

CAMBOOYA SHIRE COUNCIL



Confirmed Minutes

for

Ordinary Meeting

17 October 2007

TABLE OF CONTENTS

CAMBOOYA SHIRE COUNCIL

**Minutes of the Ordinary Meeting held in the Council Chambers, Greenmount
on Wednesday 17 October 2007, commencing at 9:03am**

<u>1.</u>	<u>APOLOGIES – LEAVE OF ABSENCE</u>	5
<u>2.</u>	<u>CONFIRMATION OF MINUTES</u>	5
<u>3.</u>	<u>RECEIPT AND CONSIDERATION OF OFFICERS’ REPORTS</u>	5
	<u>A) DEVELOPMENT SERVICES</u>	5
	<u>A.1 Planning Scheme Policy No. 3 – Roadworks Standards and Contributions</u>	5
	<u>A.2 RAL/07/10 – 245 Woods Road, Ramsay</u>	7
	<u>A.3 RAL/07/12 – 4078 Gatton Clifton Road, Hirstglen</u>	8
	<u>A.4 RAL/07/14 - 129 Woodlands Road, Greenmount</u>	10
	<u>A.5 RAL/07/16 – 296 Woods Road, Ramsay</u>	13
	<u>A.6 PSW/07/52 – 26 Wellington Street, Wyreema</u>	15
	<u>B) CORPORATE SERVICES</u>	17
	<u>B.1 Accounts for Payment</u>	17
	<u>B.2 Financial Statements</u>	17
	<u>LATE AGENDA – DEVELOPMENT SERVICES</u>	17
	<u>LA/CS.1 Annual Valuation Effective 30 June 2007</u>	17
	<u>LA/CS.2 Councillor Remuneration Tribunal</u>	18
	<u>LA/CS.3 Proposed Regional Application of towards 2050</u>	18
	<u>C) ENGINEERING SERVICES</u>	20
	<u>C.1 Request for B-Double Route</u>	20
<u>4.</u>	<u>GENERAL BUSINESS</u>	22
	<u>Appointment of Additional Proxy</u>	22
	<u>Australia Day 2008</u>	22
	<u>End of Year Meeting Dates</u>	22
	<u>Minutes of Local Transition Committee</u>	22
	<u>DDROC Minutes</u>	23
<u>5.</u>	<u>NEXT MEETING</u>	23
<u>6.</u>	<u>CLOSURE</u>	23

1

[Redacted]

PRESENT

Cr CE Taylor (Mayor)
 Cr MA Williams
 Cr NB Schmidt
 Cr FW Mengel
 Cr MJ MacGinley
 Cr P D Gordon
 Cr MR Middleton
 IP Stevenson (Chief Executive Officer)
 GW Scheiwe (Director Engineering Services)
 MR Lisle (Manager Development Services)
 KM Phillips (Personal Assistant)

The Mayor opened the meeting at 9:03am.

1. APOLOGIES – LEAVE OF ABSENCE

That Councillor Robertson be granted leave of absence from the Meeting.

Resolution 01/1007

Moved by Cr Middleton, seconded by Cr MacGinley, that Councillor Robertson be granted leave of absence from the Meeting.

Carried

2. CONFIRMATION OF MINUTES

Council was requested to confirm the Minutes of the Ordinary Meeting of Council held on 19 September 2007.

Resolution 02/1007

Moved by Cr Schmidt, seconded by Cr Middleton, that the Minutes of the Ordinary Meeting of Council held on 19 September 2007, which have been circulated to Councillors, be confirmed.

Carried

3. RECEIPT AND CONSIDERATION OF OFFICERS' REPORTS**A) DEVELOPMENT SERVICES****A.1 Planning Scheme Policy No. 3 – Roadworks Standards and Contributions**

Council had requested that the application of *Planning Scheme Policy No. 3 - Roadworks Standards and Contributions* (copy attached) be reviewed with regard to Reconfiguration of Lots or Material Change of Use in Rural Land Use Areas with multiple road frontages.

Council had previously considered how different sections of this policy should be applied. On the 20 September 2006 it was resolved to adopt the following guideline when assessing applications for boundary realignments:

1. A minimum contribution towards renewal of road asset will apply where there is no net increase in allotments for the following Land Use Areas:

- a) Rural \$2,000
- b) Rural Residential \$2,500
- c) Township \$2,500

Section D) of the *Planning Scheme Policy No. 3* refers to corner lots, stating that:

Abutting existing roads in all areas.

"In calculating the contribution payable for lots abutting 2 intersection roads, the total length of both roads will be added together, and two thirds of that length deemed to be the length upon which contributions are based.

The total contributions being the cost of constructing the road to the standard specified in the appropriate sections of this policy."

Properties with two road frontages located in the Rural Land Use Area could be treated the same way as corner allotments (outlined in Section D of the Policy) or alternatively charged on the longer road frontage, whichever is the greater in cost.

It is considered that this should only be applied where a cash contribution would be payable (i.e. physical construction is not required, where physical construction is defined as graveling or sealing of an unconstructed road, or sealing a gravel road, as per Section A of the Policy).

The adoption of such a guideline will grant a concession for the large contributions required for rural subdivisions fronting two road boundaries.

It may also be prudent to only apply this reasoning to the Rural Land Use Areas and not smaller allotments located in Rural Residential and Township areas.

A submission by Cr Robertson was tabled.

Resolution 03/1007

Moved by Cr Mengel, seconded by Cr Gordon, that Council adopts the following as Guideline No. 2 for the application of the *Planning Scheme Policy No. 3 Roadworks Standards and Contributions*.

In calculating the contribution payable for lots abutting 2 roads (where physical construction is not required), the greater amount of the following will apply:

1. The total length of both roads will be added together, and two thirds of that length deemed to be the length upon which contributions are based or;
2. The longer road frontage of the lot to be subdivided is deemed to be the length upon which contributions are based.

Carried

A.2 Application RAL/07/10 for a Negotiated Decision (Reconfiguration of a Lot – 1 Lot into 3 Lots) on Lot 5 SP141766, Parish of Ramsay and situated at 245 Woods Road, Ramsay.

Applicant: W & J Kunde

Owner: W & J Kunde

A request was received from the applicant of the above property for a negotiated decision in relation to Development Application RAL/07/10 which was approved by Council on 18 July 2007.

Council had carried this matter over for further consideration from its meeting of 19 September, 2007.

The owner wishes to appeal conditions 10 and 11 in relation to the road contributions. They propose to continue to reside in the residence located on the 54ha allotment and use the proceeds from the sale of two new lots to fund their retirement.

They state that:

“neither of the two 40ha blocks to be subdivided and subsequently sold (lots 2 and 3) have frontage onto Woods Road and as such, will not be contributing to any additional traffic to the road. Over the years we have noted additional traffic on Woods Road, but not as a result of subdivisions.

The increased number of vehicles seems to be due to changing lifestyles. This has led to an increase of at least an additional 20 vehicles per week. Given that neither of the blocks to be subdivided front Woods Road, we would like to request that Council review this condition.

The roadworks contribution applies to all road frontages with a large portion of the roadworks contribution being attributed to road frontage of our home block. As a result of the subdivision, neither of the new lots have access to Woods Road, yet we are being charged for approx. 1,560m of roadworks on this particular road”.

Condition 10 states:

“Dedication of two corner truncations (Refer to attached Drawing No. 121-0005) for future curve realignments on Woods Rd. Applicant to meet all related costs.”

Comment

The opportunity to acquire truncations to provide for future curve realignments is normally taken upon receipt of an application for reconfiguration.

Condition 11 states:

“A roadworks contribution of \$59,178 (2,818m @ \$21/m) is required in accordance with Council’s Planning Scheme Policy No.3. (fees applicable for 2007/08 financial year).”

Comment

The road frontages are 1,258m on O’Keefe road and 1,560m on Woods Road. The road contribution could be reduced to \$39,438 (1,878m @ \$21/m) if the proposed guideline recommended for applying the policy has been adopted.

Resolution 04/1007

Moved by Cr Gordon, seconded by Cr Williams, that a roadworks contribution of \$39,438 (1,878m @ \$21/m) is required in accordance with Council’s Planning Scheme Policy No.3. (fees applicable for 2007/08 financial year).

Carried

A.3 Application RAL/07/12 for Negotiated Decision (Subdivision 1 lot into 2 lots) on Lot 54 AG2288, Parish of Haldon situated at 4078 Gatton Clifton Road, Hirstglen.

Applicant: Ian A Rosenberger (Surveys) Pty Ltd
Owner: R & S Strahan

A request was received from the owner of the above property for a Negotiated Decision in relation to Development Application RAL/07/12 which was approved by Council on 5 September 2007 (special meeting).

The owner wished to appeal condition 11 in relation to the road contributions.

Condition 11 states: “roadworks contribution of \$34,965 (1,665m @ \$21/m) is required in accordance with *Council’s Planning Scheme Policy No.3* (fees applicable for 2007/08 financial year)”.

In their letter (copy provided to Councillors) Council was requested to reconsider its *Planning Scheme Policy No. 3* in this particular case for the following reasons:

- *‘the subdivision of the existing allotment into two allotments will not cause any additional traffic to O’Donohue Road or cause any changes to the functioning of the roads in the vicinity as each allotment adjoins the Gatton Clifton Road.’*

- ‘Two meetings attended with Michael Lisle to obtain information re Council requirements for the proposed subdivision at which the Planning Scheme Policy No. 3 was never mentioned. I have since learned that at the time it was not fully determined. Had I known of this significant road contribution expense then I would have further considered this application.’

Comments

The owner was advised prior to submitting the application of the provisions of the *Planning Scheme* for rural subdivision including *Planning Scheme Policy No. 3* and that the road contributions would be assessed when the application was received by Council. In this instance the proposed lot is bound by multiple road frontages (4 roads), including 2 state controlled roads (Gatton Clifton Road & Greenmount Hirstvale Road).

Road contributions are the major cost component for rural subdivisions, and in this instance impacts on Council’s determination of this application. Council officers inspected the property on 23 July 2007 to assess the road issues and other matters relating to the proposal.

The application was received by Council on 15 June 2007 and included an authority to act on the owner’s behalf from Ian Rosenberger (Surveys) Pty Ltd. Council is required to correspond with the applicant (Rosenberger Surveys) on matters relating to the reconfiguration. The issue of a Decision Notice is Council’s formal response to an application.

Information regarding the *Planning Scheme* is available to the public on Council’s website and a copy of the policy is available upon request.

Proposed Lot 1 will use the existing access off Gatton Clifton Road (No contribution required - State controlled road)

Proposed Lot 2 will only be permitted road access via O’Donohoe Road. It was considered that a roadworks contribution of \$34,965 (1,665m @ \$21/m) would be required for the frontage of O’Donohoe Road in accordance with *Council’s Planning Scheme Policy No.3*. The 1,553m frontage to Gatton-Clifton Road and 544m frontage to the unconstructed Houston Road were not included in the roadworks contribution.

Resolution 05/1007

Moved by Cr Gordon, seconded by Cr Schmidt, that the applicant be advised that a roadworks contribution will be required in accordance with *Council’s Planning Scheme Policy No.3* and that Condition 11 remains unaltered.

Carried

A.4 Development Application RAL/07/14 for Reconfiguring a Lot (1 lot into 2 lots) described as Lot 1 SP203025, Parish of Hodgson situated at 129 Woodlands Road, Greenmount

Applicant: M Davison
Owner: Davison Land Holdings Pty Ltd

An application was received for the Reconfiguration of Lot (1 lot into 2 lots) described as Lot 1 SP203025, Parish of Hodgson situated at 129 Woodlands Road, Greenmount. A copy of concept plan, aerial photo and photos was provided to Councillors.

Planning Scheme

The property is included in the Rural Land Use Area of the *Planning Scheme*. The parent lot is situated in the Rural (Plains Landscape) Area of the *Planning Scheme* which requires a minimum lot size of 40ha and minimum road frontage of 200m to a road.

Proposal

The applicant proposes to subdivide Lot 1 on SP203025. Proposed Lot 1 will be 41.1395ha and have a frontage to Woodlands Road of 756.33m and Lot 3 will have an area of 37.6584ha. The area of proposed Lot 3 (37.6584ha) does not comply with the minimum requirements of 40ha area or 200m road frontage required by the *Planning Scheme*.

Referral Agencies

The application was referred to the Department of Natural Resources and Water (DNR&W) for advice on land management, surface and groundwater and soil conservation matters. The land is covered by a property Plan (Property Plan No SC300437 and known as Farm Unit Greenmount-3-k) under the *Soil Conservation Act 1986*. They advise :

‘Land resource mapping indicates that the subject area is good quality agricultural land (GQAL).

Consistent with the principles of *State Planning Policy1/91: Development and the Conservation of Agricultural Land* (SPP1/92), the proposed reconfiguration is considered **inappropriate** unless there is an overriding community need for the development and no other site is suitable for the particular purpose.

The Department is not supportive of development that would diminish the utility and productive capacity of good agricultural land where overriding community need cannot be demonstrated.

The proposed reconfiguration is **not** consistent with approved runoff control works required for the control of soil erosion; and **does not** relate to the natural features of the Lot.

If the proposed boundary was orientated to suit the approved soil conservation layout this would result in one lot being much less than the 40ha minimum subdivision size.

There are no groundwater or surface water licences attached to this land.’

A copy of this letter is attached for Councillors information.

The proposed boundaries follow the existing contour line and maintain the proposed boundary on the northern side of the existing waterway that receives run-off from Bridie Road.

Services

The proposed Lot 1 will retain the existing dwelling, farm sheds, bore and cultivated land while Lot 3 will contain only cultivated crop land which is identified as Good Quality Agricultural Land (Overlay Map 2). Electricity is available in this area.

The proposed development fronts Woodlands Road (sealed) and Bridie Road (gravel) and a contribution of \$18,963 (903m @ \$21/m) is required in accordance with Council's Planning Scheme Policy No.3. (fees applicable for 2007/08 financial year). This could be reduced to \$15,876 (756m @ \$21/m) if the guideline recommended for applying the policy has been adopted.

Comments

The reconfiguration will follow the existing contour line and maintain the proposed boundary between existing Lot 2 and proposed Lot 3 on the northern side of the existing waterway that receives run-off from Bridie Road.

An application (RAL/2006/16) for 2 lots into 3 lots was approved on 20 September 2006 and a Negotiated Decision issued on 28 November 2006 was not proceeded with. A subsequent application requesting a boundary realignment of existing Lot 2 RP23196 and Lot 3337 A341690 was approved by Council on 21 February 2007. A copy of the Registration Confirmation Statement has been received.

The smaller allotment (Lot 3) produced as a result of the proposed reconfiguration is 37.658ha and is in conflict with the acceptable solutions of Section 4.10.3 of the *Planning Scheme* and the application could be refused on the basis that the minimum area is less than 40ha and the minimum road frontage is less than 200m.

This development is also in conflict with the *State Planning Policy 1/92; Development and Conservation of Agricultural Land*, which states “*the fact that existing farm units and smallholdings are not agriculturally viable does not in itself justify their further subdivision or rezoning for non-agricultural purposes. Subdivision provisions and policies should be devised in a way that encourages amalgamation of titles where this would enhance farm viability.*”

The policy is not designed to inhibit restructuring and farm amalgamation, and, in some instances subdivision will be necessary to enable assimilation with adjoining properties. The key principle should be whether an overriding need in terms of benefit to the community can be demonstrated for the development of this particular location.

A more desirable outcome would be to reconfigure the existing Lots 1 and 2 into 3 lots that have a minimum area of 40ha, to be consistent with the intent of the Rural Land Use provisions of the *Planning Scheme*.

Resolution 06/1007

Moved by Cr Gordon, seconded by Cr MacGinley, that a development permit for reconfiguring a lot (1 lot into 2 lots) described as Lot 1 SP203025, Parish of Hodgson situated at 129 Woodlands Road, Greenmount be refused as the proposal does not comply with section 4.10.3 of the *Planning Scheme*.

Carried

A.5 Application RAL/07/16 for Reconfiguration of Lot (2 lots into 3 lots) on Lot 4 RP861284 and Lot 38 A3476, Parish of Ramsay situated at 296 Woods Road, Ramsay.

Applicant: S Corbould
Owner: Corbould Oakdene Pty Ltd & J Corbould

An application was received for the reconfiguration of Lot 4 RP861284 and Lot 38 A3476, situated at 296 Woods Road, Ramsay. The total area of land is 200.28ha. A copy of the concept plan, aerial photo, photos and advice from Department of Natural Resources and Water was provided to Councillors.

Planning Scheme

The parent lot is situated in the Rural (Plains Landscape) Area of the *Planning Scheme* which requires a minimum lot size of 40ha and minimum road frontage of 200m to a road. The land is identified as containing some GQAL (Overlay Map 2) under the *Planning Scheme* and is subject to the provisions of *State Planning Policy 1/92 Development and Conservation of Good Agricultural Land* and its supporting guidelines.

It is intended that this resource be protected from inappropriate development that may adversely impact on its productive use by present and future generations. Inappropriate development includes that which may be sensitive to or incompatible with the normal impacts of agricultural activities, or that results in the alienation, loss or fragmentation of good quality agricultural land.

The land is identified as containing a pasture and a mixture of crop land classes.

Proposal

The applicant proposed to subdivide the existing 2 lots into 3 lots with 2 lots approximately 40ha each and the balance lot of approximately 120ha.

The existing lots are bounded by Woods Road to the north and Emu Creek to the south of Lot 38. Proposed Lots 4 and 5 will have a frontage to Woods Road. Proposed Lot 6 will have access via an easement over existing Lot 4.

Referral Agencies

The application was referred to the Department of Natural Resources, and Water (DNR&W) for advice on land management, surface and groundwater and soil conservation matters. The land is covered by property Plan (Greenmount-GRE-1-B) under the *Soil Conservation Act 1986*. (DNR&W) advise that the proposal does not prejudice the future implementation of the existing Soil Conservation Plan.

There are no ground water licences or notified overland flow works attached to this land.

Existing Services

Proposed Lot 6 will retain the existing dwelling and contain the cultivated crop land which is identified as Good Quality Agricultural Land (Overlay Map 2).

Woods Road is an existing gravel road. Electricity is currently only available to service part of the development.

Comments

The reconfiguration will subdivide the existing 200.29ha property into 3 lots. The proposed boundary follows established fence lines and contours and will allow for the inclusion of the vegetated slopes and high plateau country to be located in proposed lots 4 and 5. The sloping cultivated country falling to Emu Creek will be located in the balance of proposed Lot 6.

The Department of Natural Resources and Water have considered the application and have no issues if subdivided as proposed as the reconfiguration is consistent with the soil conservation plan of the locality.

The proposed subdivision includes an existing easement over Lot 4 (approved November 1993) to provide road access to Lot 38 on A3476 which is land locked. It may be preferable to have an access handle in lieu of this easement. To effect this, the existing easement would need to be added to Lot 6, and the boundaries between Lots 4/5 and 5/6 would need to be adjusted to achieve the minimum lot area requirements.

A road contribution of \$29,232 (1,392m @ \$21/m) will be required for the Woods Road frontage in accordance with Council's *Planning Scheme Policy No.3* and Fees and Charges for 2007/08. 3 corner truncations (approx 170m², 600m² and 930m²) will also be required to allow for future curve realignment on Woods Rd. Refer to attached Drawing No 121-0001.

Council could approve the proposal as the reconfiguration of lots is of an appropriate size and configuration to sustain the utility and productive capacity of the land for rural purposes and maintains the current land management practices.

Resolution 07/1007

Moved by Cr Middleton, seconded by Cr MacGinley, that a development permit be issued for reconfiguration of lots (2 lots into 3 lots) for land described as Lot 4 RP861284 and Lot 38 A3476 Parish of Ramsay situated at 296 Woods Road Ramsay subject to the following conditions:

General

1. Declared plants and any existing environmental weeds on the property are to be destroyed.
2. Authority be given to affix Council's Common Seal to the Plan of Survey and documents associated with this approval.
3. All outstanding rates and charges on the land are to be paid prior to the sealing of the Plan of Survey.
4. The contributions and infrastructure charges payable will be those fees and charges applicable at the time of sealing the Plan of Survey (the contributions and infrastructure charges specified below are the rates for 2007/08 financial year).
5. Payment of Department of Natural Resources and Water valuation fees of \$120 (3 x \$40) which will result from the issue of split valuations.
6. Payment of a sealing fee of \$100 per Plan of Survey.
7. Plan of Survey to be provided in electronic format for MGA Zone 56 (GDA 94) co-ordinates.
8. All development conditions must be complied with prior to the signing and sealing of the Plan of Survey.

Approved Plans

9. The reconfiguration is to be developed in accordance with the proposal plan (No 07/64) submitted by the applicant, as determined by Council.
10. The easement giving access to Lot 6 is to be converted to an access handle, and the other lot boundaries are to be adjusted to maintain 40Ha minimum lot sizes.

Electricity Supply

11. Developer to enter into an agreement with Ergon Energy to supply power to the development. The applicant is to submit advice from Ergon Energy that an agreement has been made to provide electricity mains at the applicant's cost to each new allotment, prior to the Plan of Survey being sealed by Council.

Roadworks

12. Dedication of three corner truncations (Refer to attached Drawing No.121-0001) for future curve realignments on Woods Rd. Applicant to meet all related costs.

Road Contributions

13. A roadworks contribution of \$29,232 (1,392m @ \$21/m) is required in accordance with Council's Planning Scheme Policy No.3. (fees applicable for 2007/08 financial year).

Referral Agency

14. The approved Soil Conservation Plan No Greenmount No 1 and part Cambooya No 5 is to be amended in accordance with the *Soil Conservation Act 1986*.

Carried

A.6 Application PSW/07/52 for an Oversized Shed with a wall height greater than 3m on Lot 34 SP199133 Parish of Cambooya situated at 26 Wellington Street, Wyreema.

Applicant: A Sparrow
Owner: A & K Sparrow

An application was received for an oversized shed with a floor area of 94.5m² and a wall height of 3.6m on Lot 34 SP199133 Parish of Cambooya situated at 26 Wellington Street, Wyreema with a land area of 2079m².

A copy of the proposal letter, letter stating they have no objection from the adjoining property owner, and site plan was provided to Councillors.

Policy

Council's policy requires that where buildings located in a Township or Rural Residential area exceed any of the following criteria they will be referred to Council for determination:

1. *Buildings greater than 110m² in floor area; or*
2. *Buildings greater than 3m above ground level at the eaves line; or*
3. *Buildings with any side of the building greater than 15m in length.*

Comments

The shed is proposed to be located approximately 25m from the eastern (rear) boundary and 1.5m from the northern (side) boundary. The shed will be a single story colorbond building with a wall height of 3.6m and a floor area of 94.5m².

The applicant states that the oversized shed will be used for the storage of a caravan. A letter of support has been submitted from the adjoining property owner at 28 Wellington Street stating they have no objection to the proposed oversized shed.

The proposed shed will be positioned at the rear of the proposed residence (not constructed). Council could approve the application as it is considered that the amenity of the adjoining properties will not be affected.

Resolution 08/1007

Moved by Cr Middleton, seconded by Cr Mengel, that a development permit be issued for a single story colorbond oversized shed with wall height of 3.6m and a floor area of 94.5m² on Lot 34 SP199133 Parish of Cambooya situated at 26 Wellington Street subject to the following conditions:

1. Usage is limited to home use and includes no direct or indirect commercial benefits, and no permanent occupation.
2. No external lighting other than sensor lighting is permitted.
3. Provide suitable landscaping around the building to minimise visual impacts.
4. The building is not to be used for human habitation.

Carried

The Manager Development Services provided verbal updates on the following matters:

4 Bell Street and 6 Bell Street

Advice has been provided to Council that the owners of the respective allotments had reached an agreement to “swap” allotments and were now resolving legal costs, etc., between themselves and other parties. It was agreed that Council would be responsible for labour, etc., to move the water meter.

Wyreema Skate Park

General discussion ensued regarding the painting of the skate ramp, installation of bins and water bubbler, erection of a shelter and signage. Further updates on the progress of these matters will be forthcoming at future Meetings as each project progresses. However, it was agreed that the Skate Park be officially opened on Saturday 8 December, 2007.

The Mayor thanked Manager Development Services, Director Engineering Services and staff involved in the work they have done towards finalising the skate park project.

School Signs Project

Manager Development Services advised that the signs are complete and currently in the Depot ready to be erected.

Residential Needs Study

The changes decided upon at the September workshop were still being undertaken by Precinct Urban Planning and it was planned that a draft be presented at the November Meeting, then advertised for public comment.

Attendance/Adjournment

At 10:35am the Manager Development Services retired from the meeting and the meeting adjourned for morning tea. The Meeting resumed at 11:20am with all attending members, the Chief Executive Officer, Director Engineering Services and Personal Assistant in attendance.

B) CORPORATE SERVICES

B.1 Accounts for Payment

Resolution 09/1007

Moved by Cr Schmidt, seconded by Cr Gordon, that the accounts paid during the month of September 2007 totalling \$796,196.61 be confirmed, as detailed below:

Operating Fund	Vouchers 18069 -18107	\$	183,958.85
	EFT Payments 6419 - 6574	\$	1,244,337.82
	(the above figures include \$50,335.00 Trust Fund Monies)		

Carried

B.2 Financial Statements (F\F1_2)

a) Income Statement

Received

At the conclusion of the main Agenda – Corporate Services the following **Late Agenda Items – Corporate Services** were tabled:

LA/CS.1 Annual Valuation Effective 30 June 2008

Correspondence has been received from the Department Natural Resources and Water advising that under section 37 of the *Valuation of Land Act 1944 (the Act)*, that a valuation of Cambooya Shire, to be effective on 30 June 2008, will be undertaken.

A copy of this correspondence was attached for Councillors information.

Received

LA/CS.2 Councillor Remuneration Tribunal

The Local Government Association of Qld Inc has provided a circular in relation to progress with the Councillor Remuneration issue. Legislation provides for the formation of a Tribunal by mid to late October. The Tribunal is tasked with inviting and considering public submissions and the circular indicates that submissions will close and form the basis of a report to the Minister by 7 January 2008.

The Tribunal will be classifying each Council using criteria as per Section 250 AI of the *Local Government Act 1993*.

A copy of the circular was provided for the information of Councillors.

Received**LA/CS.3 New LGAQ Executive Structure, Association Funding, Council Voting Entitlements and New Council Boundaries**

Council received a letter from the Local Government Association of Qld Inc forwarding a paper on various options for a new LGAQ Executive Structure, Association funding model, and Council voting entitlements at Annual Conferences, to address the impending reduction of the number of Queensland councils from 157 to 73. The Executive has resolved to hold a one day Special Conference on Friday 14 December 2007 to discuss and determine the issue. Changes are to be determined by a 2/3rds majority and the new arrangements are required to be in place from 1 June 2008.

Discussion regarding the above matter ensued and it was **resolved** that Council advise LGAQ:

1. That it agrees that the stakeholder principles adopted in 1992 will continue to provide a fair and equitable distribution of voting entitlements between members;
2. That it agrees that maintaining the current rules for Member voting entitlements is appropriate following the changes to Council boundaries;
3. That it considers that the Executive should contain 14 members, being one member for every 5 Councils, to maximize District representation; and

Further, that the Mayor and Chief Executive Officer be authorised to attend the Conference to be held in Brisbane on 14 December 2007, and to vote on this matter on Council's behalf.

LA/CS.4 Proposed "Regional" Application of Towards 2050 Community Planning Process Methodology

Toowoomba City Council advised that it has resolved to expand the 2050 methodology to other communities within the new Toowoomba Regional Council area. This suggestion has been forwarded to the Local Transition Committee for inclusion in its Transition Action Plan. A copy of this advice was provided for Councillors.

Resolution 10/1007

Moved by Cr Middleton, seconded by Cr MacGinley that Council provide a letter of support for the Proposed "Regional" Application of Towards 2050 Community Planning Process Methodology.

Carried

In the interests of time management it was **agreed** to bring forward the General Business matter relating to Raveway Pty Ltd for discussion.

Closed Meeting

The meeting closed at 12:15pm to discuss matters pertaining to Raveway Pty Ltd.

Resolution 11/1007

Moved by Cr Middleton, seconded by Cr Gordon, that the meeting be closed to the public to discuss other matters in accordance with Section 463(1)(f) of the *Local Government Act 1993*.

Re-opening of Meeting

The meeting re-opened at 12:21pm.

Resolution 12/1007

Moved by Cr Mengel, seconded by Cr Middleton, that the meeting be reopened to the public.

Resolution 13/1007

Moved by Cr Williams, seconded by Cr Middleton, that Council seek further advice in defence of the action brought by Raveway Pty Ltd against Council and that the CEO be authorised to act upon the advice received.

Carried

C) ENGINEERING SERVICES REPORT

C.1 Request for B-Double Route – Ramsay Road (WR1_15)

An application has been received at the Department of Main Roads from Darby Harvesting and Haulage to operate 25m B-Doubles on Ramsay Road (refer attached correspondence). Council has been asked to comment on the application.

The application is to operate from the existing as-of-right route on the New England Highway, on Ramsay Road to access Darby's property at 150 Ramsay Road, approximately 1.5km from the highway. Ramsay Road is a Council controlled road.

The information detailed below was provided as part of the Late Agenda (Item LA/ES.1) to complete this report.

The proposed route has been assessed in accordance with the Guidelines for Assessment of Routes for Restricted Access Vehicles, as endorsed at the Ordinary Meeting of Council held on 19 September 2007. The completed assessment checklist for the route is attached.

All requirements other than the dimensions of the existing property access are considered to be adequate. At present, large vehicles use a track on the northern shoulder of Ramsay Road before turning across the road into the property on the southern side of the road. This is a hazardous situation which can be removed by upgrading the gravel access to the property to allow B-Doubles to stay on the road while turning into the property, and on the correct side of the road while exiting the property. See attached diagram for approximate details of the access requirements.

Main Roads has also requested Council's comment on whether this should become an as-of-right route if approved for use, or remain as a permit route only. There are currently no as-of-right routes on any of Council's roads.

Resolution 14/1007

Moved by Cr Williams, seconded by Cr Gordon, that Council offer no objection for a 25m B-Double permit only to access 150 Ramsay Road on the condition that the gravel access is upgraded at the applicant's cost, as per the attached diagram, to allow B-Doubles to stay on the road when turning into the property, and to stay on the southern side of Ramsay Road when exiting the property.

Carried

At the conclusion of the Engineering Services – Agenda Items the Director Engineering Services advised Councillors of some discrepancies in the Information Report, namely:

2007/08 Capital Works Programme

- Kearney Street culvert should have read \$40,000 for expenditure to date and \$45,000 for anticipated final expenditure.

2007/08 Major Recoverable Works

- Bernoth Development (Kearney Street) - Expenditure to date should have read \$815,000 with \$840,000 for anticipated final expenditure.

Adjournment

The meeting adjourned for lunch at 12:32pm and resumed at 1:37pm with all members, the Chief Executive Officer, Director Engineering Services and Personal Assistant in attendance.

4. GENERAL BUSINESS

Appointment of Additional Proxy to Toowoomba Regional Council Local Transition Committee

Council's current delegates to the Toowoomba Regional Council Local Transitional Committee are Cr Taylor and Cr Williams. Cr Gordon has also been appointed as a proxy to the Committee. A number of other Councils have appointed a second proxy, and with meetings expected to be held fortnightly, alternating between local government centres, it may be advantageous for this Council to also appoint an additional proxy.

Resolution 15/1007

Moved by Cr Gordon, seconded by Cr Middleton, that Councillor Mengel be appointed as additional proxy to the Toowoomba Regional Council Local Transitional Committee.

Carried

Australia Day 2008

A meeting between the Mayor, CEO, PA and representatives of the Hodgson Vale Community Sport Club was held on Tuesday 16 October, for preliminary discussions in relation to hosting Australia Day 2008.

The Mayor, CEO and PA reported that the Hodgson Vale Community Sport Club are keen to host this event and incorporate the Council's official presentation of Australia Day Awards (including guest speaker) into the programme.

Initial discussions regarding advertising, entertainment, catering, etc., have also been agreed upon. It is expected that the Club's Secretary Leith Patterson and the PA will liaise to continue the progression of the event and an update on the progress will be provided at the next Meeting.

Councillors were also advised that nominations for Australia Day Awards will be closing on Monday 7 January 2008. It is planned that Councillors will meet on Tuesday 8 January to decide on awardees.

End of Year Meeting Dates

It was agreed that the December Ordinary Meeting of Council would be held on Wednesday 12 to be followed by Christmas lunch.

Minutes of Toowoomba Regional Council Local Transition Committee

As per the request from Cr Mengel at the August Meeting, a copy of the latest Local Transitional Committee meeting (24 September 2007) was included with the Meeting papers.

DDROC Minutes

A copy of the Minutes from the DDROC Meeting held on 28 September 2007 was enclosed for Councillors information. Items which may be of particular interest are:

1. The resignation of Chair Cr Ian Jones (Mayor – Clifton Shire Council) was recorded.
2. Cr Paul Antonio (Mayor – Millmerran Shire Council) was elected Chair.
3. Cr Ros Scotney (Mayor – Pittsworth Shire Council) was elected Deputy Chair.
4. The motion to wind up DDROC was withdrawn, with it being decided to pursue all options to enable DDROC to continue as a holding entity, until such time as its future is clearer following the March 2008 elections.

Cr Mengel

- Complimented all involved in Council's presentation and involvement at the Ergon Energy Carnival of Flowers.
- Advised that he had received a complaint about the state of the shadecloth in the park at Cambooya. It was advised that plans were in hand to replace shadecloths in various parks around the Shire.

Cr Schmidt

Advised that the Todd Road sign has been run over.

5. NEXT MEETING

The next Ordinary Meeting of Council will be held on 21 November 2007.

6. CLOSURE

There being no further business the Mayor closed the Meeting at 2:10pm.

Council at the Ordinary Meeting held on 21 November 2007 confirmed these minutes.

Certified Correct **MAYOR**