



General Council Meeting

Meeting of the Central Highlands Regional Council held in the **Council Chambers, 65 Egerton Street, Emerald** on

Wednesday, 13 May 2020
Commenced at 9.00am

COUNCIL MINUTES

CENTRAL HIGHLANDS REGIONAL COUNCIL

GENERAL MEETING OF COUNCIL

WEDNESDAY 13 MAY 2020

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MINUTES – GENERAL COUNCIL MEETING
HELD AT 9.00AM WEDNESDAY 13 MAY 2020 IN THE CENTRAL HIGHLANDS REGIONAL COUNCIL
CHAMBERS, EMERALD OFFICE

PRESENT

Councillors

Councillor (Crs) Kerry Hayes (Mayor), Christine Rolfe (Deputy Mayor)
Councillors (Crs) Charles Brimblecombe, Joseph Burns, Anne Carpenter, Natalie Curtis, Megan Daniels, Janice Moriarty and Gai Sypher

Officers

Chief Executive Officer Scott Mason, General Manager Communities John McDougall, General Manager Corporate Services Margaret Gatt, General Manager Infrastructure and Utilities Gerhard Joubert (via skype) and Minute Secretary Marnie Wills

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

Attendance

General Manager Corporate Services M. Gatt attended the meeting a 9.01am
CEO S. Mason left the meeting at 9.07am

OPENING PRAYER

Pastor Roderick McLennan from the Emerald Presbyterian Church delivered the opening prayer.

ACKNOWLEDGEMENT OF COUNTRY

Mayor Hayes acknowledged the traditional custodians of the land on which we meet today and he paid our respects to the elders, past, present and emerging.

CONFIRMATION OF MINUTES OF PREVIOUS MEETING

General Council Meeting: 29 April 2020

Resolution:

Cr Brimblecombe moved and seconded by Cr Moriarty "That the minutes of the previous General Council Meeting held on 29 April 2020 be confirmed."

2020 / 05 / 13 / 001

Carried (9-0)

BUSINESS ARISING OUT OF MINUTES

Nil

Attendance

Coordinator Ranger Services Brett Keys attended the meeting at 9.10am

OUTSTANDING MEETING ACTIONS

Councillors undertook a 6 monthly review of all outstanding meeting actions on the resolutions register.

Cr Rolfe

- Enquired on when the Town Centre Beautification Centre Projects will be brought back to Council for discussion with the new council

REVIEW OF UPCOMING AGENDA ITEMS

Discussions were held regarding upcoming agenda items.

MATERIAL PERSONAL INTEREST, CONFLICT OF INTEREST, PERSONAL GIFTS AND BENEFITS

Nil

PETITIONS (IF ANY)

Nil

Attendance

CEO S. Mason returned to the meeting at 9.20am

General Manager Corporate Services M. Gatt left the meeting at 9.31am and returned at 9.32am

DECISION ACTION REPORTS

Communities

Flying-fox Management Plan update

Purpose:

This report will outline the proposed amendments to the Central Highlands Regional Council Flying-Fox Management Plan in accordance with the recently amended and updated:

1. Code of Practice, Low impact activities affecting flying-fox roosts (*Nature Conservation Act 1992*).
2. Code of Practice, ecologically sustainable management of flying-fox roosts (*Nature Conservation Act 1992*) and
3. Flying-fox roost management guide (Department of Environment and Science DES).

Resolution:

Cr Curtis moved and seconded by Cr Moriarty "That Central Highlands Regional Council adopt the proposed amendments to the Central Highlands Regional Council Flying-fox Management Plan 2020 in accordance with the Codes of Practice and the Department of Environment and Science Flying-fox roost management guideline."

2020 / 05 / 13 / 002

Carried (9-0)

Attendance

Coordinator Ranger Services B. Keys left the meeting at 9.43am

Manager Governance J. Ngoroyemoto and Manager Safety and Wellness G. Westerberg attended the meeting at 9.44am

Corporate Services

Quarterly Policy Review - Customer and Commercial Services and Office of Chief Executive Officer

Purpose:

The purpose of this report is to present policies for review and adoption. The Customer and Commercial Services and Office of the Chief Executive Officer policies have been reviewed in accordance with Central Highlands Regional Council Policy Framework review schedule.

Resolution:

Cr Rolfe moved and seconded by Cr Burns “That Central Highlands Regional Council:

1. Defer the following proposed new polices to a future General Council Meeting:
 - Councillors Confidentiality Policy (CHCRP0030) dated 15 May 2020;
 - Electrical Safety Policy (CHRCPP0024) dated 15 May 2020;
 - Fire Safety Policy (CHRCPP0025) dated 15 May 2020;
 - Workplace Rehabilitation Policy (CHRCPP0028) dated 15 May 2020;
 - Long-Term Community Housing Rent Management Policy (CHRCPP0031) dated 15 May 2020.
2. Adopt the proposed amendments to the current policies:
 - a. Work Health and Safety (CHRCPP0029) dated 15 May 2020;
 - b. No Smoking Policy (CHRCPP0027) dated 15 May 2020;
 - c. Fitness for Work Policy (CHRCPP0026) dated 15 May 2020;
3. Rescind the Personal Protective Equipment Policy (CHRC0031) dated 9 February 2017, to be replaced by an Administrative Guideline.”

 <p>Central Highlands Regional Council</p>	CENTRAL HIGHLANDS REGIONAL COUNCIL POLICY	
	TITLE:	POLICY REF NO:
	Work Health and Safety	CHRCPP: 0029

1.0 Policy Purpose

- 1.1 This policy recognises council’s commitment to supporting Work Health and Safety across the entire organisation.

2.0 Policy Statement

- 2.1 Council believes all incidents are preventable and is committed to maintaining a healthy and safe work environment for our staff, contractors/consultants, community members and visitors. All levels of management within Council will ensure the health and safety outcomes are managed in a proactive manner. All council staff will ensure the continuous improvement aimed at eliminating work-related injury and illness across the entire organisation.
- 2.2 Council has established an overarching Work Health and Safety Management System to ensure that a planned, structured and effective approach to legislative obligations related to Health and Safety are implemented. Additionally, we have a dedicated Safety and Wellness Team focused on the health and safety of staff, including mental wellbeing that is supported by the Employee Assistance Program (EAP).


2.3 Council's Health and Safety Values are:

- 2.3.1 all incidents are preventable.
- 2.3.2 everyone has a right to come to work and do their jobs effectively and go home safely.
- 2.3.3 every person has the authority to stop a job if it is not safe.
- 2.3.4 no job is more important than the top 4.
- 2.3.5 every council officer is responsible for their safety and the safety of others.
- 2.3.6 no council employee will walk past an unsafe act or condition.

2.4 In fulfilling Council's legislative and moral obligations Council is committed to:

- 2.4.1 Placing the health, safety and wellness of workers and persons ahead of all other considerations.
- 2.4.2 Ensuring a safe system of work.
- 2.4.3 Maintaining and continually improving the Work Health and Safety Management System through the development and management of measurable WHS objectives and targets.
- 2.4.4 Use risk management approaches to develop sustainable, structured and consistent systems for health and safety management.
- 2.4.5 Ensuring workers and relevant stakeholders are consulted regarding workplace health and safety.
- 2.4.6 Ensuring that each worker received information, instruction and training regarding their workplace health and safety responsibilities.
- 2.4.7 Implementing an effective hazard and incident management system.
- 2.4.8 Health and safety resources will be made available to provide the strategic and operational capability to comply with legislative obligations and proactively contribute to continuous improvement activities.

2.5 To achieve Council's legislative and moral obligations, the commitment and cooperation of every employee, individually as well as working together as a team is required, sharing a fundamental duty of care to ourselves and others. All employees have the authority to take actions necessary to provide for their own safety and the safety of other persons.

 Central Highlands Regional Council	POLICY	
	No Smoking	
POLICY NUMBER: CHRC0032 CHRCP: 0027	DEPARTMENT:	Office of the CEO
EFFECTIVE DATE: 1 May 2020	UNIT:	Workplace Health and Safety

1.0 Purpose and Scope

This policy supports Council's smoke free working environment. It applies to all Council employees including contractors, volunteers, work experience students and trainees.

2.0 Reference

Council Employee Code of Conduct
Tobacco and Other Smoking Products Act 1998
Tobacco and Other Smoking Products Regulation 2010

3.0 Definitions

Council means Central Highlands Regional Council (CHRC)

4.0 Policy Statement

Council recognises the negative impact of smoking on the health of the individual and the rights of people to be protected from the dangers of passive smoking. Council is committed to providing a safe and healthy work environment for all employees, contractors, visitors and clients.

It is acknowledged that the individual has the right to choose whether or not to smoke, providing this does not constitute a risk to others or contravene safety provisions or reduce the employee's productivity.

This policy also defines the use of electronic cigarettes as smoking.

4.1 Roles and Responsibilities

Employees must not smoke in the immediate work environment (including inside vehicles and plant/equipment) and have a responsibility to report breaches of the policy to the relevant supervisor.

4.2 Designated No Smoking Areas

Smoking is prohibited inside all buildings, office areas, enclosed work areas and plant, machinery and vehicles and wherever else there are designated no smoking areas.

Designated no smoking areas include:

- Office, conference and training areas;
- Lunch rooms, recreation areas and crib rooms;
- Administration and library buildings;
- Community and entertainment centres;
- Rural transaction centres;
- Workshop and store complexes;
- Storage facilities;
- Basement areas;
- Enclosed car parks;
- Public Swimming Pools;
- All confined spaces including:
 - Stairwells
 - Fire escapes
 - Lifts
 - Toilets
- All Council plant, machinery and vehicles (including Council vehicles utilised for private use);
- Within five metres of any entry door; air intake system or plant and equipment.

4.3 Signage

'No Smoking' signs will be displayed to show that smoking is prohibited in buildings; vehicles and plant and equipment.

Designated smoking areas on sites (only where it has been risk assessed as a permissible provision), shall be clearly signed and demarcated and persons shall only smoke in these designated area/s on site.

4.4 Quit Smoking Program

Council will offer a 'quit smoking' program for interested employees with an amount of up to \$150 reimbursement on presentation of appropriate documents detailing that the individual is undergoing treatment to quit smoking. Appropriate documentation includes medical certificate and prescription details.

Council also encourages employees to utilise any programs delivered through the Department of Health and Queensland Quitline.

Access to these programs can be arranged in liaison with Council's Safety and Wellness Department.

4.5 Smoke Breaks/Corporate Image

Employees are encouraged to limit smoking to the designated lunch and morning/afternoon tea breaks and to be mindful of their obligation to promote a positive corporate image for Council during business hours and whilst in corporate and workplace uniform. Any smoking during work time must not reduce the employee's productivity or safety. Persons utilising designated smoking areas are to ensure that housekeeping is maintained at a high standard (i.e. general rubbish and cigarette butt disposal).

4.6 Consequences of Breach of Policy


Any employee failing to comply with the requirements of this policy may be subject to Council's disciplinary procedures.

5.0 Policy Review

This policy will be reviewed when any of the following occur:

1. As required by Legislation.
2. The related documents are amended or replaced.
3. Other circumstances as determined from time to time by a resolution of Council

Notwithstanding the above, this policy is to be reviewed at intervals of no more than four (4) years.

 Central Highlands Regional Council	CENTRAL HIGHLANDS REGIONAL COUNCIL POLICY	
	TITLE: Fitness for Work	POLICY REF NO: CHRCP: 0026

1.0 Policy Purpose

- 1.1 The purpose of the Fitness for Work Policy is to ensure that the health and safety of all persons is not at risk or adversely affected by any worker attending the workplace while not fit for work.

2.0 Policy Statement

- 2.1 Central Highlands Regional Council aims to ensure that fitness for work is integrated into all our management systems and core operations so that prevention of occupational injury and illness becomes an integral part of our organisational culture.

3.0 Commitment

- 3.1 Central Highlands Regional Council is committed to providing a safe working environment for all persons. Accordingly, Council shall provide a fitness for work program to ensure that appropriate fitness for work and workplace safety standards are maintained.
- 3.2 In order to fulfil this commitment, Council shall:
- 3.2.1 Provide education and awareness programs on fitness for work responsibilities to all workers;
 - 3.2.2 Provide appropriate assistance to overcome problems that could impair fitness for work;
 - 3.2.3 Provide an effective, fair and constructive policy and procedures for dealing with workers who are unfit for work;
 - 3.2.4 Provide assistance through a full range of educational and rehabilitative measures to overcome problems that could impair an individual's fitness for work, inclusive of Employee Assistance Programs.

4.0 Definitions

- 4.1 **Not fit for work** means a person that has an impaired ability to safely perform the inherent duties required of their role. Reasons for the impairment include but are not limited to being under the influence of a substance or alcohol, fatigue, sustaining an injury (work or not work related) or medical procedure.
- 4.2 **Worker** means a worker as defined in accordance with section 7 of the *Work Health and Safety Act 2011* who is directly or indirectly engaged by Central Highlands Regional Council.

Strategic Link	Work Health and Safety Act 2011 Work Health and Safety Regulation 2011 Transport Operations (Road Use Management) Act 1995 Drugs Misuse Act 1986 Crime and Misconduct Act 2011
Category	Safety and Wellness
Lead Business Unit	Safety and Wellness
Public Consultation	No
Adoption Date	TBA
Next Review Due	TBA
Document Number	1074843
Record Keeping	ECM, Vine and Council Website

Related Documents	Workplace Health and Safety Policy Medical Assessments Procedure Drug and Alcohol Procedure Fatigue Management Procedure Injury Management Procedure
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2020 / 05 / 13 / 003

Carried (7-2)

Attendance

Manager Governance J. Ngoroyemoto and Manager Safety and Wellness G. Westerberg left the meeting at 10.16am

Acting Manager Finance H. Kirby attended the meeting at 10.17am

Budget Review 3

Purpose:

The original budget is reviewed at least three times during the year and adopted by resolution. Budget review 3 has now been undertaken to identify and account for changes since the adoption of budget review 2 in February 2020.

The original 2019-20 budget reported an operating deficit of \$2.135m which was revised at budget review 2 to a deficit of \$2.358m. Budget review 3 is amending the operating deficit reported at budget review 2, to a forecast deficit of \$4.372m. The capital program forecast at budget review 2 of \$74.450m is also being revised downwards to \$71.423m at budget review 3.

The operating and capital adjustments proposed as part of the budget review 3 process have been reflected in Council's Long-Term Financial Plan.

The emerging risks and uncertainties associated with COVID-19 have had an impact on the formulation of budget review 3. While known adjustments have been accounted for, there may be additional impacts still to be determined that will modify the operating and capital forecast result to the end of the financial year.

Resolution:

Cr Carpenter moved and seconded by Cr Brimblecombe "That Central Highlands Regional Council, in accordance with sections 169 and 170 of the *Local Government Regulation 2012*, adopt the amendments to the budget including:

1. The statement of comprehensive income
2. The statement of financial position
3. The statement of cash flow
4. The statement of changes in equity
5. The measures of financial sustainability
6. Capital program 2019-20 and 2020-21."

2020 / 05 / 13 / 004

Carried (9-0)

Attendance

Acting Manager Finance H. Kirby left the meeting at 10.32am

Adjournment

Meeting adjourned at 10.32am for morning tea

Meeting resumed at 11.00am

Attendance

Manager Governance J. Ngoroyemoto attended the meeting at 11.00am

Review of Delegations from Council to the Chief Executive Officer

Purpose:

This report provides a review and update of the delegations from Council to the Chief Executive Officer and is being presented for Council endorsement.

Resolution:

Cr Burns moved and seconded by Cr Brimblecombe “That Central Highlands Regional Council:

1. Receive the current “Delegations Register Council to CEO” which details all the powers delegated to the Chief Executive Officer of Council pursuant to section 257 of the Local Government Act as shown in the attachment 1 to this report;
2. Adopt the proposed amendments to “Delegations Register Council to CEO” to reflect the new and amended delegations, as published as part of the agenda to Councillors to the ‘hub’; and
3. Endorse the Administration to amend the “CEO to Employees/Contractors Delegations Register” to reflect the changes as per recommendation 2.”

2020 / 05 / 13 / 005

Carried (9-0)

Attendance

Manager Governance J. Ngoroyemoto left the meeting at 11.25am

Chief Executive Officer

Date change for Gazetted Central Highlands - Show Holidays 2020 (Capella, Springsure and Emerald)

Purpose:

The purpose of this report is to determine if Council’s appetite to apply to the Department of Industrial Relations to seek permission to change the gazetted show holidays for Capella, Springsure and Emerald.

Resolution:

Cr Sypher moved and seconded by Cr Moriarty “That Central Highlands Regional Council receive and note the report and that Council formally communicate the public gazetted public holidays.”

2020 / 05 / 13 / 006

Carried (9-0)

LATE AGENDA ITEMS

Transfer of Transport Infrastructure Development Scheme (TIDS) funding

Purpose:

Council have received an urgent request from the Secretariat of the Bowen Basin Regional Roads and Transport Group (BBRRTG) to consider transfer of Transport Infrastructure Development Scheme (TIDS) funds of \$152,515, between Woorabinda Aboriginal Shire Council and Central Highlands Regional Council to ensure full expenditure can be achieved for the BBRRTG 2019/20 financial year.

In anticipation of the BBRRTG Board approval of the proposed transfer, Council is requested to accept the additional TIDS funding and commit to match the required 50% funding with budget from existing capital works projects within the 2019/20 capital works program. It is proposed to accommodate this by internal transfer within the approved Road Infrastructure Program.

If Council accepts the proposed transfer, the transfer is to be approved by the BBRRTG Board as matter of urgency, through recommendation by the Technical Group on Wednesday 13 May 2020.

Resolution:

Cr Brimblecombe moved and seconded by Cr Moriarty “That Council in anticipation of the Bowen Basin Regional Roads and Transport Group Board approval of the transfer of Transport Infrastructure Development Scheme funds of \$152,515, between Woorabinda Aboriginal Shire Council and Central Highlands Regional Council:

1. Accepts the proposed transfer; and
2. Commits to match the required 50% funding with budget from existing capital works projects within the 2019/20 capital works program.

That Council approve the transfer of matching funds of \$152,515 from the Gravel Re-sheet – Gravel Supply project in the 2019/20 capital works program, subject to the above occurring, from the following three projects:

1. Cocklebinda Road - \$52,515
2. Redcliffe Road - \$50,000
3. Aroona Road - \$50,000

To the following two projects:

1. Malvern Road Pave and Seal Project - \$102,515
2. Wyuna Road Pave and Seal Project - \$50,000.”

2020 / 05 / 13 / 007

Carried (9-0)

Capricorn Highway (Codewarra Road to Opal Street) Upgrade Business Case

Purpose:

The purpose of this report is to:

- Provide Council with an update on progress of the *Capricorn Highway (Duaringa-Emerald) – Codewarra Road to Opal Street flood immunity traffic capacity and safety upgrade* Business Case project.
- Advise the tender evaluation outcome of the Request for Tender (RFT) 2020T068C - Capricorn Highway (Codewarra Road to Opal Street) Upgrade – Business Case.

- Endorse the Tender Evaluation Panel’s recommendation to award Tender 2020T068C to AECOM Australia Pty Ltd for an adjusted value of \$1,167,644.08 (excl GST), subject to the following conditions being met:
 - Writing and seeking a commitment from the Department of Main Roads to increase their proposed funding commitment to match 50% of the full cost of the Business Case.
 - Council to confirm matching funding for the project during the 2020/21 Budget development.
 - Council seeking a tender validity extension from the successful tenderer till 31 July 2020 to allow budget approval to proceed.
- Recommend greater advocacy for the project after completion of the Business Case at all levels of government.

Resolution:

Cr Sypher moved and seconded by Cr Daniels “That Central Highlands Regional Council endorse the Tender Evaluation Panel’s recommendation to award Tender 2020T068C to AECOM Australia Pty Ltd for an adjusted value of \$1,167,644.08 (exclusive of goods and services tax), subject to the following conditions being met:

1. Written confirmation from the Department of Transport and Main Roads to increase their proposed funding commitment to at least 50% of the full cost of the Business Case;
2. Confirmation of matching funding for the project within the 2020/21 budget; and
3. Acquisition of a tender validity extension from the successful tenderer to 31 July 2020 within Councils 2020/21 Budget.”

2020 / 05 / 13 / 008

Carried (9-0)

Attendance

Coordinator Environment and Waste G. Atherfold attended the meeting at 11.58am

Reef Guardian Executive Elective

Purpose:

Central Highlands Regional Council has participated in and been part of the Reef Guardian Council program since 2012.

As an active member of this program, Council has a number of obligations which include contributing to the Executive Committee. This committee provides a forum for executive representatives of the Reef Guardian Councils, and the Great Barrier Reef Marine Park Authority (the Authority), to discuss issues and opportunities.

This report seeks the nomination of up to two councillor representatives for the Executive Committee.

Resolution:

Cr Curtis moved and seconded by Cr Sypher “That Central Highlands Regional Council nominates Councillors Brimblecombe and Daniels to represent Council on the Reef Guardian Council Executive Committee.”

2020 / 05 / 13 / 009

Carried (9-0)

Attendance

Coordinator Environment and Waste G. Atherfold left the meeting at 12.04

DECISION ACTION – CLOSED SESSION

Into Closed Session

Resolution:

Cr Moriarty moved and seconded by Cr Carpenter “That Council close its meeting to the public in accordance with Section 275 (1) (h) of the Local Government Regulation 2012 and that Council staff involved in the closed discussions remain in the room.”

2020 / 05 / 13 / 010

Carried (9-0)

The meeting was closed at 12.05pm

Attendance

Manager Planning and Environment K. Byrne and Principal Planner Strategic Land Use J. Hague attended the meeting at 12.06pm

Regional Economic Development Incentive Application - Sojitz Coal Mining Pty Ltd

Out of Closed Session

Resolution:

Cr Sypher moved and seconded by Cr Burns “That the meeting now be re-opened to the public.”

2020 / 05 / 13 / 011

Carried (9-0)

The meeting was opened at 12.21pm

Attendance

Manager Planning and Environment K. Byrne and Principal Planner Strategic Land Use J. Hague left the meeting at 12.21pm

Regional Economic Development Incentive Application - Sojitz Coal Mining Pty Ltd

Purpose:

This purpose of this report is to assess the Regional Economic Development Incentive application from Sojitz Coal Mining Pty Ltd against the Regional Economic Development Incentive Policy and provide a recommendation.

Resolution:

Cr Rolfe moved and seconded by Cr Carpenter “That Central Highlands Regional Council:

1. Refuses the Regional Economic Development Incentive application associated with COB001.1-2019 Combined Development Permit for Material change of use – High impact industry (Coal Loadout Facility including Rail Loop and Siding) and Development Permit for Reconfiguring a lot (1 into 2 lot subdivision of land) for \$22,385.15.
2. Advises Sojitz Coal Mining Pty Ltd that future Regional Economic Development Incentive applications amounting to \$110,599.02 for applications OPW451-2019 and DA005-2019 associated with expansion of the Extractive Industry operations would not be supported.
3. Encourages Sojitz Coal Mining Pty Ltd to apply for a Regional Economic Development Incentive if they develop residential housing, including residential subdivisions, in Springsure or Rolleston.”

2020 / 05 / 13 / 012

Carried (9-0)

GENERAL BUSINESS

(Verbal matters raised by Councillors either as a question, acknowledgement and or additional follow-up by officers)

Cr Rolfe

- The Capricornian Branch in Springsure has won branch of the quarter for the second time and that they have increased their services to home loans and refinancing. It was agreed to forward a letter of congratulations.

CLOSURE OF MEETING

There being no further business, the Mayor closed the meeting at 12.28pm.

CONFIRMED

MAYOR

DATE