

MINUTES OF THE ORDINARY MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 28 APRIL 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 – Julie Reitano, and Minutes Officer – Kelly Rogers in attendance.

AS REQUIRED

Deputy Chief Executive Officer/Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate & Community Services – Sharon Frank, Deputy Director / Strategic Road Management – Cameron Hoffmann, Manager Community Safety – Samantha Thrupp, Manager Water, Sewerage & Gas – Graham Sweetlove, Manager Facilities (Land, Buildings & Structures) – Tanya Mansfield, Manager Economic & Community Development – Ed Sims, Manager Planning & Building Development – Danielle Pearn, Associate to the Director / Directorate Budget & Emergency Management Coordination – Gemma Lines.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.14am, and immediately adjourned the meeting.

The meeting resumed at 9.32am.

CONFIRMATION OF MINUTES

Resolution No. OM/04.2021/43

Moved Cr Edwards

Seconded Cr Taylor

That the minutes of the Ordinary Meeting held on 14 April 2021 be confirmed, inclusive of the following amendment (highlighted in red text):

Resolution No. OM/04.2021/34

That:

1. Council grant the applicant a concession under section 120(1)(d) of the *Local Government Regulation 2012* for the amount of \$40,000.
2. This concession will be applied to the **2020/21** assessment period for the period of the 12 months.

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

Resolution No. OM/04.2021/44

Moved Cr McMullen

Seconded Cr Guthrie

That the minutes of the Special Meeting held on 21 April 2021 be confirmed.

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

CONDOLENCES

Resolution No. OM/04.2021/45	
Moved Cr O'Neil	Seconded Cr McMullen
<p>That Council on behalf of the Maranoa community express our condolences of the passing of former Councillors John Dearden and Lex Mason, and that the thoughts of our community is with the Dearden and Mason families at this time.</p>	
CARRIED	9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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ON THE TABLE

Declaration of Interest

Item	5.1
Description	Unaddressed Mail Policy
Declaring Councillor	Cr Johanne Hancock
Person with the interest	Myself and husband Graham Hancock
Relationship category	Surat Post & News Pty Ltd
Particulars of the interest	Surat Post & News Pty Ltd have a contract with Council for the supply of goods and services in relation to unaddressed mail delivery.
Type of conflict	Prescribed conflict of interest
Action Leave	Leave the room while the matter is discussed and voted on.

Cr Hancock left the meeting at 9.38am.

Item Number: 5.1 **File Number:** D21/30119

SUBJECT HEADING: UNADDRESSED MAIL POLICY

Officer's Title: Communications Officer - Infrastructure Services

Executive Summary:

Council distributes several documents, including newsletters and brochures through Australia Post to deliver to the Maranoa community.

An unaddressed mail policy has been drafted for Council's review. The purpose of this policy is to establish clear guidelines for Council officers when organising bulk, unaddressed mail from Council to Maranoa householders.

Unaddressed mail is mail items that do not feature the householder's address.

Resolution No. OM/04.2021/46	
Moved Cr O'Neil	Seconded Cr Ladbrook
<p>That Council adopt the Unaddressed Mail Policy as presented.</p>	
CARRIED	8/0

Responsible Officer	Communications Officer - Infrastructure Services
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At cessation of discussion and decision on the matter, Cr Hancock returned to the meeting at 9.39am.

Section 150F A (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. Wayne (George) Ladbrook, Cr. Geoff McMullen, Cr. Cameron O’Neil, Cr. Wendy Taylor.

How each eligible councillor voted:

Each councillor voted in favour of the motion.

The following Items had been laid on the table at a prior meeting:

- L.1 – Gas for Industrial/Commercial Development Policy
- LC.3 – Tender 21028 Mobile Camp – Hoganthulla Road Project

CONSIDERATION OF NOTICES OF MOTION

Item Number: 8.1 **File Number:** D21/30487

SUBJECT HEADING: ROMA NEIGHBOURHOOD CENTRE - MARANOA GAMING COMMUNITY INCORPORATED

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

Original Resolution Meeting Date: 25 November 2020

Resolution Number: OM/11.2020/80

Resolution:

That Council:

1. Conduct a structural and electrical safety inspection of the facility, noting the requested area.
2. Proceed with minor works able to be accommodated within the Facilities budget.
3. Provide the facility ‘as is’ subject to a satisfactory safety inspection report.
4. Following items 1, 2, and 3 authorise the Chief Executive Officer (CEO) to enter into a user agreement with Maranoa Gaming Community Incorporated for 12 months running a youth drop in facility for the Maranoa.

Resolution No. OM/04.2021/47

Moved Cr Golder

Seconded Cr Guthrie

That Council Rescind Resolution Number OM/11.2020/80 stating:

That Council:

1. Conduct a structural and electrical safety inspection of the facility, noting the requested area.
2. Proceed with minor works able to be accommodated within the Facilities budget.
3. Provide the facility 'as is' subject to a satisfactory safety inspection report.
4. Following items 1, 2, and 3 authorise the Chief Executive Officer (CEO) to enter into a user agreement with Maranoa Gaming Community Incorporated for 12 months running a youth drop in facility for the Maranoa.

And replace with-

That Council:

1. Conduct a structural and electrical safety inspection of the facility, noting the requested area.
2. Proceed with minor works able to be accommodated within the Facilities budget.
3. Provide the facility 'as is' subject to a satisfactory safety inspection report.
4. Following items 1, 2, and 3 authorise the Chief Executive Officer (CEO) to enter into a lease with Maranoa Gaming Community Incorporated for 12 months running a youth drop in facility for the Maranoa.

CARRIED

9/0

Responsible Officer	Facility Lease Management & Housing Officer / Team Coordinator
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BUSINESS

CORPORATE & COMMUNITY SERVICES

Item Number: 11.1 File Number: D21/30425

SUBJECT HEADING: DISTRESSED ANIMALS AND WELFARE CONCERNS - BIOSECURITY QUEENSLAND RESPONSE

Officer's Title: Manager - Community Safety

Executive Summary:

This report detailed the response provided to Council from Biosecurity Queensland as a result of enquiries made with the Department on the feasibility of Council being able to log welfare concerns on behalf of residents. The response includes the official procedure for logging an animal welfare complaint in Queensland.

Resolution No. OM/04.2021/48

Moved Cr Golder

Seconded Cr McMullen

That Council:

1. Note the response provided by Biosecurity Queensland and continue to work closely with the local Biosecurity Queensland to increase public awareness of how to report welfare concerns.
2. Investigate and implement if possible adding the RSPCA Queensland link on Council's website so people can report issues on the RSPCA page.

CARRIED

9/0

Responsible Officer	Manager - Community Safety
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Item Number:

11.2

File Number: D21/29582

SUBJECT HEADING:

**CONSIDERATION OF COUNCILLOR ATTENDANCE AT
UPCOMING ASSEMBLY AND FORUM**

Officer's Title:

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

Executive Summary:

The purpose of this report was to formalise elected member attendance at an upcoming assembly and forum as part of advocacy activities and/or enhancing strategy and policy development for the Maranoa Regional Council.

Resolution No. OM/04.2021/49

Moved Cr O'Neil

Seconded Cr Birkett

That Council:

1. Endorse the attendance of Cr McMullen at the Western Queensland Alliance of Councils on 17 – 19 May 2021 in Richmond.
2. Endorse the attendance of Cr Guthrie at the LGAQ Natural Resource Management Forum on 25 May 2021 in Charleville.
3. Draw applicable registration, travel costs and accommodation costs from attending Councillors' conference budget allocation.

CARRIED

9/0

Responsible Officer	Lead Officer - Elected Members & Community Engagement
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Item Number: 11.3 **File Number:** D21/30739

SUBJECT HEADING: MONTHLY FINANCIAL REPORT AS AT 31 MARCH 2021

Officer's Title: Program Funding & Budget Coordinator

Executive Summary:

The purpose of this report was for the Chief Executive Officer to present a monthly financial report to Council in accordance with section 204 of the Local Government Regulation 2012 for the period ended 31 March 2021.

Resolution No. OM/04.2021/50

Moved Cr Hancock

Seconded Cr Taylor

That the Monthly Financial Report for the period ended 31 March 2021 be received and noted.

CARRIED

9/0

Responsible Officer

Program Funding & Budget Coordinator

INFRASTRUCTURE SERVICES

Cr. Ladbroke left the meeting at 10.06am, and returned at 10.08am.

Item Number: 12.1 **File Number:** D20/37151

SUBJECT HEADING: WATER RESTRICTIONS REVIEW

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

Executive Summary:

Council resolved at a previous meeting that a report reviewing water restriction levels for the entire region be presented. This report was in response to that resolution.

Resolution No. OM/04.2021/51

Moved Cr Hancock

That we lay this on the table for a future meeting.

CARRIED

9/0

Responsible Officer

Manager - Water, Sewerage & Gas

Item Number: 12.2 **File Number:** D21/25482

SUBJECT HEADING: **ASSET MANAGEMENT PLAN SEWERAGE NETWORK, REVISION 2 - MARCH 2021**

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

Executive Summary:

Council is responsible for the management of 132 kilometres of sewer network and associated infrastructure with a replacement value of \$72,134,681. The development of a 10 year asset management plan provides direction and aids in ensuring that services are provided in a financially sustainable manner.

This revision updates renewal data and the capital upgrades required.

Resolution No. OM/04.2021/52	
Moved Cr Birkett	Seconded Cr Guthrie
That Council:	
<ol style="list-style-type: none"> 1. Receive the Sewerage Network Asset Management Plan (AMP) Revision 2 as presented. 2. Endorse the Sewerage Network AMP for inclusion in the Local Government Infrastructure Planning documentation. 3. Consider the Sewerage Network AMP in parallel with budget preparation. 	
CARRIED	9/0

Responsible Officer	Manager - Water, Sewerage & Gas
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Cr. O'Neil left the meeting at 10.20am.

Item Number: 12.3 **File Number:** D21/25551

SUBJECT HEADING: **ASSET MANAGEMENT PLAN GAS NETWORK, REVISION 3 - MARCH 2021**

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

Executive Summary:

Council is responsible for the management of 39 kilometres of gas main and associated infrastructure, with a replacement value of \$8,305,921. The development of a 10 year asset management plan provides direction and aids in ensuring that services are provided in a financially sustainable manner.

This revision provides more accurate renewal data and updates the capital upgrades required.

Resolution No. OM/04.2021/53

Moved Cr Birkett

Seconded Cr Ladbrook

That Council:

1. Receive the Gas Network Asset Management Plan (AMP) Revision 3 as presented.
2. Endorse the Gas Network AMP for inclusion in the Local Government Infrastructure Planning documentation.
3. Consider the Gas Network AMP in parallel with budget preparation.

CARRIED

8/0

Responsible Officer

Manager - Water, Sewerage & Gas

Cr O'Neil returned to the meeting at 10.24am.

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Item Number:

13.1

File Number: D21/23922

SUBJECT HEADING:

**INJUNE DISASTER MANAGEMENT GENERATOR
 PLACEMENT & REQUEST FOR AMENDMENT TO 2020-
 2021 CAPITAL BUDGET**

Officer's Title:

**Associate to the Director / Directorate Budget &
 Emergency Management Coordination**

Executive Summary:

This report sought Council's consideration on the placement of the Disaster Management Generator at the Injune Customer Service Office. Consideration was also sought for the amendment of the 2020-2021 Capital Works Budget WO22284 – Disaster Management Generators – Yuleba and Injune.

Resolution No. OM/04.2021/54

Moved Cr Golder

Seconded Cr Guthrie

That:

1. Council give in principle approval for the placement of the Disaster Management Generator at the back of the Injune Customer Service Centre and consult with the affected community groups, businesses and staff on the final site of the generator.
2. Council investigate a generator with the capacity that can power all the Council buildings in the precinct including the future CHIPS Building.
3. The Capital Works Budget Work Order 22284 be entirely allocated to purchase, deliver and install the generator at the Injune Customer Service Centre.
4. A backup generator for the Yuleba Council Office and Service Centre, with costings be sought for budget deliberations.

[Wording for this resolution was amended by Mayor Golder a number of times as a result of progressive discussions between Councillors and staff].

CARRIED

9/0

Responsible Officer

Associate to the Director / Directorate Budget & Emergency Management Coordination

COUNCIL ADJOURNED THE MEETING
 FOR A MORNING TEA AT 10.38am

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 11.19am

Item Number: 13.2 **File Number:** D21/30477

SUBJECT HEADING: YULEBA MEMORIAL HALL - KITCHEN UPGRADE

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

Executive Summary:

The Yuleba Memorial Hall Committee has been successful in obtaining grant funding from the Gambling Community Benefit Fund to upgrade the kitchen in the Yuleba Memorial Hall.

Resolution No. OM/04.2021/55	
Moved Cr McMullen	Seconded Cr Hancock
That Council grant permission to the Yuleba Memorial Hall Committee to undertake planned upgrades to the kitchen in the Yuleba Memorial Hall.	
CARRIED	9/0

Responsible Officer	Facility Lease Management & Housing Officer / Team Coordinator
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Item Number: 13.3 **File Number:** D21/30480

SUBJECT HEADING: CLOSURE OF LIBRARY SERVICES FOR STAFF TO ATTEND TRAINING IN 2021

Officer's Title: Lead Librarian

Executive Summary:

The report tabled a request for the closure of library services to conduct staff training workshops on Thursday, 18 June & Thursday, 2 December 2021.

Resolution No. OM/04.2021/56	
Moved Cr Taylor	Seconded Cr O'Neil
That:	
<ol style="list-style-type: none"> 1. Council endorse the closure of Council Library Services to allow all staff to attend staff training workshops on Thursday, 17 June and Thursday, 2 December 2021. 2. A policy be developed. 	
<i>[Wording amended by Cr Taylor to incorporate reference to developing a policy in this regard, following a suggestion from Cr O'Neil].</i>	
CARRIED	9/0

Responsible Officer	Lead Librarian / Manager – Economic & Community Development
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DECLARATION OF INTEREST

Item	13.4
Description	Applications Through Regional Arts Development Fund (RADF) Program
Declaring Councillor	Cr Mark Edwards
Person with the interest	Wendy Henning
Relationship category	Related by marriage
Particulars of the interest	Wendy Henning is a member of Council's RADF Assessment Committee but did not participate in this particular grant assessment.
Type of conflict	Declarable conflict of interest (voluntary declaration)
Action	I wish to participate in discussion and decision making. Other councillors will vote on that and any conditions.

Resolution No. OM/04.2021/57	
Moved Cr Taylor	Seconded Cr Guthrie
<p>That it is in the public interest that Cr Edwards participates and votes on agenda item 13.4 because a reasonable person would trust that the final decision is made in the public interest.</p>	
CARRIED	8/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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Item Number: 13.4 **File Number:** D21/30116

SUBJECT HEADING: APPLICATIONS THROUGH REGIONAL ARTS DEVELOPMENT FUND (RADF) PROGRAM

Officer's Title: Specialist - Arts & Culture

Executive Summary:

Council's Regional Arts Development Fund (RADF) Committee has reviewed three funding applications for arts and cultural projects, from Round 1, 2020/21, which closed on 1 March 2021.

Resolution No. OM/04.2021/58	
Moved Cr Hancock	Seconded Cr Taylor
<p>That Council endorse the Regional Arts Development Fund (RADF) Committee's grant assessment recommendations for applications received under Round 1, 2020/21.</p>	
CARRIED	9/0

Responsible Officer	Specialist - Arts & Culture
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Item Number: 13.5 File Number: D21/30141

SUBJECT HEADING: REQUEST FOR SPONSORSHIP - ROMA AND DISTRICT EISTEDDFOD 2021

Officer's Title: Specialist - Arts & Culture

Executive Summary:

The Roma and District Eisteddfod Committee has requested sponsorship from Council for their event to be held 13 – 15 October 2021. Council has supported this request in past years, and accordingly it is recommended that support be provided.

Resolution No. OM/04.2021/59

Moved Cr Birkett

Seconded Cr Edwards

That:

1. Council provide in principle support for the request.
2. The amount of \$400 (Gold Sponsorship for the Roma & District Eisteddfod), be incorporated in an upcoming budget review for the current financial year.

[Wording amended by Cr Birkett, following discussion with Councillors and suggestions from the Director and Chief Executive Officer].

CARRIED

9/0

Responsible Officer

Specialist - Arts & Culture

Item Number: 13.6 File Number: D21/30380

SUBJECT HEADING: REQUEST FOR FINANCIAL SUPPORT - QUEENSLAND BALLET

Officer's Title: Specialist - Arts & Culture

Executive Summary:

The Queensland Ballet is seeking a multi-year partnership with Maranoa Regional Council for an annual investment of \$1,500 per year over three years 2021-2023 to deliver workshops over two days each year.

Moved Cr Golder

That Council:

1. Give financial assistance in this financial year (2020/21) to Queensland Ballet to deliver two full days workshops.
2. Allocate funds from the Arts & Culture Budget GL 2885.2001.2001 of up to \$1,500.
3. Write to Queensland Ballet and commit that Council will budget for the subsequent two (2) financial years the amount of \$1,500 for each budget year.
4. Authorise the Chief Executive Officer (CEO) to sign the agreement on behalf of Maranoa Regional Council.

NO VOTE TAKEN

Resolution No. OM/04.2021/60

Moved Cr O'Neil

That we lay it on the table until later in today's meeting to circulate that information [letter of request from Queensland Ballet].

CARRIED

9/0

Responsible Officer

Lead Officer – Elected Members & Community Engagement

LATE ITEMS

Cr Taylor stated, in regard to the following item:

I would like to advise Council that I initially thought that I may have a conflict of interest in the following matter as a company that my spouse and I are Directors for (Nickbury Pty Ltd) own land at Raglan Street. However, upon further enquiry, clarification has been sought and provided that the policy is only focussing on land where the gas main hasn't yet been extended to. The property for which I have an interest already has the gas main passing it, therefore there will be no potential benefit or loss from Council's deliberations on this matter.

Item Number:

L.1

File Number: D21/26076

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/MJ 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/04.2021/61

Moved Cr Golder

Seconded Cr Birkett

That the draft Gas for Industrial/Commercial Development Policy be again presented at a future meeting, following consideration of the following intent for the area outside the defined gas network area (Section 4.4) -

- **contract for gas connection is signed 12 months before supply is given.**

[Wording amended by Mayor Golder following discussion with the Director and Chief Executive Officer to provide clarity on the intent of the proposed change to the policy].

CARRIED

9/0

Responsible Officer

Manager - Water, Sewerage & Gas

Item Number: L.2 **File Number:** D21/32125
SUBJECT HEADING: MATERIAL CHANGE OF USE - "DWELLING HOUSE"
 (DOMESTIC OUTBUILDING) (REF: 2021/20283)
Location: 383 Corfe Road, Roma QLD 4455 (Lot 264 on SP271326)
Applicant: Suellen Kirkbride
Officer's Title: Planning Officer

Executive Summary:

Council received a development application for a Material change of use - "Dwelling House" (Domestic outbuilding) on land situated at 383 Corfe Road, Roma QLD 4455, properly described as Lot 276 SP271326.

The application proposed an extension to an existing outbuilding that will result in the gross floor area significantly exceeding the maximum floor area prescribed for a domestic outbuilding on land less than 10ha in area in the Rural zone.

Moved Cr Golder

The application for a Material change of use - "Dwelling House" (Domestic outbuilding) on land situated at 383 Corfe Road, Roma QLD 4455, properly described as Lot 276 SP271326 be approved.

NO VOTE TAKEN

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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Resolution No. OM/04.2021/62

Moved Cr O'Neil

That this lay on the table until later in the meeting *[to include any development conditions in the instance that Council approve the application]*.

CARRIED

9/0

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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Item Number: L.3 **File Number:** D21/32676
SUBJECT HEADING: NOMINATIONS FOR FOSSIL EMBLEM FOR QUEENSLAND
Councillor's Title: Cr. Tyson Golder

Executive Summary:

Council has been invited by the Premier of Queensland to nominate a local fossil for the official State fossil emblem and for the Mayor to be part of the Advisory Panel.

Resolution No. OM/04.2021/63
Moved Cr Golder
Seconded Cr Edwards
That Council:

1. **Nominate Mayor Golder to be a representative on the Advisory Panel.**
2. **Consider the Rhoetosaurus Brownei or Minmi [Paravertebra] Fossil (with final selection based the fossil being found in the Maranoa Region and other locations), as a nomination of a local fossil for the Fossil Emblem for Queensland.**

CARRIED
9/0
Responsible Officer
Lead Officer – Elected Members & Community Engagement
Declaration of Interest

Item	C.2
Description	Application to Permanently Close a Section of Road Adjoining Lot 31 on SP178386
Declaring Councillor	Cr Tyson Golder
Person with the interest	Self
Relationship category	
Particulars of the interest	This road is near a rural property that I own and there will be no potential gain, profit or loss to me.
Type of conflict	Declarable conflict of interest
Action	I do not wish to take part in discussion or decision making and I will leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	C.3
Description	Concession Application – Assessment 15011919
Declaring Councillor	Cr Julie Guthrie
Person with the interest	Nick Guthrie
Relationship category	Nick Guthrie is my son
Particulars of the interest	My son is a close family friend of the applicant
Type of conflict	Declarable conflict of interest
Action	I wish to participate in discussion and decision making. Other councillors will vote on that and any conditions.

Resolution No. OM/04.2021/64
Moved Cr Taylor
Seconded Cr McMullen
That it is in the public interest that Cr Guthrie participates and votes on agenda item C.3 because a reasonable person would trust that the decision is made in the public interest.
CARRIED
8/0
Responsible Officer
Lead Officer – Elected Members & Community Engagement

Declaration of Interest

Item	LC.2
Description	Legal Proceedings (Ref: 2013/18600)
Declaring Councillor	Cr Mark Edwards
Person with the interest	Self
Relationship category	
Particulars of the interest	I was a submitter to the original application by the company – We Kando Pty Ltd (Provided a written submission – an objection to the original application).
Type of conflict	Declarable conflict of interest
Action	I will leave the room while the matter is discussed and voted on.

Cr. Ladbrook left the meeting at 12.27pm, and returned at 12.29pm.

Declaration of Interest

Item	LC.2
Description	Legal Proceedings (Ref: 2013/18600)
Declaring Councillor	Cr Tyson Golder
Person with the interest	Self
Relationship category	
Particulars of the interest	I was an appellant in the original legal proceedings in relation to the decision on the company's (We Kando Pty Ltd) development application.
Type of conflict	Declarable conflict of interest
Action	I will leave the room while the matter is discussed and voted on.

CONFIDENTIAL REPORTS

Resolution No. OM/04.2021/65

Moved Cr Hancock

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 [at 12.34pm] 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 Local Government Regulation 2012)	Overview
C.1 - Application for Conversion of Tenure - Lot 12 on I71822	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 Department of Resources seeks Council's views on an application it has received for conversion of Term Lease (TL) 0/236657 over Lot 12 on I71822.
C.2 - Application to Permanently Close a Section of Road adjoining Lot 31 on SP178386	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 an application for the permanent closure of a section of road adjoining land described as Lot 31 on SP178386.
C.3 - Concession Application - Assessment 15011919	Section 254J(3)(d) rating concessions.	The applicants have requested that Council address the loss of rates capping due to their properties being amalgamated.
C.4 - Claim for Vehicle Damage	Section 254J(3)(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.	Council has received a claim for damages relating to an incident that occurred when a vehicle was travelling past the Injune Washdown facility.
LC.1 - Proposed Conversion of Leases - Lot 112 on WV1190 and Lot 10 on I71821	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 Department of Resources seeks Council's views on proposed conversions of Term Lease (TL) 0/218008 over Lot 112 on WV1190 and Special Lease (SL) 36/52638 over Lot 10 on I71821.
LC.2 - Legal Proceedings (Ref: 2013/18600)	Section 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.	This report provides an update on proceedings in the Planning and Environment Court.

LC.3 - Tender 21028 Mobile Camp - Hoganthulla Road Project	Section 254J(3)(b) (i) industrial matters affecting employees; AND a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	<p>At the Council Meeting held on 14 April 2021, a report was considered by Council regarding Tender Number 21028: Mobile Camp – Hoganthulla Road Project.</p> <p>It was resolved that the tender be dealt with at the next Ordinary Meeting of Council [being 28 April 2021], with the provision of additional information to be provided for Council for consideration of the matter. The additional information was requested through the Resolution OM/04.2021/21 and OM/04.2021/22.</p> <p>This report retables the matter and provides the additional information as requested for Council's consideration.</p>
CARRIED 9/0		

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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Mayor Golder, having previously declared a Declarable conflict of interest in Item C.2, left the meeting at 12.36pm, taking no part in discussions on the matter. The Deputy Mayor took the role of Acting Chair in the Mayor's absence.

Cr Edwards, having previously declared a Declarable conflict of interest in Item LC.2, left the meeting at 12.50pm. Mayor Golder remained out of the meeting for this item, having also declared a Declarable conflict of interest for LC.2.

Discussion ceased on Item LC.2 with Mayor Golder & Cr Edwards returning during recess for lunch.

COUNCIL ADJOURNED THE MEETING
FOR LUNCH AT 1.02pm

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 2.09pm

Mayor Golder was not present at the resumption of Standing Orders and the Deputy Mayor continued in the role of Acting Chair.

Mayor Golder returned to the meeting at 2.13pm, assuming the Chair.

Mayor Golder left the meeting at 2.38pm, and returned at 2.39pm.

Cr Birkett left the meeting at 2.56pm.

Resolution No. OM/04.2021/66	
Moved Cr O'Neil	Seconded Cr Edwards
That Council open the meeting to the public [at 2.57pm].	
CARRIED 8/0	

Responsible Officer	Lead Officer – Elected Members & Community Engagement
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Cr Birkett returned to the meeting at 2.58pm.

Item Number: 13.6 **File Number:** D21/30380

SUBJECT HEADING: REQUEST FOR FINANCIAL SUPPORT - QUEENSLAND BALLET

Officer's Title: Specialist - Arts & Culture

Executive Summary:

The Queensland Ballet are seeking a multi-year partnership with Maranoa Regional Council for an annual investment of \$1,500 per year over three years 2021-2023 to deliver workshops over two days each year.

This item had been laid on the table earlier during the meeting, pending Councillors being provided a copy of the letter of request. This now to hand, Council resumed its deliberations.

Resolution No. OM/04.2021/67

Moved Cr Golder

Seconded Cr McMullen

That Council:

1. Give financial assistance in this financial year (2020/21) to Queensland Ballet to deliver two full days workshops.
2. Allocate funds from the Arts & Culture Budget GL 2885.2001.2001 of up to \$1,500.
3. Write to Queensland Ballet and commit that Council will budget for the subsequent two (2) financial years the amount of \$1,500 for each budget year.
4. Authorise the Chief Executive Officer (CEO) to sign the agreement on behalf of Maranoa Regional Council.

CARRIED

9/0

Responsible Officer

Specialist - Arts & Culture

Item Number: L.2 **File Number:** D21/32125

SUBJECT HEADING: MATERIAL CHANGE OF USE - "DWELLING HOUSE" (DOMESTIC OUTBUILDING) (REF: 2021/20283)

Location: 383 Corfe Road, Roma QLD 4455 (Lot 264 on SP271326)

Applicant: Suellen Kirkbride

Officer's Title: Planning Officer

Executive Summary:

Council received a development application for a Material change of use - "Dwelling House" (Domestic outbuilding) on land situated at 383 Corfe Road, Roma QLD 4455, properly described as Lot 276 SP271326.

The application proposed an extension to an existing outbuilding that will result in the gross floor area significantly exceeding the maximum floor area prescribed for a domestic outbuilding on land less than 10ha in area in the Rural zone.

This matter had been laid on the table pending further information, this now to hand, Council resumed its deliberations.

Resolution No. OM/04.2021/68

Moved Cr Golder

Seconded Cr McMullen

[That] the application for a Material Change of Use - "Dwelling House" (Extension to Domestic outbuilding) on land situated at 383 Corfe Road, Roma QLD 4455, properly described as Lot 264 on SP271326, be approved subject to the listed relevant and reasonable Development conditions and General advice:

Use

1. The approved development is a Material Change of Use - "Dwelling house" (extension to Domestic outbuilding) as defined in the Planning Scheme and as shown on the approved plans. It does not authorise the use of the "Dwelling house" (Domestic outbuilding) for any other activity.
2. A development permit for building works must be obtained prior to commencing construction of the "Dwelling house" (extension to Domestic outbuilding).

Compliance inspection

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

Approved plans and documents

5. The approved development is to be carried out in accordance with the following approved plans/documents and subject to 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:
001	Site Plan	
002	Floor plan (Indicative only)	
003	Building Elevations (Indicative only)	

Building height

6. The approved development must not exceed 3.6 metres in height (measured to the highest point, i.e. roof pitch) above the building pad. The height of the building pad shall be no more than what is reasonably required to prevent stormwater from ponding and must not exceed 300mm above existing ground level.

Note: The existing ground level is taken to be the level of the ground prior to the progression of any works on the premises.

Building size

7. The maximum floor area of the approved "Dwelling house" (extension to Domestic outbuilding) is restricted to 72m².

Building siting

8. The location of the outbuilding is to be generally in accordance with approved Site Plan (Reference: 001), ensuring minimum building setbacks of 15 metres from the boundary fronting Corfe Road and 5 metres from all other boundaries are achieved.

Building materials

9. Building materials and surface finishes must be predominantly within the colour range of the local landscape to blend with the surrounding environment.

Note: Suitable materials include Colorbond or similar.

10. The approved development shall be maintained in good repair and have no visual rust marks.

Landscaping

11. Landscaping is to be established around the perimeter of the building elevation to form a dense buffer that will visually screen the outbuilding from the road frontage and adjoining properties. Landscaped areas may include garden beds/earth mounding if and where necessary to achieve suitable visual screening and integrate the building into the landscape.
12. Plant species must be suitable and planting densities sufficient to provide a dense visual screen. Plantings must include semi-mature stock sizes to enable landscaped areas to achieve coverage of the landscaped area and be well-established within 2 years of planting.
13. Site landscaping is to be irrigated during an establishment period of 2 years.
14. All landscaping works are to be completed prior to the use or occupation of the approved outbuilding.

Development works

15. 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.
16. 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

17. 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.

Access, parking and manoeuvring

18. The landowner is responsible for the maintenance of vehicle crossovers from the road carriageway to the property boundary. Should any damage be caused to Corfe Road at the existing access location, it is the landowner's responsibility to ensure this is reinstated. Any repair works are to be undertaken in consultation with Council and at the landowner's expense.

Avoiding nuisance

19. No 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.
20. 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.
21. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.
22. 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.
23. All mechanical equipment (including air conditioners and the like) and rainwater tanks are to be screened from the adjoining roadway and nearby properties.

Stormwater and drainage

24. Stormwater is to be collected and discharged so as to:
- a) protect the stability of buildings and the use of adjacent land;
 - b) prevent water-logging of nearby land;
 - c) protect and maintain environmental values; and
 - d) maintain access to reticulated infrastructure for maintenance and replacement purposes.
25. 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.

Erosion control

26. Erosion control and silt collection measures must be undertaken as necessary during construction to maintain the quality of stormwater runoff from the development site and prevent any environmental harm.

No cost to Council

27. The developer is responsible for meeting all costs associated with the approved development unless there is specific agreement by other parties, including the Council, to meeting those costs. This includes the costs of any services and infrastructure required in connection with the establishment of the development.

Latest versions

28. 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

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

General advice:

- a) Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).
- b) Refer to <http://www.maranoa.qld.gov.au/council-policies> for Council Policies.
- c) The relevant planning scheme for this development is *Maranoa Planning Scheme 2017*. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to this Planning Scheme.
- d) Under the Planning Scheme a "Dwelling house" means a residential use of premises involving –
 - (i) 1 dwelling for a single household and any domestic outbuildings associated with the dwelling; or
 - (ii) 1 dwelling for a single household, a secondary dwelling, and any domestic outbuildings associated with either dwelling.
- 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) Any civil engineering and related work shall be designed and supervised by Registered Professional Engineers of Queensland (RPEQ) who are competent in the construction of the works.
- h) It is the responsibility of the developer to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved development.

- i) This development approval has been issued during the COVID-19 applicable event declared under 275F of the *Planning Act 2016*. The period for undertaking the approved development may be subject to an extension of time under section 275R of the *Planning Act 2016*.
- j) This development permit approves an extension to an existing Domestic outbuilding that is the subject of Development Permit No. 2019/19959, issued by Council on 4 October 2019. The landowner is responsible for ensuring that conditions of any development permit for the premises that is acted upon, are fulfilled. Under the *Planning Act 2016* (s. 164) it is an offence to contravene a development approval. Compliance action may be taken for any non-compliance.
- k) The development will not increase demand on any of Council's trunk infrastructure networks and therefore a nil infrastructure charge is payable.
- l) The land use rating category may change upon commencement of any new approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: www.maranoa.qld.gov.au.
- m) In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.
- n) An operational works application will be required to be submitted to and approved by Council for any cut and/or filling works that exceed 100m³.

CARRIED

9/0

Statement of Reason - Provided by Mayor Golder

I believe this will be in keeping with the area in the future, and any impacts of the development can be mitigated through conditions.

Responsible Officer	Planning Officer
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Item Number: C.1 File Number: D21/23006

SUBJECT HEADING: APPLICATION FOR CONVERSION OF TENURE - LOT 12 ON I71822

Officer's Title: Administration Officer - Land Administration

Executive Summary:

The Department of Resources sought Council's views on an application it had received for conversion of Term Lease (TL) 0/236657 over Lot 12 on I71822.

Resolution No. OM/04.2021/69

Moved Cr Hancock

Seconded Cr Ladbrook

Council advise the Department of Resources that it offers no objection to the conversion over TL 0/236657 being Lot 12 on I71822 to freehold tenure.

CARRIED

9/0

Responsible Officer	Administration Officer - Land Administration
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Mayor Golder, having previously declared a Declarable conflict of interest for the following item, left the meeting at 3.09pm. The Deputy Mayor took the role of Acting Chair in the Mayor's absence.

Item Number: C.2 **File Number:** D21/23884

SUBJECT HEADING: APPLICATION TO PERMANENTLY CLOSE A SECTION OF ROAD ADJOINING LOT 31 ON SP178386

Officer's Title: Administration Officer - Land Administration

Executive Summary:

Council received an application for the permanent closure of a section of road adjoining land described as Lot 31 on SP178386.

Resolution No. OM/04.2021/70

Moved Cr McMullen

Seconded Cr Birkett

That Council object to the application for permanent road closure of the section of road adjoining Lot 31 on SP178386 as applied, but offers no objection to –

- the permanent closure of the road reserve dividing Lot 31 on SP178386 and described as running in north-south direction, as per the diagram supplied in Officer's Report; and
- the temporary closure of the road reserve dividing Lot 31 on SP178386 and described as running in east-west direction, as per the diagram supplied in the Officer's Report.

CARRIED

8/0

Responsible Officer

Administration Officer - Land Administration

At cessation of discussion and decision on the abovementioned item, Mayor Golder returned to the meeting at 3.12pm, assuming the Chair.

Section 150F A (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. Geoff McMullen, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Item Number: C.3 **File Number:** D21/28794

SUBJECT HEADING: CONCESSION APPLICATION - ASSESSMENT 15011919

Officer's Title: Rates & Utilities Billing Officer

Executive Summary:

The applicants have requested that Council address the loss of rates capping due to their properties being amalgamated.

Resolution No. OM/04.2021/71

Moved Cr O'Neil

Seconded Cr Taylor

That Council:

1. Reimburse 50% of the increase in general rates due to the capping not being applicable in these particular circumstances for the 2020/21 financial year.
2. Review the rating methodology for the rating category Rural equal to or greater than 80ha as part of the 2021/22 budget deliberations.

CARRIED

8/0

Responsible Officer

Rates & Utilities Billing Officer

Section 150F A (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. 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.

Item Number:

C.4

File Number: D21/29509

SUBJECT HEADING:

CLAIM FOR VEHICLE DAMAGE

Officer's Title:

Administration Officer - Land Administration

Executive Summary:

Council received a claim for damages relating to an incident that occurred when a vehicle was travelling past the Injune Washdown facility.

Resolution No. OM/04.2021/72

Moved Cr Birkett

Seconded Cr Ladbrook

That:

1. Council reimburse the claimant \$608.81 being the cost to remedy vehicle damage quoted by Springfield Lakes Panel and Paint.
2. The claimant agrees to accept the amount of \$608.81 from Council as a full and final settlement of all claims arising from the alleged incident in February 2021.

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

LATE CONFIDENTIAL ITEMS

Item Number: LC.1 **File Number:** D21/24705

SUBJECT HEADING: PROPOSED CONVERSION OF LEASES - LOT 112 ON WV1190 AND LOT 10 ON I71821

Officer's Title: Administration Officer - Land Administration

Executive Summary:

The Department of Resources sought Council's views on proposed conversions of Term Lease (TL) 0/218008 over Lot 112 on WV1190 and Special Lease (SL) 36/52638 over Lot 10 on I71821.

Resolution No. OM/04.2021/73

Moved Cr Golder

Seconded Cr Edwards

That Council advise the Department of Resources that it –

- 1. Objects to the conversion over TL 0/218008 being Lot 112 on WV1190 as the lease land, or part of the lease land, may be needed for a public purpose.**
- 2. Offers no objection to the conversion over SL 36/52683 being Lot 10 on I71821 to freehold tenure.**

CARRIED

9/0

Responsible Officer

Administration Officer - Land Administration

Mayor Golder & Cr Edwards, having previously declared a Declarable conflict of interest for the following item, left the meeting at 3.18pm.

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

Item Number:

LC.2

File Number: D21/30992

SUBJECT HEADING: LEGAL PROCEEDINGS (REF: 2013/18600)

Author and Officer's Title: Manager - Planning & Building Development

Executive Summary:

This report provided an update on proceedings in the Planning and Environment Court.

Resolution No. OM/04.2021/74

Moved Cr Hancock

Seconded Cr Taylor

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

CARRIED

7/0

Responsible Officer

Manager - Planning & Building Development

At cessation of discussion and decision on the abovementioned item, Mayor Golder & Cr Edwards returned to the meeting at 3.18pm.

Section 150F A (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. 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.

Item Number: LC.3 **File Number:** D21/30886

SUBJECT HEADING: TENDER 21028 MOBILE CAMP - HOGANTHULLA ROAD PROJECT

Officer’s Title: Deputy Director / Strategic Road Management

Executive Summary:

At the Council Meeting held on 14 April 2021, a report was considered by Council regarding Tender Number 21028: Mobile Camp – Hoganthulla Road Project.

It was resolved that the tender be dealt with at the next Ordinary Meeting of Council [being 28 April 2021], with the provision of additional information to be provided for Council for consideration of the matter. The additional information was requested through the Resolution OM/04.2021/21 and OM/04.2021/22.

Resolution No. OM/04.2021/75

Moved Cr McMullen

Seconded Cr Edwards

That Council:

1. Approve Wild Desert Pty Ltd as the successful tenderer for tender 21028, noting the tendered value of \$169,660 inclusive of GST for a single site mobilisation over a 14 week hire duration.
2. Authorise the Chief Executive Officer (or delegate) to enter into a contract with Wild Desert Pty Ltd formalising the terms and conditions and form a contract by way of purchase order if the final terms are acceptable.
3. Assign expenditure to Work Orders 22134 and 22135.

CARRIED

9/0

Statement of Reason – Provided by Mayor Golder - Develop competitive local business.

Responsible Officer

Deputy Director / Strategic Road Management

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 3.22pm.

These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 12 May 2021, at Roma Administration Centre.

.....
 Mayor.

.....
 Date.

.....
 Deputy Mayor.

.....
 Date.