

NOTICE OF MEETING & AGENDA

Ordinary Meeting

Wednesday 14 February 2024

Yuleba Administration Centre

NOTICE OF MEETING

Date: 8 February 2024

Mayor:

Councillor T D Golder

Deputy Mayor:
Councillors:

Councillor G B McMullen
Councillor J R P Birkett
Councillor M C Edwards
Councillor J L Guthrie
Councillor J M Hancock
Councillor W L Ladbrook
Councillor C J O'Neil
Councillor W M Taylor

Chief Executive Officer:

Edwina Marks

Executive Management:

Erik Lambert – Director Corporate Services
Stephen Scott – Director Bendemere
Seamus Batstone – Director Booringa
Lee Jackson – Director Bungil
Leo Jensen – Director - Regional Development,
Environment and Planning
Dean Ellwood – Director Roma
Mathew Gane – Director Warroo

Attached is the agenda for the **Ordinary Meeting** to be held at the Yuleba Administration Centre on **14 February, 2024 at 9.00AM.**

A handwritten signature in black ink, appearing to be 'Edwina Marks'.

Edwina Marks
Chief Executive Officer

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Status Reports**Next General Meeting**

- To be held at the Roma Administration Centre on 28 February 2024.

Confidential Items

In accordance with the provisions of section 254J(3) of the *Local Government Regulation 2012*, a local government may resolve to close a meeting to the public to discuss confidential items that it's Councillors or members consider it necessary to close the meeting.

C Confidential Items**C.1 Request for extension on payment arrangement - 14002919**

Classification: Closed Access

Local Government Regulation 2012 Section 254J(3)(d) rating concessions.

C.2 Request for Payment Arrangement - 13003835, 13004486, 15004831, 15004922, 15005069, 15006646, 15006661, 15006679, 15006687, 15010994, 15020894

Classification: Closed Access

Local Government Regulation 2012 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.

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Closure

MINUTES OF THE ORDINARY MEETING OF MARANOA REGIONAL COUNCIL HELD AT ROMA ADMINISTRATION CENTRE ON 24 JANUARY 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. J M Hancock, 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 Booringa – Seamus Batstone, Director Roma – Dean Ellwood, Director Warroo – Mathew Gane, Director Corporate Services – Erik Lambert, Director Regional Development, environment & Planning – Leo Jensen, Deputy Director / Strategic Road Management – Cameron Hoffmann, General Manager Saleyards – Daniel Haslop, Manager Airports – Daniel Jones, Manager Procurement – Michael Worthington, Manager – Regional Economic & Community Development – Greg Lawrence, Operations Manager Finance – Dee Sullivan, Operations Manager - Quarry & Quarry Pits – Clayton Hill, Big Rig Coordinator – Leanne Crawford, Lead Facility Management Officer – Leah Cooper, Local Development Officer (Roma) – Georgie Adams-Woodall.

WELCOME

The Mayor welcomed all present and declared the meeting open at 9.06am.

CONFIRMATION OF MINUTES

Resolution No. OM/01.2024/01

Moved Cr Guthrie

Seconded Cr Edwards

That the minutes of the Ordinary Meeting held on 13 December 2023 be confirmed, incorporating the following amendment –

Item 14.1 – Lake Neverfill

Resolution No. OM/12.2023/35 – adjust the vote Count to 8/0, as Cr Hancock was not present for the vote.

Additional Note:

Cr O'Neil highlighted – Page 9 of the minutes, in reference to Item 8.2 (Resolution number OM/12.2023/05) stating-

That Council:

- 1. Endorse the purchase of materials for the Roma Butter Factory up to the amount of \$20,000 (excluding GST).***
- 2. Fund the project from cash reserves and identify a project as part of the Quarter 2 budget review to this value (The Quarter 2 review is to be considered later in the meeting).***
- 3. Note that these monies will be paid to Roma Historical Precincts to complete the work.***

Regarding point 2 of the resolution, Council forgot to identify the a project as part of the Quarter 2 budget later during that meeting.

Councillors further discussed that this would be deal with as part of today's Council meeting.

CARRIED 8/1
 (Cr Hancock elected to abstain from voting as she was not present for all of the meeting).

CONSIDERATION OF NOTICES OF MOTION

Item Number: 8.1 File Number: D23/110683

SUBJECT HEADING: ROMA ADMINISTRATION CENTRE SIGNAGE

Councillor's Title: Cr. Tyson Golder

Executive Summary:

This notice of motion requests that replacement signage be placed upon the Roma Bungil Street Administration Centre building to identify the Roma Cultural Centre.

Moved Cr Golder

Seconded Cr Edwards

That Council replace the existing Maranoa Regional Council signage on the Bungil Street administration centre building with a new sign labelled "Roma Cultural Centre" when this is a cost effective option in the future.

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Cr Hancock proposing the following amendment, which was accepted by the Mayor:

Moved Cr Golder

Seconded Cr Edwards

That Council place the Roma cultural centre signage be included on the signage upgrade program.

NO VOTE TAKEN

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

Resolution No. OM/01.2024/02

Moved Cr Golder

That this lay on the table until later in the meeting (to formulate a draft motion).

CARRIED 9/0

Item Number: 8.2 **File Number:** D24/3500
SUBJECT HEADING: BETTERMENT UPGRADE OF CROSSING - MOSSVALE ROAD, YULEBA.
Location: Wallumbilla
Councillor's Title: Cr. Tyson Golder

Executive Summary:
Notice of Motion regarding Mossvale Road, Yuleba.

Moved Cr Ladbrook	Seconded Cr Edwards
That Council: <ol style="list-style-type: none"> Upgrade the current flood crossing located on Mossvale Road, Yuleba for increased immunity. Negotiate with the LNG stakeholder operating in the region to co-fund betterment of the crossing utilising existing funding source and at no further cost to Council. 	
NO VOTE TAKEN	

No vote was taken on the draft motion at that time with Council further discussing the matter and the need to include the name of the stakeholder in this matter, and Cr Hancock and Guthrie proposed an amendment to swap the order of points, both the mover and seconder were happy with the proposed amendment:

Moved Cr Ladbrook	Seconded Cr Edwards
That Council: <ol style="list-style-type: none"> Negotiate with the LNG stakeholder - SANTOS to co-fund betterment of the crossing utilising existing funding source and at no further cost to Council. Upgrade the current flood crossing located on Mossvale Road, Yuleba for increased immunity. 	
NO VOTE TAKEN	

Cr McMullen moved the following procedural motion:

Resolution No. OM/01.2024/03	
Moved Cr McMullen	
That the motion be put.	
CARRIED	9/0

With the procedural motion passed, the motion was voted on, with the outcome recorded as follows:

Resolution No. OM/01.2024/04

Moved Cr Ladbrook

Seconded Cr Edwards

That Council:

1. Negotiate with the LNG stakeholder - SANTOS to co-fund betterment of the crossing utilising existing funding source and at no further cost to Council.
2. Upgrade the current flood crossing located on Mossvale Road, Yuleba for increased immunity.

CARRIED

9/0

Responsible Officer

Director - Bendemere

Item Number:

8.3

File Number: D24/6148

SUBJECT HEADING:

SIGNAGE FOR TEELBA COMMUNITY

Councillor's Title:

Cr. Johanne (Joh) Hancock

Executive Summary:

The Teelba Community have requested Council assistance for property directional signage for the Teelba area.

Resolution No. OM/01.2024/05

Moved Cr Hancock

Seconded Cr O'Neil

That Council:

1. Work with the Teelba Community to design a directional property sign.
2. Purchase and install the sign as a matter of priority.
3. Draw the required funds of up to \$5,000 (Ex GST) from General Ledger 2087.2017 – Warroo Operational Budget.

NO VOTE TAKEN

Responsible Officer

Director - Warroo

Cr Guthrie proposed the following amendment to point 1 of the draft motion, which was accepted by the 'Mover' and 'Seconder' as follows –

Resolution No. OM/01.2024/06

Moved Cr Hancock

Seconded Cr O'Neil

That Council:

1. Work with the Teelba Community to design a directional property sign (including seeking formal property owners consent).
2. Purchase and install the sign as a matter of priority.
3. Draw the required funds of up to \$5,000 (Ex GST) from General Ledger 2087.2017 – Warroo Operational Budget.

CARRIED

9/0

Responsible Officer

Director - Warroo

NOTICE OF MOTION - WITHOUT NOTICE

Resolution No. OM/01.2024/07

Moved Cr Guthrie

Seconded Cr McMullen

That Council develop a direction signage project, in consultation with local individual communities, to be rolled out across the Maranoa region to be considered as part of the 2024/25 budget process.

CARRIED

9/0

Responsible Officer

Deputy Director/ Strategic road and Program Management

Item Number:

8.4

File Number: D24/3632

SUBJECT HEADING:

REPEAL OF RESOLUTION OM/12.2023/70

Officer's Title:

**Deputy Director / Strategic Road and Program Management
Chief Executive Officer
Project Officer - Contract Management Office**

Original Resolution Meeting Date:

13 December 2023

Original Resolution Number:

OM/12.2023/70

**Original Resolution:
That Council:**

1. Receive and note the Officer's report as presented.
2. Contact the Minister for Housing seeking immediate action to facilitate the divestment of 36 George Street, Wallumbilla (Lot 2 on SP330826).
3. Authorise the Chief Executive Officer (or delegate) to progress documentation required to make the property available for sale.
4. Undertake a community Information session sharing the endorsed re-design with stakeholders.

Resolution No. OM/01.2024/08

Moved Cr Edwards

Seconded Cr Ladbrook

That Council repeal Resolution Number OM/12.2023/70 and replace with:

That Council:

- 1. Receive and note the Officer's report as presented.**
- 2. Acknowledge that point 2 of Resolution OM/12.2023/70 is no longer required, as the State Government has verified that 36 George Street, Wallumbilla on Lot 2 on SP330826 is owned by Council.**
- 3. Authorise the Chief Executive Officer (or delegate) to progress documentation required to make the property available for sale.**
- 4. Undertake a community information session sharing the endorsed re-design with stakeholders.**

CARRIED

9/0

Responsible Officer

**Deputy Director / Strategic Road and
Program Management**

BUSINESS

OFFICE OF THE CEO

Item Number:

10.1

File Number: D24/3341

SUBJECT HEADING:

**REQUEST FOR QUOTE - PRODUCTION OF UNBOUND
PAVEMENT MATERIAL**

Officer's Title:

**Operations Manager - Quarry & Quarry Pits
Manager - Procurement**

Executive Summary:

Due to the demand for road making materials from the 2022 DRFA Program Reconstruction Works, the quarry requires the assistance of a Contractor to supply crushing services to produce additional Unbound Pavement Material above the capacity of the quarry to produce over the time period the material is required.

A Request for Quote was issued to the Register of Pre-qualified Suppliers for Material Production Services (Winning & Crushing) to produce unbound Pavement Material. This report provides the assessment and recommendation of the Request for Quote and is submitted for Council's consideration.

Resolution No. OM/01.2024/09

Moved Cr McMullen

Seconded Cr Edwards

That Council:

1. Select Glendun Group Pty Ltd to provide crushing services to the Roma Quarry to produce a provisional 70,000 tonnes of material for the quoted value of \$639,100.00 (incl GST).
2. Authorise the Chief Executive Officer (or delegate) to enter into a contract with Glendun Group Pty Ltd if final terms are acceptable.
3. Authorise the Chief Executive Officer (or delegate) to approve further production and associated expenditure above the provisional quantity if required for these projects.

CARRIED

9/0

Responsible Officer

Operations Manager - Quarry & Quarry Pits

Item Number:

10.2

File Number: D24/3605

SUBJECT HEADING:

ROMA SALEYARDS OLD BULL RING EXPRESSION OF INTEREST

Location:

Roma

Officer's Title:

General Manager - Saleyards

Executive Summary:

This report summarised results for the Expression of Interest undertaken for the dismantle & removal of the Roma Saleyards Old Bull Ring Seating. The tender period opened on 29th of November 2023 with a closing date of 20th December 2023. Responses were reviewed and the report is submitted for Council's consideration.

Moved Cr McMullen

Seconded Cr Guthrie

That Council:

1. Note that this report enacts resolution OM/10.2023/68.
2. Note that there were no responses to RFT: Dismantle and Removal of the Roma Saleyards Old Bull Ring Seating expression of interest process.
3. Accordingly, withdraw the above tender due to lack of response and authorise the Chief Executive Officer (or delegate) to enter into negotiations with any suitable qualified external party or parties to dismantle and remove the old bull ring within the available approved budget.

NO VOTE TAKEN

Responsible Officer

General Manager - Saleyards

Cr O'Neil proposed an amendment to point 3 of the draft motion, which was accepted by the 'Mover' and 'Seconder' as follows –

Resolution No. OM/01.2024/10
Moved Cr McMullen
Seconded Cr Guthrie
That Council:

1. Note that this report enacts resolution OM/10.2023/68.
2. Note that there were no responses to RFT: Dismantle and Remove of the Roma Saleyards Old Bull Ring Seating expression of interest process.
3. Accordingly, withdraw the above tender due to lack of response and authorise the Chief Executive Officer (or delegate) to enter into negotiations with any suitable qualified external party or parties to dismantle and remove all or sections of the old bull ring within the available approved budget.

CARRIED

7/2

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Birkett	Cr. Edwards
Cr. Guthrie	Cr. Golder
Cr. Hancock	
Cr. Ladbrook	
Cr. McMullen	
Cr. O'Neil	
Cr. Taylor	

Responsible Officer	General Manager - Saleyards
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Item Number:
10.3
File Number: D24/6124
SUBJECT HEADING:
**POLICY | MODEL MEETING PROCEDURES -
LEGISLATIVE CHANGE 16 NOVEMBER 2023**
Officer's Title:
Chief Executive Officer
Executive Summary:

Council received notification from the Queensland Government Director- General advising of new amendments introduced relating the model meeting procedures, as passed by parliament on 16 November 2023.

Resolution No. OM/01.2024/11
Moved Cr Guthrie
Seconded Cr Ladbrook
That Council:

1. Adopt the updated Model Meeting Procedures Policy as presented.
2. Rescind all previous policies.
3. Update Councils website accordingly.

CARRIED

9/0

Responsible Officer	Chief Executive Officer
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CORPORATE SERVICES

Item Number: 11.1 **File Number:** D23/106957

SUBJECT HEADING: MONTHLY FINANCIAL REPORT AS AT 30 NOVEMBER 2023

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 30 November 2023.

Resolution No. OM/01.2024/12

Moved Cr Birkett

Seconded Cr Edwards

That Council receive and note the Monthly Financial Report for the period ended 30 November 2023.

CARRIED

9/0

Responsible Officer

Management Accountant

Item Number: 11.2 **File Number:** D24/2585

SUBJECT HEADING: MONTHLY FINANCIAL REPORT AS AT 31 DECEMBER 2023

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 December 2023.

Resolution No. OM/01.2024/13

Moved Cr Edwards

Seconded Cr Birkett

That Council receive and note the Monthly Financial Report for the period ended 31 December 2023.

CARRIED

9/0

Responsible Officer

Management Accountant

Declaration of Interest

Item	11.3
Description	Tender 23037: Additions to the Register of Pre-Qualified Suppliers for Dry Hire of Equipment
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business arrangement with DMAC and they are listed in the recommended register of suppliers.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Cr McMullen left the meeting at 10.06am.

Item Number: 11.3 **File Number:** D23/104692

SUBJECT HEADING: TENDER 23037: ADDITIONS TO THE REGISTER OF PRE-QUALIFIED SUPPLIERS FOR DRY HIRE OF EQUIPMENT

Officer's Title: Manager - Procurement

Executive Summary:

This report summarised the evaluation of Tender 23037 – Register of Pre-Qualified Suppliers for Dry Hire of Equipment. The purpose of this tender was to provide an opportunity for new suppliers to be added to the Register.

The tender was released on 21 February 2023 with a closing date of the 20 March 2023. Fifty-one (51) entities/individuals viewed the tender on VendorPanel resulting in nine (9) tenders being received.

This evaluation was submitted for Council's consideration.

Resolution No. OM/01.2024/14

Moved Cr Birkett

Seconded Cr Guthrie

That Council:

- 1. Approve the addition of suppliers to the Register of Pre-qualified Suppliers for Dry Hire of Equipment as recommended within this report.**
- 2. Authorise the Chief Executive Officer (or delegate) to enter into a Deed of Agreement with the selected tenderers.**

CARRIED

8/0

Responsible Officer

Manager - Procurement

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. Johanne Hancock, Cr. Wayne (George) Ladbrook, 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 McMullen returned to the meeting at 10.07am.

Item Number: 11.4 **File Number:** D24/5308

SUBJECT HEADING: RFT:24052 36 PURCHASE AND REMOVAL OF 36 GEORGE STREET, WALLUMBILLA

Location: Wallumbilla

Officer's Title: Manager - Procurement

Executive Summary:

Council has advertised for the purchase and removal of 36 George Street, Wallumbilla so that the Calico Cottage Precinct Project can commence. This report provides a recommendation as part of the assessment of the responses to the request for tender.

Resolution No. OM/01.2024/15

Moved Cr McMullen

Seconded Cr Guthrie

That Council:

1. **Select LA and VM Brown as the preferred tenderers for the purchase and removal of the building at 36 George Street, Wallumbilla for the sum of \$20,000 (Inc GST).**
2. **Authorise the Chief Executive Officer, or delegate to negotiate final terms and if acceptable execute all documents necessary.**
3. **Acknowledge that the removal date of the building is expected to be on or before 28 February 2024 and will be subject to a DA approval process to be removed from the site. Should these dates vary this will be done in consultation with the selected builder for Calico Cottage to ensure that they can take possession of the whole Calico Cottage precinct site in a timely manner without undue delays.**

CARRIED

9/0

Responsible Officer

Manager - Procurement

ENGINEERING

Declaration of Interest

Item	12.1
Description	Charles Street (Station - Bowen): Review of Project Scope and Contract Award
Declaring Councillor	Cr O'Neil
Person with the interest Related party / close associate / other relationship	Golden West Apprenticeships
Particulars of Interest	Golden West Apprenticeships are referenced in the report and operate out of premises located between Charles and Bowen Streets. I am a board member of Golden West Apprenticeships.
Type of conflict	Declarable conflict of interest
Action Leave	Leave the room while the matter is discussed and voted on.

Cr O'Neil left the meeting at 10.13am.

Item Number: 12.1**File Number:** D23/107090**SUBJECT HEADING:** CHARLES STREET (STATION - BOWEN): REVIEW OF PROJECT SCOPE AND CONTRACT AWARD**Officer's Title:** Deputy Director / Strategic Road and Program Management
Senior Engineer - Program & Contract Management**Executive Summary:**

The 2023-24 Capital Budget includes a project to complete bitumen rehabilitation of Charles Street (Roma), from Station Street to Bowen Street. In November 2023, Council sought pricing from suppliers to complete the annual bitumen rehabilitation program – which included the abovementioned section of Charles Street.

At the last Council Meeting in December, Council considered a report that related to two asphalt projects that are planned for delivery in 2023-24. During the discussions, the notion of potentially asphaltting Charles Street, in lieu of bitumen rehabilitation was discussed.

At the meeting, Council resolved that a subsequent report be presented that compares the price for bitumen rehabilitation to asphalt overlay. The annual bitumen rehabilitation tender was open at the time and therefore the subsequent report was requested.

With bitumen rehabilitation tender prices now available, this report presents a comparison of both bitumen rehabilitation and asphalt overlay options for Council's consideration.

Resolution No. OM/01.2024/16**Moved Cr Birkett****Seconded Cr McMullen****That Council:**

1. Amend the scope of WO24566: Bitumen Rehabilitation – Charles Street (Station to Bowen) from bitumen rehabilitation/stabilisation to an asphalt overlay.
2. Increase the project budget from \$175,500 to \$250,000, by allocating \$74,500 from the 2023/24 Reseal Program (WO24561 and WO24562).
3. Select Fulton Hogan Industries Pty Ltd as the recommended tenderer for the asphalt overlay works, at an estimated value of \$245,000 ex GST, and authorise the Chief Executive Officer (or delegate) to enter into final negotiations to award the contract.

CARRIED

8/0

Responsible Officer**Deputy Director / Strategic Road and Program Management****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. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Geoff McMullen, 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 O'Neil returned to the meeting at 10.14am.

Item Number: 12.2 **File Number:** D23/112450

SUBJECT HEADING: ROMA DENISE SPENCER MEMORIAL AQUATIC CENTRE
- EXPRESSION OF INTEREST FOR CONSTRUCTION
CONTRACTOR

Officer's Title: Deputy Director / Strategic Road and Program
Management
Project Officer - Contract Management Office

Executive Summary:

At the Council meeting 25 October 2023, Council resolved (in part) to confirm the layout of the Roma Denise Spencer Memorial Pool redevelopment in accordance with the design released as part of the community consultation.

Council engaged architects, Facility Design Group (FDG), are continuing to work through the recommended design changes as resolved by Council. The design of the project is now sufficiently advanced to allow meaningful engagement with potential contractors who have the capability and capacity to potentially deliver the Roma Denise Spencer Memorial Pool Redevelopment Project.

This report outlined the preferred procurement strategy for the Roma Denise Spencer Memorial Pool redevelopment, including an expression of interest process for the construction of the project. The proposed approach is the first step in progressing the project towards construction and has been recommended due to the inherent complexity and uniqueness of aquatic facility construction.

Resolution No. OM/01.2024/17

Moved Cr O'Neil

Seconded Cr Taylor

That Council:

1. In accordance with section 228 of the *Local Government Regulation 2012*, invites suitably qualified and experienced contractors to submit an Expression of Interest for the construction of the Roma Denise Spencer Memorial Aquatic Centre project;
2. Acknowledges that it is in the public interest to test the market capacity and capability through the Expression of Interest process due to complex and unique nature of aquatic facility construction.

CARRIED

9/0

Responsible Officer

**Deputy Director / Strategic Road and
Program Management**

Item Number: 12.3 **File Number:** D24/3971

SUBJECT HEADING: SURAT TURBIDITY AND BORE NUMBER 1 OPERATION

Officer's Title: Director - Booringa

Executive Summary:

This report recommended a method of operationalising Surat Bore number 1 and sought approval to reallocate partial funding from the Surat mains upgrade project to complete the required work.

Resolution No. OM/01.2024/18
Moved Cr McMullen
Seconded Cr Ladbrook

That Council replace the highest risk sections of the Cordelia Street water mains with funding already allocated towards that project and re-allocate the remaining \$300,000 from the Cordelia Street mains replacement project towards:

- (a) A dedicated water line from Bore Number 1 to the reservoir;
- (b) Automating bore water and surface water utilisation and treatment; and
- (c) Emergency repairs and safety improvements to existing infrastructure and equipment.

CARRIED

9/0

Responsible Officer
Director - Booringa
REPORTS - LOCAL AREA DIRECTORS
Declaration of Interest

Item	13.1
Description	Receival & Delivery Services – Roma Saleyards
Declaring Councillor	Cr Johanne Hancock
Person with the interest Related party / close associate / other relationship	H5H Transport (GL & JM Hancock - my husband and myself), PR & KM Hancock (Brother in law and sister in law).
Particulars of Interest	GL & JM Hancock own a B Double which all interested parties above use and may occasionally unload and load cattle at the Saleyards.
Type of conflict	Declarable conflict of interest
Action Leave	Leave the room while the matter is discussed and voted on.

Cr Hancock left the meeting at 10.26am.

Item Number:
13.1
File Number: D24/1484
SUBJECT HEADING:
RECEIVAL & DELIVERY SERVICES - ROMA SALEYARDS
Officer's Title:
General Manager - Saleyards
Executive Summary:

Follow up report in relation to management of loading and unloading at the saleyards, including staffing for peak times.

Resolution No. OM/01.2024/19
Moved Cr Ladbrook
Seconded Cr Edwards
That Council:

1. Note that this report enacts Council resolution OM/10.2023/43.
2. Receive and note the Officer's report as presented.

CARRIED

8/0

Responsible Officer
General Manager - Saleyards

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. Wayne (George) Ladbrook, 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 Hancock returned to the meeting at 10.29am.

Item Number: 13.2 **File Number:** D24/4897

SUBJECT HEADING: EASTER IN THE COUNTRY 2024

Officer's Title: Local Development Officer (Roma)

Executive Summary:

The Roma Easter in the Country (EITC) committee requested the use of the Roma Saleyards carpark and amenities to host their annual Outback Tucker Under the Stars event on Thursday, 28 March 2024 as part of their 2024 Easter in the Country Festival.

This report sought to note the Sponsorship and In-Kind Assistance provided by Council to EITC.

Resolution No. OM/01.2024/20

Moved Cr Edwards

Seconded Cr Hancock

That Council:

1. Approve Easter in the Country's request to hire out the Roma Saleyards to host the Outback Tucker Under the Stars on Thursday, 28 March 2024.
2. Assist Easter in the Country and facilitate their in-kind assistance requests.

CARRIED

9/0

Responsible Officer

Local Development Officer (Roma)

COUNCIL ADJOURNED THE MEETING
 FOR MORNING TEA AT 10.32am

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 11.04am.

CHANGE TO ORDER OF BUSINESS
Resolution No. OM/01.2024/21

Moved Cr Golder

Seconded Cr Guthrie

That Item 14.5 - Material Change of Use – "Transport Depot" (Laydown Yard) (REF: 2023/20909) be the next order of business.

CARRIED

9/0

Declaration of Interest

Item	14.5
Description	Material Change of Use – “Transport Depot” (Laydown Yard) (REF: 2023/20909)
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business arrangement with Dan Joliffe who is mentioned in the report.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Cr McMullen left the meeting at 11.06am.

Declaration of Interest

Item	14.5
Description	Material Change of Use – “Transport Depot” (Laydown Yard) (REF: 2023/20909)
Declaring Councillor	Cr Johanne Hancock
Person with the interest Related party / close associate / other relationship	H5H Transport (GL & JM Hancock - my husband and myself), PR & KM Hancock (Brother in law and sister in law) and Nicholas Hancock (son).
Particulars of Interest	All above persons of interest operate a transport business.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Cr Hancock left the meeting at 11.09am.

Item Number:

14.5

File Number: D24/327

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 sought 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/01.2024/22
Moved Cr Golder

That this lay on the table until the next meeting for Council for any parties who wish to talk with Council directly to have an opportunity to do so.

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. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Wayne (George) Ladbrook, 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, Councillors McMullen and Hancock returned to the meeting at 11.11am.

Item Number:
13.3
File Number: D23/107936
SUBJECT HEADING:
APPLICATION FOR PERMIT OF OCCUPATION - FORMER YULEBA CREEK SCHOOL
Location:
Yuleba Creek
Applicant:
Maranoa Regional Council
Officer's Title:
Administration Officer - Regional Pools, Buildings & Structures
Executive Summary:

Yuleba Creek School Permit of Occupation expired on the 30th of November 2023, the purpose of this permit was for Rural Fire, SES and Community Centre to use the old school building and grounds.

Resolution No. OM/01.2024/23
Moved Cr Golder
Seconded Cr Edwards
That Council:

1. Enter into an Occupation Permit within State Forest for the former Yuleba Creek School site with the Department of Parks & Wildlife Service Queensland, for a term of 10 years.
2. Authorise the Chief Executive Office, or delegate to execute any document necessary to finalise the Permit.

CARRIED
9/0
Responsible Officer
Administration Officer - Regional Pools, Buildings & Structures

REGIONAL DEVELOPMENT

Item Number: 14.1

File Number: D23/107250

SUBJECT HEADING: MULTI VENUE USER AGREEMENT - WOW DANCE

Officer's Title: Leases and Agreements Administration Officer

Executive Summary:

Council was asked to consider entering into a three (3) year, Multi User Agreement with WOW Dance (Director – Birrali Flintoff) for the Surat Supper Room – Surat Shire Hall and Injune RSL Memorial Hall.

Resolution No. OM/01.2024/24

Moved Cr O'Neil

Seconded Cr Birkett

That Council:

1. Enter into a non-exclusive multi venue user agreement with WOW Dance for the use of the Surat Supper Room and Injune RSL Memorial Hall.
2. Agree to the use of the Surat Supper Room and the Injune RSL Memorial Hall at a discounted rate of \$14.35.
3. Requests the user provide Council with a copy of their Public Liability Insurance, certificate of currency to the value of \$20,000,000.00.
4. Authorise the Chief Executive Officer (or delegate) to sign the agreement.

CARRIED

9/0

Responsible Officer

**Leases and Agreements Administration
Officer**

Item Number: 14.2

File Number: D23/107280

SUBJECT HEADING: KIX COUNTRY MUSIC RADIO NETWORK - HOST SITE AGREEMENT - SURAT

Officer's Title: Leases and Agreements Administration Officer

Executive Summary:

Council was asked to consider entering into a five (5) year, Host Site Agreement with KIX Country Music Radio Network on the Surat Water Tower.

Resolution No. OM/01.2024/25

Moved Cr Hancock

Seconded Cr Ladbrook

That Council:

1. Approve the request for KIX Country Music Radio Network to continue with their low power FM radio station on the Surat Water Tower site for an additional five (5) year term.
2. Apply the Radio licensing fee of \$550.00 inclusive of GST per annum.
3. Authorise the Chief Executive Officer (or delegate) to execute the Host Site Agreement.

CARRIED

9/0

Responsible Officer	Leases and Agreements Administration Officer
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Item Number:

14.3

File Number: D23/108504

SUBJECT HEADING:

KIX COUNTRY MUSIC RADIO NETWORK - HOST SITE AGREEMENT - INJUNE

Officer's Title:

Leases and Agreements Administration Officer

Executive Summary:

Council was asked to consider entering into a five (5) year, Host Site Agreement with KIX Country Music Radio Network on the Injune Water Tower.

Resolution No. OM/01.2024/26

Moved Cr Guthrie

Seconded Cr Edwards

That Council:

1. Approve the request for KIX Country Music Radio Network to continue with their low power FM radio station on the Injune Water Tower site for an additional five (5) year term.
2. Apply the Radio licensing fee of \$550.00 inclusive of GST per annum.
3. Authorise the Chief Executive Officer (or delegate) to execute the Host Site Agreement.

CARRIED

9/0

Responsible Officer	Leases and Agreements Administration Officer
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Item Number: 14.4

File Number: D24/119

SUBJECT HEADING: QUEENSLAND BLUE LIGHT ASSOCIATION INC -
BENDEMERE BLUELIGHT SHED

Officer's Title: Leases and Agreements Administration Officer

Executive Summary:

Council was asked to consider entering into a further one (1) year User Agreement with the Queensland Blue Light Association Inc – Bendemere Blue Light Shed, located on Perry Street, Yuleba.

Resolution No. OM/01.2024/27

Moved Cr Taylor

Seconded Cr McMullen

That Council:

1. Enter into a one (1) year User Agreement with the Queensland Blue Light Association Inc. – Bendemere Blue Light Shed for the use of the Bendemere Blue Light Shed for a period of one (1) year.
2. That no hire fee be charged.
3. Authorise the Chief Executive Officer (or delegate) to execute the User Agreement with Queensland Blue Light Association Inc.

CARRIED

9/0

Responsible Officer

**Leases and Agreements Administration
Officer**

Item Number: 14.6

File Number: D24/5297

SUBJECT HEADING: REQUEST FOR WAIVER OF PLANNING APPLICATION
(CHANGE) FEES (FILE REF: 2023/20829)

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

Executive Summary:

Vicki Jones, on behalf of the applicant Artesian Poly Products, has requested a waiver of the planning application fees for a Change application at Sophia Street, Mitchell.

Resolution No. OM/01.2024/28

Moved Cr Birkett

Seconded Cr Golder

That Council waive the application fee of \$569.23 for the submitted change application for an existing Development Permit located at Sophia Street, Mitchell (Reference: 2023/20829) and allocate funds to General Ledger 2887.2412.2132.

CARRIED

9/0

Statement of Reason – Provided by Cr Birkett

On the grounds of economic stimulus to Mitchell and the region.

Responsible Officer

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

NOTICE OF MOTION - WITHOUT NOTICE

Resolution No. OM/01.2024/29

Moved Cr Birkett

Seconded Cr Golder

That Council Investigate development of industrial blocks to the west of Artesian Poly, including a formal road network.

CARRIED

9/0

Responsible Officer

Director - Booringa

Cr McMullen left the meeting at 11.34am and returned at 11.35am.

Item Number:

14.7

File Number: D24/3355

SUBJECT HEADING:

BUILDING BUSH TOURISM FUNDING ROUND NOW OPEN

Officer's Title:

Manager - Regional Economic & Community Development

Executive Summary:

This report serves to inform Councillors about the currently available funding and apprise Councillors of the nominated projects. The Queensland Government allocates \$10 million to the Building Bush Tourism (BBT) Fund, as part of the \$30 million Backing Bush Communities initiative. This initiative aligns with Queensland's long-term tourism industry strategy, Towards Tourism 2032, overseen by the Department of Tourism, Innovation and Sport.

The BBT Fund aims to support the development of new and improved tourism products or infrastructure outside South-East Queensland, fostering economic and employment opportunities. Projects eligible for funding of between \$50 000 and \$200 000 (ex GST), include those enhancing social, community, and tourism infrastructure to attract visitors to regional areas.

Resolution No. OM/01.2024/30

Moved Cr O'Neil

Seconded Cr McMullen

That Council:

- 1. Receive and note this report.**
- 2. Put forward funding submissions for project (1) - Injune Gunnewin Rail Trail and Project (6) – Yuleba Fire Tower to the Building Bush Tourism Funding round.**

CARRIED

5/4

Cr. Golder called for a division of the vote.
The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Birkett	Cr. Edwards
Cr. Hancock	Cr. Golder
Cr. McMullen	Cr. Guthrie
Cr. O'Neil	Cr. Ladbroke
Cr. Taylor	

Responsible Officer

Manager - Regional Economic & Community Development

Declaration of Interest

Item	14.8
Description	Indian Myna Birds - Controls and Management
Declaring Councillor	Cr Tyson Golder
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business in the vicinity on the map
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	14.8
Description	Indian Myna Birds - Controls and Management
Declaring Councillor	Cr Mark Edwards
Person with the interest Related party / close associate / other relationship	Myself and Leichardt Group
Particulars of Interest	I am a partner in Leichardt Group, which has a business in the vicinity on the map
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Mayor Golder and Cr Edwards left the meeting at 12.13pm, with the Deputy Mayor taking the role of Acting Chair in the Mayor's absence.

Item Number: 14.8

File Number: D24/4673

SUBJECT HEADING: INDIAN MYNA BIRDS - CONTROLS AND MANAGEMENT

Officer's Title: Director - Regional Development, Environment and Planning

Executive Summary:

*Several town centres in the Maranoa region have and are experiencing issues with increased Indian Myna (*Acridotheres tristis*) bird activities particularly at dawn and dusk. In some cases, bird populations are of such a number to cause nuisance. These nuisances can be noise, excrement on footpaths, street furniture and vehicles. Excrement, if left unmanaged can create poignant odour issues and when wet intensified odour issues to surrounding streets. If left, excrement can damage public infrastructure.*

This report explored some future options for the broader region, however focuses on addressing the Roma CBD issues in the first instance. Pricing has been received from an expert pest bird specialist to undertake some initial management activities and these are recommended to council to be undertaken.

Resolution No. OM/01.2024/31

Moved Cr O'Neil

Seconded Cr Hancock

That Council:

1. Note and endorse officer's report, including the budget of up to \$5,000 (Work Order 24840.2800).
2. Authorise the Chief Executive Officer (or delegate) to engage the services of Wildpest Management Pty Ltd to undertake the management actions as outlined in their proposal and in this report.
3. Request Council officers investigate a voluntary community led Indian Myna control program and list the initiative as part of the 2024/25 financial year budget deliberations, including investigating engagement of the Roma Men's Shed as a potential supplier of traps.
4. Note that the report enacts Resolution Number OM/08.2023/34.
5. Undertake a operational assessment of all of the towns across the region to determine further actions to address Indian Mynas.

CARRIED

7/0

Responsible Officer

**Director - Regional Development,
Environment and Planning**

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. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, 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, Mayor Golder and Cr Edwards returned to the meeting at 12.25pm. Mayor Golder assumed the Chair.

Cr Ladbrook left the meeting at 12.25pm and returned at 12.26pm.

Item Number:

14.9

File Number: D24/5760

SUBJECT HEADING:

100% MARANOA RECYCLING - PROGRESS REPORT

Officer's Title:

**Director - Regional Development, Environment and
Planning**

Executive Summary:

This report sought to provide Council with an update on current recycling activities undertaken in the region and other related matters associated with waste diversion, resource recovery and recycling efforts.

Resolution No. OM/01.2024/32

Moved Cr Birkett

Seconded Cr Hancock

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

CARRIED

9/0

Responsible Officer

**Director - Regional Development,
Environment and Planning**

COUNCILLOR BUSINESS

Item Number:

17.1

File Number: D24/5246

SUBJECT HEADING:

YULEBA WEIR

Location:

Yuleba

Councillor's Title:

Cr. Tyson Golder

Executive Summary:

This was a request for a report to be provided by officers on the Yuleba Weir.

Resolution No. OM/01.2024/33

Moved Cr Golder

Seconded Cr Birkett

That a report be prepared for an upcoming Council meeting.

CARRIED

9/0

Responsible Officer

Director - Bendemere

LATE ITEMS

Cr Birkett left the meeting at 12.28pm.

Item Number:

L.1

File Number: D23/97957

SUBJECT HEADING:

POSITIVE COUNCIL RELATIONS

Officer's Title:

Lead Facility Management Officer

Executive Summary:

At the Ordinary Council meeting on 13 September 2023, Council resolved to consider at a future meeting a report on how to achieve closer relations with local traditional owner groups and other community stakeholders.

Resolution No. OM/01.2024/34

Moved Cr Hancock

That we lay this on the table for a briefing.

CARRIED

8/0

Responsible Officer

Lead Facility Management Officer

Item Number: L.2 File Number: D23/97986

SUBJECT HEADING: AQUATIC CENTRES - SWIMMING CARNIVALS AND SPECIAL EVENTS POLICY

Officer's Title: Lead Facility Management Officer

Executive Summary:

At the Ordinary Council meeting on 25 October 2023, Council resolved to draft a pool closure for swimming carnivals policy for consideration at a future Council meeting. The draft policy was presented for Council's consideration.

Resolution No. OM/01.2024/35

Moved Cr Hancock

Seconded Cr Taylor

That Council adopt the Aquatic Centres - Swimming Carnivals and Special Events Policy as presented.

CARRIED

8/0

Responsible Officer

Lead Facility Management Officer

Cr Birkett returned to the meeting at 12.33pm.

Item Number: L.3 File Number: D23/108408

SUBJECT HEADING: APPLICATION FOR PERMANENT ROAD CLOSURE LOT A ON AP16331

Location: Edward Street Jackson

Applicant: Leon Elder

Officer's Title: Administration Officer - Regional Pools, Buildings & Structures

Executive Summary:

Council received an application from Leon Elder for a permanent road closure, Lot A on AP16331. Which is a Strata Parcel surrounded by land owned by Leon Elder. Located on the Eastern side of Jackson off the Warrego Highway.

Resolution No. OM/01.2024/36

Moved Cr Golder

That this lay on the table until next meeting. [To identify any unintended consequences for road users].

CARRIED

9/0

Responsible Officer

Administration Officer - Regional Pools, Buildings & Structures

Declaration of Interest

Item	L.4
Description	Application for Permit to Occupy - Lot 28 on KE107
Declaring Councillor	Cr John Birkett
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a conflict as 2 of the applicants Charlie and Lachlan Brumpton were part of the 2023 Mighty Mitchell Magpies undefeated Roma & District A Grade Premiership team, which I was the coach.
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Cr Birkett left the meeting at 12.36pm.

Item Number: L.4 **File Number:** D23/109931

SUBJECT HEADING: APPLICATION FOR PERMIT TO OCCUPY - LOT 28 ON KE107

Location: Bandon Park 135 Albany Down Road

Applicant: Felicity Brumpton

Officer's Title: Administration Officer - Regional Pools, Buildings & Structures

Executive Summary:

Council was asked as Trustee of the Reserve, to provide their view on a Permit to Occupy Lot 28 on KE107 which is a reserve located on Albany Downs Road Dunkeld.

Resolution No. OM/01.2024/37

Moved Cr O'Neil

Seconded Cr Taylor

That Council:

1. Provide no objection to the Permit to Occupy Lot 28 on KE107 on Albany Downs Road Dunkeld.
2. Authorise the Chief Executive Officer (or delegate) to sign documentation related to this decision.

CARRIED

8/0

Responsible Officer	Administration Officer - Regional Pools, Buildings & Structures
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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. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, 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 Birkett returned to the meeting at 12.37pm.

Item Number:

L.5

File Number: D24/6558

SUBJECT HEADING:

REQUEST FOR SPONSORSHIP - SALOON CAR CLUB OF ROMA & DISTRICT INC

Officer's Title:

Local Development Officer (Roma)

Executive Summary:

The Saloon Car Club of Roma and District Inc is seeking sponsorship and in-kind assistance for their events happening on the 17 February 2024 and their Easter in the Country event over 29-30 March 2024.

Council's Sponsorship budget is expended; therefore, the request is for Council's consideration.

Resolution No. OM/01.2024/38

Moved Cr Golder

Seconded Cr Hancock

That Council Increase the Sponsorship budget by re-allocating \$15,000 from GL2946.2002 Community Groups – In Kind Assistance (LDO) : O&M Roma to Sponsorship budget GL2887.2249.

CARRIED

9/0

Responsible Officer

Local Development Officer (Roma)

Resolution No. OM/01.2024/39

Moved Cr Golder

Seconded Cr Ladbrook

That Council:

- 1. Approve sponsorship of \$2,500 and provide In-Kind Assistance as requested by the Saloon Car Club of Roma and District Inc.**
- 2. Draw the funds from the Sponsorship budget GL2887.2249.**

CARRIED

9/0

Responsible Officer

Local Development Officer (Roma)

Item Number: L.6 **File Number:** D24/6447
SUBJECT HEADING: REQUEST FOR SPONSORSHIP - ROMA RUGBY 7'S 2024
Officer's Title: Local Development Officer (Roma)

Executive Summary:

The Roma Echidnas Rugby Union Football Club is seeking sponsorship for their annual Roma Rugby 7's Tournament, to be held in conjunction with the Santos Festival of Rugby on 9-10 February 2024.

Council has provided Bronze Sponsorship (\$1000 ex GST) for the Roma Rugby 7's Tournament each year since 2020.

Council's Sponsorship budget is expended, therefore the request is for Council's consideration. Consideration to add funds to the Sponsorship budget is also required.

Resolution No. OM/01.2024/40

Moved Cr McMullen

Seconded Cr O'Neil

That Council:

- 1. Approve bronze sponsorship to the value of \$1,000 (Ex GST) as requested from the Roma Echidnas Rugby Union Football Club.**
- 2. Allocate funds from the Sponsorship Budget GL 2887.2249.**

CARRIED

9/0

Responsible Officer

Local Development Officer (Roma)

Item Number: L.7 **File Number:** D24/6757
SUBJECT HEADING: THE BIG RIG - EASTER TIMES
Officer's Title: Director Roma

Executive Summary:

This report sought to amend times and prices at the Big Rig over the Easter long weekend 28 March – 1 April 2024.

Over the Easter weekend, the Big Rig experiences an influx of families visiting the visitor information centre.

Last year, there was a high request of people just wanting to climb the Big Rig Tower and Treewalk, rather than attending the Night Show Tour.

Resolution No. OM/01.2024/41
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.

CARRIED

9/0

Responsible Officer
Director Roma
Item Number:
L.8
File Number: D24/6740
SUBJECT HEADING:
CORPORATE PLAN 2023- 2028 ADDITIONAL WORDING
Officer's Title:
**Director - Corporate Services
Procurement / Analyst Officer**
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/01.2024/42
Moved Cr Hancock
That we lay this on the table until a future meeting. *[To further consider the draft wording].*

CARRIED

9/0

Responsible Officer
Director - Corporate Services

COUNCIL ADJOURNED THE MEETING
FOR LUNCH AT 12.58pm

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 1.48pm

Mayor Goder was not present at the resumption of Standing Orders. The Deputy Mayor took the role of Acting Chair in his absence.

NEW LATE ITEM
Resolution No. OM/01.2024/43
Moved Cr O'Neil
Seconded Cr Birkett

That new late Item – Roma South West Drag Racing Strip Urgent repairs be added to the agenda (Item L.9).

CARRIED

8/0

CHANGE TO ORDER OF BUSINESS

Resolution No. OM/01.2024/44

Moved Cr O'Neil

Seconded Cr Birkett

That Item C.5 be removed from the agenda, noting that Item LC.2 replaces this item.

CARRIED

8/0

Declaration of Interest

Item	C.2
Description	Request for Quotation 24034 – Restoration of Public Asset (Flood Damage): Additional Roads Package, Bungil Region
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business arrangement with DMAC who are mentioned in the report.
Type of conflict	Declarable conflict of interest
Action Leave	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	C.3
Description	Regional Bitumen Stabilisation Project 2023-24 Contract Award
Declaring Councillor	Cr Wendy Taylor
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	Roma Student Hostel is mentioned in the agenda and I am a committee member of the Roma Rural Student Hostel.
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/01.2024/45

Moved Cr Hancock

Seconded Cr Ladbrook

That it is in the public interest that Councillor Taylor participates and votes on agenda item C.3 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

6/0

Declaration of Interest

Item	C.3
Description	Regional Bitumen Stabilisation Project 2023-24 Contract Award
Declaring Councillor	Cr Cameron O'Neil
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	Roma Student Hostel is mentioned in the agenda as is Charles Street between Station and Bowen Streets of which Golden West Apprenticeships located in this section of road. I am a committee member of the Roma Rural Student Hostel and a board member of Golden West.
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/01.2024/46

Moved Cr Birkett

Seconded Cr Guthrie

That it is in the public interest that Councillor O'Neil participates and votes on agenda item C.3 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

6/0

Declaration of Interest

Item	C.12
Description	Reimbursement of Licence Fees – 151 Hodgson Lane, Hodgson
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself and my partner Jean Clifford
Particulars of Interest	We own a block in Hodgson which is connected to the Hodgson water bore.
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/01.2024/47

Moved Cr Taylor

Seconded Cr Guthrie

That it is in the public interest that Councillor McMullen participates and votes on agenda item C.12 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

7/0

Declaration of Interest

Item	C.15
Description	Budget amendment of 2023-24 Capital Works Program – Roma Truckwash Facility
Declaring Councillor	Cr Johanne Hancock
Person with the interest Related party / close associate / other relationship	H5H Transport (my husband & Myself) PR & KM Hancock (Brother in law and sister in law)
Particulars of Interest	The above persons of interest own a trucking business who use the Roma Truckwash Facility.
Type of conflict	Prescribed / Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	LC.1
Description	McDowall and Quintin Street Carpark Contract Award
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business arrangement with one of the businesses who have submitted pricing for this contract. (DMAC)
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	LC.1
Description	McDowall & Quintin Street Carpark Contract Award
Declaring Councillor	Mark Edwards
Person with the interest Related party / close associate / other relationship	Myself and Leichardt Group
Particulars of Interest	I am an employee and partner of the Leichardt Group and have a professional relationship with a business within the vicinity who I can't reveal for professional reasons. I believe that I have declared a conflict on a previous matter to do with the land however now I believe that this matter under consideration is different as it is for the consideration of a tender.
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/01.2024/48

Moved Cr Guthrie

Seconded Cr O'Neil

That it is in the public interest that Councillor Edwards participates and votes on agenda item LC.1 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

7/0

Declaration of Interest

Item	LC.2
Description	Request for Quotation 24034 – Restoration of Public Asset (Flood Damage): Additional Roads Package, Bungil Region
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business arrangement with DMAC who are mentioned in the report.
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	LC.2
Description	Request for Quotation 24034 – Restoration of Public Asset (Flood Damage): Additional Roads Package, Bungil Region
Declaring Councillor	Cr Julie Guthrie
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	Komine East Road is mentioned in this report and I live on this road.
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/01.2024/49

Moved Cr Birkett

Seconded Cr Ladbrook

That it is in the public interest that Councillor Guthrie participates and votes on agenda item LC.2 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

7/0

Declaration of Interest

Item	LC.2
Description	Request for Quotation 24034 – Restoration of Public Asset (Flood Damage): Additional Roads Package, Bungil Region
Declaring Councillor	Cr Wayne (George) Ladbrook
Person with the interest Related party / close associate / other relationship	Myself and my wife Alanah Ladbrook
Particulars of Interest	We own two (2) properties on Grafton Terrace Road, which is mentioned in the report
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Cr Birkett also identified a conflict for item LC.2, however, did not complete this declaration identifying that the description of the item was incorrect.

COUNCIL ADJOURNED THE MEETING
 FOR A BRIEF RECESS AT 2.03pm

SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
 COUNCIL RESUMED THE MEETING AT 2.21pm

Prior to recess it was identified that Conflicts announced for Item LC.2 had the description/title incorrect.

This being the case, Council again considered the declarations for Item LC.2 as this impacted the eligibility of Councillors to vote on the declarations, should Councillors seek to remain for discussion and decision on the matter.

Declaration of Interest

Item	LC.2
Description	Request for Tender 24027 – Restoration of Public Asset (Flood Damage): Drainage and Road furniture Package
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a business arrangement with DMAC who are mentioned in the report.
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	LC.2
Description	Request for Tender 24027 – Restoration of Public Asset (Flood Damage): Drainage and Road furniture Package
Declaring Councillor	Cr Julie Guthrie
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	Komine East Road is mentioned in this report and I live on this road.
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/01.2024/50

Moved Cr Edwards

Seconded Cr Taylor

That it is in the public interest that Councillor Guthrie participates and votes on agenda item LC.2 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

4/0

Declaration of Interest

Item	LC.2
Description	Request for Tender 24027 – Restoration of Public Asset (Flood Damage): Drainage and Road furniture Package
Declaring Councillor	Cr Wayne (George) Ladbrook
Person with the interest Related party / close associate / other relationship	Myself and my wife Alanah Ladbrook
Particulars of Interest	We own two (2) properties on Grafton Terrace Road, which is mentioned in the report
Type of conflict	Declarable conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	LC.2
Description	Request for Tender 24027 – Restoration of Public Asset (Flood Damage): Drainage and Road Furniture Package
Declaring Councillor	Cr John Birkett
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	I have a conflict as 5 roads mentioned in the report are on my bus route and one of those I live on, as well as my parents - Gary and Julie Birkett.
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/01.2024/51

Moved Cr Hancock

Seconded Cr Edwards

That it is in the public interest that Councillor Birkett participates and votes on agenda item LC.2 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

4/0

Declaration of Interest

Item	LC.4
Description	Part of Lot 328 on WV1628 (Paddock 9 – Roma)
Declaring Councillor	Cr Geoff McMullen
Person with the interest Related party / close associate / other relationship	Myself and my partner Jean Clifford
Particulars of Interest	I may submit a tender for this paddock.
Type of conflict	Prescribed conflict of interest
Action	Leave the room while the matter is discussed and voted on.

Declaration of interest

Item	LC.3
Description	Maranoa and Roma Southern Road Contract Award
Declaring Councillor	Cr Wendy Taylor
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	The report mentions Roma Southern Road and I live on this road
Type of conflict	Declarable conflict of interest
Action Leave	Leave the room while the matter is discussed and voted on.

Declaration of Interest

Item	C.13
Description	Medical and Nursing Bursaries: 2024
Declaring Councillor	Cr Julie Guthrie
Person with the interest Related party / close associate / other relationship	Myself
Particulars of Interest	One of the applicants mentioned in the report is a neighbouring property owner of my son (Nicholas Guthrie) and daughter-in-law (Abby Guthrie).
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/01.2024/52

Moved Cr Birkett

Seconded Cr Taylor

That it is in the public interest that Councillor Guthrie participates and votes on agenda item C.13 because a reasonable person would trust that the decision is made in the public interest.

CARRIED

7/0

NEW LATE CONFIDENTIAL ITEM

Resolution No. OM/01.2024/53

Moved Cr O'Neil

Seconded Cr Hancock

That new Item (LC.6) - Roma Quarry Development Approval Compliance Adjoining Property be added to the confidential agenda.

CARRIED

8/0

CONFIDENTIAL ITEMS

Resolution No. OM/01.2024/54

Moved Cr O'Neil

Seconded Cr Ladbrook

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 2.33pm] 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 – Wallumbilla Multipurpose building Construction – Tender Award	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	Following the Council Meeting Report update on 13 December 2023, this report provides with an update and recommendations regarding the procurement for the construction of the Wallumbilla Multipurpose Building Project
C.2 – Request for Quotation 24034	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.	<p>To assist Council with the delivery of this program, a number of roadworks tender packages have been prepared for release to the open market. In addition to tender releases, a Request for Quotation (RFQ) package has also been released to pre-qualified suppliers for the Bungil region titled RFQ 24034 – 2022 Flood Remediation – Road Works – Bungil Central.</p> <p>This report provides a summary of RFQ 24034 and makes recommendations to Council to appoint a contractor to assist Council in the delivery of the approved road restoration program. This report also seeks to include an additional scope of works relating to roads priced as part of the Bungil South 3 Tender.</p>
C.3 – Regional Bitumen Stabilisation Project 2023-24: Contract Award	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.	<p>Council invited specialist, qualified and experienced contractors to submit a schedule of rates pricing and supporting documentation for the delivery of Council's 2023/24 Road rehabilitation projects.</p> <p>The tender period opened on 8 November 2023 and closed on 11 December 2023, with three responses received. Responses were evaluated, with this report providing a</p>

		summary of the analysis and recommendation for appointment is provided for Council's consideration
C.4 – Endorsement of Transport Development Scheme (TIDS) Works Program 2024-25 to 2027-28	Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	Maranoa Regional Council is a member of the South West Regional Road and Transport Group (SWRRTG). Council is required to develop and endorse the proposed four (4) year rolling program (2024-25 to 2027-28) and agree in-principle to matching the funding provided through the Transport and Infrastructure Development Scheme (TIDS) program with a 50% council contribution.
C.5 – Request for Tender 24027 – Restoration of Public Asset (Flood Damage): Drainage and Road Furniture Package	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.	Item withdrawn from agenda, refer item LC.2.
C.6 – Roma Airport Operational Strategy	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.	Maranoa Regional Council, Murweh Shire Council and the South West Queensland Regional Organisation of Councils have been advocating for some time in relation to increased flights/passenger capacity on the Central One and Western One routes.
C.7 – Leases on Lots 4 and 11 on RP855185 – Air BP	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.	Air BP currently lease 2 lots at Roma airport for fuel storage and sales. The Leases on the 2 lots are due to end on 31st January 2024.
C.8 – Overdue Rates – Commencement of Legal Action	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.	Letters of Demand have been sent to ratepayers who are not in a rates payment arrangement and have a rates debt of \$750.00 or more outstanding. In accordance with Council's adopted Rates Recovery Policy, a Council Resolution is required to take the next step in the rates recovery process by filing a Statement of Liquidated Claim at the Local Magistrates Court and serving on the ratepayer.
C.9 – Request for reduction in Rates – Assessment No 13014303	Section 254J(3)(rating concessions.	Request for a reduction of Rates has been received from a ratepayer.

C.10 – RFT 24042: Supply of Wholesale Materials & Storage to the Roma Quarry	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.	Council has recently gone to Tender for the supply of wholesale materials and storage to the Roma Quarry. This report outlines the assessment and recommendation.
C.11 – Staff Housing Roma	Section 254J(3)(h) negotiations relating to the taking of land by the local government under the Acquisition of Land Act 1967.	Council resolved at its 13 December 2023 meeting to further investigate options for staff housing.
C.12 – Reimbursement of Licence fees – 151 Hodgson Lane, Hodgson	Section 254J(3)(f) matters that may directly affect the health and safety of an individual or a group of individuals.	Council has received a request for full reimbursement of fees.
C.13 – Medical and Nursing Bursaries: 2024	Section 254J(3)(f) matters that may directly affect the health and safety of an individual or a group of individuals.	The Bursary panel has met and made recommendations in relation to successful applicants for the 5 bursaries for 2024. The report provided an overview of the assessment and recommendations by the panel for Councils endorsement.
C.14 – RFT: Disposal of building at 36 George Street Wallumbilla	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.	Item withdrawn from the Agenda.
C.15 – Budget Amendment of 2023-2024 Capital Works Program – Roma Truckwash Facility	Section 254J(3)(c) the local government's budget.	The Roma Truck Wash Facility is required to comply with state legislative and environmental requirements. This report identifies works to be completed to allow for the effective operation of the treatment and disposal of washdown water and associated waste and recommendation to stage the works and consider stage 1 in the 2023-24 capital works program.
C.16 – Roma Saleyards Memorial Wall – Resident correspondence	Section 254J(3)(f) matters that may directly affect the health and safety of an individual or a group of individuals.	A resident has recently written to all Councillors and met with the Mayor to provide feedback regarding the Roma Saleyards Memorial Wall project. This report provides that feedback to Council for note.
C.17 – Roma Lawn Cemetery	Section 254J(3)(f) matters that may directly affect the health and safety of an individual or a group of individuals.	A resident has raised issues with significant subsidence at the Roma Lawn Cemetery.

C.18 – Capital Projects Deferral Update FY24	Section 254J(3)(c) the local government’s budget.	As requested at the OM on 13 December 2023 the Councillors requested a review of the Capital Projects for identification of current capital project requests to be deferred.
LC.1 – McDowall and Quintin Street Carpark contract Award	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.	Consideration of tender car park design for recently purchased land on the corner of McDowall and Quintin Streets, Roma.
LC.2 – Request for Tender 24027 – Restoration of Public Asset (Flood Damage): Drainage and Road Furniture Package	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.	<p>To assist Council with the delivery of this program, a number of roadworks tender packages have been prepared for release to the open market. One of these packages is Tender 24027 - Restoration of Public Assets – Road Furniture and Drainage Package.</p> <p>This report provides a summary of Tender 24027 and makes recommendations to Council in relation to the delivery of the approved flood restoration works.</p>
LC.3 – Flood Damage Betterment Works – Maranoa and Roma Southern Road: Contract Award	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.	<p>Approvals have progressively been received since early 2023, with an estimated total restoration program in the order of \$100M. Of the works approved, Council was successful in securing approximately \$4.56M Betterment Funding. The scope of work for the Betterment Projects includes bitumen extensions on both Maranoa Road (8.3km) and Roma Southern Road (2.4km).</p> <p>To assist Council with the delivery of this program, two roadworks tender packages have been prepared for released to the open market. This report provides a summary of Betterment Tenders and makes recommendations to Council in relation to the delivery of the approved works.</p>
LC.4 – Part of Lot 328 on WV1628 (Paddock 9 – Roma)	Section 254J(3)(i) a matter the local government is required to keep confidential under a law of, or formal arrangement with, the Commonwealth or a State.	At its Ordinary Meeting held on 20 September 2023, Council resolved to investigate options for short, medium and long term use of part of Lot 328 on WV1628, described as Paddock 9 Dargal Road Roma.
LC.5 – State government Surplus Property – 103 Alice Street Mitchell	Section 254J(3)(g) negotiations relating to a commercial matter involving the local government for which a public discussion would	At the Ordinary Council Meeting on 13 December 2023, Council received and noted a report, detailing Council’s interest in the residential property located at 103 Alice Street Mitchell. Council resolved that a further report be presented.

	be likely to prejudice the interests of the local government.	
LC.6 - Roma Quarry Development Approval Compliance Adjoining Property	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.	Council has an existing infrastructure agreement with the adjoining property to the Roma Quarry. Council has received quotations for fencing infrastructure. This report provides that information to council for further direction.
CARRIED		8/0

Having previously declared a declarable conflict of interest in Item C.2, Cr McMullen left the meeting prior to discussion on the matter at 2.39pm.

At cessation of discussion on the abovementioned item Cr McMullen returned to the meeting at 2.41pm.

Cr Birkett left the meeting at 3.14pm, and returned at 3.16pm.
 Cr Ladbrook left the meeting at 3.22pm, and returned at 3.24pm.
 Cr Edwards left the meeting at 4.25pm, and returned at 4.27pm.
 Cr Taylor left the meeting at 4.32pm, and returned at 4.34pm.
 Cr O'Neil left the meeting at 4.32pm, and returned at 4.34pm.
 Cr Hancock left the meeting at 4.39pm, and returned at 4.44pm.
 Cr Taylor left the meeting at 4.43pm, and returned at 4.44pm.
 Cr Edwards left the meeting at 4.44pm, and returned at 4.46pm.
 Cr Ladbrook left the meeting at 5.07pm, and returned at 5.09pm.

Cr Ladbrook, having declared a declarable conflict of interest for Item LC.2 left the meeting prior to discussion on the matter at 5.50pm and returned following discussion. Following discussion on the abovementioned item, Cr Ladbrook returned to the meeting at 5.54pm.

Cr McMullen, having declared a prescribed conflict of interest for Items LC.2 and LC.4 left the meeting at 5.50pm prior to discussion on these matters.

Cr McMullen returned to the meeting following discussions on the abovementioned items at 5.54pm.

Cr Taylor, having previously declared a declarable conflict of interest in item LC.3, left the meeting prior to discussion on the matter at 5.59pm..

Cr Taylor returned to the meeting at 6.03pm following discussions on the abovementioned item.

Resolution No. OM/01.2024/55

Moved Cr O'Neil

Seconded Cr Birkett

That Council open the meeting to the public [at 6.23pm].

CARRIED

9/0

Declaration of Interest

Item	LC.1
Description	McDowall and Quintin Street Carpark Contract Award
Declaring Councillor	Cr Tyson Golder
Person with the interest Related party / close associate / other relationship	Myself and my mother.
Particulars of Interest	My mother owns a building on the intersection of McDowall and Quintin Streets, Roma.
Type of conflict	Declarable conflict of interest
Action Leave	Leave the room while the matter is discussed and voted on.

Having both declared an interest in Item LC.1, Mayor Golder and the Deputy Mayor, Cr Geoff McMullen left the meeting at 6.30pm.

With the Mayor and Deputy Mayor out of the meeting, Council voted to elect an acting chair in their absence.

Resolution No. OM/01.2024/56

Moved Cr O'Neil

Seconded Cr Birkett

That Cr Hancock be appointed acting chair.

CARRIED

7/0

Resolution No. OM/01.2024/57

Moved Cr O'Neil

Seconded Cr Taylor

That Council close the meeting to the public [at 6.31pm].

CARRIED

7/0

Resolution No. OM/01.2024/58

Moved Cr O'Neil

Seconded Cr Birkett

That Council open the meeting to the public at [6.37pm].

CARRIED

7/0

CHANGE TO ORDER OF BUSINESS

Resolution No. OM/01.2024/59

Moved Cr O'Neil

Seconded Cr Edwards

That Council deal with Item LC.1 next on the agenda.

CARRIED

7/0

Item Number:**LC.1****File Number: D24/4135****SUBJECT HEADING:****MCDOWALL AND QUINTIN STREET CARPARK
CONTRACT AWARD****Officer's Title:****Deputy Director / Strategic Road and Program
Management
Senior Engineer - Contract Management Office*****Executive Summary:****Consideration of tender car park design for recently purchased land on the corner of McDowall and Quintin Streets, Roma.***Resolution No. OM/01.2024/60****Moved Cr O'Neil****Seconded Cr Birkett****That Council:**

- 1. Allocate \$350,000 of budget to the McDowall and Quintin Streets Carpark Construction Project from Infrastructure Charges.**
- 2. Select *Roma Earthmoving Pty Ltd* as the recommended contractor for Contract 24053, to construct the carpark on the corner of McDowall and Quintin Streets;**
- 3. Authorise the Chief Executive Officer (or delegate) to enter final negotiations with Roma Earthmoving Pty Ltd, noting the tendered value of \$981,983.64 exclusive of GST and:**
 - a) discuss opportunities for any further cost saving initiatives as part of the project delivery.**
 - b) execute, by way of signing, the contract if the final terms are acceptable.**

CARRIED**7/0****Responsible Officer****Deputy Director / Strategic Road and
Program Management****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. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Cr Ladbrook left the meeting at 6.42pm.

At cessation of discussion and Decision on the abovementioned Item, Mayor Golder and Cr McMullen returned the meeting at 6.43pm.

LATE ITEM WITHOUT NOTICE

Resolution No. OM/01.2024/61

Moved Cr O'Neil

Seconded Cr Hancock

That we put new agenda Item LC.7 titled Strategic Housing Projects on the agenda.

CARRIED

8/0

Cr Ladbrook returned to the meeting at 6.43pm.

Item Number:

LC.7

File Number: N/A

SUBJECT HEADING:

STRATEGIC HOUSING PROJECTS

Councillor's Title:

Cr. Cameron O'Neil

Executive Summary:

Consideration of budget arrangements for Strategic Housing Projects.

Resolution No. OM/01.2024/62

Moved Cr O'Neil

Seconded Cr Birkett

That Council move \$1,000,000 from unrestricted cash reserves to strategic housing projects to look at a range of solutions to councils staff housing crisis.

CARRIED

9/0

Responsible Officer

Director - Corporate Services

NEW LATE ITEM

Resolution No. OM/01.2024/63

Moved Cr O'Neil

Seconded Cr Golder

That we add Item L.9 to the agenda, titled – Roma South West Drag Racing Strip Urgent repairs.

CARRIED

9/0

Item Number:

C.1

File Number: D23/101167

SUBJECT HEADING:

**WALLUMBILLA MULTIPURPOSE BUILDING
CONSTRUCTION - TENDER AWARD**

Officer's Title:

**Deputy Director / Strategic Road and Program
Management
Project Officer - Contract Management Office**

Executive Summary:

Following the Council Meeting Report update on 13 December 2023, this report provided with an update and recommendations regarding the procurement for the construction of the Wallumbilla Multipurpose Building Project.

Resolution No. OM/01.2024/64

Moved Cr Taylor

Seconded Cr Guthrie

That Council:

1. **Select SM & KA Duff Builders Pty Ltd as the preferred supplier for the Wallumbilla Multipurpose Building Construction.**
2. **Authorise the Chief Executive Officer (or delegate) to negotiate with SM & KA Duff Builders Pty Ltd with the view to enter into a large-scale contractual arrangement, with an estimated value of \$3,280,645 GST exclusive, for the construction of the Wallumbilla Multipurpose Building Construction.**
3. **Provide APLNG and the Wallumbilla Town Improvement Group with an update on the project based on the points above.**

CARRIED

9/0

Responsible Officer

**Deputy Director / Strategic Road and
Program Management**

**COUNCIL ADJOURNED THE MEETING
FOR A BRIEF RECESS AT 6.52pm**

**SUBJECT HEADING: RESUMPTION OF STANDING ORDERS
COUNCIL RESUMED THE MEETING AT 6.54pm**

Cr McMullen, having previously declared a declarable conflict of interest in the following item, left the meeting at 6.52pm.

Item Number:

C.2

File Number: D24/3532

SUBJECT HEADING:

**REQUEST FOR QUOTATION 24034 - RESTORATION OF
PUBLIC ASSET (FLOOD DAMAGE): ADDITIONAL ROADS
PACKAGE, BUNGIL REGION**

Officer's Title:

**Deputy Director / Strategic Road and Program
Management**

Executive Summary:

To assist Council with the delivery of this program, a number of roadworks tender packages have been prepared for release to the open market. In addition to tender releases, a Request for Quotation (RFQ) package has also been released to pre-qualified suppliers for the Bungil region titled RFQ 24034 – 2022 Flood Remediation – Road Works – Bungil Central.

This report provided a summary of RFQ 24034 and makes recommendations to Council to appoint a contractor to assist Council in the delivery of the approved road restoration program. This report also sought to include an additional scope of works relating to roads priced as part of the Bungil South 3 Tender.

Resolution No. OM/01.2024/65

Moved Cr O'Neil

Seconded Cr Birkett

That Council:

1. **Select Roma Earthmoving Pty Ltd T/A DMAC Roma to complete:**
 - a. **the works associated with RFQ 24034: Separable Portion 2 (Orallo Road) for a contract sum of \$1,737,653.75 (exclusive of GST);**
 - b. **the works associated with Andrews Lane, Dargal Road, Ferndale Road, Pinegrove Lane, Thirlstone Road and Allawa Road as previously priced under Tender 23046: Bungil South 1 – Package 4 for a contract sum of \$643,176.40 (exclusive of GST);**
2. **Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with Roma Earthmoving Pty Ltd T/A DMAC Roma and finalise a large contractual arrangement to carry out the works outlined above, if final terms are acceptable.**

CARRIED

8/0

Responsible Officer

Deputy Director / Strategic Road and Program Management

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. Johanne Hancock, Cr. Wayne (George) Ladbrook, 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 McMullen returned to the meeting at 6.55pm.

Item Number:

C.3

File Number: D24/3549

SUBJECT HEADING:

**REGIONAL BITUMEN STABILISATION PROJECT 2023-24:
CONTRACT AWARD**

Officer's Title:

Deputy Director / Strategic Road and Program Management

Executive Summary:

Council invited specialist, qualified and experienced contractors to submit a schedule of rates pricing and supporting documentation for the delivery of Council's 2023/24 Road rehabilitation projects.

The tender period opened on 8 November 2023 and closed on 11 December 2023, with three responses received. Responses were evaluated, with this report provided a summary of the analysis and recommendation for appointment is provided for Council's consideration.

Resolution No. OM/01.2024/66
Moved Cr Birkett
Seconded Cr Ladbrook
That Council:

1. Amend the approved Capital Works Program and reallocate the funds from Gunnawarra Road Rehabilitation Project to a priority section of Bollon Road (Ch 37.480 to Ch 40.000) to allow works to be completed as part of the 2023-24 Bitumen Rehabilitation Program.
2. Select Cooper McCullough Group Pty Ltd as the recommended tenderer for Tender VP389341 – Road Rehabilitation Project 2023/24.
3. Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with Cooper McCullough Group Pty Ltd noting a contract sum value of \$3,083,870.36 (exclusive of GST and Provisional Items) and:
 - a) work with the Contractor with the view to maximise local investment where possible; and
 - b) execute the contract if the final terms are acceptable.
4. Authorise the nominated Superintendent (for Council) the delegation to order variations up to the value of the approved budget, noting the nature of the contract and the variability associated with the road rehabilitation design process.
5. Include a project for the stabilisation of Gunnawarra Road as part of the first draft of the 2024-25 Capital Works Road Budget.

CARRIED

9/0

Responsible Officer
Deputy Director / Strategic Road and Program Management
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. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Geoff McMullen, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Cr McMullen, having previously declaring a declarable conflict of interest in the following item, left the meeting at 6.58pm.

Item Number: C.4 **File Number:** D24/2092
SUBJECT HEADING: ENDORSEMENT OF TRANSPORT DEVELOPMENT SCHEME (TIDS) WORKS PROGRAM 2024-25 TO 2027-28
Officer's Title: Deputy Director / Strategic Road and Program Management

Executive Summary:

Maranoa Regional Council is a member of the South West Regional Road and Transport Group (SWRRTG). Council is required to develop and endorse the proposed four (4) year rolling program (2024-25 to 2027-28) and agree in-principle to matching the funding provided through the Transport and Infrastructure Development Scheme (TIDS) program with a 50% council contribution.

Resolution No. OM/01.2024/67

Moved Cr Edwards

Seconded Cr Guthrie

That Council:

1. Receive and note the report and endorse the proposed Transport Infrastructure Development Scheme (TIDS) work program, noting the 2024-25 Council contribution amount of \$1,706,000.
2. Provide preliminary commitment to funding the contribution required for the 2025-26, 2026-27 and 2027-28 programs (\$1,706,000, \$1,706,000 and \$1,706,000 respectively) subject to annual review as part of future budget deliberations.
3. Authorise the Chief Executive Officer, or delegate to sign the project scope forms for projects on the program.

CARRIED

8/0

Responsible Officer

Deputy Director / Strategic Road and Program Management

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. Johanne Hancock, Cr. Wayne (George) Ladbrook, 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 McMullen returned to the meeting at 6.59pm.

Item Number: C.6 **File Number:** D24/2325
SUBJECT HEADING: ROMA AIRPORT OPERATIONAL STRATEGY
Officer's Title: Manager - Airports (Roma) & Regional Compliance

Executive Summary:

Maranoa Regional Council, Murweh Shire Council and the South West Queensland Regional Organisation of Councils have been advocating for some time in relation to increased flights/passenger capacity on the Central One and Western One routes.

Moved Cr Golder

Seconded Cr Ladbrook

That Council:

1. Receive and note the report.
2. Endorse written advocacy to the Director General, Sally Stannard, Department of Transport & Main Roads (DTMR) to support the substitution of 3 Q400 flights as part of the weekly flight schedule provided by Rex Airlines as part of the RPT contract immediately.
3. If successful, work on cost effective solutions that don't impact the travelling public and the Maranoa Resident fare and/or Maranoa SME (small business) fares.
4. Undertake immediate advocacy to the Australian Government in relation to an exemption component for this trial.

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Cr Hancock proposing the following amendment to point 3, which was accepted by the 'mover' and 'seconded':

Resolution No. OM/01.2024/68

Moved Cr Golder

Seconded Cr Ladbrook

That Council:

1. Receive and note the report.
2. Endorse written advocacy to the Director General, Sally Stannard, Department of Transport & Main Roads (DTMR) to support the substitution of 3 Q400 flights as part of the weekly flight schedule provided by Rex Airlines as part of the RPT contract immediately.
3. If successful, work on cost effective solutions that don't negatively impact the Roma Airport business unit or travelling public – specially the Maranoa Resident fare and/or Maranoa SME (small business) fares.
4. Undertake immediate advocacy to the Australian Government in relation to an exemption component for this trial.

CARRIED

9/0

Responsible Officer

Manager - Airports (Roma) & Regional Compliance

Item Number:

C.7

File Number: D23/110834

SUBJECT HEADING:

LEASES ON LOTS 4 AND 11 ON RP855185 - AIR BP

Officer's Title:

Manager - Airports (Roma) & Regional Compliance

Executive Summary:

Air BP currently lease 2 lots at Roma airport for fuel storage and sales. The Leases on the 2 lots are due to end on 31st January 2024.

Resolution No. OM/01.2024/69
Moved Cr McMullen
Seconded Cr Guthrie
That Council:

1. In accordance with *Local Government Regulation 2012* (QLD) Div 4, Section 236 (1), (2), acknowledge that it is in the public interest to dispose of the interest in Lease A, Lot 4 and Lot 11 on RP855185 at Roma Airport without tender or auction.
2. Offer BP Australia Ltd (Air BP) a new 10+5-year Lease for Lots 4 and 11 at Roma Airport.
3. Authorise the Chief Executive Officer (or delegate) to negotiate final terms, ensuring that, pursuant to LGR 236 (3), rent payable is equal to, or more than the market value of the land.

CARRIED
9/0
Responsible Officer
Manager - Airports (Roma) & Regional Compliance
Item Number:
C.8
File Number: D24/5289
SUBJECT HEADING:
OVERDUE RATES - COMMENCEMENT OF LEGAL ACTION
Officer's Title:
Lead Rates and Utilities Billing Officer / System Administrator
Executive Summary:

Letters of Demand have been sent to ratepayers who are not in a rates payment arrangement and have a rates debt of \$750.00 or more outstanding.

In accordance with Council's adopted Rates Recovery Policy, a Council Resolution is required to take the next step in the rates recovery process by filing a Statement of Liquidated Claim at the Local Magistrates Court and serving on the ratepayer.

Resolution No. OM/01.2024/70
Moved Cr Taylor
Seconded Cr O'Neil

That Council endorse the next step in the rates recovery process, that is to proceed to filing a Statement of Liquidated Claim with the Local Magistrate's Court after the 25th January 2024, serving upon the ratepayers who have:

1. Not paid the outstanding rates;
2. Not entered into an appropriate payment arrangement; and/or
3. Not complied with an appropriate payment arrangement.

CARRIED
9/0
Responsible Officer
Lead Rates and Utilities Billing Officer / System Administrator

Item Number: C.9 **File Number:** D24/3533
SUBJECT HEADING: REQUEST FOR REDUCTION IN RATES - ASSESSMENT NO 13014303
Officer's Title: Lead Rates and Utilities Billing Officer / System Administrator

Executive Summary:

Request for a reduction of Rates has been received from a ratepayer.

Resolution No. OM/01.2024/71

Moved Cr McMullen

Seconded Cr Ladbrook

That Council:

1. Acknowledge receipt of the concession request.
2. Not provide a concession at this point as the decision needs to be considered by a new term of council prior to the commencement of the 2024/25 budget year.
3. Not consider a further concession unless a recovery arrangement is entered into and monies are paid in accordance with that arrangement.

CARRIED

8/1

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Birkett	Cr. Golder
Cr. Edwards	
Cr. Guthrie	
Cr. Hancock	
Cr. Ladbrook	
Cr. McMullen	
Cr. O'Neil	
Cr. Taylor	

Responsible Officer	Lead Rates and Utilities Billing Officer / System Administrator
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Item Number: C.10 **File Number:** D24/4466
SUBJECT HEADING: RFT 24042: SUPPLY OF WHOLESALE MATERIALS & STORAGE TO THE ROMA QUARRY
Location: Roma
Officer's Title: Operations Manager - Quarry & Quarry Pits

Executive Summary:

Council has recently gone to Tender for the supply of wholesale materials and storage to the Roma Quarry. This report outlined the assessment and recommendation.

Moved Cr Golder

Seconded Cr Ladbrook

That Council:

1. **Select J & M Collinsons as the preferred tenderer to RFT 24042 for fixed minimum quantities of wholesale materials and storage to the Roma Quarry for a contract value of a minimum of \$300,000 ex GST per annum.**
2. **Enter into a minimum annual supply (standing order) contract with J M Collinsons with flexibility to adjust tonnage at negotiated prices that are below councils costs of goods sold for a term of three years, noting that this is a minimum supply and tonnage may be varied upwards if greater quantities are required by Council and the price is agreed.**
3. **Authorise the Chief Executive Officer, or delegate, to enter into final negotiations with J M Collinsons (noting the contract values and margins outlined in this report) and execute the contract if final terms are acceptable.**

NO VOTE TAKEN

No vote was taken on the draft motion at that time, with Cr O'Neil proposing the following amendment in relation to point 2. Mayor Golder as mover of the motion advised he would not accept the amendment.

Resolution No. OM/01.2024/72

Moved Cr O'Neil

Seconded Cr McMullen

That Council:

1. **Select J & M Collinsons as the preferred tenderer to RFT 24042 for fixed minimum quantities of wholesale materials and storage to the Roma Quarry for a contract value of a minimum of \$300,000 ex GST per annum.**
2. **Enter into a minimum annual supply (standing order) contract with J M Collinsons with flexibility to adjust tonnage at negotiated prices that are below councils costs of goods sold for a for a term of 1 +1 +1 year options, noting that this is a minimum supply and tonnage may be varied upwards if greater quantities are required by Council and the price is agreed.**
3. **Authorise the Chief Executive Officer, or delegate, to enter into final negotiations with J M Collinsons (noting the contract values and margins outlined in this report) and execute the contract if final terms are acceptable.**

MOTION LOST

3/6

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Birkett	Cr. Edwards
Cr. McMullen	Cr. Golder
Cr. O'Neil	Cr. Guthrie
	Cr. Hancock
	Cr. Ladbrook
	Cr. Taylor

With the amendment lost, council voted on the initial draft motion as follows:

Resolution No. OM/01.2024/73

Moved Cr Golder

Seconded Cr Ladbrook

That Council:

1. Select J & M Collinsons as the preferred tenderer to RFT 24042 for fixed minimum quantities of wholesale materials and storage to the Roma Quarry for a contract value of a minimum of \$300,000 ex GST per annum.
2. Enter into a minimum annual supply (standing order) contract with J M Collinsons with flexibility to adjust tonnage at negotiated prices that are below councils costs of goods sold for a term of three years, noting that this is a minimum supply and tonnage may be varied upwards if greater quantities are required by Council and the price is agreed.
3. Authorise the Chief Executive Officer, or delegate, to enter into final negotiations with J M Collinsons (noting the contract values and margins outlined in this report) and execute the contract if final terms are acceptable.

CARRIED

5/4

Cr. Golder called for a division of the vote.

The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Birkett	Cr. Hancock
Cr. Edwards	Cr. McMullen
Cr. Golder	Cr. O'Neil
Cr. Guthrie	Cr. Taylor
Cr. Ladbrook	

Responsible Officer

Operations Manager - Quarry & Quarry Pits

Item Number:

C.11

File Number: D24/3208

SUBJECT HEADING:

STAFF HOUSING ROMA

Officer's Title:

Chief Executive Officer

Executive Summary:

Council resolved at its 13 December 2023 meeting to further investigate options for staff housing.

Resolution No. OM/01.2024/74

Moved Cr O'Neil

Seconded Cr Ladbrook

That Council:

1. Receive and note the report.
2. Acknowledge that a full valuation has been conducted on one of the properties.
3. Authorise the Chief Executive Officer (or delegate) to make an offer as detailed in the report.
4. Authorise the Chief Executive Officer or delegate to execute all required documents to effect the purchase should negotiations be successful.
5. Draw the required funds from the Strategic Housing Projects.

CARRIED

9/0

Responsible Officer

Chief Executive Officer

Item Number:

C.12

File Number: D24/2510

SUBJECT HEADING:

REIMBURSEMENT OF LICENCE FEES - 151 HODGSON LANE, HODGSON

Location:

159 Hodgson Lane North, Hodgson

Officer's Title:

Chief Executive Officer

Executive Summary:

Council has received a request for full reimbursement of fees.

Resolution No. OM/01.2024/75

Moved Cr Golder

Seconded Cr Birkett

That Council:

1. Receive and note the report.
2. Refund the balance of fees (50% - circa \$201.00) in relation to the water agreement application to the ratepayer.
3. Delegate to the Chief Executive Officer to consider all requests for refunds to the full amount for all water agreements should a future decision be required.

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. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbroke, Cr. Geoff McMullen, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Item Number:

C.13

File Number: D24/4633

SUBJECT HEADING:

MEDICAL AND NURSING BURSARIES: 2024

Location:

Wallumbilla

Officer's Title:

Chief Executive Officer

Executive Summary:

The Bursary panel has met and made recommendations in relation to successful applicants for the 5 bursaries for 2024. The report provided an overview of the assessment and recommendations by the panel for Councils endorsement.

Resolution No. OM/01.2024/76

Moved Cr Golder

Seconded Cr O'Neil

That Council:

1. Endorse the panel to interview the two recommended applicants in the Doctors retention bursary and authorise the Chief Executive Officer to offer the bursary to the preferred candidate based on the panels advice.
2. Grant the student doctor bursary to Chelsea Gorry subject to acceptance to undertake Maranoa based placements where possible.
3. Grant the 3 x \$10,000 nursing bursaries to the following 3 applicants - Ashleigh Wall, Rowena Dingle and Jael Halls.
4. Grant a commendation award of \$2,500 each to Chloe Davis and Kissea Cruz as part of the bursary program for their outstanding academic achievements and excellent bursary applications, with funds drawn from the sponsorship budget GL 2887.2249 (to be reviewed at the upcoming quarterly budget review).
5. Support and organise a confirmation ceremony for all of the successful bursary recipients.

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. Mark Edwards, Cr. Tyson Golder, Cr. Julie Guthrie, Cr. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Geoff McMullen, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Item Number:

C.14

File Number: D24/3207

SUBJECT HEADING:

**RFT: DISPOSAL OF BUILDING AT 36 GEORGE STREET
WALLUMBILLA**

Location:

Wallumbilla

Officer's Title:

Chief Executive Officer

Executive Summary:

Council has advertised a tender for the purchase and removal of the above property. This is a summary of that process for Councils decision.

Resolution No. OM/01.2024/77

Moved Cr O'Neil

Seconded Cr Hancock

That we withdraw C.14.

CARRIED

9/0

Responsible Officer

Chief Executive Officer

Cr Hancock, having previously declared a declarable conflict of interest in the following item, left the meeting at 7.39pm.

Item Number:

C.15

File Number: D24/4837

SUBJECT HEADING:

**BUDGET AMENDMENT OF 2023-24 CAPITAL WORKS
PROGRAM - ROMA TRUCKWASH FACILITY**

Location:

Roma

Officer's Title:

Manager - Strategic Water, Sewerage and Gas

Executive Summary:

The Roma Truck Wash Facility is required to comply with state legislative and environmental requirements.

This report identified works to be completed to allow for the effective operation of the treatment and disposal of washdown water and associated waste and recommendation to stage the works and consider stage 1 in the 2023-24 capital works program.

Resolution No. OM/01.2024/78

Moved Cr Guthrie

Seconded Cr McMullen

That Council:

1. Receive and note the information contained within this report in relation to proposed variation to 2023-24 capital works program.
2. Approve the reallocation of \$700,000 from the current budget for the Purchase and Installation of Roma Levee Pumps (WO22859) to the future 2024-25 financial year.
3. Approve the allocation of \$200,000 for the completion of Stage 01 of augmentation of the Roma Truckwash Waste collection, detention lagoons and wet weather storage.

CARRIED

8/0

Responsible Officer

Manager - Strategic Water, Sewerage and Gas

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. Wayne (George) Ladbroke, 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 Hancock returned to the meeting at 7.40pm.

Item Number:

C.16

File Number: D23/110730

SUBJECT HEADING:

ROMA SALEYARD'S MEMORIAL WALL - RESIDENT CORRESPONDANCE

Councillor's Title:

Cr. Tyson Golder

Executive Summary:

A resident has recently written to all Councillors and met with the Mayor to provide feedback regarding the Roma Saleyard's Memorial Wall project. This report provided that feedback to Council for note.

Resolution No. OM/01.2024/79
Moved Cr Golder
Seconded Cr McMullen
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.

CARRIED
9/0
Responsible Officer
General Manager – Roma Saleyards
Item Number:
C.17
File Number: D24/6245
SUBJECT HEADING:
**ROMA LAWN CEMETERY - RESIDENT
CORRESPONDANCE**
Councillor's Title:
Cr. Tyson Golder
Executive Summary:
A resident has raised issues with significant subsidence at the Roma Lawn Cemetery.
Resolution No. OM/01.2024/80
Moved Cr 'Neil
Seconded Cr Golder
That a report be prepared for an upcoming Council meeting, addressing the residents' concerns and the need for a grave maintenance plan.
CARRIED
9/0
Responsible Officer
Director - Roma
Item Number:
C.18
File Number: D24/5844
SUBJECT HEADING:
CAPITAL PROJECTS DEFERRAL UPDATE FY24
Officer's Title:
Lead Financial Planning and Analysis
Executive Summary:
As requested at the OM on 13 December 2023 the Councillors requested a review of the Capital Projects for identification of current capital project requests to be deferred.
Resolution No. OM/01.2024/81
Moved Cr Golder
Seconded Cr Ladbrook
That council adopt the deferral of the Capital Project requests as listed in this report for inclusion in the 2024/25 budget.
CARRIED
6/3

Cr. Golder called for a division of the vote.
 The outcomes were recorded as follows:

Those in Favour of the Motion	Those Against the Motion
Cr. Birkett	Cr. Hancock
Cr. Edwards	Cr. O'Neil
Cr. Golder	Cr. Taylor
Cr. Guthrie	
Cr. Ladbroke	
Cr. McMullen	

Responsible Officer	Lead Financial Planning and Analysis
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LATE CONFIDENTIAL ITEMS

Cr McMullen, having previously declared a prescribed conflict of interest in the following item, left the meeting at 7.55pm.

Cr Ladbroke, having previously declared a declarable conflict of interest in the following item, left the meeting at 7.55pm.

Item Number: LC.2 File Number: D24/6511

SUBJECT HEADING: REQUEST FOR TENDER 24027 - RESTORATION OF PUBLIC ASSET (FLOOD DAMAGE): DRAINAGE AND ROAD FURNITURE PACKAGE

Officer's Title: Deputy Director / Strategic Road and Program Management

Executive Summary:

To assist Council with the delivery of this program, a number of roadworks tender packages have been prepared for release to the open market. One of these packages is Tender 24027 - Restoration of Public Assets – Road Furniture and Drainage Package.

This report provided a summary of Tender 24027 and made recommendations to Council in relation to the delivery of the approved flood restoration works.

Resolution No. OM/01.2024/82

Moved Cr Birkett

Seconded Cr Taylor

That Council:

1. Resolve not to appoint a tenderer to complete the full scope of works as outlined in Tender 24027 - Restoration of Public Assets – Road Furniture and Drainage.
2. Enter into negotiations with Council's register of Pre-Qualified Suppliers for Minor Works - Civil Construction and Maintenance to undertake works within the relevant local areas.
3. Select CGW Australia Pty Ltd as the preferred tenderer to undertake the scope of works on Reedy Creek Road and authorise the Chief Executive Officer (or delegate) to enter into negotiations to form a contract to carry out the works, if final terms are acceptable.

CARRIED

7/0

Responsible Officer	Deputy Director / Strategic Road and Program Management
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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. Johanne Hancock, Cr. Cameron O'Neil, Cr. Wendy Taylor.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

Following discussion and decision of the abovementioned item, Councillors McMullen and Ladbrook returned to the meeting.

Having previously declared a declarable conflict of interest in the following item, Cr Taylor left the meeting at 7.57pm.

Item Number: LC.3 **File Number:** D24/6690

SUBJECT HEADING: FLOOD DAMAGE BETTERMENT WORKS - MARANOA
AND ROMA SOUTHERN ROAD: CONTRACT AWARD

Officer's Title: Deputy Director / Strategic Road and Program
Management

Executive Summary:

Approvals have progressively been received since early 2023, with an estimated total restoration program in the order of \$100M. Of the works approved, Council was successful in securing approximately \$4.56M Betterment Funding. The scope of work for the Betterment Projects includes bitumen extensions on both Maranoa Road (8.3km) and Roma Southern Road (2.4km).

To assist Council with the delivery of this program, two roadworks tender packages have been prepared for released to the open market. This report provides a summary of Betterment Tenders and made recommendations to Council in relation to the delivery of the approved works.

Resolution No. OM/01.2024/83

Moved Cr O'Neil

Seconded Cr Edwards

That Council:

1. **Select Cooper McCullough Pty Ltd as the preferred tenderer for Tender 24036 – Maranoa Road Betterment Works for an estimated contract sum of \$3,595,496.46 (exclusive of GST).**
2. **Authorise the Chief Executive Officer (or delegate) to enter into final negotiations with Cooper McCullough Pty Ltd to:**
 - a) **Further discuss the alternative tender and other potential cost savings associated with the delivery of the works;**
 - b) **Ensure the contractor is able to maximise the use of locally available suppliers and/or contractors to assist with the delivery of the works.**
3. **Authorise the Chief Executive Officer (or delegate) to form a contract with Cooper McCullough Pty Ltd to carry out the works associated with Tender 24036 if final terms are acceptable.**
4. **Not award any tender for Tender 24036 – Roma Southern Road Betterment Works and authorise the Mayor and Chief Executive Officer to thank the Queensland Reconstruction Authority for the betterment approval and formally request an Extension of Time to allow the works to be delivered by Council crews/resources given the upskilling opportunity this project would provide.**
5. **Note that Roma Southern Road is an essential public asset, with Council to fund and undertake any required maintenance in the interim and prior to the completion of the Betterment Works.**

CARRIED

8/0

Responsible Officer

Deputy Director / Strategic Road and Program Management

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. Johanne Hancock, Cr. Wayne (George) Ladbrook, Cr. Geoff McMullen, Cr. Cameron O'Neil.

How each eligible councillors voted:

Each councillor voted in favour of the motion.

At cessation of discussion and decision on the abovementioned item, Cr Taylor returned to the meeting at 8.00pm.

Cr McMullen, having previously declared a prescribed conflict of interest in the following item, left the meeting at 8.00pm.

Item Number: LC.4 **File Number:** D23/93723

SUBJECT HEADING: PART OF LOT 328 ON WV1628 (PADDOCK 9 - ROMA)

Officer's Title: Lead Facility Management Officer

Executive Summary:

At its Ordinary Meeting held on 20 September 2023, Council resolved to investigate options for short, medium and long term use of part of Lot 328 on WV1628, described as Paddock 9 Dargal Road Roma.

Resolution No. OM/01.2024/84

Moved Cr Guthrie

Seconded Cr Birkett

That Council:

1. Acknowledge that this report actions Resolution No. OM/09.2023/58.
2. Call for tenders to lease part of Lot 328 on WV1628, described as Paddock 9 Dargal Road Roma for a period of 2 years with no further options to be included.
3. Include as conditions in the lease that Council retains the right to:
 - ☐ terminate the lease with 3 months notice to the lessee;
 - ☐ enter the property for the purposes of measurement, survey or inspection.

CARRIED

8/0

Responsible Officer

Lead Facility Management 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. Johanne Hancock, Cr. Wayne (George) Ladbrook, 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 McMullen returned to the meeting at 8.01pm.

Item Number: LC.5 **File Number:** D24/1585

SUBJECT HEADING: STATE GOVERNMENT SURPLUS PROPERTY - 103 ALICE STREET MITCHELL

Officer's Title: Lead Facility Management Officer

Executive Summary:

At the Ordinary Council Meeting on 13 December 2023, Council received and noted a report, detailing Council's interest in the residential property located at 103 Alice Street Mitchell. Council resolved that a further report be presented.

Resolution No. OM/01.2024/85

Moved Cr Birkett

Seconded Cr Edwards

That Council:

1. Receive and note the report.
2. Note that this report actions Council Resolution number OM /12.2023/98.
3. Authorise the Chief Executive Officer (or delegate) to make a formal offer to the Queensland Government for a price as detailed in the report.
4. Authorise the Chief Executive Officer or delegate to execute all required documents to effect the purchase should negotiations be successful.
5. Draw the required funds from the Strategic Housing Projects.

CARRIED

9/0

Responsible Officer

Lead Facility Management Officer

Item Number:

LC.6

File Number: D24/7403

SUBJECT HEADING:

**ROMA QUARRY DEVELOPMENT APPROVAL
COMPLIANCE ADJOINING PROPERTY**

Officer's Title:

Chief Executive Officer

Executive Summary:

Council has an existing infrastructure agreement with the adjoining property to the Roma Quarry. Council has received quotations for fencing infrastructure. This report provided that information to council for further direction.

Resolution No. OM/01.2024/86

Moved Cr Hancock

Seconded Cr Taylor

That Council:

1. Receive and note the report.
2. Not accept the current quotation and seek further pricing for installation services only with Council to provide a materials supply list, with a view to have the fencing installed by 30 June 2024 to comply with the Development Application conditions.

CARRIED

9/0

Responsible Officer

Chief Executive Officer

Item Number: 8.1 File Number: D23/110683
 SUBJECT HEADING: ROMA ADMINISTRATION CENTRE SIGNAGE
 Councillor's Title: Cr. Tyson Golder

Executive Summary:

This notice of motion requests that replacement signage be placed upon the Roma Bungil Street Administration Centre building to identify the Roma Cultural Centre.

This item had laid on the table earlier during the meeting to allow Council additional time to consider the draft motion.

Resolution No. OM/01.2024/87

Moved Cr O'Neil

Seconded Cr Taylor

That Council seek a report including costings for the re-establishment of the Roma Bungil Cultural Community Centre signage on the bricks under the crest on the wall of the centre.

CARRIED

9/0

Responsible Officer

Director - Roma

Item Number: L.9 File Number: D24/6869
 SUBJECT HEADING: ROMA SOUTH WEST DRAG RACING STRIP URGENT REPAIRS
 Location: Roma
 Councillor's Title: Cr. Tyson Golder

Executive Summary:

This report requested urgent funding to remediate a bump in the drag strip before the Easter carnival 2024.

Resolution No. OM/01.2024/88

Moved Cr Golder

Seconded Cr Birkett

That Council:

1. Fund repairs to the dragway strip immediately to the value of \$125,000 and that this be sourced from capital projects that will not proceed in 2023.24.
2. Give in principle support for a permanent upgrade of the track to give it a lifespan of 10-15 years.
3. Work with the club to develop a business case and identify grant funding for the project.
4. Consider a project as part of the 2024/25 budget process.

CARRIED

9/0

Responsible Officer

Director Roma

CLOSURE

There being no further business, the Mayor thanked Council for their attendance and declared the meeting closed at 8.37pm.

These Minutes are to be confirmed at the next Ordinary Meeting of Council to be held on 14 February 2024, at Yuleba Administration Centre.

PLANNING & BUILDING DEVELOPMENT REPORT

Meeting: Ordinary 14 February 2024

Date: 1 February 2024

Item Number: 5.1

File Number: D24/9859

SUBJECT HEADING: Material Change of Use - "Transport Depot"
(Laydown Yard) (Ref: 2023/20909)

Classification: Open Access

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.

Officer's Recommendation:

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 use conflict between industrial and rural and residential activities.
 - c. The development footprint is located at the property frontage and will impact nearby sensitive receptors.
 - 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.
3. The proposal conflicts with Performance Outcomes 1, 2, 12 and 24 of the Rural Zone Code as:
 - a. The scale of the proposed activity will detrimentally impact the amenity of the area;
 - b. The location of the use is considered to prejudice the consolidation of industrial uses in the Industry Zone within the Roma locality;
 - 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.
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.
5. No relevant matters have been presented, other than the applicant's financial circumstances, to overcome the conflicts with the assessment benchmarks.

Individuals or Organisations to which the report applies:

Council's decision regarding this matter is likely to affect Mr Daniel Joliffe as the applicant and Ms Sue Joliffe as the landowner.

Council's decision may also affect and/or be of interest to Ms Megan and Mr Daniel Devlin, Ms Jennifer and Mr Brendan Free and Mr Kevin Hearn and Ms Cecily Chapman as the submitters to this application.

Acronyms:

Acronym	Description
N/A	

Context:

The determination of Impact Assessable applications is generally made by Council resolution.

Background:

Site Characteristics

The subject site has a total area of 16.189ha and is located in the Rural Zone in the Maranoa Planning Scheme 2017.

The development site has a natural fall towards the north of the site. The site has frontage to Bungeworgorai Lane to the east and is adjoined by rural zoned lots, generally containing single dwelling houses.

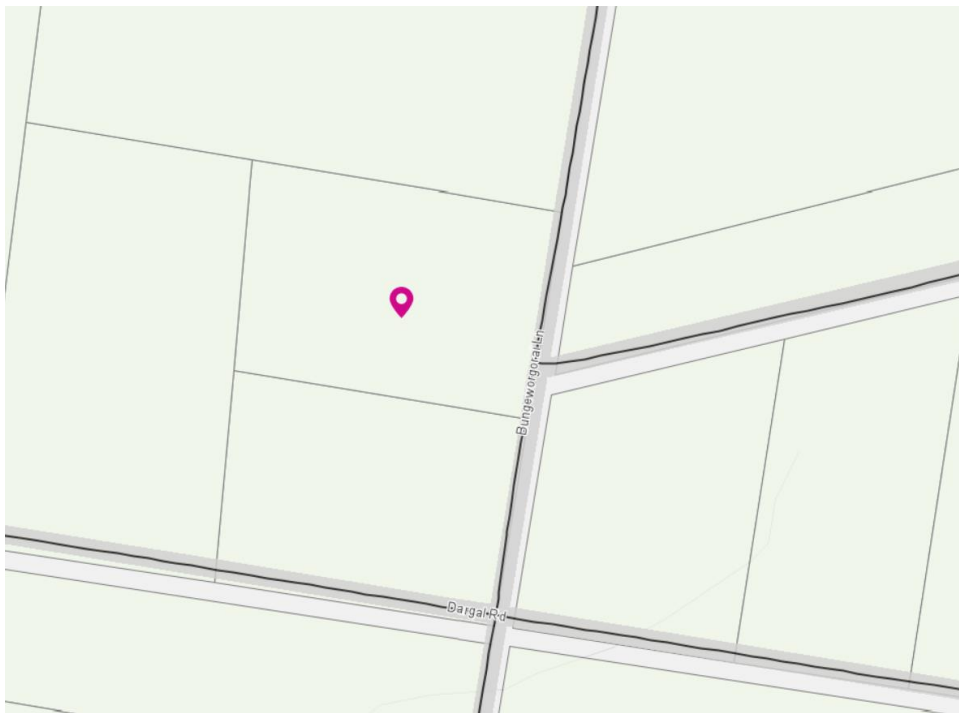


Figure 2 – Zoning

(Source: Spectrum Spatial)

Proposal

The development application seeks to establish a Transport Depot (Laydown Yard) on the subject site. The application states the proposed laydown yard will have a total area of 5.5 acres (2.2ha), with 2 acres (0.8ha) used for parking and storage of vehicles, equipment and shipping containers, with the balance 3.5 acres (1.4ha) used for vehicle manoeuvring.

The application states that hours of operation would be 6:00am to 6:00pm, Monday to Saturday and that between 2-6 trucks would enter and exit the site daily, totalling between 4 and 12 heavy vehicle movements per day. The application states that 2-6 customers would attend the site daily, and that up to 15 vehicles would be parked on site at any one time.

Access to the site is proposed via the existing crossover to Bungeworgorai Lane. The application states that the applicant has experience and understanding of the space required for heavy vehicles to be able to safely turn from the road and therefore the driveway is suitable.

The application states that no staff will work from the site. The laydown yard will have an all-weather gravel access road which will loop around to allow a sufficient turning circle for vehicles to enter and leave.



Legislation, Local Laws, State Policies & Other Regulatory Requirements:

The proposal constitutes a *Material change of use* as defined in the *Planning Act 2016* (being *the start of a new use of the premises*) and requires a development permit to be issued by Council prior to the commencement of use.

The proposed use is defined as “**Transport Depot**” in the *Maranoa Planning Scheme 2017* (the Planning Scheme):

Transport depot means the use of premises for:

- (a) storing vehicles, or machinery, that are used for a commercial or public purpose; or
- (b) cleaning, repairing or servicing vehicles or machinery, if the use is ancillary to the use in paragraph (a).

Examples of a transport depot: using premises to store buses, taxis, trucks, heavy vehicles or heavy machinery.

A Transport Depot is Impact Assessable in the Rural Zone. Pursuant to Section 45 of the *Planning Act 2016*, an Impact assessment must be carried out —

- (i) *against the assessment benchmarks in a categorising instrument for the development; and*
- (ii) *having regard to any matters prescribed by regulation for this subparagraph; and*

The assessment may also be carried out against, or have regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

The assessment benchmarks for the application are;

- Darling Downs Regional Plan;
- State Planning Policy;
- Maranoa Planning Scheme; and
- Maranoa Regional Council LGIP.

The Darling Downs Regional Plan

The *Darling Downs Regional Plan* was adopted in October 2013 and covers the local government areas of Balonne, Goondiwindi, Maranoa, Southern Downs, Toowoomba and Western Downs. The intent of the Darling Downs Regional Plan is to provide direction to resolve competing State interests relating to the agricultural and resources sectors, and to enable the growth potential of the region's towns.

The Maranoa Planning Scheme appropriately integrates all relevant aspects of the Darling Downs Regional Plan. Despite this, the *Planning Regulation 2017* requires that Impact assessable applications be assessed against the relevant regional plan (irrespective of whether the planning scheme appropriately reflects the regional plan).

The subject site is not located within a Priority Living Area (PLA) nor a Priority Agricultural Area (PAA). However, the eastern side of Bungeworgorai Lane is identified within the Priority Living Area for Roma. The proposed development is not for a resource activity and therefore the outcomes of the Regional Plan are not considered to be applicable to the proposed development.

State Planning Policy (SPP)

The SPP has effect throughout Queensland and sits above regional plans and planning schemes in the hierarchy of planning instruments under the Act. The SPP applies when a local government is assessing a development application, if its

planning scheme has not yet appropriately integrated the relevant SPP state interest policies.

The Maranoa Planning Scheme appropriately integrates all relevant aspects of the State Planning Policy, therefore a separate assessment of the application against this document is not required.

Council Policies or Asset Management Plans:

The *Maranoa Planning Scheme 2017* and the Maranoa Regional Council Local Government Infrastructure Plan (LGIP) are applicable to the assessment of the application (the LGIP forms part of the Planning Scheme).

The applicable sections of the *Maranoa Regional Planning Scheme 2017* include:

- Part 3 Strategic framework
- Part 4 Local Government Infrastructure Plan
- Part 5 Tables of assessment
- Part 6 Zones
 - Part 6.2.1 Rural zone code
- Part 8 Overlays
 - Part 8.2.1 Agricultural Land Overlay Code
 - Part 8.2.8 Airport Environs Overlay Code

Assessment Against the Planning Scheme

Part 3 – Strategic Framework

The Strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

The strategic framework, adopted in 2017, is intended to reflect development in the Maranoa Region beyond the life of the current planning scheme. The subject site is not identified as an area for future industrial growth in/around Roma.

An assessment of the proposed development against the strategic themes of the Planning Scheme is provided in the table below:

Theme	Response
Liveable communities and housing	The proposed development is located in the Rural Zone. It is considered that to better achieve the outcomes sought in the hierarchy of centres, the development should be located in the Industry Zone in Roma.

Theme	Response
	<p>The proposal is not a complementary land use that would establish a balanced 'mix' in the locality. The proposal is not for a home-based business as both the landowner and applicant live off-site, therefore the applicant's justification relating to economic viability is not considered to demonstrate compliance with the theme.</p>
Economic growth	<p>The proposed development is for a non-rural use in a rural area. The proposal does not maintain the distinct boundary between the rural environment and urban activities. Further, the application has provided insufficient information to determine the extent of adverse impacts that could be experienced by the local environment and landscape character.</p> <p>The proposed development is not consistent with the community expectations for the area, as evidenced by the submissions received against the development. While the proposal is for a secondary industry activity, it is not appropriately located within the urban centre.</p> <p>The existing supply of industrial land in Roma is considered to be sufficient. Further, Council has recently approved the creation of 13 additional industrial lots to support the ongoing supply of industrial land to support the economic growth of the region.</p> <p>The development is not co-located with any resource or primary production activities that would support the location of the use in the Rural Zone.</p>
Environment and heritage	<p>The site is not mapped as containing any areas of environmental or heritage significance. Any development approval does not remove the developer's obligations under the Aboriginal Cultural Heritage Act.</p> <p>The proposal includes a 2.2ha hardstand area. However, the applicant has not provided a stormwater management plan or demonstrated how runoff from the gravel pad will be appropriately managed. Stormwater runoff from the development has the potential to generate adverse impacts on the receiving environment.</p>

Theme	Response
Hazards and safety	<p>The proposed development is considered to be an incompatible land use in the locality. The application does not provide sufficient information to determine the extent of adverse impacts on surrounding sensitive land uses. The site is located 130m from the nearest sensitive receptor and the development is considered likely to impact on the amenity of the surrounding area.</p> <p>The proposed development is more suited to be located in the Industry Zone, where community expectations are generally in line with environmental impacts generated in these areas.</p> <p>The development footprint is not mapped as being subject to a bushfire or flood hazard risk.</p>
Infrastructure	<p>The proposed development is located outside the reticulated water and sewerage service areas and no out-of-sequence extensions are required.</p> <p>Council's engineering team have reviewed the development. If the application was approved, conditions could be applied to ensure the road network is suitably constructed to cater for the increase traffic associated with the development. This could include intersection upgrades and road sealing, as required.</p>

Part 4 – Local Government Infrastructure Plan

The purpose of the Local Government Infrastructure Plan (LGIP) is to integrate infrastructure planning with land use planning identified in the Planning Scheme. The LGIP assumes demand for growth and infrastructure networks based on planning assumptions such that the identified Priority Infrastructure Area (PIA) is sufficient to accommodate 10 to 15 years of growth for urban purposes.

The planning assumptions within the LGIP do not identify that the demand for industrial land in Roma will extend outside the current zoned areas.

Further, non-urban areas such as the subject site, being located both outside the PIA and any urban zoning, are expected to place limited demand on Council infrastructure and its networks. The proposal will place an increased demand on Council's road infrastructure.

Part 5 - Tables of assessment

The Tables of Assessment identify the category of assessment and the assessment benchmarks for development in the planning scheme area. The Tables of Assessment identify the level of assessment for a "Transport Depot" use in the Rural Zone as "Impact Assessment."

Part 6 - Zones

Zones organise the planning scheme area in a way that facilitates the location of preferred or acceptable land uses. The premises is located in the Rural Zone.

Rural Zone Code

The overall outcomes sought for the Rural zone code are as follows:

- (a) *areas for use for primary production are conserved and are not fragmented;*
- (b) *the establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses, ensuring that land use and amenity impacts are minimised at sensitive receptors;*
- (c) *development is designed to incorporate sustainable practices including maximising energy efficiency, water conservation and transport use;*
- (d) *development is reflective of and responsive to the environmental constraints of the land;*
- (e) *development embraces sustainable land management practices and contributes to the amenity and landscape of the area;*
- (f) *residential and other development is appropriate only where directly associated with the rural nature of the zone;*
- (g) *the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated only where they do not compromise the use of the land for rural activities;*
- (h) *the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated in a manner that minimises land-use conflicts;*
- (i) *natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development where possible;*
- (j) *there is no net loss or degradation of natural wetlands for the life of the planning scheme;*
- (k) *adverse impacts of land use both on-site, and from adjoining areas are addressed and any unavoidable impacts are minimised through location, design, operation and management;*
- (l) *visual impacts of clearing, building design and construction, materials, access ways and other aspects of development and land use are consistent with the zone purpose;*
- (m) *the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses and development impacts on cropping land are managed to preserve the productive capacity of the land for future generations;*
- (n) *land which is susceptible to flooding or drainage problems, including difficulties associated with high groundwater tables is protected from urban or inappropriate uses;*

- (o) *rural land use is reflective of the surrounding character of the area;*
- (p) *low impact activities such as small-scale eco-tourism, outdoor recreation, and service industry are encouraged within the zone where they do not compromise the long-term use of the land for agricultural purposes; and,*
- (q) *development such as non-resident workforce accommodation to service the energy sector is catered for only on a short-term basis for periods not exceeding two years.*

The proposed development is not considered to comply with the overall outcomes because;

- the proposed development is not for a rural use, nor is it associated with rural or resources activities on the site;
- the proposed development is not considered to be compatible with the landscape character of the rural area and the development compromises the use of over 13% of the site for future rural purposes.
- the proposal is not for an outdoor recreation or small-scale tourism facility.
- there is insufficient information to determine if adverse impacts from the use can be adequately managed.

Assessment against the design criteria of Rural Zone Code is provided in the table below.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PLANNING		
Use, density and built form		
<i>Agricultural land classification – in addition, refer to the Agricultural land overlay code where mapped in the SPP mapping as Class A or Class B Agricultural land.</i>		
PO 1 Scale Non-rural activities are at a scale that protects the amenity of the area.		Does not Comply The development includes a 2.2ha gravel hardstand pad for the parking and storing of heavy vehicles, equipment and shipping containers. The applicant states that 2-6 heavy vehicles would enter and exit the site on a daily basis and that up to 15 vehicles may be stored on site. The scale of the activity is considered likely to impact the amenity of the area.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 2 Location Non-rural activities must be located where there is convenient access unless the development is for an Extractive Industry (whose location is dependent on the resource) in which case appropriate access will be developed.</p> <p>Uses other than Rural activities or Dwelling house are located so as:</p> <ul style="list-style-type: none"> (a) not to prejudice the consolidation of like non-rural uses in other more appropriate areas; (b) to be co-located with other non-rural uses wherever possible; (c) to be located on the major road network rather than local roads. <p>Note: Non-rural uses are any uses that are not associated with Rural activities or a Dwelling house.</p>	<p>AO 2.1 Accommodation activities and their associated outbuildings are located below ridgelines.</p> <p>AO 2.2 Accommodation activities are located to ensure the rural amenity and landscape views are protected and enhanced.</p>	<p>Does not Comply The proposal is not for a rural activity, extractive industry or Dwelling House.</p> <p>The establishment of this industrial use in the Rural Zone prejudices the consolidation of industrial activities within the industrial zone.</p> <p>The site is accessed via local roads and is not located on the major road network.</p>
<p>PO 3 Density and site coverage The density of Accommodation activities does not impact adversely on the rural amenity or rural activities of the zone.</p>		<p>Not Applicable The proposal does not include any accommodation activities.</p>
<p>PO 4 Setbacks Building setbacks:</p> <ul style="list-style-type: none"> (a) assist in enhancing the character and amenity of the area; (b) are appropriate to the scale of the development; (c) are sufficient to minimise loss of privacy, overshadowing and overlooking of adjoining premises; and (d) provide adequate separation and buffering between residential and non-residential premises. 	<p>AO 4.1 Buildings and car parking areas are set back a minimum of 15 m from the primary street frontage, 15 m from any secondary frontage and 5 m from side and rear.</p> <p>For development on a corner allotment:</p> <p>AO 4.2 No structure exceeding 2 m in height is to be built within a 20 m by 20 m truncation at the corner of the two road frontages.</p>	<p>Complies The applicant states that vehicle parking areas will be located a minimum of 25m from Bungeworgorai Lane and 38m from the northern property fence.</p> <p>However, the gravel hardstand pad extends to both boundaries.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 5 Separation Rural activities are sufficiently separated from any existing or planned residential or rural residential area or other sensitive land use to avoid any adverse impacts including noise, dust, odour, visual impact, traffic generation, lighting, radiation or other emissions or contaminants.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>		<p>Not Applicable The proposed development is not for Rural activities.</p>
<p>PO 6 Outbuildings Rural amenity is to be maintained.</p>	<p>AO 6.1 Outbuildings are to be located a minimum of 15 m from the boundary fronting the public road and a minimum of 5 m from any other boundary; and</p> <p>AO 6.2 For lots equal to or greater than 1000 ha, outbuildings for rural uses may be any size.</p> <p>AO 6.3 For lots equal to or greater than 10 ha and less than 1000 ha outbuildings for rural uses may be up to 8.5 m in height and 300 m² floor area.</p> <p>AO 6.4 For lots less than 10 ha outbuildings for rural uses may be up to 4.2 m in height and 120 m² floor area. Note: Outbuildings' include any form of shipping container, railway carriage, pre-fabricated building or the like, that is used for storage that is ancillary to the primary land use. These forms of outbuildings are an acceptable outcome in the Rural zone.</p>	<p>Complies The application documents state that shipping containers stored on site will not exceed 300m² in area.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 7 Important agricultural areas Important agricultural areas are optimised for the promotion and enabling of increased agricultural production.	AO 7.1 Development does not significantly reduce the agricultural capacity of important agricultural areas. Note: Important agricultural areas are mapped on the SPP Interactive Mapping System (Plan Making).	Does not Comply The subject site is identified within an Important Agricultural Area. The proposed development has a footprint of over 13% of the site area, which is considered to reduce the potential agricultural capacity of the site.
PO8 ALC Class A and Class B agricultural land Avoid locating non-agricultural development on, or adjacent to, ALC Class A or Class B land.	AO 8.1 Development on or adjacent to ALC Class A or Class B land is complementary to agriculture and does not diminish or risk the viability of future agricultural productivity.	Not Applicable The site is not identified as on or adjacent to Class A or B agricultural land.
PO 9 Sensitive land Rural land uses are 'protected from encroaching incompatible land uses'.	AO 9.1 Sensitive land uses and non-rural activities do not compromise the viability of existing or future rural activities. Note: Sensitive land uses are defined in the State Planning Policy.	Does not Comply The proposed development is considered to be an incompatible land use in the locality. The scale of the proposed use is more appropriate to be located in the Industry Zone.
Amenity		
Advertising signs - refer to the Operational works advertising devices code		
Heritage places - in addition, refer to the Heritage overlay code where mapped in the SPP Cultural heritage mapping or listed in the Heritage and character policy		
PO 10 Cultural heritage The physical integrity and significance of cultural heritage discovered during development are retained. Note: Cultural heritage refers to indigenous and non- indigenous cultural heritage.	AO 10.1 Protection of cultural heritage is achieved by demonstrated agreement with the appropriate aboriginal or cultural heritage body responsible for the care of that heritage.	Complies The site is not mapped as containing any areas of cultural heritage. Notwithstanding, the developer has obligations under the Aboriginal Cultural Heritage Act in the event any items are identified.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
Avoiding nuisance		
PO 11 Operating Hours Uses are operated in a manner that ensures that local amenity is protected.	<p>For Business and Entertainment activities: AO 11.1 Uses are operated between the hours of 6.00 am and 6.00 pm.</p> <p>For Community activities: AO 11.2 Community activities are operated between the hours of 7.00 am and 8.00 pm where adjoining land in the General Residential Zone, Rural Residential Zone or land designated as Future Urban or Rural Residential on a Strategic Plan Map.</p> <p>For Industry activities: AO 11.3 Uses are operated between the hours of 6.00 am and 6.00 pm, Monday to Saturday only, and not including public holidays.</p> <p>For all other uses: AO 11.4 No solution specified.</p>	Complies The use is proposed to operate from 6:00am to 6:00pm, Monday to Saturday.
PO 12 Noise emissions Noise emissions from premises do not cause nuisance to adjoining properties or sensitive land uses.	Note: Sensitive land uses are defined in the State Planning Policy.	The applicant states that there will be minimal noise emissions from the site. The nearest sensitive receptor is 130m due east of the development and it is considered there is the potential for the development to cause nuisance to sensitive land uses.
PO 13 Lighting Lighting is designed in a manner to ensure ongoing amenity and safety in the activity area, whilst ensuring surrounding areas are	AO 13.1 All lighting does not exceed 8 lux at 1.5 m from beyond the site boundary.	Complies The applicant states there will be no lighting infrastructure.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
protected from undue glare or lighting overspill.		
PO 14 Refuse storage Refuse storage areas are screened from the road and adjoining uses.		If approved, refuse storage areas can be conditioned to be screened from the road and adjoining land uses.
ENGINEERING		
<i>Earthworks - refer to the Excavation or filling code</i>		
<i>Infrastructure – refer to the Operational works infrastructure code</i>		
Erosion control		
PO 15 Construction activities Both erosion control and silt collection measures are undertaken to ensure the protection of environmental values during construction.	AO 15.1 During construction, soil erosion and sediment are managed in accordance with the <i>Capricorn Municipal Development Guidelines</i> .	Alternative Solution Extensive earthworks associated with the construction of the hardstand surface have been undertaken. No evidence has been provided that erosion and sediment control measures were implemented in accordance with the CMDG. If approved, the applicant can be required to submit an Operational Works application for the works undertaken on site.
Provision of services		
PO 16 Electricity supply Premises are provided with an adequate supply of electricity for the activity.	AO 16.1 Premises have an electricity supply that is approved by the relevant energy regulatory authority; and/or AO 16.2 Renewable energy systems contribute to the supply and use of electricity to and from the grid.	Complies The site has an electricity connection.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 17 Water supply To ensure the provision of a potable and fire- fighting water supply:</p> <ul style="list-style-type: none"> (a) premises are provided with a supply and volume of water adequate for the activity; and (b) access is maintained to the supply for fire-fighting purposes; and (c) access to reticulated water infrastructure is to be maintained for maintenance and replacement purposes 	<p>AO 17.1 Premises have an approved water allocation as provided by the relevant agency and, in addition to the requirements under the <i>'Queensland Development Code MP 4.2'</i>:</p> <ul style="list-style-type: none"> (a) dwellings have a minimum water supply of 45,000 litres provided by a rainwater tank connected to the premises; or (b) dwellings have a minimum water supply of 22,500 litres provided by a rainwater tank connected to the premises and an alternative source of fire-fighting water is available as a permanent body of water (such as a swimming pool or dam located on the site and within the proximity of the dwelling). 	<p>Complies The development has an adequate supply of water.</p>
<p>PO 18 Effluent disposal To ensure that public health and environmental values are preserved:</p> <ul style="list-style-type: none"> (a) all premises provide for the effective treatment and disposal of effluent and other wastewater; and (b) access to reticulated infrastructure is to be maintained for maintenance and replacement purposes. 	<p>AO 18.1 Premises have on-site effluent disposal systems designed in accordance with <i>AS/NZS 1547:2012</i>.</p>	<p>Alternative Solution The applicant submits that no staff will work on site and customers will drop and go, therefore no amenities are to be provided.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
Stormwater and drainage		
PO 19 Stormwater and inter-allotment drainage Stormwater is collected and discharged to: (a) protect the stability of buildings and the use of adjacent land; (b) prevent water-logging of nearby land; and, protect and maintain environmental values.	AO 19.1 Stormwater and inter-allotment drainage is collected and discharged in accordance with the <i>Capricorn Municipal Development Guidelines</i> .	The applicant has not provided sufficient information in relation to the management of stormwater on the site. If approved, the applicant can be conditioned to submit an operational works application and address all relevant stormwater standards.
Roads and rail		
Infrastructure - refer to the Infrastructure overlay code for development in the proximity of, or potentially affecting State infrastructure.		
PO 20 Protection of State controlled roads Development adjacent to State-controlled roads is located to ensure safe and efficient use of the highway, and maintain and enhance the integrity of the highway as a link between centres.	AO 20.1 No direct access to State-controlled roads is permitted except at where the site access is existing or where the development site has frontage only to a State-controlled road/s.	Complies The proposal does not have direct access to a state controlled road.
PO 21 Roads An all-weather road is provided between the premises and the existing road network.	AO 21.1 Roads are designed and constructed in accordance with the <i>Capricorn Municipal Development Guidelines</i> . AO 21.2 Premises have an approved access to the existing road network.	Not Applicable No new roads are proposed. Alternative Solution The application documents state that the applicant has experience and an understanding of the space required for a heavy vehicle and the current access is suitable. The applicant has not provided swept paths or confirmed the maximum size of vehicle accessing the site to determine the suitability of the access.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
Access, parking and manoeuvring		
PO 22 Vehicle access Vehicle access is provided to a standard appropriate for the activity and the zone.	AO 22.1 Access roads are to be all-weather and connect to the existing road network via a crossover designed and constructed in accordance with <i>the Capricorn Municipal Development Guidelines</i> . AO 22.2 Access is to be designed and constructed in accordance with the <i>Capricorn Municipal Development Guidelines</i> . Note: An 'all-weather' road is a road that remains accessible during all normal weather events but can exclude continued functioning during natural hazard events such as fire and flood.	Complies The applicant states that internal access roads are an all-weather standard. Alternative Solution The application documents state that the applicant has experience and an understanding of the space required for a heavy vehicle and the current access is suitable. The applicant has not provided swept paths or confirmed the maximum size of vehicle accessing the site to determine the suitability of the access.
PO 23 Parking and manoeuvring Vehicle parking and service vehicle provision is adequate for the activity, and ensures both safety and functionality for motorists and pedestrians.	AO 23.1 All uses provide vehicle parking in accordance with Schedule 7, Parking standards. AO 23.2 All uses provide for vehicle manoeuvring in accordance with Australian Standard AS 2890. AO 23.3 All car parking, access and manoeuvring areas have a serviceable, all-weather surface. AO 23.4 All vehicles drive forward when entering and exiting the site.	Alternative Solution No formalized car parking areas are proposed on site. The applicant states that customers will drop and go, however does not provide further information as to the activities associated with customer vehicles and any associated parking requirements. It is expected that the 2.2ha gravel pad will be constructed to an all weather standard.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
ENVIRONMENTAL		
Biodiversity: in addition, refer to the Biodiversity areas overlay code where mapped in the SPP mapping as MSES.		
PO 24 Air emissions Air emissions including odour from premises do not cause environmental harm or nuisance to adjoining properties or sensitive land uses.	Note: Sensitive land uses are defined in the State Planning Policy.	Does not Comply The proposal is considered likely to generate dust emissions that will impact adjoining sensitive land uses. The applicant has not provided sufficient information to demonstrate that the proposed mitigation measures will adequately manage dust on site.
PO 25 Energy use Non-renewable energy use is minimised through efficient design and the adoption of alternative energy sources.	AO 25.1 Passive solar design principles are adopted in buildings in order to maximise energy efficiency. AO 25.2 Building design and orientation provide opportunities for the incorporation of alternative energy technologies.	Alternative Solution The proposed development is a gravel hardstand laydown yard. No areas for passive solar design are required.
PO 26 Vegetation retention Development retains vegetation not mapped as MSES where it is: (a) adjacent to watercourses and protecting water quality (riparian); (b) protecting an identified habitat; or (c) minimising soil erosion.	Note: MSES areas are mapped on the SPP Interactive Mapping System (Plan Making).	Not Applicable No clearing of significant vegetation was undertaken to establish the hardstand surface.
PO 27 Pests Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.	AO 27.1 Development avoids the introduction of non- native pest species. AO 27.2 The threat of existing pest species is controlled by adopting pest management practices that provide for long-term ecological integrity.	If approved, conditions could be applied to ensure no pest species are introduced, including compliance with Council's biosecurity plan.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 28 Watercourse buffers Development ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AO 28.1 A minimum 10 m wide vegetated buffer area is provided extending from the high bank of any watercourse. Buffer areas include a cover of vegetation, including grasses.</p>	<p>Not Applicable</p>
<p>PO 29 Watercourse integrity Bank stability, channel integrity and in-stream habitat is protected from degradation and maintained or improved at a standard commensurate with pre-development environmental conditions.</p> <p>Development ensures that the natural surface water and groundwater hydrologic regimes of watercourses and associated buffers are maintained to the greatest extent possible.</p>	<p>AO 29.1 No direct interference or modification of watercourse channels, banks or riparian and in-stream habitat occurs.</p> <p>AO 29.2 Existing natural flows of surface and groundwater are not altered through channelisation, redirection or the interruption of flows.</p>	<p>Complies The development will not impact any watercourses.</p>
<p>PO 30 Water quality The standard of effluent and/or stormwater runoff from premises ensures the quality of surface water is suitable for:</p> <ul style="list-style-type: none"> (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use or industrial use; and (e) minimises nuisance or harm to adjoining landowners. 		<p>If approved, the applicant can be required to submit an operational works application that demonstrates stormwater quality will be appropriately managed.</p>
<p>PO 31 Sloping land Development is undertaken to ensure:</p> <ul style="list-style-type: none"> (a) vulnerability to landslip erosion and land degradation is minimised; and (b) that the safety of persons and property is not compromised. 	<p>AO 31.1 Development is not undertaken on slopes exceeding 15%.</p>	<p>Not Applicable</p>

Part 8 - Overlays

Overlays identify areas in the planning scheme that reflect state and local level interests and identify areas sensitive to development, development constraints and/or opportunities.

The subject site is mapped as being within an Important Agricultural Area, however is not mapped as being Class A or B Agricultural Land. Therefore, assessment against the Agricultural Land Overlay Code is not required in accordance with section 8.2.1.1 of the Planning Scheme.

The site is also mapped as being within the OLS Conical Limitation and Light Restriction Zone for the Roma Airport. The proposed development is for a secure laydown yard, with no buildings or lighting proposed. The development is therefore not considered to impact the operations of the Roma Airport and no further assessment against the Overlay Code has been undertaken.

Input into the Report & Recommendation:

Internal

Consultation about this application has occurred with:

- Director – Regional Development, Environment & Planning (internal)
- Infrastructure Managers and Local Area Directors (internal)

External

The proposed development did not trigger referral to any external agencies.

Third party advice was sought from the State Assessment Referral Agency as well as directly from the Department of Transport and Main Roads (DTMR). DTMR's road team have no requirements in relation to the proposed development. No response has been received from the DTMR rail team.

Public Notification

The application was subject to Impact assessment and required public notification under the *Planning Act 2016*.

Three properly made submissions were received in relation to the development application.

One submission was received in support of this application. No assessment against this submission is provided below, however is included as an attachment to this report.

The matters raised in the two submissions lodged in objection to the development are outlined below. A full copy of these submissions is also included as an attachment to this report.

Matters Raised	Response
<p><u>Public Notification</u></p> <p>The submitter states the applicant failed to comply with Schedule 3, Part 1 of the Development assessment rules as:</p> <ul style="list-style-type: none"> • Font size did not comply • Font type not clearly legible 	<p>In accordance with Section 53 (3) of the Planning Act 2016:</p> <p><i>“the assessment manager may assess and decide a development application even if some of the requirements of the development assessment rules about the notice have not been complied with, if the assessment manager considers any noncompliance has not—</i></p> <p><i>(a) adversely affected the public’s awareness of the existence and nature of the application; or</i></p> <p><i>(b) restricted the public’s opportunity to make properly made submissions about the application”</i></p> <p>It is not considered that the non-compliance identified by the submitter adversely affected the public’s awareness of the application nor restricted a persons opportunity to make a submission.</p>
<u>Conflicts with Strategic Framework</u>	
<ul style="list-style-type: none"> • Existing sufficient industrial land 	<p>The subject site is not identified in an area intended for future industrial area. Council’s Planning Scheme and Strategic Framework maps identify adequate areas for industrial development within the current zoned areas. Further, the Local Government Infrastructure Plan does not identify growth that exceeds the extent of current zoned land.</p> <p>Council has recently approved a subdivision to create 13 additional industrial lots along Fleming Drive, Roma, which will improve the availability of industrial land.</p> <p>The matters raised by the submitter are considered relevant and support the refusal of the development application. The applicant has not provided sufficient grounds to overcome the conflicts with the scheme.</p>
<ul style="list-style-type: none"> • Adverse impact on environment, landscape and character 	<p>The proposed development is a 2.2ha hardstand in the Rural Zone, in close proximity to sensitive land uses. The proposed development for heavy vehicle and equipment storage has the potential to impact on the surrounding environment and landscape</p>

Matters Raised	Response
	<p>character.</p> <p>The applicant has not provided sufficient information to demonstrate the extent of potential impacts, nor suitable mitigation measures.</p>
<ul style="list-style-type: none"> Incompatible land uses 	<p>Industrial activities that exceed the scale of a home based business are incompatible in the Rural Zone. The applicant has not provided sufficient justification that the use cannot reasonably be located in the Industry Zone, outside of financial reasons, stating <i>“the applicant cannot afford to purchase such a block of land”</i>.</p> <p>In accordance with Section 45 (5) of the Planning Act 2016, assessment of the application <i>“may be carried out against, or having regard to, any other relevant matter, other than a person’s personal circumstances, financial or otherwise”</i> (highlight added).</p>
<ul style="list-style-type: none"> Not an application for a family-owned business Site is uninhabited and both the owners and the applicants live at another address. 	<p>As noted above, home based businesses are supported by the Planning Scheme, subject to specific scale limitations. The proposal is larger in scale and is not associated with any residential activity on the site.</p> <p>Therefore, the Planning Scheme intends uses of such to be located in the Industry Zone.</p>
<ul style="list-style-type: none"> Efficient use of infrastructure <ul style="list-style-type: none"> proposed use does not seek to consolidate similar uses and thereby promote the efficient use of infrastructure the use is more appropriate on industrial land and should be located on the major road network, which facilitates a higher degree of accessibility than the proposal The applicant has not 	<p>The subject site is located in the Rural Zone. If located in the Industry Zone, the development would expect to be serviced by a sealed road, reticulated water, reticulated sewer (where available) and suitable stormwater infrastructure. The site is not provided with any of the above infrastructure.</p> <p>The site is separated from any similar land uses and is not located in the major road network. The development therefore conflicts with the requirements of the Planning Scheme.</p>

Matters Raised	Response
<p>satisfactorily demonstrated that the standard of Bungeworgorai Lane will be appropriate from a site access and safety perspective, especially as school children walk along the lane</p>	
Conflicts with Industry Zone Code	
<ul style="list-style-type: none"> • Use does not maintain public safety <ul style="list-style-type: none"> ○ Bungeworgorai Lane North not suitable for development traffic ○ Dargal Road condition is poor and use will exacerbate issues ○ Bus route/stop on the western side of intersection ○ Dargal Road / Bungeworgorai Lane intersection insufficient 	<p>While the use is not located in the Industry Zone, an impact assessable application requires assessment against the entire Planning Scheme, therefore the submitters matters raised remain relevant.</p> <p>Council's engineering team have reviewed the development. If the application was approved, conditions could be applied to ensure the road network is suitably constructed to cater for the increase traffic associated with the development. This could include intersection upgrades and road sealing, as required.</p>
<ul style="list-style-type: none"> • Development is not located Having Regard to Servicing Capabilities and Access to Appropriate Level of Transport Infrastructure <ul style="list-style-type: none"> ○ Sufficient serviced industrial land available ○ Use places undue load on infrastructure ○ Road surface ○ Access is not appropriate for use 	
<ul style="list-style-type: none"> • Proposal will impact adjacent land <ul style="list-style-type: none"> ○ Surrounding land is zoned rural or identified for future rural residential development ○ Application does not demonstrate how use will not impact existing rural environment 	<p>The proposed development is for a large heavy vehicle laydown yard in the Rural Zone. The nearest sensitive receptor is located approximately 130m due east of the development footprint. The application does not specify the scale or intensity of the proposed use. It is therefore considered that the development will adversely impact the use of nearby land.</p>
<ul style="list-style-type: none"> • Development is not adequately separated from 	<p>The applicant has failed to demonstrate that the proposal will not detrimentally impact on surrounding land uses and sensitive receptors.</p>

Matters Raised	Response
<p>sensitive land uses</p> <ul style="list-style-type: none"> Noise, dust, odour, visual impact, traffic generation, lighting or other emissions 	<p>The proposal is for an industry use in the Rural Zone. The proposed development therefore does not protect the integrity of the Industry Zone and the viability of industrial uses appropriately located within that zone.</p> <p>Adequate landscaping screening could be conditioned to be provided if all other impacts of the development can reasonably be mitigated or managed.</p>
<ul style="list-style-type: none"> Establishment of the use in the rural zone will impact upon the nature and character of the surrounding area 	
<ul style="list-style-type: none"> Noise emissions <ul style="list-style-type: none"> Exhaust braking, reverse beeping and constant engine noise (including from refrigerated trucks and trailers) are common noise emissions from the proposed vehicles. 	
<ul style="list-style-type: none"> Development does not protect existing and future industrial activities 	
<ul style="list-style-type: none"> Use is out of sequence development 	
<ul style="list-style-type: none"> Development does not give privacy to incompatible land uses <ul style="list-style-type: none"> Olive trees do not provide effective screening Inconsistency in proposed landscaping 	
Conflicts with Rural Zone Code	
<ul style="list-style-type: none"> Development does not contribute to amenity and landscape Scale is not in keeping with surrounding uses 	<p>The proposal is for a large scale industrial use in the Rural Zone. The scale of the development will be inconsistent with the scale of surrounding land uses.</p>
<ul style="list-style-type: none"> Use is not directly associated with Rural activities or the rural nature of the zone <ul style="list-style-type: none"> No convenient access Prejudices consolidation of industrial uses Not co-located with other non-rural uses Not located on the major road network 	<p>The application documents state that <i>“those that leave their trucks at the breakdown pad at Roma Saleyards and the Breakdown Pads on the western side of Roma have mentioned that due to theft and damage, it would be preferable to be able to keep their trucks in a secure compound out of town”</i>.</p> <p>The proposed development will therefore prejudice the use of these facilities, more appropriately located on major transport routes.</p> <p>Further, the development is not associated with nor co-located with any other non-rural</p>

Matters Raised	Response
	uses on the site. The applicant has failed to provide sufficient justification to support the approval of the application.
<ul style="list-style-type: none"> Adverse impacts not addressed by application 	<p>The application does not specify the scale or intensity of the proposed use. It is therefore considered that the development has the potential to adversely impact the use of nearby land.</p> <p>There is insufficient information from the applicant to demonstrate that any impacts can be managed to allow reasonable and relevant conditions to be applied.</p>
<ul style="list-style-type: none"> Development will impact the viability of existing and does not protect future rural uses 	<p>The subject site is mapped as being within an important agricultural area. The proposed gravel pad will occupy over 13% of the total site area. The development could be considered to be impacting the viability of any potential rural activities that could be undertaken on the site.</p> <p>Further, the applicant has failed to demonstrate its assessment of the potential detrimental impacts associated with the development. It cannot be determined if the use will impact the viability of any nearby or potential future rural activities.</p>
<ul style="list-style-type: none"> Site is susceptible to flooding and drainage problems and the development will impact stormwater flows 	<p>The subject site is not mapped as being subject to flooding, however surrounding properties to the north, west and south are mapped as being at risk.</p> <p>The applicant has not prepared a stormwater management plan that considers the extent of new impervious areas and suitable management of the changed stormwater conditions. As the proposed use area extends to the northern property boundary, it has not been established that the use will not adversely impact the quantity or quality of stormwater runoff from the site.</p> <p>The applicant has failed to demonstrate measures to suitably manage stormwater such that stormwater runoff does not impact downstream waters.</p>
<ul style="list-style-type: none"> Noise and air emissions <ul style="list-style-type: none"> Dust from vehicles 	<p>The applicant submits that dust will be managed through gravel selection, grading, vegetative cover (grass on perimeter of gravel</p>

Matters Raised	Response
<ul style="list-style-type: none"> ○ No demonstration of how emissions will be managed 	<p>pad), olive trees and a landscape buffer, minimising unnecessary traffic and maintenance.</p> <p>Given the scale of the hardstand, even with significant landscaping being planted and established prior to commencement of the use, dust impacts are still likely to be experienced by adjoining residences. If approved, conditions should be applied to require a site watering system be implemented.</p>
<ul style="list-style-type: none"> • Spread of pest species from travelling vehicles 	<p>The proposed development does not include a wash bay to manage potential pest migration. Notwithstanding, the development could be conditioned to comply with Council's Biodiversity Plan.</p>
<ul style="list-style-type: none"> • Transport Infrastructure <ul style="list-style-type: none"> ○ <i>"The development application does not adequately demonstrate how the proposed development protects and enhances transport infrastructure"</i> 	<p>Council's engineering team have reviewed the development. If the application was approved, conditions could be applied to ensure the road network is suitably constructed to cater for the increase traffic associated with the development. This could include intersection upgrades and road sealing, as required.</p>
<p><u>Proposal</u></p> <ul style="list-style-type: none"> • Application fails to make clear what the business is that is proposed to be operated by the Applicant on the Premises. • <i>"it is unclear whether the Applicant's intention is to commence operation of such an alternative laydown yard for use by those that currently leave their trucks and trailers" at public use lay down yards</i> • It is not clear how many vehicles will be stored at or utilising the proposed development at the Premises. • There is no need for the development to be located on the premises 	<p>The submitter has identified numerous gaps within the application documents that warrant refusal of the application. The applicant has provided insufficient information to determine the potential impacts of the development.</p>
<p><u>Existing Gravel Pad</u></p> <ul style="list-style-type: none"> • The applicant has constructed the gravel pad prior to 	<p>No Operational Works application has been submitted for the construction of the gravel pad. Compliance correspondence was</p>

Matters Raised	Response
<p>obtaining development approval</p> <ul style="list-style-type: none"> Significant material imported to site and grade and contour impacts stormwater flow 	<p>previously issued to the landowner who advised that an application would be submitted. To date, no further correspondence has been provided.</p> <p>If this application is approved, the applicant will be conditioned to prepare an application for Operational Works approval, including all necessary plans and reports.</p>
<p><u>Inaccurate Description</u></p> <p>The submitter proposes that the definition of Transport Depot is not an accurate description of the proposal as shipping containers will be stored on site.</p>	<p>Council considers that definition of a “Transport Depot” within the Maranoa Planning Scheme provides an accurate description of the development.</p> <p>The definition of Transport Depot does not exclude the storage of shipping containers, particularly where this is ancillary to the primary use of the site for the parking and storage of vehicles and equipment.</p> <p>This issue does not warrant refusal of the application.</p>

Funding Bodies:

N/A – The project is a private development that will be funded by an external party.

This Financial Year’s Budget:

The costs of fulfilling any development approval obligations, financial or otherwise, remains the sole responsibility of the landowner/s. There is potential for Council to incur costs only in the event that its decision regarding the application is appealed to the Court.

Future Years’ Budgets:

As above.

Impact on Other Individuals or Interested Parties:

Mr Daniel Joliffe as the proposed operator and Ms Sue Joliffe as the landowner will be impacted by Council’s decision.

Three properly made submissions were received in relation to this application. These submissions have been considered above and are included as attachments to this report. Council’s decision will impact the submitters.

Risks:

Potential risks associated with the proposal have been addressed in the development assessment. Other matters outside of this, which are not called up in the *Planning Act 2016*, cannot be considered in decision making.

Advice to Council:

It is considered that the proposal presents significant conflicts with the applicable assessment benchmarks. Further, it is not considered that there are sufficient grounds to justify approval of the development or that reasonable and relevant conditions could be applied to address the areas of conflict.

In accordance with Section 60 of the *Planning Act 2016*, after carrying its assessment Council must decide to:

- (a) approve all or part of the application; or
- (b) approve all or part of the application, but impose development conditions on the approval; or
- (c) refuse the application.

Recommendation:

That Council endorse the officer's recommendation and refuse the development application for a Material change of use for a "Transport Depot" (Laydown Yard) at Bungeworgorai Lane, Dargal Road, being Lot 2 on RP908589, for the reasons outlined.

Link to Corporate Plan:

Corporate Plan 2023-2028

Strategic Priority 4: Growing our region

4.7 Plan and manage the growth of our towns

Supporting Documentation:

Nil.

Report authorised by:

Director - Regional Development, Environment and Planning

OFFICER REPORT

Meeting: Ordinary 14 February 2024

Date: 2 February 2024

Item Number: 5.2

File Number: D24/10339

SUBJECT HEADING: Corporate Plan 2023- 2028 Additional wording

Classification: Open Access

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.

Officer's Recommendation:

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.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

N/a

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description
<Insert Acronym>	<Provide details>

Context:

Why is the matter coming before Council?

Council have requested that additional wording be added to the current corporate plan in relation to sport and recreation so that external organisations have a clear reference for any grant application process.

25 October 2023

OM/10.2023/44

That Council

1. Develop additional wording in relation to sport and recreation into the 2023 – 2028 corporate plan to strengthen its links to community needs
2. Bring these additions to the next council meeting for endorsement.

The following wording is suggested

The current corporate plan 5.10 states

Integrated recreation plan

Develop a strategy to attract and host significant events for different age cohorts.”

Include

The following wording has been suggested to strengthen the corporate plain 5.10.

4. Introduce a variety of recreational and sports activities that promote physical health, mental well-being, and social connectivity.
5. Design events and activities that are accessible to individuals of all abilities, ensuring inclusivity and participation across diverse demographics.
6. Establish partnerships with local Organisations and external stakeholders specialising in sporting events.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

Council adopted its current Corporate Plan 2023 – 2028 on the 28th June 2023.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration?

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Local Government Act 2009

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

N/a

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say?

(Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Councillors, residents.

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

N/a

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)?? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

N/a

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

N/a

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

Sport and recreation organisations

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
<Insert Risk>	<Provide details>

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council include the following wording as part of the plan:

- Introduce a variety of recreational and sports activities that promote physical health, mental well-being, and social connectivity.
- Design events and activities that are accessible to individuals of all abilities, ensuring inclusivity and participation across diverse demographics.
- Establish partnerships with local organisations and external stakeholders specialising in sporting events.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

That Council

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

Link to Corporate Plan:

Corporate Plan 2023-2028

Corporate Plan Pillar 5: Inclusivity

5.11 Integrated recreation plan

Supporting Documentation:

[1](#) Recreation Strategy Revised

D24/11126

Report authorised by:

Director - Corporate Services

EXISTING CORPORATE PLAN**KEY PROJECTS****5.10 Integrated recreation plan**

Develop a strategy to attract and host significant events for different age cohorts.

KPIS

- Adopt integrated regional recreation plan,
- Implement regional events strategy including advocacy for major events e.g. Junior and Masters (senior) sporting events,
- Advocate, attract & retain state/regional junior sporting competitions

TIME HORIZON

Medium (0-5 years)

PROPOSED CORPORATE PLAN**KEY PROJECTS****5.10 Integrated recreation plan**

In our commitment to serving the diverse needs of our community, the Integrated Recreation Plan aims to go beyond conventional recreational initiatives. Our focus is on creating a dynamic strategy that resonates with various age cohorts, fostering inclusivity, engagement, and overall community well-being.

KPIS

- Introduce a variety of recreational and sports activities that promote physical health, mental well-being, and social connectivity,
- Design events and activities that are accessible to individuals of all abilities, ensuring inclusivity and participation across diverse demographics
- Establish partnerships with local organisations and external stakeholders specialising in sporting events

TIME HORIZON

Medium (0-5 years)

NOTICE OF REPEAL OR AMENDMENT OF RESOLUTION

Meeting: Ordinary 14 February 2024

Date: 8 February 2024

Item Number: 8.1

File Number: D24/12663

SUBJECT HEADING: The Big Rig - Easter Times

Classification: Open Access

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.

Recommendation:

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

That Council:

2. 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.

Background:

The concession rate should be \$16.00.

Supporting Documentation:

Nil

Notice prepared by: Director Roma

NOTICE OF REPEAL OR AMENDMENT OF RESOLUTION

Meeting: Ordinary 14 February 2024

Date: 8 February 2024

Item Number: 8.2

File Number: D24/12450

SUBJECT HEADING: Amendment Saleyards Memorial Wall Event
Change

Classification: Open Access

Officer's Title: Mayor

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.**

Recommendation:

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

Resolution No. OM/01.2024/01

Moved Cr Golder

Seconded Cr McMullen

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 of the memorial wall during 2024 on a date to be advised.**

Background:

Feedback from residents is that in order to obtain feedback from people and families involved in the Saleyards Memorial Wall project, the date of 27 February 2024 may be too early.

Supporting Documentation:

Nil

Notice prepared by:

Mayor Golder

COUNCILLOR NOTICE OF MOTION

Meeting: Ordinary 14 February 2024

Date: 8 February 2024

Item Number: 8.3

File Number: D24/12447

SUBJECT HEADING: Maranoa Medical Bursary Retention Bursary
Classification: Open Access
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.

Councillor's Recommendation:

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 is 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. Consider naming the individual medical and nursing bursaries after prominent medical personnel who have served the Maranoa throughout the last 100 years to ensure a lasting legacy and build the reputation of the bursaries.

Background:

The panel met and interviewed the shortlisted applicants for the medical retention bursaries. Two candidates were interviewed, and both expressed a commitment to staying or returning to the region, they were of a very high standard acknowledged by the panel of medical and council representatives. I am proposing that council consider further investment as there is a crisis in the availability of Gp generalists within Queensland, and for a small amount of investment we can work to retain two gps in the area.

Resolution from 24.01.24 **Resolution No. OM/01.2024/02**

That Council:

1. **Endorse the panel to interview the two recommended applicants in the Doctors retention bursary and authorise the Chief Executive Officer to offer the bursary to the preferred candidate based on the panels advice.**
2. **Grant the student doctor bursary to Chelsea Gorry subject to acceptance to undertake Maranoa based placements where possible.**
3. **Grant the 3 x \$10,000 nursing bursaries to the following 3 applicants - Ashleigh Wall, Rowena Dingle and Jael Halls.**
4. **Grant a commendation award of \$2,500 each to Chloe Davis and Kissea Cruz as part of the bursary program for their outstanding academic**

achievements and excellent bursary applications, with funds drawn from the sponsorship budget GL 2887.2249 (to be reviewed at the upcoming quarterly budget review).

5. Support and organise a confirmation ceremony for all of the successful bursary recipients.

Supporting Documentation:

Nil

Notice prepared by:

Cr. Tyson Golder

OFFICER REPORT

Meeting: Ordinary 14 February 2024

Date: 6 February 2024

Item Number: 10.1

File Number: D24/11232

SUBJECT HEADING: Central Queensland Regional Water Assessment-
Stakeholder Advisory Group Meeting 21 Feb 2024

Classification: Open Access

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.

Officer's Recommendation:

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.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Central Queensland Regional Water Assessment (RWA).

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description
SAG	Stakeholder Advisory Group
RWA	Regional Water Assessment

Context:

Why is the matter coming before Council?

- The Hon Glenn Butcher and the Hon Tanya Plibersek are inviting nominations on the above body. Council needs to be strategically involved in key decisions for Queensland.
- Council Mayors or Councillors and senior officials as key representatives are the target invitees.
- Council is currently in the Caretaker period and given that the invitation will involve travel and accommodation if the invitation is accepted, this report raises that awareness and if the position is nominated at this time, this meets the request of the two ministers and makes it administratively easier to ensure that representation remains consistent of the term of the RWA.
- The nomination of the Mayors role is consistent with previous resolutions of council and legislation as the official spokesperson for the Council.
- The subject matter is critical to longer term regional development.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

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.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration?

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Administration of the RWA on behalf of the Australian and State Government where preferred options need to be compatible with regulatory frameworks relevant to water resources.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

N/a.

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Director of Department of Regional development Manufacturing and Water,

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

N/a

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

Travel and accommodation \$1000

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

3 – 4 visits a year – travel and accommodation – circa \$5000

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

Water allocation holders across the region.

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
Council not participate in major State Government regulatory frameworks	High. Without Councils participation, decisions made by other regions may have a long term impact on the Maranoa.

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Council should nominate the Mayoral position as key spokesperson as representative over the period of the RWA. Water and water security are key regional issues for all Queensland Councils. Councils needs to participate in key consultation frameworks for Queensland.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

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.

Link to Corporate Plan:

Corporate Plan 2023-2028

Corporate Plan Pillar 2: Environment

2.6 Water management and Conservation

Supporting Documentation:

Nil

Report authorised by:

Chief Executive Officer

OFFICER REPORT

Meeting: Ordinary 14 February 2024

Date: 2 February 2024

Item Number: 13.1

File Number: D24/10519

SUBJECT HEADING: Request for Sponsorship - Sculptures Out Back 2024

Classification: Open Access

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.

Officer's Recommendation:

That Council:

1. Consider the Sponsorship request from the Sculptures Out Back Committee for their 2024 exhibition.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Sculptures Out Back, auspiced by the Roma on Bungil Art Gallery.

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description
SOB	Sculptures Out Back

Context:

Why is the matter coming before Council?

At the August 2023 Council meeting, a report was tabled regarding the future of SOB.

The recommendation from staff in that report was as follows:

That Council:

1. Confirm a budget allocation of \$15,000 for a conceptual plan of the site – Lot Plan 210WV1624 and allocate funds from WO20424.
2. Authorise the Chief Executive Officer (or delegate) to enter into a Memorandum of Understanding for the period of 3 years with the Sculptures Out Back committee.
3. **Note the sponsorship request and allocate \$10,000 from the Sponsorship budget GL2887.2249.2001 for the 2024 exhibition.**
4. Approve access to Lot Plan 210WV1624 to the Sculptures Out Back committee for the purpose of an art exhibition, from 15 June to 14 September 2024 on the conditions that all Transport and Main Roads approvals are obtained where applicable.

The Resolution OM/08.2023/14 was as follows:

That Council:

1. **Confirm a budget allocation of \$15,000 for a conceptual plan of the site – Lot Plan 210WV1624 and allocate funds from WO20424.**
2. **Authorise the Chief Executive Officer (or delegate) to enter into a Memorandum of Understanding for the period of 3 years with the Sculptures Out Back committee.**
3. **Approve access to Lot Plan 210WV1624 to the Sculptures Out Back committee for the purpose of an art exhibition, from 15 June to 14 September 2024 on the conditions that all Transport and Main Roads approvals are obtained where applicable.**

In the meeting, Council decided to address their sponsorship request at a later date. The reason behind this was Council staff recommended that Council sponsor the event to the value of \$10,000, rather than \$20,000 considering the \$15,000 for the conceptual plan.

The recommendation also ensured that Council would still Sponsor the Local Artist Acquisitive Prize but not pay for the \$10,000 production costs (gravel, cement, labour).

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

In 2022, Council sponsored the event to the value of \$20,000 cash sponsorship and in-kind assistance. \$10,000 went towards the Local Artist Acquisitive Prize and \$10,000 towards production costs of materials and services.

In 2021, Council sponsored the event to the value of \$5,000 for the Acquisitive Local Maranoa Artist Prize.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration?

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

N/A

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

N/A

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Program Funding and Budget Coordinator.
Director – Roma

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Other sponsors from the region contribute to the overall event.

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

At the Ordinary Council meeting on 24 January 2024, Council increased the Sponsorship budget by re-allocating \$15,000 from Community Groups – In-Kind Assistance into Sponsorship budget GL 2887.2249.
Remaining - \$11,500.

If Council were to sponsor this event to the value of \$20,000 – it is recommended they use \$11,500 from this Sponsorship budget and the remaining \$8,500 from cash reserves.

Keep in mind, future sponsorship requests (e.g. regional Shows and other upcoming events) will need to come to Council for consideration.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

N/A

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

SOB

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
Not sponsoring the event to the request of \$20,000.	If Council resolved to sponsor \$10,000 it would cover the cost for the Acquisitive Prize Sponsorship money. However, the committee would have to find other money to cover the production costs (gravel, cement, labour).

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Consider the \$20,000 Sponsorship request for SOB 2024 exhibition keeping in mind, Council has resolved to cover the costs for the conceptual plan to the value of \$15,000.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

That Council:

1. Consider the Sponsorship request from the Sculptures Out Back Committee for their 2024 exhibition.

Link to Corporate Plan:

Corporate Plan 2023-2028

Strategic Priority 4: Growing our region

4.11 Support development of our local communities through planning, programs and events

Supporting Documentation:

1 [Sculptures Out Back correspondence - request for Sponsorship 2024](#) D23/62468

Report authorised by:

Director Roma

Georgie Adams Woodall

From: S R Benham <benhamsr@gmail.com>
Sent: Monday, 31 July 2023 11:58 AM
To: Georgie Adams Woodall
Cc: Duarran2; Roma On Bungil
Subject: Sculptures Out Back - follow on from Council Briefing

Good morning Georgie

Thank you for creating the opportunity for the Sculptures Out Back Committee to attend the Council Briefing on Tuesday the 11th of July! We were all very excited that Council shares our vision for the future of the Sculptures - a growing tourism event and special place for our community members to gather.

As discussed at the Briefing our Committee are keen to progress the landscape design project resulting in a Landscaping Plan that might potentially sit under The Big Rig Master Plan. This Landscaping Plan will allow our proactive Committee to apply for external funding knowing we are headed in the right (Council approved) direction.

We took on board the Mayor's suggestion to nominate some tentative 2024 dates for the Opening and Exhibition. We have engaged with some local clubs who holds events in June (eg, Turf Club Rugby Races) and searched on the Outback Tourism website. Our tentative Official Opening date is Saturday 15 June 2024 and exhibition closing 14 September.

The Committee has also discussed our support request from Council for 2024. Council has been so generous and supportive in the past; 2023 in particular with \$10,000 towards the Maranoa Local Prize, \$10,000 towards running costs/installation expenses and in kind support for the lead up (your time and support Georgie!) as well as installation (outside ops team). This year, 2023 we have focused on building the public profile of the event, which we feel we have succeeded in. We have achieved great sales and have retained commission from the sales, however the Committee would like to request the same support from Council as 2023 for 2024. Although, throughout 2024 we will be focused on financial sustainability - there have been some great ideas to generate profits - some from the Councillors!

We look forward to continuing to work together on this exciting cultural initiative!!! Please let me know if you have any questions or require any further information to allow progress.

Many thanks
Bec Benham
Administration Officer
Sculptures Out Back

OFFICER REPORT

Meeting: Ordinary 14 February 2024

Date: 5 February 2024

Item Number: 13.2

File Number: D24/10564

SUBJECT HEADING: Warroo Capital Works - Begonia Camp Project

Classification: Open Access

Officer's Title: Director - Warroo

Executive Summary:

This report identifies 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.

Officer's Recommendation:

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.

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

- Emergency Services Personnel
- State Emergency Services (SES)
- Maranoa Regional Council Staff

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description

Context:

Why is the matter coming before Council?

Funding is required to renew the current three-bedroom camp in Surat for future use for council and emergency workers.

The camp was gifted and installed but never completed to a suitable standard to make operational following the handover in 2019.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

- The Surat SES, Dunkeld and Begonia Camps, are operated and maintained by Warroo Local Area. They recently became directly managed by Warroo with greater scrutiny in line with council asset management policy.
- Funding has now been expended on the Begonia Camp Project. Projects to renew the hot water system, replace fire alarms, and install a new camp sign have been completed.
- Dunkeld Camp is located at Dunkeld Memorial Golf Club and requires two new fridges and a replacement hot water system (upgrade). Records show the hot water system at this site has been repaired several times since 2021 and requires replacement.
- Surat SES Camp is located at 56 William Street, Surat opposite the Surat State School. The allotment is occupied by an accommodation building comprising of three bedrooms plus ensuites and a storage shed (boat shed). Buildings on the premises are intended to be used by SES volunteers, disaster management members and council employees. The property is currently under the ownership of council.
- The Surat SES Camp is not deemed livable due to remaining works to be completed in wet areas: including shower lining and sheeting (delaminating), and furniture and fittings to be replaced due to water damage (renewal).
- Contractors recently used the camp during the construction of the Surat Tennis Court project as a 'test run' for the facility.
- Lead Building Services Officer inspected the camp in late 2023 identified deficiencies and defects to be rectified.
- All council housing in Surat is now being fully utilized. Any additional staff that are recruited could potentially stay at the camp, on a short-term / temporary basis.
- The camp can be used in the future for operational exercises and enhance the training and emergency management capabilities of emergency services.

- The original camp dongas were gifted to the SES with Council as the asset owner on council land. The concept of the facility is to accommodate volunteers during flood operations or when conducting other operations or training as required. SES staff can also stay there on training nights.
- The SES Camp in Surat is very important to the Surat Community, the QPS and to other emergency services. These services are very limited and rely heavily on supporting each other and other stakeholders such as Council and Qld Health.



Photo 1: Surat SES Camp

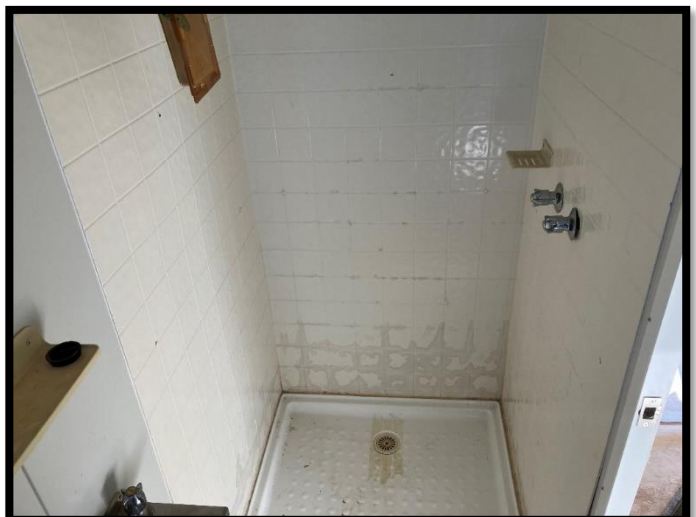


Photo 2 and 3: Water damage of floor lining and delaminating in shower.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

- Local Government Act 2009
- Local Government Regulation 2012

Division 2 - Long-term asset management plan

167 Preparation of long-term asset management plan

- (1) A local government must prepare and adopt a long-term asset management plan.
- (2) The long-term asset management plan continues in force for the period stated in the plan unless the local government adopts a new long-term asset management plan.
- (3) The period stated in the plan must be 10 years or more.

168 Long-term asset management plan contents

A local government's long-term asset management plan must—

- (a) provide for strategies to ensure the sustainable management of the assets mentioned in the local government's asset register and the infrastructure of the local government; and
- (b) state the estimated capital expenditure for renewing, upgrading, and extending the assets for the period covered by the plan; and
- (c) be part of, and consistent with, the long-term financial forecast.

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

- Maranoa Regional Council Corporate Plan
- Warroo LECC Disaster Operational Sub-Plan
- Maranoa Regional Council Asset Management Policy
- Non-Current Asset Accounting Policy

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

- Area Controller, South-Western Region, State Emergency Service, Queensland Fire and Emergency Services
- Senior Sargeant, Queensland Police Service, Surat Qld
- Emergency Management Coordinator, Strategic Road Management & Contract Management Office Admin

- Program Funding & Budget Coordinator, Strategic Road Management and Contract Management Office
- Overseer, Warroo Engineering, Warroo Local Area
- Lead Building Services Officer, Building Certification
- Manager - Regional Facilities Management (Acting)
- Regional Facilities (Land, Buildings & Structures)

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Funded by Capital Works 2023-24 budget.

Remaining funds in Begonia Project budget are \$15,000 ex GST.

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$) ? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

Transfer remaining funds from 2023/24 Capital Works Budget, Begonia Camp, facilities Upgrade – Work Order 24527.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$) ? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

As per future asset management plans.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns? (Interested Parties Analysis - IS9001:2015)

N/A

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
Funding	Camp cannot be used until improvements made.

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

Surat SES Camp requires additional funding to complete renewals to the building asset. Remaining funds from Begonia Camp project will assist to complete this work and make the camp operational.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

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.

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

No.

Link to Corporate Plan:

Corporate Plan 2023-2028

Strategic Priority 3: Helping to keep our communities safe

3.4 Disaster, emergency management and flood mitigation

Supporting Documentation:

Nil

Report authorised by:

Director - Warroo

PLANNING & BUILDING DEVELOPMENT REPORT

Meeting: Ordinary 14 February 2024

Date: 31 January 2024

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)

Classification: Open Access

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.

Officer's Recommendation:

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 SP200044 and Easement A on SP330834) be approved subject to the listed Conditions and General advice:

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.

4. Within three 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. 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 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 three 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
- (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.

Individuals or Organisations to which the report applies:

Council's decision regarding this matter is likely to affect the applicant, J & M Collinson Earthmoving Pty Ltd, as well as the landowner, Ms CE Collinson.

The decision may affect Council, as the owner of adjoining Lot 1 on SP200044, upon which Easement A for access burdens.

Acronyms:

Acronym	Description
EA	Environmental Authority
LGIP	Local Government Infrastructure Plan

Context:

The determination of Impact Assessable applications is generally made by Council resolution.

Background:

Site Characteristics

The subject site has a total area of 114.524ha and is located in the Rural Zone in the Maranoa Planning Scheme 2017.

The development site has a natural fall towards the west of the site. The site has frontage to the Carnarvon Highway to the east, Bungil Creek to the west and is adjoined by rural zoned lots.

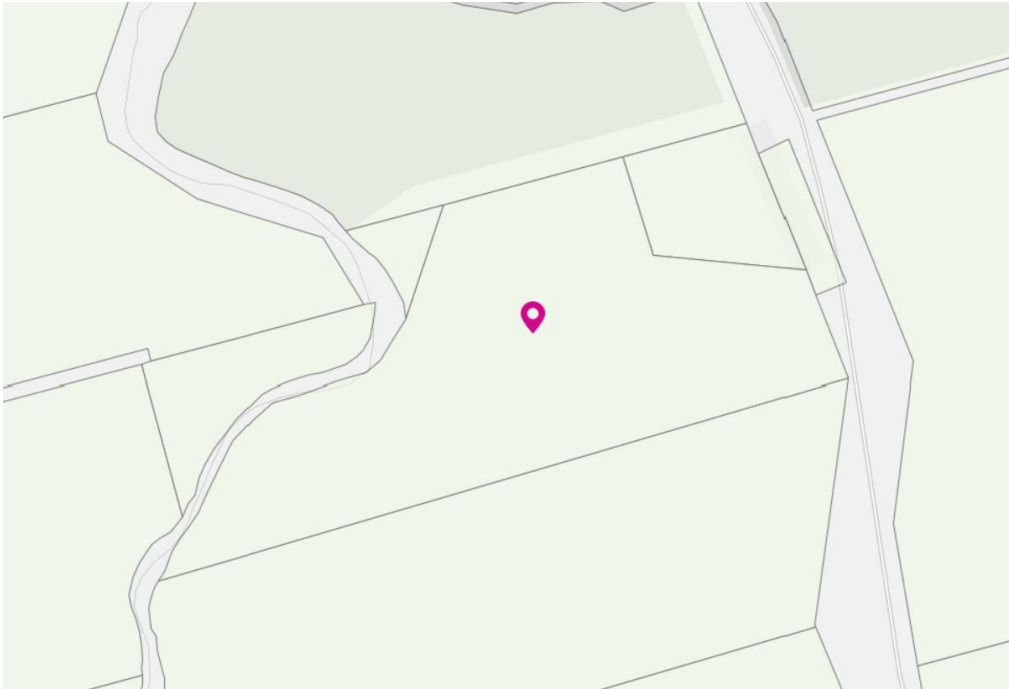


Figure 1: Zoning Map

(Source: Spectrum Spatial)

Site History

The site has been subject to two previous development approvals for Extractive Industry, issued on 27 November 2006 (ref: IPA/M/200603) and 3 September 2014 (ref: 2013/18763) respectively. The most recent development approval, granted in 2014, permitted up to 700,000 tonnes per annum of material to be extracted, screened and stockpiled at the subject site and included a condition limiting the operation to a five (5) year life span. This approval was issued over land described as Lots 1 and 2 on SP200044 and Lot 8 on WV828.

Lot 1 is owned by Maranoa Regional Council, Lot 8 is a reserve (State land) and Lot 2 is owned by Ms CE Collinson. This approval has now lapsed. A separate development approval has been issued for Maranoa Regional Council to operate an “Extractive Industry” (up to 400,000 tpa) over Lot 1 and Lot 8 (Ref: 2022/20582).

This development application seeks to formalise the current use of Lot 2 under an effective development permit.

Application

The submitted application seeks to formalise the use of the site for an “Extractive Industry” (up to 300,000 tpa). The application states that the material will be hard rock, with activities on site comprised of clearing vegetation, stockpiling topsoil, drilling and blasting rock, crushing and screening won material and stockpiling material prior to transport.

The application states that the operation will be supported by a site office, with amenities provided within the existing dwelling on site. Operations on the site are proposed to occur between 6:00am and 6:00pm, Monday to Saturday, with blasting

activities further restricted to be between 9:00am and 3:00pm Monday to Friday and 9:00am and 1:00pm on Saturdays. No activities will occur on site on Sundays or Public Holidays.

Access to the Extractive Industry use is gained via Easement A, along the northern boundary of adjoining Lot 1, then via an existing connection to the Carnarvon Highway. The Carnarvon Highway intersection has been constructed in accordance with the Department of Transport and Main Roads standards and includes warning signage at relevant approaches.

The application states that up to five staff will work from the site. Car parking is provided adjacent to the site office, as required. Truck loading areas are located in close proximity to the material stockpile areas. All vehicles can enter and exit the site in a forward gear.



Figure 2: Proposal Plan

(Source: Application Documents)

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

The proposal constitutes a *Material change of use* as defined in the *Planning Act 2016* (being *the start of a new use of the premises*) and requires a development permit to be issued by Council prior to the commencement of use.

The proposed use is defined as “**Extractive Industry**” in the *Maranoa Planning Scheme 2017* (the Planning Scheme):

Extractive industry: means the use of premises for:

(a) extracting or processing extractive resources; and

(b) *any related activities, including, for example, transporting the resources to market.*

An application for an Extractive Industry is Impact Assessable in the Rural Zone. Pursuant to Section 45 of the *Planning Act 2016*, an Impact assessment must be carried out —

- (i) *against the assessment benchmarks in a categorising instrument for the development; and*
- (ii) *having regard to any matters prescribed by regulation for this subparagraph; and*

The assessment may also be carried out against, or have regard to, any other relevant matter, other than a person's personal circumstances, financial or otherwise.

The assessment benchmarks for the application are;

- Darling Downs Regional Plan;
- State Planning Policy;
- Maranoa Planning Scheme; and
- Maranoa Regional Council LGIP.

The Darling Downs Regional Plan

The *Darling Downs Regional Plan* was adopted in October 2013 and covers the local government areas of Balonne, Goondiwindi, Maranoa, Southern Downs, Toowoomba and Western Downs. The intent of the Darling Downs Regional Plan is to provide direction to resolve competing State interests relating to the agricultural and resources sectors, and to enable the growth potential of the region's towns.

The Maranoa Planning Scheme appropriately integrates all relevant aspects of the Darling Downs Regional Plan. Despite this, the *Planning Regulation 2017* requires that Impact assessable applications be assessed against the relevant regional plan (irrespective of whether the planning scheme appropriately reflects the regional plan).

The subject site is not located within a Priority Living Area (PLA) nor a Priority Agricultural Area (PAA). The outcomes of the Regional Plan are therefore not considered to be applicable to the proposed development.

State Planning Policy (SPP)

The SPP has effect throughout Queensland and sits above regional plans and planning schemes in the hierarchy of planning instruments under the Act. The SPP applies when a local government is assessing a development application, if its planning scheme has not yet appropriately integrated the relevant SPP state interest policies.

The Maranoa Planning Scheme appropriately integrates all relevant aspects of the State Planning Policy, therefore a separate assessment of the application against this document is not required.

Council Policies or Asset Management Plans:

The *Maranoa Planning Scheme 2017* and the Maranoa Regional Council Local Government Infrastructure Plan (LGIP) are applicable to the assessment of the application (the LGIP forms part of the Planning Scheme).

The relevant sections of the *Maranoa Regional Planning Scheme 2017* are:

- Part 3 Strategic Framework
- Part 5 Tables of assessment
- Part 6 Zones
 - Part 6.2.1 Rural Zone Code
- Part 8 Overlays
 - Part 8.2.1 Agricultural land overlay code
 - Part 8.2.3 Biodiversity areas overlay code
 - Part 8.2.5 Flood hazard overlay code
 - Part 8.2.6 Bushfire hazard overlay code
- Part 9 Development Codes
 - Part 9.3.3 Extractive Industry Code

Part 3 – Strategic Framework

The Strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area for the life of the planning scheme.

An assessment of the proposed development against the strategic themes of the Planning Scheme is provided in the table below:

Theme	Response
Liveable communities and housing	The proposed development is located in the Rural Zone and will not impact the hierarchy of centres, nor the liveability of any towns within the Maranoa Region.

Theme	Response
Economic growth	<p>The proposed development is for a non-rural use in a rural area, however will not prejudice the future agricultural use of surrounding land. The use is required to locate in the rural zone to meet required setbacks and access the resource.</p> <p>The use will be operated to manage any potential adverse impacts on surrounding land uses.</p> <p>The ongoing use of the site contributes to the overall region by providing materials for road construction, upgrade and maintenance projects.</p>
Environment and heritage	<p>The development footprint is not mapped as containing any areas of environmental or heritage significance. Any development approval does not remove the developer's obligations under the Aboriginal Cultural Heritage Act.</p> <p>Stormwater can be suitably managed on site to ensure the development does not generate adverse impacts on the receiving environment.</p>
Hazards and safety	<p>The proposed development is not considered to be an incompatible land use in the locality given the historical use of the site and adjacent development approvals.</p> <p>Conditions of approval can be applied to maintain the health, wellbeing and amenity of the surrounding community.</p> <p>The development footprint is not mapped as being subject to a bushfire or flood hazard risk.</p>
Infrastructure	<p>The proposed development is located outside the reticulated water and sewerage service areas and no out-of-sequence extensions are required.</p> <p>The Department of Transport and Main Roads, through SARA have assessed the development and provided conditions of approval.</p> <p>The development will not impact on the safe operation of the State transport network or Roma airport.</p>

Part 5 - Tables of assessment

The Tables of Assessment identify the category of development, the category of assessment and the assessment benchmarks for assessable development in the planning scheme area. The Tables of Assessment identify the level of assessment for an "Extractive Industry" use in the Rural Zone as "Impact Assessment."

Part 6 - Zones

Zones organise the planning scheme area in a way that facilitates the location of preferred or acceptable land uses. The premises is located in the Rural Zone.

Rural Zone Code

The overall outcomes sought for the Rural zone code are as follows:

- (a) *areas for use for primary production are conserved and are not fragmented;*
- (b) *the establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses, ensuring that land use and amenity impacts are minimised at sensitive receptors;*
- (c) *development is designed to incorporate sustainable practices including maximising energy efficiency, water conservation and transport use;*
- (d) *development is reflective of and responsive to the environmental constraints of the land;*
- (e) *development embraces sustainable land management practices and contributes to the amenity and landscape of the area;*
- (f) *residential and other development is appropriate only where directly associated with the rural nature of the zone;*
- (g) *the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated only where they do not compromise the use of the land for rural activities;*
- (h) *the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated in a manner that minimises land-use conflicts;*
- (i) *natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development where possible;*
- (j) *there is no net loss or degradation of natural wetlands for the life of the planning scheme;*
- (k) *adverse impacts of land use both on-site, and from adjoining areas are addressed and any unavoidable impacts are minimised through location, design, operation and management;*
- (l) *visual impacts of clearing, building design and construction, materials, access ways and other aspects of development and land use are consistent with the zone purpose;*
- (m) *the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses and development impacts on cropping land are managed to preserve the productive capacity of the land for future generations;*
- (n) *land which is susceptible to flooding or drainage problems, including difficulties associated with high groundwater tables is protected from urban or inappropriate uses;*
- (o) *rural land use is reflective of the surrounding character of the area;*

- (p) *low impact activities such as small-scale eco-tourism, outdoor recreation, and service industry are encouraged within the zone where they do not compromise the long-term use of the land for agricultural purposes; and,*
- (q) *development such as non-resident workforce accommodation to service the energy sector is catered for only on a short-term basis for periods not exceeding two years.*

The proposed development is considered to comply with the overall outcomes because;

- the site has operated as a stockpile area for the adjacent extractive industry for a number of years. The proposal will not result in any additional fragmentation of agricultural land and ensures surrounding rural lots remain available for primary production activities;
- impacts to any sensitive receptors can be managed through conditions of approval;
- the development can be conditioned to ensure no adverse impacts on nearby creeks;
- the activity is required to be located in the Rural Zone and does not establish an incompatible land use; and
- stormwater and wastewater will be managed to ensure no adverse impacts on downstream receiving environments.

Assessment against the design criteria of Rural Zone Code is provided in the table below.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PLANNING		
Use, density and built form		
<i>Agricultural land classification – in addition, refer to the Agricultural land overlay code where mapped in the SPP mapping as Class A or Class B Agricultural land.</i>		
PO 1 Scale Non-rural activities are at a scale that protects the amenity of the area.		Complies The proposed scale of the activity is in keeping with adjoining development. It is considered that conditions can be applied to ensure the amenity of the area is not impacted by the change.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 2 Location Non-rural activities must be located where there is convenient access unless the development is for an Extractive Industry (whose location is dependent on the resource) in which case appropriate access will be developed. Uses other than Rural activities or Dwelling house are located so as:</p> <ul style="list-style-type: none"> (a) not to prejudice the consolidation of like non-rural uses in other more appropriate areas; (b) to be co-located with other non-rural uses wherever possible; (c) to be located on the major road network rather than local roads. <p>Note: Non-rural uses are any uses that are not associated with Rural activities or a Dwelling house.</p>	<p>AO 2.1 Accommodation activities and their associated outbuildings are located below ridgelines. AO 2.2 Accommodation activities are located to ensure the rural amenity and landscape views are protected and enhanced.</p>	<p>Complies The proposal is for an Extractive Industry and has direct access to the Carnarvon Highway. The proposal consolidates extractive industry activities in the locality and does not prejudice the consolidation of non-rural uses in other, more appropriate zones.</p>
<p>PO 3 Density and site coverage The density of Accommodation activities does not impact adversely on the rural amenity or rural activities of the zone.</p>		<p>Complies The proposed change does not include any accommodation activities.</p>
<p>PO 4 Setbacks Building setbacks:</p> <ul style="list-style-type: none"> (a) assist in enhancing the character and amenity of the area; (b) are appropriate to the scale of the development; (c) are sufficient to minimise loss of privacy, overshadowing and overlooking of adjoining premises; and (d) provide adequate separation and buffering between residential and non-residential premises. 	<p>AO 4.1 Buildings and car parking areas are set back a minimum of 15 m from the primary street frontage, 15 m from any secondary frontage and 5 m from side and rear. For development on a corner allotment: AO 4.2 No structure exceeding 2 m in height is to be built within a 20 m by 20 m truncation at the corner of the two road frontages.</p>	<p>Complies All buildings on site are set back more than 15m from the primary road frontage and 5m from the side boundaries.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 5 Separation <i>Rural activities</i> are sufficiently separated from any existing or planned residential or rural residential area or other sensitive land use to avoid any adverse impacts including noise, dust, odour, visual impact, traffic generation, lighting, radiation or other emissions or contaminants.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>		<p>Not Applicable The proposed development is not for Rural activities.</p>
<p>PO 6 Outbuildings Rural amenity is to be maintained.</p>	<p>AO 6.1 Outbuildings are to be located a minimum of 15 m from the boundary fronting the public road and a minimum of 5 m from any other boundary; and</p> <p>AO 6.2 For lots equal to or greater than 1000 ha, outbuildings for rural uses may be any size.</p> <p>AO 6.3 For lots equal to or greater than 10 ha and less than 1000 ha outbuildings for rural uses may be up to 8.5 m in height and 300 m² floor area.</p> <p>AO 6.4 For lots less than 10 ha outbuildings for rural uses may be up to 4.2 m in height and 120 m² floor area.</p> <p>Note: Outbuildings' include any form of shipping container, railway carriage, pre-fabricated building or the like, that is used for storage that is ancillary to the primary land use. These forms of outbuildings are an acceptable outcome in the Rural zone.</p>	<p>Not Applicable The extractive industry does not involve any ancillary outbuildings.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 7 Important agricultural areas Important agricultural areas are optimised for the promotion and enabling of increased agricultural production.	AO 7.1 Development does not significantly reduce the agricultural capacity of important agricultural areas. Note: Important agricultural areas are mapped on the SPP Interactive Mapping System (Plan Making).	Not Applicable The development footprint is not identified as an important agricultural area.
PO8 ALC Class A and Class B agricultural land Avoid locating non-agricultural development on, or adjacent to, ALC Class A or Class B land.	AO 8.1 Development on or adjacent to ALC Class A or Class B land is complementary to agriculture and does not diminish or risk the viability of future agricultural productivity.	Not Applicable The development footprint is not identified as on or adjacent to Class A or B agricultural land.
PO 9 Sensitive land Rural land uses are 'protected from encroaching incompatible land uses'.	AO 9.1 Sensitive land uses and non-rural activities do not compromise the viability of existing or future rural activities. Note: Sensitive land uses are defined in the State Planning Policy.	Complies The proposed development is not considered to be an incompatible land use. The site has previously been used as ancillary to adjoining extractive industry activities. The viability of activities on surrounding lots will not be compromised by the development.
Amenity		
Advertising signs - refer to the Operational works advertising devices code		
Heritage places - in addition, refer to the Heritage overlay code where mapped in the SPP Cultural heritage mapping or listed in the Heritage and character policy		
PO 10 Cultural heritage The physical integrity and significance of cultural heritage discovered during development are retained. Note: Cultural heritage refers to indigenous and non- indigenous cultural heritage.	AO 10.1 Protection of cultural heritage is achieved by demonstrated agreement with the appropriate aboriginal or cultural heritage body responsible for the care of that heritage.	Complies The site is not mapped as containing any areas of cultural heritage. Notwithstanding, the developer has obligations under the Aboriginal Cultural Heritage Act in the event any items are identified.
Avoiding nuisance		

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 11 Operating Hours Uses are operated in a manner that ensures that local amenity is protected.	<p><i>For Business and Entertainment activities:</i> AO 11.1 Uses are operated between the hours of 6.00 am and 6.00 pm.</p> <p><i>For Community activities:</i> AO 11.2 <i>Community activities</i> are operated between the hours of 7.00 am and 8.00 pm where adjoining land in the General Residential Zone, Rural Residential Zone or land designated as Future Urban or Rural Residential on a Strategic Plan Map.</p> <p><i>For Industry activities:</i> AO 11.3 Uses are operated between the hours of 6.00 am and 6.00 pm, Monday to Saturday only, and not including public holidays.</p> <p><i>For all other uses:</i> AO 11.4 No solution specified.</p>	Complies The use is proposed to operate from 6:00am to 6:00pm, Monday to Saturday.
PO 12 Noise emissions Noise emissions from premises do not cause nuisance to adjoining properties or sensitive land uses.	Note: Sensitive land uses are defined in the State Planning Policy.	Complies Conditions will be applied to ensure noise emissions do not cause nuisance to adjoining premises.
PO 13 Lighting Lighting is designed in a manner to ensure ongoing amenity and safety in the activity area, whilst ensuring surrounding areas are protected from undue glare or lighting overspill.	AO 13.1 All lighting does not exceed 8 lux at 1.5 m from beyond the site boundary.	Complies Lighting will be conditioned to be in accordance with the Acceptable Outcome.
PO 14 Refuse storage Refuse storage areas are screened from the road and adjoining uses.		Complies Refuse storage areas will be conditioned to be screened from the road and adjoining land uses.
ENGINEERING		

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
Earthworks - refer to the Excavation or filling code		
Infrastructure – refer to the Operational works infrastructure code		
Erosion control		
PO 15 Construction activities Both erosion control and silt collection measures are undertaken to ensure the protection of environmental values during construction.	AO 15.1 During construction, soil erosion and sediment are managed in accordance with the <i>Capricorn Municipal Development Guidelines</i> .	Complies Conditions will be applied to ensure compliance with the acceptable outcome.
Provision of services		
PO 16 Electricity supply Premises are provided with an adequate supply of electricity for the activity.	AO 16.1 Premises have an electricity supply that is approved by the relevant energy regulatory authority; and/or AO 16.2 Renewable energy systems contribute to the supply and use of electricity to and from the grid.	Complies The site has an electricity connection. The development does not prevent the installation of renewable energy systems in the future.
PO 17 Water supply To ensure the provision of a potable and fire- fighting water supply: (a) premises are provided with a supply and volume of water adequate for the activity; and (b) access is maintained to the supply for fire-fighting purposes; and (c) access to reticulated water infrastructure is to be maintained for maintenance and replacement purposes	AO 17.1 Premises have an approved water allocation as provided by the relevant agency and, in addition to the requirements under the <i>'Queensland Development Code MP 4.2'</i> : (a) dwellings have a minimum water supply of 45,000 litres provided by a rainwater tank connected to the premises; or (b) dwellings have a minimum water supply of 22,500 litres provided by a rainwater tank connected to the premises and an alternative source of	Complies The development has an adequate supply of potable water for staff.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
	fire-fighting water is available as a permanent body of water (such as a swimming pool or dam located on the site and within the proximity of the dwelling).	
PO 18 Effluent disposal To ensure that public health and environmental values are preserved: (a) all premises provide for the effective treatment and disposal of effluent and other wastewater; and (b) access to reticulated infrastructure is to be maintained for maintenance and replacement purposes.	AO 18.1 Premises have on-site effluent disposal systems designed in accordance with <i>AS/NZS 1547:2012</i> .	Complies The applicant submits that the site is already serviced by a suitable effluent disposal system. No changes to the systems are required to service the development.
Stormwater and drainage		
PO 19 Stormwater and inter-allotment drainage Stormwater is collected and discharged to: (a) protect the stability of buildings and the use of adjacent land; (b) prevent water-logging of nearby land; and, protect and maintain environmental values.	AO 19.1 Stormwater and inter-allotment drainage is collected and discharged in accordance with the <i>Capricorn Municipal Development Guidelines</i> .	Complies Stormwater will be conditioned to be collected and discharged in accordance with Council's standards.
Roads and rail		
Infrastructure - refer to the Infrastructure overlay code for development in the proximity of, or potentially affecting State infrastructure.		
PO 20 Protection of State controlled roads Development adjacent to State-controlled roads is located to ensure safe and efficient use of the highway, and maintain and enhance the integrity of the highway as a link between centres.	AO 20.1 No direct access to State-controlled roads is permitted except at where the site access is existing or where the development site has frontage only to a State-controlled road/s.	Complies The proposal will continue to operate with a suitable access to the Carnarvon Highway.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 21 Roads An all-weather road is provided between the premises and the existing road network.	AO 21.1 Roads are designed and constructed in accordance with the <i>Capricorn Municipal Development Guidelines</i> . AO 21.2 Premises have an approved access to the existing road network.	Not Applicable No new roads are proposed. No upgrades were identified as being required. Complies The proposal will continue to operate with a suitable access to the Carnarvon Highway.
Access, parking and manoeuvring		
PO 22 Vehicle access Vehicle access is provided to a standard appropriate for the activity and the zone.	AO 22.1 Access roads are to be all-weather and connect to the existing road network via a crossover designed and constructed in accordance with <i>the Capricorn Municipal Development Guidelines</i> . AO 22.2 Access is to be designed and constructed in accordance with the <i>Capricorn Municipal Development Guidelines</i> . Note: An 'all-weather' road is a road that remains accessible during all normal weather events but can exclude continued functioning during natural hazard events such as fire and flood.	Complies Internal access roads are constructed to a suitable all-weather standard.
PO 23 Parking and manoeuvring Vehicle parking and service vehicle provision is adequate for the activity, and ensures both safety and functionality for motorists and pedestrians.	AO 23.1 All uses provide vehicle parking in accordance with Schedule 7, Parking standards. AO 23.2 All uses provide for vehicle manoeuvring in accordance with Australian Standard AS 2890. AO 23.3	Complies Car parking is provided on site in accordance with the relevant standards. All vehicles can enter and exit the development in a forward gear.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
	<p>All car parking, access and manoeuvring areas have a serviceable, all-weather surface.</p> <p>AO 23.4 All vehicles drive forward when entering and exiting the site.</p>	
ENVIRONMENTAL		
Biodiversity: <i>in addition, refer to the Biodiversity areas overlay code</i> where mapped in the SPP mapping as MSES.		
<p>PO 24 Air emissions Air emissions including odour from premises do not cause environmental harm or nuisance to adjoining properties or sensitive land uses.</p>	<p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p>Complies Conditions will be applied to ensure any air emissions will not cause harm or nuisance to adjoining properties or sensitive land uses</p>
<p>PO 25 Energy use Non-renewable energy use is minimised through efficient design and the adoption of alternative energy sources.</p>	<p>AO 25.1 Passive solar design principles are adopted in buildings in order to maximise energy efficiency.</p> <p>AO 25.2 Building design and orientation provide opportunities for the incorporation of alternative energy technologies.</p>	<p>Complies The development achieves suitable energy efficiency levels.</p>
<p>PO 26 Vegetation retention Development retains vegetation not mapped as MSES where it is:</p> <ul style="list-style-type: none"> (a) adjacent to watercourses and protecting water quality (riparian); (b) protecting an identified habitat; or (c) minimising soil erosion. 	<p>Note: MSES areas are mapped on the SPP Interactive Mapping System (Plan Making).</p>	<p>Not Applicable No clearing of vegetation is required to operate the proposed use.</p>
<p>PO 27 Pests Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.</p>	<p>AO 27.1 Development avoids the introduction of non- native pest species.</p> <p>AO 27.2</p>	<p>Complies Conditions will be applied to ensure no pest species are introduced.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
	The threat of existing pest species is controlled by adopting pest management practices that provide for long-term ecological integrity.	
PO 28 Watercourse buffers Development ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.	AO 28.1 A minimum 10 m wide vegetated buffer area is provided extending from the high bank of any watercourse. Buffer areas include a cover of vegetation, including grasses.	Not Applicable
PO 29 Watercourse integrity Bank stability, channel integrity and in- stream habitat is protected from degradation and maintained or improved at a standard commensurate with pre- development environmental conditions. Development ensures that the natural surface water and groundwater hydrologic regimes of watercourses and associated buffers are maintained to the greatest extent possible.	AO 29.1 No direct interference or modification of watercourse channels, banks or riparian and in- stream habitat occurs. AO 29.2 Existing natural flows of surface and groundwater are not altered through channelisation, redirection or the interruption of flows.	Complies The development will not impact any watercourses.
PO 30 Water quality The standard of effluent and/or stormwater runoff from premises ensures the quality of surface water is suitable for: (a) the biological integrity of aquatic ecosystems; (b) recreational use; (c) supply as drinking water after minimal treatment; (d) agricultural use or industrial use; and (e) minimises nuisance or harm to adjoining landowners.		Complies Stormwater and wastewater conditions will be applied to ensure the quality of any runoff complies with the relevant standards.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 31 Sloping land Development is undertaken to ensure: (a) vulnerability to landslip erosion and land degradation is minimised; and that the safety of persons and property is not compromised.	AO 31.1 Development is not undertaken on slopes exceeding 15%.	Not Applicable
SAFETY AND RESILIENCE TO HAZARDS		
<i>Airport environs -refer to the Airport and aviation facilities overlay code</i> where areas are mapped in the SPP mapping as within an area of interest of an airport.		
<i>Bushfire - refer to the Bushfire hazard areas overlay code</i> where mapped in the SPP mapping as medium bushfire hazard or above.		
<i>Flooding - refer to the Flood hazard overlay code</i> where areas are mapped as within a defined flood area.		
ACCOMMODATION ACTIVITIES - additional requirements Note: Accommodation activities (Dual occupancy, Dwelling house, Dwelling unit, Home-based business, Non-resident workforce accommodation, Rural worker's accommodation, Short-term accommodation, Tourist park) are code assessable, accepted development subject to requirements or accepted development in the Rural zone.		
<i>For Home-based business - see also the Home-based business code.</i>		
<i>For Accommodation activities - see also the Accommodation activities code.</i>		

Part 8 - Overlays

Overlays identify areas in the planning scheme that reflect state and local level interests and identify areas sensitive to development, development constraints and/or opportunities.

Part 8.2.1 Agricultural land overlay code, Part 8.2.3 Biodiversity areas overlay code and Part 8.2.5 Flood hazard overlay code

The development footprint is located outside the areas of the site mapped as being impacted by the above overlays. In accordance with Section 5.3.2 (5) of the Planning Scheme, "*where development is proposed on premises partly affected by an overlay, the category of development or assessment for the overlay only relates to the part of the premises affected by the overlay.*"

Therefore, no further assessment against the overlay codes is required to be undertaken.

Part 8.2.6 Bushfire hazard overlay code

The development footprint is mapped as containing a small area of medium bushfire hazard, surrounded by the potential impact buffer.

The proposed development is considered to comply with the outcomes of the bushfire hazard overlay code as:

- the nature of the development is compatible with the nature of the hazard in that no vulnerable uses are proposed;
- the site has historically been cleared of vegetation and limited bushfire source is available on site;
- the site has adequate water supply available in the event of a fire;
- the proposal is not for community infrastructure;
- all internal roads are sufficient to cater for emergency vehicles, if required; and
- conditions have been applied to ensure the Environmental Management Plan appropriately addresses bushfire hazard.

Part 9 – Development Codes

Part 9.3.3 Extractive Industry code

The purpose of the code will be achieved through the following overall outcomes:

- (a) The design and layout of extractive industries adequately address the impacts of the development on the environment both on and off the site, and avoid impacts on sensitive land uses;*
- (b) adequate separation distances are provided between extractive industries and potentially incompatible land use activities;*
- (c) extractive industries are compatible with the desired amenity and character of the locality;*
- (d) the protection of environmental values is balanced with the operation of extractive industries;*
- (e) the safety and efficiency of haulage routes used by extractive industries are not detrimentally impacted by the development;*
- (f) land disturbed by Extractive Industry is restored and rehabilitated to achieve a stable landform and enable the establishment of future land uses.*

The proposed development is considered to comply with the Overall Outcomes as:

- the site has operated as part of an extractive industry use for a number of years. It is considered that through suitable operating practices, the development will be able to manage any potential off-site impacts.
- The operation of the site has been conditioned to ensure that downstream environmental values are protected;
- The proposal will not impact the safety and efficiency of the Carnarvon Highway; and
- Conditions will be applied for rehabilitation to be undertaken upon cessation of the use.

(A) PERFORMANCE OUTCOMES	(B) ACCEPTABLE OUTCOMES	(C) RESPONSE
PLANNING		
Use, density and built form		
Key resource areas – in addition, refer to the Extractive resources overlay code where mapped in the SPP mapping as a KRA.		
PO 1 Location The site of the <i>Extractive industry</i> is suitable for the efficient extraction of material and ensures impacts on the surrounding environment are minimised. (a) Note: In determining the suitability of a site for <i>Extractive industry</i> it is necessary to consider: (a) the location, size and dimension of the land; (b) the overall scale and nature of the use; (c) its geological and geotechnical characteristics; (d) the proposed method of extraction; (e) visual impacts and the preservation of local amenity; (f) the retention of environmental values; (g) adequate separation from adjoining land uses; and (h) the management of declared plants on site.	AO 1.1 <i>Extractive industry</i> is located in the Rural zone. AO 1.2 The site has sufficient area and dimensions to accommodate: <ul style="list-style-type: none"> the extractive use; safe vehicular access and safe and efficient on-site vehicular movements; buildings including staff facilities; parking areas for visitors and employees sited clear of the extractive activity; storage areas and stockpiles; the preservation of any environmentally significant land such as riparian corridors, significant vegetation and the like; vegetated buffer areas; and sufficient separation distances to prevent unacceptable impacts beyond site boundaries. 	Complies The site is in the Rural Zone. Complies The subject site has sufficient area to accommodate the extractive use, all associated buildings and amenities, stormwater drainage infrastructure, parking and access. Stockpiles will be located within the property boundaries. No clearing of vegetation or encroachment on riparian areas is proposed.
PO 2 Separation The effects of <i>Extractive industry</i> operations including dust, air and noise emissions, blasting, vibration, overpressure and associated transport movements do not unreasonably disrupt the amenity of sensitive land uses or land identified for future sensitive land uses. (b) Note: Sensitive land uses are defined in the State Planning Policy.	AO 2.1 <i>Extractive industry</i> operations that involve blasting, crushing or screening are located with a minimum separation distance of 1500 m from sensitive land uses or land identified for future sensitive land uses. (a) AO 2.2 <i>Extractive industry</i> operations that do not involve blasting, crushing or screening are located with a minimum separation distance of 1000 m from a sensitive land use or land identified for future sensitive land uses.	Complies The extraction area not located within 1500m of a dwelling house not associated with the activity. Notwithstanding, the recommended conditions include requirements to ensure no unreasonable nuisance is caused to nearby sensitive land uses.

(A) PERFORMANCE OUTCOMES	(B) ACCEPTABLE OUTCOMES	(C) RESPONSE
	<p>(b) AO 2.3 An impact report by a suitably qualified practitioner must demonstrate that amenity levels set by the <i>Environmental Protection Act 1994</i> can be achieved at any sensitive receptor or at a site of sensitive land use including future land uses.</p>	<p>Complies The applicant has submitted a Planning Assessment Report that has been conditioned to be amended to operate as a standalone environmental management plan.</p>
<p>PO 3 Buffers The visual impact of <i>Extractive industry</i> is minimised to achieve integration with the surrounding landscape and to the extent practical, is screened from roads, public vantage points and neighbouring properties, having regard to:</p> <ul style="list-style-type: none"> (a) the characteristics of the site and surrounding area; (b) the resource being extracted; and (c) the desired visual character of the locality. <p>Note: To demonstrate compliance to the assessment manager, information on the methods to be implemented to reduce potential adverse visual impacts of the development is required. These methods may include, but are not limited to:</p> <ul style="list-style-type: none"> (a) locating exposed features behind natural barriers; (b) constructing amenity banks and vegetation screens; (c) carrying out timely rehabilitation works; (d) minimising signage; (e) using building materials and colour schemes that integrate with the surrounding landscape; (f) limiting and containing artificial lighting within the site; and (g) configuring access and haulage roads to prevent direct views into the site. <p>(c)</p>	<p>AO 3.1 No <i>Extractive industry</i> or ancillary activity is conducted within 100 m of any boundary of the site.</p> <p>(c) AO 3.2 Views into the site, including any quarry floor, benches and faces, are not immediately visible from any road frontage or adjoining property.</p> <p>(d) AO 3.3 Any area used for the storage of vehicles, machinery, goods and materials used on the site, is to be screened from view from any road frontage and adjoining property with fencing and/or vegetation.</p>	<p>Alternative Solution The extraction area will extend within 100m of the property boundary. No additional fencing or vegetation is proposed to screen the activity from surrounding land uses.</p> <p>The extractive industry operation will not be visible from the road frontage. Any potential visual impact of the use is considered to be adequately managed.</p>
Amenity		
<p>PO 4 Advertising devices Signage is sufficient for the display of information relevant to the operation of the <i>Extractive industry</i>, including details required in the case of an emergency, whilst not impacting upon the visual amenity of the locality.</p>	<p>AO 4.1 Signage is provided at the entrance to the site displaying information including details of, and contact phone numbers for:</p> <ul style="list-style-type: none"> (a) the operator of the site; and (b) person/s responsible for the management of the site. 	<p>Complies Conditions will be applied to ensure appropriate signage is in place at the property entrance.</p>

Maranoa Regional Council

Ordinary Meeting - 14 February 2024

(A) PERFORMANCE OUTCOMES	(B) ACCEPTABLE OUTCOMES	(C) RESPONSE
Avoiding nuisance		
<p>PO 5 Operating hours <i>Extractive industry</i> is undertaken within appropriate hours to avoid disturbance of sensitive land uses.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p>AO 5.1 Activities involving extraction, crushing, screening, loading, haulage and the operation or maintenance of plant equipment and vehicles are limited to between the hours of 6.00 am to 6.00 pm Monday to Saturday.</p> <p>(e) (f) AO 5.2 Blasting operations are limited to between the hours of 9.00 am to 5.00 pm Monday to Friday.</p> <p>(g) AO 5.3 No <i>Extractive industry</i> operations are conducted on Sundays or public holidays.</p>	<p>Complies Operating hours are in accordance with AO5.1.</p> <p>Alternative Solution Existing blasting activities are limited to 9am-3pm, Monday to Friday and 9am-1pm on Saturdays.</p> <p>Complies No activities are proposed on Sundays or public holidays.</p>
ENGINEERING		
Roads and rail		
<p>PO 6 Roads The haulage of extractive material does not result in the deterioration of roads used by ensuring:</p> <p>(a) the roads used as haulage routes are of an adequate standard to accommodate the type and frequency of traffic generated;</p> <p>(b) haulage routes are maintained, including the removal of dirt and other spillages from trucks; and</p> <p>(c) haulage routes do not compromise traffic safety in the area.</p> <p>Note: The submission of a traffic impact analysis prepared by suitably qualified and experienced personnel will be necessary to demonstrate compliance to the assessment manager. The traffic impact analysis should identify the expected traffic movements generated by the proposal, any associated impacts on the road network, and any work that will be required to address the identified impacts.</p>	<p>AO 6.1 The <i>Extractive industry</i> haulage route/s from the development site entrance to the State-controlled road network, are constructed in accordance with the <i>Capricorn Municipal Development Guidelines</i>.</p>	<p>Not Applicable The site connects directly into the State-controlled road network.</p>

Maranoa Regional Council

Ordinary Meeting - 14 February 2024

(A) PERFORMANCE OUTCOMES	(B) ACCEPTABLE OUTCOMES	(C) RESPONSE
Access, parking and manoeuvring		
PO 7 Access roads Internal roads are safe and minimise impacts such as noise and dust on adjoining uses.		Complies Internal access roads are suitably constructed.
ENVIRONMENTAL		
PO 8 Biodiversity Operations of the <i>Extractive industry</i> do not result in unacceptable impacts on the natural environment or adversely affect the ecology of the locality.	AO 8.1 No vegetation is cleared outside the designated resource/processing area/s or haulage route/s.	Complies No vegetation will be cleared to facilitate the proposed development.
PO 9 Site rehabilitation Rehabilitation of the site is to be carried out progressively over the life of the <i>Extractive industry</i> and upon cessation of the use to retain environmental values and the natural appearance of the surroundings and to restore the site to a state equivalent to, or better than, the original condition of the land.	AO 9.1 Rehabilitation of the site is carried out over the life of the <i>Extractive industry</i> and upon cessation of the use to ensure the site: (a) is safe and achieves a stable landform that does not capture overland flow; (b) is suitably revegetated; (c) is clean of contaminants; (d) has had any adverse environmental impacts remediated; (e) provides an acceptable level of visual amenity; and (f) is suitable for alternative land uses.	Complies Conditions will be applied to ensure the site is progressively rehabilitated.
SAFETY AND RESILIENCE TO HAZARDS		
Public safety		
PO 10 Safety Access to the site is managed to protect the health and safety of the public.	A 10.1 Safety fencing is provided and maintained to prevent unauthorised access to resource extraction/processing areas and stockpiles. (h) AO 10.2 Warning signs advising of the nature of the use and any danger or hazard, are placed on the perimeter fence every 200 m (or part thereof) on any frontage to a public road and boundary to land used for a sensitive land use. Note: Sensitive land uses are defined in the State Planning Policy.	Complies The site is suitably fenced and appropriate signage installed to maintain the health and safety of the public.

Input into the Report & Recommendation:

Consultation about this application has occurred with:

- Infrastructure Managers and Local Directors (internal)
- State Assessment and Referral Agency (external) – as a Concurrence Agency to the application.

Public Notification

The application was subject to Impact assessment and required public notification under the *Planning Act 2016*.

No submissions were received in relation to the development application.

Funding Bodies:

N/A – The project is a private development that will be funded by an external party unless there is specific agreement by other parties, including the Council, to meeting those costs.

This Financial Year's Budget:

The costs of fulfilling any development approval obligations, financial or otherwise, remains the sole responsibility of the landowner/s unless there is specific agreement by other parties, including the Council, to meeting those costs.

There is potential for Council to incur costs in the event that its decision regarding the application is appealed to the Court.

Future Years' Budgets:

As above.

Impact on Other Individuals or Interested Parties:

J & M Collinson Earthmoving Pty Ltd as the applicant and Ms CE Collinson as the landowner will be impacted by Council's decision.

Risks:

Potential risks associated with the proposal have been addressed in the development assessment. Other matters outside of this, which are not called up in the *Planning Act 2016*, cannot be considered in decision making.

Advice to Council:

It is considered that on balance, the proposal presents sufficient grounds to overcome any inconsistencies with the applicable assessment benchmarks. Development conditions have been recommended to be consistent with adjacent development and to achieve compliance to the greatest extent possible. Any residual inconsistency with the assessment benchmarks needs to be considered in light of various relevant matters including:

- the proposal is adjacent to an existing extractive industry use;
- the operation of the activity has been issued with an Environmental Authority; and
- the use of the site supports regional development and infrastructure.

Recommendation:

Council should endorse the officer recommendation and approve the development application for a Material change of use for an “Extractive Industry” (up to 300,000 tonnes per annum) at 3401 Carnarvon Highway, Eumamurrin, being Lot 2 on SP200044 and Easement A on SP330834, subject to reasonable and relevant conditions.

Link to Corporate Plan:

Corporate Plan 2023-2028

Strategic Priority 4: Growing our region

4.7 Plan and manage the growth of our towns

Supporting Documentation:

Nil

Report authorised by:

Director - Regional Development, Environment and Planning

PLANNING & BUILDING DEVELOPMENT REPORT

Meeting: Ordinary 14 February 2024

Date: 18 January 2024

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)

Classification: Open Access

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.

Officer's Recommendation:

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 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	11 July 2023

	Elevation Plan	
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 100m 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.
- 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 50m³.
- 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.

Individuals or Organisations to which the report applies:

Council's decision regarding this matter is likely to affect Ironpot Co Pty Ltd and the Trustee for Ironpot 3 Trust as the applicants, and Christopher James Skelton as the landowner.

Council's decision may also affect and/or be of interest to James L Stinson, Natalie Stinson, Errol J Rolfe, Colleen F Rolfe and Brice V Rolfe as the submitters to this application.

Council's decision will also affect the ongoing maintenance cost and obligations for the proposed haul roads for the operation, including Massey Lane, Bullagai Road and Mount Abundance Road.

Acronyms:

Acronym	Description
AEP	Annual Exceedance Probability
DAF	Department of Agriculture and Fisheries
EA	Environmental Authority
ERA	Environmentally Relevant Activities
GFA	Gross Floor Area
LGIP	Maranoa Regional Council Local Government Infrastructure Plan
MNES	Matters of National Environmental Significance
MSES	Matters of State Environmental Significance
Planning	<i>Maranoa Planning Scheme (version 4)</i>

Scheme	
Regional Plan	<i>Darling Downs Regional Plan 2013</i>
SARA	State Assessment and Referral Agency
SBEMP	Site Based Environmental Management Plan
SCU	Standard Cattle Units

Context:

The determination of Impact Assessable applications is generally made by Council resolution.

Background:

Site Characteristics

The site is a large, irregular shaped allotment located at 5960 Mount Abundance Road, Mount Abundance QLD 4455, properly described as Lot 21 on SP132318. The site is approximately 2,767ha, with primary frontage to Bullagai Road being an unsealed rural road. The site is located approximately 72km southwest of Roma, by road.

The site is included within the Rural Zone in the *Maranoa Planning Scheme (version 4)* ('Planning Scheme').



Figure 1 – Aerial Map of Site (Source: Spectrum Spatial)

The site is currently used for rural activities including low density beef cattle grazing on native and improved pastures and a drought feeding facility. The site is improved by stock-proof fencing as well as watering and cattle handling facilities. The Intensive Animal Industry operations (as applied for) also currently exist on the site.

The area surrounding the site is characterised by agricultural pursuits such as dryland cropping and cattle grazing.

Proposal

The applicant is seeking a development approval to formalise the beef cattle feedlot established on the site, with a capacity of up to 1,975 SCU. The proposed development constitutes an “Intensive Animal Industry” and “Caretakers Accommodation” under the Planning Scheme.

The proposed development is also defined as intensive animal feedlotting, which is a prescribed ERA under the *Environmental Protection Regulation 2019*. An EA for the development was approved by DAF on 22 August 2023.

The development includes a permanent production pen area with adjoining feed alleys in which the beef cattle (up to 1,975 SCU) are housed in the open air. The operation includes the following components:

- Water supply/storage and reticulation infrastructure;
- Production pens, livestock handling infrastructure and facilities;
- Feed processing and commodity storage;
- Internal roads;
- Administrative/maintenance infrastructure;
- Controlled drainage area;
- Solid waste and effluent management areas; and
- Caretakers Accommodation.

The operation will require 3 full time staff and 2 casual staff. Staff will be accommodated on site in existing buildings (homestead) as well as the proposed Caretakers Accommodation.

The proposed Caretaker's Accommodation will be ancillary to the Intensive Animal Industry activity. The Caretaker's Accommodation will be a single storey prefabricated building. The floor plan is shown below.

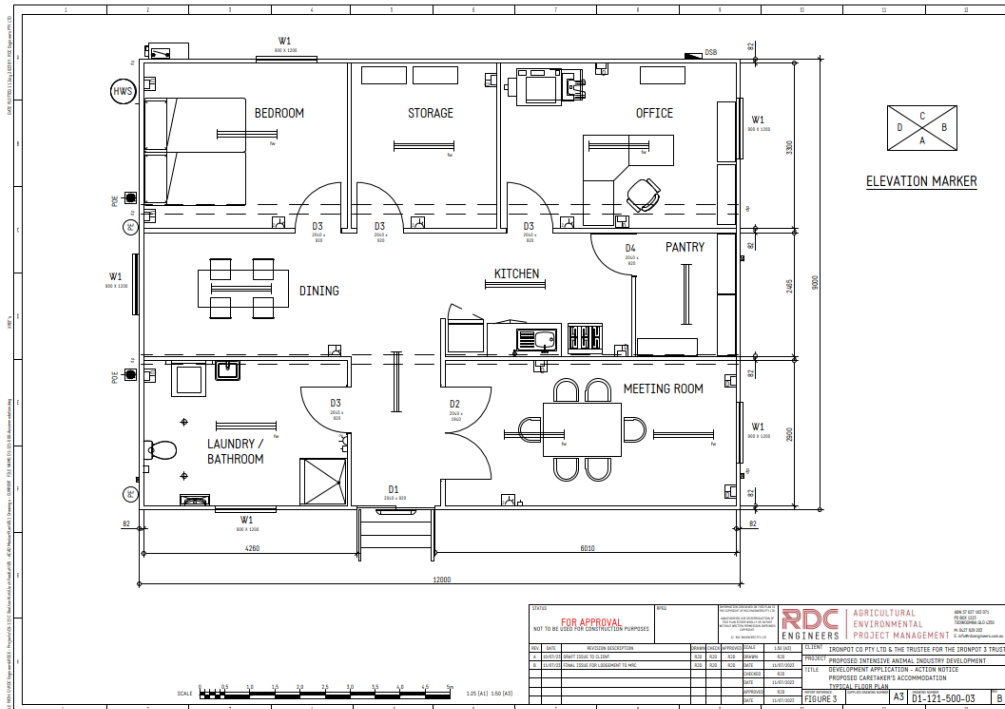


Figure 5: Caretaker's Accommodation Layout

The operation will be accessed via the existing property access/entrance from Bullagai Road. Two haulage routes are proposed, as follows:

1. From the Warrego Highway to the proposed development via Massey Lane onto Mt Abundance Road onto Bullagai Road.
2. From Roma Southern Road to the development via Mt Abundance Road onto Bullagai Road.

Water for the Intensive Animal Industry activity will be sourced from an existing surface water authorisation from the Muckadilla Creek and reticulated around the development via a gravity and/or pressurised system. Onsite water storage shall be earthen turkeys nest and storage tanks. Domestic water for the caretaker's accommodation will be sourced from rainwater runoff tanks and groundwater.

Domestic sewerage will continue to be dealt with by way of an on-site domestic sewerage management system.

Contaminated stormwater runoff will be managed through the implementation of a controlled drainage area, including a levee bank system, catch drains, sedimentation system and a holding pond. Runoff from the controlled drainage areas (effluent) will be used on site as a fertiliser in the designated areas.

The operation is expected to produce a significant volume of solid waste, including manure, waste feed, mortalities and pond sludge. All solid material will be stored, processed and/or composted on a suitably designed and constructed area within the controlled drainage area.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

The proposal constitutes a *Material Change of Use* as defined in the *Planning Act 2016* as the development will result in the start of a new use of the premises.

The proposed development is defined as “**Intensive Animal Industry**” and “**Caretaker’s Accommodation**” in the *Maranoa Planning Scheme 2017* (the Planning Scheme):

Intensive Animal Industry:

(c) means the use of premises for:

- iii. the intensive production of animals or animal products, in an enclosure, that requires food and water to be provided mechanically or by hand; or
- iv. storing and packing feed and produce, if the use is ancillary to the use in subparagraph (i); but

(d) 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.

Pursuant to Section 45 of the *Planning Act 2016*, an Impact Assessable application is an assessment that:

(a) must be carried out—

- (i) against the assessment benchmarks in a categorising instrument for the development; and
- (ii) having regard to any matters prescribed by regulation for this subparagraph; and

(b) may be carried out against, or having regard to, any other relevant matter, other than a person’s personal circumstances, financial or otherwise.

Examples of another relevant matter—

- a planning need
- the current relevance of the assessment benchmarks in the light of changed circumstances
- whether assessment benchmarks or other prescribed matters were based on material errors

Assessment Benchmarks

The Assessment Benchmarks applicable to the development assessment are:

- the *Darling Downs Regional Plan 2013* ('Regional Plan');
- the *State Planning Policy 2017*; and
- the *Maranoa Planning Scheme 2017*.

After completing an assessment of the proposal against the Assessment Benchmarks, Council must make a decision about whether to approve or refuse this development application, in accordance with Section 60 of the *Planning Act 2016*.

The Darling Downs Regional Plan

The *Darling Downs Regional Plan* was adopted in October 2013 and covers the local government areas of Balonne, Goondiwindi, Maranoa, Southern Downs, Toowoomba and Western Downs. The intent of the Darling Downs Regional Plan is to provide direction to resolve competing State interests relating to the agricultural and resources sectors, and to enable the growth potential of the region's towns.

The Maranoa Planning Scheme appropriately integrates all relevant aspects of the Darling Downs Regional Plan. Despite this, the *Planning Regulation 2017* requires that Impact assessable applications be assessed against the relevant regional plan (irrespective of whether the planning scheme appropriately reflects the regional plan).

The subject site is not located within a Priority Living Area (PLA) nor a Priority Agricultural Area (PAA). The outcomes of the Regional Plan are therefore not considered to be applicable to the proposed development.

State Planning Policy (SPP)

The SPP has effect throughout Queensland and sits above regional plans and planning schemes in the hierarchy of planning instruments under the Act. The SPP applies when a local government is assessing a development application, if its planning scheme has not yet appropriately integrated the relevant SPP state interest policies.

The Maranoa Planning Scheme appropriately integrates all relevant aspects of the State Planning Policy, therefore a separate assessment of the application against this document is not required.

Council Policies or Asset Management Plans:

The *Maranoa Planning Scheme 2017* and the Maranoa Regional Council Local Government Infrastructure Plan ('LGIP') are applicable to the assessment of the application (the LGIP forms part of the Planning Scheme)

The relevant sections of the *Maranoa Regional Planning Scheme 2017* Include;

Part 3 Strategic Framework

Part 4 Local Government Infrastructure Plan

Part 5 Tables of assessment

Part 6 Zones

Part 6.2.1 Rural zone code

Part 8 Overlays

Part 8.2.7Agricultural Land overlay code

Part 8.2.3 Biodiversity areas overlay code

Part 8.2.5 Flood Hazard overlay code

Part 8.2.6 Bushfire hazard overlay code

Part 9 Development codes

Part 9.3.1 Accommodation Activities code

Part 9.3.5 Rural Activities code

Part 3 – Strategic Framework

The strategic framework sets the policy direction for the Planning Scheme and forms the basis for ensuring appropriate development occurs within the planning scheme area, for the life of the planning scheme.

An assessment of the proposed development against the strategic themes of the Planning Scheme is provided in the table below:

Theme	Response
Liveable communities and housing	<p>The proposed development is strategically located in the Rural Zone, within a dryland cropping and cattle producing region. The site is not located within an urban area or rural township and does not involve higher density living.</p> <p>The development is compatible with and considered to be within reasonable expectations for the type of use anticipated in this locality.</p>
Economic Growth	<p>The development is for an intensive agricultural use (Intensive Animal Industry) and Caretakers Accommodation which contributes to the economic diversification of the region through existing rural activities and rural sector employment activities.</p> <p>The development has been sited so that the function, connectivity and pasture productivity of the stock route network are maintained.</p>

Theme	Response
Environment and heritage	<p>The proposed development has been sited and designed to protect areas of environmental significance and areas of cultural and heritage significance from potential adverse impacts of development.</p> <p>The Site Based Environmental Management Plan ('SBEMP') provided for the application demonstrates that the proposed development can suitably manage potential adverse impacts as far as reasonably practical. In addition, environmental impacts will be regulated as part of the EA permit issued by DAF.</p>
Hazards and safety	<p>The proposed development is a compatible land use, being for a listed rural activity in the Rural Zone. The development has been sited and designed to minimise risks posed by natural hazards and will not affect the role of emergency services during a natural hazard.</p> <p>It is also recommended that a Bushfire Management Plan be provided to Council within 6 months of the development approval taking effect.</p>
Infrastructure	<p>The proposed development does not require any upgrades to relevant networks or connection to Council's reticulated infrastructure.</p> <p>The additional impacts to Council roads and the State Controlled Road network have been assessed in a Traffic Impact Assessment. Conditions of development can be imposed to manage impacts.</p>

Part 4 - Local Government Infrastructure Plan

The Maranoa Regional Council LGIP was adopted by Council in 2018. The development does not propose extending any of Council's infrastructure networks, nor is it considered necessary, practical or reasonable to require infrastructure upgrades to Council infrastructure networks to service the development. Any charges applicable as a result of the added demand placed on Council's existing infrastructure networks will be applied accordingly.

Part 5 - Tables of assessment

The Tables of Assessment identify the category of development, the category of assessment and the assessment benchmarks for assessable development in the planning scheme area. The Tables of Assessment identify the level of assessment for the proposed Intensive Animal Industry use as 'Impact Assessment'.

Part 6 - Zones

Zones organize the planning scheme area in a way that facilitates the location of preferred or acceptable land uses. The premises is included within the Rural Zone.

Part 6.2.1 Rural Zone Code

The purpose of the zone is to:

- (a) provide for a wide range of rural uses including cropping, intensive horticulture, intensive animal industries, animal husbandry, animal keeping, extractive industry, special industry (explosives manufacturing and storage) and other primary production activities on large lots without affecting urban areas;*
- (b) provide opportunities for non-rural uses that are compatible with agriculture, the energy sector, the environment and the landscape character of the rural area where they do not compromise the long-term use of the land for rural purposes;*
- (c) protect or manage significant natural features, resources, cropping land, and processes, including the capacity for primary production;*
- (d) ensure primary production is maintained by protecting the productive capacity of all rural land. This includes protecting rural land from alienation and fragmentation that may lead to a loss in productivity;*
- (e) ensure that development in the zone protects and enhances transport infrastructure; and,*
- (f) ensure that development maintains the integrity and water quality of the Murray Darling Basin Catchment.*

The overall outcomes sought for the Rural zone code are as follows:

- (a) areas for use for primary production are conserved and are not fragmented;*
- (b) the establishment of a wide range of rural pursuits is facilitated, including cropping, intensive horticulture, intensive animal industries, animal husbandry and animal keeping and other compatible primary production uses, ensuring that land use and amenity impacts are minimised at sensitive receptors;*
- (c) development is designed to incorporate sustainable practices including maximising energy efficiency, water conservation and transport use;*
- (d) development is reflective of and responsive to the environmental constraints of the land;*
- (e) development embraces sustainable land management practices and contributes to the amenity and landscape of the area;*
- (f) residential and other development is appropriate only where directly associated with the rural nature of the zone; MRC Planning Scheme Part 7 – Local plans and precinct codes*
- (g) the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated only where they do not compromise the use of the land for rural activities;*
- (h) the establishment of outdoor recreation and small-scale tourism facilities in suitable locations is facilitated in a manner that minimises land-use conflicts;*
- (i) natural features such as creeks, gullies, waterways, wetlands and bushland are retained, managed, enhanced and separated from adjacent development where possible;*
- (j) there is no net loss or degradation of natural wetlands for the life of the planning scheme;*

- (k) adverse impacts of land use both on-site, and from adjoining areas are addressed and any unavoidable impacts are minimised through location, design, operation and management;
- (l) visual impacts of clearing, building design and construction, materials, access ways and other aspects of development and land use are consistent with the zone purpose;
- (m) the viability of both existing and future rural uses and activities are protected from the intrusion of incompatible uses and development impacts on cropping land are managed to preserve the productive capacity of the land for future generations;
- (n) land which is susceptible to flooding or drainage problems, including difficulties associated with high groundwater tables is protected from urban or inappropriate uses;
- (o) rural land use is reflective of the surrounding character of the area;
- (p) low impact activities such as small-scale eco-tourism, outdoor recreation, and service industry are encouraged within the zone where they do not compromise the long-term use of the land for agricultural purposes; and,
- (q) development such as non-resident workforce accommodation to service the energy sector is catered for only on a short-term basis for periods not exceeding two years.

The proposed development complies with the overall outcomes because;

- Intensive Animal Industry is a consistent use in the Rural Zone.
- The development has been appropriately sited and designed and is to be managed in accordance with the *National Guidelines for beef Cattle Feedlots in Australia, National Beef Cattle Feedlot Environmental Code of Practice*
- Sufficient separation distances to sensitive receptors are included in the design of the development.
- The site has direct access via suitably sized and maintained rural roads, being Bullagai Road and Mt Abundance Road.

Assessment against the criteria of the Rural Zone code has been provided in the table below.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PLANNING		
Use, density and built form		
Agricultural land classification – in addition, refer to the Agricultural land overlay code where mapped in the SPP mapping as Class A or Class B Agricultural land.		
PO 1 Scale Non-rural activities are at a scale that protects the amenity of the area.		Not Applicable Intensive Animal Industries are defined as a rural activity.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 2 Location</p> <p>Non-rural activities must be located where there is convenient access unless the development is for an Extractive Industry (whose location is dependent on the resource) in which case appropriate access will be developed.</p> <p>Uses other than Rural activities or Dwelling house are located so as:</p> <ol style="list-style-type: none"> not to prejudice the consolidation of like non-rural uses in other more appropriate areas; to be co-located with other non-rural uses wherever possible; to be located on the major road network rather than local roads. <p>Note: Non-rural uses are any uses that are not associated with Rural activities or a Dwelling house.</p>	<p>AO 2.1</p> <p>Accommodation activities and their associated outbuildings are located below ridgelines.</p> <p>AO 2.2</p> <p>Accommodation activities are located to ensure the rural amenity and landscape views are protected and enhanced.</p>	<p>Not Applicable</p> <p>Intensive Animal Industries are defined as a rural activity.</p> <p>The proposed caretaker's accommodation is ancillary to the Intensive Animal Industry Use.</p>
<p>PO 3 Density and site coverage</p> <p>The density of Accommodation activities does not impact adversely on the rural amenity or rural activities of the zone.</p>		<p>Complies</p> <p>The proposed caretaker's accommodation complies with the density and is ancillary to the Intensive Animal Industry Use.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 4 Setbacks</p> <p>Building setbacks:</p> <ul style="list-style-type: none"> a) assist in enhancing the character and amenity of the area; b) are appropriate to the scale of the development; c) are sufficient to minimise loss of privacy, overshadowing and overlooking of adjoining premises; and d) provide adequate separation and buffering between residential and non-residential premises. 	<p>AO 4.1</p> <p>Buildings and car parking areas are set back a minimum of 15 m from the primary street frontage, 15 m from any secondary frontage and 5 m from side and rear.</p> <p><i>For development on a corner allotment:</i></p> <p>AO 4.2</p> <p>No structure exceeding 2 m in height is to be built within a 20 m by 20 m truncation at the corner of the two road frontages.</p>	<p>Performance Solution</p> <p>All development is to be contained within the boundaries of the site.</p> <p>Buildings and car parking areas associated with the use are setback approximately 14m from the primary street frontage with a levee embankment crest 5m from the primary street frontage.</p>
<p>PO 5 Separation</p> <p><i>Rural activities</i> are sufficiently separated from any existing or planned residential or rural residential area or other <i>sensitive land use</i> to avoid any adverse impacts including noise, dust, odour, visual impact, traffic generation, lighting, radiation or other emissions or contaminants.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>		<p>Complies</p> <p>The proposed development has been designed and constructed in accordance with the National Guidelines for Beef Cattle Feedlots.</p> <p>The proposal includes sufficient separation distances from the nearest sensitive land uses. The use will be managed to suitably mitigate potential impacts such as traffic, noise, dust, odour and lighting. These impacts will be regulated as part of the EA permit issued by DAF.</p> <p>Conditions will be applied to ensure the development operates in accordance with the SBEMP.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 6 Outbuildings Rural amenity is to be maintained.</p>	<p>AO 6.1 Outbuildings are to be located a minimum of 15 m from the boundary fronting the public road and a minimum of 5 m from any other boundary; and</p> <p>AO 6.2 For lots equal to or greater than 1000 ha, outbuildings for rural uses may be any size.</p> <p>AO 6.3 For lots equal to or greater than 10 ha and less than 1000 ha outbuildings for rural uses may be up to 8.5 m in height and 300 m² floor area.</p> <p>AO 6.4 For lots less than 10 ha outbuildings for rural uses may be up to 4.2 m in height and 120 m² floor area.</p> <p>Note: Outbuildings' include any form of shipping container, railway carriage, pre-fabricated building or the like, that is used for storage that is ancillary to the primary land use. These forms of outbuildings are an acceptable outcome in the Rural zone.</p>	<p>Complies The site is 2767ha and all outbuildings are ancillary to the Intensive Animal Industry use.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 7 Important agricultural areas Important agricultural areas are optimised for the promotion and enabling of increased agricultural production.	AO 7.1 Development does not significantly reduce the agricultural capacity of important agricultural areas. Note: Important agricultural areas are mapped on the SPP Interactive Mapping System (Plan Making).	Complies The proposed development will utilise solid waste to improve the viability of agricultural production activities.
PO 8 ALC Class A and Class B agricultural land Avoid locating non-agricultural development on, or adjacent to, ALC Class A or Class B land.	AO 8.1 Development on or adjacent to ALC Class A or Class B land is complementary to agriculture and does not diminish or risk the viability of future agricultural productivity.	Complies The Intensive Animal Industry operation and caretaker's accommodation is located wholly outside of areas mapped as ALC A or B.
PO 9 Sensitive land Rural land uses are 'protected from encroaching incompatible land uses'.	AO 9.1 Sensitive land uses and non-rural activities do not compromise the viability of existing or future rural activities. Note: Sensitive land uses are defined in the State Planning Policy.	Complies The proposed caretaker's accommodation is ancillary to the feedlot use and will not compromise the viability of any surrounding activities.
Amenity		
Advertising signs - refer to the Operational works advertising devices code		
Heritage places - in addition, refer to the Heritage overlay code where mapped in the SPP Cultural heritage mapping or listed in the Heritage and character policy		
PO 10 Cultural heritage The physical integrity and significance of cultural heritage discovered during development are retained. Note: Cultural heritage refers to indigenous and non-indigenous cultural heritage.	AO 10.1 Protection of cultural heritage is achieved by demonstrated agreement with the appropriate aboriginal or cultural heritage body responsible for the care of that heritage.	Complies The site has no recorded cultural heritage items or artefacts.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
Avoiding nuisance		
PO 11 Operating Hours Uses are operated in a manner that ensures that local amenity is protected.	<p>For Business and Entertainment activities: AO 11.1 Uses are operated between the hours of 6.00 am and 6.00 pm.</p> <p>For Community activities: AO 11.2 Community activities are operated between the hours of 7.00 am and 8.00 pm where adjoining land in the General Residential Zone, Rural Residential Zone or land designated as Future Urban or Rural Residential on a Strategic Plan Map.</p> <p>For Industry activities: AO 11.3 Uses are operated between the hours of 6.00 am and 6.00 pm, Monday to Saturday only, and not including public holidays.</p> <p>For all other uses: AO 11.4 No solution specified.</p>	Complies The proposed development will generally operate in daylight hours.
PO 12 Noise emissions Noise emissions from premises do not cause nuisance to adjoining properties or sensitive land uses.	Note: Sensitive land uses are defined in the State Planning Policy.	Complies The proposed development has demonstrated sufficient separation distances from the operation to the nearest sensitive land uses.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 13 Lighting Lighting is designed in a manner to ensure ongoing amenity and safety in the activity area, whilst ensuring surrounding areas are protected from undue glare or lighting overspill.	AO 13.1 All lighting does not exceed 8 lux at 1.5 m from beyond the site boundary.	Complies Lighting shall not produce a level of luminance that exceeds 8 lux at 1.5m beyond the site boundaries.
PO 14 Refuse storage Refuse storage areas are screened from the road and adjoining uses.		Complies Refuse storage areas are to be screened from the local road network and adjoining properties.
ENGINEERING		
<i>Earthworks - refer to the Excavation or filling code</i>		
<i>Infrastructure – refer to the Operational works infrastructure code</i>		
Erosion control		
PO 15 Construction activities Both erosion control and silt collection measures are undertaken to ensure the protection of environmental values during construction.	AO 15.1 During construction, soil erosion and sediment are managed in accordance with the Capricorn Municipal Development Guidelines.	Complies Soil erosion and sediment is to be controlled during construction in accordance with the Capricorn Municipal Development Guidelines.
Provision of services		
PO 16 Electricity supply Premises are provided with an adequate supply of electricity for the activity.	AO 16.1 Premises have an electricity supply that is approved by the relevant energy regulatory authority; and/or AO 16.2 Renewable energy systems contribute to the supply and use of electricity to and from the grid.	Complies The site is serviced by an overhead electricity supply that is approved by the relevant regulatory authority. The design of the development is able to incorporate renewable energy technologies in the future.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 17 Water supply</p> <p>To ensure the provision of a potable and fire- fighting water supply:</p> <p>a) premises are provided with a supply and volume of water adequate for the activity; and</p> <p>b) access is maintained to the supply for fire-fighting purposes; and</p> <p>c) access to reticulated water infrastructure is to be maintained for maintenance and replacement purposes</p>	<p>AO 17.1</p> <p>Premises have an approved water allocation as provided by the relevant agency and, in addition to the requirements under the 'Queensland Development Code MP 4.2':</p> <p>a) dwellings have a minimum water supply of 45,000 litres provided by a rainwater tank connected to the premises; or</p> <p>b) dwellings have a minimum water supply of 22,500 litres provided by a rainwater tank connected to the premises and an alternative source of fire-fighting water is available as a permanent body of water (such as a swimming pool or dam located on the site and within the proximity of the dwelling).</p>	<p>Complies</p> <p>The site has a surface water allocation which is of sufficient volume for the proposed development.</p> <p>The caretakers dwelling has a minimum water supply of 45,000 litres provided by a rainwater tank connected to the premises.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 18 Effluent disposal</p> <p>To ensure that public health and environmental values are preserved:</p> <p>a) all premises provide for the effective treatment and disposal of effluent and other wastewater; and</p> <p>b) access to reticulated infrastructure is to be maintained for maintenance and replacement purposes.</p>	<p>AO 18.1</p> <p>Premises have on-site effluent disposal systems designed in accordance with AS/NZS 1547:2012.</p>	<p>Complies</p> <p>The domestic on-site effluent systems is to be confirmed as being designed in accordance with AS/NZS 1547:2012.</p>
Stormwater and drainage		
<p>PO 19 Stormwater and inter-allotment drainage</p> <p>Stormwater is collected and discharged to:</p> <p>a) protect the stability of buildings and the use of adjacent land;</p> <p>b) prevent water-logging of nearby land; and,</p> <p>c) protect and maintain environmental values.</p>	<p>AO 19.1</p> <p>Stormwater and inter-allotment drainage is collected and discharged in accordance with the Capricorn Municipal Development Guidelines.</p>	<p>Complies</p> <p>Those areas of operation from which stormwater runoff has a high organic matter and therefore a high pollution potential are sited within a controlled drainage area, as detailed in the SBEMP.</p> <p>Appropriate drainage controls will direct clean water away from the operation. Contaminated stormwater runoff will be directed to drainage infrastructure.</p> <p>Natural drainage lines are proposed to be maintained.</p>
Roads and rail		
<p>Infrastructure - refer to the Infrastructure overlay code</p> <p>for development in the proximity of, or potentially affecting State infrastructure.</p>		

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 20 Protection of State controlled roads Development adjacent to State-controlled roads is located to ensure safe and efficient use of the highway, and maintain and enhance the integrity of the highway as a link between centres.	AO 20.1 No direct access to State-controlled roads is permitted except at where the site access is existing or where the development site has frontage only to a State-controlled road/s.	Not Applicable The site is not adjacent to a State-controlled road.
PO 21 Roads An all-weather road is provided between the premises and the existing road network.	AO 21.1 Roads are designed and constructed in accordance with the Capricorn Municipal Development Guidelines. AO 21.2 Premises have an approved access to the existing road network.	Complies The site has direct access to local road network via Bullagai Road. The submitted Traffic Impact Assessment advises no upgrades to the road network are required. Signage is proposed to be installed to improve safety of the roads at specified locations.
Access, parking and manoeuvring		
PO 22 Vehicle access Vehicle access is provided to a standard appropriate for the activity and the zone.	AO 22.1 Access roads are to be all-weather and connect to the existing road network via a crossover designed and constructed in accordance with the Capricorn Municipal Development Guidelines. AO 22.2 Access is to be designed and constructed in accordance with the Capricorn Municipal Development Guidelines.	Complies Vehicle access is provided via Bullagai Road which is an all-weather access road. The submitted Traffic Impact Assessment advises no upgrades to the road network are required. Signage is proposed to be installed to improve safety of the roads at specified locations.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
	Note: An 'all-weather' road is a road that remains accessible during all normal weather events but can exclude continued functioning during natural hazard events such as fire and flood.	
PO 23 Parking and manoeuvring Vehicle parking and service vehicle provision is adequate for the activity, and ensures both safety and functionality for motorists and pedestrians.	AO 23.1 All uses provide vehicle parking in accordance with Schedule 7, Parking standards. AO 23.2 All uses provide for vehicle manoeuvring in accordance with Australian Standard AS 2890. AO 23.3 All car parking, access and manoeuvring areas have a serviceable, all-weather surface. AO 23.4 All vehicles drive forward when entering and exiting the site.	Complies 2 car parking spaces are to be provided adjacent to the caretaker's accommodation. No formal carparking is necessary for the Intensive Animal Industry use. However, any areas used as car parking areas has been conditioned to be designed in accordance with relevant Australian Standards. Sufficient on-site manoeuvring area has been provided to enable all vehicles to enter and exit the site in the forward direction.
ENVIRONMENTAL		
<i>Biodiversity: in addition, refer to the Biodiversity areas overlay code</i> where mapped in the SPP mapping as MSES.		
PO 24 Air emissions Air emissions including odour from premises do not cause environmental harm or nuisance to adjoining properties or sensitive land uses.	Note: Sensitive land uses are defined in the State Planning Policy.	Complies The development is to be designed and constructed in accordance with the National Guidelines for Beef Cattle Feedlots. Sufficient buffer distances are provided between the operation and surrounding sensitive land uses.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>PO 25 Energy use</p> <p>Non-renewable energy use is minimised through efficient design and the adoption of alternative energy sources.</p>	<p>AO 25.1</p> <p>Passive solar design principles are adopted in buildings in order to maximise energy efficiency.</p> <p>AO 25.2</p> <p>Building design and orientation provide opportunities for the incorporation of alternative energy technologies</p>	<p>Complies</p> <p>The design of the development is able to incorporate renewable energy technologies in the future.</p>
<p>PO 26 Vegetation retention</p> <p>Development retains vegetation not mapped as MSES where it is:</p> <ul style="list-style-type: none"> (a) adjacent to watercourses and protecting water quality (riparian); (b) protecting an identified habitat; or (c) minimising soil erosion. 	<p>Note: MSES areas are mapped on the SPP Interactive Mapping System (Plan Making).</p>	<p>Complies</p> <p>The proposed development has been appropriately sited, designed and shall be operated to avoid adverse impacts to areas of ecological significance.</p> <p>No riparian vegetation is proposed to be disturbed as part of the proposed development.</p>
<p>PO 27 Pests</p> <p>Development avoids the introduction of non-native pest species (plant or animal), that pose a risk to ecological integrity.</p>	<p>AO 27.1</p> <p>Development avoids the introduction of non-native pest species.</p> <p>AO 27.2</p> <p>The threat of existing pest species is controlled by adopting pest management practices that provide for long-term ecological integrity.</p>	<p>Complies</p> <p>Mitigation measures are to be implemented during operation of the proposed development to minimise the risk of introducing pest species onto the subject land.</p> <p>Mitigation measures may include implementation of vehicle hygiene procedures to prevent the introduction of pest plants, spread of pest plants and disease during construction.</p> <p>Existing pest species are</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
		be controlled by adopting pest management practices that provide for long-term ecological integrity.
<p>PO 28 Watercourse buffers</p> <p>Development ensures the maintenance of riparian areas and water quality including protection from off-site transfer of sediment.</p>	<p>AO 28.1</p> <p>A minimum 10 m wide vegetated buffer area is provided extending from the high bank of any watercourse. Buffer areas include a cover of vegetation, including grasses.</p>	<p>Complies</p> <p>Muckadilla Creek is located along the southern boundary of the site.</p> <p>The proposed development has been setback over 250 m from riparian vegetation and 250 m from the top bank of a watercourse.</p> <p>No riparian vegetation is proposed to be disturbed as part of the proposed development.</p>
<p>PO 29 Watercourse integrity</p> <p>Bank stability, channel integrity and in-stream habitat is protected from degradation and maintained or improved at a standard commensurate with pre-development environmental conditions.</p> <p>Development ensures that the natural surface water and groundwater hydrologic regimes of watercourses and associated buffers are maintained to the greatest extent possible.</p>	<p>AO 29.1</p> <p>No direct interference or modification of watercourse channels, banks or riparian and in-stream habitat occurs.</p> <p>AO 29.2</p> <p>Existing natural flows of surface and groundwater are not altered through channelisation, redirection or the interruption of flows.</p>	<p>Complies</p> <p>The proposed development has been setback over 250 m from Muckadilla Creek.</p> <p>No riparian vegetation or existing overland or underground flows are proposed to be disturbed as part of the proposed development.</p> <p>The development is contained within a controlled drainage area. Stormwater within the controlled drainage area is to be collected to prevent contamination.</p> <p>The effluent utilisation area is well set back from drainage features and watercourses.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
PO 30 Water quality The standard of effluent and/or stormwater runoff from premises ensures the quality of surface water is suitable for: <ul style="list-style-type: none"> a) the biological integrity of aquatic ecosystems; b) recreational use; c) supply as drinking water after minimal treatment; d) agricultural use or industrial use; and e) minimises nuisance or harm to adjoining landowners. 		Complies As above.
PO 31 Sloping land Development is undertaken to ensure: vulnerability to landslip erosion and land degradation is minimised; and that the safety of persons and property is not compromised.	AO 31.1 Development is not undertaken on slopes exceeding 15%.	Complies The proposed development is not sited on land with a slope exceeding 15%

Part 8 - Overlays

Part 8.2.7 Agricultural Land overlay code

The proposed development complies with the relevant outcomes of the Code because;

- The proposed development comprises rural activities/pursuits, being an Intensive Animal Industry and ancillary caretakers' accommodation.
- The development is located outside of land mapped as Agricultural Land Classification (ALC) Class A and Class B.
- The development does not involve the fragmentation of the agricultural land.

Part 8.2.3 Biodiversity Areas overlay code

The proposed development complies with relevant outcomes of the Code because;

- The development has been set back 250m from Muckadilla Creek. Stormwater management measures will be implemented to prevent runoff from entering Muckadilla Creek.
- The development is sited outside of areas mapped under the biodiversity overlay. No clearing of regulated vegetation is proposed as a part of the development.
- The proposed development has been designed to protect known populations and the supporting habitat of State and Commonwealth endangered, vulnerable and near-threatened flora and fauna species.

Part 8.2.5 Flood Hazard overlay code

The proposed development complies with the relevant outcomes of the Code because;

- Parts of the site are mapped within *Flood hazard area – Level 1 – Queensland floodplain assessment overlay*. The proposed caretaker's accommodation is not located within the 1% Annual Exceedance Probability ('AEP') defined flood event.
- The proposed levee bank will prevent overland flow and stormwater runoff from entering adjoining properties or Muckadilla Creek, and as such the development will not result in increased adverse impacts to people, property or the environment during a 1% AEP flood event.
- The development has been conditioned to prepare a flood risk management plan to address potential flood inundation risks to livestock and site operations.

Part 8.2.6 Bushfire Hazard overlay code

The proposed development complies with the relevant outcomes of the Code because;

- All built infrastructure is located outside of areas mapped under bushfire hazard mapping.
- Any storage of hazardous material is to be stored outside of areas mapped under bushfire hazard mapping.
- The proposed access road is of sufficient design to provide suitable access for fire fighting vehicles. Alternative accesses are also available through the site in the event of a bushfire.

Part 9 – Development Codes

Part 9.3.1 Accommodation Activities Code

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
CARETAKER'S ACCOMMODATION		
PLANNING		
Use, density and built form		
PO 3 Scale and location The provision of Caretaker's accommodation does not compromise the role, function and operation of the prevailing zone or precinct.	AO 3.1 Only one Caretaker's accommodation is established per allotment. AO 3.2 A Dwelling house used for Caretaker's accommodation must be occupied by a person having responsibility for the security, maintenance or management of non- residential activities carried out on the site. Note: Caretaker's accommodation may be occupied by members of the immediate family of the resident caretaker.	Complies The development includes the establishment of one (1) caretaker's accommodation to support the Intensive Animal Industry use.

Part 9.3.5 Rural Activities Code

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
ANIMAL KEEPING, INTENSIVE ANIMAL INDUSTRY AND INTENSIVE HORTICULTURE		
PLANNING		
Use, density and built form		
PO 1 Location The site is suitable for Rural activities and has sufficient area and frontage to accommodate: a) safe vehicular access and safe and efficient on-site vehicular movements; b) buildings and structures, including staff facilities; c) parking areas for visitors and employees	AO 1.1 Rural activities are located on land that: a) is not subject to the Flood hazard overlay or otherwise identified as being subject to inundation in a defined flood event; b) is not within an overland flow path; c) does not exceed slopes of 10%; and	Complies The development is suitability sited on a lot in the Rural Zone with an area of 2737ha. The site has access to the local road network via Bullagai Road. Vehicles are able to manoeuvre safely and efficiently

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>sited clear of the Rural activities;</p> <p>d) the number and type of animals to be kept;</p> <p>e) the keeping of animals consistent with the amenity of adjoining and nearby properties;</p> <p>f) servicing requirements such as waste and recyclable material storage facilities and collection areas;</p> <p>g) adequate separation between buildings, pens, waste disposal areas and other service facilities from wells or bores and adjoining sensitive receiving environments;</p> <p>h) the preservation of any environmentally significant land such as riparian corridors, significant vegetation and the like; and</p> <p>i) vegetated buffer areas.</p> <p>Note: In determining the suitability of a site for Rural activities it is necessary to consider:</p> <p>a) the location, size and dimension of the land;</p> <p>b) the overall scale and nature of the use;</p> <p>c) the topography;</p> <p>d) geological and geotechnical characteristics;</p> <p>e) visual impacts and the preservation of local amenity;</p> <p>f) the retention of environmental values;</p> <p>g) the availability of infrastructure and services;</p> <p>h) adequate separation from adjoining land uses; and</p> <p>i) the management of declared plants on site.</p>	<p>d) has suitable terrain and is sufficiently elevated to facilitate ventilation and drainage.</p> <p><i>For Intensive Animal Industry:</i></p> <p>AO 1.5 Intensive Animal Industry is located on land included within the Rural Zone or Industry Zone.</p> <p>AO 1.6 A minimum allotment size of 50 ha is required to accommodate a poultry farm, piggery or feedlot.</p>	<p>inside the site, and enter and exit in forward gear.</p> <p>Stormwater runoff and overland flow will be managed through a controlled drainage area.</p> <p>No vegetation or existing overland or underground flows are proposed to be disturbed as part of the development.</p> <p>The proposal has sufficient separation distances to sensitive receptors, including a 250m setback from Muckadilla Creek.</p>
<p>PO 2 Separation</p> <p>Rural activities are sufficiently separated from any existing or planned</p>	<p>AO 2.2</p> <p>Separation distances for Intensive Animal Industry meet the minimum</p>	<p>Complies</p> <p>Sufficient separation distances to sensitive receptors are</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>residential or rural residential area or other sensitive land use to avoid any adverse impacts with regard to noise, dust, odour, visual impact, traffic generation, lighting, radiation or other emissions or contaminants.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p>distances as outlined in the applicable industry guidelines</p> <p>Note: Current Industry Guidelines available:</p> <ul style="list-style-type: none"> • National Guidelines for Beef Cattle Feedlots in Australia 3rd Edition • National Beef Cattle Feedlot Environment Code of Practice 2nd Edition • The National Environmental Guidelines for Indoor Piggeries (NGIP) Queensland Guidelines Meat Chicken Farms • National Environmental Management System for the Meat Chicken Industry – Version 2 December 2014 RIRC Publication No. 14/100 	<p>included in the design of the development.</p>
<p>PO 3 Buffers</p> <p>The visual impact of Rural activities is minimised to integrate with the surrounding landscape and to the extent practical, is screened from roads, public vantage points and neighbouring properties, having regard to:</p> <ol style="list-style-type: none"> a) the characteristics of the site and surrounding area; and b) the desired visual character of the locality. <p>Note: to demonstrate compliance to the assessment manager, information on the methods to be implemented to reduce potential adverse visual impacts of the development is required. These methods may include, but are not limited to:</p> <ol style="list-style-type: none"> a) locating exposed features behind natural barriers; b) constructing amenity banks and vegetation screens; c) carrying out timely rehabilitation works; 	<p>AO 3.1</p> <p>Any area used for the storage of vehicles, equipment, machinery, goods and materials used on the site, is to be screened from view from any road frontage and adjoining property with fencing and/or vegetation.</p> <p>AO 3.2</p> <p>Views into site operations, including associated buildings, yards, pens, ponds and other structures and waste disposal areas, are not immediately visible from any road frontage or adjoining property.</p> <p>Note: Refer to SC6.2 Planning scheme policy – Landscaping for guidance on designing and</p>	<p>Complies</p> <p>Areas used for storage of vehicles, equipment, machinery, goods and materials used on the site, is setback over 750 m from the road frontage and existing vegetation provides adequate screening for a rural landscape.</p> <p>Given the rural locality and the nature of the development, no additional landscaping is proposed.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>d) minimising signage;</p> <p>e) using building materials and colour schemes that integrate with the surrounding landscape;</p> <p>f) limiting and containing artificial lighting within the site; and</p> <p>g) configuring access and transport routes to prevent direct views into the site.</p>	<p>establishing landscape buffers.</p>	
<p>PO 4 Animal welfare</p> <p>Rural activities are undertaken in a manner that ensures:</p> <p>a) all animals are effectively contained within the site;</p> <p>b) the safe, humane and hygienic keeping, breeding, training and care of animals; and</p> <p>c) protection of animals from wind, rain, sun, extreme weather conditions and vermin.</p>	<p>AO 4.1</p> <p>Development:</p> <p>a) ensures all animals are kept in suitable enclosures or appropriate property fencing to prevent the escape of animals from the site;</p> <p>b) ensures buildings used to house animals are roofed; and</p> <p>c) provides facilities that are available for the isolation of animals suspected of having an infectious condition.</p>	<p>Complies</p> <p>All cattle are to be kept in suitable enclosures or appropriate property fencing to prevent escape of animals from the site.</p> <p>Hospital pens will be available for the isolation of animals that are unwell.</p>
Amenity		
<p>PO 5 Advertising devices</p> <p>Signage is sufficient for the display of information relevant to the operation of the Rural activities, including details required in the case of an emergency, whilst not impacting upon the visual amenity of the locality.</p>	<p>AO 5.1</p> <p>Signage is provided at the entrance to the site displaying information including details of, and contact phone numbers for:</p> <p>(a) the operator of the site; and</p> <p>(b) person/s responsible for the management of the site.</p>	<p>Complies</p> <p>Conditions have been applied in relation to appropriate signage.</p>
<p>PO 6 Buildings and structures</p> <p>Buildings and structures, including pens, ponds and waste disposal areas:</p> <p>a) are designed and sited</p>	<p>AO 6.1</p> <p>Buildings and structures associated with Rural activities are:</p> <p>a) of a colour that blends with the rural and natural</p>	<p>Complies</p> <p>The buildings and structures associated with the development are in keeping with the colours of</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>to integrate with the landscape to the greatest extent possible;</p> <p>b) do not have openings that face adjoining sensitive land uses;</p> <p>c) incorporate noise attenuating measures where used to house animals; and</p> <p>d) are ventilated to minimise the potential for odour nuisance.</p> <p>Note: Sensitive land uses are defined in the State Planning Policy.</p>	<p>environment; and</p> <p>b) screened from view from any road frontage and adjoining property with fencing and/or vegetation.</p>	<p>agricultural infrastructure.</p>
Avoiding nuisance		
<p>PO 7 Refuse storage</p> <p>Refuse storage and collection facilities are provided in a manner that:</p> <p>a) is not visually obtrusive or unsanitary; and</p> <p>b) is conveniently accessible by service vehicles.</p>	<p>AO 7.1</p> <p>A designated refuse storage area is provided with adequate space for the wash down and maintenance of waste containers.</p>	<p>Not applicable</p> <p>Domestic waste will be collected and stored in waste bins or other suitable closed containers.</p>
ENGINEERING		
Roads and rail		
<p>PO 8 Roads</p> <p>Vehicular traffic associated with Rural activities including the haulage of stock, goods and/or materials does not result in the deterioration of roads used by ensuring:</p> <p>a) the roads used are of an adequate standard to accommodate the type and frequency of traffic generated;</p> <p>b) transport routes are maintained, including the removal of dirt and other spillages from</p>	<p>For Intensive Animal Industry and Intensive horticulture:</p> <p>AO 8.1</p> <p>The transport route/s from the development site entrance to the State-controlled road network, are constructed in accordance with the Capricorn Municipal Development Guidelines.</p>	<p>Complies</p> <p>The site has access to the local road network via Bullagai road.</p> <p>The submitted Traffic Impact Assessment advises no upgrades to the road network are required.</p>

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
<p>trucks; and</p> <p>c) transport routes do not compromise traffic safety in the area.</p> <p>Note: the submission of a traffic impact analysis prepared by a suitably qualified and experienced person will be necessary to demonstrate compliance to the assessment manager. The traffic impact analysis should identify the expected traffic movements generated by the proposal, any associated impacts on the road network, and any work that will be required to address the identified impacts.</p>		
Access, parking and manoeuvring		
<p>PO 9 Access, car parking and manoeuvring</p> <p>Vehicle access, parking and service vehicle provision:</p> <p>a) is adequate for the activity;</p> <p>b) ensures both safety and functionality for motorists and pedestrians; and</p> <p>c) is appropriately located so as not to create a nuisance.</p>	<p>AO 9.1</p> <p>The design and layout of access, car parking and vehicle movement areas within the site ensures:</p> <p>a) car parking areas are located away from animal enclosures to minimise disturbance to housed animals; and</p> <p>b) car parking areas are adjacent to reception areas.</p>	<p>Complies</p> <p>Two (2) car parking spaces are to be provided for the caretaker's accommodation in accordance with Schedule 7 of the Planning scheme.</p> <p>No formal carparking is considered necessary for feedlot use.</p> <p>However, any areas used as car parking areas are to be designed in accordance with relevant Australian Standards.</p> <p>Sufficient on-site manoeuvring area is available to ensure all vehicles to enter and exit the site in the forward direction.</p>
ENVIRONMENTAL		
PO 10 Biodiversity	AO 10.1	Complies

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
Operations of Rural activities do not result in unacceptable impacts on the natural environment or adversely affect the ecology of the locality.	Rural activities do not require the clearing of vegetation to accommodate the use.	The development does not involve the clearing of riparian or regulated vegetation.
PO 11 Watercourses Rural activities do not adversely impact natural waterways or wetlands, or downstream receiving environments.	AO 11.1 Rural activities are located at a minimum distance of 100 m from any watercourse or wetland.	Complies The operation has been setback over 250m from Muckadilla Creek. No riparian vegetation or existing overland or underground flows are proposed to be disturbed as part of the proposed development. Contaminated stormwater will be collected within the controlled drainage area.
PO 12 Waste The collection, treatment and disposal of waste and wastewater: <ol style="list-style-type: none"> does not adversely impact on the quality of receiving waters; does not result in on-site or off-site soil contamination; does not result in soil, groundwater or surface water salinity; does not result in leaching of nutrients and/or pesticides, into surface water, groundwater or off-site areas that may be at risk (particularly areas 	AO 12.1 Development ensures: <ol style="list-style-type: none"> solid wastes are collected and placed in weather, fly and vermin proof receptacles and disposed of by a licensed disposal service where unable to be treated and reused on-site; and drainage and disposal of liquid waste are diverted to: <ol style="list-style-type: none"> Council's reticulated sewerage system under the conditions of a Trade Waste Permit; or an appropriate on-site 	Complies Solid waste (manure) and effluent shall be stored in accordance with the National Guidelines for Beef Cattle Feedlots and sustainably utilised on-site via application to land and crops.

PERFORMANCE OUTCOMES	ACCEPTABLE OUTCOMES	RESPONSE
down slope); and e) minimises odour impacts on nearby sensitive receiving environments.	wastewater treatment system; or iii. a holding tank for collection by a licensed liquid waste transporter.	
PO 13 Biosecurity Rural activities implement and maintain biosecurity measures that: a) manage the introduction of infectious disease agents to the development; b) prevent the spread of disease agents from an infected area to an uninfected area; and c) manage the incidence and spread of pests and weeds.		Complies The development has been conditioned to prepare a Biosecurity Plan in accordance with Council standards.

Input into the Report & Recommendation:

Internal

Consultation about this application has occurred with:

- Director – Regional Development, Environment and Planning (internal)
- Senior Engineer – Program and Contact Management (internal)

External

The application was referred to the State Assessment and Referral Agency ('SARA') for the associated Environmentally Relevant Activity. SARA have advised by letter dated 31 August 2023 that they have no requirements for the development.

Public Notification

The application was subject to Impact assessment and required public notification under the *Planning Act 2016*.

Four properly made submissions were received in objection to the development. The matters raised in the four submissions are outlined below. A full copy of these submissions is also included as an attachment to this report.

Matters Raised	Response
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Matters Raised	Response
<p><u>Traffic and Transport</u></p> <ul style="list-style-type: none"> • Damage to roads from increased traffic volumes • Contribution to road maintenance • Dust Impacts • Danger to road users 	<p>The additional impacts to Council roads and the State Controlled Road network have been assessed in a Traffic Impact Assessment, which has been reviewed by Council officers. Conditions of development can be imposed to manage such impacts.</p> <p>Dust generated by the proposed development shall be managed and treated to preserve environmental values and maintain the amenity of adjoining and nearby land uses. Conditions have been applied to ensure the dwelling at 5544 Mt Abundance Road has a sealed dust protection strip adjacent to the dwelling.</p>
<p><u>Water Source</u></p> <ul style="list-style-type: none"> • Increased extraction of ground and surface water leading to shortages for other users 	<p>Groundwater is currently used as the potable supply for the dwellings on the subject land and for watering of extensively grazed stock.</p> <p>The site has one surface water authorisation which permits extraction of water from Muckadilla Creek with an annual volumetric limit of 600 ML per year which is able to be used for the proposed development.</p>
<p><u>Runoff</u></p> <ul style="list-style-type: none"> • Impact of runoff from the feedlot during rain events on the Muckadilla Creek 	<p>The development has been set back 250m from Muckadilla Creek.</p> <p>The proposed levee bank will prevent overland flow and stormwater runoff from entering adjoining properties or Muckadilla Creek, and as such the development will not result in increased adverse impacts to people, property or the environment.</p>
<p><u>Odour</u></p>	<p>The proposed development meets all required separation distances to sensitive receptors in accordance with the National Guidelines for Beef Cattle Feedlots in Australia.</p> <p>Potential odour nuisance generated by</p>

Matters Raised	Response
	<p>the proposed development shall be managed to maintain the amenity of adjoining and nearby land uses. The management of the operation in accordance with the SBEMP prepared will suitably assist with managing potential odour issues as far as reasonably practical.</p> <p>Odour impacts will be regulated as part of the EA permit issued by DAF.</p>
<p><u>Intensive Feeding of Cattle</u></p> <ul style="list-style-type: none"> Intensive Cattle Feeding in Areas surrounding the Feedlot compounds all of the above. 	<p>The site is a large rural lot surrounded by similarly sized rural lots used for agricultural pursuits such as dryland cropping and cattle grazing.</p> <p>Backgrounding of cattle is also undertaken on the property which is the feeding of cattle in areas surrounding the feedlot.</p> <p>By definition of feedlot, a feedlot means a confined yard or enclosure that –</p> <ul style="list-style-type: none"> (a) contains watering and feeding facilities where cattle or sheep are fed entirely by hand or mechanically; and (b) is designed, constructed or used in a way that does not allow cattle or sheep in the yard or enclosure to graze. <p>The cattle in the backgrounding pens have opportunity to graze as no manure pack has formed, consequently this activity by definition is not a feedlot.</p> <p>Conditions have been applied to ensure backgrounding is managed to ensure the activity does not become feedlotting, which will require ongoing compliance.</p>

Funding Bodies:

N/A – The project is a private development that will be funded by an external party.

This Financial Year's Budget:

The costs of fulfilling any development approval obligations, financial or otherwise, remains the sole responsibility of the landowner/s. There is potential for Council to

incur costs only in the event that its decision regarding the application is appealed in Court.

Future Years' Budgets:

As above.

Council's decision may also affect the ongoing maintenance cost and obligations for the proposed haul roads for the operation, including Massey Lane, Bullagai Road and Mount Abundance Road.

Impact on Other Individuals or Interested Parties:

Council's decision regarding this matter is likely to affect Ironpot Co Pty Ltd and the Trustee for Ironpot 3 Trust as the applicants, and Christopher James Skelton as the landowner.

Four properly made submissions were received in relation to this application. These submissions have been considered above and are included as attachments to this report. Council's decision will impact the submitters.

Risks:

Potential risks associated with the proposal have been addressed in the development assessment. Other matters outside of this, which are not called up in the *Planning Act 2016*, cannot be considered in decision making.

Advice to Council:

It is considered that on balance, the proposal presents no significant inconsistency with the applicable assessment benchmarks.

Development conditions are recommended to be imposed to ensure compliance to the greatest extent possible. Any residual inconsistency with the assessment benchmarks needs to be considered in light of the various relevant matters.

The approval is recommended to be issued for the following reasons:

- Planning matters raised in the submissions have been considered through the assessment process and in instances, where deemed appropriate, conditions have been imposed to address submitter concerns.
- The proposed development is compatible with and is within reasonable expectations of the type of use anticipated in this area.
- The development site is appropriately located in the Rural zone where it can take advantage of the potential of the regions' agricultural productivity and natural resources.
- The land is reasonably located to appropriate road infrastructure.

Recommendation:

That Council endorse the officer's recommendation and approve the 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, subject to the reasonable and relevant conditions outlined.

Link to Corporate Plan:

Corporate Plan 2023-2028

Strategic Priority 4: Growing our region

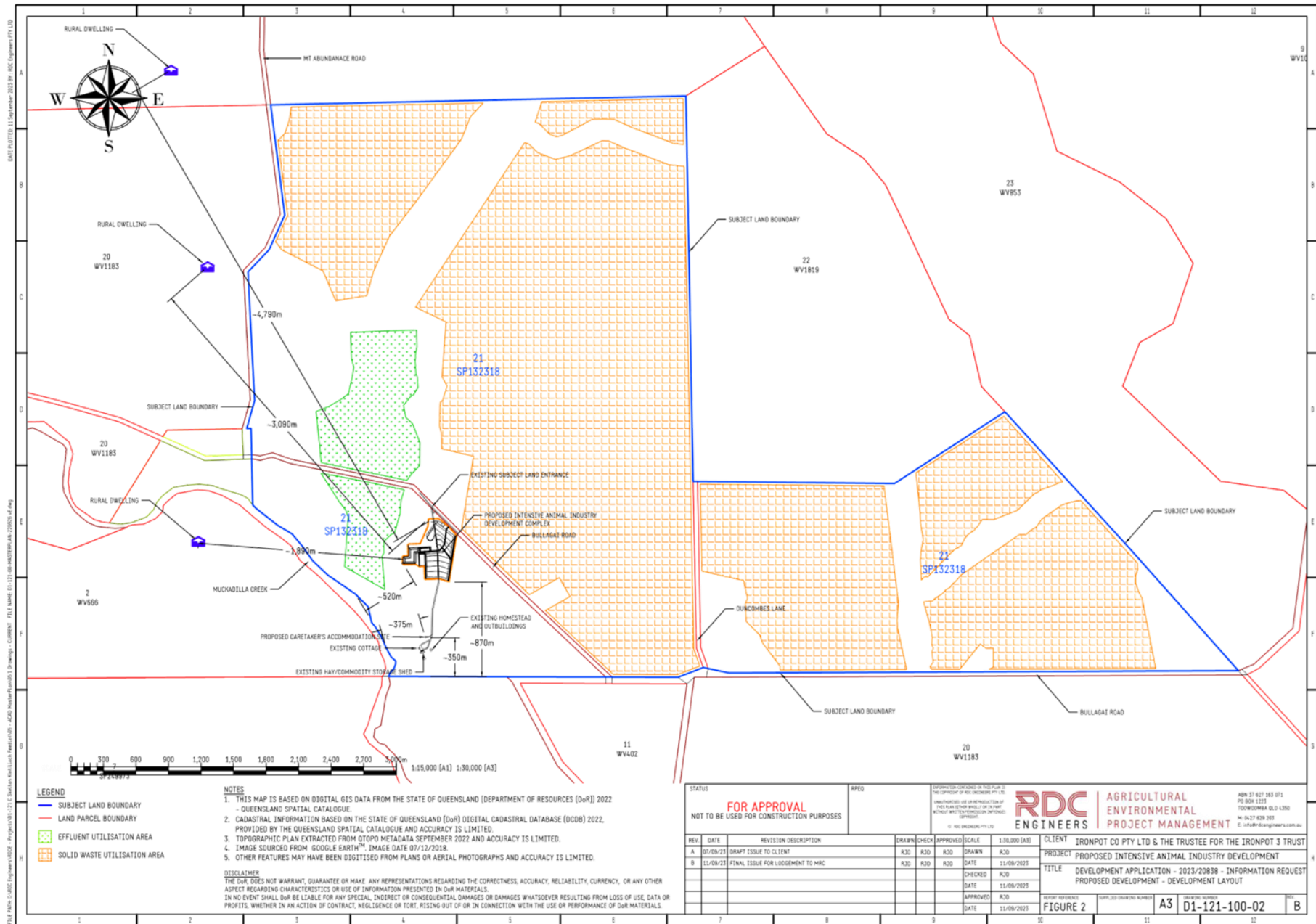
4.7 Plan and manage the growth of our towns

Supporting Documentation:

- | | | |
|---------------------|--|-----------|
| 1 ↓ | 2023/20838 - Planning Application - MCU 'Intensive Animal Industry' and Caretakers Accommodation - MCU Plans | D24/8303 |
| 2 ↓ | 2023/20838 - Planning Application - MCU 'Intensive Animal Industry' and Caretakers Accommodation - Submission - James & Natalie Stinson | D24/11596 |
| 3 ↓ | 2023/20838 - Planning Application - MCU 'Intensive Animal Industry' and Caretakers Accommodation - Submission - E Rolfe | D24/11597 |
| 4 ↓ | 2023/20838 - Planning Application - MCU 'Intensive Animal Industry' and Caretakers Accommodation - Submission - E Rolfe & C Rolfe | D24/11598 |
| 5 ↓ | 2023/20838 - Planning Application - MCU 'Intensive Animal Industry' and Caretakers Accommodation - Submission - E Rolfe, C Rolfe & B Rolfe | D24/11599 |

Report authorised by:

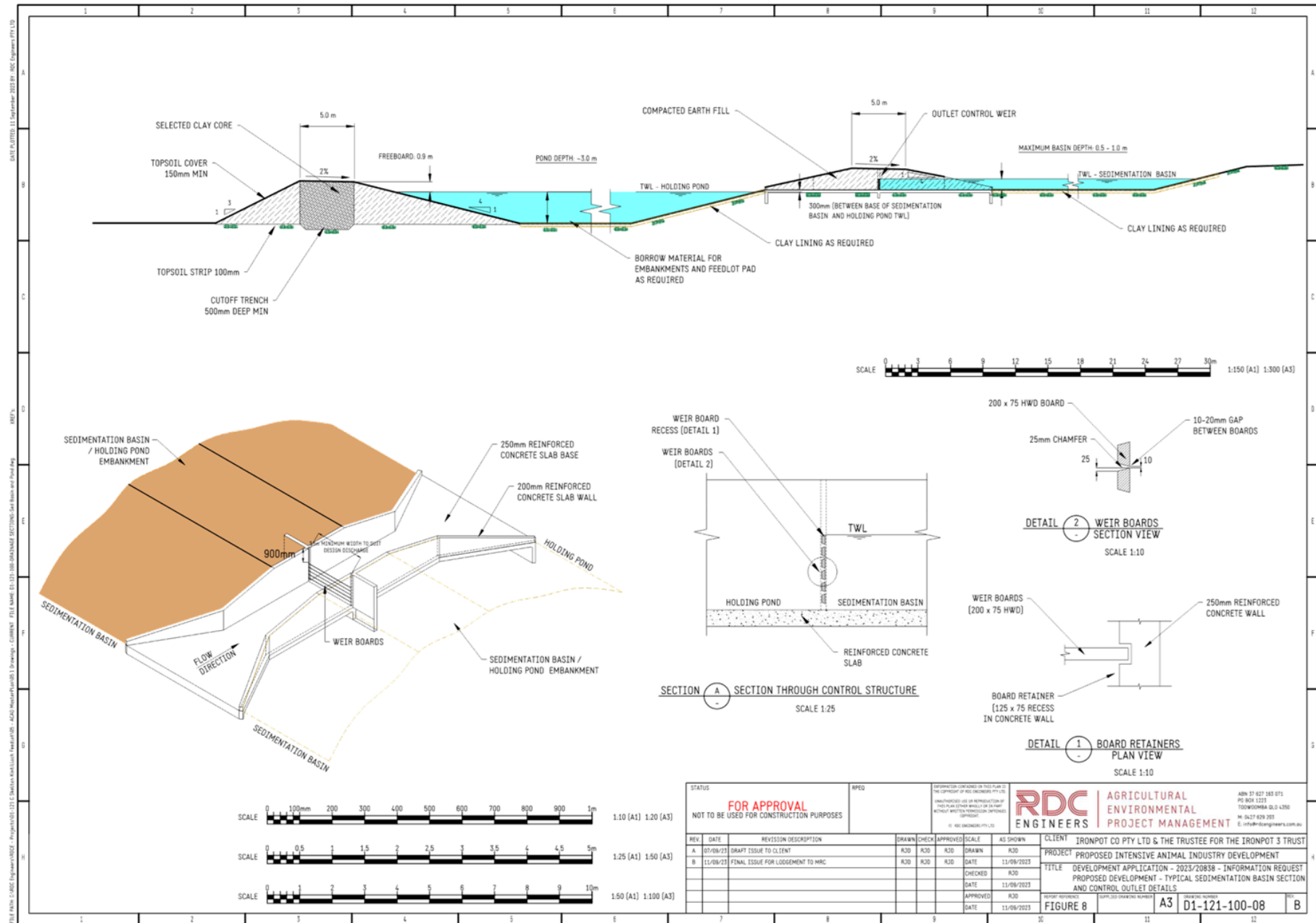
Director - Regional Development, Environment and Planning

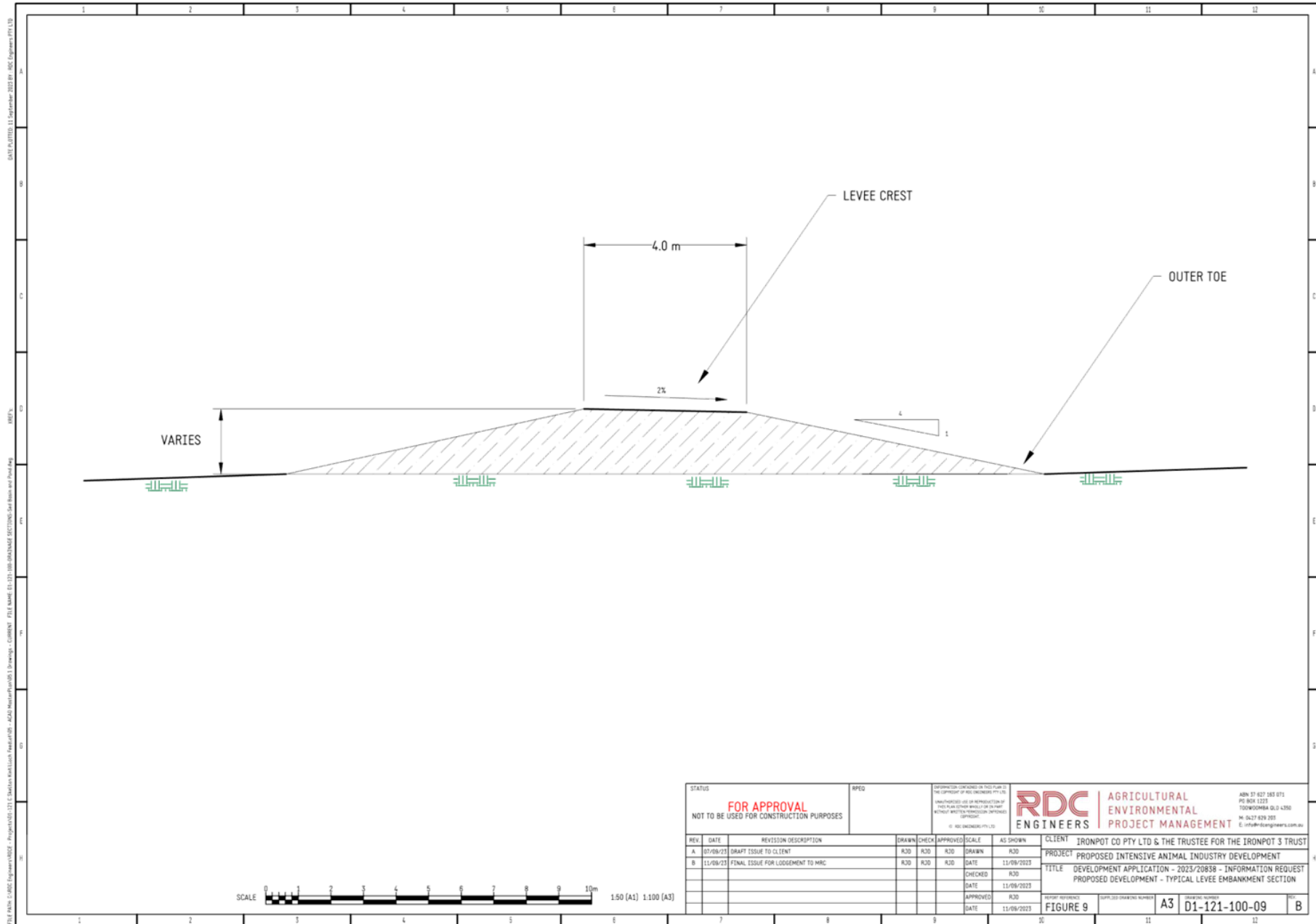
















Moonya Agriculture Pty Ltd

“Moonya” MS 2030A Roma Q 4455.

J 0427268382

N 0427268128

Email moonya205@bigpond.com

The Chief Executive Officer

Maranoa Regional Council

PO Box 620 Roma Q 4455

20/10/23

Dear Sir/Madam

Re: Submission to Development Application 2023/20838

We live and operate a beef cattle breeding and backgrounding operation on “Moonya” and the adjoining property, “Tannaby” totalling 7400 hectares. Our road address is 205 Moonya Lane in the Mt Abundance district. As active participants in the beef industry we totally support this kind of investment and this submission is not intended to criticise or in any way impede the progress of the application. We consider Chris Skelton a friend but recognise that this submission is the only opportunity we have to provide our thoughts on the aspects that we feel may negatively impact our business, property and lifestyle.

Our house is 1.6km from the gravel section of the Mt Abundance Rd and while we do receive dust and hear trucks from time to time, these impacts are not considered detrimental to us. We do have concerns about the ability of our local roads to carry the increased traffic volumes. These roads were not designed for modern heavy transport vehicles. They were built 50+ years ago when this was primarily a sheep region and produce was carted on small rigid body trucks. Following the approval of this facility, there will be two registered feedlots (the other being at “Dunan”) in the area. Combined with the regular traffic, cattle and grain trucks we are concerned that our roads will be severely damaged. As part of this approval Council’s responsibility will be to ensure regular maintenance patrols are undertaken to ensure the roads are trafficable.

Type one and two road trains will be accessing both sites with cattle and commodity. Roads like the Mt Abundance Rd and Massey Lane have very uneven surfaces and are only single lane bitumen. Massey lane was rebuilt less than 10 years ago and sections have already had subsequent major repairs. Other sections are so rough we are forced to slow to 60km/h in a body truck.

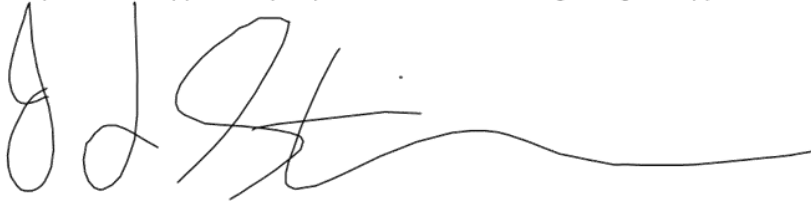
With the combined traffic from both feedlots consideration should also be given to a turning lane at the intersection of the Warrego Highway and Massey Lane.

The second area of concern we have regarding this application, is from where the feedlot will be sourcing it's water. Our property has one stock bore that taps into the Mooga Sandstone, the same aquifer as the "Sunnybrae" bore. The majority of the bores in the area use water from the Mooga for stock and domestic purposes only, and we are concerned that the "Sunnybrae" bore may be used to supplement the proposed surface water storage if extra water is required for the feedlot. Clause 6.5.3.2.2 of this application states: *"Groundwater shall not be used as the source of water for the proposed development."*

Our bore is critical to our operation, particularly in dry times when surface water dries up. Attention needs to be paid to the reliability of the water supply for the feedlot and that existing bores are being utilised for their licensed purpose.

The standing water level in the Tannaby bore has fallen in excess of 25 metres over the last 30 years. Any increased water removal from this aquifer could mean that our and many other stock and domestic bores in the area are at risk of running dry.

Thank you for the opportunity to present our concerns regarding this application.

A handwritten signature in black ink, appearing to be 'J L Stinson', with a long horizontal flourish extending to the right.

James L Stinson

A handwritten signature in black ink, appearing to be 'N Stinson', with a long horizontal flourish extending to the right.

Natalie Stinson

19/10/2023

The Chief Executive Officer,

Maranoa Regional Council,

PO Box 620,

ROMA. Qld 4455

planning@maranoa.qld.gov.au AND council@maranoa.qld.gov.au

Re: APPLICATION NUMBER 2023\20838

DESCRIPTION: Material Change of Use-Intensive Animal Industry (Beef Cattle Feedlot-1975 Standard Cattle Units) Environmentally Relevant Activity 2 (1) (b) Cattle Feedlotting and Caretaker's Accommodation

LOCATION: 5960 Mount Abundance Road, Mount Abundance. Q4455

PROPERTY DESCRIPTION: Lot 21 on SP132318

We wish to Submit an OBJECTION TO THE ABOVE APPLICATION FOR MATERIAL CHANGE OF USE.

The reasons for our Objection are:-

(1) DAMAGE TO ROADS-Moonya Road to Bullagia Road, and Bullagai Road to Dunkeld Road

During Wet Periods-Trucks travelling on the roads 24/7 cause serious damage

During Dry Periods-Trucks 24/7 cause serious Dust to Residences along Mount Abundance Road-SEE RECENT PHOTO ATTACHED and serious Road Degradation.

These Roads were not designed for the volume of large trucks required to service the Feedlot, and therefore damage to the roads is significant.

It should NOT be the responsibility of all Ratepayers to maintain the roads for the use of the Feedlot.

The Feedlot Operator should have to Contribute significantly to the upkeep of the surrounding roads, and supply bitumen in front of neighbouring residences to reduce the Dust.

(2) DANGER TO ROAD USERS-Mount Abundance Road to "Kintillock" Cattleyards-Constant Tractor and Mixer Bin use across road, carting feed to Feed Troughs-Feed Troughs are very close to the Roads Edge.

(3)Runoff from the Feedlot during Rain Events would run directly to the Muckadilla Creek nearby.

For the Feedlot to succeed in it's Application it should be made clear that NO WATER IS TO BE PUMPED FROM THE MUCKADILLA CREEK FOR THE FEEDLOT PURPOSES.

(4)Odour from the Feedlot when wind blows from that direction and during wet periods is very unpleasant.

(5)Intensive Cattle Feeding in Areas Surrounding the Feedlot compounds all of the above.

This Objection to Development Application 2023\20838 is made by:-

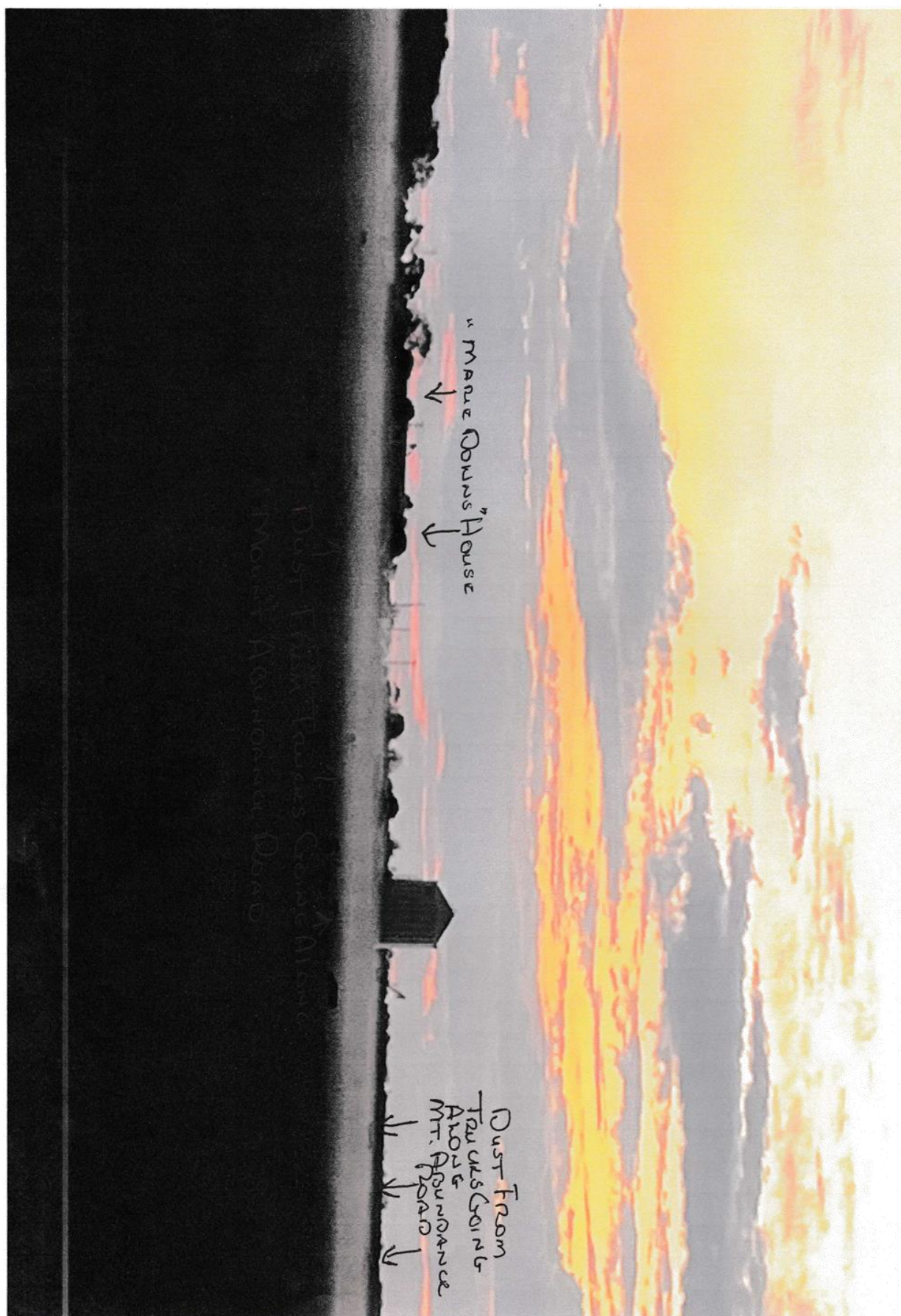
EJ Rolfe-M/s 2030A "Marie Downs", 5544 Mt Abundance Road, Mount Abundance . Q4455-LOT 9
WV1091and Lot22 WV1819-NINDINNA, 448 Nindinna Road, Mount Abundance Q4455

Errol J Rolfe

5544 Mount Abundance Road, Mount Abundance. Q4455

cfrolfe@activ8.net.au

Signature 



19/10/2023

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EJ Rolfe, and CF Rolfe-M/s 2030A "Marie Downs", 5544 Mt Abundance Road, Mount Abundance .
Q4455-LOT 3 and Lot 20 WV 1183 Yapunyah 5740 Mt Abundance Road, Mount Abundance. Q4455

Errol J Rolfe

5544 Mount Abundance Road, Mount Abundance. Q4455


cfrolfe@activ8.net.au

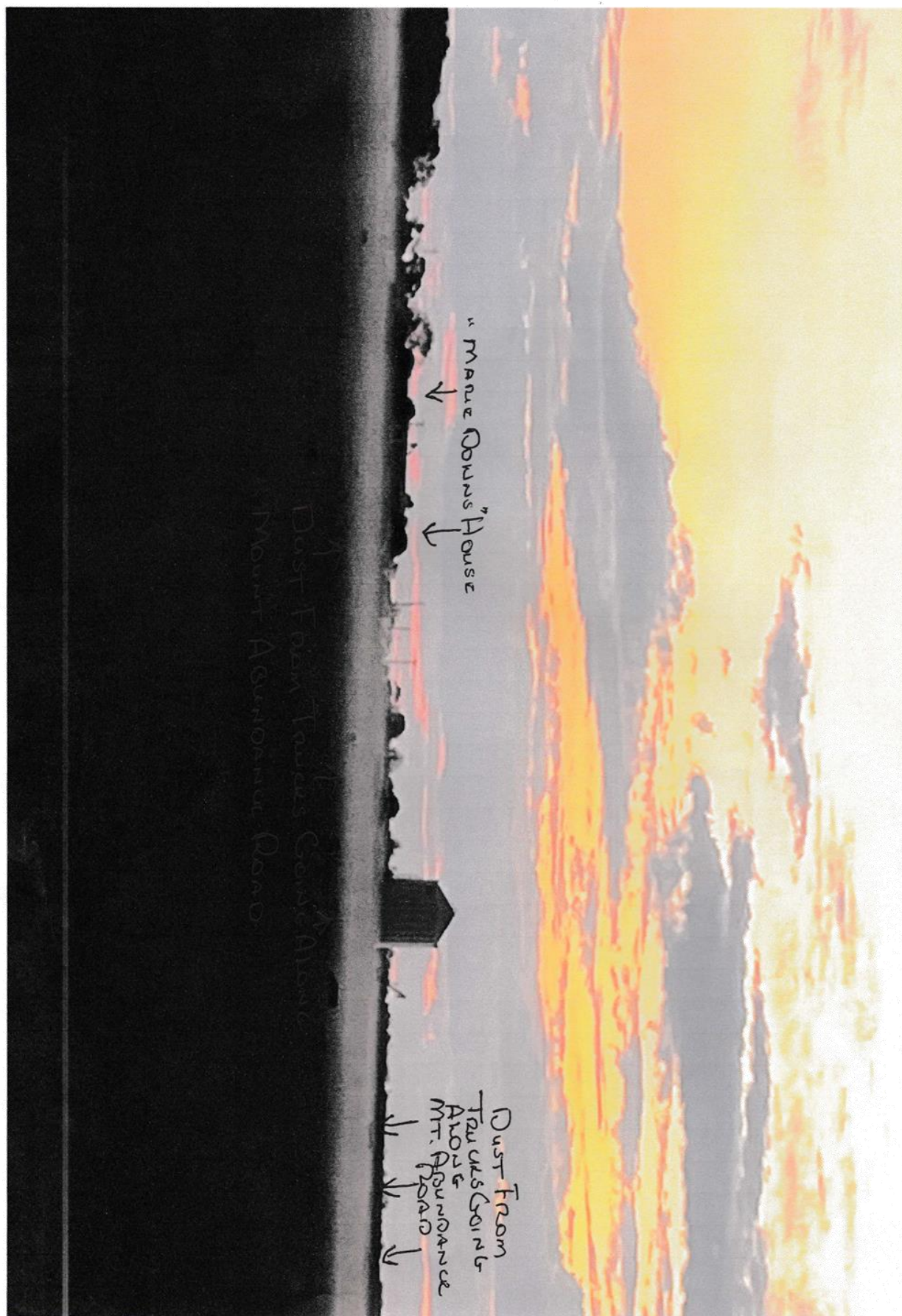
Signature 

Colleen F Rolfe

5544 Mount Abundance Road, Mount Abundance. Q4455

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19/10/2023

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This Objection to Development Application 2023\20838 is made by:-

EJ Rolfe, and CF Rolfe, and BV Rolfe-M/s 2030A "Marie Downs", 5544 Mt Abundance Road, Mount Abundance . Q4455-LOT 18 WV 848 and Lot 19 and Lot 23 WV 853-Marie Downs 5544 Mt Abundance Road, Mount Abundance. Q4455

Errol J Rolfe

5544 Mount Abundance Road, Mount Abundance. Q4455

cfrolfe@activ8.net.au

Signature 

Colleen F Rolfe

5544 Mount Abundance Road, Mount Abundance. Q4455

cfrolfe@activ8.net.au

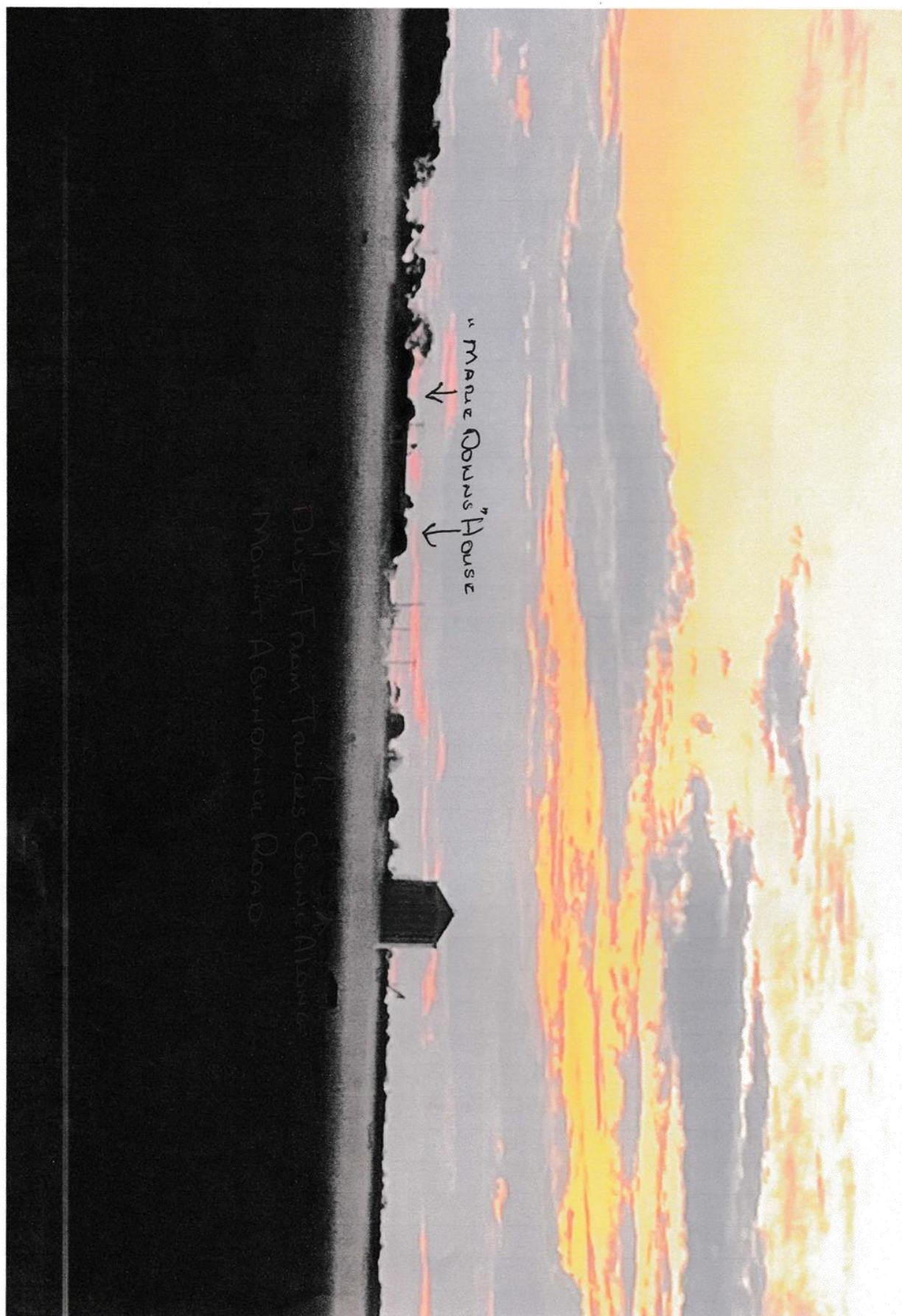
Signature 

Brice V Rolfe

5544 Mount Abundance Road, Mount Abundance. Q4455

cf rolfe@activ8.net.au

Signature 



OFFICER REPORT

Meeting: Ordinary 14 February 2024

Date: 24 January 2024

Item Number: 14.3

File Number: D24/7624

SUBJECT HEADING: Bassett Park Hire Agreement - Roma Campdraft Association

Classification: Open Access

Officer's Title: Leases and Agreements Administration Officer

Executive Summary:

Council is 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.

Officer's Recommendation:

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.

Individuals or Organisations to which the report applies:

Roma Campdraft Association

Acronyms:

Acronym	Description
Nil	Nil

Context:

It is recommended that Council 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.

Background:

Roma Campdraft Association previously held a five (5) year non-exclusive hire agreement (2018 – 2022) which expired in 2022. A draft agreement was prepared in 2022 for an additional five (5) years from 22 March 2022 and expiry 21 March 2027. This agreement was not signed by the Association and there was no resolution.

It has been Council's goal for a number of years to ensure that every person / group / committee or association that uses a Maranoa Regional Council facility on a regular basis, have a written agreement in place outlining the responsibilities of both Council and the User.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

Nil

Council Policies or Asset Management Plans:

Nil

Input into the Report & Recommendation:

Director Roma – supports the five (5) year user agreement

CEO – Chief Executive Officer - supports having an agreement executed

President - Roma Campdraft Association – approved the proposed user agreement

Funding Bodies:

Nil

This Financial Year's Budget:

Venue and Facilities for 'Campdraft Hire' as per Council's adopted fees and charges. (excluding additional camping fees).

Campdraft pay for the usage of electricity used during the event, which is invoiced, following the event.

Future Years' Budgets:

Venue and Facilities for 'Campdraft Hire' as per Council's fees and charges adopted for each financial year. (excluding additional camping fees)

Electricity charges invoiced following the event.

Impact on Other Individuals or Interested Parties:

Nil

Risks:

Risk	Description of likelihood & consequences
Disparity	Other users of Bassett Park may question the fees and charges with or without bias.

Advice to Council:

That Council 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.

The Roma Campdraft Association has been provided with a copy of the draft agreement and the President has responded with approval of the content. (L23/232)

Recommendation:

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.

Link to Corporate Plan:

Corporate Plan 2023-2028

Corporate Plan Pillar 3: Connectivity

3.1 Quality, fit-for-purpose strategic facilities

Supporting Documentation:

Nil.

Report authorised by:

Lead Facility Management Officer

Director - Regional Development, Environment and Planning

OFFICER REPORT

Meeting: Ordinary 14 February 2024

Date: 7 February 2024

Item Number: 14.4

File Number: D24/12222

SUBJECT HEADING: Trade Mark - Great Artesian

Classification: Open Access

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.

Officer's Recommendation:

That Council does not challenge the removal application of the trade mark 'Great Artesian'

Individuals or Organisations to which the report applies:

Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?

(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

Gulf Regional Economic Aboriginal Holding Limited

Acronyms:

Are there any industry abbreviations that will be used in the report?

Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description
IP Australia	Intellectual Property Australia
ASIC	Australian Securities & Investments Commission

Context:

Why is the matter coming before Council?

Council has received a notice from IP Australia advising that a third party, namely Gulf Regional Economic Aboriginal Holdings Limited, has applied to have Council's trade mark 'Great Artesian' removed from the Register of trade marks on the grounds on non-use.

Council is asked to consider this request.

Background:

Has anything already happened in relation to this matter?

(Succinct overview of the relevant facts, without interpretation)

The current trade mark registration for 'Great Artesian' (no. 838405) covers the following goods:

Class 32: Beers, mineral and aerated waters and other non-alcoholic drinks, fruit drinks and fruit juices; syrups and other preparations for making beverages.

Class 33: Alcoholic beverages in this class except beers.

Booringa Shire Council / Booringa Enterprises were successful in their application to trade mark 'Great Artesian' for Class 32 and 33 to produce beverages on 8 June 2000, with a renewal due 8 June 2030.

Bottle label example shown below:



If Council wishes to resist the removal application against its trade mark registration, it will need to prove that it has used 'Great Artesian' in respect of the above beverages during the three year period from 20 November 2020 to 20 November 2023.

As Council has not used the trade mark in relation to the beverages during this period, Council is unlikely to be able to resist the removal of the mark.

There may be an opportunity to trade mark 'Great Artesian' in a different class in relation of provision of swimming pools, Class 41. Costs involved is a \$450 application fee, with \$250 fee per class.

Council is the registered owner for the business name 'The Great Artesian Spa' with ASIC.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration?

(Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

Trade Marks Act 1995

Trade Marks Regulation 1995
IP Legislation

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision?

What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

Nil

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to

Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Leo Jensen – Director Regional Development, Environment and Planning
Rueben Broom – Manager ICT
Erik Lambert – Director Corporate Services
Seamus Batstone – Director Booringa
Greg Lawrence – Manager – Regional Economic & Community Development
Grace Pobar – Governance Officer

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Nil

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)?? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result?

Any legal fees accrued if Council decides to defend the trade mark.

If Council resolves to trade mark 'Great Artesian' under a different class, application fees are a minimum of \$700

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)?? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Any legal fees accrued if Council decides to defend the trade mark.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

Nil

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
Legal/Financial Risk	Likelihood of successfully defending the mark is unlikely. A risk on ongoing legal fees.

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

That Council does not oppose the removal application of the trade mark 'Great Artesian'.

Consider applying for a new trade mark application of 'Great Artesian' under Class 41: Provision of Swimming Pool Facilities.

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

That Council does not challenge the removal application of the trade mark 'Great Artesian'

Link to Corporate Plan:

Corporate Plan 2023-2028

Corporate Plan Pillar 3: Connectivity

3.1 Quality, fit-for-purpose strategic facilities

Supporting Documentation:

Nil

Report authorised by:

Chief Executive Officer

OFFICER REPORT

Meeting: Ordinary 14 February 2024

Date: 1 February 2024

Item Number: 14.5

File Number: D24/9977

SUBJECT HEADING: Australia Day 2024 - Post Event Report

Classification: Open Access

Officer's Title: Local Development Officer (Bendemere)

Executive Summary:
This report includes a post event report on the Australia Day Awards & Celebrations held on 26 January 2024.

Officer's Recommendation:
That Council receive and note the report.

Individuals or Organisations to which the report applies:
Are there any individuals or organisations who stand to gain a benefit, or suffer a loss, (either directly or indirectly) depending on the outcome of consideration of this matter?
(Note: This is to assist Councillors in identifying if they have a Material Personal Interest or Conflict of Interest in the agenda item - i.e. whether they should participate in the discussion and decision making).

N/A

Acronyms:
Are there any industry abbreviations that will be used in the report?
Note: This is important as particular professions or industries often use shortened terminology where they refer to the matter on a regular basis. However, for individuals not within the profession or industry it can significantly impact the readability of the report if these aren't explained at the start of the report).

Acronym	Description
NIL	NIL

Context:
Why is the matter coming before Council?

Australia Day is one of the main Council events held each year. This report will provide Councilors with an overview of the 2024 Australia Day celebrations across the region.

Background:
Has anything already happened in relation to this matter?
(Succinct overview of the relevant facts, without interpretation)

The annual Australia Day Awards and celebrations were held on Friday, 26 January 2024 in Injune, Mitchell, Roma, Surat and Yuleba. Council staff worked with local businesses and community organisations to deliver each event.

Council again presented the **Spirit of Maranoa Awards**. They are a people's choice award with a simplified nomination process. There were 17 nominations, and the winners of each award were presented at their respective towns Australia Day Awards ceremonies in 2024.

The winners of the Spirit Awards were:

- Spirit of Bendemere – Kristen Seawright
- Spirit of Booringa – Jeremy Heslop
- Spirit of Roma – Leesa Murray
- Spirit of Surat – Danille Koster

Australia Day Event Programs:

Injune & District

Celebrations and activities:

9.00am 10.00am Celebrate our residents' achievements with the Australia Day awards

10.00am – 11.00am Cutting of the Australia Day cake and morning tea in the supper room at Injune Memorial Hall.

Venue/s

Injune Memorial Hall

Councillor/s – Cr Guthrie and Cr Ladbroke

Ambassador - no ambassador – local guest speaker Josie Herson

Attendance –

- 54 at ceremony
- 20 at the Injune Pool - Inflatables at the pool

Local/Economic Development:

This event provided economic benefits to the following community organisations and/or local businesses who were involved on the day:

- Photographer – Grace Jamieson – GM Photography
- Musician - Miss Melody Carroll.
- Tea, coffee, and morning tea – purchased at SPAR Supermarket and catering by Injune Bluelight.
- Bakearoma, Roma - cake
- Display on stage – Vernessa Fien

Mitchell & District

Celebrations and activities:

\$10 Aussie Breakfast (subsidised by Council) from 7.30 - 8.30am on spa deck

9am - Australia Day Awards ceremony

10am - Cutting of the cake and morning tea - on spa deck

10.30am – 12.30pm – Giant water slide at the Mitchell Memorial Pool for 2 hours only, swimming pool will be opened all day long.

Venue/s

Mitchell Great Artesian Spa, 2 Cambridge Street, Mitchell – breakfast and morning tea

Mitchell Shire Hall, 1 Cambridge Street, Mitchell – Awards Ceremony

Councillor/s – John Birkett

Ambassador - Gail Kerr OAM

Attendance:

Ceremony – 120 people

Pool - 268

Local/Economic Development:

This event provided economic benefits to the following community organisations and/or local businesses who were involved on the day:

Booringa Action Group – catered breakfast for the event and assisted with morning tea.

Photographer – Haylee Cornelius and Hannah Currey

- Acknowledgement to Country – Cr John Birkett
- Mitchell Bakery – cake
- Mitchell Memorial Swimming Pool – FREE Swim
- Great Artesian Spa – Aussie Day biscuit decorating
- Mitchell Bakery – cake
- Mitchell Memorial Swimming Pool – FREE Swim
- Great Artesian Spa – Aussie Day biscuit decorating

Roma & District

Celebrations and activities:

9am: Ceremony commences (Smoking Ceremony & Welcome to Country did not happen).

9.15am: Ambassador introduced & speech

9.30am: Nominations

10.00am: Australian Citizenship Ceremony

10.15am: Australian Anthem

10.30am: Morning tea & cutting of the cake

2pm – 10pm - Drag racing and burnout event, live entertainment, waterslides, food vendors, jumping castle, go kart rides, Show N Shine and many more.

Venue/s

Ceremony - The Roma Saleyards, 44589 Warrego Highway, Roma

Afternoon - Ironbark Raceway, Kimbler Rd, Roma

Councillors – Mayor, Councillors, O'Neil, Taylor and Edwards.

Ambassador - Natasha Johnston

Attendance –

- Ceremony at Saleyards – Approximately 105 people.
- Iron Bark Race Day – 500 people

Local/Economic Development – Provided economic benefits to various community organisations and local businesses involved on the day, including:

Awards

- Photographer – Katarina Silvester
- Singer – Damian Corkett
- Catering – Café 54
- Cake – Bakearoma
- Staff - Saleyards

Drag Racing

- Food vendors: Bessie's Ice Cream Bus, Roma Kebabs, South West Drag Racing Association BBQ & Bar
- Activities – Waterslides, Apex Clowns, Roma Historical Car Club Display, South West Drag Racing drag racing, Show N Shine, Billy Kart Rides
- Photographer – Katarina Silvester

Surat & District

Celebrations and activities:

8am – Breakfast at the Surat Riverwalk.

9am - Celebrate our residents' achievements with the Australia Day Awards followed by cutting of the Australia Day cake.

11am to 2pm - Fun at the Surat Pool where there will be a free sausage sizzle, giveaways and live music with Marx Cruzat.

Venue/s

Ceremony - Surat Riverwalk, Marcus Street

Fun at the Pool - Surat Swimming Pool, Robert Street

Councillor/s – Cr Hancock

Ambassador – Saba Abraham OAM

Attendance:

- 105 people at the Awards ceremony and
- 80 people at the pool

Local/Economic Development:

This event provided economic benefits to the following community organisations and/or local businesses who were involved on the day:

- Surat Swimming Pool - BBQ and pool activities.
- Marx Cruzat – Musician
- The Pantry - catering for breakfast
- Shutterbugs – photography
- Bakearoma, Roma - cake

Yuleba & District

Celebrations and activities:

8am – BBQ breakfast

9am Celebrate our residents' achievements with the Australia Day awards and cutting of the Australia Day cake and morning tea – followed by a game of social bowls.

Fun at the pool – Wallumbilla Swimming Pool,

Venue/s

Yuleba Golf and Bowls Club, Scott Street Yuleba

Councillor/s – Cr McMullen

Ambassador - no ambassador. Speech given by Vice – President Yuleba Development Group Sylvia Kuhbauch and Australia Day Poem read by young community member Lawrence Sladden (Yuleba State School captain).

Attendance:

- 65 people at ceremony
- 25 people at the pool

Local/Economic Development:

This event provided economic benefits to the following community organisations and/or local businesses who were involved on the day:

- Yuleba Development Group - catering for morning tea, 65 people in attendance for the ceremony.
- Bowls game - was not played because of the heat.
- Wallumbilla Pool – free sausage sizzle and thong throwing event
- Jenny Underwood – photography
- Bakearoma, Roma - cake

Marketing of Event Programs:

Event programs were communicated through the region via printed flyers and a range of additional marketing initiatives including:

- Posters on noticeboards
- Council Website
- Mail drops
- Emails to Community Contact Lists.
- Social media

Post Event:

- Local feedback to the Bottle Tree Bulletin
- Social media
- Media releases
- Council website
- Maranoa Today

Australia Day Ambassadors

Having the Australia Day Ambassadors attend the Australia Day events created interest and made the celebrations feel even more special.

Three Ambassadors were allocated to the Maranoa region.

- Mitchell – Gail Ker
- Surat – Saba Abraham
- Roma – Natahsa Johnston

Summary

Council's 2024 Australia Day program was well supported and received by community members with positive informal feedback received throughout the region.

This year Local Area Directors were able to assist with the transportation of the ambassadors during the day which helped the Local Development Officers and was greatly appreciated.

The Local Development Team would like to thank all the Councillors who were involved, as well as all the many other Council staff (such as Parks and Gardens) who worked with our team to ensure the success of the Australia Day celebrations.

Legislation, Local Laws, State Policies & Other Regulatory Requirements:

What does the legislation and other statutory instruments include about the matter under consideration? (Include an extract of the relevant section's wording of the legislation – please do not just quote the section number as that is of no assistance to Councillors)

N/A

Council Policies or Asset Management Plans:

Does Council have a policy, plan or approach ordinarily followed for this type of decision? What are relevant sections of the policy or plan?

(Quote/insert the relevant section's wording / description within the report)

N/A

Input into the Report & Recommendation:

Have others' views or input been sourced in developing the report and recommendation to Council? (i.e. other than the report author?) What did each say? (Please include consultation with the funding body, any dates of critical importance or updates or approvals required)

Local Development Officers in Roma, Mitchell, Surat and Injune.

Funding Bodies:

Is the project externally funded (or proposed to be)? If so, are there any implications in relation to the funding agreement or grant application. (Please do not just include names)

Council was successful in gaining grants totaling \$15,000 in addition to the allocated budget to cover costs incurred.

This Financial Year's Budget:

Will the matter under consideration impact how much Council collects in income or how much it will spend? How much (\$)? Is this already included in the budget? (Include the account number and description).

If the matter under consideration has not been included in the budget, where can the funds be transferred from? (Include the account number and description) What will not be done as a result

There is \$26,400 allocated in the 2023/24 financial year budget under 02888.2253.2001 - Australia Day.

Future Years' Budgets:

Will there need to be a change in future years' budgets to cater for a change in income or increased expenditure as a result of Council's decision? How much (\$)? (e.g. estimate of additional maintenance or operating costs for a new or upgraded project)

Australia Day has historically received an annual allocation in Council's yearly budget.

Impact on Other Individuals or Interested Parties:

Is there anyone who is likely to be particularly interested in or impacted by the decision, or affected by the recommendation if adopted? What would be their key interests or concerns?

(Interested Parties Analysis - IS9001:2015)

Nil

Risks:

What could go wrong if Council makes a decision on this matter? (What is the likelihood of it happening and the consequence if it does) (List each identified risk in a table)

Risk	Description of likelihood & consequences
nil	nil

Advice to Council:

What do you think Council should do, based on your skills, qualifications and experience, your knowledge of this and related matters, and the facts contained in the report?

(A summary of what the employee thinks Council needs to hear, not what they think individual Councillors want to hear – i.e. employees must provide sound and impartial advice – the employee's professional opinion)

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

Recommendation:

What is the 'draft decision' based on the advice to Council?

Does the recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

(Note: recommendations if adopted by Council become a legal decision of government and therefore must be clear and succinct about the action required by employees (unambiguous)).

Does this recommendation suggest a decision contrary to an existing Council policy? If so, for what reason?

It is recommended that Council receive and note the officer's report as presented.

Link to Corporate Plan:

Corporate Plan 2023-2028

Strategic Priority 4: Growing our region

4.11 Support development of our local communities through planning, programs and events

Supporting Documentation:

1 [Gail Ker \(Australia Day 2024 Ambassador\) - Thank you email](#) D24/10479

Report authorised by:

Local Area Director - Bendemere

Madonna Mole

From: Gail Ker <gailkker56@gmail.com>
Sent: Friday, 2 February 2024 2:02 PM
To: John Birkett; Wayne (George) Ladbrook; Wendy Taylor; Geoffrey (Geoff) McMullen; cameron.oneill@maranoa.qld.gov.au; Madonna Mole; Dianne Clayton; Office of the CEO
Cc: Liz Irvine
Subject: Thank you

Some people who received this message don't often get email from gailkker56@gmail.com. [Learn why this is important](#)

To our wonderful Australia Day hosts and Council Champions from Maranoa Council, thank you!

Liz and I were treated to exceptional hospitality, friendliness, warmth and a genuinely amazing experience. You all contributed so generously to what we were offered as guests at the Mitchell Australia Day event as well as our visit to Roma and the Maranoa region.

We are already planning our first road trip bringing our friends to come back with us to be again immersed in all your region

has to offer as visitors, and who knows as investors.

We sincerely thank each and every one of you, and can only say what a marvellous time we had and how impressed we are with your work as committed Councillors and as a dedicated and hardworking Council Team.

Have a lovely weekend folks and hope to see you all again soon!

Kindest regards,

Gail and Liz



Thank You!

We really appreciated your generosity throughout the Australia Day weekend.

Our time spent exploring Roma and Mitchell was extraordinary and we look forward to returning.

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Ordinary 14 February 2024

Date: 30 January 2024

Item Number: 17.1

File Number: D24/8813

SUBJECT HEADING: 4G Rollout to Maranoa Communities

Classification: Open Access

Councillor's Title: Cr Julie Guthrie

Executive Summary:

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

Councillor's Recommendation:

That a report be prepared for the next meeting confirming Council's ability to assist communities and individuals with preparedness for Telstra's planned withdrawal of the 3G network on 30 June 2024.

Details of Requested Agenda Report:

Many of our local residents are not aware of the intention that the 3G network is to be withdrawn by Telstra on 30 June 2024. Residents are already expressing concern as to limited access and increased outage failures over the past 1 – 3 months in areas such as Injune, and likely other small communities in our region.

I am seeking ways that Council can support community awareness, for example-

- community meetings
- provide additional information in media updates
- Include information in the Bottletree Bulletin

I am also requesting information about how Council liaise with Telstra regarding their communication strategies and suggestions for affected communities in general and individuals moving forwards.

Supporting Documentation:

Nil

COUNCILLOR REQUEST FOR AN AGENDA REPORT

Meeting: Ordinary 14 February 2024

Date: 8 February 2024

Item Number: 17.2

File Number: D24/12640

SUBJECT HEADING: Roma Saleyards - Water Bubbler

Classification: Open Access

Councillor's Title: Cr Cameron O'Neil

Executive Summary:

Proposed installation of a water bubbler at the Roma Saleyards.

Councillor's Recommendation:

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

Details of Requested Agenda Report:

I have had a number of users of the Roma Saleyards raise with me that it would be of benefit if there was a water bubbler located at the Roma Saleyards which allowed all users to fill up their own water bottles while at the saleyards.

Supporting Documentation:

Nil