

MINUTES OF THE ORDINARY MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 10 MARCH 2021 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 & Minutes Officer – Julie Reitano in attendance.

AS REQUIRED

Deputy Chief Executive Officer/Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate & Community Services – Sharon Frank, Manager Community Safety – Samantha (Sam) Thrupp, Manager Facilities (Land, Buildings & Structures) – Tanya Mansfield, Manager Planning & Building Development – Danielle Pearn, Planning Officer – Jessica (Jess) Reiser, Manager Economic & Community Development – Ed Sims.

WELCOME

The Deputy Mayor welcomed all present and declared the meeting open at 9.07am, and immediately adjourned the meeting. The Mayor re-convened the meeting at 9.25am.

CONFIRMATION OF MINUTES

Resolution No. OM/03.2021/01	
Moved Cr McMullen	
That the (confirmation) of minutes of the Ordinary Meeting held on 24 February 2021 be laid on the table until later in the meeting.	
CARRIED	9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
----------------------------	--

Confirmation of the minutes took place later during the meeting at 7.54pm.

Resolution No. OM/03.2021/02	
Moved Cr Hancock	Seconded Cr Taylor
That the minutes of the Ordinary Meeting held on 24 February 2021 be confirmed.	
CARRIED	9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
----------------------------	--

Item Number: 8.1 **File Number:** D21/16396

SUBJECT HEADING: HEAVY VEHICLE SAFETY AND PRODUCTIVITY PROGRAM AND BRIDGES RENEWAL PROGRAM - OFFER OF FUNDING AND TENDER EXEMPTION REQUEST

Officer's Title: Deputy Director / Strategic Road Management

Original Resolution Meeting Date: 09 December 2020

Resolution Number: OM/12.2020/20

Resolution:

That Council authorise the Chief Executive Officer to apply for a tender exception, including the provision of supporting documentation, under the Heavy Vehicle Safety and Productivity Program and Bridges Renewal Program at the time of signing the Offer of Funding for the relevant programs.

Resolution No. OM/03.2021/03

Moved Cr McMullen

Seconded Cr Birkett

That Council rescind (repeal) Resolution Number OM/12.2020/20 stating:

That Council authorise the Chief Executive Officer to apply for a tender exception (exemption), including the provision of supporting documentation, under the Heavy Vehicle Safety and Productivity Program and Bridges Renewal Program at the time of signing the Offer of Funding for the relevant programs.

Replacement motion:

That Council authorise the Chief Executive Officer to apply for a tender exception (exemption), including the provision of supporting documentation, for the Creek Street Upgrade Project (Amby) under the Heavy Vehicle Safety and Productivity Program.

CARRIED

9/0

Responsible Officer

Deputy Director / Strategic Road Management

BUSINESS

CORPORATE & COMMUNITY SERVICES

Item Number: 11.1 **File Number:** D20/117025

SUBJECT HEADING: DISTRESSED ANIMALS AND WELFARE CONCERNS

Officer's Title: Manager - Community Safety

Executive Summary:

This report detailed Council response to reports of distressed animals and welfare concerns within the Maranoa Region. The report clarifies which entity is responsible for responding to and addressing these concerns, and details actions undertaken by Council to assist the responsible entity – Biosecurity Queensland with the reporting and investigation of such issues.

Resolution No. OM/03.2021/04

Moved Cr Golder

Seconded Cr McMullen

That further investigation be undertaken with Biosecurity Queensland whether it is possible to log with them, on a customer's behalf, a preliminary notification with their customer's details to follow-up in the interest of encouraging residents to report animal welfare issues.

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

Responsible Officer	Manager - Community Safety
----------------------------	-----------------------------------

Item Number:

11.2

File Number: D21/10661

SUBJECT HEADING:

AGREEMENT FOR LICENCE TO USE FACILITIES - MITCHELL WORKSHOP

Officer's Title:

Operations Manager - Plant, Fleet & Workshops

Executive Summary:

The purpose of this report was to renew a long-standing Agreement for Licence to use Facilities between Maranoa Regional Council and the Department of Transport and Main Roads for the use of Council's Mitchell workshop facility for the period 1 April 2021 to 31 March 2022.

Resolution No. OM/03.2021/05

Moved Cr O'Neil

Seconded Cr Birkett

That Council:

- 1. Authorise the Chief Executive Officer or delegate to sign the Agreement for Licence to use Facilities between Department of Transport and Main Roads (TMR) and Maranoa Regional Council for the use of the Mitchell workshop facilities from 1 April 2021 to 31 March 2022.**
- 2. Set the fee at \$127.20 (excluding GST) per day.**

CARRIED

9/0

Responsible Officer	Operations Manager - Plant, Fleet & Workshops
----------------------------	--

Item Number: 11.3 **File Number:** D21/15295

SUBJECT HEADING: NEW FEE - COMMUNITY SAFETY

Officer's Title: Manager - Community Safety

Executive Summary:

The state legislation pertaining to the requirements for keeping a regulated dog has recently been amended and now requires that a regulated dog wear a specific collar prescribed under regulation.

Council plans to order a number of collars in different sizes to hold in stock to ensure that regulated dog owners have the option to purchase this item from Council. This report was seeking the endorsement of Council to add the fees to purchase these collars to the fees and charges schedule.

Resolution No. OM/03.2021/06

Moved Cr Taylor

Seconded Cr Guthrie

That Council adopt the proposed new fees and charges as follows:

- **Regulated Dog Collar – Small \$35 including GST**
- **Regulated Dog Collar – Medium \$40 including GST**
- **Regulated Dog Collar – Large - \$45 including GST**
- **Regulated Dog Collar – Extra Large - \$50 including GST**

CARRIED

9/0

Responsible Officer

Manager - Community Safety

INFRASTRUCTURE SERVICES

Item Number: 12.1 **File Number:** D21/16386

SUBJECT HEADING: INJUNE MEMORIAL HALL SHADE STRUCTURE

Officer's Title: Deputy Director / Strategic Road Management
Senior Engineer

Executive Summary:

Since the removal of two mature trees in front of the Injune Memorial Hall, the area is currently without shade. The provision of shade at this location has been raised with Council from community members in Injune.

As part of the 2020/21 Budget, Council approved a budget allocation of \$75,000 to provide a shade structure to this location. Following initial investigation into options, the current allocation of funds will provide basic shade sail structure on support poles only.

Given the importance of the site, several architectural sketches were prepared to help visualise and gauge support of a potential solution for the site. When presented with a portfolio of five (5) options, initial stakeholder consultation in Injune identified a preference for an architecturally designed roofed structure. A reallocation of funds from other approved projects could provide the additional funding to provide the preferred structure.

This report provided Council with an update on project activities to date, and sought guidance in relation to the next steps for the project.

Resolution No. OM/03.2021/07

Moved Cr Golder

Seconded Cr Guthrie

That Council:

1. Undertake community consultation on a flat roofed structure (e.g. Option 1).
2. Send correspondence to each community group in Injune that uses the hall for their feedback and an unaddressed mailout to Injune and District.
3. Note that the delivery of the architecturally designed flat roofed structure (Option 1) will require an additional budget allocation of \$65,000 to complete.
4. Be presented with a subsequent report following the community consultation so the scope and budget for the project can be confirmed.

CARRIED

9/0

Responsible Officer

Deputy Director / Strategic Road Management

**COUNCIL ADJOURNED THE MEETING
FOR A BRIEF RECESS AT 10.15am**

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 10.50am**

Item Number:

12.2

File Number: D21/16403

SUBJECT HEADING:

**REQUEST FOR ACCESS DRIVEWAY WORKS -
LOT 3 ON RP42263 AND LOT 2 ON RP42263**

Officer's Title:

**Deputy Director / Strategic Road Management
Assets Officer - Transport Network**

Executive Summary:

Council has received a request regarding access driveways in Roma. This request relates to access driveways to Lot 2 and 3 on RP42263 respectively.

In investigating each of the requests, it has been identified that works undertaken by Council (or its contractors) is likely to have contributed to the current issues that have been raised.

This report outlined the details and history of the request, and provided a recommendation for Council's consideration.

Resolution No. OM/03.2021/08

Moved Cr Ladbrook

Seconded Cr Edwards

That Council approve the proposed works on the access driveways to Lots 2 and 3 on RP42263 with funding to be provided from the 50% Footpath Contribution Allocation budget.

CARRIED

9/0

Responsible Officer

Deputy Director / Strategic Road Management

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Item Number:	13.1	File Number: D21/1968
SUBJECT HEADING:	DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE - "INTENSIVE ANIMAL INDUSTRY" AND ERA 2(1)B (REF: 2020/20025)	
Location:	3154 Condamine Highway, Warkon QLD 4417	
Applicant:	David and Carmel McInnerney C/- Premise Australia Pty Ltd	
Officer's Title:	Planning Officer	

Executive Summary:

David and Carmel McInnerney C/- Premise Australia Pty Ltd are seeking a development approval for a Material Change of Use for an "Intensive Animal Industry" (3,200 Standard Cattle Units) and "Environmentally Relevant Activity" 2(1)b - Intensive Animal Feedlotting on land situated at 3154 Condamine Highway, Warkon QLD 4417, properly described as Lot 22 on WV1136 and Lot 212 on SP267094 (the subject premises).

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 6 October 2020 and 29 October 2020. There were 1,542 submissions received objecting to the proposed development, of which 20 submissions were properly made. One of the properly made submissions included in excess of 9,000 signatures.

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 an 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.

Resolution No. OM/03.2021/09

Moved Cr Hancock

Seconded Cr O'Neil

That the application for a Material Change of Use for an "Intensive Animal Industry" (3,200 Standard Cattle Units) and Environmentally Relevant Activity 2(1)b - Intensive Animal Feedlotting on land situated at 3154 Condamine Highway, Warkon QLD 4417, properly described as Lot 22 on WV1136 and Lot 212 on SP267094 be approved subject to the listed Development conditions and General advice:

Development conditions:

Use

- 1. The approved development is for a Material Change of Use for a Material Change of Use for "Intensive Animal Industry" (3,200 Standard Cattle Units) and Environmentally Relevant Activity 2(1)b - Intensive Animal Feedlotting as defined in the Planning Scheme and as shown on the approved plans and documents.**

Compliance inspection

2. All conditions relating to the establishment of the approved development must be fulfilled prior to the commencement of use of each approved stage (as applicable), unless noted in these conditions or otherwise permitted by Council.
3. Prior to the commencement of use of each approved development stage, 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	Date
MIS-0618/1903208 Revision A	Development Assessment Report prepared by Premise Australia Pty Ltd	23/01/2020

Environmental management

5. While the use continues all activities must be managed in accordance with:
 - a) The relevant Environmental Authority issued by the Department of Agriculture and Fisheries or any subsequent Environmental Authority that is issued for the approved use; and
 - b) The Development Assessment Report prepared by Premise Australia Pty Ltd dated 23 January 2020 (Reference: MIS-0618/1903208 Revision A).

Biosecurity plan

6. A Biosecurity Plan for the premises must be prepared and implemented in accordance with the *Biosecurity Act 2014*. A copy of the plan must be submitted to Council prior to commencement of the approved development.

Development works

7. During the course of constructing 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.
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 (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

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.

Site maintenance

10. The development (including parking, access and other external spaces) shall be maintained in accordance with the Approved plans and documents referenced in Condition 4, subject to and modified by any conditions of this approval.
11. 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.

Access

12. The landowner is responsible for the construction and maintenance of vehicle crossovers from the property boundary to the external road networks and access ways, and for obtaining any approvals that may be required and for complying with the applicable designs and standards.
13. Vehicle crossovers must be located a minimum distance of one metre from any power poles, road signage, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.

Internal access roads

14. All weather internal vehicle access shall be provided for traffic movements within the development site area.

Avoiding nuisance

15. 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.

16. Dust emanating as a result of approved intensive animal industry (feedlot) operations (including feedlot 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.

17. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.

18. All lighting shall be directed or shielded so as to ensure that no glare directly affects 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.

Services

19. The development must be provided with an on-site water supply with sufficient capacity to meet all operational needs, including watering to minimise dust nuisance, fire-fighting purposes and also a potable water supply sufficient to meet the needs of staff and visitors to the site.

Stormwater and drainage

20. Stormwater is to be managed in accordance with:

- a) The Development Assessment Report prepared by Premise Australia Pty Ltd dated 23 January 2020 (Reference: MIS-0618/1903208 Revision A); and
- b) Capricorn Municipal Development Guidelines D5 'Stormwater Drainage Design'.

21. Discharge of stormwater runoff from the development shall drain freely in all cases, and no nuisance of ponding is to be created within the vicinity of the development.

22. There shall be no increases in any silt loads or contaminants in any overland flow from the site being developed, or into creeks or roadways, either during the development process or after the development has been completed.

23. The holder of the development approval must ensure that the use is conducted in a manner that the Cattle Feedlot activities do not cause contamination of groundwater or stormwater runoff.

24. 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.

25. 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, including hazard to passing traffic.

Earthworks

26. All earthworks for the development shall be undertaken in accordance with Capricorn Municipal Development Guidelines D6 'Site Regrading' Design Guidelines.

Erosion control

27. Erosion and Sediment Control is to be managed in accordance with:

- a) The Development Assessment Report prepared by Premise Australia Pty Ltd dated 23 January 2020 (Reference: MIS-0618/1903208 Revision A); and
- b) Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.

Emergency events

28. A Flood Hazard Management Plan, having regard to the site characteristics and management procedures in the event of a flood, 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 Flood Hazard Management Plan, its content, and the procedures that need to be followed in the case of a flood event.

29. 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 Flood and Bushfire Hazard Management Plans must be made available during any compliance inspection carried out by Council.

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

Advertising signage

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.

32. Any proposed advertising signage in addition to that identified in the approved development plans, is subject to further development approval unless complaint with the requirements for “Accepted development” or “Accepted development subject to requirements” identified in the planning scheme in force at the time.
33. 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

34. 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

35. 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

36. 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. The approved development is an Environmentally Relevant Activity and requires an Environmental Authority to be issued by the Department of Agriculture and Fisheries prior to the commencement of use and must remain current while the use continues. All references to the ‘Environmental Authority’ within these conditions refer to the Environmental Authority for this approved use.

- iv. The related Environmental Authority is:
 - a. 2(1)b Intensive Animal Feeding: 1000 – 10,000 Standard Cattle Units (SCU)
- v. 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.
- vi. 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.
- vii. 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.
- viii. 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.
- ix. 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.
- x. The movement of stock in and out of the site must comply with the National Heavy Vehicle Regulator (NHVR) for permitted use of the road network. Refer to www.nhvr.gov.au
- xi. 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*.
- xii. The proposed development must be designed, constructed and operated in accordance with relevant Beef Cattle Feedlot Industry Guidelines and Codes of Practice.
- xiii. 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.

CARRIED

9/0

Responsible Officer	Planning Officer
---------------------	------------------

Deputy Chief Executive Officer, Rob Hayward, left the meeting at 11.04am.

Item Number: 13.2 **File Number:** D21/9031

SUBJECT HEADING: DEVELOPMENT APPLICATION FOR A MATERIAL CHANGE OF USE - 'EDUCATIONAL ESTABLISHMENT' & 'OUTDOOR SPORT AND RECREATION' (REF: 2020/20219)

Applicant: St Johns Catholic School Roma

Officer's Title: Lead Town Planner

Executive Summary:

At the south-west intersection of Duke Street and Bowen Street in Roma is a newly created lot that has recently been acquired by the St Johns School as part of a land-swap agreement with the neighbouring Pinaroo Retirement Facility. St Johns intend to develop the lot to provide additional car parking and sporting facilities that will be used by the school and potentially other parties. The main school campus is located directly across the road from the lot and there are obvious and direct pedestrian links between the two properties, such that the proposal can be seen more as an expansion of the existing school as opposed to a stand-alone development.

The approval required to facilitate the outcome is subject to Impact assessment and in accordance with Section 45 of the Planning Act 2016 must be assessed against the assessment benchmarks (to the extent relevant) and any matters prescribed by regulation. The assessment may also be carried out against, or have regard to, any other relevant matter. 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 between 17 December 2020 and 22 January 2021. There were no submissions received during this period. All other procedural requirements set out by the Development Assessment Rules to enable Council to decide this application have been fulfilled.

The development application has been assessed against all relevant assessment benchmarks and found to comply, or able to be conditioned to comply.

Further, assessing officers have identified a number of relevant matters that support approval of the application, including an overall absence of negative impacts resulting from the proposed development; and that the development site has good connectivity with the adjoining school and other community and social land uses.

Resolution No. OM/03.2021/10

Moved Cr O'Neil

I'll move that this lays on the table until later in the meeting so this can be rectified. [wording pertaining to the conditions outlined in the officer's recommendation].

CARRIED

9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
----------------------------	--

Item Number: 13.3 **File Number:** D21/12203

SUBJECT HEADING: REQUEST FOR FEE WAIVER - TOOWOOMBA CATHOLIC SCHOOLS

Officer's Title: Support Officer - Economic & Community Development

Executive Summary:

Council has received a request from the Diocese of Toowoomba Catholic Schools, a registered charity. The request is for a fee waiver for equipment and set up of the Ernest Brook Room to enable Toowoomba Catholic Schools to deliver no-cost professional development to staff employed at St John's Catholic School in Roma and other rural and remote Catholic schools in the region.

The total cost of equipment hire and set up fees is \$618.90 and can be allocated to the In-Kind Minor GL 2887.2246.2001 which has a remaining budget of \$3,630.08 for this financial year.

This request is in line with Council's Community Grants and Non-Financial Assistance Policy as this will be the first fee waiver request received from the Diocese of Toowoomba Catholic Schools.

Resolution No. OM/03.2021/11	
Moved Cr McMullen	Seconded Cr Edwards
That Council:	
<ol style="list-style-type: none"> 1. Waive the equipment hire fee and set up fee totalling \$618.90. 2. Allocate the cost to the In-Kind Minor General Ledger (2887.2246.2001) 	
CARRIED	9/0

Responsible Officer	Support Officer - Economic & Community Development
----------------------------	---

The Deputy Chief Executive Officer returned to the meeting at 11.11am.

Item	13.4
Description	Request for in-kind assistance – Mitchell Campdraft Association
Declaring Councillor	Cr John Birkett
Party with the interest	Mitchell Campdraft Association which is a sub-committee of Mitchell RSL & Combined Sports Club
Relationship category	Non-government entity where I am an executive officer (I am President of the Mitchell RSL & Combined Sports Club)
Particulars of the interest	The Campdraft Association is making application for in-kind assistance from Council
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Item Number: 13.4 **File Number:** D21/14752

SUBJECT HEADING: REQUEST FOR IN KIND ASSISTANCE - MITCHELL CAMPDRAFT ASSOCIATION

Officer's Title: Support Officer - Economic & Community Development

Executive Summary:

Council has received a request from Mitchell Campdraft Association requesting in-kind assistance for the upcoming Campdraft to be held from 16 – 18 April 2021.

The in-kind support requested includes the use of a water truck, generator, access to water pick up on the Western side of Mitchell, slashing of the Mitchell Recreation grounds, switch boards, gas bottles for hot water systems at the complex, tables and chairs and rubbish and skip bins.

Resolution No. OM/03.2021/12

Moved Cr Edwards

Seconded Cr McMullen

That Council:

1. **Approve the request for in-kind assistance for the use of a water truck, generator, access to water pick up on the Western side of Mitchell, slashing of the Mitchell Recreation grounds, switch boards, gas bottles for hot water systems at the complex, tables & chairs and rubbish & skip bins.**
2. **Allocate the in-kind cost of \$11,601.86 to General Ledger 2887.2412.2132 (Internal Contributions).**
3. **Be acknowledged (where possible) in all forms of advertising and media in relation to and during the event.**

CARRIED

8/0

Responsible Officer

Support Officer - Economic & Community Development

Section 150FA (2)(e) of the Local Government Act 2009

For a matter to which the prescribed conflict of interest or declarable conflict of interest relates - the name of each eligible councillor who voted on the matter, and how each eligible councillor voted.

Name of each eligible councillor who voted on the matter:

Cr. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Geoff McMullen, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Cr Birkett returned to the meeting at 11.17am.

Item Number: 13.5 **File Number:** D21/15131

SUBJECT HEADING: BAMBA GII FESTIVAL MARKETING REQUEST

Officer's Title: Regional Tourism Development Coordinator

Executive Summary:

Bamba Gii is an Indigenous Cultural Festival being held in South West Queensland this year. The Festival will be held on 25 September 2021 at Bassett Park Roma, and is being organised locally by the Surat Aboriginal Corporation (SAC).

The organisers of the Festival have written to Council requesting cash sponsorship of \$10,000 for the development of a destination video and paid marketing of that video, promoting the event and region into Brisbane and South East Queensland specifically targeting the short drive market.

Resolution No. OM/03.2021/13

Moved Cr Golder

Seconded Cr Guthrie

That Council deal with each of the matters individually when voting on them.

MOTION LOST

4/5

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

Resolution No. OM/03.2021/14

Moved Cr Golder

Seconded Cr Guthrie

That Council:

1. Sponsor the Bamba Gii Festival to the value of \$10,000 upon presentation of an invoice/s to support the development of a destination video promoting the Festival, and paid marketing of that video, into the Brisbane and South East Queensland short drive market.
2. Provide sponsorship from Work Order 14482.2537.2001 (Tourism Budget - Assistance to Regional Events).
3. Provide a letter of support to Bamba Gii Festival organisers to assist in their continued efforts to attract additional grant funding for the event.
4. Request that favourable consideration be given to the inclusion of traditional dancing in the program to highlight the first nation people's culture.

CARRIED

9/0

Responsible Officer	Regional Tourism Development Coordinator
----------------------------	---

Item Number:

13.6

File Number: D21/15313

SUBJECT HEADING:

SURAT GOLF CLUB INC. - REQUEST FOR ASSISTANCE

Officer's Title:

Administration Officer - Land Administration

Executive Summary:

Correspondence was received from the President of the Surat Golf Club seeking Council's assistance with the upgrade to the club house at the Surat Golf Course.

Resolution No. OM/03.2021/15

Moved Cr Birkett

Seconded Cr Guthrie

That:

1. Council acknowledge receipt of request received from the Surat Golf Club Incorporated.
2. An Officer Report be brought back to Council with costings to allow further consideration and deliberations.

CARRIED

9/0

Responsible Officer	Administration Officer - Land Administration
----------------------------	---

Cr Taylor left the meeting at 11.57am.

Item Number:

13.7

File Number: D21/15411

SUBJECT HEADING:

**AGISTMENT OF PADDOCKS - POLICE PADDOCK,
DARGAL ROAD, ROMA**

Officer's Title:

**Council Buildings & Structures Maintenance Officer /
Team Coordination**

Executive Summary:

The Police Paddock at Dargal Road, Roma has been sub-divided into a number of different sized paddocks suitable for keeping and grazing horses.

For the last two (2) years Council has had grazing licences in place over these paddocks. Three of these licences are set to expire in the upcoming months.

Resolution No. OM/03.2021/16

Moved Cr Guthrie

Seconded Cr Ladbrook

That Council:

1. Notify current licence holders of Council's intention to publicly invite expressions of interest over the paddocks on Dargal Road at the expiry of their agreement.
2. Publicly invite expressions of interest from parties interested in entering a licence agreement to keep and graze horses in paddocks 4, 5 and 8 in Dargal Road, Roma at a cost of \$250 per quarter.
3. Conduct a ballot to decide the allocation of grazing rights for paddocks 4, 5 and 8 Dargal Road, Roma at a future Ordinary Council Meeting.

CARRIED

8/0

Responsible Officer	Council Buildings & Structures Maintenance Officer / Team Coordination
----------------------------	---

Cr Taylor returned to the meeting at 11.59am.

Item Number: 13.8 **File Number:** D21/15568

SUBJECT HEADING: INJUNE DISTRICT TOURISM ASSOCIATION (IDTA) OFF LEASH DOG PARK REQUEST

Officer's Title: Local Development Officer – Injune

Executive Summary:

Injune District Tourism Association (IDTA) has requested Council's support in the investigation of developing an off-leash dog park for both residents and the travelling public.

IDTA is willing to assist with grant applications for the project and feel this project would enhance both the townspeople and travellers' experience - in particular with suitable space for running/ exercising and toileting their dogs with consideration of others.

Resolution No. OM/03.2021/17

Moved Cr Hancock

Seconded Cr O'Neil

That Council:

1. Give in principle support for an off-leash dog park in Injune.
2. Work with IDTA to explore funding opportunities and grants for the project, and a possible site.
3. Receive a further report at a future meeting.

CARRIED

9/0

Responsible Officer

Local Development Officer - Injune

LATE ITEMS

Item Number: L.1 **File Number:** D21/17022

SUBJECT HEADING: ADDITIONAL HANDRAILS AT ROMA SALEYARDS STUD STOCK SELLING ARENA

Officer's Title: Deputy Director / Strategic Road Management

Executive Summary:

At the Council Meeting on 24 February 2021, Council "accepted the proposal from Opera Queensland to perform 'Are You Lonesome Tonight' at the Roma Saleyards Bull Ring on Thursday, 3 June 2021". Part of the resolution (OM/02.2021/91) requested that a report detailing the costs of installing the remaining railing (pricing for top tier and per row) be submitted at a future meeting.

This report was by way of follow up to that request and provides Council with a number of options to consider in relation to extra handrailing at the Roma Saleyards Stud Stock Selling Arena.

Resolution No. OM/03.2021/18

Moved Cr O'Neil

That this lay on the table until later in the meeting.

CARRIED

9/0

Responsible Officer

Deputy Director / Strategic Road Management

Item Number:

L.2

File Number: D21/18032

SUBJECT HEADING:

DELEGATED AUTHORITY FOR THE CHIEF EXECUTIVE OFFICER TO SIGN THE DTMR DEED OF INDEMNITY FOR THE CONSTRUCTION OF THE WATER MAIN IN THEIR ROAD RESERVE IN YULEBA FOR THE NEW BORE

Officer's Title:

Manager - Water, Sewerage & Gas

Executive Summary:

Council has a requirement to apply to the Department of Transport & Main Roads for a permit to construct the water main in their road reserve in Yuleba, for the new bore. The Department of Transport and Main Roads requires Council to sign a Deed of Indemnity for these works to be undertaken.

Resolution No. OM/03.2021/19

Moved Cr McMullen

Seconded Cr Birkett

That Council authorise the Chief Executive Officer or delegate to sign the Deed of Indemnity, to Department of Transport & Main Roads, for the construction of the water main in Yuleba from bore 1.

CARRIED

9/0

Responsible Officer

Manager - Water, Sewerage & Gas

Item Number:

L.3

File Number: D21/18881

SUBJECT HEADING:

REQUEST TO SPONSOR THE ACQUISITIVE LOCAL MARANOA ARTIST PRIZE - 'SCULPTURES OUT BACK'

Officer's Title:

Specialist - Arts & Culture

Executive Summary:

Council received a request from Roma on Bungil Gallery 'Sculptures Out Back', for a monetary contribution to sponsor the Acquisitive Local Maranoa Artist Prize of \$5,000, which will encourage local residents to be a major part of the event.

'Sculptures Out Back' is gaining great momentum and is shaping up to be a major event in the Regional Calendar.

Resolution No. OM/03.2021/20

Moved Cr Hancock

Seconded Cr McMullen

That Council:

1. Approve the request from Roma on Bungil Gallery 'Sculptures Out Back', for a monetary contribution to sponsor the Acquisitive Local Maranoa Artist Prize of \$5,000
2. Allocate the funds of \$5,000 from the Arts and Cultural Budget GL2885.2001.2001 and transfer to the Sponsorship Budget.
4. Be acknowledged (where possible) in all forms of advertising and media in relation to and during the event.

CARRIED

9/0

Responsible Officer

Specialist - Arts & Culture

Item Number:

L.4

File Number: D21/18948

SUBJECT HEADING:

GAS FOR INDUSTRIAL/COMMERCIAL DEVELOPMENT POLICY

Officer's Title:

Manager - Water, Sewerage & Gas

Executive Summary:

During the budget deliberations there was a lot of discussion around promoting the use of gas and increasing usage. To this end the tariff for industrial and commercial usage for the top tier was reduced from \$0.035 to \$0.015/MJ.

A policy was also developed to further encourage connection to the network but was never formally adopted. This policy has been reviewed and was submitted to Council for adoption.

Resolution No. OM/03.2021/21

Moved Cr Golder

That it be laid on the table until the next meeting.

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

CHANGE TO ORDER OF BUSINESS

Resolution No. OM/03.2021/22

Moved Cr Golder

That Council deal with item L.7 next.

CARRIED

9/0

Responsible Officer

Lead Officer - Elected Members & Community Engagement

Cr Ladbrook left the meeting at 12.21pm, and returned at 12.24pm.

Item Number: L.7 **File Number:** D21/17143

SUBJECT HEADING: MARANOA ARTS GATEWAY

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

Executive Summary:

Maranoa Arts Gateway Inc. currently operates from 60 Cambridge Street Mitchell in a share arrangement with RESQ+. RESQ+ have issued the community organisation with a notice to vacate the premises.

Resolution No. OM/03.2021/23

Moved Cr Golder

Seconded Cr Birkett

That Council:

1. Write to RAPAD Employment Services Queensland (RESQ+) and the Central Western Queensland Remote Area Planning and Development Board (RAPAD) and formally request a review of the decision to issue Maranoa Arts Gateway Inc. with a notice to vacate 60 Cambridge Street Mitchell.
2. Request RESQ+ allow extra time for the group to find another venue to operate as this would be a goodwill gesture.
3. Request RESQ+ consider in kind support in the form of labour/plant to assist with relocation.
4. Receive a report at a future meeting of Council.

CARRIED

9/0

Responsible Officer

Manager - Facilities (Land, Buildings & Structures)

Item Number: L.5

File Number: D21/19271

SUBJECT HEADING: QUEENSLAND RAIL CROSSING AGREEMENTS

Councillor's Title: Cr. Tyson Golder

Executive Summary:

Mayor Golder received enquiries in relation to Queensland Rail's private crossing agreement with residents. Council has investigated and the crossing is not on the road reserve or stock route deeming this not within Council's jurisdiction. Mayor Golder has requested a report be tabled for advocating for these residents.

Resolution No. OM/03.2021/24

Moved Cr Hancock

That it be laid on the table until later in the meeting.

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

Item Number: L.6 **File Number:** D21/18949

SUBJECT HEADING: FELTON INDUSTRIES VOUCHER

Officer's Title: Support Officer - Economic & Community Development

Executive Summary:

In late 2020, Council staff entered a Felton Industries Photo Competition to win one of three gift vouchers valued at \$3,000 each.

The competition involved providing a photo of Felton products being used in the community. The project team that delivered the Roma Netball Courts submitted a photo of the Felton Grandstands that were purchased as part of the project.

In early November, Council received confirmation that it had been successful in its submission and had won one of the \$3,000 vouchers under the Felton Industries Photo Competition.

This report sought Council's consideration to receive the funds and disseminate to the community via a "one-off" special category under the current round of the Community Grants & Non-Financial Assistance Program.

Resolution No. OM/03.2021/25

Moved Cr Hancock

That this is laid on the table until a future meeting of Council.

CARRIED

9/0

Responsible Officer

Support Officer - Economic & Community Development

Item Number: L.8 **File Number:** D21/16088

SUBJECT HEADING: REQUEST FOR IN KIND ASSISTANCE - SOUTH WEST DRAG RACING ASSOCIATION ROMA

Officer's Title: Regional Sport & Recreation Development Coordinator

Executive Summary:

Council has received a request from South West Drag Racing Association requesting urgent in-kind assistance for upgrades to the return road at their Kimbler Road site.

The South West Drag Racing Association has recently completed works to have the track upgraded. The heavy machinery used to carry out these works damaged the return lane, which has initiated a financial burden on the club due to the refunding of nominations fees to participants whose vehicles cannot use the return lane and an urgency to have the return road fixed. Drag racing vehicles are typically very low to the ground so the surface must be extremely level.

The South West Drag Racing Association has three major events coming up in the next two months including a two-day program for Easter in the Country. The next event is to take place on 13 March 2021. The Club was seeking support from Council to ensure maximum nominations for all three events.

Resolution No. OM/03.2021/26

Moved Cr McMullen

Seconded Cr Taylor

That Council:

1. Reallocate the \$50,000 from the 2020-21 budget for the *South West Drag Association contribution towards group seeking funding for upgrades (WO22377)* and \$20,000 from the annual dust seal budget (WO22382) to undertake stabilisation and sealing of the return strip at the Roma Drag Club.
2. Undertake works prior to the 2021 Easter in the Country event.
3. Recognise the contribution as in-kind assistance.
4. Be acknowledged (where possible) in all forms of advertising and media in relation to and during the event.

CARRIED

9/0

Responsible Officer	Regional Sport & Recreation Development Coordinator
----------------------------	--

Item Number:

L.9

File Number: D21/17984

SUBJECT HEADING:

REQUEST FOR REDUCED TRADING TERMS – CREDITOR 15617

Officer's Title:

Manager - Procurement & Plant

Executive Summary:

Council has received correspondence from a supplier requesting a reduction in trading terms from twenty-eight (28) days to fourteen (14) days.

Resolution No. OM/03.2021/27

Moved Cr O'Neil

Seconded Cr Guthrie

That Council approve the request for a reduction in trading terms from twenty-eight (28) days to fourteen (14) days for any invoices submitted by creditor 15617.

CARRIED

9/0

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

Item	L.10
Description	Permit for Use of Council Owned Land for Community Markets
Declaring Councillor	Cr John Birkett
Party with the interest	Mitchell RSL Sub Branch which is a sub-committee of Mitchell RSL & Combined Sports Club
Relationship category	Non-government entity where I am an executive officer (I am President of the Mitchell RSL & Combined Sports Club)
Particulars of the interest	The Mitchell RSL Sub Branch is making application for a permit on Council owned land
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Cr Birkett left the meeting at 2.21pm, prior to consideration of the following item.

Item Number: L.10 **File Number:** D21/19768

SUBJECT HEADING: PERMIT FOR USE OF COUNCIL OWNED LAND FOR COMMUNITY MARKETS

Location: Memorial Park - Cambridge Street, Mitchell
Neil Turner Weir Park

Applicant: RSL Mitchell Sub Branch

Officer's Title: Environment, Health Administration & Inspections Officer

Executive Summary:

Council received application from the RSL Mitchell Subbranch requesting use of the Memorial Park, Cambridge Street Mitchell on Sunday 14 March 2021 for community markets.

Resolution No. OM/03.2021/28

Moved Cr Edwards

Seconded Cr Golder

That Council approve use of the Memorial Park Mitchell for community markets to be held on Sunday 14th March 2021 (or an alternative date with a booking through Council's Customer Service Centre) on the following conditions:

1. The group hold Public Liability Insurance to the value of \$20,000,000 for the term of the permit and a copy of the Certificate of Currency be provided to Council.
2. The group implement a COVID Safe Event Check list.

CARRIED

8/0

Responsible Officer

Environment, Health Administration & Inspections Officer

Section 150FA (2)(e) of the Local Government Act 2009

For a matter to which the prescribed conflict of interest or declarable conflict of interest relates - the name of each eligible councillor who voted on the matter, and how each eligible councillor voted.

Name of each eligible councillor who voted on the matter:

Cr. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Geoff McMullen, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Cr Birkett returned to the meeting at 2.33pm.

Item Number: L.11 **File Number:** D21/20324

SUBJECT HEADING: TRAINING SPACE

Councillor's Title: Cr. Tyson Golder

Executive Summary:

That Council make space available at Bassett Park on a trial basis for training of youth for boxing and exercise and an area to serve food for the youth.

Resolution No. OM/03.2021/29

Moved Cr McMullen

That this lay on the table until the closed session of Council.

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

Item Number:

L.1

SUBJECT HEADING:

ADDITIONAL HANDRAILS AT ROMA SALEYARDS STUD STOCK SELLING ARENA

Officer's Title:

Deputy Director / Strategic Road Management

Executive Summary:

At the Council Meeting on 24 February 2021, Council “accepted the proposal from Opera Queensland to perform ‘Are You Lonesome Tonight’ at the Roma Saleyards Bull Ring on Thursday, 3 June 2021”. Part of the resolution (OM/02.2021/91) requested that a report detailing the costs of installing the remaining railing (pricing for top tier and per row) be submitted at a future meeting.

This report was by way of follow up to this request and provides Council with a number of options to consider in relation to extra handrailing at the Roma Saleyards Stud Stock Selling Arena.

Resolution No. OM/03.2021/30

Moved Cr O'Neil

Seconded Cr Hancock

That Council:

- 1. Approve the installation of additional grab rails on the remainder of the steps within the Roma Saleyards Stud Stock Selling Arena.**
- 2. Approve the installation of additional barrier rails between the tiered seating platforms on the remainder of the top tier of the Roma Saleyards Stud Stock Selling Arena.**
- 3. Fund the works as outlined in Points 1 and 2, with an estimated value of \$40,000 exclusive of GST, from Roma Saleyards Reserves.**
- 4. Seek to have the works as outlined in Points 1 and 2 completed in advance of the proposed Opera event on Thursday, 3 June 2021.**

CARRIED

9/0

Responsible Officer

Deputy Director / Strategic Road Management

Council adjourned the meeting for a brief recess.

Item	LC.2
Description	Unnamed Section of Road off Humphreys Road
Declaring Councillor	Cr Wayne (George) Ladbrook
Person with the interest	Myself and other parties
Relationship category	Self and brothers-in-law (Mark and Jim Humphreys)
Particulars of the interest	The interest arises as a result of Council considering a matter under a Local Government Act, for which I have previously provided a written submission. My brothers-in-law have an interest in the outcome of Council's consideration due to owning property in the area near the unnamed section of road.
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Item	LC.1
Description	Authorisation to approve payment of legal fees
Declaring Councillor	Cr Tyson Golder
Person with the interest	Myself
Relationship category	Self
Particulars of the interest	This item is a continuation of the matter previously declared. (Refer 9 December Council meeting)
Type of conflict	Declarable Conflict of Interest
Action	Leave the room while the matter is discussed and voted on.

Item	LC.1
Description	Authorisation to approve payment of legal fees
Declaring Councillor	Cr Geoff McMullen
Person with the interest	Myself
Relationship category	Self
Particulars of the interest	As of 10 February 2021, I am being investigated by the Office of Independent Assessor for allegations of reprisal against the CEO at Maranoa Regional Council.
Type of conflict	Declarable Conflict of Interest
Action	Leave the room while the matter is discussed and voted on.

CONFIDENTIAL ITEMS

Resolution No. OM/03.2021/31

Moved Cr McMullen

Seconded Cr O'Neil

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, that Council resolve to close the meeting to the public to discuss confidential items that its Councillors consider is necessary to close the meeting.

In accordance with Section 254J(5) of the *Local Government Regulation 2012*, the following table provides:

- The matters to be discussed;
- An overview of what is to be discussed while the meeting is closed.

Agenda Item	Matters to be discussed (Reasons to close the meeting under the <i>Local Government Regulation 2012</i>)	Overview
C.1 - Unallocated State Land	254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	The Department of Resources seeks Council's views on an application it has received to purchase unallocated State land (USL).
C.2 - State Government Surplus Properties - Maranoa Region	Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	Council has received details of State Government property listed as surplus in the Maranoa Region for the period 8 to 15 February 2021.
C.3 - Rates Payment Arrangement - 15006448	Section 254J(3)(d) rating concessions.	An application has been received requesting a rates payment arrangement. The timeframes the applicants have proposed to have their rates paid in full extends beyond the current financial year timeframe that is adopted in Council's adopted Revenue Statement.
C.4 - Outback Tourism Infrastructure Fund - Project Variation - The Bigger Big Rig	Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	<p>The Bigger Big Rig project has approved funding from the Queensland Government's Outback Tourism Infrastructure Fund. The grant agreement for the project was executed on 15 March 2019.</p> <p>The report considers a formal Project Variation request to extend the milestone dates as per the current expected delivery timeframes.</p>
LC.1 - Authorisation to approve payment of Legal Fees	254J(3)(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.	The report seeks confirmation of request for information and authorisation of payment.
LC.2 - Unnamed Section of Road off Humphreys Road	Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	The item proposes a replacement motion incorporating an amendment to Resolution Number OM/09.2020/03 from Council's meeting on 23 September 2020.

LC.3 - Adoption of the Organisational Structure (Stage 1 – March to June 2021, and Stage 2 – 1 July 2021)	Section 254J(3)(b) industrial matters affecting employees	The report tables an updated structure for Council's review, together with a draft / high level transition plan (road map).
L.5 - Queensland Rail Crossing Agreements	Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	The item provides the opportunity for Council to be briefed on discussions that have been held with individuals.
L.11 - Training Space	Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	The item provides the opportunity for Council to be briefed on discussions that have been held with individuals.
CARRIED		9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
----------------------------	--

Resolution No. OM/03.2021/32	
Moved Cr O'Neil	Seconded Cr Birkett
That Council open the meeting to the public [at 6.30pm]	
CARRIED	
9/0	

Responsible Officer	Lead Officer – Elected Members & Community Engagement
----------------------------	--

Mayor Golder and Cr McMullen, having both previously declared a Declarable Conflict of Interest for the following item left the meeting at 6.31pm.

The Chief Executive Officer also left the meeting at 6.31pm.

Moved Cr Hancock	Seconded Not recorded
That since both the Mayor and Cr McMullen have a conflict on this Cr O'Neil take the chair for this item.	
NO VOTE TAKEN	
Cr Edwards opposed the motion (prior to a 'Seconder' being called) and stated he would be nominating Cr Guthrie.	

Resolution No. OM/03.2021/33
Moved Cr Hancock
Seconded Cr Taylor

That since both the Mayor and Cr McMullen have a conflict on this Cr O'Neil take the chair for this item.

MOTION LOST

3/4

Responsible Officer
Lead Officer – Elected Members & Community Engagement
Resolution No. OM/03.2021/34
Moved Cr Edwards
Seconded Cr Ladbrook

That Cr Guthrie chair the meeting.

CARRIED

4/3

Responsible Officer
Lead Officer – Elected Members & Community Engagement

Cr O'Neil put it to the meeting: *how disappointed I am for the conduct of Cr Edwards in the way that he approached this procedural motion, for him to interject the way that he did opposing a nomination of me in particular, I found incredibly disrespectful and it's not the conduct that I would expect from a sitting councillor of the Maranoa Regional Council.*

Cr Edward apologised to Cr O'Neil.

Cr O'Neil accepted Cr Edwards apology.

Cr O'Neil requesting that it be on record that:

This isn't the first time we have dealt with this, we in fact, a precedent has been set, we've all had experience in dealing with this particular matter and the circumstances in which the Mayor and Deputy Mayor have excluded themselves and that was the meeting in Yuleba.

Resolution No. OM/03.2021/35
Moved Cr O'Neil
Seconded Cr Birkett

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, that Council resolve to close the meeting to the public to discuss confidential items that its Councillors consider is necessary to close the meeting.

In accordance with Section 254J(5) of the *Local Government Regulation 2012*, the following table provides:

- The matters to be discussed;
- An overview of what is to be discussed while the meeting is closed.

Agenda Item	Matters to be discussed (Reasons to close the meeting under the <i>Local Government Regulation 2012</i>)	Overview
LC.1 - Authorisation to approve payment of Legal Fees	254J(3)(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.	The report seeks confirmation of request for information and authorisation of payment.
CARRIED		7/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
----------------------------	--

Resolution No. OM/03.2021/36	
Moved Cr O'Neil	Seconded Cr Taylor
That Council open the meeting to the public [at 7.20pm].	
CARRIED	
7/0	

Responsible Officer	Lead Officer – Elected Members & Community Engagement
----------------------------	--

Item Number: LC.1 **File Number:** D21/18025

SUBJECT HEADING: AUTHORISATION TO APPROVE PAYMENT OF LEGAL FEES

Officer's Title: Deputy Chief Executive Officer/Acting Director Infrastructure Services

Executive Summary:

Confirmation was sought that Councillors have received the advice as per Resolution No. OM/12.2020/01 and authorise the payment of invoices.

Resolution No. OM/03.2021/37

Moved Cr Taylor

Seconded Cr Ladbrook

That:

1. Council confirm receipt of the advice in accordance with Scope A.
2. Authorise the Deputy CEO (or delegate) to pay invoice 426729 and invoice 425301.

CARRIED

7/0

Responsible Officer

**Deputy Chief Executive Officer/Acting
Director Infrastructure Services**

Section 150FA (2)(e) of the Local Government Act 2009

For a matter to which the prescribed conflict of interest or declarable conflict of interest relates - the name of each eligible councillor who voted on the matter, and how each eligible councillor voted.

Name of each eligible councillor who voted on the matter:

Cr. John Birkett, Cr. Mark Edwards, Cr. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Mayor Golder, Cr McMullen and the Chief Executive Officer returned to the meeting at 7.25pm. Mayor Golder assumed the chair.

Item Number:

C.1

File Number: D21/13369

SUBJECT HEADING:

UNALLOCATED STATE LAND - LOT 16 ON BWR25

Officer's Title:

Administration Officer - Land Administration

Executive Summary:

The Department of Resources sought Council's views on an application it has received to purchase unallocated State land (USL) being Lot 16 on BWR25. The proposed use of the land is grazing in conjunction with adjoining freehold land being Lot 1 on RP168580.

Resolution No. OM/03.2021/38

Moved Cr Golder

Seconded Cr McMullen

That Council advise the Department of Resources that it offers no objection to the purchase of unallocated State land described as Lot 16 on BWR25.

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

Item Number: C.2 **File Number:** D21/14714

SUBJECT HEADING: STATE GOVERNMENT SURPLUS PROPERTIES - MARANOA REGION

Officer's Title: Administration Officer - Land Administration

Executive Summary:

Council received details of State Government property listed as surplus in the Maranoa Region for the period 8 to 15 February 2021.

Resolution No. OM/03.2021/39

Moved Cr Birkett

Seconded Cr Edwards

That Council submit an expression of interest to the Public Safety Business Agency in land listed as surplus on the Government Land Register in the Maranoa Region for the period 8 February to 15 February 2021.

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

Item Number: C.3 **File Number:** D21/15714

SUBJECT HEADING: RATES PAYMENT ARRANGEMENT - 15006448

Officer's Title: Rates & Utilities Billing Officer

Executive Summary:

An application was received requesting a rates payment arrangement. The timeframes the applicants have proposed to have their rates paid in full extends beyond the current financial year timeframe that is adopted in Council's adopted Revenue Statement.

Resolution No. OM/03.2021/40

Moved Cr Taylor

Seconded Cr O'Neil

That:

- 1. Council decline the applicant's payment arrangements and propose to the applicant's a new payment arrangement so that all rates, charges and arrears accumulated will be paid in full by 30 June 2023.**
- 2. A report be brought back to an upcoming meeting of Council.**

CARRIED

9/0

Responsible Officer

Rates & Utilities Billing Officer

Item Number: C.4 **File Number:** D21/13517

SUBJECT HEADING: **OUTBACK TOURISM INFRASTRUCTURE FUND - PROJECT VARIATION - THE BIGGER BIG RIG**

Officer's Title: **Deputy Director / Strategic Road Management Project Officer - Program & Contract Management**

Executive Summary:

The Bigger Big Rig project has approved funding from the Queensland Government's Outback Tourism Infrastructure Fund. The grant agreement for the project was executed on 15 March 2019.

It was recommended that a formal Project Variation request be submitted to the funding body, Outback Tourism Infrastructure Fund to extend the milestones date as per the current expected delivery timeframes.

Resolution No. OM/03.2021/41	
Moved Cr Hancock	Seconded Cr Ladbrook
That Council:	
<ol style="list-style-type: none"> 1. Submit a formal request for a Project Variation to the Outback Tourism Infrastructure funding body, requesting the milestone reporting for The Bigger Big Rig project be amended. 2. Authorise the Chief Executive Officer, or delegate, to sign the Variation form. 3. Provide an update to Bigger Big Rig Interpretive Design Project Working Group. 	
CARRIED	9/0

Responsible Officer	Deputy Director / Strategic Road Management
----------------------------	--

Cr Ladbrook left the meeting having previously declared a conflict in the following item.

Item Number: LC.2 **File Number:** D21/18625

SUBJECT HEADING: **UNNAMED SECTION OF ROAD OFF HUMPHREYS ROAD**

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

Original Resolution Meeting Date: **23 September 2020**

Resolution Number: **OM/09.2020/93**

Resolution:

That Council:

1. *Confirm Resolution OM/05.2020/55 and advise the applicant that the request for a permit to occupy the unnamed section of road off Humphreys Road adjacent to Lot 11 on WAL53496 is not supported.*
2. *Subject to compliance with the procedural requirements specified in Local Law No. 1 (Administration) 2011:*
 - a. *cancel the licences for gate number 535 and gate number 536, and*

- b. issue a compliance notice requiring the owner of Lot 11 on WAL53496 to fence the northern boundary of the unnamed section of road off Humphreys Road where the road abuts Lot 11 on WAL53496 to the extent that the land is not currently fenced, and remove the 2 gates from Council's road network.
3. Recognising that the actions as outlined in Part 2 of this resolution do come at a cost to the land owner:
 - a. provide a period of six (6) months to complete action as outlined in Part 2 of this resolution; and
 - b. reimburse the owner of the licensed gates, as contemplated in Council's Gates and Grid Policy Incentive to "Fence Out", at a value of \$1,500 per structure/gate.
4. Confirm that the unnamed section of road off Humphreys Road between the end of Humphreys Road and Brookfield Road be added to the Council's Road Register and classified as Rural Access – Secondary.

Resolution No. OM/03.2021/42

Moved Cr O'Neil

Seconded Cr Hancock

That Council Rescind Resolution Number OM/09.2020/93 and replace with:

That Council:

1. Confirm Resolution OM/05.2020/55 and advise the applicant that the request for a permit to occupy the unnamed section of road off Humphreys Road adjacent to Lot 11 on WAL53496 is not supported.
2. Subject to compliance with the procedural requirements specified in Local Law No. 1 (Administration) 2011:
 - a. cancel the licences for gate number 535 and gate number 536, and
 - b. issue a compliance notice requiring the owner of Lot 11 on WAL53496 to fence the northern boundary of the unnamed section of road off Humphreys Road where the road abuts Lot 11 on WAL53496 to the extent that the land is not currently fenced, and remove the 2 gates from Council's road network.
3. Recognising that the actions as outlined in Part 2 of this resolution do come at a cost to the land owner:
 - a. provide a period of nine (9) months to complete action as outlined in Part 2 of this resolution; and
 - b. reimburse the owner of the licensed gates, as contemplated in Council's Gates and Grid Policy Incentive to "Fence Out", at a value of \$1,500 per structure/gate.
4. Confirm that the unnamed section of road off Humphreys Road between the end of Humphreys Road and Brookfield Road be added to the Council's Road Register and classified as Rural Access – Secondary.

CARRIED

8/0

Responsible Officer

Deputy Director / Strategic Road Management

Section 150FA (2)(e) of the Local Government Act 2009

For a matter to which the prescribed conflict of interest or declarable conflict of interest relates - the name of each eligible councillor who voted on the matter, and how each eligible councillor voted.

Name of each eligible councillor who voted on the matter:

Cr. John Birkett, Cr. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Cr Ladbrook returned to the meeting at 7.36pm.

Item Number: LC.3 **File Number:** D21/20390

SUBJECT HEADING: **ADOPTION OF THE ORGANISATIONAL STRUCTURE (STAGE 1 – MARCH TO JUNE 2021, AND STAGE 2 – 1 JULY 2021)**

Officer's Title: Chief Executive Officer

Executive Summary:

The agenda item was included further to Council's resolution on 27/28 January 2021.

Resolution No. OM/03.2021/43

Moved Cr Golder

Seconded Cr Birkett

That Council approve in principle the Organisational Structure (as tabled) for the Employee Consultative Committee and Senior Management Team on 11 March 2021 and then broader release to the workforce following the meetings, with a view to holding a special meeting on 17 March 2021.

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

Item Number:

L.5

File Number: D21/19271

SUBJECT HEADING:

QUEENSLAND RAIL CROSSING AGREEMENTS

Councillor's Title:

Cr. Tyson Golder

Executive Summary:

Mayor Golder has received enquiries in relation to Queensland Rail's private crossing agreement with residents. Council has investigated and the crossing is not on the road reserve or stock route deeming this not Council's jurisdiction. Mayor Golder has requested a report be tabled for advocating for these residents.

Resolution No. OM/03.2021/44

Moved Cr Golder

Seconded Cr Edwards

That Council provide assistance to residents in the Customer Request System to help them to understand issues associated with the land and also what is detailed as part of the request from Queensland Rail.

That a report be prepared for an upcoming meeting on advocacy about the issues of the residents and also Council's own issues in regards to similar matters.

CARRIED

9/0

Responsible Officer

Deputy Chief Executive Officer / Director
 Development, Facilities & environmental
 Services

Item Number:

L.11

File Number: D21/20324

SUBJECT HEADING:

TRAINING SPACE

Councillor's Title:

Cr. Tyson Golder

Executive Summary:

The Mayor proposed that Council make space available at Bassett Park on a trial basis for training of youth for boxing and exercise and an area to serve food for the youth.

Resolution No. OM/03.2021/45

Moved Cr Golder

Seconder Cr Ladbrook

That Council make space available to CWAATSICH at Bassett Park on a trial basis of six months (if required) for training of youth for boxing and exercise and also an area to serve food for the youth.

CARRIED

9/0

Responsible Officer

Manager Facilities (Land, Buildings &
 Structures)

Item Number:

13.2

File Number: D21/9031

SUBJECT HEADING:

DEVELOPMENT APPLICATION FOR A MATERIAL
 CHANGE OF USE - 'EDUCATIONAL ESTABLISHMENT' &
 'OUTDOOR SPORT AND RECREATION' (REF:
 2020/20219)

Applicant:

St Johns Catholic School Roma

Officer's Title:

Lead Town Planner

Executive Summary:

At the south-west intersection of Duke Street and Bowen Street in Roma is a newly created lot that has recently been acquired by the St Johns School as part of a land-swap agreement with the neighbouring Pinaroo Retirement Facility. St Johns intend to develop the lot to provide additional car parking and sporting facilities that will be used by the school and potentially other parties. The main school campus is located directly across the road from the lot and there are obvious and direct pedestrian links between the two properties, such that the proposal can be seen more as an expansion of the existing school as opposed to a stand-alone development.

The approval required to facilitate the outcome is subject to Impact assessment and in accordance with Section 45 of the Planning Act 2016 must be assessed against the assessment benchmarks (to the extent relevant) and any matters prescribed by regulation. The assessment may also be carried out against, or have regard to, any other relevant matter. 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 between 17 December 2020 and 22 January 2021. There were no submissions received during this period. All other procedural requirements set out by the Development Assessment Rules to enable Council to decide this application have been fulfilled.

The development application has been assessed against all relevant assessment benchmarks and found to comply, or able to be conditioned to comply.

Further, assessing officers have identified a number of relevant matters that support approval of the application, including an overall absence of negative impacts resulting from the proposed development; and that the development site has good connectivity with the adjoining school and other community and social land uses.

Resolution No. OM/03.2021/46

Moved Cr Birkett

Seconded Cr McMullen

That Council approve the development application for a Material change of use for a “Educational establishment” and “Outdoor sport and recreation” at 45, 47-49 Duke Street and 50-66 Bowen Street, Roma, subject to the listed relevant and reasonable Development conditions and General advice:

Development conditions

Development details

- 1. The approved development is a Material change of use - “Educational establishment” and “Outdoor sport and recreation” (carpark and sporting facilities) as defined in the Planning Scheme and as shown on the approved plans.**

Staged development

- 2. The approved development is permitted to occur over the following three stages:**

Stage 1 – “Educational establishment” (carpark) including 59 on site sealed car parks, a drop-off zone, additional access points (two-way access from Duke Street and a left-in/left-out access from Bowen Street), pedestrian-crossing upgrades and landscaping. Stage 1 works are generally shown as ‘Stage 1’ on approved drawing numbers A.000 and A.060.

Stage 2 – “Outdoor sport and recreation” (sporting field) as generally shown as ‘Stage 2’ on approved drawing A.000.

Stage 3 – “Outdoor sport and recreation” including an undercover sports court, canteen and change rooms and an additional 9 on-site carparks along the Duke Street frontage of the premises as generally shown as ‘Stage 3’ approved drawing numbers A.000 and A.900.

- 3. Stage 1 must commence ahead of Stage 2 and Stage 3. Stage 2 and Stage 3 may occur in reverse sequence. Unless otherwise stated, the conditions of development approval apply to all stages of the approved development.**
- 4. All conditions relating to the establishment of the approved development must be fulfilled prior to the commencement of use of each approved stage (as applicable), unless noted in these conditions or otherwise permitted by Council.**
- 5. Prior to the commencement of use of each approved development stage, the applicant shall contact Council to arrange a development compliance inspection.**

Approved plans and documents

6. 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	Date
A.000	Proposed Site Plan	15/10/20
A.010	Site Locality Plan	15/10/20
A.050	Existing & Demolition Plan	18/09/20
A.060	Enlarged Carpark Plan	18/09/20
A.900	Perspectives	18/09/20
1971_carpark_01	Development Application – Cover Sheet	September 2020
1971_carpark_02	Development Application – Landscape Plan	September 2020
1971_carpark_03	Development Application – Proposed Plant Schedule	September 2020
1971_carpark_04	Development Application – Landscaping Details	September 2020
15494	Stormwater Management Plan	September 2020
15494	Traffic Engineering Advice	15 October 2020

Detailed plans

7. Detailed elevation plans of the undercover sports court, canteen and change rooms shall be submitted to and approved by Council prior to the commencement of works related to Stage 3 of the approved development.

Development works

8. 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.
9. 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).

10. All civil and related work shall be designed and supervised by Registered Professional Engineers of Queensland (RPEQ-Civil) who are competent in the construction of the works. RPEQ certification is to be provided to Council for all works involving Council infrastructure that are authorised by this development approval and any related approval. This must include a Design Certificate with application/s for Operational work and a Construction Supervision Certificate at completion of the approved works and/or prior to Council's acceptance of any works on-maintenance.

Applicable standards

11. All works must comply with:
- the development approval conditions;
 - any relevant provisions in the Planning Scheme and the Capricorn Municipal Development Guidelines;
 - any relevant Australian Standard that applies to that type of work; and
 - 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

12. 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, site access/crossovers and footpaths. 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".

Avoiding nuisance

13. No unreasonable 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: In most instances, Council is responsible for investigating complaints and enforcing the controls for nuisances. When investigating a complaint, Council will consider amongst other matters, the amount, duration, characteristics and qualities of the nuisance, as well as the sensitivity of the receptor and the potential impact of the nuisance on adjacent properties.

14. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site at any property boundary.

15. All lighting shall be directed or shielded so as to ensure that no glare directly affects 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.

16. The area and its surrounds shall 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.

17. Unless otherwise approved in writing by the Council, approved hours of construction are restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.
18. 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

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

Refuse storage and collection

20. Bulk refuse storage and collection facilities must be provided on-site generally in the location shown as proposed Bin Store on approved drawing number A.000 prior to the commencement of Stage 2 of the approved development. The bulk refuse storage container/s shall be screened and retain reasonable standards of amenity for users of the premises and surrounding properties. The bulk refuse storage area must be enclosed on a minimum of three sides with a screen wall extending 0.2 metres above the height of all refuse containers and screened by dense planting.
21. Convenient access to the bulk refuse storage areas must be provided at all times for service vehicles.

Access

22. A vehicle crossover to and from the development site area shall be provided from Bowen Street, generally in the location shown on approved drawing A.060 Enlarged Carpark Plan dated 18/09/20. The vehicle crossover is to be constructed generally in accordance with CMDG Drawing - CMDG-R-042A Rev B, dated 12/2016 and must be designed to cater for the maximum vehicle size accessing the site, ensuring no damage to the roadway or kerb. The grade of the vehicle crossover must not exceed the specifications of the CMDG.
23. A vehicle crossover to and from the development site area shall be provided from Duke Street, generally in the location shown on approved drawing A.060 Enlarged Carpark Plan dated 18/09/20. The vehicle crossover is to be constructed generally in accordance with CMDG Drawing - CMDG-R-042A Rev B, dated 12/2016 and must be designed to cater for the maximum vehicle size accessing the site, ensuring no damage to the roadway or kerb. The grade of the vehicle crossover must not exceed the specifications of the CMDG.
24. Vehicle crossovers must be located a minimum distance of one metre from any power poles, street signage, streetlights, manholes, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.
25. The landowner is responsible for the construction and maintenance of vehicle crossovers from the property boundary to the extremal road networks and access ways, and for obtaining any approvals that may be required and for complying with the applicable designs and standards.

Parking

26. Car park design, including car parking spaces (widths and lengths), vehicle access lanes and manoeuvring areas are to comply with Australian Standard AS/NZS 2890.1:2004 Part 1: Off-street car parking.

27. Disabled car parking bays are to comply with Australian Standard AS/NZS 2890.6:2009 - Parking Facilities Part 6: Off-street parking for people with disabilities.
28. Onsite service vehicle access, parking and manoeuvring is to be designed in accordance with Australian Standard AS/NZS 2890.2:2004 - Parking facilities Part 2: Off-street commercial vehicle facilities requirements.
29. Vehicle movements within the site are to be clear of proposed parking areas, buildings, and landscape treatments.
30. Vehicle parking bays must not encroach into swept paths for vehicle movements.
31. Vehicles accessing the site and designated onsite parking areas must be able to enter and leave the site in forward direction. 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.
32. All onsite access, parking and manoeuvring areas are to be sealed with an approved impervious surface. Surfacing shall consist of reinforced concrete, concrete pavers, segmental clay pavers, asphaltic hotmix or two coat (primerseal/seal) bitumen seal.

Signage

33. “No Stopping” signs adjacent to the kerb along Duke Street and Bowen Street, in accordance with the approved Traffic Engineering Advice prepared by RMA Engineers (approved document 15494 – *Traffic Engineering Advice dated 15 October 2020*) shall be installed prior to the commencement of use of Stage 1 of the approved development.

Note: A development approval for Operational Work will be required prior to the installation of the ‘No Stopping’ signs, unless the works are carried out by Council as part of a private works agreement.

Operating times

34. There shall be no large sporting events or recreational activities (organised football games, training, school fetes, etc.) carried out at the site before 7:00am or after 8:00pm Monday to Saturday. There shall be no large sporting events or recreational activities on Sundays or Public Holidays.

Note: For the purposes of Condition 34 a large sporting event is any organised sporting activity consisting of more than 10 people.

Note: The operator may apply to Council to vary the hours of operation for a particular event where the extended operating hours are necessary in the opinion of the Council having considered the requirements and community benefits of the event and the duration of the additional impacts upon the local community. Any decision to alter the operating hours may be subject to consultation with adjacent landowners.

Services

35. Stage 3 of 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.
36. Stage 3 of 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.

37. 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.
38. 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.
39. 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.

40. 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.
41. 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.

Sewer infrastructure

42. No buildings or structures shall be constructed within 2.5 metres of trunk sewer mains.
43. The cost associated with reinstating any improvements to the site associated with this development approval, that are required as a result of necessary maintenance or upgrade works to Council's sewer main within the property, shall be borne by the landowner.

Trade waste permit

44. A trade waste permit must be obtained from Council prior to the commencement of use of Stage 3 of the approved development.

Fencing

45. Fencing is to be installed along the western property boundary, extending from the proposed Bowen Street access to the 1.2-metre-high earth bund, as generally shown in red on approved drawing A.000 *Proposed Site Plan dated 01/09/20*. The fencing shall consist of minimum 1.8-metre-high solid structure.

Stormwater and drainage

46. Stormwater runoff from roofs and impervious surfaces is to be collected internally and be discharged generally in accordance with approved document *15494 Stormwater Management Plan dated September 2020* and the CMDG Design Guidelines D-5 'Stormwater Drainage Design'.

47. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed.
48. 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.
49. 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.

Construction activities and erosion control

50. During the course of any construction activities, soil erosion and sediment must be managed in accordance with CMDG Design Guidelines D-7 'Erosion and Control and Stormwater Management'.
51. 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.
52. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
53. 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.
54. 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.

Temporary fencing

55. Temporary fencing must be erected and maintained around the perimeter of the development area whilst construction activities are carried out.

Bicycle parking

56. A dedicated area for bicycle parking is to be provided internally within the development site area prior to the commencement of use of Stage 2 of the approved development. Bicycle parking areas must be well-lit, sheltered and protected from other use areas and traffic.

Landscaping

57. Landscaping is to be provided internally within the development site generally in accordance with approved document *1971_carpark_04 Development Application – Landscaping Details dated September 2020*.
58. 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.
59. 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.

60. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
61. Landscaping must not interfere with site lines at access driveways for vehicle traffic.
62. The development must avoid the introduction of non-native pest species.

No cost to Council

63. 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 (as applicable).

Latest versions

64. 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

65. 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) The Capricorn Municipal Development Guidelines apply to this development. 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) In the *Maranoa Planning Scheme*;

"Educational establishment" means premises used for training and instruction designed to impart knowledge and develop skills. The use may include after school care for students or on-site student accommodation.

And

"Outdoor sport and recreation means" the use of premises for—

(b) a recreation or sporting activity that is carried on outdoors and requires areas of open space; or

(c) providing and selling food and drink, change room facilities or storage facilities, if the use is ancillary to the use in paragraph (a).

- (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) 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.
 - (g) 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.
 - (h) An operational works application will be required to be submitted to and approved by Council for any cut and/or filling works that exceed 50m³.
 - (i) The applicant will be required to contact Council and/or the relevant aviation authorities and obtain all necessary clearances and permits in the event that any machinery or equipment associated with construction activities on the site (e.g. cranes) exceeds RL 250 metres.
 - (j) Refer to Attachment 2 – 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 that the applicant contact Council for advice in the event of any potential change in circumstances.
- CARRIED 9/0

Responsible Officer	Lead Town Planner
----------------------------	--------------------------

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 7.54pm.

These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 24 March 2021, at Roma Administration Centre.

.....
 Mayor.

.....
 Date.