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# LATE ITEMS AGENDA

## Ordinary Meeting

**Wednesday 11 August 2021**

Roma Administration Centre

### NOTICE OF MEETING

Date: 6 August 2021

Mayor:

Councillor T D Golder

Deputy Mayor:  
Councillors:

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

Chief Executive Officer:

Ms Julie Reitano

Executive Management:

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

Attached is the agenda for the **Ordinary Meeting** to be held at the Roma Administration Centre on  
**11 August 2021 at 9.00AM.**

Julie Reitano  
**Chief Executive Officer**

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## **PLANNING & BUILDING DEVELOPMENT REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 26 July 2021

**Item Number:** L.1

**File Number:** D21/60874

**SUBJECT HEADING:** Development Application to extract up to 5,000 tonnes of sand every year from the Maranoa River

**Classification:** Open Access

**Officer's Title:** Lead Town Planner

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**Executive Summary:** Roma Sands Pty. Ltd. wants to extract up to 5,000 tonnes of sand every year from the Maranoa River, at a location approximately 27 kilometres south of the township of Mitchell. They are proposing to extract the sand before transporting it every-so-often and no more than once a week via road train to an industrial block in Mitchell for further processing and on-sale. To this extent, the development footprint is relatively minor, and infrastructure required to conduct the activity is minimal, so much so that there is unlikely to be any noticeable difference from the rural activities currently carried out at the site.

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 28 June, 2021 and 16 July, 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, officers have identified a number of relevant matters that support approval of the application including; the proposal supports a key theme in Councils strategic framework by encouraging an extractive industry in the rural zone; the proposal takes advantage of the regions natural resources; and there an overall absence of negative impacts resulting from the proposed development having regard to the type of operation and its relatively small scale (less than 5,000 tonnes per year).

**Officer's Recommendation:** The application for a Material Change of Use "Extractive industry" (up to 5,000 tonnes per year) on Lot 84 DL154 be approved subject to the following listed relevant, reasonable, and enforceable Development conditions and General advice:



## **Development Conditions**

### **Use**

1. The approved development is for a Material Change of Use - “Extractive industry” as defined in the Planning Scheme, as shown on the approved plans and documents, and as generally described in Condition 2, 3, 4 and 5.
2. Extracted material shall be stockpiled on site for a period no longer than three-months.
3. The approval does not authorise the screening or crushing of extracted material on site.
4. The maximum number of people associated with the approved operation that are permitted on site at any one time is restricted to three.
5. The approved extraction tonnage is capped at **4,999 tonnes** per annum.

### **Compliance inspection**

6. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless otherwise noted within these conditions.
7. Prior to the commencement of use the applicant shall contact Council’s Planning Department and arrange a development compliance inspection.

### **Approved Plans and Documents**

8. The approved development is to be carried out generally in accordance with following approved plans and 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.

<b>Plan/Document Number</b>	<b>Plan/Document Name</b>	<b>Date</b>
001	Site Plan	
002	Vehicle Access Site Map	

### **Development works**

9. All works must comply with:
  - a. this development approval;
  - b. Council’s standard designs for such work where such designs exist;
  - c. the Capricorn Municipal Development Guidelines; and
  - d. any relevant Australian Standard that applies to that type of work.

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Despite the requirements of paragraphs a-d above, Council may agree in

writing to an alternative specification. This alternative specification prevails over those specified in paragraphs a-d in the event of any inconsistency.

The developer must also ensure that any works do not conflict with any requirements imposed by any concurrent lawful requirements outside those stated above.

### Biosecurity Plan

10. A Biosecurity Plan for the premises must be prepared and implemented in accordance with the *Biosecurity Act 2014*. The plan must be prepared by an appropriately qualified person taking into account all existing and approved operations on the site and addressing the risk of spread of Priority Pest Plants. A copy of the plan must be submitted to Council prior to commencement of the approved development.

**Note:** The Pest Management Plan (PMP) for the Maranoa Region is available on Council's website via the following link: <http://www.maranoa.qld.gov.au/pest-management-plan>  
The PMP identifies, among others, Parkinsonia, Prickly Acacia and Parthenium as Priority Pest Plants to be managed in the Maranoa Region.

### Internal Haulage Route

11. All weather vehicle internal access shall be provided for traffic movement within the development site area.
12. Internal roads are to be watered to mitigate dust and upon receipt of any reasonable complaint regarding dust nuisance caused by vehicle movements within the site and at the site access.

### Access

13. Vehicles entering and exiting the development site must be able to enter and leave in forward direction. Vehicle manoeuvres in this regard are to be totally contained within the development site boundaries.

### Signage

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

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

### Biodiversity

15. No vegetation is cleared outside the designated resource/processing area/s or haulage route/s without prior approval/s from the relevant regulatory authorities.

### **Operating Hours**

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

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

### **Avoiding Nuisance**

17. In the event that unreasonable nuisance is caused to adjoining properties and occupiers by the way of smoke, dust, noise, odour, rubbish, contaminant, stormwater discharge or siltation at any time, reasonable measures shall be implemented in order to mitigate the nuisance.
18. The approved use and its surrounds must be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not pose any health and safety risks to the community.

### **Erosion and Sediment Control**

19. Erosion and Sediment Control is to be managed in accordance with;
  - a) *Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.*

### **Stormwater and Drainage**

20. There must be no increases in any silt loads or contaminants in any overland flow from the property. All stormwater from the approved operation is to be collected onsite using appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.
21. 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.
22. 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.

23. Runoff from premises ensures the quality of surface water is suitable for:
- (a) the biological integrity of aquatic ecosystems;
  - (b) recreational use;
  - (c) supply as drinking water after minimal treatment; and
  - (d) agricultural use or industrial use.

### **Advertising signage**

24. Any proposed advertising signage that does not form part of this approval is subject to further development approval unless otherwise meeting the requirements for Accepted development in the Planning Scheme, or other applicable planning instrument in force at the relevant time.
25. Any free standing advertising signage or structure to be constructed on the subject site shall be designed by an RPEQ (Structural) Engineer and certification provided for both design and construction.

### **No Cost to Council**

26. 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.
27. All rates and charges of any description and all arrears of such rates and charges, together with interest outstanding thereon, on the land, due to Council, shall be paid to the Council prior to construction commencing.

### **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 first operational works or compliance approval is lodged with the assessment manager or approval agency for those types of works to be performed or approved, 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 and the Approved Plans and Approved Documents bearing 'Council Approval.'

### **General advice**

- i. The Capricorn Municipal Development Guidelines apply to this development. Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).

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

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

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

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

Council's decision regarding this matter is likely to affect;

- The quarry operator, Roma Sands Pty. Ltd.
- The owner of the land subject of the application, Mr. Kevin Ware

**Acronyms:**

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

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

Acronym	Description
N/A	

**Context:**

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

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

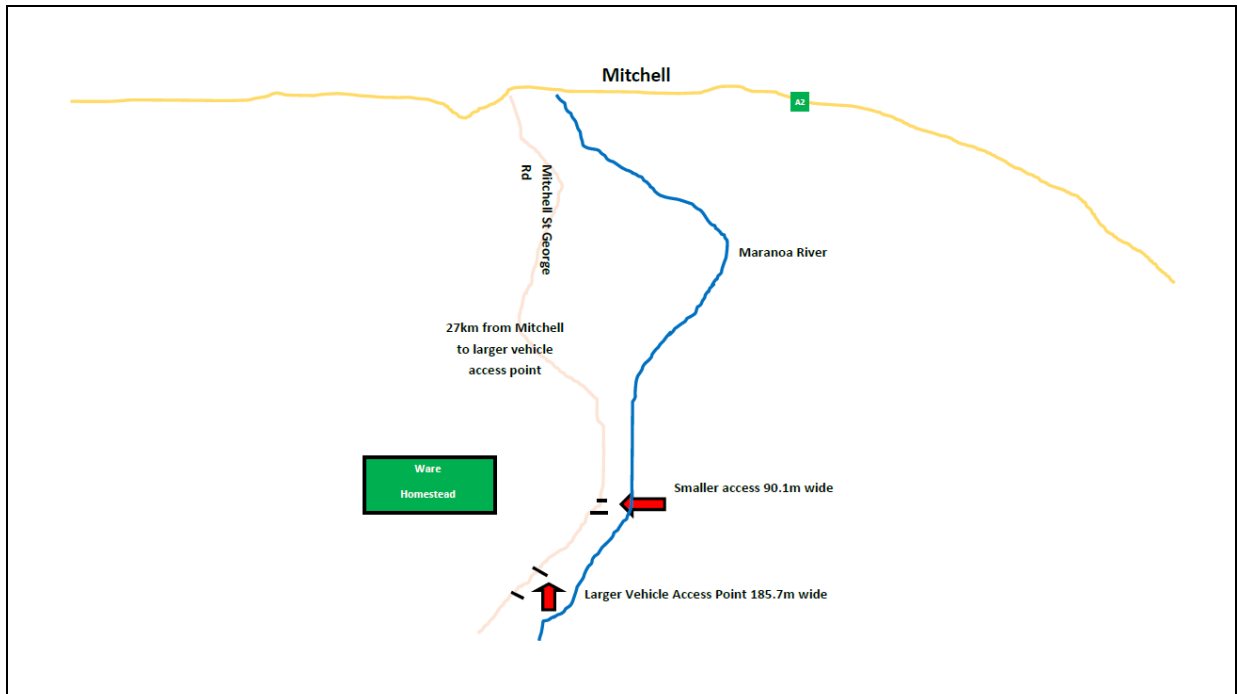
**Background:**

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

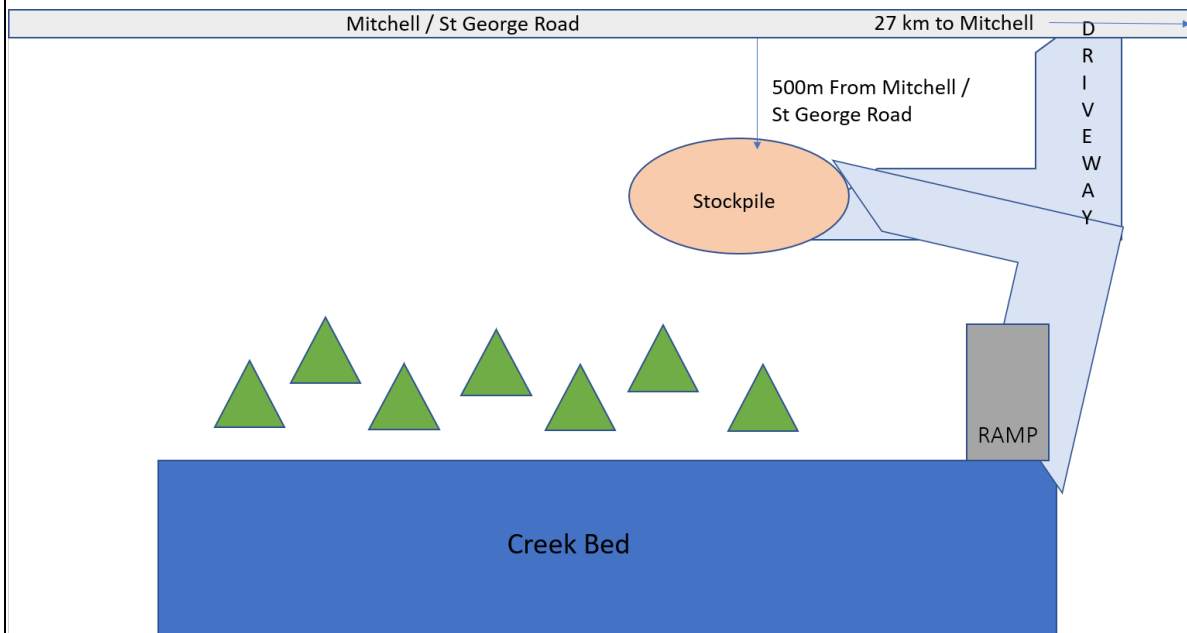
(Succinct overview of the relevant facts, without interpretation)

- A properly made development application has been submitted to Council by Roma Sands Pty. Ltd. seeking approval for an "Extractive industry" over Lot 84 on DL: 154. The lot is located on the Mitchell-St George approximately 27 kilometres south of the township on the Mitchell.
- The proposed "extractive industry" would see up to 5,000 tonnes a year of sand being extracted from the Maranoa River which runs through lot, before being stockpiled and then transported via a road train to an industrial block in Mitchell for further processing and sale.
- The development footprint is relatively minor and the infrastructure associated with the operation minimal, and it is therefore unlikely to be overly dominant on the lot. The primary use of the premises for all intents and purposes will remain rural, with the small sand extraction operation being more incidental to the primary agricultural activities currently undertaken. So much so, that it is unlikely that there will be any noticeable difference to current activities at the site, either tangible or perceived.
- Aside from the landowner, who has consented to making of the application, surrounding landowner/s and the wider general public may observe a road train leaving the site every so often and no more than once a week. Any environmental or vegetation concerns are addressed by the required State

government licenses, which are issued separate to the Council assessment process.



**Figure 1 – Site location**



**Figure 2 – Proposed site layout**

- Should Council resolve to approve the application, conditions of development approval can be imposed to mitigate any potential impacts from the development. The conditions must not be unreasonable and must be required as a consequence of the development.

- Additional details about the proposal and a full assessment of the application against the applicable assessment benchmarks prescribed by Regulation, including an assessment against the zone code and strategic framework, will be provided to Councillors under separate cover.

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

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

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

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

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

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

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

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

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

**Council Policies or Asset Management Plans:**

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

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

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

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

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

- Part 3 Strategic framework



- Part 4 Local Government Infrastructure Plan
- Part 5 Tables of assessment
- Part 6 Zones
  - Part 6.2.1 Rural zone code
- Part 8 Overlays
  - Part 8.2.1 Agricultural land overlay code
  - Part 8.2.2 Extractive resources overlay code
  - Part 8.2.6 Bushfire hazard overlay code
  - Part 8.2.7 Infrastructure Overlay Code
- Part 9 Development Codes
  - Part 9.3.3 Extractive industry code

**Input into the Report & Recommendation:**

*Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?* (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Consultation about this application has occurred with:

- Director, Development Facilities and Environmental Services (internal)

The Officer's recommendation has been informed by feedback received from the persons consulted.

**Funding Bodies:**

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

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

**This Financial Year's Budget:**

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

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

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

**Future Years' Budgets:**

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

As above.

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*

(Interested Parties Analysis - IS9001:2015)

The State Assessment Referral Agency were a referral agency for this application and will be *interested* in Council's decision.

The landowner of the development site, Mr. Kevin Ware, will be *interested* in Council's decision.

### Risks:

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

Risk	Description of likelihood & consequences
See below	

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

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

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

### Advice to Council:

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

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

It is considered that the proposal presents no significant conflict with the applicable assessment benchmarks. Development conditions have been recommended to ensure compliance to the greatest extent possible.

As such, Council should endorse the officer recommendation and approve the development application for a material *change of use* for "Extractive industry" on Lot 84 on DL154 subject to relevant, reasonable and enforceable conditions that mitigate potential impacts from the development.

### Recommendation:

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

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

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

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

Council should endorse the officer recommendation and approve the development application for a material *change of use* for “extractive industry” over Lot 84 on DL 154 subject to relevant, reasonable and enforceable conditions that mitigate potential impacts from the development.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.8 Town planning

**Supporting Documentation:**

Nil

**Report authorised by:**

Deputy Chief Executive Officer/Acting Director Infrastructure Services

## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 16 July 2021

**Item Number:** L.2

**File Number:** D21/58454

**SUBJECT HEADING:** Application for funding - National Farm Safety Education Fund: Improving Farm Safety Practices Grant Opportunity

**Classification:** Open Access

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

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### **Executive Summary:**

Funding is available from the Australian Government under the National Farm Safety Education Fund for projects that improve farm safety practices.

An opportunity exists for Council to work with other agencies to improve farm safety outcomes in our rural communities, and to build form the work already undertaken in projects such as the Queensland Feral Pest Initiative Collaborative Area Management Project.

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

That Council endorse the application for funding submitted under the National Farm Safety Education Fund, and authorise the Chief Executive officer to sign the funding agreement and any other associated documentation if successful.

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

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

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

- Schools across the Maranoa Region – Access by students in years 5 to 10 in general farm safety awareness
- School students studying Ag Science in year 9 and 10 – Access to subsidised VET courses
- Young adults involved in agriculture - Access to subsidised VET courses
- Rural Landholders – Access to general farm safety awareness training
- Residents of the community - Access to general farm safety awareness training
- RESQ+ Employment Solutions - Access by their clients to subsidised VET courses
- Access Learning and Training - Access by their clients to subsidised VET courses

## Acronyms:

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

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

Acronym	Description
RESQ+	RAPAD Employment Services Queensland
ALT	Access Learning and Training
VET	Vocational Education and Training
QFPI	Queensland Feral Pest Initiative

## Context:

### Why is the matter coming before Council?

Council officers have been in discussion with stakeholders, including Mitchell State School, RESQ+ and ALT in relation to the submission of a grant application for funding of the "Maranoa's Safe Future Farmers" project from the National Farm Safety Education Fund. The project aims to provide general safety awareness to 250 school aged children and access to VET courses for 50 participants comprising young adults and students in years 9 and 10 who are either involved in, or studying agricultural production. The project seeks funding of \$110,000 over a 2 year period.

The closing date for the applications is August 11, with the application submitted pending endorsement by Council.

## Background:

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

*(Succinct overview of the relevant facts, without interpretation)*

This project plans to build off the outcomes of the QFPI funded exclusion fencing projects that aimed to increase economic activity in rural and regional areas of the Maranoa. The ultimate aim of the QFPI projects was to allow for the return of small stock (sheep and goats) to the region, and as a result, see an increase in economic activity in the smaller towns of the region.

As part of the ongoing monitoring of the QFPI project, landholders were asked what barriers they had to employing additional staff to work on farm. The issues identified included:

- Cash flow from the ongoing drought
- Lack of suitable skilled labor
- Concern about the workplace health and safety issues surrounding the employment of staff.

With these responses in mind, the improved seasonal conditions and the increase in productivity from the delivery of the QFPI Projects, it is proposed to implement a project that addresses the issue of skilled labor and safe work practices in agriculture.

By providing the upcoming generation of farmers with the required skills and knowledge to work safely on farm and making younger children and the broader

community aware of farm safety, it is hoped that this project will improve farm safety education and related attitudinal and behavioral change in young people.

Upskilling school children and young people currently living in the area with a suite of “Job Ready” skills, focusing on safe work practices will ensure that they have the opportunity to fill the skill gap created from the delivery of the Collaborative Area Management projects.

This project also aims to raise awareness of the safety of children on farms by parents and farm managers/owners and improve on farm safety.

The proposed project activities include:

1. Launch day/Field day

Commencing in Quarter 1 of 2022, it is proposed to conduct a project launch at the Mitchell showgrounds, with presenters providing some basic farm safety awareness messages to children in years 5 to 8 and to provide an opportunity for students in years 9 and 10 to gather an understanding of the opportunities available to them for VET courses in farm safety.

In order to also engage parents and the farming community, it is also proposed to hold other activities, such as trade displays and information and possibly a small stud sale of sheep and/or goats. The intention is to use the opportunity to also impart the basic farm safety messages to farming parents and other adults in the farming community who may have children visit their farm.

It is planned to have VET providers, such as TAFE Qld in attendance at this launch day to provide information to students in years 9 and 10, as well as young adults, on what training is available.

It is also planned to conduct some information and awareness training around farm safety issues that cross generational barriers, including a component on Motorbike and Quad bike safety on the launch day, aimed particularly at rural producers, who often are the owners of quad bikes that can potentially be accessed by visitors to their farm, and to make them aware of their obligations and responsibilities (such as appropriate training, rider experience, rider age, helmets and rollover protection).

2. General farm safety awareness

At the completion of the launch day, it is hoped that some basic safety messages are imparted into the children and adults that have attended the launch day, and built awareness of the safety risks on farm to all parties. The project would also involve the production of a resource kit, or “Show Bag” with resources, such as magnets and stickers, that reinforce the safety messages from the launch day

3. VET courses specific to high risk activities on farm.

Following on from the launch day, it is planned to identify the level of training interest in specific farm safety VET courses, and deliver appropriate subsidized training to interested and eligible participants.

It is planned to engage training providers to undertake the training on a regular schedule, with the training for students occurring during school time, and the training for young adults to occur on the same day at a separate suitable time. This will ensure that we receive value for money when engaging the training providers.

The project aims to:

1. Bring about attitudinal change in farm safety culture
2. Build basic farm safety awareness in children from years 5 to 10 in schools across the Maranoa region
3. Provide VET courses with a primary focus on farm safety to children in years 9 and 10.
4. Provide VET courses to young adults who are looking to start their career in agriculture
5. Raise farm safety awareness amongst the older generation of farmers and the broader community
6. Collaborate with agencies dealing with at risk groups, including indigenous communities, children with learning challenges, people with a disability and long term unemployed people. Agencies include the Mitchell state school, RESQ employment solutions and Access Learning and Training.

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

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Nil

**Council Policies or Asset Management Plans:**

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

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

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

Delivery of the project, if successful, would be in accordance with the grant agreement and the associated documentation

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Jeremy Heslop – Agricultural Science Teacher – Mitchell State School

Advice on the numbers of students to target the launch day for, the target year groups, and the numbers of students who may wish to undertake VET courses

Jeffrey Ferguson – RESQ+

Advice on the suitability of VET courses, and the number of potential participants

Tilly Butler-Woodall – ALT

Advice on the suitability of VET courses and the number of potential participants

**Funding Bodies:**

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

The grant opportunity is funded by the Federal Department of Agriculture Water and the Environment under the National Farm Safety Education Fund.

**This Financial Year's Budget:**

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

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

No additional budget impact is expected from the project. The project would be 100% grant funded with supervision and administration absorbed within the current Rural Lands operating budget. Projected grant funds expenditure for the current financial year would be \$60,000

**Future Years' Budgets:**

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

No additional budget impact is expected from the project. The project would be 100% grant funded with supervision and Administration absorbed within the Rural Lands operating budget. Projected grant funded expenditure for the 2022/23 financial year would be \$50,000

**Impact on Other Individuals or Interested Parties:**

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*

(Interested Parties Analysis - IS9001:2015)

- Students in years 5 to 10 stand to benefit from the launch day
- Students in years 9 and 10 studying agricultural science stand to benefit from access to VET courses
- Young adults engaged in agricultural production stand to benefit by gaining access to VET courses
- Agricultural producers stand to benefit from having access to increased farm safety awareness and access to a potential labour source who is appropriately trained in farm safety
- The Maranoa community stands to benefit by ensuring that visitors to farms are aware of the potential risks and hazards.

**Risks:**

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



Risk	Description of likelihood & consequences
Council does not endorse the application	Funding if offered would not be taken up, resulting in a missed opportunity

### Advice to Council:

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

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

The proposed project builds off of work already funded by Council under the QFPI. The project provides benefit to the broader community, by providing the skills to take up the available jobs created as a result of the increased economic activity brought about by exclusion fencing. The project also builds the skills of at risk people in the community.

### Recommendation:

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

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

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

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

It is recommended that Council support the officers recommendation, as the proposed project seeks to protect our young people and create opportunities for them to undertake long and healthy careers in agriculture. The collaborative nature of the project draws many different agencies together to deliver a common goal.

### Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.9 Rural lands

### Supporting Documentation:

- 1 [↓](#) Grant application guidelines - National Farm Safety Fund D21/62095
- Improving Farm Safety Practices

### Report authorised by:

Deputy Chief Executive Officer/Acting Director Infrastructure Services



Australian Government  
Department of Agriculture,  
Water and the Environment

Community  
Grants Hub  
Improving your grant experience



## National Farm Safety Education Fund: Improving Farm Safety Practices Grant Opportunity Guidelines

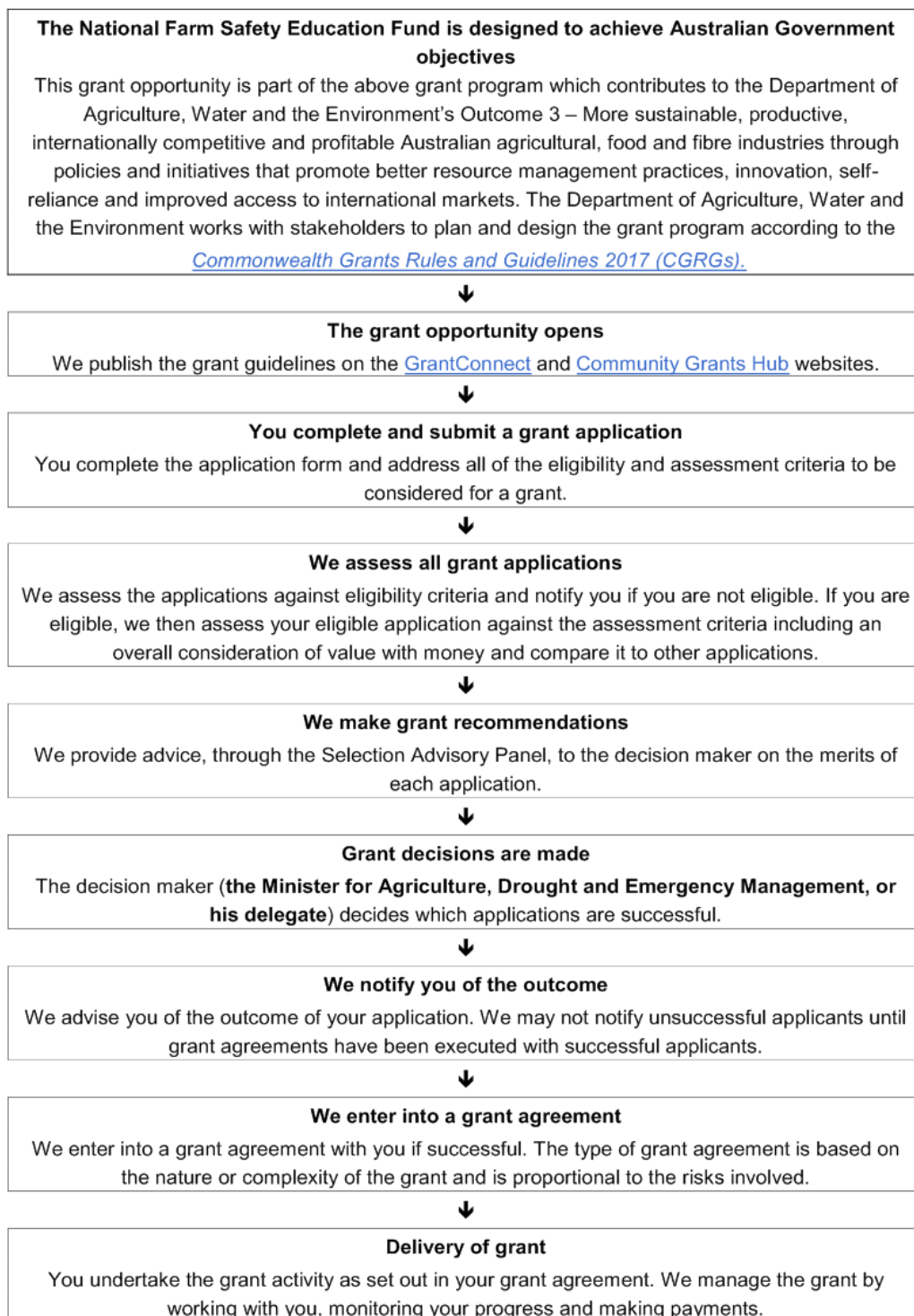
Opening date:	17 June 2021
Closing date and time:	9:00 PM AEST on 28 July 2021
Commonwealth policy entity:	Department of Agriculture, Water and the Environment
Administering entity:	Community Grants Hub
Enquiries:	<p>If you have any questions, contact</p> <p>Community Grants Hub</p> <p>Phone: 1800 020 283 (option 1)</p> <p>Email: <a href="mailto:support@communitygrants.gov.au">support@communitygrants.gov.au</a></p> <p>Questions should be sent no later than 5:00 PM AEST on 21 July 2021</p>
Date guidelines released:	17 June 2021
Type of grant opportunity:	Open competitive

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## 1 National Farm Safety Education Fund: Improving Farm Safety Practices processes





**Evaluation of the National Farm Safety Education Fund: Improving Farm Safety Practices**

We evaluate your specific grant activity and the National Farm Safety Education Fund: Improving Farm Safety Practices as a whole. We base this on information you provide us and that we collect from various sources.

## 1.1 Introduction

These guidelines contain information for the National Farm Safety Education Fund: Improving Farm Safety Practices grants.

You must read these guidelines before filling out an application.

This document sets out:

- the purpose of the grant program/grant opportunity
- the eligibility and assessment criteria
- how grant applications are considered and selected
- how grantees are notified and receive grant payments
- how grantees will be monitored and evaluated
- responsibilities and expectations in relation to the opportunity.

This grant opportunity and process will be administered by the Community Grants Hub (the Hub) on behalf of the Department of Agriculture, Water and the Environment (the department).

## 2 About the grant program

The National Farm Safety Education Fund (the program) was a 2019 election commitment of \$3.5 million (GST exclusive) to support activities that improve farm safety outcomes, through increased awareness of farm safety and education to help prevent farm accidents.

The program aligns with the department's purpose of partnering and regulating to enhance Australia's agriculture, unique environment and heritage, and water resources.

With one in 5 workplace fatalities occurring on farms, improving farm safety awareness and education will benefit Australia's farmers, farm workers, families and the regional communities they support.

Funding of \$1.9 million has been allocated to Farmsafe Australia to undertake a range of activities that will deliver on the government's commitment to safer farms and reduce on-farm injuries and fatalities, and to develop the [National Farm Safety Education Fund Strategy](#) (the Strategy), which was released on 17 March 2021.

The priorities of this grant opportunity were informed by the Strategy.

The Department of Agriculture, Water and the Environment and the Community Grants Hub administer the program according to the [Commonwealth Grants Rules and Guidelines 2017 \(CGRGs\)](#).

### 2.1 About the National Farm Safety Education Fund: Improving Farm Safety Practices grant opportunity

The purpose of the National Farm Safety Education Fund: Improving Farm Safety Practices grant opportunity is to support projects that result in improved farm safety outcomes nationally.

The objective of the grant opportunity is better and more effective communication to farmers and those that live and work on Australian farms and in related industries, to improve their understanding and uptake of the behaviours and practices associated with farm safety.

The grant opportunity will support projects focused on education and capacity building in 2 priority areas. These priorities were informed by the Strategy.

1. The next generation of farmers
  - a. We are seeking project proposals that improve farm safety education and related attitudinal and behavioural change, in young children on farms, primary students, and/or secondary students
2. Industry-endorsed training and continued learning
  - a. We are seeking project proposals that develop and/or deliver well designed, fit-for-purpose basic farm safety training
  - b. Project proposals should, where possible, consider how to tailor training to different farm types, activities and workers (for example, seasonal workers, migrant workers and backpackers)
  - c. Project proposals should either fund the development and/or delivery of courses that can be vocational education and training (VET) accredited, or provide good reason why the development and/or delivery of other courses should be funded
  - d. You may seek funding to evaluate, tailor and enhance existing VET accredited training programs. We will not fund evaluation of courses that have already been evaluated

Project proposals should, where possible, be clearly informed by existing evidence and recommend ways to develop and apply this evidence to relevant activities in the priority areas.

The intended outcome of the grant opportunity is that farmers and those that live and work on Australian farms and in related industries have:

- increased positive attitude shift towards farm safety practices
- increased uptake of farm safety practices.

## 3 Grant amount and grant period

### 3.1 Grants available

The Australian Government has announced up to \$1.6 million (GST exclusive) is available to 30 June 2023.

There is no maximum grant amount, but grants cannot exceed the amount of available funds.

It is anticipated that several projects will be funded for up to 2 years.

### 3.2 Grant period

The maximum grant period is 2 years. Grant activities must be completed by June 2023.

## 4 Eligibility criteria

The decision maker can choose to waive the eligibility criteria, however they must be made aware of the risks.

Organisations must be eligible as per these guidelines at the time of submitting an application.



#### 4.1 Who is eligible to apply for a grant?

To be eligible, you must be one of the following entity types:

- Indigenous Corporation
- Company<sup>1</sup>
- Corporate Commonwealth Entity
- Non-Corporate Commonwealth Statutory Authority
- Commonwealth Company
- Corporate State or Territory Entity
- Non-corporate State or Territory Entity
- Non-corporate State or Territory Statutory Authority
- Local Government<sup>2</sup>
- Cooperative
- Incorporated Association
- Statutory Entity.

If you are applying as a Trustee on behalf of a Trust<sup>3</sup>, the Trustee must have an eligible entity type as listed above.

Applications from consortia are acceptable, as long as you have a lead applicant who is solely accountable to the Commonwealth for the delivery of grant activities and is an eligible entity as per the list above<sup>4</sup>. Eligible organisations can form a consortium with ineligible organisations. The eligible organisation must apply. Applications received from ineligible organisations will not be accepted.

#### 4.2 Additional eligibility requirements

Before you apply, you must:

- have an Australian Business Number (ABN)
- have an account with an Australian financial institution.

If you do not meet these additional requirements, you will not be eligible.

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<sup>1</sup> Company is a company incorporated under the *Corporations Act 2001* (Cth).

<sup>2</sup> Includes New South Wales local governments created as body politics.

<sup>3</sup> Trusts are not legal entities in their own right – to be eligible, only the Trustee for the Trust can apply by providing the signed Trust Deed and any subsequent variations with the application form. Trustees must be an eligible entity type as stated in section 4.1. Both the Trust's and Trustee's details will be collected in the application form.

<sup>4</sup> The Australian Government recognises that some organisations may seek to form consortia in order to apply for a grant under the program. Consortia are eligible to apply and the relevant conditions applicable to consortia are in section 7.1.

### 4.3 Who is not eligible to apply for a grant?

You are not eligible to apply if you are a/an:

- organisation, or your project partner is an organisation, included on the [National Redress Scheme's website](#) on the list of 'Institutions that have not joined or signified their intent to join the Scheme'
- Unincorporated Association
- Non-Corporate Commonwealth Entity
- Sole Trader
- International Entity
- Partnership
- Person.

Additionally, government departments are not eligible to apply.

### 4.4 What qualifications, skills or checks are required?

If you are successful, relevant personnel working on projects who have contact with children must maintain the following:

- Working with Vulnerable People registration
- Working with Children Check.

If you are successful, relevant personnel working on projects relating to training must comply with Australian Skills Quality Authority accreditation.

## 5 What the grant money can be used for

### 5.1 Eligible grant activities

To be eligible, your grant activity must only be used for costs directly incurred in carrying out or administering the project as defined in your grant agreement. Eligible activities could include (but are not limited to):

- developing formal education modules, courses or literature
- delivering activities that increase participants' farm safety knowledge and behavioural change
- developing or evaluating existing data sets to support delivery of proposed projects.

### 5.2 Eligible expenditure

You can only spend the grant on eligible expenditure you have incurred on agreed project activities.

Eligible expenditure items may include (but are not limited to):

- wages
- contribution to the reimbursement of training costs (for example, travel, accommodation and meals)
- costs associated with developing formal education modules, courses and literature
- travel (for example, contribution to the reimbursement of fuel costs)
- accreditation costs (for example, costs incurred to evaluate, tailor or enhance existing VET accredited training programs).

Not all expenditure on your grant activities may be eligible for grant funding. The decision maker makes the final decision on what is eligible expenditure and may give additional guidance on eligible expenditure if required.

You must incur the expenditure on your grant activities between the start date and end or completion date of your grant agreement for it to be eligible.

If your application is successful, we may ask you to verify project costs that you provided in your application. You may need to provide evidence such as quotes for major costs.

### 5.3 What the grant money cannot be used for

You cannot use the grant for:

- evaluation of courses that have already been evaluated
- purchase of land
- major capital expenditure
- the covering of retrospective costs
- costs incurred in the preparation of a grant application or related documentation
- subsidy of general ongoing administration of an organisation such as electricity, phone and rent
- major construction/capital works
- overseas travel
- activities for which other Commonwealth, state, territory or local government bodies have primary responsibility.

We cannot provide a grant if you receive funding from another government source for the same purpose.

## 6 The assessment criteria

You must address all of the following assessment criteria in the application.

All the assessment criteria are equally weighted.

The application form includes character limits – up to 6,000 characters (approximately 950 words) per criterion. The application form will not accept characters beyond this limit. Please note, spaces are included in the character limit.

The amount of detail and supporting evidence you provide in your application should be relative to the size, complexity and grant amount requested.

We will only award funding to applications that score highly against all assessment criteria.

We will consider a balance of the 2 priority areas of the grant opportunity in determining successful applications.

We will consider the spread of commodities in determining successful applications.

We will consider the extent to which the supporting evidence in the application demonstrates that it will contribute to meeting the grant opportunity outcome and objective.

Applications are highly encouraged to leverage existing initiatives. If relevant, applications should describe how the project will build on or complement (and not duplicate) existing activities, priorities and strategies, such as the [Strategy](#).

Applications for projects that demonstrate they can be rolled out nationally are desirable (the project itself may be a localised pilot).

### **Criterion 1**

Describe how your project proposal will contribute to the grant opportunity and intended outcomes.

You must demonstrate this through identifying:

- how the project will achieve the objective and intended outcome of the grant opportunity (refer to section 2)
- how the project is focused on one or more of the priority areas of the grant opportunity (refer to section 2)
- how the project will engage relevant stakeholders (for example, next generation of farmers and/or current workforce) and the extent to which the project leverages existing initiatives
- how the project will monitor, evaluate and measure project outcomes
- anticipated short-, medium- and long-term project outcomes.

### **Criterion 2**

Describe your organisation's experience working with and delivering projects for your community.

You must demonstrate this through identifying:

- details of the key personnel engaged in delivering the project/sub-projects or collaboration with relevant/specialist organisations
- particular skills or expertise that personnel/project partners will bring to the project
- proposed governance arrangements to manage the project effectively, including management of consortia (if applicable).

### **Criterion 3**

Describe how your project proposal represents value for money.

You must demonstrate this through identifying:

- how the project outputs will be delivered on time and within budget (project management arrangements)
- project risks including the level of risk and how risks will be managed
- the project budget including items that are eligible, reasonable and relevant to the project activities (taking into account the scale of the project)
- how your project is an innovative or previously proven successful approach to engaging with the particular cohort/vulnerable group/community/locality your project seeks to target
- the issues facing the particular cohort/vulnerable group/community/locality your project seeks to target.

## 7 How to apply

Before applying, you must read and understand these guidelines, the terms and conditions, sample grant agreement, the questions and answers and the application form.

These documents are found on the [GrantConnect](#) and [Community Grants Hub](#) websites. Any changes to grant documentation are published on both sites and addenda<sup>5</sup> will be published on GrantConnect. By registering on this website, you will be automatically notified of any changes. GrantConnect is the authoritative source for grants information.

You may submit more than one application form for each project. A separate application form must be submitted for each project. If more than one application is submitted for the same project, the latest accepted application form will progress.

To apply, you must:

- complete the online application form on the [GrantConnect](#) or [Community Grants Hub websites](#)
- provide all the information requested
- address all eligibility criteria and assessment criteria
- include all necessary attachments
- submit your application/s to the Community Grants Hub by 9:00 PM AEST on 28 July 2021.

We will not provide application forms or accept applications for this grant opportunity by fax or mail.

The application form includes help information. You are responsible for making sure your application is complete and accurate. Giving false or misleading information is a serious offence under the [Criminal Code Act 1995](#) and we will investigate any false or misleading information and may exclude your application from further consideration.

If you need more help about the application process, submitting an application online, have any technical difficulties or find an error in your application after submission, but before the closing date and time, you should contact the Community Grants Hub immediately on 1800 020 283 (option 1) or email [support@communitygrants.gov.au](mailto:support@communitygrants.gov.au). The Community Grants Hub does not have to accept any additional information, or requests from you to correct your application after the closing time.

You cannot change your application after the closing date and time.

Late applications will not be accepted in any circumstance.

If we find an error or something missing, we may ask you for clarification or additional information.

This will not change the nature of your application. However, we can refuse to accept any additional information from you that would change your application after the closing time.

You should keep a copy of your application and any supporting documents.

You will receive an automated notification acknowledging the receipt of your application.

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<sup>5</sup> Addenda can include changes to existing grant opportunity documentation and/or publishing additional documents. Changes include but are not limited to corrections to currently published documents, changes to close times for applications and system outage notices.

### 7.1 Joint (Consortia) applications

We recognise that some organisations may want to join together as a group to deliver a project.

In these circumstances, you must appoint a 'lead organisation'. Only the lead organisation can submit the application form and enter into a grant agreement with the Commonwealth. The lead organisation of a consortium must also be an eligible entity type as outlined in section 4.1. The application must identify all other members of the proposed group. All members of the consortium must comply with the National Redress legislation.

You must have a formal arrangement in place with all parties prior to execution of the agreement.

### 7.2 Timing of grant opportunity processes

You must submit an application between the published opening and closing dates. We will not accept late applications.

#### Expected timing for this grant opportunity

If you are successful, you will be expected to start your project around November 2021.

Table 1: Expected timing for this grant opportunity

Activity	Timeframe
Assessment of applications	Up to 2 weeks
Approval of outcomes of selection process	Up to 2 weeks
Negotiations and award of grant agreements	Up to 4 weeks
Notification to unsuccessful applicants	2 weeks
Earliest start date of grant activity	November 2021
End date of grant activity	June 2023

### 7.3 Questions during the application process

If you have any questions during the application period, contact the Community Grants Hub on 1800 020 283 (option 1) or email [support@communitygrants.gov.au](mailto:support@communitygrants.gov.au).

The Community Grants Hub will respond to emailed questions within 5 working days. Answers to questions are posted on the [GrantConnect](#) and [Community Grants Hub](#) websites.

The question period will close at 5:00 PM AEST on 21 July 2021. Following this time, only questions about using and/or submitting the application form will be answered.

## 8 The grant selection process

### 8.1 Assessment of grant applications

Applications will be assessed based on the eligibility and assessment criteria as set out in these Grant Opportunity Guidelines.

We will assess all applications for eligibility and compliance against the requirements of the application process. Eligible applications will then be considered through an open competitive grant process.

Whilst not mandatory, project proposals that can be VET accredited are encouraged.



Preference may be given to applications who can prove their project proposal can be VET accredited.

## 8.2 Who will assess and select applications?

The department will undertake a preliminary assessment against the selection criteria. The preliminary assessment will provide an initial ranking of applications to inform the deliberations of the Selection Advisory Panel.

The Selection Advisory Panel will be established by the department and may include a mix of departmental employees, experts from the sector, and other Commonwealth officers with relevant specialist expertise.

Any expert/advisor, who is not a Commonwealth official, will be required/expected to perform their duties in accordance with the CGRGs.

The Selection Advisory Panel will assess whether the application represents value with money and will make final recommendations to the decision maker by taking into account:

- the initial preliminary score against the assessment criteria
- how well it compares to other applications
- the overall objective/s to be achieved in providing the grant
- whether the project can be VET accredited
- the relative value of the grant sought
- the extent to which the evidence in the application demonstrates that it will contribute to meeting the outcomes/objectives of the National Farm Safety Education Fund: Improving Farm Safety Practices grant round
- how the grant activities will target groups or individuals
- the risks, financial, fraud and other, that the applicant or project poses for the department
- the risks that the applicant or project poses for the Commonwealth.

## 8.3 Who will approve grants?

Based on the value of the grant round, and in line with the department's Financial Delegations, the Minister for Agriculture, Drought and Emergency Management or his delegate will be the decision maker for this round. The decision maker decides which grants to approve based on the recommendations of the Selection Advisory Panel, taking into consideration any further information that may become known, including the availability of grant funds for the purposes of the grant program.

The decision maker's decision is final in all matters, including the:

- approval of the grant
- grant funding amount to be awarded
- terms and conditions of the grant.

There is no appeal mechanism for decisions to approve or not approve a grant.

## 9 Notification of application outcomes

We will write to you about the outcome of your application. If you are successful, you will be advised of any specific conditions attached to the grant.

### 9.1 Feedback on your application

A feedback summary will be published on the Community Grants Hub website to provide all organisations with easy to access information about the grant selection process and the main strengths and areas for improving applications.

Individual feedback will be available upon request. Applicants seeking individual feedback should submit requests to [crops@awe.gov.au](mailto:crops@awe.gov.au).

Requests for individual feedback will only be accepted within 30 days of receipt of the outcome of your application.

## 10 Successful grant applications

### 10.1 The grant agreement

You must enter into a legally binding grant agreement with the Commonwealth. We will offer successful applicants a Commonwealth Standard Grant Agreement for this grant opportunity.

The Commonwealth Standard Grant Agreement has standard grant conditions that cannot be changed. Sample grant agreements are available on the GrantConnect and Community Grants Hub websites as part of the grant documentation. We will use a schedule to outline the specific grant requirements.

We must execute a grant agreement with you before we can make any payments. We are not responsible for any of your expenditure until a grant agreement is executed.

Your grant agreement may have specific conditions determined by the assessment process or other considerations made by the decision maker. These will be identified in the agreement.

We may manage the grant agreement through our Grant Recipient Portal. Accepting the agreement through the Grant Recipient Portal is the equivalent of signing a grant agreement. After you have accepted it, we will execute the agreement. Execute means both you and the Commonwealth have entered into the grant agreement. We will notify you when this happens and a copy of the executed agreement will be available through the portal. The agreement will not become binding until it is executed.

The Commonwealth may recover grant funds if there is a breach of the grant agreement.

#### **Commonwealth Standard Grant Agreement**

We will use a Commonwealth Standard Grant Agreement.

You will have 20 business days from the date of a written offer to sign and return this grant agreement. The grant agreement is not considered to be executed until both you and the Commonwealth have signed the agreement. During this time, we will work with you to finalise details.

The offer may lapse if both parties do not sign the grant agreement within this time. Under certain circumstances, we may extend this period. We base the approval of your grant on the information you provide in your application.

### 10.2 Commonwealth Child Safe Framework

The Royal Commission into Institutional Responses to Child Sexual Abuse highlighted the need for organisations to adopt child safe practices including appropriate screening of staff, mandatory reporting and adoption of the National Principles for Child Safe Organisations. The Australian



Government committed to a new Commonwealth-wide framework to protect children and young people it is responsible for – the Commonwealth Child Safe Framework (CCSF).

The Australian Government is considering appropriate ways to apply the requirements of the CCSF to grant recipients. A child safety clause is likely to be included in a grant agreement where the Commonwealth considers the grant is for:

- services directly to children
- activities that involve contact with children that is a usual part of, and more than incidental to, the grant activity.

A child safety clause may also be included in the grant agreement if the Commonwealth considers the grant activity involves children more broadly.

The successful applicant will be required to comply with all child safety obligations included in the grant agreement published with this grant opportunity or notified to the successful applicant prior to execution of the grant agreement. Irrespective of the child safety obligations in the grant agreement, you must always comply with your state and territory legislative requirements for working with children and mandatory reporting.

### **10.3 Specific legislation, policies and industry standards**

Whilst you are required to be compliant with all relevant laws and regulations, for project proposals relating to contact with children, you will be requested to demonstrate compliance with the following legislation/policies/industry standards:

- Working with Vulnerable People
- Working with Children.

To be eligible for a grant, you must declare in your application that you comply with these requirements. You will need to declare you can meet these requirements in your grant agreement with the Commonwealth.

### **10.4 How we pay the grant**

The grant agreement will state the:

- maximum grant amount to be paid
- schedule of payments (based on the budget proposal and subject to negotiation between the department and the grant recipient)
- reporting requirements.

We will not exceed the maximum grant amount under any circumstances. If you incur extra costs, you must meet them yourself.

We will make payments according to an agreed schedule set out in the grant agreement. Payments are subject to satisfactory progress on the project.

Payments will be made according to schedules agreed between grant recipients and the department, as recorded in the grant agreement. Payment schedules will reflect the nature of the proposal, and may be linked to the achievement of project milestones and key performance indicators. Release of each payment may depend on your organisation meeting all requirements as specified in the grant agreement.

## 10.5 Grant payments and GST

Payments will be GST inclusive. If you are registered for the [Goods and Services Tax \(GST\)](#), where applicable, we will add GST to your grant payment and issue you with a [Recipient Created Tax Invoice](#).

Grants are assessable income for taxation purposes, unless exempted by a taxation law. We recommend you seek independent professional advice on your taxation obligations or seek assistance from the [Australian Taxation Office](#). We do not provide advice on your particular taxation circumstances.

## 11 Announcement of grants

If successful, your grant will be listed on the GrantConnect website 21 calendar days after the date of effect as required by section 5.3 of the [CGRGs](#).

## 12 How we monitor your grant activity

### 12.1 Keeping us informed

You should let us know if anything is likely to affect your project or organisation.

We need to know of any changes to your organisation or its business activities, particularly if they affect your ability to complete your grant, carry on business and pay debts due because of these changes.

You must also inform us of any changes to your:

- name
- addresses
- nominated contact details
- bank account details.

If you become aware of a breach of the terms and conditions under the grant agreement, you must contact us immediately.

You must notify us of events relating to your grant and provide an opportunity for the Minister or their representative to attend.

### 12.2 Reporting

You must submit reports in line with the grant agreement. We will remind you of your reporting obligations before a report is due. We will expect you to report on:

- progress against agreed milestones and outcomes
- expenditure of the grant.

The amount of detail you provide in your reports should be relative to the size and complexity of the grant and the grant amount.

We will monitor progress by assessing reports you submit and may conduct site visits or request records to confirm details of your reports if necessary. Occasionally we may need to re-examine claims, ask for more information or request an independent audit of claims and payments.

### Activity Work Plan

You will be required to work with the department to complete an Activity Work Plan on the template provided by us with your grant agreement. An Activity Work Plan will be used to outline the specific

grant requirements. The Activity Work Plan documents planned deliverables, milestones and outputs for the funded project as well as risk management and community engagement relevant to the funded project.

Successful applicants' progress and outcomes against the Activity Work Plan will be monitored throughout the grant through regular reports.

#### **Progress reports**

Progress reports must:

- include evidence of your progress toward completion of agreed activities and outcomes
- show the total eligible expenditure incurred to date
- include evidence of expenditure
- be submitted by the report due date (you can submit reports ahead of time if you have completed relevant activities).

We may only make grant payments when we receive satisfactory progress reports. You must tell us of any reporting delays with us as soon as you become aware of them.

#### **Ad-hoc reports**

We may ask you for ad-hoc reports on your grant. This may be to provide an update on progress, or any significant delays or difficulties in completing the project.

#### **Final report**

When you complete the project, you must submit a final report.

Final reports must:

- identify if and how outcomes have been achieved
- include the agreed evidence as specified in the grant agreement
- identify the total eligible expenditure incurred
- be submitted by the due date and in the format provided in the grant agreement.

### **12.3 Audited financial acquittal report**

#### **Non-audited financial acquittal report**

We may ask you to provide a non-audited financial acquittal report. A financial acquittal report will verify that you spent the grant in accordance with the grant agreement and declare unspent funds.

### **12.4 Grant agreement variations**

We recognise that unexpected events may affect your progress. In these circumstances, you can request a variation to your grant agreement. You can request a variation by contacting your Funding Arrangement Manager, Community Grants Hub.

You should not assume that a variation request will be successful. We will consider your request based on provisions in the grant agreement and the likely impact on achieving outcomes.

### **12.5 Compliance visits**

We may visit you during or at the completion of your grant activity to review your compliance with the grant agreement. We will provide you with reasonable notice of any compliance visit.

## 12.6 Record keeping

We may also inspect the records you are required to keep under the grant agreement.

## 12.7 Evaluation

We will evaluate the National Farm Safety Education Fund: Improving Farm Practices grant opportunity to see how well the outcomes and objectives have been achieved. We may use information from your application and reports for this purpose. We may also ask you for more information to help us understand how the grant impacted you and to evaluate how effective the program was in achieving its outcomes.

## 12.8 Acknowledgement

If you make a public statement about a project funded under the program, we require you to acknowledge the grant by using the following:

'This project received grant funding from the Australian Government.'

# 13 Probity

The Australian Government will make sure that the grant opportunity process is fair, according to the published guidelines, incorporates appropriate safeguards against fraud, unlawful activities and other inappropriate conduct and is consistent with the CGRGs.

These guidelines may be changed by the department. When this happens, the revised guidelines are published on the [GrantConnect](#) and the [Community Grants Hub](#) websites.

## 13.1 Enquiries and feedback

### Complaints about this grant opportunity

The department's [Suggestions Compliments Complaints and Procurement Process](#) apply to complaints about this grant opportunity. All complaints about this grant opportunity, including grant decisions, must be made in writing.

Any questions you have about grant decisions for this grant opportunity should be sent to the Program Manager at [crops@awe.gov.au](mailto:crops@awe.gov.au).

### Complaints about the selection process

Applicants can contact the complaints service with complaints about the Community Grants Hub's service/s or the selection process.

Details of what makes an eligible complaint can be provided by asking the Community Grants Hub. Applicants can use the [online complaints form](#) on the [Department of Social Services](#) website, or contact the Department of Social Services' Complaints line.

Phone: 1800 634 035

Email: [complaints@dss.gov.au](mailto:complaints@dss.gov.au)

Mail: Complaints  
GPO Box 9820  
Canberra ACT 2601

**Complaints to the Ombudsman**

If you do not agree with the way the Community Grants Hub or the department has handled your complaint, you may complain to the [Commonwealth Ombudsman](#). The Ombudsman will not usually look into a complaint unless the matter has first been raised directly with the Community Grants Hub or the department.

The Commonwealth Ombudsman can be contacted on:

Phone (Toll free): 1300 362 072  
Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Website: [www.ombudsman.gov.au](http://www.ombudsman.gov.au)

**13.2 Conflicts of interest**

Any conflicts of interest could affect the performance of the grant opportunity or program. There may be a conflict of interest, or perceived conflict of interest, if the department and the Community Grants Hub staff, any member of a committee or advisor and/or you or any of your personnel has a:

- professional, commercial or personal relationship with a party who is able to influence the application selection process, such as an Australian Government officer or member of an external panel
- relationship with or interest in, an organisation, which is likely to interfere with or restrict the applicants from carrying out the proposed activities fairly and independently
- relationship with, or interest in, an organisation from which they will receive personal gain because the organisation receives a grant under the grant program/grant opportunity.

You will be asked to declare, as part of your application, any perceived or existing conflicts of interest or that, to the best of your knowledge, there is no conflict of interest.

If you later think there is an actual, apparent, or perceived conflict of interest, you must inform the department and the Community Grants Hub in writing immediately.

Conflicts of interest for Australian Government staff will be handled as set out in the Australian [Public Service Code of Conduct \(section 13\(7\)\)](#) of the [Public Service Act 1999](#). Committee members and other officials including the decision maker must also declare any conflicts of interest.

We publish our conflict of interest policy on the [Community Grants Hub](#) website.

**13.3 Privacy**

We treat your personal information according to the [Privacy Act 1988](#) and the [Australian Privacy Principles](#). This includes letting you know:

- what personal information we collect
- why we collect your personal information
- who we give your personal information to.

Your personal information can only be disclosed to someone else for the primary purpose for which it was collected, unless an exemption applies.

The Australian Government may also use and give out information about grant applicants and grant recipients under this grant opportunity in any other Australian Government business or function. This includes disclosing grant information on GrantConnect as required for reporting purposes and giving information to the Australian Taxation Office for compliance purposes.



We may share the information you give us with other Commonwealth entities for purposes including government administration, research or service delivery, according to Australian laws.

As part of your application, you declare your ability to comply with the Privacy Act and the Australian Privacy Principles and impose the same privacy obligations on officers, employees, agents and subcontractors that you engage to assist with the activity, in respect of personal information you collect, use, store, or disclose in connection with the activity. Accordingly, you must not do anything, which if done by the department would breach an Australian Privacy Principle as defined in the Privacy Act.

### 13.4 Confidential information

Other than information available in the public domain, you agree not to give out to any person, other than us, any confidential information relating to the grant application and/or agreement, without our prior written approval. The obligation will not be breached where you are required by law, Parliament or a stock exchange to disclose the relevant information or where the relevant information is publicly available (other than through breach of a confidentiality or non-disclosure obligation).

We may at any time, require you to arrange for you; or your employees, agents or subcontractors to give a written undertaking relating to nondisclosure of our confidential information in a form we consider acceptable.

We will keep any information in connection with the grant agreement confidential to the extent that it meets all of the 3 conditions below.

1. You clearly identify the information as confidential and explain why we should treat it as confidential.
2. The information is commercially sensitive.
3. Revealing the information would cause unreasonable harm to you or someone else.

We will not be in breach of any confidentiality agreement if the information is disclosed to:

- Commonwealth employees and contractors to help us manage the program effectively
- employees and contractors of our department so we can research, assess, monitor and analyse our programs and activities
- employees and contractors of other Commonwealth agencies for any purposes, including government administration, research or service delivery
- other Commonwealth, state, territory or local government agencies in program reports and consultations
- the Auditor-General, Ombudsman or Privacy Commissioner
- the responsible Minister or Parliamentary Secretary
- a House or a Committee of the Australian Parliament.

The grant agreement may also include any specific requirements about special categories of information collected, created or held under the grant agreement.

### 13.5 Freedom of information

All documents that the Australian Government has, including those about this grant opportunity, are subject to the [Freedom of Information Act 1982](#) (FOI Act).

The purpose of the FOI Act gives people the ability to get information held by the Australian Government and its organisations. Under the FOI Act, people can ask for documents the Australian

Government has. People may not be able to get these documents if these documents need to protect essential public interests and private and business affairs of persons who the information relates to.

All Freedom of Information requests must be referred to the Freedom of Information Coordinator in writing.

By mail:           Freedom of Information Team  
Government and Executive Services Branch  
Department of Social Services  
GPO Box 9820  
Canberra ACT 2601

By email:         [foi@dss.gov.au](mailto:foi@dss.gov.au)

## 14 Glossary

Term	Definition
accountable authority	see subsection 12(2) of the <a href="#">Public Governance, Performance and Accountability Act 2013</a> .
administering entity	when an entity that is not responsible for the policy, is responsible for the administration of part or all of the grant administration processes.
assessment criteria	are the specified principles or standards, against which applications will be judged. These criteria are also used to assess the merits of proposals and, in the case of a competitive grant opportunity, to determine application rankings.
commencement date	the expected start date for the grant activity.
Commonwealth entity	a department of state, or a parliamentary department, or a listed entity or a body corporate established by a law of the Commonwealth. See subsections 10(1) and (2) of the PGPA Act.
<a href="#">Commonwealth Grants Rules and Guidelines (CGRGs)</a>	establish the overarching Commonwealth grants policy framework and articulate the expectations for all non-corporate Commonwealth entities in relation to grants administration. Under this overarching framework, non-corporate Commonwealth entities undertake grants administration based on the mandatory requirements and key principles of grants administration.
completion date	the expected date that the grant activity must be completed and the grant spent by.
co-sponsoring entity	when 2 or more entities are responsible for the policy and the appropriation for outcomes associated with it.
date of effect	can be the date on which a grant agreement is signed or a specified starting date. Where there is no grant agreement, entities must publish information on individual grants as soon as practicable.
decision maker	the person who makes a decision to award a grant.
eligibility criteria	refer to the mandatory criteria which must be met to qualify for a grant. Assessment criteria may apply in addition to eligibility criteria.
Funding Arrangement Manager	is the officer responsible for the ongoing management of the grantee and their compliance with the grant agreement.



Term	Definition
grant	for the purposes of the CGRGs, a 'grant' is an arrangement for the provision of financial assistance by the Commonwealth or on behalf of the Commonwealth: <ol style="list-style-type: none"> <li>under which relevant money<sup>6</sup> or other <a href="#">Consolidated Revenue Fund</a> (CRF) money<sup>7</sup> is to be paid to a grantee other than the Commonwealth</li> <li>which is intended to help address one or more of the Australian Government's policy outcomes while assisting the grantee achieve its objectives.</li> </ol>
grant activity/activities	refers to the project/tasks/services that the grantee is required to undertake.
grant agreement	sets out the relationship between the parties to the agreement, and specifies the details of the grant.
grant opportunity	refers to the specific grant round or process where a Commonwealth grant is made available to potential grantees. Grant opportunities may be open or targeted, and will reflect the relevant grant selection process.
grant program	a 'program' carries its natural meaning and is intended to cover a potentially wide range of related activities aimed at achieving government policy outcomes. A grant program is a group of one or more grant opportunities under a single [entity] Portfolio Budget Statement program.
<a href="#">GrantConnect</a>	is the Australian Government's whole-of-government grants information system, which centralises the publication and reporting of Commonwealth grants in accordance with the CGRGs.
grantee	the individual/organisation which has been selected to receive a grant.
National Redress legislation	means the <a href="#">National Redress Scheme for Institutional Child Sexual Abuse Act 2018</a> .
Portfolio Budget Statement (PBS) program	described within the entity's <a href="#">Portfolio Budget Statement</a> , PBS programs each link to a single outcome and provide transparency for funding decisions. These high-level PBS programs often comprise a number of lower level, more publicly recognised programs, some of which will be grant programs. A PBS program may have more than one grant program associated with it, and each of these may have one or more grant opportunities.

<sup>6</sup> Relevant money is defined in the PGPA Act. See section 8, Dictionary.

<sup>7</sup> Other CRF money is defined in the PGPA Act. See section 105, Rules in relation to other CRF money.

Term	Definition
Selection Advisory Panel	provides strategic oversight, advice and recommendations to the decision maker on assessed applications from the program specific, service provider composition and service location perspectives.
selection criteria	comprise eligibility criteria and assessment criteria.
selection process	the method used to select potential grantees. This process may involve comparative assessment of applications or the assessment of applications against the eligibility criteria and/or the assessment criteria.
value with money	<p>refers to 'value with relevant money' which is a judgement based on the grant proposal representing an efficient, effective, economical and ethical use of public resources and determined from a variety of considerations.</p> <p>When administering a grant opportunity, an official should consider the relevant financial and non-financial costs and benefits of each proposal including, but not limited to the:</p> <ul style="list-style-type: none"> <li>▪ quality of the project proposal and activities</li> <li>▪ fit for purpose of the proposal in contributing to government objectives</li> <li>▪ absence of a grant is likely to prevent the grantee and government's outcomes being achieved</li> <li>▪ potential grantee's relevant experience and performance history.</li> </ul>

## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 2 August 2021

**Item Number:** L.3

**File Number:** D21/62428

**SUBJECT HEADING:** Request to host Opera Eagle Nest - Broadway to Bocelli 2021

**Classification:** Open Access

**Officer's Title:** Manager - Economic & Community Development

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### **Executive Summary:**

Council has been approached by Opera Eagles Nest to perform Broadway to Bocelli at the Cultural Centre on Tuesday 28 September for a lunch time concert as part of senior's week celebrations and again on Friday 1 October Sunday 29 November 2020 for an evening event for the community.

Opera Eagles Nest has performed in Roma on two previous occasions in 2019 and 2020 receiving excellent reviews. The company will provide a 90-minute concert featuring hits from 9 of the world's best loved musicals. The cost to Council for these performances is \$2,500 and \$3,500 respectively.

It is proposed to call for expressions of interest for community groups for the concert on 1 October, and to aid, promote and organise the concert in exchange for funds raised from tickets sales and bar.

Council would host the seniors' week event and provide this concert at no cost.

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

That Council:

1. Accept the proposal from Opera Eagles Nest to perform "Broadway to Bocelli" at Roma Cultural Centre Auditorium on 1 October 2021 at a cost of \$3,500.to be funded through GL 2887.2250.2001 (RADF Strategic Initiatives)
  2. Call for a community group to provide assistance to the performance in the 1 October event, in exchange for gate revenue at a maximum ticket price of \$20 per adult and \$10 concession.
  3. Provide the venue "Roma Cultural Centre Auditorium" as in-kind sponsorship (totals \$200)
  4. Items 1&2&3 above conditional on securing the services of a community group to host the event.
  5. Accept the proposal from Opera Eagles Nest to perform "Broadway to Bocelli" at Roma Cultural Centre Auditorium on 28 September 2021 as a part of seniors Week celebrations at a cost of \$2,500 to be funded through the Arts and Cultural Budget GL2885.2001.2001.
  6. Authorise the CEO to sign the agreements on behalf of Maranoa Regional Council
-

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

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

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

Maranoa Regional Council  
Opera Eagles Nest  
Community Members and Organisations

**Acronyms:**

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

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

Acronym	Description
N/A	

**Context:**

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

It is policy to seek the endorsement of Council for major arts and cultural events where it involves expenditure of Councils budget.

**Background:**

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

(Succinct overview of the relevant facts, without interpretation)

Council has been approached by Opera Eagles Nest to perform a musical, vocal performance "Broadway to perform Bocelli" on the two dates in 2021:

- A senior's week performance on Tuesday 28 September at a luncheon and
- A community performance on Friday 1 October 2021 in the evening.

They will provide a 90-minute concert featuring hits from 9 of the world's best loved musicals including a feature of Andrea Bocelli. They have planned a regional tour to start in St George then Cunnamulla, and Roma.

Howard Edmunds who is the principle of Opera Eagles Nest has been dealing with Council officers since January 2021 planning his visit, however we have not been able to ask council to commit to these events, until budget had been released.

There are no conflicts with this date for either event, however Council should note that the annual RFDS Mystery ball will occur on Saturday 2<sup>nd</sup> October 2021 immediately following the proposed performance on the Friday night 1 October.

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

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

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

N/A

**Council Policies or Asset Management Plans:**

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

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

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

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

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

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

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to***

***Council? (i.e., other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Howard Edmunds - Opera Eagles Nest

Ed Sims, Manager - Economic Development

Natalie Walsh – Council Conferences and Events Attraction

**Funding Bodies:**

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

N/A

**This Financial Year's Budget:**

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

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

If adopted there will be a financial impact on the Arts and Cultural Budget GL2885.2001.2001 of \$6000 if no ticket sales are achieved.

**Future Years' Budgets:**

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

No impact, one off event

### Impact on Other Individuals or Interested Parties:

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*

(Interested Parties Analysis - IS9001:2015)

Maranoa Regional Council  
Opera Eagles Nest  
Community Members and Organisations

### Risks:

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

Risk	Description of likelihood & consequences
No response from community groups	Possible that no community groups will want to do it on the Friday of a long weekend. This may put the performance at risk of not proceeding without the input of Council staff.

### Advice to Council:

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

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

The recommendation to Council would be to approve the proposal from Opera Eagles nest, it is an opportunity to promote arts and culture within the region and provide a social setting for the community to come together.

### Recommendation:

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

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

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

1. Accept the proposal from Opera Eagles Nest to perform "Broadway to Bocelli" at Roma Cultural Centre Auditorium on 1 October 2021 at a cost of \$3,500.to be funded through GL 2887.2250.2001 (RADF Strategic Initiatives)
2. Call for a community group to provide assistance to the performance in the 1 October event, in exchange for gate revenue at a maximum ticket price of \$20 per adult and \$10 concession.
3. Provide the venue "Roma Cultural Centre Auditorium" as in-kind sponsorship (totals \$200)
4. Items 1&2&3 above conditional on securing the services of a community group to host the event.
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6. Authorise the CEO to sign the agreements on behalf of Maranoa Regional Council

*Does this recommendation suggest a decision contrary to an existing Council policy?*

*If so, for what reason?*

No

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

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

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

**Supporting Documentation:**

- |                     |  |           |
|---------------------|--|-----------|
| 1 <a href="#">↓</a> | Broadway to Bocelli 2021-22 poster details | D21/62400 |
| 2 <a href="#">↓</a> | Opera Eagles Nest - Roma Seniors Week 2021 | D21/62435 |

**Report authorised by:**

Deputy Chief Executive Officer/Acting Director Infrastructure Services



Join **MARIO the MAFIOSO** on his  
**ZANY QUEST** to find his **STAR!**

## Songs from

Les Misérables ~ Mamma Mia

Man of La Mancha ~ Hamilton

The Greatest Showman

Barber of Seville ~ Carmen

Bold Gendarmes ~ Zorba the Greek

**Andrea Bocelli** ~ The Prayer

O Sole Mio ~ Nessun Dorma

Libiamo ~ **Time to Say Goodbye**

Habanera ~ Send Me The Pillow

~ Non Je Ne Regrette Rien

**Loads of Laughs!**

# Broadway *to* Bocelli

### Dates:

Civic Centre Cunnamulla, Thurs 30<sup>th</sup> Sept 2021.

### Bookings

Riversands Winery, St. George, Fri 1<sup>st</sup> Oct 2021

### Bookings

Bassett Park, Roma, Sat 2<sup>nd</sup> October 2021

### Bookings



## **BROADWAY TO BOCELLI**

**Overview:** Hot on the heels of the 2020 success 'A Touch of Andrew Lloyd Webber A Taste of Tim Rice, Opera Eagles Nest presents the new touring concert for 2021 – '**Broadway to Bocelli**'. Peppered with lashings of humor, the show blends hits from Broadway and light classics: Les Misérables, Mamma Mia, Hamilton, The World's Greatest Showman, Man of La Mancha, plus the best from the world's greatest living tenor Andrea Bocelli.

### **The Story:**

Mario the Mafioso hates the site of blood and never wanted a career in the Mafia. He loves music and live theatre. He dreams of becoming Mario the Empresario. He has booked the Colosseum, but has no STAR for his show. His mission is to audition potential stars – they must be somewhere in Europe! Our performance takes the audience on a musical journey through Spain, France Italy and Greece. Experience the beautiful music, melodic songs, enjoy a laugh at the crazy, foolish mayhem that only Mario could find himself in.

Will he succeed? Will Mario find his Star?!

### **The Music:**

Mario in Spain - The Barber of Seville, Carmen & the Man of La Mancha  
 Mario off to Paris to audition - Edith Piaf, The Bold Gendarmes, Les Misérables cast.  
 Mario in Italia to audition - Andrea Bocelli, Maria Callas, Dean Martin.  
 Finally, to Greece to audition - Mama Mia cast, Nana Mouskouri, Demis Roussos.

### **The Shows and Songs:**

**Les Misérables ~ Mamma Mia ~ Hamilton ~ Man of La Mancha ~ The World's Greatest Showman**

**Andrea Bocelli:-** The Prayer, Nessun Dorma, Time to Say Goodbye,

**And More:-** Mambo Italiano, O Sole Mio, Send Me the Pillow That You Dream On, Unchained Melody, Libiamo, Barbers Song, Habanera, Non Je Ne Regrette Rien, Bold Gendarmes Duet, Barcarole, White Rose of Athens, Zorba the Greek

**The Cast:** Tania Edmunds *soprano*, Glenn Lorimer *tenor*, Terri Watters *mezzo soprano*, Jenny Wilson *alto*, Howard Edmunds *MC, baritone*.

### **Details:**

**Cost \$3,500.00 performance**  
**Bump in – Bump out same day**  
**Preferred Venue; Bassett Park**

### **Dates:**

**Civic Centre Cunnamulla, Thursday 30<sup>th</sup> September 2021**  
**Riversands Winery, St. George, Friday 1<sup>st</sup> October 2021**  
**Bassett Park, Roma, Saturday 2<sup>nd</sup> October 2021**

**Youtube comments & website;**

<https://www.facebook.com/OperaEaglesNest/videos/384449759552446/>

and

[www.operaeaglesnest.com.au](http://www.operaeaglesnest.com.au)

### **CONTACTS**

All artistic, programming, publicity and technical enquiries to:

**Howard Edmunds**

**Director**

**Opera Eagle's Nest**

e) [ht.edmunds@bigpond.com](mailto:ht.edmunds@bigpond.com)

m| 0439 452 541





## Opera Eagles Nest

presents  
Seniors Month Concert Special

### Best of Broadway

Broadway Favourites - Les Misérables, Mamma Mia,  
Sound of Music, West Side Story, My Fair Lady ,  
Man of La Mancha and more!

OR

### Magic of Tuscany

Best loved songs, arias and duets made famous by  
Luciano Pavarotti, Andrea Bocelli, Celine Dion,  
Dean Martin and more!

#### Details

Venue: TBA  
Bump In: 10am  
Bump Out : conclusion of performance  
Tech requirements: TBC  
Duration: one hour (no interval)  
Suitable: all ages  
Price: \$2,500  
Howard Edmunds 0439 452 541  
ht.edmunds@bigpond.com

**GREAT SINGING  
LOADS OF LAUGHS**







## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 27 July 2021

**Item Number:** L.4

**File Number:** D21/61146

**SUBJECT HEADING:** Request for non-financial assistance - Roma International Motor Speedway

**Classification:** Open Access

**Officer's Title:** Manager - Economic & Community Development

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### **Executive Summary:**

Council has requested that a report be prepared for Council regarding a request from Roma International Motor Speedway Association for Non-financial assistance to provide a layer of gravel to the pit area at Roma Speedway. The pit area is black soil base which becomes a bog after a shower of rain.

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

That Council provide non-financial assistance to Roma International Motor Speedway to supply 4,000 to 6,000 m<sup>2</sup> of road base type fill, delivered to the site of the Roma Speedway before 20 August 2021.

---

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

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

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

Roma International Motor Speedway Association

### **Acronyms:**

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

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

Acronym	Description

### **Context:**

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

On 12 May 2021 Council resolved No. OM/05.2021/08

That a report be prepared for an upcoming Council meeting.

**Background:**

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

(Succinct overview of the relevant facts, without interpretation)

Council has requested that a report be prepared for Council regarding a request from Roma International Motor Speedway Association for Non-financial assistance to provide a layer of gravel to the pit area at Roma Speedway. The pit area is black soil base which becomes a bog after a shower of rain.

The club is commencing its race season with an event involving Monster trucks on the 4<sup>th</sup> of September 2021, and they expect prime movers and heavy equipment associated with the race to have access to the pit area. If it rains close to the event, it may cause serious issues for transport operators and race competitors alike. The materials are requested to be delivered on site during early August 2021.

**Nature of request**

They request that Council supply suitable materials to accommodate the pit area of 230 meters x 80 meters x 0.15 meters to be transported to site. The estimated costs of this will be \$87,000.00. The client has arranged to spread and manage the materials themselves on site following delivery. This pricing is based on using scalping materials that are stored by Council remaining from past projects, together with new materials to create a strong blend.

This financial commitment may be cost prohibitive to Council at this time, and accordingly, as an alternative we have discussed with the Roma Speedway President (the client) a staged approach, as a fallback position.

**Fallback position**

We are aware of materials that DTMR (RoadTek) own that may be available to Council at a little cost which could be blended with materials (reclaimed from Queen Street) currently stored by Council will cover around 4,000 to 6,000 m<sup>2</sup> if spread at a depth of 100 mm instead of 150 mm and will be fit for purpose. (The latter is the depth that road builders provide and is unnecessary for the purposes of the client). This could form stage 1 of the project and other stages achieved when materials become available.

This option was discussed with the client who would be satisfied with this outcome if his first request could not be accommodated at this time for financial reasons.

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

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

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

Nil

**Council Policies or Asset Management Plans:**

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

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

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

The request is entirely consistent with Council's Community Grants and Non-financial assistance policy, this request is the only application received by this association for this financial year.

### Input into the Report & Recommendation:

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Stephen Scott - Operations Manager MRC

Shannon Blackburn - President Roma International Motor Speedway Association

Robert Hayward – Director MRC

### Funding Bodies:

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

Not applicable.

### This Financial Year's Budget:

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

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

The costs associated with this request are estimated at \$87,000.00 in total to supply and deliver on site.

### Future Years' Budgets:

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

Unforeseen at this stage.

### Impact on Other Individuals or Interested Parties:

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

Members of Roma International Motor Speedway Association.

### Risks:

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

Risk	Description of likelihood & consequences
Nil	Nil

**Advice to Council:**

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

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

My recommendation is that Council approve this request for Major Non-financial assistance.

**Recommendation:**

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

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

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

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

No.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.2 Economic development

**Supporting Documentation:**

Nil

**Report authorised by:**

Deputy Director / Strategic Road Management

Deputy Chief Executive Officer/Acting Director Infrastructure Services

## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 3 August 2021

**Item Number:** L.5

**File Number:** D21/62987

**SUBJECT HEADING:** Mt Hutton Retirement Village (Injune) - Bus Hire

**Classification:** Open Access

**Officer's Title:** Manager - Economic & Community Development

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### **Executive Summary:**

The Mt Hutton Retirement Village at Injune is under the management of Pinaroo (Roma), with significant financial support of Council. The community of Injune wish to hire the small commuter bus at the retirement village periodically for community purposes.

In order to comply with the community's wish to hire the bus and at affordable rates, Pinaroo Inc are requesting Council subsidise the cost of the extended insurance for the bus to include "hire".

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

1. Grant Pinaroo Inc the amount of \$1,706.41 to cover the extension of the insurance for the Mt Hutton Retirement Village bus to accommodate daily hire to the community for 2021-22.
  2. Daily hire rate is not to exceed \$250.00 any one event.
  3. Cost will be debited from WO 014829.2539.2001 - Injune LDO – Materials and Services
- 

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

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

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

- Pinaroo Inc
- Mt Hutton Retirement Village (Injune)

### **Acronyms:**

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

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

Acronym	Description
Nil	Nil



**Context:**

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

This request from Pinaroo Inc is in addition to other amounts that Council provide to offset operational costs for the village, on an annual basis.

**Background:**

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

(Succinct overview of the relevant facts, without interpretation)

The Community has requested of Pinaroo to be able to hire the small commuter bus at the Mt Hutton Retirement Village for a daily hire rate of not greater than \$250.00.

The bus is deteriorating from lack of use so consequently Pinaroo management are supportive of the concept of daily hire. In order to facilitate the use on a cost neutral basis they require to extend the motor vehicle insurance policy to cover hire risks, which has cost an additional \$1,706.41 pa. This is further predicated on the minimum number of hires per year at 29.

If the additional funds cannot be provided, then the hire rate will go to \$350.00 per day which the community are not prepared to pay.

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

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Nil.

**Council Policies or Asset Management Plans:**

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

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

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

This report has no impact on Councils Policies or Asset Management Plans.

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Discussions with Pinaroo Inc have determined that they have no desire to hold onto the bus as it is deteriorating due to lack of use. They are happy for another community group in the area to own the bus and account for its costs. The community are not able to facilitate this at this time, based on recent discussions with the community, it is expected that a group will step up particularly as we get closer to the Centenary of Injune in June 2022.

Council has been asked to cover the additional costs associated with bus hire for 2021-22.

Consulted include.

MRC Specialist Sport and Recreation - Fiona Vincent.  
Melanie Calvert CEO Pinaroo Inc.  
Angela Lorenz – Pinaroo inc.

**Funding Bodies:**

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

N/A

**This Financial Year's Budget:**

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

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

This budget will be impacted with \$1,706.41 debited from WO 014829.2539.2001 - Injune LDO – Materials and Services.

**Future Years' Budgets:**

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

Unforeseen currently.

**Impact on Other Individuals or Interested Parties:**

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

Pinaroo Inc

**Risks:**

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

Risk	Description of likelihood & consequences
Nil	Nil

**Advice to Council:**

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

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

Council is recommended to accede to the request.

**Recommendation:**

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

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

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

Grant Pinaroo Inc the amount of \$1,706.41 debited from WO 014829.2539.2001 - Injune LDO – Materials and Services, to cover the extension of the insurance for the Mt Hutton Retirement Village bus to accommodate daily hire to the community.

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

No

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.12 Local development and events

**Supporting Documentation:**

- |    |   |           |
|----|---|-----------|
| 1↓ | Pinaroo Inc - PIRV Bus  | D21/62962 |
| 2↓ | Pinaroo Injune Retirement Village Bus Hire - early calculations | D21/62986 |

**Report authorised by:**

Deputy Chief Executive Officer/Acting Director Infrastructure Services

From: Manager <Manager@pinaroo.com.au>  
Sent: Wednesday, 9 June 2021 2:03 PM  
To: Edward (Ed) Sims  
Cc: Angela Lorenz  
Subject: FW: PIRV Bus

Hi Ed,

Please see the email below regarding the increases to the insurance for the Injune bus that the council has kindly offered to pay.

The difference / Increase is : \$1,706.41 pa to have hire covered.

Let me know if you have any questions.

Kind Regards,

Melanie Calvert  
CEO/Facility Manager  
T 07 4622 1061 F 07 4622 6461  
M 56 Bowen Street, Roma QLD 4455  
manager@Pinaroo.com.au  
www.pinaroo.com.au

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From: Angela Lorenz  
Sent: Wednesday, 19 May 2021 2:57 PM  
To: Manager <Manager@pinaroo.com.au>  
Subject: PIRV Bus

Hi Mel

We now have insurance on the PIRV bus for hire purposes. (although the battery was flat again on the bus today when the audit was done).

Previous insurance on bus was \$869.24 pa

New insurance costs are: \$884.40 + \$1691.25 = \$2,575.65pa - I'll pay this today. (Less a cancellation Credit)

Difference / Increase of : \$1,706.41 pa to have hire covered.

We had to change insurers as the previous insurer would not cover for external hire.

I've had a few enquiries to hire, so I'll touch base with them and send them the hire forms.

Regards,

Angela Lorenz | Human Resources Manager  
T 07 4622 1061 F 07 4622 6461  
A 56 Bowen Street, Roma QLD 4455  
angela@pinaroo.com.au  
www.pinaroo.com.au

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From: Kimberley Amor  
Sent: Friday, 27 November 2020 8:43 AM  
To: Angela Lorenz  
Cc: Fiona Vincent; Edward (Ed) Sims  
Subject: Re: Pinaroo Injune Retirement Village Bus Hire

Hi Angela,

Thanks for sending this information. Fiona is on leave as of yesterday so not sure if she saw this to reply.

Has this information been sent and discussed with the board? I feel they should need to be involved in the decision. Can you please advise them of your figures and investigation.

I am at a community event until 3pm today so can call you later today.

Thanks  
Kim

Kimberley Amor  
Local Development Officer - Injune,  
Economic & Community Development

D: (07) 4626 0505 M: 0409 514 060 F: (07) 4624 6990

From: Angela Lorenz <Angela@pinaroo.com.au>  
Sent: Wednesday, November 25, 2020 3:44:30 PM  
To: Fiona Vincent <Fiona.Vincent@maranoa.qld.gov.au>; Kimberley Amor <Kimberley.Amor@maranoa.qld.gov.au>  
Cc: Manager <Manager@pinaroo.com.au>  
Subject: Pinaroo Injune Retirement Village Bus Hire

Hello Kim and Fiona

We have received correspondence from our Insurers regarding the Pinaroo Injune Bus.

There has been a large increase in the insurance costs for the bus due to a number of reasons, but also due to the expected increase in usage of the bus for community purposes and changes to how the bus needs to be insured.

After including the insurance costs, registrations, inspections etc. we have calculated that the bus would need to be hired out a minimum of 29 times each year at the rate of \$250/day for the bus to break even on costs. (Providing that there are not any unexpected emergency / R&M costs required on the bus, that have not yet been included in the costs calculated.)

Please note that we have not yet accepted the update to the insurance. We wanted to present this information to you both, and look to receive your feedback on this and to see whether you feel that you may be able to generate this amount of usage within the community for this to be viable.

I have also attached a copy of the booking form and hire agreement which was required as part of the insurance. (please note: These forms are still changing and may continue to change, depending on any

additional insurance requirements). These forms will both need to be completed and returned to me prior to the bus being hired, every time. I will explain the full process for this at a later date.

Again, we would appreciate your thoughts on this and welcome your feedback / suggestions to help get this up and running.

Please contact me on this email or on 07 4622 1061 when you are ready to discuss this further.

Regards,

Angela Lorenz | Human Resources Manager  
T 07 4622 1061 F 07 4622 6461  
A 56 Bowen Street, Roma QLD 4455  
angela@pinaroo.com.au  
www.pinaroo.com.au

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## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 4 August 2021

**Item Number:** L.6

**File Number:** D21/63333

**SUBJECT HEADING:** Roma Tennis Club - request for financial assistance

**Classification:** Open Access

**Officer's Title:** Manager - Economic & Community Development

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### **Executive Summary:**

Roma and District tennis Association request the financial assistance of Council to complete refurbishment of courts 7 & 8 at its complex in Roma.

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

That Council consider a budget allocation to the Roma and District Tennis Association for renovation to courts, in the quarter 1 budget review.

---

### **Background:**

The Roma and District Tennis Association President, Mr. Baden Waldron has approached the Deputy Mayor seeking the financial assistance from Council to renovate the remaining courts that were not included in the most recent upgrade of the facility. The Deputy Mayor has requested that a report be presented to Council requesting consideration of a budget allocation.

### **Body of Report:**

During 2016, Council had provided a total of \$143,710 cash together with \$3,000 in-kind assistance, to assist Roma Tennis Association (RTA) to refurbish four of the six courts, to a district competition standard. The RTA had raised the bulk of the funds through grants, while contributing \$100,000 of their own funds.

This current renovation will bring the remaining two courts up to safety standard and bring the entire complex up to district competition standard. According to their most recent quote from a specialised builder, this will be achieved at a cost of \$205,320.00. Roma Tennis Club have requested that Council provides the funds.

Council will be aware that there are many benefits associated with the provision of safe and fit for purpose sporting facilities to the liveability of the region as well as to the visitor economy and its many stakeholders. Four of the six tennis courts in Roma are of a district tournament standard, however the remaining two courts in question are currently unsafe to play on and if refurbished will add to the capacity of the club to host bigger competitions.



**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.13 Sport, recreation and community wellbeing

**Supporting Documentation:**

- |   |                   |  |           |
|---|-------------------|--|-----------|
| 1 | <a href="#">↓</a> | Roma Tennis Club - Full construct 2 Courts 25.7.21                                     | D21/63312 |
| 2 | <a href="#">↓</a> | Roma and District Tennis Association - Funding Application - MRC renovate courts 2021. | D21/63290 |
| 3 | <a href="#">↓</a> | CM FW Roma District Tennis Club Inc Grant Application - email thread                   | D21/63300 |

**Report authorised by:**

Deputy Chief Executive Officer/Acting Director Infrastructure Services

# Custom Court Constructions

26<sup>th</sup> July 2021

**Our Ref: Roma & District TC**

Attention Baden Waldron  
Roma & District Tennis Club  
Cnr George St and Arthur St  
Roma Qld 4455

Ph: 0400 225 444

Em: [badrob51@bigpond.net.au](mailto:badrob51@bigpond.net.au)

Dear Baden,

Thank you for the opportunity to provide you with a quotation for the construction of 2 Tennis Courts at Roma District Tennis Club.

Quote	Scope of Works for Construction of 2 Tennis Courts	Total price
1,258 m2	<p>Re-level existing base, wet, roll and compact Dig holes and concrete in rag bolts for light poles Dig trenches for conduit and cabling, back fill trenches and compact Bolt 12mtr high mid hinged light poles x 4 onto rag bolts Dig holes and concrete in fence posts</p> <p>Box and pour 32mpa concrete edge beam Import roadbase, laser level and compact Truck in crusher dust re laser level, roll and compact Concrete in accessory sleeves</p> <p>Supply and install 19mm T1000 XP Olive Line mark for Tennis Groom into surface kiln dried -1 tennis court sand in 4-5 even layers</p> <p>Place top and bottom rail on fence posts Hang and strain black PVC chainwire and tie off Hang 3 x pedestrian gates and 1 set of double gates</p> <p>Lower down light poles and bolt on 1080w LED lights and wire up All work electrical tested Install accessories Clean up site and hand over to customer</p>	<b>\$205,320.00 + GST</b>
<b>NOTE Club to:</b>	<p><b>Supply temporary fencing</b> <b>Take down fencing and remove trees from fence line</b> <b>Take up old grass and remove light poles</b> <b>Locate and mark all underground services</b></p> <p><b>If Club can supply a house for duration of works (approx 30 days) this will be a saving of \$7,500.00</b></p>	

The attached quotation is held firm and fixed for a period of thirty (30) days after which confirmation is required. After this period material increases and labour costs may affect this offer.

**Custom Court Constructions**

PO Box 638

Burpengary Qld 4505

t: 0429 772 383

e: [ccc10@tpg.com.au](mailto:ccc10@tpg.com.au)

ABN: 73 828 005 378

QBCC: 1087429

## Quotation Acceptance / Payment Schedule

Our Ref: Roma & District TC

Attention Baden Waldron  
Roma & District Tennis Club  
Cnr George St and Arthur St  
Roma Qld 4455

Ph: 0400 225 444

Em: [badrob51@bigpond.net.au](mailto:badrob51@bigpond.net.au)

As per quotation and scope of works dated 26.7.21

**\$205,320.00 + GST**

### Payment Terms:

Stage 1	50%	on acceptance
Stage 2	40%	on commencement of works and materials on site
Stage 4	10%	on completion

All payment terms are strictly from date of invoice and within 7 days.

### Estimated Timing of Works

At this stage we would anticipate that will take approx 28-30 days weather permitting and depending on the final design.

### Warranty

Installation	3 years
Surface	10 years
Fencing	1 year
Accessories	1 year
Lighting	1 Year

I / We do hereby accept the Terms and conditions of the quotation and payment terms.

Accepted by \_\_\_\_\_ Phone No. \_\_\_\_\_  
Print Name

Signature: \_\_\_\_\_ Date \_\_\_\_\_

This acceptance / payment schedule should be signed and emailed to [ccc10@tpg.com.au](mailto:ccc10@tpg.com.au) to initiate scheduling of works and a deposit invoice



### ***Application for Funding – Roma and District Tennis Club Inc.***

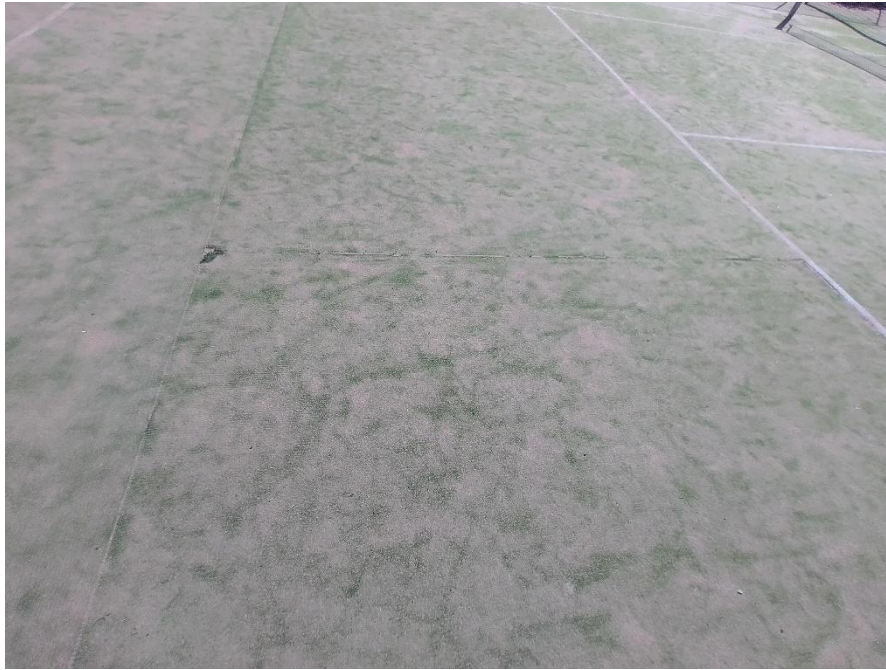
The Roma and District Tennis Club (RDTC) was formed in 1989 and currently has 134 members comprising 82 Junior and 52 Seniors with ages ranging from 5yrs to 80yrs. RDTC is very proud of the very diverse and inclusive club membership, encompassing all age groups and nationalities. Our club's goal is to support the continued growth of all our members through training and competition across Maranoa Regional Council areas and contribute to the overall liveability of the Maranoa Region as a whole.

Since the initial establishment of the club the facilities have undergone 4 significant upgrades including the double story clubhouse in 1996 and moving from ant-bed surfaces to synthetic grass courts. Presently the RDTC is very active with continued improvements to the facilities and tennis offerings to their members assisting in the coordination of Night fixtures, Tournaments, Ladies Fixtures and Tennis Club Hire. We as a club have a passionate and motivated committee and members, who are committed to the improvement of our current facilities and promotion of tennis across the Maranoa and wider region.

The RDTC have recently hosted the 'Brown and Hurley Maranoa Open' a tournament for which competitors have travelled from all over Queensland to attend with a large proportion being local to the Maranoa Region and adjoining rural regions. Events like this contribute to the economic growth of the Maranoa Region through business investment, employment, major events and tourism. We also host multiple 'Seniors' Tennis Tournaments per year, engaging players from the age groups of 30 years and up. These events provide enhanced opportunities for social engagement in our community and wider region for all age groups as well as opportunities for meaningful participation and engagement in sport and recreation.

The continued maintenance and refurbishment of the RDTC facilities is of the highest priority to the Club. Infrastructure maintenance works that have been identified will incorporate the rejuvenation of courts 7 & 8, painting of the clubhouse interior, sanding, sealing and refinishing the floors including verandas, stairs and banister, and eventual establishment of a squash playing facility.

That said, the Roma and District Tennis Club Inc. (RDTC) is seeking funding to address the emergent issue of the deteriorating condition of courts 7 and 8. These courts were refurbished in 1997 and while the courts have served the Roma and District Tennis Club well in that 24 years their replacement has now become a matter of urgency. The current condition of the courts is making play dangerous due to the wear and tear of the synthetic surface and the pits and hollows created by the integrity of the substrate court base being undermined. To provide the Maranoa Regional Council with an idea of the state of the courts we include the attached photos for your review:



*Figure 1 - Partial Replacement of synthetic surface and subsequent tear at join*



*Figure 2 - Partial replacement of synthetic surface and subsequent deterioration of join*





*Figure 3 - Wear and tear of synthetic court*



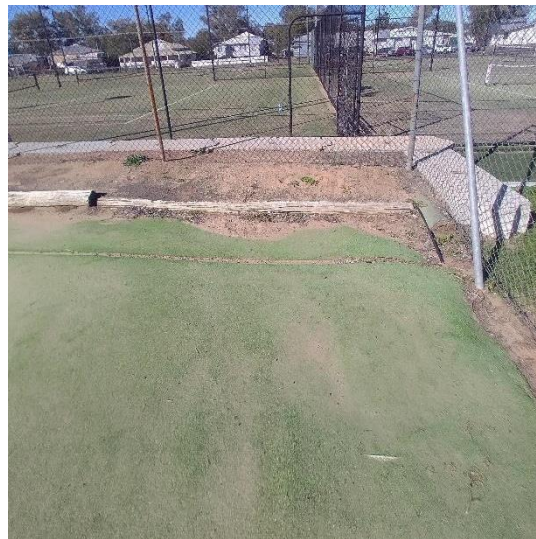
*Figure 4 - Partial Replacement of synthetic surface and subsequent tear at join*



*Figure 5 - Wear and hollow on court 7 due to compromised base formation underneath the court*



*Figure 6 - pits and hollows on Court 8 due to deterioration of court base substrate*



*Figure 7 - Pits, hollows and existing log retainer on court 7*



*Figure 8 - wear at entrance to courts 7 & 8*





*Figure 9 - Deterioration of fence and log retaining wall on court 7*



*Figure 10 - Hollows and compromised log retainer on court 7*



*Figure 11 - deteriorated fence, partially removed*



*Figure 12 - Overall view of court 7 & 8 condition*



*Figure 13 - Overall view of court 7 & 8 condition*

To continue to provide the social, economic, and physical benefits associated with Tennis to our members, competitors, visitors and the wider Maranoa Region, we are seeking funding from the Maranoa Regional Council in order to undertake a complete refurbishment of courts 7 & 8. We are in the process of obtaining an updated quote for the full refurbishment of these facilities, but for the reference of Maranoa Regional Council we include a breakdown of costing association with tennis court facility construction form the Department of Sport and Recreations Active Infrastructure webpage (available from: [https://www.qld.gov.au/data/assets/pdf\\_file/0014/112901/ACIFacilityCosts.pdf](https://www.qld.gov.au/data/assets/pdf_file/0014/112901/ACIFacilityCosts.pdf)).



## Tennis

Facility type	Item/Area (m <sup>2</sup> )	Capital cost (\$)
Outdoor: 34.73m x 17.073m bituminous concrete finish, 3.5m high fencing, nets and posts		
1 x court	593	36,000
2 x courts	1,080	72,000
3 x courts	1,567	108,000
Add extra for applied surface: Acrylic non-cushion surface	per court	10,500
Indoor: masonry walls, metal roof, timber floor		
1 x court	593	841,000
2 x courts	1,080	1,532,000
3 x courts	1,567	2,222,000
Add extra for lighting:		
Outdoor: metal halide, recreational – 250 lux, 12m high poles x4		
2 x courts	1,080	150,000

Using this document as a reference we estimate the following cost breakdown of the project:

Item	Cost per court	Quantity	Total
Bituminous concrete finish, 3.5m fencing, nets and posts	\$36,000	2	\$72,000
Acrylic non-cushion surface	\$10,500	2	\$21,000
Recreational Lighting (recreational - metal halide, 250 lux, 12m poles x 4)	\$75,000	2	\$150,000
Substrate Formation for drainage and retaining wall reconstruction	\$10,000??	2	\$20 000
TOTAL			\$263000

We anticipate that the Roma and District Tennis Club's 'Tennis Court Refurbishment Project' will contribute to the liveability of the Maranoa Region and the wellbeing of its residents in the following ways:

Community safety and Wellbeing	Regional Growth and Liveability
--------------------------------	---------------------------------

<ul style="list-style-type: none"> <li>● Promotion of engagement in physical activity via sporting endeavours to Roma and the Wider Community</li> <li>● Generating opportunities for inclusiveness in our community via participation in sport and involvement in a club</li> <li>● Enhanced opportunities for social engagement in our community and wider region for all age groups</li> <li>● Promoting connectness by hosting sporting events and social opportunities for our members and community including hosting multiple 'Seniors tournament'</li> </ul>	<ul style="list-style-type: none"> <li>● Through provision of enhanced facilities to the Roma Community</li> <li>● Placing Roma and District Tennis Club on equal footing with our metropolitan counterparts as far as access to premium facilities</li> <li>● Establishing Roma as a sought-after Tennis venue and destination</li> <li>● Enhanced potential for Roma to host Tennis events and tournaments</li> <li>● Supporting liveability in our community by providing a sporting activity for all ages and capabilities</li> </ul>
--	---

We thank Councillor Geoff McMullen for meeting with us at the Tennis Courts and thank the Maranoa Regional Council for their consideration of our application and look forward to discussing it further.

From: Kelly Rogers  
Sent: Wednesday, 4 August 2021 11:35 AM  
To: Edward (Ed) Sims  
Subject: CM: FW: Roma & District Tennis Club Inc Grant Application  
Attachments: Funding Application - MRC.docx

Hi Ed, as discussed.

Kelly ??

Kelly Rogers  
Lead Officer Elected Members & Community Engagement,  
Elected Members & Community Engagement

D: (07) 4624 0608 M: 0439 206 361 F: (07) 4624 6990  
From: Kelly Rogers  
Sent: Monday, 19 July 2021 10:12 AM  
To: Edward (Ed) Sims <Edward.Sims@maranoa.qld.gov.au>  
Cc: Robert (Rob) Hayward <Robert.Hayward@maranoa.qld.gov.au>; Geoffrey (Geoff) McMullen  
<Geoffrey.McMullen@maranoa.qld.gov.au>  
Subject: FW: Roma & District Tennis Club Inc Grant Application

Hi Ed,

I've spoken with Cr McMullen and Rob this morning regarding this request. I've suggested to Cr McMullen that rather than a Councillor report, this would potentially be quicker to be initiated from an officer so that background investigations can occur regarding Ergon funding currently held by Council. He is happy with this approach. I've also called Rob H to check in also with Fiona being on leave. Rob has asked I forward this one onto you for organising of a report to Council. We will run the initial agenda today for the Ordinary Meeting on 28 July, and the late agenda on Friday (late is probably more achievable).

Thank you

From: Geoffrey (Geoff) McMullen <Geoffrey.McMullen@maranoa.qld.gov.au>  
Sent: Wednesday, 14 July 2021 8:55 AM  
To: Kelly Rogers <Kelly.Rogers@maranoa.qld.gov.au>  
Cc: Robert (Rob) Hayward <Robert.Hayward@maranoa.qld.gov.au>; Julie Reitano <Julie.Reitano@maranoa.qld.gov.au>; Wayne (George) Ladbrook <Wayne.Ladbrook@maranoa.qld.gov.au>; Julie Guthrie <Julie.Guthrie@maranoa.qld.gov.au>; Wendy Taylor <Wendy.Taylor@maranoa.qld.gov.au>; Mark Edwards <Mark.Edwards@maranoa.qld.gov.au>; John Birkett <John.Birkett@maranoa.qld.gov.au>; Cameron O'Neil <cameron.oneil@maranoa.qld.gov.au>; Office of the Mayor <mayor@maranoa.qld.gov.au>; Johanne (Joh) Hancock <Johanne.Hancock@maranoa.qld.gov.au>  
Subject: Fwd: Roma & District Tennis Club Inc Grant Application

Hello All

Please see below an email from Roma & District Tennis Club, this information has been sent to council as the result of a meeting I had with Baden Waldron, Kate Burey, from the tennis club and Cassandra Elder from origin.

On Monday I received a phone call from Kate Burey advising me that the tennis club had approached

Origin for some financial contribution towards the replacement of there last old courts. The reply from

Origin was " council have some Origin money to be spent to improve the liveability throughout the MRC".

When meeting with them yesterday I received a copy of their Active Community Infrastructure

document ( copies in councillors pigeon hole) , as a result of this discussion I suggested they write

to council.

Cassandra made it quite clear that she didn't have the authority to approve where the Origin money can be spent.

I will ask Kelly to put this on the agenda for next fortnight's Ordinary meeting , with Origin advising the club of this funding , I believe this topic needs to be discussed as a council.

Happy to answer any other questions .

Regards Geoff

Geoffrey (Geoff) McMullen

Deputy Mayor - Councillor,

D: 0427 221 501 M: 0427 221 501 F: (07) 4624 6990

From: Baden Waldron <badrob51@bigpond.net.au>

Sent: Tuesday, July 13, 2021 8:44 pm

To: Geoffrey (Geoff) McMullen; Kate Burey; David Tulloch

Subject: Roma & District Tennis Club Inc Grant Application

Deputy Mayor,

Geoff McMullen

Maranoa Regional Council.

Dear Geoff,

Thank you very much for your time spent with us at the Tennis Club this afternoon.

We would really appreciate it if you could take the attached funding application to the Mayor,

Councillors and Management staff

at your earliest convenience. I have approached Custom Court Construction (the company who laid the

previous 6 courts) for a

formal quote. I believe he will come to Roma on the weekend.

The quote does not include the preparation work costs which will be completed by the club with the

cooperation of various local businesses

in a similar manner to the way we worked on the previous courts.

We look forward to hearing from you in the near future.

Kind Regards,

Baden.

Baden Waldron

President

Roma & District Tennis Club Inc.





**NOTICE OF REPEAL OR AMENDMENT OF RESOLUTION**

**Meeting:** Ordinary 11 August 2021

**Date:** 2 August 2021

**Item Number:** L.7

**File Number:** D21/62607

**SUBJECT HEADING:** Bamba Gii Festival

**Classification:** Open Access

**Officer's Title:** Project & Administration Officer - Economic & Community Development

**Original Resolution Meeting Date:** 24 February 2021

**Original Resolution Number:** OM/02.2021/49

**Original Resolution:**

**That Council:**

1. Waive the fees associated with the hire of Bassett Park facility for the Bamba Gii Festival.
2. Allocate the costs associated with the hire of Bassett Park to the In kind Assistance (Major) budget GL 2887.2248.2001
3. Consider further in-kind and financial support for the Festival with specific details and costings to be discussed at a later date.

**Recommendation:**

That Council repeal Resolution Number OM/02.2021/49 and replace with:

**That Council:**

1. Waive the fees associated with the hire of Bassett Park facility for the Bamba Gii Festival and Nugulla Art Exhibition from 13 September to 29 September 2021.
2. Allocate the costs associated with the hire of Bassett Park to the In kind Assistance (Major) budget GL 2887.2248.2001
3. Approve sand to be laid at the Roma Yarning Circle by Surat Aboriginal Corporation for the Bamba Gii Welcoming / Opening Ceremony with the following conditions:
  - Type, quality and placement of sand to be determined in consultation with Council's Maintenance Delivery and Works Department
  - Materials and delivery to be provided and organized by Surat Aboriginal Corporation.
  - Sand is to be spread evenly across the area following the event.

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**Background:**

The Bamba Gii Festival is planned for 25 September to be held at Bassett Park. Council have previously resolved to support the festival through in-kind assistance in the form of a fee waiver for Bassett Park.

Since the initial request to provide in-kind assistance, the Bamba Gii event coordinators have approached Council to assist with a space for the Nugulla Art Exhibition to be held in conjunction with the festival and requested sand be placed at the Yarning Circle for the Welcoming / Opening Ceremony.

Initially, it was requested that the Art Exhibition be held in either the Walk of Art or Hibernian Hall, however, these venues were not available for the dates requested. It was then suggested the Ernest Brock room be used; however, this venue is also unavailable for the dates requested.

As an alternative, it was requested that the Wool Hall be used as a space to hold the Art Exhibition.

The proposed timeline for the Art Exhibition is as follows:

Week 1: 13 – 19 September 2021
<ul style="list-style-type: none"><li>• Preparations with the Art Curator (off &amp; on site)</li><li>• Installation of the Art Exhibition on site</li></ul>
Week 2: 20- 25 September
<ul style="list-style-type: none"><li>• Official Opening Night, Monday, 20 September</li><li>• Art Exhibition showing from 20-25 September</li></ul>
Week 3: 27 – 29 September
<ul style="list-style-type: none"><li>• Removing collections from venue</li><li>• Cleaning as required</li></ul>

The cost associated with hiring the Wool Hall are as follows:

\$416 / day x 17 days = \$7072

Additionally, Council also resolved to sponsor the festival and provide a letter of support as per resolution below:

**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.**

**Supporting Documentation:**

- 1 [↓](#) Surat Aboriginal Corporation - Request for Sand - D21/62605  
Yarning Circle, Adungadoo Pathway - Bamba Gii  
Festival
- 2 [↓](#) Request for Support - Nugulla Art Exhibition - Bamba Gii D21/62604  
Festival

**Notice prepared by:**

Project & Administration Officer - Economic &  
Community Development

**Natalie Walsh**

---

**From:** Jessica Walsh <jess@suratabcorp.com.au>  
**Sent:** Friday, 30 July 2021 12:48 PM  
**To:** Natalie Walsh  
**Cc:** Jordan Boden-Cummins  
**Subject:** CM: Rquest for sand- earth healing  
**Attachments:** Roma YArning cricle ( location for Sand).jpg; Roma Yarning Circle.jpg  
**Record Number:** D21/62597

Hello Nat,

I would like to request permission for The Surat Aboriginal Corporation to receive approval to lay sand at the Roma Yarning Circle for the Welcoming/ Opening for the Bamab Gii festival which will be needing to be laid on Friday the 24th September. The Surat Aboriginal Corp will seek out someone to deliver and place the sand at the Adungadoo pathway.

We would need the Sand to be placed to the Right of the Yarning Circle area located at the Open grass area ( please find photos of site attached)

If you need any further information please let me now.

Kind Regards,

**Jessica Walsh****Manager/ Cultural & Capability Officer**

Surat Aboriginal Corporation

68 Burrowes Street | Surat| QLD | 4417

Office: (07) 46265 288 | Mobile: 0458535359

Email: jess@suratabcorp.com.au



The Surat Aboriginal Corporation would like to acknowledge the traditional custodians of the land in which we work. We pay our respects to the Elders, past, present and emerging.

**Natalie Walsh**

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**From:** Stephen Brown <bambagiievent@gmail.com>  
**Sent:** Wednesday, 7 July 2021 7:03 PM  
**To:** Natalie Walsh  
**Subject:** CM: Nugulla Art Exhibition  
**Attachments:** Letter of Support - Nugulla Art Exhibition.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**Record Number:** D21/62598

Hi Nat,

Thankyou for your call today, I was getting a bit worried if the Nugulla Art Exhibition was an option for displaying at the Roma Cultural Centre, Ernest Brock Room.

I have done a revised Letter of Request to MRC and seeking their endorsement/approval.

I'm happy to catch up either Monday or Thursday to discuss further, before submitting this LOS. I'm free, just when it suits you best... or a follow up call.

Laurie Nilsen Digital Story - <https://youtu.be/Yd-Lm2TRWco> - which we will present to other digital stories and our Art Development Workshops outcomes.

Happy to discuss...

**Stephen Brown**  
**Festival Producer**  
**Bamba Gii Festival 2021**  
**0437 508 815**  
<https://bambagiifestival.com.au/>  
<https://www.facebook.com/bambagiifestival/>



*Please note my working hours are Monday to Thursday 9:00am to 1:00pm*

*I acknowledge the traditional custodians of the lands and waters of Australia. I offer my respect to elders past, present and emerging as we work towards a just, equitable and reconciled Australia*

Date: 07/07/2021



To: The Mayor & Council Members  
Maranoa Regional Council  
Roma, Qld, 4455

Cc: Nat Walsh  
Regional Events Attraction / Local Development  
Economic & Community Development  
Maranoa Regional Council

Dear Mayor & Councillors,

**LETTER OF SUPPORT  
NUGULLA ART EXHIBITION**

The Bamba Gii Festival wishes to host the Nugulla Art Exhibition honoring the work and achievements of the late Mr. Laurie Nilson, Aboriginal Artist & Lecturer, who was born and raised in Roma. But also, other Aboriginal artists and cultural workers within the Maranoa Region that have expressed a keen interest to be involved in showcasing their artwork and media to the public, a week prior to the Bamba Gii Festival 2021.

Laurie Nilson Digital Story - <https://youtu.be/Yd-Lm2TRWco>

We have discussed the cultural Mandandanji naming of the Exhibition as "Nugulla", which means "Too See" and Laurie's family have given their consent for his acknowledgement towards a viewer's choice award.

We are proposing to have an Official Opening on Monday, 20th September to celebrate Laurie's achievements and his love of Aboriginal art, history and stories, whilst presenting the collection of artwork and media from other artists and cultural workers.

Being the Year of Indigenous Tourism, this will be a great message of the vibrant and cultural Queensland state and showcasing the South West Queensland aboriginal people, art, dance and culture from the community in which they reside, held within the Maranoa Region and in Roma.

With the support of SWQ Regional Arts, we will be engaging an Art Curator to help prepare, install and deliver the Art Exhibition over the two weeks of the proposed Art Exhibition timetable below.

We are proposing the following timetable:

<u>Proposed Timeline</u>
Week 1 - 13th - 19th September 2021 <ul style="list-style-type: none"> <li>• Preparations with Art Curator (Off &amp; On Site)</li> <li>• Installation of the Art Exhibition On Site</li> </ul>
Week 2 - 20th - 25th September 2021 <ul style="list-style-type: none"> <li>• Official Opening Night, Monday, 20th September 2021</li> <li>• Art Exhibition Showing from 20th - 25th September 2021.</li> </ul>
Week 3 - 27th & 30th September 2021 <ul style="list-style-type: none"> <li>• Removing Collections from Hibernian Hall or Walk of Art</li> <li>• Clean the Venue(s) as required by MRC T&amp;C.</li> </ul>
<p style="text-align: center;"><u>Request to Maranoa Regional Council</u></p> <p>Bamba Gii Festival wishes to request the following access to the Ernest Brock Room , Roma Cultural Centre from the 13th - 30th September 2021 (18 days) to prepare, host the event and remove and return the collection &amp; clean venue.</p> <p>Please Note: We wish to display a possible number of 30+ pieces of Aboriginal Artwork in different mediums, plus a large display screen for multimedia presentations.</p> <p>All sponsorship and support will be acknowledged as part of the Art Exhibition presentation, public information &amp; publication of gallery brochure.</p>



Draft of branding and logo design.



SWQ Regional Arts has provided additional financial support to Surat Aboriginal Corporation, for us to cover costs associated with the Nugulla Art Exhibition and we now seek Maranoa Regional Council consideration for the use of the Ernest Brock Room, Roma Cultural Centre and if there's a fee involved to be considered in use of this venue to consider.

Maranoa Regional Council will be acknowledged and invited to all of the Nugulla Art Exhibition and the Opening Night function, as you have been instrumental and supportive of many aspects of the Bamba Gii Festival 2021.

My contact number is 0437 508 815 to discuss any questions you may have regarding this request.

Regards,

**Stephen Brown**  
**Festival Producer**  
**Bamba Gii Festival 2021**



## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 21 June 2021

**Item Number:** L.8

**File Number:** D21/49659

**SUBJECT HEADING:** Roma Girl Guides Building Condition Report

**Classification:** Open Access

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

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### **Executive Summary:**

At its Ordinary meeting on 14 April 2021, Council received advice from Girl Guides Queensland that they were surrendering their long standing arrangement to occupy land described as part of Lot 5 on SP103335.

In consideration of the advice, Council resolved to consider at a future Ordinary meeting a condition assessment on the buildings with the view to identifying possible future uses for the land and buildings.

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

That Council:

1. Receive and note the Girl Guide building condition report dated 30 July 2021.
2. Consider allocating funds in the quarter 1 budget review to undertake urgent repairs on the buildings as identified in the building condition report.
3. Invite expressions of interest from not-for-profit community organisations interested in tenanting the facilities.

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

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

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

Not applicable

### **Acronyms:**

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

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

Acronym	Description
Nil	Nil

**Context:**

*Why is the matter coming before Council?*

At the Ordinary Council meeting on 14 April 2021, Council considered advice from Girl Guides Queensland that they were surrendering their long standing arrangement to occupy land described as part of Lot 5 on SP103335 and resolved to consider at a future Council meeting a condition assessment on the buildings.

**Background:**

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

(Succinct overview of the relevant facts, without interpretation)

At the Ordinary Council meeting held on 14 April 2021, Council resolved:-

**Resolution No. OM/04.2021/18**

**That Council:**

1. **Acknowledge Girl Guides Queensland request to surrender their long standing arrangement to occupy land described as part of Lot 5 on SP103335.**
2. **Release Girl Guides Queensland from any obligations associated with the property.**
3. **Thank Girl Guides Queensland for their previous service to the Roma community and Maranoa region.**
4. **Consider at a future Council meeting a condition assessment on the buildings with the view to identifying possible future uses for the land and buildings.**

Council's Building Projects, Maintenance Planning & Inspections Officer – visited the site on 30 July 2021 and completed an inspection of the buildings. The Officer's findings are outlined in the attached report.

Necessary urgent repairs required to bring the building to a tenable state are:-

• Replacement tread to front steps	\$ 400
• Replace all treads to match	\$1,200
• Service Aircon and new remotes	\$ 480
• Screw Roof	\$1,800
	<b><u>\$3,880</u></b>

**Other Repairs:-**

• Replace damaged slats	\$ 500
• Replace damaged Weather Boards and Soffit trim	\$ 700

**Capital Improvements:-**

• Paint External / Internal	\$8,000
• Gutters	\$3,400

• Re-level and Stump maintenance (5 stumps)	\$6,500
• Amenities upgrade	\$12,000
• Re-roof	\$15,000

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

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Nil

**Council Policies or Asset Management Plans:**

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

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

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

Nil

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Building Projects, Maintenance Planning & Inspections Officer – visited the site and inspected the buildings and provided the attached report.

**Funding Bodies:**

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

N/A

**This Financial Year's Budget:**

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

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

N/A

**Future Years' Budgets:**

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

N/A

**Impact on Other Individuals or Interested Parties:**

***Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?***

(Interested Parties Analysis - IS9001:2015)

Roma Apex Club has advised Council of their interest in the property. Council staff have accompanied the Apex Club on a site visit of the buildings.

### Risks:

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

Risk	Description of likelihood & consequences
Negative publicity	If Council doesn't take action to preserve the buildings, there is a risk of negative publicity (justified or unjustified).
Financial	Financial risk associated with this decision. As the buildings are on Council land, Council is required to maintain the land and buildings.
Property Damage	High risk of vandalism or malicious property damage if property remains unoccupied.

### Advice to Council:

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

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

It is advised that Council review the building condition report dated 30 July 2021 as prepared by Council's Building Projects, Maintenance Planning & Inspections Officer.

Council may wish to allocate funds in the first quarter 1 budget review to undertake necessary maintenance work on the building to renovate the building to a standard suitable for rental/lease.

Once renovations are complete, Council could invite expressions of interest from not-for-profit community organisations interested in tenancing the facilities. Having a tenant in place would reduce the risk of vandalism or malicious property damage compared to if property remains unoccupied.

### Recommendation:

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

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

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

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

That Council:

1. Receive and note the Girl Guide building condition report dated 30 July 2021.
2. Consider allocating funds in the quarter 1 budget review to undertake urgent repairs on the buildings as identified in the building condition report.
3. Invite expressions of interest from not-for-profit community organisations interested in tenancing the facilities.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.10 Facilities

**Supporting Documentation:**

[1](#) Building Condition Report - Roma Girl Guides

D21/62344

**Report authorised by:**

Deputy Chief Executive Officer/Acting Director Infrastructure Services

30/07/2021

Enquiries: Richard Irwin  
 Phone: 0438 731 322  
 Email: Richard.Irwin@maranoa.qld.gov.au



### Internal Minor Buildings Work Inspection

<b>Project</b>	Girl Guide's Hut
<b>Work Order No</b>	

<b>Organisation undertaking works</b>	
<b>Site Location</b>	Cnr George and Arthur Streets
<b>Date of inspection</b>	
<b>Time of Inspection</b>	

**Reason for inspection:** - End of User Agreement / Possible new tenant

**Inspection report / Details:** - The area is occupied by three buildings. A Main building consisting of an open space for meetings and a back Verandah built in comprising a Kitchenette / breakout area, a Bathroom and Shower. The second is a smaller Hut, facing George St. with an enclosed ground level patio at the rear. The Third building is a small 4m x 7m Steel framed colorbond clad shed on a concrete slab.

The main building presents in generally good condition with the following items in need of attention: -

- Screw Roof. There are some sheets lifting. The original Leadhead Nails have been replaced and the fixings are working loose.
- Front stairs tread replacement. Bottom tread has nosing broken off and others look to be deteriorating similarly.
- Casement windows. Sill member rotting x 2
- Soffit trim. Rear main roof replace / re attach.
- Weather Boards, South x 2 show signs of rot.
- Paint Interior. Will require a painting in the near future.
- Paint Exterior. Painting recommended.
- The building requires leveling. Some stumps have been replaced in the past and consideration should be given to replacing any identified on closer inspection during releveling.
- Gutters need replacing. One is leaking directly onto Air Con
- Air Con remotes are missing and was not able to check serviceability.
- Watermarks on the wall suggest a small leak in the roof.
- Shower and toilet area are functioning but dated.
- Irrigation system. Requires service to tidy up leaks and ensure proper function
- Older style light switches difficult to operate.

Access could not be gained to the smaller Hut as there was no key readily available, but it does require some work to preserve it in it's current condition: -

- Screw Roof
- Paint Exterior
- Damaged slats to enclosed patio

The Storage Shed is in good condition it is worth noting it is not vermin proof with gaps appearing where cladding meets slab enabling dust and grass clippings to infiltrate.

Maranoa Regional Council Building & Planning Services Cnr Bungil & Quintin Streets Roma Queensland 4455 Phone: 1300 007 662 Fax: 07 4622 3084 www.maranoa.qld.gov.au	<b>Postal Address:</b> PO Box 620 ROMA Queensland 4455 ABN: 99 324 089 164
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**Conclusion**

## Urgent Repairs: -

- Replacement tread to front steps \$ 400
- Replace all treads to match \$ 1 200
- Service Aircon and new remotes \$ 480
- Screw Roof \$ 1 800

## Repairs: -

- Replace damaged slats \$ 500
- Replace damaged Weather Boards and Soffit trim \$ 700
- 

## Capital Improvements:-

- Paint External / Internal \$ 8 000
- Gutters \$ 3 400
- Re-level and Stump maintenance (5 stumps) \$ 6 500
- Amenities upgrade \$12 000
- Re-roof \$15 000

Inspection performed by	Richard Irwin

## Photos: -









## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 21 July 2021

**Item Number:** L.9

**File Number:** D21/59866

**SUBJECT HEADING:** Commercial Land in Mitchell

**Classification:** Open Access

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

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### **Executive Summary:**

This report provides information on available commercial and industrial land in Mitchell.

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

That Council:

1. Invite tenders to purchase vacant industrial land located in Sophia and Grace Street Mitchell, specifically described as Lots 27, 28, 29, 30, 31, 32, 34 and 35 on M15119 with tenders to be invited on individual lots;
2. Include in the tender specification that Council has no intention of upgrading Grace Street Mitchell;
3. Require tenderers to submit details of:-
  - (a) The proposed use of the land
  - (b) Timeframes for development
  - (c) Number of lots proposed to be developed and configuration
  - (d) An explanation of the economic benefits to Mitchell and the Maranoa

---

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

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

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

Businesses who have previously expressed interest in acquiring land in Mitchell.

### **Acronyms:**

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

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

Acronym	Description
Nil	Nil

### **Context:**

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

At the Ordinary meeting held on 14 July 2021, Mayor Golder presented a Councillor's report proposing Council investigate available commercial and industrial land in Mitchell (currently known and what could potentially be made available in the Mitchell area).

Council subsequently resolved *"That a report be prepared for an upcoming Council meeting"* (Resolution No. OM/07.2021/01).

**Background:**

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

(Succinct overview of the relevant facts, without interpretation)

Under Council's planning scheme the commercial and industrial zones in Mitchell are focused around the main street and at the industrial estate.

Council has a vacant block of commercial land at 81 Cambridge Street Mitchell (Lot 1 RP89611). This land is used informally for off street parking particularly by customers of Elders and the vet. This land has very narrow street frontage.

Council has vacant land that has been zoned industrial located in Sophia and Grace Street, Mitchell, specifically described as Lots 27, 28, 29, 30, 31, 32, 34 and 35 on M15119.

Council resolved at its meeting on 28 October 2020 (OM/10.2020/55) to invite Expressions of Interest (EOI) for the sale of this industrial land in Mitchell.

***Resolution No. OM/10.2020/55***

***That Council resolve that it is in the public interest to invite expressions of interest (for the purpose of short listing prior to proceeding to a tender process) for the use (lease or purchase) of some or all of the vacant industrial land located in Sophia and Grace Street, Mitchell, specifically described as Lots 27, 28, 29, 30, 31, 32, 34 and 35 on MH15119. Noting that Council has no intention of upgrading Grace Street.***

**Statement of Reason**

***The reason for having an expression of interest process as the first step is because Council's primary focus is on economic development potential of this land for the community of Mitchell, and Council is interested in assessing from the prospective tenderers:***

- ***The proposed use of the land***
- ***Timeframes for development***
- ***Number of lots proposed to be developed and configuration***
- ***Type of use (lease or buy)***
- ***An explanation of the economic benefits to Mitchell and the Maranoa***

***[Wording for this resolution was amended a number of times as a result of progressive discussions between Councillors and officers].***

Council invited Expressions of Interest (for the purpose of short listing prior to proceeding to a tender process) for the lease or purchase of vacant industrial land for development in Sophia and Grace Streets Mitchell QLD 4465.

The land is specifically described as Lots 27, 28, 29, 30, 31, 32, 34 and 35 on M15119 and is vacant industrial land located on the western outskirts of Mitchell QLD 4465.

Tender 21022 – Expression of Interest Purchase or Lease of Industrial Land for Development at Mitchell QLD 4465 was released on 12/02/2021 and closed on the 15/03/2021. Details of the expressions of interest received were presented to the Council meeting on 26 May 2021.

At this meeting Council resolved ***That Council conclude the Expressions of Interest (EOI) process and not proceed at this time. (Resolution No. OM/05.2021/02).***

In terms of industrial land that could potentially be developed and made available in the Mitchell area in the future, Council has two options. Firstly, Booringa Shire Council acquired as freehold from the state, the site of the old saleyards (Lot 127 on SP203119 and Lot 128 on SP206888). Booringa Shire acquired this land with the intention of creating further industrial sites in the future. This land has direct access to Rail and to the Warrego Highway. The land is currently being used by the Maranoa Pony Club and is designated as Rural in the planning scheme.

The second option is land off Piggery Lane (Lot 2 on DUB5333). This land is currently being used for grazing under a lease. The land is designated as Industrial in the planning scheme. It is a vacant lot.

**Legislation, Local Laws, State Policies & Other Regulatory Requirements:**  
***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

***Section 104 of the Local Government Act 2009***  
***Financial management systems***

*(1) To ensure it is financially sustainable, a local government must establish a system of financial management that—*

*(a) ensures regard is had to the sound contracting principles when entering into a contract for—*

- (i) the supply of goods or services; or*
- (ii) the disposal of assets; and*

(b) *complies with subsections (5) to (7).*

(2) A local government is **financially sustainable** if the local government is able to maintain its financial capital and infrastructure capital over the long term.

(3) The **sound contracting principles** are:

- (a) *value for money; and*
- (b) *open and effective competition; and*
- (c) *the development of competitive local business and industry; and*
- (d) *environmental protection; and*
- (e) *ethical behaviour and fair dealing.*

### **Section 227 of the Local Government Regulation 2012**

#### **Valuable non-current asset contract—tenders or auction needed first**

(1) A local government can not enter into a valuable non-current asset contract unless it first—

- (a) *invites written tenders for the contract under [section 228](#); or*
- (b) *offers the non-current asset for sale by auction.*

(2) This section is subject to [division 4](#).

### **Section 228**

#### **Tender process**

(1) This section is about how a local government must invite written tenders for—

- (a) *a large-sized contractual arrangement; or*
- (b) *a valuable non-current asset contract.*

(2) The local government must either—

- (a) *invite written tenders under subsection (4); or*
- (b) *invite expressions of interest under subsection (5) before considering whether to invite written tenders under subsection (7)(b).*

(3) However, the local government may invite expressions of interest under subsection (5) only if the local government—

- (a) *decides, by resolution, that it would be in the public interest to invite expressions of interest before inviting written tenders; and*
- (b) *records its reasons for making the resolution in the minutes of the meeting at which the resolution was made.*

(4) The invitation for tenders must—

- (a) *be published on the local government's website for at least 21 days; and*

*(b) allow written tenders to be given to the local government while the invitation is published on the website.*

*(5) The invitation for expressions of interest must—*

*(a) be published on the local government's website for at least 21 days; and*

*(b) allow written expressions of interest to be given to the local government while the invitation is published on the website.*

*(6) Also, the local government must take all reasonable steps to publish the invitation for tenders or invitation for expressions of interest in another way to notify the public about the tender process.*

*Examples for subsection (6) - publishing an invitation in an industry publication or on the QTENDERS website*

*(7) If the local government invites expressions of interest under subsection (5) or (6), the local government may –*

*(a) prepare a short list from the persons who respond to the invitation for expressions of interest; and*

*(b) invite written tenders from those persons.*

*(8) If—*

*(a) an invitation to tender under subsection (4) or (7)(b) states that the local government might later invite all tenderers to change their tenders to take account of a change in the tender specifications; and*

*(b) the local government does change the tender specifications; the local government may invite all the persons who submitted a tender to change their tender to take account of the change, before making a decision on the tenders.*

*(9) A local government may decide not to accept any tenders it receives.*

*(10) However, if the local government does decide to accept a tender, the local government must accept the tender most advantageous to it, having regard to the sound contracting principles.*

**Council Policies or Asset Management Plans:**

***Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?***

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

Nil

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Christopher Tickner, Lead Town Planner, Planning & Building Development

We developed a local government infrastructure plan – and Council adopted it – in around 2018.

We determined through this process there was enough commercial zoned land to account for assumed commercial growth – that is - Council was happy enough that we didn't need to create any more commercial zoned land in the next 20 years.

I've also attached the Mitchell zone map - A lot of the commercial zoned land (blue) is developed with housing.

**Funding Bodies:**

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

Nil

**This Financial Year's Budget:**

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

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

If Council decides to dispose of land, Council will receive the proceeds from the sale and also rates.

**Future Years' Budgets:**

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

If Council decides to dispose of land via tender, Council will receive rates and charges on the land in future years.

**Impact on Other Individuals or Interested Parties:**

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

Businesses who have previously expressed interest in acquiring land in Mitchell.

**Risks:**

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

Risk	Description of likelihood & consequences
Risk that land could sell and no future land be available in Mitchell.	Risk can be managed through offering lots individually. Council is not obliged to accept any tender received.

**Advice to Council:**

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

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

It is recommended that Council offer for sale by tender the land in Sophia and Grace Streets Mitchell. To mitigate the risk of a party purchasing the land and not developing, Council can require tenderers to provide details of their plans for the land. Council is also not required to accept any tender received.

**Recommendation:**

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

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

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

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

That Council:

1. Invite tenders to purchase vacant industrial land located in Sophia and Grace Street Mitchell, specifically described as Lots 27, 28, 29, 30, 31, 32, 34 and 35 on M15119 with tenders to be invited on individual lots;
2. Include in the tender specification that Council has no intention of upgrading Grace Street Mitchell;
3. Require tenderers to submit details of:-
  - (a) The proposed use of the land
  - (b) Timeframes for development
  - (c) Number of lots proposed to be developed and configuration



- (d) An explanation of the economic benefits to Mitchell and the Maranoa

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.10 Facilities

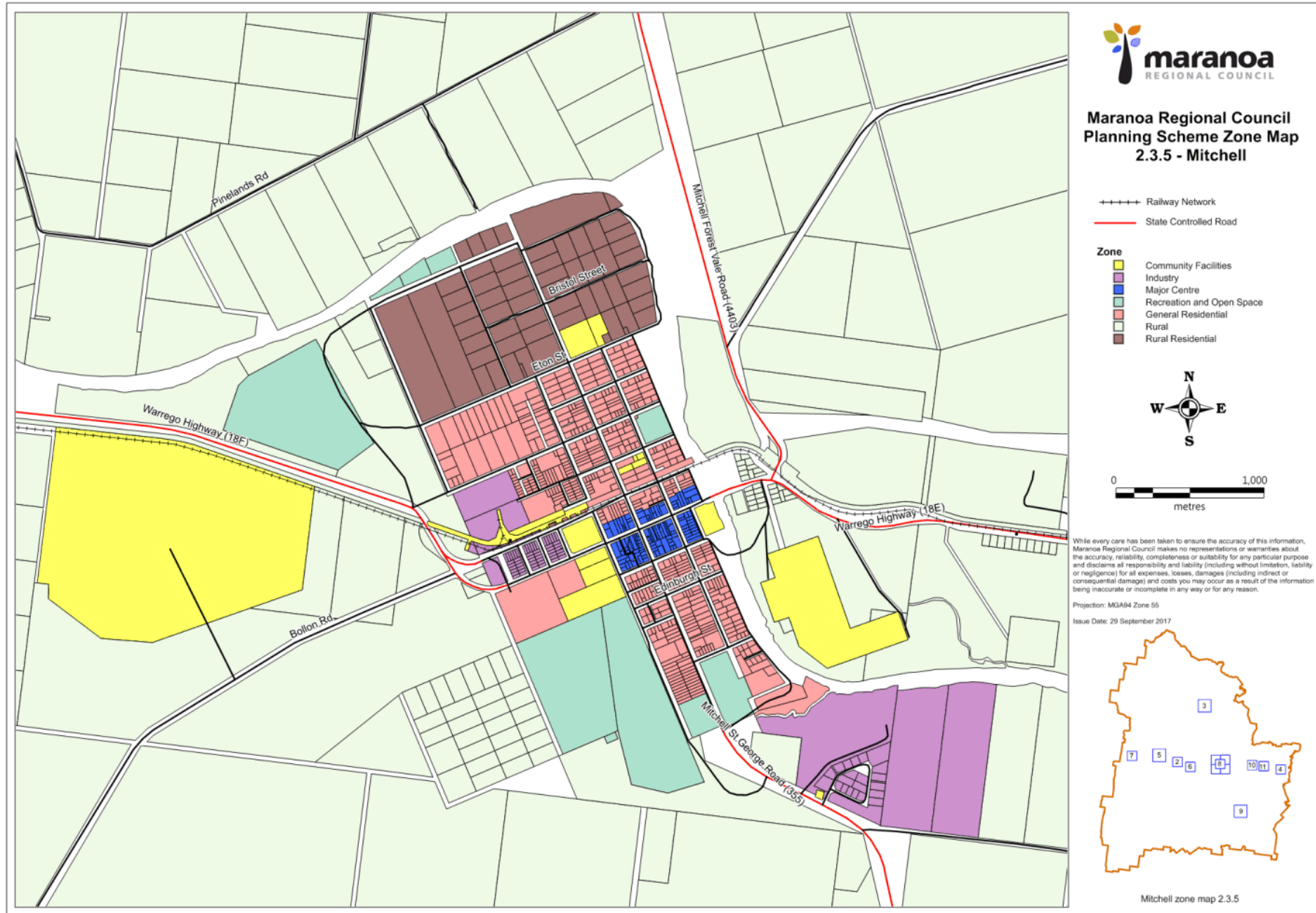
**Supporting Documentation:**

[1](#) Planning - Land Mitchell

D21/63359

**Report authorised by:**

Deputy Chief Executive Officer/Acting Director Infrastructure Services



**NOTICE OF REPEAL OR AMENDMENT OF RESOLUTION**

**Meeting:** Ordinary 11 August 2021

**Date:** 5 August 2021

**Item Number:** L.10

**File Number:** D21/63650

**SUBJECT HEADING:** Notice to Amend Resolution OM/06.2021/53

**Classification:** Open Access

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

**Original Resolution Meeting Date:** 23 June 2021

**Resolution Number:** OM/06.2021/53

**Resolution:**

**That:**

1. Council select Stacey Ann Robertson as the recommended Tenderer for Tender 21034 – Denise Spencer Pool Management Agreement at the tendered price of \$529,250 per annum (including GST).
2. Council allocate funds in the 2021/22 budget and future budgets, to fund the \$418,414.13 (including GST) increase in the annual management fee.
3. Council delegate authority to the Chief Executive Officer to enter into final negotiations with Stacey Ann Robertson and execute the Management Agreement (two years with the option for additional two x 1 year terms) if the terms are acceptable.

**Rescission Recommendation:**

That Council rescind Resolution Number OM/06.2021/53

**That:**

1. Council select Stacey Ann Robertson as the recommended Tenderer for Tender 21034 – Denise Spencer Pool Management Agreement at the tendered price of \$529,250 per annum (including GST).
2. Council allocate funds in the 2021/22 budget and future budgets, to fund the \$418,414.13 (including GST) increase in the annual management fee.
3. Council delegate authority to the Chief Executive Officer to enter into final negotiations with Stacey Ann Robertson and execute the Management Agreement (two years with the option for additional two x 1 year terms) if the terms are acceptable.

And replace with-

That:

1. Council select Stacey Ann Robertson as the recommended Tenderer for Tender 21034 – Denise Spencer Pool Management Agreement at the tendered price of \$539,250 per annum (including GST).
  2. Council allocate funds in the 2021/22 budget and future budgets, to fund the \$428,414.13 (including GST) increase in the annual management fee.
  3. Council delegate authority to the Chief Executive Officer to enter into final negotiations with Stacey Ann Robertson and execute the Management Agreement (two years with the option for additional two x 1 year terms) if the terms are acceptable.
- 

**Background:**

The resolution from the meeting on 23 June 2021 listed the tendered price of \$529,250 per annum (including GST).

The successful tenderer has identified that the actual tendered figure was \$539,250 per annum (difference \$10,000 per annum).

There was an administrative error when the tender was first opened and assessed.

The annual pool management fee will be \$539,250 per annum including GST.

**Supporting Documentation:**

Nil.

**Notice prepared by:**

Manager - Facilities (Land, Buildings & Structures)

## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 4 August 2021

**Item Number:** L.11

**File Number:** D21/63258

**SUBJECT HEADING:** Councillor attendance at LGAQ Annual Conference | Voting Arrangements | Motion submissions

**Classification:** Open Access

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

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### **Executive Summary:**

The Local Government Association of Queensland (LGAQ) Annual Conference will be held on 25 – 27 October 2020 at the Mackay Entertainment & Convention Centre.

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

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

That Council:

1. Consider and endorse any motions to be put forward by Maranoa Regional Council for formal consideration at the conference.
2. Nominate its two (2) delegates and any additional observers to attend the 2021 LGAQ Annual Conference.
3. Draw applicable registration, travel and accommodation costs from attending Councillors' conference budget allocation.

---

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

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

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

No

### Acronyms:

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

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

Acronym	Description
LGAQ	Local Government Association of Queensland

### Context:

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

To formalise attendance/delegate arrangements for attendance at the 2021 LGAQ Annual Conference and to consider the submission of motions.

### Background:

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

(Succinct overview of the relevant facts, without interpretation)

#### LGAQ 125<sup>th</sup> Annual Conference

The theme for the conference is 'Together' which reflects not just why the association came into being in 1896 but also that this commitment is every bit as relevant today.

The conference program has allocated more time than in previous years for Council Forums and an extra highlight will be the announcement of two Local Government Community Champions.

There is a line up of keynote speakers and political leaders presenting, and the opportunity to network with industry experts and elected members from across Queensland.

The conference will be held on 25 – 27 October 2021 at the Mackay Entertainment & Convention Centre.

To view the program –

[annual-conference-2021-program \(lgaq.asn.au\)](https://lgaq.asn.au/annual-conference-2021-program)

#### Voting Entitlements

At the 2021 Annual Conference Maranoa Regional Council is entitled to a total of 2 votes. For Councils with 2 votes, if Council nominates 2 delegates, each delegate will be allocated 1 vote. If Council nominates 1 delegate, both votes will be allocated to that delegate.

Maranoa Regional Council's total voting entitlement is 2 and a delegate must either be the Mayor, a Councillor or the Chief Executive Officer.

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

A representative from LGAQ has advised that correspondence will be distributed in September 2021 in regard to finalisation of voting requirements.

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

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

Councillors Hancock and O'Neil have informally indicated their interest to attend this conference on behalf of Council at recent Councillor diary management meetings.

#### Motion Submission

The LGAQ will accept motions from **Wednesday 30 June through to Monday 16 August 2021.**

The conference agenda will prioritise motions that raise new issues of state-wide relevance, so it is important that motions are well formed and presented to garner the support of the broader membership.

A motion is only valid if endorsed by a council meeting prior to submission. Other bodies, such as Regional Organisation of Councils (ROC's) are ineligible to submit motions as they are not members of the LGAQ, however they are welcome to consider and endorse motions that are then submitted by a member council. Where this occurs, the LGAQ will reference this support alongside the details of the submitting member council.

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

***What does the legislation and other statutory instruments include about the matter under consideration?*** (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Clause 4.11 (5) of the LGAQ constitution provides that each council which has more than two Conference votes and appoints two delegates is entitled to specify the number of votes which may be exercised by each of those delegates.

For Councils with only 2 votes, if Council nominates 2 delegates, each delegate will be allocated 1 vote. If Council nominates 1 delegate, both votes will be allocated to that delegate.



**Council Policies or Asset Management Plans:**

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

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

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

No

**Input into the Report & Recommendation:**

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Councillors of Maranoa Regional Council

**Funding Bodies:**

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

No

**This Financial Year's Budget:**

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

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

Delegate registration costs are incorporated into the LGAQ Annual subscription costs. An additional cost of \$175 applies for attendance at the Gala Dinner.

Estimates are as follows per person:

Registration for Observers:	\$1,540
Travel by vehicle:	Estimate \$1,324 (mileage)
Travel by air	Estimate of \$1,578
Accommodation & meals:	Estimate of \$800

**Future Years' Budgets:**

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

Conference attendance costs are reviewed annually.

**Impact on Other Individuals or Interested Parties:**

***Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?***

(Interested Parties Analysis - IS9001:2015)

No

**Risks:**

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

Risk	Description of likelihood & consequences
Mitigated	Appointment of delegate/s/proxy assures Council is given appropriate voting rights for business considered at the meeting.

**Advice to Council:**

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

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

That Council:

1. Consider the submission of motions
2. Endorse attendance of delegates and observers

**Recommendation:**

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

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

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

That Council:

1. Consider and endorse any motions to be put forward by Maranoa Regional Council for formal consideration at the conference.
2. Nominate its two (2) delegates and any additional observers to attend the 2021 LGAQ Annual Conference.
3. Draw applicable registration, travel and accommodation costs from attending Councillors Conference budget allocation.

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

No

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.1 Elected members

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

**Supporting Documentation:**

Nil.

**Report authorised by:**

Chief Executive Officer

**OFFICER REPORT****Meeting:** Ordinary 11 August 2021**Date:** 19 July 2021**Item Number:** L.12**File Number:** D21/58733

**SUBJECT HEADING:** Tender 21039 Register of Pre-qualified Suppliers for the Sale & Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials.

**Classification:** Open Access

**Officer's Title:** Manager - Procurement & Plant

**Executive Summary:**

This report summarises the evaluation process undertaken for *Tender 21039 – Register of Pre-Qualified Suppliers for the Sale and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials*. The intention of this tender is to increase the number of businesses on the Register.

This report is submitted for Council's consideration.

**Officer's Recommendation:**

That:

1. Council approve the addition of businesses listed in the table below to the *Register of Pre-Qualified Suppliers for the Sale and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials* established in accordance with s232 of the *Local Government Regulation 2012*.
2. Pre-qualification (for the mentioned businesses) remains current until 30 September 2024.
3. Council authorises the Chief Executive Officer (or delegate) to enter into a Sale of Goods Agreement with the selected tenderers formalising the terms and conditions in the draft Sale of Goods Agreement.

No.	Tenderer	Local Status
1	AMR Recyclers Pty Ltd trading as Action Metal Recyclers	0 Star
2	OB one Pty Ltd trading as Gold Coast Resource Recovery	0 Star
3	Raw Metal Corp Pty Ltd	0 Star

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

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

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

The recommended tenderers may gain a benefit from this recommendation, whilst the current tenderers may suffer a loss due to more competition in bidding to purchase and remove the materials covered by this Register. Currently there are no

known businesses that are purchasing valuable recyclable materials from Council that will suffer a loss.

### Acronyms:

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

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

Acronym	Description
N/A	N/A

### Context:

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

Council approved the tenderer's on the original tender (Tender 21001) and therefore should approve these tenderers for inclusion to the Register.

### Background:

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

(Succinct overview of the relevant facts, without interpretation)

Council allows new businesses to be included in the *Register of Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials* to provide an opportunity for other businesses to be on the Register and to provide Council with a larger range of purchasers of valuable recyclable materials in anticipation of improving the revenue from this type of waste.

Council publicly advertised tender 21039 - *Register of Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials* with the aim to increase the number of businesses on the Register.

The tender period opened on 18 June 2021 and closed on the 12 July 2021. Two (2) responses were received. A late submission was also received from Raw Metal Corp for Council's consideration. It is recommended that this tenderer is included due to the low number of businesses on this Register. It will also provide an additional business that will accept lithium batteries.

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

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

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

The disposal of valuable recyclable materials is not explicitly addressed in the *Local Government Act 2009* or *Local Government Regulation 2012*, however the *Register of Pre-Qualified Suppliers for the Sale and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials* is being established in accordance with s232 of the *Local Government Regulation 2012*.

**Council Policies or Asset Management Plans:**

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

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

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

N/A

**Input into the Report & Recommendation:**

*Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?* (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

N/A

**Funding Bodies:**

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

N/A

**This Financial Year's Budget:**

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

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

The revenue from the purchase and removal of valuable recyclable waste materials is included in the current year's budget.

**Future Years' Budgets:**

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

The revenue from the purchase and removal of valuable recyclable waste materials is expected to be included in future years budget.

**Impact on Other Individuals or Interested Parties:**

*Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?*

(Interested Parties Analysis - IS9001:2015)

N/A

**Risks:**

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

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

### Advice to Council:

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

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

It is advised that Council approve the addition of the recommended businesses to the *Register of Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials*

### Recommendation:

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

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

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

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

1. Council approve the addition of businesses listed in the table below to the *Register of Pre-Qualified Suppliers for the Sale and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials* established in accordance with s232 of the *Local Government Regulation 2012*.
2. Pre-qualification (for the mentioned businesses) remains current until 30 September 2024.
3. Council authorises the Chief Executive Officer (or delegate) to enter into a Sale of Goods Agreement with the selected tenderers formalising the terms and conditions in the draft Sale of Goods Agreement.

No.	Tenderer	Local Status
1	AMR Recyclers Pty Ltd trading as Action Metal Recyclers	0 Star
2	OB one Pty Ltd trading as Gold Coast Resource Recovery	0 Star
3	Raw Metal Corp Pty Ltd	0 Star

### Link to Corporate Plan:

Corporate Plan 2018-2023

Strategic Priority 2: Delivering strong financial management

2.2 Revenue collection

### Supporting Documentation:

[1](#) Tender 21039-Register Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials D21/58786

### Report authorised by:

Deputy Chief Executive Officer/Acting Director Infrastructure Services

Director - Corporate & Community Services



# **EVALUATION OF TENDER RESPONSES**

## **RFT 21039: Register of Pre-Qualified Suppliers for the Sale and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials**

REPORT COORDINATED BY:  
Michael Worthington

With input and review provided by:

- Sandra Crosby – Manager, Environment, Health, Waste & Rural Land Services
- Michael Worthington, Manager – Procurement & Plant

JULY 2021

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## 1. EXECUTIVE SUMMARY

This report summarises the evaluation process undertaken for *Tender 21039 – Register of Pre-Qualified Suppliers for the Sale and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials*. The tender period opened on 18 June 2021 and closed on the 12 July 2021. Two (2) responses were received. A late submission was also received from Raw Metal Corp that is included in the tender due to the low number of suppliers on this Register and also provides an additional contractor that will accept lithium batteries.

The Tender Evaluation Panel (TEP) comprised the following Council staff members:

- Manager – Procurement & Plant
- Manager, Environment, Health, Waste & Rural Land Services

In developing the recommended register, the following broad steps were undertaken:

1. Scoring based on the tender documentation and business profile.
2. Assessing the management of safety.
3. Contribution to the local economy

The following businesses are recommended to be added to the *Register of Pre-Qualified Suppliers for the Sale and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials*.

Number	Tenderer's Name	Local Status
1	AMR Recyclers Pty Ltd trading as Action Metal Recyclers	0 Star
2	OB one Pty Ltd trading as Gold Coast Resource Recovery	0 Star
3	Raw Metal Corp Pty Ltd	0 Star

## 2. BACKGROUND

Council publicly advertised tender 21039 - *Register of Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials* with the aim to increase the number of suppliers on the Register.

The main recyclable waste products at the waste facilities are mixed scrap metal and car batteries. Other sites may accumulate scrap metal or other recyclable products and these will be identified in an RFQ for their disposal.

Council intends to enter into one or more contracts with suppliers on the register as waste levels reach a level that they are required to be sold and removed from various Council sites.

Due to the dynamic nature of prices for scrap metal and other recyclable materials, Council will issue Request For Quotes (RFQ) to the contractors on the Register as the need for the removal of these materials occurs.

The Contractor will be required to make payments to the Council for the Scrap Metal, Batteries and Other Valuable Recyclable Materials collected.

Maranoa Regional Council owns and operates a number of Waste Management Facilities through the region, at the following sites:

Facility	Location
Roma Landfill	269 Short Street, Roma
Mitchell Landfill	St George Road, Mitchell
Injune Landfill	Womblebank Gap Road, Injune
Jackson	Tip Road, Jackson
Yuleba Landfill	Perry Street, Yuleba
Wallumbilla Landfill	Tip Road, Wallumbilla
Maranoa Regional Council Quarry	Canarvon Highway, approximately 36 km north of Roma.
Other unspecified sites	Provided as required

Other sites may accumulate scrap metal or other valuable recyclable materials and these will be identified in the RFQ for their disposal.

### 3. TENDER PERIOD

The tender documents were released on 18 June 2021 and closed on 12 July 2021.

### 4. LEVEL OF INTEREST FROM THE MARKET

The tender invitation was sent to suppliers registered on the Vendorpanel Marketplace for the following category and sub-category.

- Waste Management & Landfill (Type: Public)
  - Dry waste & Mattress Recycling
  - E-waste Collection
  - General Recycling
  - Metal Waste & Scrap Collection

Forty-six (46) interested parties read the email invitation with Council receiving Three (3) tenders.

### 5. TENDER EVALUATION PANEL MEMBERS & CONSULTATION

The Tender Evaluation Panel (TEP) comprised the following Council staff members:

- Manager – Procurement & Plant
- Manager, Environment, Health, Waste & Rural Land Services

### 6. TENDER SUBMISSIONS RECEIVED

Three (3) submissions were received from the following tenderers:


Number	Tenderer's Name
1	AMR Recyclers Pty Ltd trading as Action Metal Recyclers
2	OB one Pty Ltd trading as Gold Coast Resource Recovery
3	Raw Metal Corp Pty Ltd

### 7. ADVERTISING DETAILS

The tender was advertised in the Western Star between 18 June 2021 and 12 July 2021.

Register of Pre-Qualified Suppliers  
for the Purchase and Removal of  
Scrap Metal, Batteries and Other  
Valuable Recyclable Materials

15/6/2021



A.B.N. 99324089164

**Register of Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials - Tender 21039**

Maranoa Regional Council is offering the opportunity for new suppliers to be on the Register of Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials

The Register aims to provide Council with a list of Contractors that will purchase, collect and dispose of Scrap Metal, Batteries and other Valuable Recyclable Materials from various facilities within the Maranoa Region. This Register will not be for the collection and removal of waste that has no value.

Tenders close at 10am, 12 July 2021.


Tenderers that were successful with Tender 21001 do not need to reapply.

Tender documents (including specification and tender response form) can be obtained from <https://www.vendorpanel.com.au>

Submissions received after the closing date and time will not be accepted. Only electronic submissions uploaded in the LG Tender Box will be considered.

Julie Reitano  
Chief Executive Officer

Roma 4455



## 8. TENDER EVALUATION RESULTS

Tenders were evaluated using the following scoring matrix.

- Information about the Tenderer (Technical, Financial & Managerial experience) 60 Points
- Management of Safety Risks Associated with the Contractor's Operations 25 Points

- Contribution to the Local Economy 15 Points
- Declaration of Actual, Potential or Perceived Conflicts of Interest Mandatory

The results of the Tender Assessment are shown in the table below.

Tenderer's Name	About the Tenderer	Safety Mgmt	Local Content	Total Score
AMR Recyclers Pty Ltd trading as Action Metal Recyclers	50	25	0	75
OB one Pty Ltd trading as Gold Coast Resource Recovery	40	20	0	60
Raw Metal Corp Pty Ltd	50	20	0	70

## 9. RECOMMENDED CONTRACTORS TO BE ADDED TO THE REGISTER

The Tender Assessment Panel recommend the following Tenderers are included in the *Register of Pre-Qualified Suppliers for the Purchase and Removal of Scrap Metal, Batteries and Other Valuable Recyclable Materials*.

Number	Tenderer's Name
1	AMR Recyclers Pty Ltd trading as Action Metal Recyclers
2	OB one Pty Ltd trading as Gold Coast Resource Recovery
3	Raw Metal Corp Pty Ltd

## 10. TENDER EVALUATION PROCESS

The tender evaluation process consisted of assessing the tenderers submissions against the criteria below. Before undertaking the scoring evaluation, each tender was assessed for compliance to the conditions of Tender.

Evaluation Criteria	Points
About the Tenderer's Business	60 points
Management of Safety Risks Associated with the Contractor's Operations	25 points
Contribution to the Local Economy	15 points
Declaration of Actual, Potential or Perceived Conflicts of Interest	Mandatory

### 10.1 ABOUT THE TENDERER'S BUSINESS

#### Compliance Considerations (Yes / No)

The following table provides an overview of the general information provided by tenderers (overview of the business, ASIC company extract & insurance details, referees, financials and Conflict of interest). All businesses provided a basic Business Profile.

Tender Compliance Information							
Tenderer	ASIC Company Extract	Insurance Coverage	Financial (Pass/Fail)	Conflict of Interest (any issues?)	Statements Of Departure	Agreement to Tender Documents	Execution of Tender
AMR Recyclers Pty Ltd trading as Action Metal Recyclers	Yes	Public Liability: B05721F21H172 Exp: 31/5/2022 Plant & Equipment 21050355 Exp: 31/5/2022 Workcover: WBA070881223 Exp: 30/9/2021	Pass	No	No	Yes	Yes
OB one Pty Ltd trading as Gold Coast Resource Recovery	Yes	Public Liability: 202007-2114 R1 BIA Exp: 30/6/2022 Plant & Equipment Not provided Workcover: WSB200706136 Exp: 30/9/2021	Pass	No	No	Yes	Yes
Raw Metal Corp Pty Ltd	Yes	Public Liability: 00GE2/0326062 Exp: 31/5/2022 Industrial Special Risk REC001STEPW2020 Exp: 31/5/2022 Workcover: WAA980803723 Exp: 30/9/2021	Pass	No	No	Yes	Yes

Tenderer	Business Overview	(Points)
AMR Recyclers Pty Ltd trading as Action Metal Recyclers	2-page business overview – basic 1-page photograph of recycler Era licences	50
OB one Pty Ltd trading as Gold Coast Resource Recovery	2-page business overview – basic	40
Raw Metal Corp Pty Ltd	10-page business overview	50

## 10.2 MANAGEMENT OF SAFETY RISKS ASSOCIATED WITH THE CONTRACTORS' OPERATIONS

Tenderers were requested to scan and include with the Tender Response a copy of any sample safety documents used in the business (e.g. Job Safety Analyses, Safety Manuals etc.), in an attachment labelled “7.4 – Safety”). These were assessed with the following scores for each Tenderer below.

Tenderer	Safety Information Provided
AMR Recyclers Pty Ltd trading as Action Metal Recyclers	Provided a Work Health and Safety Management Plan SWMS - Bulk Offsite Ferrous Loading SMWMS – Crane Truck Operations



Tenderer	Safety Information Provided
	SWMS – Hook Truck Operations Incident and Injury Management Procedure Incident Report form
OB one Pty Ltd trading as Gold Coast Resource Recovery	Provided a Work Health and Safety Emergency Plan  <u>WHS Statement</u> Yes, We do basic site inspections at councils. For collections at council site all employees require the appropriate PPE (steel-cap shoes, long pants and long sleeve high visibility shirts or additional high-vis vest.) Before leaving the warehouse, please ensure you have all the correct equipment for the site and truck. <ul style="list-style-type: none"> <li>• Vehicle permit to enter site</li> <li>• Straps to secure batteries</li> <li>• Gloves</li> <li>• General waste management disposal certificates</li> </ul> When arriving onsite. Always confirm your collection with person in-charge on site. Make sure you are aware of any changes that has occurred since last pick-up. (This will also be conveyed during out morning toolbox meetings, if changes came through to management) Always do a quick site inspection: <ul style="list-style-type: none"> <li>• Dangers to access with the truck: muddy/wet roads, landslides, potholes, obstructions, etc.</li> <li>• Dangers in loading the batteries: wet surfaces, hazardous spills, obstructions</li> </ul> After load has been loaded secure batteries and do a 360 on the vehicle to ensure there is no hazards for departure Ensure correct documents has been handed out.
Raw Metal Corp Pty Ltd	<ul style="list-style-type: none"> <li>• Incident Report Form.</li> <li>• Incident Reporting Flowchart.</li> <li>• Reporting Flowchart for Incident Requiring Evacuation of the Work Site.</li> <li>• Sample Work Health and Safety Management Plan (30 pages).</li> <li>• Safe Work Method Statement – Operating Truck &amp; Bin Drop/Pickup.</li> </ul>

### 10.3 RECYCLING MATERIALS

Tenderers were requested to nominated the types of waste they were interested in buying. The following table indicates those choices.

Types of Recyclable Waste	AMR Recyclers	OB One	Raw Metal
Mixed Scrap Metal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ferrous Metal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Non-Ferrous Metal	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Copper	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Aluminium	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Types of Recyclable Waste	AMR Recyclers	OB One	Raw Metal
Stainless Steel	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vehicle & Truck Batteries	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Lithium Batteries	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tyres	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Poly Pipe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PVC Pipe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e-waste	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### 10.4 LOCAL CONTENT ASSESSMENT

Under Council's My Maranoa initiative, Tenderers were assessed for the local content.

Stars	Criterion	AMR Recyclers Pty Ltd trading as Action Metal Recyclers	OB one Pty Ltd trading as Gold Coast Resource Recovery	Raw Metal Corp Pty Ltd
5 Star (15 points)	100% ownership in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	90% employees reside in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Head office in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4 Star (12 points)	> 75% ownership in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	> 75% employees reside in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Head office in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3 Star (9 points)	> 1 or more owners in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	> 25% employees reside in region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Office/branch in the region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2 Star (6 points)	Business is ratepayer in the region (2+ yr)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Employs residents of the region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Office/branch in the region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1 Star (3 points)	Business is ratepayer or long-term lessee	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Employs residents of the region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Office in the region	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Local Content Score		0 Points	0 points	0 points

## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 4 August 2021

**Item Number:** L.13

**File Number:** D21/63339

**SUBJECT HEADING:** Request for Quotation - Crushing, Winning and Stockpiling at Regional Gravel Pits

**Classification:** Open Access

**Officer's Title:** Manager - Procurement & Plant

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### **Executive Summary:**

Due to the effects of previous flooding events, Council has a range of projects to repair damaged roads across the region. Council sought quotes for the winning, crushing and stockpiling of gravel at Council's Kooyong and Gunnewinn-east pits.

Council issued a Request for Quote to the suppliers on the Register of Pre-Qualified Suppliers for Material Production Services (Winning & Crushing). Council received four responses.

The responses were reviewed by an evaluation panel and this report is submitted for Council's consideration.

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

That Council:

1. Select *T & W Earthmoving Pty Ltd* as the recommended supplier for Request for Quote – Winning, Crushing & Stockpiling at Kooyong and Gunnewin-East Gravel Pits.
2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with *T & W Earthmoving Pty Ltd*, noting the values of:
  - a. Kooyong - \$252,367.00 inclusive of GST
  - b. Gunnewin-east - \$222,736.75 inclusive of GST

and form a contract by way of purchase order if the final terms are acceptable.

---

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

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

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

The following contractors from the Register of Pre-Qualified Suppliers for Material Production Services (Winning & Crushing) were invited to quote:

- Corbet's Group via Crushing Services
- Goodland Gravel PTY LTD via Crushing Services
- J+M Collinson Earthmoving Pty Ltd via Crushing Services
- Johnson Haulage & Earthmoving Pty Ltd via Crushing Services
- Katcrush Pty Ltd via Crushing Services
- Milbrae Quarries Pty Ltd via Crushing Services
- QUARRY MINING HAULAGE PTY LTD via Crushing Services
- Roma Earthmoving Pty Ltd T/A DMAC Roma via Crushing Services
- T&W Earthmoving via Crushing Services

### Acronyms:

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

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

Acronym	Description
NDRRA	<b>Natural Disaster Relief and Recovery Arrangements</b> The Natural Disaster Relief and Recovery Arrangements (NDRRA) is a joint funding initiative of the Commonwealth and State Governments to provide disaster relief and recovery payments and infrastructure restoration to help communities recover from the effects of natural disasters prior to November 2018.

### Context:

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

Expenditure of \$200,000 or more requires Council approval, as such this Request for Quotation is presented for Council's consideration.

### Background:

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

(Succinct overview of the relevant facts, without interpretation)

Due to the effects of previous flooding events, Council has a range of projects to repair damaged roads across the region. Council sought quotes for the winning, crushing and stockpiling of gravel at Council's Kooyong and Gunnewinn-east pits.

Council issued a Request for Quote to the suppliers on the Register of Pre-Qualified Suppliers for Material Production Services (Winning & Crushing). Council received four responses from the nine contractors on the Register. The following table provides the scoring information:

Kooyong Gravel Pit		
Contractor	Price	Star Rating
Goodlands Gravel Pty Ltd	\$226,160	1 Star
T & W Earthmoving Pty Ltd	\$252,367	3 Star
Roma Earthmoving	\$344,840	5 Star
Quarry Mining Haulage	\$358,886	0 Star

Gunnwin-east Gravel Pit		
Contractor	Price	Star Rating
Goodlands Gravel Pty Ltd	\$189,772.00	1 Star
T & W Earthmoving Pty Ltd	\$222,736.75	3 Star
Roma Earthmoving	\$301,480.00	5 Star
Quarry Mining Haulage	\$316,646.00	0 Star

It is recommended that Council select *T & W Earthmoving Pty Ltd* as the recommended supplier for Request for Quote – Winning, Crushing & Stockpiling at Kooyong and Gunnwin-East Gravel Pits.

Meeting production schedules and safety standards will be a critical component of the works. Although Goodlands Gravel Pty Ltd have the lowest price, T& W Earthmoving were the next lowest price and had subsequently completed crushing campaigns – meeting production volumes and safety standards.

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

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

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

All services are to be undertaken in compliance with statutory obligations including the following:

- *Mining and Quarrying Safety and Health Act 1999*
- *Mining and Quarrying Safety and Health Regulation 2017*

#### Council Policies or Asset Management Plans:

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

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

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

Council's Workplace Health & Safety Policies and standards

#### Input into the Report & Recommendation:

***Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?*** (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Project Officer - Capital Works, Construction

Project Costing Officer, Procurement & Plant

Coordinator - Materials Production (Roma Quarry), Materials Production (Quarry & Quarry Pits)

### Funding Bodies:

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

These projects are being funded by Natural Disaster Relief and Recovery Arrangements.

### This Financial Year's Budget:

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

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

Funding is provided in this year's budget.

### Future Years' Budgets:

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

It is expected all works will be completed in the current financial year and there will be no requirement to fund expenditure from future budgets with this particular funding amount.

### Impact on Other Individuals or Interested Parties:

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

The contractors from the Register of Pre-Qualified Suppliers for Material Production Services (Winning & Crushing) will be interested in the outcome of this Request for Quote.

### Risks:

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

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

### Advice to Council:

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

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

It is advised that Council select *T & W Earthmoving Pty Ltd* as the recommended supplier for Request for Quote – Winning, Crushing & Stockpiling at Kooyong and Gunnewin-East Gravel Pits.

**Recommendation:**

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

That Council:

1. Select *T & W Earthmoving Pty Ltd* as the recommended supplier for Request for Quote – Winning, Crushing & Stockpiling at Kooyong and Gunnewin-East Gravel Pits.
2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with *T & W Earthmoving Pty Ltd*, noting the values of:
  - a. Kooyong - \$252,367.00 inclusive of GST
  - b. Gunnewin-east - \$222,736.75 inclusive of GST

and form a contract by way of purchase order if the final terms are acceptable.

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

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

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

No

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 5: Managing our operations well

5.7 Quarry and quarry pits

**Supporting Documentation:**

Nil.

**Report authorised by:**

Director - Corporate & Community Services

Deputy Chief Executive Officer/Acting Director Infrastructure Services



## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 6 August 2021

**Item Number:** L.14

**File Number:** D21/64132

**SUBJECT HEADING:** Request for Quotation - Road Stabiliser Machines for Road Maintenance

**Classification:** Open Access

**Officer's Title:** Manager - Procurement & Plant

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### **Executive Summary:**

Due to the impacts of previous flooding events, Council has a range of projects to repair damaged roads across the region.

Council sought quotes for road stabilisation equipment to assist with road repairs.

Council issued a Request for Quote for the supply of wet hire road stabilisation equipment to the Register of Pre-qualified Suppliers for the Wet Hire of Equipment and received four (4) responses.

The responses were reviewed by an evaluation panel and this report is submitted for Council's consideration.

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

That Council:

1. Select TJ & JE Campbell Pty Ltd as the preferred supplier for Quote – Road Stabilisation Equipment for various roads across the region.
2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with TJ & JE Campbell Pty Ltd, noting the value of \$468,160 including GST and form a contract by way of purchase order if final terms are acceptable.
3. Authorise the Chief Executive Officer to approve any variations within budget for these projects.

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

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

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

The following contractors from the the Register of Pre-qualified Suppliers for the Wet Hire of Equipment will be interested in the outcome the Request for Quote:

- THE Mining Pty Ltd
- TJ & JE Campbell Pty Ltd
- Ellis Stabilising Pty Ltd
- Stabilised Pavements of Australia Pty Ltd

**Acronyms:**

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

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

Acronym	Description
NDRRA	Natural Disaster Relief and Recovery Arrangements The Natural Disaster Relief and Recovery Arrangements (NDRAA) is a joint funding initiative of the Commonwealth and State Governments to provide disaster relief and recovery payments and infrastructure restoration to help communities recover from the effects of natural disasters prior to November 2018.

**Context:**

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

Expenditure of \$200,000 or more requires Council approval, as such this Request for Quote is presented for Council's consideration.

**Background:**

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

*(Succinct overview of the relevant facts, without interpretation)*

Due to the effects of previous flooding events, Council has a range of projects to repair damaged roads across the region. Council sought quotes for road stabilisation equipment to assist with road repairs.

Council issued a Request for Quote for the supply of wet hire of road stabilisation equipment to the Register of Pre-qualified Suppliers for the Wet Hire of Equipment and received four responses from the Register. Council had a preference for cement powder storage equipment to be supplied as well. Two of the four Contractors could not supply cement powder storage facilities and were more expensive, so were removed from the final evaluation.

The following table provides the scoring information for the final two contractors:

Costs (Ex GST)	THE Mining (0 Star)	TJ &JE Campbell (0 Star)
<b>Total</b>	<b>\$439,847.50</b>	<b>\$425,600.00</b>

TJ & JE Campbell Pty Ltd are the recommended responder to this Request for Quote from the Register of Pre-qualified Suppliers for Wet Hire of Equipment (Road Stabilisation Equipment).

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

*What does the legislation and other statutory instruments include about the matter under consideration?* (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

N/A

**Council Policies or Asset Management Plans:**

*Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?*

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

N/A

**Input into the Report & Recommendation:**

*Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?* (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Project Officer – Capital Works, Construction  
Project Costing Officer, Procurement & Plant  
Manager Procurement

**Funding Bodies:**

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

These projects are externally funded by the Natural Disaster Relief and Recovery Arrangements.

**This Financial Year's Budget:**

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

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

Funding for these projects is included in the current year's budget.

### Future Years' Budgets:

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

N/A

### Impact on Other Individuals or Interested Parties:

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

The contractors from the Register of Pre-qualified Suppliers for the Wet Hire of Equipment – road Stabilisation sub-panel will be interested in the outcome the Request for Quote.

### Risks:

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

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

### Advice to Council:

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

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

It is advised that Council select TJ & JE Campbell Pty Ltd as the preferred supplier for this Request for Quote.

### Recommendation:

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

That Council:

1. Select TJ & JE Campbell Pty Ltd as the preferred supplier for Quote – Road Stabilisation Equipment for various roads across the region.
2. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with TJ & JE Campbell Pty Ltd, noting the value of \$468,160 including GST and form a contract by way of purchase order if final terms are acceptable.
3. Authorise the Chief Executive Officer to approve any variations within budget for these projects.

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

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

**Does this recommendation suggest a decision contrary to an existing Council policy?**

*If so, for what reason?*

No

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 1: Getting the basics right

1.3 Roads and drainage

**Supporting Documentation:**

Nil

**Report authorised by:**

Director - Corporate & Community Services

Deputy Chief Executive Officer/Acting Director Infrastructure Services

## **OFFICER REPORT**

**Meeting:** Ordinary 11 August 2021

**Date:** 3 August 2021

**Item Number:** L.15

**File Number:** D21/62804

**SUBJECT HEADING:** Extension of Airport Security Screening Contract

**Classification:** Open Access

**Officer's Title:** Manager - Procurement & Plant

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### **Executive Summary:**

As advised in the Officers Report dated 9 July 2021 for the Ordinary Meeting 28 July 2021 - Extension to Contract for Aviation Security Screening at Roma Airport - the security contract with MSS Security Pty Ltd can be extended for a further 12 months to 16 April 2022.

Council considered that a month by month agreement would be more suitable for this contract due to the State Government going to tender in August 2021 for regulated routes providers for Central 1 Brisbane – Roma – Charleville – Brisbane, which may result in Council not requiring screening services.

Legal advice sought advises that Council not seek to extend the contract on a month by month basis due to the risk associated with this approach.

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

That Council approve the Chief Executive Officer (or delegate) negotiate an arrangement with MSS security to extended the contract to a maximum of 12 months to 16 April 2022 in line with the legal advice given.

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

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

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

MSS Security Pty Ltd

### **Acronyms:**

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

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

Acronym	Description
N/A	N/A

**Context:**

*Why is the matter coming before Council?*

Council approved the original contract with MSS Security Pty Ltd for security screening services at the Roma Airport as such Council is required to approve any extensions to the contract.

**Background:**

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

(Succinct overview of the relevant facts, without interpretation)

As advised in the Officers Report dated 9 July 20221 for the Ordinary Meeting 28 July 2021 - Extension to Contract for Aviation Security Screening at Roma Airport- the MSS security contract can be extended for a further 12 months to 16 April 2022. Council's concern from that meeting was that the State Government is going to tender in August 2021 for regulated routes providers for Central 1 Brisbane – Roma – Charleville – Brisbane and this may mean that if REX is the successful proponent screening services will longer be required.

However, until the tender process is complete, Council requires the screening services from MSS. MSS has agreed to maintain services under the existing contract on a month to month basis until Council advises them otherwise. The risk with this approach is that MSS may terminate the agreement on one month's notice, resulting in the closure of the airport to applicable air traffic.

Council sought legal advice on this matter with the following advice:

*The alternative way to document the arrangement would be to extend for the option period but include an early termination right which is exercisable by the Council only. In this way, Council would have the benefit of a continuing arrangement with MSS Security but can end that agreement if the changes contemplated early next year require the Council to do so.*

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

*What does the legislation and other statutory instruments include about the matter under consideration?* (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Roma Airport has been designated by the Department of Home Affairs as a 'Tier 2' security controlled airport' in accordance with Regulation 3.01B of the Aviation Transport Security Regulations 2005 (Cth), this is subject to change at the discretion of the Department. Council is the designated screening authority for the Screening Areas. As such, Council has a requirement to ensure that passenger, checked baggage and goods screening at the Airport is carried out by the successful Tenderer, to at least the minimum standard, as laid down in the Security Legislation.

**Council Policies or Asset Management Plans:**

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

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

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

N/A

**Input into the Report & Recommendation:**

*Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?* (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

- Acting Manager, Airports (Roma & Regional Compliance)
- Director Corporate and Community Services
- Deputy CEO / Director, Development, Facilities & Environmental Services

**Funding Bodies:**

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

N/A

**This Financial Year's Budget:**

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

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

Expenditure associated with security screening at the Roma Airport is included in the Airport budget.

**Future Years' Budgets:**

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

It is expected that any expenditure associated with security screening at the Roma Airport is included in the Airport's future budgets.

**Impact on Other Individuals or Interested Parties:**

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

The following parties may be interested in the decision by Council:

- Airline companies that fly into and out of Roma Airport and requiring security scanning services.
- Visitors arriving or leaving through Roma Airport.

**Risks:**

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

Risk	Description of likelihood & consequences
Cancellation of the security contract by MSS Security Pty Ltd	If Council and MSS Security Pty Ltd agree to a month by month agreement for security screening at the Roma Airport then MSS Security Pty Ltd could withdraw their



under a month by month contract.	<p>services giving one month's notice.</p> <p>The airport would then not be able to receive flights that require these services under legislative requirements.</p> <p>Likelihood: Low as this would be detrimental to MSS Security Pty Ltd reputation.</p>
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**Advice to Council:**

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

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

It is advised that Council approve the Chief Executive Officer (or delegate) negotiate an arrangement with MSS security to extended the contract to a maximum of 12 months to 16 April 2022 in line with the legal advice.

**Recommendation:**

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

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

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

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

That Council approve the Chief Executive Officer (or delegate) negotiate an arrangement with MSS security to extended the contract to a maximum of 12 months to 16 April 2022 in line with the legal advice given.

**Link to Corporate Plan:**

Corporate Plan 2018-2023

Strategic Priority 4: Growing our region

4.5 Airports

**Supporting Documentation:**

1 [Legal Advice - Roma Airport Security Scanning Services Contract](#) D21/62822

**Report authorised by:**

Director - Corporate & Community Services

Deputy Chief Executive Officer/Acting Director Infrastructure Services

**Michael Worthington**

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**Subject:** FW: Roma airport lease queries [MCR-W.FID4061560]  
**Attachments:** 49015700\_1 - Draft Contract - Tender 18032 Security Screening.DOC; 47414378\_3 - FINAL Lease - Roma Airport Cafe - 8 March 2018.DOCX; 63024962\_1 - roma airport title.PDF; 63024964\_1 - licence (with new title description).DOC; 63024966\_1 - lease (with new title description).DOCX

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**From:** Claire Hart <chart@mccullough.com.au>  
**Sent:** Friday, 30 July 2021 11:39 PM  
**To:** Michael Worthington <Michael.Worthington@maranoa.qld.gov.au>  
**Cc:** Kristan Conlon <KConlon@mccullough.com.au>; Michael Rochester <mrochester@mccullough.com.au>  
**Subject:** Roma airport lease queries [MCR-W.FID4061560]

Hi Michael

Michael Rochester has provided your below email to me.

I comment as follows:

(a) **Airport title**

I have undertaken a search which shows that the current title for the airport is Lot 14 on SP 300970 (copy **attached**). Please let me know if this isn't your understanding.

I **attach** the car park licence and new café lease for the tender process, showing the updated description.

(b) **Café 54**

We do not hold a copy of the final lease signed by the parties for the café (and it isn't registered with the titles office, so we can't obtain a copy by search).

The form of lease attached to your email to Michael Rochester of 5 July (further copy **attached** fyi) expired on 15 January 2020 and only refers to an option on the first page. The lease does not contain an option clause (it differs from the document of the same number saved to our system which did include an option clause). If the lease did expire on 15 January 2020 and an option wasn't exercised, the tenant would be holding over on a monthly basis.

However, we need to review the final signed lease to determine the position. Please provide.

In relation to the landlord's obligations in the retail shop legislation in relation to the exercise of an option:

- (i) the landlord must give the tenant written notice at least 2 months, but no more than 6 months, before the last date on which the tenant may exercise its option to renew the lease. However, there is no consequence or protection afforded to the tenant under the retail legislation if the landlord fails to remind the tenant of the exercise date within the 4 month time frame;

- (ii) the landlord must provide the tenant with a current disclosure statement within 7 days of receiving the tenant's notice exercising the option (unless the tenant has provided a signed waiver notice stating that it waives the landlord's obligation to do so).

Within 14 days of receiving the disclosure statement, the tenant may give the landlord a written notice stating the renewal notice is withdrawn.

The landlord's failure to provide a disclosure statement will result in the tenant having a right to terminate the lease within the first 6 months of the option term. In addition, the landlord is liable to pay the tenant reasonable compensation (decided by way of a dispute resolution process) for loss or damage suffered by the tenant because of the landlord's failure to give the tenant a current disclosure statement;

- (iii) the tenant may request an early determination of the current market rent at any time within the period that begins 6 months before and ends 3 months before the last day on which the option may be exercised. If a determination is requested, the last day to exercise the option will be varied to be the day that is 21 days after the tenant gets the gets notice of the determined market rent.

There are separate obligations on the landlord if the lease is coming to an end and the lease does not contain a further option to renew.

(c) **MSS Security Services Agreement**

Again, we do not hold a copy of the agreement signed by the parties. I have reviewed the form of agreement attached to your email to Michael Rochester of 5 July (further copy **attached** fyi).

The option to extend contained in clause 3.4 is exercisable by the Council only (at least 6 months before the end of the term). MSS Security does not have a right to exercise the option.

The agreement does not contain a holding over clause, providing that the agreement will automatically convert to a monthly term if the term expires without the option being exercised.

Therefore, if Council wishes to enter into a month to month arrangement, this will need to be a negotiation outside the scope of the agreement. Council will need to approach MSS Security and seek its agreement to extend the term in a way which is not contemplated in, or provided for, in the agreement.

Of course, the risk with a month to month arrangement is that MSS Security may terminate the agreement on one month's notice.

The alternative way to document the arrangement would be to extend for the option period but include an early termination right which is exercisable by the Council only. In this way, Council would have the benefit of a continuing arrangement with MSS Security but can end that agreement if the changes contemplated early next year require the Council to do so.

Please let me know if you wish to discuss.

Kind regards

**Claire Hart**  
Senior Associate

T +61 7 3233 8662  
E [chart@mccullough.com.au](mailto:chart@mccullough.com.au)

**McCullough Robertson**  
Lawyers

Level 11, 66 Eagle Street, Brisbane QLD 4000  
**Brisbane Sydney Melbourne Newcastle Canberra**  
[www.mccullough.com.au](http://www.mccullough.com.au)



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**From:** Michael Worthington <[Michael.Worthington@maranoa.qld.gov.au](mailto:Michael.Worthington@maranoa.qld.gov.au)>  
**Sent:** Wednesday, 28 July 2021 4:45 PM  
**To:** Michael Rochester <[MRochester@mccullough.com.au](mailto:MRochester@mccullough.com.au)>  
**Subject:** FW: Leases  
**Importance:** High

Hi Michael

We have had a closer look at the leases I sent you earlier and it appears that the Security Scanning with MSS Security and the Café lease at the airport still have an option to extend. The airport manager would like an opinion on these lease (see questions below). Also the Mayor is proposing that we don't extend the lease for the security scanning for the full period, but on a month by month basis as there may be some changes coming up early next year in regard to the new aircraft operator contracts.

Regards

## Michael Worthington



Manager  
Procurement

P: 1300 007 662  
D: (07) 4624 0769 • M: 0439 477 640  
Email: [Michael.Worthington@maranoa.qld.gov.au](mailto:Michael.Worthington@maranoa.qld.gov.au)  
Postal Address: PO Box 620, Roma, QLD 4455



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**From:** Heather Mattes <[Heather.Mattes@maranoa.qld.gov.au](mailto:Heather.Mattes@maranoa.qld.gov.au)>  
**Sent:** Wednesday, 28 July 2021 4:33 PM  
**To:** Michael Worthington <[Michael.Worthington@maranoa.qld.gov.au](mailto:Michael.Worthington@maranoa.qld.gov.au)>



**Cc:** Tracey Baxter <[tracey.baxter@jjryan.com.au](mailto:tracey.baxter@jjryan.com.au)>  
**Subject:** RE: Leases  
**Importance:** High

Thanks Michael,

Please check with lawyers the following:

**1. Café 54**

Option to renew – confirm it is an option for the Tenant to renew and subject to there being no breaches etc does the Landlord need to consent or approve the option? I could not see that in the lease however the Act refers to the notice and disclosure. Under the Retail Shop Leases Act 1994 – Landlord needs to give the Tenant a disclosure statement it would appear– see below excerpt

**21E Lessor's disclosure obligation** to lessee for renewal (1) This section applies in relation to a renewal of a retail shop lease under an option. (2) The lessor must give the lessee a current disclosure statement within 7 days after the day on which the lessor receives the lessee's notice exercising the option to renew (the renewal notice). (3) However, subsection (2) does not apply if, at the time the renewal notice is given to the lessor, the lessee gives the lessor a waiver notice. (4) Within 14 days of receiving the current disclosure statement, the lessee may, whether or not the renewed lease period has commenced, give the lessor a written notice stating that the renewal notice is withdrawn. (5) In this section— current disclosure statement, in relation to a lessor and lessee, means— (a) in any case—a disclosure statement that is updated to the date it is given; or (b) if a disclosure statement was given by the lessor to the lessee during the term of the lease—a written statement that updates the details of the disclosure statement to the date it is given. waiver notice, for a renewal of a retail shop lease, means a written notice signed by the lessee stating that the lessee agrees to waive the lessor's obligation to give a disclosure statement for the lease

Has the Council given notice to tenant of Option to renew? – see Section 46 of Act

**46 Lessor's notice about when option to renew or extend must be exercised (1)** This section applies if a retail shop lease provides for an option on the lessee's part to renew or extend the lease. (2) At least 2 months, but not longer than 6 months, before the option date, the lessor must give the lessee written notice of the option date. (3) In this section— option date, for a retail shop lease, means the date under the lease by which the lessee must exercise an option to renew or extend the lease.

**2. MSS Security Services Agreement**

**The agreement commenced on the 16 April 2018 and expires on 15 April 2020. I assume that MRC extended the term until 15 April 2021 without any conditions. There is an option for the second period of 12 months and MRC will want to ensure the security screening is supplied where required. Suggest that MRC negotiates with MSS (not to give them the**

second term) but to let them hold over on a month to month basis under the agreement. Please seek McCullochs advice.

### 3.4 Option to extend

- (a) No later than six months prior to the end of the Term, MRC may (at its absolute discretion), by notice in writing, extend the Term for a period of 12 months (**Extended Term**).
- (b) No later than six months prior to the end of the Extended Term, MRC may (at its absolute discretion) by notice in writing, extend the Extended Term for a further period of 12 months.

### 3.5 Extension on following terms

If MRC grants an extension or extensions under clause 3.4, then this agreement will continue to apply to the parties in relation to the provision of the Screening Services subject to the following

- (a) the Screening Services Payment for the 12 month period of each extension will be determined in accordance with clause 5 as if the date of commencement of each extension was an anniversary of the Commencement Date; and
- (b) the number of further periods for which an extension may be granted under clause 3.4 will be reduced by the number of extended periods already granted by MRC.

Kind regards

Heather

**Heather Mattes**  
Acting Manager,  
Airports (Roma & Regional Compliance)

D: (07) 4624 0706 M: 0438 419 596 F: (07) 4624 6990

---

**From:** Michael Worthington  
**Sent:** Wednesday, 28 July 2021 3:13 PM  
**To:** Heather Mattes <[Heather.Mattes@maranoa.qld.gov.au](mailto:Heather.Mattes@maranoa.qld.gov.au)>  
**Subject:** Leases

Hi Heather

Leases attached as discussed.

Regards  
**Michael Worthington**  
Manager,  
Procurement

D: (07) 4624 0769 M: 0439 477 640 F: (07) 4624 6990

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