

MINUTES OF THE GENERAL MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 8 OCTOBER 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 D J Scheffe, Chief Executive Officer – Julie Reitano, Coordinator Corporate Communications – Jane Frith and Lauren Owen Minutes Officer in attendance.

AS REQUIRED

Director Infrastructure Services – Cameron Castles, Acting Director Development, Facilities & Environmental Services – Michael Parker, Director Corporate, Community & Commercial Services – Sharon Frank.

GUESTS

There were no guests in attendance at the meeting.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.05am, noting Cr O'Neil's absence.

APOLOGIES

Resolution No. GM/10.2014/01

Moved Cr Wason

Seconded Cr Newman

That apologies be received and leave of absence granted for Cr. Price for this meeting.

CARRIED

7/0

CONFIRMATION OF MINUTES

Resolution No. GM/10.2014/02

Moved Cr Scheffe

Seconded Cr Flynn

That the minutes of the General Meeting (17-24.09.14) held on 24 September 2014 be confirmed.

CARRIED

7/0

Cr O'Neil entered the Chamber at 9.06am.

PRESENTATION

Kym Purcell from the Department of State Development, Infrastructure and Planning presented to Council regarding the RegionsQ showcase scheduled for 13-14 February 2015 and opportunities for Maranoa Regional Council to be involved.

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

Kym Purcell, Principal Project Officer – Communications and Media and other representatives from the Department of State Development, Infrastructure and Planning were in attendance.

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

CORPORATE, COMMUNITY & COMMERCIAL SERVICES

Item Number: 11.1 **File Number:** D14/69585

SUBJECT HEADING: SURAT CHILDCARE SERVICES - APPROVAL OF NEW SERVICE PROVIDER

Author and Officer's Title: Julie Neil, Manager - Community Services

Executive Summary:

Council endorsed a Memorandum of Understanding between Maranoa Regional Council and FGP Moreton Inc and approved the Chief Executive Officer to sign.

The signed Memorandum from FGP Moreton Inc. has been returned and formally lodged.

Discussion:

Cr Newman commended Council staff involved in this project on their hard work in achieving a valuable outcome for the Surat community.

Resolution No. GM/10.2014/03

Moved Cr Newman

Seconded Cr Denton

That Council acknowledge receipt of the Memorandum of Understanding from FGP Moreton Inc. and approve them as the new provider of child care services in Surat from January 2015.

CARRIED

8/0

Responsible Officer

Manager - Community Services

Item Number: 11.2 **File Number:** D14/70934

SUBJECT HEADING: DELEGATION OF COUNCIL POWERS TO THE POSITION OF CHIEF EXECUTIVE OFFICER UNDER LOCAL LAW NO.6 (OPERATION OF SALEYARDS) 2011

Author and Officer's Title: Christina Tincknell, Coordinator - Corporate, Community & Commercial Services

Executive Summary:

This report sought Council's approval for delegation of powers under Local Law No.6 (Operation of Saleyards) 2011, to the Chief Executive Officer.

Resolution No. GM/10.2014/04

Moved Cr O'Neil

Seconded Cr Wason

Under section 257 of the Local Government Act 2009, Council resolves to:

1. Delegate the exercise of powers contained in Schedule 1 of the Instrument of Delegation attached to the Officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the Instrument of Delegation.
2. Repeal all prior resolutions delegating the same powers.

CARRIED

8/0

Responsible Officer

Coordinator - Corporate, Community & Commercial Services

Item Number: 11.3 **File Number:** D14/70936

SUBJECT HEADING: DELEGATION OF COUNCIL POWERS TO THE POSITION OF CHIEF EXECUTIVE OFFICER UNDER SUBORDINATE LOCAL LAW NO.1.17 (SALE OR CONSIGNMENT OF STOCK AT A SALEYARD) 2011

Author and Officer's Title: Christina Tincknell, Coordinator - Corporate, Community & Commercial Services

Executive Summary:

This report sought Council's approval for delegation of powers under Subordinate Local Law No.1.17 (Sale or Consignment of Stock at a Saleyard) 2011, to the Chief Executive Officer.

Resolution No. GM/10.2014/05

Moved Cr Chambers

Seconded Cr Schefe

Under section 257 of the Local Government Act 2009, Council resolves to:

1. Delegate the exercise of powers contained in Schedule 1 of the Instrument of Delegation attached to the Officer's report, to the Chief Executive Officer. These powers must be exercised subject to any limitations contained in Schedule 2 of the Instrument of Delegation.
2. Repeal all prior resolutions delegating the same powers.

CARRIED

8/0

Responsible Officer

Coordinator - Corporate, Community & Commercial Services

Item Number: 11.4 **File Number:** D14/73147

SUBJECT HEADING: CONSIDERATION OF ELECTED MEMBER ATTENDANCE AT CONFERENCES

Location: Toowoomba, Mackay & Brisbane

Applicant: N/a

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

Executive Summary:

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

Resolution No. GM/10.2014/06

Moved Cr Denton

Seconded Cr Newman

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

- Cr Price at the Queensland Information Centres Association (QICA) 2014 Annual Conference on 5 - 8 October 2014 in Mackay;
- Cr Price at the 2014 RACQ Southern Queensland Tourism Industry Conference on 21 – 22 October 2014 at Highfields, Toowoomba;
- Cr O'Neil at the G20 – Trade & Investment Summit on 15 October 2014 in Brisbane.

CARRIED

8/0

Responsible Officer

Coordinator - Elected Members & Community Engagement

INFRASTRUCTURE SERVICES

Item Number: 12.1 **File Number:** D14/67161

SUBJECT HEADING: NAMING OF NEW STREET

Location: Off Bowen Street, Roma

Applicant: Toby Zaremba - Hillscorp Developments

Author and Officer's Title: Kim Edwards, Technical Officer - GIS/CAD

Executive Summary:

Council received a request to name the new street to be created as part of the development of Lot 20 RP835109 off Bowen Street in Roma.

Resolution No. GM/10.2014/07

Moved Cr Flynn

Seconded Cr Newman

That Council name the new street to be created as part of the Highview development, 'Highview Close'.

CARRIED

8/0

Responsible Officer

Technical Officer - GIS/CAD

Item Number: 12.2 **File Number:** D14/70624

SUBJECT HEADING: BULK FUEL TANK PURCHASE

Author and Officer's Title: Jodi Birch, Support Officer - Roads & Drainage (Nth E Central) Support

Executive Summary:

The Bulk Fuel Tank in the Roma Depot has recently had a number of safety and environmental issues including:

1. *A leaking pipe, where diesel leaked directly into the surrounding soil which now requires remediation, and;*
2. *The sump drain pipe in the bund was been found to be leaking, meaning the integrity of the safety control has now failed (a temporary repair of sealing up the drain outlet inside the sump has been carried out).*

Resolution No. GM/10.2014/08

Moved Cr Denton

Seconded Cr Scheffe

That Council redirect \$65,000 from an existing \$165,000 project budget associated with installation of contemporary fuel data collection hardware (W15298 – Roma Fuel Data System), to purchase and install a stand alone, double bunded 30,000L diesel tank equipped with backup generator hardware to ensure effective fuel supply of Council's Roma based fleet at an approximate cost of \$65,000.

CARRIED

8/0

Responsible Officer

Support Officer - Roads & Drainage (Nth E Central) Support

Item Number: 12.3 **File Number:** D14/72856

SUBJECT HEADING: PUBLIC LIGHTING AGREEMENT

Author and Officer's Title: Kym Downey, Manager - Infrastructure Planning & Design

Executive Summary:

Ergon Energy have completed a state wide audit to record all street lighting assets and to determine the parties responsible for payment of electricity charges for these lights. The formal agreement will provide clarity as to the rights, roles and responsibilities of each party to the agreement.

Resolution No. GM/10.2014/09

Moved Cr Wason

Seconded Cr Flynn

That Council delegate authority to the Chief Executive Officer to sign the Public Lighting Agreement, as presented, on Council's behalf.

CARRIED

8/0

Responsible Officer

Manager - Infrastructure Planning & Design

DEVELOPMENT, FACILITIES & ENVIRONMENTAL SERVICES

Item Number: 13.1 **File Number:** D14/69634

SUBJECT HEADING: REQUEST TO CHANGE CONDITIONS OF DEVELOPMENT APPROVAL IMPOSED ON APPROVED LIQUID WASTE AND SOLID WASTE TRANSFER FACILITIES AT 29 AIRPORT ROAD, INJUNE QLD 4454 (25SP194532) FILE: 2013/18667

Applicant: JJ Richards and Sons C/- Duggan & Hede Pty Ltd

Author and Officer's Title: Christopher Tickner, Town Planner
Tammie Davidson, Support Officer - Planning & Building Development Support

Executive Summary:

On behalf of JJ Richards and Sons Pty Ltd, the applicant has sought to negotiate conditions of the development approval for Material Change of Use for High Impact Industry, ERA 56 (Regulated Waste Storage and ERA 62 (Waste Transfer Station Operation) at 29 Airport Road, Injune, issued 21 March 2014.

The representations relate to Condition 43 and Condition 60 of the development approval.

Condition 43 states:

The development is approved to be operated for a maximum period of five (5) years, starting from the day the use commences. All buildings and structures are to be removed from the site immediately after the use ceases.

The applicant has requested that Condition 43 be amended as follows:

The development for Stage 2 (Waste Transfer Station Operation) is approved to be operated for a maximum period of five (5) years, starting from the day the use commences. All buildings and structures associated with Stage 2 (Waste Transfer Station Operation) are to be removed from the site immediately after the use ceases.

Condition 60 relates to the payment of a local roads additional impacts charge for material transported from the site. Terms of an infrastructure agreement addressing this component of the representations are currently being negotiated with the applicant and will be presented to Council for consideration in due course.

Resolution No. GM/10.2014/10

Moved Cr Newman

Seconded Cr Scheffe

That Condition 43 be amended from:

Condition 43

The development is approved to be operated for a maximum period of five (5) years, starting from the day the use commences. All buildings and structures are to be removed from the site immediately after the use ceases.

To three separate conditions:

Condition 43-1

The approval for the liquid waste facility (Stage 1) is current for 5 years commencing from the date of approval. The life of this approval is restricted as neither Council nor the liquid waste facility 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.

Condition 43-2

The period of the currency of the approval for the liquid waste facility (Stage 1) may be extended to 20 years by an infrastructure agreement which allows the Council, the liquid waste facility 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.

Condition 43-3

The development for Waste Transfer Station Operation (Stage 2) is approved to be operated for a maximum period of five (5) years, starting from the day the use commences. All buildings and structures associated with the Waste Transfer Station Operation (Stage 2) are to be removed from the site immediately after the use ceases.

CARRIED

7/1

Responsible Officer	Support Officer - Planning & Building Development Support
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Item Number:

13.2

File Number: D14/70426

SUBJECT HEADING:

ENDORSEMENT OF PROPOSED MARANOA MULTI PURPOSE EQUESTRIAN COMPLEX FEASIBILITY STUDY

Author and Officer's Title:

Fiona Vincent, Coordinator - Sport & Recreation

Executive Summary:

The Feasibility Study compiled by MAK Planning and Design for a Multi Purpose Equestrian Complex in Roma is complete and was presented to Council at a Councillor Workshop on 12 August 2014. Approval was sought to endorse this report and to make this study available to the public and Bassett Park Advisory Group members and be placed on Council's website.

Discussion:

Cr O'Neil and Cr Scheffe commented on the value of this project in securing Bassett Park as the region's premier sporting and event venue and the immense support received from Council and the community. They also noted the crucial nature of receiving funding from the state and federal governments in order to bring the project to fruition.

Resolution No. GM/10.2014/11

Moved Cr O'Neil

Seconded Cr Scheffe

That Council:

- 1. Endorse the Feasibility Study for a Multi Purpose Equestrian Complex located in Roma.**
- 2. Release the Study for viewing by the public and provide copies to State and Federal Members.**
- 3. Submit a letter to State and Federal members seeking funding to construct the facility.**

CARRIED

8/0

Responsible Officer	Coordinator - Sport & Recreation
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Cr Wason declared a potential perceived 'Conflict of Interest' in the following item 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. Cr Wason left the Chamber at 9.40am, taking no further part in discussion or debate on the matter.

Item Number:	13.3	File Number: D14/70621
SUBJECT HEADING:	DEVELOPMENT APPLICATION FOR MATERIAL CHANGE OF USE EXTRACTIVE INDUSTRY (100,000 TONNES PER ANNUM) AND ENVIRONMENTALLY RELEVANT ACTIVITIES 16(2)(A) AND 16(3)(A) (EXTRACTION AND SCREENING TO 100,000 TONNES PER ANNUM)	
Location:	952 Yuleba Surat Road, Yuleba QLD 4427	
Applicant:	RR & DL Allwood Farming Trust C/-Ausrocks Pty Ltd	
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)(a) and 16(3)(a) – Extractive and Screening Activities on land at Yuleba-Surat Road, Yuleba South QLD 4427 (properly described as Lot 12 on WAL53623 & Lot 13 WV334).

The application is subject to Impact Assessment against the relevant provisions of the Bendemere Shire Planning Scheme 2006. Public notification was carried out between 12 May 2014 and 3 June 2014 with no properly made submissions received during this period.

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/10.2014/12

Moved Cr Flynn

Seconded Cr Chambers

That the application for Material Change of Use "Extractive Industry" and related Environmentally Relevant Activities 16(2)(a) and 16(3)(a) – Extractive and Screening Activities, on land at 952 Yuleba Surat Road, Yuleba South (properly described as Lot 12 on WAL53623 & Lot 13 on WV334), be approved 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(a) extracting, other than by dredging in a year, more than 5,000t but no more than 100,000t; and**
- b) 3(a) screening, in a year, more than 5,000t but no more than 100,000t.**
- (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)(a) and 16(3)(a) – Extractive and Screening Activities, as shown on the approved plans.

a) The approved extraction tonnage is capped at 100,000 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 SP001

Gaemond Quarry Current Surface Topography

Prepared by Ausrocks Consulting Mining Engineers dated 04/09/2013

Drawing SP002

Gaemond Quarry Pit Layout Plan

Prepared by Ausrocks Consulting Mining Engineers dated 25/09/2014

Drawing SP003

Gaemond Quarry Pit 1 Layout Plan

Prepared by Ausrocks Consulting Mining Engineers dated 25/09/2014

Drawing SP004

Gaemond Quarry Pit 1 Layout Plan – Infrastructure

Prepared by Ausrocks Consulting Mining Engineers dated 25/09/2014

Drawing SP005

Gaemond Quarry Pit 2 Layout Plan – Infrastructure

Prepared by Ausrocks Consulting Mining Engineers dated 23/09/2014

Drawing SP006

Gaemond Quarry Cadastral Plan

Prepared by Ausrocks Consulting Mining Engineers dated 25/09/2013

Drawing SP007

Gaemond Quarry Neighbour Distance Plan

Prepared by Ausrocks Consulting Mining Engineers dated 01/10/2013

Drawing SP009

Gaemond Quarry Detailed Site Layout Plan

Prepared by Ausrocks Consulting Mining Engineers dated 27/09/2014

Drawing

6x3 SITE OFFICE_GAEMOND QUARRY

Prepared by Ausrocks Consulting Mining Engineers

Drawing

Elevation

Document – Site Based Management Plan

Version 1.3 Final

Prepared by Ausrocks Consulting Mining Engineers dated 1/10/2013

Document – Traffic Engineering Report

Issue RFI 02

Prepared by Hayes Traffic Engineering dated April 2014

Documents – Capricorn Municipal Development Guidelines

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

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(s) (and its related documents) applicable to the site to identify and state that all the requirements for this approval related to all 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 Version 1.3 Final, Section 12.10 Stormwater, Erosion and Sediment Control; and

b) Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.

Provision of Services

23. At all times during the operation on site effluent are 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.

24. 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.

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

Stormwater and Drainage

26. Stormwater is to be managed in accordance with:

a) Site Based Management Plan Version 1.3 Final, Appendix 7 Stormwater Management Plan Prepared by Ausrocks Consulting Engineers dated September 2013; and

b) Capricorn Municipal Development Guidelines D5 'Stormwater Drainage Design'.

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

28. 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

29. 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.

30. All weather vehicle access shall be provided for traffic movement within the development site.
31. Unsealed internal roads are to be watered upon receipt of any complaint regarding dust nuisance caused by vehicle movements within the site.

Roadworks

Note that the Department of State Development, Infrastructure and Planning have attached conditions to this approval.

32. Access to the development is to be constructed and asphalt sealed from the edge of existing pavement on Yuleba Surat Road to the property boundary in accordance with the Department of Main Roads Standard Drawing D04-221 STANDARD ACCESS (MINOR) with a turning radius of 20m.
33. Signage is to be placed on the Yuleba Surat Road generally in accordance with the recommendations of the Traffic Engineering Report prepared by Hayes Traffic Engineering Report dated April 2014.

Further Advice from Queensland Rail

The development is likely to contribute to cumulative impacts on the Yuleba-Surat Road crossing (ID: 2005) of the Western Line at Yuleba. In particular, an Australian Level Crossing Assessment Model for the Yuleba-Surat Road crossing of the Western Line has revealed that should the Maranoa Regional Council approve the proposed development, the following passive control devices and treatments should be provided to reduce safety risks:

34. Replace the existing 'Railway crossing give-way assembly (RX-1)' with 'railway crossing stop assembly (RX-2)' on each side of the crossing in accordance with the section of 2.2.2 of AS1742.7-2007 Manual of uniform traffic control devices, Part 7: Railway crossings.
35. Pavement markings (stops lines and barrier lines) are to be installed on each side of the crossing in accordance with sections 3.3 and 3.5 of AS1742.7-2007 Manual of uniform traffic control devices, Part 7: Railway crossings.
36. Road width at the rail level crossing shall include a minimum of 2 x 3.5m traffic lanes and 2 x 1.0m shoulders (the crossing should be wide enough to allow two of the widest vehicle types using the Yuleba-Surat Road to pass in each direction).
37. Road approaches and crossing surface are to be repaired and maintained in good condition.
38. Whistle boards are to be located 310m on the up and down sides of the railway crossing.

Environmental Management

39. 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 Version 1.3 Final prepared by Ausrocks Consulting Engineers dated September 2013; and
 - c) all relevant sections of the Capricorn Municipal Development Guidelines.

40. Remediation of the site is to occur in consultation with the landowner, and is to be managed in accordance with:
- 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
 - the Rehabilitation Management Plan, Section 12.9 of the Site Based Management Plan Version 1.3 Final prepared by Ausrocks Consulting Engineers dated September 2013.
41. 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.
42. Weeds and pests are to be monitored and controlled in accordance with Site Based Management Plan Version 1.3 Final prepared by Ausrocks Consulting Engineers dated September 2013, Section 12.13 Pest and Weed Management.

Fees, Infrastructure Charges and Impact Contributions

43. 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.
44. All matters contained within this development approval may be covered by infrastructure agreements or deeds of agreement between the relevant parties for each matter.
45. 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

46. 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.
47. 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

48. 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).

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

No Cost to Council

50. 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.
51. 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

52. 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

53. 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

54. 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.
55. 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.
56. 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.

57. 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.
58. 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.
59. 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.
60. 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.
61. 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

At cessation of discussion and debate on the abovementioned item, Cr Wason entered the Chamber at 9.41am.

Item Number: 13.4 **File Number:** D14/70685

SUBJECT HEADING: SYSTEMATIC INSPECTION PROGRAM

Author and Officer's Title: Sandra Crosby, Manager - Environmental Health, Compliance & Waste

Executive Summary:

To meet obligations and community expectations regarding animal control and environmental management administration and legislative compliance, it is necessary to undertake urban land inspections to make sure community members are conforming to the requirements of applicable Legislation and Local Law.

Discussion:

Council commented on the importance of this program in ensuring swimming pool safety and reducing the number of roaming animals.

Resolution No. GM/10.2014/13

Moved Cr Chambers

Seconded Cr O'Neil

That Council approve a three month systematic inspection program, commencing on Monday, 3 November 2014 and finalising on Friday, 30 January 2015, in accordance with section 134 of the Local Government Act 2009 for the purpose of entering urban premises to identify conformity and non conformity with requirements of Maranoa Regional Council Local Law No. 2 (Animal Management) 2011.

- 1. Schedule 1 – Prohibition on keeping animals**
- 2. Schedule 2 – Requirement for approval to keep animal**
- 3. Schedule 4 – Minimum standards for keeping animals generally**
- 4. Schedule 5 – Minimum standards for keeping particular animals**
- 5. Schedule 8 – Requirements for proper enclosures for animals**
- 6. Schedule 13 – Designated town area**

Together with Local Law No. 3 (Community and Environmental Management) 2011

- 1. Part 3 – Overgrown and unsightly allotments**
Section 13 (a) and (b)
Section 14 (a) and (b)

Together with the Building Act – inspection of swimming pools.

CARRIED

8/0

Responsible Officer	Manager - Environmental Health, Compliance & Waste
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Item Number: 13.5 **File Number:** D14/63449

SUBJECT HEADING: USE OF COUNCIL OWNED LAND - BASSETT LANE

Location: Roma

Author and Officer's Title: Tanya Mansfield, Manager – Facilities (Land, Buildings & Structures)

Executive Summary:

Council has been approached by parties who are interested in securing a formal agreement with Council to graze stock on Lot 2 on SP212826. This land has freehold tenure and is situated on Bassett Lane East, Roma. This land was acquired by Council as part of the flood levee project.

Discussion:

Council discussed the request in line with responsibilities of the landholder and Council. The Director – Infrastructure Services advised that he could supply a copy of the technical report which stipulates the responsibilities of each landholder.

The Chief Executive Officer suggested holding the matter over until Council had an opportunity to review the report.

Resolution No. GM/10.2014/14	
Moved Cr Newman	Seconded Cr Chambers
That the matter be held over for consideration at the General Meeting on 22 October 2014, pending the outcome of further investigations.	
CARRIED	8/0

Responsible Officer	Manager – Facilities (Land, Buildings & Structures)
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Item Number: 13.6 **File Number:** D14/70521

SUBJECT HEADING: USE OF COUNCIL OWNED LAND

Location: Mitchell

Author and Officer’s Title: Josephine Horsfall, Coordinator - Land Administration

Executive Summary:

Council has been approached by a party interested in securing a formal agreement with Council to graze stock on Council owned land being Lot 2 DUB 5333. This land is freehold tenure of approximately 32 hectares and is situated on Piggery Lane, Mitchell.

Resolution No. GM/10.2014/15	
Moved Cr Newman	Seconded Cr Wason
That:	
<ol style="list-style-type: none"> 1. Council invite expressions of interest from parties interested in entering a formal short-term agreement to graze stock on Council owned land being Lot 2 DUB 5333, Piggery Lane, Mitchell with the successful party being required to make the fencing stock proof to the satisfaction of Council and arrange provision of adequate stock water. 2. After the closing date for expressions of interest, an Officer’s report be tabled at Council’s General Meeting for decision. 	
CARRIED	8/0

Responsible Officer	Coordinator - Land Administration
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Item Number: 13.7 **File Number:** D14/71814

SUBJECT HEADING: SURAT BASIN ENERGY AND MINING EXPO EVENT
SPONSORSHIP - INDUSTRY FORUM

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

Executive Summary:

For the previous four years, Council has attended the Surat Basin Energy & Mining Expo in order to represent the Maranoa community. The two day expo has provided an opportunity for Councillors and staff to spread awareness of the resource sector activities and investment opportunities that exist in the region.

Last year, the event organisers (Australian Events Pty Ltd) invited Council to sponsor a component of the expo, the Surat Basin Industry Forum, which was held on Tuesday, 17 June 2014. Council resolved to commit \$5,500 to sponsor the Industry Forum, as per GM/11.2013/22, in addition to the expenses associated with attending the two-day trade show.

Council's approval was sought to commit funds to sponsor the 2015 Surat Basin Industry Forum.

Discussion:

Council discussed the value of this event and the importance of the Maranoa region being represented in this forum.

Resolution No. GM/10.2014/16

Moved Cr Denton

Seconded Cr Newman

That Council:

- **Endorse the sponsorship proposal from Australian Events Pty Ltd, pertaining to the Surat Basin Energy & Mining Expo Industry Forum.**
- **Approve payment of \$13,325 (inc GST) to Australian Events Pty Ltd, to cover sponsorship fees (\$5,950) and stall fees (\$7,375) for the 2015 event. Expenses are to be assigned to W14759.2538.2001 (Surat Basin Energy Expo).**
- **Approve the Chief Executive Officer to sign the Industry Forum Investment Agreement on Council's behalf.**

CARRIED

8/0

Responsible Officer

Specialist - Business Development

Cr Wason declared a potential perceived 'Conflict of Interest' in the following item 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. Cr Wason left the Chamber at 9.57am, taking no further part in discussion or debate on the matter.

Item Number: 13.8 **File Number:** D14/72457

SUBJECT HEADING: **MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY" (UP TO 1,000,000 TONNES PER ANNUM) & ENVIRONMENTALLY RELEVANT ACTIVITIES (16)(2B) AND 16(3B) EXTRACTIVE AND SCREENING ACTIVITIES (2014/18868)**

Location: 29839 Carnarvon Highway, Tingun QLD 4455 (Lot 3 on SP 180959)

Applicant: Queensland Quarry Group Pty Ltd C/-Wolter Consulting Group

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) (a) and 16(3) (a) – Extractive and Screening Activities on land at 29839 Carnarvon Highway, Tingun (properly described as Lot 3 on SP 180959).

The application is subject to Impact Assessment against the relevant provisions of the Bungil Shire Planning Scheme 2006. Public notification was carried out between the 25 July 2014 and 15 August 2014 and five (5) properly made submissions were received during this period.

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

Discussion:

Council discussed the possibility of conducting a site visit before making a formal decision on this matter.

Cr Newman expressed concern that deferring the matter would result in the current, unapproved operations continuing to negatively affect nearby residents.

Moved Cr Scheffe

Seconded Cr O'Neil

That the matter be held over for further consideration at the General Meeting on 22 October 2014.

NO VOTE TAKEN

Discussion continued with Council determining that the matter should be left on the table for further discussion at a later point during the meeting.

Action:

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

At cessation of discussion and debate on the abovementioned item, Cr Wason entered the Chamber at 10.03am.

Item Number: 13.9 **File Number:** D14/72601

SUBJECT HEADING: **NOMINATION FOR OUTBACK QUEENSLAND TOURISM ASSOCIATION'S TOURISM MANAGEMENT COMMITTEE**

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

Executive Summary:

Nominations are now open for Outback Queensland Tourism Association's financial members to nominate for a position on the Outback Queensland Tourism Management committee.

Maranoa Regional Council is invited to nominate for a seat representing south west Queensland for tenure of two (2) years as one of four committee members representing their geographic area. In addition, the Maranoa will be represented by one board member elected by South West Regional Economic Development Association.

As a financial member of two Regional Tourism Organisations, Maranoa Regional Council also has an elected member in Cr. Price, representing the 'Western Country' on the board of Southern Queensland Country Tourism.

Resolution No. GM/10.2014/17

Moved Cr O'Neil

Seconded Cr Flynn

That Council:

- 1. Decline the invitation of Outback Queensland Tourism Association to nominate a representative on the Outback Queensland Tourism Management Committee, representing the south west region.**
- 2. Develop and maintain a strong relationship with the elected member for the south west region, as well as the South West Regional Economic Development Association to ensure that the tourism matters affecting the Maranoa are heard and represented efficiently through those elected members.**

CARRIED

8/0

Responsible Officer

Coordinator - Tourism

Item Number: 13.10 **File Number:** D14/73229

SUBJECT HEADING: **HIBERNIAN HALL USER AGREEMENTS**

Author and Officer's Title: **Tanya Mansfield, Manager – Facilities (Land, Buildings & Structures)**

Executive Summary:

To assist in management of the Hibernian Hall asset, Council was asked to consider adopting a standardised User Agreement for all current and future regular hirers of the Hibernian Hall. Council was also asked to include in its schedule of Fees and Charges an hourly hire rate and additional cleaning fee for regular users of the facility.

Discussion:

Cr Denton enquired if the cleaning fee was intended to be charged for each hire. The Acting Director – Development, Facilities and Environmental Services advised that the cleaning fee would only be applicable if the hall was left in an untidy state and cleaners were required.

Resolution No. GM/10.2014/18
Moved Cr Chambers
Seconded Cr Flynn
That Council:

1. Adopt the standard Hibernian Hall User Agreement as presented.
2. Circulate the User Agreement to all existing users of the Hibernian Hall and require the agreement to be signed and returned to Council within 30 days of receipt of the agreement.
3. Authorise Council's Chief Executive Officer to sign the completed Hibernian Hall User Agreements on Council's behalf.
4. Require all future, regular, long-term users of Hibernian Hall to agree to and sign the User Agreement before commencing use of the facility.
5. Amend Council's Fees and Charges Schedule to reflect a hire rate of \$13.20 per hour and an additional cleaning fee (if necessary) of \$44 per hour for the Hibernian Hall for the 2014/15 year.

CARRIED

8/0

Responsible Officer
Manager – Facilities (Land, Buildings & Structures)
Item Number:

13.11

File Number: D14/73248

SUBJECT HEADING:
USE OF COUNCIL OWNED LAND - KIMBLER RD, ROMA
Author and Officer's Title:
Dee Schafer, Support Officer - Facilities
Executive Summary:

Council has received two Expressions of Interest from parties wishing to use Council owned land being Lot 3 on SP230317, Kimbler Road Roma for grazing purposes.

Resolution No. GM/10.2014/19
Moved Cr Wason
Seconded Cr Flynn
That Council accept the offer from Sally Coughlin to graze stock on Lot 3 on SP230317 for a period of 12 months at \$24 per week subject to the following conditions:

1. All boundary fencing is to be maintained in stock proof condition for the term of the agreement.
2. The occupier must implement suitable control to manage and or eliminate pest plants.
3. The occupier must have a \$10 million Public Liability insurance cover, for the use of Council land indemnifying the local government.
4. It is the occupier's responsibility to provide adequate water for stock grazing on the land.

CARRIED

8/0

Responsible Officer
Support Officer - Facilities

Item Number: 13.12 **File Number:** D14/73302

SUBJECT HEADING: ROMA COMMUNITY ARTS CENTRE

Author and Officer's Title: Tanya Mansfield, Manager – Facilities (Land, Buildings & Structures)

Executive Summary:

Council has received a request from The Silversmiths Roma Group Incorporated to reduce the rental payable on the studio workshop they occupy at the Roma Community Arts Centre. The Roma Community Arts Centre includes six (6) studio spaces for use by community arts organisations with current tenancy arrangements due for review in 2015.

Discussion:

Cr Newman noted that while tenants at Roma Community Arts Centre may be charged the same rent, the size of studio spaces varies significantly. She also noted that some groups are able to share one studio which is more cost effective, however due to equipment and size restrictions, other groups are unable to do so.

Cr Newman moved that Council waive The Silversmiths Roma Group Inc.'s rental payments for the remainder of the current tenancy agreement.

Cr Chambers advised she would support a waiver of a portion of the rental payable.

Cr Denton advised she would support a fee reduction as the group has been paying more than their fair share in comparison to others.

Resolution No. GM/10.2014/20

Moved Cr Newman

Seconded Cr Denton

That Council:

1. **Waive all rental payments for The Silversmiths Roma Group Incorporated for the remainder of the current tenancy agreement.**
2. **Advise all tenants of the Roma Community Arts Centre studio spaces that as per their agreements with Council, tenancy arrangements are becoming due for review in 2015.**
3. **Call for expressions of interest from Community Arts organisations interested in applying to occupy a studio space at the Roma Community Arts Centre and advise prospective tenants that Council will be happy to consider applications that propose share arrangements with other groups.**

MOTION LOST

2/6

Cr Chambers proposed that Council approve the group's request for a reduction in rent payable to \$50 per month.

Cr Flynn advised of his objection to the motion, noting that other tenants are paying considerably more than the proposed amount.

Resolution No. GM/10.2014/21

Moved Cr Chambers

Seconded Cr O'Neil

That Council:

1. **Agree to the request from The Silversmiths Roma Group Incorporated to reduce the rental on the studio they occupy at the Roma Community Arts Centre to \$50 per month.**

2. Advise all tenants of the Roma Community Arts Centre studio spaces that as per their agreements with Council, tenancy arrangements are becoming due for review in 2015.
3. Call for expressions of interest from Community Arts organisations interested in applying to occupy a studio space at the Roma Community Arts Centre and advise prospective tenants that Council will be happy to consider applications that propose share arrangements with other groups.

CARRIED

7/1

Responsible Officer	Manager – Facilities (Land, Buildings & Structures)
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SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
 COUNCIL ADJOURNED THE MEETING FOR MORNING TEA AT 10.20AM.

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 10.57AM

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:-

- (a) the appointment, dismissal or discipline of employees;
- (c) the local government budget;
- (e) contracts proposed to be made by it;
- (h) other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage;

Resolution No. GM/10.2014/22

Moved Cr Newman

Seconded Cr Wason

That Council close the meeting to the public at 10.57am.

CARRIED

8/0

Cr Wason declared a potential perceived 'Conflict of Interest' in the following item 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. Cr Wason left the Chamber at 11.43am, taking no further part in discussion or debate on the matter.

At cessation of discussion and debate on the abovementioned item, Cr Wason entered the Chamber at 11.52am.

Resolution No. GM/10.2014/23

Moved Cr O'Neil

Seconded Cr Newman

That Council open the meeting to the public at 11.53am.

CARRIED

8/0

SUBJECT HEADING: SUSPENSION OF STANDING ORDERS
 COUNCIL ADJOURNED THE MEETING FOR A BRIEF RECESS AT 11.53PM.

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 11.58AM

Item Number: C.1 File Number: D14/69501

SUBJECT HEADING: ROSEDALE ROAD GRIDS

Location: Rosedale Road

Author and Officer's Title: Julian McEwan, Manager - Roads & Drainage (Nth E Central) and Parks & Gardens

Executive Summary:

Council has investigated a number of grids on Rosedale Road that require actions to meet Council's Grids and Gate Policy. The resolution of this issue impacts on a number of landholders.

Resolution No. GM/10.2014/24

Moved Cr Schefe

Seconded Cr Wason

That Council authorise the Chief Executive Officer to take the following actions to ensure the grids on Rosedale Road meet Council's Grids and Gate Policy:

1. Request Grid No. 1 be brought up to specifications by fixing wing walls permanently, installing grid signs and completing fencing and gates to reasonable level.
2. Undertake to remove Grid No. 2 and remove crest to rectify a safety issue and advise the landholder that, if required, she will need to apply as per the Gates and Grids Policy to install a grid and gates at a suitable location to both the landholder and Council at her cost.
3. Undertake to remove Grid No. 3 on Rosedale Road and fence 1.5km of road reserve as the landholder is agreeable to Council fencing the 1.5km of road reserve that is off alignment in return for the road reserve staying on its current alignment.
4. Request removal of fencing and gates relating to Grid No. 4, from within the Rosedale Road road reserve and request the owner apply to Council retrospectively to register Grid No. 4 currently located in the unnamed, unformed road reserve joining Rosedale Road.

CARRIED

8/0

Responsible Officer	Manager - Roads & Drainage (Nth E Central) and Parks & Gardens
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Item Number: C.2 File Number: D14/70928

SUBJECT HEADING: REQUEST FOR SPONSORSHIP

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

Executive Summary:

Council has received a request for financial sponsorship from Mitchell Bowling Club for their annual carnival, to be held on 25-26 October 2014.

Resolution No. GM/10.2014/25
Moved Cr Denton
Seconded Cr Flynn
That Council:

1. Decline the opportunity to provide financial sponsorship to Mitchell Bowling Club.
2. Advise Mitchell Bowling Club that Council provides financial assistance to community groups through two annual rounds of Community Grants and encourage the Club to consider a project for future submissions.

CARRIED

8/0

Responsible Officer
(Acting) Coordinator - Local Development & Council Events
Item Number:
C.3
File Number: D14/73034
SUBJECT HEADING:
ORGANISATIONAL STRUCTURE AND INTERIM CONTRACT ARRANGEMENTS
Author and Officer's Title:
Erin Tompkins, Associate to the CEO & Mayor
Executive Summary:

The report sought Council approval to extend the terms of the following positions until 12 November 2014, to allow for the Infrastructure Services restructure to take place and/or new contracts to be considered:

- *Director – Development, Facilities & Environmental Services*
- *Manager – Human Resources*
- *Manager – Roads & Drainage (North East & Central) and Parks & Gardens*
- *Manager – Social Services (now Community Services)*
- *Manager – Environmental Health, Compliance and Waste*
- *Manager – Facilities (Land, Buildings & Structures)*
- *Specialist – Infrastructure Program Funding*
- *Specialist – Organisational Development*
- *Specialist – Compliance*
- *Coordinator – Operations (Water, Sewerage & Gas)*
- *Coordinator – Roads & Drainage South (Mitchell)*
- *Coordinator – Roads & Drainage North (Yuleba/Wallumbilla)*
- *Saleyards Operations Supervisor*

Resolution No. GM/10.2014/26
Moved Cr O'Neil
Seconded Cr Chambers
That Council formalise the extension of current arrangements until 12 November 2014 and that a further report / update be provided to Council if required at that Council meeting.

CARRIED

8/0

Responsible Officer
Associate to the CEO & Mayor

Cr O'Neil declared a potential perceived 'Conflict of Interest' in the following item, due to an acquaintance with one of the tenderers. Cr O'Neil elected to remain for discussions on the basis that it would not influence his ability to consider the broader public interest.

Item Number: C.4 **File Number:** D14/69586

SUBJECT HEADING: SURAT CHILDCARE FACILITY UPGRADE TENDER

Author and Officer's Title: Julie Neil, Manager - Community Services

Executive Summary:

Funding received from the Department of Education Training and Employment (DETE) allocated toward the 'essential upgrades' to deliver a long day care service for Surat and surrounds, requires expending. Timeframes were drafted for this capital works project and approved by the DETE State Manager.

In accordance with these deadlines, the appointment of a project manager and tender documents were endorsed by Council. The upgrade project remains on schedule, however builder selection approval by Council was required.

Resolution No. GM/10.2014/27

Moved Cr Flynn

Seconded Cr Newman

That Council approve:

1. **Oceanic Constructions Qld (trading for Hampton Investments Pty Ltd) as the selected builder for the Surat Childcare facility upgrade at a cost of \$273,365 (ex GST) to commence 27 October 2014, with a practical completion date of 5 January 2015.**
2. **Formal notification of these confirmed dates to the relevant Departments, crèche and kindergarten, Surat Childcare staff, parents and caregivers with regards to the centre closure for refurbishment.**

CARRIED

8/0

Responsible Officer

Manager - Community Services

Item Number: C.5 **File Number:** D14/73502

SUBJECT HEADING: ROMA FLOOD MITIGATION STAGE 1 - EASEMENTS

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

Executive Summary:

The Roma Flood Mitigation Stage 1 Project Manager and Council's legal advisor for the project have provided a proposed process to finalise compensation for easements related to the levee footprint.

The proposed process is to approach each owner with the following:

1. *The draft easement survey plan showing the relevant affected area;*
2. *The terms of the grant of easement which Council wants to take; and*
3. *A certificate from Council's appointed valuer setting out his opinion of the amount (if any) of compensation payable.*

The owners need an opportunity to take their own advice on the terms of the easement and the compensation (if any is payable). It was recommended that Council should offer to cover any reasonable costs.

Resolution No. GM/10.2014/28

Moved Cr Chambers

Seconded Cr Schefe

That Council proceed with the process for acquisition of easements and payments of compensation (if due) in accordance with signed Access Deeds and the process outlined.

CARRIED

8/0

Responsible Officer

Chief Executive Officer

Item Number:

C.6

File Number: D14/69593

SUBJECT HEADING:

REQUEST FOR REIMBURSEMENT

Author and Officer's Title:

Julie Reitano, Chief Executive Officer

Executive Summary:

The applicant requested that Council provide reimbursement, as set out in the Officer's report, for costs associated with damages to the applicant's vehicles allegedly sustained on roads within the Maranoa region. This claim has been denied by Council's insurer, both initially and then following a review of the decision as requested by the applicant. Council's budget currently does not provide for ex-gratia payments.

Resolution No. GM/10.2014/29

Moved Cr Denton

Seconded Cr Flynn

That Council:

1. Advise the applicant that in relation to concerns raised regarding the Mitchell-Bollon and Loop Roads:
 - Significant work has been undertaken to determine maintenance standards for the region's extensive road network.
 - The work culminated in new maintenance policy standards being adopted at Council's last meeting in 2013. *11 December 2013*
 - Council is in the process of undertaking a full review of its road maintenance resources and crew structures and determining the most efficient way to deliver its road maintenance program.
 - To achieve this, Council has engaged a logistics/commercial mathematics company to work with Council to most efficiently structure, locate and manage its road maintenance crews. *14 May 2014 10 September 2014*
 - In parallel, Council is undertaking a full review of the Organisational Structure (reporting and accountability relationships) for its Infrastructure Services Directorate under a recently appointed new Director.
 - Council has also committed to determining how best to engage local contractors to work in partnership with Council and an advertisement will soon be placed in the newspaper to seek expressions of interest (noting that this has already commenced informally with local contractors).
2. Advise the applicant that Council cannot accommodate payment in respect to the denied insurance claim given the circumstances outlined in the letter from the insurance company, but Council will remain focussed on current and future road maintenance service delivery.

CARRIED

8/0

Responsible Officer

Chief Executive Officer

Cr Wason declared a potential perceived 'Conflict of Interest' in the following item 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. Cr Wason left the Chamber at 12.11pm, taking no further part in discussion or debate on the matter.

Item Number: 13.8 **File Number:** D14/72457

SUBJECT HEADING: **MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY" (UP TO 1,000,000 TONNES PER ANNUM) & ENVIRONMENTALLY RELEVANT ACTIVITIES (16)(2B) AND 16(3B) EXTRACTIVE AND SCREENING ACTIVITIES (2014/18868)**

Location: 29839 Carnarvon Highway, Tingun QLD 4455 (Lot 3 on SP 180959)

Applicant: Queensland Quarry Group Pty Ltd C/-Wolter Consulting Group

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

Executive Summary:

The application seeks approval for a Material Change of Use - "Extractive Industry" and related Environmentally Relevant Activities (16) (2) (a) and 16(3) (a) – Extractive and Screening Activities on land at 29839 Carnarvon Highway, Tingun (properly described as Lot 3 on SP 180959).

The application is subject to Impact Assessment against the relevant provisions of the Bungil Shire Planning Scheme 2006. Public notification was carried out between the 25 July 2014 and 15 August 2014 and five (5) properly made submissions were received during this period.

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

Resolution No. GM/10.2014/30	
Moved Cr Schefe	Seconded Cr O'Neil
That the matter be held over for further consideration at the General Meeting on 22 October 2014.	
CARRIED	7/0

Responsible Officer	Town Planner
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Cr Wason did not return to the meeting prior to closure.

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 12.12pm.

These Minutes are to be confirmed at the next General Meeting of Council to be held on 22 October 2014, at Roma Administration Centre.

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 Mayor

.....
 Date