



Agenda
of the
General Meeting

Held in the Council Chambers, 45 Glendon Street Kingaroy

on Wednesday, 22 January 2014

Commencing at 9.00 am

Chief Executive Officer: Ken McLoughlin



SOUTH BURNETT REGIONAL COUNCIL AGENDA

Wednesday, 22 January 2014

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1. Leave Of Absence

Nil.

2. Prayers

A representative of the Ministers Fraternal offered prayers for Council and for the conduct of the Council meeting.

3. Confirmation of Minutes of Previous Meeting

3.1 South Burnett Regional Council Minutes

Précis

Confirmation of Minutes of meeting of the South Burnett Regional Council held in the Council Chambers, 45 Glendon Street Kingaroy.

Officer's Recommendation

That the minutes of the previous meeting held on Wednesday 18 December 2013 as recorded be confirmed

4. Mayoral Report

Nil.

CONSIDERATION OF BUSINESS SECTIONS INCLUDING BUSINESS ARISING OUT OF MINUTES OF PREVIOUS MEETINGS

See Business Function Headings

5. Planning, Communities & Environment

5.1 Planning & Land Management (P&LM)

(a) Officer's Reports

- 5.1.1 P&LM - 1243377 - Forwarding IDAS Application for Reconfiguration of a lot (2 lot subdivision) at 276 Birt Road Kingaroy - Lot 3 SP204665; Applicant: John Bastable; Owner: John Bastable and Edna Poneles**

Document Information

IR No 1243377

Author Senior Planning Officer

**Endorsed By Manager - Planning, Land Management & Community
General Manager - Planning, Community & Environment**

Date 10 January 2014

Précis

Forwarding IDAS Application for Reconfiguration of a lot (2 lot subdivision) at 276 Birt Road Kingaroy - Lot 3 SP204665; Applicant: John Bastable; Owner: John Bastable and Edna Poneles

Summary

- Application for Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots)
 - Subject site included within the Rural Zone under the Kingaroy Shire IPA Planning Scheme
 - Proposed lots do not comply with the 200ha minimum lot size within the Rural Zone and is identified as Code (Inconsistent) within the Kingaroy Shire IPA Planning Scheme
 - Proposed Lot 5 has an area of 2.4ha and is improved by an existing Dwelling House and Shed
 - Proposed Lot 6 has an area of 1.6ha and is currently vacant
 - The subject site is located opposite an existing Bed & Breakfast (297 Birt Road, Booie)
 - A natural escarpment along the eastern boundary of proposed Lots 5 and 6 is heavily vegetated and provides a physical and environmental buffer from existing agricultural land uses located on Lot 4 on SP204665 (338 Birt Road, Booie)
 - It is considered that the application can be supported based on the existing Bed & Breakfast located on the opposite side of Birt Road, the natural escarpment to the east which provides
-

a buffer from existing agricultural operations surrounding the subject site and the proximity to smaller lots within the Rural Residential Zone (0.7km) and the township of Kingaroy (7km)

- Application recommended for approval subject to reasonable and relevant conditions

Officer's Recommendation

That Council *approve* the applicants request for a Development Permit for Reconfiguration of a Lot (1 Lot into 2 Lots) on Lot 3 on SP204665 located at 276 Birt Road, Boobie subject to the following conditions:

General

GEN1. The subject site is to be developed generally in accordance with the plans and information submitted with the application unless otherwise amended by the following conditions:

- Drawing No: 5134P/1, Sheet No 1 of 1 (Proposed Reconfiguration), Drawn by O'Reilly Nunn Favier and dated 14 November 2013

GEN2. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

GEN3. The applicant is required to maintain the site in a clean and orderly state at all times, clearing declared weeds and feral animals.

Compliance Assessment

GEN4. All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificate for the sealing of the Survey Plan, and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

A Compliance Certificate fee will be charged, with payment required prior to Council approval of the associated documentation requiring compliance assessment.

Survey Marks

RAL1. Prior to the submission of the Survey Plan to Council, the applicant is to reinstate survey marks and install new survey marks in their correct position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

Natural Resources Valuation Fees

RAL2. Payment of Department of Natural Resources and Mines valuation fees that will result from the issue of split valuations prior to Council sealing the Survey Plan. The contribution is currently assessed at \$90.00 (2 x \$45.00); however, the actual amount payable will be based on Council's Register of Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.

Property Access

ENG1. A single property access is to be provided to each lot in accordance with IPWEAQ Standard Drawing R-056 and Table S2.7 - Design and Construction Standards of the Kingaroy Shire IPA Planning Scheme with the location of each access in accordance with the approved Proposal Plan. Only one access per lot is permitted.

Stormwater

ENG2. All stormwater drainage systems, including all surface, underground and roof water components, to effectively drain all stormwater falling on the proposed development to Council's stormwater system, rain water tanks or other lawful points of discharge.

Earthworks

- ENG3. Any proposed earthworks if not self-assessable against Council's Kingaroy Shire IPA Planning Scheme shall be in accordance with Council's Planning Scheme Urban Locality Code - 020 – S20.1 and shall be undertaken under a separate Development Permit for Operational Works.

Advice

- ADV1. Section 341(2)(a) of the *Sustainable Planning Act 2009* provides that, if this approval is not acted upon within the period of two (2) years the approval will lapse. Note that in accordance with section 341(7) a related approval may extend the relevant (currency) period.
- ADV2. Telecommunication connections can be arranged by emailing *F1103721@team.telstra.com* providing the following information:
- Full name;
 - Address of property including state & postcode;
 - Lot No's and Plan No's: and
 - What the development is (units, subdivision, shop, etc)
- ADV3. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.
- ADV4. Attached for your information is a copy of Division 8 of the *Sustainable Planning Act 2009* as regards Rights of Appeal. With respect to Appeal Rights of Applicants, the following is drawn to your attention—
- a) the applicant's Appeal Period commences upon receipt of this advice and expires twenty (20) business days thereafter.
 - b) should the applicant notify the Assessment Manager (Council) in writing of acceptance of the conditions of approval and that it is not intended to make an appeal, the Applicant's Appeal Period is at an end.

Financial and Resource Implications

No implication can be identified.

Link to Corporate/Operational Plan

- GO3 Balanced development that preserves and enhances our region.
GO3.3 Implement policies and plans that support appropriate planning and development for business, industry and community needs.

Communication/Consultation (Internal/External)

Council's Infrastructure Department (Internal). Refer to Section 4.1 of this Report.

Legal Implications (Statutory Basis, Legal Risks)

No implication can be identified.

Policy/Local Law/Delegation Implications

No implication can be identified.

Asset Management Implications

No implication can be identified.

5.1.2 P&LM - 1182147 - Forwarding SeDA Reconfiguration of a Lot (1 lot into 3 lots plus balance) - 61 Tessmanns Road Kingaroy - Lot 29 SP130868 - Applicant: O'Reilly Nunn Favier Owner: Wieden Developments Pty Ltd

Document Information

IR No 1182147

Author Senior Planning Officer

Endorsed

**By Manager - Planning, Land Management & Community
General Manager - Planning, Community & Environment**

Date 13 January 2014

Précis

Forwarding SeDA Reconfiguration of a Lot (1 lot into 3 lots plus balance) - 61 Tessmanns Road Kingaroy - Lot 29 SP130868 - Applicant: O'Reilly Nunn Favier Owner: Wieden Developments Pty Ltd

Summary

- Application for Development Permit for Reconfiguration of a Lot (1 Lot into 3 Lots plus Balance Area)
- Subject site included within the Community Expansion Zone under the Kingaroy IPA Planning Scheme
- Three (3) proposed allotments have an area ranging from 2,900m² to 4005m² with the balance having an area of 6.63ha
- Application only proposes for the three (3) allotments to be connected to Council's water supply network with no connection proposed to Council's reticulated sewer network (future Dwelling Houses require on-site sewerage effluent disposal systems)
- Proposed development does not comply with key Desired Environmental Outcomes and Overall Outcomes of the Urban Locality Code based on the standard of infrastructure proposed to be provided within an urban residential area
- It is considered that due to physical constraints of the subject site and the relatively small scale of the proposed Reconfiguration of a Lot (3 residential lots) that the development be recommended for approval subject to reasonable and relevant conditions

Officer's Recommendation

That Council *approve* the applicants request for a Development Permit for Reconfiguration of a Lot (1 Lot into 3 Lots plus Balance Area) on Lot 29 on SP130868 located at 61-79 Tessmanns Road, Kingaroy subject to the following conditions:

General

GEN1. The subject site is to be developed generally in accordance with the plans and information submitted with the application unless otherwise amended by the following conditions:

- Drawing No: 4003 P2, Sheet 1 of 1 Revision B (Stage 11 Hillview Estate - Lots 3 to 5 and Balance Area) prepared by O'Reilly Nunn Favier and dated 3 May 2013;
- Catalyst Environmental Report received by Council on 4 September 2013

GEN2. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

GEN3. The applicant is required to maintain the site in a clean and orderly state at all times, clearing declared weeds and feral animals.

Staging

GEN4. The proposed development is to be staged as follows:

- Excise Lot 2 from existing Lot 29 on SP130868 and dedicate Lot 400 on RP866067 (Stage 1)
- Proposed Lot 2 is to be reconfigured (subdivided) into 3 lots in accordance with Plan 4003_P2B (Stage 2)

Compliance Assessment

GEN5. All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificate for the sealing of the Survey Plan (Stage 2), and it is the applicant's responsibility to notify Council to inspect compliance with conditions.

A Compliance Certificate fee will be charged, with payment required prior to Council approval of the associated documentation requiring compliance assessment.

Survey Marks

RAL1. Prior to the submission of the Survey Plan to Council, the applicant is to reinstate survey marks and install new survey marks in their correct position in accordance with the Survey Plan, and the work is to be certified in writing by a Licensed Surveyor.

Natural Resources Valuation Fees

RAL2. Payment of Department of Natural Resources and Mines valuation fees that will result from the issue of split valuations prior to Council sealing the Plan of Survey. The contribution is currently assessed at \$135.00 (3 x \$45.00); however, the actual amount payable will be based on Council's Register of Regulatory & Cost-Recovery Fees and the rate applicable at the time of payment.

Electricity

RAL3. Reticulated electricity is to be provided to the development in accordance with relevant Australian Standards.

RAL4. Written confirmation from the electricity authority, that all matters relating to the reticulation of electricity including electrical civil works have been completed, is to be provided to Council prior to sealing the Survey Plan.

Telecommunications

RAL5. Evidence of an agreement to provide a telephone service is to be provided to Council prior to sealing the Survey Plan (Stage 2).

Roads and Access

ENG1. A single property access is to be provided to each lot in accordance with IPWEAQ Standard Drawing R-056 and Table S2.7 - Design and Construction Standards of the Kingaroy Shire IPA Planning Scheme with the location of each access in accordance with the approved proposal plan. Only one access per lot is permitted.

- ENG2. The access to proposed Lot 4 shall be constructed for the length of the access handle from the back of kerb on Bunya Drive and in accordance with Table S2.7 - Design and Construction Standards of the Kingaroy Shire IPA Planning Scheme.
- ENG3. The applicant is required to construct, seal and kerb the channel the extension of Bunya Drive from the existing seal through to the end of the cul-de-sac as per the approved proposal plan referenced within Condition GEN1.
- ENG4. The existing access restriction strip fronting Bunya Drive (Lot 400 on RP866067) is to be extinguished prior to or in conjunction with the sealing of the Survey Plan. All legal documentation shall be drafted by the applicant or their representative and submitted for endorsement at no cost to Council.
- ENG5. Street warning and regulatory signage and street name plates are to be designed and installed in accordance with the Manual of Uniform Traffic Control Devices (MUTCD) and Council requirements.

Infrastructure Agreement

- ENG6. The developer is to enter into an Infrastructure Agreement with Council for the upgrading of the intersection of Kingaroy Barkers Creek Road and Tessmanns Road, in general accordance with Department of Transport and Main Roads requirements.

The Infrastructure Agreement is to nominate:

- The extent of the roadworks required, including the estimated construction costs
- The service catchment for each intersection
- The formula for contributions towards the road works based upon the expected future lot yield within the catchment, estimated construction costs and provision for annual indexation

Stormwater

- ENG7. The developer shall consent to the discharge of stormwater from Bunya Drive via the proposed easement and outlet into proposed Lot 6. All documentation associated with the drafting of this agreement will be borne by the developer at no cost to Council.
- ENG8. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.
- ENG9. All stormwater drainage systems, including all surface, underground and roofwater components are to effectively drain all stormwater falling onto the proposed development via Council's stormwater system, rainwater tanks or other lawful point of discharge.
- ENG10. The stormwater drainage system serving the site is to be design so that post-development flows at the point of discharge to all downstream properties including road reserves remains consistent with the pre-developed case.
- ENG11. Stormwater drainage is to be design such that no restriction to existing or developed stormwater flow from upstream properties or ponding of stormwater within upstream properties occurs as a result of the development.
- ENG12. Easements are required over any inter-allotment drainage systems. Such easements shall be noted less than three (3) metres in width.

Water Supply

- ENG13. A water connection will be required to service each proposed lot to current South Burnett Regional Council standards. Any alterations to water mains are to be undertaken at no cost to Council.

Earthworks

ENG14. Any proposed earthworks shall be undertaken in accordance with the Urban Locality Code, Element (g) within the Kingaroy Shire IPA Planning Scheme unless approved separately under a Development Permit for Operational Works.

Environmental Protection

ENG15. During the construction phase, install and maintain silt management facilities until the subdivision has been accepted off maintenance.

ENG16. Submit detailed silt management procedures, engineering drawings and an environmental management plan for approval by Council prior to the commencement of works.

Advice

ADV1. With the introduction of the *Sustainable Planning (Housing Affordability and Infrastructure Charges Reform) Amendment Act 2011*, an applicant's obligations with respect to infrastructure contributions/charges is now contained in a separate adopted infrastructure charges notice rather than in this development approval.

ADV2. Section 341(2)(b) of the *Sustainable Planning Act 2009* provides that, if this approval is not acted upon within the period of four (4) years the approval will lapse. Note that in accordance with section 341(7) a related approval may extend the relevant (currency) period.

ADV3. Condition ENG3 requires the Applicant to enter into an Infrastructure Agreement with Council in relation to the intersection of Kingaroy Barkers Creek Road and Tessmanns Road. Although the intersection has been upgraded, the original traffic impact assessment report identified this developed catchment as being a key contributor towards its upgrade. Council funded all the undeveloped catchments at the time of its construction and this will be a process of reimbursement back to Council for funding the impacts of development on its infrastructure.

ADV4. Telecommunication connections can be arranged by emailing F1103721@team.telstra.com providing the following information:

- Full name;
- Address of property including state & postcode;
- Lot No's and Plan No's: and
- What the development is (units, subdivision, shop, etc)

ADV5. This development approval does not authorise any activity that may harm Aboriginal Cultural Heritage. Under the *Aboriginal Cultural Heritage Act 2003* you have a duty of care in relation to such heritage. Section 23(1) provides that "A person who carries out an activity must take all reasonable and practicable measures to ensure the activity does not harm Aboriginal Cultural Heritage." Council does not warrant that the approved development avoids affecting Aboriginal Cultural Heritage. It may therefore, be prudent for you to carry out searches, consultation, or a Cultural Heritage assessment to ascertain the presence or otherwise of Aboriginal Cultural Heritage. The Act and the associated duty of care guidelines explain your obligations in more detail and should be consulted before proceeding.

ADV6. Attached for your information is a copy of Division 8 of the *Sustainable Planning Act 2009* as regards Rights of Appeal. With respect to Appeal Rights of Applicants, the following is drawn to your attention—

- a) the applicant's Appeal Period commences upon receipt of this advice and expires twenty (20) business days thereafter.

- b) should the applicant notify the Assessment Manager (Council) in writing of acceptance of the conditions of approval and that it is not intended to make an appeal, the Applicant's Appeal Period is at an end.

Financial and Resource Implications

No implication can be identified.

Link to Corporate/Operational Plan

- GO3 Balanced development that preserves and enhances our region.
GO3.3 Implement policies and plans that support appropriate planning and development for business, industry and community needs.

Communication/Consultation (Internal/External)

Council's Infrastructure Department (Internal). Refer to Section 4.1 of this Report.

Legal Implications (Statutory Basis, Legal Risks)

No implication can be identified.

Policy/Local Law/Delegation Implications

No implication can be identified.

Asset Management Implications

No implication can be identified.

Adopted Infrastructure Charges Notice

To: Wieden Developments Pty Ltd C/- O'Reilly Nunn Favier
 PO Box 869
KINGARROY QLD 4610

Date of Issue: 13 January 2014

Reference Number: IR1182147

Amount of the Charge: \$ 24,774.37

Land to which the charge applies: 61-79 Tessmanns Road, Kingarroy
 (and described as Lot 29 on SP130868)

The person to whom the charge must be paid: South Burnett Regional Council

When the charge is payable: **Reconfiguration of a Lot:** Before the Council seals the Survey Plan for the creation of the three residential lots (in accordance with Section 648H (a) of the *Sustainable Planning Act 2009*).

Advisory Notes:

- The abovementioned charge may in the future be indexed;
- Enquiries regarding this Adopted Infrastructure Charges Notice can be made by contacting Council's Manager - Design & Technical Services on 4189 9425;
- The apportionment of infrastructure charges to the relevant networks is proposed as follows:

Index Used: CPI Brisbane		CPI: 1-Mar-11	CPI % Index: N/A
Water Supply - Charge	Catchment	Kingarroy : EHL Zone	Charge/EP \$ 1,671.19
Development Type:	RAL	Demand EP:	1 Lot into 4 Lots @ 3 EP per Lot
Discription :	4 lot subdivision at 69-71 Tessmanns Rd	Total EP:	12.00
Kingarroy		Credit EP:	-
		Total EP less credit:	12.00
		Contribution Payable: \$	20,054.28 Receipt No.: <input type="text"/>
Sewerage - Charge	Catchment	N/A	Charge/EP N/A
Development Type:	RAL	Demand EP:	
Discription :	4 lot subdivision at 69-71 Tessmanns Rd	Total EP:	
Kingarroy		Credit EP:	
		Total EP less credit:	
		Contribution Payable:	Receipt No.: <input type="text"/>
Parks - Charge	Catchment	R	Charge/EP \$ 393.34
Development Type:	RAL	Demand EP:	1 Lot into 4 Lots @ 3 EP per Lot
Discription :	4 lot subdivision at 69-71 Tessmanns Rd	Total EP:	12.00
Kingarroy		Credit EP:	-
		Total EP less credit:	12.00
		Contribution Payable: \$	4,720.09 Receipt No.: <input type="text"/>
Other Contributions or Infrastructure to be provided in lieu of charges			
Contribution Type:	N/A	Quantity:	N/A
Infrastructure In Lieu of Charges:	N/A		Receipt No.: <input type="text"/>
TOTAL CHARGES			
		Total Charge: \$	24,774.37
CHECKED BY:	James D'Arcy	DATE:	18/12/2013

(b) Portfolio Report

Planning & Land Management Portfolio Report

No Report.

5.2 Environmental Services (ES)

(a) Officer's Reports

5.2.1 ES - 1146180 - Application to keep more than the permitted number of animals - 22 Roberts Street Kumbia

Document Information

IR No 1146180

Author Senior Compliance Officer

Endorsed By Manager Environment and Waste Services

Date 9 January 2014

Précis

Application to keep more than the permitted number of animals - 22 Roberts Street Kumbia

Summary

The occupant at this address requests Council approve a permit to keep a third dog based on the circumstances detailed in the report.

Officer's Recommendation

That Council approve a three (3) dog permit for Jane Ware of 22 Roberts Street Kumbia subject to the following conditions:

1. No further additional dogs may be introduced or kept at the property.
2. That the number of dogs being kept be reduced to the permitted maximum through the natural attrition of the existing animals.
3. That each of the animals being kept is registered with Council and the registration is renewed each year.
4. This permit may be reviewed or rescinded should a complaint or nuisance be received by Council which is associated with the keeping of this excess number of animals.

Financial and Resource Implications

Nil

Link to Corporate/Operational Plan

The links to the Corporate Plan are:

Strategic Priority:

1. Enhancing our Communities – Building vibrant, health, supportive and inclusive communities

Goals and Strategies:

EC2 An Active, safe and healthy community

EC2.3 Manage identified public health and environmental issues in accordance with relevant legislation.

Communication/Consultation (Internal/External)

N/A

Legal Implications (Statutory Basis, Legal Risks)

Local Law No. 2 (Animal Management) 2011, Section 6 (1):

Requirement for approval:

(1) *Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval for keeping an animal or animals in prescribed circumstances.*

Subordinate Local Law No. 2 (Animal Management) 2011, Section 6:

Circumstances in which keeping animals requires approval – Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in circumstances described in column 2 of schedule 2.

Subordinate Local Law No. 2 (Animal Management) 2011, Schedule 2:

Column 1	Column 2
Species or breed of animal	Circumstances in which the keeping of animal or animals requires approval
Dog	(a) 3 dogs over the age of 3 months on an allotment in a designated town area.
	(b) 2 dogs over the age of 3 months on multi-residential premises.
	(c) 3 dogs over the age of 3 months on an allotment which— (i) has an area less than 20,200m ² ; and (ii) is not in a designated town area.

Policy/Local Law/Delegation Implications

Nil

Asset Management Implications

N/A

5.2.2 ES - 1247852 - Forwarding Keeping of Three (3) Dogs/Cats in a Residential Area for property at 6 Leitch Street Murgon - Lot 3 RP114188

Document Information

IR No 1247852

Author Senior Compliance Officer

**Endorsed
By Manager Environment and Waste Services**

Date 9 January 2014

Précis

Keeping of Three (3) Dogs/Cats in a Residential Area for property at 6 Leitch Street Murgon - Lot 3 RP114188

Summary

The occupant at this address requests Council approve a permit to keep a third dog based on the circumstances detailed in the report.

Officer's Recommendation

That Council approve a three (3) dog permit for Lynette Partridge of 6 Leitch Street, Murgon subject to the following conditions:

1. No further additional dogs may be introduced or kept at the property.
2. That the number of dogs being kept be reduced to the permitted maximum through the natural attrition of the existing animals.
3. That each of the animals being kept is registered with Council and the registration is renewed each year.
4. This permit may be reviewed or rescinded should a complaint or nuisance be received by Council which is associated with the keeping of this excess number of animals.

Financial and Resource Implications

Nil

Link to Corporate/Operational Plan

The links to the Corporate Plan are:

Strategic Priority:

1. Enhancing our Communities – Building vibrant, health, supportive and inclusive communities

Goals and Strategies:

EC2 An Active, safe and healthy community

EC2.3 Manage identified public health and environmental issues in accordance with relevant legislation.

Communication/Consultation (Internal/External)

N/A

Legal Implications (Statutory Basis, Legal Risks)

Local Law No. 2 (Animal Management) 2011, Section 6 (1):

Requirement for approval:

- 1) *Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval for keeping an animal or animals in prescribed circumstances.*

Subordinate Local Law No. 2 (Animal Management) 2011, Section 6:

Circumstances in which keeping animals requires approval – Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in circumstances described in column 2 of schedule 2.

Subordinate Local Law No. 2 (Animal Management) 2011, Schedule 2:

Column 1	Column 2
Species or breed of animal	Circumstances in which the keeping of animal or animals requires approval
Dog	(a) 3 dogs over the age of 3 months on an allotment in a designated town area.
	(b) 2 dogs over the age of 3 months on multi-residential premises.
	(c) 3 dogs over the age of 3 months on an allotment which— (i) has an area less than 20,200m ² ; and (ii) is not in a designated town area.

Policy/Local Law/Delegation Implications

Nil

Asset Management Implications

N/A

5.2.3 ES - 1199333 - Application to keep more than the permitted number of animals at 21 Cobb Street Murgon

Document Information

IR No 1199333

Author Senior Compliance Officer

Endorsed By Manager Environment and Waste Services

Date 9 January 2014

Précis

Application to keep more than the permitted number of animals at 21 Cobb Street Murgon

Summary

The occupant at this address requests Council approve a permit to keep a third dog based on the circumstances detailed in the report.

Officer's Recommendation

That Council approve a three (3) dog permit for Steven Grace of 21 Cobb Street, North Murgon subject to the following conditions:

1. No further additional dogs may be introduced or kept at the property.
2. That the number of dogs being kept be reduced to the permitted maximum through the natural attrition of the existing animals.
3. That each of the animals being kept is registered with Council and the registration is renewed each year.
4. This permit may be reviewed or rescinded should a complaint or nuisance be received by Council which is associated with the keeping of this excess number of animals.

Financial and Resource Implications

Nil

Link to Corporate/Operational Plan

The links to the Corporate Plan are:

Strategic Priority:

1. Enhancing our Communities – Building vibrant, health, supportive and inclusive communities

Goals and Strategies:

EC2 An Active, safe and healthy community

EC2.3 Manage identified public health and environmental issues in accordance with relevant legislation.

Communication/Consultation (Internal/External)

N/A

Legal Implications (Statutory Basis, Legal Risks)

Local Law No. 2 (Animal Management) 2011, Section 6 (1):

Requirement for approval:

- 1) *Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval for keeping an animal or animals in prescribed circumstances.*

Subordinate Local Law No. 2 (Animal Management) 2011, Section 6:

Circumstances in which keeping animals requires approval – Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in circumstances described in column 2 of schedule 2.

Subordinate Local Law No. 2 (Animal Management) 2011, Schedule 2:

Column 1	Column 2
Species or breed of animal	Circumstances in which the keeping of animal or animals requires approval
Dog	(a) 3 dogs over the age of 3 months on an allotment in a designated town area.
	(b) 2 dogs over the age of 3 months on multi-residential premises.
	(c) 3 dogs over the age of 3 months on an allotment which— (i) has an area less than 20,200m ² ; and (ii) is not in a designated town area.

Policy/Local Law/Delegation Implications

Nil

Asset Management Implications

N/A

5.2.4 ES - 1170101 - Application to keep more than the permitted number of animals - 26 Harm Street

Document Information

IR No 1170101

Author Senior Compliance Officer

**Endorsed
By Manager Environment and Waste Services**

Date 9 January 2014

Précis

Application to keep more than the permitted number of animals – 26 Harm Street, Murgon.

Summary

The occupant at this address requests Council approve a permit to keep a third dog based on the circumstances detailed in the report.

Officer's Recommendation

That Council approve a three (3) dog permit for Frank Stack and Rosemary Allen of 26 Harm Street, Murgon subject to the following conditions:

1. No further additional dogs may be introduced or kept at the property.
2. That the number of dogs being kept be reduced to the permitted maximum through the natural attrition of the existing animals.
3. That each of the animals being kept is registered with Council and the registration is renewed each year.
4. This permit may be reviewed or rescinded should a complaint or nuisance be received by Council which is associated with the keeping of this excess number of animals.

Financial and Resource Implications

Nil

Link to Corporate/Operational Plan

The links to the Corporate Plan are:

Strategic Priority:

1 Enhancing our Communities – Building vibrant, health, supportive and inclusive communities

Goals and Strategies:

EC2 An Active, safe and healthy community

EC2.3 Manage identified public health and environmental issues in accordance with relevant legislation.

Communication/Consultation (Internal/External)

N/A

Legal Implications (Statutory Basis, Legal Risks)

Local Law No. 2 (Animal Management) 2011, Section 6 (1):

Requirement for approval:

- 1) *Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval for keeping an animal or animals in prescribed circumstances.*

Subordinate Local Law No. 2 (Animal Management) 2011, Section 6:

Circumstances in which keeping animals requires approval – Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in circumstances described in column 2 of schedule 2.

Subordinate Local Law No. 2 (Animal Management) 2011, Schedule 2:

Column 1	Column 2
Species or breed of animal	Circumstances in which the keeping of animal or animals requires approval
Dog	(a) 3 dogs over the age of 3 months on an allotment in a designated town area.
	(b) 2 dogs over the age of 3 months on multi-residential premises.
	(c) 3 dogs over the age of 3 months on an allotment which— (i) has an area less than 20,200m ² ; and (ii) is not in a designated town area.

Policy/Local Law/Delegation Implications

Nil

Asset Management Implications

N/A

5.2.5 ES - 1211751 - Forwarding supporting documentation in relation to Requesting permission to Keep More than the permitted number of dogs at 6 Hazelmount Terrace Kingaroy - Heather I Borggaard

Document Information

IR No 1211751

Author Senior Compliance Officer

Endorsed By Manager Environment and Waste Services

Date 9 January 2014

Précis

Application to keep more than the permitted number of animals – 6 Hazelmount Terrace, Kingaroy

Summary

The occupant at this address requests Council to approve a permit to keep a third dog based on the circumstances detailed in this report.

Officer's Recommendation

That Council approve a three (3) dog permit for Heather and Soren Borggaard of 6 Hazelmount Terrace, Kingaroy subject to the following conditions:

1. No further additional dogs may be introduced or kept at the property.
2. That the number of dogs being kept be reduced to the permitted maximum through the natural attrition of the existing animals.
3. That each of the animals being kept is registered with Council and the registration is renewed each year.
4. This permit may be reviewed or rescinded should a complaint or nuisance be received by Council which is associated with the keeping of this excess number of animals.

Financial and Resource Implications

Nil

Link to Corporate/Operational Plan

The links to the Corporate Plan are:

Strategic Priority:

1. Enhancing our Communities – Building vibrant, health, supportive and inclusive communities

Goals and Strategies:

EC2 An Active, safe and healthy community

EC2.3 Manage identified public health and environmental issues in accordance with relevant legislation.

Communication/Consultation (Internal/External)

N/A

Legal Implications (Statutory Basis, Legal Risks)

Local Law No. 2 (Animal Management) 2011, Section 6 (1):

Requirement for approval:

- 1) *Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval for keeping an animal or animals in prescribed circumstances.*

Subordinate Local Law No. 2 (Animal Management) 2011, Section 6:

Circumstances in which keeping animals requires approval – Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in circumstances described in column 2 of schedule 2.

Subordinate Local Law No. 2 (Animal Management) 2011, Schedule 2:

Column 1	Column 2
Species or breed of animal	Circumstances in which the keeping of animal or animals requires approval
Dog	(a) 3 dogs over the age of 3 months on an allotment in a designated town area.
	(b) 2 dogs over the age of 3 months on multi-residential premises.
	(c) 3 dogs over the age of 3 months on an allotment which— (i) has an area less than 20,200m ² ; and (ii) is not in a designated town area.

Policy/Local Law/Delegation Implications

Nil

Asset Management Implications

N/A

5.2.6 ES - 1183217 - Keeping more than the permitted number of dogs at 43 Scott Street Wondai

Document Information

IR No 1183217

Author Senior Compliance Officer

Endorsed By Manager Environment and Waste Services

Date 9 January 2014

Précis

Application to keep more than the permitted number of animals - 43 Scott Street Wondai

Summary

The occupant at this address requests Council approve a permit to keep a third dog based on the circumstances detailed in the report.

Officer's Recommendation

That Council approve a three (3) dog permit for Lisa Cross of 43 Scott Street, Wondai subject to the following conditions:

1. No further additional dogs may be introduced or kept at the property.
2. That the number of dogs being kept be reduced to the permitted maximum through the natural attrition of the existing animals.
3. That each of the animals being kept is registered with Council and the registration is renewed each year.
4. This permit may be reviewed or rescinded should a complaint or nuisance be received by Council which is associated with the keeping of this excess number of animals.

Financial and Resource Implications

Nil

Link to Corporate/Operational Plan

The links to the Corporate Plan are:

Strategic Priority:

1. Enhancing our Communities – Building vibrant, health, supportive and inclusive communities

Goals and Strategies:

EC2 An Active, safe and healthy community

EC2.3 Manage identified public health and environmental issues in accordance with relevant legislation.

Communication/Consultation (Internal/External)

N/A

Legal Implications (Statutory Basis, Legal Risks)

Local Law No. 2 (Animal Management) 2011, Section 6 (1):

Requirement for approval:

(1) Subject to subsections (3) and (4), the local government may, by subordinate local law, require an approval for keeping an animal or animals in prescribed circumstances.

Subordinate Local Law No. 2 (Animal Management) 2011, Section 6:

Circumstances in which keeping animals requires approval – Authorising local law, s 6(1)

For section 6(1) of the authorising local law, keeping an animal or animals of the species or breed mentioned in column 1 of schedule 2 requires approval in circumstances described in column 2 of schedule 2.

Subordinate Local Law No. 2 (Animal Management) 2011, Schedule 2:

Column 1	Column 2
Species or breed of animal	Circumstances in which the keeping of animal or animals requires approval
Dog	(a) 3 dogs over the age of 3 months on an allotment in a designated town area.
	(b) 2 dogs over the age of 3 months on multi-residential premises.
	(c) 3 dogs over the age of 3 months on an allotment which— (i) has an area less than 20,200m ² ; and (ii) is not in a designated town area.

Policy/Local Law/Delegation Implications

Nil

Asset Management Implications

N/A

(b) Portfolio Report

Environmental Services Portfolio Report

No Report.

5.3 Waste (W)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Waste Portfolio Report

No Report.

5.4 Natural Resource Management (NRM) & Parks (NRM&P)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Natural Resource Management (NRM) & Parks Portfolio Report

No Report.

5.5 Community (C)

(a) Officer's Reports

No Report.

(b) Portfolio Reports

Community Portfolio Report

No Report.

Arts, Culture and Heritage Portfolio Report

No Report.

Sport and Recreation Portfolio Report

No Report.

Indigenous Affairs Portfolio Report

No Report.

6. Economic Development & Tourism

6.1 Economic Development (ED)

(a) Officer's Reports

6.1.1 ED - 1257163 - Decommissioning of the Non-Directional Beacon (NDB) at the Kingaroy Aerodrome

Document Information

IR No 1257163

Author Manager Economic Development

**Endorsed
By** Chief Executive Officer

Date 14 January 2014

Précis

Recommendation to decommission the Non-Directional Beacon (NDB) at the Kingaroy Aerodrome. This will open up airside land with direct access to the main runway for new hangars.

Summary

The NDB is not regularly used by pilots accessing the Kingaroy Aerodrome. GPS technology is now more widely used.

CASA / Air Services Australia has published its intention to decommission 50% of current NDBs located at Australian Aerodromes including the Kingaroy NDB.

The NDB restricts new hangar development as buildings are not allowed within the NDB restriction Zone – attachment 3

Officer's Recommendation

That Council approve the Chief Executive Officer to authorise the decommissioning of the Non-Directional Beacon (NDB) at the Kingaroy Aerodrome to provide space for additional hangars.

Financial and Resource Implications

The estimated cost for the new GPS approach procedure for the main runway (runway 34) is \$38,000 inclusive of an environment review and CASA flight validation fee. Minimal additional funds will be required to remove the NDB structure.

The 2013/14 Kingaroy Aerodrome capital budget includes \$70,000 to upgrade the aerodrome weather forecasting station should the Bureau of Meteorology decide to discontinue supporting the

service. At this stage the bureau has not confirmed its intention and therefore the \$38,000 for the new GPS approach system can be funded from this new capital spending.

The removal of the NDB will open up airside space with direct access to the main runway currently not available as buildings cannot be built in the NDB restricted zone. This land may be leased for new hangar development and provide Council with an additional revenue stream.

Link to Corporate/Operational Plan

GO2.2 To partner with industry sectors to assist in their future sustainability and growth.

Communication/Consultation (Internal/External)

SBRC engaged the Airport Group to prepare the Kingaroy Aerodrome Precinct Plan which was presented to Council in December 2013 and included an evaluation of the usefulness of the NDB at the aerodrome. The report recommended decommissioning the NDB and installing an addition GPS approach procedure.

CASA along with users of the NDB have been consulted. CASA has advised the Kingaroy Aerodrome NDB is listed for de commissioning in June 2016. Comments from other users are attached.

The Royal Flying Doctor Service stated “to allow the Royal Flying Doctor Service and other aerodrome users to continue safe operation into Kingaroy, we would strongly recommend that an RNAV (GNSS/GPS) Approach be designed for Runway 34’.

Legal Implications (Statutory Basis, Legal Risks)

Any changes to the infrastructure at the Aerodrome will be communicated to CASA, Air Services Australia and be published in the ERSA (En-route Supplement Australia)

Policy/Local Law/Delegation Implications

Nil

Asset Management Implications

Removal of the NDB will open up space for new hangars to improve revenue at the aerodrome and aid new business attraction.

(b) Portfolio Report

Economic Development Portfolio Report

No Report.

6.2 Tourism (T)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Tourism Portfolio Report

No Report.

7. Infrastructure Services

7.1 Roads & Drainage (R&D)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Roads & Drainage Portfolio Report

No Report.

7.2 Design & Technical Services (D&TS)

(a) Officer's Reports

7.2.1 D&TS - 1208910 - Barkers Creek Forestry Road Alignment

Document Information

IR No 1208910

Author Manager Design & Technical Services

**Endorsed
By** General Manager Infrastructure

Date 8 November 2013

Précis

An off alignment road has been identified in the Wondai State forest area and as a result of discussions with affected landowners, the Department of National Parks, Recreation, Sport and Racing (DNPRSR) and Council, a proposal to realign the road reserve to provide a legal path of access for the freehold property at the end of Barkers Creek Forestry Road is provided for consideration.

Summary

A section of the Barkers Creek Forestry Road has been identified as being off alignment. Discussions have been held between affected landowners, State Government Officers and Councillors to determine the lowest cost option to ensuring that the road is on the correct alignment. It has been established that the lowest cost option is to maintain the track in its current location and for the sections off alignment to be dedicated as road reserve. Indicative costs associated with the transfer are included within this report for consideration, as this item currently has no dedicated allocation within the budget.

Officer's Recommendation

That Council:

1. Apply to the Department of Natural Resources and Mines to realign the gazetted road Reserve of Barkers Creek Forestry Road over the existing access track to ensure a legal path of access for the freehold property located at the eastern end of Barkers Creek Forestry Road;
 2. Allocate \$30,000 from the current budget towards survey and legal costs associated with locating the alignment of the road and plan registration costs;
 3. Include in the application the extinguishment of existing, unused road reserves as exchange to the Department of National Parks, Recreation, Sport and Racing in lieu of the acquisition of a gazetted road over Barkers Creek Forestry Road; and
 4. Advise the freehold property owner that Council will not be maintaining the Barkers Creek Forestry Road consistent with Council Policy.
-

Financial and Resource Implications

Quotes have been obtained to undertake the necessary survey of the current road alignment and with Officer time, application fees and survey plan registration costs the total to dedicate this road reserve is \$30,000. It is proposed to fund this from one of the culvert projects currently in the budget for the same value.

Link to Corporate/Operational Plan

ENV1 – Our regions' environmental assets are promoted, protected and enhanced

SD2 – Infrastructure that meets our communities needs

Communication/Consultation (Internal/External)

Onsite meeting and discussions with affected landowners, former General Manager Infrastructure, former Councillor for Division 6 and DNPRSR Officers.

Legal Implications (Statutory Basis, Legal Risks)

Current legal access to freehold properties described as Lot 1 on RP194982, Lot 1 on SP116138 and Lot 1 on RP190096 is via a section of access track on State forestry land rather than on the correct alignment of Barkers Creek Forestry Road reserve.

Policy/Local Law/Delegation Implications

This report makes reference to the existing Construction of Unmade Roads Policy in ensuring a level of consistency with advice to landowners in areas where there is no public infrastructure constructed in the road reserve that provides access to the property.

Asset Management Implications

The recommendation is that Council continues to not maintain the access track. If Council decided to maintain this track, it will be another road that requires additional funds for upgrading and maintenance which would impact the maintenance budget on average by \$20,000 per annum.

7.3 Water & Wastewater (W&W)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Water & Wastewater Portfolio Report

No Report.

8. Finance, Property & Information Technology

8.1 Finance (F)

(a) Officer's Reports

(b) Portfolio Report

Finance Portfolio Report

No Report.

8.2 Property (P)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Property Portfolio Report

No Report.

8.3 Information Technology (IT)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Information Technology Portfolio Report

No Report.

9. Executive Services

9.1 Human Resources (HR)

(a) Officer's Reports

No Report.

(b) Portfolio Report

Human Resources Portfolio Report

No Report.

9.2 Governance (G)

(a) Officer's Reports

9.1 G - 1257452 - Change of General Meeting Date

Document Information

IR No 1257452

Author Executive Support Officer

**Endorsed
By** Chief Executive Officer

Date 14 January 2014

Précis

Change of General Meeting Date

Summary

Due to commitments on Wednesday 19 February 2014 which cannot be altered, it is necessary to change Council's General Meeting date in February.

Officer's Recommendation

That Council's General Meeting scheduled for Wednesday 19 February 2014 be changed to Tuesday 18 February 2014..

Financial and Resource Implications

N/A

Link to Corporate/Operational Plan

EXC4.1 - A governance framework that delivers good organisational management

Communication/Consultation (Internal/External)

Ordinary meetings are open (unless otherwise resolved to be closed) and members of the public are welcome to attend to observe proceedings. Public notice of the dates, times and location of the ordinary meetings of Council are published in the local newspaper and on Council's website at www.southburnett.qld.gov.au and displayed at Council's public office in the Kingaroy Customer Service Centre.

Legal Implications (Statutory Basis, Legal Risks)

Public notice of the meetings is required pursuant to Section 277(1) of the Local Government Regulations 2012.

Policy/Local Law/Delegation Implications

No direct policy/local law/delegation implications arise from this report.

Asset Management Implications

No direct asset management implications arise from this report.

(b) Portfolio Report

Governance Portfolio Report

No Report.

10. Information Section (IS)

10.1 IS - 1257510 - Reports for the Information of Council

Document Information

IR No **IR Number of Document**

Author **Administration Section**

Date **14 January 2014**

Précis

Reports received for the Information of Council.

Summary

List of correspondence pending completion of assessment report

Officer's Recommendation

That the report be received.

11. General Section

No Report.

12. Confidential Section

12.1 CONF - 1256021 - Employment of a Community & Customer Service Manager

Document Information

IR No 1256021

Author General Manager of Finance, Property & Information Technology

**Endorsed
By** Chief Executive Officer

Date 6 January 2014

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 275(1)(a) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

- (a) the appointment, dismissal or discipline of employees

12.2 CONF - 1256703 - Replacement of Two 22.5 tonne GVM 6x4 Trucks

Document Information

IR No 1256703

Author Plant & Workshop Coordinator

Endorsed

By General Manager Finance, Property & Information Technology

Date 13 January 2014

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 72(1)(e) of the Local Government (Operations) Regulation 2010, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it

**12.3 CONF - 1257305 - Expression of Interest Shortlist for Design and Construction
Gordonbrook WTP Upgrade**

Document Information

IR No 1257305

Author Special Projects Engineer

**Endorsed
By General Manager, Infrastructure**

Date 14 January 2014

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 275(1)(e) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it

12.4 CONF - 1257320 - Request for Tender SBRC13/14-20 Supply of Quarry and Construction Materials

Document Information

IR No 1257320

Author Manager Roads and Drainage

**Endorsed
By General Manager Infrastructure**

Date 14 January 2014

Reason for Confidentiality

This report is **CONFIDENTIAL** in accordance with Section 275(1)(e) of the Local Government Regulation 2012, which permits the meeting to be closed to the public for business relating to the following:

- (e) contracts proposed to be made by it

