

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

### **ATTENDANCE**

Mayor Cr W M Taylor chaired the meeting with Cr J R P Birkett, Cr M K Brumpton (by Microsoft Teams), Cr A K Davis, Cr P J Flynn, Cr J M Hancock, Cr B R Seawright, Cr J R Vincent, Chief Executive Officer – Robert Hayward and Kelly Rogers Minutes Officer in attendance.

### **AS REQUIRED**

Director Bungil – Lee Jackson, Director Engineering – Seamus Batstone, (Acting) Director Corporate Services – Rueben Broom, Director Roma – Dean Ellwood, Deputy Director / Strategic Road Management – Cameron Hoffmann, Operations Manager – Finance – Dee Sullivan, Manager – Planning, Building & Development Services – Kate Swepson, Manager - Regulatory, Rural Lands & Environmental Health Services – Annie Connolly, (Acting Manager) - Regional Facilities Management – Leah Cooper, Local Development Officer Booringa – Jane Fenton, Big Rig Coordinator – Leanne Crawford, Program Funding & Budget Coordinator – Cindy Irwin.

### **WELCOME**

The Mayor welcomed all present and declared the meeting open at 9.01am.

### **APOLOGIES**

<b>Resolution No. OM/10.2024/01</b>	
<b>Moved Cr Seawright</b>	<b>Seconded Cr Davis</b>
<b>That apologies be received and leave of absence granted for Cr. O’Neil for this meeting.</b>	
<b>CARRIED</b>	<b>8/0</b>

### **CONFIRMATION OF MINUTES**

<b>Resolution No. OM/10.2024/02</b>	
<b>Moved Cr Birkett</b>	<b>Seconded Cr Seawright</b>
<b>That the minutes of the Ordinary Meeting held on 25 September 2024 be confirmed.</b>	
<b>CARRIED</b>	<b>8/0</b>

## BUSINESS

### OFFICE OF THE CEO

**Item Number:** 10.1 **File Number:** D24/95739

**SUBJECT HEADING:** 2025 LAND REVALUATION PROGRAM

**Officer's Title:** Deputy Director / Strategic Road Management

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***Executive Summary:***

*Correspondence was received from the Department of Resources regarding the 2025 Land Valuation Program.*

*This report formally tabled the correspondence to Council which confirms that Maranoa Regional is not included in the 2025 Land Valuation Program.*

**Resolution No. OM/10.2024/03**

**Moved Cr Vincent**

**Seconded Cr Hancock**

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

**CARRIED**

**8/0**

**Responsible Officer**

**Deputy Director / Strategic Road  
Management**

### CORPORATE SERVICES

**Item Number:** 11.1 **File Number:** D24/90695

**SUBJECT HEADING:** MONTHLY FINANCIAL REPORT AS AT 31 JULY 2024

**Officer's Title:** Management Accountant

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***Executive Summary:***

*The purpose of this report is for the Chief Executive Officer to present the monthly financial report to Council in accordance with section 204 of the Local Government Regulation 2012 for the period ended 31 July 2024.*

**Resolution No. OM/10.2024/04**

**Moved Cr Brumpton**

**Seconded Cr Davis**

**That Council receive and note the Monthly Financial Report for the period ended 31 July 2024.**

**CARRIED**

**8/0**

**Item Number:** 11.2 **File Number:** D24/92390  
**SUBJECT HEADING:** MONTHLY FINANCIAL REPORT AS AT 31 AUGUST 2024  
**Officer's Title:** Management Accountant

**Executive Summary:**

*The purpose of this report is for the Chief Executive Officer to present the monthly financial report to Council in accordance with section 204 of the Local Government Regulation 2012 for the period ended 31 August 2024.*

**Resolution No. OM/10.2024/05**

**Moved Cr Brumpton**

**Seconded Cr Seawright**

**That Council receive and note the Monthly Financial Report for the period ended 31 August 2024.**

CARRIED

8/0

**REPORTS - LOCAL AREA DIRECTORS**

**Item Number:** 13.1 **File Number:** D24/90455  
**SUBJECT HEADING:** MUNGALLALA HALL ELECTRICAL UPGRADES  
**Location:** Mungallala Hall  
**Applicant:** Jane Fenton  
**Officer's Title:** Local Development Officer - Mitchell

**Executive Summary:**

*Council to consider the allocation of funds for the electrical upgrade of the Mungallala Hall prior to the 100-year community celebration on November 29, 2024*

**Resolution No. OM/10.2024/06**

**Moved Cr Birkett**

**Seconded Cr Vincent**

**That Council consider allocating funds of \$17,108.32 in the first quarter budget review to fund electrical upgrades at the Mungallala Hall.**

CARRIED

8/0

**Responsible Officer**

**Local Development Officer - Mitchell**

### Declaration of Interest

<b>Item</b>	<b>13.2</b>
Description	Roma and Injune Visitor Information Centre Christmas and New Year Operating Hours
Declaring Councillor	Cr Wendy Taylor
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I am a volunteer at the Big Rig Information Centre
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.

<b>Resolution No. OM/10.2024/07</b>	
<b>Moved Cr Davis</b>	<b>Seconded Cr Seawright</b>
<b>That it is in the public interest that Councillor Taylor participates and votes on agenda item 13.2 because a reasonable person would trust that the decision is made in the public interest.</b>	
CARRIED	6/0

### Declaration of Interest

<b>Item</b>	<b>13.2</b>
Description	Roma and Injune Visitor Information Centre Christmas and New Year Operating Hours
Declaring Councillor	Cr Jane Vincent
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I am a volunteer at the Injune Visitor Information Centre
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.

<b>Resolution No. OM/10.2024/08</b>	
<b>Moved Cr Hancock</b>	<b>Seconded Cr Seawright</b>
<b>That it is in the public interest that Councillor Vincent participates and votes on agenda item 13.2 because a reasonable person would trust that the decision is made in the public interest.</b>	
CARRIED	6/0

Item Number:

13.2

File Number: D24/93054

SUBJECT HEADING:

**ROMA AND INJUNE VISITOR INFORMATION CENTRE  
CHRISTMAS AND NEW YEAR OPERATING HOURS**

Officer's Title:

Lead Local Development Officer

**Executive Summary:**

*While the Roma and Injune Council Administration offices close from COB Friday, 20 December 2024 and reopen on Monday, 6 January 2025, the Roma and Injune Visitor Information Centres will remain open over the Christmas and New Year period due to Council's contractual obligations with Visit Queensland.*

*In previous years, to provide tourism staff and volunteers with a balanced work-life schedule during the festive season, Council has resolved to reduce the operating hours of both the Roma and Injune Visitor Information Centres, as well as The Big Rig.*

**Resolution No. OM/10.2024/09****Moved Cr Hancock****Seconded Cr Birkett****That Council:**

1. Close the Roma Visitor Information Centre and The Big Rig on Wednesday, 25 December 2024; Thursday, 26 December 2024; and Wednesday, 1 January 2025.
2. Amend the Roma Visitor Information Centre and The Big Rig operating hours to 9am-1pm from Saturday, 21 December 2024, to Tuesday, 31 December 2024 (excluding public holidays) and resume regular 8.30am-5pm trading hours from Thursday, 2 January 2025.
3. Hold the last Big Rig Night Show Sunset Experience for 2024 on Friday, 20 December 2024 and restart the first Night Show Sunset Experience on Friday, 3 January 2025 at 6.30pm.
4. Amend the fees and charges schedule for public entry to the Big Rig to a \$5 flat rate for all visitors from Friday, 27 December 2024 to Tuesday, 31 December 2024.
5. Undertake consultation with the Injune VIC volunteers and Injune & District Tourism Association regarding Christmas and New Year operating hours, and a further report be brought back to Council.

**[Wording amended following discussion regarding the Injune Visitor Information Centre Operating Hours].**

CARRIED

8/0

Responsible Officer

Lead Local Development 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. Brendan Seawright, Cr. Wendy Taylor, Cr. Jane Vincent.

**How each eligible councillors voted:**

Each councillor voted in favour of the motion.

**Item Number:** 13.3 **File Number:** D24/93077  
**SUBJECT HEADING:** ACTIVEKIT SUPER ROUND & BIKE RIDING  
 ENCOURAGEMENT PROGRAM COMMUNITY GRANTS  
**Officer's Title:** Lead Local Development Officer

**Executive Summary:**

*Council was eligible to apply for funding under the ActiveKIT Super Round and the Bike Riding Encouragement Program Community Grants.*

*This report provided an update on the two funding applications submitted by Council.*

**Resolution No. OM/10.2024/10**

**Moved Cr Flynn**

**That this lay on the table until later in the meeting [for more information].**

CARRIED

8/0

**Declaration of Interest**

<b>Item</b>	<b>14.1</b>
Description	Development Application Material change of Use "Short-Term Accommodation: - 69-71 Quintin Street and 44-48 Feather Street, Roma (Ref: 2021/20256)
Declaring Councillor	Cr Wendy Taylor
Person with the interest Related party / close associate / other relationship	My Daughter Kylie Johnson
Particulars of Interest	Kylie owns a motel in Roma
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Mayor Taylor left the meeting at 10.02am. The Chief Executive Officer then requested a nomination from the floor to chair the meeting for this item as follows:

**Resolution No. OM/10.2024/11**

**Moved Cr Hancock**

**Seconded Cr Seawright**

**That Cr Birkett chairs the meeting in the absence of the Mayor and Deputy Mayor.**

CARRIED

7/0

## REGIONAL DEVELOPMENT

Item Number:

14.1

File Number: D24/90935

SUBJECT HEADING:

**DEVELOPMENT APPLICATION MATERIAL CHANGE OF USE "SHORT-TERM ACCOMMODATION" - 69-71 QUINTIN STREET AND 44-48 FEATHER STREET, ROMA (REF: 2021/20256)**

Officer's Title:

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

### **Executive Summary:**

Goldienash Pty Ltd c/- Precinct Urban Planning have submitted a Change application seeking approval for a Change (Other) to Material Change of Use for Short-term Accommodation at 69 – 71 Quintin Street and 44 – 48 Feather Street, Roma, formally described as Lots 2 & 4 on RP4442, Lot 65 on R8637 and Lot 22 on R8627. 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, any relevant matters and 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 fulfilled. 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/10.2024/12**

**Moved Cr Hancock**

**Seconded Cr Flynn**

**That Council issue a Development Permit for a Change (Other) to an existing Material Change of Use approval for Short-term Accommodation at 69 – 71 Quintin Street and 44 – 48 Feather Street, Roma, described as Lot 2 & 4 on RP4442, Lot 65 on R8637 and Lot 22 on R8627, approving the development subject to listed Conditions and General advice as follows:**

### **Development details**

- 1. The approved development is a Material Change of Use - "Short term accommodation" (expansion of existing motel) as defined in the Planning Scheme and as shown on the approved plans.**
- 2. The development site area is defined as Lot 22 on R8627, Lot 65 on R8637, Lot 4 on RP4442 and Lot 2 on RP4442.**

### **Compliance inspection**

- 3. All conditions relating to the establishment of the approved development must be fulfilled prior to the approved use commencing, unless noted in the approval conditions or otherwise confirmed in writing by Council.**
- 4. Prior to the commencement of the use, the applicant 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	Date
A.000	Location Plan	21.03.24
A.100	Site Plan	21.03.24
A.101	Floor Plans	21.03.24
A.200	Elevations	21.03.24
A9.101	Existing unit 1 – 3 – Floor	N.A
A9.102	Existing unit 1 – 3 – Elevations	N.A
A9.103	Existing unit 4 – Floor plan	N.A
A9.104	Existing unit 4 – Elevations	N.A
Ref 210209	Engineering Correspondence prepared by DME Projects Pty Ltd	01.04.2021
210209-R001	Engineering Report & Stormwater Management Plan 48 Feather Street, Roma	30.03.2021
242186	Stormwater Management Plan prepared by Brandon & Associates	22.07.2024

#### Development works

6. During the course of constructing the works, the developer shall ensure that all works are carried out by appropriately qualified persons and the developer and the persons carrying out and supervising the work shall be responsible for all aspects of the works, including public and worker safety, and shall ensure adequate barricades, signage and other warning devices are in place at all times.
7. The developer is responsible for locating and protecting any Council and public utility services, infrastructure and assets that may be impacted on during construction of the development. Any damage to existing infrastructure (kerb, road pavement, existing underground assets, etc.) that is attributable to the progress of works on the site of 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. All civil and related work shall be designed and supervised by Registered Professional Engineers of Queensland (RPEQ-Civil) who are competent in the construction of the works. 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.
9. 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.
10. 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.



#### **Applicable standards**

**11. 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.**

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

- 12. 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, cutting work, kerb and channel, site access/crossovers and footpaths. 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".**
- 13. An Operational Works application must be submitted to and approved by Council for any infrastructure works external to the development site prior to any works taking place, where works are undertaken by a private entity.**
- 14. All works on or nearby roadways shall be adequately signed in accordance with the "Manual for Uniform Traffic Control Devices – Part 3, Works on Roads."**

#### **Applicable standards**

**15. All works must comply with:**

- (a) This development approval;**
  - (b) Council's standard designs for such work**
  - (c) The Capricorn Municipal Development Guidelines; and**
  - (d) Australian Standards.**
- 16. Despite the requirements of paragraphs a – d above, Council may agree in writing to an alternative specification. This alternative specification prevails over those specified in paragraphs a-d in the event of any inconsistency.**
- 17. The developer must also ensure that any works do not conflict with any requirements imposed by any concurrent lawful requirements outside those stated above.**

#### **Advertising signage**

- 18. Any proposed advertising signage is subject to further development approval unless compliant with the requirements for "Accepted development" or "Accepted development subject to requirements" identified in the planning scheme in force at the time.**
- 19. Any advertising signage associated with the approved use must be fully contained within the development site area boundaries and must not encroach into adjoining properties or roads.**

#### **Refuse storage**

20. Bulk refuse storage and collection facilities must be located within the development site area in a central location that is screened and retains reasonable standards of amenity for occupants of the premises and surrounding properties. The bulk refuse storage must not be visually obtrusive when viewed from the street.
21. The bulk refuse storage area must be enclosed on a minimum of three sides with a screen wall extending 0.2 metres above the height of all refuse containers.
22. Convenient access to the bulk refuse storage area must be provided for service vehicles.
23. Waste containers must be maintained in a clean and tidy state at all times while the use continues and shall be emptied and the waste removed from the site on a regular basis.

#### **Avoiding nuisance**

24. 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, Council is responsible for investigating complaints and enforcing the controls for nuisances. When investigating a complaint, Council will consider amongst other matters, the amount, duration, characteristics and qualities of nuisance, as well as the sensitivity of the receptor and the potential impact of the nuisance on adjacent properties.

25. Lighting of the site, including any security lighting, shall be such that the lighting intensity does not exceed 8.0 lux at 1.5 metres from the site at any property boundary.
26. All lighting shall be directed or shielded so as to ensure that no glare directly affects nearby properties.

**Note:** The Queensland Government 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 the sensitivity of the receptor and the potential impact of lighting on adjacent properties.

27. The area 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.
28. To ensure privacy for adjoining residents, durable, fixed and permanent external screening devices (eg shutters or lattice screens) having a maximum transparency of 50% shall be erected on first floor balconies, prior to occupation of the development.

#### **Screening mechanical equipment**

29. All mechanical equipment (including air conditioners and the like) and rainwater tanks are to be screened from the adjoining roadway and nearby properties.

#### **Fencing and landscaping**

30. A minimum 1.8-metre-high fence (or combination of fence and retaining wall) is to be provided along the entire length (excluding vehicle access of the northern and western property boundary of Lot 2 on RP4442, and western and southern property boundary of Lot 22 on R8627, as generally shown on the approved plans. The fencing is to match in with existing fencing at the development site area to the greatest extent possible.
31. Landscaping areas are to be provided along the northern and western boundaries of Lot 2 on RP4442 and western and southern boundaries of Lot 22 on R8627, as generally shown on the approved plans. Plantings within the landscaping areas shall include a mix of shrubs and ground covers which must contribute to the amenity of the development and the street.
32. Containerised planting should be provided along the northern boundary of Lot 2 on RP4442 so as not to interfere with stormwater flows.
33. Site landscaping is to be irrigated during an establishment period of two years, and ground covers should fully cover vegetated areas within one year of planting.
34. Site landscaping must not interfere with electrical infrastructure nor restrict maintenance access to any onsite infrastructure, public utility or easement.
35. Landscaping must not interfere with sight lines at access driveways for vehicle traffic.

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

36. 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'.
37. 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 developer must document and implement a management plan that prevents this from occurring.
38. The developer shall immediately clean up and satisfactorily remove any deposited construction material or silt runoff from the development site.
39. 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.
40. Should it be necessary for the road and/or drainage system to be reinstated or cleaned up due to erosion and/or sediment from the site, then such works shall be at no cost to Council. Such works shall be undertaken immediately where there is a potential hazard to pedestrians and/or passing traffic.
41. Temporary fencing must be erected and maintained around the perimeter of the extent of development whilst construction activities are carried out.

#### **Services**

42. The approved development is to be connected to Council's reticulated water supply network in accordance with the Water Services Association of Australia (WSAA) publication WSA02-2002 Water Reticulation Code of Australia (version 2.3) and CMDG Design Guidelines – D11 'Water Reticulation', at no cost to Council.

43. The approved development is to be connected to Council's reticulated sewerage disposal system in accordance with the Sewerage Code of Australia and the CMDG Design Guideline – D12 'Sewerage Reticulation', at no cost to Council.

44. Any connection to or works associated with Council's sewerage infrastructure must be completed by a qualified plumber / drainlayer under Council supervision. No works are to be undertaken on Council's sewerage infrastructure without first obtaining the express permission of Council.

**Note:** Any damage caused to Council's sewer infrastructure due to the progression of works or as a result of the approved use shall be rectified at the landowner's expense.

45. The approved development must be connected to an electricity reticulation service in accordance with the relevant service provider's requirements and specifications along with the relevant building standards, requirements and specifications (as relevant).

46. Any conflicts associated with proposed and existing services shall be forwarded by the developer to the appropriate controlling authority for approval for any proposed changes.

47. The site must have access to a reliable water supply for firefighting purposes.

#### **Stormwater and drainage**

47. Stormwater runoff from impervious surface areas is to be managed generally in accordance with approved documents 'Engineering Report & Stormwater Management Plan' prepared by DME Projects dates 30 March 2021, 'Stormwater Management Plan' prepared by Brandon & Associates Engineers and Project Managers dated 22 July 2024 and CMDG Guidelines D-5 'Stormwater Drainage Design'.

48. There must be no increases in any silt loads or contaminants in any overland flow from the property being developed during construction and at all times after the commencement of use. The stormwater disposal system must be designed to include appropriate pollution control devices or methods to ensure no contamination or silting of creeks or other waterways.

49. Post-development stormwater runoff flows from the development site are not to exceed predevelopment stormwater runoff flow to adjoining properties or roads.

50. Stormwater must not be allowed to pond on the property being developed during the development process and after the development has been completed.

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

51. The landowner is responsible for the construction and maintenance of vehicle crossovers from the property boundary to the external road networks and access ways, and for obtaining any approvals that may be required and for complying with the applicable design standards.

52. A new vehicle crosser from the development site area shall be provided from Feather Street, generally in the location shown on the approved 'Site Plan' prepared by Building Design Professionals dated 21 March 2024.

53. The new vehicle crossover is to be constructed generally in accordance with CMDG Drawing CMDG-R-042 Rev G, Type A – Two Way Access Commercial Driveway Slab, dated 01/2024 and must be designed to cater for the maximum vehicle size accessing the site, ensuring no damage to the roadway or kerb. Suitable flares and tapers are to be provided at the interface with the roadway to cater for vehicle swept path movements.

54. Kerb and channelling is to be renewed either side of the new crossover to the nearest concrete join.
55. Vehicle crossovers must be located a minimum distance of one metre from any power poles, street signage, streetlights, manholes, stormwater gully pits or other Council assets, unless otherwise specified in the applicable development standards and specifications.
56. Signage shall be installed adjacent to the southern crossover from Feather Street advising that access is restricted to customers of the Athena Studio Units.
57. Install one R2-4 Regulatory Sign (NO ENTRY) at the proposed northern Feather Street crossover, erected one metre offset from the driveway and facing the opposite direction to the one-way flow, in accordance with the Manual for Uniform Traffic Control Devices (MUTCD).
58. All internal access roads shall have a carriageway width no less than 6.0 metres for two-way traffic and not less than 4.0 metres for one-way traffic. Signposts and marking must be provided to indicate the direction of vehicle movements.
59. All internal access roads shall be sign posted to discourage vehicle speeds in excess of 15 kilometres per hour.
60. All vehicle driveways are to be sealed with an impervious surface prior to the commencement of the use. Surfacing shall consist of reinforced concrete, asphaltic hotmix or two coat (primerseal / seal) bitumen seal.
61. Service vehicle access and manoeuvring is to be designed in accordance with AS/NZS 2890.2:2004.
62. A minimum of 27 car parking spaces, including two car parking spaces for persons with disabilities (PWD), are to be provided on Lot 22 on R8627 and Lot 2 on RP4442 generally in accordance with the approved plans and documents. The car parking spaces must be for the exclusive use of customers of the Athena Studio Units.
63. Car park design, including car parking spaces (widths and lengths), vehicle access lanes and manoeuvring areas are to comply with Australian Standard AS/NZS 2890.1:2004 Part 1: Off-Street car parking.
64. Disabled car parking bays are to comply with Australian Standard AS/NZS 2890.6:2009 – Parking Facilities Part 6: Off-street parking for people with disabilities.
65. Vehicle movements within the site are to be clear of proposed parking areas, buildings and landscape treatments.
66. Vehicle parking bays must not encroach into swept paths for vehicle movements.
67. Vehicles accessing the designated onsite parking area must be able to enter and leave in a forward direction. All vehicle manoeuvres to and from the onsite parking spaces must be totally contained within the development site boundaries and must not encroach onto the adjacent roadway.
68. All onsite parking and manoeuvring areas are to be sealed with an approved impervious surface. Surfacing shall consist of reinforced concrete, asphaltic hotmix or two coat (permiseal/seal) bitumen seal.
69. No on-street parking is permitted at the Warrego Highway or Feather Street frontage of the development site area at any time. Signage is to be established on the development site boundary/s to this effect.

70. Visitors to the approved development shall be encouraged to access and exit the premises from / toward the Warrego Highway. Measures such as signage and other forms of communication (i.e., advertising on website, pamphlets, etc.) shall be implemented to advise visitors of the encourage vehicle movements to and from the site.

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

71. Services and infrastructure required in connection with the establishment of the approved development must be provided at the developer's cost.
72. 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.
73. 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 prior to the commencement of use.

#### **Latest versions**

74. Where another condition refers to a specific published standard, manual or guideline, including specifications, drawings, provisions and criteria with 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**

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

#### **General Advice**

- i. The Capricorn Municipal Development Guidelines apply to this development. Refer to <http://www.cmdg.com.au/> for the Capricorn Municipal Development Guidelines (CMDG).
- ii. The relevant planning scheme for this development is the Maranoa Planning Scheme 2017. All references to the 'Planning Scheme' and 'Planning Scheme Schedules' within these conditions refer to the above Planning Scheme.
- iii. 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.
- iv. 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 premise.

- v. 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.
- vi. The land use rating category for the site may change upon commencement of any approved use on the site. Council's current Revenue Statement, which includes the minimum general rate levy for the approved use/s is available on the Council website: [www.maranoa.qld.gov.au](http://www.maranoa.qld.gov.au)
- vii. It is the responsibility of the developer to obtain all necessary permits and approvals associated with the development of the site and submit all necessary plans and policies to the relevant authorities for the approved use.
- viii. 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.
- ix. In completing an assessment of the proposed development, Council has relied on the information submitted in support of the development application as true and correct. Any change to the approved operations on the site may require a new or changed development approval. It is recommended to contact Council for advice in the event of any potential change in circumstances.

CARRIED

7/0

**Responsible Officer**

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

**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. Brendan Seawright, Cr. Jane Vincent.

**How each eligible councillors voted:**

Each councillor voted in favour of the motion.

At cessation of discussion and decision on the abovementioned item, Mayor Taylor returned to the meeting at 10.08am, assuming the Chair.

## Declaration of Interest

Item	C.1
Description	Roma Rural Student Hostel - Retaining Surplus Funds
Declaring Councillor	Cr Wendy Taylor
Person with the interest Related party / close associate / other relationship	Myself and Roma Rural Student Hostel Committee
Particulars of Interest	I am on the Roma Rural Student Hostel Committee and the committee is coming to Council with a request.
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

## Declaration of Interest

Item	C.3
Description	Request to Waive Restoration Fee for a Food Business Licence
Declaring Councillor	Cr Amber Davis
Person with the interest Related party / close associate / other relationship	Myself and my Husband, Wayne Davis
Particulars of Interest	We own and operate Bessie's Ice-Cream bus that is mentioned in the report.
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Mayor Taylor left the meeting at 10.11am as the next item of business to be considered was Item C.1. Cr Taylor had previously declared a prescribed conflict of interest in the matter.

The Chief executive Officer called for a nomination from the floor to chair the meeting for Item C.1, as follows:

<b>Resolution No. OM/10.2024/13</b>	
<b>Moved Cr Hancock</b>	<b>Seconded Cr Flynn</b>
<b>That Cr Flynn chair the meeting for this item.</b>	
<b>CARRIED</b>	<b>7/0</b>

**Item Number:** C.1 **File Number:** D24/68822

**SUBJECT HEADING:** ROMA RURAL STUDENT HOSTEL - RETAINING SURPLUS FUNDS

**Location:** Roma

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

### **Executive Summary:**

*Council received correspondence from the Roma Rural Student Hostel requesting to retain surplus funds from the completed bathroom project to assist with further repairs and maintenance required at the facility.*



**Resolution No. OM/10.2024/14**

**Moved Cr Brumpton**

**Seconded Cr Davis**

**That this item be removed from the agenda for today's meeting and be brought back to a future meeting.**

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

**How each eligible councillors voted:**

Each councillor voted in favour of the motion.

At cessation of discussion and decision on the abovementioned item, Mayor Taylor returned to the meeting at 10.14am and assumed the chair.

**CONFIDENTIAL ITEMS**

**Resolution No. OM/10.2024/15**

**Moved Cr Vincent**

**Seconded Cr Birkett**

**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 10.15am] 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.2 – Saleyards Fees Reimbursement	Section 254J(3)(g) negotiations relating to a commercial matter involving the local government for which a public discussion would	Consideration of a request for a partial refund of fees as the applicant believed that the notice period for the increase was insufficient.

	be likely to prejudice the interests of the local government	
<b>C.3 – Request to waive restoration fee for a Food Business Licence</b>	<b>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</b>	<b>On 1 August 2023, Council incorrectly advised the applicant and owners of Bessie's Ice Cream Bus, A K Davis &amp; W K Davis, that their activities did not meet the requirements for a licensable activity. As a result, the Food Business Licence was cancelled based on incorrect information. The decision appears to have been influenced by an interpretation of the new Food Safety Standards 3.2.2A, rather than being in alignment with the relevant legislation under the Food Act 2006.</b>
<b>C.4 – Claim for Damages – Personal Injury</b>	<b>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</b>	<b>Consideration of a request for reimbursement relating to an incident that was reported to have occurred on Friday 6 September 2024 at Calico Cottage, Wallumbilla.</b>
<b>C.5 – Request to keep a pig in Roma Town area</b>	<b>Section 254J(3)(f) matters that may directly affect the health and safety of an individual or a group of individuals</b>	<b>Consideration of a request from the resident of 137 Currey Street, Roma for approval to keep a pig at their residence.</b>
<b>CARRIED</b>		<b>8/0</b>

Cr Flynn left the meeting at 10.16am.

Cr Davis, having previously declared a prescribed conflict of interest in Item C.3 left the meeting at 10.17am, prior to discussion on the matter.

Cr Flynn returned to the meeting at 10.20am.

At cessation of discussion on Item C.3, Cr Davis returned to the meeting at 10.21am.

**COUNCIL ADJOURNED THE MEETING**  
 FOR MORNING TEA AT 10.47am

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS**  
 COUNCIL RESUMED THE MEETING IN CLOSED SESSION AT 11.23pm

**Resolution No. OM/10.2024/16**

**Moved Cr Seawright**

**Seconded Cr Birkett**

**That Council open the meeting to the public [at 11.23am].**

**CARRIED**

**8/0**

**Item Number:**

**13.3**

**File Number: D24/93077**

**SUBJECT HEADING:**

**ACTIVEKIT SUPER ROUND & BIKE RIDING  
ENCOURAGEMENT PROGRAM COMMUNITY GRANTS**

**Officer's Title:**

**Lead Local Development Officer**

***Executive Summary:***

*Council was eligible to apply for funding under the ActiveKIT Super Round and the Bike Riding Encouragement Program Community Grants.*

*This report provided an update on the two funding applications submitted by Council. This item had been laid on the table earlier for further information, this to hand Council resumed its deliberations.*

**Resolution No. OM/10.2024/17**

**Moved Cr Flynn**

**Seconded Cr Birkett**

**That Council:**

- 1. Approve the \$6,000 co-contribution for the ActiveKIT Super Round grant application, with funds to be allocated from the Community Support Officer budget (GL 02843.2001.2001).**
- 2. Note that an application under Bike Riding Encouragement Program has been submitted and will be delivered separately, with a further report to be brought back to Council if successful.**
- 3. Authorise the Chief Executive Officer, or delegate, to sign the funding agreements and any other necessary documentation for the grant applications.**

**CARRIED**

**8/0**

**Responsible Officer**

**Lead Local Development Officer**

**Item Number:**

**C.2**

**File Number: D24/92206**

**SUBJECT HEADING:**

**SALEYARDS FEES REIMBURSEMENT**

**Officer's Title:**

**General Manager - Saleyards**

***Executive Summary:***

*Consideration of a request for a partial refund of fees as the applicant believed that the notice period for the increase was insufficient.*

**Resolution No. OM/10.2024/18**

**Moved Cr Vincent**

**Seconded Cr Brumpton**

**That Council not grant the refund requested.**

CARRIED

8/0

**Responsible Officer**

**General Manager - Saleyards**

Cr Davis, having previously declared a prescribed conflict of interest in the following item, left the meeting at 11.33am.

**Item Number:**

**C.3**

**File Number: D24/94101**

**SUBJECT HEADING:**

**REQUEST TO WAIVE RESTORATION FEE FOR A FOOD BUSINESS LICENCE**

**Officer's Title:**

**Manager - Regulatory, Rural Lands & Environmental Health Services**

***Executive Summary:***

*On 1 August 2023, Council incorrectly advised the applicant and owners of Bessie's Ice Cream Bus, A K Davis & W K Davis, that their activities did not meet the requirements for a licensable activity. As a result, the Food Business Licence was cancelled based on incorrect information. The decision appears to have been influenced by an interpretation of the new Food Safety Standards 3.2.2A, rather than being in alignment with the relevant legislation under the Food Act 2006.*

**Resolution No. OM/10.2024/19**

**Moved Cr Hancock**

**Seconded Cr Birkett**

**That Council:**

- 1. Waive the \$359.00 Food Business Licence restoration application fee, due to the previous Licence being incorrectly cancelled.**
- 2. Requires the applicant to pay the \$305.00 Food Business Licence annual fee for 2024/2025.**

CARRIED

7/0

**Responsible Officer**

**Manager - Regulatory, Rural Lands & Environmental Health Services**

**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. Peter Flynn, Cr Johanne Hancock, Cr Brendan Seawright, Cr Wendy Taylor, Cr. Jane Vincent.

**How each eligible councillors voted:**

Each councillor voted in favour of the motion.

At cessation of discussion and decision on the abovementioned item, Cr Davis returned to the meeting at 11.35am.

**Item Number:** C.4 **File Number:** D24/92662  
**SUBJECT HEADING:** CLAIM FOR DAMAGES - PERSONAL INJURY  
**Officer's Title:** Administration Officer - Council Facilities Management

**Executive Summary:**

*Consideration of a request for reimbursement relating to an incident that was reported to have occurred on Friday 6 September 2024 at Calico Cottage, Wallumbilla.*

**Resolution No. OM/10.2024/20**

**Moved Cr Birkett**

**Seconded Cr Davis**

**That Council, on receipt of a Statutory Declaration stating a true and accurate record detailing the incident:**

1. Reimburse the Claimant the amount of \$436.00 being out of pocket medical expenses incurred.
  - a) Council and the Claimant acknowledge that Council are not legally liable for the incident.
  - b) The Claimant agrees to accept the amount of \$436.00 as a full and final settlement of all claims arising from the reported incident on 6 September 2024.
2. Authorise the Chief Executive Officer (or delegate) to execute the Deed of Release.

CARRIED

8/0

**Responsible Officer**

**Administration Officer - Council Facilities Management**

**Item Number:** C.5 **File Number:** D24/79869  
**SUBJECT HEADING:** REQUEST TO KEEP A PIG IN ROMA TOWN AREA  
**Officer's Title:** Manager - Regulatory, Rural Lands & Environmental Health Services

**Executive Summary:**

*Consideration of a request from the resident of 137 Currey Street, Roma for approval to keep a pig at their residence.*

**Resolution No. OM/10.2024/21**

**Moved Cr Davis**

**Seconded Cr Vincent**

**That Council:**

1. Not approve the owner's request to keep a pig at their residence 137 Currey Street, Roma in accordance with Council's Subordinate Local Law No. 2 (Animal Management) 2011 that classes pigs as prohibited animals within designated town areas.
2. Require the owner to rehome the pig to an area outside the designated town area within a period of four (4) months.

CARRIED

8/0

Responsible Officer	Manager - Regulatory, Rural Lands & Environmental Health Services
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## CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 11.37am.

**These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 30 October 2024, at Roma Administration Centre.**