

**MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 13 AUGUST 2014 COMMENCING AT 9.00AM**

**ATTENDANCE**

Mayor Cr R S Loughnan chaired the meeting with Deputy Mayor Cr W S Wason, Cr J L Chambers, Cr R J Denton, Cr P J Flynn, Cr W M Newman, Cr C J O'Neil, Cr M L Price, Cr D J Scheffe, Chief Executive Officer – Julie Reitano, Coordinator Corporate Communications – Jane Frith, and Kelly Rogers Minutes Officer in attendance.

**AS REQUIRED**

Director Infrastructure Services – Cameron Castles, Director Corporate, Community & Commercial Services – Sharon Frank, Manager Community Services – Julie Neil, Manager Airports (Roma, Injune, Surat & Mitchell) – Ben Jones, Manager Facilities – Tanya Mansfield, Manager Economic and Community Development – Ed Sims, (Acting) Coordinator Local Development & Events – Susan Sands, Manager Planning and Building Development – Danielle Pearn, Coordinator Planning – David Fermer, Town Planner – Christopher Tickner, Specialist Community Care Transition – Melissa Wathen, Specialist Business Development – Ryan Gittins, and Local Development Officer Roma – Janet Hogarth.

**GUESTS**

There were no guests in attendance at the meeting.

**WELCOME**

The Mayor welcomed all present and declared the meeting open at 9.09am.

**APOLOGIES**

There were no apologies for the meeting.

**CONFIRMATION OF MINUTES**

**Resolution No. GM/08.2014/01**

**Moved Cr Chambers**

**Seconded Cr O'Neil**

**That the minutes of the General Meeting (13-23.07.14) held on 23 July 2014, and the minutes of the Special Budget Meeting (1-23.07.14) held on 23 July 2014 be confirmed.**

**CARRIED**

**9/0**

**BUSINESS ARISING FROM MINUTES**

There was no business arising from the minutes.

**ON THE TABLE**

There were no items for discussion on the table.

**PRESENTATIONS/PETITIONS AND DEPUTATIONS**

There were no presentations/petitions or deputations at the meeting.

**CONSIDERATION OF NOTICES OF BUSINESS**

There were no notices of business for consideration.

**CONSIDERATION OF NOTICES OF MOTION**

There were no notices of motion for consideration.

## RECEPTION OF NOTICES OF MOTION FOR NEXT MEETING

No notices of motion were received for the next meeting.

## BUSINESS

### OFFICE OF THE CEO

**Item Number:** 10.1 **File Number:** D14/56898

**SUBJECT HEADING:** FOURTH QUARTER REVIEW - CORPORATE, COMMUNITY & COMMERCIAL SERVICES

**Author and Officer's Title:** Julie Reitano, Chief Executive Officer  
 Sharon Frank, Director - Corporate, Community & Commercial Services

***Executive Summary:***

*A sub-set of the Fourth Quarter Review was presented for those areas relating to Corporate, Community & Commercial Services.*

<b>Resolution No. GM/08.2014/02</b>	
<b>Moved Cr Denton</b>	<b>Seconded Cr Wason</b>
<b>That Council:</b>	
<ol style="list-style-type: none"> <li>Note the summary of highlights and issues for Corporate, Community and Commercial Services for the Fourth Quarter as presented by the Director.</li> <li>Note the Chief Executive Officer's advice that a copy of the full fourth quarter Work Program report would be provided to Council at an upcoming workshop for perusal.</li> </ol>	
CARRIED	9/0

<b>Responsible Officer</b>	<b>Director - Corporate, Community &amp; Commercial Services</b>
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**Item Number:** 10.2 **File Number:** D14/57142

**SUBJECT HEADING:** FOURTH QUARTER REVIEW – INFRASTRUCTURE SERVICES

**Author and Officer's Title:** Julie Reitano, Chief Executive Officer  
 Cameron Castles, Director – Infrastructure Services

***Executive Summary:***

*A sub-set of the Fourth Quarter Review was presented for those areas relating to Infrastructure Services.*

<b>Resolution No. GM/08.2014/03</b>	
<b>Moved Cr Price</b>	<b>Seconded Cr Scheffe</b>
<b>That Council:</b>	
<ol style="list-style-type: none"> <li>Note the summary of highlights and issues for Infrastructure Services for the Fourth Quarter as presented by the Director.</li> </ol>	

2. Note the Chief Executive Officer's advice that a copy of the full fourth quarter Work Program report would be provided to Council at an upcoming workshop for perusal.

CARRIED

9/0

Responsible Officer

Director – Infrastructure Services

Item Number:

10.3

File Number: D14/57148

SUBJECT HEADING:

FOURTH QUARTER REVIEW - DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Author and Officer's Title:

Julie Reitano, Chief Executive Officer  
 Robert Hayward, Director – Development, Facilities & Environmental Services

**Executive Summary:**

*A sub-set of the Fourth Quarter Review was presented for those areas relating to Development, Facilities & Environmental Services.*

Resolution No. GM/08.2014/04

Moved Cr Chambers

Seconded Cr Newman

That Council:

1. Note the summary of highlights and issues for Development, Facilities and Environmental Services for the Fourth Quarter as presented by the Director.
2. Note the Chief Executive Officer's advice that a copy of the full fourth quarter Work Program report would be provided to Council at an upcoming workshop for perusal.

CARRIED

9/0

Responsible Officer

Director – Development, Facilities & Environmental Services

Item Number:

10.4

File Number: D14/57178

SUBJECT HEADING:

FOURTH QUARTER REVIEW - OFFICE OF THE CHIEF EXECUTIVE OFFICER (CEO)

Author and Officer's Title:

Julie Reitano, Chief Executive Officer

**Executive Summary:**

*A sub-set of the Fourth Quarter Review was presented for those areas relating to the Office of the CEO, together with some whole-of-organisation highlights.*

Resolution No. GM/08.2014/05

Moved Cr O'Neil

Seconded Cr Flynn

That Council:

1. Note the summary of highlights for the Office of the CEO for the Fourth Quarter.
2. Note the Organisational Highlights.
3. Note the Chief Executive Officer's advice that a copy of the full fourth quarter Work Program report would be provided to Council at an upcoming workshop for perusal.

CARRIED

9/0

**Responsible Officer**
**Chief Executive Officer**
**CORPORATE, COMMUNITY & COMMERCIAL SERVICES**
**Item Number:**

11.1

**File Number:** D14/53312

**SUBJECT HEADING:**
**REPEAL OF PREVIOUSLY IDENTIFIED DELEGABLE POWERS UNDER THE HEALTH (DRUGS AND POISONS) REGULATION 1996**
**Author and Officer's Title:**
**Christina Tincknell, Coordinator - Corporate, Community & Commercial Services**
***Executive Summary:***

*This report sought Council's approval to repeal previously delegated powers to the Chief Executive Officer, under the Health (Drugs and Poisons) Regulation 1996.*

**Resolution No. GM/08.2014/06**
**Moved Cr Newman**
**Seconded Cr Chambers**

**That Council repeal all powers previously delegated to the Chief Executive Officer pertaining to the Health (Drugs and Poisons) Regulation 1996, noting that the delegated power had been previously endorsed by Council at the General Meeting 26 October 2012 (Resolution No. GM.334.12).**

CARRIED

9/0

**Responsible Officer**
**Coordinator - Corporate, Community & Commercial Services**
**Item Number:**

11.2

**File Number:** D14/54164

**SUBJECT HEADING:**
**COMMUNITY CARE - TRANSITION PROCESS FOR COMMUNITY AGED CARE SERVICES**
**Author and Officer's Title:**
**Melissa Wathen, Specialist - Community Care Transition**
***Executive Summary:***

*The Australian Government is pursuing a reform agenda that will reshape the Aged Care system and the way providers deliver Community and Aged Care services. On 11 June 2014 (GM/06.2014/21), Council endorsed the transition out of Community and Aged Care service delivery and resolved to initiate the transition plan to another provider.*

*Maranoa Regional Council has undertaken extensive consultation and investigations of their Community and Aged Care Programs with both Federal (Department of Social Services) and State (Department of Communities, Child Safety and Disability Services) delegates, as to the appropriate process for transition. New information from the Federal delegates regarding their funded service types requires Council consideration and decision. The information contained in the report provided guidance for Council's consideration regarding the transition process.*

**Discussion:**

Council deferred discussion on the item until the reporting officer was available to answer questions relating to the report.

**Action:**  
 That the matter lay on the table for further discussion at a later point during the meeting.

**Item Number:** 11.3 **File Number:** D14/56931

**SUBJECT HEADING:** CONSIDERATION OF ELECTED MEMBER ATTENDANCE AT CONFERENCES

**Location:** Toowoomba, Dalby and Mount Isa

**Author and Officer's Title:** Kelly Rogers, Coordinator - Elected Members & Community Engagement

***Executive Summary:***

*This report sought formalisation of Elected Member attendance at an upcoming conference as part of advocacy activities and/or enhancing strategy and policy development for Maranoa Regional Council.*

**Resolution No. GM/08.2014/07**

Moved Cr O'Neil

Seconded Cr Flynn

That Council approve the attendance of representing Councillors at the following upcoming conferences:

- The Mayor, Cr O'Neil, Cr Price and Cr Denton at the Ag in the Asian Century: National Export and Innovation Conference on 1 – 2 October 2014 in Toowoomba;
- Cr Newman at the sixth Darling Downs South West Planners Forum on 19 – 20 August 2014 in Dalby; and
- Cr Price at the Western Regional Roads Forum on 28 August 2014 in Mount Isa.

CARRIED

9/0

**Responsible Officer**

**Coordinator - Elected Members & Community Engagement**

**Item Number:** 11.4 **File Number:** D14/57062

**SUBJECT HEADING:** SOUTH WEST QUEENSLAND LOCAL GOVERNMENT ASSOCIATION

**Author and Officer's Title:** Kelly Rogers, Coordinator - Elected Members & Community Engagement

***Executive Summary:***

*Council received an invoice from South West Queensland Local Government Association (SWQLGA) seeking payment of membership fees for the 2014/15 financial year.*

**Resolution No. GM/08.2014/08**

**Moved Cr Price**

**Seconded Cr O'Neil**

**That Council:**

1. Renew its membership annually with South West Queensland Local Government Association (SWQLGA) for the remainder of this term of Council, by way of payment of the applicable annual membership fee.
2. Update the Community Engagement Framework to include reference to Council's membership.

CARRIED

9/0

**Responsible Officer**

**Coordinator - Elected Members & Community Engagement**

**INFRASTRUCTURE SERVICES**

**Item Number:**

**12.1**

**File Number: D14/54397**

**SUBJECT HEADING:**

**LOADING ZONE - ARTHUR ST, ROMA**

**Author and Officer's Title:**

**Kylie Fleischfresser, Specialist - Infrastructure Planning**

***Executive Summary:***

*Council received a request for a dedicated parking bay/loading zone outside the Health Plus Chemist on Arthur Street, Roma.*

**Discussion:**

It was also requested that Council consider three (3) options for signage design as provided in the officer's report.

**Resolution No. GM/08.2014/09**

**Moved Cr Newman**

**Seconded Cr O'Neil**

**That a parking space near the Health Plus Chemist be allocated as a loading zone, and be signed accordingly.**

CARRIED

5/4

**Responsible Officer**

**Specialist - Infrastructure Planning**

**Discussion:**

Council commenced discussion on signage design, with a draft motion put forward as recorded below. No vote was taken on the motion at that time, and the matter was laid on the table for further consideration at a later point during the meeting.

**Moved Cr O'Neil**

**Seconded Cr Wason**

**That Council proceed with signage design Option 3 (R5-Q05).**

NO VOTE TAKEN

Item Number: 11.2 File Number: D14/54164

**SUBJECT HEADING: COMMUNITY CARE - TRANSITION PROCESS FOR  
COMMUNITY AGED CARE SERVICES**

**Author and Officer's Title: Melissa Wathen, Specialist - Community Care Transition**

**Executive Summary:**

*The Australian Government is pursuing a reform agenda that will reshape the Aged Care system and the way providers deliver Community and Aged Care services. On 11 June 2014 (GM/06.2014/21), Council endorsed the transition out of Community and Aged Care service delivery and resolved to initiate the transition plan to another provider.*

*Maranoa Regional Council has undertaken extensive consultation and investigations of their Community and Aged Care Programs with both Federal (Department of Social Services) and State (Department of Communities, Child Safety and Disability Services) delegates, as to the appropriate process for transition. New information from the Federal delegates regarding their funded service types requires Council consideration and decision. The information contained in the report provided guidance for Council's consideration regarding the transition process.*

**Resolution No. GM/08.2014/10**

**Moved Cr Newman**

**Seconded Cr Denton**

**That:**

- 1. Council continue to provide all Community and Aged Care Services until 30 June 2015.**
- 2. Council not tender or negotiate for Community and Aged Care Services to commence 1 July 2015.**
- 3. The Chief Executive Officer formally advise and notify in writing the Federal and State Departments of items 1 and 2.**
- 4. The Chief Executive Officer liaise with the Federal Department regarding the Application to Transfer Aged Care Places (18 Home Care Packages) other than Provisionally Allocated Places to another provider, and that officers provide Council with a recommendation with options regarding the potential Service Provider, as per the Aged Care Act.**
- 5. The Chief Executive Officer notify in writing the clients, carers and nominated representatives currently receiving Home and Community Care Services (HACC) (Over 65's/Under 65's) and National Respite for Carers Program (NRCP) of items 1 and 2.**
- 6. The Chief Executive Officer notify in writing the clients, carers and nominated representatives currently receiving Home Care Packages (HCP) of items 1 and 4.**
- 7. The Chief Executive Officer notify, in writing, key stakeholders of items 1, 2 and 4.**
- 8. The Chief Executive Officer prepare the required Transition and Exit Plans and documentation, as recommended by the Federal and State Departments with regards to items 1 and 2.**
- 9. Council's Community and Aged Care Services continue to accept clients who are assessed as eligible for services and ensure these clients/carers/nominated representatives are fully aware of items 1 and 4 prior to accepting services.**

10. Council approve for the Maranoa Regional Council Community Care transport services to participate in the Maranoa Mobility Demonstration Project (MMDP) until 30 June 2015, noting confirmation received from the Chief Executive Officer of Translink that there will be no additional cost to Council as it is a funded demonstration program.

11. Councillor Denton, Council's Coordinator – Community Care and Specialist – Community Care Transition be Council's nominated representatives on the MMDP Steering Committee.

CARRIED

9/0

Responsible Officer

Specialist - Community Care Transition

Cr Flynn declared a 'Conflict of Interest' in the following Items – 12.2, 12.3, 12.4 and 12.5 due to his personal business operations out of the Roma Airport, and left the Chamber at 9.45am, taking no further part in discussions on the matter.

Item Number:

12.2

File Number: D14/56763

SUBJECT HEADING:

**AIRPORT FEES & CHARGES - ANNUAL LANDING & PARKING FEES**

Location:

Roma

Author and Officer's Title:

**Ben Jones, Manager - Airports (Roma, Injune, Surat & Mitchell)**

***Executive Summary:***

*It was proposed that the current Annual Landing and Parking fee schedule be amended to provide clearer instructions to customers on the eligibility of Annual Landing and Parking fees, and the 20% resident discount. The proposed amendments include the Annual Landing and Parking fees to apply to aircraft less than 5,700kg, and the 20% discount requiring proof of the applicant's residency in the Maranoa Regional Council area.*

Resolution No. GM/08.2014/11

Moved Cr Denton

Seconded Cr O'Neil

That Council:

1. Amend the current fees and charges for Annual Landing and Parking fees to be applied to aircraft less than 5,700kg.
2. Remove the existing frequent user discount of 20%, and apply the 20% discount to Annual Landing and Parking Fees to aircraft less than 5,700kg, for proven Maranoa Regional Council area residents only.

CARRIED

8/0

Responsible Officer

Manager - Airports (Roma, Injune, Surat & Mitchell)



**Item Number:** 12.3 **File Number:** D14/56829  
**SUBJECT HEADING:** ORIGIN WATER BOMBING OPERATIONS AT INJUNE AIRPORT  
**Location:** Injune  
**Applicant:** Origin Energy  
**Author and Officer's Title:** Ben Jones, Manager - Airports (Roma, Injune, Surat & Mitchell)

**Executive Summary:**

*Origin wishes to secure the Injune Airport for use as a staging area for their contracted water bomber operations for the upcoming bush fire season.*

*The aircraft used will exceed the 5,700kg limit of the Injune Aerodrome, however, their weight of 7,000kg will be for taxi and take off only. This represents a very low risk of damage to the runway, as the majority of damage generally occurs on landing. The aircraft will be approximately 2,800kg when landing, well below the 5,700kg limit.*

<b>Resolution No. GM/08.2014/12</b>	
<b>Moved Cr Newman</b>	<b>Seconded Cr Denton</b>
<p>That Council grant a pavement concession for Origin's water bombing operations at the Injune Airport of up to 7,000kg, for taxi and take off only.</p>	
CARRIED	8/0

<b>Responsible Officer</b>	<b>Manager - Airports (Roma, Injune, Surat &amp; Mitchell)</b>
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**Item Number:** 12.4 **File Number:** D14/56919  
**SUBJECT HEADING:** GENERAL AVIATION APRON EXTENSION  
**Location:** Roma  
**Author and Officer's Title:** Ben Jones, Manager - Airports (Roma, Injune, Surat & Mitchell)

**Executive Summary:**

*Due to an increase in aircraft traffic at Roma Airport, the General Aviation apron is often at capacity. An option to increase the available parking space is to extend the existing General Aviation apron to the west, resulting in an additional seven (7) light aircraft parking bays.*

<b>Resolution No. GM/08.2014/13</b>	
<b>Moved Cr Denton</b>	<b>Seconded Cr Wason</b>
<p>That Council approve up to \$28,000 (excluding GST), to undertake a detailed engineering design to extend the General Aviation apron, with funding to be made available via a transfer of funds from the airport reserve.</p>	

CARRIED

8/0

**Responsible Officer**
**Manager - Airports (Roma, Injune, Surat & Mitchell)/Specialist – Strategic Finance**
**Item Number:**
**12.5**
**File Number: D14/57020**
**SUBJECT HEADING:**
**PROPOSED WIFI INSTALLATION AT ROMA AIRPORT**
**Author and Officer's Title:**
**Ben Jones, Manager - Airports (Roma, Injune, Surat & Mitchell)**
***Executive Summary:***

*Due to high peak periods, mobile phone coverage is at capacity, providing a low level of service at the Roma Airport. This has resulted in patrons of the airport experiencing difficulty in receiving or making mobile phone calls.*

*It was proposed that the installation of WiFi at the Roma Airport be investigated.*

**Resolution No. GM/08.2014/14**
**Moved Cr O'Neil**
**Seconded Cr Chambers**

**That Council approves the cost of \$4,964.79 (including GST) for Telstra to attend the site and conduct a survey to produce a costed proposed solution for a WiFi installation at Roma Airport, with funding to be made available via a transfer of funds from the airport reserve.**

CARRIED

8/0

**Responsible Officer**
**Manager - Airports (Roma, Injune, Surat & Mitchell)/Specialist – Strategic Finance**

At cessation of discussion and debate on the above four (4) items, Cr Flynn entered the Chamber at 9.54am.

**DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES**
**Item Number:**
**13.1**
**File Number: D14/49527**
**SUBJECT HEADING:**
**LOCAL GOVERNMENT BOUNDARY ANOMALIES**
**Author and Officer's Title:**
**Tanya Mansfield, Manager - Facilities**
***Executive Summary:***

*At the request of the Department of Natural Resources and Mines, Council has been considering a number of anomalies pertaining to the Maranoa Regional Council local government boundary adjacent to the Banana Shire, Western Downs Regional Council and Balonne Shire Council local government boundary.*

*This ongoing matter has been considered at General Council meetings held on 11 December 2013 and 22 January 2014. The Department of Local Government, Community Recovery and Resilience has however requested further information and deliberation by Council before the Department will make a decision on amending Council boundaries.*

**Discussion:**

Council deferred discussion on the item until the reporting officer was available to answer questions pertaining to the report.

**Action:**

That the matter lay on the table for further discussion at a later point during the meeting.

**Item Number:** 13.2 **File Number:** D14/51372

**SUBJECT HEADING:** COMMERCIAL TENANCY AGREEMENT

**Location:** 41-45 Hutton Street Injune

**Author and Officer's Title:** Josephine Horsfall, Coordinator - Property & Legal

**Executive Summary:**

*In July 2013, Council entered into a Commercial Tenancy Agreement with Queensland Blue Light Association Injune, Injune Youth Group and the Injune Swimming Club which allowed the groups' use of the premises at 41-45 Hutton Street Injune. Blue Care Injune has also shared the use of the premises under a Licence Agreement with Council. Both the Commercial Tenancy Agreement and Licence Agreement expired on 1 July 2014.*

**Discussion:**

Council deferred discussion on the item until the reporting officer was available to answer questions pertaining to the report.

**Action:**

That the matter lay on the table for further discussion at a later point during the meeting.

**Item Number:** 13.3 **File Number:** D14/54418

**SUBJECT HEADING:** POST EVENT REPORT

**Author and Officer's Title:** Janet Hogarth, Local Development Officer - Roma

**Executive Summary:**

*A post event report was presented on the 2014 Maranoa Region June/July School Holiday Program, which incorporated a range of events and activities across the region.*

**Discussion:**

Council congratulated staff on delivery of the program, having received positive comments from the community.

**Resolution No. GM/08.2014/15**

**Moved Cr Denton**

**Seconded Cr Flynn**

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

CARRIED

9/0

**Responsible Officer**

**Local Development Officer - Roma**

**Item Number:** 13.4 **File Number:** D14/54440

**SUBJECT HEADING:** APPLICATION TO WAIVE FEES FOR TOURISM AND EVENTS QUEENSLAND PHOTO SHOOT

**Location:** Roma and Surat

**Applicant:** Megan Swords

**Author and Officer's Title:** Megan Swords, Coordinator – Tourism

**Executive Summary:**

*On 28 July 2014, Tourism and Events Queensland (TEQ), in partnership with Southern Queensland Country Tourism (SQCT) commissioned Big Boy Film Services Pty Ltd to undertake a film shoot in Roma, Surat and St George.*

*All images will remain the property of TEQ and SQCT, but will be made available for use by Council through TEQ's online Image Library.*

*As part of the planning for the photo shoot, Council required the organisers to complete an 'Application to Undertake Regulated Activity on Local Government Controlled Area or Road Reserve,' and to pay an application fee of \$270.40.*

*As the images from the shoot will be used to promote tourism in the Maranoa, and will also be available for Council use, TEQ and SQCT have requested that Council consider waiving the application fee.*

**Resolution No. GM/08.2014/16**

**Moved Cr Denton**

**Seconded Cr Wason**

**That Council waive the application fee of \$270.40 for Big Boy Film Services Pty Ltd to undertake regulated activity on Local Government Controlled area or Road, for the purpose of their photo shoot on 28 July 2014.**

CARRIED

9/0

**Responsible Officer**

**Coordinator – Tourism**

**Item Number:** 13.5 **File Number:** D14/54498

**SUBJECT HEADING:** DEPARTMENT OF HUMAN SERVICES - SURAT AGENCY CONTRACT 2014-15

**Location:** Surat Cobb and Co Changing Station - Library

**Applicant:** Jacqueline Burns

**Author and Officer's Title:** Jacqueline Burns, Coordinator - Libraries, Arts & Culture

**Executive Summary:**

*The Department of Human Services has invited Council to continue to provide Agent Services (Centrelink) in Surat for the period commencing 1 July 2014 and ending on the 30 June 2015.*

**Resolution No. GM/08.2014/17**

**Moved Cr Newman**

**Seconded Cr Flynn**

**That Council endorse the continuation for the provision of services in Surat as an agent for the Department of Human Services.**

CARRIED

9/0

**Responsible Officer**

**Coordinator - Libraries, Arts & Culture**

**Item Number:**

**13.6**

**File Number: D14/55029**

**SUBJECT HEADING:**

**ALLOCATION OF RESERVE - NEIL TURNER WEIR**

**Location:**

Mitchell

**Author and Officer's Title:**

**Tanya Mansfield, Manager - Facilities**

***Executive Summary:***

*During the recent review of camping options in the region, it was identified that the land known as Lot 3 on DL366, on which the park and toilet block are located at the Neil Turner Weir in Mitchell, and across the road where sand has in the past been stockpiled, is gazetted as Unallocated State Land. It was recommended that Council apply to the Department of Natural Resources and Mines to have the land gazetted as a Reserve for Park and Recreation Purposes with Council nominated as the trustee.*

**Discussion:**

Council deferred discussion on the item until the reporting officer was available to answer questions pertaining to the report.

**Action:**

**That the matter lay on the table for further discussion at a later point during the meeting.**

**Item Number:**

**13.7**

**File Number: D14/55030**

**SUBJECT HEADING:**

**AMENDMENT OF RESERVE - MUCKADILLA PARKLAND**

**Location:**

Muckadilla

**Author and Officer's Title:**

**Tanya Mansfield, Manager - Facilities**

***Executive Summary:***

*During the recent review of camping options in the region, it was identified that the land known as Lots 13 - 16 on M3832, behind the Muckadilla Hall, toilets and park is gazetted as a Reserve for Park Purposes. The Muckadilla community currently promote the area for camping, however camping is not an allowable use of a park reserve.*

*It was recommended that Council apply to the Department of Natural Resources and Mines to have the land gazetted as a Reserve for Park and Recreation Purposes with Council continuing to act as the trustee of the reserve.*

**Discussion:**

Council deferred discussion on the item until the reporting officer was available to answer questions pertaining to the report.

**Action:**

That the matter lay on the table for further discussion at a later point during the meeting.

**SUBJECT HEADING: SUSPENSION OF STANDING ORDERS**  
 COUNCIL ADJOURNED THE MEETING FOR A BRIEF RECESS AT 10.04AM.

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS**  
 COUNCIL RESUMED THE MEETING AT 10.15AM WITH DEPUTY MAYOR TAKING THE CHAIR IN THE MAYOR'S ABSENCE.

**Item Number: 13.1 File Number: D14/49527**

**SUBJECT HEADING: LOCAL GOVERNMENT BOUNDARY ANOMALIES**

**Author and Officer's Title: Tanya Mansfield, Manager - Facilities**

**Executive Summary:**

*At the request of the Department of Natural Resources and Mines, Council has been considering a number of anomalies pertaining to the Maranoa Regional Council local government boundary adjacent to the Banana Shire, Western Downs Regional Council and Balonne Shire Council local government boundary.*

*This ongoing matter has been considered at General Council meetings held on 11 December 2013 and 22 January 2014. The Department of Local Government, Community Recovery and Resilience has however requested further information and deliberation by Council before the Department will make a decision on amending Council boundaries. This matter had been left on the table earlier during the meeting pending arrival of the reporting officer.*

**Resolution No. GM/08.2014/18**
**Moved Cr O'Neil**
**Seconded Cr Newman**
**That Council:**

1. Advise Banana Shire, Western Downs Regional Council and Balonne Shire Council that Council has completed an assessment of the boundary anomalies as notified by the Department Natural Resources and Mines and considered in its assessment access roads to the property, the location of the majority of the area of the lot and feedback from affected property owners.
2. Advise Banana Shire, Western Downs Regional Council and Balonne Shire Council that it is Council's position that the local government boundary should be moved to locate Lot 5 on SP215322 and Lot 6 on SP215322 entirely in Balonne Shire Council and Lot 4 on SP 204532, Lot 9 on AB 244, Lot 9 on SP 236780, Lot 22 on SP 248280, Lot 70 on WV 631 and Lot 368 on FTY 535 entirely within the Maranoa Regional Council Local Government Area.
3. Apply to the Minister for Local Government for a referral of the matter to the Local Government Change Commissioner (Electoral Commission of Queensland) providing details of Council's assessment and recommendations.

CARRIED

8/0

**Responsible Officer**
**Manager – Facilities**

**Item Number:** 13.2 **File Number:** D14/51372  
**SUBJECT HEADING:** COMMERCIAL TENANCY AGREEMENT  
**Location:** 41-45 Hutton Street Injune  
**Author and Officer's Title:** Josephine Horsfall, Coordinator - Property & Legal

**Executive Summary:**

*In July 2013, Council entered into a Commercial Tenancy Agreement with Queensland Blue Light Association Injune, Injune Youth Group and the Injune Swimming Club which allowed the groups' use of the premises at 41-45 Hutton Street Injune. Blue Care Injune has also shared the use of the premises under a Licence Agreement with Council. Both the Commercial Tenancy Agreement and Licence Agreement expired on 1 July 2014. This matter had been left on the table earlier during the meeting pending arrival of the reporting officer.*

**Resolution No. GM/08.2014/19**

**Moved Cr Denton**

**Seconded Cr Chambers**

**That Council:**

1. **Extend the current Commercial Tenancy Agreement between Queensland Blue Light Association, Injune Youth Group, Injune Swimming Club and the Licence Agreement with Blue Care Injune until Council completes the review of Injune facilities.**
2. **Advise the groups that Council retains the right to terminate the agreement at any time with the provision of one month's notice to vacate.**
3. **Continue to pay all outgoings subject to the groups' continuing a cooperative, shared use arrangement with other community organisations.**

CARRIED

8/0

**Responsible Officer**

**Coordinator - Property & Legal**

**Item Number:** 13.6 **File Number:** D14/55029  
**SUBJECT HEADING:** ALLOCATION OF RESERVE - NEIL TURNER WEIR  
**Location:** Mitchell  
**Author and Officer's Title:** Tanya Mansfield, Manager - Facilities

**Executive Summary:**

*During the recent review of camping options in the region, it was identified that the land known as Lot 3 on DL366, on which the park and toilet block are located at the Neil Turner Weir in Mitchell, and across the road where sand has in the past been stockpiled, is gazetted as Unallocated State Land. It was recommended that Council apply to the Department of Natural Resources and Mines to have the land gazetted as a Reserve for Park and Recreation Purposes with Council nominated as the trustee. This matter had been left on the table earlier during the meeting pending arrival of the reporting officer.*

**Resolution No. GM/08.2014/20**

**Moved Cr Scheffe**

**Seconded Cr Newman**

**That Council apply to the Department of Natural Resources and Mines to gazette Lot 3 on DL366 being Unallocated State Land as a Reserve for Park Purposes with Council as the nominated trustee.**

CARRIED

8/0

**Responsible Officer**
**Manager - Facilities**
**Item Number:** 13.7 **File Number:** D14/55030

**SUBJECT HEADING:** AMENDMENT OF RESERVE - MUCKADILLA PARKLAND

**Location:** Muckadilla

**Author and Officer's Title:** Tanya Mansfield, Manager - Facilities

**Executive Summary:**

*During the recent review of camping options in the region, it was identified that the land known as Lots 13 - 16 on M3832, behind the Muckadilla Hall, toilets and park is gazetted as a Reserve for Park Purposes. The Muckadilla community currently promote the area for camping, however camping is not an allowable use of a park reserve.*

*It was recommended that Council apply to the Department of Natural Resources and Mines to have the land gazetted as a Reserve for Park and Recreation Purposes with Council continuing to act as the trustee of the reserve. This matter had been left on the table earlier during the meeting pending arrival of the reporting officer.*

**Resolution No. GM/08.2014/21**
**Moved Cr Denton**
**Seconded Cr O'Neil**

**Apply to the Department of Natural Resources and Mines to change the purpose of Lots 13 – 16 on M3832 behind the Muckadilla Hall, public toilets and park from a Reserve for Park Purposes to a Reserve for Park and Recreation Purposes.**

CARRIED

8/0

**Responsible Officer**
**Manager - Facilities**
**Item Number:** 13.6 **File Number:** D14/55029

**SUBJECT HEADING:** ALLOCATION OF RESERVE - NEIL TURNER WEIR

**Location:** Mitchell

**Author and Officer's Title:** Tanya Mansfield, Manager - Facilities

**Executive Summary:**

*New information was received in relation to this item. Council considered the information to hand, determining that an amendment to the initial resolution be considered.*

**Discussion:**

The 'Mover' and 'Seconder' of the motion indicated that they were in favour of an amendment to the original motion (GM/08.2014/20), following the receipt of new information becoming available. The amendment was that the land should be gazetted as a Reserve for Park Purposes, instead of a Reserve for Park and Recreation Purposes as originally moved. This amendment has been made to the recorded resolution.

Cr Wason declared a conflict of interest in the following two items due to him owning the parcel of land on which Mt Saltbush Quarry is sited, the operation of which sees him entitled to payment of Royalties (funds) for material extracted from the site, and called for nomination of a replacement Chair for discussion and debate on the items.



**Resolution No. GM/08.2014/22**

**Moved Cr Chambers**

**Seconded Cr Denton**

**That Cr Newman be nominated Chair for the purpose of discussion and debate of items 13.8 and 13.9.**

**CARRIED**

**7/0**

Cr Wason left the Chamber at 10.21am taking no further part in discussion or debate on items 13.8 and 13.9. At that time Cr Newman took the Chair.

**Item Number: 13.8 File Number: D14/55921**

**SUBJECT HEADING: APPLICATION FOR MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY" UP TO 500,000 TONNES P.A. AND ENVIRONMENTALLY RELEVANT ACTIVITIES 16(2)(B) AND 16(3)(B) - EXTRACTIVE AND SCREENING ACTIVITIES. FILE: 2014/18864**

**Location:** 41476 Warrego Highway, Jackson QLD 4426 (Lot 12 on SP218512)

**Applicant:** David and Susan Bassingthwaighte C/- Ausrocks Pty Ltd

**Author and Officer's Title: David Fermer, Coordinator - Planning**

***Executive Summary:***

*The application seeks approval for a Material Change of Use – "Extractive Industry" to 500,000 tonnes per annum and Environmentally Relevant Activities 16(2)(b) and 16(3)(b) – Extractive and Screening Activities, on land at 41476 Warrego Highway, Jackson QLD 4426 (described as Lot 12 on SP218512).*

*The application is subject to Impact Assessment against the relevant provisions of the Bendemere Shire Planning Scheme 2006. Public notification was carried out between 9 April 2014 and 6 May 2014, and no submissions were received.*

*The application is generally consistent with the provisions of the Bendemere Shire Planning Scheme 2006 including the Desired Environmental Outcomes and Rural Zone Code.*

**Resolution No. GM/08.2014/23**

**Moved Cr Chambers**

**Seconded Cr Scheffe**

**That Council approve the application for Material Change of Use - "Extractive Industry" to 500,000 tonnes per annum and Environmentally Relevant Activities 16(2)(b) and 16(3)(b) – Extractive and Screening Activities, on land at 41476 Warrego Highway, Jackson QLD 4426 (described as Lot 12 on SP218512), subject to the following conditions:**

**Preamble**

- (i) Refer to <http://www.cmdg.com.au> for the Capricorn Municipal Development Guidelines (CMDG).**
- (ii) The relevant planning scheme for this Development Approval is the Bendemere Shire Planning Scheme 2006. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.**

- (iii) The related Environmental Authority(s) as included in the Environmental Protection Act 1994 must have been given and remain current while the use continues. All references to the 'Environmental Authority' within these conditions refer to the Environmental Authority for this approved use.

The related Environmental Authorities are:

- a) 2(b) extracting, other than by dredging in a year, more than 100,000t but no more than 1,000,000t; and
  - b) 3(b) screening, in a year, more than 100,000t but no more than 1,000,000t.
- (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) Building construction is to accord with the Building Code of Australia, Queensland Development Code and State Planning Guidelines for building in bushfire prone areas.

Construction standards for a Medium Bushfire Hazard area will apply.

#### Use

1. The approved development is a Material Change of Use - "Extractive Industry" and related Environmentally Relevant Activities 16(2)(b) and 16(3)(b) – Extractive and Screening Activities, as shown on the approved plans.
  - a) The approved extraction tonnage is capped at 500,000 tonnes per annum.
  - b) This approval is current for 5 years commencing from the date of approval. The life of this approval is restricted as neither Council nor the extractive industry operator can be sure of the longer term impacts on the Council road system from the development. The conditions requiring road impact contributions are based on a timeframe of 5 years.
2. The period of the currency of this approval may be extended to 20 years by an infrastructure agreement which allows the Council, the extractive industry operator and the approval holder to establish longer term protocols and arrangements which address the possible variations to the impacts on Council's road infrastructure over an extended period.

#### Timing

3. All conditions relating to the establishment of the approved development must be fulfilled prior to any approved use commencing, unless otherwise noted within these conditions.

4. Prior to commencement of use, the applicant shall contact Council to arrange a development compliance inspection.

**Approved Plans and Documents**

5. Maintain the approved development, in accordance with the following approved plans, subject to and as modified by any conditions of this approval:

**Drawing SP\_s2001**

Jackson Quarry Site Layout Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing SP\_s2002**

Jackson Quarry Site Layout Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing EP\_s2001**

Jackson Quarry Extraction Area 1 Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing EP\_s2002**

Jackson Quarry Extraction Area 1 Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing EP\_s2003**

Jackson Quarry Extraction Area 2 Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing EP\_s2004**

Jackson Quarry Extraction Area 2 Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing EP\_s2005**

Jackson Quarry Extraction Area 3 Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing EP\_s2006**

Jackson Quarry Area 3 Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing SP\_s2005**

Jackson Quarry Office and Amenities Layout Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing SP\_s2006**

Jackson Quarry Office and Amenities Layout Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 17/01/2014

**Drawing NP\_s2001**

Jackson Quarry Neighbour Plan.

Prepared by Ausrocks Consulting Mining Engineers dated 28/03/2014

**6x3m Site Office \_Jackson Quarry**

Prepared by Ausrocks Consulting Mining Engineers

**Document – Site Based Management Plan**

Prepared by Ausrocks Consulting Mining Engineers dated 01/2014

**Documents – Capricorn Municipal Development Guidelines**

While all of the Capricorn Municipal Development Guidelines apply to the approval the following guidelines have direct application:

D1 Geometric Road Design	dated 03/2012
D2 Pavement Design	dated 03/2012
D5 Stormwater Drainage Design	dated 03/2012
D6 Site Regrading	dated 03/2012
D7 Erosion Control and Stormwater Management	dated 03/2012

6. All works must comply with:

- a) the development approval conditions;
- b) any relevant provisions in the Planning Scheme;
- c) Council's standard designs for such work where such designs exist;
- d) the Capricorn Municipal Development Guidelines;
- e) any relevant Australian Standard that applies to that type of work; and
- f) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

**Environmental Authorities**

7. This approval relies on the relevant approved Environmental Authority (and its related documents) applicable to the site to identify and state the all the requirements for this approval related to Environmentally Relevant Activities for the site (where those Environmentally Relevant Activities are not expressly devolved to the Council).
8. This approval relies on the entity responsible for approving and managing the Environmental Authority to meet its responsibilities. The Council will not take any responsibility for the management of environmental impacts covered by the Environmental Authority unless and until that entity (or its legal successors) is unable to act.
9. The standards and approval of civil works and services and aspects of environmental management not covered by the Environmental Authority are the responsibility of the Council, but subject to the environmental impact management requirements that may be imposed by the Environmental Authority (or any approval that effectively replaces that Environmental Authority).
10. Where there is a conflict between the conditions and standards set by an Environmental Authority for the site and the conditions and standards set by the Development Permit, those set in the Environmental Authority shall prevail in those matters covered by the Environmental Authority.

**Operating Hours**

11. Hours of operation are 6:00am to 6:00pm Monday to Saturday. No work is permitted on Sundays or public holidays. Hours of operation include the transporting of material from the site.
12. The quarry operator may apply to Council to vary the hours of operation for a particular project where the extended operating hours are necessary in the opinion of the Council having considered the requirements and community benefits of the particular project and the duration of the additional impacts upon the local community.
13. Any Council approval of the varied hours will be restricted to the duration of the project, and may be rescinded by the Council on seven days notice if the extended hours of operation are considered to be causing undue nuisance or disruption to other persons.

#### Amenity

14. Any advertising signage is subject to a further development approval unless compliant with the self-assessable development provisions of the planning scheme.
15. Effluent storage and removal must not have an adverse effect on the surrounding areas and must not cause nuisance to neighbouring properties.
16. Waste containers shall 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.

#### Avoiding Nuisance

17. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
18. Extraction areas, access and site roadways and surrounds shall be kept in an orderly fashion and free of rubbish.
19. No nuisance is to be caused to adjoining properties and their occupiers by the way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.
20. Lighting of the site, including any temporary or security lighting, shall be such that the lighting intensity does not exceed:  
  
8.0 lux at a distance of 1.5 metres from the site at any property boundary.

#### Earthworks

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

#### Erosion Control

22. Erosion and Sediment Control is to be managed in accordance with:
  - a) Site Based Management Plan (Jackson Quarry) Section 14.10 Stormwater Management and Erosion and Sediment Control Plan; and
  - b) Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.
23. Where it is necessary for a road and/or drainage system to be reinstated or cleaned up as a result of erosion and/or sedimentation from the site, such works must be undertaken at the developer's expense. Such works shall be undertaken immediately, where it is a potential hazard to pedestrians and/or passing traffic.

#### Provision of Services

24. At all times during the operation on site effluent is to be disposed of in accordance with Queensland Plumbing and Wastewater Code 2013 and AS1547.2012 (On-site domestic wastewater management). A development permit for plumbing and drainage works shall be sought from Council for any onsite sewerage system provided to the development.
25. The site must be provided with an on-site water supply with sufficient capacity to meet all operational needs, including watering to minimise dust nuisance and also a potable water supply sufficient to meet the needs of staff and visitors to the site.

26. Any supply of potable water to the site, and disposal of effluent from the site is to be performed by a suitably licenced contractor.

#### **Stormwater and Drainage**

27. Stormwater is to be managed in accordance with:
- a) Site Based Management Plan (Jackson Quarry) Section 14.10 Stormwater Management and Erosion and Sediment Control Plan; and
  - b) Capricorn Municipal Development Guidelines D5 'Stormwater Drainage Design'.
28. Discharge of stormwater runoff from the development shall drain freely in all cases, and no nuisance of ponding is to be created within the vicinity of the development.
29. There shall be no increases in any silt loads or contaminants in any overland flow from the site being developed, or into creeks or roadways, either during the development process or after the development has been completed.

#### **Access, Car parking and Manoeuvring**

Note that the Department of State Development, Infrastructure and Planning have attached conditions to this approval concerning access to the State Controlled Road Network.

30. The landowner shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards.
31. All weather vehicle access shall be provided for traffic movement within the development site.
32. Unsealed internal roads are to be watered upon receipt of any complaint regarding dust nuisance caused by vehicle movements within the site.

#### **Environmental Management**

33. All activities while the use continues are to be managed in accordance with:
- a) The relevant Environmental Authority issued by the Department of Environment and Heritage Protection, or any subsequent Environmental Authority that is issued for the approved use;
  - b) the Site Based Management Plan, (Jackson Quarry) prepared by Ausrocks Consulting Mining Engineers; and
  - c) all relevant sections of the Capricorn Municipal Development Guidelines.
34. Remediation of the site is to occur in consultation with the landowner, and is to be managed in accordance with:
- a) the relevant Environmental Authority issued by the Department of Environment and Heritage Protection, or any subsequent Environmental Authority that is issued for the approved use; and
  - b) the Rehabilitation Plan, Section 14.17 of the Site Based Management Plan, (Jackson Quarry) prepared by Ausrocks Consulting Mining Engineers.

35. If the environmental approval issued by a State agency (Department of Environment and Heritage Protection or its successor) to undertake this use on this site ceases to have effect and is not replaced by an appropriate approval, code or law to manage the use and the rehabilitation of the site, then the conditions, requirements and obligations of the original environmental approval given for this use on this site shall become conditions of this approval. References in the original environmental approval to the State agency will then be construed as references to the Council to the greatest extent possible. The standards referenced by the most recent environmental approval will be the applicable standards.

36. Weeds and pests are to be monitored and controlled in accordance with Section 14.14 of the Site Based Management Plan prepared by Ausrocks Consulting Mining Engineers.

#### **Fees, Infrastructure Charges and Impact Contributions**

37. A local roads additional impacts charge will be paid to Maranoa Regional Council in accordance with the Local Roads Additional Impacts Charges Schedule A, attached to and forming part of these conditions. This condition and the conditions in Local Roads Additional Impacts Charges Schedule A are based on division 2 of chapter 8, more specifically sections 650 and 651 and linked sections, of the Sustainable Planning Act 2009.

38. All matters contained within this development approval may be covered by infrastructure agreements or deeds of agreement between the relevant parties for each matter.

39. All fees, rates, interest and other charges levied on the property, shall be paid in accordance with the rate at the time of payment.

#### **Complete and Maintain**

40. Complete and maintain the approved development as follows: (i) in accordance with development approval documents and (ii) strictly in accordance with those parts of the approved development which have been specified in detail by the Council or Referral Agency unless the Council or Referral Agency agrees in writing that those parts will be adequately complied with by amended specifications.

41. Complete and maintain all operational, building and plumbing and drainage work associated with this development approval, including work required by any of the development approval conditions.

#### **Repair Damaged Infrastructure**

42. 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 (road pavement, existing underground assets, signs or other) 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).

43. Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.

#### **No Cost to Council**

44. 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.

45. 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 the Council, shall be paid to the Council prior to any approved use commencing.

#### Latest versions

46. 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

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

#### Electricity Easement

48. Development is carried out generally in accordance with the plans and reports provided as part of the application.
49. All easement conditions remain relevant and applicable to the burdened parcels.
50. The proposed haulage road is to be constructed as close to the edge of the easement as practicable (ie. as far away from the centre line of the easement).
51. The proposed haulage road is to stay to one side of the easement (rather than cut across and back) as practicable (to limit vehicle movements under the lines).
52. A high strength guard barrier is constructed at a minimum distance of 15m from the base of any high voltage tower in the vicinity of the haulage route. Design of the barrier is to be approved by Ergon Energy before construction to determine suitability and any special earthing requirements. All costs associated with the construction of the barrier will be at the expense of the applicant.
53. Signage is to be installed (both directions) where the proposed haulage route passes under the lines, alerting drivers to the presence of the powerline and towers to reduce risk of damage or contact.
54. Access to the easement and access along the easement must be available to Ergon Energy personnel and equipment at all times. Where fencing prohibits access to and along the easement area, gates must be supplied and installed at the developer/owner's expense.
55. Should changes to any Ergon Energy infrastructure be proposed or required as part of the development, those changes are made with Ergon Energy's consent and at the developer/owner's expense (unless otherwise agreed to by Ergon Energy).

#### Charges Schedule A - Local Roads Additional Impacts

56. These conditions are required because the development will impact on the local roads when materials associated with the operation of the extractive industry are carried along those local roads. The local roads additional impacts charge covers all roads in the Maranoa Regional Council Area where heavy vehicles of the type used in this activity/use are permitted to travel. The tonnage of extracted material leaving the extractive industry is deemed to be a proportional measure of the total traffic to and from the site.



57. A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site. This is the local roads additional impacts charge for the 2013-2014 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3 years ending at the start of the financial year.
58. The payment of the local roads additional impacts charge must be made by the extractive industry operator within 14 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.
59. The holder of the development approval or the extractive industry operator may ask for the local roads additional impacts charge to be reviewed once in every three year period after the approval for the activity/use is given. The review will take account of the rates and methodology applying to similar operators in the Council Area and the facts and circumstances applying to this approved activity/use.
60. Despite the payment of a local roads additional impacts charge, the Council may stop the extractive industry operator from using particular roads. The reasons may include Council concerns about the level of damage being caused or may be caused to those particular local roads by the addition to total road use of heavy vehicles associated with the extractive industry.
61. Council or its representatives is entitled to inspect, copy and audit any records which may help to prove the actual use of the road network by the extractive industry operator or the approval holder(s) for the purposes of assessing the local roads additional impacts charge. The extractive industry operator and the approval holder(s) have agreed by the acceptance of this condition that the Council has their agreement and permission to access those records wherever held and that their agreement and permission cannot be revoked.
62. The extractive industry operator or the approval holder(s) may undertake roadworks in lieu of paying a local roads additional impacts charge. The roadworks must be of the same value as the local roads additional impacts charge. The value of roadworks will be determined by Council or by an independent RPEQ standard engineer agreed to by the Council. The roadworks must be roadworks included the Council current roadworks program and within a 50 kilometre radius of the extractive industry site on roads that may be used by the operator. The carrying out of roadworks must comply with CMDG guidelines and other requirements which normally apply to works carried out on Council roads by contractors, including warranties for the works performed. The onus is on the entity intending to perform the roadworks to gain all necessary approvals for the roadworks. The roadworks must be completed within 3 months after the local roads additional impacts charge was due to be paid or within a period agreed in writing with the Council.

63. The charges or roadworks or other relevant matters can be included within an infrastructure agreement or deed of agreement with the Council, the extractive industry operator and any other relevant parties by consent of the parties. The extractive industry operator, the approval holder and the Council may vary the charges and other factors by mutual consent where circumstances warrant such variations and the community interest is protected.

CARRIED

7/0

<b>Responsible Officer</b>	<b>Coordinator - Planning</b>
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**Item Number:** 13.9 **File Number:** D14/56040

**SUBJECT HEADING:** MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY" (UP TO 500,000 TONNES/ANNUM) & ENVIRONMENTALLY RELEVANT ACTIVITY 16 (EXTRACTIVE AND SCREENING ACTIVITY) FILE: 2014/18926

**Location:** 184 Crossroads Road, Yuleba North QLD 4427 (Lots 6 & 7 on Plan WV409)

**Applicant:** S & M Phelps C/- StruXi Design

**Author and Officer's Title:** Christopher Tickner, Town Planner

**Executive Summary:**

*The application sought approval for a Material Change of Use – "Extractive Industry" and related Environmentally Relevant Activities 16 (2) (b) and 16(3)(b) – Extractive and Screening Activities, on land at 184 Crossroads Road, Yuleba North QLD 4427 (described as Lots 6 and 7 on Plan WV409).*

*The application is subject to Impact Assessment against the relevant provisions of the Bendemere Shire Planning Scheme 2006. Public notification was carried out between 2 May 2014 and 26 May 2014 with no submissions received during this period.*

*The application is generally consistent with the provisions of the Bendemere Planning Scheme 2006 including the Desired Environmental Outcomes and Rural Zone code.*

**Resolution No. GM/08.2014/24**

**Moved Cr Price**

**Seconded Cr Flynn**

**That Council approve the application for Material Change of Use- " Extractive Industry" and related environmentally Relevant Activities (16(2)(b) and 16(3)(b) – Extractive and Screening Activities, on land at 184 Crossroads Road, Yuleba North QLD 4427 (described as Lots 6 and 7 on Plan WV409), subject to the following conditions:**

**Preamble**

- (i) Refer to <http://www.cmdg.com.au> for the Capricorn Municipal Development Guidelines (CMDG).**
- (ii) The relevant planning scheme for this Development Approval is the Bendemere Shire Planning Scheme 2006. All references to the 'Planning Scheme' and 'Planning Scheme schedules' within these conditions refer to the above Planning Scheme.**
- (iii) The related Environmental Authority(s) as included in the Environmental Protection Act 1994 must have been given and remain current while the use continues. All references to the 'Environmental Authority' within these conditions refer to the environmental Authority for this approved use.**

The related Environmental Authorities are:

- a) 2(b) extracting, other than by dredging in a year, more than 100,000t but no more than 1,000,000t; and
  - b) 3(b) screening, in a year, more than 100,000t but no more than 1,000,000t.
- (iv) All Aboriginal Cultural Heritage in Queensland is protected under the Aboriginal Cultural Heritage Act 2003 and penalty provisions apply for any unauthorized 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) Building construction is to accord with the Building Code of Australia, Queensland Development Code and State Planning Guidelines for building in bushfire prone areas.

Construction standards for a Medium Bushfire Hazard area will apply

#### Use

1. The approved development is a Material Change of Use - "Extractive Industry" and related Environmentally Relevant Activities 16(2)(b) and 16(3)(b) – Extractive and Screening Activities, as shown on the approved plans.
  - a) The approved extraction tonnage is capped at 500,000 tonnes per annum.
  - b) This approval is current for 5 years commencing from the date of approval. The life of this approval is restricted as neither Council nor the extractive industry operator can be sure of the longer term impacts on the Council road system from the development. The conditions requiring road impact contributions are based on a timeframe of 5 years.
2. The period of the currency of this approval may be extended to 20 years by an infrastructure agreement which allows the Council, the extractive industry operator and the approval holder to establish longer term protocols and arrangements which address the possible variations to the impacts on Council's road infrastructure over an extended period.

#### Timing

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

## Approved Plans and Documents

5. Maintain the approved development, in accordance with the following approved plans, subject to and as modified by any conditions of this approval:

Drawing 1430.13804 003 Revision D  
Site Plan.  
Prepared by StruXi Design Pty Ltd, dated 05/03/14.

Drawing 1430.13804 002 Revision C  
Locality Plan.  
Prepared by StruXi Design Pty Ltd, dated 05/03/14.

Drawing 430.13804 401 Revision A  
Office Elevations.  
Prepared by StruXi Design Pty Ltd, dated 15/07/13.

Drawing 1430.13804 101 Revision B  
Office Floor Plan.  
Prepared by StruXi Design Pty Ltd, dated 05/03/14.

Drawing -  
Gravel Pit Rehabilitation - Concept Plan.

Drawing -  
Basin and Sediment Management Details.  
(amended by Council in red)

Drawing -  
Appendix 7 Location of Sensitive Receptors.  
(amended by Council in red)

Document – Site Based Management Plan  
Lots 6 & 7 WV409, Crossroads Road, Yuleba North  
Prepared by Peter Swan (Struxi design)

Documents – Capricorn Municipal Development Guidelines while all of the Capricorn Municipal Development Guidelines apply to the approval the following guidelines have direct application:

D1 Geometric Road Design dated 03/2012  
D2 Pavement Design dated 03/2012  
D5 Stormwater Drainage Design dated 03/2012  
D6 Site Regrading dated 03/2012  
D7 Erosion Control and Stormwater Management dated 03/2012

6. All works must comply with:

- a) the development approval conditions;
- b) any relevant provisions in the Planning Scheme;
- c) Council's standard designs for such work where such designs exist;
- d) the Capricorn Municipal Development Guidelines;
- e) any relevant Australian Standard that applies to that type of work; and
- f) any alternative specifications that Council has agreed to in writing and which the developer must ensure do not conflict with any requirements imposed by any applicable laws and standards.

#### **Environmental Authorities**

- 7. This approval relies on the relevant approved Environmental Authority (and its related documents) applicable to the site to identify and state the all the requirements for this approval related to Environmentally Relevant Activities for the site (where those Environmentally Relevant Activities are not expressly devolved to the Council).**
- 8. This approval relies on the entity responsible for approving and managing the Environmental Authority to meet its responsibilities. The Council will not take any responsibility for the management of environmental impacts covered by the Environmental Authority unless and until that entity (or its legal successors) is unable to act.**
- 9. The standards and approval of civil works and services and aspects of environmental management not covered by the Environmental Authority are the responsibility of the Council, but subject to the environmental impact management requirements that may be imposed by the Environmental Authority (or any approval that effectively replaces that Environmental Authority).**
- 10. Where there is a conflict between the conditions and standards set by an Environmental Authority for the site and the conditions and standards set by the Development Permit, those set in the Environmental Authority shall prevail in those matters covered by the Environmental Authority.**

#### **Operating Hours**

- 11. Hours of operation are 6:00am to 6:00pm Monday to Saturday. No work is permitted on Sundays or public holidays. Hours of operation include the transporting of material from the site.**
- 12. The quarry operator may apply to Council to vary the hours of operation for a particular project where the extended operating hours are necessary in the opinion of the Council having considered the requirements and community benefits of the particular project and the duration of the additional impacts upon the local community.**
- 13. Any Council approval of the varied hours will be restricted to the duration of the project, and may be rescinded by the Council on seven days notice if the extended hours of operation are considered to be causing undue nuisance or disruption to other persons.**

#### **Amenity**

- 14. Any advertising signage is subject to a further development approval unless compliant with the self-assessable development provisions of the planning scheme.**
- 15. Effluent storage and removal must not have an adverse effect on the surrounding areas and must not cause nuisance to neighbouring properties.**
- 16. Waste containers shall 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.**

#### **Avoiding Nuisance**

- 17. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.**
- 18. Extraction areas, access and site roadways and surrounds shall be kept in an orderly fashion and free of rubbish.**

19. No nuisance is to be caused to adjoining properties and their occupiers by the way of smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time, including non-working hours.

20. Lighting of the site, including any temporary or security lighting, shall be such that the lighting intensity does not exceed:

8.0 lux at a distance of 1.5 metres from the site at any property boundary.

#### Earthworks

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

#### Erosion Control

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

- a) Site Based Management Plan (Lots 6 & 7 WV409, Crossroads Road, Yuleba North), Section 4.3 Stormwater Management and Erosion and Sediment Control Plan; and
- b) Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.

23. Where it is necessary for a road and/or drainage system to be reinstated or cleaned up as a result of erosion and/or sedimentation from the site, such works must be undertaken at the developer's expense. Such works shall be undertaken immediately, where it is a potential hazard to pedestrians and/or passing traffic.

#### Provision of Services

24. At all times during the operation on site effluent is to be disposed of in accordance with Queensland Plumbing and Wastewater Code 2013 and AS1547.2012 (On-site domestic wastewater management). A development permit for plumbing and drainage works shall be sought from Council for any onsite sewerage system provided to the development.

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

26. Any supply of potable water to the site, and disposal of effluent from the site is to be performed by a suitably licenced contractor.

#### Stormwater and Drainage

27. Stormwater is to be managed in accordance with:

- a) Site Based Management Plan (Lots 6 & 7 WV409, Crossroads Road, Yuleba North), Section 4.3 Stormwater Management and Erosion and Sediment Control Plan; and
- b) Capricorn Municipal Development Guidelines D5 'Stormwater Drainage Design'.

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

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

#### **Access, Car parking and Manoeuvring**

Note that the Department of State Development, Infrastructure and Planning have attached conditions to this approval concerning Access to the State-controlled road network.

30. The landowner shall be responsible for construction and maintenance of vehicle crossovers from the road carriageway to the property boundary and for obtaining any approvals that may be required, and for complying with the applicable designs and standards.
31. The access intersection between the development and Crossroads Road is to be upgraded in accordance with DTMR Standard Drawing D04-221 Standard Access (Minor) Radius 30m. This will include a 2 coat bitumen seal and associated drainage to the Wild Dog Barrier Fence gate.
32. All-weather vehicle access shall be provided for traffic movement within the development site.
33. Unsealed internal roads are to be watered upon receipt of any complaint regarding dust nuisance caused by vehicle movements within the site.
34. All vehicle accesses intersecting the Wild Dog Barrier Fence are to be constructed in accordance with regulations and standards required by the authority for the Land Protection (Pest and Stock Route Management) Act 2002.

#### **Roadwork**

35. Crossroads Road is to be upgraded from the end of the bitumen on Horse Creek Road extending in an easterly direction to the entrance of the site to the following standards:
- (a) formation width: 8.0 metres;
  - (b) pavement width: 7.0 metres;
  - (c) seal width: 7.0 metres;
  - (d) pavement design:  
CMDG Table D2.08.1 'Rural & Rural Residential' >100 vpd;
  - (e) rural design criteria: Table D1.21.03 'Rural Road Elements for Maranoa Regional Council, 100 - 140 VPD Rural Collector – Minor';
- and otherwise generally in accordance with Capricorn Municipal Development Guidelines D1 'Geometric Road Design.'

#### **Environmental Management**

Note that the Department of Environment and Heritage Protection have attached conditions to this approval concerning Buffer Zones.

36. All activities while the use continues are to be managed in accordance with:
- a) the relevant Environmental Authority issued by the Department of Environment and Heritage Protection, DEHP's conditions of approval (attached), or any subsequent Environmental Authority that is issued for the approved use;

- b) the Site Based Management Plan, (Lots 6 & 7 WV409, Crossroads Road, Yuleba North) prepared by Peter Swan (Struxi design); and
  - c) all relevant sections of the Capricorn Municipal Development Guidelines.
37. Remediation of the site is to occur in consultation with the landowner, and is to be managed in accordance with:
- a) the relevant Environmental Authority issued by the Department of Environment and Heritage Protection, DEHP's conditions of approval (attached), or any subsequent Environmental Authority that is issued for the approved use; and
  - b) the Rehabilitation Plan, Section 4.4 of the Site Based Management Plan, (Lots 6 & 7 WV409, Crossroads Road, Yuleba North) prepared by Peter Swan (Struxi design).
38. If the environmental approval issued by a State agency (Department of Environment and Heritage Protection or its successor) to undertake this use on this site ceases to have effect and is not replaced by an appropriate approval, code or law to manage the use and the rehabilitation of the site, then the conditions, requirements and obligations of the original environmental approval given for this use on this site shall become conditions of this approval. References in the original environmental approval to the State agency will then be construed as references to the Council to the greatest extent possible. The standards referenced by the most recent environmental approval will be the applicable standards.
39. Weeds and pests are to be monitored and controlled in accordance with Section 4.2.4 of the Site Based Management Plan prepared by Struxi Design.
40. The operator is to develop and implement appropriate bushfire mitigation plans for the development site prior to the commencement of use.

#### **Fees, Infrastructure Charges and Impact Contributions**

41. A local roads additional impacts charge will be paid to Maranoa Regional Council in accordance with the Local Roads Additional Impacts Charges Schedule A, attached to and forming part of these conditions. This condition and the conditions in Local Roads Additional Impacts Charges Schedule A are based on division 2 of chapter 8, more specifically sections 650 and 651 and linked sections, of the Sustainable Planning Act 2009.
42. All matters contained within this development approval may be covered by infrastructure agreements or deeds of agreement between the relevant parties for each matter.
43. All fees, rates, interest and other charges levied on the property, shall be paid in accordance with the rate at the time of payment.

#### **Complete and Maintain**

44. Complete and maintain the approved development as follows: (i) in accordance with development approval documents and (ii) strictly in accordance with those parts of the approved development which have been specified in detail by the Council or Referral Agency unless the Council or Referral Agency agrees in writing that those parts will be adequately complied with by amended specifications.



45. Complete and maintain all operational, building and plumbing and drainage work associated with this development approval, including work required by any of the development approval conditions.

#### Repair Damaged Infrastructure

46. 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 (road pavement, existing underground assets, signs or other) 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).
47. Council is to be indemnified against any claims arising from works carried out by the applicant on Council's property.

#### No Cost to Council

48. 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.
49. 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 the Council, shall be paid to the Council prior to any approved use commencing.

#### Latest versions

50. 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

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

#### Charges Schedule A - Local Roads Additional Impacts

52. These conditions are required because the development will impact on the local roads then materials associated with the operation of the extractive industry are carried along those local roads. The local roads additional impacts charge covers all roads in the Maranoa Regional Council Area where heavy vehicles of the type used in this activity/use are permitted to travel. The tonnage of extracted material leaving the extractive industry is deemed to be a proportional measure of the total traffic to and from the site.
53. A local roads additional impacts charge of \$0.50 per tonne will be paid to Maranoa Regional Council for all extracted material transported from the site. This is the local roads additional impacts charge for the 2013-2014 financial year. Until such time as (1) the level of approved use is changed or (2) Council has amended charges as a result of a review requested by the extractive industry operator, the local roads additional impacts charges amount will be increased or decreased annually by a percentage equivalent to the 3-year moving average annual percentage increase in the PPI index (as defined in the Sustainable Planning Act 2009) for the period of 3

years ending at the start of the financial year.

54. The payment of the local roads additional impacts charge must be made by the extractive industry operator within 14 days of the end of each 3 month period, with the periods starting with the commencement of the use/activity. The extractive industry operator must calculate the payment and provide details of the calculation. If no payment is made within the set time, the Council may demand payment based on the maximum approved annual production capacity of the activity/use divided by 4. The maximum approved annual production capacity of the extractive industry will be deemed to be the maximum capacity of the extractive industry listed in the approvals for the site. If the extractive industry operator does not pay the local roads additional impacts charge for two consecutive periods, the Council can require the holder of the development approval to pay the local roads additional impacts charge to the Council.
55. The holder of the development approval or the extractive industry operator may ask for the local roads additional impacts charge to be reviewed once in every three year period after the approval for the activity/use is given. The review will take account of the rates and methodology applying to similar operators in the Council Area and the facts and circumstances applying to this approved activity/use.
56. Despite the payment of a local roads additional impacts charge, the Council may stop the extractive industry operator from using particular roads. The reasons may include Council concerns about the level of damage being caused or may be caused to those particular local roads by the addition to total road use of heavy vehicles associated with the extractive industry.
57. Council or its representatives is entitled to inspect, copy and audit any records which may help to prove the actual use of the road network by the extractive industry operator or the approval holder(s) for the purposes of assessing the local roads additional impacts charge. The extractive industry operator and the approval holder(s) have agreed by the acceptance of this condition that the Council has their agreement and permission to access those records wherever held and that their agreement and permission cannot be revoked.
58. The extractive industry operator or the approval holder(s) may undertake roadworks in lieu of paying a local roads additional impacts charge. The roadworks must be of the same value as the local roads additional impacts charge. The value of roadworks will be determined by Council or by an independent RPEQ standard engineer agreed to by the Council. The roadworks must be roadworks included the Council current roadworks program and within a 50 kilometre radius of the extractive industry site on roads that may be used by the operator. The carrying out of roadworks must comply with CMDG guidelines and other requirements which normally apply to works carried out on Council roads by contractors, including warranties for the works performed. The onus is on the entity intending to perform the roadworks to gain all necessary approvals for the roadworks. The roadworks must be completed within 3 months after the local roads additional impacts charge was due to be paid or within a period agreed in writing with the Council.
59. The charges or roadworks or other relevant matters can be included within an infrastructure agreement or deed of agreement with the Council, the extractive industry operator and any other relevant parties by consent of the parties. The extractive industry operator, the approval holder and the Council may vary the charges and other factors by mutual consent where circumstances warrant such variations and the community interest is protected.

CARRIED

7/0

Responsible Officer	Town Planner
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At cessation of discussion on the abovementioned two items, Cr Wason entered the Chamber at 10.39am, assuming the Chair.

The Mayor entered the Chamber at 10.42am.

**Item Number:** 13.10 **File Number:** D14/56506

**SUBJECT HEADING:** MARANOA ECONOMIC SNAPSHOT & REPORT – JULY 2014

**Author and Officer's Title:** Ryan Gittins, Specialist - Business Development

**Executive Summary:**

*On an annual basis, AEC Group Ltd has been engaged to update the Maranoa Economic Profile to reflect the most up-to-date economic statistics.*

*The latest editions of the economic snapshot and full report were completed in early July 2014. Council's approval of these documents was sought prior to their dissemination via the Council and Invest Maranoa websites.*

<b>Resolution No. GM/08.2014/25</b>	
<b>Moved Cr O'Neil</b>	<b>Seconded Cr Newman</b>
<p><b>That Council endorse the July 2014 editions of the Maranoa Economic Profile and Maranoa Economic Snapshot (as attached to the Officer's report), prior to their dissemination via the Council and Invest Maranoa websites.</b></p>	
CARRIED	9/0

<b>Responsible Officer</b>	<b>Specialist - Business Development</b>
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The Mayor assumed the Chair at 10.43am.

**Item Number:** 13.11 **File Number:** D14/56712

**SUBJECT HEADING:** RETROSPECTIVE APPROVAL TO SUBMIT FUNDING APPLICATIONS UNDER THE QUEENSLAND ANZAC CENTENARY PROGRAM, ROUND TWO

**Author and Officer's Title:** Susan (Sue) Sands, (Acting) Coordinator – Local Development & Council Events

**Executive Summary:**

*Council is eligible to submit funding applications under the Queensland Government's Anzac Centenary Grants program. Council has submitted three separate applications to restore and enhance the cenotaphs at Roma, Mitchell and Injune by the due date of 12 August 2014.*

<b>Resolution No. GM/08.2014/26</b>	
<b>Moved Cr Denton</b>	<b>Seconded Cr Chambers</b>
<p><b>That Council provide retrospective approval to submit funding applications under the Queensland Government's Anzac Centenary Grants program for the cenotaphs at Roma, Injune and Mitchell, which were previously discussed at the Council workshop on 6 August 2014.</b></p>	
CARRIED	9/0

<b>Responsible Officer</b>	<b>(Acting) Coordinator - Local Development &amp; Council Events</b>
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**Item Number:** 13.12 **File Number:** D14/56826

**SUBJECT HEADING:** SUB-AGREEMENT FOR MITCHELL MASTER DRAINAGE STUDY AND YULEBA SERVICE CENTRE, AND DEED OF VARIATION FOR ROMA FLOOD MITIGATION LEVEE CONSTRUCTION

**Author and Officer's Title:** Susan (Sue) Sands, (Acting) Coordinator – Local Development & Council Events

**Executive Summary:**

*Maranoa Regional Council has received advice that the application for the Mitchell Master Drainage Study, submitted under the State Government's 2014/15 Natural Disaster Resilience Program, has been successful. Council is now required to enter into a sub-agreement with the State Government to receive the funding, and provide confirmation that the remainder of the project costs will be met.*

*Maranoa Regional Council has also received advice that the application for the Yuleba Service Centre, submitted under the State Government's 2014/15 Local Government Grants and Subsidies Program, has been successful. Council is now required to enter into a sub-agreement with the State Government to receive the funding, and provide confirmation that the remainder of the project costs will be met.*

*Finally, it was requested that Council authorise the Chief Executive Officer to sign a Deed of Variation to extend the project date for completion of the Roma Flood Mitigation Levee Construction Projects (Stage 1 Levee) until 31 December 2014.*

**Discussion:**

A draft motion was put forward as follows, however, no vote was taken on the draft motion at that time, and the matter was left on the table for further discussion following morning tea.

Moved Cr Chambers	Seconded Cr Price
<b>That Council:</b>	
<ol style="list-style-type: none"> <li>1. Authorise the Chief Executive Officer to sign the sub-agreement with the Department of Local Government, Community Recovery and Resilience for the Mitchell Master Drainage Study project, and the sub-agreement.</li> <li>2. Confirm that the remainder of the project costs (40%) will be met from the 2014/15 budget.</li> <li>3. Authorise the Chief Executive Officer to sign the sub-agreement for the creation of a one stop shop Service Centre under the Community – Local Government Grants and Subsidies Program – Infrastructure Subsidies 2014/15.</li> <li>4. Confirm that \$180,000 has been allocated towards the estimated cost of the project (\$300,000) in Council's 2014/15 budget, and Council has now received confirmation of funding for 40% of the project cost (\$120,000)</li> <li>5. Authorise the Chief Executive Officer to sign the Deed of Variation to the Funding Agreement for the Roma Flood Mitigation Levee Construction Project (Stage 1 Levee), extending the project completion date to 31 December 2014.</li> </ol>	
NO VOTE TAKEN	

**SUBJECT HEADING:** SUSPENSION OF STANDING ORDERS  
 COUNCIL ADJOURNED THE MEETING FOR MORNING TEA AT 10.50AM.

**SUBJECT HEADING:** RESUMPTION OF STANDING ORDERS  
 COUNCIL RESUMED THE MEETING AT 11.25AM

**Item Number:** 13.12 **File Number:** D14/56826

**SUBJECT HEADING:** SUB-AGREEMENT FOR MITCHELL MASTER DRAINAGE STUDY

**Author and Officer's Title:** Susan (Sue) Sands, (Acting) Coordinator – Local Development & Council Events

**Executive Summary:**

*Maranoa Regional Council has received advice that the application for the Mitchell Master Drainage Study, submitted under the State Government's 2014/15 Natural Disaster Resilience Program, has been successful. Council is now required to enter into a sub-agreement with the State Government to receive the funding, and provide confirmation that the remainder of the project costs will be met.*

*Maranoa Regional Council has also received advice that the application for the Yuleba Service Centre, submitted under the State Government's 2014/15 Local Government Grants and Subsidies Program, has been successful. Council is now required to enter into a sub-agreement with the State Government to receive the funding, and provide confirmation that the remainder of the project costs will be met.*

*Finally, it was requested that Council authorise the CEO to sign a Deed of Variation to extend the project date for completion of the Roma Flood Mitigation Levee Construction Projects (Stage 1 Levee) until 31 December 2014.*

**Discussion:**

This item had been laid on the table earlier during the meeting. Council resumed discussion and debate on the draft motion.

**Resolution No. GM/08.2014/27**

**Moved Cr Chambers**

**Seconded Cr Price**

**That Council:**

1. Authorise the Chief Executive Officer to sign the sub-agreement with the Department of Local Government, Community Recovery and Resilience for the Mitchell Master Drainage Study project, and the sub-agreement.
2. Confirm that the remainder of the project costs (40%) will be met from the 2014/15 budget.
3. Authorise the Chief Executive Officer to sign the sub-agreement for the creation of a one stop shop Service Centre under the Community – Local Government Grants and Subsidies Program – Infrastructure Subsidies 2014/15.
4. Confirm that \$180,000 has been allocated towards the estimated cost of the project (\$300,000) in Council's 2014/15 budget, and Council has now received confirmation of funding for 40% of the project cost (\$120,000)
5. Authorise the Chief Executive Officer to sign the Deed of Variation to the Funding Agreement for the Roma Flood Mitigation Levee Construction Project (Stage 1 Levee), extending the project completion date to 31 December 2014.

CARRIED

9/0

**Responsible Officer**

**(Acting) Coordinator - Local Development & Council Events/Chief Executive Officer**

At this point, the Manager Community Services, Julie Neil, attended the meeting to provide additional clarification for Item 11.2. With the endorsement of the Mover and Seconder, and with the approval of the Council, the resolution was amended so that point 5 include recommendation (2) in addition to (1).

## CONFIDENTIAL ITEMS

In accord with the provisions of section 275 of the Local Government Regulation 2012, Council resolved to close the meeting to discuss items it has deemed to be of a confidential nature and specifically pertaining to the following sections:-

- (e) contracts proposed to be made by it;
- (f) starting or defending legal proceedings involving the local government;
- (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;
- (d) rating concessions;
- (a) the appointment, dismissal or discipline of employees;

**Resolution No. GM/08.2014/28**

**Moved Cr Price**

**Seconded Cr Flynn**

**That Council close the meeting to the public at 11.30am.**

CARRIED

9/0

Cr Newman declared a perceived 'Conflict of Interest' in Item C.2 "Draft Surat Grain Centre Lease" due to her family business currently working in partnership with a representative of Surat Grain, and left the Chamber at 11.31am.

At cessation of discussion on Item C.2 "Draft Surat Grain Centre Lease" Cr Newman entered the Chamber at 11.37am.

Cr Flynn declared a 'Conflict of Interest' Item C.6 "Jetgo Request for Fee Waiver at the Roma Airport" due to his personal business operations out of the Roma Airport, and left the Chamber at 11.44am, taking no further part in discussions on the matter.

At cessation of discussion on Item C.6 "Jetgo Request for Fee Waiver at the Roma Airport" Cr Flynn entered the Chamber at 11.50am.

**SUBJECT HEADING:       SUSPENSION OF STANDING ORDERS**  
 COUNCIL ADJOURNED THE MEETING FOR LUNCH AT 12.50AM.

**SUBJECT HEADING:       RESUMPTION OF STANDING ORDERS**  
 COUNCIL RESUMED THE MEETING AT 1.42PM

The Mayor did not return to the meeting following lunch, and the Deputy Mayor assumed the Chair in his absence.

The Mayor entered the Chamber and assumed the Chair at 1.52pm.

Cr Denton left the Chamber at 1.56pm.

Cr Denton entered the Chamber at 1.57pm.

The Mayor left the Chamber at 2.13pm with the Deputy Mayor assuming the Chair in his absence.

Cr Flynn declared a 'Conflict of Interest' Item C.8 "Roma Airport Expansion" due to his personal business operations out of the Roma Airport, and left the Chamber at 2.16pm, taking no further part in discussions on the matter.

The Mayor entered the Chambers at 2.17pm, and assumed the Chair.

The Mayor left the Chamber at 2.20pm  
 The Mayor entered the Chamber at 2.21pm.

<b>Resolution No. GM/08.2014/29</b>	
<b>Moved Cr O'Neil</b>	<b>Seconded Cr Scheffe</b>
<b>That Council open the meeting to the public at 2.22pm.</b>	
CARRIED	8/0

At cessation of discussion on Item C.8 "Roma Airport Expansion" Cr Flynn entered the Chamber at 2.23pm.

<b>Item Number:</b>	<b>C.1</b>	<b>File Number: D14/50685</b>
<b>SUBJECT HEADING:</b>	<b>VARIATION TO RATES BUSINESS AGREEMENT</b>	
<b>Applicant:</b>	Civica Pty Ltd	
<b>Author and Officer's Title:</b>	<b>Dale Waldron, Manager - Administration &amp; Information Services</b>	

***Executive Summary:***

*It was requested that Council give consideration to approving a variation of the five year Rates Business Agreement to spread the training component of training Council Staff over the remaining three years instead of only the final year of the Agreement.*

<b>Resolution No. GM/08.2014/30</b>	
<b>Moved Cr Scheffe</b>	<b>Seconded Cr Chambers</b>
<b>That Council authorise the Chief Executive Officer to sign the variation of the Rates Business Agreement, so that the training component is spread over the remaining three years of the Agreement.</b>	
CARRIED	9/0

<b>Responsible Officer</b>	<b>Manager - Administration &amp; Information Services</b>
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Cr Newman declared a perceived 'Conflict of Interest' in the following item, due to her family business currently being contracted to the named group corporations under Surat Grain, and left the Chambers at 2.26pm.

**Item Number:** C.2 **File Number:** D14/49896

**SUBJECT HEADING:** DRAFT SURAT GRAIN CENTRE LEASE

**Author and Officer's Title:** Tanya Mansfield, Manager - Facilities

**Executive Summary:**

Council, and its predecessor Warroo Shire Council, has for a number of years (at least as early as 2004) been in negotiations with "Surat Grain", being a group of corporations Sumlake Pty Ltd, Dapco Grain Pty Ltd, Formosa Grain Pty Ltd, Brynog Grain Pty Ltd and Oakbell Pty Ltd. The purpose of these negotiations was to develop a lease or leases over the land in Surat which is currently being used by the companies as a bulk grain handling depot.

At its General Meeting held on 23 April 2014, Council considered and agreed to a draft lease. However, subsequent to this decision, Surat Grain solicitors have requested changes to Clause 24 of the draft lease relating to any future sale of the land during the term of the lease. Council is asked to consider the requested changes.

**Resolution No. GM/08.2014/31**

**Moved Cr Wason**

**Seconded Cr Flynn**

**That Council:**

1. Amend Clause 24 of the draft lease between Council and Sumlake Pty Ltd, Dapco Grain Pty Ltd, Formosa Grain Pty Ltd, Brynog Grain Pty Ltd and Oakbell Pty Ltd as per the draft clause presented to the Council meeting to reflect sound contracting principle obligations under the Local Government Regulation.
2. Authorise the Chief Executive Officer to sign the Deed of Surrender, effective from the date the new lease is exercised.

CARRIED

8/0

**Responsible Officer**

**Manager - Facilities**

At cessation of discussion and debate on the abovementioned item, Cr Newman entered at 2.27pm.

**Item Number:** C.3 **File Number:** D14/51374

**SUBJECT HEADING:** DEED OF TRANSFER OF CNF\* AND SRC\* FUNDED HOUSING FROM ECONOMIC DEVELOPMENT QUEENSLAND TO MARANOA REGIONAL COUNCIL

**Author and Officer's Title:** Edward Sims, Manager - Economic & Community Development

**Executive Summary:**

Council is in receipt of a Deed of Transfer from the Minister for Economic Development Queensland (MEDQ) that relates to Clearview Rise Estate Lots 406, 407 and 441.

The Deed of Transfer details the conditions of sale, which are consistent with Council's objectives for affordable housing for its key workers. This report sought Council's resolution to sign the Deed of Transfer.

(\*CNF = Competitive Neutrality Fund; SRC = Sustainable Resource Communities program)

**Resolution No. GM/08.2014/32**

**Moved Cr Price**

**Seconded Cr Chambers**

**That Council:**



1. Authorise the Chief Executive Officer to sign the Deed of Transfer from the Minister responsible for Economic Development Queensland that relates to Clearview Rise Estate Lots 406, 407 and 441.
2. Authorise payment of the GST amounts on the transaction which is in accordance with its budget.

CARRIED

9/0

<b>Responsible Officer</b>	<b>Manager - Economic &amp; Community Development</b>
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**Item Number:** C.4 **File Number:** D14/55709

**SUBJECT HEADING:** MANAGEMENT AGREEMENT - DENISE SPENCER POOL

**Location:** Roma

**Author and Officer's Title:** Tanya Mansfield, Manager - Facilities

***Executive Summary:***

*Council was asked to consider matters relating to the Denise Spencer Pool in Roma.*

**Resolution No. GM/08.2014/33**

**Moved Cr O'Neil**

**Seconded Cr Denton**

**That Council:**

1. Authorise the Chief Executive Officer to write to the Manager in accordance with the Management Agreement between Council and the Manager dated 1 September pertaining to Clause 12 of the Agreement - specifically 12.1.3 and 12.4.1.
2. Close the Denise Spencer Pool from close of business on 13 August 2014, until such time that Council is satisfied that the Manager's public liability insurance is in order for the facility, as required under the Management Agreement.
3. Authorise the Chief Executive Officer to undertake any additional steps to facilitate these actions in consultation with Councillors.

CARRIED

9/0

<b>Responsible Officer</b>	<b>Chief Executive Officer</b>
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**Item Number:** C.5 **File Number:** D14/56601

**SUBJECT HEADING:** REGIONAL ARTS DEVELOPMENT FUND APPLICATIONS FROM ROUND 1, 2014/15 FINANCIAL YEAR

**Author and Officer's Title:** Susan (Sue) Sands, (Acting) Coordinator – Local Development & Council Events

***Executive Summary:***

*The Maranoa Regional Council Regional Arts Development Fund (RADF) Committee assessed funding applications for arts and cultural projects and activities submitted under Round 1 for the 2014/15 financial year, and provided recommendations to be ratified by Council.*

**Resolution No. GM/08.2014/34**

**Moved Cr Newman**

**Seconded Cr Denton**

**That Council endorse the Regional Arts Development Fund (RADF) Committee's grant assessment recommendations to approve the following projects:**

Applicant	Project Description	Approved Contribution	Total Project Cost
Roma & District Eisteddfod Committee	Bring a qualified music specialist to the region for skills development	\$3,159 (conditional upon receipt of specified requirements)	\$5,260
Surat & District Development Association	Hire of a professional photographer to record 90 <sup>th</sup> anniversary of the Cobb & Co Coach Ride	\$2,400	\$8,220
Roma Cluster Working Party: Small Town Culture Project	Employment of singer/songwriter to work with students	\$13,650	\$107,100
Injune State School P & C	5 day pottery class for children in Injune district	\$1,080	\$1,660
The Silversmiths Roma Group	Secure a tutor to conduct sustainable jewellery workshop	\$900	\$1,920
Kylie Douglas	Attendance at a writing workshop in Blackall	\$1,000	\$2,064

CARRIED

9/0

**Responsible Officer**

**(Acting) Coordinator - Local Development & Council Events**

Cr Flynn declared a 'Conflict of Interest' in the following two items due to his personal business operations out of the Roma Airport, and left the Chamber at 2.33pm, taking no further part in discussion or debate on the matter.

**Item Number:**

**C.6**

**File Number: D14/57061**

**SUBJECT HEADING:**

**JETGO REQUEST FOR FEE WAIVER AT THE ROMA AIRPORT**

**Author and Officer's Title:**

**Ben Jones, Manager - Airports (Roma, Injune, Surat & Mitchell)**

***Executive Summary:***

*It was requested that Council consider the applicant's request for waiver of applicable fees.*

**Resolution No. GM/08.2014/35**

**Moved Cr O'Neil**

**Seconded Cr Denton**

**That Council:**

- 1. Not approve the requested fee waiver.**

2. Authorise the Chief Executive Officer to explore with Jetgo the option of reserving a number of their proposed (L) class fares for Maranoa Region residents, highlighting that Council has committed significant investment to cater for services such as this, noting the commencement of installation of the Precision Approach Path Indicator (PAPI) System and also investigation into the extension of the stop way by 150 metres.

CARRIED

8/0

<b>Responsible Officer</b>	<b>Manager - Airports (Roma, Injune, Surat &amp; Mitchell)</b>
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**Item Number:** C.8 **File Number:** D14/57239

**SUBJECT HEADING:** ROMA AIRPORT EXPANSION

**Author and Officer's Title:** Bianca Kocsis, Project Manager

***Executive Summary:***

*Detailed within this report were the key recommendations to Council for the progression of the Roma Airport expansion works.*

**Resolution No. GM/08.2014/36**

**Moved Cr Denton**

**Seconded Cr O'Neil**

**That Council:**

1. Progress activities for the construction of Car Park 3 of the current airport car park design.
2. Approve the exclusion of car park 2A and 2B of the current car park design drawing C.
3. Progress with planning activities to construct the southern bus interchange as per the current Roma Airport design.
4. Progress the Lark Landscape car park design "Deluxe" option to detailed design.
5. Proceed with Highland Infrastructure Group (HIG) for site supervisor activities relating to the construction of the new scope for the Roma Airport car park.
6. Progress planning activities for additional departure lounge space that is fully equipped with the appropriate services for conversion to an airline lounge if Council wish to explore this option at a later date.
7. Approve the BCS Group preferred option for the checked baggage system to be included in the current terminal design and subsequent terminal construction.
8. Approve the provision of five (5) check in counters in the current terminal design and subsequent construction and the provision of services to install an express airline check in kiosk at a later date.
9. Progress planning activities to include a shade structure to the west of the checked baggage area.
10. Progress planning activities to include a back of house toilet into the terminal design for tender and subsequent construction (replication on southern wall of the additional terminal space).

11. Proceed with extension of the current Highland Infrastructure Group (HIG) consultancy for site super/engineering support through the tender and construction phase of the airport terminal.
12. Proceed with the addition, to the terminal scope of works, of power requirements for signage/LED TV advertising.

CARRIED

8/0

<b>Responsible Officer</b>	<b>Chief Executive Officer</b>
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At cessation of discussion on the two abovementioned item, Cr Flynn entered the Chamber at 2.42pm.

**Item Number:** C.7 **File Number:** D14/57233

**SUBJECT HEADING:** UPDATE ON ORGANISATIONAL RESTRUCTURE  
FINANCIAL SERVICES

**Author and Officer's Title:** Julie Reitano, Chief Executive Officer

***Executive Summary:***

*The report provided an update on the actions taken with respect to Council's resolution of 23 July 2014.*

**Resolution No. GM/08.2014/37**

**Moved Cr Chambers**

**Seconded Cr Price**

**That Council:**

1. Note the information presented.
2. Revisit the transfer of Quality, Safety & Environment to the Office of the Chief Executive Officer (CEO) and instead endorse the establishment of three working groups led by the CEO (to be included in the Organisational Structure) as follows:
  - Procurement
  - Financial Sustainability (e.g. Asset Management & Long Term Financial Forecasts)
  - Integrated Management System (Quality, Safety & Environment)
3. Endorse for further consultation a change in title for the Infrastructure Planning and Design Department to the Department of Asset and Service Planning.
4. Confirm the transfer of the work units to the new Departments, effective from 13 August 2014:
  - Procurement to Resource Coordination
  - Asset Valuations to Infrastructure Planning & Design (retitled)
  - Accounts Payable (Creditors) and Accounts Receivable (Debtors) to Administration and Information Services
5. Approve for the Strategic Finance unit to report to the Director Corporate, Community & Commercial Services, with the following team members:
  - Accounting Services (Specialist – Accounting Services, 1 x Accountant, 1 x Finance Officer)
  - Specialist – Strategic Finance
  - Specialist – Finance Systems Support
6. Include one Finance Officer in the Administration and Information Services Department.

7. Authorise the Chief Executive Officer to undertake preliminary investigations to identify a suitable candidate for the role of a Project Manager.
8. Approve the change in work unit title to Creditors (previously Accounts Payable).
9. Approve the inclusion of the officer who currently undertakes Private Works within the Debtors work unit.

CARRIED

9/0

<b>Responsible Officer</b>	<b>Chief Executive Officer</b>
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**Item Number:** C.9 **File Number:** D14/56438

**SUBJECT HEADING:** MINOR AMENDMENTS TO ORGANISATIONAL STRUCTURE

**Author and Officer's Title:** Erin Tompkins, Associate to the CEO & Mayor

***Executive Summary:***

*The report sought Council's approval for a number of minor amendments to the organisational structure.*

**Resolution No. GM/08.2014/38**

**Moved Cr Chambers**

**Seconded Cr Price**

**That Council:**

1. Extend the terms of the Manager Facilities and Manager Environmental Health, Compliance and Waste until 30 September 2014, to allow for new contracts to be drafted.
2. Provide in principle support for a new permanent full time position of Coordinator – Yuleba Services Centre, with a further report on funding to be provided to Council prior to progressing the matter.

CARRIED

9/0

<b>Responsible Officer</b>	<b>Associate to the CEO &amp; Mayor</b>
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**Item Number:** 12.1 **File Number:** D14/54397

**SUBJECT HEADING:** LOADING ZONE - ARTHUR ST, ROMA

**Author and Officer's Title:** Kylie Fleischfresser, Specialist - Infrastructure Planning

***Executive Summary:***

*Council has received a request for a dedicated parking bay/loading zone outside the Health Plus Chemist on Arthur Street, Roma. Earlier during the meeting, Council had deferred the aspect of sign design.*

**Discussion:**

It was also requested that Council consider three (3) options for signage design as provided in the officer's report. A draft motion was put forward earlier during the meeting as recorded below. Council voted on the draft motion.

**Resolution No. GM/08.2014/39**

**Moved Cr O'Neil**

**Seconded Cr Wason**

**That Council proceed with signage design Option 3 (R5-Q05).**

MOTION LOST

3/6

**Resolution No. GM/08.2014/40**

**Moved Cr Flynn**

**Seconded Cr Newman**

**That Council proceed with signage design Option 1 (R5-23)**

CARRIED

8/1

**Responsible Officer**

**Specialist – Infrastructure Planning**

## **CLOSURE**

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 2.49pm.

**These Minutes are to be confirmed at the next General Meeting of Council to be held on 27 August 2014, at Roma Administration Centre.**

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Mayor

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Date