECT HEADING: DROUGHT COMMUNITIES PROGRAMME - EXTENSION FOR MARANOA WATER SUPPLY SECURITY - SURAT AND YULEBA TOWNSHIPS REQUEST FOR VARIATION TO FUNDING AGREEMENT

Officer's Title: Program Funding & Budget Coordinator
Manager - Water, Sewerage & Gas

Executive Summary:

This report requested Council's approval to request a variation to the funding agreement for the Surat and Yuleba bore projects funded under the Drought Communities Programme – Extension.

Discussion:

The reporting officer and Deputy Chief Executive Officer provided Council an overview on the matter. No determination was made by Council on this item at that time.

CONFIDENTIAL ITEMS CONTINUED

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss items LC.1 – LC.5, which it has deemed to be of a confidential nature and specifically pertaining to the following sections:

- (b) industrial matters affecting employees;
- (e) contracts proposed to be made by it;
- (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. OM/09.2020/20

Moved Cr O'Neil

Seconded Cr McMullen

I move that we go into closed [close the meeting to the public] at 4.20pm.

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members &
Community Engagement

Cr. Edwards left the meeting at 4.20pm, and returned at 4.23pm.

Mayor Golder, having previously foreshadowed a perceived 'Conflict of Interest' for the item LC.5, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST - CONTINUED,' left the meeting at 5.45pm, taking no part in discussion on the matter.

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

At cessation of discussion on the abovementioned item, Mayor Golder returned to the meeting, assuming the Chair at 5.59pm.

Cr. Birkett left the meeting at 5.58pm, and returned at 6.00pm.

Cr O'Neil left the meeting at 6.08pm, and returned at 6.09pm.

Resolution No. OM/09.2020/21

Moved Cr Golder

Seconded Cr McMullen

That Council open the meeting to the public [at 6.20pm].

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members &
Community Engagement

Cr. Hancock, having previously foreshadowed a 'Material Personal Interest' for the following item, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 6.21pm, taking no part in discussion or debate on the matter.

Item Number: C.1 **File Number:** D20/78580

SUBJECT HEADING: EXPRESSIONS OF INTEREST - CORNER OF IRONBARK AND BARNARD ROAD, ROMA (LOT 3 ON SP230317)

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

Executive Summary:

Council publicly invited interested parties to submit Expressions of Interest for a licence to use Council owned land on the corner of Ironbark and Barnard Road, Roma (Lot 3 on SP230317). Expressions of Interest were advertised on Friday 24 July 2020 with a closing date of 14 August 2020.

Resolution No. OM/09.2020/22

Moved Cr Taylor

Seconded Cr Guthrie

That Council:

1. Enter into the 10 year lease with the Roma and District Motorcycle Club for the use of Lot 3 on SP230317.
2. Authorise the Chief Executive Officer (CEO), or delegate, to sign the lease documentation.

CARRIED

8/0

Responsible Officer

Manager – Facilities (Land, Buildings & Structures)

At cessation of discussion and debate on the abovementioned item, Cr. Hancock returned to the meeting at 6.22pm.

Cr. Taylor, having previously foreshadowed a 'Conflict of Interest' for the following item, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST - CONTINUED,' left the meeting at 6.22pm, taking no part in discussion or debate on the matter.

Item Number: C.2 **File Number:** D20/79028

SUBJECT HEADING: INJUNE CARAVAN PARK - AMENDMENT TO FEES AND CHARGES

Officer's Title: Council Buildings & Structures Maintenance Officer / Team Coordination

Executive Summary:

Operation of the Injune Caravan Park has been temporarily undertaken by Council since 26 June 2020, while a suitable management arrangement is sought. Council has recently received correspondence from a permanent resident of the Injune Caravan Park, requesting that Council include in its fees and charges, a discounted fee for long term residents.

Resolution No. OM/09.2020/23
Moved Cr Golder
Seconded Cr Ladbrook
That Council:

1. Amend the Fees and Charges Register to include the following site fees for the Injune Caravan Park:
 - a. Powered Site - \$150.00 GST inclusive per site per week;
 - b. Unpowered Site - \$125.00 GST inclusive per site per week.
 - c. Pensioner Rate - \$115.00 GST inclusive per site per week.
2. Waive fees and charges for caravan park tenant Thomas Taylor from 26 June 2020 to 9 September 2020.

CARRIED
8/0

Responsible Officer	Council Buildings & Structures Maintenance Officer / Team Coordination / Program Funding & Budget Coordinator
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At cessation of discussion and debate on the abovementioned item, Cr Taylor returned to the meeting at 6.24pm.

Item Number:
C.3
File Number: D20/58325
SUBJECT HEADING:
WALLUMBILLA POOL MANAGEMENT AGREEMENT - OPTION TO RENEW
Officer's Title:
Facility Lease Management & Housing Officer / Team Coordinator
Executive Summary:

Council has been advised by the Manager of the Wallumbilla Swimming Pool that she wishes to exercise her option as provided for in the Management Agreement and extend the current contract for a further twelve month period.

Resolution No. OM/09.2020/24
Moved Cr McMullen
Seconded Cr Edwards
That Council approve the extension of the Wallumbilla Swimming Pool Management Agreement for a further twelve month period until 1 October 2021.
CARRIED
9/0

Responsible Officer	Facility Lease Management & Housing Officer / Team Coordinator
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Item Number: C.4 File Number: D20/59657

SUBJECT HEADING: SOUTH WEST DRAG RACING ASSOCIATION INC -
LEASE AGREEMENT OVER LOT 5 ON RP10338

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

Executive Summary:

The South West Drag Racing Association Incorporated Agreement with Council over part of Lot 5 on RP910338 is due to expire on the 30 September 2020. The group would like to renew this agreement with Council.

Resolution No. OM/09.2020/25

Moved Cr Birkett

Seconded Cr Edwards

That Council:

1. Commence preparation of the lease with South West Drag Racing Association Incorporated and Roma and District Motorcycle Club, in respect to the group's shared use of Lot 5 on RP910338 located at Kimbler Road Roma.
2. Authorise the Chief Executive Officer (CEO), or delegate, to execute the lease and any other associated documentation.

CARRIED

9/0

Responsible Officer

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

Item Number: C.5 File Number: D20/82371

SUBJECT HEADING: INJUNE SWIMMING POOL - REQUEST TO AMEND
OPENING HOURS

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

Executive Summary:

Council received correspondence from the Manager of the Injune Swimming Pool requesting a change in the opening hours at the facility.

Moved Cr Guthrie

Seconded Cr Ladbrook

That Council consult with the Injune community regarding the request for an amendment to the opening hours of the Injune Pool.

NO VOTE TAKEN

No vote was taken on the draft motion at that time. Further discussion ensued regarding an additional email circulated to Councillors during the meeting on the matter. On the basis of receipt of this additional information, Cr Guthrie then put forward an amended motion, as follows. The 'Seconder' confirmed she was happy to accept the amendment, recorded as follows:

Resolution No. OM/09.2020/26

Moved Cr Guthrie

Seconded Cr Ladbrook

That Council:

1. Conduct a six (6) month trial of the following amended opening hours for the Injune Pool:

Day	Morning	Afternoon
Monday	Closed	3.00pm – 7:00pm
Tuesday	6:00am – 9:00am	3.00pm – 6:00pm
Wednesday	Closed	Closed
Thursday	6:00am – 9:00am	3.00pm – 6:00pm
Friday	6:00am – 10:00am	3.00pm – 6:00pm
Saturday	Closed	1:00pm – 5:00pm
Sunday	Closed	1:00pm – 5:00pm

2. Be provided a further report at the conclusion of the trial, which incorporates feedback from the community.

CARRIED

9/0

Responsible Officer

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

Item Number:

C.6

File Number: D20/80842

SUBJECT HEADING:

**STATE GOVERNMENT SURPLUS PROPERTIES -
MARANOA REGION**

Officer's Title:

Administration Officer - Land Administration

Executive Summary:

Council received details of State Government properties listed as surplus in the Maranoa Region for the period 27 July 2020 to 3 August 2020.

Resolution No. OM/09.2020/27

Moved Cr McMullen

Seconded Cr Birkett

That further information be sought from the Queensland Government as to how the acquirer intends to use the land, and if there is likely to be any vehicle movements, either entering or exiting the site, onto Currey Street as a result of the proposed acquisition.

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

Item Number: C.7 **File Number:** D20/81618

SUBJECT HEADING: UNALLOCATED STATE LAND - LOT 312 ON A3843 AND LOT 313 ON A3843

Officer's Title: Administration Officer - Land Administration

Executive Summary:

The Department of Natural Resources, Mines and Energy sought Council's views on applications it has received to purchase Unallocated State Land (USL) being Lot 312 on A3843 and Lot 313 on A3843.

Resolution No. OM/09.2020/28

Moved Cr O'Neil

Seconded Cr Edwards

That Council advise the Department of Natural Resources, Mines and Energy that Unallocated State Land being Lot 312 on A3843 and Lot 313 on A3843:

1. Is not needed for a public purpose.
2. There is no public demand for the land.
3. Council offers no objection to the proposed further dealing of the purchase of the land on the condition that the purchaser is aware:
 - Access to the land parcels is not to be provided from Basalt Street at its current standard;
 - Council has no current plans to upgrade Basalt Street;
 - Any new development of the land parcels may be subject to Council's development approval.

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

Cr. Birkett, having previously foreshadowed a 'Material Personal Interest' for the following item, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the meeting at 6.34pm, taking no part in discussion or debate on the matter.

Item Number: C.8 **File Number:** D20/80991

SUBJECT HEADING: SCOUT HUT - MITCHELL

Officer's Title: Administration Officer - Land Administration

Executive Summary:

Correspondence was received from the Mitchell Scout Group requesting to enter into a Memorandum of Understanding with Council in regard to recommencing use of the Scout Den in Mitchell for Scouting activities.

Resolution No. OM/09.2020/29

Moved Cr McMullen

Seconded Cr Taylor

That Council:

1. Amend the current Facility User Agreement held with the Mitchell Rotary Club to reflect that the Rotary Club will have non-exclusive use of the Scout Hall and associated building located on Lot 1 on M15136.

2. Enter into a non-exclusive Facility User Agreement with the Mitchell Scout Group in respect to the Scout Hall located on Lot 1 on M15136 to reflect the new shared arrangement with the Mitchell Rotary Club.
3. Pay the electricity charges for the Mitchell Scout Hall in recognition of the group's shared use of the facility and in support for the newly reformed Mitchell Scout Group.
4. Authorise the Chief Executive Officer (CEO) to sign the agreement.

CARRIED

8/0

Responsible Officer

Administration Officer - Land Administration

At cessation of discussion and debate on the abovementioned item, Cr Birkett returned to the meeting at 6.35pm.

Item Number:

C.9

File Number: D20/79582

SUBJECT HEADING:

AGREEMENT BETWEEN MEDIA MORTAR PTY LTD AND MARANOA REGIONAL COUNCIL

Officer's Title:

Regional Tourism Development Coordinator

Executive Summary:

Council and the COVID-19 Recovery Taskforce responded to the data obtained via the business survey by including in the action plan the engagement of a tourism marketing firm to design and implement a tourism strategy that inspires visitors to the region. Media Mortar has been engaged by Maranoa Regional Council to design and deliver the 12-month tourism campaign that will increase visitation and increase length of stay. The campaign commenced at the beginning of July 2020.

Resolution No. OM/09.2020/30

Moved Cr McMullen

Seconded Cr Ladbrook

That Council authorise the Chief Executive Officer (CEO) (or delegate), to execute the agreement between Media Mortar Pty Ltd and Maranoa Regional Council.

CARRIED

9/0

Responsible Officer

Regional Tourism Development Coordinator

Item Number:

C.10

File Number: D20/81750

SUBJECT HEADING:

AGREEMENT BETWEEN MARANOA REGIONAL COUNCIL AND ROBERT GOOD TO PUBLISH THE KETCHING THE KENNIFFS BOOK

Officer's Title:

Regional Tourism Development Coordinator

Executive Summary:

Since 1996 Maranoa Regional Council (prior to amalgamation - Booringa Shire Council), has been the publisher of the Ketching the Kenniffs book. The current agreement was due to expire in June 2020. The author requested Council consider entering into a new 10-year contract to publish the book and ensure it remains available for purchase.

Moved Cr Birkett

Seconded Cr Guthrie

That Council reply to Mr Good's request and propose a three-year extension to the existing Ketching the Kenniffs book publishing arrangement.

NO VOTE TAKEN

No vote was taken on the draft motion at that time, and Cr Birkett then put forward the following amended motion:

Resolution No. OM/09.2020/31

Moved Cr Birkett

Seconded Cr Guthrie

That Council:

- 1. Consult with the community regarding the publication and distribution of Ketching the Kenniffs book.**
- 2. Further consider received feedback at an upcoming Council meeting.**

CARRIED

9/0

Responsible Officer

Regional Tourism Development Coordinator

Item Number:

C.11

File Number: D20/79944

SUBJECT HEADING:

SURAT DIGITAL CONNECTIVITY PROJECT

Officer's Title:

Manager - Economic & Community Development

Executive Summary:

The National Broadband Network (NBN Co) has approached Council requesting its consent to being a consortium partner in an application for funds through the Commonwealth Government "Regional Connectivity Program".

The purpose of the application is to apply for funds that will future proof the data transfer technology in Surat, by providing either a microwave technology or terrestrial fibre based technologies. This will link Surat to Roma for high-speed data transfer equal to larger regional centres. The original technology solution is not available as planned within the budget allocated.

This report sought the agreement of Council to collaborate with NBN Co for this funding application, and allocate the existing \$250,000 commitment as a co-contribution to the proposed funding application.

Resolution No. OM/09.2020/32

Moved Cr Hancock

Seconded Cr Taylor

That Council:

- 1. Provide in-principle support to the National Broadband Network (NBN Co), submitting an application under the Regional Connectivity Program for the town of Surat.**
- 2. Subject to the ongoing negotiations with the Queensland Government under the Building our Regions Program, approve a maximum allocation of \$250,000 from the Surat Digital Connectivity Project as a co-contribution to a funding application for the Regional Connectivity Program.**

3. Authorise the Chief Executive Officer (CEO) to sign any agreements that are consistent with the contents of this report.

[Wording amended by Cr Hancock from her original motion following suggested refinements from the Chief Executive Officer]

CARRIED

9/0

Responsible Officer	Manager – Economic & Community Development / Program Funding & Budget Coordinator / Deputy Director Infrastructure Services
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Item Number: C.12 File Number: D20/79613

SUBJECT HEADING: REQUEST FOR FEE WAIVER-DUNKELD PONY CLUB

Officer's Title: Local Development Officer - Mitchell

Executive Summary:

Council received a request from the Dunkeld Pony Club to consider a fee waiver of the Mitchell Showgrounds for a two-day period.

On the 26 and 27 September 2020, Dunkeld Pony Club is hosting the annual shield event, which is a zoned event with other Pony Clubs in the Maranoa participating.

Due to COVID-19, the Dunkeld Pony Club Grounds are not adequate to host the number of participants expected to attend this event.

Resolution No. OM/09.2020/33

Moved Cr Birkett

Seconded Cr McMullen

That Council waive the hire fees for the Dunkeld Pony Club to use the Mitchell Showgrounds on the 26 and 27 September 2020.

CARRIED

9/0

Responsible Officer	Local Development Officer - Mitchell
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Item Number: C.13 File Number: D20/79599

SUBJECT HEADING: REQUEST TO VARY THE OPERATING HOURS FOR A PARTICULAR EVENT AT THE MOORELANDS BUSH NURSERY AND FUNCTION FACILITY

Location: 1344 Dargal Road, Roma

Applicant: Leesa Murray

Officer's Title: Lead Town Planner

Executive Summary:

The owner/operator of Moorelands Bush Nursery and Function Facility (Moorelands) has applied to Council to vary their approved operating hours in order to host the St Johns Catholic School graduation dinner on Thursday, 22nd October, 2020. Moorelands is currently approved to hold functions Friday through Sunday (subject to conditions), but there are provisions in their approval that allow them to apply to Council to vary their operating hours for a particular event.

Resolution No. OM/09.2020/34

Moved Cr O'Neil

Seconded Cr McMullen

That Council:

1. Approve the request to vary the approved hours [of] operation at the Mooreland's Bush Nursery and Function Facility for a particular event (St John's Catholic School graduation dinner) to be held at the premises on Thursday the 22nd of October, 2020 between the hours of 5:00 pm – 11:00 pm.
2. Approve Council planning officers to coordinate discussions between representatives of St John's Catholic School Roma and the adjacent land owners of the Mooreland's Bush Nursery and Function Facility ahead of this particular event.
3. Write to all stakeholders and adjacent land owners to advise that this is a one off approval due to the impact that COVID-19 has had on holding functions across the region.

[Wording amended by Cr O'Neil from his original motion following a suggestion from Cr McMullen for point 3, which Cr O'Neil confirmed he was happy to accept.]

CARRIED

9/0

Responsible Officer

Lead Town Planner

Item Number:

C.14

File Number: D20/79641

SUBJECT HEADING:

REQUEST FOR REDUCED TRADING TERMS – CREDITOR 13575

Officer's Title:

Lead Accounts Processing Officer / System Administrator

Executive Summary:

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

Resolution No. OM/09.2020/35

Moved Cr Taylor

Seconded Cr McMullen

That Council approve the request for the reduction in trading terms from twenty eight (28) days to fourteen (14) days for any invoices submitted by creditor 13575.

CARRIED

9/0

Responsible Officer

Lead Accounts Processing Officer / System Administrator

Item Number: C.15 **File Number:** D20/82232
SUBJECT HEADING: WRITE OFF AMOUNTS IN ACCOUNTS RECEIVABLE
Officer's Title: Lead Accounts Processing Officer / System Administrator

Executive Summary:

This report recommended to Council the formal write off of Sundry Debtor Account debts.

Resolution No. OM/09.2020/36

Moved Cr Edwards

Seconded Cr McMullen

That Council approve the write off of Sundry Debtor Account debts as presented as it is not financially prudent to pursue further recovery action.

[Wording amended by Cr Edwards from his original motion to provide further clarity on the intent, with a suggestion provided by the Chief Executive Officer.]

CARRIED

9/0

Responsible Officer

Lead Accounts Processing Officer / System Administrator

Item Number: C.16 **File Number:** D20/81600
SUBJECT HEADING: REQUEST TO GRANT DISCOUNT - ASSESSMENT 12011813
Officer's Title: Rates & Utilities Billing Officer

Executive Summary:

An application was received from the ratepayer requesting the discount be granted. Payment was received following the close of discount.

Resolution No. OM/09.2020/37

Moved Cr O'Neil

Seconded Cr Taylor

That Council does not grant the discount on this occasion, as the circumstances do not meet the criteria in Council's adopted Revenue Statement for granting discount.

CARRIED

7/2

Cr. 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. Birkett	Cr. Edwards
Cr. Guthrie	Cr. Golder
Cr. Hancock	
Cr. Ladbrook	
Cr. McMullen	
Cr. O'Neil	
Cr. Taylor	

Responsible Officer

Rates & Utilities Billing Officer

Item Number: C.17 File Number: D20/82067

SUBJECT HEADING: WARROO SPORTING COMPLEX RAW WATER REQUIREMENTS

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

Executive Summary:

At the meeting of 12 August 2020, Council requested a report on the works and budget required to address the raw water requirements at the Warroo Sporting Complex (OM/08.2020/34). This report provided that detail.

Resolution No. OM/09.2020/38

Moved Cr Hancock

Seconded Cr Ladbroke

That Council:

1. Provide in principle support for the project, being the installation of two (2) tanks with a total capacity of 90,000 litres and associated pumping equipment, to be located near the cemetery.
2. Refer the project to the first quarterly review to provide funding to allow the project to commence.

CARRIED

8/1

Cr. 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. Birkett	Cr. Golder
Cr. Edwards	
Cr. Guthrie	
Cr. Hancock	
Cr. Ladbroke	
Cr. McMullen	
Cr. O'Neil	
Cr. Taylor	

Responsible Officer

Manager - Water, Sewerage & Gas / Program Funding & Budget Coordinator

Item Number: C.18 File Number: D20/78447

SUBJECT HEADING: ROMA SALEYARDS - ENHANCEMENTS TO STUD STOCK SELLING ARENA

Officer's Title: Senior Engineer

Executive Summary:

Council requested that a report be tabled regarding the fitment of additional grab rails to the internal stairs in the newly completed Stud Stock Selling Arena at the Roma Saleyards. In addition, balustrade infills and inter-seating tier barriers were also raised for consideration as part of the review.

The matter has been researched and investigated, and whilst the completed facility is compliant with the National Construction Code, and a Certificate of Classification was received from the Building Certifier, it is understood that the requested additions are aimed to improve the access and safety of the facility.

Resolution No. OM/09.2020/39
Moved Cr O'Neil
Seconded Cr Birkett
That Council:

1. Approve the supply and installation of a trial barrier and grab rail on the second tier from the top of the central section of the Stud Stock Selling Arena at the Roma Saleyards as an additional safety measure to enhance the access and safety of the facility.
2. Approve a budget allocation up to \$5,000 for the supply and installation of the abovementioned barrier and rail with funds to be sourced from the Roma Saleyards Reserves G/L 19550.9569.9550.
3. Seek feedback from Roma Saleyards users prior to and after installation of the trial barrier.
4. Continue to monitor the operation and function of the Stud Stock Selling Arena and whether any further actions are required.

CARRIED
9/0
Responsible Officer
Senior Engineer / Manager – Saleyards

Cr. Taylor, having previously foreshadowed a 'Conflict of Interest' for the following item, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST - CONTINUED,' left the meeting at 6.52pm, taking no part in discussion or debate on the matter.

Item Number:
C.19
File Number: D20/82869
SUBJECT HEADING:
TENDER 21003: INJUNE CARAVAN PARK MANAGEMENT OR LEASE AGREEMENT
Officer's Title:
Manager - Procurement & Plant
Executive Summary:

The management of the Injune Caravan Park was released for tender. The tender is now closed and submissions received. This report provided Council with the results of the tender for consideration.

Resolution No. OM/09.2020/40
Moved Cr McMullen
Seconded Cr Guthrie
That Council:

1. Not accept any tendered submissions.
2. Continue to manage the Injune Caravan Park and investigate management model options, with a further report brought back to Council for consideration.

CARRIED
8/0
Responsible Officer
Manager - Procurement & Plant

LATE CONFIDENTIAL ITEMS

Item Number: LC.1 File Number: D20/76193

SUBJECT HEADING: ORGANISATIONAL STRUCTURE

Officer's Title: Chief Executive Officer

Executive Summary:

This report provided an update to Councillors on the proposed reshaping of the organisational structure. This included key concepts outlined by the Mayor as well as incorporating feedback from all Councillors at the briefing on 15 June 2020, the Special Meeting on 17 June 2020 and the Ordinary Meeting on 24 June 2020. A merging of the two proposals has also been collated following on from the informal discussion with Councillors.

Resolution No. OM/09.2020/41

Moved Cr Golder

Seconded Cr Ladbrook

That the proposal presented by the Mayor proceed to consultation.

Reason for Decision – Provided by Mayor Golder

Efficient running of the local government, creating competitive local business and improvement of services delivered on the ground locally.

CARRIED

6/3

Cr. 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. Birkett	Cr. Hancock
Cr. Edwards	Cr. O'Neil
Cr. Golder	Cr. Taylor
Cr. Guthrie	
Cr. Ladbrook	
Cr. McMullen	

Responsible Officer

Chief Executive Officer / Manager –
Organisational Development & Human
Resources

Item Number: LC.2 File Number: D20/85517

SUBJECT HEADING: SOLE INVITEE CN-14740 MINOR INFRASTRUCTURE CONTRACT WITH DEPARTMENT OF TRANSPORT AND MAIN ROADS FOR ENVIRONMENTAL MAINTENANCE ACTIVITIES FOR 2020/21

Officer's Title: Rural Land Services & Funding Officer / Team Coordinator

Executive Summary:

Through Council's existing sole invitee status with the Department of Transport & Main Roads, Council has received CN-14740 Invitation to Offer to submit a tender for a Minor Infrastructure Contract to perform management of invasive plant activities in conjunction with bushfire mitigation activities on State-controlled roads located within the Maranoa region for the 2020/21 financial year.

Resolution No. OM/09.2020/42

Moved Cr McMullen

Seconded Cr Edwards

That Council authorise the Chief Executive Officer or delegate to sign both the Invitation to Offer and the resulting Minor Infrastructure Contract with the Department of Transport and Main Roads for 2020/21 environmental maintenance activities to the value of \$97,350 GST Exclusive for:

- (a) Herbicide Spot Spraying – Declared Plants (Element 5); and**
- (b) Maintenance of firebreaks (Element 6).**

CARRIED

9/0

Responsible Officer	Rural Land Services & Funding Officer / Team Coordinator / Manager Maintenance Delivery & Works / Deputy Director Infrastructure Services
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Item Number:

LC.3

File Number: D20/85735

SUBJECT HEADING:

CHIPS MUSEUM - INJUNE

Councillor's Title:

Cr. Julie Guthrie

Executive Summary:

The agenda item tabled a proposal regarding the CHIPS Timber Museum project in Injune following Council's allocation of budget towards this project in the 2020/21 budget.

Resolution No. OM/09.2020/43

Moved Cr Guthrie

Seconded Cr Birkett

That a report be prepared for an upcoming Council meeting.

CARRIED

9/0

Responsible Officer	Manager – Economic & Community Development
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Item Number:

LC.4

File Number: D20/85399

SUBJECT HEADING:

**AUDIT COMMITTEE - APPOINTMENT OF EXTERNAL
MEMBERS**

Officer's Title:

Director - Corporate & Community Services

Executive Summary:

Council is required to establish an Audit Committee.

The purpose of this report was to appoint two (2) External Audit Committee Members to form a new Audit Committee.

Resolution No. OM/09.2020/44
Moved Cr Edwards
Seconded Cr McMullen

That Council authorise the final steps to be undertaken, and confirm availability of those shortlisted to participate in a meeting on Thursday 17 September 2020.

CARRIED
9/0
Responsible Officer
Director - Corporate & Community Services

Mayor Golder, having previously foreshadowed a 'Conflict of Interest' for the following item, for reasons stated under the Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST - CONTINUED,' left the meeting at 7.10pm, taking no part in discussion or debate on the matter.

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

Item Number:
LC.5
File Number: D20/86366
SUBJECT HEADING:
UPDATE ON FLOOD MITIGATION MATTER
Officer's Title:
Chief Executive Officer
Executive Summary:

The report sought additional clarification from Council following the distribution of information.

Resolution No. OM/09.2020/45
Moved Cr Hancock
Seconded Cr Guthrie

That further to Council's resolution on 26 August 2020 a capped value for legal costs be added to the proposed settlement value in line with the report.

CARRIED
8/0
Responsible Officer
Chief Executive Officer

At cessation of discussion and debate on the abovementioned item, Mayor Golder returned to the meeting at 7.11pm, assuming the Chair.

LATE ITEMS
Item Number:
L.1
File Number: D20/86118
SUBJECT HEADING:
REGISTER OF GENERAL COST - RECOVERY FEES AND COMMERCIAL CHARGES
Officer's Title:
Director - Corporate & Community Services
Executive Summary:

This report presented an updated Register of General Cost - Recovery Fees and Commercial Charges for adoption. All fees and charges eligible for a waiver as part of its COVID-19 recovery package (in full or in part) are now individually identified in the Register.

Resolution No. OM/09.2020/46

Moved Cr McMullen

Seconded Cr Birkett

That Council:

1. Receive and note the report.
2. Adopt the updated Register of General Cost-Recovery Fees and Commercial Charges.
3. Resolve that, in relation to those cost-recovery fees to which Section 97 of the *Local Government Act 2009* applies:
 - (i) the applicant is the person liable to pay these fees; and
 - (ii) the fee must be paid at or before the time the application is lodged.
4. Delegate to the Chief Executive Officer the power to amend commercial charges to which section 262 (3) (c) of the *Local Government Act 2009* applies.

CARRIED

9/0

Responsible Officer

**Director - Corporate & Community Services /
Program Funding & Budget Coordinator**

Item Number:

L.2

File Number: D20/84304

SUBJECT HEADING:

**SUCCESSFUL APPLICATION FOR COMMUNITY
DROUGHT SUPPORT**

Officer's Title:

Manager - Economic & Community Development

Executive Summary:

Council submitted a funding application under the Community Drought Support offered by the Department of Communities, Disabilities and Seniors. This application was partly successful. Approval was sought for the Chief Executive Officer or delegate authority to sign the funding agreement.

This matter had been laid on the table at the Ordinary Meeting on 26 August 2020.

Resolution No. OM/09.2020/47

Moved Cr McMullen

Seconded Cr Hancock

That Council:

1. Authorise the Chief Executive Officer (CEO), or delegate, to sign funding agreements as required.
2. Offer the following community group events an equal share of the successful funding amount offered:
 - Roma Show
 - Mitchell Show
 - Wallumbilla Show
 - Injune Races
 - Surat Christmas Carnival

[Mayor Golder asked if Cr Hancock would include Surat Camp Draft in the resolution, however, later withdrew this request.]

CARRIED

9/0

Responsible Officer

Manager – Economic & Community Development

Item Number:

L.3

File Number: D20/84398

SUBJECT HEADING:

DROUGHT COMMUNITIES PROGRAMME - EXTENSION FOR MARANOA WATER SUPPLY SECURITY - SURAT AND YULEBA TOWNSHIPS REQUEST FOR VARIATION TO FUNDING AGREEMENT

Officer's Title:

Program Funding & Budget Coordinator
Manager - Water, Sewerage & Gas

Executive Summary:

This report requested Council's approval to request a variation to the funding agreement for the Surat and Yuleba bore projects funded under the Drought Communities Programme – Extension.

Resolution No. OM/09.2020/48

Moved Cr McMullen

Seconded Cr Guthrie

That Council authorise the Chief Executive Officer (CEO), or delegate, to sign a request for variation for the Surat and Yuleba bore projects funded under the Drought Communities Programme – Extension to:

1. Extend the project completion date to 31 March 2021.
2. Increase the project budget for the change to Surat bore location.

CARRIED

9/0

Responsible Officer

Program Funding & Budget Coordinator /
Manager – Water, Sewerage & Gas

Item Number:

L.4

File Number: D20/74185

SUBJECT HEADING:

RED ROSE FOUNDATION - RED BENCH INITIATIVE - MARANOA REGION

Officer's Title:

Deputy Director / Strategic Road Management
Project Officer - Program & Contract Management
Manager - Maintenance Delivery & Works
Support Officer - Program & Contract Management /
Maintenance & Construction
Assets Officer - Transport Network

Executive Summary:

The Red Rose Foundation actively works to end domestic violence and family violence related deaths in Australia. The Red Bench Project is an initiative of the Foundation, which aims to raise public awareness, and is a permanent reminder that domestic and family violence can occur within all of our communities.

Council previously supported the Red Rose Foundation through the installation of a Red Bench at the Big Rig Parklands in Roma.

This report provided information as to how Council could consider furthering its support of the Foundation, by installing a new, or painting an existing, red bench within each of the remaining major townships in the region.

Resolution No. OM/09.2020/49

Moved Cr O'Neil

Seconded Cr Golder

That Council:

1. Provide in-principle support to install one red bench in each of the major towns within the Maranoa region - Jackson, Yuleba, Wallumbilla, Amby, Muckadilla, Mitchell, Mungallala, Injune and Surat.
2. Approve the installation of the red benches, as referred in dot point 1, should one of the following budget opportunities be available during the delivery of the 2020/21 capital works program:
 - a. Inclusion within the scope of an existing park upgrade project for the towns; or
 - b. Cost-savings identified as part of the delivery of the 20/21 capital works program on projects associated with parks and gardens, footpath upgrades or other concreting works.
3. Consult with the community groups in each location.
4. Develop in consultation with local organisations that provide support for domestic violence around the appropriate signage that would complement the installation of the red benches.

[Mayor Golder asked Cr O'Neil if he would include in the resolution points inviting community consultation in each community, and a statement around explaining the significance of the red bench project. Cr O'Neil included points 3 and 4 in this regard and Mayor Golder confirmed he was happy to second the motion.]

CARRIED

9/0

Responsible Officer

Deputy Director / Strategic Road Management

Item Number:

L.5

File Number: D20/84247

SUBJECT HEADING:

LGAQ ANNUAL CONFERENCE | NOTICE OF GENERAL MEETING AND VOTING ENTITLEMENTS

Officer's Title:

Lead Officer - Elected Members & Community Engagement

Executive Summary:

The Local Government Association of Queensland (LGAQ) Annual Conference will be held on 19 – 21 October 2020 at the Gold Coast Convention & Exhibition Centre.

As part of the program, LGAQ has provided notice of its intention to hold the Annual General Meeting (AGM) on Wednesday 21 October 2020.

Maranoa Regional Council is entitled to a total of 2 votes for business considered at the meeting.

Council was asked to consider attendance and appointment of voting delegate/s or proxy.

Resolution No. OM/09.2020/50

Moved Cr O'Neil

Seconded Cr Birkett

That Council:

1. Receive and note the Notice of Annual General Meeting.
2. Appoint Cr O'Neil and Cr Hancock as delegates to attend the LGAQ Annual General Meeting on 21 October 2020 and annual conference on behalf of Council, and note the advice from LGAQ that delegates on the form (Notification of Delegate Voting Entitlement) should be the same person/s registered as delegates through the online conference registration system for the annual conference.
3. Authorise the Mayor or Chief Executive Officer (CEO) to sign the Notification of Delegate Voting Entitlement on behalf of Council.
4. Draw applicable registration, travel costs and accommodation costs from attending Councillors' Conference budget allocation.

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

Item Number:

L.6

File Number: D20/85718

SUBJECT HEADING:

**NEW CHRISTMAS TREE & DECORATIONS - SURAT
TINSEL TRAIL**

Councillor's Title:

Cr. Mark Edwards

Executive Summary:

The agenda item proposed to support the Surat community through the purchase of a new Christmas tree and decorations.

Resolution No. OM/09.2020/51

Moved Cr Edwards

Seconded Cr Golder

That a report be prepared for an upcoming Council meeting, and that it include consideration of the existing customer request.

[Wording amended by Cr Edwards from his original motion, following further discussion about the content of the returning report.]

CARRIED

9/0

Responsible Officer

Manager - Economic & Community Development

LATE CONFIDENTIAL ITEMS CONTINUED

SUBJECT HEADING: ORGANISATIONAL STRUCTURE PROPOSED SUPPLEMENTARY ACTIONS

The Chief Executive Officer requested Council consider including a further Late Confidential Item in the meeting – Organisational Structure Proposed Supplementary Actions.

Resolution No. OM/09.2020/52	
Moved Cr O'Neil	Seconded Cr McMullen
I'll move that we add an additional item to the agenda - Organisational Structure Proposed Supplementary Actions.	
CARRIED	9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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LATE CONFIDENTIAL ITEMS CONTINUED

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss item LC.6, 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. OM/09.2020/53	
Moved Cr O'Neil	Seconded Cr Hancock
I move that we go into closed for the reasons the Chief Executive Officer (CEO) has articulated [close the meeting to the public at 7.38pm].	
[In accordance with <i>Local Government Regulation</i> Section 275(b) industrial matters affecting employees and (c) the local government budget.]	
CARRIED	9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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Resolution No. OM/09.2020/54	
Moved Cr Birkett	Seconded Cr Guthrie
That Council open the meeting to the public [at 8.10pm].	
CARRIED	9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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Item Number: LC.6 File Number: N/a

SUBJECT HEADING: ORGANISATIONAL STRUCTURE PROPOSED
SUPPLEMENTARY ACTIONS

Officer's Title: Chief Executive Officer

Executive Summary:

*The Chief Executive Officer requested additional guidance from Council in relation to **Resolution No. GM/09.2020/53**. (Item LC.1 – Organisational Structure).*

Resolution No. OM/09.2020/55

Moved Cr Golder

Seconded Cr Ladbrook

That:

1. The Chief Executive Officer be authorised to seek feedback from the Employee Consultative Committee about an appropriate period of time for the consultation process and the range of feedback options to be used for the consultation, and the results on the discussions be circulated to Councillors informally.
2. Feedback from the consultation process be provided to Council for consideration prior to any additional steps being undertaken.

CARRIED

9/0

Responsible Officer

Chief Executive Officer / Manager –
Organisational Development & Human
Resources

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 8.12pm.

These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 23 September 2020, at Roma Administration Centre.

.....
Mayor.

.....
Date.

.....
Deputy Mayor.

.....
Date.

Special 16 September 2020 **Error! Bookmark not defined.**

OFFICER REPORT

Meeting: Ordinary 23 September 2020

Date: 14 August 2020

Item Number: 11.1

File Number: D20/78374

SUBJECT HEADING: Delegation of Council Powers to the Chief Executive Officer under the Land Act 1994 (Qld) ("LANA")

Classification: Open Access

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 seeks Council's approval for the delegation of Council powers under the *Land Act 1994 (Qld)* ("LANA") to the position of Chief Executive Officer.

Officer's Recommendation:

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 (Qld)* ("LANA").
2. all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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
Nil	

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. Council is advised that the *Land Act 1994 (Qld)* ("LANA") was amended by the Natural Resources and Other Legislation Amendment Act 2019 by proclamation on 1 July 2020.

The amendments to the Act were made to ensure the clear and effective application of the Act, improve administrative efficiency and reduce regulatory burden across a number of policy issues.

The amendments to the documents relate to a change of decision-making responsibilities from the Minister to the Chief Executive to allow for an increase in administrative efficiency of the Land Act.

The Instrument of Delegation has been drafted accordingly (as attached), with the following extract highlighting the recommended changes from MacDonnell's Law.

CHAPTER 3 – RESERVES, DEEDS OF GRANT IN TRUST AND ROADS		
Part 1 –	Reserves and deeds of grant in trust	
	Division 2 – Reserves	
Entity power given to	Section of LANA	Description
Local Government	34H(1)	Power to apply, <u>in writing</u> to the Chief Executive, to remove improvements from a revoked reserve.
	Division 3 – Deeds of grant in trust	
Owner of improvements on a deed of grant in trust that has been cancelled	38G(1)	Power to apply, <u>in writing</u> to the Chief Executive, to remove the owner's improvements on a deed of grant in trust.
	Division 6 – Powers of trustee	
Owner of improvements on a deed of grant in trust that has been surrendered	55H(1)	Power to apply, <u>in writing to the Chief Executive</u> , to remove the owner's improvements on a surrendered deed of grant in trust.
Part 4 –	Forfeiture	
	Division 2A – Forfeiture of leases by referral to court or for fraud	
	Division 3A – Sale of lease instead of forfeiture	
Lessee	240E(1)	Power to make a written application apply , <u>in writing, to the Chief Executive</u> for permission to sell the lease.

Part 4 –	Dealings affecting land	
	Division 2 – Surrender	
Registered Owner of freehold land	327B	Power to apply, <u>in writing to the Chief Executive</u> , to surrender freehold land.
Lessee	327C(1)	Power to apply, <u>in writing to the Chief Executive</u> , to surrender all or part of a lease.
Owner of improvements on a lease that has been surrendered	327I(1)	Power to apply, <u>in writing to the Chief Executive</u> , to remove improvements on surrendered lease.
	Division 3 – Subleases	
Sub Lessee	332(7)	Power to appeal against a Minister's decision.

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.
- The delegate must exercise a delegated power fairly and impartially, without being influenced by or being subject to the discretion of other individuals.
- 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 *Land Act 1994 (Qld)* (“LANA”) 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?

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 (Qld)* ("LANA").
2. all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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 5: Managing our operations well

5.2 Business planning, governance and performance reporting

10.4.1 Defining expectations and boundaries

Supporting Documentation:

1  Draft - Land Act 1994 ("LANA") - Instrument of
 Delegation to CEO

D20/78331

Report authorised by:

Director - Corporate & Community Services

INSTRUMENT OF DELEGATION

Maranoa Regional Council *Land Act 1994 ("LANA")*

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

Land Act 1994 ("LANA")**CHAPTER 1 – PRELIMINARY****Part 4 – Tidal and non-tidal boundaries and associated matters**

Entity power given to	Section of LANA	Description
Registered Owner	12(3)	Power to suitably indicate where the boundaries of land are across a surface of water.
Registered Owner	12(4)	Power to regulate or prohibit the use or movement of ships in or over water above inundated land.
Owner who may take water under the <i>Water Act 2000</i> , section 96	13A(4)	Power to, in certain circumstances: (a) exercise a right of access for the owner, the owner's family, executive officers, employees, agents and stock over the adjacent area of the watercourse or lake that is the property of the State that adjoins the owner's land; and (b) exercise a right of grazing for the person's stock over the adjacent area; and (c) bring an action against a person who trespasses on the adjacent area.
Adjacent Owner	13AC(1)(a)	In certain circumstances, power to consent to the dedication of a reserve.
Applicant	13B(1)	In certain circumstances, power to apply to the Chief Executive to have watercourse land adjoining the relevant land's non-tidal boundary declared to be former watercourse land.
Applicant	13B(2)	Power to give notice of a person's intention to make the application.
Applicant	13B(6)	Power to appeal against the refusal of the application.

CHAPTER 2 – LAND ALLOCATION**Part 1 – Allocation powers**

Entity power given to	Section of LANA	Description
Registered Owner	18(1)	Power to reach agreement with the Governor in Council to grant unallocated State land in exchange for all or part of freehold land.
Lessee of a freeholding lease	18(2)	Power to reach agreement with the Governor in Council to grant a freeholding lease in exchange for all or part of a freeholding lease.
Lessee of a term lease	18(3)	Power to enter into agreement with the Minister to lease unallocated State land.

Part 2 – Reservations

Entity power given to	Section of LANA	Description
Person	23A(1)	Power to apply to Chief Executive for the allocation of a floating reservation.
Person	23A(6)	Power to appeal against a Chief Executive's decision.
Registered owner or lessee	24(3)	Power to apply to the Minister to buy the land.
Registered owner or lessee	25(2)	Power to appeal against the unimproved value of land.
Registered owner or Trustee	26(2)	In certain circumstances, power to agree with the Minister in respect to the specified matters when the Minister is deciding the boundaries of land being resumed.
Lessee, registered owner or trustee	26(4)	Power to appeal against the Minister's decision on the boundaries.
Lessee or registered owner	26B(8)	Power to appeal against the value decided by the Minister for the commercial timber.

CHAPTER 3 – RESERVES, DEEDS OF GRANT IN TRUST AND ROADS**Part 1 – Reserves and deeds of grant in trust****Division 2 – Reserves**

Entity power given to	Section of LANA	Description
Any Person	31C(1)	Power to apply to the Minister for the dedication of a reserve.
Any Person	31C(2)	Power to give notice of the person's intention to make the application to: (a) if the person is not the proposed trustee of the reserve - the proposed trustee; and (b) each person with a registered interest in the unallocated State land over which a reserve is proposed to be dedicated.
Any Person	31C(3)	Power to give notice to any other person that the person considers has an interest in the unallocated State land over which the reserve is proposed to be dedicated.
Trustee of a reserve	31D(1)	Power to apply to the Minister: (a) to change the boundaries of the reserve; or (b) to change the purpose for which the reserve is dedicated.
Trustee of a reserve	31D(2)	Power to give notice of the trustee's intention to make the application to each person with a registered interest in the reserve.
Trustee of a reserve	31D(3)	Power to give notice to any other person the trustee considers: (a) has an interest in the reserve; or (b) would have an interest in the reserve if the boundaries of the reserve or the purpose for which the reserve is dedicated were changed.
Any Person	34(1)	Power to apply for the revocation of the dedication of all or part of a reserve.

Any Person	34(2)	Power to give notice of the person's intention to make the application to: (a) if the person is not the trustee of the reserve - the trustee of the reserve; and (b) each person with a registered interest in the reserve.
Any Person	34(3)	Power to give notice to any other person that the person considers has an interest in the reserve.
Local Government	34H(1)	Power to apply, in writing to the Chief Executive, to remove improvements from a revoked reserve.
Trustee of an operational reserve	34I(1)	In certain circumstances, power to apply for the issue of a deed of grant over a reserve.
Trustee of an operational reserve	34I(3)	Power to give notice of the trustee's intention to make the application to each person with a registered interest in the reserve.
Trustee of an operational reserve	34I(4)	Power to give notice to any other person the trustee considers has an interest in the reserve.

Division 3 – Deeds of grant in trust

Entity power given to	Section of LANA	Description
Trustee of deed of grant in trust	38A(1)	Power to apply: (a) for an additional community purpose to be notified; or (b) to amalgamate land with common purposes.
Any Person	38A(2)	Power to apply for the cancellation of a deed of grant in trust.
Applicant	38A(3)	Power to give notice of the applicant's intention to apply to each of the following: (a) the trustee of the deed of grant in trust, other than the applicant (b) each person with a registered interest in the trust land.
Applicant	38A(4)	Power to give notice to any other person the applicant considers has an interest in the trust land.
Owner of improvements on a deed of grant in trust that has been cancelled	38G(1)	Power to apply, in writing to the Chief Executive, to remove the owner's improvements on a deed of grant in trust.

Division 5 – Appointments, functions and removal of trustees

Entity power given to	Section of LANA	Description
Proposed trustee	44(4)	Power to provide written acceptance of appointment as trustee.
Trustee	48(1)(a)	Power to apply for the approval of a management plan for the trust land.
Trustee	49	In certain circumstances, power to: (a) allow the auditor general, a person mentioned in section 47(1)(a) to (d), or a person authorised by the Chief Executive of a Department, to audit the trust's financial accounts; and (b) help the conduct of the audit, including a disclosure of the financial institution accounts necessary for the

		audit.
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Division 6 – Powers of trustee

Entity power given to	Section of LANA	Description
Trustee	52(1)	Power to take all action necessary for the maintenance and management of the trust land.
Trustee of trust land	52(5)	Power to apply for the approval of an action that is inconsistent with the purpose for which the reserve was dedicated or the land was granted in trust (<i>inconsistent action</i>).
Trustee	55(1)	Power to surrender all or part of a deed of grant in trust: (a) on terms agreed to between the Minister and the trustee; and (b) with the Minister's written approval.
Trustee of a deed of grant in trust	55A(1)	Power to apply to surrender all or part of a deed of grant in trust.
Trustee of a deed of grant in trust	55A(2)	Power to give notice of the trustee's intention to apply to each person with a registered interest in the deed of grant in trust.
Trustee of a deed of grant in trust	55A(3)	Power to give notice to any other person the trustee considers has an interest in the deed of grant in trust.
Owner of improvements on a deed of grant in trust that has been surrendered	55H(1)	Power to apply, in writing to the Chief Executive, to remove the owner's improvements on a surrendered deed of grant in trust.
Trustee Lessee	58(7)	Power to appeal against a decision by the Minister or Chief Executive under section 58(6)

Division 7 – Trustee leases and trustee permits

Entity power given to	Section of LANA	Description
Trustee	66(1)	In certain circumstances, power to allow a trustee lessee or trustee permittee to remove the trustee lessee's or trustee permittee's improvements on the land within a reasonable time stated by the trustee.

Division 10 – Cemeteries

Entity power given to	Section of LANA	Description
Local Government	82	Power to: (a) agree to have the trusteeship of a cemetery transferred; and (b) agree to conditions of the transfer of trusteeship.

Division 11 – Other grants for public purposes

Entity power given to	Section of LANA	Description
Trustee of land granted for an estate in fee simple for	84(1)	In certain circumstances, power to apply to the Minister to surrender land to the State and for the issue of a deed in grant in trust under the <i>Land Act 1994</i> for a community or public

some community, public or similar purpose		purpose.
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Part 2 – Roads**Division 1 – Dedicating and opening roads**

Entity power given to	Section of LANA	Description
Person	94(2)	Power to apply for the dedication of a road for public use.

Division 2 – Closing roads

Entity power given to	Section of LANA	Description
Public Utility Provider or Adjoining Owner for the road	99(1)	Power to apply for the permanent closure of a road.
Adjoining Owner for the road or, in certain circumstances, another person	99(3)	In certain circumstances, power to apply to the Minister for the temporary closure of a road.
Adjoining Owner	99(4)	Power to ask for the road, on its closure, to be amalgamated with the adjoining owner's adjoining land.
Adjoining Owner for the road	99(6)	In certain circumstances, power to ask in the application that, on the closure of the road, the road, the adjoining land and the other land be amalgamated.

Division 4 – Permanently closed roads

Entity power given to	Section of LANA	Description
Registered Owner	109A(1)	In certain circumstances, power to apply for the simultaneous opening and closure of roads.
Registered Owner	109A(3)	Power to appeal against any conditions the Minister imposes under section 420I.
Trustee or Lessee	109B(1)	In certain circumstances, power to apply for the simultaneous opening and closure of roads.
Trustee	109B(4)	Power to appeal against any conditions the Minister imposes under section 420I.

CHAPTER 4 – LAND HOLDINGS**Part 1 – Making land available**

Entity power given to	Section of LANA	Description
Any Person	120A(1)	Power to apply for an interest in land without competition.
Proposed Lessee	136(5)	Power to enter into a land management agreement.
Buyer or previous Lessee	140(1)	Power to negotiate the provisional value (negotiated value).
Buyer or previous	140(2)	Power to give written agreement to the negotiated value

Lessee		becoming the amount to be paid for the improvements.
Buyer or previous Lessee	140(4)	Power to make application to the Court to decide the value.

Part 3 – Leases

Entity power given to	Section of LANA	Description
Lessee	154(1)	Power to apply to the Minister for a lease to be used for additional or fewer purposes.
Lessee	155A(2)	Power to apply to extend a lease.
Lessee	155B(2)	Power to apply to extend a lease.
Lessee	155BA(2)	Power to apply to extend a lease.
Lessee	155DA(4)	Power to make written submissions to the Minister.
Lessee of term lease	158(1)	Power to apply for an offer of a new lease unless the condition of the lease or the <i>Land Act 1994</i> prohibits a renewal.
Applicant	160(3)	Power to appeal against the Chief Executive's decision to refuse the renewal application if the only reason for the refusal was that the applicant had not fulfilled the conditions of the lease.
Lessee	164C(1)	Power to make an extension application.
Lessee	164C(7)	Power to appeal against the Minister's decision.
Lessee	164H(1)(b)	Power to advise the Chief Executive and agree to the lease becoming a rolling term lease.
Lessee	166(1)	Power to make a conversion application.
Applicant	168(5)	Power to appeal against the Chief Executive's decision to refuse the conversion application if the only reason for the refusal is that the applicant had not fulfilled the conditions of the lease.
Lessee	169(a)	Power to enter into a conservation agreement.
Lessee	169(b)(i)	Power to enter into a forest consent agreement in relation to the land.
Lessee	176(1)	Power to apply for approval to subdivide a lease.
Applicant	176E	In certain circumstances, power to appeal against a decision.
Lessee of two or more leases	176K(1)	In certain circumstances, power to apply for approval to amalgamate existing leases.
Applicant	176Q	In certain circumstances, power to appeal against a decision that is given to an Applicant.
Lessee	176UA(2)	Power to enter into a land management agreement.
Lessee	176XA	Power to agree with the Minister to cancel the land management agreement registered on a lease.

Part 4 – Permits to occupy particular land

Entity power given to	Section of LANA	Description
Any Person	177A(1)	Power to apply for a permit to occupy unallocated State land, a reserve or road.
Any Person	177A(2)	Power to give notice of the person's intention to apply to the following and to any other entity with a registered interest in the proposed permit land:

		(a) for a permit for a reserve – the trustee of the reserve; or (b) for a permit for a State-controlled road – the Chief Executive of the department in which the <i>Transport Infrastructure Act 1994</i> is administered.
Registered Owner	179(2)	In certain circumstances, power to agree with an applicant for a permit on conditions about the maintenance of a boundary fence.
Permittee	180(2)	Power to surrender a permit: (a) on terms agreed between the Chief Executive Officer and the permittee; and (b) with the Chief Executive's written approval.
Relevant entity for a permit	180A(1)	Power to apply to cancel a permit.
Relevant entity for a permit	180A(2)	Power to give notice of the entity's intention to apply to: (a) the permittee; and (b) any other entity with a registered interest in the permit land.
Relevant entity for a permit	180A(4)	Power to give notice to any other entity the relevant entity considers has an interest in the permit land.
Permittee	180A(5)	Power to apply to surrender a permit.
Permittee	180H(1)	Power to apply to the Chief Executive to remove improvements on permit land.

CHAPTER 5 – MATTERS AFFECTING LAND HOLDINGS

Part 2 – Conditions

Division 3 – Changing and reviewing imposed conditions

Entity power given to	Section of LANA	Description
Lessee or Licensee or permittee	210(1)	Power to agree to a change of an imposed condition of the lease, licence or permit.
Lessee or Licensee or permittee	210(2)	Power to apply to change conditions of a lease, licence or permit under section 210(1).
Lessee	212(1)	Power to agree to change an imposed condition about the protection and sustainability of lease land.
Lessee	212(3)	In certain circumstances, power to appeal against a decision.

Division 3A – Regulated conditions

Entity power given to	Section of LANA	Description
Lessee of a lease	212B(5)	Power to agree with the designated officer for the lease about matters stated in section 212B(5)(a) and (b).

Division 5 – Remedial action

Entity power given to	Section of LANA	Description
Lessee	214(3)	Power to enter into an amended or a new land management agreement upon receipt of a remedial action notice.

Lessee or Licensee	214A(4)	Power to make written submissions to the Minister in response to a warning notice.
Lessee	214F(3)	Power to appeal against a decision.

Part 3 – Resumption and compensation**Division 2 – Resumption of a lease under a condition of the lease**

Entity power given to	Section of LANA	Description
Lessee	226(5)	Power to appeal against the Minister's decision.

Division 3 – Resumption of a reservation for a public purpose

Entity power given to	Section of LANA	Description
Owner of the improvement	232(5)	Power to appeal against the Minister's decision.

Part 4 – Forfeiture**Division 2A – Forfeiture of leases by referral to court or for fraud**

Entity power given to	Section of LANA	Description
Relevant local government	239(4)	Power to appeal against a decision under subsection (2)(b)(iv) to allow an entity other than the relevant local government to sell the lease.

Division 3A – Sale of lease instead of forfeiture

Entity power given to	Section of LANA	Description
Lessee	240E(1)	Power to apply, in writing, to the Chief Executive for permission to sell the lease.
Relevant Local Government	240G(1)	Power to apply to the Chief Executive for approval to sell a lease.
Local Government	240I(3)	Power to start the process of selling a lease under this subdivision within the required period stated in the notice under section 240H(2).
Local Government	240I(4)	Power to set a reserve price for the sale of the lease by auction, or a price for the sale of the lease under an agreement, that is at least the total of all charges owing to the State under the Land Act 1994 relating to the lease.
Lessee of a forfeited lease	243(1A)	Power to apply to remove the lessee's improvements on the lease.

CHAPTER 6 – REGISTRATION AND DEALINGS**Part 3 – Documents****Division 2 – Documents forming part of standard terms documents**

Entity power given to	Section of LANA	Description
Person	321(1)	Power to ask the Chief Executive to withdraw a registered standard terms document.

Part 4 – Dealings affecting land**Division 1 – Transfers**

Entity power given to	Section of LANA	Description
Lessee or Licensee or the holder of a sublease	322(3)	Power to apply for approval to transfer a lease, licence or sublease.
Transferor	322(8)	Power to appeal against the Chief Executive's decision.

Division 2 – Surrender

Entity power given to	Section of LANA	Description
Registered Owner	327	Power to agree to terms of the absolute surrender of freehold land.
Lessee	327A	Power to agree to terms of the absolute or conditional surrender of all or part of a lease.
Registered Owner of freehold land	327B	Power to apply, in writing to the Chief Executive, to surrender freehold land.
Lessee	327C(1)	Power to apply, in writing to the Chief Executive, to surrender all or part of a lease.
Lessee	327C(2)	Power to give notice of the lessee's intention to apply to any other person with a registered interest in the lease.
Lessee	327C(3)	Power to give notice to any other person the lessee considers has an interest in the lease.
Owner of improvements on a lease that has been surrendered	327I(1)	Power to apply, in writing to the Chief Executive, to remove improvements on surrendered lease.
Any grantee of an easement or profit a prendre	330(c)	Power to give written approval to the surrender where the grantee's interests will be adversely affected.

Division 3 – Subleases

Entity power given to	Section of LANA	Description
Person	332(1)(a)(i)	The power to seek the Minister's written approval to the sublease.
Lessee	332(7)	Power to appeal against a Minister's decision.
Sublessor	339(1)	Power to lodge a request for the Chief Executive to register the

		re-entry.
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Division 3A – Process for resolving disputes under particular subleases

Subdivision 2 – Notice of dispute

Entity power given to	Section of LANA	Description
Party to a sublease	339F(1)	Power to give another party to the sublease a written notice of dispute.
Responder	339G(1)	Power to give a notifier of a sublease dispute a written response to the dispute notice within the specified time.
Party to a sublease	339H(2)	Power to agree not to attempt to resolve the dispute by mediation and to submit the dispute to arbitration.

Subdivision 3 – Mediation

Entity power given to	Section of LANA	Description
Party to a sublease	339I(1)	Power to jointly appoint a mediator to mediate the dispute.
Party to a sublease	339I(2)	Power to request a prescribed dispute resolution entity appoint a mediator.
Party to a sublease	339J(1)	Power to agree to a time for mediation
Party to a sublease	339J(2)	Power to request the mediator to set a time for the mediation.
Party to a sublease	339J(4)	Power to appoint an agent to represent the Local Government at a mediation.

Subdivision 4 – Arbitration

Entity power given to	Section of LANA	Description
Party to a sublease	339O(1)	Power to appoint a single arbitrator to decide the dispute
Party to a sublease	339O(2)	Power to request a prescribed dispute resolution entity to appoint a single arbitrator to decide the dispute
Party to a sublease	339R(2)	Power to request an appointed expert participate in a hearing.
Party to a sublease	339U(3)(a)	Power to agree on how the costs of arbitration will be paid.

Division 7 – Correcting and changing deeds of grant and leases

Entity power given to	Section of LANA	Description
Registered owner or Trustee	358(1)	In certain circumstances, power to surrender land contained in a deed of grant or trustee's deed of grant in trust.
Registered owner or Trustee	358(2)	In certain circumstances, power to surrender land contained in a deed of grant or trustee's deed of grant in trust with the Minister's written approval.
Lessee or a person acting for the lessee	360C(1)	In certain circumstances, power to apply to amend the description in a freeholding lease if the description of the lease may be amended under section 360(1)(a) or (d).
Lessee or a person acting for the lessee	360C(2)	Power to apply to amend the description in a term lease or perpetual lease, other than a State lease, if the description of the lease may be amended under section 360A(2)(a), (b) or (c).

Lessee or a person acting for the lessee	360C(3)	Power to apply to amend the description in a State lease if the description of the lease may be amended under section 360B(1)(a), (b), (c) or (d).
Applicant	360D(2)	Power to give notice of the applicant's intention to apply to any other person with a registered interest in the lease land.
Applicant	360D(3)	Power to give notice to any other person the applicant considers has an interest in the lease.

Division 8 – Easements

Entity power given to	Section of LANA	Description
Trustee	368(2)(a)	In certain circumstances, power to ask the Chief Executive to extinguish an easement.
Owner of land or public utility provider	371(2)	In certain circumstances, power to sign a document of surrender
Person who has a registered interest in the land	371(3)	Power to agree to surrender an easement.
Person	372(2)	Power to apply for the Minister's written approval to continue a public utility easement over unallocated state land.
Person	372(3)	Power to apply for the Minister's written approval to continue a public utility easement over a reserve.

Division 8A – Covenants

Entity power given to	Section of LANA	Description
Local Government as Covenantor	373A(1)	Power to make certain non-freehold land the subject of a covenant.
The trustee of trust land, the lessee of lease land or the sublessee of subleased land.	373A(2)	Power to consent to a document creating a covenant.
Person	373B(1)(a)	Power to sign a document creating a covenant.
Person	373C(2)(a)	Power to sign a document amending the covenant.
Covenantor	373D(2)	Power to sign a document releasing the covenant.

Division 8B – Profits a prendre

Entity power given to	Section of LANA	Description
Lessee	373L(a)	Power to ask the Chief Executive to extinguish the profit a prendre.

Division 11A – Caveats

Entity power given to	Section of LANA	Description
Caveatee	389H(1)	Power to apply to the Supreme Court for an order that a caveat lodged under this division be removed.

CHAPTER 7 – GENERAL**Part 2 – Unlawful occupation of non-freehold and trust land****Division 3 – Action by lessee, licensee, permittee or trustee**

Entity power given to	Section of LANA	Description
Trustee or Lessee or Licensee or Permittee	415(1)	In certain circumstances, power to start a proceeding in the Magistrates Court.

Division 4 – Court matters

Entity power given to	Section of LANA	Description
Party	420	Power to appeal to the District Court on a question of law if dissatisfied with a trespass order.

Part 2A – General provisions for applications

Entity power given to	Section of LANA	Description
Entity	420CB(1)	Power to make a submission against the proposed application to: (a) the person who gave the entity the notice; or (b) the Chief Executive.

Part 3 – Review of decisions and appeals**Division 2 – Internal review of decisions**

Entity power given to	Section of LANA	Description
Person who has a right of appeal against an original decision	423	Power to apply to the Minister for a review of the decision.
Applicant	425(1)	Power to apply for a stay of the decision to the Court.

Division 3 – Appeals

Entity power given to	Section of LANA	Description
A person who has applied for the review of a decision under division 2	427	Power to appeal to the Court if dissatisfied with the review decision.

Part 3B – Making land available for public use as beach

Entity power given to	Section of LANA	Description
Local Government	431V(3)	Power to consult with the owner of the lot.
Manager	431W(6)(a)	Power to authorise an officer or employee of the manager of a declared beach area, to enter the area at any time without

		notice to any other person.
Manager	431X(1)(b) (ii)	Power to authorise or direct a person acting in the performance of functions or powers.

Part 4 – Miscellaneous

Entity power given to	Section of LANA	Description
Offeree	442(4)	In certain circumstances, power to apply to the person who made the offer to extend the time stated in the offer or that otherwise applies under subsection (1).
Offeror	442(9)	Power to amend the offer by changing the price or premium to a price or premium decided by the offeror in the way prescribed by regulation.

CHAPTER 8 – CONTINUED RIGHTS AND TENURES

Part 5 – Licences and permits

Division 1 – Occupation licences

Entity power given to	Section of LANA	Description
Licensee	481A	Power to surrender, absolutely, all or part of an occupation licence: (a) on terms agreed to between the Minister and the licensee; (b) and with the Minister's written approval.
Public Utility Provider (an applicant)	481B(1)	Power to apply to cancel all or part of an occupation licence.
Licensee (an applicant)	481B(3)	Power to apply to surrender, absolutely, all or part of an occupation licence.
Applicant	481B(4)	Power to give notice of the applicant's intention to apply to each of the following: (a) if the applicant is not the licensee of the occupation licence – the licensee; (b) any other person with a registered interest in the occupation licence; (c) if the occupation licence is a designated occupation licence – the Chief Executive of the department having responsibility for the administration of the forest reserve, national park, State forest or timber reserve the subject of the designated occupation licence.
Applicant	481B(5)	Power to give notice to any other person the applicant considers has an interest in the occupation licence.
Licensee of occupation licence	481J(1)	Power to apply to remove licensee's improvements on a licence.

Part 7 – Tenures under other Acts**Division 1 – Sale to Local Authorities Land Act 1882**

Entity power given to	Section of LANA	Description
Local Government	492(1)	In certain circumstances, power to apply to exchange a conditional deed for a reserve or deed of grant in trust with Council as trustee or a lease issued under the <i>Land Act 1994</i> .

CHAPTER 9 – TRANSITIONAL AND REPEAL PROVISIONS**Part 1K – Transitional provisions for Land, Water and Other Legislation Amendment Act 2013**

Entity power given to	Section of LANA	Description
Lessee	521ZE(2)	Power to apply in writing to the Minister for the cancellation of the land management agreement for the lease.

Part 1M – Transitional provisions for Land and Other Legislation Amendment Act 2014

Entity power given to	Section of LANA	Description
Lessee of a lease	521ZL(2)	Power to agree to the renewal application being treated as an extension application and advise the Chief Executive of same.
Lessee of a lease	521ZM(2)	Power to advise the Chief Executive that the lessee wishes the lease to become a rolling term lease.

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.

[2020 07 01 - LANA - Delegation Instrument]

OFFICER REPORT

Meeting: Ordinary 23 September 2020

Date: 14 August 2020

Item Number: 11.2

File Number: D20/78391

SUBJECT HEADING: Delegation of Council Powers to the Chief Executive Officer under the Mineral Resources Act 1989 (Qld) ("MIRA")

Classification: Open Access

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 seeks Council's approval for the delegation of Council powers under the *Mineral Resources Act 1989 (Qld)* ("MIRA") to the position of Chief Executive Officer.

Officer's Recommendation:

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 *Mineral Resources Act 1989 (Qld)* ("MIRA").
2. all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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
Nil	

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.

The *Mineral Resources Act 1989 (Qld)* ("MIRA") was amended by the Mineral and Energy and Other Legislation Amendment Act 2020 which commenced 7 September 2020. The amendment has resulted in some minor changes. The amendments consist of the removal of Chapter 13, Part 2 as a consequential change to consolidating the conference provisions in the Mineral and Energy Resources (Common Provisions) Act 2014.

The Instrument of Delegation has been drafted accordingly (as attached) by MacDonnell's Law, with the following extract highlighting the recommended changes.

CHAPTER 13 – ADMINISTRATION AND JUDICIAL FUNCTIONS

~~Part 2 – Conferences with Eligible Claimants or Owner and Occupiers~~ ~~Division 1 – Preliminary~~

Entity power given to	Section of MIRA	Description
Eligible Claimant	335F(1)	Power to give an election notice asking for a conference.
Owner / Occupier of Land	335F(2)(a)	Power to give a notice of the following concerns: (i) that someone claiming to act under a mining tenement, or to have entered land on the tenement holder's instructions; (A) is not authorised to be on the land; or (B) is not complying with a provision of this Act or a condition of the mining tenement; (ii) activities being, or proposed to be, carried out on land apparently under a mining tenement (including when the activities are being, or are to be, carried out); (iii) the conduct on the land of someone apparently acting under a mining tenement;

Division 2 – Calling conference and attendance

Entity power given to	Section of MIRA	Description
Eligible Claimant	335G(1)	Power to attend a conference.
Owner / Occupier of Land or other person with an interest in the concerns	335G(2)	Power to attend a conference.
Recipients of notice pursuant to s335G(1)	335H(1)	Power to attend and take part in a conference.
Party who attended the conference	335I(3)	Power to apply to the Land Court for an order requiring a party who did not attend the conference to pay the attending party's reasonable costs of attending.

Division 3 – Conduct of conference

Entity power given to	Section of MIRA	Description
Owner / Occupier of Land or other person with an interest in the concerns or given notice of the conference	335L(1)	Power to enter into an agreement.

Part 4 –

Access to abandoned mines and final rehabilitation sites Remediation of abandoned mine sites and rehabilitation of final rehabilitation sites

Entity power given to	Section of MIRA	Description
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Division 2 – Authorisation to carry out remediation activities or rehabilitation activities

Owner or Occupier	344G(4)	Power to give consent to the authorised person to enter the land and to sign an acknowledgement of consent
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Division 3 – Compensation

Owner of Land	345(1)(a)	In the specified circumstances, the power to enter into a compensation agreement with the holder of an environmental authority who is authorised under section 344A(3) to enter land.
Owner of Land	345(3)	Power to apply in writing to the Chief Executive to have the Land Court decide the amount of compensation and the terms, conditions and times of its payment payable under section 345(1)(a)

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)

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 *Mineral Resources Act 1989 (Qld)* ("MIRA") 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?

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 *Mineral Resources Act 1989 (Qld)* ("MIRA").
2. all prior resolutions delegating the same powers to the Chief Executive Officer are repealed.

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 5: Managing our operations well

5.2 Business planning, governance and performance reporting

10.4.1 Defining expectations and boundaries

Supporting Documentation:

1  Instrument of Delegation - Mineral Resources Act 1989 D20/75717
 (MIRA) (as at 31.07.2020)

Report authorised by:

Director - Corporate & Community Services

INSTRUMENT OF DELEGATION

Maranoa Regional Council *Mineral Resources Act 1989 ("MIRA")*

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

Mineral Resources Act 1989 ("MIRA")**CHAPTER 2 – PROSPECTING PERMITS****Part 1 – Prospecting Permit Categories and Entitlements**

Entity power given to	Section of MIRA	Description
Owner of a Reserve	19(1)	In the specified circumstances, the power to give written consent to a parcel prospecting permit holder entering the surface of a reserve for prospecting purposes.
Owner of Occupied Land	19(2)	In the specified circumstances, the power to give written consent to a district prospecting permit holder entering the surface of occupied land.
Owner of Occupied Land	19(3)	In the specified circumstances, the power to give written consent to a prospecting permit holder entering occupied land for hand mining only.
Occupier of Land	20(3)	In the specified circumstances, the power to give a prospecting permit holder consent to enter land.
Owner or Occupier of Land	20(6)	In the specified circumstances, the power to, by written notice given to a prospecting permit holder and the mining registrar, amend or withdraw a consent given for land.

Part 2 – Other Provisions About Prospecting Permits

Entity power given to	Section of MIRA	Description
Owner of any Land	26(3)	Power to apply in writing to the mining registrar to rectify damage referred to in section 26(1) of the <i>Mineral Resources Act 1989</i> that has been caused by an activity allegedly authorised under a prospecting permit in respect of the land.
Owner of Occupied Land	26(9)(a)(i)	In the specified circumstances, the power to give the mining registrar written approval to refund the security.
Owner of Land	32(2)	Power to accept a shorter time period within which notice must be given by a parcel prospecting permit holder before entry to the land.
Owner of Land	34(1)	In the specified circumstances, the power to report to the chief executive.
Owner of Land or Agent	46(1)(b)	In the specified circumstances, the power to ask that a person purporting to enter or be upon land under the authority of a prospecting permit, produce the prospecting permit.
Owner of Occupied Land	47(1)	In the specified circumstances, the power to give written consent to a person, entitled to enter occupied land under a district prospecting permit, entering the land at night.
Owner of Occupied Land	47(2)	In the specified circumstances, the power to give written consent to a person, entitled to enter occupied land under a parcel prospecting permit, entering the land at night.
Occupier of Land	47(4)	In the specified circumstances, the power to give consent.

CHAPTER 3 – MINING CLAIMS

Entity power given to	Section of MIRA	Description
Owner of Restricted Land	51(2)(a)	In the specified circumstances, the power to give written consent to an application for a mining claim over the surface of restricted land being lodged.
Owner of Reserve	54(a)	In the specified circumstances, the power to give consent to the granting of a mining claim over a reserve.
Owner of Land	65(1)(a)	In the specified circumstances, the power to give the chief executive a written request for a conference.
Relevant Local Government	71(1)	Lodge a written objection in the approved form to an application for a mining claim.
Owner of Land	71(2)	In the specified circumstances and within the specified time periods, the power to lodge an objection to an application for a mining claim.
Objector	71A(1)	To withdraw an objection to an application for a mining claim by giving written notice of the withdrawal.
Owner of Land	85(1)(a)	In the specified circumstances, the power to agree with the applicant for a mining claim on an amount of compensation.
Interested Party	85(4)	In the specified circumstances, the power to apply in writing to the Land Court.
Owner of Land	125(9)(a)(i)	In the specified circumstances, the power to give written consent to an application under section 125 of the <i>Mineral Resources Act 1989</i> being lodged.
Owner of Land	125(10)	In the specified circumstances, the power to agree with a mining claim holder on compensation payable in respect of the proposed use of the land as access in respect of the mining claim.

CHAPTER 4 – EXPLORATION PERMITS**Part 1 – Preliminary**

Entity power given to	Section of MIRA	Description
Owner of Restricted Land	129(3)(a)	In the specified circumstances, the power to give written consent to a person entering the surface of the restricted land.
Owner of Reserve	129(6)	In the specified circumstances, the power to withdraw consent given under section 129(1)(a)(ii) of the <i>Mineral Resources Act 1989</i> by giving written notice to the chief executive.

Part 4 – Other Provisions About Exploration Permit

Owner of Land or Agent	167(1)(b)	In the specified circumstances, the power to ask that a person purporting to enter or be on land under the authority of an exploration permit to produce the exploration permit or a copy of the exploration permit.
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CHAPTER 5 – MINERAL DEVELOPMENT LICENCES

Part 1 – Mineral Development Licences Generally

Entity power given to	Section of MIRA	Description
Owner of Land	190(7)	In the specified circumstances, the power to lodge a claim for rectification of actual damage to land caused under the authority, or purported authority, of a mineral development licence.
Owner of Land	190(8)(a)	In the specified circumstances, the power to certify that there is no actual damage to land that should be rectified.
Owner of Land or Agent	216(1)(b)	In the specified circumstances, the power to ask that a person purporting to enter or be on land under the authority of a mineral development licence to produce the mineral development licence or a copy of the mineral development licence.

CHAPTER 6 – MINING LEASES

Part 1 – Mining Leases Generally

Entity power given to	Section of MIRA	Description
Owner of Land	237(2)(d)(i)	In the specified circumstances, the power to consent to an application to conduct drilling and other activities on land not included in the surface area covered under a mining lease.
Owner of Land	237(2)(d)(ii)	In the specified circumstances, the power to agree with the mining lease holder about the compensation payable for the activities.
Owner of Restricted Land	238(1)(a)	Power to give written consent to a mining lease application.
Affected Person	260(1)	Power to lodge an objection in writing in an approved form before the objection date for the application of a mining lease.
Objector	260(4)	Power to serve a copy of the objection lodged by the objector in respect of an application for a grant of a mining lease.
Owner of Land	261(1)	In the specified circumstances, the power to withdraw an objection to an application for a grant of a mining lease.
Owner of Restricted Land	275A(2)(a)	In the specified circumstances, the power to consent in writing to an application to include the surface of restricted land for the mining lease in the mining lease.
Owner of Land	279(1)(a)	In the specified circumstances, the power to agree with a mining lease holder on compensation.
Owner of Land	280(1)	In the specified circumstances, the power to agree with the holder of a mining lease as to compensation for any damage caused to the surface of the land.
Person who could be party to an agreement under section 279 or 280	281(1)	In the specified circumstances, the power to apply in writing to the Land Court to have the Land Court determine compensation.
Owner of Land	283A(2)	In the specified circumstances, the power to agree to amend the original compensation (the amended agreement).

Owner of Land	317(10)	In the specified circumstances, the power to agree with the holder of a mining lease on compensation payable in respect of the proposed use of the land as access in respect of a mining lease.
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CHAPTER 12A – PROVISIONS ABOUT WATER FOR MINERAL DEVELOPMENT LICENCES AND MINING LEASES

Part 4 – Water monitoring bores

Division 1 – Transfer of water monitoring bores

Entity power given to	Section of MIRA	Description
Owner of a Water Monitoring Bore	334ZZO(1)	Power to transfer the bore to a landowner in the specified circumstances.
Land Owner	334ZZO(2)(b)	Power to consent to the transfer.
Owner of a Water Monitoring Bore	334ZZP(1)	In the specified circumstances, the power to transfer the bore to the State.
Owner of a Water Monitoring Bore	334ZZQ(1)	In the specified circumstances, the power to transfer the bore to a holder of a mineral development licence, mining lease or water monitoring authority.

CHAPTER 13 – ADMINISTRATION AND JUDICIAL FUNCTIONS

Part 4 – Remediation of abandoned mine sites and rehabilitation of final rehabilitation sites

Entity power given to	Section of MIRA	Description
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Division 2 – Authorisation to carry out remediation activities or rehabilitation activities

Owner or Occupier	344G(4)	Power to give consent to the authorised person to enter the land and to sign an acknowledgement of consent
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Division 3 – Compensation

Owner of Land	345(1)(a)	In the specified circumstances, the power to enter into a compensation agreement with the holder of an environmental authority who is authorised under section 344A(3) to enter land.
Owner of Land	345(3)	Power to apply in writing to the Chief Executive to have the Land Court decide the amount of compensation and the terms, conditions and times of its payment payable under section 345(1)(a)

CHAPTER 14 – MISCELLANEOUS

Entity power given to	Section of MIRA	Description
Owner of Land	403(1)(e)	In the specified circumstances, the power to authorise a person to enter, be upon, use, occupy, or erect any building or structure on or make any other improvement to land.

SCHEDULE 1 – CONDITIONS OF CARRYING OUT ACTIVITY FOR BOUNDARY DEFINITION PURPOSES

Entity power given to	Section of MIRA	Description
Owner of Occupier of Restricted Land	2(1)(a)	Power to give written consent to enter restricted land.
Owner of Land	3(1)(a)	Power to give written consent for a person to enter occupied land.
Occupier of Occupied Land	3(3)	In certain circumstances, power to give consent to a person to enter occupied land.
Owner of Reserve	4(1)(b)	Power to impose reasonable and relevant conditions on entry by a person under section 386V to the surface of a reserve.

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.

[2020 07 01 - MIRA - Delegation Instrument]

OFFICER REPORT

Meeting: Ordinary 23 September 2020

Date: 14 September 2020

Item Number: 11.3

File Number: D20/88025

SUBJECT HEADING: Investment Register as at 31 August 2020

Classification: Open Access

Officer's Title: Contractor - Finance Systems Support

Executive Summary:

The purpose of this report is to present to council the Investment report (including the trading limits report) as at 31 August 2020.

Officer's Recommendation:

That the Investment report as at 31 August 2020 be received and noted.

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
QTC	Queensland Treasury Corporation
APRA	Australian Prudential Regulation Authority
BBSW	Bank Bill Swap reference rate (Interest rate benchmarking)
BBSW	Bank Bill Swap reference rate (Interest rate benchmarking)

Context:

Why is the matter coming before Council?

The purpose of this report is to present the Investment Report (including the Trading Limits Report) as at 31 August 2020.

Background:

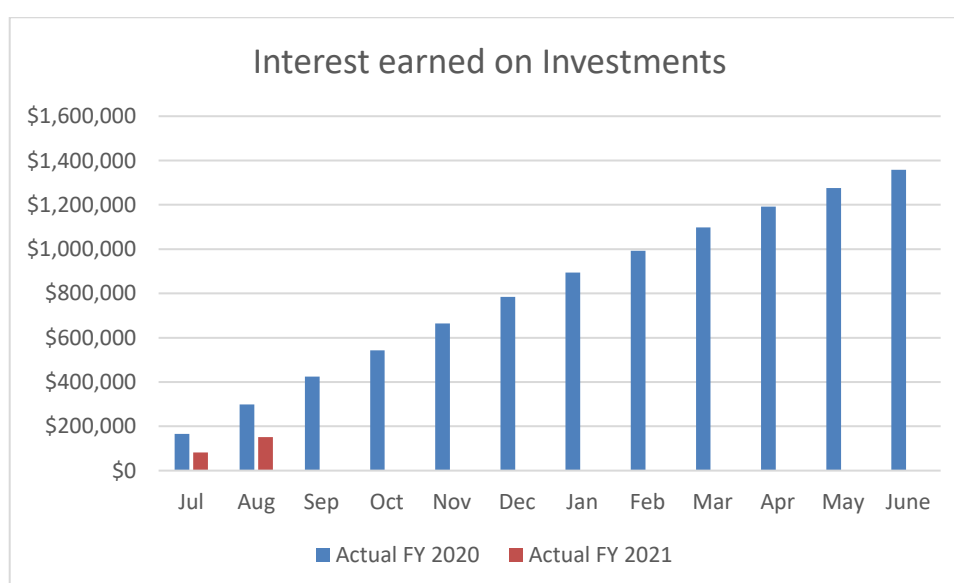
Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

This report tables the Investment Report, which incorporates an Investment Trading Limits Report as at 31 August 2020.

For the two months ended 31 August 2020, actual interest earned on investments totalled \$151,185.43. Compared to this time last year earnings have halved as per table and graph listed below:-

Interest earned on Investments			
	Actual FY 2020	Actual FY 2021	
Jul	\$165,259	\$81,972	
Aug	\$299,321	\$151,185	
Sep	\$425,049		
Oct	\$543,158		
Nov	\$665,039		
Dec	\$785,032		
Jan	\$893,794		
Feb	\$992,705		
Mar	\$1,097,602		
Apr	\$1,192,184		
May	\$1,276,006		
June	\$1,358,049		



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)

Statutory Bodies Financial Arrangements Act 1982

Section 47 Statutory body to try to invest at most advantageous rate

(1) A statutory body must use its best efforts to invest its funds –

- (a) At the most advantageous interest rate available to it at the time of the investment for an investment of the proposed type; and*
- (b) In a way it considers is most appropriate in all the circumstances.*

(2) The statutory body must keep records that show it has invested in the way most appropriate in all the circumstances.

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 has adopted an Investment Policy with a contemporary approach to investments based on an assessment of market and liquidity risk within the legislative framework of the *Statutory Bodies Financial Arrangements Act 1982* and the *Statutory Bodies Financial Arrangements Regulations 2007*.

The sections of the Investment Policy relevant to this report are the Investment Guidelines and in particular the Portfolio Investment parameters and credit requirements.

It should be noted that unrated deposit taking institutions are regulated by the Australian Prudential Regulation Authority (APRA). Investments up to \$250,000 with any one of these institutions are guaranteed by the Australian Government; which ensures they are more secure than A1+ institutions.

Council's maximum investment with any one unrated institution is limited to the guaranteed amount by the Australian Government of \$250,000 - with the total across all institutions in this category limited to 10% of Council's Portfolio.

(The Australian Prudential Regulation Authority (APRA) is an independent statutory authority established by the Australian Government on 1 July 1998 which supervises institutions across banking, insurance and superannuation.

The authority is responsible for maintaining the safety and soundness of financial institutions, such that the community can have confidence that they will meet their financial commitments under all reasonable circumstances. APRA is accountable to the Australian Parliament.)

Maranoa Regional Council

Ordinary Meeting - 23 September 2020

The following table shows the credit ratings and counterparty limits for Council: Short Term Rating (Standard & Poor's) or equivalent	Individual Counterparty Limit	Total Limit (Max % of Portfolio)	Maximum Funds (Any one institution)
A1+	25%-35%	100%	\$8M
A1	10%-20%	50%	\$8M
A2 – Financial Institutions only	5%-15%	30%	\$4M
A3 – Financial Institutions only	2%-7%	10%	\$4M
All other approved deposit taking institutions regulated by APRA.	\$250,000 (government guarantee only)	10%	\$250,000
QIC/QTC Pooled Cash Management Funds	100%	100%	Unlimited

Council's Investment Portfolio is the result of investments made with deposit taking institutions based on policy parameters and the best rates available on the day funds are invested.

As a government entity investing substantial funds with each transaction, Council's investments are made to achieve the best possible rate, consistency of returns and reduce potential risk of fraud; by locking down where funds can be deposited to and having specific authorizers nominated by the banks.

Each bank nominates where and how Council is to deposit investment funds with them. This is usually made directly with a bank's treasury department or specific section. Where Council has invested with institutions which have a local presence – each local branch has referred Council to their treasury department / nominated section for receiving investment deposits.

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)

Director of Community & Corporate 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?

Not applicable as budget has not been adopted yet.

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)

For information purposes only.

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
Regulatory	Investment portfolio is in accordance with Council's adopted Investment Policy and the <i>Statutory Bodies Financial Arrangements Act 1982</i> and the <i>Statutory Bodies Financial Arrangements Regulations 2007</i> .

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 report is for information purposes only – it is therefore appropriate for it to be received and noted.

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)).

That Council receive and note the Investment Reports for the period ending 31 August 2020.

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

No.

Link to Operational Plan Function:

Corporate Plan 2018-2023


Strategic Priority 2: Delivering strong financial management

2.5 Financial Reporting

Supporting Documentation:

1  Investment Register as at 31 August 2020 D2020/0088055



2  Trading Limits Performance report as at 31 August 2020 D2020/0088061



Report authorised by:

Director - Corporate & Community Services



Investment Report Pack

Maranoa Regional Council

1 August 2020 to 31 August 2020



Contents

1. Securities Held By Trading Book Maturing Post 31 August 2020
2. Interest and Distribution Income Received For 1 August 2020 to 31 August 2020
3. Acquisitions, Disposals and Maturities Between 1 August 2020 and 31 August 2020
4. Interest Income Accrued As At 31 August 2020
5. Portfolio Valuation As At 31 August 2020
6. Portfolio Valuation By Categories As At 31 August 2020
7. Performance Statistics For Period Ending 31 August 2020



1. Securities Held By Trading Book Maturing Post 31 August 2020

Latest Deal Code	Latest Deal Settlement Date	Issuer	ISIN	WAL / Interim Maturity Date	Next Coupon Date	Coupon Rate/Latest Yield	Coupon Frequency	Security Type	Security Rating	Face Value Notional	Current Face Value Notional	Market Value
Maranoa Regional Council												
LC94772	31 Aug 2020	Queensland Treasury Corporation		1 Sep 2020		0.57	Nil	At Call	S&P AA+	36,423,088.27	36,423,088.27	36,423,088.27
LC92594	11 Aug 2020	Macquarie Bank		1 Sep 2020		0.80	Nil	At Call	S&P ST A1	5,000,207.65	5,000,207.65	5,000,207.65
LC82086	11 Dec 2019	Illawarra Credit Union Ltd		9 Sep 2020	9 Sep 2020	1.80	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	253,254.80
LC84003	26 Feb 2020	Macquarie Bank		11 Sep 2020	11 Sep 2020	1.60	Maturity	TD	Moody's ST P-1	2,000,000.00	2,000,000.00	2,016,394.52
LC85578	25 Mar 2020	The Capricornian Limited		23 Sep 2020	23 Sep 2020	2.00	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,178.08
LC85557	25 Mar 2020	Hunter United Credit Union		23 Sep 2020	23 Sep 2020	2.00	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,178.08
LC86048	1 Apr 2020	South West Credit Union		30 Sep 2020	30 Sep 2020	2.00	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,082.19
LC90630	1 Jul 2020	Gateway Bank Ltd		6 Oct 2020	6 Oct 2020	0.80	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	250,334.25
LC86097	15 Apr 2020	Arab Bank Australia Ltd		14 Oct 2020	14 Oct 2020	1.85	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	251,748.63
LC86047	14 Apr 2020	Bank of Sydney Ltd		14 Oct 2020	14 Oct 2020	1.70	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	251,618.49
LC88070	19 May 2020	AMP Bank Ltd		17 Nov 2020	17 Nov 2020	1.65	Maturity	TD	S&P ST A2	2,000,000.00	2,000,000.00	2,009,402.74
LC89867	22 Jun 2020	MyState Bank Ltd		23 Nov 2020	23 Nov 2020	1.00	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,001,917.81
LC88260	26 May 2020	AMP Bank Ltd		23 Nov 2020	23 Nov 2020	1.65	Maturity	TD	S&P ST A2	1,000,000.00	1,000,000.00	1,004,384.93
LC88259	26 May 2020	AMP Bank Ltd		24 Nov 2020	24 Nov 2020	1.65	Maturity	TD	S&P ST A2	600,000.00	600,000.00	602,630.96
LC88262	26 May 2020	Warwick Credit Union		24 Nov 2020	24 Nov 2020	1.45	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	250,963.36
LC88930	2 Jun 2020	AMP Bank Ltd		2 Dec 2020	2 Dec 2020	1.60	Maturity	TD	S&P ST A2	1,000,000.00	1,000,000.00	1,003,945.21
LC90544	6 Jul 2020	MyState Bank Ltd		7 Dec 2020	7 Dec 2020	1.00	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,001,534.25
LC89237	12 Jun 2020	Australian Military Bank Limited		9 Dec 2020	9 Dec 2020	1.30	Maturity	TD	Moody's ST P-2	250,000.00	250,000.00	250,712.33
LC82087	13 Dec 2019	Defence Bank Ltd		11 Dec 2020	11 Dec 2020	1.70	Maturity	TD	S&P ST A2	500,000.00	500,000.00	506,101.37
LC85551	16 Mar 2020	MyState Bank Ltd		16 Dec 2020	16 Dec 2020	1.75	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,008,054.79
LC85553	17 Mar 2020	MyState Bank Ltd		16 Dec 2020	16 Dec 2020	1.75	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,008,006.85
LC89756	17 Jun 2020	AMP Bank Ltd		14 Jan 2021	14 Jan 2021	1.55	Maturity	TD	S&P ST A2	800,000.00	800,000.00	802,547.94
LC86821	5 May 2020	AMP Bank Ltd		2 Mar 2021	2 Mar 2021	1.60	Maturity	TD	S&P ST A2	500,000.00	500,000.00	502,586.30
LC85556	18 Mar 2020	Queensland Country Bank Ltd		18 Mar 2021	18 Mar 2021	1.70	Maturity	TD	S&P ST A2	2,000,000.00	2,000,000.00	2,015,463.02
LC85576	25 Mar 2020	Southern Cross CU		25 Mar 2021	25 Mar 2021	2.00	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,178.08
LC85579	25 Mar 2020	Geelong Bank		25 Mar 2021	25 Mar 2021	2.00	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,178.08
LC85313	27 Mar 2020	ING Bank Australia Limited		26 Mar 2021	26 Mar 2021	1.70	Maturity	TD	S&P ST A1	1,000,000.00	1,000,000.00	1,007,312.33
LC85560	30 Mar 2020	Railways CU Ltd t/as myMOVE		30 Mar 2021	30 Mar 2021	1.95	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,056.85
LC85561	30 Mar 2020	Bank of us t/as B&E Ltd		30 Mar 2021	30 Mar 2021	1.95	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,056.85
LC85563	30 Mar 2020	Maitland Mutual Building Society Ltd		30 Mar 2021	30 Mar 2021	1.95	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	252,056.85
LC85421	1 Apr 2020	ING Bank Australia Limited		1 Apr 2021	1 Apr 2021	1.70	Maturity	TD	S&P ST A1	1,000,000.00	1,000,000.00	1,007,079.45
LC85429	1 Apr 2020	Macquarie Bank		1 Apr 2021	1 Apr 2021	1.70	Maturity	TD	Moody's ST P-1	1,000,000.00	1,000,000.00	1,007,079.45



Latest Deal Code	Latest Deal Settlement Date	Issuer	ISIN	WAL / Interim Maturity Date	Next Coupon Date	Coupon Rate/Latest Yield	Coupon Frequency	Security Type	Security Rating	Face Value Notional	Current Face Value Notional	Market Value
LC86210	20 Apr 2020	AMP Bank Ltd		20 Apr 2021	20 Apr 2021	1.85	Maturity	TD	S&P ST A2	1,000,000.00	1,000,000.00	1,006,741.10
LC87661	11 May 2020	ING Bank Australia Limited		12 May 2021	12 May 2021	1.35	Maturity	TD	S&P A	1,000,000.00	1,000,000.00	1,004,142.47
LC88145	22 May 2020	Judo Bank		21 May 2021	21 May 2021	1.60	Maturity	TD	Unrated ST UR	250,000.00	250,000.00	251,106.85
LC88582	29 May 2020	Bank of Queensland Ltd		28 May 2021	28 May 2021	1.25	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,003,219.18
LC88991	2 Jun 2020	Bank of Queensland Ltd		2 Jun 2021	2 Jun 2021	1.15	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,002,835.62
LC88993	3 Jun 2020	National Australia Bank Ltd		3 Jun 2021	3 Jun 2021	1.02	Maturity	TD	S&P ST A1+	4,000,000.00	4,000,000.00	4,009,948.48
LC88995	3 Jun 2020	Members Equity Bank Ltd		3 Jun 2021	3 Jun 2021	1.01	Maturity	TD	S&P ST A2	2,000,000.00	2,000,000.00	2,004,925.48
LC89155	10 Jun 2020	Bank of Queensland Ltd		10 Jun 2021	10 Jun 2021	1.15	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,002,583.56
LC89809	18 Jun 2020	National Australia Bank Ltd		18 Jun 2021	18 Jun 2021	1.05	Maturity	TD	S&P ST A1+	1,800,000.00	1,800,000.00	1,803,831.79
LC90133	26 Jun 2020	National Australia Bank Ltd		25 Jun 2021	25 Jun 2021	1.00	Maturity	TD	S&P ST A1+	1,000,000.00	1,000,000.00	1,001,808.22
LC90649	1 Jul 2020	National Australia Bank Ltd		1 Jul 2021	1 Jul 2021	0.95	Maturity	TD	S&P ST A1+	1,000,000.00	1,000,000.00	1,001,587.67
LC90651	1 Jul 2020	Bank of Queensland Ltd		1 Jul 2021	1 Jul 2021	1.03	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,001,721.37
LC90652	6 Jul 2020	Bank of Queensland Ltd		6 Jul 2021	6 Jul 2021	0.90	Maturity	TD	Moody's ST P-2	1,000,000.00	1,000,000.00	1,001,380.82
LC91497	16 Jul 2020	QPCU LTD t/a QBANK		16 Jul 2021	16 Jul 2021	1.25	Maturity	TD	S&P ST A3	1,000,000.00	1,000,000.00	1,001,575.34
LC92729	14 Aug 2020	ING Bank Australia Limited		13 Aug 2021	13 Aug 2021	0.62	Maturity	TD	S&P ST A1	1,000,000.00	1,000,000.00	1,000,288.77
										81,373,295.92	81,373,295.92	81,551,031.48
Total										81,373,295.92	81,373,295.92	81,551,031.48
Coupon Rate is the full coupon rate at the next coupon date if that next coupon exists.												



2. Interest and Distribution Income Received For 1 August 2020 to 31 August 2020

Security ISIN	Security	Issuer	Income Expense Code	Settlement Date	Face Value (Basis of Interest Calculation)	Consideration Notional	Income Type	Trading Book
	MACQ At Call	Macquarie Bank	IEI128933	3 Aug 2020		207.65	Bank Interest	Maranoa Regional Council
	ING 1.6 14 Aug 2020 274DAY TD	ING Bank Australia Limited	IEI129328	14 Aug 2020	1,000,000.00	12,010.96	Security Coupon Interest	Maranoa Regional Council
						12,218.61		



3. Acquisitions, Disposals and Maturities Between 1 August 2020 and 31 August 2020

Security	Issuer	Security ISIN	Deal Code	Acquisition/ Disposal	Transaction Date	Settlement Date	Face Value Original	Face Value Current	Bond Factor	Capital Price	Accrued Interest Price	Gross Price	Consideration Notional
MACQ At Call	Macquarie Bank		LC92593	Acquisition	3 Aug 2020	3 Aug 2020	207.65	207.65	1.00000000	100.000	0.000	100.000	207.65
QTC Maranoa CF At Call	Queensland Treasury Corporation		LC92923	Acquisition	6 Aug 2020	6 Aug 2020	5,000,000.00	5,000,000.00	1.00000000	100.000	0.000	100.000	5,000,000.00
MACQ At Call	Macquarie Bank		LC92594	Acquisition	11 Aug 2020	11 Aug 2020	1,000,000.00	1,000,000.00	1.00000000	100.000	0.000	100.000	1,000,000.00
QTC Maranoa CF At Call	Queensland Treasury Corporation		LC92924	Disposal	11 Aug 2020	11 Aug 2020	200,000.00	200,000.00	1.00000000	100.000	0.000	100.000	(200,000.00)
QTC Maranoa CF At Call	Queensland Treasury Corporation		LC92925	Disposal	13 Aug 2020	13 Aug 2020	1,500,000.00	1,500,000.00	1.00000000	100.000	0.000	100.000	(1,500,000.00)
ING 1.6 14 Aug 2020 274DAY TD	ING Bank Australia Limited		LC97926	Maturity	14 Aug 2020		1,000,000.00	1,000,000.00	1.00000000	100.000	0.000	100.000	(1,000,000.00)
ING 0.62 13 Aug 2021 364DAY TD	ING Bank Australia Limited		LC92729	Acquisition	14 Aug 2020	14 Aug 2020	1,000,000.00	1,000,000.00	1.00000000	100.000	0.000	100.000	1,000,000.00
QTC Maranoa CF At Call	Queensland Treasury Corporation		LC94771	Acquisition	31 Aug 2020	31 Aug 2020	17,530.73	17,530.73	1.00000000	100.000	0.000	100.000	17,530.73
QTC Maranoa CF At Call	Queensland Treasury Corporation		LC94772	Disposal	31 Aug 2020	31 Aug 2020	17,530.73	17,530.73	1.00000000	100.000	0.000	100.000	(17,530.73)
													4,300,207.65

Notes

1. The maturity of 'MBS' type securities are excluded from the above list
2. At maturity, securities are assumed to be priced at capital price = 100, accrued interest = 0
3. To avoid misleading maturity data, the reporting period should start immediately after a month end and the reporting period should be kept small (e.g. 1 month).



4. Interest Income Accrued As At 31 August 2020

Latest Deal Code	Security	WAL / Interim Maturity Date	Issue Date	Prior Coupon Date	Next Coupon Date	Accrual Period (Days)	Coupon Rate	Franking Credit Rate	Coupon Frequency	Face Value Notional	Current Face Value Notional	Latest Purchase Consideration	Market Value	Accrued Interest
LC92594	MACQ At Call	1 Sep 2020	30 Jul 2020	7 Aug 2020		24	0.8000		Nil	5,000,207.65	5,000,207.65	1,000,000.00	5,000,207.65	2,630.25
LC82086	CACU 1.8 09 Sep 2020 273DAY TD	9 Sep 2020	11 Dec 2019		9 Sep 2020	264	1.8000		Maturity	250,000.00	250,000.00	250,000.00	253,254.80	3,254.79
LC84003	MACQ 1.6 11 Sep 2020 198DAY TD	11 Sep 2020	26 Feb 2020		11 Sep 2020	187	1.6000		Maturity	2,000,000.00	2,000,000.00	2,000,000.00	2,016,394.52	16,394.52
LC85578	CAP 2 23 Sep 2020 182DAY TD	23 Sep 2020	25 Mar 2020		23 Sep 2020	159	2.0000		Maturity	250,000.00	250,000.00	250,000.00	252,178.08	2,178.08
LC85557	Hunter CU 2 23 Sep 2020 182DAY TD	23 Sep 2020	25 Mar 2020		23 Sep 2020	159	2.0000		Maturity	250,000.00	250,000.00	250,000.00	252,178.08	2,178.08
LC86048	SWCU 2 30 Sep 2020 182DAY TD	30 Sep 2020	1 Apr 2020		30 Sep 2020	152	2.0000		Maturity	250,000.00	250,000.00	250,000.00	252,082.19	2,082.19
LC90630	GCU 0.8 06 Oct 2020 97DAY TD	6 Oct 2020	1 Jul 2020		6 Oct 2020	61	0.8000		Maturity	250,000.00	250,000.00	250,000.00	250,334.25	334.25
LC86097	ARA 1.85 14 Oct 2020 182DAY TD	14 Oct 2020	15 Apr 2020		14 Oct 2020	138	1.8500		Maturity	250,000.00	250,000.00	250,000.00	251,748.63	1,748.63
LC86047	SYD 1.7 14 Oct 2020 183DAY TD	14 Oct 2020	14 Apr 2020		14 Oct 2020	139	1.7000		Maturity	250,000.00	250,000.00	250,000.00	251,618.49	1,618.49
LC88070	AMP 1.65 17 Nov 2020 182DAY TD	17 Nov 2020	19 May 2020		17 Nov 2020	104	1.6500		Maturity	2,000,000.00	2,000,000.00	2,000,000.00	2,009,402.74	9,402.74
LC89867	MYS 1 23 Nov 2020 154DAY TD	23 Nov 2020	22 Jun 2020		23 Nov 2020	70	1.0000		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,001,917.81	1,917.81
LC88260	AMP 1.65 23 Nov 2020 181DAY TD	23 Nov 2020	26 May 2020		23 Nov 2020	97	1.6500		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,004,384.93	4,384.93
LC88259	AMP 1.65 24 Nov 2020 182DAY TD	24 Nov 2020	26 May 2020		24 Nov 2020	97	1.6500		Maturity	600,000.00	600,000.00	600,000.00	602,630.96	2,630.96
LC88262	Warwick CU 1.45 24 Nov 2020 182DAY TD	24 Nov 2020	26 May 2020		24 Nov 2020	97	1.4500		Maturity	250,000.00	250,000.00	250,000.00	250,963.36	963.36
LC88930	AMP 1.6 02 Dec 2020 183DAY TD	2 Dec 2020	2 Jun 2020		2 Dec 2020	90	1.6000		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,003,945.21	3,945.21
LC90544	MYS 1 07 Dec 2020 154DAY TD	7 Dec 2020	6 Jul 2020		7 Dec 2020	56	1.0000		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,001,534.25	1,534.25
LC89237	AMB 1.3 09 Dec 2020 180DAY TD	9 Dec 2020	12 Jun 2020		9 Dec 2020	80	1.3000		Maturity	250,000.00	250,000.00	250,000.00	250,712.33	712.33
LC82087	DFB 1.7 11 Dec 2020 364DAY TD	11 Dec 2020	13 Dec 2019		11 Dec 2020	262	1.7000		Maturity	500,000.00	500,000.00	500,000.00	506,101.37	6,101.37
LC85551	MYS 1.75 16 Dec 2020 275DAY TD	16 Dec 2020	16 Mar 2020		16 Dec 2020	168	1.7500		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,008,054.79	8,054.79
LC85553	MYS 1.75 16 Dec 2020 274DAY TD	16 Dec 2020	17 Mar 2020		16 Dec 2020	167	1.7500		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,008,006.85	8,006.85
LC89756	AMP 1.55 14 Jan 2021 211DAY TD	14 Jan 2021	17 Jun 2020		14 Jan 2021	75	1.5500		Maturity	800,000.00	800,000.00	800,000.00	802,547.94	2,547.95
LC86821	AMP 1.6 02 Mar 2021 301DAY TD	2 Mar 2021	5 May 2020		2 Mar 2021	118	1.6000		Maturity	500,000.00	500,000.00	500,000.00	502,586.30	2,586.30
LC85556	QCCU 1.7 18 Mar 2021 365DAY TD	18 Mar 2021	18 Mar 2020		18 Mar 2021	166	1.7000		Maturity	2,000,000.00	2,000,000.00	2,000,000.00	2,015,463.02	15,463.01
LC85576	SCC 2 25 Mar 2021 365DAY TD	25 Mar 2021	25 Mar 2020		25 Mar 2021	159	2.0000		Maturity	250,000.00	250,000.00	250,000.00	252,178.08	2,178.08
LC85579	Geelong B 2 25 Mar 2021 365DAY TD	25 Mar 2021	25 Mar 2020		25 Mar 2021	159	2.0000		Maturity	250,000.00	250,000.00	250,000.00	252,178.08	2,178.08
LC85313	ING 1.7 26 Mar 2021 364DAY TD	26 Mar 2021	27 Mar 2020		26 Mar 2021	157	1.7000		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,007,312.33	7,312.33
LC85560	RCU 1.95 30 Mar 2021 365DAY TD	30 Mar 2021	30 Mar 2020		30 Mar 2021	154	1.9500		Maturity	250,000.00	250,000.00	250,000.00	252,056.85	2,056.85
LC85561	B&E 1.95 30 Mar 2021 365DAY TD	30 Mar 2021	30 Mar 2020		30 Mar 2021	154	1.9500		Maturity	250,000.00	250,000.00	250,000.00	252,056.85	2,056.85
LC85563	MMB 1.95 30 Mar 2021 365DAY TD	30 Mar 2021	30 Mar 2020		30 Mar 2021	154	1.9500		Maturity	250,000.00	250,000.00	250,000.00	252,056.85	2,056.85
LC85421	ING 1.7 01 Apr 2021 365DAY TD	1 Apr 2021	1 Apr 2020		1 Apr 2021	152	1.7000		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,007,079.45	7,079.45
LC85429	MACQ 1.7 01 Apr 2021 365DAY TD	1 Apr 2021	1 Apr 2020		1 Apr 2021	152	1.7000		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,007,079.45	7,079.45
LC86210	AMP 1.85 20 Apr 2021 365DAY TD	20 Apr 2021	20 Apr 2020		20 Apr 2021	133	1.8500		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,008,741.10	6,741.10
LC87661	ING 1.35 12 May 2021 366DAY TD	12 May 2021	11 May 2020		12 May 2021	112	1.3500		Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,004,142.47	4,142.47



Latest Deal Code	Security	WAL / Interim Maturity Date	Issue Date	Prior Coupon Date	Next Coupon Date	Accrual Period (Days)	Coupon Rate	Franking Credit Rate	Coupon Frequency	Face Value Notional	Current Face Value Notional	Latest Purchase Consideration	Market Value	Accrued Interest
LC88145	JUDO 1.6 21 May 2021 364DAY TD	21 May 2021	22 May 2020	21 May 2021	101	1.6000			Maturity	250,000.00	250,000.00	250,000.00	251,106.85	1,106.85
LC88582	BOQ 1.25 28 May 2021 364DAY TD	28 May 2021	29 May 2020	28 May 2021	94	1.2500			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,003,219.18	3,219.18
LC88991	BOQ 1.15 02 Jun 2021 365DAY TD	2 Jun 2021	2 Jun 2020	2 Jun 2021	90	1.1500			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,002,835.62	2,835.62
LC88993	NAB 1.02 03 Jun 2021 365DAY TD	3 Jun 2021	3 Jun 2020	3 Jun 2021	89	1.0200			Maturity	4,000,000.00	4,000,000.00	4,000,000.00	4,009,948.48	9,948.48
LC88995	ME Bank 1.01 03 Jun 2021 365DAY TD	3 Jun 2021	3 Jun 2020	3 Jun 2021	89	1.0100			Maturity	2,000,000.00	2,000,000.00	2,000,000.00	2,004,925.48	4,925.48
LC89155	BOQ 1.15 10 Jun 2021 365DAY TD	10 Jun 2021	10 Jun 2020	10 Jun 2021	82	1.1500			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,002,583.56	2,583.56
LC89809	NAB 1.05 18 Jun 2021 365DAY TD	18 Jun 2021	18 Jun 2020	18 Jun 2021	74	1.0500			Maturity	1,800,000.00	1,800,000.00	1,800,000.00	1,803,831.79	3,831.78
LC90133	NAB 1.25 Jun 2021 364DAY TD	25 Jun 2021	26 Jun 2020	25 Jun 2021	66	1.0000			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,001,808.22	1,808.22
LC90649	NAB 0.95 01 Jul 2021 365DAY TD	1 Jul 2021	1 Jul 2020	1 Jul 2021	61	0.9500			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,001,587.67	1,587.67
LC90651	BOQ 1.03 01 Jul 2021 365DAY TD	1 Jul 2021	1 Jul 2020	1 Jul 2021	61	1.0300			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,001,721.37	1,721.37
LC90652	BOQ 0.9 06 Jul 2021 365DAY TD	6 Jul 2021	6 Jul 2020	6 Jul 2021	56	0.9000			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,001,380.82	1,380.82
LC91497	Qld Police 1.25 16 Jul 2021 365DAY TD	16 Jul 2021	16 Jul 2020	16 Jul 2021	46	1.2500			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,001,575.34	1,575.34
LC92729	ING 0.62 13 Aug 2021 364DAY TD	13 Aug 2021	14 Aug 2020	13 Aug 2021	17	0.6200			Maturity	1,000,000.00	1,000,000.00	1,000,000.00	1,000,288.77	288.77
										44,950,207.65	44,950,207.65		45,127,943.21	180,365.80

Coupon Rate is the full coupon rate at the next coupon date if that next coupon exists. Accrued Interest is calculated as Current Face Value x Coupon Rate (Adjusted by Franking Credit Rate) x (Days Since Prior Coupon or Issue Date / 365). The accrued interest component of the Market Value does not consider the franking credit rate and is instead based upon market prices.



5. Portfolio Valuation As At 31 August 2020

Security	Security Rating	ISIN	Face Value Original	Face Value Current	FI Cap Price/ Unit Price/ Share Price	Unit Count/ Share Count	Accrued Interest Price	Market Value	% Total Value	Running Yield	Weighted Running Yield
At Call Deposit											
MACQ At Call	S&P ST A1		5,000,207.65	5,000,207.65	100.000		0.000	5,000,207.65	6.13%	0.80%	
QTC Maranoa CF At Call	S&P AA+		36,423,088.27	36,423,088.27	100.000		0.000	36,423,088.27	44.66%	0.57%	
			41,423,295.92	41,423,295.92				41,423,295.92	50.79%		0.60%
Term Deposit											
AMP 1.65 17 Nov 2020 182DAY TD	S&P ST A2		2,000,000.00	2,000,000.00	100.000		0.470	2,009,402.74	2.46%	1.65%	
AMP 1.65 23 Nov 2020 181DAY TD	S&P ST A2		1,000,000.00	1,000,000.00	100.000		0.438	1,004,384.93	1.23%	1.65%	
AMP 1.65 24 Nov 2020 182DAY TD	S&P ST A2		600,000.00	600,000.00	100.000		0.438	602,630.96	0.74%	1.65%	
AMP 1.6 02 Dec 2020 183DAY TD	S&P ST A2		1,000,000.00	1,000,000.00	100.000		0.395	1,003,945.21	1.23%	1.60%	
AMP 1.55 14 Jan 2021 211DAY TD	S&P ST A2		800,000.00	800,000.00	100.000		0.318	802,547.94	0.98%	1.55%	
AMP 1.6 02 Mar 2021 301DAY TD	S&P ST A2		500,000.00	500,000.00	100.000		0.517	502,586.30	0.62%	1.60%	
AMP 1.85 20 Apr 2021 365DAY TD	S&P ST A2		1,000,000.00	1,000,000.00	100.000		0.674	1,006,741.10	1.23%	1.85%	
ARA 1.85 14 Oct 2020 182DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.699	251,748.63	0.31%	1.85%	
AMB 1.3 09 Dec 2020 180DAY TD	Moody's ST P-2		250,000.00	250,000.00	100.000		0.285	250,712.33	0.31%	1.30%	
BOQ 1.25 28 May 2021 364DAY TD	Moody's ST P-2		1,000,000.00	1,000,000.00	100.000		0.322	1,003,219.18	1.23%	1.25%	
BOQ 1.15 02 Jun 2021 365DAY TD	Moody's ST P-2		1,000,000.00	1,000,000.00	100.000		0.284	1,002,835.62	1.23%	1.15%	
BOQ 1.15 10 Jun 2021 365DAY TD	Moody's ST P-2		1,000,000.00	1,000,000.00	100.000		0.258	1,002,583.56	1.23%	1.15%	
BOQ 1.03 01 Jul 2021 365DAY TD	Moody's ST P-2		1,000,000.00	1,000,000.00	100.000		0.172	1,001,721.37	1.23%	1.03%	
BOQ 0.9 06 Jul 2021 365DAY TD	Moody's ST P-2		1,000,000.00	1,000,000.00	100.000		0.138	1,001,380.82	1.23%	0.90%	
SYD 1.7 14 Oct 2020 183DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.647	251,618.49	0.31%	1.70%	
B&E 1.95 30 Mar 2021 365DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.823	252,056.85	0.31%	1.95%	
DFB 1.7 11 Dec 2020 364DAY TD	S&P ST A2		500,000.00	500,000.00	100.000		1.220	506,101.37	0.62%	1.70%	
GCU 0.8 06 Oct 2020 97DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.134	250,334.25	0.31%	0.80%	
Geelong B 2 25 Mar 2021 365DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.871	252,178.08	0.31%	2.00%	
Hunter CU 2 23 Sep 2020 182DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.871	252,178.08	0.31%	2.00%	
CACU 1.8 09 Sep 2020 273DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		1.302	253,254.80	0.31%	1.80%	
ING 1.7 26 Mar 2021 364DAY TD	S&P ST A1		1,000,000.00	1,000,000.00	100.000		0.731	1,007,312.33	1.24%	1.70%	
ING 1.7 01 Apr 2021 365DAY TD	S&P ST A1		1,000,000.00	1,000,000.00	100.000		0.708	1,007,079.45	1.23%	1.70%	
ING 1.35 12 May 2021 366DAY TD	S&P ST A1		1,000,000.00	1,000,000.00	100.000		0.414	1,004,142.47	1.23%	1.35%	
ING 0.62 13 Aug 2021 364DAY TD	S&P ST A1		1,000,000.00	1,000,000.00	100.000		0.029	1,000,288.77	1.23%	0.62%	
JUDO 1.6 21 May 2021 364DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.443	251,106.85	0.31%	1.60%	
MACQ 1.6 11 Sep 2020 198DAY TD	Moody's ST P-1		2,000,000.00	2,000,000.00	100.000		0.820	2,016,394.52	2.47%	1.60%	
MACQ 1.7 01 Apr 2021 365DAY TD	Moody's ST P-1		1,000,000.00	1,000,000.00	100.000		0.708	1,007,079.45	1.23%	1.70%	
MMB 1.95 30 Mar 2021 365DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.823	252,056.85	0.31%	1.95%	



Security	Security Rating	ISIN	Face Value Original	Face Value Current	FI Cap Price/ Unit Price/ Share Price	Unit Count/ Share Count	Accrued Interest Price	Market Value	% Total Value	Running Yield	Weighted Running Yield
ME Bank 1.01 03 Jun 2021 365DAY TD	S&P ST A2		2,000,000.00	2,000,000.00	100.000		0.246	2,004,925.48	2.46%	1.01%	
MYS 1 23 Nov 2020 154DAY TD	Moodys ST P-2		1,000,000.00	1,000,000.00	100.000		0.192	1,001,917.81	1.23%	1.00%	
MYS 1 07 Dec 2020 154DAY TD	Moodys ST P-2		1,000,000.00	1,000,000.00	100.000		0.153	1,001,534.25	1.23%	1.00%	
MYS 1.75 16 Dec 2020 274DAY TD	Moodys ST P-2		1,000,000.00	1,000,000.00	100.000		0.801	1,008,006.85	1.24%	1.75%	
MYS 1.75 16 Dec 2020 275DAY TD	Moodys ST P-2		1,000,000.00	1,000,000.00	100.000		0.805	1,008,054.79	1.24%	1.75%	
NAB 1.02 03 Jun 2021 365DAY TD	S&P ST A1+		4,000,000.00	4,000,000.00	100.000		0.249	4,009,948.48	4.92%	1.02%	
NAB 1.05 18 Jun 2021 365DAY TD	S&P ST A1+		1,800,000.00	1,800,000.00	100.000		0.213	1,803,831.79	2.21%	1.05%	
NAB 1 25 Jun 2021 364DAY TD	S&P ST A1+		1,000,000.00	1,000,000.00	100.000		0.181	1,001,808.22	1.23%	1.00%	
NAB 0.95 01 Jul 2021 365DAY TD	S&P ST A1+		1,000,000.00	1,000,000.00	100.000		0.159	1,001,587.67	1.23%	0.95%	
Qld Police 1.25 16 Jul 2021 365DAY TD	S&P ST A3		1,000,000.00	1,000,000.00	100.000		0.158	1,001,575.34	1.23%	1.25%	
QCCU 1.7 18 Mar 2021 365DAY TD	S&P ST A2		2,000,000.00	2,000,000.00	100.000		0.773	2,015,463.02	2.47%	1.70%	
RCU 1.95 30 Mar 2021 365DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.823	252,056.85	0.31%	1.95%	
SWCU 2 30 Sep 2020 182DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.833	252,082.19	0.31%	2.00%	
SCC 2 25 Mar 2021 365DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.871	252,178.08	0.31%	2.00%	
CAP 2 23 Sep 2020 182DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.871	252,178.08	0.31%	2.00%	
Warwick CU 1.45 24 Nov 2020 182DAY TD	Unrated ST UR		250,000.00	250,000.00	100.000		0.385	250,963.36	0.31%	1.45%	
			39,950,000.00	39,950,000.00				40,127,735.56	49.21%		1.37%
Total Portfolio			81,373,295.92	81,373,295.92				81,551,031.48	100.00%		0.98%



6. Portfolio Valuation By Categories As At 31 August 2020

Short Term Issuer/Security Rating Group	Market Value	% Total Value
N/R	3,525,991.44	4.32%
A3	1,001,575.34	1.23%
A2	20,740,695.63	25.43%
A1	12,042,504.64	14.77%
A1+	7,817,176.16	9.59%
Portfolio Total	45,127,943.21	55.34%

Market Value by Security Rating Group (Short Term)



Long Term Issuer/Security Rating Group	Market Value	% Total Value
AA+ to AA-	36,423,088.27	44.66%
Portfolio Total	36,423,088.27	44.66%

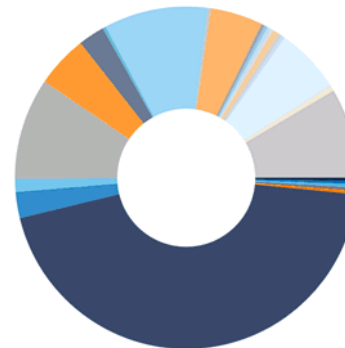
Market Value by Security Rating Group (Long Term)





Issuer	Market Value	% Total Value
AMP Bank Ltd	6,932,239.18	8.50%
Arab Bank Australia Ltd	251,748.63	0.31%
Australian Military Bank Limited	250,712.33	0.31%
Bank of Queensland Ltd	5,011,740.55	6.15%
Bank of Sydney Ltd	251,618.49	0.31%
Bank of us t/as B&E Ltd	252,056.85	0.31%
Defence Bank Ltd	506,101.37	0.62%
Gateway Bank Ltd	250,334.25	0.31%
Geelong Bank	252,178.08	0.31%
Hunter United Credit Union	252,178.08	0.31%
Illawarra Credit Union Ltd	253,254.80	0.31%
ING Bank Australia Limited	4,018,823.02	4.93%
Judo Bank	251,106.85	0.31%
Macquarie Bank	8,023,681.62	9.84%
Maitland Mutual Building Society Ltd	252,056.85	0.31%
Members Equity Bank Ltd	2,004,925.48	2.46%
MyState Bank Ltd	4,019,513.70	4.93%
National Australia Bank Ltd	7,817,176.16	9.59%
QPCU LTD t/a QBANK	1,001,575.34	1.23%
Queensland Country Bank Ltd	2,015,463.02	2.47%
Queensland Treasury Corporation	36,423,088.27	44.66%
Railways CU Ltd t/as myMOVE	252,056.85	0.31%
South West Credit Union	252,082.19	0.31%
Southern Cross CU	252,178.08	0.31%
The Capricornian Limited	252,178.08	0.31%
Warwick Credit Union	250,963.36	0.31%
Portfolio Total	81,551,031.48	100.00%

Market Value by Issuer





Security Type	Market Value	% Total Value
At Call Deposit	41,423,295.92	50.79%
Term Deposit	40,127,735.56	49.21%
Portfolio Total	81,551,031.48	100.00%

Market Value by Security Type



■ At Call Deposit

■ Term Deposit



Term Remaining	Market Value	% Total Value
0 to < 1 Year	81,551,031.48	100.00%
Portfolio Total	81,551,031.48	100.00%

Note: Term Remaining is calculated using a weighted average life date (WAL) where appropriate and available otherwise the interim (initial) maturity date is used.

Market Value by Term Remaining



0 to < 1 Year



7. Performance Statistics For Period Ending 31 August 2020

Trading Book	1 Month	3 Month	12 Month	Since Inception
Maranoa Regional Council				
Portfolio Return (1)	0.06%	0.24%	1.52%	2.04%
Performance Index (2)	0.01%	0.03%	0.66%	1.41%
Excess Performance (3)	0.05%	0.21%	0.86%	0.63%

Notes

- 1 Portfolio performance is the rate of return of the portfolio over the specified period
- 2 The Performance Index is the Bloomberg AusBond Bank Bill Index (Bloomberg Page BAUBIL)
- 3 Excess performance is the rate of return of the portfolio in excess of the Performance Index

Trading Book	Weighted Average Running Yield
Maranoa Regional Council	0.98



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Report Code: TEPACK020EXT-01.80
Report Description: Investment Report Pack
Parameters:
Trading Entity: Maranoa Regional Council
Trading Book: Maranoa Regional Council
Settlement Date Base
History Start Date: 1 Jan 2000
Income Expense Status: Authorised
FI Deal Status: Contract
Exclude Cash
Exclude Unallocated Cash
Exclude Negative Unit Holdings



Trading Limit Report 125
Maranoa Regional Council
As At 31 August 2020

1 Issuer Trading Limits

Issuer	Issuer Rating Group (Long Term)	Issuer Parent	Already Traded (with Issuer Group) Face Value Notional	Limit For Book or Entity	Trading Limit	Trading Limit Type	Trading Limit Value	Trading Limit Used (%)	Trading Limit Available (%)	Trading Limit Available (Value)	Trading Limit Exceeded (%)	Trading Limit Exceeded (\$)
86400 Limited	N/R		0.00	Book	250,000.00	AUD	250,000.00	0.00	100.00	250,000	0.00	0
AMP Bank Ltd	BBB+ to BBB-		6,900,000.00	Book	8,000,000.00	AUD	8,000,000.00	86.00	14.00	1,100,000	0.00	0
Arab Bank Australia Ltd	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Australian Military Bank Limited	BBB+ to BBB-		250,000.00	Book	4,000,000.00	AUD	4,000,000.00	6.00	94.00	3,750,000	0.00	0
Australian Unity Bank	BBB+ to BBB-		0.00	Book	4,000,000.00	AUD	4,000,000.00	0.00	100.00	4,000,000	0.00	0
Auswide Bank Limited	BBB+ to BBB-		0.00	Book	4,000,000.00	AUD	4,000,000.00	0.00	100.00	4,000,000	0.00	0
Bananacoast Community Credit Union Ltd (a division of P&N Bank Limited)	N/R		0.00	Book	250,000.00	AUD	250,000.00	0.00	100.00	250,000	0.00	0
Bank of Queensland Ltd	A+ to A-		5,000,000.00	Book	4,000,000.00	AUD	4,000,000.00	100.00	0.00	0	25.00	1,000,000
Bank of Sydney Ltd	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Bank of us t/as B&E Ltd	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
BankVic	BBB+ to BBB-		0.00	Book	4,000,000.00	AUD	4,000,000.00	0.00	100.00	4,000,000	0.00	0
BankWest Ltd	AA+ to AA-	Commonwealth Bank of Australia Ltd	0.00	Book	8,000,000.00	AUD	8,000,000.00	0.00	100.00	8,000,000	0.00	0
Beyond Bank Australia Ltd	BBB+ to BBB-		0.00	Book	4,000,000.00	AUD	4,000,000.00	0.00	100.00	4,000,000	0.00	0
Commonwealth Bank of Australia Ltd	AA+ to AA-		0.00	Book	8,000,000.00	AUD	8,000,000.00	0.00	100.00	8,000,000	0.00	0
Defence Bank Ltd	BBB+ to BBB-		500,000.00	Book	4,000,000.00	AUD	4,000,000.00	13.00	87.00	3,500,000	0.00	0
G&C Mutual Bank Limited	BBB+ to BBB-		0.00	Book	3,000,000.00	AUD	3,000,000.00	0.00	100.00	3,000,000	0.00	0
Gateway Bank Ltd	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Geelong Bank	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Heritage Bank Ltd	BBB+ to BBB-		0.00	Book	4,000,000.00	AUD	4,000,000.00	0.00	100.00	4,000,000	0.00	0
Hunter United Credit Union	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Illawarra Credit Union Ltd	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
ING Bank Australia Limited	A+ to A-		4,000,000.00	Book	8,000,000.00	AUD	8,000,000.00	50.00	50.00	4,000,000	0.00	0
Judo Bank	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Macquarie Bank	A+ to A-		8,000,207.65	Book	8,000,000.00	AUD	8,000,000.00	100.00	0.00	0	0.00	208
Maitland Mutual Building Society Ltd	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Members Equity Bank Ltd	BBB+ to BBB-		2,000,000.00	Book	4,000,000.00	AUD	4,000,000.00	50.00	50.00	2,000,000	0.00	0
MyState Bank Ltd	BBB+ to BBB-		4,000,000.00	Book	4,000,000.00	AUD	4,000,000.00	100.00	0.00	0	0.00	0
National Australia Bank Ltd	AA+ to AA-		7,800,000.00	Book	8,000,000.00	AUD	8,000,000.00	98.00	2.00	200,000	0.00	0
Police Credit Union	N/R		0.00	Book	250,000.00	AUD	250,000.00	0.00	100.00	250,000	0.00	0
QPCU LTD t/a QBANK	BBB+ to BBB-		1,000,000.00	Book	4,000,000.00	AUD	4,000,000.00	25.00	75.00	3,000,000	0.00	0
Queensland Country Bank Ltd	BBB+ to BBB-		2,000,000.00	Book	4,000,000.00	AUD	4,000,000.00	50.00	50.00	2,000,000	0.00	0



Trading Limit Report 125
Maranoa Regional Council
As At 31 August 2020

1 Issuer Trading Limits

Issuer	Issuer Rating Group (Long Term)	Issuer Parent	Already Traded (with Issuer Group) Face Value Notional	Limit For Book or Entity	Trading Limit	Trading Limit Type	Trading Limit Value	Trading Limit Used (%)	Trading Limit Available (%)	Trading Limit Available (Value)	Trading Limit Exceeded (%)	Trading Limit Exceeded (\$)
Queensland Treasury Corporation	AA+ to AA-		36,423,088.27	Book	100.00	% of 81,373,295.92	81,373,295.92	45.00	55.00	44,950,208	0.00	0
Railways CU Ltd t/as myMOVE	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
South West Credit Union	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
South West Slopes Credit Union Limited	N/R		0.00	Book	250,000.00	AUD	250,000.00	0.00	100.00	250,000	0.00	0
Southern Cross CU	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Summerland Credit Union Ltd	N/R		0.00	Book	250,000.00	AUD	250,000.00	0.00	100.00	250,000	0.00	0
The Capricornian Limited	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
Warwick Credit Union	N/R		250,000.00	Book	250,000.00	AUD	250,000.00	100.00	0.00	0	0.00	0
			81,373,295.92				185,123,295.92			104,750,208		1,000,208
			(Excluding Parent Group Duplicates)									



Trading Limit Report 125
Maranoa Regional Council
As At 31 August 2020

2 Security Rating Group Trading Limits

Security Rating Group	Already Traded Face Value	Limit For Book or Notional Trading Entity	Trading Limit	Trading Limit Type	Trading Limit Value	Trading Limit Used (%)	Trading Limit Available (%)	Trading Limit Available (Value)	Trading Limit Exceeded (%)	Trading Limit Exceeded (\$)
AA+ to AA-	36,423,088.27	Book	100.00	% of 81,373,295.92	81,373,295.92	45.00	55.00	44,950,208	0.00	0
A1+	7,800,000.00	Book	100.00	% of 81,373,295.92	81,373,295.92	10.00	90.00	73,573,296	0.00	0
A1	12,000,207.65	Book	50.00	% of 81,373,295.92	40,686,647.96	30.00	70.00	26,686,440	0.00	0
A2	20,650,000.00	Book	30.00	% of 81,373,295.92	24,411,988.78	85.00	15.00	3,761,989	0.00	0
A3	1,000,000.00	Book	10.00	% of 81,373,295.92	8,137,329.59	12.00	88.00	7,137,330	0.00	0
N/R	3,500,000.00	Book	10.00	% of 81,373,295.92	8,137,329.59	43.00	57.00	4,637,330	0.00	0
	81,373,295.92				244,119,887.76			162,746,593		0

Notes

1. In instances where long securities have a term remaining which is less than 365 days, the issuer's short term rating is used instead of the security's (presumably long term) rating.



Trading Limit Report 125
Maranoa Regional Council
As At 31 August 2020

3 Term Group Trading Limits

Term Group	Already Traded Face Value	Limit For Book or Notional Trading Entity	Trading Limit	Trading Limit Type	Trading Limit Value	Trading Limit Used (%)	Trading Limit Available (%)	Trading Limit Available (Value)	Trading Limit Exceeded (%)	Trading Limit Exceeded (\$)
0-1 Year	81,373,295.92	Book	100.00	% of 81,373,295.92	81,373,295.92	100.00	0.00	0	0.00	0
	81,373,295.92				81,373,295.92			0		0



Trading Limit Report 125
Maranoa Regional Council
As At 31 August 2020

Issuer Trading Limits



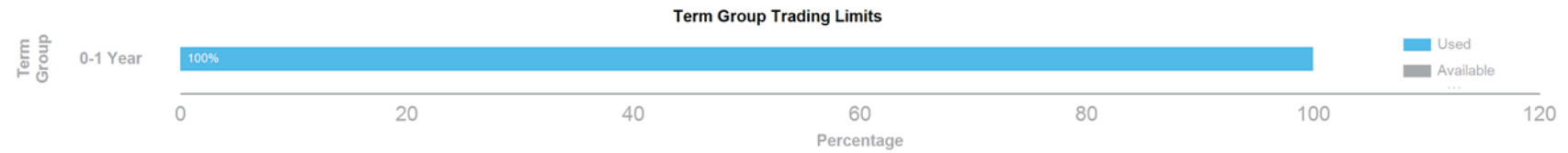


Trading Limit Report 125
Maranoa Regional Council
As At 31 August 2020





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Maranoa Regional Council
As At 31 August 2020





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As At 31 August 2020

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Report Code: TBSBP125EXT-00.16
Report Description: Trading Limit Performance As At Date
Parameters:
As At/Scenario Date: 31 August 2020
Balance Date: 13 September 2020 (but 31 Aug 2020 used instead)
Trading Entity: Maranoa Regional Council
Trading Book: Maranoa Regional Council
Report Mode: BalOnly
Using Face Value
Trading Entity and Book Limits
Effects of Parent/Child Issuers Not Ignored

OFFICER REPORT

Meeting: Ordinary 23 September 2020

Date: 10 September 2020

Item Number: 12.1

File Number: D20/87262

SUBJECT HEADING: Roma Skatepark Master Plan - Stakeholder Engagement Strategy

Classification: Open Access

Officer's Title: Deputy Director / Strategic Road Management

Executive Summary:

Council included a project within the 2020/21 Budget to develop a Master Plan for the Roma Skatepark Precinct.

The matter of stakeholder engagement had been discussed at during a previous Budget Submissions & Financial Planning Standing Committee when project was being considered.

This report is follow-up to these initial discussions and seeks Council endorsement of the draft Stakeholder Engagement Plan for the project.

Officer's Recommendation:

That Council:

- a) write to Mr Byron Hafemeister informing him that a budget allocation of \$20,000 had been approved to develop a Master Plan for the Roma Skatepark and that Council will be in contact in due course to discuss the project; and
- b) approve the Stakeholder Engagement Plan for the Roma Skatepark Master Park 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).

Users of the Roma Skatepark Facility
Maranoa Youth's & Youth focused groups

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
---	---

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

The matter of stakeholder engagement had been discussed at previous Budget Submissions & Financial Planning Standing Committee when the Roma Skatepark Master Plan project was being considered.

This report is follow-up to these initial discussions and seeks Council endorsement of the draft Stakeholder Engagement Plan for the project.

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

(Succinct overview of the relevant facts, without interpretation)

Council included a project within the 2020/21 annual budget to develop a Master Plan for the Roma Skate Park Precinct.

Council have engaged **Trinity Skateparks** to help deliver this project. A couple of noteworthy points regarding Trinity Skateparks include:

- Queensland based firm located on the Sunshine Coast.
- Their mission in to “*create an active, healthy and vibrant youth culture in every council and community throughout Australia and New Zealand*”;
- They believe “*community engagement is one of the most important aspects to the sustained success of any project regardless of scale, location or budget. Successful community engagement helps to create a sense of place and ownership within any community.*”

On Tuesday, 08 September Council officers chaired an initial prestart meeting with one of the Directors from Trinity Skateparks, Clayton Farmer.

One of the major topics of the discussion at the prestart meeting was project plan, including the initial community engagement. As an action from the meeting, a draft Stakeholder Engagement Plan for the project has been drafted, with the presentation of this draft plan to Council being the subject of this report.

The Stakeholder Engagement plan has been developed in line with Council's community engagement framework (overview provided below), and includes a number of engagement initiatives to engage a wide variety of residents, both formally and informally.

A detailed copy of the overall project plan has also been included for context.

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)

Community Engagement Framework

Guiding Principles for Community Engagement Framework:

Council recognises that successful community engagement requires a number of initiatives, both formal and informal. The ideal framework, once fully developed will have strategies for engaging residents across various segments of the community by:

- (i) Where they live (**geographic/town** interests and issues that affect them)
- (ii) Their stage in life (**age** interests and issues that affect them)
- (iii) Personal interests (**how they live** – e.g. work and play)
- (iv) Business interests (how they **invest** and issues that affect them)
- (v) Practical issues
 - Mobility/disability
 - Cultural considerations – Indigenous, English speaking/Non-English speaking
 - Resident availability considerations - Time of day – e.g. school hours, work hours, shift work.
- (vi) How they are potentially affected by a decision
 - Whole of region
 - Group
 - Individual

Asset Management Plan

There is no specific Council Policy and/or Asset Management Plan for the Roma Skatepark and Bicentennial Park Precinct.

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 & Recreation Coordinator
Community Support Officer, Economic & 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)

The Master Plan phase of this project is fully funded by Council.

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?

A budget of \$20,000 has been allocated to this project under the 2020/21 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)

This report contemplates the community consultation step of an approved project in the 2020/21 Budget. There is nothing specially in this report (or recommendation) that is likely to have an impact on future years' budget.

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)

The Stakeholder Engagement Plan for the Roma Skatepark has been developed with the major users of the facility in mind, i.e. Maranoa youth. The following list of stakeholders has been identified for initial consultation:

Stakeholder Description	Stakeholder Group	Reason for initial engagement
Council Staff	Regional Sport & Recreation Coordinator	Assistance with identifying and engaging youth not captured within any of the below groups
	Community Support Officer, Economic & Community Development	Assistance with identifying and engaging with community & youth support groups
	Local Development Officers - Roma, Mitchell, Injune, Yuleba & Surat	Assistance with promoting & engaging with regional youth
	Council Library Staff	Assistance with promoting & engaging with regional youth
Local Schools & Education Facilities	St John's	Engagement with Principal & teachers to determine best way to engage with interested youth. Organise school visit as required.
	Roma State College - Senior, Middle and Junior campuses, and flexi-school	Engagement with Principal & teachers to determine best way to engage with interested youth. Organise school visit

Maranoa Regional Council Ordinary Meeting - 23 September 2020
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		as required.
	Roma Tafe	Engagement with Principal & teachers to determine best way to engage with interested youth. Organise school visit as required.
	Regional State Schools: <ul style="list-style-type: none"> • Begonia • Bymount East • Dunkeld • Injune • Mitchell • St Patrick's • Surat • Teelba • Wallumbilla • Yuleba 	Invitation to Principals to distribute links to participate in online survey (Have Your Say)
Youth Focused Groups	YEP Maranoa (Lifeline)	Engagement with key stakeholder group to identify best way to engage with youth within the group. Invitation to community consultation session/public workshop on 9/10/11 October & distribute links to participate in online survey (Have Your Say)
	Anglicare	
	Community Corrections	
	PCYC	
	Surat Aboriginal Corporation	
	Act for Kids	
Local Sporting Groups	Maranoa Basketball Association	Engagement with key stakeholders to determine best way to engage with interested youth. Invitation to community consultation session/public workshop on 9/10/11 October & distribute links to participate in online survey (Have Your Say)
	Roma Cricket Association	
	Junior Rugby League Clubs	
	Roma Touch Association	
	Roma Soccer Club	
	Maranoa Netball	
	Youth Scouts	
Other	Individual youth who regularly frequent the Roma Skatepark	Pop up community engagement session at the Roma Skatepark
	Mr Byron Hafemeister	St John's year 11 student who wrote to Council in July 2020 regarding upgrading the current skatepark facilities

The initial round of engagement will involve making contact with each of the groups identified above, as well as any further groups identified during the initial engagement phase. This round of engagement will focus on understanding the best way to engage with the youth within each specific stakeholder group.

Trinity Skateparks have proposed a range of stakeholder engagement options throughout their in-person visit in October 2020. This includes; an online user survey, 2 x community consultation sessions/open public workshops (location TBC), 1 x pop-up community consultation session/public workshop at the Roma Skatepark, and visits to schools if required. We will use a mixture of these mediums to engage with the youth groups identified above, in order to canvas a broad range of views.

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
Failure to undertake effective and well planned community engagement.	This (community engagement) is one of the most important aspects to the sustained success of any project regardless of scale, location or budget. Successful community engagement helps to create a sense of place and ownership within any community.

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)

Master Planning and community engagement are a “hand in glove” relationship. Well planned and conducted community engagement is likely to result in creating a sense of place and ownership within any community.

The draft recommendation has been drafted to align with current Council policy while allowing this project to progress to the next, and very important, phase.

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:

- write to Mr Byron Hafemeister informing him that a budget allocation of \$20,000 had been approved to develop a Master Plan for the Roma Skatepark and that Council will be in contact in due course to discuss the project; and
- approve the Stakeholder Engagement Plan for the Roma Skatepark Master Park as presented.

Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.13 Sport, recreation and community wellbeing

Supporting Documentation:

1 

Roma Skatepark Master Plan Project - Trinity

D20/88036



Skateparks - Consultation Plan - 10.09 2020

Report authorised by:

Deputy Chief Executive Officer/Acting Director Infrastructure Services



- ROMA YOUTH PRECINCT -
COMMUNITY CONSULTATION PLAN

Maranoa Regional Council
Address: 1 Cartwright Street Roma QLD 4455
Phone: (07) 4624 0713 | Email: Cameron.Hoffmann@maranoa.qld.gov.au

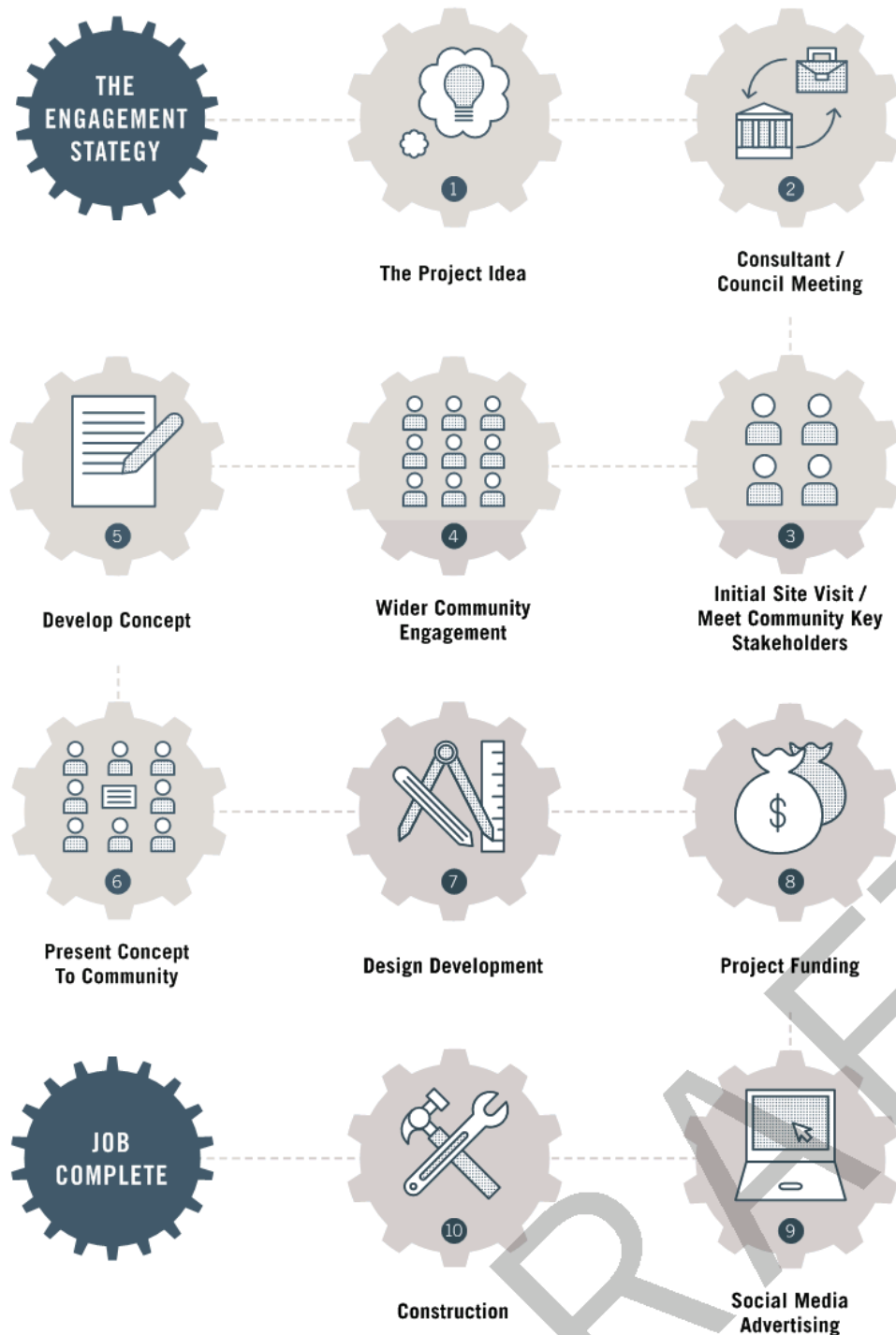
"Hopefully, kids realize you can do anything you want."

"Skateboarding can be that gateway." - Ryan Sheckler

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communities.



TRINITY SKATEPARK'S OVERALL PROJECT PROCESS



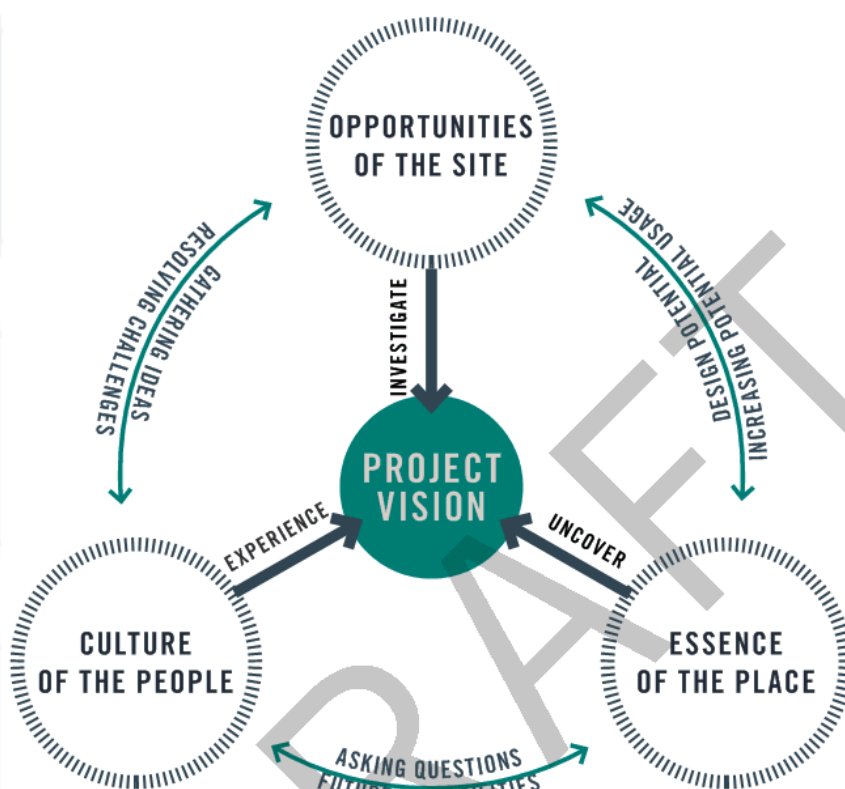
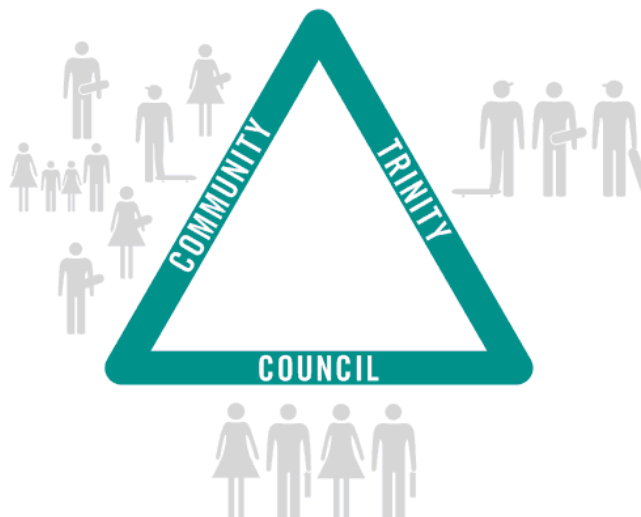
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TRINITY SKATEPARK'S COMMUNITY ENGAGEMENT PROCESS MODEL:



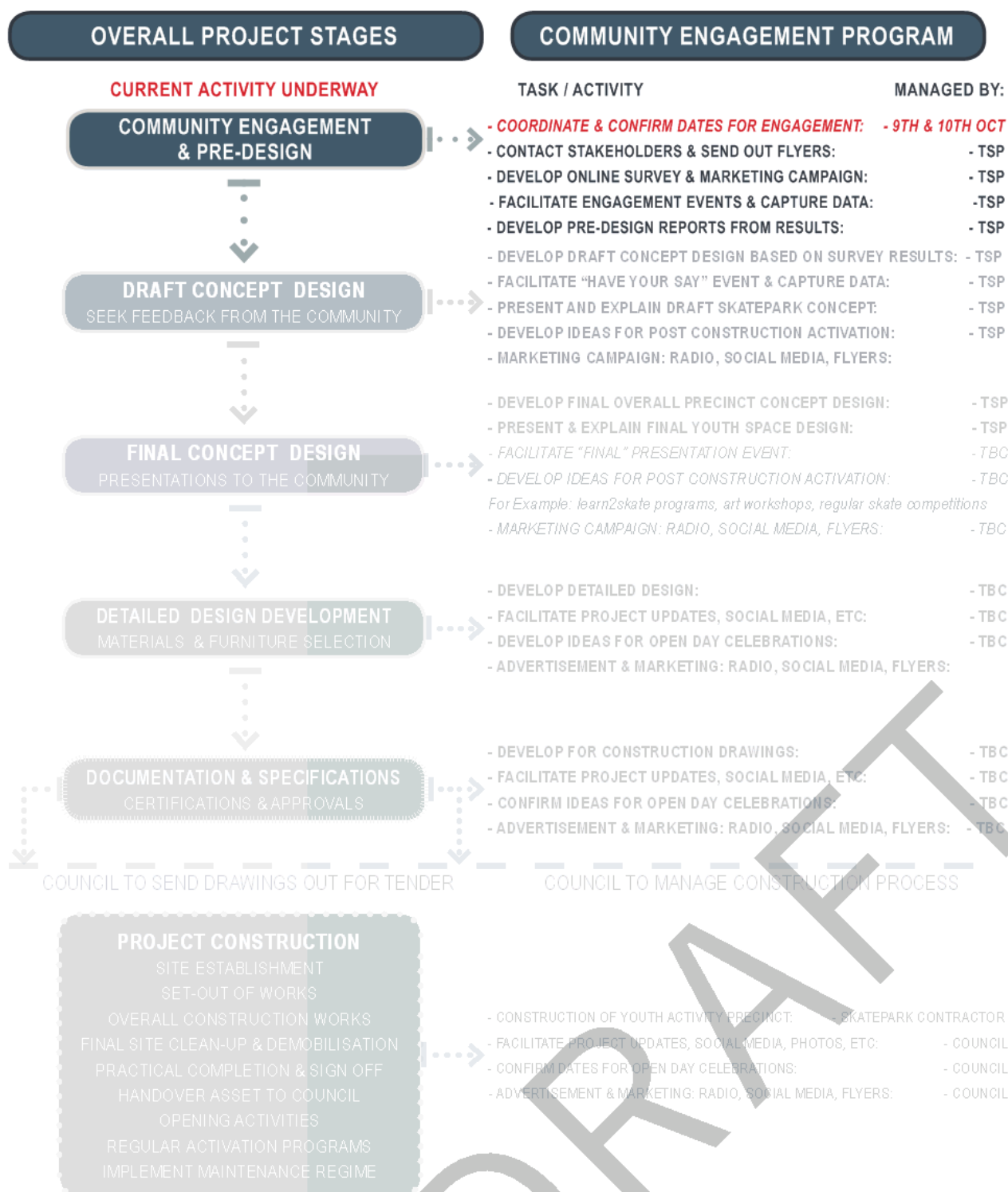
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ROMA YOUTH SPACE - OVERALL PROJECT & COMMUNITY ENGAGEMENT MAP



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PROPOSED COMMUNITY ENGAGEMENT PLAN



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www.trinityskateparks.com.au
ACN 152 098 989
QBCC#: 1211374

Date: 10.09.2020

RE: Roma Youth Precinct – Community Consultation Plan

LGA Client: Maranoa Regional Council

Contact Name: Cameron Hoffmann
Position: Deputy Director / Strategic Road Management
Main Phone: (07) 4624 0713
Mobile Phone: 0409 985 447
Email: Cameron.Hoffmann@maranoa.qld.gov.au
Address: 1 Cartwright Street Roma QLD 4455

Hello Cameron,

Captured below is a detailed outline of Trinity Skateparks intended 'Community Engagement Plan'. We consider that the community engagement plan proposed below will give the community plenty of time to have their say and allow for a healthy discussion toward the design and implementation of the Roma Youth Space.

COMMUNITY IMMERSION AND ACTIVATION

Based on our team's experience in consulting with communities and delivering projects, it has become apparent that community immersion is an effective method of reaching the community and understanding its culture. We believe that spending genuine time with the users of the proposed facilities, in addition to connecting with the community will allow the essence of the project site to emerge through the community's opinions and stories. We've found that this method promotes inclusion and ownership amongst the community, whilst allowing the delivery of the project to be as smooth, efficient and time effective as possible.

Trinity Skateparks are based on the Sunshine Coast and intend on dedicating a generous amount of time toward community consultation. Our team will arrive and connect with the local community at varying times and on different levels during our proposed visits. This includes connecting with local community groups, working with the riders (skaters, scooters, BMX riders, etc), plus talking with local businesses and if required visiting local schools. Our proposal also includes having our Lead Design Team visiting some of the local skate parks within relative proximity to the project site to better understand the skate context. In respect to the overall consultation phase, we propose a staged approach toward engaging the community, which includes the visits outlined below;

Virtual Visit [01] - [Day 01] – Initial project inception

– Completed via online zoom meeting – 09.09.2020

- Initial in-person inception meeting with council's project team' (phone calls and email correspondence included)
- Meetings with Key External Stakeholders, project site visit, contextual site analysis and casual interviews with the facility users
- Obtain online survey input and directions from council's project team
- For all visits our team will use social media + word of mouth with local businesses + project news flyers & posters to raise awareness

In person Visit [01] - [Day 01 & 02] – Investigations and assessments

– Proposed day/ dates – 09.10.2020 – 11.10.2020

- Attend and facilitate coordination meetings with Sub-consultants and utility service authorities to confirm scope of works and commence detailed investigations as required
- Targeted meetings with key stakeholders, community reference groups, youth council + project site visits with stakeholders
- Regional skate facilities tour and audit
- Raise project awareness and promote online user survey through social media



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PROPOSED COMMUNITY ENGAGEMENT PLAN

In person Visit [01] - [Day 01, 02 & 03] – Consultation, Coordination meetings, Value Management and Design workshops

– Proposed day/ dates – 09.10.2020 – 11.10.2020

- Attend and facilitate Value Management Meetings and design workshops with council and other key stakeholders as required.
- Develop an “online user survey” to ascertain demand and user needs + promote and release to the community
- Facilitate 2 x community consultation sessions \ open public workshops at locations agreed to by council (Three-hour timeframes)
- Facilitate 1 x pop-up community consultation session at the skatepark
- (As required): Visit schools and facilitate focused design workshops with visual presentations and facility/ obstacle examples

Virtual Visit [02] - [Day 01] – Preliminary design and concept options voting + review and amendments

– Proposed day/ dates – TBC

- Based on the consultation outcomes, develop schematic layout options for the overall precinct design in line with councils’ budget
- Develop an online options voting survey to ascertain preferred masterplan options + promote and release to the community
- Facilitate phone/ online meetings with council, community groups and other key external stakeholders – “Review and Update”
- Facilitate phone/ online meetings with Sub-consultants & utility service authorities as required to amend & finalise documents

In person Visit [02] - [Day 01] – Draft Presentations: Updated youth precinct plan + feedback

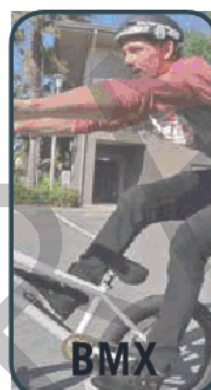
– Proposed day/ dates – TBC

- Facilitate meetings with council, community groups and other key external stakeholders – “Review and Update”
- Develop and present Draft design of overall youth space + Draft 3D visualisations – Online feedback forms (as required)
- Facilitate meetings with Sub-consultants and utility service authorities as required to obtain approvals and finalise design
- Assist council with releasing social media posts to platforms as chosen by council

In person Visit [03] - [Day 01] – Final overall youth precinct plan & 3D Fly-through Experience

– Proposed day/ dates – TBC

- Value Add item; Our team propose to personally present the interactive 3D fly through of the “Final Youth Space Design” to the community, reference groups, internal council stakeholders and other Elected Officials.



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PLANNING & BUILDING DEVELOPMENT REPORT

Meeting: Ordinary 23 September 2020

Date: 7 September 2020

Item Number: 13.1

File Number: D20/85653

SUBJECT HEADING: Development application for a Car wash at 92 Bowen Street, Roma

Classification: Open Access

Officer's Title: Lead Town Planner

Executive Summary: SM and KA Duff have submitted a development application for a *Material change of use* for a "Car wash" (car-detailing) at 92 Bowen Street, Roma (being Lot 1 on RP93927). The premises form part of small neighbourhood shopping centre, with a small grocery/fast food shop (Foodworks) and a bottleshop located directly adjacent. Historically, the premises have provided for small-scale, commercial and service-industry uses that cater to the local community. The site was most recently occupied by a plant nursery (Plantaroma).

The development application is subject to impact assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided by Section 45 of the *Planning Act 2016*. The *Development Assessment Rules* set out the procedural requirements for the development assessment process. Public notification about the application was carried out in accordance with Part 4 of the *Development Assessment Rules* and for a period of no less than 15 business days between 7 August, 2020 and the 28 August, 2020. There were no properly made submissions received during this period.

The procedural requirements set out by the *Development Assessment Rules* to enable Council to make a decision on this application have been fulfilled. The development application is generally consistent with the assessment benchmarks provided by the *Planning Act 2016*. As part of the assessment of the application, planning officers have also identified a number of relevant matters that support the approval of the application. These include the absence of any adverse impacts resulting from the development; that the proposal provides for the re-use of existing buildings and the efficient use of infrastructure; the proposal represents a small-scale, service-type-industry that caters for the needs of local residents in an established neighbourhood-centre; and it will not undermine the viability of nearby centres;

Officer's Recommendation: The development application for a Material change of use for a "Car wash" at 92 Bowen Street, Roma (Lot: 1 RP: 93927) be approved subject to the following conditions:

Development conditions

Development details

1. The approved development is a Material Change of Use – “Car wash” as defined in the Planning Scheme and as shown on the approved plans.

Compliance inspection

2. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless noted in the approval conditions or otherwise confirmed in writing by Council.
3. Prior to the commencement of the use, the applicant shall contact Council to arrange a development compliance inspection.

Approved plans and documents

4. The approved development is to be carried out in accordance with the following approved plans/documents and subject to the approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Plan/Document Number	Plan/Document Name
01	Existing site plan
02	Proposed site plan
03	Oil separator unit

Development works

5. During the course of establishing the development, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
6. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).

Applicable standards

7. All works must comply with:
 - a) the development approval conditions;
 - b) any relevant provisions in the Planning Scheme and the Capricorn Municipal Development Guidelines;
 - c) any relevant Australian Standard that applies to that type of work; and
 - d) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

Works in road reserve

8. A Works in a Road Reserve Permit will be required from Council for any works associated with the development that are undertaken within the Council road reserve by private contractor/entity. Works include, but are not limited to, cutting work, kerb and channel and site access/crossovers. All works on or near roadways shall be adequately signed in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads".

Maintain the premises

9. The area and its surrounds must be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.

Refuse storage

10. Bulk refuse storage and collection facilities must be located within the development site in a location that is screened from occupants of adjoining and surrounding properties. The bulk refuse storage must not be visually obtrusive when viewed from the street.
11. Convenient access to the bulk refuse storage area must be provided for service vehicles.
12. Waste containers must be maintained in a clean and tidy state at all times while the use continues, and shall be emptied and the waste removed from the site on a regular basis.
13. Refuse collection from the site must not occur before 7:00am or after 6:00 pm, or on Sundays or public holidays.

Landscaping

14. Landscaping areas are to be provided generally in accordance with approved plan 001 – *Proposed Site Plan*. Plantings within the landscaping areas shall

include a mix of shrubs and ground covers, which must contribute to the amenity of the development and the street.

Note: Refer to *Planning Scheme Policy SC6.2 – Landscaping* for Council's preferred species list.

15. Site landscaping is to be irrigated during an establishment period of two years, and ground covers should fully cover vegetated areas within one year of planting.
16. All site landscaping is to be maintained throughout the duration of the approved use. Any dead and/or unhealthy plants are to be promptly removed and replaced.
17. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
18. Landscaping must not interfere with site lines at access driveways for vehicle traffic.

Access

19. Vehicle crossovers to and from the development site shall be provided from Jackson Street, generally in the location shown on approved plan '001 – *Proposed Site Plan*.
20. Vehicle crossovers must be designed to cater for the maximum vehicle size accessing the site, ensuring no damage to the roadway or kerb. Suitable flares and tapers are to be provided at the interface with the roadway to cater for vehicle swept path movements.
21. Vehicle crossovers must be located a minimum distance of one metre from any power poles, street signage, street lights, manholes, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.
22. The landowner is responsible for the maintenance of the vehicle crossover from the property boundary to the external road network and access ways, and for obtaining any approvals that may be required for complying with the applicable designs and standards.

Parking and manoeuvring

23. A designated onsite car parking area with provision for three car parking spaces, including one carpark for persons with disabilities, is to be provided within the development site area. The car parking spaces must be for the exclusive use of staff and customers associated with the approved use.
24. The car parking area must comply with the requirements listed below;
 - a. Car park design, including car parking spaces (widths and lengths),

vehicle access lanes and manoeuvring areas are to comply with Australian Standard AS/NZS 2890 Part 1: Off-street car parking;

- b. A disabled car parking bay is to be provided in accordance with Australian Standard *AS/NZS 2890.6:2009 Parking Facilities - Off-street car parking for people with disabilities* (minimum 1 PWD space);
 - c. Appropriate vehicle barriers/signage is to be provided to prevent vehicles travelling into buildings/structures and encroaching into pedestrian accessways;
 - d. Vehicle movements within the site are to be clear of proposed parking areas, buildings and landscape treatments;
 - e. Vehicle parking bays must not encroach into swept paths for vehicle movements;
 - f. Vehicles accessing the designated onsite parking area must be able to enter and leave in forward direction. Sufficient manoeuvring areas are to be provided to facilitate the turnaround of vehicles within the site, ensuring vehicles can exit to Jackson Street in forward direction.
 - g. All vehicle manoeuvres to and from the onsite parking spaces must be totally contained within the development site boundaries and must not encroach onto the adjacent roadway;
25. No on-street parking is permitted at the Jackson Street or Bowen Street frontage of the development site at any time. All vehicles associated with the approved development must be catered for and contained on site.

Maximum number of vehicles

26. The maximum number of vehicles located onsite at any one time is restricted to five.

Maximum number of employees

27. The maximum number of employees associated with the approved development is restricted to two.

Lighting

28. Lighting of the approved development, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 meters from the site at any property boundary.
29. All lighting shall be directed or shielded so as to ensure that no glare directly affects adjoining and nearby properties.

Note: The Queensland Government *Environmental Protection Act 1994* includes controls for light nuisances. Council is responsible for investigating light pollution complaints and enforcing the controls for light nuisances. When

investigating a lighting complaint, Council will consider amongst other matters, the amount, duration, characteristics and qualities of the lighting, as well as the sensitivity of the receptor and the potential impact of lighting on adjacent properties.

Avoiding nuisance

30. No unreasonable and sustained nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time during or after the establishment of the approved development.

Note: Refer to the *Environmental Protection Regulation 2019* for acceptable emission levels.

31. Dust emanating as a result of operations carried out onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks, nearby properties and sensitive land uses.

Screening mechanical equipment

32. All mechanical equipment (including air conditioners and the like) and rainwater tanks are to be screened from the adjoining roadway and nearby properties.

Fencing

33. Fencing is to be provided/maintained along all boundaries shared with an accommodation activity. The constructed fence is to consist of a 1.8 metre high solid structure.

Services

34. The approved development is to be connected to Council's reticulated water supply network in accordance with the Water Services Association of Australia (WSAA) publication and the CMDG Design Guidelines – D11 'Water Reticulation', at no cost to Council.
35. The approved development is to be connected to Council's reticulated sewerage disposal system in accordance with the Sewerage Code of Australia and the CMDG Design Guideline - D12 'Sewerage Reticulation', at no cost to Council.
36. Any connection to, or works associated with Council's sewerage infrastructure must be completed by a qualified plumber/drainlayer under Council supervision. No works are to be undertaken on Council's sewerage infrastructure without first obtaining the express permission of Council.

Note: Any damage caused to Council's sewer infrastructure due to the progression of works or as a result of the approved use shall be rectified at the landowner's expense.

37. Connection of the development to a telecommunication service must be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications.
38. The development must be connected to an electricity reticulation service in accordance with the relevant service provider's requirements and specifications along with relevant building standards, requirements and specifications.

Note: Any renewable energy systems integrated into the development are to contribute to the supply and use of electricity to and from the grid.

39. All services installation, including sewer, water, electricity and telecommunications connections to the respective networks, must comply with (i) the development approval conditions, (ii) any relevant provisions in the planning scheme for the area, (iii) Council's standard designs for such work where such designs exist (iv) the Capricorn Municipal Development Guidelines (CMDG) where it applies (v) any relevant Australian Standard that applies to that type of work and (vi) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.
40. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

Stormwater and drainage

41. Stormwater runoff from roofs and impervious surfaces is to be collected internally and directed to the existing kerb in Bowen Street as the lawful point of discharge. All stormwater is to be managed in accordance with CMDG Design Guidelines D-5 'Stormwater Drainage Design'.
42. Stormwater must not be discharged to adjoining properties or roads and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed.
43. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed.
44. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

Washbay

45. Wastewater generated from the washbay is to be collected onsite and discharged to Council's reticulated sewerage system in accordance with Council's Trade Waste Policy. A trade waste permit must be obtained from Council prior to the commencement of the approved use.
46. An oil/water separator (such as a coalescing plate separator) shall be installed in accordance with Council's Trade Waste Policy to trap oils and solids prior to discharging waste to Council's reticulated sewerage system.
47. Waste oils and solids separated from the separator are to be collected and disposed of at a licenced facility.

Biosecurity plan

48. A Biosecurity Plan for the premises must be prepared and implemented in accordance with the *Biosecurity Act 2014*. The plan must be prepared taking into account all approved operations on the site and addressing the risk of spread of Priority Pest Plants detailed in Council's Pest Management Plan. A copy of the plan must be submitted to Council prior to commencement of the approved development.

Note: The Pest Management Plan (PMP) for the Maranoa Region is available on Council's website via the following link:

http://www.maranoa.qld.gov.au/council/Documents/Pest_Management_Plan_2012_2016.pdf. The PMP identifies, among others, Parkinsonia, Prickly Acacia, Mother of Millions and Parthenium as Priority Pest Plants to be managed in the Maranoa Region.

Construction activities and erosion control

49. During the course of any construction activities, soil erosion and sediment must be managed in accordance with the CMDG Design Guidelines D-7 'Erosion and Control and Stormwater Management'.
50. If there is a possibility of erosion or silt or other materials being washed off the property during the development process or after the development is completed, the developer must document and implement a management plan that prevents this from occurring.
51. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
52. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.
53. Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sedimentation from the site, then such works

shall be at no cost to Council. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.

54. Temporary fencing must be erected and maintained around the perimeter of the development site whilst any construction activities are carried out.

Advertising signage

55. Any proposed advertising signage in addition to that identified in the approved development plans, is subject to further development approval unless compliant with the requirements for "Accepted development" or "Accepted development subject to requirements" identified in the planning scheme in force at the time.
56. Any advertising signage associated with the approved use must be fully contained within the development site boundaries and must not encroach into adjoining properties or roads.

Operating hours

57. Operating hours are restricted to 7:00am to 6:00pm Monday to Saturday. The development is not permitted to operate on Sundays or Public Holidays.

Delivery of goods

58. Loading and unloading of goods must not occur outside the hours of 7:00am to 6:00pm Monday to Friday and 8:00am to 5:00pm on Saturdays. No loading or unloading shall occur on Sundays or Public Holidays.
59. The delivery, loading and unloading of goods to the site must be undertaken within Lot 6 SP262449 and must not occur on adjoining properties or roads.

No cost to Council

60. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development, survey, registration, document lodgment, easement documentation preparation and plan sealing.

Latest versions

61. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

Application documentation

62. It is the developer's responsibility to ensure that all entities associated with this Development Approval have a legible copy of the Decision Notice, Approved Plans and Approved Documents bearing 'Council Approval'.

General advice

- (a) Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).
- (b) Refer to <http://www.maranoa.qld.gov.au/council-policies> for Council Policies.
- (c) The relevant planning scheme for this development is *Maranoa Planning Scheme 2017*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- (d) Under the Planning Scheme a *Car wash means the use of premises for the commercial cleaning of motor vehicles*.
- (e) The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.
- (f) The land use rating category may change upon commencement of any new use on the approved lot(s). Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: www.maranoa.qld.gov.au.
- (g) All Aboriginal Cultural Heritage in Queensland is protected under the *Aboriginal Cultural Heritage Act 2003* and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- (h) It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved use.
- (i) All persons involved in the development and operation of the use of the site have a 'general biosecurity obligation' (GBO) under Queensland's Biosecurity

Act 2014 and the owner/operators are responsible for managing biosecurity risks that are:

- under their control; and
- that they know about, or should reasonably be expected to know about.

Under the GBO, the development activities may pose a biosecurity risk, and the developer/operator must:

- take all reasonable and practical steps to prevent or minimise all biosecurity risks;
- minimise the likelihood of causing a '[biosecurity event](#)', and limit the consequences if such an event is caused; and
- prevent or minimise the harmful effects a risk could have, and not do anything that might make any harmful effects worse.

- (j) Refer to Attachment 4 Adopted Infrastructure Charges Notice for infrastructure charges levied for the approved development.
- (k) In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

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's decision regarding this matter is likely to affect:

- the owners of the premises, Kate and Stephen Duff; and
- operators/employees of the proposed Car wash, JC Detailing.

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
N/A	

Context:

Why is the matter coming before Council?

This development application is subject to Impact assessment. A determination of an Impact assessable application sits outside the scope of Officer delegations and a

decision about the application is required to be made by Council resolution.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

A properly made development application has been submitted by SM & KA Duff seeking approval to establish a car wash in the currently vacant commercial shed and office building located at 92 Bowen Street, Roma. The premises are located directly adjacent to the Roma Foodworks, and form part of a neighborhood shopping center that has historically been used for small-scale convenience shopping, professional offices and other uses that directly support the immediate community. Most recently, the subject premises was occupied by a small plant nursery (Plantaroma).

It is the applicant's intent to retrofit the existing buildings on the premises to provide for a small, car detailing operation, that consists no more than 2 employees who manually clean up to a maximum 5 light vehicles per day. There are no external building works proposed as part of the development and only minor alterations to the existing on-site layout are required in order to accommodate the use (i.e. line-marking, landscaping, installation of wash-bay/oil separator). The existing building/s are considered adequate to accommodate the proposed use and the premises is large enough to provide for on-site car-parking, landscaping areas and a wash-bay.

The premises achieve adequate infrastructure service levels and the proposed use is typically contemplated and generally consistent with the outcomes sought by the land use zoning for this location, being a use that supports the day to day needs of the residential community that will not detract from the residential amenity of the area. Moreover, the "redevelopment" of the vacant commercial shed/office is also highly desirable from a strategic planning perspective, as it provides for the efficient use of land and existing infrastructure, and promotes reinvestment in an area that is targeted for this type of small-scale service-industry use.

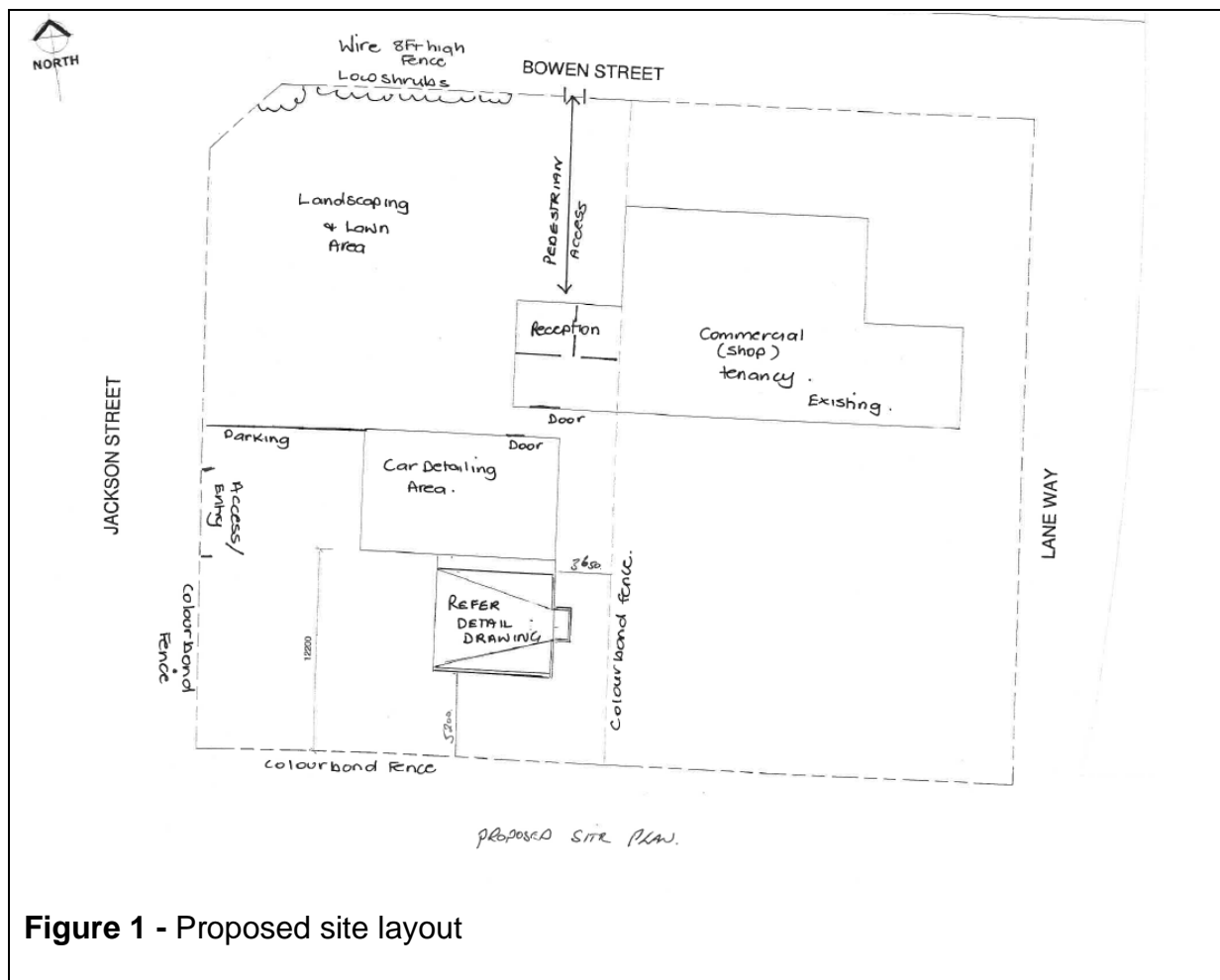


Figure 1 - Proposed site layout

Whilst the premises are long established as containing small scale, low-intensity commercial type businesses, the surrounding and nearby properties consist primarily of single detached dwellings and as such, should Council resolve to approve the development, relevant, reasonable and enforceable conditions should be imposed to mitigate potential impacts from the new car wash on these surrounding residential uses.

On balance it is considered that there is sufficient certainty in the information supplied by the applicant, having regard to the particular circumstances of the site and proposal, for assessing officers to be confident that the application will meet the relevant assessment benchmarks. Conditions of development approval can be imposed to mitigate potential impacts from the development on nearby sensitive receptors.

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 development constitutes a *material change of use* as defined in the *Planning Act 2016* (being *the start of a new use of the premises*) and requires a development permit to be issued by Council in order to be taken to be a lawful use.

Provisions of the *Maranoa Planning Scheme 2017* make the required development application subject to Impact assessment. An Impact assessment is an assessment that must be carried out against the assessment benchmarks prescribed by the *Planning Regulation 2017*, in this case being;

- *the Darling Downs Regional Plan;*
- *the State Planning Policy;*
- *the Maranoa Planning Scheme; and*
- *the Maranoa Regional Council LGIP.*

An assessment of the application against these assessment benchmarks is attached in the Supporting Documents.

In accordance with Section 60 of the *Planning Act 2016*, after carrying its assessment, Council must decide to;

- (a) approve all or part of the application; or
- (b) approve all or part of the application, but impose development conditions on the approval; or
- (c) refuse the application.

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 *Maranoa Planning Scheme 2017* and the Maranoa Regional Council Local Government Infrastructure Plan are applicable to the assessment of the application (the Local Government Infrastructure Plan forms part of the Planning Scheme).

The relevant sections of the *Maranoa Regional Planning Scheme 2017* are;

- Part 3 Strategic framework
- Part 4 Local Government Infrastructure Plan
- Part 5 Tables of assessment
- Part 6 Zones
 - Part 6.2.3 General Residential Zone Code
- Part 8 Overlays
 - Part 8.2.8 Airport Environs Code

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)

- Managers from the Infrastructure Services Directorate
- Director, Development Facilities and Environmental Services (internal)

- Manager Planning & Building Development (internal)

The officer's recommendation has been informed by feedback from the parties consulted.

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 - The project is a private development that will be funded by an external party.

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 costs of fulfilling any development approval obligations, financial or otherwise, remains the sole responsibility of the operators and landowner/s. There is potential for Council to incur costs only in the event that its decision regarding the application is appealed to the Court

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)

As above.

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)

The current landowner and applicant Kate and Stephen Duff will be *interested and impacted* by Council's decision. The proposed operator of the carwash, JC detailing will also be *interested and impacted* by Council's decision.

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
See below	

Potential risks associated with the proposal have been addressed in the development assessment. Other matters outside of this, which are not called up in the *Planning Act 2016*, cannot be considered in decision making.

As with any planning decision reached by Council, there is a risk that the applicant can appeal any aspect of the decision to the Planning and Environment Court (the Court).

Note: The likelihood of an appeal by any party is not a valid planning consideration and must not be used to inform Council's decision on any planning matter.

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 considered that the proposal presents no significant conflict with the applicable assessment benchmarks. Development conditions have been recommended to ensure compliance to the greatest extent possible. Any residual inconsistency with the assessment benchmarks needs to be considered in light of various relevant matters including:

- there is an absence of any significant impacts that result from the development;
- the proposal involves the “redevelopment” of a currently vacant commercial shed and office in an area that is well established and has been historically used for small scale service-industry type uses;
- the development provides for the efficient use of land and existing infrastructure;
- the site achieves adequate infrastructure service levels; and
- the proposed use will support the day to day needs of the local community without undermining the viability of nearby centres.

On balance it is considered that there is sufficient certainty in the information supplied by the applicant, having regard to the particular circumstances of the site and proposal, for Council officers to be confident that the application will meet the assessment benchmarks. Should Council resolve to approve the application, conditions of development approval can be imposed to mitigate potential impacts from the development.

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 endorse the Officer recommendation to approve the Material change of use for a “Car wash” subject to conditions. This recommendation is consistent with existing Council policy.

Link to Operational Plan Function:

Corporate Plan 2018-2023
Strategic Priority 4: Growing our region
4.8 Town planning

Supporting Documentation:

1  Body of report

D20/87805



Report authorised by:

Manager - Planning & Building Development
Deputy Chief Executive Officer/Acting Director Infrastructure Services

Body of Report

Proposed land use

This application seeks a development permit to retrofit an existing office building and shed at 92 Bowen Street, Roma to accommodate a new car wash. The buildings are currently vacant but were previously occupied by a plant nursery (Plantaroma).

A car wash is defined in the Council planning scheme as *the commercial cleaning of motor vehicles*. This proposed car wash is more accurately described as a small, car detailing operation, that consists no more than two employees who manually clean up to a maximum five light vehicles per day.



Figure 1 – Development site – location approx. (Source – Google Earth)

Site context

The premises forms part of a neighbourhood-centre, with a small grocery/fast food shop and a bottle shop directly adjacent. Historically, the premises have provided for small scale, commercial and service-industry type uses which cater to the local community.

Surrounding and nearby development consists of a mix of low-density residential development and community orientated development including a school, child care, aged care facilities, health care premises and a community garden.

The premises is 1,004m² in area and contains a vacant office building and shed. It has access to reticulated water, sewerage, stormwater and electricity and provides frontage and vehicle access to Jackson Street and Bowen Street. Bowen Street is a major east-west thoroughfare in Roma.

Decision framework

The proposed carwash constitutes a Material change of use as defined in the *Planning Act 2016*, being *the start of a new use of the premises*. Provisions of the *Maranoa Planning Scheme 2017* make the required development application subject to Impact assessment.

An Impact assessment is an assessment that must be carried out against the assessment benchmarks prescribed by the *Planning Regulation 2017*, in this case being;

- the *Darling Downs Regional Plan*;
- the *State Planning Policy*;
- the *Maranoa Planning Scheme*; and
- the *Maranoa Regional Council LGIP*.

An Impact assessment must also have regard to any other relevant matter, other than a person's personal circumstances, financial or otherwise, including any properly made submission about the application.

In accordance with Section 60 of the *Planning Act 2016*, after carrying its assessment Council must decide to;

- (a) approve all or part of the application; or
- (b) approve all or part of the application, but impose development conditions on the approval; or
- (c) refuse the application.

Development Assessment Process

The procedural requirements set out by the *Development Assessment Rules* to enable Council to make a decision on this application have been fulfilled, including;

- the applicant submitted an application for a car wash on 4 August 2020;
- Council, as assessment manager, issued a Confirmation Notice on 4 August 2020;
- Council confirmed that it would not be issuing an information request about the application on 4 August 2020; and
- The applicant carried out public notification about the application between 7 August 2020 and 28 August 2020 for no less than 15 business days.

Assessment Benchmarks

The Darling Downs Regional Plan

The *Darling Downs Regional Plan* was adopted in October 2013 and covers the local government areas of Balonne, Goondiwindi, Maranoa, Southern Downs, Toowoomba and Western Downs.

The intent of the Darling Downs Regional Plan is to provide direction to resolve competing State interests relating to the agricultural and resources sectors, and to enable the growth

potential of the region's towns. It seeks to maximise opportunities for co-existence of resources and agricultural land uses.

The proposed development maintains the intent of the Darling Downs Regional Plan because it will not comprise resource activities or viable agricultural land. The development footprint is located outside of the Priority Agricultural Area identified in the Darling Downs Regional Plan.

The State Planning Policy

Council is required to consider the State Planning Policy to the extent that the applicable sections have not been appropriately integrated in the Maranoa Planning Scheme. As the Maranoa Planning Scheme appropriately integrates all relevant aspects of the State Planning Policy a separate assessment of the application against this document is not required.

The Maranoa Planning Scheme 2017

The relevant sections of the *Maranoa Regional Planning Scheme 2017* are;

- Part 3 Strategic framework
- Part 4 Local Government Infrastructure Plan
- Part 5 Tables of assessment
- Part 6 Zones
 - Part 6.2.3 General residential zone code
- Part 8 Overlays
 - Part 8.2.8 Airport environs overlay code

Part 3 – Strategic framework

The Strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The Strategic framework is structured in the following way;

The Maranoa region including:

- (i) the region and the Darling Downs Regional Plan;
- (ii) the region and the Maranoa Community Plan 2020

The themes and key policies:

- (i) livable communities and housing;
- (ii) economic growth;
- (iii) environment and heritage;
- (iv) hazards and safety; and

- (v) infrastructure.

An assessment of the proposed development against the applicable key aspects of the Darling Downs Regional Plan, Maranoa Community Plan and Strategic framework of the Maranoa Planning Scheme is provided in the table below;

Policy Direction	Response
Darling Downs Regional Plan	The proposed development maintains the intent of the Darling Downs Regional Plan because it will not compromise the resource sector and is located outside of Priority Agricultural Areas.
Maranoa Community Plan 2020	The proposed development supports the principles of the Maranoa Community Plan 2020 because; <ul style="list-style-type: none"> • potential impacts can be mitigated through operational practices and development conditions.
The themes and key policies	The proposed development is consistent with the applicable themes and key policies of the Strategic framework because it; <ul style="list-style-type: none"> • is easily accessible and makes use of existing resources and infrastructure; • is located outside of flood hazard areas; and • will not prejudice or compete with agricultural uses, retail and commercial uses in traditional centres.

Part 4 - Local Government Infrastructure Plan

The Maranoa Regional Council Local Government Infrastructure Plan (LGIP) was adopted by Council in 2018. The purpose of the LGIP is to:

- (a) integrate infrastructure planning with the land use planning identified in the planning scheme;
- (b) provide transparency regarding a local government's intentions for the provision of trunk infrastructure;
- (c) enable a local government to estimate the cost of infrastructure provision to assist its long term financial planning;
- (d) ensure that trunk infrastructure is planned and provided in an efficient and orderly manner; and
- (e) provide a basis for the imposition of conditions about infrastructure on development approvals.

The development does not propose extending any of Council's infrastructure networks nor is it considered necessary, practical or reasonable to require infrastructure upgrades to Council infrastructure networks to service the development.

Part 5 - Tables of assessment

The Tables of Assessment identify the category of development, the category of assessment and the assessment benchmarks for assessable development in the planning scheme area. The Tables of Assessment identify the level of assessment for the proposed use in the proposed location as "Impact assessment."

Part 6 - Zones

Zones organise the planning scheme area in a way that facilitates the location of preferred or acceptable land uses. The premises is located in the General residential zone.

Part 6.2.3 The General Residential Zone Code

The purpose of the General residential zone is to:

- (a) provide for predominantly detached dwelling houses supported by community uses and small-scale services and facilities that cater for the needs of local residents;
- (b) encourage higher residential densities where appropriate by providing for multiple dwellings and smaller lot housing nearer the Principal centre (within the Central living precinct);
- (c) ensure that residential development is protected from natural hazards and from development types that would adversely impact upon existing amenity;
- (d) ensure that development maintains the integrity and water quality of the Murray-Darling Basin Catchment;
- (e) maximise the use of existing infrastructure and transport networks.

The overall outcomes sought for the General residential zone code are as follows:

- (a) a range of housing, predominantly detached dwelling houses, on a range of lot sizes;
- (b) development results in an efficient land-use pattern that is well connected to other parts of the local government area;
- (c) development is designed to provide safe and walkable neighbourhoods;
- (d) development provides for uses that front the street to provide a sense of residential amenity and character and enhance community safety;
- (e) other small-scale non-residential uses (including Home business uses) that integrate work and family and complement local residential amenity are facilitated;
- (f) development maintains a high level of residential amenity having regard to traffic, noise, dust, odour, lighting and other locally specific impacts;

- (g) development is designed to incorporate sustainable practices including maximising energy efficiency, water conservation and transport use;
- (h) transport infrastructure is designed to provide and promote safe walking and cycling;
- (i) development is reflective and responsive to the environmental constraints of the land;
- (j) development is supported by necessary community facilities, open space and recreational areas and appropriate infrastructure to support the needs of the local community;
- (k) non-residential uses may be supported where such uses directly support the day to day needs of the immediate residential community, do not detract from the residential amenity of the area and do not undermine the viability of nearby centres;
- (l) natural features such as creeks, gullies, waterways, wetlands and vegetation and bushland are retained, enhanced and buffered from the impacts of development. Any unavoidable impacts are minimised through location, design, operation and management requirements;
- (m) residential development maintains the safety and integrity of airport operations;
- (n) residential development yields in the defined flood event inundation area subject to Significant, High or Extreme hazard do not exceed one dwelling house per lot as it exists at the commencement date of the planning scheme; and,
- (o) non-resident workforce accommodation is not supported in this zone.
- (p) uses other than accommodation activities may be supported where lots are contiguous with land not zoned residential, where the use is similar to the adjacent non-residential land use/s.

The development complies with the Purpose and Overall Outcomes of the General residential zone because;

- it will use existing infrastructure and transport networks;
- It will be contained within existing buildings on the premises;
- it will not impact on any natural features or processes, being located within an existing developed premises in a built up urban area;
- provides a service to the local community: and
- it will not impact on the safe operation of airports.

An assessment against the design criteria of the General Residential Zone Code is provided in the table below.

<i>THE GENERAL RESIDENTIAL ZONE CODE</i>
for all the General residential zone (including the Central living precinct):

Performance outcomes	Acceptable outcomes
PLANNING	
Use, density and built form	
PO 1 Scale Uses other than <i>Accommodation activities</i> : <ul style="list-style-type: none"> (a) are of a small-scale and low intensity; (b) directly support the day to day needs of the immediate residential community; (c) do not prejudice the operation and viability of other uses or activities in the General Residential Zone or other zones; (d) have all car parking needs met on site; (e) may occur on residential zoned lots contiguous with land that is not zoned residential, where the use is similar to the non-residential land use on the contiguous parcel; (f) include mitigation measures such as acoustic fencing, landscaping and appropriate setbacks in instances where there is a potential for land use conflict between the use and adjoining and nearby accommodation activities; and (g) have access to reticulated sewer, water and stormwater. 	<div style="text-align: right;">✓</div> The activity is; <ul style="list-style-type: none"> • contained within existing buildings on site, maintaining the established built scale and character of the area; • relatively small scale and low intensity, employing no more than 2 staff; • located on a premises that contains landscaping, with additional landscaping proposed as part of this application; and • located on a site that has access to reticulated sewer, water and stormwater.
PO 2 Location Residential living is conveniently connected to the Principal, Major or District centres. Uses other than <i>Accommodation activities (general residential)</i> are located so as: <ul style="list-style-type: none"> (a) not to prejudice the consolidation of like non-residential uses in other more appropriate areas; (b) to be co-located with other non-residential uses wherever possible; (c) to be accessible for, and provide a service to, the immediate local population; and (d) to be located on the major road network rather than local residential streets. <p><small>Note: non-residential uses are any uses that are not associated with a Dwelling use.</small></p>	<div style="text-align: right;">✓</div> The premises is; <ul style="list-style-type: none"> • located on Bowen Street which is a major thoroughfare in Roma; • co-located with other non-residential uses (bottle shop, grocery store); and • highly accessible and provides a service to the local population.
PO 3 Density and site coverage Development provides for an attractive, open and relatively low density form of urban residential settlement that maintains a high level of residential amenity.	<div style="text-align: right;">✓</div> The activity is; <ul style="list-style-type: none"> • located within a neighbourhood centre complex, which contributes to the low density form of urban

	<p>residential settlement and maintains residential amenity; and</p> <ul style="list-style-type: none"> located in buildings that do not occupy in excess of 60% of overall area of the premises.
<p>PO 4 Setbacks</p> <p>Building setbacks:</p> <ul style="list-style-type: none"> (a) enhance the appearance and character of streets and buildings; (b) are appropriate to the scale of the development and the intended character of the General Residential Zone; (c) provide for adequate daylight for habitable rooms and open space areas on and adjoining the site; (d) are sufficient to minimise loss of privacy, overshadowing and overlooking of adjoining premises; and (e) provide adequate separation and buffering between residential and non-residential premises. 	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> Buildings and car parking areas are setback a minimum of 6 metres from the primary street frontage, 3 metres from any secondary frontage and 3 metres from side and rear boundaries.
<p>PO 5 Height</p> <p>The height of buildings is compatible with and complementary to the character of the residential environment and does not unduly reduce privacy or access to sunlight on adjoining land.</p>	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> The activity is contained within a single storey service complex, consistent with the built character of the area, and provides sufficient setbacks from the adjoining land uses as to not reduce privacy or access to sunlight.
<p>PO 6 Outbuildings</p> <p>Residential amenity is to be maintained and outbuildings are not to be used for ancillary non-residential uses.</p> <p>Residential amenity is not compromised by the storage of domestic goods.</p> <p>Note: Ancillary non-residential uses are any uses that are not ancillary to the activities within a Dwelling.</p>	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> Boundary setbacks are provided in accordance with the <i>Queensland Development Code MP 1.2</i>. No shipping containers or other external storage containers are proposed as part of the application.

<p>PO 7 Separation from incompatible land uses</p> <p>Adequate separation distances are provided between uses in the General Residential zone (and also uses outside the zone) to ensure:</p> <ul style="list-style-type: none"> (a) the future viability of surrounding uses; (b) infrastructure items are protected from incompatible development; (c) an appropriate standard of amenity and public safety; and (d) conflict arising from incompatible uses is minimised. 	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> The development is co-located with other existing small-scale local service businesses and located appropriately within the site so as to not compromise surrounding residential and other non-residential land uses.
<p>PO 8 Buffers</p> <p>Adequate buffers are provided to protect general residential uses from agricultural, transport and industrial activities.</p> <p>Note: a 'General residential use' has a level of assessment other than Impact Assessable in the General Residential zone.</p> <p>Note: Refer to SC6.2 Planning scheme policy – Landscaping for guidance on designing and establishing landscape buffers.</p>	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> The premises is located as to not compromise other non-residential uses, such as agricultural, transport and industrial activities.
<p>Amenity</p>	
<p>Advertising signage – refer to the Operational works advertising devices code</p>	
<p>Heritage places – in addition, refer to the Heritage overlay code</p> <p>where mapped in the SPP Cultural heritage mapping or listed in the Heritage and character policy</p>	
<p>PO 9 General amenity</p> <p>Uses other than <i>Accommodation activities</i> established in the General Residential Zone:</p> <ul style="list-style-type: none"> (a) do not impact adversely on the residential amenity of the General Residential Zone; and (b) do not prejudice the landscape values of the town. 	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> The activity is located within a local neighbourhood business/service centre.
<p>PO 10 Building appearance</p> <p>Buildings are designed to a high aesthetic standard.</p> <p>Service spaces and facilities are designed and sited in an unobtrusive and convenient manner.</p>	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> The activity is located within a local service centre, using existing vacant non-residential buildings established on the site.
<p>PO 11 Neighbourhood character</p> <p>The design of development recognises and responds to the surrounding area or neighbourhood.</p>	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> The activity is contained within a premises previously developed and used for small-scale local commercial service activities and is co-located with other convenience services. The site is adjacent to a primary thoroughfare of Roma and the development is in keeping with the existing neighbourhood character.
<p>PO 12 Footpaths</p> <p>Footpaths are provided for pedestrian comfort.</p>	<p>N/A there is no existing footpath network along the site frontage to Bowen/Jackson street.</p>

<p>PO 13 Streetscape Buildings in the General Residential Zone:</p> <ul style="list-style-type: none"> (a) address the street frontage; (b) have a clearly defined front entry or entry path that is visible from the street; and (c) provide opportunities for informal surveillance of streets and other public spaces from habitable rooms. 	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> • The activity is located wholly within a local service complex that addresses the street frontage, has a clearly defined front entry path and provides opportunities for informal surveillance of both Bowen and Jackson Street.
<p>PO 14 Cultural heritage The physical integrity and significance of cultural heritage discovered during development is retained. Note: Cultural heritage refers to indigenous and non-indigenous cultural heritage.</p>	<p>It is proposed that the development will use existing buildings and infrastructure on the site, however conditions of development approval will require that appropriate management practices are implemented in the event that cultural heritage is discovered during the establishment of the use.</p>
<p>Landscaping, privacy and fencing</p>	
<p>Landscaping – refer to the Operational works landscaping code</p>	
<p>PO 15 Landscaping Street trees and landscaping at the site shall:</p> <ul style="list-style-type: none"> (a) contribute positively to the built form and the street; (b) be visually pleasing and create an attractive environment; (c) be located to take account of the direction of the breezes and sun; (d) be located to give privacy and buffering from or for any incompatible uses, (e) be located to avoid interference with electricity lines and other infrastructure; and (f) maintain sight lines at intersections for traffic. 	<p>Conditions of development approval will require landscaping to be provided adjacent to the property boundaries to contribute to the amenity of the development and local neighbourhood.</p>
<p>PO 16 Privacy and screening Non-accommodation activities provide adequate screening for adjoining residential premises so that the privacy and amenity of residential use is protected.</p>	<p>Fencing will be provided/conditioned so that adequate screening from adjoining residential properties is achieved.</p>
<p>PO 17 Fencing Where uses other than <i>Accommodation activities</i> adjoin <i>Accommodation activities</i>, fencing provides separation for privacy.</p>	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> • Existing screen fencing is established along the side/rear property boundary where adjoining a residential use and will be maintained as part of the development.
<p>Avoiding nuisance</p>	

PO 18 Operating hours Uses are operated in a manner that ensures the local amenity is protected.	✓ <ul style="list-style-type: none"> Conditions of development approval will restrict operating hours to 7.00 am and 8.00 pm, Monday to Saturday only, and not including Sundays or public holidays.
PO 19 Delivery of goods The loading and unloading of goods occurs at the appropriate times to protect the amenity of the area and surrounding areas.	✓ <ul style="list-style-type: none"> Conditions of development approval will restrict loading and unloading of goods from 7:00 am to 6:00 pm Monday to Friday, 8:00 am to 5:00pm Saturday. No loading or unloading will be permitted on Sundays or Public Holidays. The use does not generate more than two truck movements per week of trucks with a gross vehicle mass of 10 tonne or less; and The use does not generate any truck movements of trucks with a gross vehicle mass of greater than 10 tonnes.
PO 20 Noise emissions Noise emissions from premises do not cause nuisance to adjoining properties or sensitive land uses.	✓ <ul style="list-style-type: none"> The use is unlikely to generate excessive noise; and Conditions of development approval will require no nuisance by way of excessive noise.
PO 21 Lighting Lighting is designed in a manner that ensures ongoing amenity and safety in the activity area, whilst ensuring surrounding areas are protected from undue glare or lighting overspill.	✓ <ul style="list-style-type: none"> The use is unlikely to generate excessive lighting; and Conditions of development approval will require that all lighting be within acceptable levels.
PO 22 Refuse storage Refuse storage areas are: <ul style="list-style-type: none"> (a) located in convenient and unobtrusive positions; (b) screened from the street and adjoining uses; and (c) capable of being serviced by a waste collector if required to be emptied on site. 	✓ Conditions will require that bulk refuse storage is provided on site and screened accordingly from adjoining properties and street view.
ENGINEERING	
Earthworks – refer to the Operational works excavation or filling code	

Infrastructure – refer to the Operational works infrastructure code	
Erosion Control	
PO 23 Construction activities Both erosion control and silt collection measures are undertaken to ensure the protection of environmental values during construction.	N/A – There is no construction activities proposed.
Provision of services	
PO 24 Electricity supply Premises are provided with a supply of electricity adequate for the activity.	✓ The premises is connected to the reticulated electricity infrastructure.
PO 25 Gas supply Where a reticulated gas supply is available: (a) premises are provided with a supply of reticulated gas adequate for the activity; and (b) access to reticulated infrastructure is to be maintained for maintenance and replacement purposes.	✓ The development site is located within an area serviced by Council's reticulated gas network if required to service the use.
PO 26 Water supply To ensure the provision of a potable and fire-fighting water supply: (a) premises are provided with a supply and volume of water adequate for the activity; and (b) access to reticulated water infrastructure is to be maintained for maintenance and replacement purposes.	✓ The premises is connected to Council's reticulated water system.
PO 27 Effluent disposal To ensure that public health and environmental values are preserved: (a) all premises provide for the effective treatment and disposal of effluent and other waste water; and (b) access to reticulated infrastructure is to be maintained for maintenance and replacement purposes.	✓ The premises is connected to Council's reticulated sewerage system.
Stormwater and drainage	
PO 28 Stormwater and inter-allotment drainage Stormwater is collected and discharged so as to: (a) protect the stability of buildings and the use of adjacent land; (b) prevent water-logging of nearby land; (c) protect and maintain environmental values; and (d) maintain access to reticulated infrastructure for maintenance and replacement purposes	✓ Stormwater and inter-allotment drainage is collected and discharged to Bowen Street in accordance with the <i>Capricorn Municipal Development Guidelines</i> , and
Roads and rail	
Infrastructure – refer to the Infrastructure overlay code for development in the proximity of, or potentially affecting State infrastructure.	

PO 29 Protection of State controlled roads Development adjacent to State controlled roads is located to ensure safe and efficient use of the highway, and maintain and enhance the integrity of the highway as a link between centres.	✓ Access to the site is provided via a local road.
PO 30 Roads A sealed road is provided between the premises and the existing sealed road network.	✓ A sealed road is provided between the premises and the existing sealed road network.
Access, parking and manoeuvring	
PO 31 Vehicle access Vehicle access is provided to a standard appropriate for the use.	✓ Access to the site will continue to be provided via the existing access point on Jackson Street, which is considered appropriate for the activity.
PO 32 Parking and manoeuvring Vehicle parking and service vehicle provision is adequate for the activity, and ensures both safety and functionality for motorists and pedestrians.	✓ <ul style="list-style-type: none"> • The activity proposes four car parking spaces; • All carparking, access and manoeuvring areas will be conditioned to be sealed with an impervious surface, and • Manoeuvring areas are available to allow all vehicles drive forward when entering and exiting the site.
ENVIRONMENTAL	
Biodiversity – in addition, refer to the Biodiversity areas overlay code where mapped in the SPP mapping as MSES.	
PO 33 Air emissions Air emissions including odour do not cause environmental harm or nuisance to adjoining properties or sensitive land uses.	<ul style="list-style-type: none"> • Air emissions generated from the site will be inconsequential. • Conditions of development approval will be included to mitigate environmental harm.
PO 34 Energy use Non-renewable energy use is minimised through efficient design and the adoption of alternative energy sources.	N/A – The activity is proposed to occur in an existing building/s. Alternative energy solutions may be explored in the future.
PO 35 Water quality The standard of effluent and/or stormwater runoff from premises ensures the quality of surface water is suitable for: <ul style="list-style-type: none"> (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use or industrial use; and (e) minimises nuisance or harm to adjoining 	N/A – There will be no change to the existing method of effluent disposal or stormwater runoff.

land owners.	
SAFETY AND RESILIENCE TO HAZARDS	
Airport environs – refer to the Airport and aviation facilities overlay code See below	
Flooding – refer to the Flood hazard overlay code See below	
ACCOMMODATION ACTIVITIES - additional requirements Note: Accommodation activities (<i>Dual occupancy, Dwelling house, Community residence, Home based business, Residential care facility, Retirement facility</i>) are code assessable or accepted development subject to requirements in the General Residential Zone.	
Accommodation activities – see also the Accommodation activities code	
Home based business – see also the Home based business code	
BUSINESS ACTIVITIES - additional requirements Note: Business activities (<i>Office, Sales office, Shop</i>) are code assessable or accepted development subject to requirements in the General Residential Zone.	
CENTRE ACTIVITIES - additional requirements Note: Centre activities (<i>Residential care facility, Retirement facility</i>) are impact assessable in the General Residential Zone.	
COMMUNITY ACTIVITIES - additional requirements Note: Community activities (<i>Community care centre, Community use</i>) are code assessable in the General Residential Zone.	
ENTERTAINMENT ACTIVITIES - additional requirements Note: all entertainment activities are impact assessable in the General Residential Zone.	
INDUSTRY ACTIVITIES - additional requirements Note: all industry activities are impact assessable in the General Residential Zone.	
RECREATION ACTIVITIES - additional requirements Note: Recreation activities (<i>Park</i>) are accepted development in the General Residential Zone.	
RURAL ACTIVITIES - additional requirements Note: all rural activities are impact assessable in the General Residential Zone.	
OTHER ACTIVITIES - additional requirements Note: Other activities (<i>Roads, Telecommunication facility, Utility installation</i>) are either code assessable, accepted development subject to requirements or accepted development in the General Residential Zone.	
PO 36 Telecommunications facility - location <i>Telecommunications facilities</i> must be located where there is convenient access.	N/A
PO 37 Telecommunications facility - visual impact <i>Telecommunication facilities</i> are visually integrated with the landscape or townscape so as to not be visually dominant or unduly visually obtrusive.	N/A
PO 38 Utility installation Local <i>Utility installations</i> are positioned unobtrusively, and do not have undue adverse impact on their surrounds.	N/A

Part 8.2.8 The Airport Overlay Code

Assessment against the design criteria of The Airport Environs Overlay Code is provided in the table below.

THE AIRPORT ENVIRONS OVERLAY CODE	
for areas within an area of interest of the SPP strategic airport and aviation facilities mapping	
Performance outcomes	Acceptable outcomes
PLANNING	
Use, density and built form	
PO 1 Height - OLS Development does not cause an obstruction or hazard to the safe movement of aircraft by any temporary or permanent intrusion of a physical structures into the airport's operational airspace.	<div style="text-align: center;">✓</div> The activity will not cause an obstruction or hazard to the safe movement of aircraft because; <ul style="list-style-type: none"> • the premises is located over 8 kilometres from the closest runway; and • there is no signification vegetation proposed.
PO 2 Height – Communications Development ensures that temporary or permanent physical structures located within an aviation facility's building restricted area do not interfere with the safe and continued functioning of the aviation facility.	Not applicable – the site is not located within the building restricted area of an aviation facility.
PO 3 Buffers Development does not cause an obstruction or hazard to the safe movement of aircraft within the airport's operational airspace through the attracting of wildlife, in particular flying vertebrates such as birds or bats, in significant numbers.	<div style="text-align: center;">✓</div> The proposed development will not cause an obstruction hazard to the safe movement of aircraft within the airport's operational airspace through the attracting of wildlife because the proposed development; <ul style="list-style-type: none"> • does not involve the bulk handling or disposal of putrescible waste; • is not for aquaculture, intensive animal industry,

	<p>animal keeping or industrial uses;</p> <ul style="list-style-type: none"> • is not an outdoor recreation and entertainment activity; and • any proposed landscaping and drainage works are minor and will not attract large numbers of birds and bats.
Avoiding nuisance	
<p>PO 4 Lighting</p> <p>Development does not cause an obstruction or hazard to the safe movement of aircraft within the airport's operational airspace through the installation of external lighting that could distract or interfere with a pilot's vision, or confuse the visual identification of runway, approach or navigational lighting from the air.</p>	<p>✓</p> <ul style="list-style-type: none"> • Conditions of development approval will ensure that any proposed lighting does not exceed acceptable levels or cause an obstruction or hazard to the safe movement of aircraft within the airport's operational airspace.
<p>PO 5 Particulate release</p> <p>Development does not cause an obstruction or hazard to the safe movement of aircraft within an airport's operational airspace through the emission of particulates, gases or other materials that may cause air turbulence, reduce visibility or affect aircraft engine performance.</p>	<p>✓</p> <ul style="list-style-type: none"> • The proposed development is not anticipated to release any gaseous plumes with a velocity exceeding 4.3 metres per second, smoke, dust, ash or steam or emissions with depleted oxygen content.
<p>PO 6 Noise emissions</p> <p>Development and land uses that are sensitive to noise interference or noise nuisance:-</p> <p>(a) avoid noise affected areas surrounding the airport; or</p> <p>(b) are sited, designed and constructed to mitigate noise nuisance to acceptable levels.</p>	<p>Not applicable – the subject site is not located within the ANEF contour for the Roma airport.</p>
Safety and resilience to hazards	
<p>PO 7 Public safety</p> <p>Development within the public safety areas located at the end of airport runways avoids:-</p> <p>(a) a significant increase in the number of people living, working or congregating in</p>	<p>Not applicable – the subject site is not located within the Public Safety Area of the Roma Airport.</p>

those areas; and (b) the use or storage of hazardous materials.	

Assessment Summary

The proposed development is generally consistent with the applicable provisions of the *Maranoa Planning Scheme 2017* and any perceived non-compliance with the planning scheme can be appropriately addressed by way of conditions of development approval. It is therefore recommended that a development approval be granted subject to conditions.

PLANNING & BUILDING DEVELOPMENT REPORT

Meeting: Ordinary 23 September 2020

Date: 6 August 2020

Item Number: 13.2

File Number: D20/75735

SUBJECT HEADING: Development Permit for Material Change of Use - "Extractive Industry" (5,000 to 100,000 tonnes quarry) (Ref: 2020/20072)

Classification: Open Access

Officer's Title: Planning Officer

Executive Summary: Harley and Ellen Nixon (T/A Beauview Partnership Pty Ltd) C/- Danya Elizabeth Cook is seeking a development approval for a Material Change of Use for an "Extractive Industry" (5,000 to 100,000 tonnes quarry) on land situated on Sunnyside Road, Wallumbilla North, properly described as Lot 355 on WV290 (the subject premises). The subject premises is located approximately 6.5 kilometres north-east of the township of Wallumbilla.

The development application is subject to impact assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided by Section 45 of the *Planning Act 2016* and any matters prescribed by regulation. The Development Assessment Rules set out the procedural requirements for the development assessment process.

Public notification about the application was carried out in accordance with Part 4 of the Development Assessment Rules and for a period of no less than 15 business days between 15 July 2020 and 7 August 2020. There were no submissions received about the application during this period.

The procedural requirements set out by the Development Assessment Rules to enable Council to make a decision on this application have been fulfilled, including a response by the applicant to information request issued by the State Assessment and Referral Agency (SARA), public notification about the application and receipt of a referral agency response. The development application is generally consistent with the assessment benchmarks provided by the *Planning Act 2016* and any perceived conflict with the assessment benchmarks can be addressed by way of conditions of development approval and having regard to the relevant matters.

Officer's Recommendation: The application for a Material Change of Use for an "Extractive Industry" (5,000 tonnes to 100,000 tonnes quarry) on land situated on Sunnyside Road, Wallumbilla North and properly described as Lot 355 on WV290 be approved subject to the following conditions:

Conditions:

Use

1. The approved development is for a Material Change of Use for an “Extractive Industry” as defined in the Planning Scheme and as shown on the approved plans and documents.
2. The approved extraction tonnage is capped at **100,000 tonnes per annum**.
3. All works and operations are to be carried out in accordance with the approved plans and documents listed in the following table. Where approved plans are in conflict with the Assessment Manager’s conditions, the Assessment Manager’s conditions prevail.

Reference no:	Drawing/report title:	Date:
8744-41113	Site Plan (as marked in Red by Council)	07/02/2020
A-000 Issue A	(MP6030) Multipurpose 6.0 x 3.0 Cover Sheet	
A-100 Issue A	(MP6030) Multipurpose 6.0 x 3.0 Floor Plan	
A-200 Issue A	(MP6030) Multipurpose 6.0 x 3.0 Elevations	
A-000 Issue A	(TD3030) Toilet Male 6.0m x 3.0m Cover Sheet	
A-100 Issue A	(TD3030) Toilet Male 6.0m x 3.0m Floor Plan	
A-200 Issue A	(TD3030) Toilet Male 6.0m x 3.0m Elevations	
BEA-001 Revision 0	Site-based Management Plan Prepared by Attexo Group Pty Ltd	21/02/2020

Compliance inspection

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

Works in road reserve

6. A Works in a Road Reserve Permit will be required from Council for any works associated with the development that are undertaken within the Council road reserve by private contractor/entity. All works on or near roadways shall be adequately signed in accordance with the “Manual for Uniform Traffic Control Devices – Part 3, Works on Roads”.

Development works

7. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and

the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.

8. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (roadway, existing underground and aboveground assets, etc.) that is attributable to the progress of works on the site or vehicles associated with the development of the site shall be immediately rectified in accordance with the asset owners' requirements and specifications and to the satisfaction of the asset owners' representative(s).

Applicable standards

9. All works must comply with:
 - a) the development approval conditions;
 - b) any relevant provisions in the Planning Scheme and the Capricorn Municipal Development Guidelines;
 - c) any relevant Australian Standard that applies to that type of work; and
 - d) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

Biosecurity plan

4. The applicant has a 'general biosecurity obligation' (GBO) under Queensland's [Biosecurity Act 2014](#). And the applicant is responsible for managing [biosecurity risks](#) that are:
 - under their control; and
 - that they know about, or should reasonably be expected to know about.

Under the GBO, the applicants activities may pose a biosecurity risk, and the applicant must:

- take all reasonable and practical steps to prevent or minimise all biosecurity risks;
 - minimise the likelihood of causing a '[biosecurity event](#),' and limit the consequences if such an event is caused; and
 - prevent or minimise the harmful effects a risk could have, and not do anything that might make any harmful effects worse.
5. A Biosecurity Plan for the premises must be prepared and implemented in accordance with the *Biosecurity Act 2014*. The plan must be prepared taking into account all approved operations on the site and addressing the risk of spread of Priority Pest Plants detailed in Council's Pest Management Plan. A copy of the

plan must be submitted to Council prior to commencement of the approved development.

Note: The Pest Management Plan (PMP) for the Maranoa Region is available on Council's website via the following link: http://www.maranoa.qld.gov.au/council/Documents/Pest_Management_Plan_2012_2016.pdf. The PMP identifies, among others, Parkinsonia, Prickly Acacia, Mother of Millions and Parthenium as Priority Pest Plants to be managed in the Maranoa Region.

Avoiding nuisance

11. Approved operations must be carried out in accordance with the Site-based Management Plan prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0.
12. In the event that unreasonable nuisance is caused to adjoining properties and occupiers by the way of smoke, dust, noise, odour, rubbish, contaminant, stormwater discharge or siltation at any time, reasonable measures in addition to those outlined in the approved Site-based Management Plan prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0 shall be implemented in order to mitigate the nuisance.
13. The approved use and its surrounds must be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.

Lighting

14. Lighting associated with the approved use, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 meters from the Development site area.
15. All lighting shall be directed or shielded so as to ensure that no glare directly affects land uses outside of the Development site area.

Refuse storage

16. At all times while the use continues, waste containers shall be provided on the site and maintained in a clean and tidy state and shall be emptied and the waste removed from the site on a regular basis. All waste containers are to be shielded from the view of travelling public and neighbours and accessible by the vehicles used by Council, its agents and/or others.

Sloping land

17. Development is to be undertaken to ensure vulnerability to landslip erosion and land degradation is minimized and that the safety of persons and property is not compromised. All operations are to comply with the Mining and Quarry Safety

and Health Act 1999 to avoid erosion, land degradation and possible safety issues.

Operating hours

18. Hours of operation are restricted to 6:00am to 6:00pm Monday to Saturday. Operations are not permitted on Sundays or public holidays. Hours of operation include heavy vehicle movements to and from the site and the transportation of extracted material from the site.

Note: The quarry operator may apply to Council to vary the hours of operation for a particular project where the extended operating hours are necessary in the opinion of the Council having considered the requirements and community benefits of the particular project and the duration of the additional impacts upon the local community.

Any Council approval of the varied hours will be restricted to the duration of the project, and may be rescinded by the Council on seven days' notice if the extended hours of operation are considered to be causing undue nuisance or disruption to other persons.

Internal access roads

19. All weather vehicle internal access shall be provided for traffic movement within the development site area.
20. Dust emanating as a result of approved quarrying activities (including extraction areas and internal access road) onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks, nearby properties and sensitive land uses.

Access, parking and manoeuvring

21. The landowner is responsible for providing access to the site and maintaining vehicle crossovers from the road carriageway to the property boundary. Should any damage be caused to Sunnyside Road, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.
22. The proposed entry point/access as shown on approved plan 8744-4113 – 'Site Plan', dated 7/02/2020 (marked in Red by Council) is to be relocated further north in order to provide sufficient sight stopping distance from Swans Road.

Note: By relocating the site access further north, potential conflict between any future upgrade of Swans Road (including intersection with Sunnyside Road) and the approved site entry will be avoided.

23. A vehicle access from Sunnyside Road to the development site boundary is to be constructed in accordance with CMDG Drawing CMDG-R-040 Rev E, 'Rural Road Access and Property Access Over Table Drains' dated 12/2016. The

design of the vehicle crossovers must cater for the maximum design vehicle size accessing the site, ensuring turning movements are fully contained within the crossover and no damage is caused to Sunnyside Road.

24. Vehicles entering and exiting the development site must be able to enter and leave in forward direction. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.
25. All heavy vehicle parking and standing areas must be separated from designated light vehicle parking areas.

Haulage travel routes

26. Heavy vehicles associated with the approved use are prohibited from using the section of Sunnyside Road that runs south-west of the approved site entry (i.e. between the site entry and the southernmost intersection of Sunnyside Road and Wallumbilla North Road).

All heavy vehicles associated with the approved use are to access the wider road network using the section of Sunnyside Road that runs north of the site entry toward Wallumbilla North Road, and in accordance with section 3.3 of the Site-based Management Plan prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0.

Note: A heavy vehicle is considered any vehicle that has a gross vehicle mass (GVM) or aggregate trailer mass (ATM) of more than 4.5 tonnes.

Road/intersection upgrades

27. Sunnyside Road is to be upgraded north from the site entry point to the northernmost intersection of Sunnyside Road and Wallumbilla North Road (travelling north from the site access) in accordance with the following standards:
 - a) formation width: 8.0 metres;
 - b) pavement width: 7.0 metres;
 - c) pavement design:
CMDG Table D2.08.1 'Rural & Rural Residential' <100 vpd;
 - d) rural design criteria:
Table D1.21.03 'Rural Road Elements for Maranoa Regional Council, 40 - 99 VPD Rural Access – Primary A'; and otherwise generally in accordance with Capricorn Municipal Development Guidelines D1 'Geometric Road Design.'
28. The intersection at Wallumbilla North Road/Sunnyside Road must be upgraded to accommodate the largest type of vehicle associated with approved use. Intersections upgrades are to be carried out in accordance with Capricorn Municipal Development Guidelines D1 'Geometric Road Design'.

29. Stopping Sight Distance assessment to be completed on the Wallumbilla North Road, with any works (including vegetation clearing) to be undertaken to achieve the minimum requirements as outlined in Capricorn Municipal Development Guidelines D1 'Geometric Road Design'.
30. Operational Works approval will be required for any works carried out on Councils road network, unless the works are undertaken by Council as part of a private works agreement.

Any application for operational works application must be generally in accordance with the approved plans and documents identified in this decision notice, must demonstrate how compliance with the applicable design guidelines and standards will be achieved and must demonstrate how the access road is an adequate standard to accommodate the type and frequency of traffic generated.

Note: All plans and documents required to be submitted to Council as part of the Operational Works application/s will be assessed against the applicable planning instrument/s and Council's adopted standards that are in force at the relevant time.

31. Signage is to be provided at the entrance of the site displaying information including details of, and the contact phone numbers for;
- a) The operator of the site; and
 - b) Person/s responsible for the management of the site.

Note: Signage is limited to the necessary contact information and must not impact upon the visual amenity of the locality.

Provision of services

32. An adequate supply of electricity must be provided for the approved development. In the event that an adequate supply of electricity cannot be achieved through efficient design, alternative energy technologies or portable generators, a connection to the reticulated electricity network must be made available.
33. The site must be provided with an on-site water supply with sufficient capacity to meet all operational needs, including watering to minimise dust nuisance, firefighting purposes and also a potable water supply sufficient to meet the needs of staff and visitors to the site.
34. The site must be connected to an on-site effluent disposal system that is adequate for the approved use. The removal and disposal of any effluent from the site must be performed by a suitably licensed contractor.
35. The number of employees and visitors on site at any one time shall be limited to the maximum capacity of the onsite sewerage treatment system.

Note: The landowner/operator is responsible for obtaining any permits required to achieve compliance with environmental laws relevant to the provision of onsite sewerage treatment and/or disposal.

36. If the development is connected to a telecommunication service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards requirements and specifications.
37. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

Fencing

38. Safety fencing is to be provided and maintained to prevent unauthorised access to resource extraction/processing areas, stockpiles and any other high risk areas. Warning signs advising of the nature of use and any danger or hazard, are to be placed on the perimeter fence on any frontage to a public road and boundary to land used for a sensitive land use.

Emergency events

39. A Bushfire Hazard Management Plan, having regard to the site characteristics and management procedures in the event of a bushfire, shall be prepared prior to the commencement of use. The owner and/or operator, staff and visitors to the site shall be made aware of the Bushfire Hazard Management Plan, its content, and the procedures that need to be followed in the case of a bushfire event.

Note: A copy of the Bushfire Hazard Management Plan must be made available during any compliance inspection carried out by Council.

40. The manufacture or storage of hazardous material on the premises is prohibited.

Erosion and sediment control

41. Erosion and Sediment Control is to be managed in accordance with approved Site-based Management Plan prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0 and Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.

Stormwater and drainage

42. Stormwater and drainage is to be managed in accordance with with approved Site-based Management Plan prepared by Attexo Group Pty Ltd, dated 21-02-2020, Revision 0 and Capricorn Municipal Development Guidelines D5 'Stormwater Drainage Design'.

43. Discharge of stormwater runoff from the development shall drain freely in all cases, and no nuisance of ponding will be created within the vicinity of the development.
44. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during the development process and after the development has been completed. All stormwater from the approved operation is to be collected onsite using appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.
45. If there is a possibility of erosion or silt or other materials being washed off the property during the development process or after the development is completed, the developer must document and implement a management plan that prevents this from occurring.
46. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
47. Stockpiles of material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.
48. Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sedimentation from the site, then such works shall be at no cost to Council. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.
49. Runoff from premises ensures the quality of surface water is suitable for:
 - a) the biological integrity of aquatic ecosystems;
 - b) recreational use;
 - c) supply as drinking water after minimal treatment; and
 - d) agricultural use or industrial use.

Advertising signage

50. Any additional advertising signage established at the premises is subject to further development approval unless compliant with the requirements for "Accepted development" or "Accepted development subject to requirements" identified in the planning scheme in force at the time.
51. Any advertising signage associated with the approved use must be fully contained within the development site boundaries and must not encroach into adjoining properties or roads.

No cost to council

52. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the

Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

Latest versions

53. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the commencement of the development works, unless a regulation or law requires otherwise.

Application documentation

54. It is the developer's responsibility to ensure that all entities associated with this Development Approval have a legible copy of the Decision Notice, Approved Plans and Approved Documents bearing 'Council Approval'.

General advice:

- I. The Capricorn Municipal Development Guidelines apply to this development. Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).
- II. The relevant planning scheme for this development is the *Maranoa Planning Scheme 2017*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- III. All Aboriginal Cultural Heritage in Queensland is protected under the (*Aboriginal Cultural Heritage Act 2003*) and penalty provisions apply for any unauthorised harm. Under the legislation a person carrying out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage. This applies whether or not such places are recorded in an official register and whether or not they are located in, on or under private land. The developer is responsible for implementing reasonable and practical measures to ensure the Cultural Heritage Duty of Care Guidelines are met and for obtaining any clearances required from the responsible entity.
- IV. The *Environmental Protection Act 1994* states that a person must not carry out any activity that causes, or is likely to cause, environmental harm unless the person takes all reasonable and practicable measures to prevent or minimise the harm. Environmental harm includes environmental nuisance. In this regard, persons and entities involved in the operation of the approved development are to adhere to their 'general environmental duty' to minimise the risk of causing environmental harm to adjoining premises.
- V. The land use rating category for the site may change upon commencement of any approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s is available on the Council website: www.maranoa.qld.gov.au.

VI. It is the responsibility of the developer to obtain all necessary permits and approvals associated with the development of the site and submit all necessary plans and policies to the relevant authorities for the approved use.

VII. The approved development is an Environmentally Relevant Activity and requires an Environmental Authority to be issued by the State Department of Environment and Science prior to the commencement of use. Information about obtaining an environmental authority can be located on the departments website at www.des.qld.gov.au.

VIII. This approval may be subject to future Operational Works approval/s. The Operational Works application/s (as applicable) must meet the requirements of the *Planning Act 2016*, the *Maranoa Planning Scheme 2017* and Council's adopted design standards in effect at the time of application.

IX. A permit from the National Heavy Vehicle Regulator (NHVR) to access the road network may be required.

X. All persons involved in the operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the *Biosecurity Act 2014*.

XI. In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved operations on the site may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

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's decision regarding this matter is likely to affect;

- Harley and Ellen Nixon T/A Beauview Partnership Pty LTd, as applicant and landowner/s.

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
N/A	

Context:

Why is the matter coming before Council?

This development application is subject to impact assessment. A determination of an impact assessable application sits outside the scope of Officer delegations and a decision about the application is required to be made by Council resolution.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Details of the development proposal and a planning assessment are provided in the Supporting Documents.

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 proposal constitutes a material change of use as defined in the Planning Act 2016 (being the start of a new use on the premises) and requires a development permit to be issued by Council prior to the commencement of use.

Provisions of the Maranoa Planning Scheme 2017 make the required development application subject to impact assessment. An impact assessment is an assessment that must be carried out against the assessment benchmarks prescribed by the Planning Regulation 2017, in this case being;

- *the Darling Downs Regional Plan;*
- *the State Planning Policy;*
- *the Maranoa Planning Scheme; and*
- *the Maranoa Regional Council LGIP.*

An assessment of the application against these assessment benchmarks is attached in the supporting documents.

An impact assessment application must also have regard to any other relevant matter, other than a person's personal circumstances, financial or otherwise, including any properly made submission about the application.

In accordance with Section 60 of the Planning Act 2016, after carrying its assessment Council must decide to;

- (a) approve all or part of the application; or
- (b) approve all or part of the application, but impose development conditions on the approval; or
- (c) refuse the application.

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 *Maranoa Planning Scheme 2017* is applicable to the assessment of the application.

The relevant sections of the Maranoa Regional Planning Scheme 2017 include;

- Part 3 Strategic framework
- Part 5 Tables of assessment
- Part 6 Zones
 - Part 6.2.1 Rural zone code
- Part 8 Overlays
 - Part 8.2.1 Agricultural land overlay code
 - Part 8.2.2 Extractive resources overlay code
 - Part 8.2.3 Biodiversity areas overlay code
 - Part 8.2.6 Bushfire hazard overlay code
- Part 9 Development Codes
 - Part 9.3.3 Extractive industry code

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 Town Planner (internal)
- Deputy Director / Strategic Road Management, Infrastructure Services (internal)
- Deputy CEO / Director, Development, Facilities & Environmental Services (internal)

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 – The project is a private development that will be funded by an external party.

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 costs of fulfilling any development approval obligations, financial or otherwise, remains the sole responsibility of the operators and land owner/s. There is potential for Council to incur costs only in the event that its decision regarding the application is appealed to the Court.

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)

As above.

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)

The landowners and applicants, Harley and Ellen Nixon will be interested and impacted by Council's decision. Adjoining and/or surrounding landowners and the may also be interested in Council's decision.

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
See below	

Potential risks associated with the proposal have been addressed in the development assessment. Other matters outside of this, which are not called up in the Planning Act 2016, cannot be considered in decision making.

As with any planning decision reached by Council, there is a risk that the applicant can appeal any aspect of the decision to the Planning and Environment Court (the Court).

Note: The likelihood of an appeal by any party is not a valid planning consideration and must not be used to inform Council's decision on any planning matter.

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 considered that on balance, the proposal presents no significant inconsistency with the applicable assessment benchmarks. Development conditions have been recommended to ensure compliance to the greatest extent possible. On this basis, Council should approve the application subject to the conditions detailed in the Officer's recommendation.

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 endorse the Officer's recommendation and approve a Material Change of Use for an "Extractive Industry" (5,000 to 100,000 tonnes quarry) on land situated on Sunnyside Road, Wallumbilla North described as Lot 355 on WV290 subject to reasonable, relevant and enforceable conditions. This recommendation is consistent with existing Council policy.




Link to Operational Plan Function:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.8 Town planning

Supporting Documentation:

- | | | | |
|---|---|--|-----------|
| 1 |  | Planning Assessment Report | D20/86695 |
| 2 |  | Proposal Plans and Site-based Management Plan | D20/86678 |
| 3 |  | Queensland Treasury (SARA) Concurrence Agency Response | D20/68812 |

Report authorised by:

Deputy Chief Executive Officer/Acting Director Infrastructure Services

Planning Assessment Report 2020/20072

Proposed land use

This application seeks approval for an "Extractive industry" (5,000 to 100,000 tonne quarry) on a small-portion of the premises located at Sunnyside Road, Wallumbilla North QLD 4428, being Lot 355 on WV290. The premises is shown in red in Figure 1.

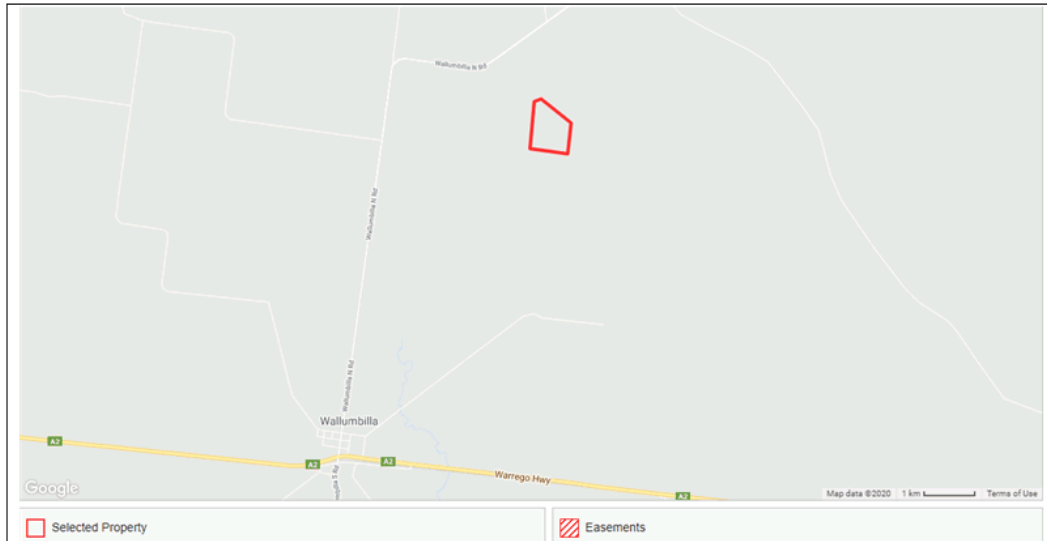


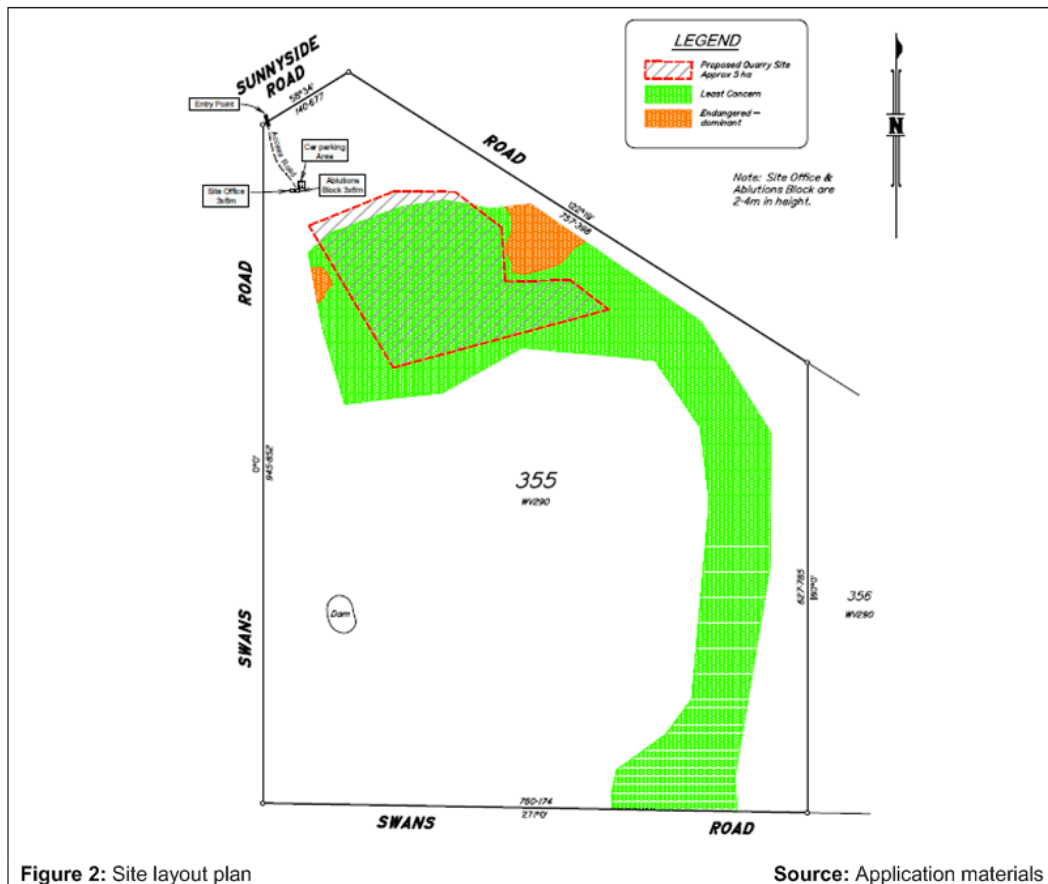
Figure 1: Site locality

Source: MPS 2017 Property Report

Details of proposed development

The proposed quarry (referred to as the "Beauview Quarry") will have a maximum annual production of 100,000 tonnes of gravel. The extracted material will be supplied primarily for petroleum activities in the Region and to the Maranoa Regional Council (the Council) as part of the local road upgrades/maintenance program. The material will also be used on-site by the landowner for the general up-keep of the existing grazing operation/s.

Of the total 64.58ha site area, the quarry will occupy an area no more than 5ha, which represents less than 1% of the total site. The quarry footprint will be contained on the northern portion of the site allowing the balance of the lot to continue to be used for rural pursuits (i.e. grazing cattle). A copy of the proposed site layout is provided below in Figure 2.



Onsite quarry operations will include extraction, screening, stockpiling and distribution. No blasting is proposed as part of the operation. Material will be extracted manually using the following equipment:

- Grader – to profile the quarry and batters;
- Excavator – to move and stockpile material, to construct bund walls around quarry pit, to construct slit traps and to breakup rock outcrops;
- Dozer – to rip and loosen gravel and push material into stockpiles;
- Loader – Used for loading materials into trucks;
- Crusher – for crushing of oversized rock;
- Screener – to separate larger rocks from gravel; and
- Trucks – Haulage vehicles will include small body trucks with a capacity 12 tonnes and larger semi-trailer or body truck and 'dog' trailer with a capacity of 24 – 32 tonnes.

A small demountable site office building (6m x 3m), ablution building (6m x 3m) and an informal car parking area will also service the operation. No additional employees will be involved in the day-to-day operations, with operations being carried out by the landowner and external contractors. Proposed hours of operations will between 6:00am to 6:00pm Monday to Saturday.

The site is not connected to any reticulated services. Water for the operation will be provided from proposed onsite storage water tanks and an existing dam onsite. The proposed staff ablutions block will be connected to an onsite effluent disposal system.

Transport and haulage

The proposed haulage route from the site will be north onto to Sunnyside Road approximately 1.2km to the Wallumbilla North Road intersection. Should the application be approved, conditions of the development approval will require upgrades to this section of the Sunnyside Road so that the road can cater for the types and number of heavy vehicles associated with use. Conditions will also require upgrades to the intersection of the Sunnyside Road and Wallumbilla North Road intersection.

The anticipated daily vehicle movements initially are as follows:

- Two (2) trucks (one being a truck and dog trailer and one being a side tipper) each carrying out five (5) loads per day; and
- One (1) light vehicle visiting the site once per day.

Site access will be gained from the Sunnyside Road and the internal access/haul roads will be all-weather gravel. Refer to Figure 3 showing proposed haul route.

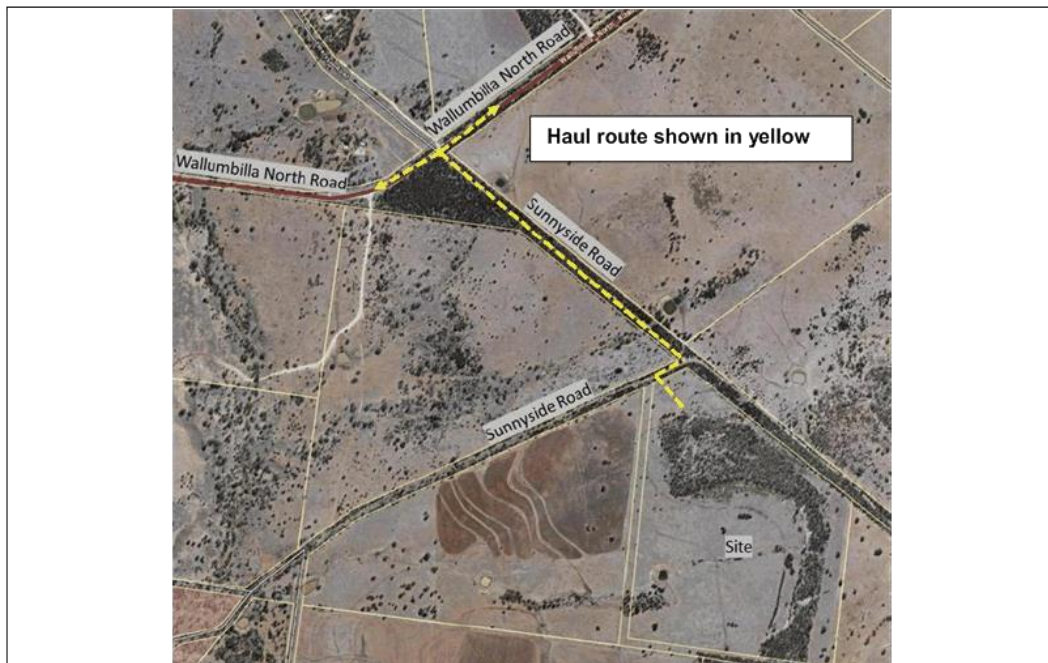
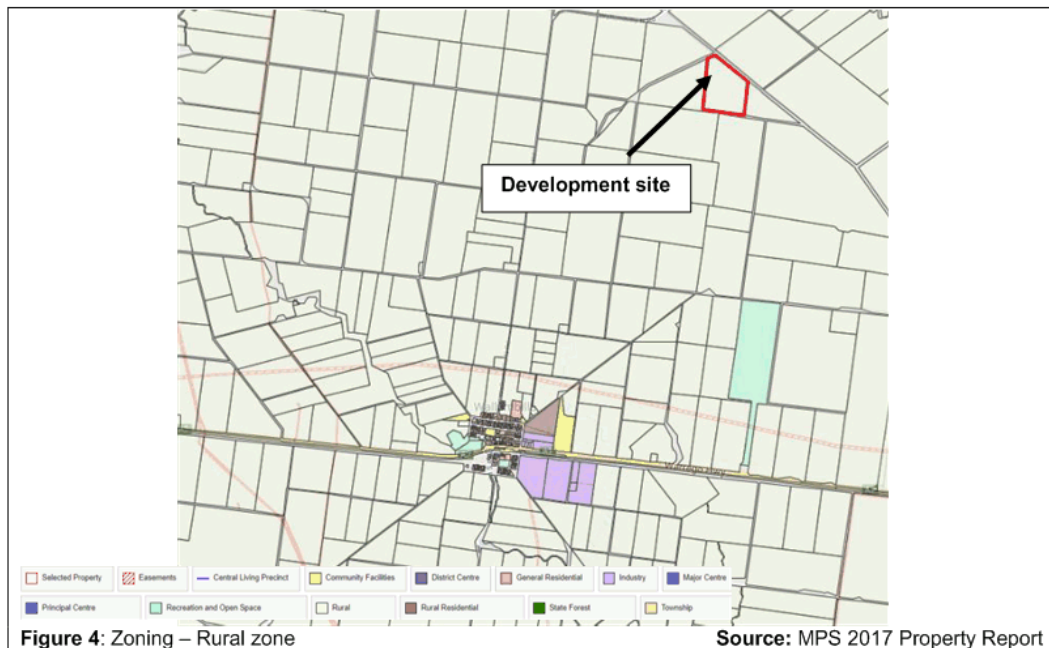


Figure 3: Proposed haul route

Source: Application materials

Characteristics of the site

The development site is zoned "Rural" in the *Maranoa Planning Scheme 2017 (MPS)*, and is approximately 6.5km north-east of the township of Wallumbilla. The current registered landowner is Harley David Nixon. The subject site is a large regular-shaped block that comprises a total area of 64.58 hectares. Access to site is gained via a gravel access from Sunnyside Road. Sunnyside Road a local government road that adjoins the site on the north and eastern boundaries. Swans Road is an unformed road that adjoins the site on the west and southern boundaries.



The site is currently used for grazing cattle and consists open grassland with some small pockets of vegetation. There are no buildings on the premises, though there is farm related infrastructure including a stock dam which is located at the south west section of the site. Council's reticulated sewerage and water supplies are not available to the site due to being located in the rural area. Reticulated electricity supply is available to the property if connection was required.

Surrounding properties are also rural zoned and are predominately used for agricultural activities, including grazing and dryland cropping. The nearest sensitive receptor is located approximately 950 metres southeast of the proposed quarry on Lot 356 on WV290. There is no other sensitive land uses within 1,500km of the proposed quarry operations.

Vegetation

The development site contains areas of the following Matters of State Environmental Significance (MSES) identified on the Queensland State Planning Policy (SPP) Interactive Mapping System.

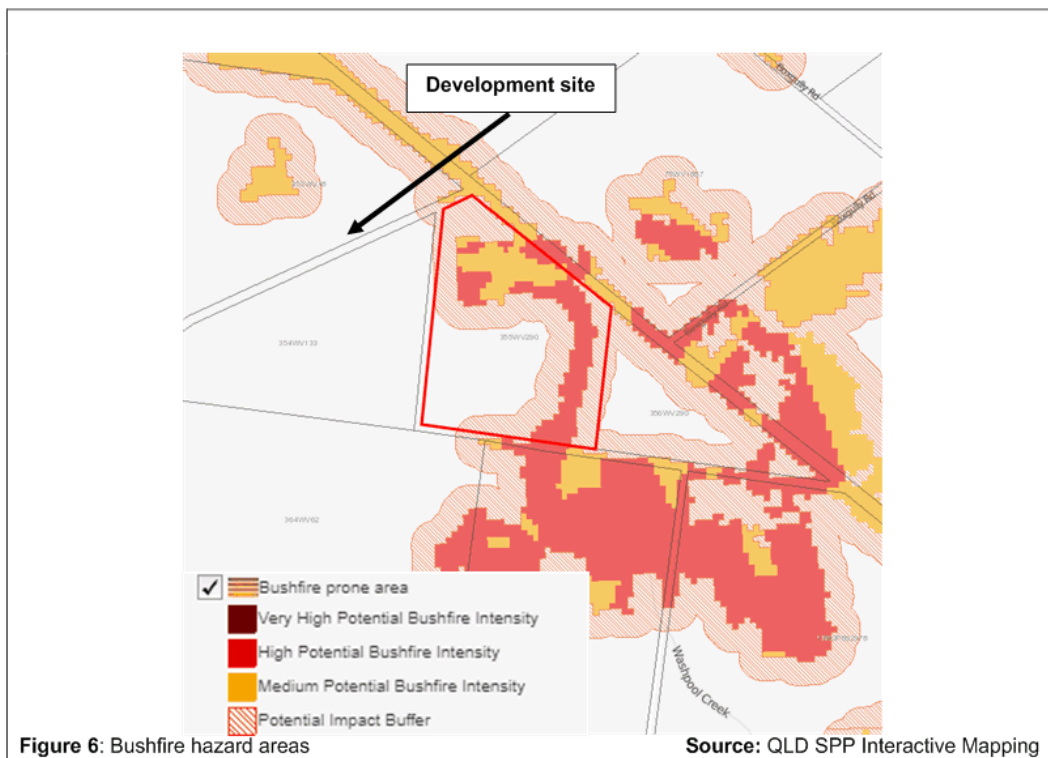
- MSES - Regulated vegetation (category B)
- MSES - Regulated vegetation (category C)
- MSES - Regulated vegetation (intersecting a watercourse)

Although the proposed quarry operations will be located in the areas of MSES (refer to figure 2 – site plan) the extent of the excavation will occupy an area no more than 5ha.



Natural hazards

The development site is subject to areas of bushfire hazards (limited to the extent vegetation located onsite) identified on the Queensland State Planning Policy Interactive Mapping System.



Relevant environmentally authority

Under the *Environmental Protection Regulation 2019*, the application constitutes an 'Environmentally Relevant Activity' (ERA), however, the annual production of up to 100,000 tonnes does not constitute a concurrence environmentally relevant activity. The environmentally relevant activity will be considered by the Department of Environment and Science as part of a separate application process; and the owner/operator will be required to obtain an Environmental Authority prior to the commencement of use.

Public notification and referrals

Public notification about the application was carried out in accordance with Part 4 of the Development Assessment Rules and for a period of no less than 15 business days between 15 July 2020 and 7 August 2020. There were no submissions received during this period.

Under Schedule 10 of *Planning Regulation 2017* the application was also referred to the state agencies via the State Assessment and Referral Agency (SARA) for the following triggers:

- Schedule 10, Part 3, Division 4, Table 3, Item 1 – Clearing Native Vegetation
- Schedule 10, Part 9, Division 4, Subdivision 1, table 1, Item 4 – Aspect of Development Impacting of State infrastructure

SARA have issued a concurrence agency referral response with conditions relating to the clearing of vegetation (Refer to attachment 3 – Concurrence Agency Response)

Assessment

The proposal constitutes a *material change of use* as defined in the *Planning Act 2016* (being the start of a new use of the premises).

The proposed use is defined as "Extractive industry" in the *Maranoa Planning Scheme 2017* (the Planning Scheme):

Extractive industry means the use of premises for—

- (a) *extracting or processing extractive resources; and*
- (b) *any related activities, including, for example, transporting the resources to market.*

The proposed use requires a development permit to be issued by Council prior to the commencement of use. Provisions of the Planning Scheme make the required development application for the development permit subject to Impact Assessment.

Pursuant to Section 45 of the *Planning Act 2016*, an Impact Assessable application is an assessment that:

- (a) *must be carried out—*
 - i. *against the assessment benchmarks in a categorising instrument for the development; and*
 - ii. *having regard to any matters prescribed by regulation for this subparagraph; and*
- (b) *may be carried out against, or having regard to, any other relevant matter, other than a than a person's personal circumstances, financial or otherwise.*

The Assessment Benchmarks applicable to the development assessment are:

- the Regional Plan (*Darling Downs Regional Plan*);
- the *State Planning Policy*; and
- the *Maranoa Planning Scheme 2017*.

After completing an assessment of the proposal against the Assessment Benchmarks, Council must make a decision about whether to approve or refuse this development application in accordance with Section 60 of the *Planning Act 2016*.

Assessment Benchmarks

The Darling Downs Regional Plan

The *Darling Downs Regional Plan* was adopted in October 2013 and covers the local government areas of Balonne, Goondiwindi, Maranoa, Southern Downs, Toowoomba and Western Downs.

The intent of the Darling Downs Regional Plan is to provide direction to resolve competing State interests relating to the agricultural and resources sectors, and to enable the potential growth of the region's towns. It seeks to maximise opportunities for co-existence of resources and agricultural land uses.

The proposed development maintains the intent of the Darling Downs Regional Plan because it will promote resource activities without compromising viable agricultural land. The development footprint is located outside of the Priority Agricultural Area identified in the Darling Downs Regional Plan.

The State Planning Policy

Council is required to consider the State Planning Policy to the extent that the applicable sections have not been appropriately integrated in the Maranoa Planning Scheme. As the Maranoa Planning Scheme appropriately integrates all relevant aspects of the State Planning Policy a separate assessment of the application against this document is not required.

The Maranoa Planning Scheme 2017

The relevant sections of the *Maranoa Regional Planning Scheme 2017* are;

- Part 3 Strategic framework
- Part 4 Local Government Infrastructure Plan
- Part 5 Tables of assessment
- Part 6 Zones
 - Part 6.2.1 Rural zone code
- Part 8 Overlays
 - Part 8.2.1 Agricultural land overlay code
 - Part 8.2.2 Extractive resources overlay code
 - Part 8.2.3 Biodiversity areas overlay code
 - Part 8.2.6 Bushfire hazard overlay code
- Part 9 Development Codes
 - Part 9.3.3 Extractive industry code

Part 3 – Strategic framework

The Strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The Strategic framework is structured in the following way;

The Maranoa region including:

- (i) the region and the Darling Downs Regional Plan;
- (ii) the region and the Maranoa Community Plan 2020

The themes and key policies:

- (i) livable communities and housing;
- (ii) economic growth;
- (iii) environment and heritage;
- (iv) hazards and safety; and
- (v) infrastructure.

An assessment of the proposed development against the applicable key aspects of the Darling Downs Regional Plan, Maranoa Community Plan and Strategic framework of the Maranoa Planning Scheme is provided in the table below;

Policy Direction	Response
Darling Downs Regional Plan	The proposed development maintains the intent of the Darling Downs Regional Plan because it is for an "Extractive industry" that will support the resource sector located outside of Priority Agricultural Area.
Maranoa Community Plan 2020	The proposed development supports the principles of the Maranoa Community Plan 2020 because; <ul style="list-style-type: none"> • is conveniently located and highly accessible by major transport networks; and • potential impacts can be mitigated through operational practices and development conditions.
The themes and key policies	The proposed development is consistent with the applicable themes and key policies of the Strategic framework because it; <ul style="list-style-type: none"> • is easily accessible and utilises existing resources and infrastructure; • is located outside of flood hazard areas; and • will not prejudice or compete with agricultural uses, retail and commercial uses in traditional centres, and will promote extractive resource activities.

Part 4 - Local Government Infrastructure Plan

The Maranoa Regional Council Local Government Infrastructure Plan (LGIP) was adopted by Council in 2018. The purpose of the LGIP is to:

- (a) integrate infrastructure planning with the land use planning identified in the planning scheme;
- (b) provide transparency regarding a local government's intentions for the provision of trunk infrastructure;
- (c) enable a local government to estimate the cost of infrastructure provision to assist its long term financial planning;
- (d) ensure that trunk infrastructure is planned and provided in an efficient and orderly manner; and
- (e) provide a basis for the imposition of conditions about infrastructure on development approvals.

The proposed development is not located within Council's Priority Infrastructure Area nor is it serviced by Council's trunk infrastructure networks or networks identified for upgrade.

Part 5 - Tables of assessment

The Tables of Assessment identify the category of development, the category of assessment and the assessment benchmarks for assessable development in the planning scheme area. The Tables of Assessment identify the level of assessment for the proposed use in the proposed location as "Impact Assessment."

Part 6 - Zones

Zones organise the planning scheme area in a way that facilitates the location of preferred or acceptable land uses. The premises is located in the Rural Zone.

Part 6.2.1 - Rural zone code

The purpose of the Rural zone is to:

- (a) provide for a wide range of rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping, extractive industry, special industry (explosives manufacturing and storage) and other primary production activities on large lots without affecting urban areas;*
- (b) provide opportunities for non-rural uses that are compatible with agriculture, the energy sector, the environment, and the landscape character of the rural area where they do not compromise the long-term use of the land for rural purposes;*
- (c) protect or manage significant natural features, resources, cropping land, and processes, including the capacity for primary production;*
- (d) ensure primary production is maintained by protecting the productive capacity of all rural land. This includes protecting rural land from alienation and fragmentation that may lead to loss in productivity.*
- (e) ensure that development in the zone protects and enhances transport infrastructure; and,*
- (f) ensure that development maintains the integrity and water quality of the Murray-Darling Basin Catchment.*

The overall outcomes sought for the Rural zone code are as follows:

- areas for use for primary production are conserved and are not fragmented;*
- the establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses, ensuring that land use and amenity impacts are minimised at sensitive receptors;*
- development is designed to incorporate sustainable practices including maximising energy efficiency, water conservation and transport use;*
- development is reflective of and responsive to the environmental constraints of the land;*
- development embraces sustainable land management practices and contributes to the amenity and landscape of the area;*
- residential and other development is appropriate only where directly associated with the rural nature of the zone;*
- the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated only where they do not compromise the use of the land for rural activities;*
- the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated in a manner that minimises land use conflicts;*

- *natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development where possible;*
- *there is no net loss or degradation of natural wetlands for the life of the planning scheme;*
- *adverse impacts of land use both on-site and from adjoining areas are addressed and any unavoidable impacts are minimised through location, design, operation and management;*
- *visual impacts of clearing, building design and construction, materials, access ways and other aspects of development and land use are consistent with the zone purpose;*
- *the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses and development impacts on cropping land are managed to preserve the productive capacity of the land for future generations;*
- *land which is susceptible to flooding or drainage problems, including difficulties associated with high ground water tables is protected from urban or inappropriate uses;*
- *rural land use is reflective of the surrounding character of the area;*
- *low-impact activities such as small-scale eco-tourism, outdoor recreation, and service industry are encouraged within the zone where they do not compromise the long-term use of the land for agricultural purposes; and,*
- *development such as non-resident workforce accommodation to service the energy sector is catered for only on a short term basis for periods not exceeding two years.*

The proposed development complies with the Purpose and Overall Outcomes of the Rural Zone because;

- The subject premises is located in a rural area where extractive industry activities are contemplated by the Planning Scheme;
- The quarry will occupy a small area of the premises (1%) with the balance of the premises continuing to be used for agricultural activities;
- Stormwater control measures will be implemented to ensure there will be no impact on the integrity and water quality of the Murray-Darling Basin Catchment;
- Condition of the development approval if approved will require the section of Sunnyside Road (the proposed haulage) to be upgraded to accommodate the types and numbers of heavy proposed associated with the quarry operations which will enhance Council's transport infrastructure network in this area;
- Adverse impacts of the proposed development both on-site and from adjoining areas can be addressed and minimised through design, operation and management and development conditions; and
- There is no net loss or degradation of natural wetlands.

Assessment against the design criteria of the Rural Zone code is provided in the table below.

THE RURAL ZONE CODE	
for all the Rural zone:	
Performance outcomes	Response
PLANNING	
Use, density and built form	
Agricultural land classification – in addition, refer to the Agricultural land overlay code where mapped in the SPP mapping as Class A or Class B Agricultural land.	

<p>PO 1 Scale Non-rural activities are at a scale which protects the amenity of the area.</p>	<p style="text-align: right;">✓</p> <p>The activity is for a non-rural activity that is at a scale which protects the amenity of the area because;</p> <ul style="list-style-type: none"> • The subject premises is zoned Rural where extractive industry activities are contemplated by the Planning Scheme; • The development footprint is relatively small scale being only 5ha which represents an area less than 1% of the overall site area; • Should the application be approved by Council, conditions of the development approval will be included to protect the amenity of the area, including; <ul style="list-style-type: none"> ○ Restrict operating hours between the hours of 6:00am to 6:00pm Monday to Saturday; and ○ Implementing the recommendations contained in the site-based management plan submitted with the application materials which required the quarry to operate in such a way as to protect the amenity of the of the area and to avoid nuisance to surrounding and nearby land uses, including adjoining roadways.
<p>PO 2 Location Non-rural activities must be located where there is convenient access unless the development is for an Extractive Industry (whose location is dependent on the resource) in which case appropriate access will be developed.</p> <p>Uses other than <i>Rural activities</i> or <i>Dwelling house</i> are located so as:</p> <ul style="list-style-type: none"> (a) not to prejudice the consolidation of like non-rural uses in other more appropriate areas; (b) to be co-located with other non-rural uses wherever possible; (c) to be located on the major road network rather than local roads. <p>Note: non-rural uses are any uses that are not associated with Rural activities or a Dwelling house.</p>	<p style="text-align: right;">✓</p> <p>The development is appropriately located in the Rural zone where extractive industry activities are contemplated by the Planning Scheme and where conditions can be imposed to mitigate impacts and ensure adequate service levels are achieved.</p>
<p>PO 3 Density and site coverage. The density of <i>Accommodation activities</i> does not impact adversely on the rural amenity or rural activities of the zone.</p>	<p>N/A - This application does not involve accommodation activities.</p>
<p>PO 4 Setbacks Building setbacks:</p> <ul style="list-style-type: none"> (a) assist in enhancing the character and amenity of the area; 	<p>N/A – This application does not involve any new buildings.</p>

<p>(b) are appropriate to the scale of the development;</p> <p>(c) are sufficient to minimise loss of privacy, overshadowing and overlooking of adjoining premises; and</p> <p>(d) provide adequate separation and buffering between residential and non-residential premises.</p>	
<p>PO 5 Separation <i>Rural activities</i> are sufficiently separated from any existing or planned residential or rural residential area or other <i>sensitive land use</i> to avoid any adverse impacts with regard to noise, dust, odour, visual impact, traffic generation, lighting, radiation or other emissions or contaminants.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p>N/A – This application does not involve rural activity.</p>
<p>PO 6 Outbuildings Rural amenity is to be maintained.</p>	<p>N/A – The application does not involve outbuildings.</p>
<p>PO 7 Important agricultural areas Important agricultural areas are optimised for the promotion and enabling of increased agricultural production.</p>	<p style="text-align: right;">✓</p> <p>The entirety subject site is identified as an Important agricultural area under the SPP interactive mapping system.</p> <p>Although the proposed extractive industry will be located within an important agricultural area it will not reduce the agricultural cultural capacity as;</p> <ul style="list-style-type: none"> • Extractive industry activities are contemplated by the Planning Scheme in the Rural zone and can co-exist with on-site agricultural operations; and • The development footprint is relatively small scale being only 5ha in area less than 1% of the overall site area of the premise.
<p>PO 8 ALC Class A and Class B agricultural land Avoid locating non-agricultural development on or adjacent to ALC Class A or Class B land.</p>	<p style="text-align: right;">✓</p> <p>The entirety subject site is identified as an ALC Class A and Class B agricultural land under the SPP interactive mapping system.</p> <p>Although the proposed extractive industry will be located within the area it will not reduce the agricultural cultural capacity as;</p> <ul style="list-style-type: none"> • Extractive industry activities are contemplated by the Planning Scheme in the Rural zone and can co-exist with on-site agricultural operations; and • The development footprint is relatively small scale being only 5ha in area less than 1% of the overall site area of the premise.

<p>PO 9 Sensitive land Rural land uses are “protected from encroaching incompatible land uses”.</p>	<p style="text-align: right;">✓</p> <p>The proposed quarry operations have a relatively small development footprint of only 5ha which allows for agricultural activities to continue.</p>
<p>Amenity</p>	
<p>Advertising signs – refer to the Operational works advertising devices code</p>	
<p>Heritage places – in addition, refer to the Heritage overlay code where mapped in the SPP Cultural heritage mapping or listed in the Heritage and character policy</p>	
<p>PO 10 Cultural heritage The physical integrity and significance of cultural heritage discovered during development is retained.</p> <p>Note: Cultural heritage refers to indigenous and non-indigenous cultural heritage.</p>	<p style="text-align: right;">✓</p> <p>The site is not identified on SPP mapping as containing cultural heritage; and</p> <p>Should the application be approved by Council, conditions of the development approval will require that the operator implement reasonable measures to ensure the Cultural Heritage Duty of Care Guidelines are met.</p>
<p>Avoiding nuisance</p>	
<p>PO 11 Operating Hours Uses are operated in a manner that ensures that local amenity is protected.</p>	<p>Should the application be approved by Council, conditions of the development approval will restrict operating hours to 6:00am to 6:00pm Monday to Saturday and operations will not be permitted on Sundays or public holidays.</p>
<p>PO 12 Noise emissions Noise emissions from premises do not cause nuisance to adjoining properties or sensitive land uses.</p>	<p>Should the application be approved by Council, conditions of the development approval will require;</p> <ul style="list-style-type: none"> Quarry operations to be undertaken in accordance with the <i>Site-based Management Plan</i> prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0 which included measures to mitigate noise emissions; and restrict operating hours to 6:00am to 6:00pm Monday to Saturday and not permit operations on Sundays or public holidays. <p>The above conditions along with vegetation be retained onsite and proposed quarry being located an adequate distance from adjoining properties and sensitive land uses will prevent environmental harm or nuisance from result of the operations on the site.</p>
<p>PO 13 Lighting Lighting is designed in a manner to ensure ongoing amenity and safety in the activity area, whilst ensuring surrounding areas are protected from undue glare or lighting overspill.</p>	<p>Should the application be approved by Council, conditions of development approval will require that any lighting from the site does not exceed 8.0 lux at 1.5 metres from beyond the site boundary.</p>
<p>PO 14 Refuse storage Refuse storage areas are screened from the road and adjoining uses.</p>	<p>Should the application be approved by Council, conditions of development approval will require that all refuse storage containers to be screened from the view of the road and be maintained in a clean and tidy state at all times while the use</p>

	continues, and shall be emptied and the waste removed from the site on a regular basis.
ENGINEERING	
Earthworks – refer to the Excavation or filling code	
Infrastructure – refer to the Operational works infrastructure code	
Erosion control	
PO 15 Construction activities Both erosion control and silt collection measures are undertaken to ensure the protection of environmental values during construction.	Any construction activities will to ensure both erosion control and silt collection measures are implemented to ensure the protection of environmental values because; Should the application be approved by Council, conditions of the development approval will require erosion control and silt collection measures will be conditioned to be undertaken in accordance with <i>the Capricorn Municipal Development Guidelines</i> and Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.
Provision of services	
PO 16 Electricity supply Premises are provided with an adequate supply of electricity for the activity.	✓ The subject site has access to reticulated electricity supply.
PO 17 Water supply To ensure the provision of a potable and fire-fighting water supply: (a) premises are provided with a supply and volume of water adequate for the activity; and (b) access is maintained to the supply for fire-fighting purposes; and (c) access to reticulated water infrastructure is to be maintained for maintenance and replacement purposes.	✓ It is proposed that water for the operation will be supplied from proposed onsite storage water tanks and an existing dam located onsite. If the application is to be approved by Council, conditions of development will require that sufficient on-site water supply is available for the proposed activity and fire-fighting purposes.
PO 18 Effluent disposal To ensure that public health and environmental values are preserved: (a) all premises provide for the effective treatment and disposal of effluent and other waste water; and (b) access to reticulated infrastructure is to be maintained for maintenance and replacement purposes.	✓ Should the application be approved by Council, the proposed staff ablutions building will require connection to a effluent disposal system capable of servicing the number of people involved in the operation.

Stormwater and drainage	
PO 19 Stormwater and inter-allotment drainage Stormwater is collected and discharged so as to: <ul style="list-style-type: none"> (a) protect the stability of buildings and the use of adjacent land; (b) prevent water-logging of nearby land; and, (c) protect and maintain environmental values. 	Should the application be approved by Council, conditions will require that stormwater is managed in accordance with the <i>Site-based Management Plan</i> prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0 which will prevent water-logging of nearby land and maintain environmental values.
Roads and Rail	
Infrastructure – refer to the Infrastructure overlay code for development in the proximity of, or potentially affecting State infrastructure.	
PO 20 Protection of State controlled roads Development adjacent to State controlled roads is located to ensure safe and efficient use of the highway, and maintain and enhance the integrity of the highway as a link between centres.	N/A – the subject property does not adjoin a state controlled road.
PO 21 Roads An all-weather road is provided between the premises and the existing road network.	Should the application be approved by Council, conditions of the development approval will require that an all-weather road between the subject premises and the existing road network in accordance <i>Capricorn Municipal Development Guidelines</i> .
Access, parking and manoeuvring	
PO 22 Vehicle access Vehicle access is provided to a standard appropriate for the activity and the zone.	<div style="text-align: right;">✓</div> Should the application be approved by Council, conditions of the development approval will require; <ul style="list-style-type: none"> • An all-weather access between the subject premises and the existing road network be designed and constructed for the type and numbers of vehicles associated with proposed activity; • An all-weather internal access road; • The proposed haulage route from the site will be north onto to Sunnyside Road approximately 1.2km to the Wallumbilla North Road intersection. This section of the road will be conditioned to require upgrades to accommodate the types and number of heavy vehicles proposed associated with the proposed quarry operations. • Conditions will also require upgrades to the intersection of the Sunnyside and Wallumbilla North Road intersection.

<p>PO 23 Parking and manoeuvring Vehicle parking and service vehicle provision is adequate for the activity, and ensures both safety and functionality for motorists and pedestrians.</p>	<p style="text-align: right;">✓</p> <p>A designated parking area has been provided for the proposed quarry operations. Should the application be approved by Council, conditions of the development approval will require heavy vehicle parking and standing areas be separated from designated light vehicle parking areas to ensure safety and functionality for both motorists and pedestrians.</p>
<p>ENVIRONMENTAL</p>	
<p>Biodiversity – in addition, refer to the Biodiversity areas overlay code where mapped in the SPP mapping as MSES.</p>	
<p>PO 24 Air emissions Air emissions including odour from premises do not cause environmental harm or nuisance to adjoining properties or sensitive land uses.</p>	<p>Should the application be approved by Council, conditions of the development approval will require;</p> <ul style="list-style-type: none"> Quarry operations to be undertaken in accordance with the <i>Site-based Management Plan</i> prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0 which includes provisions to mitigate dust and other air emissions.
<p>PO 25 Energy use Non-renewable energy use is minimised through efficient design and the adoption of alternative energy sources.</p>	<p style="text-align: right;">✓</p> <p>Alternative energy generation will be encouraged through conditions of development approval.</p>
<p>PO 26 Vegetation retention Development retains vegetation not mapped as MSES where it is:</p> <ul style="list-style-type: none"> adjacent to water courses and protecting water quality (riparian); protecting an identified habitat; or minimising soil erosion. 	<p style="text-align: right;">✓</p> <p>The application has been referred to the Department of Natural Resources, Mines and Energy via the State Assessment Referral Agency who have provided conditions restricting areas of vegetation being cleared to the extraction areas.</p>
<p>PO 27 Pests Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.</p>	<p>Should the application be approved by Council, conditions of development approval will require a Biosecurity Plan to be prepared and implemented in accordance with the <i>Biosecurity Act 2014</i> which will need take into account the approved operations on the site and addressing the risk of spread of Priority Pest Plants detailed in Council's Pest Management Plan.</p>
<p>PO 28 Watercourse buffers Development ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>N/A - the development is not located within 10m of the high bank of a watercourse.</p>
<p>PO 29 Watercourse integrity Bank stability, channel integrity and in-stream habitat is protected from degradation and maintained or improved at a standard commensurate with pre-development environmental conditions.</p>	<p style="text-align: right;">✓</p> <p>As result of the development there will not interference or modification to the existing watercourse located on the premises.</p>

Development ensures that the natural surface water and groundwater hydrologic regimes of watercourses and associated buffers are maintained to the greatest extent possible.	
PO 30 Water quality The standard of effluent and/or stormwater runoff from premises ensures the quality of surface water is suitable for: <ul style="list-style-type: none"> (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use or industrial use; and (e) minimises nuisance or harm to adjoining land owners. 	The standard of effluent and/or stormwater runoff from premises will ensure the quality of surface water because if the application is approved by Council; <ul style="list-style-type: none"> • Conditions of development approval will require adequate measures are implemented to ensure that runoff from premises ensures the quality of surface water is maintained; and • Conditions of approval will require that stormwater is managed in accordance with the <i>Site-based Management Plan</i> prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0.
PO 31 Sloping land Development is undertaken to ensure: <ul style="list-style-type: none"> (a) vulnerability to landslip erosion and land degradation is minimised; and (b) that the safety of persons and property is not compromised. 	Should the application be approved by Council, conditions of development approval will require that the activities are carried out to ensure that development is not vulnerable to landslip erosion and land degradation; and that the safety of persons and property is not compromised.
SAFETY AND RESILIENCE TO HAZARDS	
Airport environs – refer to the Airport and aviation facilities overlay code	
where areas are mapped in the SPP mapping as within an area of interest of an airport.	
Bushfire – refer to the Bushfire hazard areas overlay code	
where mapped in the SPP mapping as medium bushfire hazard or above.	
Flooding – refer to the Flood hazard overlay code	
where areas are mapped as within a defined flood area.	
ACCOMMODATION ACTIVITIES - additional requirements	
Note: Accommodation activities (Dual occupancy, Dwelling house, Dwelling unit, Home based business, Non-resident workforce accommodation, Rural worker's accommodation, Short-term accommodation, Tourist park) are code assessable, accepted development subject to requirements or accepted development in the Rural Zone.	
For Home-based business - see also the Home-based business code.	
For Accommodation activities - see also the Accommodation activities code.	
BUSINESS ACTIVITIES - additional requirements	
Note: Business activities (Garden centre, Showroom, Veterinary services) are either code assessable, accepted development subject to requirements or accepted development in the Rural Zone.	
PO 32 Business activities (rural) - density, site coverage and location Development must be located where there is convenient access, and where there is sufficient area for the activity.	N/A – the proposed development is not for business activities.
PO 33 Business activities (rural) - amenity Adequate separation of <i>Business activities</i> and <i>Accommodation activities</i> is achieved.	

<p>PO 34 Business activities (rural) - landscaping Landscaping is designed and established in a manner which achieves high quality frontage and contributes positively to the rural character.</p>	
<p>CENTRE ACTIVITIES - additional requirements Note: all centre activities are impact assessable in the Rural Zone.</p>	
<p>COMMUNITY ACTIVITIES - additional requirements (Community use) Note: Community activities are either code assessable accepted development subject to requirements in the Rural Zone.</p>	
<p>PO 35 Community use (rural) – landscaping Landscaping is provided on-site to: (a) contribute to a pleasant and functional built form; and (b) contribute to the visual qualities of the locality.</p>	<p>N/A – the proposed development is not for a community use.</p>
<p>ENTERTAINMENT ACTIVITIES - additional requirements Note: Entertainment activities (<i>Tourist attraction</i>) is code assessable in the Rural Zone.</p>	
<p>INDUSTRY ACTIVITIES- additional requirements Note: Industry activities are either code assessable or impact assessable in the Rural zone.</p>	
<p>Extractive resources – refer to the Extractive resources overlay code Where the resource area is mapped in the SPP mapping as a Key resource area.</p>	
<p>For Extractive industry - see also the Extractive industry code.</p>	
<p>RECREATION ACTIVITIES - additional requirements Note: Rural activities (<i>Environment facility, Park</i>) are code assessable or accepted development in the Rural Zone.</p>	
<p>RURAL ACTIVITIES - additional requirements Note: Rural activities (<i>Animal husbandry, Animal keeping, Cropping, Intensive Horticulture, Permanent plantation, Roadside stall, Rural industry, Wholesale nursery, Winery</i>) are either code assessable, accepted development subject to requirements or accepted development in the Rural Zone.</p>	
<p>For Rural activities - see also the Rural activities use code.</p>	
<p>OTHER ACTIVITIES - additional requirements Note: Other activities (<i>Air services, Landing, Major electricity infrastructure, Roads, Telecommunications Facility, Utility installation, Windfarm</i>) are either code assessable, accepted development subject to requirements or accepted development in the Rural zone.</p>	
<p>Air services – refer to the Airport environs overlay code Where the resource area is mapped in the SPP mapping as a Key resource area.</p>	
<p>PO 36 Telecommunications facility - location <i>Telecommunications facilities</i> must be located where there is convenient access.</p>	<p>N/A – the activity is not for telecommunications facilities.</p>
<p>PO 37 Telecommunications facility - visual impact <i>Telecommunication facilities</i> are visually integrated with the landscape or townscape so as to not be visually dominant or unduly visually obtrusive.</p>	
<p>PO 38 Utility installation <i>Utility installations</i> are positioned unobtrusively, and do not have undue adverse impact on their surrounds.</p>	<p>N/A – the activity is not for utility installation.</p>

Part 8.2.1 - Agricultural Land overlay code

The purpose of the Agricultural land overlay code is to ensure that agricultural land is protected from development that leads to its alienation, fragmentation or diminished productivity.

The purpose of the code will be achieved through the following overall outcome:-

- that the ongoing productive use of Agricultural Land Classification (ALC) Class A and Class B land for agricultural purposes is maintained and protected by ensuring that:-
 - ALC Class A and Class B land is only used for appropriate rural and complementary uses;
 - conflict between farming activities and sensitive land uses is avoided;
 - further fragmentation of ALC Class A and Class B land as a result of reconfiguring a lot is avoided; and
 - development avoids adverse impacts on ALC Class A and Class B land from land degradation and stormwater run-off.

The proposed development complies with the Purpose and Overall Outcomes of the Agricultural Land Overlay Code because;

- The proposed quarry has relatively small development footprint of 5ha which allows both the quarry and existing agricultural activities to coexist on the same land and therefore will not lead to the alienation, fragmentation or diminished productivity of any viable agricultural land.

Assessment against the design criteria of the Agricultural Land Overlay Code is provided in the table below.

THE AGRICULTURAL LAND OVERLAY CODE	
for agricultural land classification Class A and Class B land identified in the SPP agricultural land mapping	
Performance outcomes	Response
PLANNING	
Use and density	
PO 1 Use Development on ALC Class A and Class B land is limited to:- <ul style="list-style-type: none"> (a) rural uses that make use of and rely upon the quality of the agricultural land resource; (b) complementary uses that are essential to on-site farming practice. 	<div style="text-align: right;">✓</div> <p>The subject site is identified as an ALC Class A and Class B agricultural land under the SPP interactive mapping system.</p> <p>Although the proposed extractive industry will be located within the area it will not reduce the agricultural cultural capacity as extractive industry activities are contemplated by the Planning Scheme and are to exist with existing agricultural operations on the site which will still continue into the future; and</p> <p>The development footprint is relatively small scale being only 5ha in area less than 1% of the overall site area of the premise.</p>

<p>PO 2 Separation – residential uses</p> <p>Development for residential activities and other sensitive land uses does not adversely impact on the ongoing operational efficiency and productive agricultural use of ALC Class A and Class B land.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p>N/A - the proposed development is not for residential uses.</p>
<p>PO 3 Fragmentation - subdivision</p> <p>Reconfiguring a lot involving ALC Class A and Class B land does not result in lot sizes or lot configurations that lead to:-</p> <ul style="list-style-type: none"> (a) fragmentation of rural land and loss of land for viable rural production; (b) proposed lots intended for general residential or rural residential use; (c) loss of flexibility in the way landholdings are used for agricultural production. 	<p>N/A - the proposal is not for a reconfiguration of a lot.</p>
<p>PO4 Fragmentation – boundary realignment</p> <p>The boundaries of existing lots containing ALC Class A and Class B land are not rearranged, unless it can be demonstrated that a rearrangement of lot boundaries would:-</p> <ul style="list-style-type: none"> (a) aggregate ALC Class A and Class B land resources and maximise the utility of the land for agricultural purposes; (b) provide for better land management; and (c) not give rise to, or worsen, land use conflicts between agricultural and residential land uses. 	<p>N/A – the proposed development is not for a boundary realignment.</p>
ENGINEERING	
Stormwater and Drainage	
<p>PO5 Stormwater and Drainage</p> <p>Development for non-agricultural purposes is located, designed and constructed to minimise the impact of sediment and stormwater run-off on ALC Class A and Class B land.</p>	<p>Should the application be approved by Council, conditions will require that stormwater is managed in accordance with the Site-based Management Plan prepared by Attexo Group Pty Ltd, dated 21/02/2020, Revision 0 minimise the impact of sediment and stormwater run-off on ALC Class A and Class B land.</p>

Part 8.2.3 Biodiversity areas overlay code

The purpose of the Biodiversity areas overlay code is to ensure that:-

- areas of environmental significance are protected;
- ecological connectivity is maintained or improved, habitat extent is maintained or enhanced and degraded areas are rehabilitated;
- wetlands and watercourses are protected, maintained, rehabilitated and enhanced.

The purpose of the code will be achieved through the following overall outcomes:-

- development conserves and enhances the Maranoa region's biodiversity values and associated ecosystems;
- development protects and establishes appropriate buffers to native vegetation and significant fauna habitat;
- development protects known populations and the supporting habitat of:-
 - (a) endangered, vulnerable and near threatened flora and fauna species, as listed in the (State) Nature Conservation Act 1992, Nature Conservation (Wildlife) Regulation 2006;
 - (b) threatened species and ecological communities as listed in the (Commonwealth) Environment Protection and Biodiversity Conservation Act 1999;
- development protects environmental values and achieves the prescribed water quality objectives for waterways and wetlands in accordance with the Environmental Protection Policy (Water) 2009;
- development protects and enhances ecological values and processes within watercourses and wetlands; and
- development provides effective buffering and maintains the physical extent of watercourses and wetlands.

The proposed development complies with the Purpose and Overall Outcomes of the Biodiversity Area Overlay Code because;

- The proposed quarry operations has a relatively small development footprint of 5ha with any clearing of existing vegetation will be restricted to this area will ensures environmental significance and ecological connectivity will still be protected and maintained;
- The existing watercourses located on the site will not be impacted; and
- Conditions of the development approval can require water quality objectives be implemented to protect environmental values.

Assessment against the design criteria of the Biodiversity Areas Overlay Code is provided in the table below.

THE BIODIVERSITY AREAS OVERLAY CODE	
for areas identified in the SPP Biodiversity mapping	
Performance outcomes	Response
ENVIRONMENTAL	
PO 1 Biodiversity	✓
(a) Development is located in areas that avoid significant adverse impacts on matters of State environmental significance; (b) facilitates the protection and enhancement of matters of State environmental significance; and, (c) preserves or enhances ecological connectivity.	The development application has been referred Department of Natural Resources, Mines and Energy via the State Assessment Referral Agency who have assessed the potential impacts of the development on matters of State environmental significance. Department of Natural Resources, Mines and Energy have provided development conditions in the event the application is approved. They have not directed Council to refuse the application.

<p>PO 2 Protected environment</p> <p>Development retains environments and vegetation described as matters of State environmental significance (MSES), protected under the following legislation:</p> <ul style="list-style-type: none"> • <i>Nature Conservation Act 1992</i> • <i>Fisheries Act 1994</i> • <i>Environmental Protection Act 1994</i> • <i>Vegetation Management Act 1999</i> • <i>Environmental Offsets Act 2014.</i> 	<p style="text-align: right;">✓</p> <p>The development application has been referred Department of Natural Resources, Mines and Energy via the State Assessment Referral Agency who have assessed the potential impacts of the development on matters of State environmental significance. Department of Natural Resources, Mines and Energy have provided development conditions in the event the application is approved.</p> <p>They have not instructed Council to refuse the application.</p>
<p>Watercourses and wetlands</p>	
<p>PO3 Wetland buffers</p> <p>An adequate buffer to wetlands is provided and maintained to assist in the maintenance of water quality, existing hydrological characteristics, habitat and visual amenity values.</p>	<p>N/A - The premises does not contain wetlands.</p>
<p>PO4 Watercourses</p> <p>Development:-</p> <ul style="list-style-type: none"> (a) retains, enhances and maintains the environmental values and functioning of watercourses; (b) provides and maintains adequate vegetated buffers and setbacks to watercourses; (c) maintains and restores connectivity between aquatic habitats and access for fish along watercourses/waterways and into key habitats. 	<p style="text-align: right;">✓</p> <p>As result of the development there be no impact on the existing watercourse located on the site.</p>
<p>Vegetation Retention</p>	
<p>PO 5 Vegetation corridors</p> <p>Existing ecological corridors are protected and where possible enhanced, and have dimensions and characteristics that will:-</p> <ul style="list-style-type: none"> (a) effectively link habitats on and/or adjacent to the development site; (b) facilitate the effective movement of terrestrial or aquatic fauna using the development site as habitat. 	<p style="text-align: right;">✓</p> <p>The development application has been referred Department of Natural Resources, Mines and Energy via the State Assessment Referral Agency who have assessed the potential impacts of the development on matters of State environmental significance. Department of Natural Resources, Mines and Energy have provided development conditions in the event the application is approved.</p> <p>They have not instructed Council to refuse the application.</p>
<p>PO 6 Habitat</p> <p>Development protects the habitat of endangered, vulnerable and near threatened species and local species of significance.</p>	<p>N/A – the site does not contain areas mapped on State Planning Policy mapping as containing any wildlife habitat in or adjacent to the site.</p>

Part 8.2.6 Bushfire hazard overlay code

The purpose of the Bushfire hazard overlay code is to ensure that development avoids or mitigates the potential adverse impacts of bushfire on people, property, economic activity and the environment.

The purpose of the code will be achieved through the following overall outcomes:-

- development in areas at risk from bushfire hazard is compatible with the nature of the hazard;
- the risk to people, property and the natural environment from bushfire hazard is minimised;
- wherever practical, community infrastructure essential to the health, safe wellbeing of the community is located and designed to function effectively during and immediately after a bushfire event;
- development does not result in a material increase in the extent or severity of bushfire hazard;
- the loss of vegetation through inappropriately located development is minimised;
- development is sited and designed to assist emergency services in responding to any bushfire threat.

The proposed development complies with the Purpose and Overall Outcomes of the Bushfire Code because;

The risk to people, property and the natural environment from bushfire hazard can be reduced through the preparation and implementation of a bushfire hazard management plan.

Assessment against the design criteria of the Bushfire Hazard Overlay Code is provided in the table below.

THE BUSHFIRE HAZARD OVERLAY CODE	
for areas subject to bushfire hazard as identified in the SPP bushfire hazard mapping	
Performance outcomes	Response
PLANNING	
Siting and density	
PO 1 Density Development maintains the safety of people and property from the adverse impacts of bushfire by avoiding a higher concentration of people living or congregating in bushfire hazard areas.	Conditions of development approval will require that a bushfire hazard management plan, having regard to the site characteristics and management procedures in the event of a bushfire, shall be prepared prior to the commencement of use.
PO 2 Lot design The lot layout of new development is designed to:- <ul style="list-style-type: none"> (a) mitigate any potential bushfire hazard; (b) provide safe building sites. 	N/A – The proposed development is not for a subdivision.

ENGINEERING	
Provision of Services	
PO 3 Water supply Dwellings are provided with an adequate water supply for fire fighting purposes which is reliable, safely located and freely accessible.	N/A – no new dwellings are proposed.
Roads	
PO 4 Firefighting and escape routes Where development involves provision of a new public or private road, the layout, design and construction of the road:- <ul style="list-style-type: none"> (a) allows easy and safe movement away from any encroaching fire; (b) allows easy and safe access for fire fighting and other emergency vehicles; and, (c) provides for alternative safe access and evacuation routes should access in one direction be blocked in the event of a fire. 	✓ It proposed development includes a constructed formed gravel internal road that ensures easy and safe movement and direct access to Sunnyside Road which is on the local government road network.
PO 5 Firebreaks Fire breaking trails are located, designed and constructed to prevent the spread of fire by:- <ul style="list-style-type: none"> (a) ensuring adequate access for fire fighting and other emergency vehicles; (b) provides for alternative safe access and evacuation routes for both residents and emergency personnel should access in one direction be blocked in the event of a fire. (c) providing for the separation of developed areas and adjacent high or very high bushfire hazard areas. 	✓ The development includes a constructed formed gravel internal road that also could substituent as a fire break trail that ensures easy and safe evacuation route.
SAFETY AND RESILIENCE TO HAZARDS	
PO 6 Bushfire hazard mitigation plan Bushfire mitigation measures are adequate for the potential bushfire hazard level of the site, having regard to the following:- <ul style="list-style-type: none"> (a) vegetation type; (b) slope; (c) aspect; (d) on-site and off-site bushfire hazard implications of the particular development; (e) bushfire history; (f) conservation values of the site; (g) ongoing maintenance. <p>Note—where a bushfire hazard assessment and management plan has previously been approved for the development proposed on the site (e.g. as part of a prior approval), design of the proposed development in accordance with that plan shall be taken as achieving compliance with this performance outcome of the code.</p>	Conditions of development approval will require that a bushfire hazard management plan been prepared and implemented for the proposed quarry, having regard to the site characteristics and management procedures in the event of a bushfire, shall be prepared prior to the commencement of use.

PO 7 Community infrastructure Community infrastructure is able to function effectively during and immediately after bushfire events.	N/A – the proposed development is not for community infrastructure.
PO 8 Hazardous substances Public safety and the environment are not adversely affected by the detrimental impacts of bushfire on hazardous materials either manufactured or stored in bulk.	Conditions of development approval will prohibit the manufacture or storage of hazardous materials on the site.

Part 9.3.3 Extractive industry code

The purpose of the Extractive industry code is to ensure that Extractive industry developments are appropriately located, operated and rehabilitated.

The purpose of the code will be achieved through the following overall outcomes:-

- (a) *The design and layout of extractive industries adequately address the impacts of the development on the environment both on and off the site, and avoid impacts on sensitive land uses;*
- (b) *adequate separation distances are provided between extractive industries and potentially incompatible land use activities;*
- (c) *extractive industries are compatible with the desired amenity and character of the locality;*
- (d) *the protection of environmental values is balanced with the operation of extractive industries;*
- (e) *the safety and efficiency of haulage routes used by extractive industries is not detrimentally impacted by the development;*
- (f) *land disturbed by Extractive Industry is restored and rehabilitated to achieve a stable landform and enable the establishment of future land uses.*

The proposed development complies with the Purpose and Overall Outcomes of the Infrastructure Overlay Code because;

- The design and layout of the extractive industry adequately address the impacts of the development on the environment both on and off the site, and avoid impacts on sensitive land uses, or can otherwise be conditioned to.

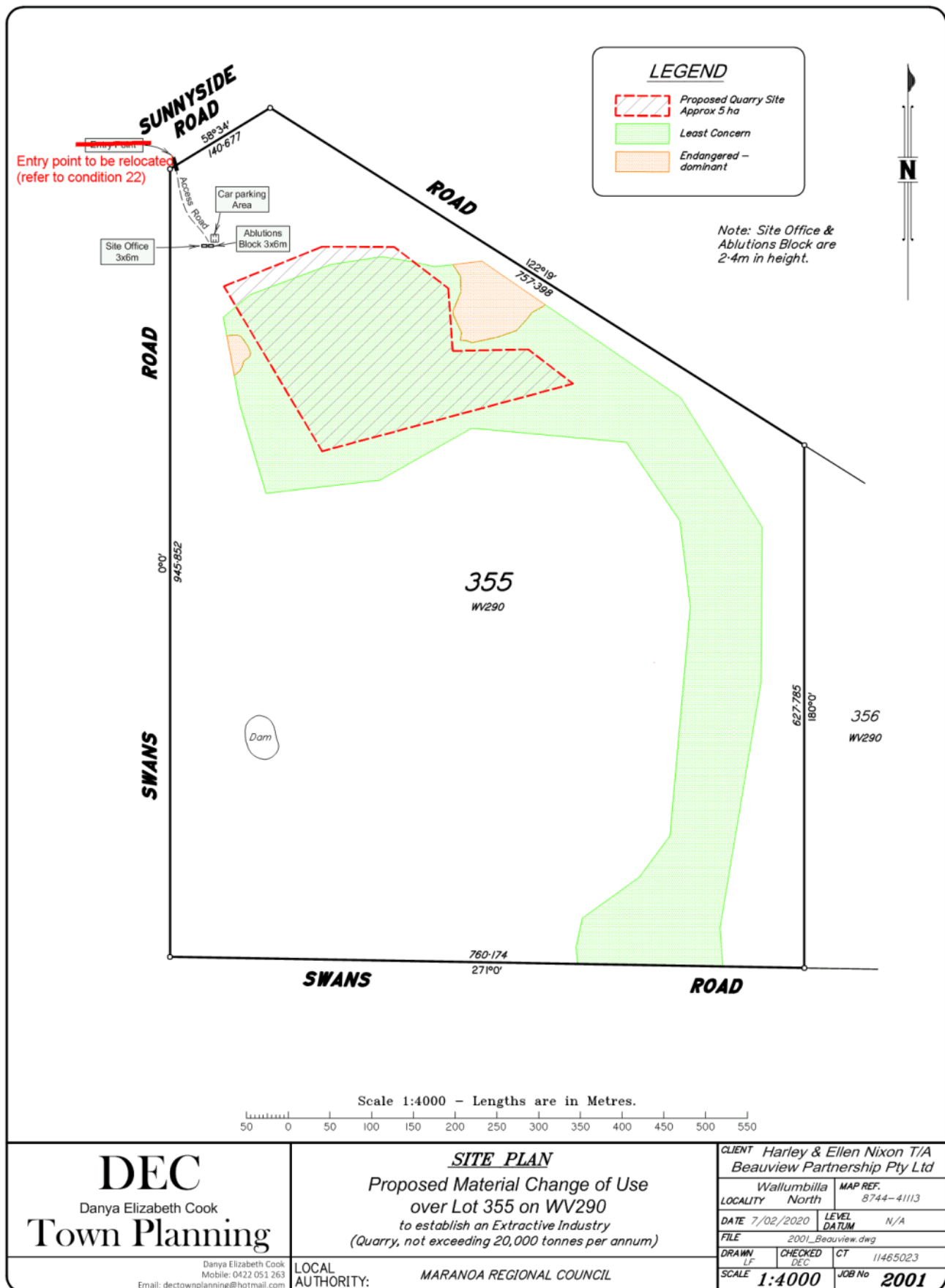
Assessment against the design criteria of the Infrastructure Overlay Code is provided in the table below.

THE EXTRACTIVE INDUSTRY CODE	
for extractive industry uses	
Performance outcomes	Response
PLANNING	
Use, density and built form	
Key resource areas – in addition, refer to the Extractive resources overlay code where mapped in the SPP mapping as a KRA.	
PO 1 Location The site of the <i>Extractive industry</i> is suitable for the efficient extraction of material and ensures impacts on the surrounding environment are minimised.	<div style="text-align: right;">✓</div> The site of the Extractive industry is suitable for the efficient extraction of material and ensures impacts on the surrounding environment are minimised because;

<p>Note: In determining the suitability of a site for Extractive industry it is necessary to consider: the location, size and dimension of the land; the overall scale and nature of the use; its geological and geo-technical characteristics; the proposed method of extraction; visual impacts and the preservation of local amenity; the retention of environmental values; adequate separation from adjoining land uses; and the management of declared plants on site.</p>	<ul style="list-style-type: none"> • The proposed development is located in the Rural zone; • The site is large enough to accommodate the proposed activity, including required infrastructure, amenities and safe and efficient on site vehicular movement; and • Provides sufficient separation distances to prevent unacceptable outcomes beyond site boundaries.
<p>PO 2 Separation</p> <p>The effects of <i>Extractive industry</i> operations including dust, air and noise emissions, blasting, vibration, overpressure and associated transport movements do not unreasonably disrupt the amenity of sensitive land uses or land identified for future sensitive land uses.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p>The nearest sensitive receptor is located approximately 950 metres southeast of the proposed quarry on the neighbouring property Lot 356 on WV290. There is no other sensitive land uses within 1,500km of the proposed quarry operations.</p> <p>A requirement of the public notification process is that adjoining landowners are notified of the proposed development. The landowner of Lot 356 was notified and raised no issues with the proposed quarry.</p> <p>Notwithstanding, conditions of development approval will require that nuisance is mitigated on adjacent and surrounding land uses including;</p> <ul style="list-style-type: none"> • Restricting operating to 6.00am and 6.00pm Monday to Saturday and operations will be allowed to be conducted on a Sundays or public holiday. • Approving the site-based management plan (submitted with the application materials) that detail how noise, dust, vibration and transport movements will be managed to ensure no unreasonably disruption to adjacent and nearby sensitive receptors. <p>Further, existing vegetation located outside the quarry areas provides a buffer between the quarry and the neighbouring sensitive land use/dwelling.</p>
<p>PO 3 Buffers</p> <p>The visual impact of <i>Extractive industry</i> is minimised to achieve integration with the surrounding landscape and to the extent practical, is screened from roads, public vantage points and neighbouring properties, having regard to:</p> <ol style="list-style-type: none"> (a) the characteristics of the site and surrounding area; (b) the resource being extracted; and (c) the desired visual character of the locality. <p>Note: To demonstrate compliance to the assessment manager, information on the methods to be implemented to reduce potential adverse visual impacts of the development is required. These methods may include, but are not limited to: locating exposed features behind natural barriers;</p>	<p style="text-align: center;">✓</p> <ul style="list-style-type: none"> • The existing vegetation located outside the quarry operations will be retained and will serve as screen between the extractive activities, roadways and neighbouring properties; and • Significant setbacks from the property boundaries are achieved.

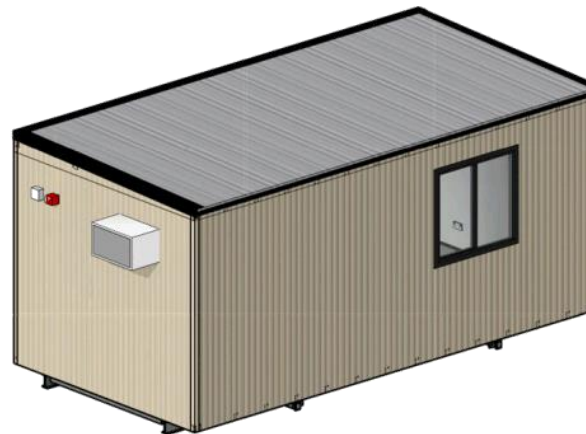
<p>constructing amenity banks and vegetation screens; carrying out timely rehabilitation works; minimising signage; using building materials and colour schemes that integrate with the surrounding landscape; limiting and containing artificial lighting within the site; and configuring access and haulage roads to prevent direct views into the site.</p>	
Amenity	
<p>PO 4 Advertising devices</p> <p>Signage is sufficient for the display of information relevant to the operation of the <i>Extractive industry</i>, including details required in the case of an emergency, whilst not impacting upon the visual amenity of the locality.</p>	<p style="text-align: right;">✓</p> <p>Signage is sufficient for the display of information relevant to the operation of the Extractive industry, including details required in the case of an emergency, whilst not impacting upon the visual amenity of the locality because;</p> <ul style="list-style-type: none"> Conditions of development approval will require that signage is provided at the entrance to the site that displays the following information without impacting on the visual amenity of the area; <ul style="list-style-type: none"> (a) the operator of the site; and (b) person/s responsible for the management of the site.
Avoiding nuisance	
<p>PO 5 Operating hours</p> <p><i>Extractive industry</i> is undertaken within appropriate hours to avoid disturbance of sensitive land uses.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p style="text-align: right;">✓</p> <p>The extractive industry use will be undertaken within appropriate hours to avoid disturbance of sensitive land uses because;</p> <ul style="list-style-type: none"> Conditions of development approval will restrict operating hours to between of 6.00am and 6.00pm Monday to Saturday and operations will be allowed to be conducted on a Sundays or public holiday.
ENGINEERING	
Roads and rail	
<p>PO 6 Roads</p> <p>The haulage of extractive material does not result in the deterioration of roads used by ensuring:</p> <ul style="list-style-type: none"> (a) the roads used as haulage routes are of an adequate standard to accommodate the type and frequency of traffic generated; (b) haulage routes are maintained, including the removal of dirt and other spillage from trucks; and (c) haulage routes do not compromise traffic safety in the area. <p>Note: The submission of a traffic impact analysis prepared by a suitably qualified and experienced person will be necessary to demonstrate compliance to the assessment manager. The traffic impact analysis should identify the expected traffic movements generated by the proposal, any associated impacts on the road network, and any work that will be required to address the identified impacts.</p>	<p>The proposed haulage route from the site will be north onto to Sunnyside Road approximately 1.2km to the Wallumbilla North Road intersection. Should the application be approved by Council, conditions of the development approval will require road upgrades to this section of the Sunnyside Road to an adequate standard to accommodate the type and frequency of traffic generated as result of the proposed quarry operations.</p> <p>Conditions will also require upgrades to the intersection of the Sunnyside and Wallumbilla North Road intersection.</p> <p>Operational Works approval will be required for any works carried out on Councils road network, unless the works are undertaken by Council as part of a private works agreement.</p>

Access, parking and manoeuvring	
PO 7 Access roads Internal roads are safe and minimise impacts such as noise and dust on adjoining uses.	✓ Internal roads are safe and minimise impacts such as noise and dust on adjoining uses because; <ul style="list-style-type: none"> • Conditions of development approval will require that internal roads are watered to mitigate dust and upon receipt of any complaint regarding dust nuisance caused by vehicle movements within the site.
ENVIRONMENTAL	
PO 8 Biodiversity Operations of the <i>Extractive industry</i> do not result in unacceptable impacts on the natural environment or adversely affect the ecology of the locality.	✓ The development application has been referred Department of Natural Resources, Mines and Energy via the State Assessment Referral Agency who have assessed the potential impacts of the development on matters of State environmental significance. Department of Natural Resources, Mines and Energy have provided development conditions in the event the application is approved. They have not instructed Council to refuse the application.
PO 9 Site rehabilitation Rehabilitation of the site is to be carried out progressively over the life of the <i>Extractive industry</i> and upon cessation of the use to retain environmental values and the natural appearance of the surroundings and to restore the site to a state equivalent to or better than, the original condition of the land.	✓ It is proposed that rehabilitation of the site will occur progressively. Under the <i>Environmental Protection Regulation 2019</i> , the application constitutes an 'Environmentally Relevant Activity' which an environmentally relevant activity needs to be approved by the Department of Environment and Science which details conditions relating to Site rehabilitation. The environmentally relevant activity will therefore be considered as part of a separate process.
SAFETY AND RESILIENCE TO HAZARDS	
Public safety	
PO 10 Safety Access to the site is managed to protect the health and safety of the public.	Conditions of development approval will require that safety fencing is provided and maintained to prevent unauthorized access to resource extraction/processing areas and stockpiles.





1. Perspective 1



2. Perspective 2

DRAWINGS - ARCHITECTURAL		
Sheet	Content	Rev
A-000	Cover Sheet	A
A-001	Sectional View	A
A-100	Floor Plan	A
A-101	Item Schedules	A
A-200	Elevations	A



These drawings are indicative and for quoting purposes only.
Updated project specific drawings will be issued to the
Client prior to construction.

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- Drawings are supplied for marketing purposes only.
 - Project specific construction drawings will be issued after quote acceptance and prior to fabrication.
 - Nominated wind region for standard design is wind region B. Refer to Client quote for deviations.
 - Nominated energy efficiency compliance is NCC2016 Section J. Refer to Client quote for deviations.
 - Furniture, plumbing, & electrical representations are indicative only. Appearance may vary.
 - Loose items to be packed for transport.
- Manufactured to Wind Region: **B190**
Manufactured in: **TBA**
Intended Location:

CLIENT APPROVAL

Client:

Approved by:

Company:

Date (dd-mm-yyyy):

Signature:

A NO.	Client Issue DESCRIPTION	12/05/20 DATE	AUS BY
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AMENDMENT ISSUE



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CLIENT:

PROJECT:
(MP6030) Multipurpose 6.0 x 3.0

ADDRESS:

DRAWING TITLE:

Cover Sheet

PROJECT TYPE	DESIGN LOADING	BUILD FACILITY
SALE	B190	TBA

SCALE @ A3	DRAWN	CHECKED
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ESTIMATE NO.

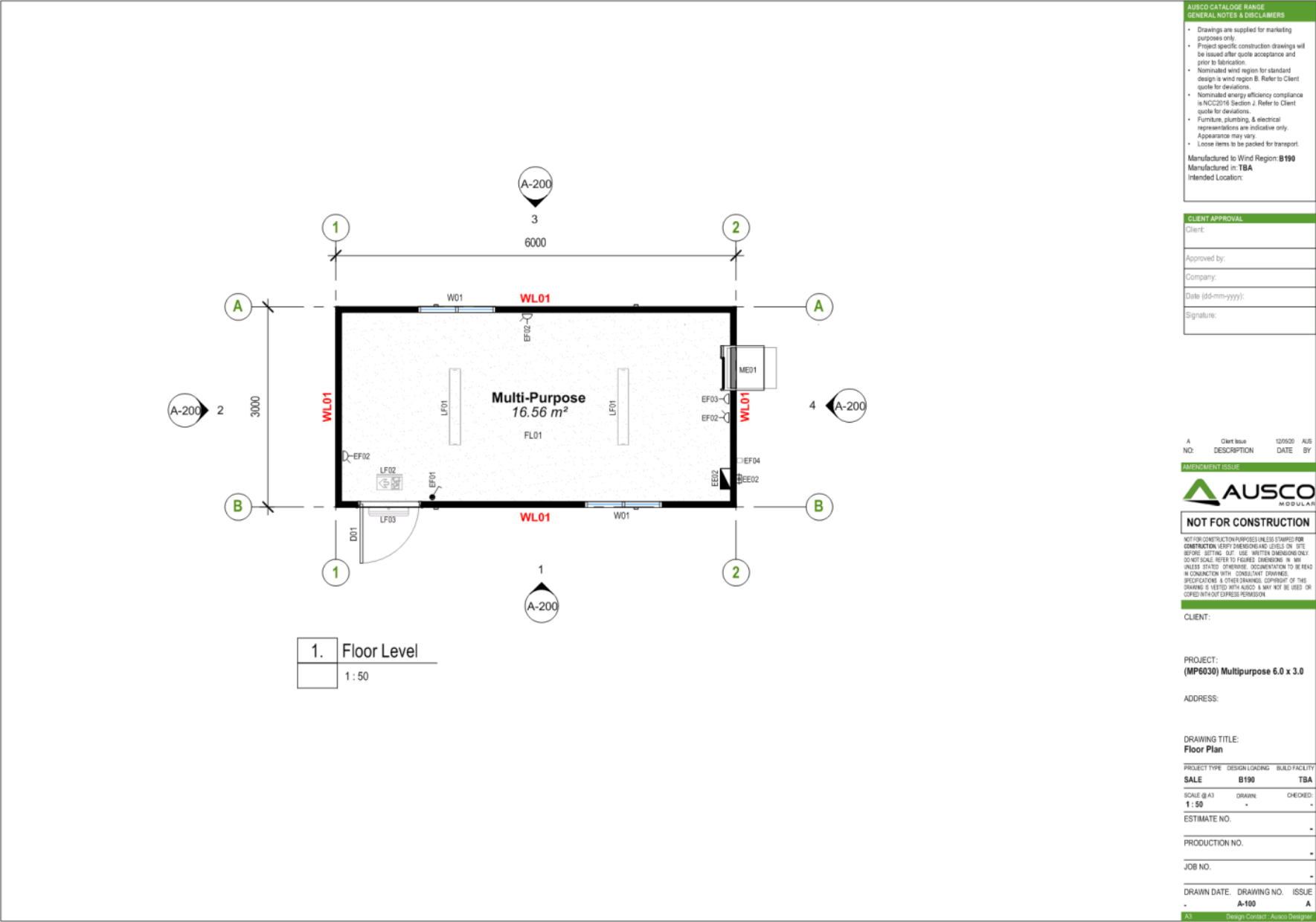
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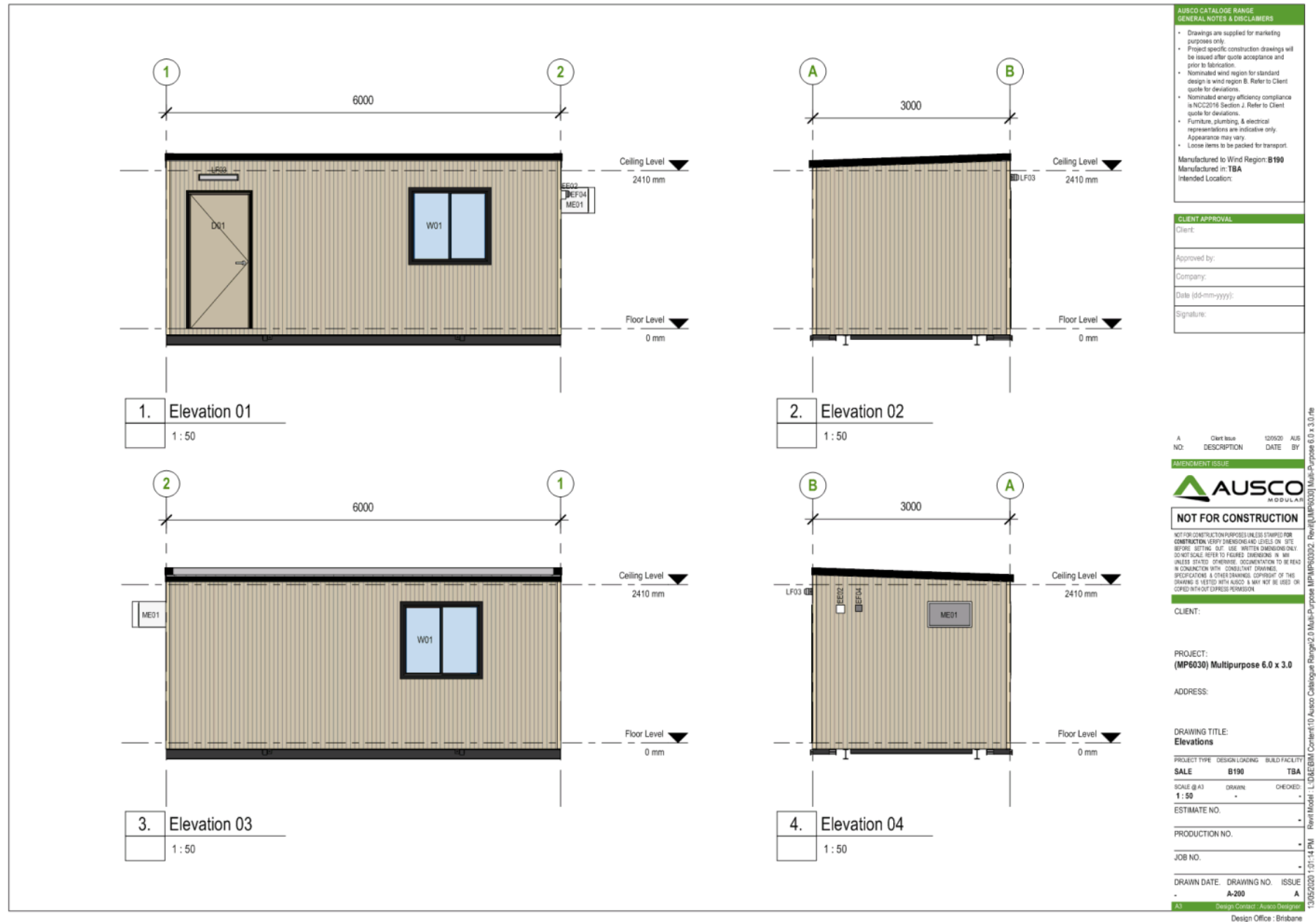
JOB NO.

DRAWN DATE	DRAWING NO.	ISSUE
-	A-000	A

A3 Design Control - Ausco Designer
Design Office : Brisbane

Revit Model - L 60x30x30m Content 19 Ausco Catalogue Range 2.0 Multi-Purpose MP6030 Revit Model - L 60x30x30m Content 19 Ausco Catalogue Range 2.0 Multi-Purpose MP6030 Revit Model - L 60x30x30m Content 19 Ausco Catalogue Range 2.0 Multi-Purpose MP6030 Revit Model - L 60x30x30m Content 19 Ausco Catalogue Range 2.0 Multi-Purpose MP6030







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2. Perspective 2

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Manufactured to Wind Region: **B190**
Manufactured in: **TBA**
Intended Location: -

CLIENT APPROVAL

Client:

Approved by:

Company:

Date (dd-mm-yyyy):

Signature:

A	Issued to Client	120620	AUS
NO:	DESCRIPTION	DATE	BY

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CLIENT:

PROJECT:
(TM6030) Toilet Male 6.0m x 3.0m

ADDRESS:
-

DRAWING TITLE:
Cover Sheet

PROJECT TYPE DESIGN LOADING BUILD FACILITY
SALE **B190** **TBA**

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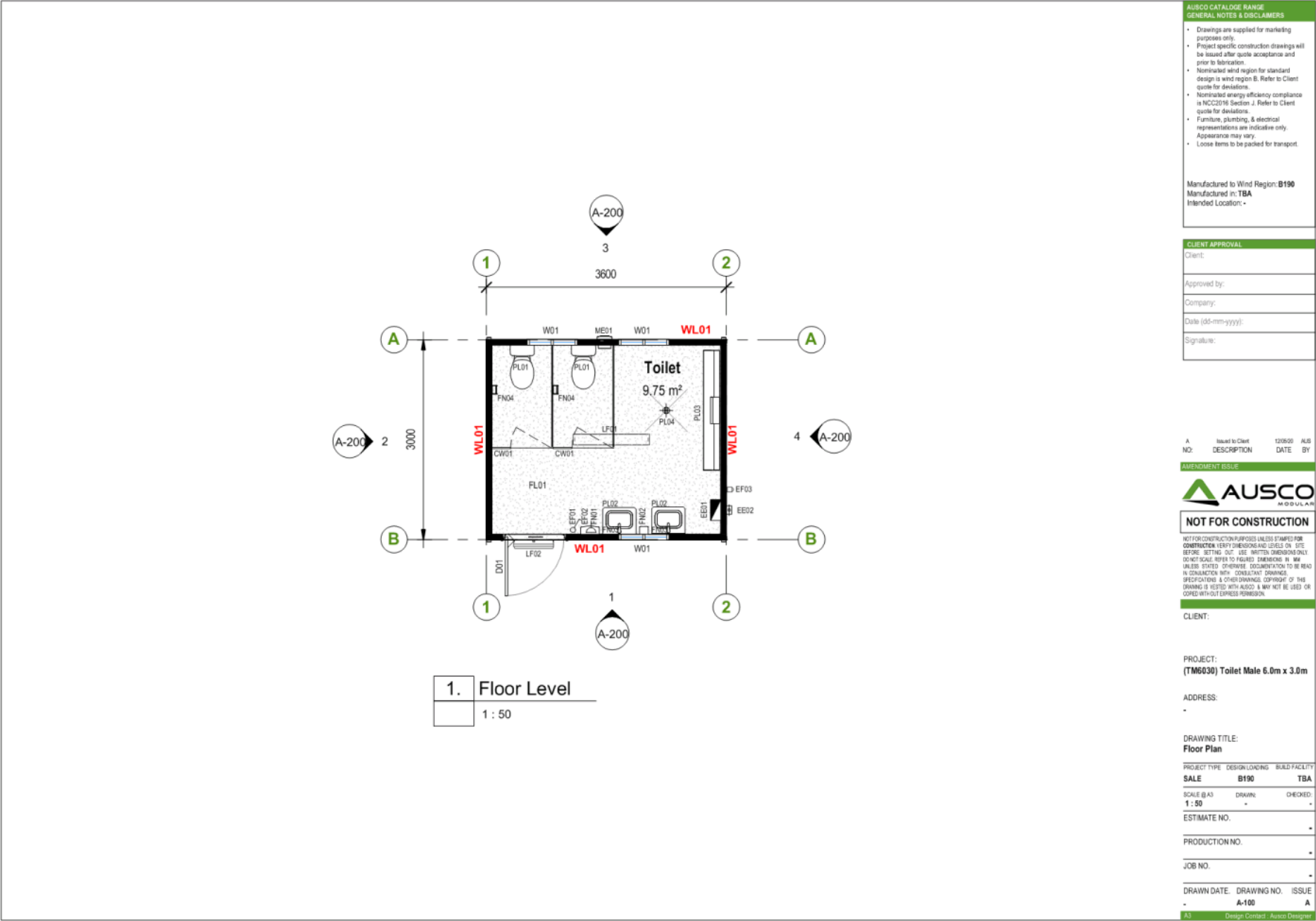
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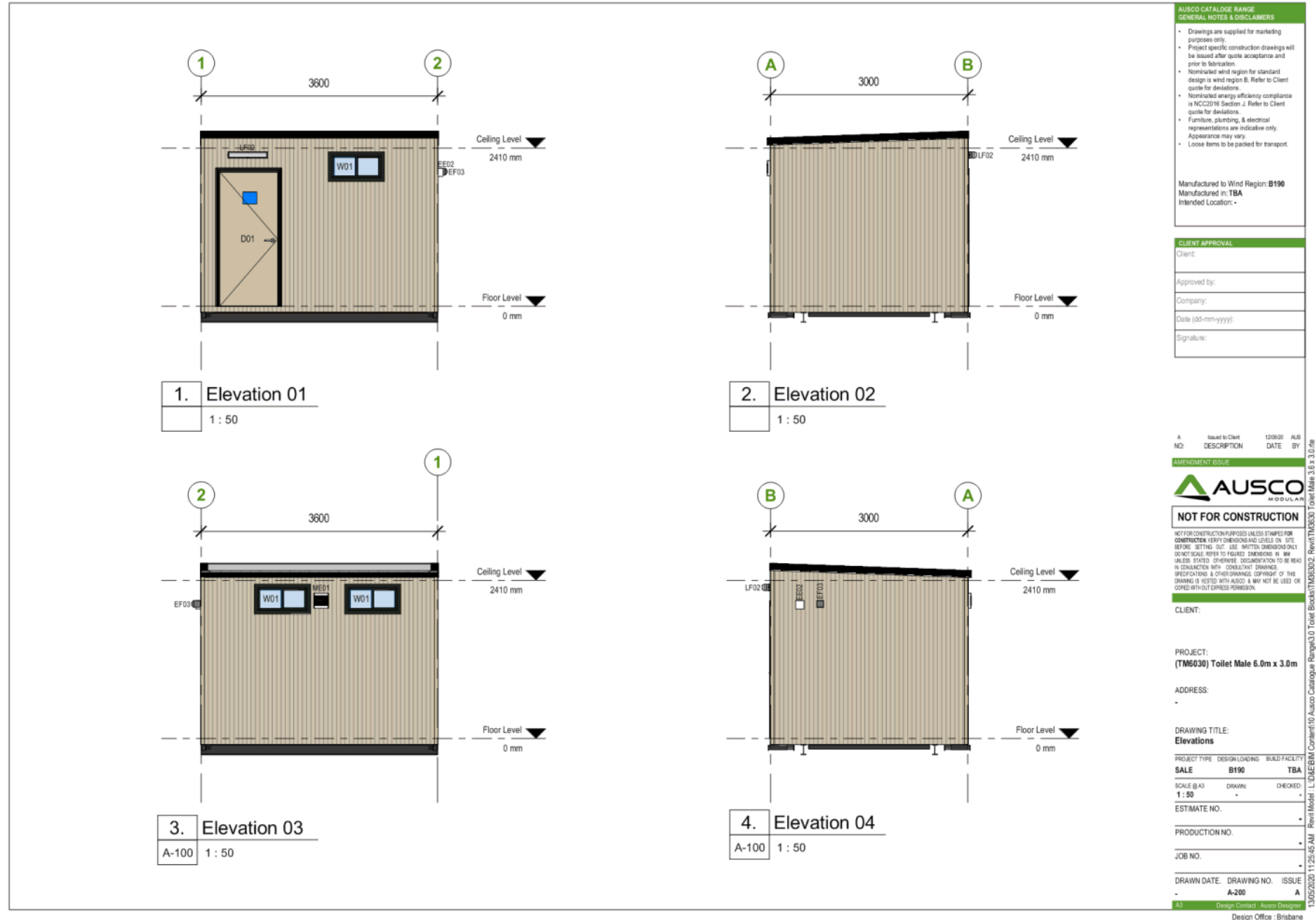
PRODUCTION NO. -


JOB NO. -

DRAWN DATE DRAWING NO. ISSUE
- **A-000** **A**

Design Contact: Ausco Designer
Design Office: Brisbane





A large rectangular area with an orange background and a white topographic map pattern, showing contour lines and elevation changes.

Beauview Quarry

Site-based Management Plan

Attexō Report Prepared for: Beauview Partnership Pty Ltd

Date: 21 February 2020



Beauview Quarry

Document Site-based Management Plan

Attexo Ref BEA-001

Date 21-02-2020

Prepared by Chris Cantwell

Reviewed by Jeromy Claridge

Quality Information

Revision	Revision Date	Details	Authorisation	
			Name/Position	Signature
0	21-02-2020	Final for Issue	Jeromy Claridge Principal Environmental Scientist	

Prepared for:

Beauview Partnership Pty Ltd

Prepared by:

Attexo Group Pty Ltd

attexo.com.au

ABN 75 637 138 008

Attexo Group Pty Ltd 2020

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Abbreviations

Abbreviation	Description
AHD	Australian Height Datum
AO	Acceptable Outcome
Attexo	Attexo Group Pty Ltd
DES	Department of Environment and Science (Queensland)
EA	Environmental Authority
EMP	Environmental Management Plan
EP Act	<i>Environmental Protection Act 1994</i> (Queensland)
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i> (Commonwealth)
EPP Noise	<i>Environmental Protection (Noise) Policy 2008</i>
ERA	Environmentally Relevant Activity
EVNT	Endangered, Vulnerable or Near Threatened
JSEA	Job Safety and Environmental Analysis
MNES	Matters of National Environmental Significance
MRC	Maranoa Regional Council
NC Act	<i>Nature Conservation Act 1992</i> (Queensland)
PO	Performance Outcome
RE	Regional Ecosystem
RMP	Rehabilitation Management Plan
SBMP	Site-based Management Plan
SMP	Species Management Program
The Site	Lot 355 on Plan WV290



1.0 Introduction

1.1 Background

Beauview Partnership Pty Ltd has commissioned Attexo Group Pty Ltd (Attexo) to prepare this Site-based Management Plan (SBMP) to support an application for the proposed development for a Material Change of Use – Extractive Industry, lodged with Maranoa Regional Council. The proposed development also involves Environmentally Relevant Activity (ERA) 16 2(a) – Extracting, other than by dredging, in a year, more than 5,000 t but no more than 100,000 t of material.

The proposed Beauview Quarry is located at Lot 355 on Plan WV290 (the Site), on an existing grazing property approximately 6.5 km north-east of Wallumbilla in central Queensland. The Beauview Quarry is proposed to facilitate the ongoing construction on the Beauview property and the wider area, in order to supply material for petroleum activities and Maranoa Regional Council road maintenance activities. The excavated gravel will primarily be used for the establishment and maintenance of access roads, well sites and other related infrastructure. The Beauview Quarry may also be used by the landholder for their daily operations on the Beauview property.

The proposed Beauview Quarry is to be owned and operated by Mr Harley Nixon, the intended Quarry Manager.

1.2 Purpose of this Document

This purpose of this high-level SBMP is to:

- Provide an overview of the Site;
- Describe the proposed operational elements of the Beauview Quarry;
- Outline environmental obligations associated with the operation of the Beauview Quarry;
- Identify potential environmental impacts associated with the operation of the Beauview Quarry;
- Outline measures to avoid, minimise and manage any potential environmental impacts;
- Outline contingency measures;
- Provide an operational framework for personnel and contractors; and
- Provide a mechanism for continual improvement of environmental management at the Site.

1.3 Review Schedule

This SBMP is intended to be a dynamic document. This SBMP and its constituent Environmental Management Plans (EMPs) must be reviewed and updated by the Quarry Manager upon receipt of development permit conditions from Maranoa Regional Council (MRC) and upon receipt of the Environmental Authority (EA) from the Department of Environment and Science (DES). Subsequently, this document must be reviewed and updated by the Quarry Manager at least annually. The content of this document will be reviewed in light of contemporary operational, safety, legislative, stakeholder and environmental requirements.

2.0 The Site

2.1 Location

The Site is located at Sunnyside Road, Wallumbilla North in central Queensland. The Site is more formally described as Lot 355 on Plan WV290. The Site is located approximately 6.5 km north-east of the Wallumbilla township (see **Figure 1**).



Figure 1 – The Site (source – Qld Globe)

2.2 Site Characteristics

The Site is 64.588 ha and is accessed from the north by Sunnyside Road. The Site is currently used for grazing purposes. The topography of the Site ranges from 357 m AHD to 385 m AHD. The Site has been historically cleared for agricultural purposes, with a tract of vegetation remaining that extends from the south-east of the Site through to the north (see **Figure 2**).



Figure 2 – Aerial photograph of the Site (source – Qld Globe)

2.3 Site Context

The proposed Beauview Quarry will occupy an area of approximately 5 ha in the northern portion of the Site (see **Appendix A**). While the proposed quarry footprint does include regulated vegetation, this has been ground-truthed to be consistent with Least Concern Regional Ecosystem (RE) 11.7.6. The proposed quarry footprint will avoid ground-truthed Endangered RE 11.9.5a.

The land uses surrounding the Site are predominantly agricultural, consisting mainly of grazing with some dryland cropping. The closest residence to the proposed quarry operations is situated approximately 950 m to the south-east, on the neighbouring property Lot 356 on Plan WV290. The existing remnant vegetation within the Site will also provide a buffer between the proposed quarry activities and this dwelling. No other dwelling is located within 1,500 m of the proposed quarry.



3.0 Operation

3.1 Extraction Methodology

Material will be extracted manually from within the proposed Beauview Quarry footprint using the following equipment:

- Grader – to profile quarry extent and batters.
- Excavator – to move and stockpile material, to construct bund walls around quarry pit, to construct silt traps, and to break up rock outcrops.
- Dozer – to rip and loosen material and to push material into stockpiles.
- Loader – to load excavated material into trucks. Also used to screen and stockpile excavated material.
- Crusher – to crush oversized rock.
- Screener – to separate larger rocks from gravel.
- Trucks – to transport gravel and rock fill from the Site. Transportation will occur along approved haul routes (see **Section 3.3**).

Blasting operations are not proposed to be undertaken at the Beauview Quarry.

The Beauview Quarry will not require any permanent buildings or structures (the Site office and ablutions block will consist of demountable structures).

3.2 Hours of Operation

The proposed hours of operation for the Beauview Quarry are between 6 am and 6 pm Monday to Saturday. During these times, activities may involve extraction, crushing, screening, loading, haulage and operation or maintenance of plant equipment and vehicles. Blasting is not to occur at any time.

No work associated with the operation of the Beauview Quarry will be undertaken on Sundays or public holidays, or outside of the hours described above.

These proposed hours of operation are in accordance with the requirements of the Extractive Industry Code within the *Maranoa Regional Council Planning Scheme*.

3.3 Vehicle Movements and Haul Routes

The haul route from the Beauview Quarry is proposed to extend from the Site, north onto the unsealed Sunnyside Road for approximately 1.2 km to the intersection with the State-controlled (sealed) Wallumbilla North Road, from where the material will be transported to the destination site (see **Figure 3**).

Vehicle movements will include small body trucks with a capacity for 12 t of material and a larger semi-trailer or body truck and 'dog' trailer with a 24-32 t capacity.



Figure 3 – Proposed haul route from the Site

3.4 Employees

No employees are proposed for the Beauview Quarry. The extraction and transport of materials will be conducted by the landowner (Quarry Manager) and external contractors. All personnel will be required to have suitable operator's permits for the activities being undertaken. No visitors other than suitable operators engaged in contractual activities are permitted on the Site. All contractors entering the Site will be made aware of the Site's zero tolerance policy on alcohol, drugs and fatigue. The Beauview Quarry will be operated by a party that holds a Suitable Operator's Permit under the *Environmental Protection Act 1994* (EP Act).

3.5 Contractor Roles and Responsibilities

All personnel and contractors are responsible for the environmental performance of their activities and for complying with the General Environmental Duty under s319 of the EP Act. Contractors have the responsibility of managing the risk of injury or illness to themselves or any other person at the Site, to ensure that the risk is acceptable. Contractors must comply with standard work procedures that apply to their work, and must take immediate action if an unsafe situation is identified. Contractors must notify the Quarry Manager (Harley Nixon) of all hazards and near misses as soon as practicable.

All contractors have the right and obligation to work safely, and have the following responsibilities:

- Uphold a duty of care to themselves and those around them;
- Take immediate action if an unsafe situation is identified, and guard against the hazard; and



- Immediately inform the Quarry Manager of all hazards and safety concerns.

A Site induction must be completed by all contractors prior to commencing work on the Site. The Site induction will inform contractors about aspects of the operation relating to Site health and safety, environmental management, monitoring and rehabilitation.

All contractors are to complete a Job Safety and Environmental Analysis (JSEA) prior to conducting any work on the Site to identify hazards and subsequently implement controls.

3.6 Site Induction

All new contractors will complete a Site induction, which will include:

- An overview of this SBMP;
- Environmental responsibilities and obligations under the EP Act;
- Operational practices and procedures, including emergency response procedures; and
- Site-specific matters (property boundaries, environmentally significant characteristics, storage and stockpiling areas, etc.).

A log will be maintained in the Site office that holds records of all contractor inductions and training. The Site induction content will be reviewed at least annually, but also as required should Site management requirements change over time.

3.7 Extracting, Crushing and Screening Materials

The proposed Beauview Quarry will extract, crush and screen quarry material with a quantity of up to 100,000 t per annum. These activities will be undertaken in accordance with the EA issued for the ERAs by the DES under the EP Act.

3.8 Machinery

Suitable operators of the machinery required to undertake the extracting, crushing and screening activities at the Beauview Quarry will be responsible for ensuring that all equipment and vehicles used for this purpose are regularly inspected and suitably maintained in a safe working condition.

The suitable operator will ensure that all plant and equipment is maintained in suitable working condition, particularly with respect to oil leakages. The plant and equipment will be checked at least fortnightly and a log will be kept at the Site office that records these checks. Vehicles with oil leaks will not be permitted to enter or remain on Site.

The maintenance and storage of vehicles and equipment will be undertaken in a designated area within the Site.

3.9 Storage of Hazardous Materials

No fuel or hazardous materials will be stored on the Site for the Beauview Quarry. Any fuels or lubricants will be restricted to the vehicles and equipment on the Site. Consequently, the risk of spillage or environmental harm from leaking is extremely low.



4.0 Environmental Management Plan

4.1 Introduction

4.1.1 Purpose and Format of the EMP

Without appropriate management measures, the Beauview Quarry has the potential to have a detrimental impact on various aspects of the surrounding environment. This EMP forms a part of the broader SBMP. The EMP is designed as a live document that responds to the potential environmental impacts associated with the Beauview Quarry by identifying, where appropriate for each environmental value:

- Potential impacts;
- Performance targets;
- Management procedures;
- Monitoring and reporting requirements;
- Responsibilities;
- Corrective actions; and
- Auditing and review requirements.

The purpose of the EMP is to provide a management tool through which the Quarry Manager and contractors can uphold the Beauview Quarry's environmental obligations as set out in legislation, policy, future development permit conditions and future EA conditions.

The EMP is designed as a practical tool through which the operators of the Beauview Quarry can appropriately manage potential environmental impacts associated with the extractive industry activities.

The following environmental values each have individual management plans or management frameworks under this EMP:

- Flora and fauna (**Section 4.2**);
- Water quality (**Section 4.3**);
- Air quality (**Section 4.4**);
- Noise (Section 4.5);
- Weed management (**Section 4.6**);
- Access and traffic (**Section 4.7**);
- Waste (Section 4.8);
- Cultural Heritage (**Section 4.9**);
- Rehabilitation (**Section 4.10**); and
- Emergency response (**Section 4.11**).



4.1.2 Legislative Framework

The EP Act is the principal legislation for the protection of the environment in Queensland. The object of the EP Act is “to protect Queensland's environment while allowing for development that improves the total quality of life, both now and in the future, in a way that maintains ecological processes on which life depends (“ecologically sustainable development”)”.

It is through the promotion of this objective that the Beauview Quarry requires an EA for the identified ERAs associated with the proposed use. Various Environmental Protection Policies are in force under the EP Act to protect specific environmental values from harm. Some of these policies are referenced within this EMP.

The EP Act also imposes a “general environmental duty” on corporations, government departments and individuals in order to meet the primary objective. This requires that everyone must take all reasonable and practicable measures to prevent or minimise harm.

In addition to the EP Act, specific activities are also governed by legislation that includes, but is not necessarily limited to:

- *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act);
- *Vegetation Management Act 1999*;
- *Nature Conservation Act 1992* (NC Act);
- *Water Act 2000*;
- *Mining and Quarrying Safety and Health Act 1999*;
- *Queensland Heritage Act 1992*;
- *Aboriginal Cultural Heritage Act 2003*; and
- *Biosecurity Act 2014*.

Under the *Planning Act 2016* and the local government planning instrument that is the MRC Planning Scheme, activities such as the proposed quarry are classified as “assessable development” requiring a development permit prior to the use being lawful.

This SBMP is prepared to meet the requirements of the ERA application, the MRC development application, and to assist the Quarry Manager and contractors in meeting their general environmental duty.

4.1.3 Continuous Improvement

In order to promote effective environmental management at the Beauview Quarry, the Quarry Manager commits to adhere to a policy of continuous improvement through the following strategies:

- Recording, investigating and learning from environmental incidents and near misses;
- Trialling new procedures and practices where appropriate;
- Sourcing contemporary best practice information where required for certain activities;
- Monitoring various environmental elements in order to provide feedback on performance against targets; and
- Review the SBMP in light of specific complaints, changes to legislation, shifting attitudes and expectations relating to environmental management.



4.2 Flora and Fauna Management Plan

4.2.1 Potential Impacts

The establishment of the Beauview Quarry will require the clearing of native vegetation within the proposed footprint. This vegetation has been surveyed by a qualified ecologist and is confirmed as Least Concern RE 11.7.6 – *Corymbia citriodora* or *Eucalyptus crebra* woodland on Cainozoic lateritic duricrust. This vegetation has the potential to provide habitat for a range of native fauna species.

The ecological survey undertaken on the Site assessed that the proposed footprint of the Beauview Quarry does not contain any flora species (or communities) identified as Matters of National Environmental Significance (MNES) under the EPBC Act, or Endangered, Vulnerable or Near Threatened (EVNT) under the NC Act.

The proposed Beauview Quarry footprint has been designed to ensure that impacts to ground-truthed Endangered RE 11.9.5a are avoided. The footprint of the proposed quarry has been subject to historical and ongoing disturbance and shows evidence of edge effects from ongoing grazing activities within the wider Site.

4.2.2 Performance Targets

Clearing of native vegetation for the Beauview Quarry will be limited to that which is to be approved under the development permit.

The Beauview Quarry will also be required to comply with ecological conditions within the forthcoming EA issued under the EP Act. These conditions will be added to this SBMP once the EA is issued.

4.2.3 Management Procedures and Practice

- No clearing of vegetation is to occur outside of the designated Beauview Quarry footprint.
- The extent of approved vegetation clearing is to be demarcated on the Site.
- Any native vegetation that is to be cleared as a consequence of lawful quarry operations will be inspected for the presence of fauna (e.g. nesting birds, koalas and other arboreal mammals) and breeding places (e.g. hollows).
- If a breeding place is identified, a Species Management Program (SMP) must be prepared and submitted to DES for approval before the clearing can be undertaken.
- If nesting birds, koalas or other arboreal mammals are observed within the vegetation to be cleared, a fauna spotter-catcher is to be engaged and present on Site prior to the clearing taking place.

4.2.4 Monitoring and Reporting

- The Quarry Manager and all contractors will be responsible for ensuring that vegetation clearing for the Beauview Quarry is undertaken within the approved and demarcated footprint.
- Unauthorised vegetation clearing will be reported to the Quarry Manager, who will determine the actions to be undertaken.

4.2.5 Responsibility

- Native fauna encountered during clearing activities will be identified and recorded within an Operator's Daily Diary to be maintained in the Site office.



4.2.6 Corrective Actions

- Specialist advice may be required for flora and fauna management if a SMP is required for the proposed removal of a breeding place.
- Any unauthorised clearing of regulated vegetation must be reported by the Quarry Manager to DES.

4.2.7 Auditing and Review

- The Quarry Manager will review any vegetation clearing undertaken in the preceding 12 months, compare the clearing against the relevant legislative requirements, licence conditions and nominated performance targets, and review changes to the quarry operations if necessary.

4.3 Water Quality Management Plan

4.3.1 Potential Impacts

The Site is mapped in the south-west to contain a Stream Order 1 under the Queensland Waterways for Waterway Barrier Works dataset. This is located approximately 300 m from the proposed Beauview Quarry footprint.

The proposed Beauview Quarry footprint does not contain any significant surface drainage corridors; it is essentially a closed system with minimal drainage inflows and no natural outfall. Stormwater currently flows towards the existing dams on the Site.

Nevertheless, there is potential for the quarry activities to create stormwater runoff that may pollute downstream waters. Activities involving land disturbance have the potential to impact on runoff water quality, particularly through erosion and sediment transport.

4.3.2 Performance Targets

Water quality performance targets will be outlined within conditions of approval through the MRC development permit and the EA.

Overarching standards applicable to the Site are found within the *Environmental Protection (Water) Policy 2009* (EPP Water), the Australian and New Zealand Guidelines for Fresh and Marine Water Quality 2018.

4.3.3 Management Procedures and Practice

- Water for all activities must be sourced from water source locations approved by the Quarry Manager.
- To the greatest extent practicable, water and sediment is to be retained within the quarry extraction area and contained in a designated sump.
- Provide facilities for machinery and truck underbody and vehicle washdown.
- Install interceptor traps/oil separators to remove oils and greases. Water from the washdown facility will pass through interceptor traps/oil separators prior to its reuse or release.
- The passage of all other stormwater runoff should be through sediment traps and/or silt fences, and a vegetated buffer strip to allow time for filtering of sediments before it enters any watercourse.
- Schedule quarry activities to avoid wet weather events.



- Limit forward clearing and overburden materials at any one time to that necessary to provide for 12 months production of excavated material.
- Stabilise road embankments and batters, temporary overburden and topsoil stockpiles.
- Rip-rap and grass any table and catch drains to prevent scouring.
- Install sediment basins downslope of disturbed catchments.
- Restrict mobile equipment and vehicles to defined roads and tracks.
- Carry out progressive rehabilitation where practicable (see **Section 4.10**).
- Regularly clean sediment from sediment basins.

4.3.4 Monitoring and Reporting

- The Quarry Manager will regularly inspect the quarry and associated facilities for erosion, damage, failures or slumping, especially after major rainfall events. The Quarry Manager will inspect diversion drains, other drains, and any erosion and sediment control devices.
- The Quarry Manager will commission a water quality sampling survey following a request from an administering authority (DES, MRC) to investigate a water quality complaint.
- The Quarry Manager will commission water quality sampling surveys as often as is required to check compliance with performance targets under the approval conditions within the development permit and EA.
- The Quarry Manager will maintain records of any water quality monitoring surveys undertaken.

4.3.5 Responsibility

- All water quality related complaints received at the Beauview Quarry will be recorded in the Complaints Register. The Quarry Manager will investigate these complaints and take actions in accordance with the Complaints Management Procedure (see **Section 5**).
- The Quarry Manager will allow DES or MRC to visually inspect the Complaints Register on request.
- The Quarry Manager will be responsible for ensuring that erosion and sediment controls are kept free of clay/silt build-up, which can impact on runoff water quality.

4.3.6 Corrective Actions

- The Quarry Manager will personally meet with any person making a water quality complaint and will resolve issues raised by the complainant in accordance with the Complaints Management Procedure (see **Section 5**).
- Specialist advice may be required for any erosion and sediment control measures that should be implemented at the quarry if water quality is deemed to be unacceptable.
- The Quarry Manager will inspect stormwater management devices and instigate maintenance activities where required.



4.3.7 Auditing and Review

- The Quarry Manager will compile and summarise the monitoring undertaken (if any) in the preceding 12 months, compare the monitoring results against relevant legislative requirements, licence conditions and performance targets, consider any complaints received and actions taken, and will review changes to the quarry activities if required.

4.4 Air Quality Management Plan

4.4.1 Potential Impacts

Dust that is generated by the Beauview Quarry activities has the potential to cause nuisance to surrounding sensitive receptors through dust deposition and reduction in air quality (associated with an increase in particulate matter). Based on available wind data from the Bureau of Meteorology, the prevailing wind directions at the Site are determined to be between northerly and easterly in morning (9 am) and easterly to south-westerly in the afternoon (3 pm). This means that the areas of potential influence based on prevailing wind direction are to the south, south-west and west of the quarry site in the morning, and to the west, north-west, north and north-east of the quarry site in the afternoon.

The closest sensitive receptor to the proposed quarry is located approximately 950 m to the south-east, on the neighbouring property Lot 356 on Plan WV290. This is situated outside the predominant areas of potential influence. Furthermore, a separation distance of 950 m between the Beauview Quarry and this sensitive receptor will result in a low likelihood of adverse impacts on the sensitive receptor. Whilst the separation distance does not comply with Acceptable Outcome (AO) 2.1 of the MRC Planning Scheme's Extractive Industry Code, the overarching Performance Outcome (PO) 2 is still expected to be met. The UK Institute of Air Quality Management states that adverse dust impacts from sand and gravel extraction sites are uncommon beyond 250 m, and beyond 400 m from hard rock quarries¹. It should also be noted that the remnant vegetation retained within the Site will act as a physical barrier to any dust that may be carried in the south-easterly direction.

The following dwellings are identified as the closest sensitive receptors to the Beauview Quarry within the predominant areas of potential influence:

- Dwelling (Lot 555 on Plan WV1441) located approximately 1,550 m north-west of the proposed quarry. There is a large stand of vegetation south-west of this dwelling (within the road reserve) that would act as a buffer between the quarry activities and the dwelling.
- Dwelling (Lot 364 on Plan WV62) located approximately 1,800 m south-west of the proposed quarry. This is the home residence of the Beauview property landowner and Quarry Manager.
- Dwelling (Lot 56 on Plan WV1887) located approximately 2,000 m north of the proposed quarry. There is a large stand of vegetation south of this dwelling (within the subject property) that would act as a buffer between the quarry activities and the dwelling.
- Dwelling (Lot 363 on Plan WV134) located approximately 2,150 m south-west of the proposed quarry. Vegetation will be retained between the quarry and the sensitive receptor.

All of the dwellings listed above meet the separation distance requirements of AO2.1 within the MRC Planning Scheme Extractive Industry Code.

4.4.2 Performance Targets

The *Environmental Protection (Air) Policy 2008* (EPP(Air)) outlines the statutory ambient air quality and technology-based standards for point source emissions, identification of environmental values and the frameworks for managing environmental impacts. The objective of the EPP (Air) is to protect Queensland's air quality and to protect environmental values and the wellbeing of humans.

¹ Stone, Ian (2016) *PM₁₀ & Dust Reduction with Distance*, IAQM Meeting, London.



The Beauview Quarry will be required to comply with air quality related conditions within the forthcoming EA issued under the EP Act. These conditions will be added to this SBMP once the EA is issued. These conditions will be designed to comply with the EPP (Air).

4.4.3 Management Procedures and Practice

The use of water to prevent and manage potential dust nuisance from the Beauview Quarry will be a primary management measure. The following measures will be undertaken during the operation of the Beauview Quarry:

- Limit the removal of topsoil and overburden to that which is necessary at the time to provide for effective production of quarry material.
- Undertake progressive rehabilitation during the life of the operation where practicable.
- Where practicable, avoid quarrying activities during high winds.
- Dampen quarry working areas, haul roads and other hardstand areas through water spraying when visual surveillance indicates excessive dust generation.
- Enforce a 40 km/hr maximum speed limit on haul and access roads to minimise dust generation.
- Direct exhaust emissions from mobile plant away from the ground.
- Restrict mobile machinery movements to designated routes and standing areas.
- Fit water sprays to control dust emissions for crushing, screening and conveying operations.
- Install a wind shield and cover to any conveyors used on the Site.
- Tarp all loads of material transported from the Site that could generate dust pollution.
- Level loads prior to trucks exiting the Site.
- Clear spillage from truck side rails, tailgates and draw bars.
- Maintain the access road and haul route in a safe condition.
- Limit vegetation clearing to that which is absolutely necessary and approved.

4.4.4 Monitoring and Reporting

- If dust is observed traversing the boundaries of the Site, dust deposition gauges will be installed and maintained for one year, after which the need for, scope and duration of further monitoring would be evaluated.
- If a complaint is received relating to dust nuisance, and an administering authority (DES or MRC) requests monitoring to be undertaken, the Quarry Manager will commission air quality monitoring in accordance with AS3580.09.63.
- The Quarry Manager will undertake further dust monitoring as required in order to check compliance with performance targets.
- The Quarry Manager and all contractors will be responsible for visual surveillance of dust emissions from the Site. Excessive dust generation will be reported to the Quarry Manager, who will determine the actions to be undertaken.



4.4.5 Responsibility

- All air-quality related complaints received at the Beauview Quarry will be recorded in the Complaints Register. The Quarry Manager will investigate these complaints and take actions in accordance with the Complaints Management Procedure (see **Section 5**).
- The Quarry Manager will allow DES or MRC to visually inspect the Complaints Register on request.
- The Quarry Manager will be responsible for ensuring that dust suppression equipment is maintained and in good working order.
- The Quarry Manager will report any actions or dust observations in the Operator's Daily Diary.

4.4.6 Corrective Actions

- The Quarry Manager will personally meet with any person making an air quality complaint and will resolve issues raised by the complainant in accordance with the Complaints Management Procedure (see **Section 5**).
- Specialist advice may be required for any additional dust control measures that should be implemented at the quarry if dust generation is deemed to be unacceptable.
- During adverse weather conditions, the Quarry Manager will schedule activities and implement controls to prevent dust nuisance.
- The Quarry Manager will determine actions to be taken if excessive dust is generated on the Site.

4.4.7 Auditing and Review

- The Quarry Manager will compile and summarise the monitoring undertaken (if any) in the preceding 12 months, compare the monitoring results against relevant legislative requirements, licence conditions and performance targets, consider any complaints received and actions taken, and will review changes to the quarry activities if required.

4.5 Noise Management Plan

4.5.1 Potential Impacts

Noise emitted by quarrying activities has the potential to be a nuisance for neighbouring sensitive receptors. This includes noise generated by crushing and screening plant, equipment, vehicles and machinery and maintenance activities within the Site.

The closest sensitive receptor to the proposed quarry is located approximately 950 m to the south-east, on the neighbouring property Lot 356 on Plan WV290.

The following dwellings are identified as the other closest sensitive receptors to the Beauview Quarry:

- Dwelling (Lot 555 on Plan WV1441) located approximately 1,550 m north-west of the proposed quarry.
- Dwelling (Lot 364 on Plan WV62) located approximately 1,800 m south-west of the proposed quarry. This is the home residence of the Beauview property landowner and Quarry Manager.
- Dwelling (Lot 56 on Plan WV1887) located approximately 2,000 m north of the proposed quarry.
- Dwelling (Lot 363 on Plan WV134) located approximately 2,150 m south-west of the proposed quarry.



Vegetation and prevailing winds influence the distance that noise travels between a noise source and a receptor.

4.5.2 Performance Targets

The operations at the Beauview Quarry will comply with the *Environmental Protection (Noise) Policy 2008* (EPP Noise) and the conditions of approval within the MRC development permit and the EA. These conditions will include requirements about the maximum acceptable noise levels at sensitive receptors during certain periods.

4.5.3 Management Procedures and Practice

The following measures will be adopted by the Beauview Quarry to manage potential noise impacts:

- Design the layout of the quarry to maximise the use of natural noise barriers, earthen bunds and vegetation as noise buffers.
- Operate and maintain modern and well-maintained equipment, machinery, vehicles and trucks.
- Avoid unnecessary revving of mobile or stationary motors.
- Replace reversing beepers with broadband silenced alarms where appropriate.
- Implement a Site code that outlines requirements for operators and drivers, including the movement of trucks on public roads.
- Maintain haul road and hardstand surfaces in good condition (i.e. free of potholes, rills and product spillages).

4.5.4 Monitoring and Reporting

- The Quarry Manager will commission a noise survey following a request from an administering authority (DES, MRC) to investigate a noise complaint, provided that this complaint is reasonable and not frivolous or vexatious.
- The Quarry Manager will commission noise monitoring and/or surveys as often as is required to check compliance with performance targets under the approval conditions within the development permit and EA.
- The Quarry Manager will ensure that earthen bunds, enclosures and buffer land vegetation is maintained.
- The Quarry Manager will maintain records of any noise monitoring or surveys undertaken.

4.5.5 Responsibility

- All complaints received at the Beauview Quarry will be recorded in the Complaints Register. the Quarry Manager will investigate complaints and take actions in accordance with the Complaints Management Procedure (see **Section 5**).

4.5.6 Corrective Actions

- The Quarry Manager will personally meet with any person making a complaint in an effort to resolve issues raised by the complainant. The Quarry Manager may engage a specialist consultant to investigate the noise issues if it is deemed necessary.
- Consultants may be commissioned to provide advice on noise control devices that should be implemented at the Site, to prevent environmental nuisance.



- The Quarry Manager must undertake appropriate action to reduce the identified noise source and ensure the performance criteria are achieved.

4.5.7 Auditing and Review

- The Quarry Manager, or consultant, will retain and review any monitoring undertaken in the preceding 12 months, compare the monitoring results against the relevant legislative requirements, licence conditions and nominated performance targets, and review changes to the extraction or processing activities employed at the Site and any complaints received and actions taken.

4.6 Weed Management

The following management measures apply to the control of weeds with the proposed Beauview Quarry:

- Vehicle and equipment operators will use best endeavours to ensure that all vehicles, machinery, equipment and materials brought onto the Site are free of any noxious or declared weeds before entering the Site.
- A current Weed Hygiene Inspection Report will be kept with all relevant vehicles, equipment and machinery used by the operator on the Site.
- All vehicles must have undertaken a fresh washdown prior to entering the Site. All vehicles must hold a current weed hygiene declaration and/or an Australian Certified Organic Contractor Declaration form.
- Where works are to occur over consecutive days, vehicles are to be stored within a designated area within the quarry.
- Operators must use their best endeavours to notify the Quarry Manager of any outbreak of any noxious or declared weeds observed by the operator on the Site.
- During entry and exit, the operator will check the road edges for parthenium weed and invasive grass species (e.g. Indian couch, Chilean needle grass, giant rat's tail grass, African lovegrass, etc.).
- The Quarry Manager, as landowner, will be responsible for upholding weed management obligations in accordance with the *Biosecurity Act 2014* within the Site.

4.7 Access and Traffic

The following management measures apply to the access and traffic associated with the proposed Beauview Quarry:

- Personnel and contractors entering the Site must use the Sign-in Book at the Site entrance.
- All vehicles and machinery entering the Site must hold a current weed hygiene declaration.
- Vehicles are to be limited to approved entry points, access roads, tracks, and designated work areas.
- The Quarry Manager will maintain all internal access roads.
- Where safe to do so, quarry vehicles will give way to vehicles driven by or carrying landholders, personal visitors, employees and contractors.
- All vehicles will be restricted to a maximum speed of 40 km/h when on the Site with an added expectation that all vehicles moving past cattle will be limited to 15 km/h.



- Driving must suit the prevailing conditions and must minimise the generation of noise and dust.
- In wet conditions, vehicle movements must be minimised to essential traffic and must minimise damage to access points, roads and tracks.
- Gates must be left as they are found.

4.8 Waste

The Site and proposed extractive activities do not require any permanent on-site staff or structures/buildings. It is the responsibility of the Quarry Manager and all licenced suitable operators and contractors to dispose of all waste generated on the Site. All contractors will be informed of their waste management responsibilities as part of the Site induction. All contractors will be instructed to appropriately store, handle and dispose of waste and to actively minimise waste generated in day-to-day operations, including cigarette butts. No waste is to be buried on the Site.

It is not expected that any land will be contaminated as a result of the Beauview Quarry operations. The Site will be maintained in a neat and tidy state at all times as required by the EA and the development permit conditions.

4.9 Cultural Heritage

The establishment of the Beauview Quarry will require the clearing of native vegetation and stripping of topsoil. These activities have the potential to impact cultural heritage values should the occur on the Site. Potential impacts on cultural heritage values will be managed in accordance with the requirements of the *Aboriginal Cultural Heritage Act 2003* and associated Duty of Care Guidelines.

Should an unexpected cultural heritage find be encountered, construction activities in the vicinity of the find will cease immediately. The relevant Aboriginal Party for the area will be contacted and consulted to seek their advice on how best to manage or minimise harm to the find.

4.10 Rehabilitation

The Site will be progressively rehabilitated where practicable. The quarrying activities will result in the formation of an open pit on the Site. Given the context of the proposed quarrying activities, this will not detract from or alter the character of the surrounding area. Significant stands of remnant vegetation will remain intact within the Site and this will help to mitigate any potential visual impacts associated with the quarry from surrounding dwellings or publicly accessible vantage points. Tree clearing will be strictly limited to the boundaries of the quarry activities and will be undertaken in accordance with relevant approval conditions.

Prior to the cessation of operations at the Beauview Quarry, a Rehabilitation Management Plan (RMP) will be prepared in order to outline how rehabilitation of the Beauview Quarry will be undertaken in order to:

- Successfully rehabilitate land back to its previous use (rural) following completion of quarrying activities;
- Batter the slopes within the quarry pit to suit the final use of the former quarry (i.e. an agricultural dam);
- Restrict unauthorised entry into any long-term water storage on the Site;
- Undertake appropriate rehabilitation of the former quarry by ripping and placing topsoil on areas where the earth has been compacted by heavy vehicle movements (e.g. extraction area and internal roads); and
- Audit the rehabilitation process progressively until it can be demonstrated that the conditions of the EA and development permit have been achieved.



4.11 Emergency Response

4.11.1 Emergency Procedure

Site personnel must not disturb the scene of an emergency, other than to protect from further injury or to prevent further damage. In response to an emergency, the Quarry Manager and contractors must follow these steps:

1. Notify all personnel, including contractors and visitors, of the emergency situation and the requirement to immediately proceed to the Muster Point (entry to Site).
2. Confirm all personnel are safely at the Muster Point.
3. Assess the emergency situation and contact the appropriate authority (refer to table in **Section 4.11.2**).
4. All personnel are to remain at the Muster Point until the emergency situation has been deemed to be safe.
5. Undertake an incident investigation if required to identify the cause of the emergency situation and any available controls or modifications necessary to reduce the risk of a repeat occurrence.

4.11.2 Emergency Contact List

Contact	Phone Number
Quarry Manager – Harley Nixon	0428 363 780
Roma Hospital	(07) 4624 2700
Roma Ambulance	000
Fire Service	000
Roma Rural Fire Brigade	0428 111 867
Secondary Mobile Phone Emergency Numbers	112 & 106
DES Hotline	13QGOV (13 74 68)
Wildlife Incidents / Pollution	1300 130 372



5.0 Complaints Management Procedure

5.1 Objective

To ensure that there is a response to all complaints received at the Beauview Quarry and that complaints are investigated and appropriate action is taken in response.

5.2 Recording Complaints

All complaints relating to the operation of the Beauview Quarry must be recorded in a Complaint Register with the following details:

1. Time, date and nature of complaint, including urgency and significance.
2. Type of communication (telephone, letter, personal, etc.).
3. Name, contact address and contact telephone number of complainant (note: if the complainant does not wish to be identified, then "not identified" is to be recorded).
4. Response and investigation undertaken as a result of the complaint.
5. Names of persons responsible for receiving and/or investigating the complaint.
6. Action taken as a result of the complaint investigation and signature of the responsible person.

5.3 Investigating Complaints

All complaints should be investigated. Complaints should be investigated in the following manner by the Quarry Manager:

1. Determine what activities were being undertaken and what equipment was being operated at the time of the complaint.
2. Determine whether, at the time of the complaint, normal day-to-day activities were conducted or whether new activities were conducted.
3. Determine whether equipment or activities on the Site were the source of the complaint, or whether other activities in the locality were the cause of the complaint.
4. Determine what potential actions may be carried out to resolve a complaint and/or minimise the likelihood of further complaint.
5. Commission an investigatory study if required to determine whether the complaint can be substantiated.

5.4 Resolving Complaints

Resolving complaints is necessary to ensure that a good relationship with surrounding landholders is fostered and maintained. This involves determining what actions are required to resolve the complaint and to reduce the likelihood of further complaints.

If monitoring is undertaken, the Quarry Manager will provide an objective summary of the results of the survey to the complainant. Actions resulting from the commissioning of any such study will be provided to the complainant.

To ensure that a person making the complaint is satisfied with the actions taken (if actions are required) to resolve the complaint, contact should be made with the complainant following the carrying out of investigations/actions to ensure that the complaint has been satisfactorily resolved.



5.5 Complaints Register

A Complaint Register will be kept at the Site office.

5.6 Responsibility

The Quarry Manager will be responsible for ensuring all staff and contractors at the Beauview Quarry are familiar with the procedure for complaint recording.

Staff and contractors are required to record any complaint received and to notify the Quarry Manager that the complaint has been received.

Respect and understanding must be shown at all times to complainants.

5.7 Performance Targets

Complaints are to be investigated within two working days of the complaint being received.

Confirmation by the complainant within one month of completion of investigations of the complaint, that the issue has been resolved to their satisfaction.

No repeated complaints.



Queensland Treasury

SARA reference: 2005-16899 SRA
Council reference: 2020/20072

13 July 2020

Chief Executive Officer
Maranoa Regional Council
PO Box 620
ROMA QLD 4405
planning@maranoa.qld.gov.au

Attention: Ms Jessica Reiser

Dear Jess

SARA response—Wallumbilla North Road, Wallumbilla North

(Referral agency response given under section 56 of the *Planning Act 2016*)

The development application described below was confirmed as properly referred by the State Assessment and Referral Agency (SARA) on 20 May 2020.

Response

Outcome:	Referral agency response – with conditions.
Date of response:	13 July 2020
Conditions:	The conditions in Attachment 1 must be attached to any development approval.
Advice:	Advice to the applicant is in Attachment 2 .
Reasons:	The reasons for the referral agency response are in Attachment 3 .

Development details

Description:	Development permit	Material change of use for Extractive Industry (Quarry 5,000 tonnes to 100,000 tonnes)
SARA role:	Referral Agency.	
SARA trigger:	Schedule 10, Part 3, Division 4, Table 3, Item 1—Clearing native vegetation (Planning Regulation 2017)	
	Schedule 10, Part 9, Division 4, Subdivision 1, Table 1, Item 1—Aspect of development stated in schedule 20 (Planning Regulation 2017)	
SARA reference:	2005-16899 SRA	

2005-16899 SRA

Assessment Manager: Maranoa Regional Council
Street address: Wallumbilla North Road, Wallumbilla North
Real property description: Lot 355 on WV290
Applicant name: Harley and Ellen Nixon T/A Beauview Partnership Pty Ltd
Applicant contact details: C/- Danya Elizabeth Cook
Unit 11/75 - 77 Sixth Avenue
Maroochydore QLD 4558
dectownplanning@hotmail.com

Representations

An applicant may make representations to a concurrence agency, at any time before the application is decided, about changing a matter in the referral agency response (s.30 Development Assessment Rules) Copies of the relevant provisions are in **Attachment 4**.

A copy of this response has been sent to the applicant for their information.

For further information please contact Danica Clark, Senior Planner, on (07) 4616 7305 or via email ToowoombaSARA@dsdmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Darren Cooper
A/Manager - DDSW (Planning)

cc Harley and Ellen Nixon T/A Beauview Partnership Pty Ltd, dectownplanning@hotmail.com

enc Attachment 1 - Referral agency conditions
Attachment 2 - Advice to the applicant
Attachment 3 - Reasons for referral agency response
Attachment 4 - Representations about a referral agency response
Attachment 5 - Approved plans and specifications

2005-16899 SRA

Attachment 1—Referral agency conditions

(Under section 56(1)(b)(i) of the *Planning Act 2016* the following conditions must be attached to any development approval relating to this application) (Copies of the plans and specifications referenced below are found at Attachment 5)

No.	Conditions	Condition timing
Material change of use		
Schedule 10, Part 3, Division 4, Table 3, Item 1—The chief executive administering the <i>Planning Act 2016</i> nominates the Director-General of the Department of Natural Resources, Mines and Energy to be the enforcement authority for the development to which this development approval relates for the administration and enforcement of any matter relating to the following condition:		
1.	The clearing of vegetation under this development approval is limited to the area identified as Area A as shown on attached Technical Agency Response Plan (TARP), referenced TARP 2005-16899 SRA, dated 30/06/2020.	At all times

2005-16899 SRA

Attachment 2—Advice to the applicant

General advice	
1.	Terms and phrases used in this document are defined in the <i>Planning Act 2016</i> its regulation or the State Development Assessment Provisions (SDAP) v2.6. If a word remains undefined it has its ordinary meaning.

2005-16899 SRA

Attachment 3—Reasons for referral agency response

(Given under section 56(7) of the *Planning Act 2016*)

The reasons for SARA's decision are:

The development complies with *State code 6: Protection of state transport networks* and *State code 16: Native vegetation clearing*. Specifically, the development:

- avoids impacts on vegetation that are matters of state environmental significance and where it can't be avoided, the development minimises and mitigates impacts
- does not compromise the structural integrity of state-controlled roads, road transport infrastructure or road works.

Material used in the assessment of the application:

- The development application material and submitted plans
- *Planning Act 2016*
- Planning Regulation 2017
- The *State Development Assessment Provisions* (version 2.6)
- The Development Assessment Rules
- SARA DA Mapping system

2005-16899 SRA

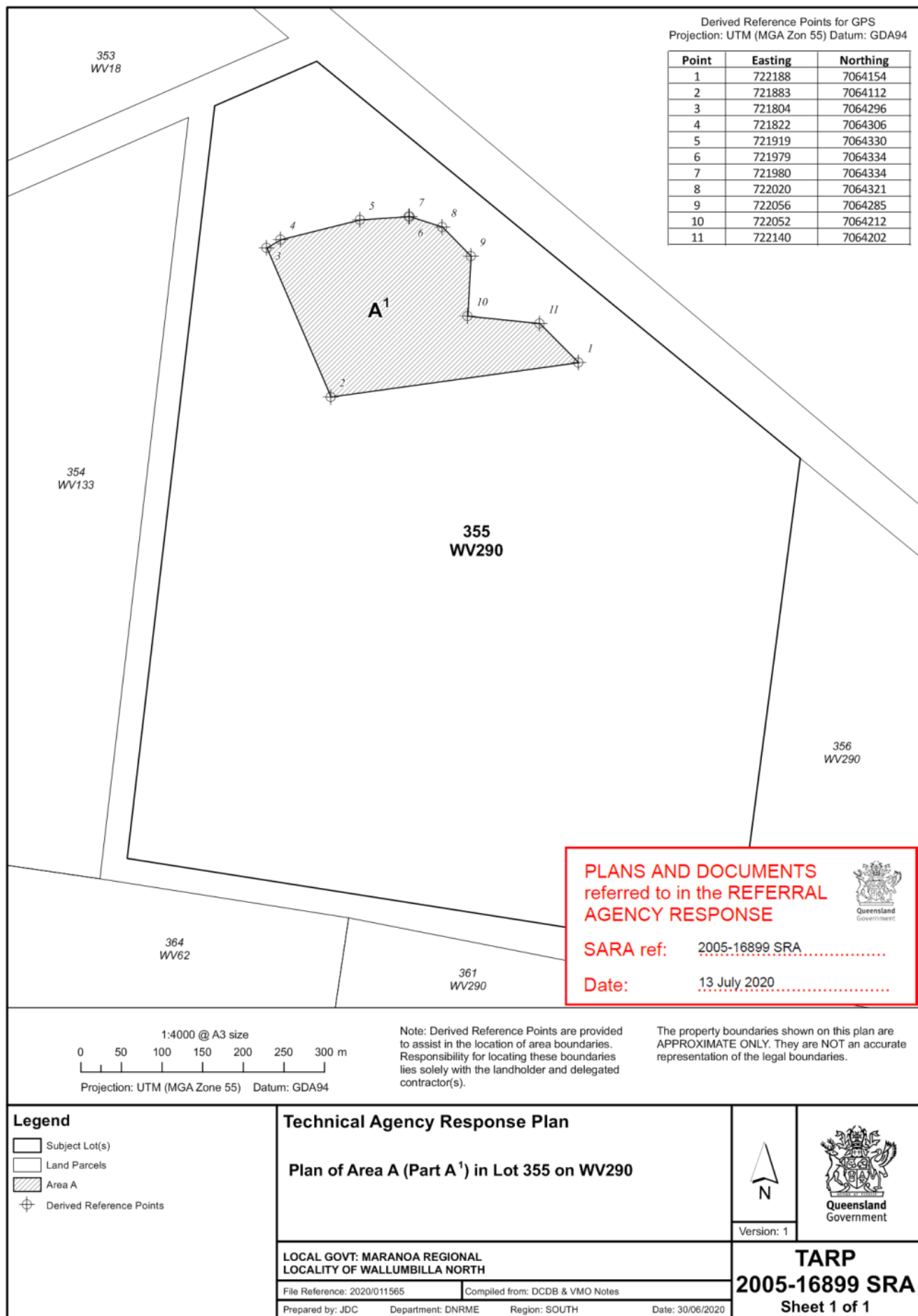
Attachment 4—Representations about a referral agency response

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2005-16899 SRA

Attachment 5—Approved plans and specifications

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Development Assessment Rules—Representations about a referral agency response

The following provisions are those set out in sections 28 and 30 of the Development Assessment Rules¹ regarding **representations about a referral agency response**

Part 6: Changes to the application and referral agency responses

28 Concurrence agency changes its response or gives a late response

- 28.1. Despite part 2, a concurrence agency may, after its referral agency assessment period and any further period agreed ends, change its referral agency response or give a late referral agency response before the application is decided, subject to section 28.2 and 28.3.
- 28.2. A concurrence agency may change its referral agency response at any time before the application is decided if—
- (a) the change is in response to a change which the assessment manager is satisfied is a change under section 26.1; or
 - (b) the Minister has given the concurrence agency a direction under section 99 of the Act; or
 - (c) the applicant has given written agreement to the change to the referral agency response.²
- 28.3. A concurrence agency may give a late referral agency response before the application is decided, if the applicant has given written agreement to the late referral agency response.
- 28.4. If a concurrence agency proposes to change its referral agency response under section 28.2(a), the concurrence agency must—
- (a) give notice of its intention to change its referral agency response to the assessment manager and a copy to the applicant within 5 days of receiving notice of the change under section 25.1; and
 - (b) the concurrence agency has 10 days from the day of giving notice under paragraph (a), or a further period agreed between the applicant and the concurrence agency, to give an amended referral agency response to the assessment manager and a copy to the applicant.

¹ Pursuant to Section 68 of the *Planning Act 2016*

² In the instance an applicant has made representations to the concurrence agency under section 30, and the concurrence agency agrees to make the change included in the representations, section 28.2(c) is taken to have been satisfied.

Part 7: Miscellaneous

30 Representations about a referral agency response

30.1. An applicant may make representations to a concurrence agency at any time before the application is decided, about changing a matter in the referral agency response.³

³ An applicant may elect, under section 32, to stop the assessment manager's decision period in which to take this action. If a concurrence agency wishes to amend their response in relation to representations made under this section, they must do so in accordance with section 28.

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Ordinary 23 September 2020

Date: 3 September 2020

Item Number: 14.1

File Number: D20/84553

SUBJECT HEADING: Improved Safety for the Residents of the Maranoa

Classification: Open Access

Councillor's Title: Cr Tyson Golder

Executive Summary:

A resident has approached the Mayor about the vandalism that is occurring in a particular area in Roma.

Councillor's Recommendation:

That a report be prepared for an upcoming Council meeting.

Background:

I would like Council to investigate options for security cameras to be placed in problem hotspots in the Maranoa.

Supporting Documentation:

Nil

Notice prepared by: Cr. Tyson Golder

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Ordinary 23 September 2020

Date: 7 September 2020

Item Number: 14.2

File Number: D20/85450

SUBJECT HEADING: Council Owned Private Label Meat works

Classification: Open Access

Councillor's Title: Cr Tyson Golder

Executive Summary:

That Council consider undertaking community consultation for a Council owned private labelled meat works in the Maranoa.

Councillor's Recommendation:

That a report be prepared for an upcoming Council meeting.

Details of Requested Agenda Report:

A Council owned, private labelled meat works will service producers that would like to mark their own beef brand and who would also support supplying the Council owned meat works up to a maximum capacity of 250 a head / per day.

This would also be beneficial to create extra employment and economic development for the region.

Supporting Documentation:

Nil

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Ordinary 23 September 2020

Date: 10 September 2020

Item Number: 14.3

File Number: D20/86978

SUBJECT HEADING: Improved disable parking for Mitchell

Classification: Open Access

Councillor's Title: Cr Tyson Golder

Executive Summary:

To improve parking for residents in Mitchell.

Councillor's Recommendation:

That a report be prepared for an upcoming Council meeting.

Details of Requested Agenda Report:

I would like Council to consider forming an additional disabled parking space for Alice Street, Mitchell, for servicing the Main Street.

Supporting Documentation:

Nil