

Minutes of the Ordinary Meeting of the Council of the Shire of Nanango held in the Nanango Shire Council Chambers on 18th September 2007 commencing at 8.03 a.m.

ATTENDANCE: Cr R M McCallum (Mayor)
Division 1: Cr R Morgan, Cr T Tucker
Division 2: Cr G Yeates, Cr B Webb
Division 3: Cr L Caffery, Cr R Gregor
Division 4: Cr W Browning, Cr B Tillyer

Messrs: Mr Shane Gray (CEO)
Mr Kerry Mercer (Director Planning, Development & Environment)
Mr Lee Busby (Director Engineering)
Mr Andrew Grant (Water & Waste Water Manager)
Mrs Sharon Frank (Finance Manager)
Mr Michael Hunter (Administration Manager)
Ms Christy Evenhuis (Consultant Town Planner)
Ms Lynn Halliday (Town Planning Officer)
Mr Keith Kratzmann (Media)

Minutes taken by Ms Kathy Cope (Executive Assistant)

Condolences

Mr Peter Parker

MINUTES

Moved Cr Caffery, seconded Cr Yeates, that the Minutes of the Ordinary Meeting 14th August 2007 and Committee Meeting 12th September 2007 be confirmed as a true and correct record.

CARRIED 8/1
Cr Tucker voted against the motion

BUSINESS ARISING

1. PLANNING, DEVELOPMENT & ENVIRONMENT

1.1 ENVIRONMENT

Nil

FACILITIES COMMITTEE CHAIRPERSON'S REPORT

Cr Webb presented a report to the meeting which included:

- Slight increase in property transfers this month;
- Improvements made at the waste management facility.

Moved Cr Webb seconded Cr Yeates that the Committee Chairperson's report be adopted.

Moved 9/0

1.2 PLANNING & DEVELOPMENT

This item was dealt with at 8.25 am

1.2.1 Material Change of Use – Shop and subservient Restaurant (Coffee Shop) in the Business and Commercial Zone

<i>Name of Applicant:</i>	Austrasoft Pty Ltd
<i>Name of Owner:</i>	Z & J Jovicic Tte
<i>Real Property Description:</i>	L23/RP32387, Parish of Taromeo
<i>Location:</i>	78 Coulson Street, Blackbutt
<i>Author & Officer's Title:</i>	C P Evenhuis, Consultant Town Planner
<i>File No:</i>	DA573 P69

Executive Summary:

This application has been made to establish a Shop and ancillary/subservient Restaurant (Coffee Shop) on land situated in the Urban Locality, Business and Commercial Zone located adjacent to the D'Aguiar Highway in the Town Centre of Blackbutt. The proposed use of the site is for the purposes of a shop to sell fruit and vegetables and to have an ancillary but subservient Coffee Shop to provide light refreshments to patrons of the shop and passers-by.

The use is 'Self Assessable' in the Business and Commercial Zone however the supporting information forming part of the application indicates that the applicant is proposing alternative solutions for compliance with the Code provisions pertaining to parking and servicing vehicle size requirements to that sought by the Code's development parameters.

Subject to the application of appropriate conditions, approval of the application is supported.

Officer's Recommendation:

That the application to establish a Shop and ancillary/subservient Restaurant (Coffee Shop) on land described as Lot 23 on Registered Plan No RP32387 and situated at 78 Coulson Street, Blackbutt be approved subject to the following conditions:-

**DEVELOPMENT PERMIT FOR MATERIAL CHANGE OF USE OF PREMISES
– SHOP AND ANCILLARY/SUBSERVIENT RESTAURANT (COFFEE SHOP)
WITH A MAXIMUM GROSS FLOOR AREA OF 115M²**

1. Development to be substantially in accordance with the submitted drawings prepared by ArchiStructure Environment Pty Ltd Consulting Engineers Drawing Nos. N/DA-060307/1 1 of 2 Amendment B; N/DA-060307/1A 2 of 2, copies of which stamped for identification as TP-DA573 are attached.
2. The applicant shall at his cost provide a connection to Council's sewerage main which is located approximately 3m from the front boundary inside the property alignment of the subject site and pay all charges relevant to the establishment of this connection.
3. Connection of the site to the electricity shall be at the applicant's cost.
4. Provide a minimum of one 10,000 litre rainwater tank to the new building for the purpose of collecting rain water runoff from the roofed areas.
5. All overflow discharges from rainwater tanks and any other roof rainwater downpipes discharging directly to the ground shall be designed so as to dissipate discharge water flows in a manner that will prevent scouring or erosion of the ground surface.
6. All stormwater drainage from the site, including roof water runoff and rain water tank overflows, shall be designed in accordance with the Queensland Urban Drainage Manual. Discharge shall be to a legal point of discharge acceptable to Council.
7. Construct a reinforced concrete access to the site from Coulson Street in accordance with Council's standard drawing no. R-0051 (Institute of Municipal Engineering Australia). The dimension "w" on the standard drawing shall be 5.5m. The access shall be located to the approval of Main Roads Department.
8. The Applicant is required to construct concrete kerb and channel for the full frontage to the lot to the satisfaction of Council's Director of Engineering Services.
9. The applicant is required to construct a footpath for the full length of the road frontage to Coulson Street, (D'Aguilar Highway) with a minimum crossfall of 5% and to the satisfaction of Council's Director of Engineering Services.
10. Provide not less than 6 car parking spaces, having a minimum size of 5.4 x 2.6m except where adjacent to a fixed obstruction when the relevant dimension of the car parking bay shall be increased by 0.3m. At least one of the car parking spaces shall be provided for the use of a person with disability and have a minimum dimension of at least 3.2 x 5.4m. All parking spaces shall be sealed and line marked. Should the nature of the

- use change, intensify or increase in gross floor area the parking must be recalculated.
11. The uses permitted on the land are restricted to those uses approved by this Development Permit and that do not require the use of an HRV. Provisions must be made for a Small Rigid Vehicle to enter and exit the site in a forward direction. Should the nature of the use change, intensify or increase in gross floor area the minimum service vehicle requirement must be reassessed.
 12. All areas used for manoeuvring of vehicles used to deliver or remove goods from the site including loading and unloading areas shall be sealed.
 13. Provide a 2m wide landscaped area to the site to all road frontage boundaries to Coulson Street (D'Aguilar Highway) excluding constructed vehicle and pedestrian access ways.
 14. Any external storage visible from Coulson Street (D'Aguilar Highway) is to be visually screened on all sides by an 1800mm high closely boarded or colourbond fence.
 15. Provide landscaped areas and buffers as shown on the drawings referred to in Condition 1 of this approval.
 16. Prior to the commencement of any building works the applicant is required to obtain the approval of Council for the required landscaping as set out in Condition 15 above. All proposed landscaping shall be in accordance with PSP5 of the Planning Scheme for the Shire of Nanango, a copy of which may be viewed on Council's website. A Landscaping Plan for the site shall be prepared in accordance with Schedule A of PSP5 and three copies shall be submitted to Council for approval, one of which will be endorsed when approved and returned for execution. A minimum of 20 business days should be allowed for assessment of the submitted Landscape Plan.
 17. Landscaping is to include as a minimum a significant proportion of endemic native trees and shrubs for the Nanango area – refer PSP5 Schedule C (B) of the Planning Scheme for the Shire of Nanango
 18. Maintain landscaping at all times in accordance with the approved landscaping plan.
 19. All external lighting shall be designed to avoid light spillage beyond the boundaries of the site and shall be compliant with the requirements of AS4282 – Control of Obtrusive Effects of Outdoor Lighting.
 20. Approval for any advertising devices does not form part of this development permit. Separate approval is required for all advertising devices to be located on the site, including any site identification signage, other than street number.
 21. The following design details shall be submitted to Council for scrutiny prior to commencement of construction works:
 - a. Crossover details
 - b. Sewerage details
 - c. Stormwater drainage details
 22. Prior to the commencement of any works on the site in connection with this approval, the applicant shall prepare and submit to Council's Engineering Department for approval a Construction Works Management Statement addressing the following impacts of the works:
 - Management of dust resulting from building operations;
-

- Control of quality and volume of stormwater discharge from the site during construction works.
23. Construction works shall only be undertaken between the hours of 7.00am to 6.00pm Monday to Saturday, unless otherwise varied by the Chief Executive Officer of the Council.
24. This approval shall have a currency period of four years commencing at the date of Councils' Decision.
25. Concurrence Agency Conditions:
Prior to commencement of retail trade, the applicant is required to provide:
- Access to be constructed to the commercial standards of Nanango Shire Council
 - Provision of "No standing" (R5-35) signage along property frontage.
26. All the conditions above must be complied with prior to the commencement of the use unless stated otherwise by the condition.

Consultative Town Planning Committee Recommendation:

That the Officer's Recommendation be adopted.

Committee Recommendation

That Council adopts the Consultative Town Planning Committee Recommendations as presented.

Moved Cr Gregor seconded Cr Morgan that the Committee Recommendation be adopted as presented.

CARRIED 9/0

Moved Cr Tillyer seconded Cr Browning that Council endorses the Officer's recommended course of action in issuing a Notice to Show Cause.

CARRIED 9/0

This item was dealt with at 8.35 am

1.2.2 Applications assessed by delegation under Superseded Planning Scheme

Author & Officer's Title: L Halliday – Planning Officer
C P Evenhuis, Consultant Town Planner

Executive Summary:

The following applications have been approved by delegation of the Chief Executive Officer for assessment under the Superseded Planning Scheme.

Ref No.	DA No.	Applicant	R.P.D.	Site Address	Locality Code	Development Sought
1.	608	SM & SM Bramich	L25/RP860417 Par: Nanango	17 Millis Way, Nanango	Urban Locality – Residential Zone	To erect a shed
2.	609	W & J Scholl	L100/RP173325 Par: Taromeo	Crumpton Drive, Blackbutt	Rural Residential Locality – Rural Residential Zone	To erect a shed on vacant land
3.	612	B Snow	L291/FY443 Par: Nanango	420 Nanango Brooklands Road, Nanango	Rural Locality – Rural Zone	Reconfigure a Lot – Family Subdivision

Planning Assessment

The applications have been assessed under Council's Superseded Planning Scheme for the following reasons.

1. The application is to construct an ancillary building a Class 10a building (shed) on land with an existing dwelling. The proposed building is to be located 1.5m from the side boundary –less than the 3m required under Council's planning scheme.
2. The application is to construct a Class 10a building (shed) on land currently being used for grazing purposes. The shed is to be used for ancillary uses consistent with the current lawful use.
3. The applicant has requested approval for assessment under the superseded planning scheme to permit an application to be assessed to reconfigure a lot (1 lot into 2 lots) to allow for a Family subdivision.

For Council's Information – It should be noted that proof of ownership of the subject land prior to the commencement of the new planning scheme, is required for an applicant to apply under Council's Superseded Planning Scheme.

This item was dealt with at 8.6 am

1.2.3 Reconfigure a Lot (2 lots into 2 lots) – Boundary Realignment (MR & RM Calvert and GT & EJ Smith)

Name of Applicant: Kimmorley Surveying Pty Ltd
Name of Owner: MR & RM Calvert and GT & EJ Smith
Real Property Description: Lots 19 and 20 on SP103185, Parish of Nanango
Location: 35-39 Gipps Street, Nanango
Author & Officer's Title: L Halliday – Planning Officer

File No: C P Evenhuis, Consultant Town Planner
DA613 P1540-4 and 848

Executive Summary:

Approval has been sought to realign a boundary between 2 parcels of land located in the Urban Locality - Residential Zone.

Approval of the application is supported subject to the appropriate conditions being attached to any development permit issued.

Officer's Recommendation:

That the application to reconfigure a lot (2 lot into 2 lots) on land described as Lots 19 and 20 on Registered Plan No. SP103185 and situated at 35 – 39 Appin Street, Nanango be approved subject to the following conditions:-

1. Development to be generally in accordance with the submitted proposal plan prepared by Kimmorley Surveying Pty Ltd Dwg No. 07643-1, a copy of which stamped for identification as TP-DA613 is attached.
2. Buildings shall maintain boundary setbacks required under the Nanango Shire Council Planning Scheme (3.0m minimum to outermost projection).
3. It is the responsibility of the applicant to ensure that all conditions are complied with to Council's satisfaction prior to applying for the signing and sealing of the new plan of survey.
4. This approval unless otherwise extended by Council has a currency period of 4 years commencing at the date of Council's decision.

Consultative Town Planning Committee Recommendation:

That the Officer's Recommendation be adopted.

Committee Recommendation

That Council adopts the Consultative Town Planning Committee Recommendations as presented.

Moved Cr Tucker seconded Cr Morgan that the Committee Recommendation be adopted as presented.

CARRIED 9/0

This item was dealt with at 8.36 am

1.2.4 Building Work Assessable under the Planning Scheme – Minor Non Compliance - WD & LM Treeby

Name of Applicant: Don Errington
Name of Owner: WD & LM Treeby
Real Property Description: L115/FY780, Parish of Nanango

Location: Mercer-Springate Road, Nanango
Author & Officer's Title: L Halliday – Planning Officer
C P Evenhuis, Consultant Town Planner
File No: DA615 – P2410

Executive Summary:

An application has been received for assessment of building work assessable against the planning scheme. The applicant is unable to comply with an area of the code, in this instance the setback from a gravel road.

Officer's Recommendation:

That Council approve the application subject to the following conditions:

1. Development to be generally in accordance with the submitted site plan prepared by Don Errington Pty Ltd Job No. 2007118, a copy of which stamped for identification as TP-DA615 is attached.
2. The proposed dwelling shall maintain a boundary setback of at least 15m minimum to outermost projection from Mercer Springate Road.
3. This approval unless otherwise extended by Council has a currency period of 2 years commencing at the date of Council's decision.

Consultative Town Planning Committee Recommendation:

That the Officer's Recommendation be adopted.

Committee Recommendation

That Council adopts the Consultative Town Planning Committee Recommendations as presented

Moved Cr Gregor seconded Cr Yeates that the Committee Recommendation be adopted as presented.

CARRIED 9/0

This item was dealt with at 8.3am

1.2.5 Building Work Assessable under the Planning Scheme – Minor Non Compliance – S Mungall nee McCarthy

Name of Applicant: S Mungall (nee McCarthy)
Name of Owner: S Mungall (nee McCarthy)
Real Property Description: L2/RP178861, Parish of Boobie
Location: 1720 Burnett Highway, Nanango
Author & Officer's Title: L Halliday – Planning Officer
C P Evenhuis, Consultant Town Planner
File No: DA616 – P2282

Executive Summary:

An application has been received for assessment of building work assessable against the planning scheme. The applicant is unable to comply with an area of the code, in this instance the size of an ancillary building (shed).

Officer's Recommendation:

That Council approve the application subject to the following conditions:

1. Development to be generally in accordance with the submitted proposed site plan prepared by the applicant, a copy of which stamped for identification as TP-DA616 is attached.
2. The gross floor area of the Class 10a building (shed) is not to exceed 72m².
3. Buildings shall maintain boundary setbacks required under the Nanango Shire Council Planning Scheme (10.0m minimum to outermost projection).
4. This approval unless otherwise extended by Council has a currency period of 2 years commencing at the date of Council's decision.

Consultative Town Planning Committee Recommendation:

That the Officer's Recommendation be adopted.

Committee Recommendation

That Council adopts the Consultative Town Planning Committee Recommendations as presented

Moved Cr Browning seconded Cr Morgan that the Committee Recommendation be adopted as presented.

CARRIED 9/0

This item was dealt with at 8.38 am

1.2.6 Building Work Assessable under the Planning Scheme – Minor Non Compliance – N & M Martin

<i>Name of Applicant:</i>	M Martin
<i>Name of Owner:</i>	N & M Martin
<i>Real Property Description:</i>	L51/RP181991, Parish of Nanango
<i>Location:</i>	63 Kurrajong Drive, Nanango
<i>Author & Officer's Title:</i>	L Halliday – Planning Officer C P Evenhuis, Consultant Town Planner
<i>File No:</i>	DA617 – P3237

Executive Summary:

An application has been received for assessment of building work assessable against the planning scheme. The applicant is unable to comply with areas of the code, in this instance the setback of an ancillary building (shed) from a side boundary and the maximum size of the building.

Officer's Recommendation:

That Council approve the application to construct a Class 10(a) building in excess of the permitted 54m² and with a reduced setback subject to the following conditions:

1. The proposed Class 10(a) building is to be setback a minimum of 4m off the northern boundary to the outermost projection.
2. The proposed Class 10(a) building is not to exceed 72m² in area. As marked on the proposed site plan prepared by the applicant, a copy of which stamped for identification as TP-DA617 is attached.
3. This approval unless otherwise extended by Council has a currency period of 2 years commencing at the date of Council's decision.

Consultative Town Planning Committee Recommendation:

That the Officer's Recommendation be adopted.

Committee Recommendation

That Council adopts the Consultative Town Planning Committee Recommendations as presented

Moved Cr Gregor seconded Cr Caffery that the Committee Recommendation be adopted as presented.
CARRIED 9/0

This item was dealt with at 8.38 am

1.2.7 Building Work Assessable under the Planning Scheme – Minor Non Compliance – D & D Rankin

<i>Name of Applicant:</i>	D Krisanski
<i>Name of Owner:</i>	D & D Rankin
<i>Real Property Description:</i>	L4/RP61957, Parish of Nanango
<i>Location:</i>	21 Fitzroy Street, Nanango
<i>Author & Officer's Title:</i>	L Halliday – Planning Officer C P Evenhuis, Consultant Town Planner
<i>File No:</i>	DA618 – P707

Executive Summary:

An application has been received for assessment of building work assessable against the planning scheme. The applicant is unable to comply with areas of the code. In this instance:

- the setback of ancillary buildings (shed and carport) from a side boundary,
AND
- the width of the building (6m) being in excess of the 3m required under the planning scheme.

Officer's Recommendation:

That Council approve the application to construct a Class 10(a) building encroaching in the 3m side boundary setback and exceeding the 3m width subject to the following conditions:

1. The proposed Class 10(a) building (shed) is setback at 1.5m as marked on the proposed site plan prepared by the applicant, a copy of which stamped for identification as TP-DA618 is attached.
2. This approval unless otherwise extended by Council has a currency period of 2 years commencing at the date of Council's decision.

Consultative Town Planning Committee Recommendation:

That the Officer's Recommendation be adopted.

Committee Recommendation

That Council adopts the Consultative Town Planning Committee Recommendations as presented.

Moved Cr Morgan seconded Cr Tucker that the Committee Recommendation be adopted as presented.
CARRIED 9/0

This item was dealt with at 8.40 am

1.2.8 Delegation of Authority – Code Assessable Building Work not associated with a Material Change of Use but assessable under the provisions of The Town Planning Scheme for the Shire of Nanango

Name of Applicant: Nanango Shire Council
Author & Officer's Title: C P Evenhuis – Consultant Town Planner

Executive Summary:

Due to the number of applications for minor non-compliance matters pertaining to Code Assessable Building Work not associated with a Material Change of Use, but assessable under the provisions of the Town Planning Scheme for the Shire of Nanango delegation of the power to act as assessment manager is sought to enable prompt assessment of these applications to proceed.

Officer's Recommendation:

Delegation to be to the Chief Executive Officer.

Consultative Town Planning Committee Recommendation:

That the Officer's Recommendation be adopted.

Committee Recommendation

That Council adopts the Consultative Town Planning Committee Recommendations as presented.

Moved Cr Gregor seconded Cr Morgan that the Committee Recommendation be adopted as presented.

CARRIED 8/1

This item was dealt with at the September Committee meeting

1.2.9 Nanango Shire Council (BF & DM Blunt) Adoption of minor amendment to correct a mapping error in the Planning Scheme for the Shire of Nanango

<i>Name of Applicant:</i>	Nanango Shire Council
<i>Name of Owner:</i>	BF & DM Blunt
<i>Real Property Description:</i>	Lot 1 on RP190541, Parish of Nanango
<i>Location:</i>	21 Nanango-Tarong Road, Nanango Shire Council
<i>Author & Officer's Title:</i>	K H Mercer – Director Planning Development & Environment
<i>File No:</i>	P2892

Executive Summary:

Following a successful application to rezone land, Lot 1 on RP190541 was gazetted on 25th October 1980 from the Rural C zone to the Light Industry zone. However zoning maps of the planning scheme adopted in September 1989 failed to record this rezoning as gazetted and this parcel of land was shown as have the zoning of Rural B.

Prior to the Planning Scheme that was adopted in September 1989, applications were received to rezone the above parcels of land (Application No.R67 for Lot 2 and R97 for Lot 1) from the Rural C zone to Light Industry zone.

Both applications were approved and were gazetted on 25th October 1980.

When the planning scheme was gazetted and later adopted in September 1989, only Lot 2 was depicted as being in the Light Industry zone. Lot 1 was shown as Rural B.

When the current planning scheme undertook the public notification process, Lot 2 was depicted as being in the Industrial Zone with a Preferred Land Use of General Industry. However, Lot 1 was again left as per the previous zoning and therefore Lot 1 is now zoned Rural Residential.

The land owner did admit to Council that he noticed that Lot 1 was not in the General Industry zone as was Lot 2 but did not pass this information on to Council.

It should be noted that following the successful rezoning application in 1980, Lot 1 has been used for development that is consistent with the Light Industry Zone.

Following the Council Resolution in July 2007 a letter was written to the Minister. A response was received from the Minister agreeing to the minor amendment and Council is now required to fulfil the requirements of sections 19 to 21 of Schedule 1 of the *Integrated Planning Act 1997* of which this adoption is the first step.

Officer's Recommendation:

That Council adopts the minor amendment to the Planning Scheme for the Nanango Shire as per Schedule 1, Part 3, section 19 of the Integrated Planning Act to amend the planning scheme maps to depict that Lot 1 on Registered Plan No. 190541, Parish of Nanango be included in the Industrial zone with a Preferred Land Use of General Industry.

A motion for item 1.2.9 was recorded at Council's Committee meeting held on 12th September 2007.

Resolved that membership of the Aquatic Centre Committee includes Cr Tucker, Mr Mercer and a representative from the Engineering Department.

This item was dealt with at 11.15 am

Cr Gregor declared an interest in item 1.2.10 and left the meeting at 11.18 am.

1.2.10 Relocation of the Scotts Community Hall

Name of Applicant: Nanango Shire Council
Name of Owner: St Vincent de Paul
Real Property Description: L3/SP169393
Location: 53 Gipps Street, Nanango
Author & Officer's Title: C Evenhuis – Consultant Town Planner
File No: P792

Executive Summary:

Council has received correspondence from the St Vincent de Paul Society offering the Presbyterian church located on the corner of Drayton & Gipps Streets, Nanango.

Officer's Recommendation:

That Council agrees to assess the removal of the church under Council's Superseded Planning Scheme for the following reasons.

1. That the church will remain in the custody of the Nanango Shire Council as part of their historical past, and
2. A decision to move the church is required urgently to enable the control of the termite problem which now exists.

Moved Cr Tucker seconded Cr Yeates that the Officer's Recommendation be adopted as presented.

CARRIED 6/2

Cr Tillyer and Browning voted against the motion

Cr Gregor returned to the meeting at 11.23 am.

**UNDERTAKINGS & TOWN PLANNING
 COMMITTEE CHAIRPERSON'S REPORT**

Cr Gregor presented a report to the meeting which included:

- more work needs to be undertaken to ensure the Town Planning Scheme works more efficiently, given that there appears to be adjustments required to be made.

Moved Cr Gregor seconded Cr Caffery that the Committee Chairperson's report be adopted.

Carried 9/0

2. CHIEF EXECUTIVE OFFICER

This item was dealt with at 8.57 am

2.1 Rate Discount – Solano

Name of Owner: S & S Solano
Real Property Description: L11/RP178852
Location: Kingaroy Cooyar Road
Author & Officer's Title: M Williams (Rates Officer)

Executive Summary:

Council has received a request for consideration of rates discount and interest refund due to confusion of transfer of property.

The applicants requests that discount for the Levy 01/01/2007 to 30/06/2007 be allowed and all interest relating to that period be waived.

Officer's Recommendation:

Due to the circumstances involved in this transfer, that Council accepts Mr Solano's request, subject to rates being paid.

Committee Recommendation:

That Council adopts the Committee's Recommendation as presented.

Moved Cr Browning seconded Cr Tucker that the Committee Recommendation be adopted as presented.

CARRIED 9/0

This item was dealt with at 8.59 am

2.2 Renewal of lease

Name of Applicant: Nanango & District Netball Association Inc
Author & Officer's Title: S Gray, CEO

Executive Summary:

Council has received a request for the renewal of the lease between Council and the Nanango & District Netball Association Inc.

Officer's Recommendation:

That Council considers the request for the renewal of the lease as requested by the applicant.

Committee Recommendation:

That Council renews the lease between Council and the Nanango & District Netball Association Inc.

Moved Cr Yeates seconded Cr Caffery that the Committee Recommendation be adopted as presented.
CARRIED 9/0

This item was dealt with at 9.00 am

2.3 Request for financial assistance

Name of Applicant: McArthur Contracting
Location: Blackbutt
Author & Officer's Title: S Gray, CEO

Executive Summary:

Council has received a request for financial assistance towards the organisation of a rodeo at Blackbutt in September. The rodeo is being held as a fundraiser for Relay for Life, in support of cancer research. Council may elect to sponsor a specific event.

Officer's Recommendation:

That Council considers the request for financial assistance for the Blackbutt Rodeo.

Committee Recommendation:

That Council seeks further detail of the event and considers the matter at the Ordinary Meeting.

Moved Cr Tucker seconded Cr Tillyer that Council approves a donation in the amount of \$100 to the Blackbutt Rodeo.
CARRIED 8/0
Cr Webb voted against the motion

This item was dealt with at 9.01 am

2.4 Request for in-kind support

Name of Applicant: J Dow
Location: Nanango
Author & Officer's Title: S Gray, CEO

Executive Summary:

Council has received a request for in-kind assistance for the Sunday Funday element of this year's Funfest community festival. In addition to witches hats, barrier netting and star pickets, the applicant is seeking use of 2 prime movers with trailers or 2 gravel trucks with trailer for a truck-pull event, with teams of 10 people pulling a vehicle over 30 metres.

Officer's Recommendation:

That Council considers the request for in-kind support as detailed.

Committee Recommendation:

That Council approves the request for in kind support.

Moved Cr Yeates seconded Cr Webb that the Committee Recommendation be adopted as presented.
CARRIED 9/0

This item was dealt with at 9.01 am

2.6 Request for financial assistance

<i>Name of Applicant:</i>	Nanango State High School
<i>Location:</i>	Nanango
<i>Author & Officer's Title:</i>	S Gray, CEO

Executive Summary:

Council has received a request for financial support for the Nanango State High School awards night in October. Council has donated \$300.00 to this event in previous years.

Officer's Recommendation:

That Council considers the request for financial support

Committee Recommendation:

That Council adopts the Officer's Recommendation as presented.

Moved Cr Gregor seconded Cr Morgan that the Committee Recommendation be adopted as presented.
CARRIED 9/0

This item was dealt with at 9.02 am

2.7 Claim for Damage to Vehicle

Name of Applicant: Greg Poor
Location: Blackbutt
Author & Officer's Title: S Gray, CEO

Executive Summary:

The applicant contacted Council earlier this year claiming stone chip damage to his vehicle which he alleges was caused by Council vehicles. The claim went through the usual processes before it was rejected. The applicant requests that Council reconsiders his claim for damage.

Officer's Recommendation:

That Council considers the request for financial support.

Committee Recommendation:

That Council rejects the claim for damage to the applicant's vehicle.

Moved Cr Yeates seconded Cr Tucker that the Committee recommendation be adopted as presented.

CARRIED 7/2

Crs Tillyer and Browning voted against the motion

The meeting adjourned for morning tea at 9.05 am and resumed at 9.35 am

Moved Cr Webb seconded Cr Yeates that Council appoints Maidenwell Centenary Committee as an advisory group to Council, with membership of the group to include Crs Gregor and Tucker.

CARRIED 9/0

3. CORPORATE & COMMUNITY SERVICES

This item was dealt with at 9.40 am

3.1 Unaudited Financial Statements 2006-2007

Name of Applicant: Nanango Shire Council
Location: Nanango Shire
Author & Officer's Title: Sharon Frank – Finance Manager

Executive Summary:

The Unaudited Financial Statements are submitted pursuant to Section 49 of the Local Government Finance Standard 2005.

Officer's Recommendation:

That the Unaudited Financial Statements for 2006-2007 be received.

Committee Recommendation:

That Council adopts the Officer's Recommendation as presented.

Moved Cr Caffery seconded Cr Yeates that the Committee Recommendation be adopted as presented.

CARRIED 9/0

This item was dealt with at 9.41 am

3.2 Financial Statements for August 2007

Name of Applicant: Nanango Shire Council
Location: Nanango
Author & Officer's Title: Sharon Frank – Finance Manager

Executive Summary:

These reports are required pursuant to Section 528 (i) (ii) (iii) and (iv) of the Local Government Act 1993 and are consistent with the Local Government Finance Standards 2005.

Officer's Recommendation:

That the Financial Statements for the period ended 31st August 2007 be adopted.

Committee Recommendation:

That Council adopts the Officer's Recommendation as presented.

Moved Cr Caffery seconded Cr Morgan that the Committee Recommendation be adopted as presented.

CARRIED 9/0

ADMINISTRATION & FINANCIAL SERVICES COMMITTEE CHAIRPERSON'S REPORT

Cr Caffery presented a report to the meeting which included:

- Cash at hand \$1.1m up on 05/06;
- Water revenue down, consistent with current water restrictions.

Moved Cr Caffery seconded Cr Gregor that the Committee Chairperson's report be adopted.

Carried 9/0

4. ENGINEERING

This item was dealt with at 9.42 am

4.1 Consideration of water issues

<i>Name of Applicant:</i>	Nanango Shire Council
<i>Location:</i>	Sewerage Treatment Plant Nanango
<i>Author & Officer's Title:</i>	Andrew Grant MWS

Executive Summary:

Following the Show Society applying for assistance in moving it's point of access for recycled water to the lagoons at the Nanango STP and associated costs in providing some type of storage to ensure water quality; MWS, CEO, Cr Caffery and Morgan visited the treatment facility. It was discussed on site that a possible solution would be cleaning out of the first lagoon, fencing off an area and relocating pumps to this location.

Subsequent to the meeting, there has been investigation into the proposed changes and the EPA has been approached. Indications are that if the water reuse is relocated on site and water is extracted by the council and third parties that this would result in a reassessment of the licence. Any change to the licence conditions would most likely result in lower levels of allowed contaminant release which would involve considerable cost for upgrade.

Officer's Recommendation:

That Council contributes to replacement of the showground pump in the current location and cleaning out of the creek to allow increased storage volume and access for Council to extract water should the need arise. A quote for moving of the eastern fence to place the pumps outside the compound area should be undertaken. This would allow access by council to the creek for water extraction and remove risk from third party entry to the treatment plant.

Committee Recommendation:

That Council adopts the Officer's Recommendation as presented.

Moved Cr Morgan seconded Cr Tucker that Council dredges the creek, installs security fencing, replaces the pump and notify all parties of action taken.

***CARRIED 8/1
Cr Caffery voted against the motion***

This item was dealt with at 9.51am

4.2 Request to purchase water

Name of Applicant: Rosalie Shire Council
Author & Officer's Title: Andrew Grant MWS

Executive Summary:

Rosalie Shire has requested to purchase 20,000l of water for the Yarraman pool from Nanango Shire, every one to two weeks.

Officer's Recommendation:

Council should consider this application as this relationship will strengthen Nanango's case for integration of Yarraman into the new South Burnett Regional Shire.

Committee Recommendation:

That Council adopts the Officer's Recommendation as presented.

Moved Cr Webb seconded Cr Tillyer that Council approves the request from Rosalie Shire Council to purchase water as requested.

CARRIED 9/0

This item was dealt with at 9.55 am

4.3 Request for financial and in-kind assistance

Name of Applicant: Nanango State Primary School
Location: Drayton Street
Author & Officer's Title: L.Busby - DES

Executive Summary:

The Council has agreed in principle to support the school in the construction of the sensory garden to be located at the front of the main office in Drayton Street.

Nanango State Primary School is seeking financial assistance towards the construction of the proposed garden.

Officer's Recommendation:

Council makes a determination regarding financial assistance for Nanango State School.

Committee Recommendation:

That Council adopts the Officer's Recommendation as presented.

Moved Cr Tucker seconded Cr Morgan that Council approves the request for assistance from the applicant for the sensory garden project.

CARRIED 9/0

This item was dealt with at 9.56 am

4.4 Request for submissions for Regional Road Group

Name of Applicant: Nanango Shire Council
Author & Officer's Title: L.Busby - DES

Executive Summary:

Council has received correspondence from the RRG (Regional Roads Group) asking for project submissions for the financial year 2012/13 by 17 September 2007.

Four Projects have been identified:

- Project 1 – Memerambi-Barkers Creek Road, Ch 0 to 1.1km.
- Project 2 - Memerambi-Barkers Creek Road, Ch 5.5 to 6.5km.
- Project 3 - Memerambi-Barkers Creek Road, Ch 14.76 to 16.3km.
- Project 4 – Manumbar Road, Ch15.18 to 16.53km.

Officer's Recommendation:

That Council approves the submission of Project 1 to the (RRG) Regional Roads Group for funding consideration.

Moved Cr Yeates seconded Cr Webb that the Committee Recommendation be adopted as presented.

CARRIED 8/1

Cr Caffery voted against the motion

5. GENERAL BUSINESS

5.1 Cr Tillyer raised the issue of stormwater and drainage issues at Hart Street, Blackbutt. The Manager Water and Wastewater, Mr Grant, advised that the first stage of planning to rectify the problem is now underway.

5.2 Request from the South Burnett Mental Health Consumer/Carer Advisory Group to waive hire fees for the Nanango Cultural Centre for a Mental Health event being held on 1st November 2007.

Moved Cr Morgan seconded Cr Tucker that Council approves the request to waive hire fees of the Cultural Centre.

CARRIED 9/0

5.3 Nanango Heritage Endurance Riders Association thanked Council for support of their international event in 2007 and advised that the association is planning an Australian Endurance event on Queens birthday weekend in 2008.

5.4 Mrs Norris of Elk Street, Nanango has approached Council requesting approval of a payment plan for work undertaken by Council to

Moved Cr Gregor seconded Cr Tucker that Council approves the use of a payment plan for the amount owing.

CARRIED 9/0

Cr Webb declared an interest in item 5.5 and left the meeting at 10.50 am.

5.5 Advice that Nanango Rugby League Junior club has requested Council to intervene in a dispute between the applicant and the Senior Rugby League club regarding the construction of a storage area in the building. The CEO will initiate mediation between the groups.

Cr Webb returned to the meeting at 10.59 am.

5.6 Cr Gregor reported on her recent attendance at the Bunya Mountains Advisory Group meeting.

5.7 Councillors reported on their attendance at the LGAQ Annual Conference.

Cr McCallum left the meeting at 11.45 am and returned at 11.52 am. Cr Gregor assumed the Chair in Cr McCallum's absence.

- 5.8** Options for the fencing of the racecourse and airport were considered. A meeting with the Race Club will be arranged in the near future.
- 5.9** The LGAQ is calling for Councils across the state to make the decision about holding a plebiscite regarding amalgamation of local government bodies.

Moved Cr Webb seconded Cr Tillyer that:

- 1. As a consequence of the Local Government Reform Implementation Act 2007, Nanango Shire Council will be amalgamated with other Council areas following the conclusion of the 15 March 2008 local government elections.***
- 2. Whilst Nanango Shire Council would like to conduct a poll on the important public question of whether it should be amalgamated with other Council areas, it acknowledges that it is currently prevented from doing so by the inclusion of section 159ZY into the Local Government Act 1993.***
- 3. However, Council notes and welcomes the intervention of the Federal government in relation to this important issue by way of:-***
 - a. Offering to fund the cost of the AEC conducting plebiscites;***
AND
 - b. Amending the Commonwealth Electoral Act 1918 to facilitate same.***
- 4. Nanango Shire Council accordingly appoints the LGAQ as its agent for all purposes relating to arranging a plebiscite, to be conducted by the AEC under the Commonwealth Electoral Act 1918, on the important public question of whether the electors of Nanango Shire Council support the amalgamation of Nanango Shire Council with other Council areas, on the following terms and conditions:-***
 - a. The question to be put to the electors of Nanango Shire Council is:***
“Do you support the Queensland Government’s decision to amalgamate your Council with other Council areas?”
 - b. If an elector approves of the questions, the elector may-***
 - place a tick in the space provided opposite the word “YES” in the space provided on the ballot paper; OR***
 - write the word “YES” in the square opposite the word “YES” on the ballot paper; OR***
 - otherwise mark the ballot paper in a way that clearly and unambiguously indicates the elector approves of the question.***
 - c. If an elector does not approve of the questions, the elector may-***

- **place a tick in the space provided opposite the word “NO” in the space provided on the ballot paper; OR**
- **write the word “NO” in the square opposite the word “NO” on the ballot paper; OR**
- **otherwise mark the ballot paper in a way that clearly and unambiguously indicates the elector does not approve of the question.**

d. The plebiscite is to be conducted by the AEC generally in accordance with the AEC’s minimum standards, namely:-

- **Electors will be informed of the event concerned**
- **Each elector will have one vote**
- **Electors will be provided with a reasonable opportunity to vote**
- **The ballot will be secret**
- **There will be provision for the appointment of scrutineers**
- **The “electors” roll will be available to scrutineers**
- **The ballot material will be retained by the AEC until the close of the period of challenge**
- **The plebiscite will not be partially conducted.**

e. The rules of the plebiscite are to incorporate the AEC’s minimum standards mentioned above and are to be as otherwise finally agreed between the AEC and LGAQ, generally in accordance with the following framework:-

- **The plebiscite is to be conducted by full postal ballot**
- **The initiating step for the plebiscite will be the AEC giving public notice (in the Courier Mail and, possibly, in a newspaper circulating in Council’s immediate locality) of its intention to close the electors roll (for the purposes of conducting the plebiscite**
- **Approximately 6 days later, the AEC will give public notice (in the Courier Mail, and possibly, in a newspaper circulating in Council’s immediate locality) of the nature of the plebiscite**
- **Approximately 4 days later the roll will be closed.**
- **Over the next 7 to 10 days thereafter, the roll will be compiled and all material relative to the conducting of a full postal ballot will be prepared**
- **Immediately thereafter, a mail out of the full postal ballot will occur, with the electors being required to complete and return the relevant postal ballot material not sooner than 10 working days after the date of the mail-out**
- **Counting of the ballots will commence as soon as practically possible after the closing date for the ballot with daily progressive tallies to be provided by the AEC to the LGAQ, Council and any scrutineers**
- **Counting of the ballots is to be finalised on the day that is 10 days after the closing date of the ballot, with the**

***final results of the count to be provided to the LGAQ,
Council and any scrutineers***

- 5. *Nanango Shire Council records by this resolution its total commitment to the conduct of the plebiscite and to ensure the plebiscite is completed without delay, delegates to the Mayor the power to accept and adopt on Council's behalf, the rules of the plebiscite as finally agreed between the LGAQ and the AEC.***

***Carried 8/1
Cr Gregor voted against the motion***

- 5.10** Finance Manager, Mrs Frank, advised Council of a photography competition to be run in conjunction with the Annual Report, which will also provide a greater range of images to be used.

CLOSURE

There being no further business the meeting closed at 12.00 noon.

CONFIRMATION

Confirmed before me this 16th October, 2007.

Cr Reg B McCallum
MAYOR