



Minutes

Of The

General Council Meeting

Held in the Council Chambers, 45 Glendon Street Kingaroy

on Wednesday, 20 February 2013

Chief Executive Officer: Ken McLoughlin

SOUTH BURNETT REGIONAL COUNCIL MINUTES

Wednesday, 20 February 2013

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Minutes of the meeting of the South Burnett Regional Council, held in the Council Chambers, 45 Glendon Street Kingaroy on 20 February 2013 at 9:00am.

PRESENT:

Councillors:

Cr DW Kratzmann (Mayor), Cr KM Campbell, Cr CD Dalton, Cr KA Duff, Cr BL Green, Cr DJ Palmer, Cr DP Tessmann

Council Officers:

Ken McLoughlin (Chief Executive Officer), Gary Wall (General Manager Finance & Information Services), John Kersnovski (General Manager Infrastructure Services), Eleanor Sharpe (General Manager Communities), Stan Taylor (General Manager Planning & Environment)

1. Leave Of Absence

Nil.

2. Prayers

A representative of the Ministers Fraternal, Pastor Steve Nixon 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

Officer's Recommendation

That the minutes of the previous meeting held on Wednesday 16 January 2013 as recorded be confirmed.

Resolution:

Moved Cr KA Duff, seconded Cr KM Campbell.

That the minutes of the previous meeting held on Wednesday 16 January 2013 as recorded be confirmed.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

The Mayor, on behalf of Council, congratulated Holly Ferling on her magnificent achievements playing for the Australian women's cricket team (Southern Stars) in India.

Cr Duff presented a painting to Council that was painted by two (2) ten year old indigenous boys, Joe Sambo and Anquon Sandow assisted by a well known Cherbourg painter Rocco Langton.

The paintings were done as part of a workshop to introduce art to Indigenous adults and children who are at risk of substance abuse. The course was led by Bundaberg artist Roger "Bushfire" Saunders and funded by the Department of Aboriginal & Torres Strait Islander and Multicultural Affairs.

The painting was especially chosen for Council and will hang with pride in the Council building.

4. Mayoral Report

4.1 MR - 1133921 - Mayoral Report

Summary

Mayoral Report to council for the period 17 January 2013 to 13 February 2013.

Officer's Recommendation

That the Mayoral Report to council for the period 17 January 2013 to 13 February 2013 be received.

Resolution:

Moved Cr DW Kratzmann, seconded Cr CD Dalton.

That the Mayoral Report to council for the period 17 January 2013 to 13 February 2013 be received.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

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

See Business Function Headings

5. Planning & Environment

5.1 Environmental Services

5.1.1 ES - 1118520 - Report Changes to Environmental Services Fees - Kingaroy Weighbridge

Summary

An addition to the 2012/2013 Fees and Charges is proposed.

Officer's Recommendation

That Council amend the 2012/2013 Fees and Charges for the following waste disposal fees where there is an operational weighbridge:-

- Construction and Demolition Waste: \$28 (GST inclusive) per tonne
- Commercial and Industrial Waste (including green waste): \$84 (GST inclusive) per tonne.

Resolution:

Moved Cr CD Dalton, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

5.2 Natural Resource Management (NRM) & Parks

Nil.

5.3 NRM, Parks and Environment Portfolio Report

Nil.

6. Planning, Land Management and Waste

6.1 Planning and Land Management

6.1.1 P&LM - 1123108 - Forwarding Application for Grants & Donations for Wondai Community Kindergarten for Road Signage - Kindergarten Enhancement Grants

Summary

Council received a written request from the Wondai Kindergarten Association for the 100% waiver of planning and building applications fees for the construction of two advertising signs to be placed on Bunya Highway, Tingoorra (Lot 1 on RP187981) and Lysdale Road, Wondai (Lot 30 on SP238495).

The Association has also requested assistance to dig the post holes and erect the signs without charge.

Officer's Recommendation

1. That Council *approve* 100% waiver of the planning (\$612.00) and building application fees (\$478.00) less document lodgement (\$161), having regard to the community nature of the kindergarten.
2. That the erection of the sign be at the applicant's cost.

Resolution:

Moved Cr CD Dalton, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted..

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.1.2 P&LM - 1333512 - The Planning Place - SeDA Material Change of Use (Shops and Childcare Centre) - 25 & 25A Kingaroy Street and 27 Oasis Drive, Kingaroy - Lots 10, 11 & 16 SP204673

Summary

- Application for Development Permit for Material Change of Use (Shop and Child Care Centre)
- Subject site included within the Residential Zone (Residential B Preferred Dominant Land Use Area) under the Kingaroy IPA Planning Scheme
- Proposed development in its current form does not comply with key Overall Outcomes within the Urban Locality Code in the Kingaroy Shire IPA Planning Scheme

- Key aspects of non-compliance identified include reduction in levels of residential amenity, increase in vehicle movements at PM peak (based on the proposed development and adjacent Taabinga State School) and the scale of the proposed Shop within the Residential Zone
- Conditions of development approval have been applied to reduce the gross floor area of the proposed Shop in an attempt to reduce the potential impact on residential amenity
- Recommendation for approval of the Material Change of Use (Shop and Child Care Centre) subject to reasonable and relevant conditions

Officer's Recommendation

That Council *approve* the Applicant's request for a Development Permit for Material Change of Use (Shop and Child Care Centre) over 25 & 25A Kingaroy Street and 27 Oasis Drive, Kingaroy (Lots 10, 11 & 16 SP204673) and 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.

a) Child Care Centre located at 25 Kingaroy Street and 27 Oasis Drive (Lots 10 & 16 on SP204673)

- Drawing Number 3352A.DA.06 Revision G (Ground Floor Plan) prepared by Alex Enborisoff Architects and dated 22 November 2012
- Drawing Number 3352A.DA.07 Revision G (Ground Floor Plan - Part 1) prepared by Alex Enborisoff Architects and dated 22 November 2012
- Drawing Number 3352A.DA.08 Revision G (Ground Floor Plan - Part 2) prepared by Alex Enborisoff Architects and dated 22 November 2012
- Drawing Number 3352A.DA.09 Revision G (Roof Plan) prepared by Alex Enborisoff Architects and dated 22 November 2012
- Drawing Number 3352A.DA.10 Revision G (Section) prepared by Alex Enborisoff Architects and dated 22 November 2012

b) Shop located at 25A Kingaroy Street (Lot 11 on SP204673)

- Drawing Number 3352B.5 Revision E (Ground Level) prepared by Alex Enborisoff Architects and dated 23 November 2012
- Drawing Number 3352B.6 Revision E (Roof Plan) prepared by Alex Enborisoff Architects and dated 23 November 2012
- Drawing Number 3352B.7 Revision E (Elevations 1) prepared by Alex Enborisoff Architects and dated 23 November 2012
- Drawing Number 3352B.8 Revision E (Elevations 2) prepared by Alex Enborisoff Architects and dated 23 November 2012
- Drawing Number 3352B.9 Revision E (Section) prepared by Alex Enborisoff Architects and dated 23 November 2012

GEN2. All works, including the relocation of services (Telstra, lighting etc.) are 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 of 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 commencement of the use, 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.

Further Development Permits

GEN5. The development herein may not commence until the following Development Permits or Certificates have been issued and complied with as required:

- Development Permit for Building Work
- Development Permit for Plumbing and Drainage Work
- Development Permit for Operational Works

Amended Plans

MCU1. The applicant shall provide amended plans for Shop proposed at 25A Kingaroy Street, Kingaroy (Lot 11 on SP204673) incorporating the following changes to ensure compliance with the Urban Locality Code:

- Delete 'Shop 1' from the development reducing the total floor area of the Shop to 141.067m² (combined total floor area of 'Shop 2' and 'Shop 3')
- All service vehicle delivery areas associated with the proposed Shop are to be relocated a minimum distance of 10m from the northern and western boundaries of the subject site
- The bin storage area is to be located a minimum of 2.0m from the northern and western side boundaries of the subject site and screened by a 1.8m high solid screen fence
- A 2.0m wide landscape buffer is to be indicated along the full length of the northern side and rear boundaries of the subject site (refer to Condition MCU6)
- Ensure that ingress and egress from all car parking spaces on the subject site complies with Australian Standard AS2890.1:2004 for a B99 class vehicle (refer to Condition ENG3)
- A minimum 6.0m setback from both the Kingaroy Street and Mirage Avenue frontages (measured to the outermost projection) for the proposed Shop
- Unarticulated wall length for the proposed Shop is a maximum of 15.0m per street frontage and each facade is to incorporate variations in scale, materials and colour to reduce the impact on the amenity of the surrounding residential area
- Provide a drawing showing the full turning template required for a HRV class vehicle to enter and exit the subject site in a forward gear as per AS2890.1:2004

Fencing

MCU2. Fence construction along the side and rear boundaries is to be solid screen fencing to a minimum height of 1.8m.

Lighting

MCU3. Lighting used to illuminate any areas of the premises is to be designed and constructed in accordance with Australian Standard AS4282 (Obtrusive Effects of Outdoor Lighting) to ensure that lighting does not directly illuminate any nearby premises or roadways.

Landscaping

MCU4. The applicant is required to prepare a landscape plan for the subject site in accordance with Planning Scheme Policy No. 5 of the Kingaroy Shire IPA Planning Scheme for Compliance Assessment by Council and is to incorporate a minimum 1.0m wide landscape strip along each street frontage and a 2.0m wide landscape strip along the northern and western side boundaries of 25A Kingaroy Street (Lot 11 on SP204673). This plan is to be submitted to and approved by Council prior to the landscaping work commencing. Plant species may be selected from Council's *Branching Out – Your Handy Guide to Tree Planting in the South Burnett* (refer to booklet provided).

Amalgamation

MCU5. The two (2) allotments (Lots 10 & 16 on SP204673) are to be amalgamated via a Survey Plan prior to the issue of a Certificate of Classification for the Child Care Centre.

Existing Material Change of Use Approvals (Shop and Child Care Centre)

MCU6. The Applicant must request that Council under Section 379 of the *Sustainable Planning Act 2009*, cancel the existing Material Change of Use approval (Shop and Child Care Centre) over Lots 37, 38, 39, 49 & 50 on SP204673 (Council Reference: IR 570874). A notice to cancel the approval must be provided prior to the Applicant acting on the current approval.

Car Parking

ENG1. Prior to the commencement of use, provide a minimum of seven (7) car parking spaces (plus HRV space) on Lot 11 on SP204673 in association with the approved Shop and a total of sixteen (16) car parking spaces on Lots 10 and 16 on SP204673 in association with the approved Child Care Centre. The location of car parking spaces for the Shop is to be identified on a revised site plan in accordance with Condition MCU1.

Roads & Access

ENG2. All property accesses shall be designed and constructed in accordance with IPWEAQ Standard Drawing No. R-0050 and Table S2.7 - Design and Construction Standards of the Kingaroy Shire IPA Planning Scheme and located as per approved plans referenced in Condition GEN1.

Vehicle Manoeuvring

ENG3. All vehicle manoeuvring occurring associated with both the Child Care Centre (Lots 10 & 16 on SP204673) and Shop (Lot 11 on SP204673) is to be in designed and constructed for a B99 class vehicle based on Australian Standard AS2890.1:2004. A revised proposal plan is required to be submitted to and approved by Council's Infrastructure Department.

Car Parking Areas

ENG4. All vehicle manoeuvring areas, car parking areas, loading areas and driveways are required to be sealed with either bitumen, concrete or asphaltic concrete.

Water Supply

ENG5. A water connection will be required to service the both the Child Care Centre (Lots 10 & 16 on SP204673) and Shop (Lot 11 on SP204673) to current South Burnett Regional Council standards.

Sewerage Reticulation

ENG6. A sewerage connection will be required to service both the Child Care Centre (Lots 10 & 16 on SP204673) and Shop (Lot 11 on SP204673) to current South Burnett Regional Council standards.

Stormwater

ENG7. All stormwater drainage systems, including all surface, underground and roofwater 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.

ENG8. The stormwater drainage system serving the site is to be designed so that the post-development flows at the point of discharge to all downstream properties including road reserves remains consistent with the pre-developed case.

- ENG9. Provide all workings associated with “Section 3.0 Stormwater Quantity Management” of the site based stormwater management plan submitted for this site. Particular attention should be given to the pre development time of concentration for the site. Provide a drawing of the proposed detention tanks. Provide a stormwater management layout plan for the site detailing the location and sizing of all proposed stormwater infrastructure on site including pipes, tanks and grass swales. The following should be noted when providing this information;
- Any over flow from rainwater tanks being utilized for detention proposes should be internal to the tanks.
 - The minimum diameter allowable for overflows internal to these rainwater tanks will be 40mm.
 - The actual detention provided by the rainwater tanks should be calculated considering the flows allowable from a 40mm orifice.
 - The maximum inflow to each rainwater tank will be that resulting from a Q20 rain event falling on the roof area that the tank services.
 - Rainwater tank storage should not be included in the detention required based on the stormwater calculations to be received.

Kerb Adaptors

- ENG10. Provide a drawing of Kerb adaptors should be installed where the site stormwater is proposed to be piped to the existing kerb and channel system along the site frontage. Stormwater socket reducers may be required to accommodate this depending on the pipe diameters proposed.

Footpaths

- ENG11. The Applicant is required to construct a 1.5m wide concrete footpath along the full frontage of Lots 10, 11 & 16 on SP204673 in accordance with IPWEAQ Standard Drawing R-065. Kerb ramps are to be installed at locations agreed to by Council in accordance with IPWEAQ Standard Drawing R-090.

Earthworks

- ENG12. Any proposed earthworks shall be undertaken in accordance with the Urban Locality Code, Element (g) within the Kingaroy IPA Planning Scheme unless approved separately under a Development Permit for Operational Works.

Signage (Shop)

- ENG13. Signage indicating that no right turn is permitted is to be installed at the car park exit at Mirage Avenue in accordance with the Manual for Uniform Traffic Control Devices (MUTCD).

Advice

- ADV1. In order to comply with Condition MCU1 it may be necessary to prepare a completely separate or 'clean sheet' design. For assistance in redesigning the proposed Shop to achieve a greater level of compliance with key requirements of the Kingaroy Shire IPA Planning Scheme please contact Council's Senior Planning Officer, Peter Mulcahy on (07) 4189 9100.
- ADV2. Section 341(1)(a) 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. 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.

Resolution:

Moved Cr CD Dalton, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted..

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.1.3 P&LM - 1349264 - Bendigo and Adelaide Bank Limited - Forwarding SeDA Building Work requiring assessment against the Building Act 1975 (Installation of ATM) - 92 Drayton Street Nanango - Lot 1 RP51973

Summary

Key Point Summary

- Application for Building Work not Associated with a Material Change of Use (ATM);
- The existing building is listed as a Local Heritage Site under Schedule 6 of the Nanango Shire IPA Planning Scheme;
- The proposed development in its current form is not considered to be consistent with key Overall Outcomes of the Cultural Features Overlay Code in the Nanango Shire IPA Planning Scheme;
- The original bank building was constructed in 1940; and
- Application recommended for approval subject to the relocation of the proposed ATM to Fitzroy Street road frontage to minimise the potential for adverse impacts on the cultural heritage significance of the building.

Officer's Recommendation

That Council *approve* the Development Application for Building Works not associated with a Material Change of Use (ATM) on Lot 1 on RP51973 located at 92 Drayton Street, Nanango 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:
- The position of the ATM must be amended to locate the ATM long the Fitzroy Street road frontage of the local Heritage Building in the recessed portion of the wall.
- GEN2. The development herein approved may not start until the following development permits have been issued and complied with as required:-
- Development Permit for Building Works.
- GEN3. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.

ATM Design and Construction

- ENG1. The proposed ATM will be designed and constructed in accordance with AS 3769-1990 (Australian Standard Automatic teller machines – User access)

Council's advice to the applicant

- ADV1. Section 341(1) 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.
- ADV2. 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.
- ADV3. 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.

Proposed Plans

SIGNAGE PLACEMENT LEGEND



- 1 Fascia Signage
- 2 ATM Cantilevered Signage
- 3 ATM Shroud
- 4 Awning over ATM

PROJECT LOCATION
Nanango

COMPANY SITE
Community Bank®

PROJECT ADDRESS
92 Drayton Street,
Nanango QLD 4615

DRAWING

Proposed Signage Visual

DESIGNER LAYOUT - A3 (S42342)
CL (10/12)

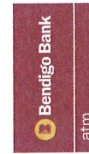
Remains the property of Bendigo and Adelaide Bank Limited

PROJECT - DWG No.

S42342.01



WORKING DRAWINGS



- 2 Cantilevered ATM Sign
(1200mmw x 1060mmh)
< Kerbside



- Cantilevered ATM Sign
(1900mmw x 1060mmh)
> Kerbside



- 4 ATM Shroud



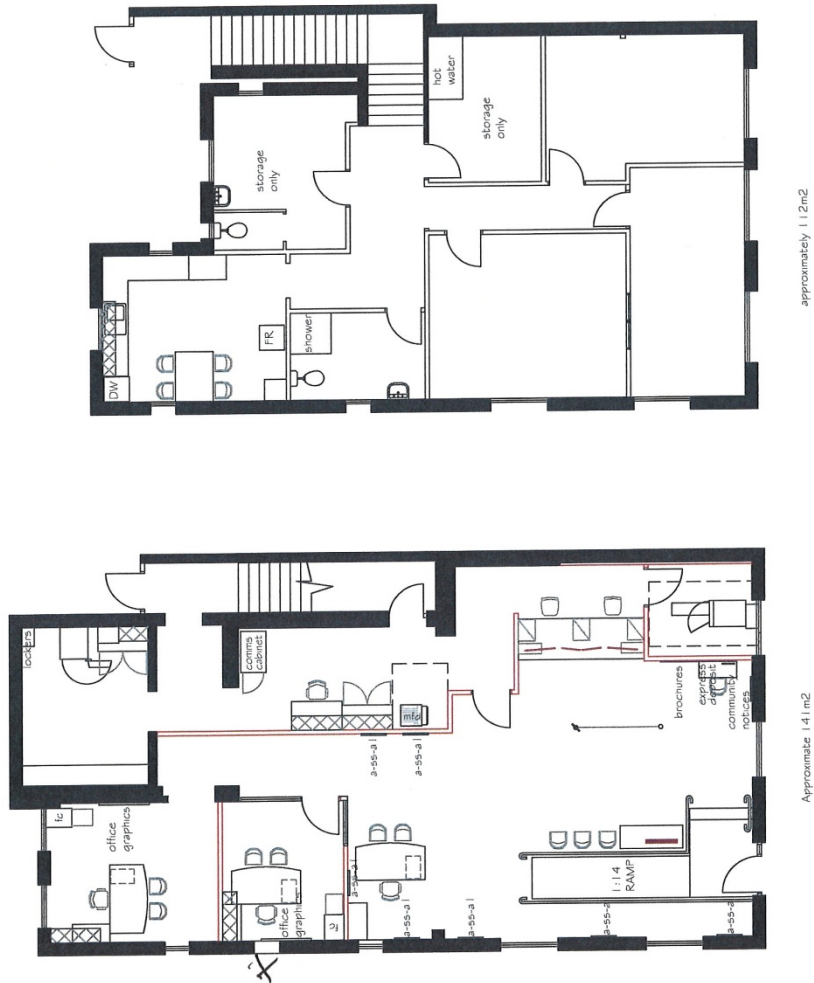
- 1 Custom Bendigo Bank Fascia signage
(w5000mm x h600mm)

Source: Applicant



<https://www.smarteda.qld.gov.au/attachments/view.action?id=MTEzMjA1NTIwNTM0> 23/10/2012

Source: Applicant



PROJECT TITLE BENDIGO BANK LIMITED NANANGO COMMUNITY BANK		DRAWING NO. Proposed Floor Plan	
DESIGNER CFC	CHECKED PT	DATE 22 August 2012	REVISION V9
SCALE 1:100 (A3)		REGISTERED BUILDING PRACTITIONER DP-AD 23454 DRAFTSPERSON BUILD DES (ARCHITECTURAL)	

Bendigo Bank

© Copyright 2008 Bendigo Bank

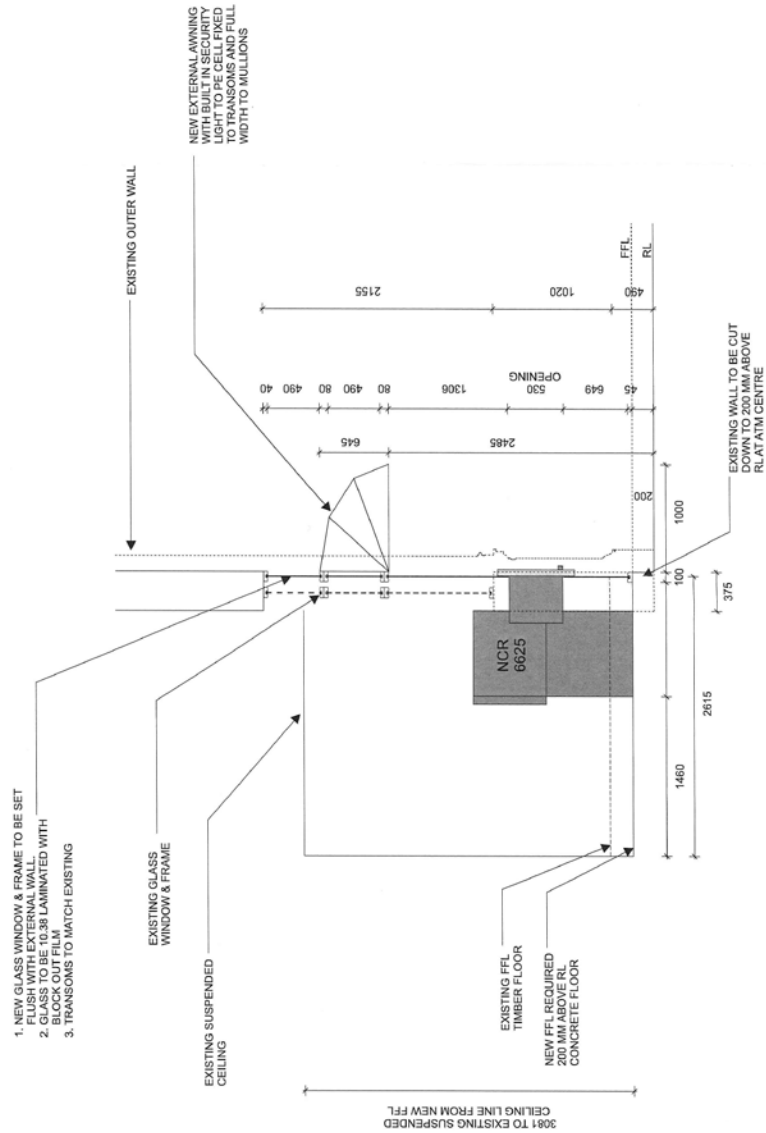
THIS DRAWING IS TO BE READ IN CONJUNCTION WITH THE SCOPE OF WORKS

ALL DIMENSIONS TO BE VERIFIED BEFORE COMMENCEMENT OF WORKS

DRAWINGS NOT TO BE SCALED

Source: Applicant

BENDIGO BANK NANANGO - SECTION DETAIL



SCALE 1:50 @ A4

Source: Applicant

Resolution:

Moved Cr CD Dalton, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted..

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

**6.1.4 P&LM - 1114638 - Southern Cross Care (Qld) Inc. - Forwarding Signage
Application for Karinya Aged Care Facility at 25 Church Street Nanango - L4
RP803940 - Applicant/Owner: Southern Cross Care**

Summary

Key Point Summary

- Application for a Development Permit for Operational Works (Advertisement Device) not associated with a Material Change of Use
- The Sign is an On-premises sign for the Karinya Aged Care Facility
- The placement of an Advertisement Device is Code Assessable in all circumstances and is also inconsistent development as the property is zoned Residential.
- Assessable against the Urban Locality Code – Elements (c)(vi), (d) and (g).
- In accordance with Schedule 4 of the Nanango Shire IPA Planning Scheme, the proposed Advertising Device is defined as a Free-standing or Pylon Sign.
- Application is recommended for approval subject to reasonable and relevant conditions.

Officer's Recommendation

That Council *approve* a Development Permit for Operational Works (Advertising Device) at Brisbane Street, Nanango (and described as Lot 4 on RP803940) subject to the following conditions:

General

GEN1. The sign is to be located in accordance with the plans and information submitted with the application unless otherwise amended by the following conditions:

- Location of proposed sign (submitted with development application)
- Photograph of sign superimposed on a photo (submitted with development application)

GEN2. The development herein approved may not start until the following development permits have been issued and complied with as required:

- Development Permit for Building Works.

GEN3. The sign is not to exceed 3.6m in height above the natural ground level.

GEN4. The sign must be located to provide adequate sight lines. This can be achieved by siting the sign outside the exclusion area identified under the Queensland Development Code MP1.2 Part 7 (Copy attached).

GEN4. The Advertising Sign (Free-standing or Pylon Sign) must be maintained in a safe, clean and tidy condition at all times.

Advice

ADV1. Section 341(3) 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. 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.
- ADV3. 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.

Resolution:

Moved Cr CD Dalton, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.1.5 P&LM - 1132993 - IDAS forms for application for additional extension to Piggery - 330 Cridlands Road Hivesville - Lot 198 BO111 - Applicant/Owner: Bleys

Summary

Key Point Summary

- Application for Material Change of Use - Extension to existing Intensive Animal Husbandry (3,500 SPU to 6,500 SPU incorporating 4 additional sheds)
- Previous MCU Approval (6 August 2012) allowed for the construction of one (1) Shed due to Strategic Cropping Land regulations in force at that time
- Application is Impact Assessable against the Wondai Shire IPA Planning Scheme;
- Public Notification was undertaken by the Applicant between 4 June 2012 and 26 June 2012
- No submissions were received within the Public Notification Period;
- The application is recommended for approval subject to reasonable and relevant conditions.

Officer's Recommendation

That Council *approve* a Development Permit (Material Change of Use – Intensive Animal Husbandry (Piggery)) at 330 Cridlands Road, Hivesville (and described as Lot 198 on BO111), 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:
- Ref. Nos: Name – 12 eco Layout – Piggery, BP_Layout 12 Edition 1 Sheet 1/11 Dated 28 July 2012.
- GEN2. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.
- GEN3. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.
- GEN4. Maintain the site in a clean and orderly state at all times.
- GEN5. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.
- GEN6. All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificate for the commencement of the use, 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.

Property Access

- ENG1. The property access shall be in accordance with the IPWEAQ Standard Drawing R-056 and table S2.7 – Design and Construction Standards of the Wondai Shire Council IPA Planning Scheme. The access is to have a minimum of 125mm compacted gravel and is to be sealed from the edge of existing bitumen seal to the property boundary. The access is to have a minimum width so as to allow an articulated class vehicle (19.5m) to enter and exit the site on the sealed surface. The seal is to be a 14/7 coat seal or other as approved by South Burnett Regional Councils Infrastructure department. The existing table drain on the north west of the access is to remain free draining. The size of the pipe required to achieve this will be agreed with South Burnett Regional Councils Infrastructure department prior to commencement of any construction works onsite.

Stormwater

- ENG2. The stormwater drainage system serving the site is to be designed so that the post-development flows at the point of discharge to all downstream properties including road reserves remains consistent with the pre-developed case.
- ENG3. Stormwater drainage is to be designed 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.

Advice

- ADV1. Section 341(1) 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.
- ADV2. 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.

- ADV3. 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.

Resolution:

Moved Cr CD Dalton, seconded Cr KA Duff.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.1.6 P&LM - 1096773 - Randall Barrington Town Planning - Requesting a negotiated decision notice for reconfiguration of a lot - one lot into one hundred and twenty three lots plus parkland plus balance lot - L16 SP146204 - Pine Street, Blackbutt

Summary

Key Point Summary

- Applicant has requested a Negotiated Decision Notice in relation to Development Permit GEN2 (Amended Plans), RAL2 (Natural Resource Valuation Fees), RAL9 (Vegetation Buffer), RAL14 (Rainwater Tanks), ENG9 (Infrastructure Agreement – Water), ENG10 (Infrastructure Agreement – Sewer), ENG12 (Operational Works) and ADV1 (Approval Period)
- Recommendation that Council approve the Applicant's request relating to Conditions GEN2, RAL2, RAL9, RAL14, ENG9, ENG10, ENG12 and ADV1 plus incorporate Conditions ENG5 and ENG6 (Roads and Access) and ADV9 to assist in further discussions between the Applicant and owner of 23 George Street, Blackbutt for the easterly extension of Margaret Street along the common boundary

Officer's Recommendation

That Council *approve* the Applicant's request for a Negotiated Decision Notice and amend Conditions GEN2, RAL2, RAL9, ENG9, ENG10, ENG12 and ADV1, delete Condition RAL14 plus include Conditions ENG5, ENG6 (Roads and Access) plus ADV9 which will assist in facilitating negotiation between the Applicant and the owner of 23 George Street, Blackbutt for the easterly extension of Margaret Street along the common property boundary, as outlined below (*deleted text in strikethrough and new text in bold*):

Condition GEN2

Revised proposal plans are to be submitted to and approved by Council prior to the submission of any subsequent Development Application for Operational Works (for Stage 1) detailing:

- An extension of Proposed Lot 800 northward to the common boundary of the subject site and 23 George Street, Blackbutt (Lot 6 on SP146204);
- Stage 1 is to include Lots ~~1 to 6, 17, 18 and 93-104~~ **1-19, 93-102, 800 and 900 (proposed balance lot)**; and
- **The proposed access road adjacent to the northern boundary of the subject site (proposed extension of Margaret Street) should have a reserve width of 20.0m with an additional width provided to accommodate a turning circle east of proposed Lot 800 (which is to be extended to the common boundary with Lot 6 on SP146204)**

Condition RAL2

Payment of ~~Department of Environment and Resource Management~~ **Department of Natural Resources and Mines** valuation fees of ~~\$792~~ **\$1,276** (~~24~~ **29** x ~~\$33~~ **\$44**) that will result from the issue of split valuations **prior to Council sealing the Survey Plan. The contribution is currently assessed at \$1,276 (29 x \$44) 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.**

Condition RAL9

A 15.0m wide vegetation buffer is to be established along the ~~eastern~~ **western** side of the ~~balance lot~~ **proposed Lot 900** prior to Council sealing the Survey Plan for Stage 1.

Condition RAL11

Prior to establishing the buffer, a detailed landscape plan and planting schedule is to be provided to Council, which meets the following minimum criteria and complies with Planning Scheme Policy No. 5 within the Nanango Shire IPA Planning Scheme-

- Minimum width of 15m consisting of four (4) rows of offset plantings;
- Includes species with long, thin and rough foilage which facilitates the more efficient capture of spray droplets;
- Provides a permeable barrier which allows air to pass through the buffer. A porosity of 0.5 is acceptable (approximately 50% of the screen should be airspace);
- Foliage is from the base of the crown;
- Includes species which are fast growing and hardy;
- Have a mature tree height 1.5 times the spray release height or target vegetation height of the adjoining cultivation whichever is the higher;
- Have mature height and width dimensions which do not detrimentally impact upon adjacent cultivation; and
- The buffer is to be established and maintained in accordance with the approved plan
- **Plant species may be selected from Council's *Branching Out – Your Handy Guide to Tree Planting in the South Burnett* (refer to booklet provided).**

Condition RAL14

~~Each lot is to be provided with 45,000 litre on site rainwater storage facility. The rainwater storage facility is to be located on the lot prior to a final inspection associated with a Development Permit for Building Works.~~

Condition ENG5 (new condition to be inserted)

The applicant is required to construct and seal all internal roads to an 8.0m width (minimum) for the full length of the roads. The road must be designed and construction in accordance with Schedule 2 of the Nanango Shire IPA Planning Scheme. The profile of the semi-mountable kerb and channel must be stalled in accordance with IPWEAQ Standard Drawing R-080 Type M1. Detailed engineering designs of these road works, certified by a Registered Professional Engineer of Queensland (RPEQ), must be submitted to Council's Infrastructure Department as part of an application for a separate Operational Works approval.

Condition ENG6 (new conditions to be inserted)

The applicant is required to construct and seal Pine Street to an ultimate width of 8.0m (minimum) for the full frontage of Stage 1 (northern boundary) of the parent parcel to the southern boundary of proposed Lot 1. The road must be designed and constructed in accordance with Schedule 2 of the Nanango Shire IPA Planning Scheme. The profile of the semi-mounted kerb and channel must be installed in accordance with IPWEAQ Standard Drawing R-080 Type M1. Detailed engineering designs of these road works, certified by a Registered Professional Engineer of Queensland (RPEQ), must be submitted to Council's Infrastructure Department as part of an application for a separate Operational Works approval.

Condition ENG9

Each lot within the proposed development shall be provided with full flow water supply (potable) in accordance with Council Standards and to the satisfaction of Council. In this regard the applicant is required to:

- Enter into a voluntary infrastructure agreement with Council in respect of the water supply system required to service the development. The agreement shall include, but not be limited to:
 - The required trunk infrastructure upgrades required to service each lot as a result of the development
 - Analysis of the Blackbutt Water Supply System in accordance with the DERM Document "Planning Guidelines for Water Supply and Sewerage"
 - The upgrade of existing infrastructure identified during the analysis required to service each lot as a result of the development and to increase its available capacity through system improvements
 - A monetary contribution towards the Blackbutt Water Supply System to compensate for the loss of capacity created by the development
 - **Where trunk infrastructure upgrades not necessitated by the development are undertaken by the developer, the developer shall be entitled to an offset against water infrastructure charges to the value of these additional works**

Condition ENG10

Each lot within the proposed development shall be provided with access to a reticulated sewer system in accordance with Council Standards and to the satisfaction of Council. In this regard the applicant is required to:

- Enter into a voluntary infrastructure agreement with Council in respect of the reticulated sewer system required to service the development. The agreement shall include, but not be limited to:

- The required trunk infrastructure upgrades required to service each lot as a result of the development
- Analysis of the Blackbutt Reticulated Sewer system in accordance with the DERM Document “Planning Guidelines for Water Supply and Sewerage”
- The upgrade of existing infrastructure identified during the analysis required to service each lot as a result of the development and to increase its available capacity through system improvements
- A monetary contribution towards improvements in the Blackbutt Reticulated Sewer System to compensate for loss of capacity caused by the development
- **Where trunk infrastructure upgrades not necessitated by the development are undertaken by the developer, the developer shall be entitled to an offset against sewer infrastructure charges to the value of these additional works**

Condition ENG12

The applicant is required to comply with Conditions ~~ENG9, ENG10 and~~ ENG11, **ENG12 and ENG13** prior to lodgement ~~issue~~ of any future Development Permit for Operational Works.

Condition ADV1

Section 3.5.21(2)(b) of the ~~Sustainable Planning Act 2009~~ **Integrated Planning Act 1997** provides that, if this approval is not acted upon within a period of ~~four (4)~~ **eight (8)** years the approval will lapse. Note that in accordance with Section 3.5.21 (4) a related approval may extend the relevant (currency) period.

Condition ADV9 (new condition to be inserted)

The Applicant may enter into an infrastructure agreement with Council in respect to the construction of the internal road fronting Lots 93-102. The infrastructure agreement may consider apportioning the width of the subject road and the design/construction costs of the subject road between adjoining land owners.

All other conditions are to be retained as per Council’s Decision Notice dated 11 August 2010.

Resolution:

Moved Cr CD Dalton, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.1.7 P&LM - 1131674 - Request for negotiations - Material Change of Use (Intensive animal husbandry - piggery) - 120 Youngs Road, Wooroolin - Lot 25 RP814990 - Youngs Farm Pty Ltd

Summary

Key Point Summary

- Applicant has requested a Negotiated Decision Notice
- Written representations have been forwarded to Council in relation to Conditions GEN1 (revised proposal plan showing additional shed), GEN2 (removal of requirement for

Development Permit for Plumbing and Drainage and Development Permit for Operational Works), GEN7 (staging of the proposed development) and ENG1 (requested deletion of requirement to upgrade property access)

- Recommendation that Conditions GEN1 and GEN7 be amended as per the Applicant's request however Condition GEN2 is to be amended to remove reference to a Development Permit for Plumbing and Drainage Works and retain the requirement for the Applicant to obtain a Development Permit for Operational Works based on advice received from Council's Infrastructure Department. Condition ENG1 is to be retained as per advice received from Council's Infrastructure Department

Officer's Recommendation

That Council

- (a) **refuse in part** the Applicant's Request for a Negotiated Decision Notice by retaining the requirement for the Applicant to obtain a further Development Permit for Operational Works as specified within Condition GEN2 and retaining in full Condition ENG1 as per advice received from Council's Infrastructure Department; and
- (b) **approve in part** the Applicant's Request for a Negotiated Decision Notice and amending Conditions GEN1, GEN2 (removing the requirement for the Applicant to obtain a further Development Permit for Plumbing and Drainage Works only) and GEN7 with conditions amended as indicated below (*deleted text in strikethrough and new text in bold*):

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:

- ~~Response to Information Request dated 10 September 2012 Google Earth Site Plan~~ **received by Council on 4 February 2013**

GEN2. The development herein approved may not start until the following Development Permits have been issued and complied with as required:

- Development Permit for Building Works; **and**
- ~~Development Permit for Plumbing and Drainage Works; and~~
- Development Permit for Operational Works (site works, road widening, kerb and channel and associated drainage, landscaping, access driveways, water supply and sewerage discharge sludge collection and removal, stormwater disposal)

GEN7. All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificate for the commencement of the use, and it is the Applicant's responsibility to notify Council to inspect compliance with conditions **when all proposed buildings identified on the approved plan referenced in Condition GEN1 are constructed. The Applicant may develop the Piggery in stages by construction of a shed and commencing with housing pigs prior to the Intensive Animal Husbandry (Piggery) operation reaches the maximum capacity of 8,000 SPU.**

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

All other conditions are to be retained as per Council's Decision Notice dated 16 January 2013.

Financial and Resource Implications

No implication can be identified.

Resolution:

Moved Cr CD Dalton, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.1.8 P&LM - 1313007 - Updated report - Reconfiguration of a Lot (Boundary realignment) - Tessmanns Road & Schellbachs Road Kingaroy - Lots 211 and 212 SP238500 - Application: O'Reilly Nunn Favier Owner : M. Torrens

Summary

- Application for Development Permit for Reconfiguration of a Lot (Boundary Realignment)
- Subject site included within the Rural Zone under the Kingaroy IPA Planning Scheme
- Proposed reconfiguration does not meet the minimum 200ha allotment size specified within the Rural Locality Code under the Kingaroy Shire IPA Planning Scheme
- Proposed allotments are 86.0ha and 11.4ha in area
- The applicant asserts that the proposed boundary realignment is for bona fide reasons to '*protect the environmental attributes of the site*' rather than realising the productivity of land for rural purposes and supporting the viability of rural activities within the Rural Zone
- Proposed Lot 11 contains remnant vegetation along the southern boundary with Stage 4 of Summit View Estate
- The proposed Reconfiguration of a Lot (Boundary Realignment) is 'inconsistent' development under Table S3.1 of the Rural Locality Code as both proposed allotments are less than 200ha in area
- Based on information supplied by the applicant and the size of proposed Lot 11 (11.4ha) it could reasonably be assumed that this allotment will be used in future for residential purposes
- The proposed boundary realignment seeks to achieve more regular shape allotments thereby potentially increasing the efficiency of agricultural activities on proposed Lot 12
- Application was previously tabled at Council's General Meeting of 21 November 2012 where Elected Representatives decided that the Reconfiguration of a Lot application "*lay on the table until the December 2012 meeting of Council*"
- The property owners have sought an Amended Concurrence Agency Response from the Department of Environment and Heritage Protection (DEHP) as an alternative vehicle access point has been proposed for Lot 11 (11.4ha)
- The property owners have sought advice from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities under the *Environment Protection and Biodiversity Conservation Act 1999* in relation to clearing of remnant vegetation for the purposes of providing an access to proposed Lot 11 adjacent to *Schwenke's Gateway*
- Advice received from the Commonwealth Department of Sustainability, Environment, Water, Population and Communities dated 12 February 2013 states that the clearing of remnant vegetation for a driveway access "*does not require further assessment and approval under the EPBC Act before it can proceed*" however this decision "*does not affect any requirement for separate state or local government environment assessment and approvals of the proposed action*". Council considers that this statement from the Commonwealth Government indicates that despite advice received from both levels of Government, the ultimate responsibility rests with Council to assess and determine such a request from the property owners
- Internal Advice has been sought from Council's Natural Resources Section in relation to the potential impacts of an access in the property owner's preferred location as it is considered

that the Tessmanns Road North Corridor is of high ecological significance and should be afforded protection from further degradation and buffered from development in all forms

- Third Party Advice has been received from the Society for Growing Australian Plants (SGAP) in relation to both the ecological significance of the Tessmanns Road North Corridor and the potential impacts that the proposed development may have on the environmental values of the surrounding area
- Third Party Advice has also been received on the proposed location of the driveway access for Lot 11 from Dr Paul Forster (Principal Botanist - Queensland Herbarium, Department of Science, Information Technology, Innovation and the Arts) on the significance of the *Phebalium distans* population within the Tessmanns Road North Corridor
- Application recommended for approval subject to reasonable and relevant conditions including Condition ENG1 requiring a reciprocal vehicle access easement in order to access Lot 11

Officer's Recommendation

That Council *approve* the applicants request for a Development Permit for Reconfiguration of a Lot (Boundary Realignment) on Lots 211 and 212 on SP238500 located at Tessmanns and Schellbachs 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 Number 4723P/1 Revision A (Proposed Boundary Realignment) prepared by O'Reilly Nunn Favier Consulting Surveyors and received by Council on 20 August 2012.
- Drawing Number 4723 P1 ACCESS is not approved.

GEN2. All works, including the relocation of services (Telstra, lighting etc.) are 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 of 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 Council sealing the Survey Plan, the applicant is to provide a certificate signed by a licensed surveyor stating that after the completion of all works associated with the subdivision, survey marks were reinstated where necessary and all survey marks are in their correct position in accordance with the approved plan.

Telecommunication

RAL2. Prior to Council sealing the Survey Plan, the applicant is to provide each lot with a telecommunication service. Where supply is not to be provided at this time, evidence detailing an agreement for the proposed service is to be provided for Council's consideration and approval.

Electricity

- RAL3. Prior to Council sealing the Survey Plan, the applicant is to provide each lot with connection to reticulated electricity supply in accordance with Australian Standards. Provide written confirmation from the electricity authority that all matters relating to electricity supply and connection, including electrical and civil works, have been completed.

Statutory Covenant

- RAL4. Provide a Statutory Covenant along the eastern and northern boundary of proposed Lot 11 to ensure that no habitable structures are located within 150m of the new boundary (due to potential dust/noise generation of agricultural activities on proposed Lot 12). In this regard, the Statutory Covenant is to comply with the "Statutory Covenant – Guidelines for their Use in Queensland". The Statutory Covenants are to be registered prior to Council sealing the Survey Plan pursuant to Section 97(3)(b) of the *Land Title Act 1994* and Section 373(4)(b) of the *Land Act 1994*.

Roads & Access

- ENG1. Provide a reciprocal access easement in favour of proposed Lot 11 over the existing access handle on proposed Lot 12. Prior to sealing the Survey Plan a copy of this access easement will be provided to Council. Alternatively a new access may be provided to proposed Lot 11, via Easement K subject to written approval of Council's Chief Executive Officer and approval of detailed design drawings which satisfy adequate manoeuvring to the lot and no impact on the function of Easement K and the existing stormwater infrastructure.

- ENG2. Access to both Lot 11 and 12 shall be in accordance with Schedule 2, Table S2.7 of the Kingaroy IPA Planning Scheme.

Stormwater

- ENG3. The stormwater drainage system serving the site is to be designed so that the post-development flows at the point of discharge to all downstream properties including road reserves remains consistent with the pre-developed case.

- ENG4. 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.

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. 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.

ADV3. 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.

ADV4. The applicant is required to obtain separate approval through the Department of Environment and Heritage Protection (DEHP) prior to the construction of any fencing along the common boundary between proposed Lots 11 and 12.

Resolution:

Moved Cr CD Dalton, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

ATTENDANCE:

General Manager Communities Eleanor Sharpe entered the meeting at 9:49am

6.1.9 P&LM - 1360063 - KHA Development Managers - Requesting extension to the currency period & change to development approval for Material Change of Use - Multiple Dwelling (6 Units) at 41-43 Wickham Street Nanango - L262 N2320 - Applicant: KHA Development

Summary

KEY POINT SUMMARY

- Applicant has requested an extension to the existing Development Approval by a further two (2) years until 16 November 2014;
- The applicant has also requested to stage the proposed six (6) multiple dwelling units development in two (2) stages;
- Original Material Change of Use approval granted by the former Nanango Shire Council in November 2006 under the Planning Scheme for Nanango Shire Council (Superseded Planning Scheme);
- Change to Existing Development Approval (extension of timeframe for 2 years) granted by Council on 3 November 2011;
- Subject site is included in the Residential zone under the Nanango Shire IPA Planning Scheme;
- There were no Concurrence Agencies as part of the original development approval;
- The applicant's written representation requesting the extension were based on financial reasons with the owner required to obtain pre-sales to secure development finance from their bank;
- To date no development has been undertaken on-site to implement the approval; and
- Recommendation that Council refuse the applicant's requested extension due to the period of time which has lapsed since the Material Change of Use was originally approved (approximately 6 years).

Officer's Recommendation

That Council **refuse** the Applicant's request for an additional two (2) year extension to the currency period for the following reasons:

- The proposal was subject to submissions under the original development application and was assessed under a Superseded Planning Scheme;
- The grounds provided by the applicant relate solely to financial reasons with no planning grounds to support a genuine intention to exercise the approval.
- Given the time lapsed since the original approval was granted and public submissions received in the past, it is considered reasonable to refuse the extension. The applicant can renew the approval by lodging an application for a development permit.
- The applicant has not demonstrated a genuine intent to implement the approval as no substantial works have been undertaken on the subject site (refer to Figures 1-3 for site photographs). No subsequent Development Permit for Operational Works has been approved since the original Material Change of Use approval was granted.
- It is considered reasonable that the proposed development is assessed against the provisions of the current Planning Scheme and Council's policy regarding unit development in predominantly residential areas.

Resolution:

Moved Cr CD Dalton, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.1.10 P&LM - 1328668 - O'Reilly Nunn Favier - Forwarding a Request for Negotiated Decision - Reconfiguration of a Lot (1 lot into 2 lots) - 261 Tarong Railway Road, Tarong - Lot 20 FY506 - O'Reilly Nunn Favier

Summary

Key Point Summary

- Applicant has requested a Negotiated Decision Notice
- Written representations have been forwarded to Council in relation to Conditions RAL1, RAL3 and RAL4
- Recommendation that Condition RAL1 be retained as per Council's Decision Notice and Conditions RAL3 and RAL4 be deleted as per the Applicant's request

Officer's Recommendation

That the Council **refuse in part** the Applicant's Request for a Negotiated Decision Notice by refusing representations in relation to Condition RAL1 by retaining this condition as per Council's Decision Notice and **approve in part** the Applicant's Request for a Negotiated Decision Notice by approving the deletion of Conditions RAL3 and RAL4. All other conditions are to be retained as per Council's Decision Notice dated 28 August 2012:

General

GEN1. Development is to proceed generally in accordance with information submitted with the application including supporting material and the following proposal plan unless otherwise amended by these conditions:

- Drawing No. 4751P/1 (Proposed Subdivision) Sheet 1 of 1 prepared by O'Reilly Nunn, Favier Consulting Surveyors

- GEN3. Any new earthworks or structures are not to concentrate or impeded the natural flow of water across property boundaries onto any other lots.
- GEN4. The applicant is required to undertake dust prevention measures to ensure that dust does not cause a nuisance to occupiers of adjacent premises.
- GEN5. All internal services are to be contained within respective lots.
- GEN6. The site must be cleared of any declared Class 1 & 2 pests under the *Land Protection (Pest and Stock Route Management) Act 2002*.

Compliance Assessment

- GEN7. All conditions of this approval are to be satisfied prior to Council issuing a Compliance Certificate for the commencement of the use, 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.

Amalgamation

- RAL1. Part Lot 1 and Part Lot 2 as shown on Drawing No. 4751/1 (Proposed Subdivision) Sheet 1 of 1 prepared by O'Reilly Nunn Favier is required to be amalgamated with the balance of proposed Lot 2. A revised proposal plan is required to be submitted to and approved by Council prior to Council sealing the Survey Plan.

Survey Marks

- RAL2. Prior to the submission of the Survey Plan to Council, the applicant is to 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.

Remnant Vegetation (Proposed Lot 1)

- RAL3. ~~The applicant is required to enter into a voluntary conservation covenant with Council to prevent clearing, destruction and damage of the identified remnant vegetation on proposed Lot 1 and provide clear separation between the identified vegetation and all agricultural activities.~~

~~The conservation covenant is required to be submitted to Council and approved prior to sealing of the Survey Plan.~~

Deleted

Referrable Wetland (Proposed Lot 2)

- RAL4. ~~The applicant is required to enter into a voluntary conservation covenant with Council to minimise the potential impact on the wetlands, water quality and water regimes by establishing a 200m buffer area to the wetland located in the south-east corner of proposed Lot 2.~~

~~The conservation covenant is required to be submitted to Council and approved prior to sealing of the Survey Plan.~~

Deleted

Vehicle Access

- ENG1. Access to Tarong Railway Road is only permissible via the two (2) existing access points as shown on the approved plan referenced in Condition GEN1.

ENG2. Each access point on Tarong Railway Road is to comply with the requirements of the Nanango Shire Council IPA Planning Scheme – Schedule 2 Table S2.7 Design and Construction Standards.

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. Fencing along the full length of the common boundary between proposed Lot 1 and Lot 2 shall comply with the *Vegetation Management Act 1999* and associated DERM guidelines for *routine management*.
- 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.

PROCEDURAL MOTION:

Moved Cr CD Dalton, seconded Cr DJ Palmer.

That the previous item lay on the table until the next meeting

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

6.2 Waste

Nil.

6.3 Planning & Land Management & Waste Portfolio Report

Nil.

7. Community & Cultural Services

7.1 Community & Cultural Services

7.1.1 C&CS - 1112624 - Forwarding Documents in relation to the disposal of the former Memerambi State School at Kings Road Memerambi Lot 6 SP157918

Summary

Council has received an offer from the Department of Natural Resources and Mines offering Council first option to purchase the former Memerambi School. There is no identified need for Council to utilise the facility or the land. If Council declines the offer, the facility will be offered for sale on the open market, on an “as is, where is basis”.

Officer's Recommendation

That Council declines the offer to purchase the former Memerambi School Site (Lot 6 on SP157918) for the market value of \$215,000 and advises the Department of Natural Resources and Mines accordingly.

Resolution:

Moved Cr DJ Palmer, seconded Cr DP Tessmann.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

7.1.2 C&CS - 1132876 - Minutes of the Healthy Communities Management Advisory Committee meeting held on 22 January 2012.

Summary

Providing a copy of the Minutes of the Healthy Communities Management Advisory Committee Meeting held on Tuesday, 22 January 2013.

Officer's Recommendation

That Council endorse the attached minutes and recommendations of the Healthy Communities Management Advisory Committee held on Tuesday, 22 January 2013.



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**Minutes of the Healthy Communities Management Advisory Committee (MAC) Meeting
Tuesday, 22 January 2013 @ 1.00pm**

Present: Cr Debra Palmer , Cr Keith Campbell, Carolyn Knudsen & Kerry Oldfield (SBRC), Bernice Hilly (RHealth), Caitlin Isaac (RHealth), Nicole O'Brien (BIEDO), Louise Judge (SBCN), Sue Crossley (Qld Health), Nicole Connolly (TPS) and Scott Hawkins.
Apologies: Janine Pay (SRO), Eleanor Sharpe, Paula Nunan (PCYC), Amy Frame (Qld Health), Eleanor Sharpe (SBRC), Elaine Thompson, Kerrie Zeller (QRME) and Deb Frecklington.

Chair: Cr Debra Palmer **Minutes:** Wendy Kruger

Agenda Item	Action Summary	Responsible Officer	Due Date
Welcome	Cr Debra Palmer welcomed everyone to the meeting.		
Minutes from Previous Meeting	Resolution: <i>That the minutes of the previous Committee Meeting held on Thursday, 15 November 2012 as record be confirmed.</i> <i>Moved: Cr Keith Campbell</i> <i>Seconded: Nicole O'Brien</i>		
Agenda Items			
Nil.			
Correspondence			
<ul style="list-style-type: none"> Email from Billie-jean Simpson 	Cr Palmer provided an overview of the email received by Council. Louise Judge's email address is to be forwarded to Billie-Jean to allow her to provide direction to Billie-Jean on how to best begin.	Louise Judge	Next Meeting
<ul style="list-style-type: none"> Email from Janine Pay 	The committee commented that Active South Burnett had achieved the results it needed at that time. Other groups have now taken up activities and projects. This item has been noted however no further action is required		



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Agenda Item	Action Summary	Responsible Officer	Due Date
<ul style="list-style-type: none"> Email from Susan Helyar 	<p>Cr Palmer and Carolyn Knudsen provided an update on the Queensland Road Teams Series and ask for a contribution from Council for \$3,000. This group need to get \$10,000 sponsorship to bring this round to the South Burnett. There should be 100-200 professional riders which doesn't allow for the community to be involved. A program around the ride where the local community can be involved in maintenance of their bikes, road safety etc may be considered.</p> <p>The Healthy Communities Coordinator suggested the funds available be spent more on the community event rather than the road event. Kerry Oldfield is to contact this group and suggest they contact the local Heritage Banks to obtain sponsorship as well.</p> <p>Resolution: Kerry Oldfield to follow up and investigate. The Committee, in principle, supports the allocation of \$3,000 from the healthy communities' budget for the project. This is conditional on the community ride eventuating and Queensland Cycling obtaining the rest of the funding required. The community ride event to work with the healthy communities initiative.</p> <p>Moved: Louise Judge Seconded: Berniece Hilly</p> <p style="text-align: right;">Carried</p>	Kerry Oldfield	
Business Arising from Previous Meeting			



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Agenda Item	Action Summary	Responsible Officer	Due Date
<ul style="list-style-type: none"> • Presentation on Healthy Food Access Basket Program - Kerry Oldfield 	Kerry advised that it is a work in progress	Kerry Oldfield	
<ul style="list-style-type: none"> • Update on Stanwell Financial Incentives Employee Program 	Nicole advised that this has been put on hold and will provide an update as soon as possible.	Nicole Connolly	
<ul style="list-style-type: none"> • Update on LGAQ Wellbeing symposium - 21-23 November 2012 	Kerry advised that the presentation went very well. There wasn't a very big audience however Community Development Officer from another Council has been in contact since. Kerry also advised that it was a very good symposium compared to previous ones and she will be in touch with the other attendees from the Committee for a review. It was noted that there were a number of presentations at the symposium that stood out for the committee members.	Cr Debra Palmer/Kerry Oldfield	
<ul style="list-style-type: none"> • Update from the Healthy Communities Officer - Kerry Oldfield 	<p>Kerry provided an update on her projects and she advised that there has been a lot of interest in the Heart Foundation Walking.</p> <p>Healthy Weight week is commencing this week. The dates are as follows: 21/1 - Blackbutt 23/1 - Murgon 24/1 - Wondai and Kingaroy 25/1 - Nanango</p> <p>The response has been better than initially thought.</p> <p>Kerry offered copies of maps showing the walking tracks from each town to the committee members. She has asked that the checklists still be filled out and checked against the maps.</p>		



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Agenda Item	Action Summary	Responsible Officer	Due Date
<ul style="list-style-type: none"> Active After School Program 	<p>Kerry advised that she is looking at what projects Rhealth are currently working on that may be stopping</p> <p>Carolyn provided a brief synopsis on the Active After School Program and then invited Scott Hawkins from to speak to this.</p> <p>Scott advised that he is based in Toowoomba and is in the process of liaising with the coordinator from Maryborough to cover the South Burnett Region in it's entirety. He further advised that there are a couple of programs that are still available and if the committee are aware of any schools who would be looking at their program to let him know. They are offering a 7 week 'taster' program that will run in the first term. The programs are free and they provide grants twice a year that allows coaches to purchase equipment, transport and entry fees into pools etc. Active After School Communities would be interested in tying in with the Cycling Queensland event with the schools. Carolyn asked if Scott would be available to attend the Healthy Communities committee meetings and he advised that if he is able to tie it in with meetings with his contacts in the area, this will allow him to attend. Scott to email information to either Carolyn or Wendy and that can be forwarded onto relevant groups</p>		
<p>Business for Discussion</p> <ul style="list-style-type: none"> RHealth - Healthy Catering Guidelines 	<p>Carolyn provided an update on the feedback from Councillors and Managers. She advised that a standout concern was that this Guideline was dictating what people can eat at meeting. There has been a generating of interest in this and there will be an opportunity to engage with Councillors and Managers further. It was highlighted by Bernice that these are just guidelines to follow and not</p>	Carolyn Knudsen	



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Agenda Item	Action Summary	Responsible Officer	Due Date
General Section			
<ul style="list-style-type: none"> Recognition of Committee 	<p>mandatory.</p> <p>Carolyn advised that both Kerry and she had a road trip to present Christmas/Thank You gifts to all the committee members and got the opportunity to meet with various committee members who aren't always able to attend. This was an opportunity to say Thank You for all the support given through the year.</p>	Carolyn Knudsen	
Update from Members			
Greg Griffiths - SBRC	<p>Greg advised the Committee that Council have received funding for three climbing walls. These are to be built in Kingaroy, Nanango and Murgon. Work is to commence in February 2013. The horizontal climbing walls are to be built at the River Road Park in Kingaroy, Pioneer Park in Nanango and at the Skate Park in Murgon. The wall at the Skate Park in Murgon has been designed by the kids for the kids. Interest has been received from three (3) schools who are wanting to use it as part of their PE programs as well as the active afterschool programs.</p> <p>Installation of fitness equipment is due to commence soon.</p> <p>Proston has received funding from Stanwell Corporation for a BBQ and lighting in the Park. Smithfield is constructing a BMX track for the kids.</p> <p>The new walk into Maidenwell has been completed and is available for all age groups.</p> <p>The Mt Wooroolin steps have been completed.</p>		



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Agenda Item	Action Summary	Responsible Officer	Due Date
Caitlin Isaacs	Diabetes Prevention Program is a hands on practical and fun to engage. Planning the 12 week Swap It Challenge		
Berneice Hilly	Advised that she is only at RHealth for another four (4) weeks. She is finalising the Reading Bug. The costume has been made, the ambulance has been arranged to meet at the Nanango markets on 2 February around 10 am. Council have requested a debrief of costs etc so that if it is picked up by other areas we have the package. It is important that this project keeps going and encouraged for other towns to take it up. It is envisaged that the costume be kept at the Nanango library and loaned out.		
Louise Judge	Pamper days are happening again this year. There is no fee but it will be a BYO lunch to share.		
	Cr Keith Campbell asked the Committee they wish to continue to meet on a monthly basis and would they consider having them bi-monthly. It was decided to continue with monthly meetings as the Committee members felt it more beneficial to continue the status quo especially when things got busy with projects. Comments were also raised regarding the attendance of members to the meetings and their interest in continuing to be members. Kerry Oldfield to approach members to gauge their interest. It was also suggested that the meeting start at 2.00pm and finish at	Kerry Oldfield	Next Meeting



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**Minutes of the Healthy Communities Management Advisory Committee (MAC) Meeting
Tuesday, 22 January 2013 @ 1.00pm**

Agenda Item	Action Summary	Responsible Officer	Due Date
Kerry Oldfield	<p>4pm on the fourth Tuesday of every month.</p> <p>Kerry advised that Carolyn and she met with the Darling Downs South West Qld Medicare Local CEO and they were interested to attend the next Healthy Communities Committee meeting for a 30 minute presentation at the start of the meeting. Invitation to be sent out for the February meeting.</p> <p>Agenda item for next meeting – Suicide Prevention week – Louise Judge.</p>	Kerry Oldfield	
Meeting closed at 2.43 pm			



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Agenda
Thursday, 13 December 2012 @ 1.00pm

Wendy Kruger

From: BJ Simpson [poetic-justice@live.com.au]
Sent: Tuesday, 27 November 2012 4:55 PM
To: Council Information General Email Account; counter@southburnettimes.com.au;
info@crowfm.com.au; jamie.slattery@sca.com.au
Subject: Proposed March against bullying?

Hey everyone,
My name is Billie-jean Simpson. I'm a local girl raised here in the south Burnett and I have a son who is autistic. I fear him going to school due to his disability due to bullying. I am writing to everyone because I am wanting to host "a march against bullying" in the south Burnett. I am wanting some community feedback and I'm not 100% sure how to get the ball started - so any input into this would be great thanks,

I look forward to hearing a response - regards Billie-jean.



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Wendy Kruger

From: Kerry Oldfield
Sent: Monday, 10 December 2012 12:57 PM
To: Wendy Kruger
Subject: FW: ASB

From: Janine Pay [mailto:Janine.Pay@communities.qld.gov.au]
Sent: Wednesday, 21 November 2012 11:31 AM
To: (caitlin.isaac@rhealth.com.au); Kerry Oldfield; Anthony.Dreger@ausport.gov.au; Eleanor Sharpe; Michael Eadle; Nicole O'Brien (bledosportsandrecsouth@burnett.net.au); Paula Nunan; Rob Fairbrother (rob@sbctc.com.au)
Subject: ASB

Hi All,

Due to all the Govt staff changes and a lack of momentum and commitment I would like to suggest that Active South Burnett fold and that any remaining merchandise be used by RHealth and PCYC. Michael and Caitlin to liaise as to what each organisation can use.

Does anyone have suggestions for the website?

Let me know your thoughts and I will put this forward to the next Healthy Communities meeting.

Janine Pay | Advisor
Sport and Recreation | CQ Region (Hervey Bay) | [Department of National Parks, Recreation, Sport and Racing](#)

Level 1, Brendan Hansen Building, 50-54 Main Street | PO Box 3054
Hervey Bay Qld 4655
T: 07 4125 9379 | M: 0413 881 824 | F: 07 4125 9397 | E: Janine.pay@nprsr.qld.gov.au

PLEASE NOTE NEW MAILING ADDRESS, EMAIL ADDRESS AND PHONE NUMBER

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From: Susan Helyar [mailto:susan@susanhelyar.com]
Sent: Tuesday, 11 December 2012 5:03 PM
To: Eleanor Sharpe
Subject: Cycling Queensland - Road Team Series

Hi Eleanor

Thank you for taking the time to talk with me today. As mentioned I am working with Cycling Queensland to help them secure sponsorship funding to expand the Queensland Road Team Series in south-east Queensland to include a community ride in each region in 2013. In order to stage this they need to secure approximately \$10,000 for the Round. After speaking with Stanwell they are keen to support the South Burnett Round and happy to work with other partners to present the Round. Hence the suggestion of the your Healthy Communities program.

I have attached a proposal for review by yourself and Council. Please let me know if you have any questions. As this project is funding dependent Cycling Queensland are more than happy to work with partners to ensure key objectives are met such as the actual location of the start/finish line and the focus for the location of the community ride.

Look forward to hearing from you.
Kind regards
Susan



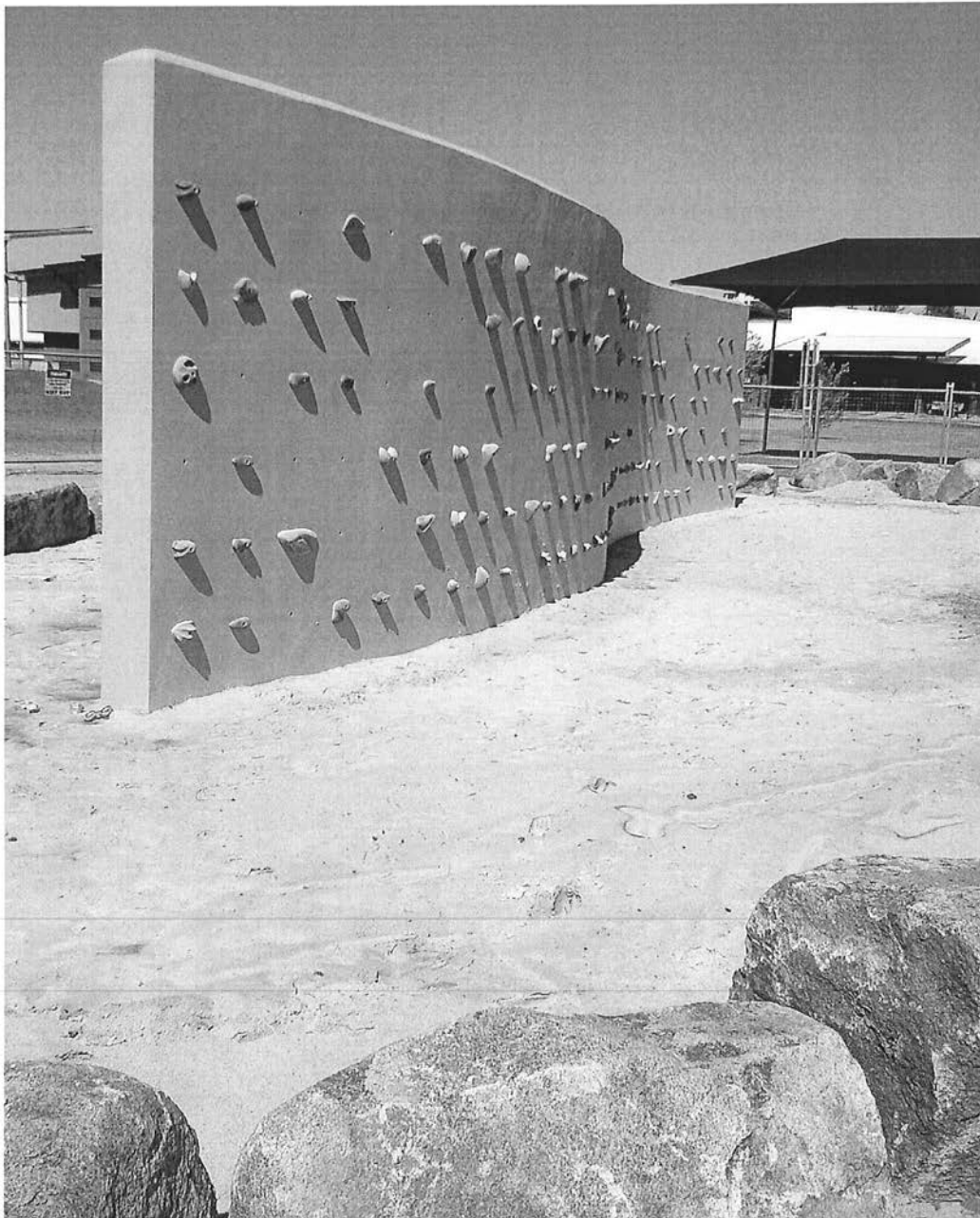
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HCC Meet 22/1/13	
<p>participants on HC database - 207</p> <p>resources (human and financial) towards on-the-ground implementation of the Plan. Seek funding (such as COAG Healthy Communities similar) to fund a Healthy Communities Co-ordinator position. SBRC Communities Plan - 3.6.1 (b)</p> <p>Local fitness leaders to conduct Lift for Life or Heart Moves programs (dependant on identified community needs)</p> <p>has been changed to fit in with the National Program Guidelines)</p> <p>Healthy Communities Plan - 3.3.1 (j - o)</p>	<p>Lift for Life</p> <ul style="list-style-type: none"> • Kry Fitness - Program 1 - ongoing - silver phase finished Dec. Evaluation underway. • Program 2 - due to start 14 Jan 2013, approx 12/12 places filled <p>Heartmoves</p> <ul style="list-style-type: none"> • All programs ongoing, no issues to report (Ngo, Kry, Wdai, Mgn, Boondooma). • 3mth evaluation due for Ngo in Dec - BH to assist • 3mth evaluation due for Kry, Wdai, Murgon in Jan - BH to assist • 6mth evaluation due for Boondooma in Jan <p>Putting out feelers for more trainees - Heartmoves (Rapid) and Lift for Life (Kry Fitness) while HCI funding for National Programs is available</p>
<p>Local fitness leaders to conduct Heart Moves in pools or adult learn to swim fitness where there are pool facilities available.</p>	<ul style="list-style-type: none"> • Wondai adult swimming Term 4 program - final session and evaluation done 14 Dec. Participants are already paying full price classes. A second program with current and new participants is already planned for Term 1 • Murgon program in planning stages - change in manager • Kry program - no activity to report, meeting to be scheduled with manager



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<p>has been changed to fit in with the National Program Guidelines)</p>	<p>thy Communities Plan - 3.3.1 (j - o)</p> <p>th physical activity providers such as South Burnett Aquatic Centre, commercial gyms to provide reduced memberships as part of a program. The program to be two-fold with one stream focusing on play (holding a concession card) and the other stream to focus on i. This is to help with the sustainability of the Lift for Life program i businesses to support down time) Eligibility to be determined.</p>	<ul style="list-style-type: none"> • Evaluation of subsidised adult swim program at Kry Pool - positive feedback, improved skills, participants are continuing with swimming and have purchased visit passes. • Subsidised adult swim program at Ngo Pool - unable to find suitable timing for swim classes, participants have received 10 visit passes instead. 	<p>thy Communities Plan - 3.3.2 (c)</p> <p>tion with Heart Foundation Walking, work to establish a sustainable program across the region by:</p> <p>ng promotion of existing walking groups in Kingaroy, Wondai and</p> <p>ing new walking groups in all towns, with priority locations being:</p> <p>o</p> <p>and</p> <p>well</p> <p>tablished, continue to expand walking groups and increase the f available groups</p> <p>walking groups provide for a range of target groups, with a key focus</p>
<p></p>	<p></p>	<ul style="list-style-type: none"> • HF Walking Merchandise ordered for current walking groups • Possible walking group in Nanango thru Rapid Fitness - potential WO has made contact with Caitlin to discuss 	<p></p>



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<p>with strollers adults Healthy Communities Plan - 3.3.1 (d) the Healthy Food Access Basket survey as highlighted in the Healthy Communities Plan and original tender brief. AusDirisk Health Promotion and Health assessment pitstops and program advertising and marketing, (Australian Diabetes Risk Assessment community events Healthy Communities Plan - 3.6.3</p>	<p>Final report - still in progress Healthy Weight Wk to be used as mini health check pit stop/ausDirisk event - 5 towns to be covered, WC 21/1/13 (with RHealth and CH Nurses). Venue – local supermarkets <ul style="list-style-type: none"> Ngo Active Parks - in final week of program. Rapid Fitness classes and yoga have been most popular. Lawn bowls and Taekwon-Do have had low participation numbers. Avoid Nov/Dec timing in future. Verbal feedback re Ngo Prog - Rapid to provide a class in park next time but will keep it in line with existing timetable (grp fitness classes need the atmosphere with current members) - we will encourage their members to bring a friend as part of program </p>
<p>others, 45-59 year olds and older adults rate on destination parks and ensure provision across the region in Nanango, Wondai and Murgon pression of interest from local person/s to coordinate the program Healthy Communities Plan - 3.3.1 (a) in 'Active and Healthy Families' program aimed at providing a range of low-cost activities across the region for families with a specific focus on the workforce. Activities could include: <ul style="list-style-type: none"> fitness circuits hunts workshops workshops (utilising community gardens) </p>	



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<p>Healthy Communities Plan - 3.3.1 (b)</p> <p>regular community event such as a 'Mt Wooolin Race' that people to get fit. The event could:</p> <ul style="list-style-type: none"> several classes porated with an overall Healthy Lifestyle Expo or another festival th employment groups to help run the program 	<p>BBBF BVRT Walk/Ride with PCYC - Dates were confirmed for 2013 Festival 13,14,15 September</p> <p>BBBF Committee meeting 14/12/12 - HCC could not attend however expressed support via email re BVRT/BBBF event with PCYC</p>
<p>Healthy Communities Plan - 3.3.1 (f)</p> <p>'program planning day' at least once or twice per year, to determine programs to be run under an 'Active & Healthy South Burnett' and work together to confirm funding arrangements, dates, venues and details for the programs so that they may be incorporated into an 'Healthy South Burnett' program brochure (monthly stakeholders</p>	<p>LGAQ Wellbeing Symposium - presentation well received. CDW from Southern Downs has made contact to exchange ideas etc.</p>
<p>Healthy Communities Plan - 3.4.1 (b)</p> <p>permanent 'Healthy Communities' link on the home page of website providing an active and healthy tip and linking to the Active net website</p>	<p>Website - minor updates in the past month - flyers etc</p>
<p>Healthy Communities Plan - 3.4.1 (d)</p> <p>active and healthy' maps and brochures showing all walk / cycle paths sport and recreation facilities throughout the region. Publish hard i include on Councils website and the Active South Burnett website.</p>	<p>Email requesting assistance sent to HCC members - El, Nina CTC and Colleen Gunn have offered help. CI to send to HF groups in main towns (already sent to Paula Numan in Mgrn). KO sent to P&G Supervisors requesting their input and assistance. KO to collect in Feb 2013</p>
<p>Healthy Communities Plan - 3.4.1 (g)</p>	



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<p>to a combined program brochure develop individual promotional all physical activity and healthy eating programs and distribute cal networks such as school newsletters, letter-box drops and r inserts. (including launch material for COAG funded program)</p>	<p>Healthy Communities Plan - 3.4.1 (i)</p>	<p>Complete</p>	<p>In Dec KO has spoken with Blackbutt SS PC president - they are interested in using parents as volleys for extra swim coaches. Only half their students can swim competently, students receive 1 class per wk, PE teacher at school only 2 days/wk. KO needs to discuss this with the Principal (This still doubles up on AASC – need to determine if parents will provide classes during or outside school hours)</p>
<p>to reinforce social marketing messages</p>	<p>Healthy Communities Plan - 3.4.1 (h)</p>	<p>KO has left msg for AASC Scott Hawkins - will try again in Jan</p>	<p>Community kitchens - ongoing, no issues to report IP change - removed CK from Durong, added a second CK in Kingaroy Kingaroy program support has grown over recent weeks - 2 sessions remaining Participant engagement note - Kry - CALD participants attending. BH and KO to consider funding second program at same venue with old and new participants</p>
<p>primary schools to identify the skills and interests of parents and community volunteerism program encouraging and providing r local parents to become involved in physical activity and nutrition as leaders/helpers. This initiative may be piloted in one township determine its effectiveness and later extended to other areas in the</p>	<p>Healthy Communities Plan - 3.4.2 (a)</p>	<p>with other agencies to promote healthy eating eg. directly with supermarket chains to run demonstration classes in sets (eg food budgeting, shopping, healthy food preparation) workshops on nutrition-related topics (eg food budgeting, food preparation, home growing fruit and vegetables) at community sh as markets, festivals, shows etc</p>	<p></p>



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<ul style="list-style-type: none"> Healthy Wt Wk - with ausDrisk - 5 x cook demos (in 5 towns) added to IP under this output WC 21/1/13. See flyer. 		<p>GFC on hold – depending on CI workload</p>	<p>Final meeting for 2012 - 15 Dec - Soil/soil rejuvenation talk and pH testing. Date for building Compost bins TBC (original date cancelled due to weather). Planned meeting in Jan 2013 with Brian Jarvis - reschedule Growing The Burnett Community Breakfast/Market Day in the Garden event. Garden subcommittee and lead volunteer members will be planning 2013 dates and activities.</p> <p>New BIEDO regional garden coordinator - Tamara Kelly</p>
<p>cal residents to access locally grown fruit and vegetables via roadside stalls etc</p> <p>nity Kitchen cooking skills startup program</p> <p>thy Communities Plan - 3.5.2 (a)</p>	<p>centives to restaurants, cafes, take away food outlets to provide dining choices possibly via:</p> <p>l licensing fees</p> <p>on in 'healthy eating' guides</p> <p>enues as preferred caterers for corporate events</p> <p>thy Communities Plan - 3.5.2 (b)</p>	<p>rd partner with RHealth in the development and implementation of Food Choice' program aimed at 'accrediting' local food outlets</p>	<p>il to resource through Council's existing EHO responsibilities</p> <p>obile, develop a database of</p> <p>suppliers' for use at Council functions</p> <p>thy Communities Plan - 3.5.2 ©</p> <p>l local residents to establish, revitalize or continue community</p>
<p>thy Communities Plan - 3.5.2 (d)</p>			



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Agenda
Thursday, 13 December 2012 @ 1.00pm

<p>2013 meeting calendar finalised – dates set to April – major focus on creating a team of committed volunteers who can take on mgmt of garden</p>	<p>Proston LU ongoing</p> <p>Approved changes in IP - shorten program delivery time frame - tailor to the needs of the participants, more flexibility etc</p> <p>HCI funding to be allocated for venue hire – Diabetes prevention program planned for Kry from end of Jan</p>			
<p>1 RHealth and Qld Health to promote the 'Lighten up' program in all 15 thy Communities Plan - 3.5.2 (f)</p>	<p>mechanisms to ensure planning for active and healthy communities is 3 1 into and considered across all Council departments, particularly anning, Parks, Transport and Human Resources. This could be y including an 'Active & Healthy' component on the agendas of ter-departmental meetings (eg Managers meetings) or by creating l 'Healthy Communities Working Group' involving the relevant staff</p>	<p>thy Communities Plan - 3.6.1 (c)</p> <p>fine the relationship between the Healthy Communities ent Advisory Committee, the Active South Burnett group and local ctivity providers and establish clear communication channels</p>	<p>thy Communities Plan - 3.6.2 (a)</p>	<p>Other items Progress report 3 submitted 14 Dec along with updated IP (Ver 5) Healthy Weight Week prep underway with RHealth - Will be a mini re-launch of HCI 21-25/1/2013 see flyer</p>

Resolution:

Moved Cr DJ Palmer, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

7.2 Community & Cultural Services Portfolio Report

Nil.

ATTENDANCE:

General Manager Communities Eleanor Sharpe left the meeting at 10:08am

8. Economic & Tourism Development

8.1 Economic & Tourism Development

8.1.1 ED - 1397221 - South Burnett Regional Council to Become Associate Member of Murri Munchies Ltd

Summary

Murri Munchies Ltd is a not for profit, Indigenous based organisation funded by members and industry partners. It brings together traditional knowledge and culture with contemporary agricultural practises.

Officer's Recommendation

That South Burnett Regional Council authorise the Chief Executive Officer to have the South Burnett Regional Council become an associate member of Murrie Munchies and to pay the annual membership fee of \$250.

Resolution:

Moved Cr DP Tessmann, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

8.2 Economic & Tourism Development Portfolio Report

Nil.

9. Operations and Technical Services

9.1 Operations

9.1.1 O - 1133046 - Seeking permission from South Burnett Regional Council to undertake the Unmanned Aerial Vehicle Challenge in Kingaroy 2014

Officer's Recommendation

That Council support the 2014 UAV Challenge Outback Rescue being held in Kingaroy and again offer in-kind support for the event by way of:

- (1) Use of the Sir Joh Bjelke-Petersen Airport and facilities
- (2) Provide rubbish bins
- (3) Provide other operational assistance as seen necessary i.e. issue of NOTAMs etc

Resolution:

Moved Cr DP Tessmann, seconded Cr BL Green.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

9.2 Technical Services

9.2.1 TS - 1122378 - Requesting Council advise of its views or requirements by 21 February 2013 and display attached notice - Application for permanent road closure over road abutting the Southern boundary of L259 FTZ37478

Summary

An application has been received by the DNRM on 11 January 2013 for a Permanent Road Closure over an Unnamed Road, adjacent to the Denmarks Rd and Learmonts Rd intersection, Cushnie. The section of road is located between Denmarks Road and another Unnamed Road and is 3.2 hectares in size.

It is recommended to Council to respond to DNRM advising that Council has no objection with respect to this application.

Officer's Recommendation

That Council offer no objection to the proposal for a Permanent Road Closure over the Unnamed Road, Cushnie.

Resolution:

Moved Cr DP Tessmann, seconded Cr CD Dalton.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

9.3 Roads Portfolio Report

Cr Tessmann gave a verbal report on the road conditions following the recent flood event.

ADJOURNMENT:

Motion:

Moved Cr DP Tessmann, seconded Cr CD Dalton.

That the meeting adjourn for twenty (20) minutes

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

During the adjournment a Citizenship Ceremony was held for:

Mr Hien Van Do, Mr Benjamin Do, Miss Mauna Muller Carvalho, Mrs Monika Poschner, Mr Van Ty Tran, Mr Minh Tam Truong, Mr Gio Bao Truong, Mr Duy Anh Truong, Mr Nam Tin Truong

RESUMPTION:

Motion:

Moved Cr KA Duff, seconded Cr DP Tessmann.

That the meeting resume at 10:55am with attendance as previous to the adjournment.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

ATTENDANCE:

General Manager Communities, Eleanor Sharpe, entered the meeting at 10:55am.

10. Water & Wastewater

10.1 Water & Wastewater

10.1.1 W&WW - 1103653 - Requesting that Council confirm their support to WBBROC prior to a submission being prepared for funding to finance the Q-Wrap pilot program

Summary

Q-Wrap (Queensland Water Regional Alliance Program) is an investigation into potential changes to various matters in the urban water industry, including possible institutional models for the delivery of urban water in regional Queensland. Numerous reports into this area at both a State and Federal Government level have indicated that a review is required for the future sustainability of the industry. It is considered that Council will benefit from being involved in such a process to provide input and be at the forefront of change when (not if) it occurs.

Officer's Recommendation

That Council endorse the action of the Chief Executive Officer in advising the Wide Bay Burnett Regional Organisation of Council's that South Burnett Regional Council will participate in the Q-Wrap pilot program and that Council's Water and Wastewater Portfolio spokesperson and Manager Water and Wastewater be nominated as Council's representatives.

Resolution:

Moved Cr BL Green, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

10.2 Water & Wastewater Portfolio Report

Nil.

11. Finance & Information Services

11.1 Information Services

Nil.

11.2 Financial Operations

11.2.1 FO - 1133078 - Loan Borrowing Program 2012/2013

Summary

As part of the 2012/13 budget Council adopted a "Debt Policy" which included projected loan borrowings for 2012/2013 as follows:

Flood Damaged Roads Complementary Works	\$1,000,000
Kingaroy Water Supply – DAF Plant	\$ 700,000
Kingaroy Water Supply – Rising Main	\$2,300,000

Approval has now been received from the Department of Local Government for Council to borrow these funds from the Queensland Treasury Corporation. However, since the request for funds was lodged Council has received State Government Subsidy of \$680,000 towards the DAF Plant negating the need to borrow the funds for that purpose.

It is suggested that these funds should be retained and redirected towards Roadworks for better works to be carried out in conjunction with emergent and restoration works from the recent flood event.

Officer's Recommendation

That Council draw down the full \$4,000,000 approved for loan borrowings for 2012/2013 and reallocate the \$700,000 provided for the Kingaroy Water Supply DAF Plant Upgrade towards Road Works in relation to emergent and restoration works from the recent flood event.

Resolution:

Moved Cr KM Campbell, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted..

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

11.3 Financial Planning

11.3.1 FP- 1132417 - South Burnett Regional Council Monthly Capital Works

Summary

The following information provides a snapshot of Council's Capital Works as at 31 January 2013.

Officer's Recommendation

That the South Burnett Regional Council's Monthly Capital Works Report as at 31 January 2013 be received and noted.

Resolution:

Moved Cr KM Campbell, seconded Cr KA Duff.

That the South Burnett Regional Council's Monthly Capital Works Report as at 31 January 2013 be received and noted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

11.3.2 FP - 1132994 - Quote SBRC-12/13-11 - Replacement of Nissan UD 8m3 Tip Truck - Plant No 2005

Summary

Replacement of Nissan UD 8m3 Tip Truck destroyed by fire in 2012.

Officer's Recommendation

That Council purchase an ISUZU GIGA 455 CXY truck with a swiftco body for the sum of \$195,679 excluding GST, accepting the tender from Madill Isuzu.

Resolution:

Moved Cr KM Campbell, seconded Cr DP Tessmann.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

11.3.3 FP - 1132005 - Monthly Financial Statements**Summary**

The following information provides a snapshot of Council's Financial Position as at 1 February 2013.

Officer's Recommendation

That the Monthly Financial Report as at 1 February 2013 be received and noted.

Resolution:

Moved Cr KM Campbell, seconded Cr DP Tessmann.

That the Monthly Financial Report as at 1 February 2013 be received and noted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

11.4 Financial and Information Services Portfolio Report

Nil.

12. Executive Services**12.1 Executive****12.1.1 E - 1132950 - Council Appointees for 2013 ANZAC Day Ceremonies****Summary**

Each year Council is represented at the ANZAC Day Ceremonies across the South Burnett and it is necessary to confirm the Councillors attendance at various ceremonies held in the region for 2013.

Officer's Recommendation

That the following Councillors attend the respective ceremonies and carry out any responsibilities as required on behalf of Council:

Town	Location	Time	Councillor Attending	Responsibility
Kingaroy <i>Dawn Service</i>	<i>Memorial Park</i>	<i>4.28am</i>	<i>Cr Campbell</i>	<i>Attendance only</i>
<i>Commemorative Service</i>	<i>Memorial Park</i>	<i>10.30am</i>	<i>Mayor & CEO</i>	<i>Participate in march. Participate in Ceremony Lay wreath</i>
Kumbia <i>Commemorative Service</i>	<i>Flower bed next to Kumbia Hall</i>	<i>8.45am</i>	<i>Cr Dalton</i>	<i>Participate in march Lay wreath</i>

Town	Location	Time	Councillor Attending	Responsibility
Wooroolin Commemorative Service	Wooroolin Hall	11.00am	Cr Dalton	Organisation of service Lay wreath
Wondai Dawn Service	In front of Council Chambers	5.00am	Mayor	Attendance only
Memorial Service	Cemetery	8.00am	No Councillor Available	Attendance only
Commemorative Service	Wondai Town Hall	10.00am	Cr Campbell	Organisation of service Lay wreath
Proston Dawn Service		5.30am	Council Staff Representative	
School Service (Wednesday)	Proston State School	10.30am	Cr Duff & Mayor	Attendance Lay wreath
Hivesville Dawn Service		5.30am	Cr Duff	Attendance Participate in Ceremony Lay wreath
Nanango Dawn Service	Memorial in front of Chambers	5.25am	Cr Green	Lay wreath
Public Pilgrimage	Nanango Cemetery	7.30am	Cr Green	Attendance only
Memorial Service	Memorial in front of Chambers	9.30am	Cr Green	Lay wreath
Blackbutt Dawn Service		4.27am	Cr Palmer	Attendance Lay wreath
Memorial Service	Cenotaph	9.30 am	Cr Palmer	
Murgon Fellowship	Services Club	4.30am	Cr Tessmann	
Dawn Service	Gore Street Opposite Services Club	5.20am	Cr Tessmann	
Commemorative Service	Services Club	9.30am	Cr Duff	Participate in march Participate in Ceremony Lay wreath
Cherbourg Commemorative Service	Cenotaph	8.00am	Cr Duff	Attendance Lay wreath
Bunya Mountains Memorial Service	Lone Pine Office, National Park Campground, Dandabah	8.00am	Mayor	Attendance Lay wreath
Maidenwell Memorial Service	Main Street Monument	11.30am	Cr Tessmann	Attendance Lay wreath

Resolution:

Moved Cr BL Green, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

12.2 Human Resources

Nil.

12.3 Governance

Nil.

12.4 Strategic Projects & Grants

Nil.

12.5 Governance Portfolio Report

Nil.

13. Information Section

13.1 IS - 1127457 - Reports for the Information of Council

Summary

List of correspondence pending completion of assessment report
Delegated Authority Report
Workplace Health and Safety Report

Officer's Recommendation

That the reports be received.

Resolution:

Moved Cr DJ Palmer, seconded Cr KA Duff.

That the reports be received.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

14. General Section

Nil.

15. Confidential Section

CLOSED SESSION:

Motion:

Moved Cr DP Tessmann, seconded Cr BL Green.

That the meeting be closed to the public for Council discussions in accordance with Section 275(1)(e) contracts proposed to be made by it, of the Local Government Regulation 2012.

*Carried 7/0
FOR VOTE - Councillors voted unanimously*

ATTENDANCE:

Cr KA Duff declared an interest in the following matter and left the meeting at 11:21 AM.

Reason: Cr Duff's brother is employed by GHD

OPEN COUNCIL:

Motion:

Moved Cr DJ Palmer, seconded Cr BL Green.

That the meeting resume in Open Council.

*Carried 6/0
FOR VOTE - Councillors voted unanimously
ABSENT. DID NOT VOTE - Cr KA Duff*

Report:

The Mayor reported that whilst in Closed Session, in accordance with Section 72(1)(e) contracts proposed to be made by it, of the Local Government (Operations) Regulation 2010, Council considered matters concerning Consultancy Services for SBRC Flood Restoration Program after 2013 Flood (Tropical Cyclone Oswald and Associated Rainfall and Flooding, 21-28 Jan 2013).

Motion:

Moved Cr DW Kratzmann, seconded Cr DP Tessmann.

That the Mayor's report be received

*Carried 6/0
FOR VOTE - Councillors voted unanimously
ABSENT. DID NOT VOTE - Cr KA Duff*

15.1 CONF - 1133347- Consultancy Services for SBRC Flood Restoration Program after 2013 Flood (Tropical Cyclone Oswald and Associated Rainfall and Flooding, 21-28 Jan 2013)

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

Recommendation

That Council authorise the Chief Executive Officer to terminate, by agreement, Council’s current contract with GHD for the delivery phase of the 2011 program and to enter into an agreement with Local Government Infrastructure Services (LGIS) for the provision of consulting services for the finalization of the 2011 program and the initiation, planning, procurement, delivery and finalisation of the 2013 program.

Resolution:

Moved Cr DP Tessmann, seconded Cr BL Green.

That the Officer's Recommendation be adopted.

*Carried 6/0
FOR VOTE - Councillors voted unanimously
ABSENT. DID NOT VOTE - Cr KA Duff*

ATTENDANCE:

Cr KA Duff has returned from temporary absence at 11:26am

There being no further business the meeting was declared closed at 11:26am.

Confirmed before me this day of2013

..... **MAYOR**

