

**MINUTES OF THE ORDINARY MEETING OF MARANOA REGIONAL COUNCIL HELD AT YULEBA ADMINISTRATION CENTRE ON 14 FEBRUARY 2024 SCHEDULED TO COMMENCE AT 9.00AM**

**ATTENDANCE**

Mayor Cr. T D Golder chaired the meeting with, Deputy Mayor Cr. G B McMullen, Cr. J R P Birkett, Cr. M C Edwards, Cr. J L Guthrie, Cr. W L Ladbrook, Cr. C J O'Neil, Cr. W M Taylor, Chief Executive Officer – Edwina Marks, and Kelly Rogers Minutes Officer in attendance.

**AS REQUIRED**

Director Bendemere – Stephen Scott, Director Roma – Dean Ellwood, Director Warroo – Mathew Gane, Director Bungil – Lee Jackson, Director Corporate Services – Erik Lambert (by Microsoft Teams), Director Booringa – Seamus Batstone (by Microsoft Teams), General Manager Saleyards – Daniel Haslop (by Microsoft Teams), Manager – Planning & Development – Kate Swepson (in person and by Microsoft Teams), Lead Facility Management Officer – Leah Cooper, Local Development Officer (Roma) – Georgie Adams-Woodall, Local Development Officer Warroo – Dianne Clayton, Local Development Officer Booringa – Jane Fenton (by Microsoft Teams).

**WELCOME**

The Mayor welcomed all present and declared the meeting open at 9.03am.

**APOLOGIES**

<b>Resolution No. OM/02.2024/01</b>	
<b>Moved Cr Golder</b>	<b>Seconded Cr O'Neil</b>
<b>That apologies be received and leave of absence granted for Cr. Hancock for this meeting.</b>	
<b>CARRIED</b>	<b>8/0</b>

**CONFIRMATION OF MINUTES**

<b>Resolution No. OM/02.2024/02</b>	
<b>Moved Cr Guthrie</b>	<b>Seconded Cr Edwards</b>
<b>That the minutes of the Ordinary Meeting held on 24 January 2024 be confirmed as amended to include the following additional clarification-</b>	
<b><u>Page 8 of the agenda   Item 8.3 – Resolution No. OM/01.2024.04</u></b>	
<b><i>That Council:</i></b>	
<ol style="list-style-type: none"> <li><b>1. <i>Work with the Teelba Community to design a directional property sign (including seeking formal property owners consent <b>for their property name inclusion on the sign</b>).</i></b></li> <li><b>2. <i>Purchase and install the sign as a matter of priority.</i></b></li> <li><b>3. <i>Draw the required funds of up to \$5,000 (Ex GST) from General Ledger 2087.2017 – Warroo Operational Budget.</i></b></li> </ol>	
<b>CARRIED</b>	<b>8/0</b>

## Declaration of Interest

Cr McMullen indicated that he had declared a conflict of interest in the following item (5.1) when initially considered at the ordinary meeting on 24 January 2024 (Item 14.5 at that meeting), advising that he would again leave the meeting while the matter was discussed and voted on.

Cr McMullen left the meeting at 9.06am.

## ON THE TABLE

**Item Number:** 5.1 **File Number:** D24/9859

**SUBJECT HEADING:** MATERIAL CHANGE OF USE - "TRANSPORT DEPOT" (LAYDOWN YARD) (REF: 2023/20909)

**Officer's Title:** Manager – Planning, Building & Development Services

### **Executive Summary:**

*Mr D Joliffe has submitted a development application seeking approval for a Material Change of Use for a "Transport Depot" (Laydown Yard) at Bungeworgorai Lane, Dargal Road, being Lot 2 on RP908589 (the subject premises). The development application is subject to Impact Assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided by Section 45 of the Planning Act 2016 and any relevant matters prescribed by regulation. The Development Assessment Rules set out the procedural requirements for the development assessment process.*

*Public notification about the application was carried out in accordance with Part 4 of the Development Assessment Rules between 6 and 24 November 2023. Three (3) properly made submissions were received in relation to the application.*

*The procedural requirements set out by the Development Assessment Rules to enable Council to decide on this application have been fulfilled. The development application is not consistent with the assessment benchmarks provided by the Planning Act 2016 and cannot be conditioned to achieve compliance.*

### **Resolution No. OM/02.2024/03**

**Moved Cr Taylor**

**Seconded Cr O'Neil**

**That the development application for a Material Change of Use for a "Transport Depot" (Laydown Yard) located at Bungeworgorai Lane, Dargal Road, (described as Lot 2 on RP908589) be refused for the following reasons:**

- 1. The proposal conflicts with the Strategic Framework as:**
  - a. The proposed development is not complementary to adjacent land uses and will impact the amenity of nearby sensitive land uses.
  - b. The proposed development is not for a home-based business.
  - c. The proposal is for non-rural uses in the rural zone. Insufficient information has been provided by the applicant to demonstrate the use will not impact detrimentally on the local environment or landscape character.
  - d. There is sufficient industrial land to support the proposed development in a more suitable zone within the Roma locality.
- 2. The proposal conflicts with the Overall Outcomes (b), (h), (k) and (p) of the Rural Zone Code as:**
  - a. The proposal is not associated with, nor ancillary to, a rural activity.
  - b. The proposal is not for a recreation or tourism activity and will create a land

<p>use conflict between industrial and rural and residential activities.</p> <p>c. The development footprint is located at the property frontage and will impact nearby sensitive receptors.</p> <p>d. Insufficient information has been provided by the applicant to demonstrate the activity is low impact and that any impacts can be adequately mitigated or managed.</p> <p>3. The proposal conflicts with Performance Outcomes 1, 2, 12 and 24 of the Rural Zone Code as:</p> <p>a. The scale of the proposed activity will detrimentally impact the amenity of the area;</p> <p>b. The location of the use is considered to prejudice the consolidation of industrial uses in the Industry Zone within the Roma locality;</p> <p>c. Insufficient information has been provided that noise and air (dust) emissions can be appropriately mitigated or managed to prevent causing an ongoing nuisance to adjoining properties or sensitive land uses.</p> <p>4. The proposed development is not consistent with community expectations for development in the locality. The submitters have raised valid concerns associated with the proposed development that warrant refusal of the application.</p> <p>5. No relevant matters have been presented, other than the applicant's financial circumstances, to overcome the conflicts with the assessment benchmarks.</p>	7/0
CARRIED	

<b>Responsible Officer</b>	<b>Manager – Planning, Building &amp; Development Services</b>
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<p><b>Section 150F A (2)(e) of the <i>Local Government Act 2009</i></b>          For a matter to which the prescribed conflict of interest or declarable conflict of interest relates – the name of each eligible councillor who voted on the matter, and how each eligible councillor voted.</p> <p><b>Name of each eligible councillor who voted on the matter:</b>          Cr. John Birkett, Cr. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Wayne (George) Ladbrook, Cr. Cameron O’Neil, Cr. Wendy Taylor.</p> <p><b>How each eligible councillors voted:</b>          Each councillor voted in favour of the motion.</p>
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At cessation of discussion and decision on the abovementioned item, Cr McMullen returned to the meeting at 9.21am.

**Item Number:** 5.2 **File Number:** D24/10339

**SUBJECT HEADING:** CORPORATE PLAN 2023- 2028 ADDITIONAL WORDING

**Officer’s Title:** Director - Corporate Services

***Executive Summary:***

*Council have requested an addition to their current Corporate Plan in relation to sport and recreation. Additional wording has been included for Councils endorsement.*

**Resolution No. OM/02.2024/04**

**Moved Cr O'Neil**

**Seconded Cr Ladbrook**

**That Council:**

1. **Acknowledge resolution OM/10.2023/44.**
2. **Adopt and include the following wording as part of the plan:**
  - (a) **Introduce a variety of recreational and sports activities that promote physical health, mental well-being, and social connectivity.**
  - (b) **Design events and activities that are accessible to individuals of all abilities, ensuring inclusivity and participation across diverse demographics.**
  - (c) **Establish partnerships with local organisations and external stakeholders specialising in sporting events.**
3. **Update Councils corporate plan and place on Council's website accordingly.**

**CARRIED**

**8/0**

<b>Responsible Officer</b>	<b>Director - Corporate Services</b>
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## **PRESENTATION**

Margaret Dawn Irwin – Recipient of the 2024 Australia Day Cultural Award for Bendemere was recognised for her contribution in a presentation prior to morning tea.

## **CONSIDERATION OF NOTICES OF MOTION**

**Item Number: 8.1 File Number: D24/12663**

**SUBJECT HEADING: THE BIG RIG - EASTER TIMES**

**Officer's Title: Director Roma**

**Original Resolution Meeting Date: 24 January 2024**

**Original Resolution Number: OM/01.2024/41**

**Original Resolution:**

**That Council:**

1. **Amend the fees and charges schedule for public entry to the Big Rig from 28 March to 1 April 2024 to allow:**
  - a. **Express entry to the Big Rig Tower and Treewalk from 5pm-6.30pm at a cost of \$10 per adult, \$8 concession, \$7.50 child and \$30 family (Excluding local residents which will remain \$5 flat rate cost).**
  - b. **Express Night Show Sunset Experience at 6.30pm-7pm at a cost of \$10 per adult, \$8 concession, \$7.50 child and \$30 family.**
  - c. **Combination of Express Big Rig Tower and Treewalk and Express Night Show Experience at a cost of \$20 Adult, \$18 Concession, \$55 family, \$15 child.**

**Resolution No. OM/02.2024/05**

**Moved Cr Guthrie**

**Seconded Cr Birkett**

**That Council repeal Resolution Number OM/01.2024/41 to read as follows:**

**That Council:**

- 1. Amend the fees and charges schedule for public entry to the Big Rig from 28 March to 1 April 2024 to allow:**
  - a. Express entry to the Big Rig Tower and Treewalk from 5pm-6.30pm at a cost of \$10 per adult, \$8 concession, \$7.50 child and \$30 family (Excluding local residents which will remain \$5 flat rate cost).**
  - b. Express Night Show Sunset Experience at 6.30pm-7pm at a cost of \$10 per adult, \$8 concession, \$7.50 child and \$30 family.**
  - c. Combination of Express Big Rig Tower and Treewalk and Express Night Show Experience at a cost of \$20 Adult, \$16 Concession, \$55 family, \$15 child.**

**CARRIED**

**8/0**

**Responsible Officer**

**Director Roma**

**Item Number:**

**8.2**

**File Number: D24/12450**

**SUBJECT HEADING:**

**AMENDMENT SALEYARDS MEMORIAL WALL EVENT CHANGE**

**Officer's Title:**

**Mayor Golder**

**Original Resolution Meeting Date:**

**24 January 2024**

**Original Resolution Number:**

**OM/01.2024/78**

**That Council:**

- 1. Seek further consultation and feedback from people and families involved in the Roma Saleyard's Memorial Wall project.**
- 2. Consider a policy framework after the feedback has been received and reviewed.**
- 3. Develop an invitation list for unveiling of the Roma Saleyards Memorial Wall and work with Ann Prow regarding her feedback.**
- 4. Subject to the completion of points (1), (2) and (3), hold the unveiling on Tuesday 27 February 2024.**

**Moved Cr Golder**

**Seconded Cr Ladbrook**

**[That Council amend Resolution Number OM/01.2024/78 to read as follows]:**

**That Council:**

- 1. Seek further consultation and feedback from people and families involved in Roma Saleyard's Memorial Wall project.**
- 2. Consider a policy framework after the feedback has been received and reviewed.**
- 3. Develop an invitational list for unveiling of the Roma Saleyards Memorial Wall and work with Ann Prow regarding her feedback.**
- 4. Subject to the completion of points (1), (2) and (3), hold the unveiling of the memorial wall during 2024 on a date to be advised.**

**NO VOTE TAKEN**

No vote was taken on the draft motion at that time, with Cr McMullen proposing an amendment to point 4 of the draft motion as follows:

<b>Moved Cr McMullen</b>	<b>Seconded [Called but not received]</b>
<b>That Council:</b>	
<ol style="list-style-type: none"> <li>1. <b>Seek further consultation and feedback from people and families involved in the Roma Saleyard's Memorial Wall project.</b></li> <li>2. <b>Consider a policy framework after the feedback has been received and reviewed.</b></li> <li>3. <b>Develop an invitation list for unveiling of the Roma Saleyards Memorial Wall and work with Ann Prow regarding her feedback.</b></li> <li>4. <b>Subject to the completion of points (1), (2) and (3), hold the unveiling of the memorial wall on 27/02/24.</b></li> </ol>	
<p><i>[Mayor Golder as 'mover' advised he would not accept the amendment, and following further discussion and input from the Chief Executive Officer, Cr McMullen withdrew the amendment].</i></p>	
AMENDMENT WITHDRAWN	

With the amendment withdrawn, Council again considered the initial draft motion, with the outcome recorded as follows:

<b>Resolution No. OM/02.2024/06</b>	
<b>Moved Cr Golder</b>	<b>Seconded Cr Ladbrook</b>
<b>[That Council amend Resolution Number OM/01.2024/78 to read as follows]:</b>	
<b>That Council:</b>	
<ol style="list-style-type: none"> <li>1. <b>Seek further consultation and feedback from people and families involved in Roma Saleyard's Memorial Wall project.</b></li> <li>2. <b>Consider a policy framework after the feedback has been received and reviewed.</b></li> <li>3. <b>Develop an invitational list for unveiling of the Roma Saleyards Memorial Wall and work with Ann Prow regarding her feedback.</b></li> <li>4. <b>Subject to the completion of points (1), (2) and (3), hold the unveiling of the memorial wall during 2024 on a date to be advised.</b></li> </ol>	
CARRIED	6/2
Cr. Golder called for a division of the vote.	
The outcomes were recorded as follows:	
<b>Those in Favour of the Motion</b>	<b>Those Against the Motion</b>
Cr. Birkett	Cr. McMullen
Cr. Edwards	Cr. Taylor
Cr. Golder	
Cr. Guthrie	
Cr. Ladbrook	
Cr. O'Neil	

<b>Responsible Officer</b>	<b>General Manager – Roma Saleyards</b>
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**Item Number:** 8.3 **File Number:** D24/12447  
**SUBJECT HEADING:** MARANOA MEDICAL BURSARY RETENTION BURSARY  
**Councillor's Title:** Cr. Tyson Golder

***Executive Summary:***

*The bursary panel met on Wednesday 7 February 2024 in relation to interviews for the final award of the inaugural retention bursary.*

**Moved Cr Golder**

**Seconded Cr Edwards**

**That Council:**

- 1. Acknowledge resolution OM/01.2024/01.**
- 2. Acknowledge the successful recipient of the inaugural Medical Retention Bursary endorsed by the panel and the Chief Executive Officer Shireen Kumar.**
- 3. Provide another discretionary retention bursary for the amount of \$20,000 to Sarah Paget, on the grounds that retention of both doctors in the region is an important economic and social objective for the Maranoa.**
- 4. Identify prominent medical personnel who have served the Maranoa over the last 100 years as potential names for the individual medical and nursing bursaries to ensure a lasting legacy and build the reputation of the bursaries.**

*[Cr O'Neil proposed an amendment to point 4 of the draft motion, which was accepted by the 'mover' and 'seconded']*.

**NO VOTE TAKEN**

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

**Resolution No. OM/02.2024/07**

**Moved Cr O'Neil**

**That this lay on the table until later in the meeting *[to confirm budgetary arrangements]*.**

**CARRIED**

**8/0**

## BUSINESS

### OFFICE OF THE CEO

Item Number: 10.1 File Number: D24/11232

**SUBJECT HEADING: CENTRAL QUEENSLAND REGIONAL WATER ASSESSMENT- STAKEHOLDER ADVISORY GROUP MEETING 21 FEB 2024**

Officer's Title: Chief Executive Officer

**Executive Summary:**

*The Minister for Regional Development and Manufacturing and Minister for Water, along with the Honourable Tanya Plibersek MP Federal Minister for the Environment and Water, announced the Central Queensland Regional Water Assessment (RWA). The State is administering the RWA on behalf of the Queensland and Australian governments and is now extending invitations for participation in a Stakeholder Advisory Group (SAG) to support this important work. The State acknowledges that local governments will be in caretaker period ahead of the elections, highlighting that SAG is not a decision-making body and has invited Mayors or Councillors and senior officials from relevant organisations on the SAG. This report proposes the position of Mayor and CEO to attend the meetings, with the first meeting being held in Rockhampton on 21 February 2024.*

**Resolution No. OM/02.2024/08**

Moved Cr O'Neil

Seconded Cr Ladbrook

**That Council:**

1. Endorse the position of Mayor as the nomination for Councils representative on the Stakeholder Advisory Group for the term of the Central Queensland RWA lifecycle (2 to 2.5 years) to provide input and feedback into the assessment and to be updated on progress.
2. Endorse the Mayor to attend the meeting on 21 February in Rockhampton noting this is not a decision making meeting.
3. Acknowledge that the nominee position may be updated during the new Council term at Councils discretion.

CARRIED

8/0

Responsible Officer

Chief Executive Officer

### REPORTS - LOCAL AREA DIRECTORS

Item Number: 13.1 File Number: D24/10519

**SUBJECT HEADING: REQUEST FOR SPONSORSHIP - SCULPTURES OUT BACK 2024**

Officer's Title: Local Development Officer (Roma)

**Executive Summary:**

*The Sculptures Out Back (SOB) committee will host their exhibition from 15 June to 29 September 2024. Council has received a sponsorship request from the committee to sponsor the Local Artist Acquisitive Prize to the value of \$10,000 plus \$10,000 production costs. Additionally, the committee has requested in-kind assistance in the week leading up to the event, particularly around tidying up the 'Sculpture Park' and installing sculptures.*



**Resolution No. OM/02.2024/09**

**Moved Cr Golder**

**Seconded Cr Guthrie**

**That Council:**

1. Draw the amount of \$50,000 from cash reserves to the sponsorship budget General Ledger 2887.2249, to be reviewed at the Quarter 3 budget review in relation to current operational savings.
2. Approve the request from the Sculptures Outback committee for the 2024 Sculptures Outback event and sponsorship for the amount of \$20,000, drawn from the Sponsorship Budget General Ledger 2887.2249.
3. Investigate a camera and/or electronic device that can document the event which will be used for promotional and grant purposes for the future.

*[Wording amended a number of times following progressive discussions].*

CARRIED

8/0

<b>Responsible Officer</b>	<b>Local Development Officer (Roma)</b>
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**Item Number:** 13.2 **File Number:** D24/10564

**SUBJECT HEADING:** WARROO CAPITAL WORKS - BEGONIA CAMP PROJECT

**Location:** Surat, Queensland

**Applicant:** Mathew Gane

**Officer's Title:** Director - Warroo

***Executive Summary:***

*This report identified the need to transfer capital works funding from the Begonia Camp project to the Surat SES and Dunkeld Camp projects. There is an urgent need to finalise renewal works at the Surat SES and Dunkeld camp to make the living quarters operational over the longer term.*

**Resolution No. OM/02.2024/10**

**Moved Cr McMullen**

**Seconded Cr Birkett**

**That Council:**

1. Approve the transfer of remaining funds (\$7,500 ex GST) from 2023/24 Capital Works Budget, Begonia Camp, Facilities Upgrade – Work Order 24527 to new project - Surat SES Camp Renewal Project.
2. Approve the transfer of remaining funds (\$7,500 ex GST) from 2023/24 Capital Works Budget, Begonia Camp, Facilities Upgrade – Work Order 24527 to new project – Dunkeld Camp Upgrade Project.

CARRIED

8/0

<b>Responsible Officer</b>	<b>Director - Warroo</b>
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**COUNCIL ADJOURNED THE MEETING**  
FOR A PRESENTATION FOLLOWED BY MORNING TEA AT 10.14am

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS**  
COUNCIL RESUMED THE MEETING AT 11.07am

**REGIONAL DEVELOPMENT**

**Item Number: 14.1 File Number: D24/9140**

**SUBJECT HEADING: MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY"  
(UP TO 300,000 TONNES PER ANNUM) (REF: 2023/20959)**

**Officer's Title: Manager – Planning, Building & Development Services**

**Executive Summary:**

*J & M Collinson Earthmoving Pty Ltd C/- Groundwork Plus Pty Ltd have submitted a development application seeking approval for a Material Change of Use for an "Extractive Industry" (up to 300,000 tonnes per annum) at 3387 Carnarvon Highway, Eumamurrin, being Lot 2 on SP200044 and Easement A on SP330834 (the subject premises). The development application is subject to Impact Assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided by Section 45 of the Planning Act 2016 and any relevant matters prescribed by regulation. The Development Assessment Rules set out the procedural requirements for the development assessment process.*

*The procedural requirements set out by the Development Assessment Rules to enable Council to decide on this application have been generally complied with. The development application is generally consistent with the assessment benchmarks provided by the Planning Act 2016 or can otherwise be conditioned to achieve compliance. As part of the assessment, several relevant matters have been identified that support the approval of the development.*

**Resolution No. OM/02.2024/11**

**Moved Cr Golder**

**That this lay on the table until later in the meeting [to allow for the reporting officer to be present for queries].**

**CARRIED**

**8/0**

**Item Number: 14.2 File Number: D24/5917**

**SUBJECT HEADING: MATERIAL CHANGE OF USE – INTENSIVE ANIMAL  
INDUSTRY (1,975 STANDARD CATTLE UNITS),  
ENVIRONMENTALLY RELEVANT ACTIVITY (ERA 2(1)(B))  
AND CARETAKERS ACCOMMODATION (REF:  
2023/20838)**

**Officer's Title: Manager – Planning, Building & Development Services**

**Executive Summary:**

*Ironpot Co Pty Ltd and the Trustee for Ironpot 3 Trust (c/- RDC Engineers) have submitted a development application for a Material Change of Use (Development Permit) comprising an Intensive Animal Industry (1,975 Standard Cattle Units ('SCU')), Environmentally Relevant Activity ('ERA' 2(1)(b)) and Caretakers Accommodation at 5960 Mount Abundance Road, Mount Abundance QLD 4455, properly described as Lot 21 on SP132318.*

*The development application is subject to Impact Assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided in Section 45 of the Planning Act 2016 and any relevant matters prescribed by regulation.*

Public notification about the application was carried out in accordance with Part 4 of the Development Assessment Rules between 29 September 2023 and 24 October 2023. Four (4) properly made submissions were received in relation to the application.

The procedural requirements set out in the Development Assessment Rules to enable Council to decide on this application have been fulfilled. The development application presents no significant inconsistency with the applicable benchmarks and conditions of development are recommend, to ensure compliance; and suitably manage potential impacts from the operation.

**Resolution No. OM/02.2024/12**

**Moved Cr McMullen**

**Seconded Cr Birkett**

The development application for a Material Change of Use for Intensive Animal Industry (1,975 SCU), ERA 2(1)(b) and Caretakers Accommodation at 5960 Mount Abundance Road, Mount Abundance QLD 4455, properly described as Lot 21 on SP132318 be approved, with the amendments to item 27 (as stated below), subject to the listed Conditions and General advice:

**Development details**

1. The approved development is a Material change of use – “Intensive Animal Industry” (1,975 Standard Cattle Units), Environmentally Relevant Activity (ERA 2(1)(b)) and “Caretakers Accommodation” as defined in the Planning Scheme and as shown on the approved plans and documents.
2. Any backgrounding or drought feeding activities must comply with the Department of Agriculture and Fisheries requirements and must not constitute feedlotting in excess of the approved capacity.

Any intensification of the Intensive Animal Industry use will require lodgement of a new Material Change of Use application.

**Compliance inspection**

3. All conditions relating to the establishment of the approved development must be fulfilled within 6 months of this approval taking effect (as applicable), unless otherwise noted in these conditions, or otherwise permitted by Council.
4. No later than 6 months of the approval taking effect, the operator (or operator’s consultant) shall contact Council to arrange a development compliance inspection.

**Approved plans and documents**

5. The approved development is to be carried out in accordance with the following approved plans/documents and subject to the approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Plan/Document number	Plan/Document name	Dated
D1-121-100-02 B	Development Layout	11 September 2023
D1-121-100-03 B	Development Complex Layout	11 September 2023
D1-121-100-04 B	Onsite Parking And Heavy Vehicle Manoeuvring	11 September 2023
D1-121-100-05 B	Typical Production Pen Layout	11 September 2023

D1-121-100-08 B	Typical Sedimentation Basin Section And Control Outlet Details	11 September 2023
D1-121-100-09 B	Typical Levee Embankment Section	11 September 2023
D1-121-500-03 B	Proposed Caretaker's Accommodation Typical Floor Plan	11 July 2023
D1-121-500-04 B	Proposed Caretaker's Accommodation Typical Elevation Plan	11 July 2023
D1-121 IPC Kintilloch FL SBEMP V1 R3	Site Based Environmental Management Plan	11 September 2023

#### Development works

6. During the course of constructing the works, the operator shall ensure that all works are carried out by appropriately qualified persons and the operator and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
7. The operator 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 (kerb, road pavement, existing underground assets, etc.) 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).
8. RPEQ certification is to be provided to Council for all works involving Council Infrastructure that are authorised by this development approval and any related approval. This must include a Design Certificate with application/s for Operational work and a Construction Supervision Certificate at completion of the approved works and/or prior to Council's acceptance of any works on-maintenance.

#### Biosecurity plan

9. A Biosecurity Plan for the premises must be prepared and implemented in accordance with the Biosecurity Act 2014. The plan must be prepared by an appropriately qualified person, taking into account all existing and approved operations on the site and addressing the risk of spread of Priority Pest Plants. A copy of the plan must be made available to Council upon request.

Note: Refer to <https://www.maranoa.qld.gov.au/prohibited-restricted-invasive-plants> to access the Maranoa Regional Council Biosecurity Management Plan 2023-2027 and the Pest Management Plan (PMP) for the Maranoa Region. The PMP identifies, among others, Parkinsonia, Prickly Acacia and Parthenium as Priority Pest Plants to be managed in the Maranoa Region.

#### Applicable standards

10. All works must comply with:
  - (a) the development approval conditions;
  - (b) any relevant provisions in the Planning Scheme and the Capricorn Municipal Development Guidelines;

- (c) any relevant Australian Standard that applies to that type of work; and
- (d) any alternative specifications that Council has agreed to in writing and which the operator must ensure do not conflict with any requirements imposed by any applicable laws and standards.

#### **Works in road reserve**

11. A Works in a Road Reserve Permit will be required from Council for any works associated with the development that are undertaken within the Council road reserve by private contractor/entity. Works include, but are not limited to, site access/crossovers. All works on or near roadways shall be adequately signed in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads".

#### **Avoiding nuisance**

12. No unreasonable nuisance is to be caused to adjoining properties and occupiers by the way of noise, smoke, dust, rubbish, contaminant, stormwater discharge or siltation at any time during or after the establishment of the approved development.

**Note:** In most instances, the Department of Agriculture and Fisheries is responsible for investigating complaints and enforcing the controls for nuisances under the Environmental Authority permit (other than matters associated with Council roads). When investigating a complaint, Council will consider amongst other matters, the amount, duration, characteristics and qualities of the nuisance, as well as the sensitivity of the receptor and the potential impact of the nuisance on adjacent properties.

13. Lighting of the site, including any 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.
14. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.

**Note:** The Environmental Protection Act 1994 includes controls for light nuisances. Council is responsible for investigating light pollution complaints and enforcing the controls for light nuisances. When investigating a lighting complaint, Council will consider amongst other matters, the amount, duration, characteristics and qualities of the lighting, as well as other sensitivity of the receptor and the potential impact of lighting on adjacent properties.

15. In the event that unreasonable nuisance is caused to adjoining properties and occupiers by way of smoke, dust, noise, odour, rubbish, contaminant, stormwater discharge or siltation at any time, reasonable measures in addition to those outlined in the approved documents shall be implemented in order to mitigate the nuisance.

To this extent, a complaint register shall be developed and implemented that, amongst other things, records any complaints received about the approved operations as well as the measures that were taken by the operator to address the complaint. Council may request to inspect the complaints register at any time.

**Note:** The operator is encouraged to consult with neighbouring land users on a semi-regular basis to discuss any issues or concerns resulting from the operation.

16. The approved use and its surrounds shall be kept in an orderly fashion, free of rubbish and clear of weeds and long grasses. The approved development and the premises are to be maintained in a clean and tidy condition and not to pose any health and safety risks to the community.
17. Unless otherwise approved in writing by the Council, approved hours of construction are restricted to Monday – Saturday 6.30am to 6.30pm – noise permitted. Work or business which causes audible noise must not be conducted from or on the subject land outside the above times or on Sundays or Public Holidays.
18. Dust emanating as a result of operations carried out onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks, nearby properties and sensitive land uses.

#### **Refuse storage and collection**

19. Bulk refuse storage and collection facilities must be provided on-site. The bulk refuse storage area/s must have adequate space for washdown and maintenance of waste containers. Refuse storage containers and areas are to 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.

#### **Access, parking and manoeuvring**

20. Vehicles entering and exiting the development site must be able to enter and exit in forward direction. Vehicle manoeuvres in this regard are to be totally contained within the site boundaries. No loading or unloading within the road reserve is permitted.
21. Two (2) car parking spaces are to be provided for the Caretakers Accommodation, to be located adjacent to the building.
22. A designated area for staff parking is to be provided for the Intensive Animal Industry component of the operation as indicated on the approved site plans. Light vehicle parking is to be clearly delineated from the main operation areas.
23. All heavy vehicle access, parking and standing areas must be separated from the designated light vehicle parking area.

#### **External Roadworks and Contributions**

24. Install Australian Standard compliant W8-Q12 signs at the intersection of Mt Abundance Road and Massey Lane, to warn traffic in both directions to “watch for trucks”, within 3 months of this approval taking effect.
25. Install a “give way” sign and linemarking at the intersection of Mt Abundance Road and Roma Southern Road. Submit detailed design drawings to Council for Operational Works approval for these works within 3 months of this approval taking effect.
26. Install Advisory signage (Slow Down - Reduce Dust Sign) in accordance with AS1742.2 at each approach to the residence at 5544 Mt Abundance Road to advise motorists and assist with reducing dust.
27. The Mount Abundance Road pavement in front of the house located at 5544 Mount Abundance Road, Mount Abundance (Lot 19 on WV853) shall be upgraded to comprise a bitumen sealed 6m wide pavement on an 8m formation, for a distance of 500m either side of the house. The minimum pavement depth in this section is to be 200mm.

## Services

28. An adequate supply of electricity must be provided for the approved development. If such a supply cannot be achieved through efficient design, alternative energy technologies or portable generators, a connection to the reticulated electricity network must be made available.
29. 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 to meet the needs of staff and visitors to the site.
30. The site must be connected to an on-site sewerage treatment system that is adequate for amenities used by staff and visitors associated with the approved uses. The removal and disposal of any effluent from the site must be performed by a suitably licenced contractor.
31. The number of employees and visitors on site at any one time shall be limited to the maximum capacity of the onsite sewerage treatment system.

**Note:** The landowner/operator is responsible for obtaining any permits required to achieve compliance with environmental laws relevant to the provision of onsite sewerage treatment and/or disposal. Details of this are to be provided at the compliance inspection.

32. If the development is connected to a telecommunication service, then such works shall be undertaken in accordance with the relevant service provider's requirements and specifications along with relevant building standards.
33. Any conflicts associated with proposed and existing services shall be forwarded by the operator to the appropriate controlling authority for approval for any proposed changes.

## Fencing

34. Fencing is to be provided and maintained to prevent unauthorised access to cattle pens and any other high risk areas. Warning signs advising the nature of use and any danger or hazard, are to be placed on the perimeter fence, on any frontage to a public road and boundary to land used for a sensitive land use.

## Signage

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

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

## Stormwater and drainage

36. Stormwater and drainage is to be managed in accordance with the approved plans, documents and the CMDG Design Guidelines D-5 'Stormwater Drainage Design'.
37. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed.

38. Stormwater must not be discharged to adjoining properties and must not pond on the property being developed, or adjoining properties during the development process or after the development has been completed.
39. There must be no increases in any silt loads or contaminants in any overland flow from the property.
40. Stormwater controls for the bunded areas containing contaminated and/or dirty waters are to be installed and maintained generally in accordance with the approved plans, documents and the following:
  - (a) Section 3.6.5 - Effluent Management provisions of the SBEMP.
  - (b) Stormwater from the controlled drainage area is to be directed via catch drains to the sedimentation basin shown in the approved plans. Once the sediment basin is at capacity, the waters are to be bywashed to and then stored in the holding pond until it can be utilised.
  - (c) All sediment and effluent holding basins are to be maintained such that a suitable freeboard is established prior to major rain events, with records kept of each waste removal/de-watering action.
  - (d) Within 6 months of the date of this approval taking effect, provide Registered Professional Engineer Queensland ('RPEQ') certification that the design measures and ongoing maintenance requirements have been carried and are working effectively.
  - (e) Following the RPEQ certification required in item (c), a compliance inspection is also to be arranged with Council's Compliance Officers to enable inspection of the approved (and constructed) works, with the RPEQ.
41. Stormwater from the controlled drainage area is only to be used with the Effluent Utilisation Area as shown in the approved plans.

#### **Construction activities and erosion control**

42. During the course of any construction activities, soil erosion and sediment must be managed in accordance with CMDG Design Guidelines D-7 'Erosion Control and Stormwater Management'.
43. If there is a possibility of erosion or silt or other materials being washed off the property during the development process or after the development is completed, the operator must document and implement a management plan that prevents this from occurring.
44. Stockpiles of topsoil, sand, aggregate, spoil or other material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.
45. Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sedimentation from the site, then such works shall be at no cost to Council. Such works shall be undertaken immediately.
46. Temporary fencing must be erected and maintained around the perimeter of the development area whilst construction activities are carried out.



### Emergency events

47. A Flood Management Plan shall be prepared within 6 months of the approval taking effect, having regard to the site characteristics and management procedures in the event of flood, including evacuation procedures for staff and animals. All staff must be made aware of the Flood Management Plan, its content, and the procedures that need to be followed in the case of a major flood event.

48. Any material and machinery with the potential to cause harm by way of floating debris or potential contamination during a wet weather event must be stored in waterproof containers that are adequately stored. Any material or machinery with the potential to cause harm or contamination shall be stored in such a manner as to be easily accessed and relocated off-site ahead of major wet weather events.

Note: this condition does not relate to organic waste, hazardous material or machinery subject to appropriate industry controls.

49. A Bushfire Hazard Management Plan shall be prepared within 6 months of the approval taking effect, having regard to the site characteristics and management procedures in the event of flood. All staff must be made aware of the Bushfire Hazard Management Plan, its content, and the procedures that need to be followed in the case of a major flood event.

50. The approved development must be provided with access to a reliable and adequate water supply for fire fighting purposes.

51. All reasonable efforts should be made to advise visitor/s/customers in advance of operation closures that are required due to inclement weather events.

### No cost to Council

52. The operator 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. This includes the costs of any services and infrastructure required in connection with the establishment of the development, survey, registration, document lodgement, easement documentation preparation and plan sealing (as applicable).

### Latest versions

53. 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

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

### GENERAL ADVICE

a) Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).

b) Refer to <http://www.maranoa.qld.gov.au/council-policies> for Council Policies.

- c) The relevant planning scheme for this development is Maranoa Planning Scheme 2017. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- d) Under the Planning Scheme –
- Intensive animal industry:**
- (a) means the use of premises for:
- i. the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or
  - ii. storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but
- (b) does not include the cultivation of aquatic animals.
- Examples of intensive animal industry: feedlot, piggery, poultry and egg production**
- caretaker's accommodation means the use of premises for a dwelling for a caretaker of a non-residential use on the same premises.
- e) 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.
- f) The land use rating category may change upon commencement of any new use on the approved lot(s). Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s, can be viewed on the Council Website: [www.maranoa.qld.gov.au](http://www.maranoa.qld.gov.au).
- g) 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 operator 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.
- h) It is the responsibility of the operator to obtain all necessary permits and submit all necessary plans and policies to the relevant authorities for the approved use.
- i) An operational works application will be required to be submitted to and approved by Council for any cut and/or filling works that exceed 50m<sup>3</sup>.
- j) All persons involved in the development, operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the Biosecurity Act 2014.
- k) Refer to attached Adopted Infrastructure Charges Notice for infrastructure charges levied for the approved development.
- l) In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved plans and documents may require a new or

changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

CARRIED

8/0

**Responsible Officer**

**Manager – Planning, Building & Development Services**

**Declaration of Interest**

<b>Item</b>	<b>14.3</b>
Description	Bassett Park Hire Agreement – Roma Campdraft Association
<b>Declaring Councillor</b>	Cr Wayne (George) Ladbroke
Person with the interest Related party / close associate / other relationship	My wife Alanah Ladbroke
Particulars of Interest	My wife is president of the Roma Show Society and the group has a user agreement with Council for the use of Bassett Park.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Cr Ladbroke left the meeting at 11.13am.

**Item Number:**

**14.3**

**File Number: D24/7624**

**SUBJECT HEADING:**

**BASSETT PARK HIRE AGREEMENT - ROMA CAMPDRAFT ASSOCIATION**

**Officer's Title:**

**Leases and Agreements Administration Officer**

***Executive Summary:***

*Council was asked to consider entering into a formal five (5) year non-exclusive hire agreement with the Roma Campdraft Association in respect to their use of Bassett Park Roma.*

**Resolution No. OM/02.2024/13**

**Moved Cr McMullen**

**Seconded Cr Guthrie**

**That Council:**

- 1. Enter into a non - exclusive Hire Agreement with the Roma Campdraft Association for the use of Bassett Park for a period of five (5) years from the date of the resolution.**
- 2. Confirm that the Campdraft hire fee, be as per Council's fees and charges adopted for each financial year, excluding any additional fees for camping onsite.**
- 3. Invoice the Campdraft Association the cost of electricity used during the event.**
- 4. Authorise the Chief Executive Officer (or delegate) to execute the Hire Agreement with the Roma Campdraft Association.**

CARRIED

7/0

**Responsible Officer**

**Leases and Agreements Administration Officer**

**Section 150F A (2)(e) of the Local Government Act 2009**

For a matter to which the prescribed conflict of interest or declarable conflict of interest relates – the name of each eligible councillor who voted on the matter, and how each eligible councillor voted.

**Name of each eligible councillor who voted on the matter:**

Cr. John Birkett, Cr. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Geoff McMullen, Cr. Cameron O’Neil, Cr. Wendy Taylor.

**How each eligible councillors voted:**

Each councillor voted in favour of the motion.

At cessation of discussion and decision on the abovementioned item, Cr Ladbrook returned to the meeting at 11.15am.

**Item Number:** 14.4 **File Number:** D24/12222

**SUBJECT HEADING:** TRADE MARK - GREAT ARTESIAN

**Officer’s Title:** Lead Facility Management Officer

**Executive Summary:**

*Council received a notice of a removal application of the trade mark ‘Great Artesian’ that is registered under Maranoa Regional Council.*

**Resolution No. OM/02.2024/14**

**Moved Cr Birkett**

**Seconded Cr Golder**

**That Council:**

1. Subject to advice from the Booringa Action Group following their meeting on 15 February 2024, submit a defence against the removal application of trade mark ‘Great Artesian’ if required.
2. Apply to trade mark ‘Great Artesian’ for Category 41 (swimming pools) at a total cost of \$700, drawn from General Ledger 2506.2094.
3. Be provided a further report in relation to all Council trade marks and current usage.

*[Wording amended a number of times following progressing discussions].*

CARRIED

8/0

**Responsible Officer**

**Lead Facility Management Officer**

**Item Number:** 14.5

**File Number:** D24/9977

**SUBJECT HEADING:** AUSTRALIA DAY 2024 - POST EVENT REPORT

**Officer’s Title:** Local Development Officer (Bendemere)

**Executive Summary:**

*Post event report on the Australia Day Awards & Celebrations held on 26 January 2024.*

**Resolution No. OM/02.2024/15**

**Moved Cr O'Neil**

**Seconded Cr Birkett**

**That Council receive and note the report, including the following changes on Page 231 of the agenda, pertaining to the Booringa Mitchell & district celebration –**

- **Update the photographer names to Haylee Cornelius and Hannah Currey**
- **Note that Cr John Birkett delivered the Acknowledgement to Country.**

CARRIED

8/0

**Responsible Officer**

**Lead Officer – Elected Members & Community Engagement**

**Item Number:**

**14.1**

**File Number: D24/9140**

**SUBJECT HEADING:**

**MATERIAL CHANGE OF USE - "EXTRACTIVE INDUSTRY" (UP TO 300,000 TONNES PER ANNUM) (REF: 2023/20959)**

**Officer's Title:**

**Manager – Planning, Building & Development Services**

***Executive Summary:***

*J & M Collinson Earthmoving Pty Ltd C/- Groundwork Plus Pty Ltd have submitted a development application seeking approval for a Material Change of Use for an "Extractive Industry" (up to 300,000 tonnes per annum) at 3387 Carnarvon Highway, Eumamurrin, being Lot 2 on SP200044 and Easement A on SP330834 (the subject premises). The development application is subject to Impact Assessment and must be assessed against the assessment benchmarks (to the extent relevant) provided by Section 45 of the Planning Act 2016 and any relevant matters prescribed by regulation. The Development Assessment Rules set out the procedural requirements for the development assessment process.*

*The procedural requirements set out by the Development Assessment Rules to enable Council to decide on this application have been generally complied with. The development application is generally consistent with the assessment benchmarks provided by the Planning Act 2016 or can otherwise be conditioned to achieve compliance. As part of the assessment, several relevant matters have been identified that support the approval of the development.*

*This item had been laid on the table to allow for the reporting officer to be present for questions. Council resumed its deliberations.*

**Resolution No. OM/02.2024/16**

**Moved Cr Golder**

**Seconded Cr Ladbrook**

That the development application for a Material Change of Use for an “Extractive Industry” (up to 300,000 tonnes per annum) located at 3401 Carnarvon Highway, Eumamurrin, (described as Lot 2 on SP200 044 and Easement A on SP330834) be approved subject to the listed Conditions 1 – 40 as presented including amendments, and General advice (a – i):

**Use**

1. The approved development is for a Material Change of Use - “Extractive Industry” as defined in the Planning Scheme, and as shown on the approved plan.
2. The approved extraction tonnage is capped at 300,000 tonnes per annum.

**Compliance inspection**

3. All conditions relating to the establishment of the approved development must be fulfilled within three months of this approval taking effect, unless otherwise noted within these conditions or a further period is agreed to in writing by Council.
4. Within six months of this approval taking effect, the applicant shall contact Council’s Planning Department and arrange a development compliance inspection.

**Approved plans**

5. The approved development is to be carried out generally in accordance with following approved plans, and subject to the approval conditions. Where there is any conflict between the approval conditions and the details shown on the approved plans, the approval conditions prevail.

Plan/Document Number	Plan/Document Name	Date
2698.DRG.002	Site Layout Plan, Revision 3	31/10/2023

**Development works**

6. All works must comply with:
  - a. the development approval conditions;
  - b. any relevant provisions in the Planning Scheme and the Capricorn Municipal Development Guidelines;
  - c. any relevant Australian Standard that applies to that type of work; and
  - d. 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.

**Biosecurity plan**

7. Within six months of this approval taking effect, a Biosecurity Plan for the premises must be prepared and implemented in accordance with the Biosecurity Act 2014. The plan must be prepared by an appropriately qualified person, taking into account all existing and approved operations on the site and addressing the risk of spread of Priority Pest Plants. A copy of the plan must be made available to Council upon request.

Note: Refer to <https://www.maranoa.qld.gov.au/prohibited-restricted-invasive-plants> to access the Maranoa Regional Council Biosecurity Management Plan 2023-2027 and the Pest Management Plan (PMP) for the Maranoa Region. The PMP identifies, among others, Parkinsonia, Prickly Acacia and Parthenium as Priority Pest Plants to be managed in the Maranoa Region

#### **Operating hours**

8. Hours of operation are restricted to 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. Hours of operation do not include non-noise generating activities, such as minor maintenance activities.
9. Blasting activities are limited to 9:00am to 3:00pm, Monday to Friday and 9:00am to 1:00pm, Saturdays.
10. 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.
11. Any Council approval of the varied hours will be required by resolution and will be restricted to the duration of the project. Any variation may be rescinded by the Council with seven days' notice if the extended hours of operation are considered to be causing undue nuisance or disruption to other persons.

#### **Avoiding nuisance**

12. Waste containers shall be maintained on the site 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.
13. The premises are to be maintained in a clean and tidy state and not pose any health and safety risk to the community.
14. Extraction areas, stockpile areas, access and site roadways and surrounds shall be kept in an orderly fashion and free of rubbish.
15. No unreasonable nuisance is to be caused to adjoining properties, occupiers and nearby sensitive receptors by the way of smoke, dust, noise, odour, lighting, rubbish, contaminants, stormwater discharge or siltation at any time, including non-working hours.
16. Dust emanating as a result of operations carried out onsite must be continually monitored and suppressed in order to prevent any dust drifting onto road networks, nearby properties and sensitive land uses.
17. Lighting associated with the approved use, including any security lighting, must be such that the lighting intensity does not exceed 8.0 lux at a distance of 1.5 metres from the site boundaries.
18. All lighting shall be directed or shielded so as to ensure that no glare directly affects land uses outside of the site.

#### **Erosion and sediment control**

19. Erosion and Sediment Control is to be managed in accordance with the approved Environmental Management Plan and Capricorn Municipal Development Guidelines D7 'Erosion Control and Stormwater Management'.

20. 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 operator's expense.

#### **Provision of Services**

21. At all times during the operation on-site effluent is to be disposed of in accordance with the 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.

22. 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.

23. The approved development must be provided with access to a reliable water supply for firefighting purposes.

24. 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**

25. Stormwater is to be managed generally in accordance with the Capricorn Municipal Design Guidelines D5 'Stormwater Drainage Design'.

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

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

28. Stockpiles of material capable of being moved by the action of running water shall be stored clear of drainage paths and be prevented from entering the road and/or drainage system.

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

29. The landowner is responsible for maintaining the vehicle access crossover from the road carriageway to the property boundary in accordance with the Concurrence Agency Response, subject to any maintenance agreement, 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 site.

31. Signage is to be provided at the entrance to the site, displaying information including details of, and contact phone numbers for, the site operator of the site and the person/s



responsible for site management.

The signage must be designed and located with approval from Council, in accordance with Council and Department of Transport and Main Roads standards.

#### **Environmental Management**

**32. Within six months of this approval taking effect, the applicant must prepare and submit an Environmental Management Plan to Council for approval. The Environmental Management Plan is to include, but not be limited to:**

- Air quality management;
- Water quality management;
- Hydrocarbon and chemicals management;
- Noise management;
- Blasting management;
- Waste management;
- Rehabilitation management; and
- Bushfire management

**Note:** It is noted that some of the above information has been provided within the Planning Assessment Report submitted to Council as part of the development application. Provision of a separate Environmental Management Plan, addressing the above matters, will satisfy the condition.

**33. Remediation of the site is to occur in consultation with the landowner, and is to be managed in accordance with:**

- The relevant Environmental Authority including all conditions of approval, or any subsequent environmental authority issued for the approved use; and
- The rehabilitation management plan outlined in the Environmental Management Plan, to be prepared in accordance with condition 31..

#### **Advertising signage**

**34. Any proposed advertising signage that does not form part of this approval is subject to further development approval unless otherwise meeting the requirements for Accepted development in the Planning Scheme, or other applicable planning instrument in force at the relevant time.**

**35. Any free standing advertising signage or structure to be constructed on the subject site shall be designed by an RPEQ (Structural) Engineer and certification provided for both design and construction.**

#### **Repair Damaged Infrastructure**

**36. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during the establishment 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).**

#### **No cost to Council**

**37. 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.

38. All rates and charges of any description and all arrears of such rates and charges, together with interest outstanding thereon, on the land, due to Council, shall be paid to the Council prior to commencement of the approved use.

#### Latest versions

39. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria within those documents, that condition shall be deemed as referring to the latest versions of those publications that are publicly available at the first operational works or compliance approval is lodged with the assessment manager or approval agency for those types of works to be performed or approved, unless a regulation or law requires otherwise.

#### Application documentation

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

#### GENERAL ADVICE

- (a) The Capricorn Municipal Development Guidelines apply to this development. Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).
- (b) The relevant planning scheme for this development is the Maranoa Planning Scheme 2017. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- (c) 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.
- (d) 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.
- (e) This approval relies on the relevant approved Environmental Authority (and its related documents) applicable to the site to identify and state all the requirements for this approval related to Environmentally Relevant Activities for the site that are not devolved to the Council. 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.

(f) The land use rating category for the site may change upon commencement of any approved use on the site. Council’s current Revenue Statement, which includes the minimum general rate levy for the approved use/s is available on the Council website: [www.maranoa.qld.gov.au](http://www.maranoa.qld.gov.au)

(g) It is the responsibility of the developer to obtain all necessary permits and approvals associated with the development of the site and submit all necessary plans and policies to the relevant authorities for the approved use.

(h) All persons involved in the operation or use of the site have an obligation to take all reasonable and practical measures to prevent or minimise any biosecurity risk under the Biosecurity Act 2014.

(i) In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved operations on the site may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

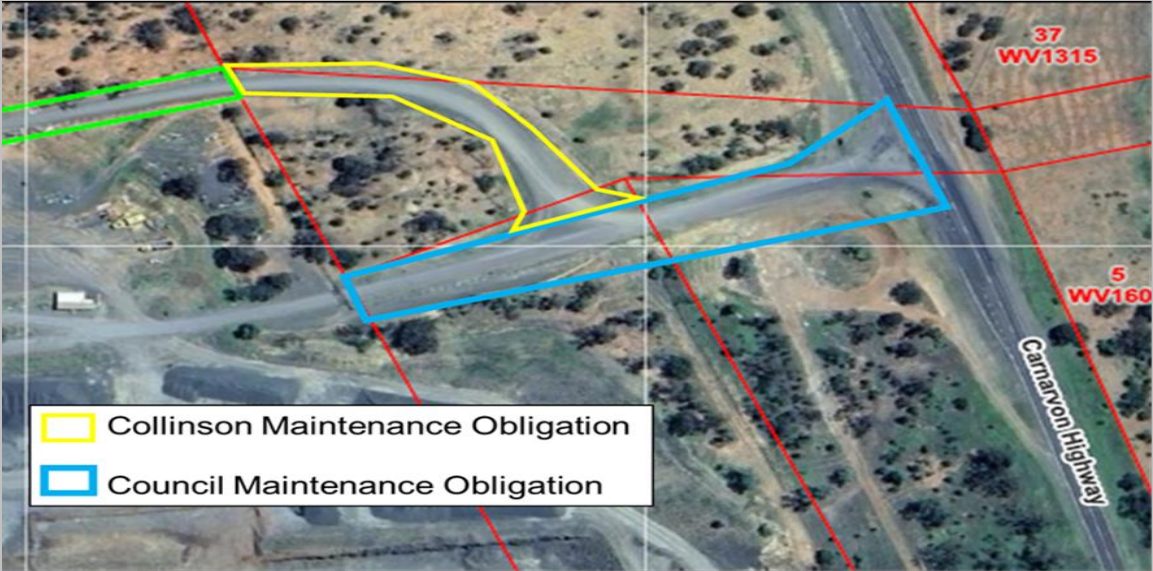
CARRIED 8/0

Responsible Officer	Manager – Planning, Building & Development Services
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**Resolution No. OM/02.2024/17**

**Moved Cr Golder** **Seconded Cr Birkett**

That Council enter into an Infrastructure Agreement in relation to the maintenance of the shared access driveway between the Carnarvon Highway and Lots 1 and 2 on SP200044, generally in accordance with the plan below/attached, with the blue area being Council’s responsibility.



CARRIED 8/0

Responsible Officer	Manager – Planning, Building & Development
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**COUNCILLOR BUSINESS**

**Item Number:** 17.1 **File Number:** D24/8813

**SUBJECT HEADING:** 4G ROLLOUT TO MARANOA COMMUNITIES

**Councillor's Title:** Cr. Julie Guthrie

***Executive Summary:***

*This report requested a follow up report regarding preparedness in relation to Telstra's planned withdrawal of the 3G network on June 30, 2024.*

**Resolution No. OM/02.2024/18**

**Moved Cr ~~Birkett~~ Guthrie**

**Seconded Cr Ladbrook**

**That:**

1. A report be prepared for the next Council meeting identifying ways Council can work with Telstra to assist communities and individuals with preparedness for Telstra's planned withdrawal of the 3G network on 30 June 2024.
2. Council acknowledge the efforts of Scott Mullaly - Regional General Manager Southern Queensland, Telstra Regional Australia and Kristy Sparrow - Better Internet for Rural Regional Remote Australia (BIRRR).

CARRIED

8/0

<b>Responsible Officer</b>	<b>Director – Corporate Services</b>
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'Mover' of the abovementioned resolution amended on confirmation of these minutes at the ordinary meeting on 28 February 2024 (Refer Resolution no. OM/02.2024/31).

**Item Number:** 17.2 **File Number:** D24/12640

**SUBJECT HEADING:** ROMA SALEYARDS - WATER BUBBLER

**Councillor's Title:** Cr. Cameron O'Neil

***Executive Summary:***

*Proposed installation of a water bubbler at the Roma Saleyards.*

**Resolution No. OM/02.2024/19**

**Moved Cr O'Neil**

**Seconded Cr Birkett**

**That a report be prepared for an upcoming council meeting which includes costings and a recommended location for installation of water bubblers at the Roma Saleyards.**

CARRIED

8/0

<b>Responsible Officer</b>	<b>General Manager – Roma Saleyards</b>
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**Resolution No. OM/02.2024/20**

**Moved Cr Golder**

**Seconded Cr Ladbrook**

**That a report be brought back to the next meeting a report to identify existing water bubblers that are not working.**

**CARRIED**

**8/0**

**Responsible Officer**

**Director - Roma**

**LATE ITEMS**

**Item Number:**

**L.1**

**File Number: D24/12454**

**SUBJECT HEADING:**

**REQUEST FOR SUPPORT MITCHELL BOWLS CLUB  
NOMAD EVENT**

**Location:**

**Mitchell**

**Applicant:**

**Mitchell Bowls Club**

**Officer's Title:**

**Chief Executive Officer**

***Executive Summary:***

*A request was received from the Mitchell Bowls club in relation to the holding of an inaugural Nomad event and financial assistance is sought for support of the promotion of the event.*

**Resolution No. OM/02.2024/21**

**Moved Cr Golder**

**Seconded Cr Birkett**

**That:**

- 1. Council receive and note the report.**
- 2. Council endorse a total contribution of \$9,000 (\$8,000 prize money and \$1,000 advertising) for regional promotion from the sponsorship and donations budget Sponsorship budget General Ledger 2887.2249.**
- 3. Council advise the club accordingly.**
- 4. Council's contribution be acknowledge in advertising and promotion of the event.**
- 5. The regional Nomad event include the bowls clubs in the towns of Surat, Roma, Injune and Mitchell.**

**CARRIED**

**8/0**

**Responsible Officer**

**Chief Executive Officer**

**Item Number:** L.2 **File Number:** D24/11168  
**SUBJECT HEADING:** RISK BASED REPORTING TO COUNCIL  
**Councillor's Title:** Cr. Tyson Golder

**Executive Summary:**

*This report was a notice of motion for Council to receive a confidential update in relation to claims lodged against Council policies on a regular basis.*

**Resolution No. OM/02.2024/22**

Moved Cr Birkett

Seconded Cr Ladbrook

That Council:

1. Receive a confidential update on all outstanding claims lodged against Council in relation to its policies and presented in accordance to the advice received.
2. Receive these reports on a quarterly basis and that a copy be provided to Councils audit and risk committee as part of this process.

CARRIED

8/0

Responsible Officer

Chief Executive Officer

**Resolution No. OM/02.2024/23**

Moved Cr McMullen

Seconded Cr O'Neil

That we add Item L.3 Installation of Vape Detectors in Schools to the agenda.

CARRIED

8/0

**Item Number:** L.3 **File Number:** D24/13860  
**SUBJECT HEADING:** INSTALLATION OF VAPE DETECTORS IN SCHOOLS  
**Councillor's Title:** Cr. Geoff McMullen

**Executive Summary:**

*Request for Council to advocate to the Queensland Government for the installation of vape detectors in all schools across the Maranoa and more broadly the state of Queensland.*

**Resolution No. OM/02.2024/24**

Moved Cr McMullen

Seconded Cr Guthrie

That Council

1. Write to the Minister for Education and Minister for Youth Justice, Dianne Farmer MP, advocating for the installation of vape detectors in all schools in the Maranoa and the state of Queensland.
2. Share Council's correspondence with all school principals within the Maranoa.

*[Point 2 added following a suggestion from Cr O'Neil, which was accepted by the 'mover' and seconder].*

CARRIED

8/0

Responsible Officer

Chief Executive Officer

**ITEM WITHOUT NOTICE**
**Resolution No. OM/02.2024/25**
**Moved Cr Birkett**
**Seconded Cr Ladbrook**

**That a new item C.3 titled - Australia Day selection assessment process - be included in the confidential agenda.**

**CARRIED**
**8/0**

**COUNCIL ADJOURNED THE MEETING  
FOR LUNCH AT 12.59pm**

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS  
COUNCIL RESUMED THE MEETING AT 2.00pm**

**Item Number:**
**8.3**
**File Number: D24/12447**
**SUBJECT HEADING:**
**MARANOA MEDICAL BURSARY RETENTION BURSARY**
**Councillor's Title:**
**Cr. Tyson Golder**
***Executive Summary:***

*The bursary panel met on Wednesday 7 February 2024 in relation to interviews for the final award of the inaugural retention bursary. This item had been laid on the table earlier during the meeting to consider budgetary requirements.*

**Moved Cr Golder**
**Seconded Cr Edwards**
**That Council:**

4. **Acknowledge resolution OM/01.2024/01.**
5. **Acknowledge the successful recipient of the inaugural Medical Retention Bursary endorsed by the panel and the Chief Executive Officer Shireen Kumar.**
6. **Provide another discretionary retention bursary for the amount of \$20,000 to Sarah Paget, on the grounds that retention of both doctors in the region is an important economic and social objective for the Maranoa, with funds drawn from Work Order 24695 – Scholarship Program for Medical Students and adjust the budget as part of the Quarter 3 Budget Review for 2023/24.**
4. **Request a report for an upcoming meeting that identifies prominent medical personnel who have served the Maranoa through the last 100 years as potential names for the individual awards to ensure a lasting legacy and build the reputation of the bursaries.**

**CARRIED**
**8/0**
**Responsible Officer**
**Chief Executive Officer**

**CONFIDENTIAL ITEMS**

Resolution No. OM/02.2024/26

Moved Cr Birkett

Seconded Cr O'Neil

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, that Council resolve to close the meeting to the public [at 2.16pm] to discuss confidential items that its Councillors consider is necessary to close the meeting.

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

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

Agenda Item	Matters to be discussed (Reasons to close the meeting under the <i>Local Government Regulation 2012</i> )	Overview
C.1 – Request for extension on payment arrangement - 14002919	Section 254J(3)(d) rating concessions.	A ratepayer has written to Council requesting approval of their proposed payment arrangement as it exceeds the timeframe within Councils Rate Recovery Policy.
C.2 – Request for Payment Arrangement – 13003835, 13004486, 15004831, 15004922, 15005069, 15006646, 15006661, 15006679, 15006687, 15010994, 15020894	Section 254J(3)(g) negotiations relating to a commercial matter involving the local government for which a public discussion would be likely to prejudice the interests of the local government.	A ratepayer has written to Council requesting approval of their proposed payment arrangement as it exceeds the timeframe within Councils Rate Recovery Policy.
C.3 - Australia Day selection assessment process	Section 254J(3)(f) matters that may directly affect the health and safety of an individual or a group of individuals.	Consideration of the Australia Day selection assessment process for award nominees, following the 2024 Australia Day celebrations.

CARRIED

8/0



**Resolution No. OM/02.2024/27**

**Moved Cr Birkett**

**Seconded Cr McMullen**

**That Council open the meeting to the public [at 3.10pm].**

**CARRIED**

**8/0**

**COUNCIL ADJOURNED THE MEETING  
FOR A BRIEF RECESS AT 3.10pm**

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS  
COUNCIL RESUMED THE MEETING AT 3.13pm**

**Item Number:**

**C.1**

**File Number: D24/8088**

**SUBJECT HEADING:**

**REQUEST FOR EXTENSION ON PAYMENT  
ARRANGEMENT - 14002919**

**Officer's Title:**

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

***Executive Summary:***

*A ratepayer has written to Council requesting approval of their proposed payment arrangement as it exceeds the timeframe within Councils Rate Recovery Policy.*

**Resolution No. OM/02.2024/28**

**Moved Cr McMullen**

**Seconded Cr Ladbrook**

**That Council:**

- 1. Approve the extension to the proposed payment arrangement.**
- 2. Advise the ratepayer that if a payment is missed, this arrangement will be automatically cancelled, and the debt recovery process will recommence.**

**CARRIED**

**8/0**

**Responsible Officer**

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

**Item Number:**

**C.2**

**File Number: D24/9193**

**SUBJECT HEADING:**

**REQUEST FOR PAYMENT ARRANGEMENT - 13003835,  
13004486, 15004831, 15004922, 15005069, 15006646,  
15006661, 15006679, 15006687, 15010994, 15020894**

**Officer's Title:**

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

***Executive Summary:***

*A ratepayer has written to Council requesting approval of their proposed payment arrangement as it exceeds the timeframe within Councils Rate Recovery Policy.*

**Resolution No. OM/02.2024/29**

**Moved Cr O'Neil**

**Seconded Cr Taylor**

**That Council:**

1. Approve the applicants proposed payment of 11 monthly payments of a minimum of \$545,218.66 (Total of \$5,997,405.26) for outstanding rates and charges pertaining to Rate Assessments Request for Payment Arrangement - 13003835, 13004486, 15004831, 15004922, 15005069, 15006646, 15006661, 15006679, 15006687, 15010994, 15020894 which will ensure that the total amount is paid in full on or before 31 December 2024.
2. Approve the applicants proposed payment arrangement for outstanding rates and charges for the period 01.07.2023 to 31.12.2023 for the amount of \$1,769,453.66 relating to Rate Assessments Request for Payment Arrangement - 13003835, 13004486, 15004831, 15004922, 15005069, 15006646, 15006661, 15006679, 15006687, 15010994, 15020894 with payment to be made on or before 28 February 2024.
3. Approve the applicants proposed payment for rates and charges for the period 01.01.2024 to 30.06.2024 for the amount of \$1,769,453.66 relating to Rate Assessments Request for Payment Arrangement - 13003835, 13004486, 15004831, 15004922, 15005069, 15006646, 15006661, 15006679, 15006687, 15010994, 15020894 with payment to be made on or before the due date of 15 March 2024.
4. Advise the ratepayer that if a payment is missed, this arrangement will be automatically cancelled, and the debt recovery process will recommence.

CARRIED

8/0

**Responsible Officer**

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

**Item Number:**

**C.3**

**File Number: N/a**

**SUBJECT HEADING:**

**AUSTRALIA DAY SELECTION ASSESSMENT PROCESS**

**Councillor's Title:**

**Cr. John Birkett**

***Executive Summary:***

*Consideration of the Australia Day selection assessment process for award nominees, following the 2024 Australia Day celebrations.*

**Resolution No. OM/02.2024/30**

**Moved Cr Birkett**

**Seconded Cr Ladbrook**

**That Council receive and note the report.**

CARRIED

8/0

**Responsible Officer**

**Local Development Officer (Bendemere)**

**CLOSURE**

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 3.19pm.

**These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 28 February 2024, at Roma Administration Centre.**