

MINUTES OF THE ORDINARY MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 10 APRIL 2024 SCHEDULED TO COMMENCE AT 9:00 AM

ATTENDANCE

Mayor Cr. W M Taylor chaired the meeting with, Deputy Mayor Cr. C J O'Neil, Cr. J R P Birkett, Cr. M K Brumpton, Cr A K Davis, Cr P J Flynn, Cr. J M Hancock, Cr. B R Seawright, Cr J R Vincent, Chief Executive Officer – Edwina Marks, and Kelly Rogers Minutes Officer in attendance.

AS REQUIRED

Director Corporate Services – Erik Lambert, Acting Director Regional Development, Environment and Planning – Thea Griffin, Director Bendemere – Stephen Scott, Manager – Airports (Roma) & Regional Compliance, Operations Manager – Finance – Dee Sullivan, Regional Arts & Culture Officer – Tennielle Limpus, General Manager – People & Culture – Nicholas Ross.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.00am.

CONFIRMATION OF MINUTES

Resolution No. OM/04.2024/01	
Moved Cr O'Neil	Seconded Cr Hancock
That the minutes of the Ordinary Meeting held on 6 March 2024 be confirmed.	
CARRIED	9/0

Resolution No. OM/04.2024/02	
Moved Cr Brumpton	Seconded Cr Davis
That the minutes of the Post Election Meeting held on 9 April 2024 be confirmed.	
CARRIED	9/0

CONSIDERATION OF NOTICES OF MOTION

Declaration of Interest

Item	8.1
Description	Organisational Review
Declaring Councillor	Cr Amber Davis
Person with the interest Related party / close associate / other relationship	My husband, Wayne Davis
Particulars of Interest	My husband is employed by Maranoa Regional Council
Type of conflict	Declarable conflict of interest
Action	Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias. Therefore, I will choose to remain in the meeting. However, I will respect the decision of the meeting on whether I can remain and participate in the decision.

Resolution No. OM/04.2024/03
Moved Cr O'Neil
Seconded Cr Vincent

In That it is in the public interest that Councillor Davis participates and votes on agenda item 8.1 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

6/0

Declaration of Interest

Item	8.1
Description	Organisational Review
Declaring Councillor	Cr John Birkett
Person with the interest Related party / close associate / other relationship	My sister, Elena Irwin
Particulars of Interest	My sister Elena Irwin and she is an employee of the Maranoa Regional Council
Type of conflict	Declarable conflict of interest
Action	Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias. Therefore, I will choose to remain in the meeting. However, I will respect the decision of the meeting on whether I can remain and participate in the decision.

Resolution No. OM/04.2024/04
Moved Cr Seawright
Seconded Cr O'Neil

That it is in the public interest that Councillor Birkett participates and votes on agenda item 8.1 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

6/0

Declaration of Interest

Item	8.1
Description	Organisational Review
Declaring Councillor	Cr Meryl Brumpton
Person with the interest Related party / close associate / other relationship	My daughter, Erin Brumpton
Particulars of Interest	My daughter is an employee of council.
Type of conflict	Declarable conflict of interest
Action	Although I have a declarable conflict of interest, I do not believe a reasonable person could have a perception of bias. Therefore, I will choose to remain in the meeting. However, I will respect the decision of the meeting on whether I can remain and participate in the decision.

Resolution No. OM/04.2024/05

Moved Cr Hancock

Seconded Cr Vincent

That it is in the public interest that Councillor Brumpton participates and votes on agenda item 8.1 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

6/0

Item Number:

8.1

File Number: D24/30984

SUBJECT HEADING:

ORGANISATIONAL REVIEW

Councillor's Title:

Cr. Wendy Taylor

Executive Summary:

Two years ago, Maranoa Regional Council adopted a new organisational structure, I took a commitment to the election that I would initiate a total organisational review to ensure that there is value for rate payer investment.

Resolution No. OM/04.2024/06

Moved Cr O'Neil

Seconded Cr Hancock

The Council:

- 1. Develop the scope for an internal review of the organisational structure through a councillor workshop.**
- 2. Consider a further report at an upcoming council meeting.**

CARRIED

9/0

Responsible Officer

Chief Executive 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. Meryl Brumpton, Cr. Amber Davis, Cr. Peter Flynn, Cr. Johanne Hancock, Cr. Cameron O'Neil, Cr. Brendan Seawright, Cr. Wendy Taylor, Cr. Jane Vincent.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

BUSINESS

OFFICE OF THE CEO

Item Number: 10.1 File Number: D24/28173

SUBJECT HEADING: INNOVATIONS AND EFFICIENCIES LOCAL AREA DIRECTORS

Officer's Title: Chief Executive Officer

Executive Summary:

This report provided an overview of the efficiencies, innovations and reinvestments gained by the Local Area Director model.

Resolution No. OM/04.2024/07	
Moved Cr Hancock	Seconded Cr Davis
That Council receive and note the report as presented.	
CARRIED	9/0

Responsible Officer	Chief Executive Officer
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Item Number: 10.2 File Number: D24/29838

SUBJECT HEADING: SUBMISSION TO THE SENEX ARCP PROJECT 2024

Officer's Title: Chief Executive Officer

Executive Summary:

The Senex ARCP project is currently on exhibition and Council has been requested to make a submission to the project by the deadline.

Resolution No. OM/04.2024/08	
Moved Cr Hancock	Seconded Cr Seawright
That Council make a submission of support to the Senex Atlas Reedy Creek Pipeline (ARCP) Project currently on exhibition by the deadline, 10 April 2024.	
CARRIED	9/0

Responsible Officer	Chief Executive Officer
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CORPORATE SERVICES

Item Number: 11.1 **File Number:** D24/28312

SUBJECT HEADING: ELECTED MEMBERS - PAYG/ELIGIBLE LOCAL GOVERNING BODY

Officer's Title: Director - Corporate Services

Executive Summary:

Councillors are not regarded as employees for taxation purposes. However, under section 446-5 of the Tax Administration Act 1953 (TAA), Council may resolve to be an 'eligible local governing body' meaning that Councillors will be regarded as employees for the purpose of Pay As You Go withholding. This would also result in Councillors being treated as employees for superannuation and a range of other taxation purposes.

Resolution No. OM/04.2024/09

Moved Cr O'Neil

That this lay on the table until later in the meeting. [To consider implications of each approach under consideration].

CARRIED

9/0

Item Number: 11.2 **File Number:** D24/27896

SUBJECT HEADING: COUNCILLOR SUPERANNUATION

Officer's Title: Director - Corporate Services

Executive Summary:

This report is to consider the provision of superannuation benefits for Councillors.

Resolution No. OM/04.2024/10

Moved Cr O'Neil

Seconded Cr Birkett

That Council:

- 1. Take part in a superannuation scheme for its Councillors.**
- 2. Pay contributions proportionate to contributions paid by Council to the Local Government Superannuation Scheme for its standard permanent employees on behalf of each Councillor.**

CARRIED

9/0

Responsible Officer

Director - Corporate Services

Item Number: 11.3 **File Number:** D24/29868

SUBJECT HEADING: COUNCIL POLICY - BEST PRACTICE EXAMPLE
STANDING ORDERS FOR LOCAL GOVERNMENT AND
STANDING COMMITTEES

Officer's Title: Governance Officer

Executive Summary:

Council has received notification from the Department of Housing, Local Government, Planning and Public Works advising of amendments introduced relating the Best Practice Standing Orders, from the recent Conduct Bill updates.

Resolution No. OM/04.2024/11

Moved Cr Hancock

That this lay on the table for a future meeting following a briefing.

CARRIED

9/0

Responsible Officer

Governance Officer

REPORTS - LOCAL AREA DIRECTORS

Cr O'Neil left the meeting at 9.24am.

Item Number: 13.1 **File Number:** D24/24515

SUBJECT HEADING: REQUEST FOR FEE WAIVER - SFC AIR RACE

Officer's Title: Manager - Airports (Roma) & Regional Compliance

Executive Summary:

Council received a request to waive landing and parking fees for aircraft participating in an air race raising money for Angel Flight between May 3 and 10, 2024.

Resolution No. OM/04.2024/12

Moved Cr Brumpton

Seconded Cr Davis

That Council:

1. Waive landing fees and overnight parking fees for 15 aircraft participating in the air race for the dates of the event between 3 and 5th May 2024.
2. Write to Angelflight confirming the donation and request that Councils support be acknowledged as part of the promotional activity of the event.

CARRIED

8/0

Responsible Officer

Manager - Airports (Roma) & Regional Compliance

Cr O'Neil returned to the meeting at 9.25am.

REGIONAL DEVELOPMENT

Item Number: 14.1 **File Number:** D24/28377

SUBJECT HEADING: REGIONAL ARTS DEVELOPMENT FUND (RADF) COMMITTEE

Officer's Title: Regional Arts and Culture Officer

Executive Summary:

Council nominates an RADF committee which consists of five community members and two Councillors. With the new term of Council beginning, it is recommended that Council nominates two Councillors to sit the full term of Council on the RADF committee. The five Community Members who currently sit on the Communities sit for a two-year term with the option to sit a further two years. The current community members are not up for renewal at this stage.

Resolution No. OM/04.2024/13

Moved Cr Hancock

That this lay on the table until later in the meeting [For Council to receive the prior term resolution regarding the duration of elected member representation on this committee].

CARRIED

9/0

Item Number: 14.2 **File Number:** D24/28388

SUBJECT HEADING: APPLICATIONS THROUGH REGIONAL ARTS DEVELOPMENT FUND (RADF) PROGRAM 2023/2024

Officer's Title: Regional Arts and Culture Officer

Executive Summary:

The Maranoa Regional Council Regional Arts Development Fund (RADF) Committee has reviewed two funding application for arts and cultural projects. The assessment was unable to take place in person and each committee member assessed the application electronically and responded with their recommendations.

Resolution No. OM/04.2024/14

Moved Cr Birkett

Seconded Cr Hancock

That Council:

1. **Endorse the RADF Committee's grant assessment recommendations in supporting the following applications:**
 - (a) **Remapping Mitchell Arts Collective for \$5,628 as received in their application on 04 March 2024.**
 - (b) **Maranoa Artists Inc for \$2,221 as received in their application on 11 March 2024**

CARRIED

9/0

Responsible Officer

Regional Arts and Culture Officer

Item Number: 14.3 **File Number:** D24/28109

SUBJECT HEADING: **EXPRESSION OF INTEREST - LICENCE FOR GRAZING OF PADDOCKS 4 - 6 BANKS STREET AND 58 - 62 STEPHENSON STREET, YULEBA QLD 4427**

Officer's Title: **Leases and Agreements Administration Officer**

Executive Summary:

Council publicly called for Expressions of Interest from persons wishing to enter a licence agreement to keep and graze horse/s in paddocks located at Lot 410 on Y2211 and Lot 411 on Y2211, 4 - 6 Banks Street and Lot 1 on Y22137, 58 - 62 Stephenson Street, Yuleba QLD 4427.

Council received one (1) response from this tender process. The value of this tender is \$2,036.00 per annum. Council was asked to consider this matter.

Resolution No. OM/04.2024/15	
Moved Cr Birkett	Seconded Cr Brumpton
That Council:	
<ol style="list-style-type: none"> 1. Enter into a grazing agreement with Christy and Chris Beetson over Lot 410, Lot 411 on Y2211 and Lot 1 on Y22137 on the condition that Public Liability Insurance (Certificate of Currency) is obtained. 2. The properties are listed 'as is' and no improvements will be made by Council. 3. Authorise the Chief Executive Officer (or delegate) to execute the grazing agreement. 	
CARRIED	9/0

Responsible Officer	Leases and Agreements Administration Officer
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Declaration of Interest

Item	C.2
Description	Recruitment for Chief Executive Officer
Declaring Councillor	Cr Cameron O'Neil
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	Given the matter relates to the resignation of the CEO, I inform the meeting that I am aware that the CEO recently gave the Independent Assessor notice about my failure, due to pure oversight on my behalf, to update my register of interests within the prescribed time period. The change in my notifiable interests occurred approximately 14 weeks ago. Upon recently realising my oversight, I immediately provided the CEO with the necessary form to update the register, at which time the CEO informed me that she was obliged, by section 150R(2) of the local Government Act 2009 to refer my oversight to the Independent Assessor. I agree with, and fully support, the CEO's actions in this regard.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

CONFIDENTIAL ITEMS
Resolution No. OM/04.2024/16
Moved Cr O'Neil
Seconded Cr Vincent

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 9.32am] 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 – Sale of Land for Overdue Rates & Charges – Public Auction	Section 254J(3)(e) legal advice obtained by the local government or legal proceedings involving the local government including, for example, legal proceedings that may be taken by or against the local government	The purpose of this report is to provide Council with an update on progress of properties included in the “Sale of Land” statutory process and to request confirmation of the amount for the reserve price to be set at auction for each property.
C.2 – Recruitment for Chief Executive Officer	Section 254J(3)(a)(b) The appointment, discipline or dismissal of the chief executive officer; AND industrial matters affecting employees.	This report is to advise Council about the need to commence a recruitment process for a new Chief Executive Officer.

CARRIED
9/0

Cr Birkett left the meeting at 10.12am, and returned at 10.14am.

Cr Hancock left the meeting at 10.12am, and returned at 10.15am.

Resolution No. OM/04.2024/17
Moved Cr O'Neil
Seconded Cr Birkett

That Council open the meeting to the public at [10.15am].

CARRIED
9/0

Item Number: 14.1 **File Number:** D24/28377

SUBJECT HEADING: REGIONAL ARTS DEVELOPMENT FUND (RADF) COMMITTEE

Officer's Title: Regional Arts and Culture Officer

Executive Summary:

Council nominates an RADF committee which consists of five community members and two Councillors. With the new term of Council beginning, it is recommended that Council nominates two Councillors to sit the full term of Council on the RADF committee. The five Community Members who currently sit on the Communities sit for a two-year term with the option to sit a further two years. The current community members are not up for renewal at this stage.

Resolution No. OM/04.2024/18	
Moved Cr O'Neil	Seconded Cr Vincent
That Council nominate Mayor Taylor and Cr Hancock, to sit on the RADF committee.	
CARRIED	9/0

Responsible Officer	Regional Arts and Culture Officer
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COUNCIL ADJOURNED THE MEETING
 FOR A MORNING TEA AT 10.17am

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 10.49am

Resolution No. OM/04.2024/19	
Moved Cr O'Neil	Seconded Cr Hancock
That Council close the meeting to the public at [10.50am].	
CARRIED	9/0

Cr O'Neil, having previously declared an interest in Item C.2 left the meeting at 10.50am, prior to discussion on the matter.

At cessation of discussions on the abovementioned item, Cr O'Neil returned to the meeting at 11.44am.

COUNCIL ADJOURNED THE MEETING
 FOR A RECESS AT 10.47am

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 3.43pm

Resolution No. OM/04.2024/20	
Moved Cr Hancock	Seconded Cr O'Neil
That Council open the meeting to the public at [3.43pm].	
CARRIED	9/0

Item Number: 11.1 **File Number:** D24/28312

SUBJECT HEADING: ELECTED MEMBERS - PAYG/ELIGIBLE LOCAL GOVERNING BODY

Officer's Title: Director - Corporate Services

Executive Summary:

Councillors are not regarded as employees for taxation purposes. However, under section 446-5 of the Tax Administration Act 1953 (TAA), Council may resolve to be an 'eligible local governing body' meaning that Councillors will be regarded as employees for the purpose of Pay As You Go withholding. This would also result in Councillors being treated as employees for superannuation and a range of other taxation purposes.

Resolution No. OM/04.2024/21	
Moved Cr O'Neil	Seconded Cr Brumpton
That Council be considered as an Eligible Local Governing Body under the Tax Administration Act 1953 for taxation purposes.	
CARRIED	9/0

Responsible Officer	Director - Corporate Services
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Item Number: C.1 **File Number:** D24/30493

SUBJECT HEADING: SALE OF LAND FOR OVERDUE RATES & CHARGES - PUBLIC AUCTION

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

Executive Summary:

The purpose of this report was to provide Council with an update on progress of properties included in the "Sale of Land" statutory process and to request confirmation of the amount for the reserve price to be set at auction for each property.

Resolution No. OM/04.2024/22	
Moved Cr O'Neil	Seconded Cr Seawright
That Council defer a decision on C.1 – Sale of Land for Overdue Rates & Charges – Public Auction until the ordinary meeting schedule for 24 April 2024, for the matter to first come via a briefing.	
CARRIED	8/1

Responsible Officer	Lead Rates and Utilities Billing Officer / System Administrator
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Having previously declared a 'declarable conflict of interest' on the following matter, Cr O'Neil left the meeting at 3.48pm.

Item Number: C.2 **File Number:** D24/30830

SUBJECT HEADING: RECRUITMENT FOR CHIEF EXECUTIVE OFFICER

Officer's Title: General Manager - People & Culture

Executive Summary:

This report was to advise Council about the need to commence a recruitment process for a new Chief Executive Officer.

Resolution No. OM/04.2024/23

Moved Cr Hancock

Seconded Cr Davis

That Council:

1. Acknowledge and accept the CEO's resignation, with effect from 17 July 2024.
2. Thank the CEO for her service.
3. Not require the CEO to serve out the remaining period of her notice but, rather, be paid in lieu for the balance of the period of her notice (i.e. the period commencing Monday 15 April 2024 and concluding Wednesday 17 July 2024 (inclusive)); and
4. Pursuant to section 195 of the *Local Government Act 2009*, appoint Cameron Hoffmann as its Acting CEO, with this appointment to take effect from the close of business on Friday 12 April 2024 until further notice.
5. Commence planning for the recruitment process in accordance with s194 of the *Local Government Act 2009* and bring processes and options to a future briefing.

CARRIED

7/1

Responsible Officer

General Manager - People & Culture

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. Meryl Brumpton, Cr. Amber Davis, Cr. Peter Flynn, Cr Johanne Hancock, Cr Brendan Seawright, Cr Wendy Taylor, Cr. Jane Vincent.

How each eligible councillors voted:

Cr. Meryl Brumpton, Cr. Amber Davis, Cr. Peter Flynn, Cr Johanne Hancock, Cr Brendan Seawright, Cr Wendy Taylor, Cr. Jane Vincent voted in favour of the motion.

Cr Birkett voted against the motion.

At cessation of discussion and decision on the abovementioned item, Cr O'Neil returned to the meeting at 3.57pm.

COUNCIL ADJOURNED THE MEETING

FOR A BRIEF RECESS AT 3.58pm

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS

COUNCIL RESUMED THE MEETING AT 4.08pm

MOTION WITHOUT NOTICE

Resolution No. OM/04.2024/24

Moved Cr O'Neil

Seconded Cr Seawright

That Council:

1. Acknowledge its motion put forward at the previous ALGA Meeting.
2. Support LGAQ, QLD Farmers Federation and SWROC's position and advocacy in calling on the State Government to reject the current Glencore EIS Application for a Carbon Capture Storage project in the Great Artesian Basin.
3. Authorise the Mayor to make representations on behalf of Maranoa Regional Council and the residents of our region who rely so heavily on the Great Artesian Basin.

CARRIED

9/0

Responsible Officer

Chief Executive Officer / Office of the Mayor

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 4.11pm.

These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 24 April 2024, at Roma Administration Centre.