

## MINUTES OF THE SPECIAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 29 SEPTEMBER 2021 SCHEDULED TO COMMENCE AT 12.00PM

### ATTENDANCE

Mayor Cr T D Golder chaired the meeting (from 12.15pm – 1.12pm) with Deputy Mayor Cr G B McMullen, Cr J R P Birkett (by telephone), Cr M C Edwards (from 12.15pm – 1.12pm), Cr J L Guthrie (by telephone), Cr J M Hancock, Cr W L Ladbrook (from 12.15pm – 1.12pm), Cr C J O'Neil (by telephone), Cr W M Taylor, Chief Executive Officer – Julie Reitano and Minutes Officer – Kelly Rogers in attendance.

### AS REQUIRED

Deputy Chief Executive Officer/Director Development, Facilities & Environmental Services – Rob Hayward, Director Corporate & Community Services – Sharon Frank, Deputy Director / Strategic Road Management – Cameron Hoffmann, Manager Economic & Community Development – Ed Sims, Manager Organisational Development & Human Resources – Noela Ward, Manager Planning & Building Development – Danielle Pearn.

### WELCOME

The Mayor welcomed all present and declared the meeting open at 12.15pm.

### Declaration of Interest

Item	3.2
Description	Proposed Service Station at 129 – 131 McDowall Street, Roma (Lot 2 on RP60707)
Declaring Councillor	Cr Mark Edwards
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a professional relationship with one of the submitters whose name I can't reveal for professional reasons.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

### Declaration of Interest

Item	C.1
Description	Traffic Impacts Associated with Proposed Development
Declaring Councillor	Cr Mark Edwards
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a professional relationship with one of the submitters whose name I can't reveal for professional reasons
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

### Declaration of Interest

<b>Item</b>	<b>3.2</b>
Description	Proposed Service Station at 129 – 131 McDowall Street, Roma (Lot 2 on RP60707)
Declaring Councillor	Cr Tyson Golder

Mayor Golder indicated that he had declared an interest in this matter when it was previously considered [*Refer to Ordinary Meeting 25 August 2021 – Item L.1*]. He further advised that as was done previously, he would leave the room while the matter is discussed and dealt with.

### Declaration of Interest

<b>Item</b>	<b>C.1</b>
Description	Traffic Impacts Associated with Proposed Development
Declaring Councillor	Cr Tyson Golder
Person with the interest Related party / close associate / other relationship	My Mother (Carmen Golder)
Particulars of Interest	My mother has a property across the road from the location referred to, possibly connected to this.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

### Declaration of Interest

<b>Item</b>	<b>3.2</b>
Description	Proposed Service Station at 129 – 131 McDowall Street, Roma (Lot 2 on RP60707)
Declaring Councillor	Cr Wayne (George) Ladbrook

Cr Ladbrook indicated that he had previously made a declaration of the abovementioned item when it was previously considered [*Refer to Ordinary Meeting 25 August 2021 – Item L.1*], adding that the conflict was due to him owning a business in the Roma CBD.

### Declaration of Interest

<b>Item</b>	<b>C.1</b>
Description	Traffic Impacts Associated with Proposed Development
Declaring Councillor	Cr Wayne (George) Ladbrook
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business located in the Roma CBD – Ladbrook's Butchery
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

**ORDER OF BUSINESS**

<b>Resolution No. SM/09.2021/12</b> <b>Moved Cr McMullen</b> <span style="float: right;"><b>Seconded Cr Golder</b></span>  <b>That we [Council] change the order of the agenda [to]:</b> <b>[Respectively in order of] – C.2, 3.1, 4.1, C.1 and 3.2</b>  <b>CARRIED</b> <span style="float: right;">9/0</span>
--

<b>Responsible Officer</b>	<b>Lead Officer – Elected Members &amp; Community Engagement</b>
----------------------------	--

<b>Resolution No. SM/09.2021/13</b> <b>Moved Cr McMullen</b> <span style="float: right;"><b>Seconded Cr Golder</b></span>  <b>In accordance with the provisions of section 254J(3) of the <i>Local Government Regulation 2012</i>, that Council resolve to close the meeting to the public [at 12.27pm] to discuss confidential item C.1 that its Councillors consider is necessary to close the meeting.</b>  <b>In accordance with Section 254J(5) of the <i>Local Government Regulation 2012</i>, the following table provides:</b> <ul style="list-style-type: none"> <li>• The matters to be discussed;</li> <li>• An overview of what is to be discussed while the meeting is closed.</li> </ul>		
Agenda Item	Matters to be discussed (Reasons to close the meeting under the <i>Local Government Regulation 2012</i> )	Overview
C.2 – Employee Code of Conduct	Section 254J(b) industrial matters affecting employees	<p>Council has set a priority within the 2021/22 Operational Plan for a new / Updated Employee Code of Conduct including preparation, consultation and implementation. There has been a resolution to proceed.</p> <p>Section 13(2)(i) of the <i>Local Government Act 2009</i> requires that all employees have a responsibility to comply with a code of conduct under the <i>Public Sector Ethics Act 1994</i>.</p> <p>Council previously considered this matter at the Ordinary Meeting on 22 September 2021 (Resolution Number OM/09.2021/93). It was proposed that the abovementioned resolution be repealed considering an alternative format that aligns with the State Government Code.</p>
<b>CARRIED</b> <span style="float: right;">9/0</span>		

<b>Responsible Officer</b>	<b>Lead Officer – Elected Members &amp; Community Engagement</b>
----------------------------	--

<b>Resolution No. SM/09.2021/14</b>	
<b>Moved Cr McMullen</b>	<b>Seconded Cr Golder</b>
<b>That Council open the meeting to the public [at 12.56pm].</b>	
CARRIED	9/0

<b>Responsible Officer</b>	<b>Lead Officer – Elected Members &amp; Community Engagement</b>
----------------------------	--

### Declaration of Interest

Cr Ladbrook indicated that he had not declared a conflict at the previous meeting as first thought, and proceeded and updated his interest as follows:

Item	3.2
Description	Proposed Service Station at 129 – 131 McDowall Street, Roma (Lot 2 on RP60707)
Declaring Councillor	Cr Wayne (George) Ladbrook
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business located in the Roma CBD – Ladbrook’s Butchery.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

**Item Number:** C.2 **File Number:** D21/78828

**SUBJECT HEADING:** EMPLOYEE CODE OF CONDUCT

**Officer’s Title:** Manager - Organisational Development & Human Resources

### **Executive Summary:**

*Council has set a priority within the 2021/22 Operational Plan for a new / Updated Employee Code of Conduct including preparation, consultation and implementation. There has been a resolution to proceed.*

*Section 13(2)(i) of the Local Government Act 2009 requires that all employees have a responsibility to comply with a code of conduct under the Public Sector Ethics Act 1994.*

*Council previously considered this matter at the Ordinary Meeting on 22 September 2021 (Resolution Number OM/09.2021/93). It was proposed that the abovementioned resolution be repealed considering an alternative format that aligns with the State Government Code, adapted to a local government environment.*

<b>Resolution No. SM/09.2021/15</b>	
<b>Moved Cr McMullen</b>	<b>Seconded Cr Edwards</b>
<b>That Council foreshadow a notice of repeal for resolution number OM/09.2021/93 and foreshadow the second draft of the new/replacement Employee Code of Conduct as presented for release to the broader workforce for consultation and refinement, with the framework aligned with the work done at a State Government level, adapted to a local government environment.</b>	

*[Wording amended by Cr McMullen following advice from the Chief Executive Officer, that approval to use and adapt the document had been received from the relevant State Government Representative. He also clarified the word 'adapted' rather than 'adopted' as initially read out].*

CARRIED

7/2

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Birkett	Cr. Hancock
Cr. Edwards	Cr. O'Neil
Cr. Golder	
Cr. Guthrie	
Cr. Ladbrook	
Cr. McMullen	
Cr. Taylor	

<b>Responsible Officer</b>	<b>Manager - Organisational Development &amp; Human Resources</b>
----------------------------	---

**Item Number:**

**3.1**

**File Number: D21/78176**

**SUBJECT HEADING:**

**COUNCIL SUBMISSION TO COMMONWEALTH GOVERNMENT – REGIONAL TELECOMMUNICATIONS REVIEW**

**Officer's Title:**

**Manager - Economic & Community Development**

***Executive Summary:***

*At its Ordinary meeting of 25 August, Council resolved to provide a submission to the Federal Government – Regional Telecommunications Review. The draft submission for approval was provided with this report, for final review before lodging before close of business 30 September 2021.*

**Resolution No. SM/09.2021/16**

**Moved Cr Hancock**

**Seconded Cr Ladbrook**

**The Council authorise its Chief Executive Officer or delegate to lodge the attached submission to the Commonwealth Government, in response to its Telecommunications Issues paper of July 2021.**

CARRIED

9/0

<b>Responsible Officer</b>	<b>Manager - Economic &amp; Community Development</b>
----------------------------	---

Item Number: 4.1 File Number: D21/78717

SUBJECT HEADING: QUEENSLAND REMEMBERS GRANTS PROGRAM

Councillor's Title: Cr. Tyson Golder

**Executive Summary:**

*Notification was received through the Office of the Mayor of the Queensland Government's Queensland Remembers Grants Program.*

**Resolution No. SM/09.2021/17**

Moved Cr Golder

Seconded Cr Edwards

**That:**

1. A report be prepared for an upcoming meeting to add to the Roma Cenotaph, a low wall or walls or other suggestion which enables the acknowledgement of service personnel for other conflicts and service after the second world war, in consultation with the Roma RSL Sub Branch.
2. Any additional eligible projects be further investigated as part of this report or future reports.

*[Wording amended by Mayor Golder to expand potential memorial options to acknowledge service personnel, and to include other Cenotaph projects across the region as part of investigations for future reports, as suggested by Cr Birkett ].*

CARRIED

9/0

Responsible Officer	Manager – Facilities (Land, Buildings & Structures)
---------------------	---

Mayor Golder and Councillors Edwards and Ladbrook, having previously declared a declarable conflict of interest in Item C.1, left the meeting at 1.13pm, taking no part in discussions on the matter. All conflicted Councillors did not return for the remainder of the meeting.

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

**Resolution No. SM/09.2021/18**

Moved Cr Hancock

Seconded Cr Taylor

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, that Council resolve to close the meeting to the public [at 1.13pm] to discuss confidential items that its Councillors consider is necessary to close the meeting.

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

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

Agenda Item	Matters to be discussed (Reasons to close the meeting under the <i>Local Government Regulation 2012</i> )	Overview
C.1 – Traffic Impacts Associated with Proposed Development	Section 254J(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government.	This report provides further information, including outcomes of discussions with the applicant regarding Development Application 2021/20326.
CARRIED		6/0

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

Resolution No. SM/09.2021/19	
Moved Cr Hancock	Seconded Cr Taylor
That Council open the meeting to the public [at 1.52pm].	
CARRIED	
6/0	

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

Item Number: C.1 File Number: D21/77641

SUBJECT HEADING: TRAFFIC IMPACTS ASSOCIATED WITH PROPOSED DEVELOPMENT (2021/20326)

Officer's Title: Manager - Planning & Building Development

**Executive Summary:**

*This report provided further information, including outcomes of discussions with the applicant regarding Development Application 2021/20326.*

Resolution No. SM/09.2021/20	
Moved Cr Hancock	Seconded Cr Taylor
That Council receive and note the Officer's report as presented.	
CARRIED	
6/0	

Responsible Officer	Manager - Planning & Building Development
---------------------	---

---

<b>Item Number:</b>	<b>3.2</b>	<b>File Number: D21/78758</b>
<b>SUBJECT HEADING:</b>	<b>PROPOSED SERVICE STATION AT 129-131 MCDOWALL STREET, ROMA (LOT 2 ON RP60707)</b>	
<b>Location:</b>	129-131 McDowall Street, Roma (2RP60707)	
<b>Applicant:</b>	HP8 Enterprises Pty Ltd C/- Steffan Town Planning	
<b>Officer's Title:</b>	<b>Lead Town Planner</b>	

---

***Executive Summary:***

*At the north-west intersection of McDowall Street and Quintin Street, on the fringe of the Roma CBD, is a vacant commercial block. For several decades the site had been occupied by a Hotel (the Empire) - but the Hotel was demolished in around 2014 to make way for a proposed Motel. Despite having been issued with all required development approvals, the Motel was never built, and the lot has been vacant ever since. The owners of the premises are now seeking a development approval to build a service station on the lot.*

*The development 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. An 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 25 June 2021 and 19 July 2021. There were five properly made 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 including receipt of a referral response from the Department of Transport and Main Roads (TMR) via the State Assessment and Referral Agency (SARA). TMR has not directed Council to refuse the application and has provided approval conditions in the event Council resolve to approve the application.*

*The development application has been assessed against all relevant assessment benchmarks and found to generally comply or is able to be conditioned to comply. Further, assessing officers have identified a number of relevant matters that support approval of the application, including; the site is conveniently located adjacent to, and provides direct and convenient access to the major north-south arterial through Roma; approval of the development will result in the efficient use of vacant commercial land in an area targeted for growth and services and; the traffic impact assessment prepared by a qualified expert in support of the proposal confirms the development will not result in traffic safety deficiencies.*



Resolution No. SM/09.2021/21

Moved Cr McMullen

Seconded Cr Taylor

That Council refuses the development application for a Material change of use for a “Service station” and Operational works for “Advertising signage” at 129-131 McDowall Street, Roma (Lot 2 on RP 60707) pursuant to section 60 of the *Planning Act 2016* for the following reasons:

1. It has not been demonstrated the proposed development will comply with PO29 of the Principal centre zone code. The proposed accesses and internal layout will adversely impact the local road network and pose a risk to the safety of motorists.
2. It has not been demonstrated the proposed development will comply with PO30 of the Principal centre zone code. In particular:
  - a) the proposed development does not provide sufficient on-site car parking spaces in accordance with schedule 9 of the Maranoa Regional Council Planning Scheme;
  - b) the provision for service vehicles is inadequate;
  - c) The proposed development will result in a loss of on-street car parking spaces frequently utilised by customers of businesses in the vicinity;
  - d) There is no demonstrated planning or community need for the proposed development;
  - e) There are no other matters that would warrant the approval of the proposed development, given its non-compliance with relevant assessment benchmarks and the relevant matters contained in points (a) and (b).

CARRIED

6/0

Responsible Officer

Lead Town Planner

## CLOSURE

There being no further business, the Deputy Mayor thanked Council for their attendance and declared the meeting closed at 1.55pm.

**These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 13 October at Yuleba.**