

MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 24 JULY 2019 COMMENCING AT 10.10AM

ATTENDANCE

Mayor Cr. T D Golder chaired the meeting with, Cr. N H Chandler, Cr. G B McMullen, Cr. W M Newman, Cr. C J O'Neil, Cr. D J Scheffe, Cr. J M Stanford, 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 & Commercial Services – Sharon Frank, Deputy Director Infrastructure Services/Strategic Road Management – Cameron Hoffmann, Manager Planning & Building Development – Danielle Pearn, Manager Economic & Community Development – Ed Sims.

WELCOME

The Mayor welcomed all present and declared the meeting open at 10.10am.

APOLOGIES

Resolution No. GM/07.2019/51

Moved Cr O'Neil

Seconded Cr Newman

That apologies be received and leave of absence granted for Councillors Chambers and Flynn for this meeting.

CARRIED

7/0

CONFIRMATION OF MINUTES

Resolution No. GM/07.2019/52

Moved Cr Stanford

Seconded Cr McMullen

That the minutes of the General Meeting held on 10 July 2019 be confirmed.

CARRIED

7/0

Resolution No. GM/07.2019/53

Moved Cr Newman

Seconded Cr O'Neil

That the minutes of the Budget Submissions & Financial Planning Standing Committee Meeting held on 17 July 2019 be confirmed.

CARRIED

7/0

Resolution No. GM/07.2019/54**Moved Cr McMullen****Seconded Cr Schefe****That the minutes of the Special Meeting held on 17 July 2019 at 2.05PM be confirmed.****CARRIED****7/0****Resolution No. GM/07.2019/55****Moved Cr O'Neil****Seconded Cr Newman****That the minutes of the Special Meeting held on 17 July 2019 at 3.30PM be confirmed.****CARRIED****7/0****DECLARATION OF CONFLICTS OF INTEREST**

Cr. Schefe declared a 'Material Personal Interest' with the following item:

- C.8 – Bassett Park – Rodeo Arena Fencing and Surface Upgrade Project Report
due to his brother being 'President' of one of the groups consulted with for the project under consideration (Maranoa Team Penning).

Cr. Schefe foreshadowed that he would remove himself from discussions and decisions on this matter.

Mayor Golder declared a 'Conflict of Interest' with the following item:

- C.10 – Originating Application No. 3784 and No. 69 of 2019
due to him being a party to a court case in regards to approval of the original application.

Mayor Golder foreshadowed that he would remove himself from discussions and decisions on this matter.

ON THE TABLE

The following confidential item had been laid on the table at a previous General Meeting on 26 June 2019:

- L.2 – Queensland Opera Performance September 2019

BUSINESS

OFFICE OF THE CEO

Item Number: 10.1

File Number: D19/61278

SUBJECT HEADING: REVISED EXPENSES REIMBURSEMENT POLICY (COUNCILLORS)

Officer's Title: Chief Executive Officer

Executive Summary:

The report sought Council's review of the Expenses Reimbursement Policy (Councillors) following further feedback subsequent to the most recent review. Amendments were incorporated into the updated policy attached to the officer's report as tabled.

Resolution No. GM/07.2019/56

Moved Cr O'Neil

Seconded Cr Newman

That Council adopt the revised Expenses Reimbursement Policy (Councillors) as tabled, and including the following refinements to Appendix A Form:

- *the inclusion of Option 6 in relation to Section 4.6.1 - Mobile Devices (Calls and Data)*
- *the inclusion of a statement that cross references to the Mandatory Councillors' Code of Conduct (State Government) in regard to SMS (Text Messages)*
- *the addition of optional Skype to Options 3,4 and 6 under Section 4.6.1 of Appendix A Form*
- *Update statement "Skype app for notification of short or urgent messages – with pin."*

CARRIED

6/1

Mayor 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. Chandler	Cr. Golder
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer

Chief Executive Officer

CORPORATE, COMMUNITY & COMMERCIAL SERVICES
Item Number: 11.1

File Number: D19/48029

SUBJECT HEADING: ANNUAL REVIEW OF DELEGATION OF COUNCIL POWERS TO THE POSITION OF CHIEF EXECUTIVE OFFICER

Officer's Title: Governance Officer

Executive Summary:

Pursuant to section 257(4) of the Local Government Act 2009, Council's Delegations to the Chief Executive Officer are required to be reviewed annually. In addition to this annual review, delegations are reviewed and updated according to changes in State Government legislation as they occur throughout the year.

This report proposed to Council that the current delegation of Council powers under State legislation and Local Laws to the position of Chief Executive Officer remain unchanged.

Resolution No. GM/07.2019/57
Moved Cr Newman
Seconded Cr Stanford
That Council:

1. Confirm the annual review of the delegations to the Chief Executive Officer pursuant to section 257(4) of the *Local Government Act 2009*; and
2. Confirm that the current delegations (contained in Schedule 1 of the Instruments of Delegation attached to this officer's report) to the Chief Executive Officer for the following legislation and local laws will remain unchanged from this review.

<input type="checkbox"/> Aboriginal Cultural Heritage Act 2003	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Animal Care and Protection Act 2001	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Animal Management (Cats and Dogs) Act 2008	GM/11.2017/06 – 8 November 2017
<input type="checkbox"/> Biosecurity Regulation 2016	GM/06.2019/06 – 12 June 2019
<input type="checkbox"/> Biosecurity Act 2014	GM/12.2017/83 – 13 December 2017
<input type="checkbox"/> Body Corporate and Community Management (Accommodation Module) Regulation 2008	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Body Corporate and Community Management (Commercial Module) Regulation 2008	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Body Corporate and Community Management (Small Schemes Module) Regulation 2008	GM/06.2016/09 – 22 June 2016

<input type="checkbox"/> Body Corporate and Community Management (Standard Module) Regulation 2008	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Body Corporate and Community Management Act 1997	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Building Act 1975	GM/02.2018/51 – 28 February 2018
<input type="checkbox"/> Building Units and Group Titles Act 1980	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Disaster Management Act 2003	GM/11.2015/06 – 25 November 2015
<input type="checkbox"/> Disaster Management Regulation 2014	GM/11.2016/36 – 20 January 2016
<input type="checkbox"/> Environmental Protection (Water) Policy 2009	GM/06.2016/06 – 22 June 2016
<input type="checkbox"/> Environmental Protection Act 1994	GM/02.2019/05 – 13 February 2019
<input type="checkbox"/> Environmental Protection Regulation 2008	GM/06.2019/88 – 26 June 2019
<input type="checkbox"/> Fire and Emergency Services Act 1994	GM/07.2015/39 – 22 July 2015
<input type="checkbox"/> Food Act 2006	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Food Production (Safety) Act 2000	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Gas Supply Act 2003	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Gas Supply Regulation 2007	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Health (Drugs and Poisons) Regulation 1996	GM/12.2015/04 – 9 December 2015
<input type="checkbox"/> Housing Act 2003	GM/12.2014/09 – 10 December 2014
<input type="checkbox"/> Housing Regulation 2015	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Information Privacy Act 2009	GM/07.2018/51 - 26 July 2018
<input type="checkbox"/> Land Act 1994	GM/06.2019/91 – 26 June 2019
<input type="checkbox"/> Land Title Act 1994	GM/07.2018/50 – 26 July 2018
<input type="checkbox"/> Local Government Act 2009	GM/05.2019/34 – 22 May 2019
<input type="checkbox"/> Local Government Regulation 2012	GM/05.2019/36 – 22 May 2019
<input type="checkbox"/> Mineral Resources Act 1989	GM.334.12 – 26 October 2012
<input type="checkbox"/> Neighbourhood Disputes (Dividing Fences and Trees) Act 2011	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Peaceful Assembly Act 1992	GM/06.2016/09 – 22 June 2016

<input type="checkbox"/> Planning Act 2016	GM/05.2019/33 – 22 May 2019
<input type="checkbox"/> Planning Act 2016 – Development Assessment Rules	GM/12.2017/82 – 13 December 2017
<input type="checkbox"/> Planning Regulation 2017	GM/05.2019/35 – 22 May 2019
<input type="checkbox"/> Plumbing and Drainage Act 2018	GM/07.2019/01 - 10 July 2019
<input type="checkbox"/> Plumbing and Drainage Regulation 2019	GM/07.2019/02/ - 10 July 2019
<input type="checkbox"/> Prostitution Act 1999	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Public Health (ICPAS) Act 2003	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Public Health Act 2005	GM/06.2019/07 – 12 June 2019
<input type="checkbox"/> Public Health Regulation 2005	GM/06.2016/09 – 12 June 2019
<input type="checkbox"/> Public Records Act 2002	GM/11.2015/51 – 25 November 2015
<input type="checkbox"/> Queensland Heritage Act 1992	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Residential Services (Accreditation) Act 2002	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Residential Tenancies and Rooming Accommodation Act 2008	GM/01.2015/06 – 21 January 2015
<input type="checkbox"/> Residential Tenancies and Rooming Accommodation Regulation 2009	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Right to Information Act 2009	GM/06.2019/89 - 26 June 2019
<input type="checkbox"/> State Penalties Enforcement Act 1999	GM/06.2019/90 - 26 June 2019
<input type="checkbox"/> Stock Act 1915	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Stock Route Management Act 2002	GM/07.2018/52 – 26 July 2018
<input type="checkbox"/> Tattoo Industry Act 2013	GM/07.2018/06 – 11 July 2018
<input type="checkbox"/> Tobacco and Other Smoking Products Act 1998	GM/06.2016/09 – 22 June 2016
<input type="checkbox"/> Transport Operations (Road Use Management – Road Rules) Regulation 2009	GM/03.2015/04 – 11 March 2015
<input type="checkbox"/> Transport Operations (Road Use Management) Act 1995	GM.334.12 - 26 October 2012
<input type="checkbox"/> Transport Infrastructure Act 1994	GM.334.12 - 26 October 2012
<input type="checkbox"/> Waste Reduction and Recycling Act 2011	GM/07.2019/0310 July 2019
<input type="checkbox"/> Waste Reduction and Recycling Regulation 2011	GM/07.2019/0410 July 2019
<input type="checkbox"/> Water Act 2000	GM/06.2019/08 – 12 June 2019
<input type="checkbox"/> Water Regulation 2016	GM/02.2018/50 – 28 February 2018

<input type="checkbox"/> Water Supply (Safety and Reliability) Act 2008	GM/01.2018/05 – 24 January 2018
<input type="checkbox"/> Work Health and Safety Act 2011	GM/02.2018/49 – 28 February 2018
<input type="checkbox"/> Local Law No. 1 (Administration) 2011	GM/08.2014/46 – 27 August 2014
<input type="checkbox"/> Subordinate Local Law No.1.1 (Alteration or Improvement to Local Government Controlled Areas and Roads) 2011	GM/06.2016/06 – 22 June 2016
<input type="checkbox"/> Subordinate Local Law No. 1.12 (Operation of Temporary Entertainment Events) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Subordinate Local Law No. 1.13 (Undertaking Regulated Activities regarding Human Remains) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Subordinate Local Law No. 1.14 (Undertaking Regulated Activities on Local Government Controlled Areas and Roads) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Subordinate Local Law No. 1.16 (Gates and Grids) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Subordinate Local Law No. 1.17 (Sale or Consignment of Stock at a Saleyard) 2011	GM/10.2014/05 – 8 October 2014
<input type="checkbox"/> Subordinate Local Law No. 1.18 (Use of a Vehicle on an Airside Area) 2011	GM/09.2014/55 – 24 September 2014
<input type="checkbox"/> Subordinate Local Law No. 1.2 (Commercial Use of Local Government Controlled Areas and Roads) 2011	GM/06.2016/06 – 22 June 2016
<input type="checkbox"/> Subordinate Local Law No. 1.3 (Establishment or Occupation of a Temporary Home) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Subordinate Local Law No. 1.4 (Installation of Advertising Devices) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Subordinate Local Law No. 1.5 (Keeping of Animals) 2011	GM/12.2014/06 – 10 December 2014
<input type="checkbox"/> Subordinate Local Law No. 1.6 (Operation of Camping Grounds) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Subordinate Local Law No. 1.8 (Operation of Caravan Parks) 2011	GM/01.2016/36 – 20 January 2016

<input type="checkbox"/> Subordinate Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Local Law No. 2 (Animal Management) 2011	GM/12.2014/07 – 10 December 2014
<input type="checkbox"/> Local Law No. 4 (Local Government Controlled Areas, Facilities and Roads) 2011	GM/01.2016/36 – 20 January 2016
<input type="checkbox"/> Local Law No. 6 (Operation of Saleyards) 2011	GM/10.2014/04 – 8 October 2014
<input type="checkbox"/> Local Law No. 7 (Aerodromes) 2011	GM/09.2014/54 – 24 September 2014
CARRIED 7/0	

Responsible Officer	Governance Officer
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Item Number: 11.2 File Number: D19/61094

SUBJECT HEADING: MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 JUNE 2019

**Officer's Title: Contractor - Finance Systems Support
Chief Executive Officer**

Executive Summary:

The purpose of this report was for the Chief Executive Officer to present a monthly financial report to Council in accordance with section 204 of the Local Government Regulation 2012 for the month of June 2019 and year to date.

Resolution No. GM/07.2019/58	
Moved Cr Chandler	Seconded Cr Stanford
That Council receive and note the monthly financial report for the period ended 30 June 2019.	
CARRIED 6/1	
Mayor 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. Chandler	Cr. Golder
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer	Contractor - Finance Systems Support
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Item Number: 11.3 **File Number:** D19/61375
SUBJECT HEADING: INVESTMENT REPORT AS AT 30 JUNE 2019
Officer's Title: Contractor - Finance Systems Support

Executive Summary:

The purpose of this report was for Council to receive and note the Investment Report (including the Trading Limits Report) as at 30 June 2019

Resolution No. GM/07.2019/59

Moved Cr Newman

Seconded Cr Stanford

That Council receive and note the Investment Report as at 30 June 2019.

CARRIED

6/1

Mayor 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. Chandler	Cr. Golder
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer

Contractor - Finance Systems Support

Item Number: 11.4 **File Number:** D19/61884
SUBJECT HEADING: ENDORSEMENT OF COUNCILLOR ATTENDANCE AT UPCOMING CONFERENCE
Officer's Title: Lead Officer - Councillors' Support & Community Engagement

Executive Summary:

The report sought endorsement of Councillor attendance at an upcoming conference, as part of enhancing strategy and policy development for Maranoa Regional Council.

Resolution No. GM/07.2019/60

Moved Cr Chandler

Seconded Cr O'Neil

That Council:

1. Endorse the attendance of Cr. McMullen at the Local Government Association of Queensland (LGAQ) Waste Forum on 29 – 30 August 2019 in Fortitude Valley (Brisbane), on behalf of Council.
2. Draw the required funds from Cr. McMullen's Conference budget allocation.

CARRIED

7/0

Responsible Officer

Lead Officer - Councillors' Support & Community Engagement

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Item Number: 13.1

File Number: D19/51745

SUBJECT HEADING: REQUEST FOR FEE WAIVER FROM MARANOA EQUESTRIAN CLUB

Officer's Title: Regional Sport & Recreation Development Coordinator

Executive Summary:

Maranoa Equestrian Club (MEC) are hosting a two day horse clinic at Bassett Park, to be held on 31 August - 1 September 2019. They requested a fee waiver for the use of Bassett Park inner track car park area to conduct the clinic.

Moved Cr McMullen

Seconded Cr Stanford

That Council:

1. **Approve the request from Maranoa Equestrian Club (MEC) for a fee waiver on 31 August/1 September 2019 by providing:**
 - a) **Use of the Bassett Park inner track car park area**
 - b) **No charges for camping**
2. **Allocate the cost of this request, estimated to be \$164 to the Minor In-kind Budget for 2019/20 GL 2887.2246.2001.**

NO VOTE TAKEN

Responsible Officer

Regional Sport & Recreation Development Coordinator

No vote was taken on the draft motion at that time, with Cr. O'Neil proposing the following Procedural Motion:

Resolution No. GM/07.2019/61

Moved Cr O'Neil

That Council suspend 'Standing Orders' for Item 13.1 to allow all Councillors to speak on the matter, should they wish to do so.

CARRIED

7/0

Council further discussed the draft motion with regard to arrangements relating to camping charges. At the end of those discussions, Cr. McMullen proposed an amendment to the draft motion to remove Point b), which the 'Seconder' indicated she was happy to accept. The amended motion was then voted on, with the outcome recorded as follows:

Resolution No. GM/07.2019/62

Moved Cr McMullen

Seconded Cr Stanford

That Council:

1. **Approve the request from Maranoa Equestrian Club (MEC) for a fee waiver on 31 August/1 September 2019 by providing:**

<ul style="list-style-type: none"> • Use of the Bassett Park inner track car park area 	
2.	Allocate the cost of this request, estimated to be \$164 to the Minor In-kind Budget for 2019/20 GL 2887.2246.2001
CARRIED	7/0

Responsible Officer	Regional Sport & Recreation Development Coordinator
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Item Number: 13.2 File Number: D19/59859

SUBJECT HEADING: PATSY KEMP - "THE DROVER'S DAUGHTER" BOOK TOUR

Officer's Title: (Acting) Regional Libraries, Arts & Culture Development Coordinator

Executive Summary:

Author Patsy Kemp is visiting the region in August to promote her book "The Drover's Daughter" during the Cobb & Co Festival. She will be attending several events, in Surat & Yuleba, in conjunction with the Festival. Whilst she is in the region she would like the opportunity to visit some of our Libraries. <http://www.patsykempdrover.com/>

Resolution No. GM/07.2019/63	
Moved Cr Chandler	Seconded Cr Stanford
The Council:	
<ol style="list-style-type: none"> 1. Commit to hosting "The Drover's Daughter" book talk at Wallumbilla and Injune Libraries, at no cost to Council. 2. Actively support the promotion of the book tour event in our Libraries. 	
CARRIED	7/0

Responsible Officer	(Acting) Regional Libraries, Arts & Culture Development Coordinator
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Item Number: 13.3 File Number: D19/59394

SUBJECT HEADING: QUEENSLAND GOVERNMENT AGENCY PROGRAM (QGAP) LEAD AGENCY AGREEMENT 2019/20 FOR SURAT AND INJUNE

Officer's Title: (Acting) Regional Libraries, Arts & Culture Development Coordinator

Executive Summary:

The Maranoa Regional Council currently provides Lead Agency services to the Injune and Surat communities through the Queensland Government Agency Program (QGAP) under the banner of Smart Service Queensland. The term of the current agreement expired on 30 June 2019.

Resolution No. GM/07.2019/64

Moved Cr Newman

Seconded Cr Schefe

That Council:

1. Note the results of Phase 1 of the Funding Review.
2. Endorse the continuation of the Lead Agency Agreement with Smart Service Queensland for 2019/20.
3. Advocate for increased funding from the Queensland Government to support this important community service.
4. Authorise the Chief Executive Officer to sign the agreement.

CARRIED

7/0

Responsible Officer

**(Acting) Regional Libraries, Arts & Culture
Development Coordinator**

COUNCILLOR BUSINESS

Item Number:

16.1

File Number: D19/60334

SUBJECT HEADING:

**GIVE HEAVY VEHICLE ACCESS TO SOUTHERN SIDE OF
AMBY FOR RURAL PROPERTIES**

Councillor's Title:

Cr. Tyson Golder

Executive Summary:

The Department of Transport and Main Roads completed upgrades along the Warrego Highway (including through Amby) which has eliminated heavy vehicle highway access where it was possible to turn at the Amby Store. This has been eliminated with the completed upgrades.

Moved Cr Golder

Seconded Cr McMullen

That a report be prepared for an upcoming Council Meeting.

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Cr McMullen as 'Seconder' proposing an amendment to the draft motion, which the 'Mover' indicated he was happy to accept. This was recorded as follows:

Moved Cr Golder

Seconded Cr McMullen

That a report be prepared should communications with the Department of Transport & Main Roads not progress in a favorable manner.

NO VOTE TAKEN

No vote was taken on the amended motion, with further discussion undertaken by Council regarding a Customer Request that had also been submitted on this same matter, currently under internal investigation by the relevant member of staff.

At the end of those discussions, Cr. Chandler proposed a further amendment, which was accepted by the 'Mover' and 'Seconder' of the draft motion. This was then voted on with, the outcome recorded as follows:

Resolution No. GM/07.2019/65	
Moved Cr Golder	Seconded Cr McMullen
That a report be prepared for an upcoming Council meeting in conjunction with current officer investigation information.	
CARRIED	7/0

Responsible Officer	Deputy Director Infrastructure Services/Strategic Road Management
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Item Number: 16.2 **File Number:** D19/61842

SUBJECT HEADING: WALLUMBILLA SHOWGROUNDS UPGRADE

Councillor's Title: Cr. Tyson Golder

Executive Summary:

Mayor Golder proposed that Council consider giving approval for placement of upgrades at the western end of the camping area at the Wallumbilla showgrounds in line with the request from Wallumbilla Town Improvement, and that this be further investigated as an officer report to Council.

Moved Cr Golder	Seconded Cr McMullen
That a report be prepared for an upcoming Council meeting.	
NO VOTE TAKEN	

Cr. McMullen indicated that he was happy to second the motion, including a proposed amendment which the Mayor as 'Mover' indicated he was happy to accept. A vote was undertaken, with the outcome recorded as follows:

Resolution No. GM/07.2019/66	
Moved Cr Golder	Seconded Cr McMullen
That a report be prepared for an upcoming Council meeting, giving consideration to the Master Plan for the Wallumbilla Showgrounds.	
CARRIED	7/0

Responsible Officer	Regional Sport & Recreation Development Coordinator
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Item Number: 16.3

File Number: D19/60742

SUBJECT HEADING: VOLUNTEERS AT KENNIFF COURT HOUSE MITCHELL

Councillor's Title: Cr. Jan Chambers

Executive Summary:

Kenniff Court House in Mitchell houses the history of the Kenniffs. Residents would like to see the building manned by volunteers.

Resolution No. GM/07.2019/67

Moved Cr O'Neil

Seconded Cr Scheffe

That a report be prepared for an upcoming Council meeting.

CARRIED

7/0

Responsible Officer

Manager Economic & Community
Development/ Regional Tourism
Development Coordinator

Item Number: 16.4

File Number: D19/60771

SUBJECT HEADING: FORMATION OF PROPOSED "SOUTH WEST REGIONAL WASTE GROUP"

Councillor's Title: Cr. Geoff McMullen

Executive Summary:

The Department of State Development, Manufacturing, Infrastructure and Planning are seeking participation from Maranoa Regional Council in the proposed South West Regional Waste Group.

This group aims to facilitate discussion between councils and state government agencies from the South West to identify common key waste issues with the aim of developing sustainable regional solutions and potential partnerships for the management of waste within the region.

Resolution No. GM/07.2019/68

Moved Cr McMullen

Seconded Cr Chandler

That Council:

1. Give 'In Principle' support to the inclusion of Maranoa Regional Council in the proposed South West Regional Waste Group.
2. Be provided a report at an upcoming meeting in consideration of updating Council's Community Engagement Framework for this group.

CARRIED

7/0

Responsible Officer

Lead Officer – Elected Members &
Community Engagement

Item Number: 16.5 **File Number:** D19/61840
SUBJECT HEADING: COMPOSTING SUBSIDY PROGRAM
Councillor's Title: Cr. Wendy Newman

Executive Summary:

The report tabled a proposal to investigate Council participating in the Composting Subsidy Program – The Compost Revolution.

Resolution No. GM/07.2019/69	
Moved Cr Newman	Seconded Cr O'Neil
That a report be prepared for an upcoming Council meeting.	
CARRIED	7/0

Responsible Officer	Manager - Environment, Health, Waste & Rural Land Services
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COUNCIL ADJOURNED THE MEETING
FOR MORNING TEA AT 11.30AM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 12.16PM

CONFIDENTIAL ITEMS

Item Number: C.1 **File Number:** D19/61896
SUBJECT HEADING: REQUEST FOR REDUCTION IN TRADING TERMS
Officer's Title: Manager - Procurement & Plant

Executive Summary:

Council received correspondence from one supplier requesting a reduction in trading terms.

The request was tabled for Council's consideration.

Resolution No. GM/07.2019/70	
Moved Cr Newman	Seconded Cr Schefe
That Council approve the requested reduction in trading terms from 28 days to 14 days for any invoices submitted by Creditor 14987.	
CARRIED	7/0

Responsible Officer	Manager - Procurement & Plant
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Item Number: C.2 **File Number:** D19/47388

SUBJECT HEADING: RATES CONCESSION - ASSESSMENT 11004793

Officer's Title: Lead Rates and Utilities Billing Officer/Systems Administrator

Executive Summary:

This report was presented to provide further information for Council to consider a rates concession in relation to Council Resolution GM/04.2019/96.

Resolution No. GM/07.2019/71

Moved Cr Golder

Seconded Cr McMullen

That Council explore other opportunities to fulfil the request tabled by the owner of the land.

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Cr. O'Neil proposing a 'Procedural Motion' to close the meeting to the public to further discuss the request.

CONFIDENTIAL ITEM (Discussed in closed session)

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss item C.2, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (d) rating concessions;

Resolution No. GM/07.2019/72

Moved Cr O'Neil

Seconded Cr Schefe

That Council close the meeting to the public at 12.19pm.

CARRIED

7/0

Resolution No. GM/07.2019/73

Moved Cr McMullen

Seconded Cr O'Neil

That Council open the meeting to the public at 12.47pm.

CARRIED

7/0

Item Number: C.2 File Number: D19/47388

SUBJECT HEADING: RATES CONCESSION - ASSESSMENT 11004793

Officer's Title: Lead Rates and Utilities Billing Officer/Systems Administrator

Executive Summary:

This report was presented to provide further information for Council to consider a rates concession in relation to Council Resolution GM/04.2019/96. Council continued its deliberations on this matter.

Mayor Golder, prior to closed session, put forward a draft motion for Council's consideration, as follows:

Moved Cr Golder	Seconded Cr McMullen
That Council explore other opportunities to fulfil the request tabled by the owner of the land.	
MOTION WITHDRAWN (by Mayor Golder)	

Mayor Golder elected to withdraw his initial motion, and a new motion was put forward as follows:

Resolution No. GM/07.2019/74

Moved Cr Newman

Seconded Cr O'Neil

That Council:

- 1. Decline the request for a rates reimbursement.**
- 2. Invite the Director of the company associated with Assessment 11004793 to meet with Council to further discuss their project.**

CARRIED

6/1

Mayor 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. Chandler	Cr. Golder
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Scheffe	
Cr. Stanford	

Responsible Officer

**Lead Rates and Utilities Billing
Officer/Systems Administrator**

COUNCIL ADJOURNED THE MEETING
FOR LUNCH AT 12.51PM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 1.37PM

CONFIDENTIAL ITEM (Discussed in closed session)

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss item C.3, which it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (e) contracts proposed to be made by it;

Resolution No. GM/07.2019/75

Moved Cr O'Neil

Seconded Cr Golder

That Council close the meeting to the public at 1.37pm.

CARRIED

6/1

Mayor 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. Golder	Cr. Chandler
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Resolution No. GM/07.2019/76

Moved Cr Golder

Seconded Cr McMullen

That Council open the meeting to the public.

CARRIED

7/0

Item Number:

C.3

File Number: D19/46421

SUBJECT HEADING:

ATLAS LATERAL PROJECT PIPELINE LICENCE

Officer's Title:

Deputy Director Infrastructure Services/Strategic Road Management

Executive Summary:

Council received notice from Jemena Pty Ltd regarding the installation of natural gas infrastructure within a number of road reserves in the Maranoa region. The infrastructure is associated with the Atlas Lateral Pipeline Project.

Negotiations have been ongoing with the view of executing a Pipeline License Agreement between Maranoa Regional Council and Jemena Darling Downs Pipeline (3) Pty Ltd for the proposed works within road areas managed by Council.

Resolution No. GM/07.2019/77

Moved Cr Schefe

Seconded Cr Chandler

That Council, pursuant to section 236 of *Local Government Act 2009*, authorise the Chief Executive Officer, to enter into a Pipeline License Agreement with Jemena Darling Downs Pipeline (3) Pty Ltd for the Installation and Maintenance of Infrastructure associated with the Atlas Lateral Pipeline Project within road areas managed by Council.

CARRIED

6/1

Mayor 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. Chandler	Cr. Golder
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer

**Deputy Director Infrastructure
Services/Strategic Road Management**

Item Number:

C.4

File Number: D19/60773

SUBJECT HEADING:

RENEWAL OF LEASE OVER LOT 40 ON WV1113

Officer's Title:

Administration Officer - Land Administration

Executive Summary:

The Department of Natural Resources, Mines and Energy sought Council's views on an application for lease renewal over Lot 40 on WV1113.

Resolution No. GM/07.2019/78

Moved Cr McMullen

Seconded Cr Stanford

That Council advise the Department of Natural Resources, Mines and Energy that the land is still required for its gazetted purpose and that Council offers no objection to the lease renewal over Lot 40 on WV1113.

CARRIED

7/0

Responsible Officer

Administration Officer - Land Administration

Item Number: C.5 **File Number:** D19/54700
SUBJECT HEADING: OFFER FOR COUNCIL TO PURCHASE LAND
Officer's Title: Administration Officer - Land Administration

Executive Summary:

Correspondence was received seeking Council's interest in purchasing land in Roma in the vicinity of the cemetery.

Resolution No. GM/07.2019/79

Moved Cr McMullen

Seconded Cr O'Neil

That Council decline the offer from the applicant to purchase the land.

NO VOTE TAKEN

Responsible Officer

Administration Officer - Land Administration

No vote was taken on the draft motion at that time with Cr. O'Neil proposing the following Procedural Motion:

Resolution No. GM/07.2019/80

Moved Cr O'Neil

Seconded Cr

That Council suspend 'Standing Orders' for Item C.5 to allow for all Councillors to speak on the matter should they wish to do so.

CARRIED

6/1

Mayor 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. Chandler	Cr. McMullen
Cr. Golder	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Council again considered the draft motion as follows:

Resolution No. GM/07.2019/81

Moved Cr McMullen

Seconded Cr O'Neil

That Council decline the offer from the applicant to purchase the land.

MOTION LOST

2/5

Mayor 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. McMullen	Cr. Chandler
Cr. O'Neil	Cr. Golder
	Cr. Newman
	Cr. Schefe
	Cr. Stanford

Moved Cr Schefe	Seconded Cr Stanford
That Council enter into negotiations with the property owner and obtain an independent valuation to assist in those discussions.	
NO VOTE TAKEN	

No vote was taken on the draft motion at that time, with Cr. O'Neil proposing an amendment to the draft motion, which in turn was accepted by the 'Mover' and 'Seconder'. A vote was then undertaken on the amended motion, and recorded as follows:

Resolution No. GM/07.2019/82	
Moved Cr Schefe	Seconded Cr Stanford
That Council:	
<ol style="list-style-type: none"> 1. Obtain an independent valuation for the land. 2. Consider the matter at a future meeting following receipt of same. 	
CARRIED	6/1
Mayor 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. Chandler	Cr. McMullen
Cr. Golder	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer	Administration Officer - Land Administration
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Item Number: C.6 **File Number:** D19/60996

SUBJECT HEADING: APPLICATION FOR PERMIT TO OCCUPY OVER SECTION OF ROAD RESERVE ADJACENT LOT 9 ON SP295220

Officer's Title: Administration Officer - Land Administration

Executive Summary:

Council received an application for a Permit to Occupy over a section of road reserve adjacent land described as Lot 9 on SP295220 for the purpose of grazing horses.

Resolution No. GM/07.2019/83
Moved Cr McMullen
Seconded Cr Schefe
That Council:

1. Offer no objection to the issuance of a Permit to Occupy over a section of road reserve adjacent land described as Lot 9 on SP295220, as indicated on supplied map, for the purpose of grazing horses.
2. As Trustee of the Reserve, authorise the use of the land be dealt with under the *Land Act 1994* by the Department of Natural Resources, Mines and Energy.
3. Authorise the Chief Executive Officer to sign Part C 'Statement in relation to an application under the *Land Act 1994* over State Land' in respect to this application.

CARRIED

6/1

Mayor 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. Chandler	Cr. Golder
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer
Administration Officer - Land Administration
Item Number:
C.7
File Number: D19/60246
SUBJECT HEADING:
171 ALICE STREET MITCHELL - INSURANCE CLAIM
Officer's Title:
Land Administration Officer
Executive Summary:

Council received correspondence from Council's insurers pertaining to Council's insurance claim resulting from a recent house fire at 171 Alice Street, Mitchell.

Resolution No. GM/07.2019/84
Moved Cr Chandler
Seconded Cr McMullen
That Council:

1. Pay insurers Local Government Mutual - Asset the insurance excess of \$5,000.
2. Accept the quote from Allwood Building Services to demolish the existing damaged house at 171 Alice Street Mitchell and remove the debris from the site.
3. Call for tenders to design and construct a four bedroom residence on the site and submit an alternative reinstatement quote to Jardine Lloyd Thompson for further consideration.

CARRIED

7/0

Responsible Officer
Land Administration Officer

Cr. Scheffe, having previously foreshadowed a 'Material Personal Interest' in the following item, for reasons stated under Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the Chamber at 1.56pm, taking no part in discussion or debate on the matter.

Item Number: C.8 **File Number:** D19/56132

SUBJECT HEADING: **BASSETT PARK - RODEO ARENA FENCING AND SURFACE UPGRADE PROJECT REPORT**

Officer's Title: **Project Officer - Program & Contract Management**

Executive Summary:

Council included \$90,000 in the 2018/19 financial year budget for upgrade works at the Bassett Park Rodeo Arena, Roma. The following report presents Council with an update on recent project activities and options for consideration regarding the project scope and current available budget.

Resolution No. GM/07.2019/85

Moved Cr Golder

Seconded Cr O'Neil

That Council:

1. Investigate the option of doing one side of the fence that is on a major lean, and investigate increasing the width of the area on that one side only by 5 or 10 metres to give all user groups their choice of usable space.
2. Replace the remainder of the fence in a staged approach at a later stage.
3. Receive and note the summary of consultation with the facility user groups regarding the Bassett Park Rodeo Arena Project.
4. Confirm works as removal and replacement of the arena boundary fencing, rectification of the arena drainage issues, and re-level of the arena surfacing.
5. Confirm the scope of the full scope of the project at a future meeting.

CARRIED

5/1

Mayor 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. Golder	Cr. Chandler
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Stanford	

Responsible Officer

Project Officer - Program & Contract Management

At cessation of discussion and debate on the abovementioned item, Cr. Scheffe returned to the Chamber at 2.10pm.

Item Number:

C.9

File Number: D19/60028

SUBJECT HEADING:

**RECOMMENDATION FROM ROMA SALEYARDS
ADVISORY COMMITTEE - ROMA SALEYARDS TOURS**

Officer's Title:

Manager - Saleyards

Executive Summary:

At the Roma Saleyards Advisory Committee meeting held Thursday 4 July 2019, the advisory committee resolved to recommend to Council that:

1. *The Roma Saleyards tour guides only conduct tours on the elevated public walkways and not enter the working areas of the saleyards; and*
2. *Signage be displayed at entrance points into the working areas indicating no admittance to general public/visitors.*

The purpose of this report was to consider the Advisory Committee's recommendation.

Resolution No. GM/07.2019/86

Moved Cr Chandler

Seconded Cr O'Neil

That:

1. **Council acknowledge the Roma Saleyards Advisory Committee recommendations regarding access to the working areas of the Roma Saleyards.**
2. **Council review, as a matter of urgency, the safety implications of the general public having access to the working areas of the Roma Saleyards.**
3. **In the interim, tour guides be made aware of safety issues and effective immediately manage groups more stringently regarding visitors' positioning in sale rows and remain with guide under their instruction at all times regarding timing, arrival and departure from sale rows.**
4. **Further discussion occur at the next Council Workshop on Tuesday 30 July 2019.**

NO VOTE TAKEN

Responsible Officer

Manager - Saleyards

No vote was taken on the draft motion at that time. Cr. O'Neil requested the Mayor consider allowing for the items to be dealt with separately. It was agreed that point 3 of the draft resolution be considered by Council first:

Resolution No. GM/07.2019/87

Moved Cr Chandler

Seconded Nil

That in the interim, tour guides be made aware of safety issues and effective immediately manage groups more stringently regarding visitors' positioning in sale rows and remain with the guide under their instruction at all times regarding timing, arrival and departure from sale rows.

MOTION LAPSED (Due to the absence of a Seconder)

In response to the abovementioned motion having lapsed, Cr. O'Neil proposed the following motion:

Resolution No. GM/07.2019/88

Moved Cr O'Neil

Seconded Cr Newman

In the interim, until the General Meeting on 14 August 2019, guided tours be conducted on the elevated public walkways (catwalk) only.

MOTION LOST

3/4

Mayor 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. Newman	Cr. Chandler
Cr. O'Neil	Cr. Golder
Cr. Schefe	Cr. McMullen
	Cr. Stanford

Council then took a vote on the initial motion, with point 3 of the original motion removed due to it being voted on separately, and that motion having lapsed due to the absence of a Seconder for the motion, and the subsequent motion having been lost.

Resolution No. GM/07.2019/89

Moved Cr Chandler

Seconded Cr O'Neil

That Council:

- 1. Acknowledge the Roma Saleyards Advisory Committee recommendations regarding access to the workings areas of the Roma Saleyards.**
- 2. Review, as a matter of urgency, the safety implications of the general public having access to the working areas of the Roma Saleyards.**
- 3. Consider this matter at the next Council Workshop on Tuesday 30 July 2019, with volunteer tour guides, and Tourism and Saleyards staff representatives.**
- 4. Clarify public liability insurance for the Roma Saleyards.**

NO VOTE TAKEN

Responsible Officer

Manager - Saleyards

No vote was taken on the amended motion at that time. Cr. Newman proposed the following amendment to point 4 of the amended motion:

Resolution No. GM/07.2019/90

Moved Cr Newman

Seconded Cr Stanford

That Council clarify any potential liabilities for the volunteers and advise them accordingly.

MOTION LOST

2/5

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Newman	Cr. Chandler
Cr. Stanford	Cr. Golder
	Cr. McMullen
	Cr. O'Neil
	Cr. Schefe

Council further discussed timing of the next Council Workshop, with Cr. Newman proposing that the agreed time of 4.30pm be included in point 3 of the draft motion, and in point 2 the inclusion of the Saleyards Advisory Committee Members. This was accepted by the 'Mover' and 'Seconder' of the draft motion, with the outcome recorded as follows:

Resolution No. GM/07.2019/91

Moved Cr Chandler

Seconded Cr O'Neil

That Council:

- 1. Acknowledge the Roma Saleyards Advisory Committee recommendations regarding access to the workings areas of the Roma Saleyards.**
- 2. Review, as a matter of urgency, the safety implications of the general public having access to the working areas of the Roma Saleyards.**
- 3. Consider this matter at the next Council Workshop on Tuesday 30 July 2019, with volunteer tour guides, Tourism and Saleyards staff representatives and Saleyards Advisory Committee members.**
- 4. Clarify public liability insurance for the Roma Saleyards.**

CARRIED

5/2

Mayor 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. Chandler	Cr. Golder
Cr. Newman	Cr. McMullen
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer

Manager - Saleyards

Mayor Golder, having previously foreshadowed a 'Conflict of Interest' in the following item, for reasons stated under Section 'COUNCILLOR DECLARATIONS OF CONFLICTS OF INTEREST,' left the Chamber at 2.41pm, taking no part in discussion or debate on the matter.

In the absence of the meeting Chair, Council appointed an 'Acting Chair.'

Resolution No. GM/07.2019/92
Moved Cr Stanford
Seconded Cr Newman
That Cr. O'Neil be nominated 'Acting Chair' in the Mayor's absence.
CARRIED
6/0
Resolution No. GM/07.2019/93
Moved Cr Schefe
Seconded Cr Newman
That Council close the meeting to the public at 2.43pm.
CARRIED
6/0

Cr. Newman left the Chamber at 3.02pm, and returned at 3.06pm.

Cr. Stanford left the Chamber at 3.44pm, and returned at 3.46pm.

The Chief Executive Officer left the Chamber at 3.44pm, and returned at 3.45pm.

Cr. Chandler left the Chamber at 3.46pm, and returned at 3.48pm.

Resolution No. GM/07.2019/94
Moved Cr McMullen
Seconded Cr Schefe
That Council open the meeting to the public at 3.49pm.
CARRIED
6/0
Item Number:
C.10
File Number: D19/61595
SUBJECT HEADING:
ORIGINATING APPLICATION NO. 3784 OF 2018 AND NO. 69 OF 2019
Officer's Title:
Manager - Planning & Building Development
Executive Summary:

This report provided a progress update to Council regarding Originating Applications 3784 of 2018 and 69 of 2019.

Council was required to provide further instruction in relation to these proceedings.

Resolution No. GM/07.2019/95
Moved Cr Schefe
Seconded Cr McMullen
That the proceedings be advanced on the basis of Option 3 presented in the letter from McInnes Wilson Lawyers dated 22 July 2019.
CARRIED
6/0
Responsible Officer
Manager - Planning & Building Development

Councillors O'Neil, Chandler and Stanford left the Chamber at 3.53pm, and returned at 3.54pm.

Cr. Newman left the Chamber at 3.54pm, and returned at 3.59pm.

At cessation of discussion and debate on the abovementioned item, Mayor Golder returned to the Chamber at 3.54pm assuming the Chair.

Mayor Golder left the Chamber at 3.55pm, and returned at 3.56pm.

CONFIDENTIAL ITEM (Discussed in closed session)

In accordance with the provisions of section 275 of the *Local Government Regulation 2012*, Council resolved to close the meeting to discuss item C.11, which it has deemed to be of a confidential nature and specifically pertaining to the following sections:

- (c) the local government budget;
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage;

Resolution No. GM/07.2019/96

Moved Cr O'Neil

Seconded Cr Newman

That Council close the meeting to the public at 4.00pm.

CARRIED

7/0

Cr. O'Neil left the Chamber at 4.15pm, and returned at 4.17pm.

Cr. McMullen left the Chamber at 4.31pm, and returned at 4.34pm.

Cr. Chandler left the Chamber at 4.34pm, and returned at 4.35pm.

Resolution No. GM/07.2019/97

Moved Cr O'Neil

Seconded Cr McMullen

That Council open the meeting to the public at 4.43pm.

CARRIED

7/0

Item Number: C.11 **File Number:** D19/62121
SUBJECT HEADING: DRAFT OPERATIONAL PLAN - PART 1
Officer's Title: Chief Executive Officer

Executive Summary:

The draft new Annual Operational Plan builds on the work done with the last Annual Report and this year the Plan will form part of an integrated document. The following is being provided for each of Council's functions as they are completed:

- ☐ What we do
- ☐ Why we do it
- ☐ 2019/20 at a glance
- ☐ Budget highlights
- ☐ Corporate plan by function
- ☐ Key objectives and targets
- ☐ Highlights for the coming year
- ☐ Our projects for 2019/20
- ☐ Our annual services
- ☐ Our budget for 2019/20
- ☐ Operational risks

Resolution No. GM/07.2019/98

Moved Cr O'Neil

Seconded Cr Newman

That:

- 1. Council note the first group of tabled functions associated with draft Operational Plan, as well as Councillors' role in reviewing said documents and providing feedback to the Chief Executive Officer.**
- 2. Any budget amendments resulting from cross checking of the Operational Plan be considered on Tuesday 30 July 2019.**

CARRIED

7/0

Responsible Officer

Chief Executive Officer

In accordance with the provisions of section 275 of the Local Government Regulation 2012, Council resolved to close the meeting to discuss item L.1 it has deemed to be of a confidential nature and specifically pertaining to the following section:

- (g) any action to be taken by the local government under the [Planning Act](#), including deciding applications made to it under that Act;

Resolution No. GM/07.2019/99

Moved Cr Golder

Seconded Cr McMullen

That Council close the meeting to the public at 4.47pm.

CARRIED

4/3

Mayor 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. Golder	Cr. Chandler
Cr. McMullen	Cr. Newman
Cr. Scheffe	Cr. O'Neil
Cr. Stanford	

Resolution No. GM/07.2019/100

Moved Cr O'Neil

Seconded Cr Newman

That Council open the meeting at 4.57pm.

CARRIED

7/0

Item Number:

L.1

File Number: D19/7111

SUBJECT HEADING:

MOORELANDS BUSH NURSERY DEVELOPMENT APPLICATION

Officer's Title:

Lead Town Planner

Executive Summary:

Leesa Murray has submitted a development application for a material change of use for a "Garden centre" and "Function facility" at 1344 Dargal Road and 105 Moorlands Lane, Bungeworgorai (being Lot 196 on WV 1276 and Lot 240 on WAL 5369). The premises is more commonly known as the Moorelands Bush Nursery.

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

Public notification about the application was carried out in accordance with Part 4 of the Development Assessment Rules and for a period no less than 15 business days between 5 October 2018 and 26 October 2018. There were four properly made submissions received about the application during this period. The planning matters raised in the properly made submissions have been considered when making the Officer Recommendation.

The procedural requirements set out by the Development Assessment Rules to enable Council to make a decision on this matter have been fulfilled. The development application is generally consistent with the assessment benchmarks provided by the Planning Act 2016 and any perceived conflict with the assessment benchmarks can be appropriately addressed by way of conditions of development approval.

Resolution No. GM/07.2019/101

Moved Cr Newman

Seconded Cr McMullen

That Council:

- 1. Approve the application for a Material Change of Use for a "Garden centre" and "Function facility" on part of the land located at 1344 Dargal Road and 105 Moorelands Lane, Bungeworgorai (being Lot 196 on WV 1276 and Lot 240 on WAL 5369) subject to the following conditions listed after point 2:**

2. Requires that a report be brought back to Council for additional Council works required to upgrade Dargal Road in conjunction with the planned resheet/reseal in 2019/20.

Preamble

- 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. Under the Maranoa Planning Scheme:

"Garden centre" means the use of premises for—

 - (a) selling plants; or
 - (b) selling gardening and landscape products and supplies that are mainly in pre-packaged form; or
 - (c) a food and drink outlet is ancillary to the use in paragraph (a).

"Function facility" means the use of premises for—

 - (a) receptions or functions; or
 - (b) preparing and providing food and liquor for consumption on the premises as part of a reception or function.
- iv. 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.
- v. 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.
- vi. 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.
- vii. 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.
- viii. Refer to Attachment 2 – Adopted Infrastructure Charges Notice for infrastructure charges levied for the approved development.

- ix. 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.

Use

1. The approved development is for a “Garden centre” and “Function facility” as defined in the Planning Scheme and as shown on the Approved Plans and Documents.

Note: The development approval and the approval conditions apply to the area delineated as “Development area” as shown on Approved Plan Moorelands Bush Nursery Layout dated 19/01/2018. This approval does not apply to or authorise any other development or use within or outside of the approved “Development area”.

Compliance

2. All development approval conditions must be fulfilled within three months of the development approval taking effect, unless otherwise stated in the conditions of approval.

Note: The applicant shall contact Council's Planning Department to arrange a development compliance inspection prior to the expiration of the period outlined above.

Approved plans and documents

3. All works and operations are to be carried out generally in accordance with the approved plans and documents listed in the following table. Where approved plans are in conflict with the Assessment Manager's conditions, the Assessment Manager's conditions prevail.

Plan/Document Name	Date
Location Map (marked in Red by Council)	19/01/2018
Mooreland's Bush Nursery Layout	19/01/2018
Kitchen Elevations	
Toilet Block Elevations	
Traffic Impact Report prepared by One Eng	01/06/2018
Information request response	05/09/2018

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

Detailed plans

6. Elevation and floor plans of the Greenhouse for propagating wholesale plants, the Greenhouse for retail plants and the Slab Hut for storage and shade as shown on Approved Plan Moorelands Bush Nursery Layout dated 19/01/2018 must be submitted to Council for approval within 6 months of the date this development approval takes effect. The approved plans will form part of the approved documents for the development.

Applicable standards

7. All works must comply with:
 - a. this development approval;
 - b. any relevant Acceptable Solutions of the applicable codes of the planning scheme for the area;
 - c. Council's standard designs for such work where such designs exist;
 - d. the Capricorn Municipal Development Guidelines; and
 - e. any relevant Australian Standard that applies to that type of work.

Despite the requirements of paragraphs a-e above, Council may agree in writing to an alternative specification. This alternative specification prevails over those specified in paragraphs a-e 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

8. A Biosecurity Plan for the site 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 within 6 months of the date this development approval takes effect.

Note: The Pest Management Plan (PMP) for the Maranoa Region is available on Council's website via the following link:
http://www.maranoa.qld.gov.au/council/Documents/Pest_Management_Plan_2012_2016.pdf#search=PEST%20MANAGMENT. The PMP identifies, among others, Parkinsonia, Prickly Acacia and Parthenium as Priority Pest Plants to be managed in the Maranoa Region.

Advertising signage

9. Any proposed advertising signage is subject to a further development approval unless compliant with the self-assessable development provisions of the Planning Scheme, or other applicable planning instrument in force at the relevant time.
10. 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.

Refuse storage

11. Waste containers must be provided within the "Development area" and maintained in a clean and tidy state at all times while the use continues, and shall be emptied and the waste removed from the site on a regular basis, and immediately after a function or event.

12. A bulk refuse storage area must be provided within the area denoted as "Refuse collection area" on approved plan Moorelands Bush Nursery Layout dated 19/01/2018.
13. Bulk refuse storage shall be screened and retain reasonable standards of amenity for users of the premises. Refuse storage facilities must not be visually obtrusive. The bulk refuse storage containers must be maintained in a clean and tidy state at all times while the use continues, and shall be emptied and the waste removed from the site on a regular basis.
14. A dedicated area shall be provided for service vehicle access and manoeuvring for waste collection within the Development site area. The dedicated area shall be provided in accordance with the Capricorn Municipal Development Guidelines.
15. A convenient access shall be provided between all refuse storage areas and the designated area for waste collection service vehicles.

Lighting

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

Avoiding nuisance

18. No nuisance is to be caused to adjoining properties and occupiers by way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
19. There must not be unreasonable or sustained levels of noise or odour and no nuisance caused to adjoining properties while the use continues.
20. The development site 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.
21. All reasonable measures shall be undertaken to mitigate potential noise nuisance to adjoining properties during functions and events. Measures may include temporary sound barriers such as hay stacks and/or temporary fencing.

Perimeter signage

22. Signage must be erected on the southern perimeter of the 'Development area' deterring visitors from congregating adjacent to or passing beyond this boundary of the 'Development area'.

Earthworks

23. Any earthworks associated with the approved use are to be undertaken in accordance with CMDG Design Guidelines D6 – Site Regrading.

Note: Any cut or fill associated with the progression of works for the approved use that exceeds 100m² will require a Development Permit for Operational works prior to any earthworks being undertaken.

Erosion control

24. All construction works on site are to be undertaken in accordance with the Institute of Engineers (Australia) (IEAUST) Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction sites.

Services

25. The approved development is to be provided with an on-site water supply with sufficient capacity to meet all operational needs, including potable water sufficient to meet the needs of all visitors to the site and to mitigate dust nuisance generated by vehicles accessing the site.
26. The site must be connected to an on-site sewerage treatment system that is designed in accordance with AS/NZS 1547:2012 and that is adequate for the approved use. The removal and disposal of any effluent from the site must be performed by a suitably licensed contractor.
27. The number of people using the “Function facility” shall be limited to the maximum capacity of the onsite sewerage treatment system.

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

28. Amenities are to be provided on site generally in the location denoted as “Ablution block” on Approved Plan Moorelands Bush Nursery Layout dated 19/01/2018.
29. In the event that the approved development cannot be supplied with an adequate supply of electricity through efficient design and alternative energy technologies, a connection to the reticulated electricity network must be provided to service the development.
30. If the approved development is connected to a telecommunication service, any works required to establish this connection are to be undertaken in accordance with the relevant service provider’s requirements and specifications, along with relevant building standards, requirements and specifications.
31. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

Stormwater and drainage

32. Stormwater is collected internally within the site and discharged so as to:
 - (a) protect the stability of buildings and the use of adjacent land;
 - (b) prevent water-logging of nearby land; and
 - (c) protect and maintain environmental values.
33. No nuisance ponding of stormwater is to be created within the vicinity of the approved development or to adjacent properties or roads.
34. Appropriate pollution control devices and/or methods shall be implemented to ensure that no contamination or silting of creeks or other waterways result from the stormwater generated from the approved development facility.

Operating hours

35. Operating hours for the approved “Garden centre” are restricted to 9:00am to 2:00pm on Fridays and 8:00am to 4:00pm on Saturdays and Sundays. Signage must be provided at the Site Access clearly displaying the operating hours of the “Garden centre”.
36. Operating hours for the approved “Function facility” are restricted to the hours between 9:00am to 2:00pm and 5:00pm to 11:00pm on Fridays and 8:00am to 11:00pm Saturdays and Sundays (noise permitted).

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

Number of “Function facility” events

37. The number of events (including market days and charity events) that are permitted to be held at the approved “Function facility” is strictly restricted to 20 events per year.

Road signs

38. Road signage shall be provided at the start of the unsealed section of Dargal Road to advise drivers about the oncoming section of unsealed road. A tourist sign shall be included on the same sign post advising motorists of the distance (in kilometers) to the approved entrance to the development site.
39. Tourist road signage advising of the distance to the approved access and the required turn movement into the approved development shall be provided in proximity to the intersection of Dargal Road and Moorelands Lane to deter approaching motorists from accessing the development site via Moorelands Lane.

Emergency events

40. A Bushfire Hazard Management Plan is to be prepared having regard to the site characteristics and management procedures in the event of a bushfire. All staff shall be made aware of the Bushfire Hazard Management Plan, its content, and the procedures that need to be followed in the case of a bushfire event.

Note: A copy of the Bushfire Hazard Management Plan must be made available during Council’s compliance inspection.

41. The approved development must incorporate measures for fire protection, including firefighting equipment and adequate water supplies, in accordance with the relevant legislation and standards.
42. Access to a reliable water supply for firefighting purposes (such as a dedicated water tank with a minimum 22,500 litre capacity, a swimming pool or dam located on the site and within the proximity of the approved use).
43. A Flood Management Plan shall be prepared prior to the commencement of the use having regard to the site characteristics and management procedures in the event of flood. All staff be made aware of the Flood Management Plan, its content, and the procedures that need to be followed in the case of a major flood event.
44. All reasonable efforts should be made to advise visitor/s in advance of premises closures that required due to inclement weather events.

Access

45. Access and egress for the approved use shall be provided from Dargal Road in the location denoted as “Site Access” on Approved Drawing Location Map (marked in Red by Council). Signage is to be erected at the “Site Access” clearly identifying it as the entry and exit point to the approved development.
46. Access and egress to the approved development from Moorelands Lane is strictly prohibited at all times.
47. A vehicle crossover from the development site to Dargal Road shall be constructed in the location denoted as “Site Access” in accordance with CMDG standard drawing CMDG-R-040 Rev E – Access along Gravel Roads.

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

48. A “Give Way” sign is to be erected internally within the development site generally in the location of the “Site Access” instructing vehicles exiting the site to give way to incoming traffic.
 49. The existing single lane cattle grid located at the “Site Access” shall be relocated a minimum distance of 25 metres from the property boundary to allow safe storage for entering traffic. Each approach to the grid shall include narrow grid warning signs and hazard markers in accordance with the Manual of Uniform Traffic Control Devices (Qld).
 50. A 4.0 metre wide internal access road shall be maintained from the “Site Access” to the “Development area” as denoted on Approved Drawing Moorelands Bush Nursery Layout dated 19/01/2018. Signage and/or other markings must be provided along the internal access road to provide clear direction for motorists and ensure the safe movement for vehicles entering and exiting the facility.
- Note:** In the event that the internal access road becomes unpassable due to inclement weather, signage shall be erected at the “Site Access” discouraging vehicles from using the internal access road.
51. Signage is to be erected internally within the site at each end of the internal access road to inform motorists of the potential for stock to be present on, or in proximity to the roadway.

Note: Refer to the MUTCD for approved stock warning signs.

Visitor parking

52. The area denoted as “Car parking area” on Approved Drawing Moorelands Bush Nursery Layout dated 19/01/2018, is to be made a dedicated visitor parking area. This area shall be clearly delineated from the “Function facility” and Garden centre” area(s) via the use of signage and barricading (i.e. fenced/roped-off) so as to avoid any conflicts between pedestrians and vehicles.
53. The “Car parking area” on Approved Drawing Moorlands Bush Nursery Layout dated 19/01/2018, must be made trafficable (i.e. mowed, levelled etc.) and remain free of impediment or obstacle at all times to ensure the safe manoeuvring of vehicles accessing the site.

54. In addition to the dedicated car parking area, there must be adequate provision for bus parking and manoeuvring within the "Development area". Bus parking areas are to be distinguished from car parking and manoeuvring areas through the use of signage and/or other demarcation/s.
55. Adequate separation distances between vehicle parking areas and driveways/access in the "Area for parking" shall be provided to ensure the safe manoeuvrability of vehicles through the car parking area. Car parking attendants shall be available during large events to direct vehicles in and out of the car parking area safely.
56. The minimum number of car parks provided during events shall be equal to 1 space per 30m² of Gross Floor Area of the "Function facility." Additional onsite parking is to be provided to the extent required to accommodate the anticipated number of visitors to the site during each event.
57. Designated PWD accessible parking space/s are to be provided in accordance with the National Construction Code.
58. The "Area for parking" as shown on Approved Drawing RP2 (marked in Red by Council) shall not be used in the event that the area becomes unsafe and/or inaccessible for vehicles due to inclement weather events. In the event that the "Area for parking" becomes inaccessible for vehicles to enter and exit safely, the "Garden centre" and the "Function facility" is not permitted to operate.

No Cost to Council

59. 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.
60. All civil and related work shall be designed and supervised by a Registered Professional Engineer of Queensland (RPEQ) who is competent in the construction of the works.
61. 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 the required Council Compliance inspection.

Latest versions

62. 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 time 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

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

NO VOTE TAKEN

Responsible Officer	Lead Town Planner
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No vote was taken on the draft motion, with Cr. O'Neil proposing an amendment to Condition 36, which was recorded as follows:

Resolution No. GM/07.2019/102

Moved Cr O'Neil

Seconded Cr Chandler

That condition No. 36 be amended to state that the operating hours are restricted Fridays and Saturdays 8am – 12pm.

MOTION LOST

3/4

Mayor 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. Chandler	Cr. Golder
Cr. O'Neil	Cr. McMullen
Cr. Stanford	Cr. Newman
	Cr. Scheffe

Cr. O'Neil proposed a further amendment, which was recorded as follows:

Resolution No. GM/07.2019/103

Moved Cr O'Neil

Seconded Cr McMullen

That the proprietors have six (6) months to fulfil the conditions, with the exemption of conditions 38 and 39.

CARRIED

7/0

Responsible Officer

Lead Town Planner

Council discussed refinements to point 2 of the draft motion initially put forward, and the potential for point 2 being separated from the initial draft motion. Its removal was considered by Council to separate the consideration of potential roadworks on Dargal Road out of the development application in its own right. The outcome recorded as follows:

Resolution No. GM/07.2019/104

Moved Cr Stanford

Seconded Cr Newman

That point two (2) of the draft motion be removed and considered separately.

CARRIED

7/0

Responsible Officer

Lead Town Planner

Council then voted on the amended motion, with the outcome recorded as follows:

Resolution No. GM/07.2019/105**Moved Cr Newman****Seconded Cr McMullen**

That Council approve the application for a Material Change of Use for a “Garden centre” and “Function facility” on part of the land located at 1344 Dargal Road and 105 Moorelands Lane, Bungeworgorai (being Lot 196 on WV 1276 and Lot 240 on WAL 5369) subject to the following conditions:

Preamble

- 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. Under the Maranoa Planning Scheme;

“Garden centre” means the use of premises for—
 - (a) selling plants; or
 - (b) selling gardening and landscape products and supplies that are mainly in pre-packaged form; or
 - (c) a food and drink outlet is ancillary to the use in paragraph (a).
“Function facility” means the use of premises for—
 - (a) receptions or functions; or
 - (b) preparing and providing food and liquor for consumption on the premises as part of a reception or function.
- iv. 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.
- v. 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.
- vi. 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.
- vii. 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.

viii. Refer to Attachment 2 – Adopted Infrastructure Charges Notice for infrastructure charges levied for the approved development.

ix. 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.

Use

1. The approved development is for a “Garden centre” and “Function facility” as defined in the Planning Scheme and as shown on the Approved Plans and Documents.

Note: The development approval and the approval conditions apply to the area delineated as “Development area” as shown on Approved Plan Moorelands Bush Nursery Layout dated 19/01/2018. This approval does not apply to or authorize any other development or use within or outside of the approved “Development area”.

Compliance

2. All development approval conditions must be fulfilled within six months of the development approval taking effect, unless otherwise stated in the conditions of approval.

Note: The applicant shall contact Council’s Planning Department to arrange a development compliance inspection prior to the expiration of the period outlined above.

Approved plans and documents

3. All works and operations are to be carried out generally in accordance with the approved plans and documents listed in the following table. Where approved plans are in conflict with the Assessment Manager’s conditions, the Assessment Manager’s conditions prevail.

Plan/Document Name	Date
Location Map (marked in Red by Council)	19/01/2018
Mooreland’s Bush Nursery Layout	19/01/2018
Kitchen Elevations	
Toilet Block Elevations	
Traffic Impact Report prepared by One Eng	01/06/2018
Information request response	05/09/2018

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

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

Detailed plans

6. Elevation and floor plans of the Greenhouse for propagating wholesale plants, the Greenhouse for retail plants and the Slab Hut for storage and shade as shown on Approved Plan Moorelands Bush Nursery Layout dated 19/01/2018 must be submitted to Council for approval.

The approved plans will form part of the approved documents for the development.

Applicable standards

7. All works must comply with:
 - a. this development approval;
 - b. any relevant Acceptable Solutions of the applicable codes of the planning scheme for the area;
 - c. Council's standard designs for such work where such designs exist;
 - d. the Capricorn Municipal Development Guidelines; and
 - e. any relevant Australian Standard that applies to that type of work.

Despite the requirements of paragraphs a-e above, Council may agree in writing to an alternative specification. This alternative specification prevails over those specified in paragraphs a-e 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

8. A Biosecurity Plan for the site 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.

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

http://www.maranoa.qld.gov.au/council/Documents/Pest_Management_Plan_2012_2016.pdf#search=PEST%20MANAGMENT. The PMP identifies, among others, Parkinsonia, Prickly Acacia and Parthenium as Priority Pest Plants to be managed in the Maranoa Region.

Advertising signage

9. Any proposed advertising signage is subject to a further development approval unless compliant with the self-assessable development provisions of the Planning Scheme, or other applicable planning instrument in force at the relevant time.
10. 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.

Refuse storage

11. Waste containers must be provided within the "Development area" and maintained in a clean and tidy state at all times while the use continues, and shall be emptied and the waste removed from the site on a regular basis, and immediately after a function or event.

12. A bulk refuse storage area must be provided within the area denoted as "Refuse collection area" on approved plan Moorelands Bush Nursery Layout dated 19/01/2018.
13. Bulk refuse storage shall be screened and retain reasonable standards of amenity for users of the premises. Refuse storage facilities must not be visually obtrusive. The bulk refuse storage containers must be maintained in a clean and tidy state at all times while the use continues, and shall be emptied and the waste removed from the site on a regular basis.
14. A dedicated area shall be provided for service vehicle access and manoeuvring for waste collection within the Development site area. The dedicated area shall be provided in accordance with the Capricorn Municipal Development Guidelines.
15. A convenient access shall be provided between all refuse storage areas and the designated area for waste collection service vehicles.

Lighting

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

Avoiding nuisance

18. No nuisance is to be caused to adjoining properties and occupiers by way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
19. There must not be unreasonable or sustained levels of noise or odour and no nuisance caused to adjoining properties while the use continues.
20. The development site 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.
21. All reasonable measures shall be undertaken to mitigate potential noise nuisance to adjoining properties during functions and events. Measures may include temporary sound barriers such as hay stacks and/or temporary fencing.

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22. Signage must be erected on the southern perimeter of the 'Development area' deterring visitors from congregating adjacent to or passing beyond this boundary of the 'Development area'.

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23. Any earthworks associated with the approved use are to be undertaken in accordance with CMDG Design Guidelines D6 – Site Regrading.

Note: Any cut or fill associated with the progression of works for the approved use that exceeds 100m² will require a Development Permit for Operational works prior to any earthworks being undertaken.

Erosion control

24. All construction works on site are to be undertaken in accordance with the Institute of Engineers (Australia) (IEAUST) Soil Erosion and Sediment Control Engineering Guidelines for Queensland Construction sites.

Services

25. The approved development is to be provided with an on-site water supply with sufficient capacity to meet all operational needs, including potable water sufficient to meet the needs of all visitors to the site and to mitigate dust nuisance generated by vehicles accessing the site.
26. The site must be connected to an on-site sewerage treatment system that is designed in accordance with AS/NZS 1547:2012 and that is adequate for the approved use. The removal and disposal of any effluent from the site must be performed by a suitably licensed contractor.
27. The number of people using the “Function facility” shall be limited to the maximum capacity of the onsite sewerage treatment system.

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

28. Amenities are to be provided on site generally in the location denoted as “Ablution block” on Approved Plan Moorelands Bush Nursery Layout dated 19/01/2018.
29. In the event that the approved development cannot be supplied with an adequate supply of electricity through efficient design and alternative energy technologies, a connection to the reticulated electricity network must be provided to service the development.
30. If the approved development is connected to a telecommunication service, any works required to establish this connection are to be undertaken in accordance with the relevant service provider’s requirements and specifications, along with relevant building standards, requirements and specifications.
31. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

Stormwater and drainage

32. Stormwater is collected internally within the site and discharged so as to:
 - (a) protect the stability of buildings and the use of adjacent land;
 - (b) prevent water-logging of nearby land; and
 - (c) protect and maintain environmental values.
33. No nuisance ponding of stormwater is to be created within the vicinity of the approved development or to adjacent properties or roads.
34. Appropriate pollution control devices and/or methods shall be implemented to ensure that no contamination or silting of creeks or other waterways result from the stormwater generated from the approved development facility.

Operating hours

35. Operating hours for the approved “Garden centre” are restricted to 9:00am to 2:00pm on Fridays and 8:00am to 4:00pm on Saturdays and Sundays.

Signage must be provided at the Site Access clearly displaying the operating hours of the “Garden centre”.

36. Operating hours for the approved “Function facility” are restricted to the hours between 9:00am to 2:00pm and 5:00pm to 11:00pm on Fridays and 8:00am to 11:00pm Saturdays and Sundays (noise permitted).

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

Number of “Function facility” events

37. The number of events (including market days and charity events) that are permitted to be held at the approved “Function facility” is strictly restricted to 20 events per year.

Road signs

38. Road signage shall be provided at the start of the unsealed section of Dargal Road to advise drivers about the oncoming section of unsealed road. A tourist sign shall be included on the same sign post advising motorists of the distance (in kilometers) to the approved entrance to the development site. The required signage must be installed within 3 months of the development approval taking effect.
39. Tourist road signage advising of the distance to the approved access and the required turn movement into the approved development shall be provided in proximity to the intersection of Dargal Road and Moorelands Lane to deter approaching motorists from accessing the development site via Moorelands Lane. The required signage must be installed within 3 months of the development approval taking effect.

Emergency events

40. A Bushfire Hazard Management Plan is to be prepared having regard to the site characteristics and management procedures in the event of a bushfire. All staff shall be made aware of the Bushfire Hazard Management Plan, its content, and the procedures that need to be followed in the case of a bushfire event.

Note: A copy of the Bushfire Hazard Management Plan must be made available during Council’s compliance inspection.

41. The approved development must incorporate measures for fire protection, including firefighting equipment and adequate water supplies, in accordance with the relevant legislation and standards.
42. Access to a reliable water supply for firefighting purposes (such as a dedicated water tank with a minimum 22,500 litre capacity, a swimming pool or dam located on the site and within the proximity of the approved use).

43. A Flood Management Plan shall be prepared prior to the commencement of the use having regard to the site characteristics and management procedures in the event of flood. All staff be made aware of the Flood Management Plan, its content, and the procedures that need to be followed in the case of a major flood event.
44. All reasonable efforts should be made to advise visitor/s in advance of premises closures that required due to inclement weather events.

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45. Access and egress for the approved use shall be provided from Dargal Road in the location denoted as "Site Access" on Approved Drawing Location Map (marked in Red by Council). Signage is to be erected at the "Site Access" clearly identifying it as the entry and exit point to the approved development.
46. Access and egress to the approved development from Moorelands Lane is strictly prohibited at all times.
47. A vehicle crossover from the development site to Dargal Road shall be constructed in the location denoted as "Site Access" in accordance with CMDG standard drawing CMDG-R-040 Rev E – Access along Gravel Roads.

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

48. A "Give Way" sign is to be erected internally within the development site generally in the location of the "Site Access" instructing vehicles exiting the site to give way to incoming traffic.
49. The existing single lane cattle grid located at the "Site Access" shall be relocated a minimum distance of 25 metres from the property boundary to allow safe storage for entering traffic. Each approach to the grid shall include narrow grid warning signs and hazard markers in accordance with the Manual of Uniform Traffic Control Devices (Qld).
50. A 4.0 metre wide internal access road shall be maintained from the "Site Access" to the "Development area" as denoted on Approved Drawing Moorelands Bush Nursery Layout dated 19/01/2018. Signage and/or other markings must be provided along the internal access road to provide clear direction for motorists and ensure the safe movement for vehicles entering and exiting the facility.

Note: In the event that the internal access road becomes unpassable due to inclement weather, signage shall be erected at the "Site Access" discouraging vehicles from using the internal access road.

51. Signage is to be erected internally within the site at each end of the internal access road to inform motorists of the potential for stock to be present on, or in proximity to the roadway.

Note: Refer to the MUTCD for approved stock warning signs.

Visitor parking

52. The area denoted as "Car parking area" on Approved Drawing Moorelands Bush Nursery Layout dated 19/01/2018, is to be made a dedicated visitor parking area. This area shall be clearly delineated from the "Function facility" and Garden centre" area(s) via the use of signage and barricading (i.e. fenced/roped-off) so as to avoid any conflicts between pedestrians and vehicles.

53. The “Car parking area” on Approved Drawing Moorlands Bush Nursey Layout dated 19/01/2018, must be made trafficable (i.e. mowed, levelled etc.) and remain free of impediment or obstacle at all times to ensure the safe manoeuvring of vehicles accessing the site.
54. In addition to the dedicated car parking area, there must be adequate provision for bus parking and manoeuvring within the “Development area”. Bus parking areas are to be distinguished from car parking and manoeuvring areas through the use of signage and/or other demarcation/s.
55. Adequate separation distances between vehicle parking areas and driveways/access in the “Area for parking” shall be provided to ensure the safe manoeuvrability of vehicles through the car parking area. Car parking attendants shall be available during large events to direct vehicles in and out of the car parking area safely.
56. The minimum number of car parks provided during events shall be equal to 1 space per 30m² of Gross Floor Area of the “Function facility.” Additional onsite parking is to be provided to the extent required to accommodate the anticipated number of visitors to the site during each event.
57. Designated PWD accessible parking space/s are to be provided in accordance with the National Construction Code.
58. The “Area for parking” as shown on Approved Drawing RP2 (marked in Red by Council) shall not be used in the event that the area becomes unsafe and/or inaccessible for vehicles due to inclement weather events. In the event that the “Area for parking” becomes inaccessible for vehicles to enter and exit safely, the “Garden centre” and the “Function facility” is not permitted to operate.

No Cost to Council

59. 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.
60. All civil and related work shall be designed and supervised by a Registered Professional Engineer of Queensland (RPEQ) who is competent in the construction of the works.
61. 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 the required Council Compliance inspection.

Latest versions

62. 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 time 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

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

CARRIED

Responsible Officer

Town Planner

Resolution No. GM/07.2019/106

Moved Cr Stanford

Seconded Cr McMullen

That Council:

1. Consider the additional works required to upgrade Dargal Road project in the 2019/20 Budget Meeting.
2. Notify the applicant and submitters of the outcome following the meeting.

CARRIED

7/0

Responsible Officer

Deputy Director Infrastructure
Services/Strategic Road Management

Item Number:

L.2

File Number: D19/63024

SUBJECT HEADING:

QUEENSLAND OPERA PERFORMANCE SEPTEMBER
2019

Officer's Title:

Manager - Economic & Community Development

Executive Summary:

Council has previously resolved to host a performance of the Queensland Opera in the Maranoa region on Friday, 6 September 2019. This report provided recommendations regarding venue, budget and ticket prices.

Resolution No. GM/07.2019/107

Moved Cr Chandler

Seconded Cr O'Neil

That Council:

1. Hold the event in the Hibernian Hall.
2. Book the St Paul's Hall as an alternative venue to Dance West in lieu of Hibernian Hall at Council cost.
3. Provide Dance West with workforce assistance to move to St Paul's Hall and back.
4. Offer the community the opportunity to provide a bar or catering.
5. Update the 2019/20 Fees and Charges to include the ticket prices for the Queensland Opera performance:

- \$45 per person for adults
- \$15 for school aged children (5-17)
- Children 0 - 4 free.

NO VOTE TAKEN

Responsible Officer

Manager - Economic & Community Development

No vote was taken on the draft motion at that time, with Cr. O'Neil proposing the following Procedural Motion:

Resolution No. GM/07.2019/108

Moved Cr O'Neil

Seconded Cr

That Council suspend 'Standing Orders' for Item L.2 to allow all Councillors to speak on the matter should they wish to do so.

CARRIED

7/0

Mayor Golder moved an amendment to point 5 of the draft motion, which was recorded as follows:

Resolution No. GM/07.2019/109

Moved Cr Golder

Seconded Cr Newman

Update the 2019/20 Fees and Charges to include the ticket prices for the Queensland Opera performance:

- \$45 per person for adults
- \$ 5 for school aged children (5-17)
- Children 0 - 4 free.

MOTION LOST

3/4

Mayor 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. Golder	Cr. Chandler
Cr. McMullen	Cr. Newman
Cr. Stanford	Cr. O'Neil
	Cr. Schefe

Council then voted on the initial draft motion, with the outcome recorded as follows:

Resolution No. GM/07.2019/110

Moved Cr Chandler

Seconded Cr O'Neil

That Council:

1. Hold the event in the Hibernian Hall.
2. Book the St Paul's Hall as an alternative venue to Dance West in lieu of Hibernian Hall at Council cost.
3. Provide Dance West with workforce assistance to move to St Paul's Hall and back.

4. Offer the community the opportunity to provide a bar or catering.
5. Update the 2019/20 Fees and Charges to include the ticket prices for the Queensland Opera performance:
 - \$45 per person for adults
 - \$15 for school aged children (5-17)
 - Children 0 - 4 free.

CARRIED

5/2

Mayor 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. Chandler	Cr. Golder
Cr. Newman	Cr. McMullen
Cr. O'Neil	
Cr. Schefe	
Cr. Stanford	

Responsible Officer	Manager - Economic & Community Development
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COUNCIL ADJOURNED THE MEETING
FOR A BRIEF RECESS AT 5.44PM

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 5.47PM

LATE VERBAL ITEM

Resolution No. GM/07.2019/111

Moved Cr O'Neil

Seconded Cr McMullen

That Council approve the inclusion of a further late verbal item as part of the late open agenda, as requested by the Manager Economic & Community Development and Chief Executive Officer.

(Item L.3 - Request for letter of support – Wellcamp Regional Export Distribution Centre)

CARRIED

7/0

Item Number:

L.3

File Number: N/a

SUBJECT HEADING:

**REQUEST FOR LETTER OF SUPPORT - WELLCAMP
REGIONAL EXPORT DISTRIBUTION CENTRE**

Officer's Title:

Manager - Economic & Community Development

Executive Summary:

It was requested that a Letter of Support be provided to Toowoomba & Surat Basin (TSBE) in their bid to attract funds to establish a Regional Export Distribution Centre at Wellcamp Airport.

TSBE has been asked to submit a business case for their funding application under the Queensland Government's Jobs and Regional Growth Fund.

Resolution No. GM/07.2019/112

Moved Cr O'Neil

Seconded Cr Schefe

That Council provide a letter of support to the applicant (signed by Mayor Golder), in support of their proposed project.

CARRIED

7/0

Responsible Officer

Manager - Economic & Community Development

LATE CONFIDENTIAL ITEM (Discussed in closed session)

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

- (c) the local government budget.

Resolution No. GM/07.2019/113

Moved Cr O'Neil

Seconded Cr Newman

That Council close the meeting to the public at 5.50pm.

CARRIED

7/0

Resolution No. GM/07.2019/114

Moved Cr O'Neil

Seconded Cr Newman

That Council open the meeting the public at 5.54pm.

CARRIED

7/0

LATE CONFIDENTIAL ITEM (Discussed in closed session)

Item Number:

LC.1

File Number: D19/61534

SUBJECT HEADING:

MUGGINS LANE BRIDGE OPTIONS ANALYSIS

Officer's Title:

Deputy Director Infrastructure Services/Strategic Road Management

Executive Summary:

In June, Council was presented a report regarding the current condition of the timber bridge on Muggins Lane, Yuleba. The report provided a summary of the findings from recent Level 2 and 3 Inspections to be completed on the bridge. At the meeting, Council resolved, the bridge be closed to all vehicle traffic.

This report provided Council a summary of options regarding the long term asset management of the Muggins Lane Bridge.

Moved Cr McMullen

Seconded Cr Scheffe

That Council:

1. **Note and receive the options analysis for the timber bridge on Muggins Lane, Yuleba.**
2. **Provide a budget allocation of \$30,000 to complete the detailed design for Option 5, Reinforced Concrete Box Culvert.**
3. **Submit a funding application for Round 5 of the Australian Government's Bridges Renewal Program to replace the existing timber bridge structure.**

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Cr. O'Neil proposing the follow procedural motion:

Resolution No. GM/07.2019/115

Moved Cr O'Neil

That Council suspend 'Standing Orders' for Item LC.1 to allow Councillors an opportunity to speak on the matter should they wish to do so.

CARRIED

7/0

Resolution No. GM/07.2019/116

Moved Cr McMullen

Seconded Cr Scheffe

That Council:

1. **Note and receive the options analysis for the timber bridge on Muggins Lane, Yuleba.**
2. **Provide a budget allocation of \$30,000 to complete the detailed design for Option 5, Reinforced Concrete Box Culvert.**
3. **Submit a funding application for Round 5 of the Australian Government's Bridges Renewal Program opens to replace the existing timber bridge structure.**

CARRIED

6/1

Mayor 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. Chandler	Cr. Golder
Cr. McMullen	
Cr. Newman	
Cr. O'Neil	
Cr. Scheffe	
Cr. Stanford	

Responsible Officer

**Deputy Director Infrastructure
Services/Strategic Road Management**

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 5.57pm.

These Minutes are to be confirmed at the next General Meeting of Council to be held on 14 August 2019, at Roma Administration Centre.

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Mayor.

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Date.