



Minutes

Of The

General Council Meeting

Held in the Wondai Town Hall, Mackenzie Street Wondai

on Wednesday, 28 March 2012

Chief Executive Officer: Ken McLoughlin

SOUTH BURNETT REGIONAL COUNCIL MINUTES

Wednesday, 28 March 2012

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Minutes of the meeting of the South Burnett Regional Council, held in the Wondai Town Hall, Mackenzie Street Wondai on 28 March 2012 at 9:07am.

PRESENT:

Councillors:

Cr ID Carter (Mayor), Cr KM Campbell (Deputy Mayor), 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), Phil Harding (Manager Business & Economic Development), Stan Taylor (General Manager Planning & Environment).

1. Leave Of Absence

Nil.

2. Prayers

A representative of the Ministers Fraternal, Rev Bill Lutton, from the Presbyterian Church offered prayers for Council and for the conduct of the Council meeting.

3. Address From Public Gallery

Members of the Public who wish to raise matters from the Public Gallery are advised that this section of the Minutes will be considered at 9.00am on 28 March 2012.

The Mayor welcomed and addressed the Wondai State School students on the conduct of Council and introduced the Councillors and General Managers.

4. Receipt Of Petitions

Nil.

5. Confirmation Of Minutes Of Previous Meeting

5.1 South Burnett Regional Council Minutes

Officer's Recommendation

That the minutes of the previous meeting held on Wednesday 29 February 2012 as recorded be confirmed.

Resolution:

Moved Cr KA Duff, seconded Cr DJ Palmer.

That the minutes of the previous meeting held on Wednesday 29 February 2012 as recorded be confirmed.

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

6. Mayoral Minutes

Nil.

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

See Business Function Headings

7. Planning & Environment

7.1 Environmental Services

7.1.1 ES - 1225222 - Hivesville Landfill - Response to public consultation and interim operational procedure

Summary

- The Hivesville Landfill was a facility operated by the previous Wondai Shire Council prior to amalgamation. The South Burnett Regional Council then took over the operating activities of this facility. The facility is on a very small parcel of land and therefore has a constrained land fill capacity.
- Council's Manager Environmental Services understood that the previous local government administration had advised the residents that the landfill had a limited life due to its capacity, which it was close to reaching, and therefore would be closing within a few years.
- The Landfill is very close to approaching maximum capacity and it was therefore decided to move towards finalising its closure.
- Public consultation was undertaken regarding closure.

Officer's Recommendation

That Council:

1. Continue to keep open and operate the Hivesville Waste Disposal Facility in its present form until the Waste Management Plan is presented to Council which will recommend future strategies for the region.
2. Request the Chief Executive Officer to advise the Hivesville and surrounding community of this interim decision.

Resolution:

Moved Cr KA Duff, seconded Cr CD Dalton.

That the Officer's Recommendation be adopted.

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

7.1.2 ES - 1225880 - Supervision of the Wondai and Murgon Waste Facilities

Summary

- A report outlining what the drivers are for the move to supervising the Wondai and Murgon Waste Disposal facilities as well as what the community's preferred operating hours are at these facilities after public consultation.
- Need to move to supervision of Wondai and Murgon Waste Disposal Facilities.
- Outline of factors influencing the above decision.
- Public consultation outcome regarding operating hours.

Officer's Recommendation

That Council:

- Approve the variation in the opening hours for the Wondai and Murgon Waste facilities to reflect the feedback received from the public consultation process with the Wondai Waste Facility opening between the hours of 8:00am and 12:00noon and the Murgon Waste Facility opening between the hours of 1:00pm and 5:00pm Wednesday to Monday (Tuesday being closed as well as Good Friday and Christmas day for both facilities).
- The arrangements be monitored over a three (3) month period and reported back to Council for consideration.

Resolution:

Moved Cr CD Dalton, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

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

7.2 Natural Resource Management (NRM) & Parks

Nil.

7.3 Planning & Land Management

7.3.1 P&LM - 1154990 - KHA Development Managers - Requesting an extension of the approval by an additional two (2) years - Material Change of Use - Mixed Use Development & Reconfiguration of a Lot - Lot 94 SP210658 Moffatdale

Summary

Key Point Summary

- Applicant has requested an extension to the existing Development Approval by a further two (2) years.
- Requested change complies with Permissible Change requirements of the *Sustainable Planning Act 2009*.
- Subject site is designated within the Regional Landscape and Rural Production Area (Rural) under the Wide Bay Burnett Regional Plan.
- Recommendation that Council grant an extension of two (2) years from the date of this decision until 13 February 2014 based on representations provided by the applicant.

Officer's Recommendation

That Council grant an extension to the *relevant period* from the date of this decision until 10 February 2014.

Resolution:

Moved Cr CD Dalton, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

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

7.3.2 P&LM - 1059402 - Ken Hicks & Associates (KHA Development Managers) - Forwarding a Permissible Change to An Existing Approval Request for Moffatdale Waterfront Villas at Waterview Drive Moffatdale - Lot 94 SP210658

Summary

Key Point Summary

- Applicant has requested a Change to Existing Approval under Section 369 of the *Sustainable Planning Act 2009*
- Subject site is located within the Rural Zone under the Murgon Shire IPA Planning Scheme and Regional Landscapes and Rural Production Area under the Wide Bay Burnett Regional Plan (September 2011)
- Requested change complies with Permissible Change requirements of the *Sustainable Planning Act 2009*
- Application was referred to Department of Environment and Resource Management and Department of Transport and Main Roads as concurrence agencies.
- Recommendation that Council approve the Request to Change an Existing Approval and amend Conditions (a)(i), (a)(ii), A, B, C, (c), (e), (h), (k), (o), (p) and (q), delete conditions (c)(vii), (c)(viii) and (e) and insert a reference to the on-site wastewater and effluent report in (c)(vii)

Officer's Recommendation

That Council *amend* Conditions (a)(i), (a)(ii), A, B, C, (c), (e), (h), (k), (o), (p) and (q), *delete* conditions (c)(vii), (c)(viii) and (e) and *insert* a reference to the on-site wastewater and effluent report in (c)(vii) (deleted text in strikethrough and new text in bold).

Condition (a)(i)

Approval is granted for the purpose of the staged reconfiguration of a Lot- subdivision of Lot 91 on SP133326 to create two (2) Lots, and subdivision of ~~proposed~~ Lot 94 **on SP210658** by a Community Title Scheme to create **42 40** Lots in an accommodation scheme.

Condition (a)(ii)

The approval shall be a staged development approval in ~~two (2)~~ **five (5)** basic scheme stages of ~~thirty two (32) Community Title Scheme (CTS)~~ **eight (8)** Lots in the first **per** stage and ~~ten (10) CTS Lots in the second stage~~ **with Stages 1 and 2** as follows:

Condition A

The first stage ~~shall be endorsed after the issuing of this development consent and compliance with the conditions of consent~~ **construction of the caretaker's residence, childrens playground, BBQ and toilet facilities** and shall comprise a Community Title Scheme of ~~32~~ **8** Lots within an area of ~~three quarters (more or less) of the total area of proposed~~ Lot 94 in a plan of subdivision and Community Management Statement – Accommodation Module (CMS) requiring and restricting the use of the accommodation units to only short term residential/ tourist/resort accommodation purposes and for no other purpose unless such other purpose is a lawful use permitted from time to time by the local government;

Condition B

The second stage shall be a part of the basic scheme staged development, ~~being a further subdivision of existing Lot 91 (new Lot 93)~~ to incorporate a further **area portion** of ~~one-quarter (more or less)~~ Lot 94 into the CTS, to be subdivided into ten (10) CTS Lots and the lodging for Council endorsement and subsequent registration of a new plan of subdivision and CMS.

Condition C

The criteria for endorsement of the second stage shall be:

- ~~(i) Construction and use in accordance with the CMS of a minimum of fifteen (15) cabins on accommodation lots in the first stage;~~
- ~~(ii) Occupancy rates for the previous stage generally in accordance with the occupancy rates forecast in the application;~~
- ~~(iii) (i) No unacceptable adverse environmental effects having occurred as a result of the development of the previous stage; and~~
- ~~(iii) All of the accommodation units in the previous stage having been used from each unit's commencement only for the use specified in subclause (a)(ii)(A) above."~~

Condition (c)

- (c) The development shall be generally in accordance with the supporting information supplied by the applicant with the development application and with following:

- (i) ~~Development Plan community Titles Scheme “Bridgeman Downs”, prepared by O’Reilly Nunn Favier Consulting Surveyors, dated 13/10/02, scale 1:6000, drawing number 4863-P4~~ **Proposed Lot Layout over Lot 94 on SP210658 Parish of Barambah prepared by KHA Development Managers, Drawing No. 11069.2 Sheet 1 of 1 and Sheet 2 of 5, Drawing No. 11069.3 Sheet 3 of 5, Drawing No. 11069.4 Sheet 4 of 5 and Drawing No. 11069.5 Sheet 5 of 5 all dated 5 May 2011;**
- (ii) Proposed Floor Plan – proposed Restaurant Complex at Bridgeman Downs Cellars, prepared by Robert Eccles Pty Ltd dated 20/09/02, scale 1:200, drawing number 0283-P2; Council is prepared to accept a reduction in floor area for this building by a maximum of 30 percent;
- (iii) Proposed Elevations – Proposed Restaurant Complex at Bridgeman Downs Cellars, prepared by Robert Eccles Pty Ltd, dated 20/09/02, scale 1:200, drawing number 0283-P3;
- (iv) Proposed Floor Plan – Proposed function/conference Centre at Bridgeman Downs Cellars, prepared by Robert Eccles Pty Ltd, dated 20/09/02, drawing number 0283-P5; drawing number 0283-P6; ~~and council is prepared to accept a reduction in floor area for this building by a maximum of 30 percent;~~
- (v) Proposed Elevations – Proposed Function/Conference Centre at Bridgeman Downs Cellars, prepared by Robert Eccles Pty Ltd dated 20/09/02, scale 1:200,
- (vi) Proposed floor Plans and Elevations – proposed Cabins at Bridgeman Downs Cellars, prepared by Robert Eccles Pty Ltd, dated 19/09/02, drawing number 0283-P7;
- ~~(vii) Investigation locations and proposed irrigation area, Golders and Associates 4 August 2003 – Project No. 03683030;~~
- ~~(viii) Proposed Site Plan – Bridgeman Downs Cellars, Robert Eccles Pty Ltd 29 January 2004, drawing No. 0283pP1 A;~~
- (vii) Proposed On-Site Sewerage Treatment System and On-Site Effluent Disposal, prepared by Future-Plus Environmental and dated September 2011**

Condition (e)

~~The proposed Lot 94 shall not be subdivided by the means of Community Title Scheme until the complete construction of the conference centre building and restaurant building.~~

Condition (h)(ii)

As a minimum all internal roads are to have a ~~bitumen seal~~ **gravel surface** extending over 2 lanes for a total of 6 metres wide, the total reserve width is to be 16m with a 5m verge shoulders are to be unsealed at 1.5m. ~~The minimum pavement thickness is to be 200mm but is to be designed as per “Austroads” and “Queensland Streets”;~~

Condition (i)

The access road on ~~proposed~~ Lot 94 shall have a distance of no less than 50m from the shared boundary with Lot 1 on RP 903441 as much as practicable

Condition (k)

~~The proposed~~ Lots 93 and 94 shall be provided with a properly constructed vehicle crossover to the satisfaction of Council and to relevant engineering standards.

Condition (p)(i)

Adequate water supply shall be provided to the overall development and to each new lot to the satisfaction of and in accordance with specification provided (to the applicant prior to the work) by ~~the local government engineer~~ **Council’s Infrastructure Department** prior to the endorsement of the survey plan for the CTS lots.

Condition (o)

- (o)
- (i) Lot ~~92 on RP133326~~ **Lot 10 on SP207409** shall be for the purpose of sewerage treatment while the use continues.
 - (ii) The applicant shall at the applicant's full cost provide by a means and in terms approved to the Council for Lot ~~92~~ 10 to be permanently tied to the CTS by appropriate means, such as:
 - (a) Lot ~~92~~ 10 to be incorporated in the CTS by the operation of sections 39, 54 and 115H of the Land Titles Act 1994; or
 - (b) A covenant for registration, pursuant to Part 6 Division 4A of the Land title Act 1994, to be lodged with the survey plan requiring that the CTS common property and Lot 92 may only be transferred together.
 - (iii) At the applicant's full cost an easement for effluent shall be created burdening Lot 93 and benefiting the CTS Lot 94 and Lot ~~92~~ 10 or an under-road pipe, subject to approval by ~~the local government's engineer~~ **Council's Infrastructure Department**, shall be installed within the new road and existing road for this purpose, and the applicant shall install such pipe at the applicant's full cost to the satisfaction of and in accordance with specification provided (to the applicant prior to the work) by the local government engineer.
 - (iv) The applicant must, in addition to installation of vegetation buffers as detailed in the application, fence the sewerage treatment plant for safety.

Condition (p)(iii)

an adequate reticulated sewerage and effluent disposal system shall be provided to the overall development to each new lot, including reticulation for effluent disposal to Lot 92, to the satisfaction of and in accordance with specification provided (to the applicant prior to the work) by ~~the local government engineer~~ **Council's Infrastructure Department** prior to the endorsement of the survey plan for the CTS Lots.

Condition (q)

Electricity supply lines located within ~~the proposed~~ Lot 94 shall be underground to appropriate engineering standards.

All other conditions are to be retained as part of Council's Decision Notice (Change Existing Approval) dated 20 November 2009 (Council Reference: IR 559140).

Resolution:

Moved Cr KA Duff, seconded Cr CD Dalton.

That the Officer's Recommendation be adopted.

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

7.3.3 P&LM - 1027319 - O'Reilly Nunn Favier - Final report to a Request for Negotiated Decision - Reconfiguration of a Lot (1 lot into 42 lots) - Tessmanns Road, Kingaroy - Lot 93 SP231461

Summary

Key Point Summary

- Applicant has requested a Negotiated Decision Notice in relation to Conditions RAL5 (Drainage Reserves), RAL6 (Drainage Reserves), ENG5 (Sealing of Access Strip), ENG7 (Construction of Footpath), ENG21 (Infrastructure Charges – Stage 10A) and ENG22 (Infrastructure Charges – Stage 10B) contained within Council's Decision Notice.
- At the General Meeting held 10 August 2011, Council's Elected Representatives resolved that this item "*lay on the table until Council undertakes a detailed public parks open space analysis of this area for future consideration of Council*".
- Council Officers discussed an open space strategy for Hillview Estate with a number of Elected Representatives at a Planning Portfolio Meeting held on 17 August 2011.
- Draft open space and pedestrian linkage strategy discussed with the applicant on 22 August 2011. The applicant is proposing to construct a 1.5m wide bitumen footpath along the western boundary of the existing drainage reserve at the Hillview Estate.
- Council's Director Infrastructure is requesting the payment of a development contribution to the value of \$32,100 for the footpath on Gail Court and \$47,750 for the footpath on Sharon Crescent.
- Council's Manager Natural Resources and Parks is suggesting that a shade shelter containing bench, seat and bin be provided adjacent to Lot 201 on SP184618 in addition to the footpath proposed by the applicant. The cost to supply and install these structures is \$20,614.
- Recommendation that Council refuse in part the Applicant's request relating to Condition RAL6 (Drainage Reserves) and approve the Applicant's request relating to Conditions RAL5 (Drainage Reserves), ENG5 (Sealing of Access Strip), ENG7 (Construction of Footpath), ENG21 (Infrastructure Charges – Stage 10A) and ENG22 (Infrastructure Charges – Stage 10B).

Officer's Recommendation

That Council *approve* the Applicant's request for a Negotiated Decision Notice and delete Conditions RAL5 (Drainage Reserves), RAL6 (Drainage Reserves) and ENG 5 (Sealing of Access Strip) and amend Conditions GEN1 (Approved Plans), ENG7 (Construction of Footpath), ENG21 (Infrastructure Charges – Stage 10A) and ENG22 (Infrastructure Charges – Stage 10B) as outlined below (deleted text in strikethrough and new text in bold):

Condition GEN1

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

- Drawing No. 4126P/1 (Hillview Estate Stages 10A and 10B) Sheet 3 of 3 prepared by O'Reilly Nunn, Favier Consulting Surveyors and submitted to Council on 21 December 2010

On the basis of the approved representations, a revised proposal plan is required to be submitted to Council reflecting the following:

- A reserve with a minimum width of 10m along the common boundary with Lots 15 and 16 on RP178592 for drainage purposes and pedestrian access extending to the boundary with Taylors Road over part of Lot 480 on FY2696;
- Increased area of proposed Lots 355 and 356 as a result of the reduced drainage reserve area; and
- Delete pedestrian access points between proposed Lots 323 and 324 and proposed Lots 353 and 354.

Condition ENG7

On the basis of the above comments, Condition ENG7 is to be replaced with the following:

Construct a 1.5m wide footpath in reinforced concrete in accordance with *IPWEAQ standard drawing R-065* along the western side of the existing drainage reserve (Lot 5 on SP186407 and Lot 92 on SP221393) providing a pedestrian link from Avocado Crescent to Taylors Road as depicted on Drawing Number 4126 P/2 Fpath drawn by O’Reilly Nunn Favier.

Condition ENG21

Contribution	Zone/ Catchment	Rate	Calculation	Contribution
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Condition ENG22

Contribution	Zone/ Catchment	Rate	Calculation	Contribution
Water Supply	XHLZ Mount Jones Infrastructure Agreement	\$1,671.19/EP 1200.32 + 487.50x(182. 3/142.8) + 200x(182.3/1 42.8) = \$2077.99	Proposal - 57.0EP - 19 Lots (57.0EP) Credit - 1 Lot (3.0EP) Total EP = 18 Lots (54.0EP)	\$92,179.83 \$37,403.82
Sewer Infrastructure	15A	\$1,138.55/EP	Proposal - 57.0EP Credit - 3.0EP Total EP = 54.0EP	\$64,897.35 \$61,481.70
Public Parks	-	\$382.21/EP	Proposal - 57.0EP Credit - Nil Total EP = 57.0EP	\$21,785.97

All other conditions are to be retained as per Council's Decision Notice dated 25 March 2011.

Resolution:

Moved Cr CD Dalton, seconded Cr KM Campbell.

That Council give delegated authority to the Chief Executive Officer to negotiate the decision in relation to this item.

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

7.3.4 P&LM - 1102661 - Blueprint Drafting Services - Daniel Large - SeDA Proposed Material Change of Use - Integrated Shop at 106-110 Youngman Street Kingaroy - Lots 6/8 RP105285 - Applicant/Owner: Hazeldene Kingaroy - Dr RJ Hudson

Summary

KEY POINT SUMMARY

- An existing development application lodged by the same applicant for a Material Change of Use (Integrated Shop) lapsed under Section 279(1)(b) – “Lapsing of application if no response to information request”;
- Application was resubmitted on 26 August 2011 for Material Change of Use (Integrated Shop);
- Application was referred to Department of Transport and Main Roads;
- Application was subject to Impact Assessment;
- The subject property is zoned Business & Commercial with Preferred Land Use of Business & Commercial Frame;
- During the Decision Making Stage, Council staff met with the applicant to discuss the existing carpark shortfall with regards to the most recent proposed layout submitted, the possibility of redesigning the layout and payment of parking contributions;
- The applicant responded by providing a redesign of the proposed layout including a written agreement to pay a maximum monetary contribution of two (2) parking space shortfall in accordance with Council's Planning Scheme;
- No submissions received during the public notification period; and
- The application is recommended for approval subject to reasonable and relevant conditions.

Officer's Recommendation

That Council *approve* the Development Application for a Material Change of Use (Integrated Shop) at 106-110 Youngman Street, Kingaroy (and described as Lots 6, 7 and 8 on RP105285), subject to the following conditions:

General

- GEN1. The subject site is to be developed generally in accordance with the plans submitted with the application unless otherwise amended by the following conditions:
- Site Plan - Project Number 10-1095-DWL - Sheet 1 - Issue 4 - 22 November 2011
 - Floor Plan - Project Number 10-1095-DWL - Sheet 2 - Issue 2 - 22 November 2011
 - Elevations 1 - Project No. 10-1095-DWL - Sheet 3 - 22 November 2011
 - Elevations 2 - Project No. 10-1095-DWL - Sheet 4 - 22 November 2011
 - 3D Views 1 - Project Number 10-1095-DWL - Sheet 5 - 22 November 2011
 - 3D Views 2 - Project Number 10-1095-DWL - Sheet 6 - 22 November 2011
 - 3D Views 3 - Project Number 10-1095-DWL - Sheet 7 - 22 November 2011
 - 3D Views 4 - Project Number 10-1095-DWL - Sheet 8 - 22 November 2011
- 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;
 - Development Permit for Plumbing and Drainage Work;
 - 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);
- GEN3. All works, including the repair or relocation of services (Telstra, lighting) is to be completed at no cost to Council.
- GEN4. Dust prevention measures must be undertaken to ensure that dust does not cause a nuisance to occupiers of adjacent properties.
- GEN5. Maintain the site in a clean and orderly state at all times.
- GEN6. Any new earthworks or structures are not to concentrate or impede the natural flow of water across property boundaries and onto any other lots.

Compliance Assessment

- GEN7. All conditions of this development 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.

Construction Materials

- GEN8. The construction materials and finishes of that part of the proposed building that is sited on the lot boundaries shall be finished with vandal resistant surface treatment (i.e, paint and stain resistant finishes) in accordance with Kingaroy Shire IPA Planning Scheme - Schedule 8 – Design Standards for Community Safety in the Urban Locality.

Electricity Infrastructure

- GEN9. It is noted that there are existing electricity power poles that will have to be removed and reinstated in different positions.

Should the new location/s impose on the proposed building site, property access/es or landscaped area, the applicant is to resubmit a revised site plan nominating the location of the electricity infrastructure prior to construction commencing.

Amenities

GEN10. The amenities as indicated on the submitted site plan shall be secured to discourage non-legitimate uses outside of business hours. A lockable gate or other physical barrier preventing entry shall be installed to the satisfaction of the Manager, Planning & Land Development.

Lighting

GEN11. Pedestrian and vehicle movement areas, public spaces and entries have nightlighting designed and installed in accordance with the Australian Standard *AS1158:Public Lighting Code* so illumination is not less than 20 lux (average minimum illuminance) and not greater than 200 lux.

Approved Use

MCU1. This approval is for a Shop (Integrated Shop) and does not imply approval for other uses including Retail Warehouse, Medical Centre or Offices. The subject site is not to be used for any other purpose unless in the opinion of Council is subservient to the predominant use of the site for a Shop (Integrated Shop).

Lot Amalgamation

MCU2. Prior to the commencement of use, amalgamate Lots 6, 7 & 8 on RP105285 into one allotment.

Fencing

MCU3. Any front fences and walls shall not exceed 1.2m if of solid construction or up to 1.5m if gaps permit 50% transparency.

The extent of any fencing and/or walls must be shown on the landscaping plan as required by condition MCU5-6 and approved by Council, prior to erection of the fence.

Landscaping

MCU4. A minimum 1m wide strip of landscaping is to be provided along Youngman Street frontage (excluding vehicle manoeuvring areas).

MCU5. The site is to be landscaped in accordance with Planning Scheme Policy No. 5 – Landscaping prior to commencement of the use or Council sealing the Plan of Survey, whichever occurs first. A detailed landscaping plan prepared in accordance with Planning Scheme Policy No.5—Landscaping and Schedule 8 (Design Standards for Community Safety in the Urban Locality) is to be submitted to Council for Compliance Assessment prior to any work commencing on site.

Advertisement Devices

MCU6. Any proposed signage associated with the proposed development must meet the requirements as set out in Schedule 4 of the Kingaroy Shire IPA Planning Scheme and Local Laws of the South Burnett Regional Council.

Refuse Storage Collection

MCU7. Provision must be made for the storage and removal of refuse in accordance with the *Environmental Protection (Waste Management) Regulation 2000*.

MCU8. Any areas that are dedicated for the collection and/or storage of solid waste on the premises are to be:

- a) level;
- b) provided with impervious hard stand and drained; and
- c) if facing Walter street frontage or adjoining properties, screened by a 1.8m high fence around the full perimeter.

- MCU9. Refuse bin areas are to be provided for the washing out of the refuse bins and in connection with this:
- a) all tap outlets must be fitted with backflow prevention devices;
 - b) the floor areas are to be drained to sewer; and
 - c) areas are to be covered of drainage designed such that water not associated with the washing out process (e.g. rainfall) does not enter the sewer.

Vehicle Parking, Access and Manoeuvring

- ENG1. Property access shall be constructed in accordance with the IPWEAQ Standard Drawing R-0052 - Commercial Driveway Slab and Table S2.7 – Design and Construction Standards of the Kingaroy Shire Council IPA Planning Scheme.

Only one crossover access to the site shall be permitted and all disused vehicle entrances are to be reinstated with kerbing consistent with the adjacent kerb profile

- ENG2. All internal driveways and turning radii are to be designed in accordance with AS/NZS 2890.1:2004.
- ENG3. All disabled car parking spaces are to be designed and constructed in accordance with AS 2890.6:2009.
- ENG4. The car parking area and internal driveway is to be constructed, drained and surfaced with either asphaltic concrete, bitumen or concrete so as to minimise dust emissions, erosion and sediment run-off.
- ENG5. All loading and unloading of vehicles associated with the approved use, is to be conducted at all times from within the boundaries of the subject site.
- ENG6. Provide a minimum of twenty-eight (28) off-street car parking spaces in accordance with submitted plan No. 10-1095-DWL Issue 4 – Sheet 1 - Dated 22nd November 2011. These spaces are to be line marked or otherwise delineated in accordance with the Kingaroy Shire IPA Planning Scheme and AS/NZS 2890.1:2004. Wheel stops or kerbing should be installed to provide separation between parking spaces 24 and 25 as shown on plan number 10-1095-DWL.

Signposting and Line Marking

- ENG7. The car parking area is to be signposted and line marked to indicate a one way system in accordance with *the Manual of Uniform Traffic Control Devices (MUTCD)*.
- ENG8. Channelised right turning treatment (CHR) must be installed on the Bunya Highway to facilitate the development entrance as per The Department of Transport and Main Roads Conditions.

Rainwater Storage

- ENG9. Rainwater supply shall comply with the Queensland Development Code MP 4.3 Alternative Water Sources – Commercial Buildings.

Stormwater

- ENG10. A revision to the John Norton & Associates stormwater drawings, OP10/176-1 and OP10/176-2 (or similar), must be submitted so that the post development flows to Youngman Street are no greater than the pre development flows. A stormwater detention feature may be required on site to achieve this. The minimum pipe diameter on Council's Road reserve will be a 375mm diameter pipe. Detailed plans required to comply with this condition are to be lodged under a separate Development Permit for Operational Works.

- ENG11. All stormwater drainage systems, including all surface, underground and roofwater components, to effectively drain all stormwater falling on to the proposed development to Council's stormwater system, rain water tanks or other lawful point of discharge.
- ENG12. 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.
- ENG13. Stormwater drainage is to be designed such that no restriction to existing or developed stormwater flow from upstream properties or ponding or stormwater within upstream properties occurs as a result of the development.

Earthworks

- ENG14. Any proposed earthworks if not self-assessable against Council's Kingaroy Shire IPA Planning Scheme shall be in accordance with Council's Planning Scheme Urban Locality Code - 020 – S20.1 and shall be undertaken under a separate Development Permit for Operational Works.

Operational Works

- ENG15. The applicant must design and construct all operational works in accordance with Council requirements and accepted engineering practice including reference to Australian Standards, Codes of Practice and Industry Guidelines as nominated by Council.
- ENG16. The developer or any subsequent agents, contractors or servants, must not carry out any works that makes or causes audible noise to be emitted from the site:
- On a Sunday or Public Holiday, at any time; or
 - On a Saturday or business day, before 6:30am or after 6:30pm.
- ENG17. Works are to be constructed generally in accordance with the specification requirements outlined in Aus-Spec #1 and the IPWEAQ Standard Drawings unless otherwise approved by South Burnett Regional Council
- ENG18. As constructed details of all infrastructure including sewerage, water, stormwater and roads is to be provided in AMG co-ordinates in DWG or DXF format in accordance with the "As Constructed Plan Requirements" of South Burnett Regional Council, and 1 hard copy on reinforced paper or film. Dimensions and details are to be submitted in accordance with the IPWEAQ Standard Drawings clearly identifying the details required.
- ENG19. During the construction phase, install and maintain silt management facilities until the building works and operational works are completed and the site is turfed and landscaped.
- ENG20. Lodge with Council a Maintenance Bond, equal to 5% of the total cost of construction of the civil works, including landscaping and excluding electrical where applicable, for a period of twelve (12) months from the date of acceptance "On-Maintenance" of the works.

Water Supply

- ENG21. A water connection will be required to service the proposed Integrated Shop to current South Burnett Regional Council standards. The proposed water main to cross Youngman Street must be installed in accordance with Department of Transport and Main Roads standards.

Sewerage Reticulation

ENG22. A sewerage connection will be required to service the proposed Integrated Shop to current South Burnett Regional Council standards. The proposed sewer connection to the property boundary must be a minimum size of DN150.

Building Over and Adjacent to Sewer

ENG23. Where the proposed driveway is to be constructed over the sewer, construction jointed sections are to be incorporated so as to facilitate future Council access for maintenance/service purposes.

Footpath

ENG24. Construct a 1.5m wide concrete footpath along the frontage of the entire site adjacent to Youngman Street. The footpath must be generally designed and constructed in accordance with the standards set out in the Kingaroy Planning Scheme Schedule 2 Table 2.6 and the IPWEAQ standard drawing R- 0065.

Advice

ADV1. The Department of Transport and Main Roads (refer to Concurrence Agency Conditions) have additional requirements in relation to access and access location, environment nuisance, stormwater management and drainage, parking, and environmental nuisance.

ADV2. With the introduction of the *Sustainable Planning (Housing Affordability and Infrastructure Charges Reform) Amendment Act 2011*, an applicant's obligations with respect to infrastructure contributions/charges is now contained in a separate adopted infrastructure charges notice rather than in this development approval.

ADV3. 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.

ADV4. 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.

ADV5. 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.

Adopted Infrastructure Charges Notice

To: Hazeldene Kingaroy - Dr RJ Hudson
C/- Blueprint Drafting Services
PO Box 468
KINGAROY QLD 4610

Date of Issue: 9 March 2012

Reference Number: IR1102661

Amount of the Charge: \$ 38,585.02

Land to which the charge applies: 106 - 110 Youngman Street, Kingaroy
(and described as Lots 6, 7 and 8 on RP105285)

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

When the charge is payable: **Material Change of Use:** Before the change happens (in accordance with Section 648H (c) of the *Sustainable Planning Act 2009*).

Advisory Notes:

- The abovementioned charge may in the future be indexed;
- Enquiries regarding this adopted infrastructure charges notice can be made by contacting Council's Coordinator, Infrastructure and Planning on 4189 9100;
- The apportionment of infrastructure charges to the relevant networks is proposed as follows:

Proposed Plans

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*

7.3.5 P&LM - 1179772 - Moresol Pty Ltd - Forwarding a Request to change an existing approval seeking an extension to the expiry date of a Material Change of Use Application for 9-13 Hodge Street Wondai - Wondai Caravan & Cabin Park - Lot 24 SP160794

Summary

Key Point Summary

- Applicant has requested an extension to the existing Development Approval by a further two (2) years
- Requested change complies with Permissible Change requirements of the *Sustainable Planning Act 2009*
- Subject site is designated within the Urban Footprint under the Wide Bay Burnett Regional Plan and located within the Residential Zone under the Wondai Shire IPA Planning Scheme
- Approval of the application requires the water supply infrastructure charges within Condition p) to be updated to reflect current charge amount under Planning Scheme Policy No. 7

- Recommendation that Council grant an extension of two (2) years from the date of this decision until 23 February 2014 based on the current state of the premises and associated Show Cause Notice documenting aspects of non-compliance with the Negotiated Decision Notice

Officer's Recommendation

That Council:

1. Grants an extension to the *relevant period* from the date of this decision until 23 February 2014; and
2. Amend Condition p) to read as follows (deleted text in strikethrough and new text in bold):

~~Payment of a capital contribution of \$4,500 towards the cost of construction of water supply headworks and water supply headworks external.~~

The applicant is to pay, prior to the commencement of use, a contribution toward water supply in accordance with Planning Scheme Policy No. 7 - Infrastructure.

The contribution is currently assessed at \$64,793.50; however the actual amount payable will be based on Council's Policy and the rate applicable at the time of payment.

The above amount has been calculated as follows: Caravan Park (62 sites x 2.0EP per site) x 124.0EP (credit of 3.2EP for vacant residential allotment) x \$536.37) = \$64,793.50.

All other conditions are to be retained as per the Negotiated Decision Notice issued by the former Wondai Shire Council on 1 November 2004.

Resolution:

Moved Cr CD Dalton, seconded Cr KA Duff.

That the Officer's Recommendation be adopted.

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

- 7.3.6 P&LM - 1215045 - Requesting that the future decision making of the proposed Redevelopment of Castra Nursing Home situated at 2 Cooper Street Murgon be delegated to the Chief Executive Officer during the caretaker period of Council**

Summary

Key Point Summary

- Application for Material Change of Use (Aged Care Facility);
- The site is within the Residential Zone and designated in Schedule 5 of the Murgon Shire IPA Planning Scheme for Special Use – Nursing Home;
- The development represents a redevelopment of the site, by demolishing the existing 32 bed aged care hostel and replacing it with a 60 bed nursing home;
- The development is compliant with the zone;
- The application was submitted to Council on 16 September 2011 and a decision notice cannot be issued until a water supply analysis is provided to Council;

- The applicant advises that this information will be forwarded to Council by week ending 23 March 2012 at which time Council's Engineering Department will be in a position to determine suitable engineering conditions for the development;
- To retain Federal Government funding, the nursing home is to be operational by April 2013;
- To meet this deadline, the applicant has requested the delegation of the decision making process to and Chief Executive Officer to avoid any possible delays that may result from the impending Local Government election.

Officer's Recommendation

That Council *approve* the delegation of the decision making process to the Chief Executive Officer to allow the applicant to proceed with the development ensuring it is operational by April 2013.

Resolution:

Moved Cr KA Duff, seconded Cr CD Dalton.

That the Officer's Recommendation be adopted.

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

DECLARATION OF INTEREST:

Cr KM Campbell (Deputy Mayor) declared an interest in the following matter and left the meeting at 10:10 AM.

Cr DP Tessmann declared an interest in the following matter and left the meeting at 10:10 AM.

Cr CD Dalton declared an interest in the following matter and left the meeting at 10:10 AM.

REASON:

Cr KM Campbell (Deputy Mayor) is on the executive of the Lutheran Church Body.

Cr DP Tessmann and Cr CD Dalton are active members of the Lutheran Church.

7.3.7 P&LM - 1195873 - Ron Knopke - Requesting response from Council in relation to the creation of an easement over Memorial Stone and Plaque for preservation purposes - Lot 1 RP7903 Applicant/Owner: St John's Lutheran Church Kingaroy

Summary

- St John's Lutheran Church Kingaroy is seeking Council support for the ongoing maintenance of the Memorial Stone and Plaque located on Lot 1 on RP7903 which marks the site of the first Lutheran Church within the Kingaroy district.
- Mr Ron Knopke (Chairman - Kingaroy Lutheran Church) discussed the proposal to incorporate an easement on the subject site to protect the Memorial Stone and Plaque with Council Officers.

Officer's Recommendation

That Council agree to the granting of an easement for Local Government Purposes (Cultural Heritage Protection) over Lot 9 on RP7903 to ensure protection of the Memorial Stone and Plaque which has cultural heritage significance for the South Burnett, subject to all cost being borne by the St John's Lutheran Church Kingaroy.

Resolution:

Moved Cr KA Duff, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

Carried 4/0

FOR VOTE - Councillors voted unanimously

ABSENT. DID NOT VOTE - Cr KM Campbell (Deputy Mayor), Cr CD Dalton, Cr DP Tessmann

ATTENDANCE:

Cr KM Campbell (Deputy Mayor) has returned from temporary absence at 10:14 AM.

Cr CD Dalton has returned from temporary absence at 10:14 AM.

Cr DP Tessmann has returned from temporary absence at 10:14 AM.

8. Community & Economic Development**8.1 Community & Cultural Services****8.1.1 C&CS - 1220733 - Council Appointees for 2012 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 2012.

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>Mayor</i>	<i>Attendance only</i>
<i>Commemorative Service</i>	<i>Memorial Park</i>	<i>10.30am</i>	<i>Mayor</i>	<i>Participate in march. Chair ceremony Lay wreath</i>
Kumbia <i>Commemorative Service</i>	<i>Flower bed next to Kumbia Hall</i>	<i>8.45am</i>	<i>Cr Tessmann</i>	<i>Participate in march Lay wreath MC Ceremony</i>
Wooroolin <i>Commemorative Service</i>	<i>Wooroolin Hall</i>	<i>11.00am</i>	<i>Cr Dalton</i>	<i>Organisation of service Lay wreath</i>
Wondai <i>Dawn Service</i>	<i>In front of Council Chambers</i>	<i>5.00am</i>	<i>Cr Tessmann</i>	<i>Attendance only</i>
<i>Memorial Service</i>	<i>Cemetery</i>	<i>8.00am</i>	<i>Cr Dalton</i>	<i>Attendance only</i>
<i>Commemorative Service</i>	<i>Wondai Town Hall</i>	<i>10.00am</i>	<i>Cr Dalton</i>	<i>Organisation of service Lay wreath</i>

Town	Location	Time	Councillor Attending	Responsibility
Proston Dawn Service		5.30am	No Councillor Available	
School Service (Friday)	Proston State School	10.00am	Mayor Cr Duff	Attendance Lay wreath
Hivesville Dawn Service		5.30am	Cr Duff	Attendance 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	Attendance
Murgon Fellowship	Services Club	4.30am	No Councillor Available	
Dawn Service	Gore Street Opposite Services Club	5.20am	No Councillor Available	
Commemorative Service	Services Club	9.30am	Cr Duff	Participate in march 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	Cr Palmer	Attendance Lay wreath
Maidenwell Memorial Service	Main Street Monument	11.30am	No Councillor Available	

Resolution:

Moved Cr DP Tessmann, seconded Cr BL Green.

That the Officer's Recommendation be adopted.

Carried 7/0
FOR VOTE - Councillors voted unanimously

8.1.2 C&CS - 1230618 - Minutes of the Boondooma Homestead Management Advisory Committee held on 6 March 2012

Summary

The Boondooma Homestead Management Advisory Committee held a meeting on 6 March 2012 and submit the following minutes to be tabled at the next Council Meeting for discussion.

Officer's Recommendation

That Council endorse the recommendations and minutes of the Boondooma Homestead Management Advisory Committee held on 6 March 2012.

Boondooma Homestead Management Advisory Committee	South Burnett Regional Council			Date: 6 th March 2012	Time: 10.50am	Venue: Boondooma Homestead
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Chairman:	Mayor David Carter	Apologies:	Bob & Lesley Somerset, Marion Montreal, Kathleen Jiggins
Attendance: Members	Pattie Brown, Lynne Bennett, Buddy Thomson, Cr Kathy Duff, Noreen Brier, Bruce Metzroth, Mavis Metzroth, Marion Alford, Richard Grimes, Michael Hunter		
Observers	Russell Springgall	Next Meeting	Tuesday, 29 th May 2012 (TBC)

Item	Discussion	Action	Who	When
1. Minutes	The minutes of the previous meeting were circulated prior to the meeting.	MOTION "that the minutes of the meeting held on 7 th February 2012 be accepted as correct"	moved Bruce Metzroth, seconded Lynne Bennett → CARRIED	
2. Report from Building Sub Committee	<ul style="list-style-type: none"> Electricity – need to get this sorted out before other aspects of 5 Year Plan can be finalised Termite protection products Ablution block Blacksmith Shop Restoration materials 	<p>RECOMMENDATION "that an electrical contractor be engaged to look at available information, analyse and make recommendations re current electrical installations and capacity and work out supply required to meet future require-ments in accordance with 5 Year Plan" (ie. Where we are and what can be done to enhance this and future options)</p> <p>The Inc Assoc to engage an appropriate contractor, with costs incurred to be reimbursed through Restoration component of Council Budget allocation</p> <p>Still to be ordered</p> <p>Building work still needs to be completed before final Council inspection</p> <p>No more useful photos available so final design work will be done</p> <p>Costed list of materials nearing completion</p>	<p>Moved Buddy Thomson, seconded Marion Alford → CARRIED</p> <p>Cr Duff to speak to possible contractor and get "ballpark" quote</p> <p>Buddy Thomson</p> <p>Buddy Thomson & volunteers</p> <p>Russell Springgall</p> <p>Buddy Thomson</p>	<p>Immediately</p> <p>Immediately ongoing</p> <p>Ongoing</p> <p>Immediately</p>

South Burnett Regional Council		Date: 6 th March 2012	Time: 10.50am	Venue: Boondooma Homestead
Boondooma Homestead Management Advisory Committee				
<p>3. Business Arising from the Minutes</p> <ul style="list-style-type: none"> • Caretaker Position • Wastewater Assessment • Clarification of N point • Building assessment of dongers and toilet block • Business Plan 	<p>and need to be purchased ASAP to meet Budget requirements</p> <p>Wayne & Denise Shaw were interviewed (Panel consisting of Michael Hunter, Noreen Brier, Buddy Thomson & Lynne Bennett) 10th February and commenced duties 4th March Signed contract to be entered into Dataworks and copy to be forwarded to caretakers and Inc Assoc</p> <p>Review to be undertaken prior to end of 3month probationary period</p> <p>Will depend on electricity assessment outcome and finalisation of 5 Year Plan</p> <p>N point wrong on site plan – revised plan with correct positioning needed</p> <p>Will depend on electricity assessment outcome and finalisation of 5 Year Plan</p> <p>Cr Carter and Noreen Brier met informally with Trudi Bartlett from BIEDO and arranged for her to visit at end of Meeting today to outline what she can do</p> <p>Cr Carter has negotiated a cost with BIEDO of \$55/hr (including GST) – will probably take about 10hrs to complete</p> <p>Will involve a Joint Partner Business Plan between Council and the Inc Assoc and will also include a Business Profile which is required by Govt and most funding avenues → RESOLUTION that the MAC engage a BIEDO representative to undertake work to</p>	<p>Immediately</p> <p>At conclusion of next meeting – 29th May</p> <p>Ongoing</p> <p>29th May 2012</p> <p>Ongoing</p> <p>ongoing</p>	<p>Michael Hunter & Noreen Brier</p> <p>Michael Hunter, Noreen Brier, Buddy Thomson, Lynne Bennett</p> <p>Russell Springall & Chris du Plessis</p> <p>Russell Springall</p> <p>Moved Bruce Metzroth, seconded Richard Grimes → CARRIED</p>	

Boondooma Homestead Management Advisory Committee		South Burnett Regional Council		Date: 6 th March 2012	Time: 10.50am	Venue: Boondooma Homestead
5. General Business	<ul style="list-style-type: none"> •Piano for Homestead •Shipping container •Cementing of servery area under 'Big Top' 	<p>complete a Joint Business Plan to incorporate the goals and financial requirements of the 5 Year Restoration and Improvement Plan. The agreed rate of \$55/hour will be paid through the Restoration component of Council Budget allocation"</p> <p>Donation from Boisen Estate of 1908 Palings Victor piano; Noreen arranged transport when other items were being moved →RESOLUTION "that the Committee endorse the donation of the piano and that the cost of transport (\$250) and plaque (\$40) be reimbursed to the Boondooma Museum & Heritage Assoc Inc. from Restoration component of Council Budget allocation"</p> <p>Noted that a 40ft storage container (purchased by Boondooma Museum & Heritage Assoc Inc)is to be temporarily positioned below the concrete slab behind the Administration Building to take the contents of the Caretaker's shed and may also have room for storage of some of the restoration timber to be used in the Kitchen building; as it is a temporary structure, Russell Springall indicated that no further Council approval was needed</p> <p>Volunteers are digging out and preparing this area for cementing prior to April festival; no Council approvals necessary</p> <p>Participants to be advised / meeting bookings made</p>	<p>Trudi Bartlett to meet MAC members after meeting to arrange times for further consultation</p> <p>Moved Cr Duff, seconded Marion Alford → CARRIED</p> <p>Lynne Bennett to forward Invoices to Noreen to arrange reimbursement</p> <p>Immediately</p>			
6. Next Meeting & Meeting Close	<p>Next meeting scheduled for Tuesday, 29th May2012 (to be confirmed)</p> <p>9.00 – 10.00am: Building Sub Committee meeting; 10.30am – 12.30pm: MAC meeting</p>			Noreen Brier		May 2012

Boondooma Homestead Management Advisory Committee	South Burnett Regional Council	Date: 6 th March 2012	Time: 10.50am	Venue: Boondooma Homestead
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Meeting closed 11.50am				
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Resolution:

Moved Cr KA Duff, seconded Cr CD Dalton.

That the Officer's Recommendation be adopted.

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

8.2 Economic Development & Property Management

8.2.1 ED&PM - 1213617 - Blackbutt & Benarkin Aged Care Assoc Inc - Proposal in relation to existing Council units in Hart St Blackbutt and vacant land behind units owned by South Burnett Regional Council in John Street Blackbutt

Summary

The Blackbutt and Benarkin Aged Care Association would like to lease and manage the units located in Hart Street Blackbutt. These units are designed to provide low cost housing to residents over the age of 55. The units are currently owned by Council and the management is undertaken by Nanango Real Estate. The Association would also like to lease the adjacent land to be able to build additional independent living units for aged persons.

Officer's Recommendation

That Council delegate authority to the Chief Executive Officer to negotiate an appropriate lease for the units in Hart Street and land in Johns Street Blackbutt with the Blackbutt and Benarkin Aged Care Association.

Resolution:

Moved Cr DJ Palmer, seconded Cr BL Green.

That Council delegate authority to the Chief Executive Officer to call for public expressions of interest and negotiate an appropriate lease for the units in Hart Street and land in John Street Blackbutt.

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

ADJOURNMENT:

Motion:

Moved Cr BL Green, seconded Cr DJ Palmer.

That the meeting adjourn for twenty (20) minutes.

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

RESUMPTION:

Motion:

Moved Cr KA Duff, seconded Cr DJ Palmer.

That the meeting resume at 11.03 with attendance as previous to the adjournment.

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

9. Infrastructure

9.1 Operations

Nil.

9.2 Water & Wastewater

9.2.1 W&WW - 1228724 - Treatment & Quality Section Staff Resources

Summary

This report considers the staff resourcing demands of the Water and Wastewater – Treatment and Quality Section as a result of restructuring and additional demands placed by fluoridation and increased compliance requirements.

Officer's Recommendation

That Council approve two (2) additional staff members within the Treatment and Quality Section of the Water and Wastewater Section of the Infrastructure Directorate as follows:

- Regional Supervisor – Water and Wastewater Treatment.
- Team Member – Treatment Water and Wastewater.

Resolution:

Moved Cr CD Dalton, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

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

9.3 Technical Services

9.3.1 TS - 1228680 - 2012/2013 Roads to Recovery Program

Summary

The Roads to Recovery program is the most successful of all Federal Government programs and provides funding to local governments for the management of road infrastructure within their region.

A decision needs to be made on a program of works for the 2012/2013 financial year for this program to allow the appropriate inclusion in the 2012/2013 Budget.

This report recommends a program of works for the 2012/2013 Roads to Recovery Program.

Officer's Recommendation

That Council adopt the following list of projects as its 2012/13 Roads to Recovery Program:

• Kearneys Road (geometric & pavement widening)	\$300,000
• Crumpton Drive (pavement widening)	\$300,000
• Malar Road (geometric & pavement widening)	\$200,000
• TH Burns Road (pavement sealing)	\$150,000
• Nanango Brooklands Road (pavement widening)	\$124,000
• Transmitter Road/ Tingooro Charlestown Intersection	<u>\$100,000</u>
	<u>\$1,174,000</u>

Resolution:

Moved Cr DJ Palmer, seconded Cr KA Duff.

That the Officer's Recommendation be adopted.

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

10. Finance & Information Services

10.1 Information Services

Nil.

10.2 Financial Operations & Planning

10.2.1 FO&P - 1228755 - Monthly Capital Works

Summary

The following information provides a snapshot of Council's Capital Works as at 20 March 2012.

Officer's Recommendation

That the South Burnett Regional Council's Monthly Capital Works Report as at 20 March 2012 be received and noted.

Resolution:

Moved Cr KM Campbell, seconded Cr DJ Palmer.

That the South Burnett Regional Council's Monthly Capital Works Report as at 20 March 2012 be received and noted.

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

10.2.2 FO&P - 1228759 - Monthly Financial Statements**Summary**

The following information provides a snapshot of Council's Financial Position as at 20 March 2012.

Officer's Recommendation

That the Monthly Financial Report as at 20 March 2012 be received and noted.

Resolution:

Moved Cr DP Tessmann, seconded Cr DJ Palmer.

That the Monthly Financial Report as at 20 March 2012 be received and noted.

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

10.2.3 FO&P - 1228754 - Advising of proposed changes to be made to the 2011/2012 Budget**Summary**

In accordance with Section 100(4) of Local Government (Finance, Plans and Reporting) Regulation 2010:

“The local government may by resolution amend the budget for a financial year at any time before the end of the financial year”

It is proposed to undertake the formal process to review a budget required under Section 99 of Local Government (Finance, Plans and Reporting) Regulation 2010 on a quarterly basis. In the interim period, information will be brought to Council of any proposed changes as they are identified.

Officer's Recommendation

That the following changes be made to Council's 2011/2012 budget at the next quarterly review:

Code	Capital Budget	Amendment	Revised Budget	Comment
	Income			
	\$235,000	\$0	\$235,000	RCLIP Grant reallocated to projects
	Expenditure			
	\$25,000	\$15,000	\$40,000	Quotes received to install fire stair to HR/Finance Officer were greater than budget allocation
	\$585,000	-\$570,000	\$15,000	Reseal of Kingaroy Aerodrome will not be undertaken, \$235,000 reallocated and balance carried forward to 2012/13

	\$153,820	\$153,820	\$153,820	Kingaroy Town Hall Ventilation upgrade - Funded from RCLIP grant
	\$81,180	\$81,180	\$81,180	Nanango Aquatic Centre Energy Efficiency Program - Funded from RCLIP Grant
Total	\$845,000	\$320,000	\$290,000	

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. Executive Services

Nil.

11.1 Executive**11.2 Human Resources**

Nil.

11.3 Corporate Governance

Nil.

11.4 Strategic Projects & Grants

Nil.

12. Information Section**12.1 IS - 1228953 - Reports for the Information of Council****Summary**

List of Correspondence pending Completion of Assessment Report
Delegated Authority Report

Officer's Recommendation

That the reports be received.

Resolution:

Moved Cr DJ Palmer, seconded Cr BL Green.

That the reports be received.

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

13. General Section

Nil.

14. Confidential Section

CLOSED SESSION:

Motion:

Moved Cr KA Duff, seconded Cr DP Tessmann.

That the meeting be closed to the public for Council discussions in accordance with Section 72(1) of the Local Government (Operations) Regulation 2010.

- (f) starting or defending legal proceedings involving it;*
- (e) contracts proposed to be made by it.*

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

DECLARATION OF INTEREST:

Cr BL Green declared an interest in two (2) of the following matters and left the meeting at 11:27 AM.

REASON:

No Reason was provided by Cr BL Green.

Cr DJ Palmer left the meeting at 12:11 PM.

Cr DJ Palmer has returned from temporary absence at 12:12 PM.

Cr CD Dalton left the meeting at 12:17 PM.

Cr CD Dalton has returned from temporary absence at 12:19 PM.

DECLARATION OF INTEREST:

Cr KA Duff declared an interest in two (2) of the following matters and left the meeting at 12:24 PM.

REASON:

Cr KA Duff's Brother is an employee of GHD Pty Ltd.

ATTENDANCE:

Cr BL Green has returned from temporary absence at 12:24 PM.
Cr KA Duff has returned from temporary absence at 12:48 PM.

OPEN COUNCIL:

Motion:

Moved Cr DJ Palmer, seconded Cr DP Tessmann.

That the meeting resume in Open Council.

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

ADJOURNMENT:

Motion:

Moved Cr KM Campbell, seconded Cr DJ Palmer.

That the meeting adjourn for lunch.

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

RESUMPTION:

Motion:

Moved Cr DP Tessmann, seconded Cr KM Campbell.

That the meeting resume at 1:25 pm with attendance as previous to the adjournment.

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

Report:

The Mayor reported that whilst in Closed Session, in accordance with Section 72(1)(f) starting or defending legal proceedings involving it, and Section 72(1)(e) contracts proposed to be made by it of the Local Government (Operations) Regulation 2010, Council considered matters concerning McCauley Weir, Tender SBRC 11-12-12 Flood Restoration Program, Evaluation Report - Phase 2 - Engineering Consultation, Tender submission for disposal of surplus land, Enhancing Passenger Transport Services within the South Burnett.

Motion:

Moved Cr ID Carter, seconded Cr DJ Palmer.

That the Mayor's report be received.

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

DECLARATION OF INTEREST:

Cr BL Green declared an interest in the following matters and left the meeting at 1:27 PM.

REASON:

No Reason was provided by Cr BL Green.

14.1 CONF - 1228969 - McCauley Weir

Reason for Confidentiality

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

- (f) starting or defending legal proceedings involving it

Recommendation

That Council;

1. Agrees that due to the current unsafe road condition that the road remains closed to traffic until further notice.
2. Obtains legal advice on the correct method of temporarily closing McCauley Weir Road and authorises the Chief Executive Officer to take any necessary action to ensure that the road remains closed to traffic from where the boundary of Lot 1 RP 838599 traverses the road until a further decision as the use of the road and Reserve for waterworks is made.
3. Obtains legal advice about Council's liability with regards to allowing unrestrained cattle to graze on an unfenced road and if any liability is caused by this landholder operation.
4. Ascertain if Council's 350 ML allocation from Cooyar creek (and therefore McCauley Weir) is still available and all documentation relating to the allocation be obtained and stored in Council's archives.
5. Undertakes a formal public consultation process within the next six months on the matter of development of the Reserve for Waterworks into a recreation area.

Resolution:

Moved Cr DP Tessmann, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

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

14.5 CONF - 1231285 - Enhancing Passenger Transport Services within the South Burnett project

Reason for Confidentiality

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

- (e) contracts proposed to be made by it

Recommendation

That Council;

A. Delegate authority to the Chief Executive Officer to negotiate agreements with the following transport providers on the basis of the proposals submitted as a result of calling for public expressions of interest for proposals:-

1. Pursers Coaches: Extension of the existing service between Murgon and Kingaroy to operate during school holidays – Trial period of 2 years with total subsidy request of \$11,000.
2. Pursers Coaches: Extension of the existing service between Blackbutt and Kingaroy to operate during school holidays – Trial period of 2 years with total subsidy request of \$11,000.
4. Pursers Coaches: Extension of the Kingaroy to Murgon service to Gympie and return three days per week – Trial period of 12 months with total subsidy request of \$34,320.
5. Graham House Community Centre Inc - Transport Service: Door to door, on-demand service using volunteer drivers of GHCTS vehicles to provide transport to weekend markets across the South Burnett – Trial period of 6 months with maximum subsidy in worst case scenario of \$14,332.
6. Nanango Taxi and Limousine Service: Establishment of a Monday to Friday morning return minibus service between, Nanango and Kingaroy – Trial period of 6 months with maximum subsidy of \$5,200
7. Nanango Taxi and Delivery Service: A \$10 voucher system to Nanango residents who have no other concessions.

B. Negotiate the provision of transport services under this project to surrounding townships in the South Burnett Regional Council area in place of proposal number three (3) with total subsidy of \$57,600.

C. Provide a further report be provided to Council on the outcomes of negotiations.

Resolution:

Moved Cr DP Tessmann, seconded Cr KA Duff.

That the Officer's Recommendation be adopted.

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

ATTENDANCE:

Cr BL Green has returned from temporary absence at 01:29 PM.

DECLARATION OF INTEREST:

Cr KA Duff declared an interest in the following matter and left the meeting at 01:30 PM.

REASON:

Cr KA Duff's Brother is an employee of GHD Pty Ltd.

14.2 CONF - 1229121 - Tender SBRC 11-12-12 Flood Restoration Program

Reason for Confidentiality

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

- (e) contracts proposed to be made by it.

Recommendation

That Council subject to successful negotiation of commercial and legal terms, accepts and enters into a contract with Civil Mining and Construction Pty Ltd for the flood restoration works as detailed in Tender SBRC 11-12-12 in the value of \$23,071,481 (excluding GST) subject to clarification of the adjusted tendered price.

Resolution:

Moved Cr ID Carter, seconded Cr DJ Palmer.

That the Officer's Recommendation be adopted.

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

14.3 CONF - 1228965 - Evaluation Report - Phase 2 - Engineering Consulting Services

Reason for Confidentiality

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

- (e) contracts proposed to be made by it

Recommendation

That Council engages GHD Pty Ltd be to provide consultancy services for Phase 2 of the SBRC Flood Restoration Program. The estimated cost is \$5,223,975 based upon a target completion date of 30 June 2013.

Resolution:

Moved Cr ID Carter, seconded Cr CD Dalton.

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 01:32 PM.

14.4 CONF - 1207122 - Tender submission for disposal of surplus land

Reason for Confidentiality

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

- (e) contracts proposed to be made by it.

Recommendation

That Council:-

- Declines the offer made for the purchase of surplus land, and
- List all lots with the exception of John Street, Blackbutt for sale with local real estate agents and the authority be delegated to the Chief Executive Officer to execute the sales.

Resolution:

Moved Cr DJ Palmer, seconded Cr KM Campbell.

That the Officer's Recommendation be adopted.

*Carried 6/1
FOR VOTE - Cr ID Carter (Mayor), Cr KM Campbell (Deputy Mayor), Cr CD Dalton, Cr KA Duff, Cr
DJ Palmer, Cr DP Tessmann
AGAINST VOTE - Cr BL Green*

There being no further business the meeting was declared closed at 1:34 pm.

Confirmed before me this day of2012

..... **MAYOR**

