



General Meeting Agenda

**18 December 2012
Biggenden**

NOTICE OF GENERAL MEETING

To: Cr D Waugh (Mayor)
Cr FO Whelan (Deputy Mayor)
Cr KS Wendt OAM BEM
Cr PW Francis
Cr J Bowen
Cr J Dowling
Cr PW Lobegeier

Please be advised that the **General Meeting** of the North Burnett Regional Council will be held at the Biggenden Boardroom on **Tuesday 18 December 2012** commencing at 9.00am.

An agenda is attached for your information.



MJP Pitt
CHIEF EXECUTIVE OFFICER

Attendees	Agenda Item 1	Attendees	
Welcome	Agenda Item 2	Welcome / Housekeeping	
Apologies	Agenda Item 3	Apologies	
Declaration	Agenda Item 4	Declaration of Interest	
Deputations	Agenda Item 5	Deputations/Public Session	
Confirmation of Minutes	Agenda Item 6	Confirmation of Minutes	
	6.1	20 November 2012 – General Meeting Minutes – Mundubbera – Pages 195-204	005-014
	6.2	05 December 2012 – Policy and Planning Standing Committee Minutes – Biggenden – Pages 207-210	015-018
	6.3	05 December 2012 – Technical Services Standing Committee Minutes – Biggenden – Pages 211-214	019-022
Business Arising	Agenda Item 7	Business Arising	
Governance	Agenda Item 8	Governance	
	8.1	Native Title Report	023-027
	8.2	2012/2013 1 st Quarter Operational Plan Report	028-029
	8.3	Mundubbera Community Development Association – Waiver of Rates – Eidsvold Community Garden	030-035
	8.4	Gayndah – Drainage Easement	036-037
	8.5	Draft General Policy – Cemeteries	038-051
	8.6	Lease –Gayndah Historical Society Building – Gayndah Masonic Lodge	052-060
	8.7	Lease –Gayndah Historical Society Signage – Gayndah Masonic Lodge	061-070
	8.8	Tender Number 2318/2012-13/TTB/18 Lease of Lot 3 on MZ347	071-073
	8.9	Overdue Rates and Charges	074-083
	8.10	Overdue Rates and Charges – Acquisition of Valueless Land	084-087
	8.11	Financial Report	088-092
	8.12	Revenue and Expenditure Report	093-096

	8.13	Current Asset Position Report	097-098
	8.14	Final Audit Management Letter	099-117
Infrastructure	Agenda Item 9	Infrastructure	
	9.1	Private Burial Site – Lot 3 on RW740, Parish of Trevethan – Glencoe Road	118-120
Economic	Agenda Item 10	Economic	
	10.1	Vacant Land – Elizabeth Street, Mundubbera Jack Parr Street, Mundubbera	121-126
Social	Agenda Item 11	Social	
	11.1	Arts and Cultural Development – RADF Out of Rounds Application	127-128
	11.2	Monto Focus Group Advisory Committee Meeting – 24 October 2012	129-132
Environmental	Agenda Item 12	Environmental	
Confidential	Agenda Item 13	Confidential Reports	
	13.1	Confidential Report – Sale of Land	
	13.2	Confidential Report – Bores	
	13.3	Confidential Report – Proposed Road Closure	
	13.4	Confidential Report – Enterprise Bargaining Agreement	
Councillor Reports	Agenda Items 14	Councillor Reports	
	14.1	Cr DG Waugh, Mayor	133-134
	14.2	Cr FO Whelan, Deputy Mayor	135-137
	14.3	Cr KS Wendt OAM BEM	138
	14.4	Cr PW Francis	139
	14.5	Cr JF Dowling	140
	14.6	Cr WJ Bowen	141
	14.7	Cr PW Lobegeier	142-143
General Business	Agenda Item 15	General Business	
Closure of Meeting	Agenda Item 16	Closure of Meeting	

Attendees 714-11-2012 Councillors	Agenda Item 1 Cr DG Waugh, Mayor Cr FO Whelan, Deputy Mayor Cr PW Lobegeier Cr KS Wendt OAM BEM Cr JF Dowling Cr WJ Bowen Cr PW Francis	Attendees
Directors/Officers	Chief Executive Officer, MJP Pitt Director of Corporate Service, LD Hotz Director of Development and Environment Services, RJ Savage Director of Community Services, AM Jackson Administrative Assistant, SE Aberdeen Executive Assistant, NJ Zillman	
Welcome	Agenda Item 2	Welcome / Housekeeping
	The Mayor declared the meeting open at 9:05am and welcomed all attendees with the Church of England Minister, Carol Palmer leading the meeting in prayer.	
Apologies	Agenda Item 3	Apologies
	Nil Apologies.	
Declaration	Agenda Item 4	Declaration of Interest
	Nil Declarations.	
Deputations	Agenda Item 5	Deputations/Public Session
	Nil Deputations.	
Confirmation of Minutes 715-11-2012	Agenda Item 6 6.1 16 October 2012 – General Meeting Minutes – Mt Perry – Pages 181-192	Confirmation of Minutes
	Cr PW Francis moved and Cr FO Whelan seconded: That the minutes from the 16 October 2012 General Meeting held in Mt Perry as amended be adopted.	
		7/0 CARRIED
Business Arising	Agenda Item 7	Business Arising
	Nil Business Arising.	

Governance	Agenda Item 8	Governance
Native Title 716-11-2012	8.1 Native Title Report	
	Cr PW Lobegeier moved and Cr FO Whelan seconded: That the content of the report on Native Title be noted and the report be received for information.	7/0 CARRIED
Annual Report 717-11-2012	8.2 2011/2012 Annual Report	
	Cr PW Francis moved and Cr KS Wendt OAM BEM seconded: That the 2011/2102 North Burnett Regional Council Annual Report as amended be adopted and staff involved in the production be recognised.	7/0 CARRIED
General Policy 235 718-11-2012	8.3 General Policy 235 – Council Community Halls and Room Hire	
	Cr FO Whelan moved and Cr KS Wendt OAM BEM seconded: That General Policy 235 – Council Community Halls and Room Hire as presented, be adopted and the fees and charges for 2012/2013 be amended to reflect the bond for all licenced functions.	7/0 CARRIED
Forestry Plantation 719-11-2012	8.4 Forestry Plantation QLD – Binjour – Rates	
	Cr PW Lobegeier moved and Cr WJ Bowen seconded: That the report in relation to the Forestry Plantation Queensland – Binjour – Rates as presented be received as information.	7/0 CARRIED
Monto Lease 718-11-2012	8.5 Lease C on lot 86 on RP70358, Parish of Bailey	
	Cr PW Lobegeier moved and Cr WJ Bowen seconded: That Council receive the report regarding the lease over Lease C on Lot 86 on RP70358, Parish of Bailey, County of Rawbelle on the following conditions and offer the Monto Polocrosse Club Inc an option to their current agreement with the following conditions: 1. On completion of the lease agreement, the annual rent of ten dollars (\$10.00) per annum (to be paid annually in advance), and payment of costs associated with the preparation of the lease agreement is to be made; 2. Prior to any business action being undertaken at the site, Council permission must be sought and appropriate building/town planning approval must be obtained (if required); 3. Council is prepared to grant the lessee a lease for four (4) years with an option to renew for a further 2 x 4 year period. 4. That the lessee is granted permission to allow other not-for-profit organisations or private individuals access to the grounds (ie Monto Fly In Committee for their annual event), subject to written agreement and conditions from the lessees; 5. That Council is not called upon by any organisation in the future to provide in-kind support for the operation and maintenance of this leased area; 6. All water provided to and utilised on and in association with Lease C will attract a kL charge; and 7. All electricity provided to and utilised on and in association with Lease C will be borne by the Lessee.	7/0 CARRIED

Overdue Rates And Charges 719-11-2012	8.6 Overdue Rates and Charges Cr PW Lobegeier moved and Cr JF Dowling seconded: That the Overdue Rates and Charges Report as presented be received as information. 7/0 CARRIED
DOCS	LD Hotz withdrew and re-entered the meeting at 9:24am with Manager of Financial Services, JD Kronk in attendance.
Public Gallery	Sue Harris from the Central and North Burnett Times entered the meeting at 9:34am as part of the Public Gallery.
Financial Report 720-11-2012	8.7 Financial Report Cr PW Francis moved and Cr WJ Bowen seconded: That the Financial Report as presented be adopted and that the Manager of Finance Services prepare a report on the the value of the accruals taken up at 30 June 2012 and capital expenditure review to present at the next General Meeting. 7/0 CARRIED
Revenue and Expenditure 721-11-2012	8.8 Revenue and Expenditure Report Cr WJ Bowen withdrew and re-entered the meeting at 9:43am. Cr PW Francis moved and Cr JF Dowling seconded: That the Revenue and Expenditure Report as presented be adopted. 7/0 CARRIED
Current Asset Report 722-11-2012	8.9 Current Asset Position Report Cr PW Francis moved and Cr JF Dowling seconded: That the Current Asset Position Report as presented be received as information. 7/0 CARRIED
Community Grants 723-11-2012	8.10 Grants to Community Organisations Cr PW Francis moved and Cr WJ Bowen seconded: That the Grants to Community Organisations Report as presented be adopted. 7/0 CARRIED



ATTACHMENT A - APPLICATIONS FOR NORTH BURNETT REGIONAL COUNCIL FOR COMMUNITY GRANT FUNDING NOVEMBER 2012

Doc ID	Date Received	Organisation	Proposal Description	Event Date	Details	2011 / 2012 Sponsorship	Requested Cash Amount	Requested Inkind Estimate	Directors Recommend Cash Donation	Directors Recommend Inkind Donation	Project Budget Comments
274784	5/09/2012	Coalstoun Lakes Soldiers Memorial Hall	Place a 5000 gallon tank and slab at Memorial Hall	N/A	Supply Hall Kitchen and toilets with back up water tank	N/A	\$2,300		\$2,300		Total Project cost \$4,600
277962	24/09/2012	Apex Club of Biggenden	Christmas Fair Biggenden	15/12/2012	Sponsorship for Fire works at fair	\$1,500	\$1,500		\$750		
283963	11/10/2012	Mundubbera Bullarama	Annual Rodeo	01/12/2012	Sponsorship towards cost of annual Rodeo event	N/A	\$5,000	\$1,000	\$1,000		While the applicant only asked for cash I recommend the approval of an inkind component to cover expected rubbish services Total Project cost \$10,000
284251	23/10/2012	Mt Perry RSL Sub Branch	Anzac Day Breakfast	25/01/2013	Funding for Public Breakfast in Mt Perry	N/A	\$999		\$999		Total Project cost \$1000
285380	24/10/2012	Lucy Thompson	Sports Performance	26/10/2012	Sponsorship towards Sports Performance Competition participation	\$250	\$406		\$250		Total Project cost \$406
285645	25/10/2012	Dallarnil Sports Club Inc	Annual Rodeo Night	17/11/2012	Donation towards Advertising for the Event the the Hiring of the light system	\$950 plus \$200 for rubbish bins	\$950	\$200	\$950	\$200	Inkind for 10 rubbish bins and pick up
287421	1/11/2012	Mundubbera Cricket Ass	7-A-side Cricket Carnival, requesting generator, rubbish bins, use of Archer Park, Oval & community kitchen	2/02/2013	Applicant will need to be informed that the Community Kitchen cannot be waived. Clarification will be made that Council inkind assistance extends to delivery and pick up of rubbish bin but not event / rubbish clean up	\$900 inkind		\$900		\$900	Inkind based on prior effective expenditures

Donations Requested

Request for Cash Donations Received April - August 2012		\$11,155	
Request for In Kind Donations Received April - August 2012			\$2,100
Total Donations requested April - August 2012			\$13,255

Directors Recommendations

Recommended Request for Cash Donations Received October 2012			\$6,249	
Recommended Request for In Kind Donations Received October 2012				\$1,100
Total Donations Recommended for approval requested October 2012				\$7,349

EXPENDITURE OF DONATIONS 2012 - 2013 as per end of October 2012

J/Cost Reference	PAYEE	\$	Item
3955-1000-0014	Biggenden Historical Society	500	Grant towards Hospital restoration project
3955-1001-0009	Biggenden Auto Spectacular	999	Grant towards Auto Spectacular
3955-2000-0006	Eidsvold Aboriginal Housing	942.72	Grant towards NAIDOC week
3955-2001-0010	Eidsvold Hospital Auxilliary	36.68	Inkind mowing
3955-3000-0007	Gayndah Swim Club	1000	Grant towards March Relay
3955-3000-0045	Benjamin Kenny	250	Grant towards Sports Performance
3955-3000-0046	Stacey Duncan	250	Grant towards Sports Performance
3955-4001-0059	Monto Fly In	8,116.05	Inkind site preparations for Monto Fly In
3955-5001-0014	Mt Perry Dump Truck Pull	87.45	Inkind support towards Dump Truck pull
3955-5001-0016	Mt Perry Race Club	506.60	Inkind support
3955-6000-0024	CWA	56.72	Inkind mowing
3955-6000-0033	MCDA	724.89	Inkind donation
3955-7000-0003	Fruit Fly Mat Cup Program	236.36	Fruit Fly bait Cups
3955-7000-0007	NAIDOC	72.64	Inkind Support NAIDOC week
Total Grant Donations Expenditure		13,779.11	

- JD Kronk Manager of Financial Services withdrew from the meeting at 9:49am.
- Standing Committee 8.11 Standing Committee Meeting Date Change
724-11-2012
- Cr PW Lobegeier moved and Cr KS Wendt OAM BEM seconded: That the next Standing Committee be scheduled for the 05 December 2012 and a notification of change of date be advertised in the Central and North Burnett Times. **7/0 CARRIED**
- Infrastructure **Agenda Item 9 Infrastructure**
- Presented as a late agenda item.
- Economic **Agenda Item 10 Economic**
- RMWABC 10.1 RM Williams Australian Bush Learning Centre Report
725-11-2012
- Cr PW Francis moved and Cr FO Whelan seconded: That the RM Williams Australian Bush Learning Centre Report as presented be received as information. **7/0 CARRIED**
- RDA 10.2 Regional Development Australia Fund
- Presented as a late agenda item.
- Social **Agenda Item 11 Social**
- RADF 11.1 Arts and Cultural Development – RADF Out of Rounds Application
726-11-2012
- Cr PW Lobegeier moved and Cr KS Wendt OAM BEM seconded: That Council adopts the Arts and Cultural Development RADF report as provided, and ratifies the North Burnett Regional RADF Committee’s recommendation to approve the application from the Mundubbera Enterprise Association. **7/0 CARRIED**
- ROC Up Donation 11.2 R.O.C. UP Concert Barbecue Donations
727-11-2012
- Cr FO Whelan moved and Cr JF Dowling seconded: That Council donates the R.O.C. UP Concert Barbecue to the QWCA Monto Branch. **7/0 CARRIED**
- Motor Home Rally 11.3 2013 CMCA Solo’s Network Motor Home Rally – Biggenden
728-11-2012
- Cr KS Wendt OAM BEM moved and Cr FO Whelan seconded: That Council support the 2013 CMCA Solo’s Network Motor Home Rally at Biggenden in-principle and that the Director of Community and Cultural Services investigate the placement of a North Burnett tourism stand as part of the event. **7/0 CARRIED**
- Environmental **Agenda Item 12 Environmental**
- Vector Survey 12.1 Approved Inspection Program for Vector Survey
729-11-2012
- Cr PW Francis moved and Cr PW Lobegeier seconded: That the Approved Inspection Program for Vector Survey Report as presented, be received as information. **7/0 CARRIED**

**NORTH BURNETT REGIONAL COUNCIL
GENERAL MEETING
MINUTES – MUNDUBBERA – 20 NOVEMBER 2012 – 9:00AM**



Cr KS Wendt OAM BEM	Cr KS Wendt OAM BEM withdrew and re-entered the meeting at 10:08am.
Late Reports 730-11-2012	Cr PW Francis moved and Cr PW Lobegeier seconded: That the Late Agenda Items be received.
DOTS	Director of Technical Services entered the meeting at 10:20am.
RDA Submission 731-11-2012	<p>Cr PW Francis moved and Cr KS Wendt OAM BEM seconded: That Director of Community and Cultural Services, Director of Technical Services and Cr PW Francis and Cr PW Lobegeier progress an Expression of Interest for the Monto Streetscape as the preferred project to be put forward for the Regional Development Australia – Regional Development Australia Fund, Round 3 – Supporting Small Towns.</p> <p>Further, that the Expression of Interest for this project be forwarded to Regional Development Australia via email at rdaf@regional.gov.au prior to 5.00pm Thursday, 6 December 2012. 7/0 CARRIED</p>
Paradise Submission 732-11-2012	<p>Cr PW Lobegeier moved and Cr KS Wendt OAM BEM seconded: That the Director of Community and Cultural Services prepare a Paradise Dam Development submission to propose for a future Regional Development Round. 7/0 CARRIED</p>
Morning Tea	The meeting adjourned for Morning Tea at 10:38am and resumed at 11:06am.
Petition 733-11-2012	<p>Cr PW Francis moved and Cr JF Dowling seconded: That the Petition submitted by the Residents of Monal Creek on the Temporary Crossing at the Waratah Bridge, Monal Creek be received and forwarded to appropriate State and Federal Representatives including the Deputy Premier and the Federal Member for Flynn. 7/0 CARRIED</p>
B-Double Application 734-11-2012	<p>Cr PW Francis moved and Cr KS Wendt OAM BEM seconded:</p> <ol style="list-style-type: none">1.) That the schedule of minor improvements as identified in the associated report be forwarded to the B-Double applicant and Goondicum Mine Operators seeking their written commitment to undertake the improvements in the identified timeframes,2.) That subject to receipt of suitable unconditional agreement for the minor improvements, “the Department of Transport and Main Roads be advised that Council endorses approval of the permit application for 23 metre B-Double vehicles to travel from Gladstone-Monto Rd to Goondicum Mine site via Cannindah Rd, Dakiel Rd, Balls Rd and Hays Rd within the North Burnett Regional Council area subject to:<ol style="list-style-type: none">a. A maximum speed limit of 60 kph is to be observed by B-Double transports along the route, except where official traffic signs indicate a lower speed, andb. The applicant funding and maintaining the road, to the satisfaction of North Burnett Regional Council, similar to its condition during a field inspection on 1 November 2012 as per the agreement between the Mine Operators and North Burnett Regional Council, andc. The applicant funding, constructing and maintaining minor upgrades to the existing road infrastructure as agreed between Council and the applicant in accordance with the timeframe in that agreement, andd. use of this route by B-Double transports, parts of which are used as a

school bus route, is to be restricted to outside the hours of 7.30am to 9.00am and 3.00pm to 4.30pm on school days.

3) That the applicant be advised of Council's decision relating to this particular application. **7/0 CARRIED**

Rural Addresses
735-11-2012 Cr WJ Bowen moved and Cr FO Whelan seconded: That the following amendments be made to rural addresses at Byrnestown.

- 1) Install new signage at the intersection of Shamrock Street and Dobson Road;
- 2) The road known as Cemetery Road to be officially named Cemetery Road and Department of Environment and Resources advised accordingly;
- 3) To place Dobsons Road on the local register;
- 4) To identify property L9RP22008 as 275 Cemetery Road once Cemetery Road is officially known; and
- 5) To identify property L7RP863067 as 18 Dobsons Road, Byrnestown. **7/0 CARRIED**

Confidential **Agenda Item 13** **Confidential Reports**

JF Dowling Cr JF Dowling proposed a declaration of interest with Confidential Report 13.1 Administrative Action Complaint – Permitting Overnight Camping at Gayndah Showgrounds and withdrew from the meeting at 11:21am.

JD Kronk Manager of Financial Services entered the meeting at 11:21am

Closed Session
736-11-2012 Cr PW Lobegeier moved and Cr PW Francis seconded: That in accordance with

Section 72(h) of the Local Government (Operations) Regulation 2010 the meeting be closed to the public to allow discussion regarding other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage. **6/0 CARRIED**

Open session
737-11-2012 Cr PW Francis moved and Cr KS Wendt OAM BEM seconded: That in accordance with Section 72(h) of the Local Government (Operations) Regulation 2010 the meeting be re-open to the public. **6/0 CARRIED**

Gayndah
Showgrounds
738-11-2012 13.1 Administrative Action Complaint – Permitting Overnight Camping at Gayndah Showgrounds

Cr PW Francis moved and Cr FO Whelan seconded:

- 1) That Council review the camping activities at Gayndah Showgrounds to ensure that they, are consistent with the purpose of the Reserve, are in accordance with its lease to Gayndah Show Society and do not compete directly against the private caravan parks in Gayndah; and
- 2) That Council review the activity in consideration of the Local Government (Beneficial Enterprises and Business Activities) Regulation 2010 (and the Code of Competitive Conduct) in view of the potential impact the activity may have on private businesses in Gayndah. **6/0 CARRIED**

Cr JF Dowling Cr JF Dowling re-entered the meeting at 11:31am.

- Closed Session
739-11-2012
- Cr WJ Bowen moved and Cr PW Francis seconded: That in accordance with Section 72(h) of the Local Government (Operations) Regulation 2010 the meeting be closed to the public to allow discussion regarding other business for which a public discussion would be likely to prejudice the interests of the local government or someone else, or enable a person to gain a financial advantage. **7/0 CARRIED**
- Cr KS Wendt
OAM BEM
- Cr KS Wendt OAM BEM withdrew and re-entered the meeting at 12:07pm.
- Open Session
740-11-2012
- Cr PW Francis moved and Cr JF Dowling seconded: That in accordance with Section 72(h) of the Local Government (Operations) Regulation 2010 the meeting be re-open to the public. **7/0 CARRIED**
- Lunch
- The meeting adjourned for lunch at 12:39pm and resumed at 1:30pm.
- Purchase of Land
741-11-2012
- 13.2 Proposed Purchase of Lot 2 on RP168734 QLD Rail to North Burnett Regional Council
- Cr PW Francis moved and Cr PW Lobegeier seconded:
1. That the report in relation to the proposed purchase of land from Queensland Rail (QR) National Located on Lot 2 on RP168734, Parish of Bailey (32 Saleyards Road, Monto) be received;
 2. Council endorse Cr Waugh and Director of Corporate Services action in negotiation of purchase of land for nominal purchase price of \$10,000 (exc GST);
 3. Provision be made in the 2012/2013 revised capital works budget for this purchase; and
 4. Contract documents be signed on receipt with payment being made within 30 days of signing. **7/0 CARRIED**
- Rates Rebate
742-11-2012
- 13.3 Rates Rebate – New Residential Dwellings
- Cr PW Lobegeier moved and Cr PW Francis seconded: That the Council Rate Rebate – New Residential Dwellings Report as information and that the New Residential Dwelling Rate Rebate Policy as amended, be adopted. **7/0 CARRIED**
- Stormwater
Drainage
743-11-2012
- 13.4 Stormwater Drainage Easements – Elizabeth Street Biggenden
- Cr KS Wendt OAM BEM moved and Cr WJ Bowen seconded:
1. That the report in relation to the stormwater drainage and Easement B on plan SP24117 be received; and
 2. That Council undertake the relocation of the open stormwater drain this financial year, on the proviso that the owner signs the easement agreement prior to commencement of work. **7/0 CARRIED**

Earth Berm and
Infrastructure
745-11-2012

13.5 Relocation of Earth Berm and Infrastructure Charges, 14 Elizabeth Street
Biggenden

Cr KS Wendt OAM BEM moved and Cr PW Francis seconded:

1. That the report in relation to the two issues raised in Rose Bryers email/letter be received;
2. That Council resolve to:
 - a. Withdraw the requirement for Rose Bryer and Harkins Property Investments P/L to pay Infrastructure Charges of \$6,000; and
 - b. Undertake the relocation of the existing earth berm and reinstatement of it wholly within proposed easement C at no cost to the property owners.

7/0 CARRIED

Development
Application
746-11-2012

13.6 Development Application WILLMAC and HIMAC

Cr PW Francis moved and Cr JF Dowling seconded: That in regard to the revised reconfiguration plan provided by representative of Willmac and Himac P/L dated 19 October 2012 Council does not raise any objection to settling the matter based on this plan subject to the lease area being removed and standard planning conditions for easements and accesses be applied in accordance with the former Gayndah Shire Planning Scheme.

7/0 CARRIED

Councillor Reports
747-11-2012

Agenda Items 14 Councillor Reports

Cr PW Francis moved and Cr KS Wendt OAM BEM seconded: That the Councillor Reports be received.

7/0 CARRIED

- 14.1 Cr DG Waugh, Mayor
- 14.2 Cr FO Whelan, Deputy Mayor
- 14.3 Cr KS Wendt OAM BEM
- 14.4 Cr PW Francis
- 14.5 Cr JF Dowling
- 14.6 Cr WJ Bowen
- 14.7 Cr PW Lobegeier

General Business

Agenda Item 15 General Business

Fire Levy
748-11-2012

Cr FO Whelan moved and Cr PW Francis seconded: That the Director of Technical Services investigate the option of applying the North Burnett fire levy to provide adequate communication in isolated forest country within the region and provide a further report to Council.

7/0 CARRIED

Fire Siren
749-11-2012

Resolved: That the Director of Technical Services follow-up on the maintenance of the Mundubbera fire siren.

- Counselling Services
750-11-2012 Cr FO Whelan moved and Cr PW Francis seconded: That the Chief Executive Officer correspond with the Minister for Communities, Child Safety and Disability Services, Hon Tracy Davis MP on the subject of maintaining the community counselling services within the North Burnett including Farm Financial Counselling. **7/0 CARRIED**
- Christmas Decorations
751-11-2012 Resolved: That the Director of Technical Services liaise with the Facilities Officer to complete an audit of the current Christmas Decorations owned by Council.
- Mt Perry Toilets
752-11-2012 Resolved: That Director of Technical Services task the Facilities Officer to organise for hooks to be placed on the back of the toilet doors in the Mt Perry female toilets.
- Monto Memorial
753-11-2012 Cr PW Francis moved and Cr PW Lobegeier seconded: That the Director of Technical Services arrange for inspection of Kenny Russell monument in Monto and presented a report to Council of the cost of maintenance of the memorial. **7/0 CARRIED**
- Line Marking
754-11-2012 Resolved: That the Director of Technical Services provide an update on the line marking programme in the North Burnett.
- Cania Dam Facility
755-11-2012 Resolved: That a meeting between the Cania Dam Advisory Committee and Technical Services be convened to progress the Cania Dam Facility Project.
- Rubbish Bins
759-11-2012 Cr PW Lobegeier moved and Cr JF Dowling seconded: That the Director of Development and Environment Services investigate the replacement and cost of suitable rubbish bins for the regions town centres and provide a report to a future Council meeting. **7/0 CARRIED**
- Clothing Purchase
760-11-2012 Cr WJ Bowen moved and Cr PW Francis seconded: That the Correspondence from a local Gayndah business with regards to the purchase of safety clothing be received with the Chief Executive Officer to respond to the request. **7/0 CARRIED**
- Corporate Plan
761-11-2012 Cr PW Francis moved and Cr PW Lobegeier seconded: That pursuant to the Local Government Act 2009, North Burnett Regional Council proposes to develop a Corporate Plan for the period 2013 to 2018. **7/0 CARRIED**
- JD Kronk
Manager of Finance Services withdrew from the meeting at 2:27pm.
- Councillor Function
762-11-2012 Resolved: That the Councillor Christmas Function be held in Monto on Saturday 8 December 2012.
- Closure of Meeting **Agenda Item 16** **Closure of Meeting**
There being no further business the meeting closed at 2:31pm.

Presented to Council at its General Meeting held on 18 December 2012 and confirmed.

Mayor

Attendees	Agenda Item 1	Attendees
Councillors	Cr DG Waugh (Mayor) Cr FO Whelan (Deputy Mayor) Cr KS Wendt OAM BEM Cr JF Dowling Cr WJ Bowen Cr PW Francis Cr PW Lobegeier	
Directors	Chief Executive Officer, MJP Pitt Director of Community and Cultural Services, AM Jackson Director of Technical Services, KG Palmer Assistant Director of Technical Services, TJ Harvey	
Officers	Administration Assistant, SE Aberdeen Executive Assistant, NJ Zillman	
Welcome	Agenda Item 2	Welcome / Housekeeping
	The Mayor declared the meeting open at 9:03am and welcomed all attendees.	
Apologies	Agenda Item 3	Apologies
	Cr FO Whelan moved and Cr PW Lobegeier seconded: That a leave of absence be granted for the Director of Corporate Services, LD Hotz and the Director of Development and Environment Services, RJ Savage.	
	7/0 CARRIED	
Declaration	Agenda Item 4	Declaration of Interest
	Cr JF Dowling proposed a material personal interest with the late agenda item – De Nobrega Fuel Storage Material Change of Use due to personal employment.	
Deputations	Agenda Item 5	Deputations
	The Citizenship Ceremony of Alexander, Alexandra and Jennifer Calderon of Mulgildie and Deirdre Golchert of Gayndah will commence at 10:15am.	
Governance Report	Agenda Item 6	Governance Report
	Community Development Projects Officer, P Kellenberg entered the meeting at 9:04am to discuss Agenda Item 6.1 Statutory Policy 113 and 102 Review.	
	Mayor, Cr DG Waugh withdrew from the meeting at 9:19am with the Deputy Mayor Cr FO Whelan occupying the position chairperson in the Mayor’s absence.	

Statutory Policy 6.1 Statutory Policy 113 and 102 Review

Cr PW Francis moved and Cr PW Lobegeier seconded:

1. That Policy 113 Not-For-Profit Community Organisation as amended be adopted and further, become effective as of 1 January 2013.

The endorsed amendments are:

- Statutory Policy 113 deals with the definition of Not-For-Profit Organisations and no longer contains elements dealing with the scope of funding. Elements dealing with the scope of funding have moved to Policy 102 Grants to Community Organisations
- Statutory Policy 113 contains a yearly renewal process to update the list of eligible Not-For-Profit Organisations

2. That Policy 102 Grants to Community Organisations as amended be adopted and further, become effective as of 1 January 2013.

The endorsed amendments are:

- Removal of elements relating to a 3 monthly grants round as per resolution 615-096-2012 in favour of a monthly review of applications
- Inclusion of the section dealing with the scope of Funding Subsidies / In kind support to Not-For-Profit Organisations from Statutory Policy 113 Not-For-Profit Community organisations. Of this inclusion, removal of the points 10-19 on page 37 of the Agenda document which deals with the scope of funding subsidies and therefore removing points which present duplication within Policy 102.

6/0 CARRIED

The Mayor re-entered at 9:23am and P Kellenberg withdrew from the meeting.

Meeting Schedule 6.2 North Burnett Regional Council Meeting and Workshop Schedule

Cr PW Lobegeier moved and Cr JF Dowling seconded: That Council conduct the following Council meetings and Workshops during 2013 commencing at 9:00am and at the office meeting room of the locations as amended.

7/0 CARRIED

DATE	MEETING	LOCATION	DEADLINE 8:00am
15 Jan 13	General	Eidsvold	04 Jan 13
19 Feb 13	General	Gayndah	08 Feb 13
19 Mar 13	General	Monto	08 Mar 13
16 Apr 13	General	Mt Perry	05 Apr 13
28 May 13	General	Mundubbera	10 May 13
25 Jun 13	General	Gayndah	07 Jun 13
23 Jul 13	General	Eidsvold	05 Jul 13
20 Aug 13	General	Biggenden	09 Aug 13
17 Sep 13	General	Monto	06 Sep 13
15 Oct 13	General	Mt Perry	04 Oct 13
19 Nov 13	General	Mundubbera	08 Nov 13
17 Dec 13	General	Biggenden	06 Dec 13

DATE	MEETING	LOCATION
25 Jun 13	Special Budget	Gayndah

DATE	MEETING	LOCATION	DEADLINE 8:00am
05 Feb 13	Standing Committee	Mundubbera	25 Jan 13
05 Mar 13	Standing Committee	Monto	22 Feb 13
02 Apr 13	Standing Committee	Mt Perry	22 Mar 13
07 May 13	Standing Committee	Gayndah	26 Apr 13
04 Jun 13	Standing Committee	Eidsvold	24 May 13
09 Jul 13	Standing Committee	Biggenden	21 Jun 13
06 Aug 13	Standing Committee	Mundubbera	26 Jul 13
03 Sep 13	Standing Committee	Mt Perry	23 Aug 13
01 Oct 13	Standing Committee	Monto	20 Sep 13
03 Dec 13	Standing Committee	Gayndah	22 Nov 13

Resolved: That a leave of absence be granted for Cr PW Francis from 14-24 January 2013, Cr KS Wendt OAM BEM from 22 February -01 March and 20-27 March 2013 and the Mayor from 22 December 2012 - 02 January 2013.

Infrastructure Report **Agenda Item 7** **Infrastructure Report**

Airport Concept Plan 7.1 Final Draft North Burnett Strategic Airport Concept Plan

Cr PW Lobegeier moved and Cr KS Wendt OAM BEM seconded: That the draft North Burnett Strategic Airport Concept Plan be advertised and distributed for public comment from Monday 10 December, 2012 until 5:00pm 31 January 2013, in order to collate comments, corrections or amendments prior to the formal adoption of the draft report.

7/0 CARRIED

Economic Report **Agenda Item 8** **Economic Report**

Development Statistics 8.1 Development Statistics October 2012

Cr PW Francis Cr KS Wendt OAM BEM: That the Development Statistics October 2012 report be received as information.

7/0 CARRIED

Social Report **Agenda Item 9** **Social Report**

Community Transport 9.1 Community Transport Report

Cr KS Wendt OAM BEM moved and Cr PW Francis seconded: That Council provide feedback to the draft report and endorse the distribution of the draft report to key stakeholders and the general North Burnett for public comment until the closing date of 31 January 2013.

7/0 CARRIED

Cr JF Dowling Cr JF Dowling withdrew from the meeting at 9:57am due to a material personal interest in late agenda item - Decision Notice.

Late Items Cr PW Francis moved and Cr PW Lobegeier seconded: That the late agenda items be received. **6/0 CARRIED**

The Mayor withdrew from the meeting at 10:04am with the Deputy Mayor taking over the chair.

The Mayor re-entered the meeting at 10:07am.

Decision Notice Cr PW Francis moved and Cr KS Wendt OAM BEM seconded: That Council approve the Decision Notice Material Change of Use for Fuel Storage Depot at Rifle Range Road Gayndah and Councils Development Services advised to progress the application.

6/0 CARRIED

Cr JF Dowling Cr JF Dowling re-entered the meeting at 10:08am.

National Apology Day Cr PW Francis moved and Cr FO Whelan: That the Director of Community and Cultural Services submit an application for funding for National Apology Day as requested by Eidsvold Aboriginal Housing.

FOR THE MOTION

Cr FO Whelan

Cr KS Wendt OAM BEM

Cr PW Francis

Cr PW Lobegeier

Cr JF Dowling

Cr WJ Bowen

AGAINST THE MOTION

Cr DG Waugh

6/1 CARRIED

TJ Harvey TJ Harvey withdrew from the meeting at 10:12am and re-entered at 10:13am.

Closure of Meeting **Agenda Item 10 Closure of Meeting**

There being no further business the meeting closed at 10:15am.

Presented to Council at its General Meeting held 18 December 2012 and confirmed.

Mayor

Attendees	Agenda Item 1	Attendees
Councillors	Cr DG Waugh (Mayor) Cr FO Whelan (Deputy Mayor) Cr KS Wendt OAM BEM Cr JF Dowling Cr WJ Bowen Cr PW Francis Cr PW Lobegeier	
Directors	Chief Executive Officer, MJP Pitt Director of Community and Cultural Services, AM Jackson Director of Technical Services, KG Palmer Assistant Director of Technical Services, TJ Harvey	
Officers	Administration Assistant, SE Aberdeen Executive Assistant, NJ Zillman	
Welcome	Agenda Item 2	Welcome / Housekeeping
	The Mayor declared the meeting open at 10:53am and welcomed all attendees.	
Apologies	Agenda Item 3	Apologies
	Cr PW Francis moved and Cr FO Whelan seconded: That a leave of absence be granted for the Director of Corporate Services, LD Hotz and the Director of Development and Environmental Services, RJ Savage. 7/0 CARRIED	
Declaration	Agenda Item 4	Declaration of Interest
	Nil Declarations.	
Deputations	Agenda Item 5	Deputations
	Nil Deputations.	
Infrastructure Report	Agenda Item 6	Infrastructure Report

Internal Report 6.1 Technical Services Internal Section Report

Cr PW Lobegeier moved and Cr PW Francis seconded: That the Director of Technical Services convene a meeting with the Infrastructure Portfolio Councillors, Cr PW Lobegeier, Cr FO Whelan and the Mayor to discuss the progression of the current Technical Services Corporate Management Plan.

FOR THE MOTION

Cr DG Waugh

Cr FO Whelan

Cr KS Wendt OAM BEM

Cr WJ Bowen

Cr PW Francis

Cr PW Lobegeier

AGAINST THE MOTION

Cr JF Dowling

6/1 CARRIED

Fluoridation Cr JF Dowling moved and Cr PW Lobegeier seconded: That the Assistant Director of Technical Services provide a report to Council on the regulation of fluoridation in the North Burnett and the guidelines associated with fluoridation and Queensland Health.
7/0 CARRIED

Mulgildie Bore Resolved: The Assistant Director of Technical Services presented a verbal report of the Mulgildie Water Supply and town bore status.

Chemical Unit 6.2 Chemical Spray Unit

Cr KS Wendt OAM BEM moved and Cr PW Francis seconded: That Council adopt the proposed fee structure which will ensure controlled and continued use of the equipment.

7/0 CARRIED

Depot Dwelling 6.3 Dwelling at Mundubbera Depot

Cr PW Francis moved and Cr KS Wendt OAM BEM seconded: That the dwelling be offered for sale for relocation either by auction or tender.

7/0 CARRIED

B-Double 6.4 B-Double Route Application

Cr PW Francis moved and Cr WJ Bowen seconded:

1. That Council initiate negotiations with the owner / licensee of the grid on St John's Goldfield Rd off Eidsvold-Theodore Rd, together with Maroon Feedlot for the widening of the grid to 2-lane operation (min 6.0m wide) with appropriate signage,
2. Subject to agreement being reached for the widening of the grid prior to any 25m B-Double approval/usage,
 - a. the Department of Transport and Main Roads be advised that Council endorses, with conditions, approval of the 25m B-Double application for access to Maroon Feedlot at 215 St John's Goldfield Rd off Eidsvold-Theodore Road, as requested in application BD1027 subject to the following conditions:
 - I. a maximum speed limit of 60kph is to be observed by BDouble transports on this route, except where official traffic signs indicate a lower speed, and
 - II. the operation of B-Double transports on these roads is to be suspended in the event of rainfall of 20mm or more being received in the

area. Such access is to be restricted until such time as the road pavements and gullies dry sufficiently to prevent damage to the road surface by B-Doubles using the road.

b. Council undertake maintenance action of the road including installation of guide posts, signage and removal of large trees on outside of the tight curve

c. The applicant be advised of Council's decision relating to this particular B-Double Additional Route Application.

7/0 CARRIED

Addendum
B-Double

6.5 Addendum B-Double Report

Cr PW Francis moved and Cr PW Lobegeier seconded: That based on the re-inspection of the proposed route on 1 November 2012 and identification of proposed infrastructure improvements, it is recommended:

1) That the schedule of minor improvements as identified in the associated report be forwarded to the B-Double applicant and Goondicum Mine Operators seeking their written commitment to undertake the improvements in the identified timeframes,
2) That subject to receipt of suitable unconditional agreement for the minor improvements, "the Department of Transport and Main Roads be advised that Council endorses approval of the permit application for 25 metre B-Double vehicles to travel from Gladstone-Monto Rd to Goondicum Mine site via Cannindah Rd, Dakiel Rd, Balls Rd and Hays Rd within the North Burnett Regional Council area subject to:

- a. A maximum speed limit of 60 kph is to be observed by BDouble transports along the route, except where official traffic signs indicate a lower speed, and
- b. The applicant funding and maintaining the road, to the satisfaction of North Burnett Regional Council, similar to it condition during a field inspection on 1 November 2012 as per the agreement between the Mine Operators and North Burnett Regional Council, and
- c. The applicant funding, constructing and maintain minor upgrades to the existing road infrastructure as agreed between Council and the applicant in accordance with the timeframe in that agreement, and
- d. use of this route by B-Double transports, parts of which are used as a school bus route, is to be restricted to outside the hours of 7.30am to 9.00am and 3.00pm to 4.30pm on school days.

3) That the applicant be advised of Council's decision relating to this particular application.

7/0 CARRIED

Future TIDS

6.6 Future TIDS Project Program

Cr PW Lobegeier moved and Cr JF Dowling seconded: That Council endorse the revised program.

7/0 CARRIED

Staatz Road

6.7 Staatz Road Safety Review

Cr PW Lobegeier moved and Cr FO Whelan seconded: That the report be received and the proposed work as detailed in Table 1 be endorsed.

7/0 CARRIED

Disable Access

6.8 Access for All – Disable Access

Resolved: That agenda item 6.8 Access for All – Disabled Access be presented at a future meeting.

Cania Dam

6.9 Cania Dam Recreation Facility Verbal Report

Resolved: That the Director of Technical Services progress the Cania Dam Recreation Facility project and maintain the original budget by reducing the scope of the project.

Monto Streetscape Cr KS Wendt OAM BEM moved and Cr FO Whelan seconded: That Council contribute additional funds to a total of \$50,000 to the Regional Development Australia - Monto Streetscape submission from the 2013-2014 Capital Works footpath budget.

7/0 CARRIED

Cr PW Francis moved and Cr PW Lobegeier seconded: That the Director of Technical Services contact the Department of Transport and Main Roads to request that an alternative design, including the possibility of a round-a-bout for the Monto rail crossing.

7/0 CARRIED

Closure of Meeting **Agenda Item 7** **Closure of Meeting**

There being no further business the meeting closed at 12:06pm

Presented to Council at its General Meeting held on 18 December 2012 and confirmed.

Mayor

*File: 5.2.08
Responsible Officer: Mark Pitt – CEO
Report prepared by: Mark Pitt – CEO*

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with advice on the progress of Native Title applications.

2 INTRODUCTION/BACKGROUND

Council was a party to the Wakka Wakka #2 ILUA (QI2008/027) finalised in 2009.

Djaku-nde Jangerie Jangerie; Application it is understood that this has now been discontinued. No further action required.

Council considered this matter at the General meeting of 21 February 2012 with the follow resolution being adopted:

097-02-2012: *Cr KS Wendt OAM BEM moved and Cr FO Whelan seconded: That the content of the report on Native Title be noted and the report received for information.
CARRIED 7/0*

Council again considered this matter at the General meeting of 18 September 2012 with the follow resolution being adopted:

604-09-2012: *Cr PW Francis moved and Cr PW Lobegeier seconded: That the content of the Native Title Report be noted and the report be received as information. The Chief Executive Officer confirmed that onsite cultural training is available for foreman and supervisors.*

*Further, that the Chief Executive Officer send a copy of the Native Title Respondent Funding Scheme to the Federal Member for Flynn, Ken O’Dowd MP and Federal Member for Hinkler, Paul Neville MP and that a report on the financial implications of the Native Title be presented to a future Council meeting. **CARRIED 7/0***

Council again considered the matter of the Wulli Wulli #2 ILUZ at the meeting of 20 November 2012 with the following resolution being adopted:

716-11-2012: *Cr PW Lobegeier moved and Cr FO Whelan seconded: That the content of the report on Native Title be noted and the report be received as information. **CARRIED 7/0***

3 CORPORATE PLAN

In accordance with Outcome 2 Economic Development and Tourism – Item 2.4 Land Use Planning.

4 POLICY IMPLICATIONS

Reference is made to Council's previous decisions in regard to the tribunal's findings.

5 STATUTORY IMPLICATIONS

In accordance with Native Title Act and Cultural Heritage Act

5 FINANCIAL IMPLICATIONS

As previously reported, there have been changes to the funding arrangements for Local Government in relation to Native Title Claims. Council has been advised that funding for legal representation will cease at the end of 2012. Correspondence has been forwarded to the Federal Attorney General objecting to these changes with a reply received on 14 November 2012 (Doc. Id. 290492 attached) Copies of this Correspondence have been forwarded to both local Federal members as directed by Council.

Whilst some continued disbursements may be able to be claimed, it is estimated that each batch of claims will range from \$10,000 to \$15,000 (excluding GST). The complete budgetary impact would be approx. \$20,000 to \$30,000 per year (excluding GST). It is expected the these costs would exclude direct ILUA negotiation costs and should Council be required to enter into these negotiations then these estimates are expected to rise dependant on the complexity and number of meetings required.

In regard to representation to achieve funding assistance from the Attorney General's office Council's are grouped according to claim areas. NBRC is currently represented by MacDonnells Law and Gilkerson Legal, both representing two different Council groupings. This representation split will continue into the future.

6 RISK MANAGEMENT

Consideration of future Tribunal findings and determination and the flow on effect on Council and community activities. Consideration of future activities and ensuring relevant legislation is complied with.

7 OPTIONS FOR COUNCIL TO CONSIDER

Consider this report for information and receive for information.

8 OFFICER'S COMMENTS/CONCLUSION

As reported to Council at the February General meeting (2012) currently the delegates for any form of mediation and or negotiation are the Mayor and Chief Executive Officer. It is recommended that Council formally reappoints the Mayor and Chief Executive Officer to undertaken any form of negotiation or mediation in relation to the claims.

Active Claims:

NBRC represented by MacDonnells Law

Wakka Wakka People #3 QUD621/2011; Wakka Wakka People #4 QUD91/2012; and Wakka Wakka #5. Council solicitors have joined Council as a party to these claims. No further activity to report.

Wulli Wulli People QUD6006/200; Wulli Wulli People #2 QUD311/2011: ILUA negotiations on this claim with Banana Shire Council. North Burnett Regional Council joined as a party to the claim. It appears from that analysis that the claim only covers 34 square kilometres of North Burnett Regional Council's local government area. Council is not pursuing an ILUA at this time.

NBRC represented by Gilkerson Legal

Port Curtis Coral Coastal QUD6026/0; Impacts 3044.27 sq km or 28.67% of NBRC. Progress in relation to the Port Curtis Coral Coast native title claim. This claim affects 4 local government areas and the extent of the claim area is illustrated in the 2 attached maps.

Draft ILUA produced and a meeting was held on 10 December in Bundaberg between the four Councils involved and the claimants. The Mayor and Chief Executive Officer attended on behalf of NBRC. Negotiation is on going on the ILUA.

Gaangalu Nation QUD400/2012; Total area 25887 sq kms which affects the following LGAs: - Banana; Central Highlands; Gladstone; North Burnett; Rockhampton; Woorabinda. This claim overlaps Kanolu People #1 and #2; Wadja People and Qantac Pty Ltd (a non-claimant application at Blackwater). The impact area for NBRC is minimal and yet to be fully identified for Council operation purposes - .26 sq km within North Burnett Regional Council.

Proposed new **Sunshine Coast/Kabi Kabi/Gubbi Gubbi** – impact area unknown at this time; Impact unknown at this time.

9 ATTACHMENTS

Map – PCCC Claim Area

RECOMMENDATION

That the content of the report on Native Title be noted and the report received for information.






That the Mayor and Chief Executive Officer be appointed as delegates for all Native Title consultation and negotiations with the Deputy Mayor and Director of Community and Cultural Services as proxies.

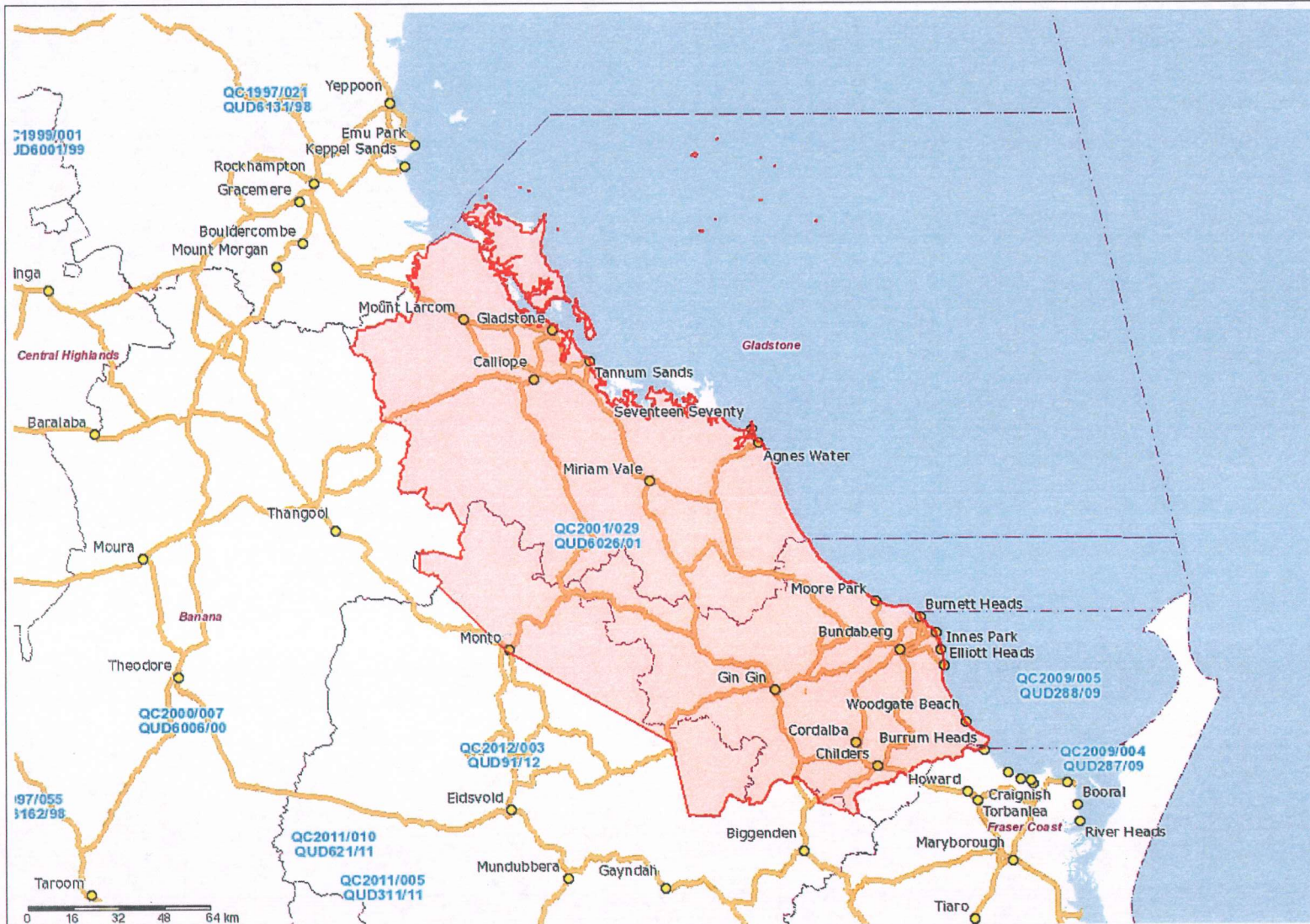


Native TitleVision

Port Curtis Coral Coast Claim
and Local Government Areas

Legend

-  Placenames
-  Major centres (smaller scale)
-  Large area feature
-  Major roads
-  Local government areas



Disclaimer

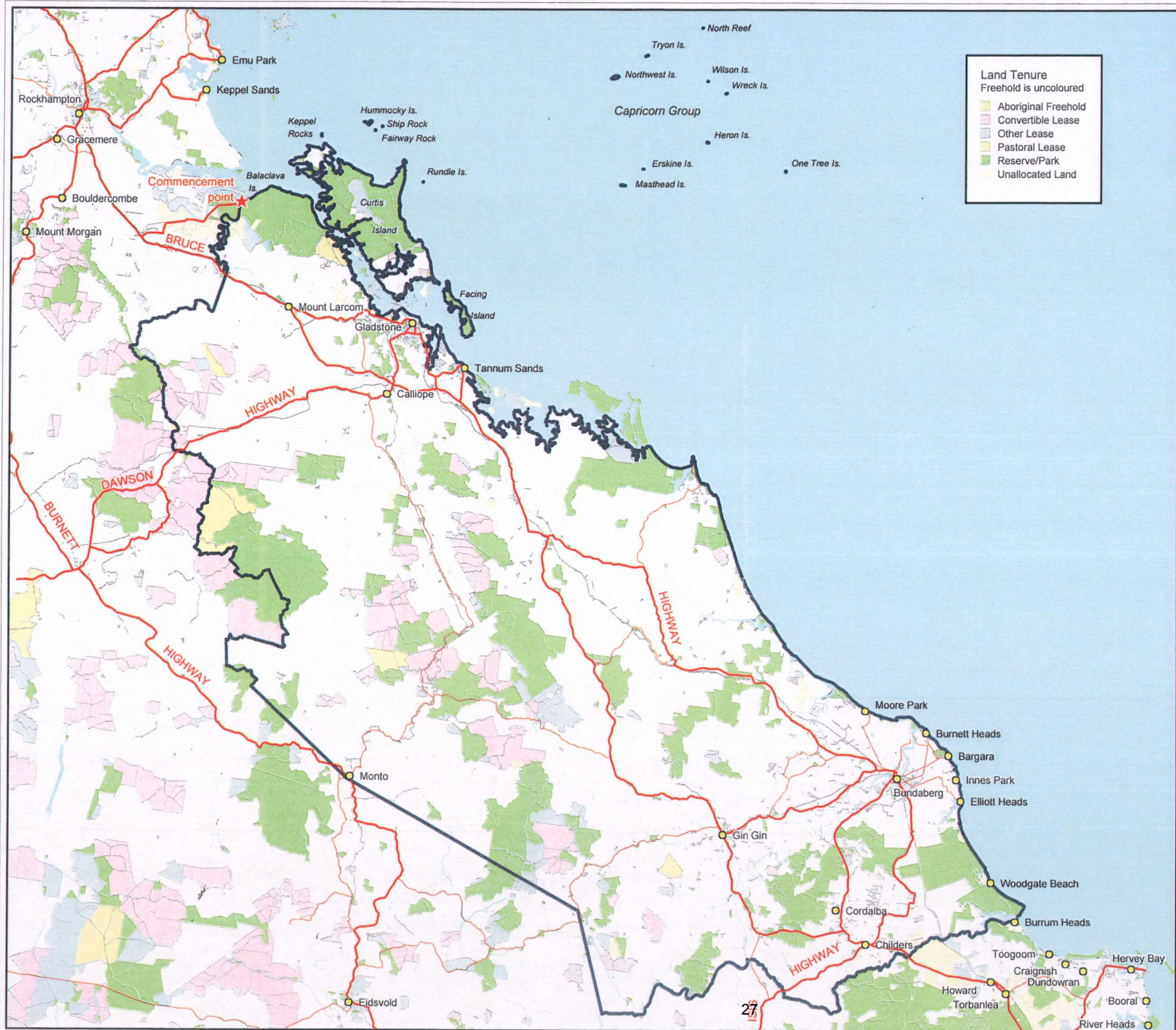
This information product has been created to assist in understanding the spatial characteristics and relationships of this native title matter and is intended as a guide only. It is not suitable for media reproduction purposes. Spatial data used has been sourced from the relevant custodians in each jurisdiction - Commonwealth: ABS, AEC, DCC, DEWHA, Geoscience Australia, ILC, NNTT; ACT: ACTPLA; NSW: DECC, DOL, DPI; NT: DPI, RDPIFR; QLD: DEEDI, DERM; SA: DEH, DTEI, PIRSA; TAS: DIER, DPIW; VIC: DPI, DSE; WA: DEC, DIA, DMP, Landgate; National: PSMA Australia.

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Map created: Thursday, 16 August 2012
 Map Extent:
 Top left: -23.3589642858038, 150.056800331259
 Bottom right: -25.22344490543, 154.173673645735

Copyright © Commonwealth of Australia



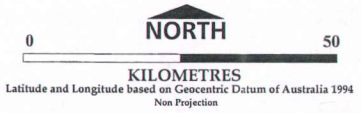
INDIGENOUS LAND USE AGREEMENT

Port Curtis Coral Coast People and Local Government ILUA

Port Curtis Coral Coast People and Local Government ILUA; QUD6026/01 Port Curtis Coral Coast claim (QC01/29)

Map created by: Geospatial Services, National Native Title Tribunal (7/12/2012)
 Agreement boundary data compiled by NNIT.
 Cadastral data sourced from Department of Natural Resources and Mines, Qld (August 2012).
 Topographic data is © Copyright Commonwealth of Australia (Geoscience Australia) 2008.

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Location Diagram



2012/2013 1ST QUARTER OPERATIONAL PLAN REPORT

File: 04.05.04
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Les Hotz – Director of Corporate Services

1 PURPOSE OF REPORT

The purpose of this report is to provide an update of operations of Council from June to September 2012.

2 INTRODUCTION/BACKGROUND

The Operational Plan is prepared on an annual basis and is required to be prepared prior to the development of Council's budget as a legislative requirement.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisational Capability, Section 3.1 Organisational Culture and Section 3.4 Transparency in Performance

4 POLICY IMPLICATIONS

There is a requirement to develop an Operational Plan annually and report quarterly to Council.

5 STATUTORY REQUIREMENTS

Under Section 104 of the *Local Government Act 2009* – Financial Management, Planning and accountability documents.

- (1) The following documents of a local government must comply with the requirements prescribed under a regulation:
 - (a) the financial management documents;
 - (b) the planning and accountability documents;

- (2) The *financial management documents* include the following documents:
 - (a) An annual budget;
 - (b) A general purpose financial report;
 - (c) A financial forecast;
 - (d) An asset register that records:
 - (i) Capital expenditure; and
 - (ii) Depreciation charges; and
 - (iii) Revaluation increments and decrements;
 - (e) a revenue statement.

- (3) The *planning and accountability documents* include the following documents:
- (a) An annual report;
 - (b) a 5 year corporate plan;
 - (c) an annual operational plan;
 - (d) a long-term community plan;
 - (e) a long-term financial plan;
 - (f) a long-term asset management plan;
 - (g) a report on the results of an annual review of the implementation of the long term plans mentioned in this section

6 FINANCIAL IMPLICATIONS

This document is prepared as a basis for Council to develop its annual budget and should be developed with the Corporate Plan and Annual Budget in mind.

7 RISK MANAGEMENT

The report of the Operational Plan should include relevant information that relates to Council's operations for that particular quarter, however, it does not give a line by line report on individual operations.

The risk in not fully reporting line by line is that detailed operations of Council are not reported. The risk of fully reporting line by line of detailed operations is that the document would be bulky and unreadable.

8 CONSULTATION

This report is developed in consultation with Chief Executive Officer, Directors, Office and Works Supervisors and Managers.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

A new format has been developed to assist with easier reporting..

11 ATTACHMENTS

- 2012/13 First Quarter Operational Plan Report

RECOMMENDATION

That the 2012/13 First Quarter Operational Plan Report as presented, be adopted.

**MUNDUBBERA COMMUNITY DEVELOPMENT ASSOCIATION -
WAIVER OF RATES - EIDSVOLD COMMUNITY GARDEN**

File: 25.06.03 & Assessment 20232/90000
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Les Hotz – Director of Corporate Services

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's direction in relation to a request from the Mundubbera Community Development Association Inc to consider waiving the rates on Lot 154 on SP104948, Parish of Hollywell, located in Crown Street, Eidsvold.

2 INTRODUCTION/BACKGROUND

Mundubbera Community Development Association Inc lease Lot 154 on SP104948, Parish of Hollywell from Queensland Rail for the purpose of developing a Community Garden for the Eidsvold Community.

The project has been developed from an identified need in the Eidsvold Community to encourage increased community engagement, improved lifestyle outcomes and healthy eating options.

The Association is seeking to have the rates associated with this parcel of land waived.

The Mundubbera Community Development Association Inc wrote to Council on 14 September 2011 and a report was presented to the General Meeting held in October 2011 where it was resolved that:

“the Mundubbera Community Development Association Inc be advised that Council may consider reimbursement of General Rates and Environmental Levy on Lot 154 on SP104948, Parish of Hollywell located in Crown Street, Eidsvold once the Eidsvold Community demonstrates the intent to develop a community garden on this parcel of land”.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 4 – Community Cohesion and Identity, Section 4.2 Town Beautification.

4 POLICY IMPLICATIONS

Nil.

5 STATUTORY REQUIREMENTS

Nil.

6 FINANCIAL IMPLICATIONS

Decreased revenue from Net General Rate being \$488.70 for the 2012/2013 financial year.

7 RISK MANAGEMENT

Nil.

8 CONSULTATION

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

The State Fire Services Levy of \$20.20 per annum is a state mandatory charge that is collected by Council and paid to the Queensland Fire and Rescue Services. This fee is unable to be waived by Council.

In 2011 the Mundubbera Community Development Association Inc has indicated that the cost of water access and usage will be covered by the Association.

In their correspondence, the Mundubbera Community Development Association Inc has indicated that they are able to demonstrate an intent to develop the site. Garden beds have been formed on the site. Soil has been delivered and moved in beds by community members.

11 ATTACHMENTS

- Plan of Lot 154 on SP104948, Parish of Hollywell
- Letter from Mundubbera Community Development Association – ID 285228

RECOMMENDATION

That the Mundubbera Community Development Association Inc be advised that Council is prepared to reimburse the Net General Rate on Lot 154 on SP104948, Parish of Hollywell located in Crown Street, Eidsvold, totalling \$488.70 for the 2012/2013 financial year, in recognition of their identified intent to develop the Eidsvold Community Garden, once full payment has been received for all outstanding rates and charges on this parcel of land.



MUNDUBBERA COMMUNITY DEVELOPMENT ASSOCIATION INC.

Funded by



Queensland Government Department of Communities

POSTAL ADDRESS: PO BOX 154, MUNDUBBERA Q. 4626
STREET ADDRESS: 69 STUART RUSSELL STREET, MUNDUBBERA Q 4626
Telephone: 07 4165 4690 Fax: 07 4165 3143 emailcdo@mcda.com.au

Community Development Officer: Mr. John Sharp

Chairperson: Ms Loris Doessel

17 October 2012

Mr LD Hotz
Director of Corporate Services
C/- Mr Mark Pitt
Chief Executive Officer
North Burnett Regional Council
PO Box 390
Gayndah Qld 4625.

RECEIVED (Records)
File No 25 - PAY - REFUND
13 OCT 2012
To: RATES E.I.D.
Retention Ref: 2012F
EID 20232-9
173896

Dear Mr Hotz,

RE: Rate Relief for Assessment Number 20232-90000-000

Regarding you letter of the 12 October 2012 advising of overdue rates on Property Location : Crown Street Eidsvold Qld 4627 PTL L 154 SP104948: Parish of Hollywell.

I have previously written to Council on 14 September 2011 requesting a waiver of rates for this land due to its primary use as a Community Garden to be utilised by the Eidsvold Community.

Council considered the application at a Meeting in Monto on 18 October 2011 and advised me on 14 November 2011 that the Council would not waive the rates at this time but may reconsider their decision once the Eidsvold community demonstrates its intent to develop a community Garden on this parcel of land.

The rates have been paid for this parcel of land up until the present amount for the half year ending 31 December 2012, being \$500.67.

I again ask the North Burnett Regional Council consider a rate waiver as Mundubbera Community Development Association is now able to demonstrate an intent to develop the site.

Garden beds have been formed on the site, soil has been delivered on site by North Burnett Regional Council Work crew. Soil has been moved into the beds by community members, manure has been moved on to the site and the North Burnett Regional Council has been paid for water connection fee on 21 September 2012.

Council advised that Mundubbera Community Development Association had to get a plumber to connect the meter to the main line. One tradesman had been engaged in September, however has not completed the job and another tradesman has been engaged to action the task. It is expected the job will be done by 19 October 2012.



**MUNDUBBERA COMMUNITY
DEVELOPMENT ASSOCIATION INC.**

Funded by



**Queensland
Government**
Department of
Communities

POSTAL ADDRESS: PO BOX 154, MUNDUBBERA Q. 4626
STREET ADDRESS: 69 STUART RUSSELL STREET, MUNDUBBERA Q 4626
Telephone: 07 4165 4690 Fax: 07 4165 3143 emailcdo@mcda.com.au

Community Development Officer: Mr. John Sharp

Chairperson: Ms Loris Doessel

Regarding the outstanding Rates and the demonstration of intent by the Community of Eidsvold to develop the site5, I again ask the North Burnett Regional Council to again consider the waiver of the rates for the site.

I have enclosed a photograph of progress to date to assist to demonstrate intent by the community.

I look forward to a positive outcome to assist in continuing to develop improved collaboration with all members of the North Burnett Community.

Yours Sincerely,

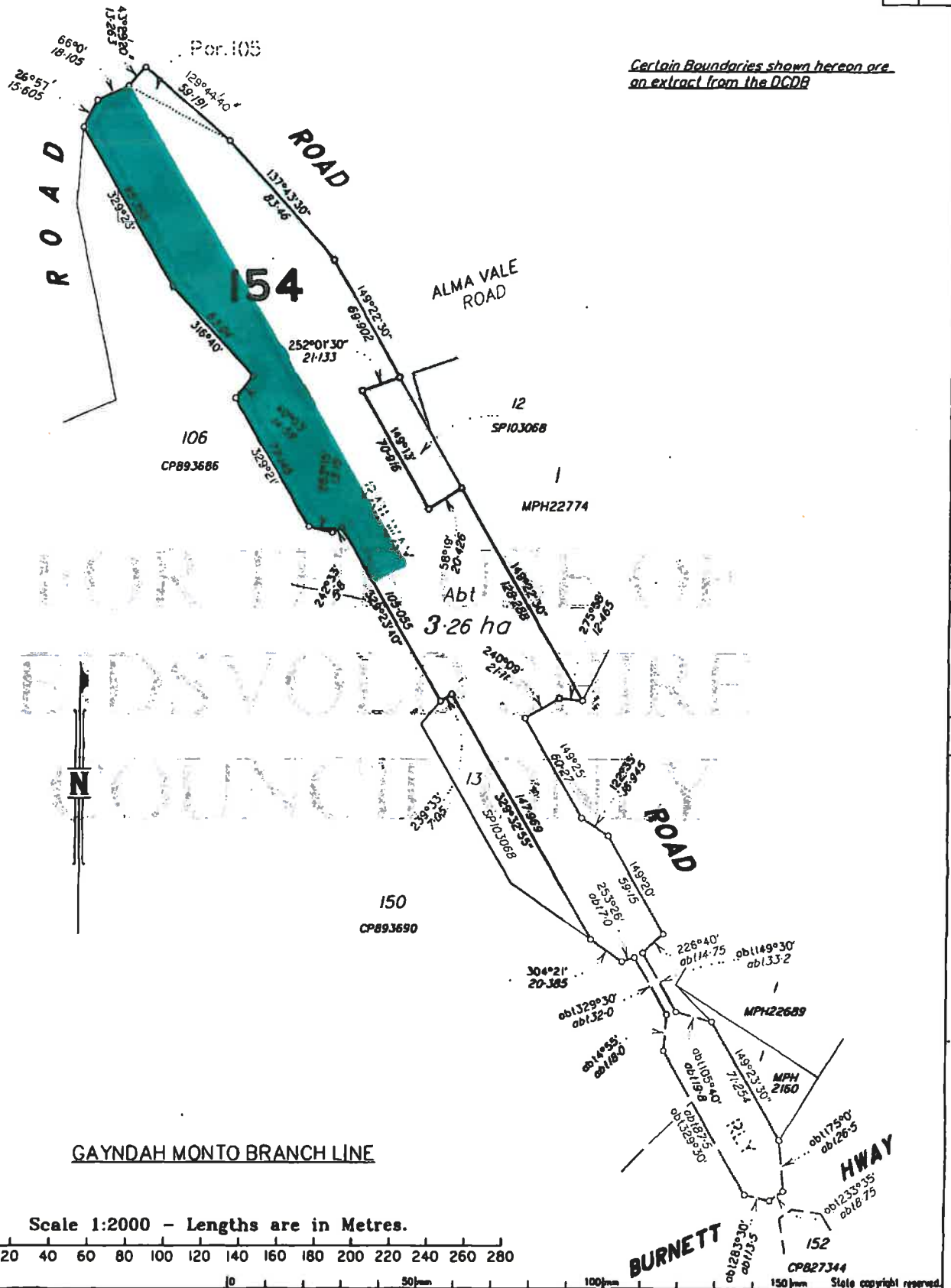
John Sharp

Community Development Officer

Mundubbera Community Development Association Inc

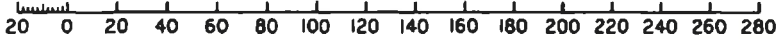


Certain Boundaries shown hereon are an extract from the DCDB



GAYNDAH MONTO BRANCH LINE

Scale 1:2000 - Lengths are in Metres.



Plan of Lot 154

Concilling Lot 11 on SP103068, Lot 161 on YL1073 and Lot 154 on YL332

(Lot 154 identifies part of Lot 1 on CP825707 in accordance with Section 215(1)(a) of the Transport Infrastructure Act 1994)

PARISH: **HOLLYWELL** COUNTY: **Yarrol**

Meridian: **SP103068**

F/N: **NO**

Scale: **1:2000**

Format: **STANDARD**



SP104948

Plan Status:

I, Christopher Saunders GUNN hereby certify that I have made this plan pursuant to Section 25 of the Surveyors Regulation 1992, and that the plan is accurate, and compiled from SP103068, YL1073, MPH2160 & the DCDB in the Department of Natural Resources.

Signature
Licensed Surveyor

Date: **8-1-98**

GAYNDAH - DRAINAGE EASEMENT

File: 05.07.03 – 317
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Les Hotz – Director of Corporate Services

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with an update on the progress of the stormwater drainage easement in Gayndah.

2 INTRODUCTION/BACKGROUND

Gayndah Shire Council built a stormwater drain through the township of Gayndah to improve stormwater drainage within the town. Approximately eight (8) years ago Gayndah Shire Council commenced the process of formalising the stormwater drain by registering an easement to formalise Councils responsibility to maintain the drain and the infrastructure.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 2 – Economic Development & Tourism, Section 2.4 Land Use Planning

4 POLICY IMPLICATIONS

5 STATUTORY REQUIREMENTS

All legislative requirements in relation to easement documentation and survey plans are to be met.

6 FINANCIAL IMPLICATIONS

Below are the financial implications to date:

Replacement of fourteen (14) survey plans – O’Reilly Nunn Favier	\$4,030.00
National Australia Bank – Bank Fees – Form 18 Consent	\$ 750.00
Payne Butler Lang – Legal Fees Paid to Date	\$9,828.86
Total	\$14,608.86

The above fees are including GST.

7 RISK MANAGEMENT

Nil.

8 CONSULTATION

Discussions were held with Mr Geoffrey Cunningham from Payne Butler and Lang Solicitors on 1 July 2010. The initial consultation and engagement of services with Mr Cunningham was also held on this day. Subsequent discussions were held on the 21 February 2011, 19 May 2011, 29 June 2011, 1 August 2011, 12 September 2011, 13 December 2011 and 6 July 2012.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

Council officers and Payne Butler and Lang Solicitors have secured signatures on all new Survey Plans with the exception of one (1). Details of which appear below:

- One landholder contacted Council sometime ago for further advice. Advice was provided by Payne Butler and Lang Solicitors to the landholder and as yet Council have not received any further response from this landholder. Payne Butler and Lang Solicitors have since sent further correspondence to the landholder asking them to complete all necessary paperwork in a timely manner. A compulsory resumption may be required with this landholder.

In my last report Payne Butler and Lang Solicitors advised that they have recently completed a review of the documentation and have advised that five (5) mortgagee consents are still required prior to the lodgement of the survey plans with the Titles Office. To date, four (4) Form 18 General Consents have been received out of the five (5).

11 ATTACHMENTS

RECOMMENDATION

That the Gayndah Drainage Easement Report as presented be received as information.

DRAFT GENERAL POLICY - CEMETERIES

File: 04.06.02
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Les Hotz – Director of Corporate Services

1 PURPOSE OF REPORT

The purpose of this report is to consider the adoption of General Policy – Cemeteries

2 INTRODUCTION/BACKGROUND

This policy was presented to the Management Executive Group Meeting held on 23 October 2012.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisation Capability, Section 3.2 Organisational Systems.

4 POLICY IMPLICATIONS

Nil.

5 STATUTORY REQUIREMENTS

Nil.

6 FINANCIAL IMPLICATIONS

Nil.

7 RISK MANAGEMENT

Nil.

8 CONSULTATION

Draft policy has been circulated to personnel who look after cemetery records and to Tech Services personnel for comment.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

Presented for consideration by Council.

11 ATTACHMENTS

General Policy – Cemeteries

RECOMMENDATION

That General Policy – Cemeteries as presented, be adopted.

Policy Title:	Cemeteries
Policy No:	
Policy Subject:	Cemeteries including Lawn Cemeteries
Directorate:	Corporate Services
Department:	Cemeteries
Responsible Officer:	Director of Corporate Services
Authorised by:	North Burnett Regional Council
Adopted Date:	
Review Date:	
Authorities:	

INTRODUCTION

North Burnett Regional Council has developed this policy to suit the burial requirements and needs of the general community. It covers all cemeteries in the North Burnett Regional Council jurisdiction. The regulations in regards to burial requirements are outlined in this document for monumental, lawn sections, columbarium's, walls of remembrance and memorial gardens. All denominations are covered. General information in regard to reservations of graves, interment of cremated remains, memorials, exhumations and private burials is also provided.

OBJECTIVES

To provide for effective, efficient and appropriate operation of public cemeteries that the North Burnett Regional Council manages on the communities behalf.

PRINCIPLES

Council is responsible for the operation of public cemeteries, within the geographical boundaries of the North Burnett Regional Council jurisdiction. This responsibility includes, but is not limited to:

1. The interment of remains of deceased persons;
2. The interment of the ashes of deceased persons;
3. The installation and maintenance of memorials erected to deceased persons; and
4. The regularly scheduled cemeteries maintenance activities consistent with Council's works program.

Cemetery Locations

Details of the cemeteries located within the North Burnett Regional Council boundaries can be found in:-

- Attachment A – Cemeteries currently being used
- Attachment B – Individual grave sites

POLICY

1. APPLICATION FOR INTERMENT

Prior to any interment into any cemetery, the following information is to be provided in writing, to Council on Council's *Application for Interment Form*, which may be amended from time to time. Currently, Council's application for interment requires the following information:

Deceased Details

- a. Surname, First Name, Middle Name
- b. Gender (male or female)
- c. Date of birth
- d. Date of death
- e. Age
- f. Religion
- g. Cause of death
- h. Birthplace
- i. Former residence
- j. Former occupation

Next of Kin Details

- k. Name in full
- l. Address
- m. Relationship to the deceased
- n. Telephone contact number

Funeral Details

- o. Date of funeral
- p. Time of funeral
- q. Type of service (graveside only / church and graveside)
- r. Conductor of funeral
- s. Denomination
- t. Funeral company
- u. Signature of person providing the above details.

Grave Details

- v. Location (cemetery), Section, Grave Number
- w. Lawn, Monumental, Columbarium, Wall of Remembrance, Memorial Garden
- x. Required Depth (single, double bottom, double top, ashes, other)

Forms may be amended from time to time.

2. RESERVE FOR INTERMENT

A burial site in a Council monumental/lawn cemetery/columbarium/wall of remembrance/memorial garden may be pre-purchased for interment at a later date. Reservations are limited to two (2) burial sites per family, unless by special agreement with Council.

The following details are required for persons wishing to make *Application for Reservation of Interment*. This information is to be collated onto the Application for Reservation Form, which currently requires the following information.

Applicants Details

- a. Surname, First Name, Middle Name
- b. Gender (male or female)
- c. Date of birth
- d. Address
- e. Telephone number
- f. Applicants signature

Reservation Details

- g. Location (cemetery), Section, Grave Number
- h. Lawn, Monumental, Columbarium, Wall of Remembrance, Memorial Garden
- i. Required depth (single, double bottom, double top, ashes, other)

Name(s) Reservations to be held in

- j. Full names of all reservations

3. TRANSFER OF RESERVES

Rights to a resting place may be transferred to another location within the cemetery on application to the local authority by the original applicant or the person nominated on the certificate of right in the case where the original applicant agrees in writing or is deceased.

All transfers must be recorded on a "*Application for Reservation*".

4. CESSATION OF RIGHTS

A reservation ceases to be valid if:

- a. The Local Authority resolved to close the cemetery to which the *Application for Reservation* of rights refers; or
- b. Human remains are present in the allocated resting place or part of the resting place nominated on the *Application for Reservation*.
- c. The family advise in writing that the reservation is no longer required.

5. PAYMENT TO COUNCIL FOR INTERMENT OR RESERVATION

In all cases, both *Application for Interment* and *Application for Reservation*, the applicable fees and charges as set by Council from time to time, are to be paid in full, in advance of any interment or at the time of application for reservation.

6. INTERMENT OF DECEASED PERSONS

Two (2) working days notice, must be given to allow sufficient time for grave digging to be completed. Interments with less than 48 hours notice will be considered in exceptional circumstances. Interments shall take place within the following hours:

- Weekdays – between the hours of 8:30am and 4:00pm
- Weekends and Public Holidays – between the hours of 9:00am and 3:00pm (additional fees are applicable).
- Outside Normal Working Hours – will only be permitted by arrangement (additional fees are applicable).

Interments must be conducted by an approved undertaker instructed by the next of kin or executor of the estate of the deceased. The transportation, storage of human remains, and interments are to be in accordance with the relevant Acts and Regulations in force at that time.

Digging of graves shall only be undertaken by Council staff or those contracted by Council.

Council must ensure that:

1. the resting place intended to accommodate a container holding non-cremated human remains is constructed such that the resting place is not less than:
 - a. 1.8 meters deep; or
 - b. 2.3 meters deep if the human remains of not more than two (2) persons are to be buried in the resting place; and/or
 - c. 1.5 meters deep if the only human remains to be buried in the resting place is that of a person not more than five (5) years of age.
2. a resting place for the placement of non cremated human remains is not less than 2.4 meters by 1.2 meters in area;
3. The upper surface of the container holding any non cremated human remains that are placed in a resting place is:
 - a) Placed at least 1 meter below the natural soil surface; and
 - b) Is covered with at least 300mm of sand or other material that will identify that a container is located beneath the material.
4. Gravesites are backfilled regularly with suitable material of a different colour or texture to the material listed in clause 4(b) above, until settlement occurs.

5. All bodies for interment must be encased in a coffin with the lid securely sealed.
6. Graves are to be closed within one (1) hour of the conclusion of the funeral service or as soon as the attendees have vacated.

7. MONUMENTS/MEMORIALS FOR DECEASED PERSONS

Council agrees that any persons may provide/erect/maintain a wooden/steel cross on a grave as a temporary memorial for a period of not more than two (2) years from the date of interment. Following this period of time a permanent memorial must be installed.

A person must not erect or install a memorial to a deceased person in a Council cemetery unless authorised under this policy. Council requires an *Application to Erect a Monument / Carry out Alterations* prior to any installation in a cemetery. Currently, Council's Application to Erect a Monument / Carry out Alterations requires the following information:

Deceased Details

- a. Surname, First Name, Middle Name

Applicant Details

- b. Masons name
- c. Company
- d. Mailing address
- e. Phone contact number
- f. Masons signature and date

Monument Details

- g. Location (cemetery), Section, Grave Number
- h. Form of monument
- i. Dimensions of monument (Length, Width, Height)
- j. Date of work to be carried out.

An application for the erection of monuments should not be made unless a period of eighteen (18) months has expired since the interment of human remains.

The erection of vaults and other forms of above ground interments are not permitted in cemeteries within the North Burnett Regional Council jurisdiction.

Council accepts no responsibility for the maintenance or repair of monuments, irrespective of the cause of the need for maintenance or repair.

Persons/Stonemasons who have gained permission to install monuments within Council's cemeteries must ensure that:

- a. the correct location of gravesite is provided by a Council Officer;
- b. memorials must be safely and securely placed;
- c. memorials shall be consistent with the existing amenity of the section of the cemetery in which it is to be erected or installed;

- d. memorials shall be marked with the name of the person whose remains are contained in the resting place;
- e. that all stone/cement masonry work is carried out in a professional manner;
- f. the cemetery is left in a clean and tidy condition having removed all excess materials utilised for stone/cement masonry work; and
- g. any damages to nearby gravesites occurring during installation of monuments must be reported to the Chief Executive Officer and the respective stonemason will be charged for repair costs.

8. REGISTER OF BURIALS / RESERVES

Council will ensure the recording of interments / reserves shows the following details:

- a. Surname;
- b. Christian name/s;
- c. Section and grave number; and
- d. Be referenced to relevant application for interment which will provide full details of deceased persons;
- e. Location of reserve;
- f. Name of person who made the reservation;
- g. Where reserved resting place contains human, the relationship of the person who has reserved to the person whose remains are in the resting place;
- h. Date of reservation.

All details are provided at the time of the application. These records are available for public inspection.

9. RE-OPENING OF GRAVES

Council will allow the re-opening of graves at all cemeteries subject to the following conditions:

Where a grave is open for a second interment the excavation shall be made so as to leave a layer of undisturbed earth, not less than 300mm in depth above the lid of any coffin already in the grave. The upper surface of the coffin is to be at least one (1) metre below the natural ground surface level.

Monumental Sections Only

When the removal of monumental slabs and headstones are required, Council staff will take all reasonable care not to cause any damage, however, if a monument slab or headstone is inadvertently damaged during this process, Council will not be responsible for any repairs.

Lawn Sections Only

Burial allotments within the Lawn Cemeteries are dug to a double depth to allow for a re-opening at a later date. The funeral director may, at the time of organising a funeral, request that the grave be dug to a single depth only at the families request.

10. EXHUMATION

Human remains in any cemetery within the North Burnett Regional Council jurisdiction shall not be interfered with or permitted to be interfered with unless:

- a. The Coroner has issued an order to exhume; or
- b. The Local Government has granted approval for this action.

11. PRIVATE BURIALS

Conditions for interment of human remains on private property outside any cemetery within the North Burnett Regional Council jurisdiction are as follows:

1. The interment of non-cremated human remains must be on freehold land;
2. *Application for Private Property Burial* to be completed and furnished to Council showing details as itemised in Section One – Application for Interment and furnished to Council prior to interment;
3. A location plan of proposed burial site is to accompany the *Application for Private Property Burial* identifying the precise location including lot on plan, parish and county;
4. All bodies for interment must be encased in a coffin with the lid securely sealed.
5. A resting place for the placement of non cremated human remains is not less than 2.4 meters by 1.2 meters in area;
6. The resting place intended to accommodate a container holding non-cremated human remains is constructed such that the resting place is not less than:
 - a. 1.8 meters deep; or
 - b. 2.3 meters deep if the human remains of not more than two (2) persons are to be buried in the resting place; and/or
 - c. 1.5 meters deep if the only human remains to be buried in the resting place is that of a person not more than five (5) years of age.
7. The upper surface of the container holding any non cremated human remains that are placed in a resting place is:
 - c) placed at least 1 meter below the natural soil surface; and
 - d) is covered with at least 300mm of sand or other material that will identify that a container is located beneath the material.
8. Graves are to be closed within one (1) hour of the conclusion of the funeral service or as soon as the attendees have vacated.
9. Gravesites are backfilled regularly with suitable material of a different colour or texture to the material listed in clause 4(b) above, until settlement occurs.
10. Grave site to be permanently fenced
11. Grave to be covered by concrete slab 1.2m x 2.4m (slab to be installed 18 months after burial and not later than two (2) years after burial);
12. An appropriate plaque to be installed on concrete slab to identify gravesite.

12. LAWN CEMETERIES & MEMORIAL GARDENS

Ornaments and Items in Lawn Sections and Memorial Gardens

Ornaments and other items placed on plinths of the lawn section of the cemetery must comply with the following:

- a. Items, including ornaments and other memorabilia may be placed on the concrete plinth areas immediately adjacent to the memorial plaque in accordance with the requirements of this section;
- b. Items are not permitted to be placed on the grassed area;
- c. Ornaments or other items shall not obstruct or encroach onto adjoining resting places;
- d. Items are to be maintained in good order;
- e. Items are not to be glued, taped or otherwise fixed to any part of the memorial or concrete structure;
- f. Ornaments or other memorabilia that are deteriorated are not permitted to remain in the cemetery;
- g. A maximum of three (3) items (excluding fresh flowers) are permitted on any resting place at any onetime;
- h. Items on resting places shall not exceed 100sq.cm. in base area and 10cm in height;
- i. Flowers and other items that are deteriorated must be removed from the cemetery; and
- j. Vases or other containers capable of holding water must be removed if not holding flowers.
- k. Glass or metal containers, solar lights, pot plants, pebbles, plastic windmills and fencing are not permitted on lawn graves or ashes memorials. Any type of planting in lawn graves areas; monumental burial areas and ashes gardens are prohibited.

13. COLUMBARIUMS

When ashes are interred into the columbarium wall, the niche is to be completely sealed by a plaque of approved size and material. The cost of such plaque is to borne by the applicant.

Inscription shall include the name, age and date of death of the individual whose ashes are interred.

14. WALL OF REMEMBRANCE

Plaques installed on the wall of remembrance of approved size and material. The cost of such plaque is to be borne by the application. Inscription shall include name, age and date of death of the individual of whom the plaque refers and the location of their burial site.

15. MEMORIAL GARDEN

Memorial Garden Plaques are not to exceed 380mm x 280mm. The plaques must be in line with the existing layout of the Garden and must be purchased at the applicant's cost from the North Burnett Regional Council.

Attachment A – Cemeteries currently being used

Cemetery	Types	Address	Land Description
Biggenden Community			
Chowey	<ul style="list-style-type: none"> • Monumental cemetery 	Gooroolba – Biggenden Road, Biggenden 4621	Lot 220 on Plan CK57 Reserve 518 Parish of Degilbo
Coalstoun Lakes	<ul style="list-style-type: none"> • Monumental cemetery • Lawn cemetery 		Lot 53 on CL6011 Reserve 114 Parish of Dundar
Dallarnil	<ul style="list-style-type: none"> • Monumental cemetery 	Isis Highway, Dallarnil 4621	Lot 1 to 6 and 9 RP 15853 Parish of Dallarnil
Degilbo	<ul style="list-style-type: none"> • Monumental cemetery • Lawn cemetery • Columbarium 	Biggenden Road, Degilbo 4621	Lot 109 on Plan C8236 Reserve 24 Parish of Degilbo
Paradise	<ul style="list-style-type: none"> • Monumental cemetery (No longer used) 	Campbells Road, Coringa	Lot 71 on Plan CK540 Reserve 627 Parish of Coringa
Eidsvold Community			
Eidsvold No. 1 (Old)	<ul style="list-style-type: none"> • Monumental 	Ross Crossing Road	Lot 142 on Plan E3706 Parish of Hollywell
Eidsvold No. 2 (New)	<ul style="list-style-type: none"> • Monumental cemetery • Lawn cemetery • Columbarium 	Ross Crossing Road	Lot 4 on Plan SP130846 Parish of Hollywell
Grosvenor Cemetery	<ul style="list-style-type: none"> • Monumental cemetery 	A Creek Road, Grosvenor	Lot 44 on Plan C8265 Parish of Eidsvold
Gayndah Community			
Binjour	<ul style="list-style-type: none"> • Monumental cemetery 	Redvale Road, Binjour 4625	Lot 246 on Plan BON519 Reserve 273 Parish of Binjour
Byrnestown	<ul style="list-style-type: none"> • Monumental cemetery 	Cemetery Road, Byrnestown	Lot 150 on Plan MCK37130 Parish of Gooroolballin
Gayndah Cemetery	<ul style="list-style-type: none"> • Monumental cemetery • Lawn cemetery • Columbarium 	Meyer Street, Gayndah 4625	Lot 608 on Plan G15172 and Lot 7 on RP59587 Parish of Gayndah
Monto Community			
Monto No 1	<ul style="list-style-type: none"> • Monumental cemetery 	12931 Gladstone-Monto Road, Monto 4630	Lot 161, 192 Plan RW238 Parish of Bailey
Monto No 2	<ul style="list-style-type: none"> • Monumental cemetery • Columbarium • Memorial garden 	12931 Gladstone-Monto Road, Monto 4630	Lot 4 on RP214867 Parish of Bailey
Monto No 3	<ul style="list-style-type: none"> • Lawn cemetery 	12931 Gladstone-Monto Road, Monto 4630	Lot 4 on RP214867 Parish of Bailey
Mulgildie	<ul style="list-style-type: none"> • Monumental cemetery 	29952 Gayndah-Monto Road Mulgildie 4630	Lot 152 Plan RW229 Parish of Bailey

Rawbelle	<ul style="list-style-type: none"> • Monumental cemetery 	Access via Old Rawbelle Road Rawbelle 4630	Lot 9 on Plan RW697 Reserve 224 Parish of Rawbelle
Mount Perry Community			
Mount Perry Cemetery	<ul style="list-style-type: none"> • Monumental cemetery • Lawn cemetery • Columbarium • Memorial Garden 	219 Heusman Street Mount Perry 4671	Lot 1 Plan CP861367 Reserve 137 Parish of Mount Perry
Mundubbera Community			
Mundubbera Cemetery	<ul style="list-style-type: none"> • Monumental cemetery • Lawn cemetery • Wall of remembrance 	Pigott Road, Mundubbera 4626	Lot 4 on Plan A2291 Parish of Rosehall

Attachment B – Individual Grave Sites

Community	Cemetery	Address	Land Description
Eidsvold	Abercorn		
Eidsvold	Calrossie Station	306 Calrossie Road, Eidsvold West	Lot 227 on Plan FTY1244
Eidsvold	Clonave Station	1504 Eidsvold Theodore Road, Eidsvold	Lot 68 on Plan SP191230
Eidsvold	Coonambula Station	Cheltenham Road, Eidsvold West	Ass 20591
Eidsvold	Cravenstown	Craventown Road, Eidsvold	Ass 20508
Eidsvold	Culcraigie Station	Rawbelle Road, Eidsvold West	Ass 20645-5
Eidsvold	Dalgangal	Dalgangal Road, Cynthia	Ass 20349
Eidsvold	Dareen Station	4408 Rawbelle Road	Lot 13 on Plan RW305
Eidsvold	Eidsvold Station	744 Eidsvold Theodore Road, Eidsvold	Lot 46 on Plan RW679
Eidsvold	Euroka Station	7985 Rawbelle Road, Eidsvold	Lot 48on Plan RW194
Eidsvold	Giarka Station	2066 Nerangy Road, Cheltenham	Lot 5on Plan WK17
Eidsvold	Glencoe Station	6497 Glencoe Road, Eidsvold West	Ass 20635
Eidsvold	Knockbreak Station	362 Knockbreak Road, Eidsvold West	Lot 19 on Plan PH524
Eidsvold	Old Eidsvold Hospital Grounds	Eidsvold Theodore Road, Eidsvold	Lot 7 on Plan SP155909
Eidsvold	Redbank Hermitage	"Quaggy" Mossman's property, 16604 Redbank Road, Eidsvold West	Ass 20614
Eidsvold	Redbank Station (Garden)	16017 Redbank Road, Eidsvold West	ass 20602
Eidsvold	Redbank Township	16017 Redbank Road, Eidsvold West	ass 20602
Eidsvold	Riverview	511 Eidsvold Theodore Road, Eidsvold	Lot 856 on Plan CP818090
Eidsvold	Rocky Springs Station	2265 Nerangy Road, Cheltenham	Lot 7, 15 on Plan WK223
Eidsvold	Rockybar Station	5235 Rockybar Road, Eidsvold West	Ass 20604
Eidsvold	Tireen Station	7863 Glencoe Road, Eidsvold West	Ass 20646
Eidsvold	Trelinga Station	"Sheprock" 25228 Burnett Highway, Ceratodus	Lot 1 on RP861164
Eidsvold	Yerilla	1954 Yerilla Road, Cheltenham	Ass 20622-1
Eidsvold	Traylan	About 12km north of the present town of Eidsvold	
Eidsvold	18 Miles from Eidsvold	Reported by the police as a burial 18 miles from Eidsvold - no further details available	

Eidsvold	Mt Jones or Eidstown	A small mining town that existed a few miles upstream from the Eidsvold Goldfields, on the western side of the Burnett River	
Eidsvold	Mt Mack	Another gold mining area a few miles north of Eidstown.	
Eidsvold	Cynthia	A railway siding and rural area 19 km north of Eidsvold	
Eidsvold	Campbelltown - St Johns Creek	No further information available.	
Eidsvold	Malmoe	No further information available.	
Eidsvold	Monal Goldfields	No further information available.	
Eidsvold	Morrow Creek	Situated about 24km west of Eidsvold	
Gayndah	Apostolic Church of Qld Binjour	Church Road, Binjour 4625	Lot 1 RP7789 Parish of Binjour
Monto	Cania Diggings		
Monto	Cania Station		
Monto	Kapaldo		
Monto	Kariboe Station		
Monto	Kolonga Station		
Monto	Langley Station		
Monto	Monal		
Monto	Mt Cannindah		
Monto	Mulgildie 'a' Camp		
Monto	Mulgildie Station		
Monto	New Cannindah Station		
Monto	Old Cannindah Station		
Monto	Rawbelle - Reedy Creek	16016 Redbank Road, Eidsvold West	ass 20602
Monto	Rawbelle Station	16015 Redbank Road, Eidsvold West	Ass 20602
Monto	Three Moon		
Monto	Wingfield Station		
Monto	Yarrol Station		
Mundubbera	Apostolic Church of Qld Malmoe	529 Augustines Road, O' Bil Bil 4626	Lot 1 Plan SP190488 Parish of Malmoe
Mundubbera	New Apostolic Church Riverleigh	615 Coonambula – Eidsvold Road, Riverleigh 4626	Lot 2 RP47747 Parish of Malmoe
Mundubbera		109 Lochaber Boundary Road, Mundubbera 4626	Lot 11 on SP236016

**LEASE - PART OF LOT 1 ON RP73036, PARISH OF GAYNDAH
GAYNDAH HISTORICAL SOCIETY BUILDING -
GAYNDAH MASONIC LODGE**

File: 05.06.314
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Rexanna Williams – Administration Officer

1 PURPOSE OF REPORT

The purpose of this report, is to provide Council with a draft lease between North Burnett Regional Council and the Gayndah Masonic Lodge for land on which the Gayndah Historical Society Building is located.

2 INTRODUCTION/BACKGROUND

On or about the year 1980, the former Gayndah Shire Council allowed the Gayndah Historical Society to relocate a building onto land which was presumed to be Council owned. However, the building was placed on Council owned land and land owned by the Gayndah Masonic Lodge. The Lodge is asking for Council to lease the land on which it is utilising.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 2, Economic Development & Tourism, Section 2.4 Land Use Planning

4 POLICY IMPLICATIONS

Town planning approval must be obtained prior to any business pursuits being undertaken.

5 STATUTORY REQUIREMENTS

Under Section 155 of the Land Act 1994 – Division 1A – Length of Term on Issue of Term Lease – Length of Term Leases:

1. A term lease for land other than rural leasehold must not be issued for more than 50 years.
2. However, a term lease for land other than rural leasehold may be issued for up to 100 years if it is for –
 - a. A significant development or the operation and maintenance of a significant development; or
 - b. A timber plantation; or
 - c. A development that involves existing improvements that in the opinion of the Minister have required a high level of investment.

3. A term lease for rural leasehold must not be issued for more than 30 years.

6 FINANCIAL IMPLICATIONS

This lease is committing Council to pay Fifty per cent of the net general minimum rate per annum on this parcel of land. Currently, \$244.35 for the 2012/2013 Financial Year.

7 RISK MANAGEMENT

Gayndah Historical Society has a building on this parcel of land and is covered by Council's Public Liability and General Insurance.

8 CONSULTATION

Meetings have been held with members of the Gayndah Masonic Lodge in an attempt to develop and complete this lease document.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

This lease is one of two leases that are required for this parcel of land. The second lease will be for an advertising sign beside the Masonic Lodge advertising the Gayndah Historical Society.

11 ATTACHMENTS

- Plan of Lot 1 on RP73036 & Lot 2 on RP73036, Parish of Gayndah
- Photograph of Building across Boundary
- Draft Lease Agreement

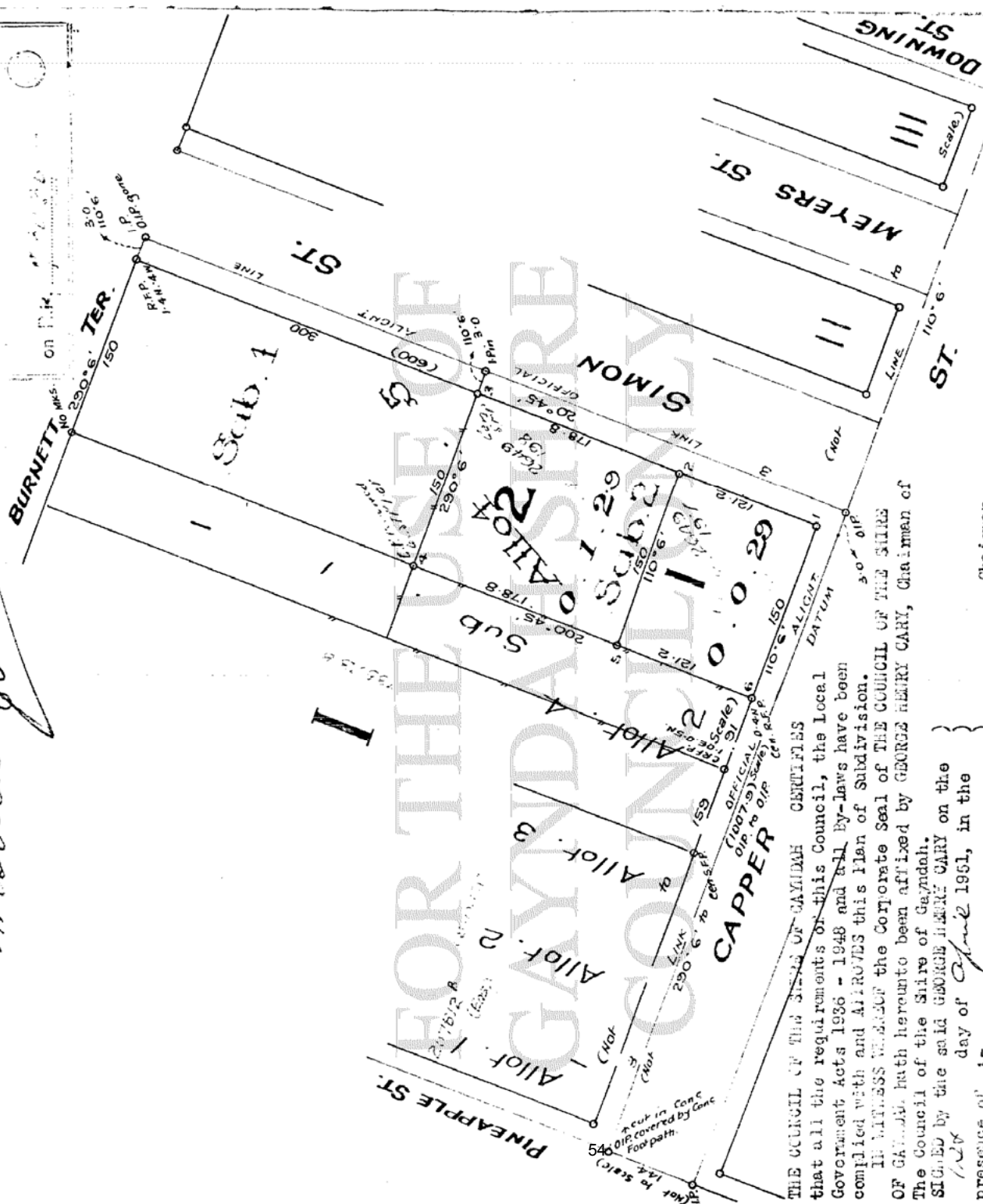
RECOMMENDATION

That Council receive the report regarding the lease over Part of Lot 1 on RP73036, Parish of Gayndah, County of Mackenzie for the purpose of Historical Building and that the lease be adopted and executed by both parties.

Plans Subject Matter of this Plan
 George Henry CARRY

John Mackenzie
George Henry Carry

NOTED DISCUSSION
 Plans this date have been approved by the Council of the Shire of Gayndah and will be executed by a surveyor appointed by a surveyor general (s) 1/1/1951



THE COUNCIL OF THE SHIRE OF GAYNDAH CERTIFIES that all the requirements of this Council, the Local Government Acts 1936 - 1948 and all By-laws have been complied with and APPROVES this Plan of Subdivision. IN WITNESS WHEREOF the Corporate Seal of THE COUNCIL OF THE SHIRE OF GAYNDAH hath hereunto been affixed by GEORGE HENRY CARRY, Chairman of The Council of the Shire of Gayndah. SIGNED by the said GEORGE HENRY CARRY on the 12th day of April 1951, in the presence of :-

Farrelly Shire Clerk

Chairman
 The Council of the Shire of Gayndah

George Henry Carry

Note: Connects. not to Scale.

SURVEY

1 & 2 of Sub. 2 of

73036

J. B. Barnard

J. B. Barnard Surveyor
 J. B. Barnard
 Surveyor
 1 & 2 of Sub. 2 of

73036

73036



Dealing Number



OFFICE USE ONLY

Privacy Statement

Collection of this information is authorised by the Land Title Act 1994 the Land Act 1994 and the Water Act 2000 and is used to maintain the publicly searchable registers in the land registry and the water register. For more information about privacy in DERM see the department's website.

1. Lessor GAYNDAH MASONIC LODGE	Lodger (Name, address, E-mail & phone number) North Burnett Regional Council 1300 696 272 PO Box 390 GAYNDAH QLD 4625	Lodger Code 314
---	--	---------------------------

2. Lot on Plan Description	County	Parish	Title Reference
LOT 1 ON RP73036	MACKENZIE	GAYNDAH	

3. Lessee Given names	Surname/Company name and number	(include tenancy if more than one)
NORTH BURNETT REGIONAL COUNCIL		

4. Interest being leased
FEE SIMPLE

5. Description of premises being leased
Land described as Part of Lot 1 on RP73036 as per attached plan

6. Term of lease Commencement date/event: 01/07/2012 Expiry date: 30/06/2042 and/or Event: #Options: 1 x 30 years #Insert nil if no option or insert option period (eg 3 years or 2 x 3 years)	7. Rental/Consideration 50% of the Nett Minimum General Rate as determined by council Resolution from year to year
---	--

8. Grant/Execution
The Lessor leases the premises described in item 5 to the Lessee for the term stated in item 6 subject to the covenants and conditions contained in:- *the attached schedule;

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

.....signature	.....
.....full name	.....
.....qualification	.....
Witnessing Officer	/ /
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)	Execution Date
	Lessor's Signature

9. Acceptance
The Lessee accepts the lease and acknowledges the amount payable or other considerations for the lease.

.....signature	.....
.....full name	.....
.....qualification	.....
Witnessing Officer	/ /
(Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)	Execution Date
	Lessee's Signature

Title Reference

CONDITIONS OF LEASE:

1. Definitions

These definitions apply unless they are inconsistent with the context.

Demised Premises means the land described in Item 5 of the Schedule

Improvements mean all buildings and structures on the demised premises.

Lease means

(a) This document; or

(b) The Leasehold estate arising on the execution or registration of this document; or

(c) Any other legal or equitable interest, such as an agreement for Lease, an equitable Lease, a periodical tenancy, a tenancy at will or other tenancy, arising from entry into possession of the Leased land and/or the payment or acceptance of money for the right to occupy and use the Leased land under, resulting from or relating to this document or the Leasehold estate.

If the Lessee holds over at the end of the term of the Leasehold estate, the term will be extended for as long as the Lessee holds over, and the expression 'the Lease' will include the Leasehold estate during the holding-over period.

Lessee means The Gayndah Masonic Lodge as set out in the Schedule and any successor entity into which the said lessee may transfer, merge or otherwise become a part of.

Lessor means The Council of the North Burnett Region as set out in the Schedule and any successor authority which the said Council may merge with or become a part of by operation of Law.

Notify means serve a written notice and 'notifies', 'notified' and 'notification' have a corresponding meaning.

Rent means \$1.00 per annum as set out in Item 4 of the Schedule.

Statute includes regulation, ordinance, by-law and any other delegated legislation.

2. Interpretation

These rules apply unless they are inconsistent with the context.

a) For ease of reference, paragraph heading have been included, but the Lease is not to be construed or interpreted by reference to them.

b) References to the demised premises include references to part of it.

c) Reference to corporations include natural persons and vice versa.

d) Reference in the singular number include the plural number and vice versa.

e) Reference to any gender include any other gender.

f) If the Lessor and Lessee comprises more than one person, their liabilities under the Lease are joint and several.

g) References to statutes in general or to any particular statute includes:

(i) amendments, consolidations or replacements of them or it; and

(ii) proclamations, rules, regulations, order and notices issued under them or it.

(h) No statutory provisions apply to this Lease, unless the relevant statute provides that certain provisions apply and cannot be excluded by agreement. For further clarification, wherever an inconsistency may exist between the covenants, powers and any other provisions of the Lease and those implied by the *Property Law Act 1974* (as amended) or by the *Real Property Act 1861* (as amended) then the covenants, powers and other provisions of the said Act except to the extent that any such covenant, power or other provisions of the Lease may not be lawful, in which event the covenant, power or other provisions of the said Acts shall apply.

Title Reference

3. Notification and Service

- a) Where the lease provides that one party is to notify the other, any notice may be served by any of the following methods:
 - i. by personal delivery to the person to be served;
 - ii. by prepaid post to the person to be served;
 - iii. addressed to the land, in the case of the Lessee;
 - iv. by being left with any employee or representative of the person to be served who is apparently over the age of 18;
- b) by any other method authorised by law.
- c) Anything sent by post will be deemed to have been received in the ordinary course of post, whether or not it is received by the person to be served.
- d) Where persons having the same interest in respect of the subject matter of the Lease are to notify any other party or are to be notified, notification to or by any one of them is sufficient notification to or by all of them.

4. Jurisdiction

The Lease is subject to the Laws of Queensland.

5. Grant of Lease, Term and Rent

- a) The Lessor grant to the Lessee the whole of the demised premises more particularly described as:
- b) Part of Lot 1 on RP73036, Parish of Gayndah, County of Mackenzie an area approximately 48m x 36m (1728m²) and any further land as determined by the Lessor from time to time by resolution as set out in Item 2 of the Schedule to be held by the Lessee for the period and subject to the covenants, conditions and restrictions hereinafter set out.
- c) The Lessor agrees to Lease to the Lessee, who agrees to take and rent, the demised premises subject to the provisions of this Lease for the term of:-
 - i. 30 years, commencing on 1 July 2012 and terminating on 30 June 2042 as set out in Item 6 of the Schedule;
 - ii. Annual rent will be 50% of the Net General Minimum Rates levied annually by Council resolution, as set out in Item 7 of the Schedule and the annual rent is payable in the month of July in each year during the continuance of the term herein created. In further consideration of the parties entering into this Lease and the Lessee paying rent of a nominal amount, the Lessee agrees (in addition to its obligation under Clause 6 of this Lease) to maintain and keep up the improvements on the demised premises at its own cost (and whether of a capital nature or income nature) as may be required by the Lessor during the term of this Lease.
 - iii.

6. Maintenance

The Lessee will keep all buildings, structures, fences, gates and other improvements whatsoever, whether now or hereafter erected on the demised premises in good and tenantable repair and condition (fair wear and tear and destruction or damage by fire, storm, flood, tempest or otherwise by the act of God and without any neglect or default on the part of the Lessee excepted) **PROVIDED HOWEVER** that the Lessee shall take all reasonable measures and steps to bring the same to the notice of the Lessor.

8. Lessor to Pay Other Charges

The Lessor will pay and discharge all land taxes, local authority rates and other charges and assessments, including electricity (but except telephone charges and any other charges payable by the Lessee under the terms of this Lease) which may be levied, charged or imposed on the demised premises or any part thereof or upon the

Title Reference

owner or occupier thereof. The Lessor will promptly pay when due all charges for telephone consumed and used on the demised premises.

9 Lessee to Enjoy Demised Premises Without Interruption

The Lessee paying the rent hereby reserved and observing and performing the covenants, conditions and stipulations herein on their part contained shall and may peaceably hold and enjoy the demised premises during the said term without any interruption by the Lessor or any person rightfully claiming through under or in trust for it.

1. Weed Control and Rubbish

The Lessee will take all reasonable steps to keep the land free of noxious weeds and comply with all statutes relating to them and the Lessee will not allow any rubbish to accumulate on the land, around any building, structures or improvements on or around the demised premises.

2. Insurance to be Maintained by Lessee

- a) The Lessee, at its own expense, shall at all times during the continuance of this Lease take out and keep current the following insurance policies. The policies must be with an insurance company approved by the Lessor.
- b) A public risk policy that provides for a minimum cover for each accident, claim or event in the amount of TEN MILLION DOLLARS (\$10,000,000.00) or any reasonable higher amount that the Lessor notifies. The cover provided under this policy must not be contributory with any policy taken out by the lessor. The policy must provide cover for the full insurable value of those things against loss or damage resulting from fire and over risks including, but not limited to, water, storm and rainwater damage.
- c) A worker's compensation insurance policy in respect of all persons employed by, working for, in a voluntary or honorary position, performing community service or unpaid duties for the Lessee.
- d) An appropriate insurance policy to insure the contents on and around the demised premises
- e) The Lessee is to deliver a certificate of currency of the insurance policies to the Lessor within seven days of receiving any certificate of renewal or further policy and following the expiration of any policy, the Lessee is to provide satisfactory evidence to the Lessor that it has been renewed.

12. Insurance to be maintained by the Lessor

The Lessor, at its own expense, shall at all times during the continuance of this Lease take out and keep current an appropriate insurance policy over the buildings, structures and improvements on the demised premises, with replacement and reinstatement conditions applying.

13. Assignment of Lease

The Lessee will not assign, transfer, demise, sublet, set over or otherwise by any act or deed procure the demised premises or any part thereof to be assigned, transferred, demised, sublet, set over, or the possession thereof otherwise parted with to any person or company whatsoever, without the written consent of the Lessor first had and obtained. However, the Lessee acknowledges and agrees that the Lessor is not obliged to give its consent to any assignment or other disposition of the Lessee's interest to any party unless and until the Lessor is satisfied that the proposed assignee or transferee will use the premises for similar public purposes and that the proposed assignee has similar objects and purposes as the Lessee to ensure that the demised premises will continue to be used for a public purpose for the broader benefit of the Gayndah and district community.

Title Reference

14. Mortgage

The Lessee will not attempt in any manner to Mortgage, charge, pledge or give any security (whether legal or equitable) over the Lease hereby granted or any part thereof without the written consent of the Lessor first had and obtained.

15. Breach

If there shall be any default, breach, non-observance or non-performance by the Lessee of any of the covenants on its part herein contained or implied, whether positive or negative, and if after fourteen (14) days written notice of such breach shall have been given by the Lessor to the Lessee and the Lessee shall have failed to make good the default, breach, non-observance or non-performance specified in such written notice **THEN** and in any of the said cases it shall be lawful for the Lessor thereupon or at any part thereof in the name of the whole and the same to have again, repossess and enjoy as of its former estate anything herein contained or implied to the contrary notwithstanding.

16. Holding Over

- a) If the Lessee shall remain in occupation of the demised premises with the consent of the Lessor after the expiration of this Lease, term or any renewal thereof and no express arrangement is made for a further term the same shall thereupon be deemed to be a monthly tenancy on the terms and conditions as are herein stated so far as the same may be applicable.
- b) Such tenancy shall be determinable at any time by one month's written notice given by either party to the other.

17. Appointment of Attorney

In consideration of the Lease hereby granted the Lessee does hereby irrevocably make, nominate, constitute and appoint and in their place and stead put and depute the Lessor the true and lawful attorney of the Lessee at the expense in all things of the Lessee and as their act and deed to make, do, sign, seal, execute and deliver all and every such instrument or instruments, deed or deeds as the Lessor may in its absolute discretion see fit for further assuring to the Lessor the powers, rights and privileges herein conferred or expressed or intended so to be **AND ALSO** to execute and procure the registration of a surrender of this Lease or any assignment thereof without any payment or compensation to the Lessee and from time to time to appoint a substitute or substitutes and such appointment as pleasure to revoke and perform all acts, matters and things whatsoever relating to the demised premises as fully and effectually to all intents and purposes as the Lessee could personally do if the powers herein contained had not been conferred by the Lessee the Lessee hereby ratifying, confirming and covenanting to ratify and confirm all and whatsoever the Lessor or its substitute or substitutes shall lawfully do or cause to be done in and about

18. Disputes

If any dispute or question shall arise between the parties hereto relating to the interpretation hereof or the rights and duties of either party hereunder or if the parties shall be unable to reach agreement on any point concerning these presents, such dispute or question shall be referred to a single arbitrator agreed between the parties, or failing agreement, to an arbitrator appointed by the President of the Queensland Law Society or his nominee, for the time being.

OTHER DETAILS:

A Plan of these lots are attached

**LEASE - PART OF LOT 1 ON RP73036, PARISH OF GAYNDAH
GAYNDAH HISTORICAL SOCIETY SIGNAGE -
GAYNDAH MASONIC LODGE**

File: 05.06.314
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Rexanna Williams – Administration Officer

1 PURPOSE OF REPORT

The purpose of this report, is to provide Council with a draft lease between North Burnett Regional Council and the Gayndah Masonic Lodge for land on which the Gayndah Historical Society signage is located.

2 INTRODUCTION/BACKGROUND

The Gayndah Historical Society has installed signage on Gayndah Masonic Lodge land being Lot 1 on RP73036, Parish of Gayndah. Gayndah Masonic Lodge members are concerned that no agreement is in place for this signage.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 2, Economic Development & Tourism, Section 2.4 Land Use Planning

4 POLICY IMPLICATIONS

Town planning approval must be obtained prior to any business pursuits being undertaken.

5 STATUTORY REQUIREMENTS

Under Section 155 of the Land Act 1994 – Division 1A – Length of Term on Issue of Term Lease – Length of Term Leases:

1. A term lease for land other than rural leasehold must not be issued for more than 50 years.
2. However, a term lease for land other than rural leasehold may be issued for up to 100 years if it is for –
 - a. A significant development or the operation and maintenance of a significant development; or
 - b. A timber plantation; or
 - c. A development that involves existing improvements that in the opinion of the Minister have required a high level of investment.
3. A term lease for rural leasehold must not be issued for more than thirty (30) years.

6 FINANCIAL IMPLICATIONS

This lease is committing Council to pay Fifty per cent of the net general minimum rate per annum on this parcel of land. Currently, \$244.35 for the 2012/2013 Financial Year.

7 RISK MANAGEMENT

Gayndah Historical Society has a sign on this parcel of land and is covered by Council's Public Liability and General Insurance.

8 CONSULTATION

Meetings have been held with members of the Gayndah Masonic Lodge in an attempt to develop and complete this lease document.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

This lease is one of two leases that are required for this parcel of land. The second lease is for a building that intrudes over the boundary from Councils Lot 2 on RP73036, Parish of Gayndah across onto Lot 1 on RP73036, Parish of Gayndah being land owned by Gayndah Masonic Lodge.

11 ATTACHMENTS

- Plan of Lot 1 on RP73036, Parish of Gayndah
- Photograph of Advertisement Signage
- Draft Lease Agreement

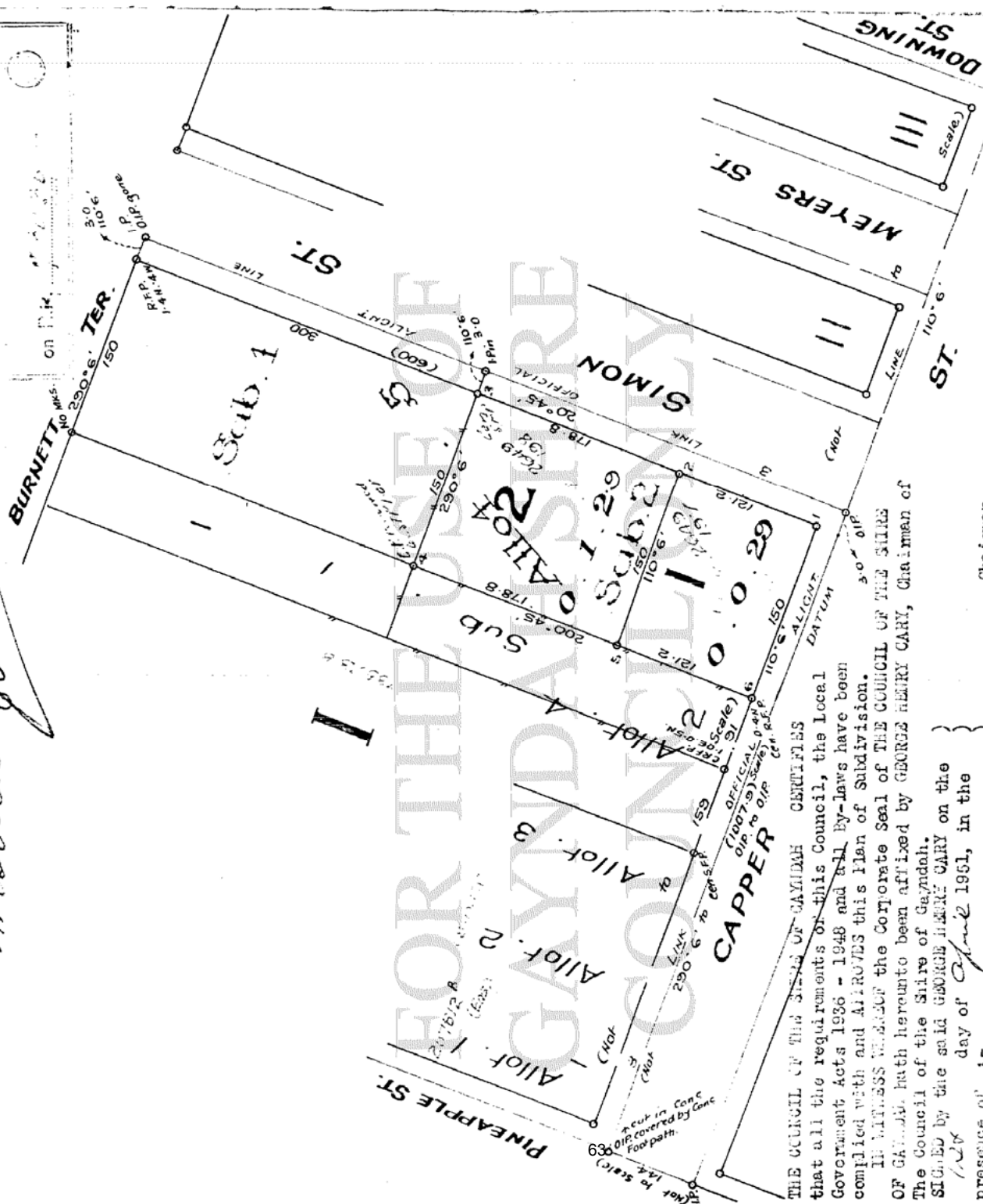
RECOMMENDATION

That Council receive the report regarding the lease over Part of Lot 1 on RP73036, Parish of Gayndah, County of Mackenzie for the purpose of displaying advertising signage and that the lease be adopted and executed by both parties.

Plans Subject Matter of this Plan
George Henry CARRY

NOTED DISCUSSION
None. This document is a plan of subdivision of the land of the said George Henry CARRY and shall be executed by a surveyor as required by the provisions of the Survey Act, 1951.

George Henry CARRY
George Henry CARRY



73036
1 & 2 of Sub. 2 of
SURVEY
MACKENZIE
GAYNDAH.
Cat. No. 73036

Chairman
The Council of the Shire of Gayndah
George Henry CARRY

Farrelly Shire Clerk
Farrelly

Note: Connects. not to Scale.

P. B. Barnard

REGISTERED SURVEYOR
MACKENZIE TOWN & DISTRICT
GAYNDAH

73036



Dealing Number



OFFICE USE ONLY

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<p>1. Lessor GAYNDAH MASONIC LODGE</p>	<p>Lodger (Name, address, E-mail & phone number) North Burnett Regional Council 1300 696 272 PO Box 390 GAYNDAH QLD 4625</p>	<p>Lodger Code 314</p>
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2. Lot on Plan Description LOT 1 ON RP73036	County MACKENZIE	Parish GAYNDAH	Title Reference
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3. Lessee Given names NORTH BURNETT REGIONAL COUNCIL	Surname/Company name and number	(include tenancy if more than one)
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4. Interest being leased
FEE SIMPLE

5. Description of premises being leased
For the purpose of constructions and/or maintaining a promotional sign for the Gayndah Historical Society.
Area of sign - 3m long x 4m high. Located on Lot 1 on RP73036, Parish of Gayndah

<p>6. Term of lease Commencement date/event: 01/07/2012 Expiry date: 30/06/2042 and/or Event: #Options: 1 x 30 years #Insert nil if no option or insert option period (eg 3 years or 2 x 3 years)</p>	<p>7. Rental/Consideration 50% of the Nett Minimum General Rate as determined by Council Resolution from year to year.</p>
--	---

8. Grant/Execution

The Lessor leases the premises described in item 5 to the Lessee for the term stated in item 6 subject to the covenants and conditions contained in:- *the attached schedule;

Witnessing officer must be aware of his/her obligations under section 162 of the Land Title Act 1994

.....signature	.....
.....full name	.....
.....qualification	.....

Witnessing Officer (Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)	/ / Execution Date	Lessor's Signature
---	------------------------------	---------------------------

9. Acceptance

The Lessee accepts the lease and acknowledges the amount payable or other considerations for the lease.

.....signature	.....
.....full name	.....
.....qualification	.....

Witnessing Officer (Witnessing officer must be in accordance with Schedule 1 of Land Title Act 1994 eg Legal Practitioner, JP, C Dec)	/ / Execution Date	Lessee's Signature
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Title Reference

CONDITIONS OF LEASE:

1. Definitions

These definitions apply unless they are inconsistent with the context.

Break Date:	the date (if any) that is five years before the Date of Expiration
Business Day:	any day in the State which is not a Saturday, Sunday or Public Holiday
Date of Commencement:	the date stated in Item 6 of Form 7 as the Commencement Date
Date of Expiration:	the date stated in Item 6 of the Form 7 as the Expiry Date
Government Agency:	any government or any governmental, semi-governmental, administrative, fiscal or judicial body, department, commission, authority, tribunal, agency or entity.
GST:	a goods and services tax or like tax payable by the Lessor in respect of a supply made under the lease
Schedule:	the part of this document described as Schedule
Land:	the lot and lease described in Item 2 on Form 7
Lease:	the lease or tenancy that exists between the Lessor and the Lessee in relation to the Premises of whatever nature and whether at law or inequity as evidenced in whole or in part by this document
Lessee:	the Lessee described in item 3 of the Form 7 and its successors and assigned or, if the Lessee is a natural person, its executors, administrators and assigns and in either case its employees, agents and contractors.
Lessee's Covenants:	the covenants and agreements contained or implied in the Lease to be observed and performed by the Lessee.
Lessor:	the Lessor described in Item 1 of Form 7 and its successors and assigns or, if the Lessor is a natural person, its executors, administrators and assigns and in either case its employees, agents and contractors
Month:	calendar month
Premises:	the premises described in Item 5 of Form 7
Rent:	the amount stated in Item 7 of Form 7
State:	the State of the Commonwealth of Australia in which the land is situated
Statute:	any statute, regulation, proclamation, ordinance or by-law of the Commonwealth of Australia of the State and includes all statutes, regulations, proclamations, ordinances or by-laws varying consolidating or replacing them and all regulations, proclamations, ordinances and by-laws issued under the statute.
Term:	the term of the Lease set out in Item 6 of Form 7

2. Interpretation

In the lease, unless the context otherwise requires:

- a) Headings and underlining are for convenience only and do not affect the Interpretation of the Lease
- b) Words importing the singular include the plural and vice versa;
- c) Words importing a gender include any gender;
- d) An expression importing a natural person, includes any company, partnership, joint venture, association and corporation or other body corporate;
- e) A reference to anything includes a part of that thing;
- f) A reference to a part, clause, paragraph, party, information table, annexure, exhibit or schedule is a reference to a party and clause or paragraph of and a party, schedule, annexure, exhibit and schedule to the lease;
- g) Where the day on or by which anything is to be done is not a Business Day, that thing must be done on or by the next succeeding day which is a Business Day.
- h) No rule of construction applies to the disadvantage of a party because the party was responsible for the preparation of the Lease or any part of it;
- i) A covenant or agreement on the part of two or more persons binds them jointly and severally.

Title Reference

3. Implied Covenants and Powers

- 3.1 Exclusion of Implied Covenants:
The obligations and powers implied in the Lease by sections 105 & 107 of the Property Law Act 1974 (QLD), are expressly excluded.
- 3.2 Inclusion on implied Covenants:
Any covenants and powers implied in the Lease by any law, apply to the extent they are consistent with the terms of the lease
- 3.3 Contravention of Statute – Severance:
Any provision of the Lease which is void, voidable, enforceable or invalid because of any Statute must in any such case and to such extent be severed from the Lease, and the Lease must be read as though such provision did not form part of the Lease at that time.

4. Term of Lease and Holding Over

- 4.1 Term of the Lease:
The term commences on the Date of Commencement and expires on the date of Expiration, subject to the provisions of the lease.
- 4.2 Termination on a Break Date:
If the Lessee gives the Lessor notice no later than six months prior to the break date that the Lessee wishes to end the Term on the Break Date, the Break Date becomes the Date of Expiration
- 4.3 Yearly Tenancy – Holding Over
If the Lessee occupies the Premise after the Date of expiration (other than pursuant to the grant of a further lease), the Lessee must do so as a yearly tenant for yearly terms thereafter on the same terms and conditions as the Lease as far as they apply to a yearly tenancy.

5. Payment

- 5.1 Lessee's Covenant
The Lessee must pay rent to the Lessor during the term
- 5.2 Payment of Rent
The rent for each year of the term is payable on or before 1 July (annually) for payment, equivalent to the net general rates applicable each financial year to 75 Capper Street, Gayndah QLD 4625. (assessment, 30041).

6. Use of Premises

- 6.1 Permitted Use
The lessee uses the premises for the purpose of designing and maintaining a promotional sign for the Gayndah Historical Society and uses incidental thereto.
- 6.2 Adjoining Land
The Lessor grants to the Lessee the right to use so much of the land adjoining and adjacent to the Premises of the Lessor as is reasonably required during installation, erection, construction, dismantling, repair, replacement, renewal and maintenance of the promotional sign. After using the Land adjoining and adjacent to the premises, the lessee will restore the surface of the land as so used as near as practicably possible to its state prior to such use by the Lessee to the reasonable satisfaction of the Lessor. The provisions of Clause 8.2 will apply to the exercise by the Lessee of its rights pursuant to this Clause 6.2.
- 6.3 Requirements of Government Agencies
The Lessee must comply promptly with any Statute in respect of the Lessee's use of the premises and requirements, notices or orders of any Government Agency having jurisdiction or authority in respect to the Premises or the use of the Premises. The Lessee is under no liability for structural alterations unless caused or contributed to by the Lessee's particular use of occupation of the premises.

Title Reference

6.4 Consents

The lessor hereby irrevocably authorises the Lessee to make at the expense of the Lessee any application for consent or approval to any Government Agency to use or develop the Premises for the use referred to in Clause 6.1 and to exercise and procure (at the Lessee's expense) every right of appeal arising from the determination of any such application or failure to determine the application. The Lessor must sign all documentation and do all such things as the lessee or any person nominated by the lessee reasonably requires (at the cost and expenses of the Lessee) to authorise or assist in obtaining consent or approval from any Government Agency to use or develop the Premises for the use referred to in Clause 6.1.

7. Access to the Premises

7.1 Access

The Lessor consents to the Lessee and persons authorised by the Lessee without the need for prior notice and with or without materials, plant and other apparatus and vehicles entering the Land for the purpose of using the Premises and exercising its rights under the Lease at all items of the day, excluding the evening or at night and as set out in Lease Document for the land described in Item 5 on Form 7.

8. Insurance, Indemnities and Release

8.1 Obligation to Insure

The Lessee will insure against any loss or damage which is commonly covered by public risk or liability insurance in respect of the Premises.

8.2 Lessee's Assumption of Responsibilities

The Lessee agrees to take and be subject to same responsibilities to which it would be subject in respect of persons and property if, during the Term it was the owner and occupier of the freehold of the premises and the Lessee indemnifies and will keep the Lessor indemnified in that regard.

8.3 Negligence or Default of Lessor

The release, responsibilities and indemnities in Clause 8.2 do not apply to any act, matter, thing or consequence if it arises out of negligence or default of the Lessor.

8.4 Duty of Care

The Lessee has the responsibility for a duty of care to the Leased Land

9. Constructions and Alterations

9.1 The Lessee may, at the Lessee's option and expense during the Term after complying with the requirements of any Government Agency having jurisdiction in the matter to the extent required by law with the prior consent of the Lessor which consent must not be unreasonably withheld, install, erect, construct, dismantle, repair, replace, renew and maintain upon the Premises new and or improved signage, or other improvements as necessary to the promotional sign, now or in the future.

10. Termination

10.1 Event of Termination

If:

- a) the premises are damaged or destroyed or if there is interruption to access to the Premises so as to render the premises or any part of the premises wholly or substantially unfit for the occupation or use of the lessee or inaccessible by any means of access; or
- b) the Lessee commits a materials breach of any of its obligations and has not remedied that breach within a reasonable period having regard to the nature of the breach; or

Title Reference

- 10.2 **Effect on Rights or Liabilities**
Termination of the Lease does not affect the rights or responsibilities of the parties in relation to any cause of action accruing prior to termination.
- 10.3 **Lessee to Yield up**
The Lessee must at the expiration or sooner termination of the Term yield up the Premises in good repair and clean condition fair wear and tear excepted having regard to their condition at the Date of Commencement of the Lease.
- 10.4 **Termination of Holding Over**
Either the Lessor or the Lessee may terminate the yearly tenancy under Clause 4.2 by giving the other six months' prior written notice.
- 10.5 **Termination of Prior Lease**
If any lease in favour of the Lease registered on the title to the Land in relation to a period prior to the Term is validly terminated for any reason (including termination at break date under any lease in favour of the Lessee registered on the title of the Land in relation to a period prior to the Term but otherwise excluding by effluxion of time), this Lease, without the necessity for any further action on the part of the Lessor or the Lessee, will be automatically terminated.
- 10.6 **Additional Right of Termination**
The Lessee may terminate the Lease by notice in writing to the Lessor served at any time between the first and second anniversary of the Date of Commencement. The Lessee will not be entitled to any refund of prepaid Rent in the event of the Lessee exercising its rights under this clause.

11. Notices

- 11.1 **Method of Service**
Any notice to be given under this Lease by one of the parties to the other must be in writing and is given for all purposes by delivery in person, by pre-paid post or by facsimile addressed to the receiving party at the address set out in the notice details in the Schedule.
- 11.2 **Time of Service**
Any notice given in accordance with this Lease will be deemed to have duly served in the case of posting at the expiration of two Business Days after the date of the posting and in the case of facsimile, on the first Business Date after the date of transmission (providing the sending party receives a facsimile machine verification report indication that the notice has been transmitted).
- 11.3 **Change of Address**
A party may at any time change its address, postal address or facsimile number by giving notice to the other party.

12. Miscellaneous

- 12.1 **Lessee to Pay Costs and Disbursement**
The Lessee must pay all duty (including penalties and fines other than penalties and fines due to the default of the Lessor), and all the Lessor's reasonable legal and other costs charges and expenses or which the Lessor may reasonable suffer or incur in consequence of and incidental to the preparation, completion and stamping of the Lease.
- 12.2 **Governing Law**
This Lease is governed by the law of the State and the Commonwealth of Australia and the Lessor and the Lessee submit to the non-exclusive jurisdiction of the Courts of the State.

13. Options to extend terms of Lease

- 13.1 If the Lessee desires to continue this Lease for further terms of the same period as the term of this Lease, the Lessee must give written notice to the lessor no later than 31 March in each year where this Lease is due

Title Reference

to expire. If there are no breaches of this Lease, the Lessor must give written notice to the Lessee within 14 days of the application to extend this Lease on similar terms unless or until either party desires to terminate this lease which will be on terms and conditions mutually agreed upon between the parties.

14. Sale of Freehold

14.1 The lessor agrees that if the Land is sold this Lease continues, both the Lessor and the Lessee must obtain from the buyer of the Land a deed executed by that buyer that the buyer is bound by the terms of this Lease.

OTHER DETAILS:

A Plan of this lot is attached along with photography of existing signage.

TENDER NUMBER 2318/2012-13/TTB/18

LEASE OF LOT 3 ON MZ347, PARISH OF MUNDOWRAN

File: 05.08.504
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Rexanna Williams – Administration Officer

1 PURPOSE OF REPORT

The purpose of this report is to determine the successful tenderer for Lease of Lot 3 on MZ347, Parish of Mundowran.

2 INTRODUCTION/BACKGROUND

The land in question is described as Lot 3 on MZ347, Parish of Mundowran and has an area of approximately 20.839ha. The purpose of this lease will be for the depasturing of no more than three (3) horses at any one time. The lessee is also required to ensure that there is an adequate supply of feed to livestock at all times.

This parcel of land was advertised for tender in the Central and North Burnett Times on Thursday, 1 November 2012 and Thursday 15 November 2012, with tenders closing on Friday, 23 November 2012 at 12 noon. A section of the tender document stated that:

The term of this lease is for an initial period of four (4) years, with an option to renew. The minimum lease tender amount accepted will be the minimum general rate as assessed by Council each year. The net minimum general rate for the 2012/2013 Financial Year is \$631.00

And that:

Council does not undertake to provide water to the abovementioned parcel of land and the supply of water will be the responsibility of the lessee.

Two (2) tenders were received.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 2 – Economic Development & Tourism, Section 2.4 Land Use Planning

4 POLICY IMPLICATIONS

5 STATUTORY REQUIREMENTS

Under Section 155 of the Land Act 1994 – Division 1A – Length of Term on Issue of Term Lease – Length of Term Leases:

1. A term lease for land other than rural leasehold must not be issued for more than 50 years.
2. However, a term lease for land other than rural leasehold may be issued for up to 100 years if it is for –
 - a. A significant development or the operation and maintenance of a significant development; or
 - b. A timber plantation; or
 - c. A development that involves existing improvements that in the opinion of the Minister have required a high level of investment.
3. A term lease for rural leasehold must not be issued for more than 30 years.

6 FINANCIAL IMPLICATIONS

Council will receive \$1040 per annum for the lease of this parcel of land.

7 RISK MANAGEMENT

The Lessee will be required to provide Council with Public Liability Insurance of a minimum \$10,000,000.00 (Ten Million Dollars).

8 CONSULTATION

A public notice was placed in the Central and North Burnett Times on Thursday, 1/11/2012 and 15/11/2012, with tenders closing on Friday, 23/11/2012 at 12noon.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

The following tenders were received:

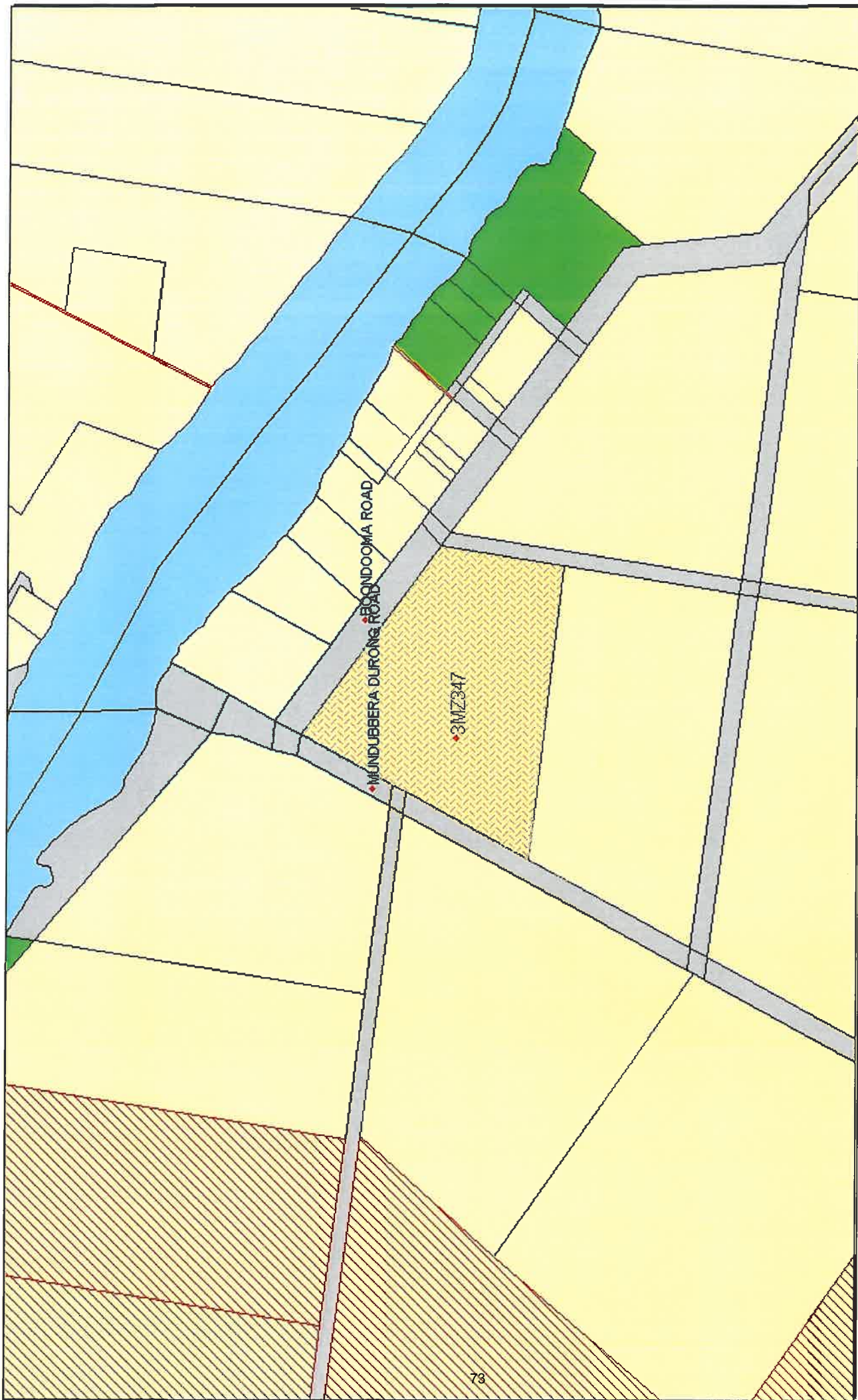
- Tenderer 1 \$650.00 per annum.
- Tenderer 2 \$1040.00 per annum

11 ATTACHMENTS

- Plan of Lot 3 on MZ347, Parish of Mundowran

RECOMMENDATION

That Council receive the report regarding Tender Number 2318/2012-13/TTB/18 being Lease over land described as Lot 3 on MZ347, Parish of Mundowran and that tenderer 2 be the successful offered the lease for the amount of \$1040.00 (GST inc) per annum for an initial period of four (4) years with an option to renew for a further four (4) year period;



OVERDUE RATES & CHARGES

File: 12 – Financial Management
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: John O'Brien – Senior Finance Officer

1 PURPOSE OF REPORT

The purpose of this report is to inform Council of efforts being made to recover overdue rates and charges.

2 INTRODUCTION/BACKGROUND

Council has substantial overdue rates and charges outstanding and in an endeavour to recover same, a Senior Finance Officer and support personnel have been appointed to achieve a recovery of these funds.

It is recognised that once an individual falls behind with payments, it becomes a task to budget to allocate the required finances to meet all commitments. It is not the intention to use threatening tactics to force a sale of any land or property, but rather to encourage ratepayers who have a history of inability to pay to provide a budget and payment system.

However, in the event of ratepayers who fail to cooperate with Council Officers or who do not respond to assistance provided a harder line of recovery will then be employed.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisation Ability, Section 3.2 Organisational Systems and 3.4 Transparency and Performance

4 POLICY IMPLICATIONS

General Policy 230 – Rate Recovery

5 STATUTORY REQUIREMENTS

Local Government Act Queensland 2009.
Local Government (Finance, Plans and Reporting) 2010.

6 FINANCIAL IMPLICATIONS

The recovery of overdue rates and charges will improve Council's cash position.

7 RISK MANAGEMENT

Process will be undertaken with legal advice strictly in accordance with legislation provisions

8 CONSULTATION

Letters dated 12 October 2012 were posted to (390) ratepayers who have overdue rates and services following the current levy with (221) letters to ratepayers with rate arrears. Further follow up letters were forwarded on 09 November 2012. Follow up telephone calls and further correspondence will be provided on a consistent process until all debts are recovered. To the date of this report there are currently (244) ratepayers on payment arrangements with Council.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report as information.

10 OFFICER'S COMMENTS/CONCLUSION

It is a proven fact that once an individual becomes overwhelmed with debt he or she either forgets the problem or is overcome with the problem. The intention is to provide encouragement for payment of same and to ensure a consistent and persistent approach is maintained within this recovery process.

The Director of Corporate Services, Senior Finance Officer and Administration Officer met with the Solicitor on 19 June, 3 August 2012 and 3 October 2012 to discuss the rates recovery progress. There are currently twenty-six (26) property assessments being dealt with by the Solicitor on behalf of Council.

At Council's General Meeting held 16 October 2012 Council moved a resolution in accordance with section 74 of the Local Government (Finance, Plans and Reporting) Regulation 2010 to commence sale of land proceedings to recover outstanding arrears of rates and charges in arrears for four (4) years and over on twenty three (23) properties, providing such rates and charges are not paid in full prior to the date of sale. Accordingly Council has forwarded a letter dated 30 October 2012 to Finemore Walters & Story Solicitors to proceed with commencement of sale of land for the twenty three (23) properties.

Council has received correspondence dated 16 November 2012 from Mr Hal Ing, Solicitor Finemore Walters & Story acting on behalf of Council, confirming that (22) twenty-two individual notices of Intention to Sell have been prepared and posted 19 November 2012.

Notices of Intention to Sell Land were executed by Council 14 November 2012.

In the case of all of the ratepayers listed for Intention to Sell and there has been no contact or there is uncertainty for one reason or another as to the ratepayers current addresses. In these circumstances it is necessary for service of the Notices to be by way of "substituted service" in accordance with Section 239 of the *Local Government Act 2009*.

Accordingly, a bulk Notice of Intention to Sell was published in the Courier-Mail and the Government Gazette on Friday 30 November 2012 and publication of notice on Council's website.

Pursuant to Section 75 of the *Local Government (Finance, Plans and Reporting) Regulation 2010*, Council can proceed with the sale of the ratepayers' land 3 months after the Notice of Intention to Sell has been given if the overdue rates and charges have not been paid in full. Council must start the sale procedure no later than 6 months after the Notices of Intention to Sell are given.

Section 75 (3) of the *Local Government (Finance, Plans and Reporting) Regulation 2010* states:

(3) However, the Local Government must end the procedures if the Local Government is paid –

- a) the amount of the overdue rates or charges; and
- b) all expenses that the local government incurs in attempting to sell the land

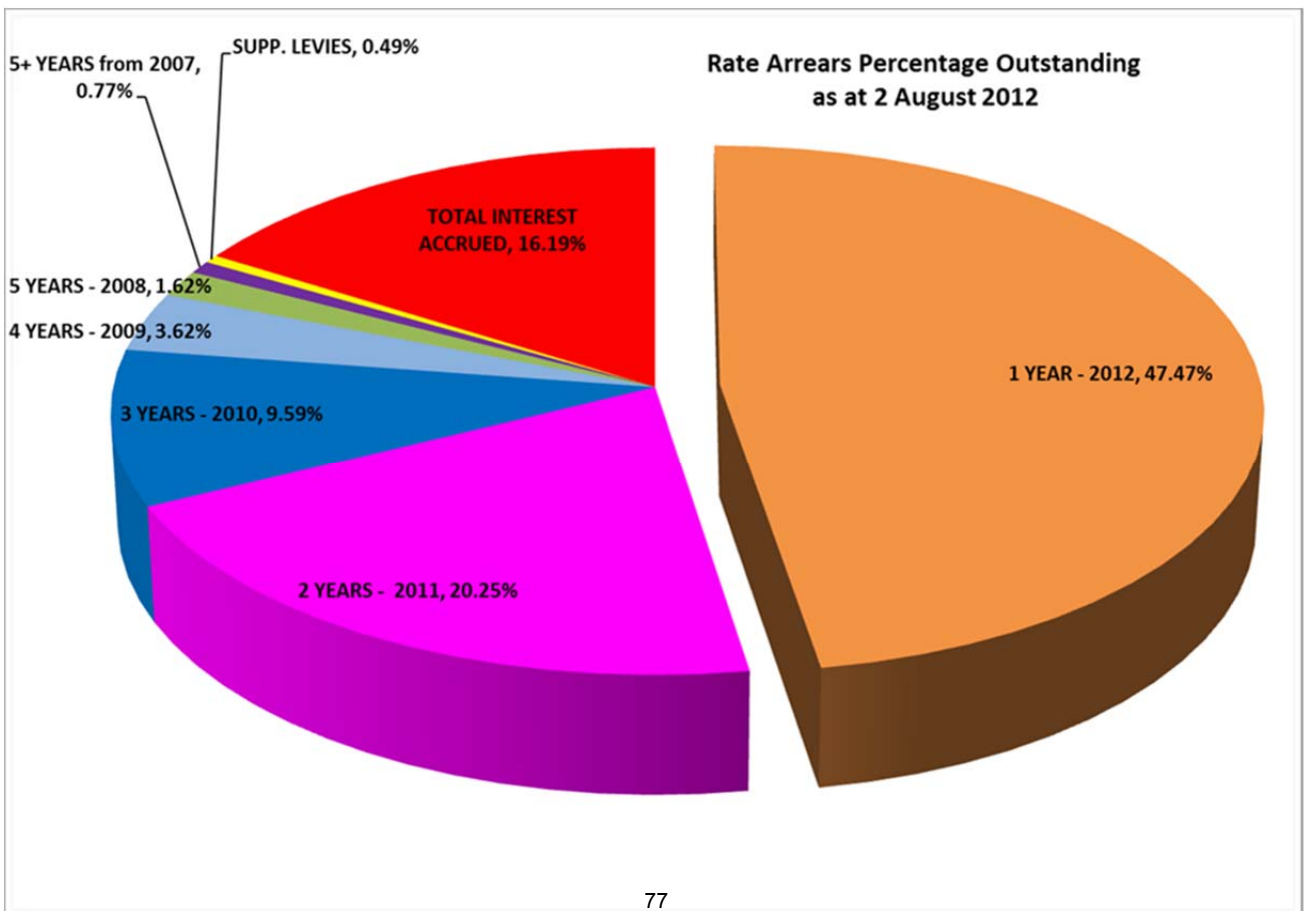
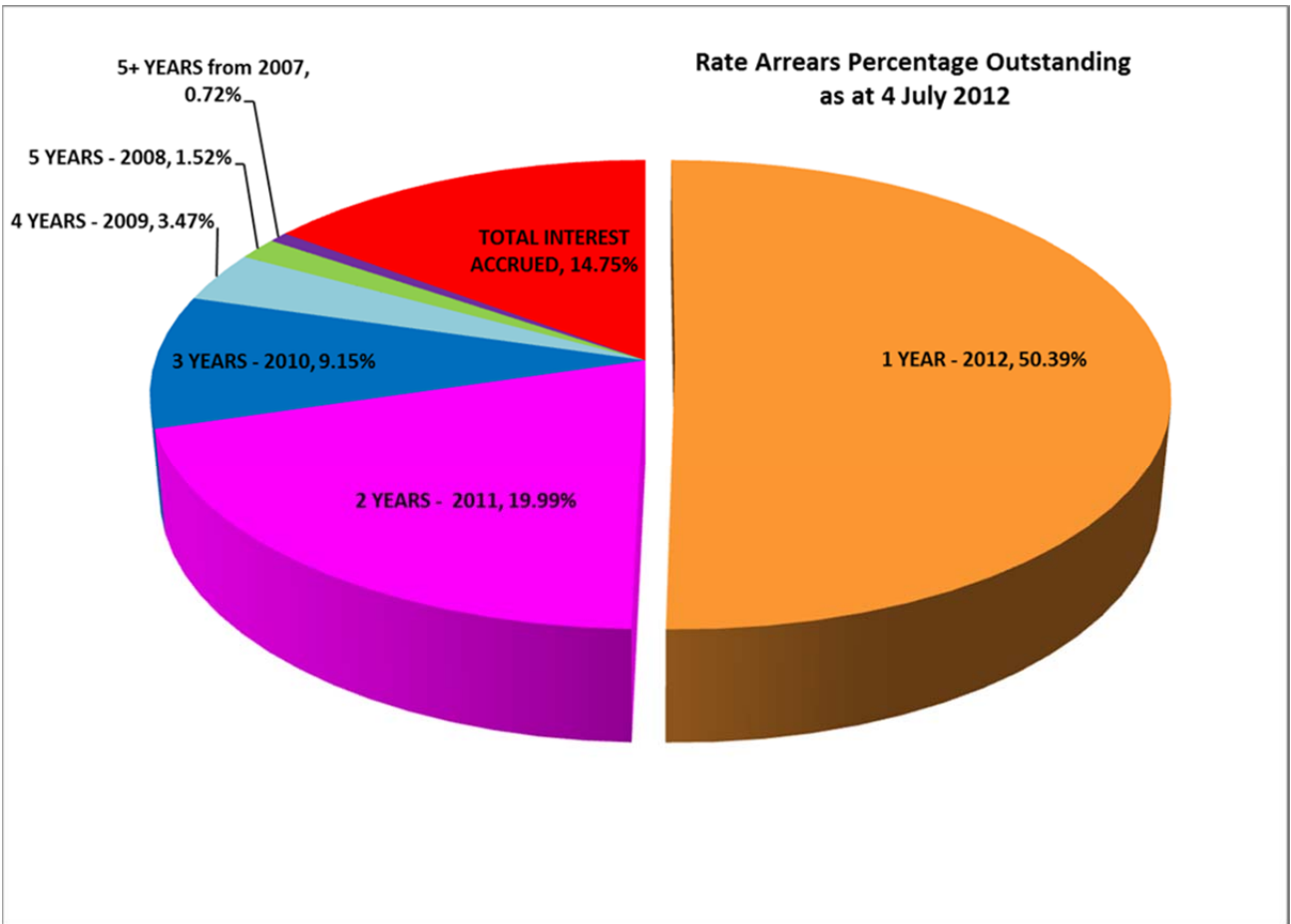
To the date of this report (3) three ratepayers following receipt of Council's Notice of Intention to Sell have settled their outstanding rates and charges.

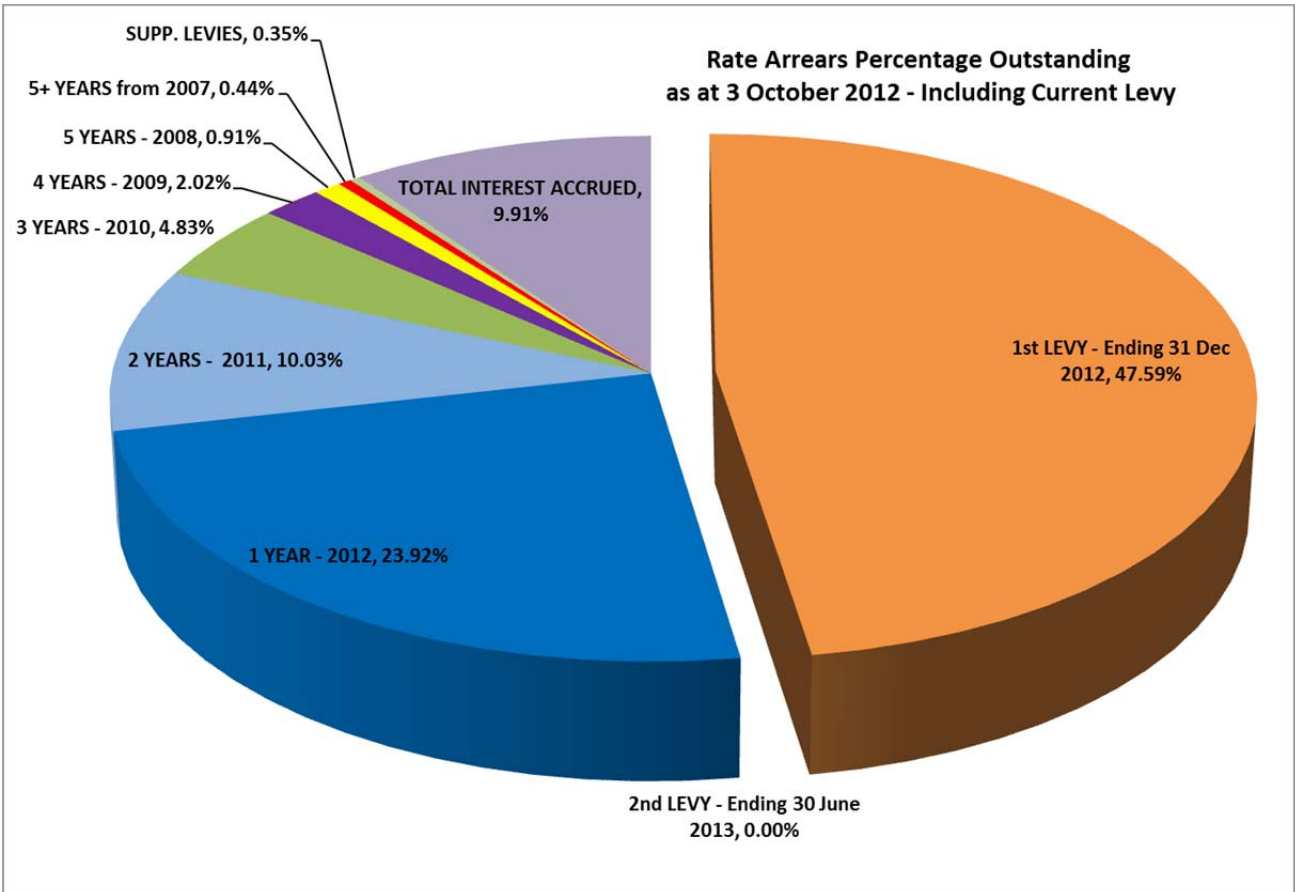
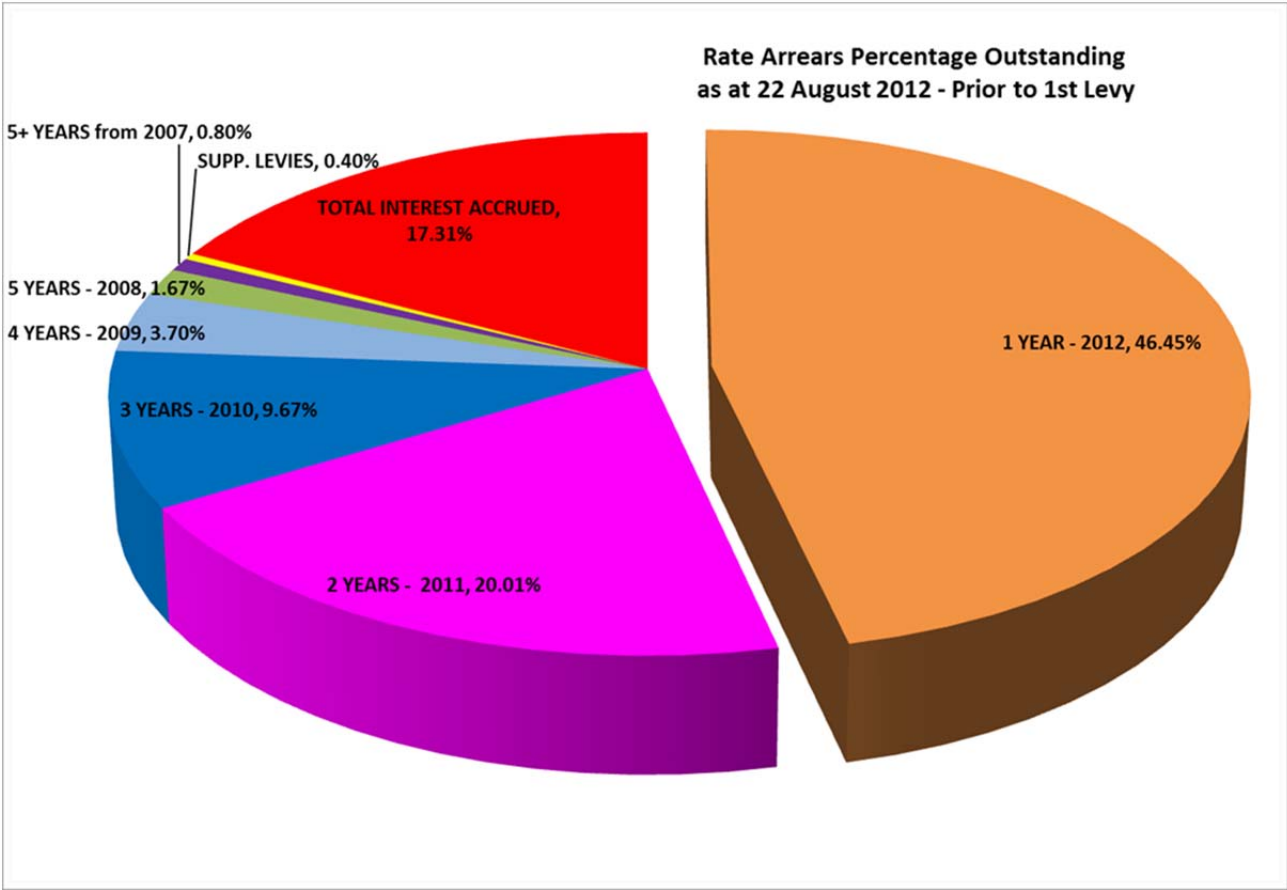
In September 2012 there were forty two (42) assessments in three (3) years arrears, In October 2012 the number of these assessments had reduced to twenty three (23), the number of assessments in three (3) years arrears at the date of this report has further reduced to nineteen (19), following telephone calls and email correspondence to ratepayers. Decreasing the number of these assessments has reduced the number of ratepayers progressing to sale of land proceedings; this in turn reduces Council's expenses on debt recovery legal requirements.

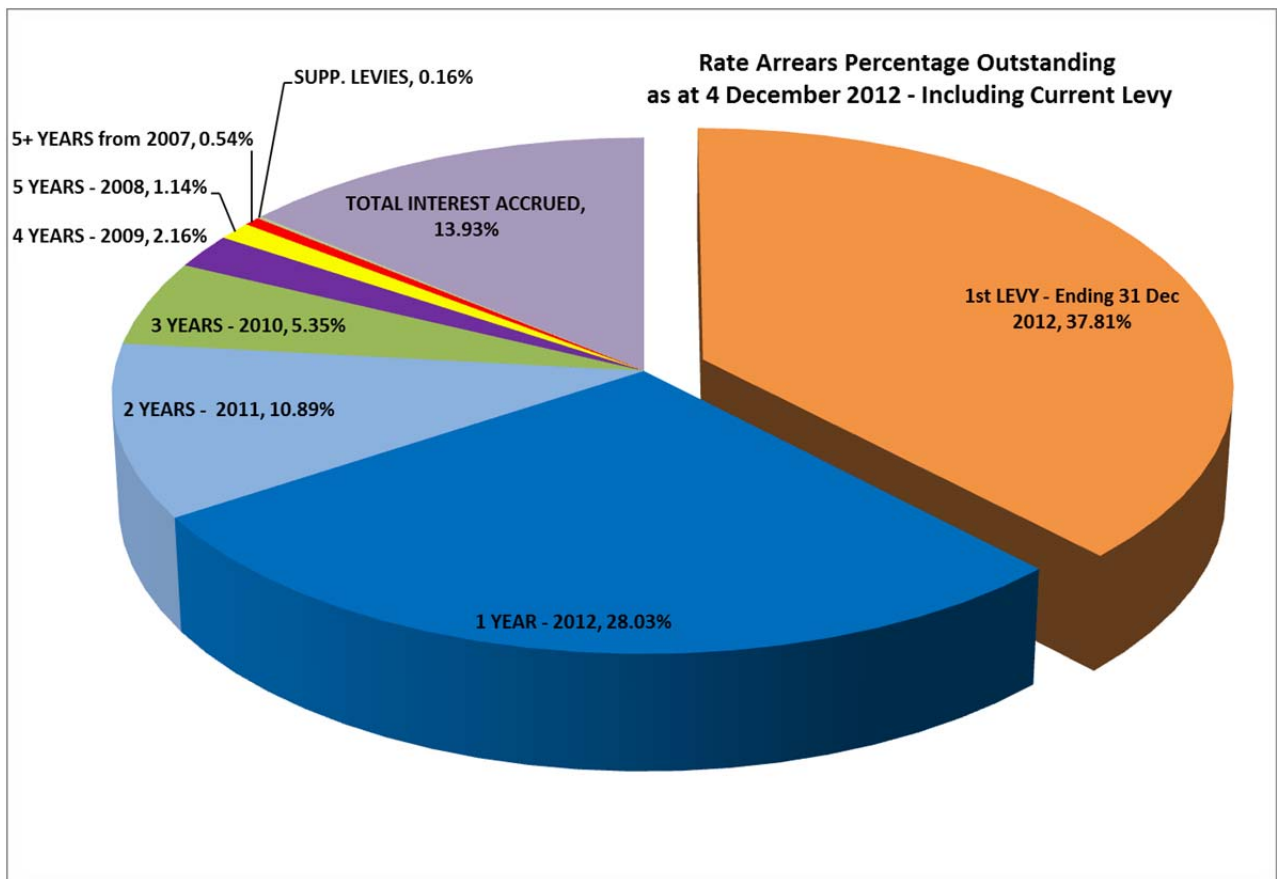
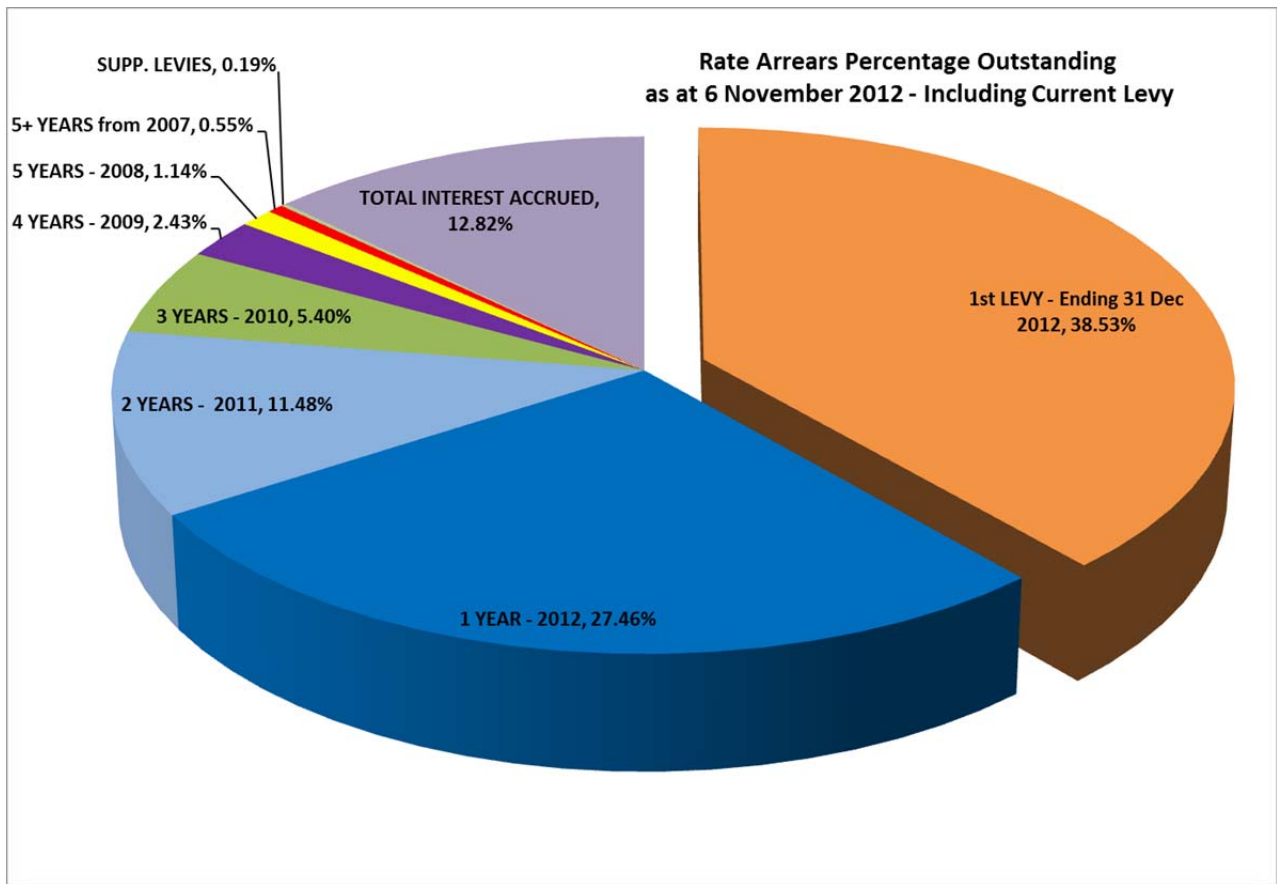
In Council's October 2012 report there were eighty-one (81) assessments in two (2) years arrears. In Council's November report this amount was reduced to seventy-one (71). To the date of this report sixty-one (61) assessments remain in arrears for two (2) years. (Refer to attached Graph for declining balances).

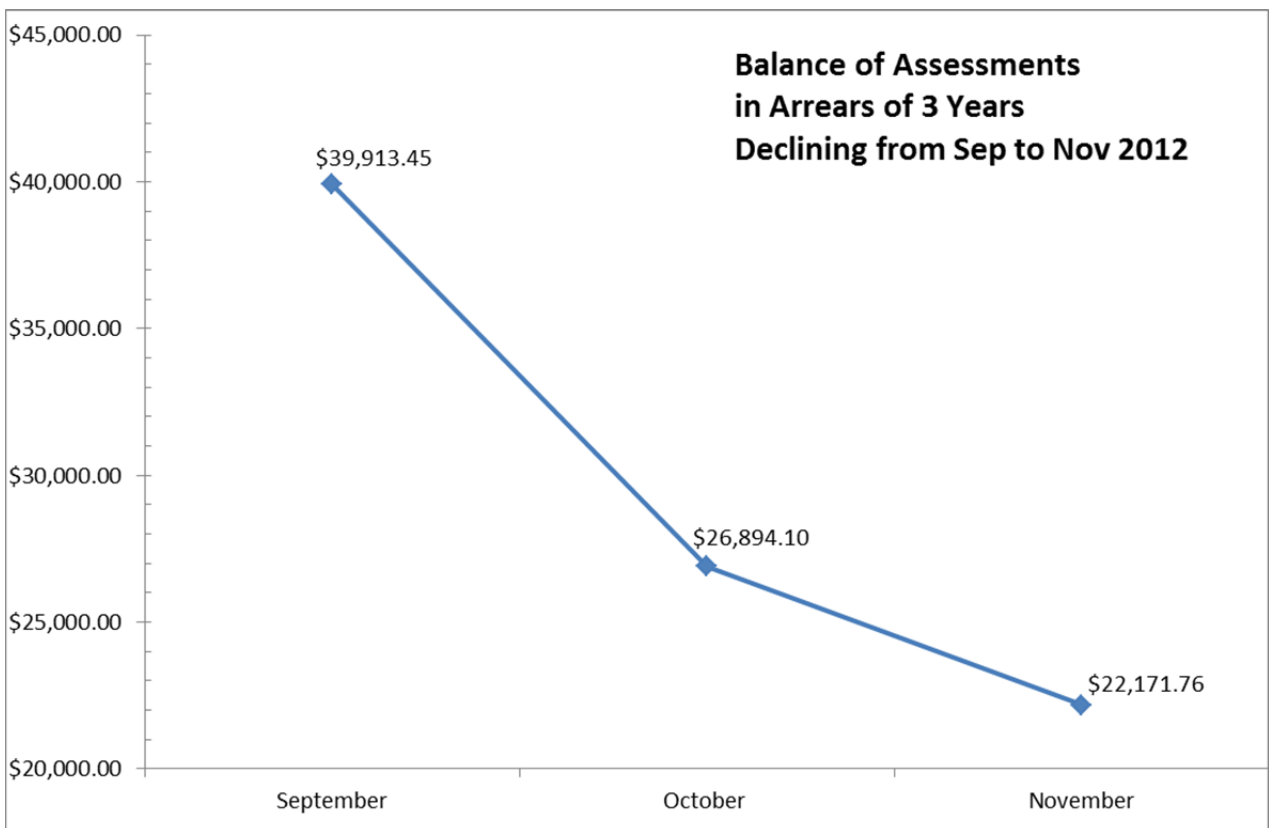
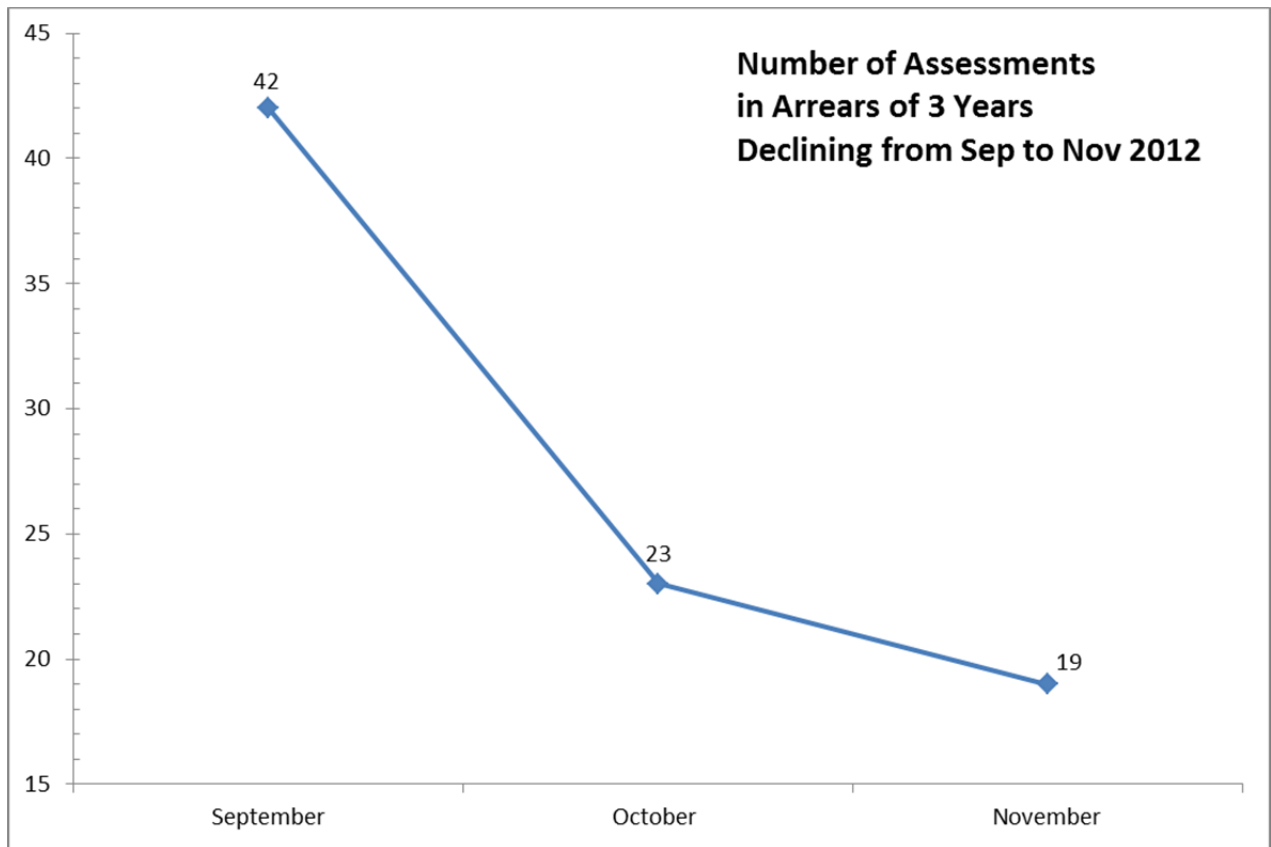
A report, including graphs, detailing a list of arrears outstanding and ratepayers' balances, shown by each community, to demonstrate the decline in funds as payments are received, will be presented to Council's General meeting for the quarters ending September, December, March and June.

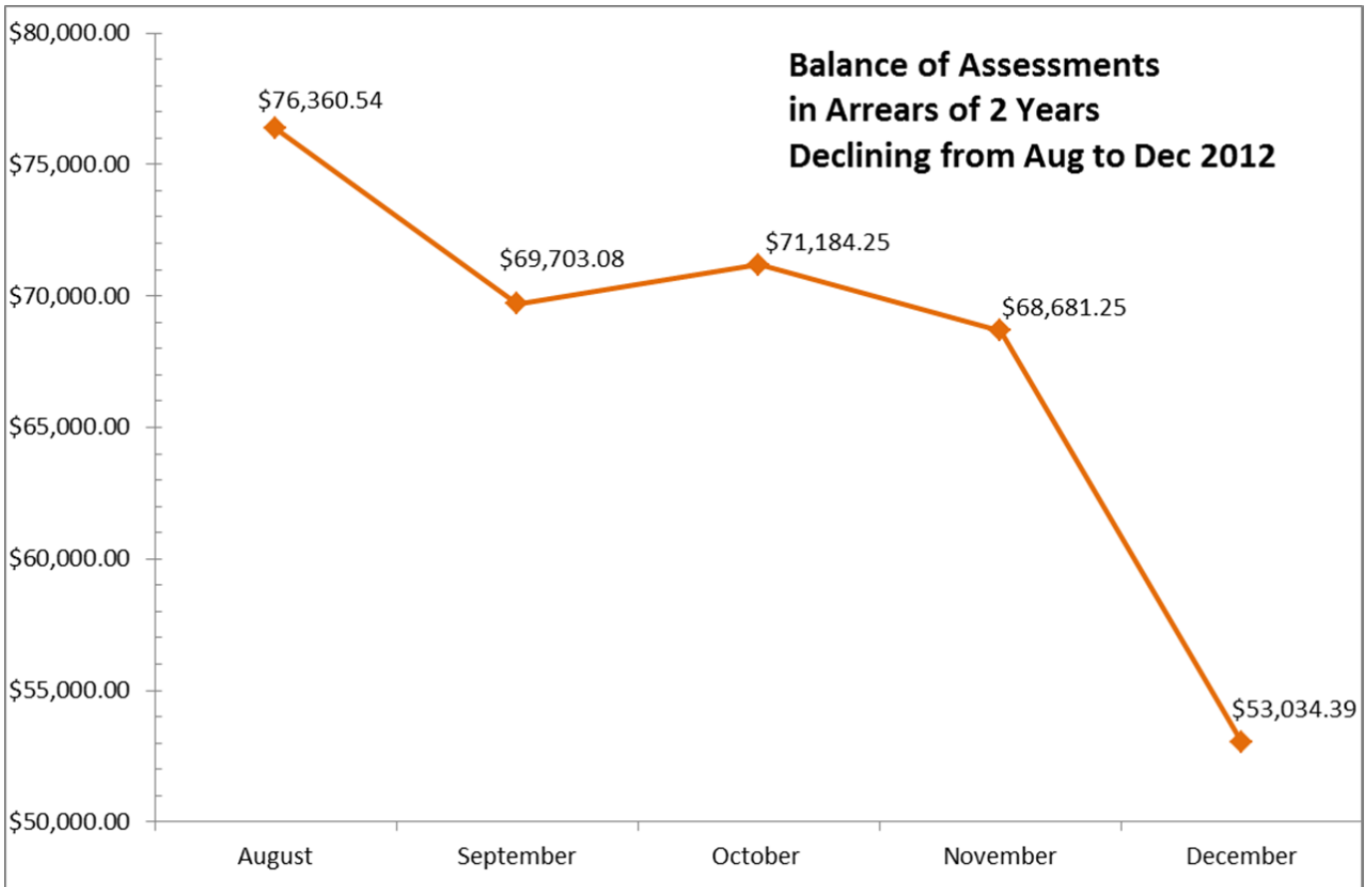
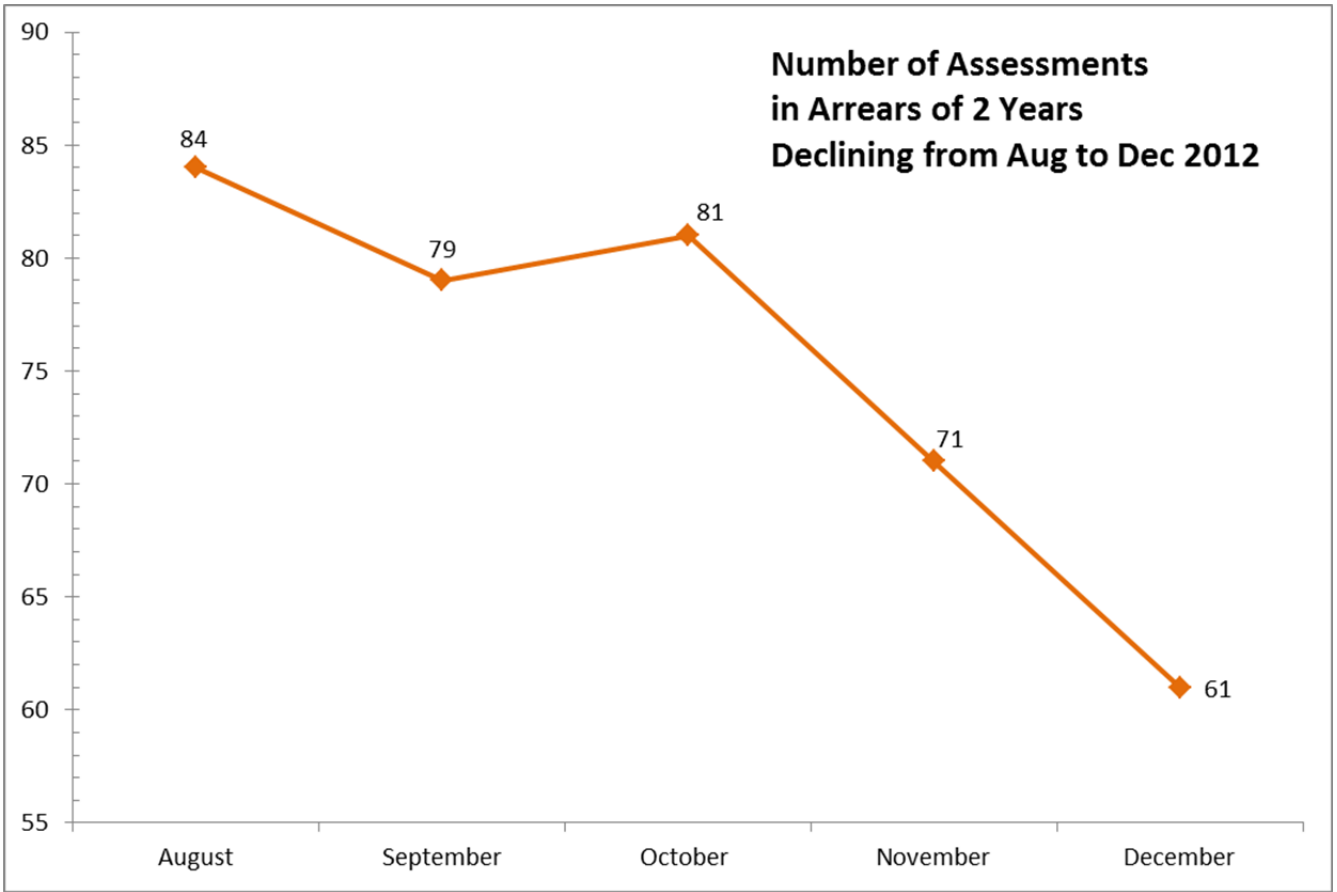
11 ATTACHMENTS



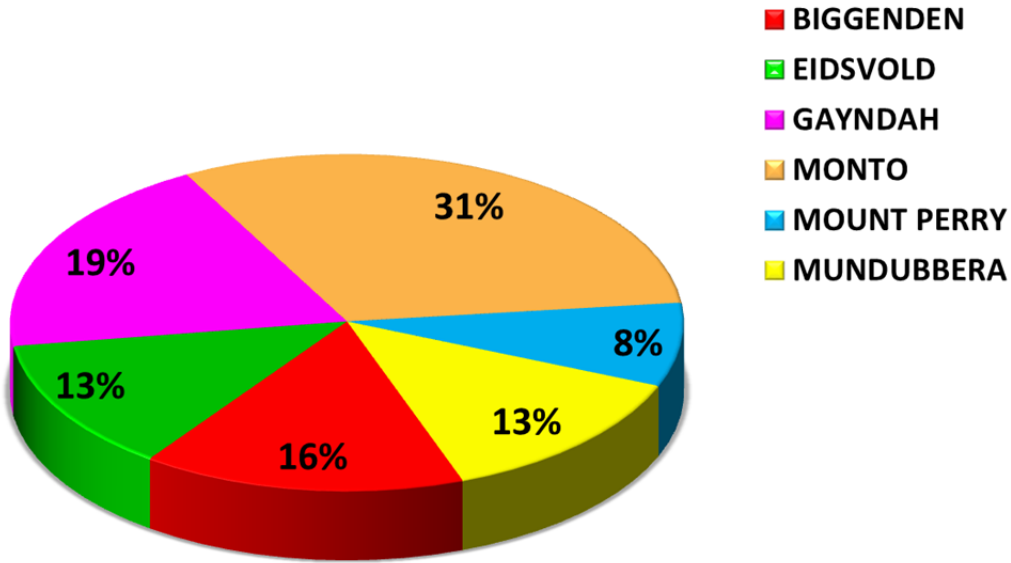








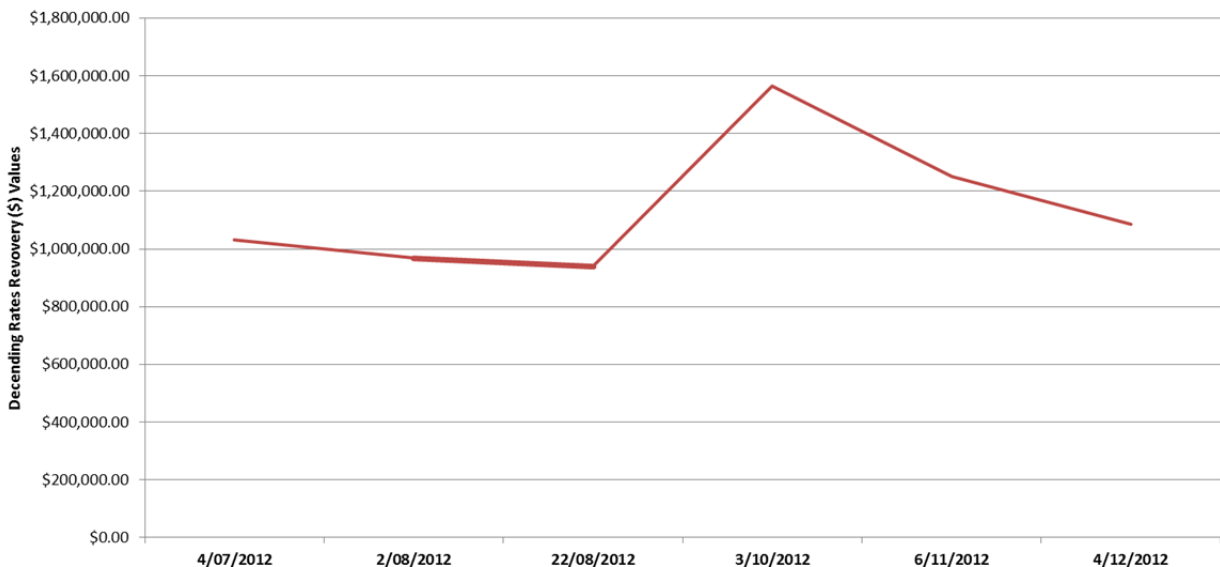
**Rates Percentage Outstanding
as at 4 December 2012 - Including Current Levy**



Rates Percentage Outstanding as at 4 December 2012 - Including Current Levy

	4/07/2012	2/08/2012	22/08/2012	3/10/2012	6/11/2012	4/12/2012	% Decrease
BIGGENDEN	\$162,941.19	\$156,276.43	\$153,142.81	\$238,704.62	\$197,470.11	\$167,956.89	18%
EIDSVOLD	\$75,269.58	\$72,454.07	\$70,190.10	\$171,813.88	\$140,217.28	\$138,188.97	1%
GAYNDAH	\$221,184.87	\$217,242.46	\$210,888.79	\$305,746.66	\$254,666.49	\$210,148.87	21%
MONTO	\$364,055.64	\$338,587.77	\$328,997.17	\$483,795.74	\$399,223.90	\$338,067.08	18%
MOUNT PERRY	\$87,163.70	\$84,333.64	\$83,751.52	\$177,006.27	\$107,723.57	\$87,194.62	24%
MUNDUBBERA	\$121,862.78	\$99,459.21	\$92,858.60	\$187,800.40	\$150,545.75	\$143,168.07	5%
	\$1,032,477.76	\$968,353.58	\$939,828.99	\$1,564,867.57	\$1,249,847.10	\$1,084,724.50	15%

**Outstanding Rates Recovery Graph
as at 4 December 2012 - Including Current Levy**



The Rate Balance as at 4 December 2012 amounts to \$1,084,724.50

The Rate Balance not including the first levy amounts to \$674,499.95.

RECOMMENDATION

That the Overdue Rates and Charges Report as presented be received as information

**OVERDUE RATES & CHARGES -
ACQUISITION OF VALUELESS LAND**

File: 12 – Financial Management
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: John O’Brien – Senior Finance Officer

3 PURPOSE OF REPORT

The purpose of this report is to inform Council of efforts being made to recover overdue rates and charges.

4 INTRODUCTION/BACKGROUND

The rateable property assessments as listed below have been in arrears of five (5) years and over.

Council’s General Meeting 21 June 2012 resolved that the following rate arrears be written off as irrecoverable and that the three (3) parcels of land as listed below be placed in the hands of a Solicitor to finalise the transaction from the current deceased owners and transfer to the North Burnett Regional Council and shown as non-rateable land.

Council’s letter dated 29 June 2012 was forwarded to Council’s Solicitor – Finemore Walters & Story in relation to acquire this land.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisation Ability, Section 3.2 Organisational Systems and 3.4 Transparency and Performance

4 POLICY IMPLICATIONS

General Policy 230 – Rate Recovery

5 STATUTORY REQUIREMENTS

Local Government Act Queensland 2009.
 Local Government (Finance, Plans and Reporting) 2010.

6 FINANCIAL IMPLICATIONS

The recovery of overdue rates and charges will improve Council’s cash position.

7 RISK MANAGEMENT

Process will be undertaken with legal advice strictly in accordance with legislation provisions.

8 CONSULTATION

Council's Solicitor – Mr Hal Ing of Finemore Walters & Story Solicitors forwarded a letter dated 4 December 2012 advising Council of regulations for acquisition of Valueless Land.

Pursuant to Section 82 of the *Local Government (Finance, Plans and Reporting) Regulation 2010* Council may by resolution decide to acquire land. However, this is only in circumstances where all of the elements of Section 81 of the Regulation are met. These elements are:-

- (a) there are overdue rates or charges on land in a local government area; and
- (b) the liability to pay the overdue rates or charges is not the subject of court proceedings; and
- (c) some of the overdue rates or charges have been overdue for at least three (3) years; and
- (d) the person who is liable to pay the overdue rates or charges has an interest in the land that a corporation is not prohibited from holding (for example, a life interest in land); and
- (e) either of the following applies –
 - (i) the total amount of the overdue rates or charges is more than the value of the land and the land is considered to be –
 - (A) valueless; or
 - (B) of so little value that, if it were sold, the proceeds of the sale would be less than the amount of the overdue rates or charges;
 - (ii) the total amount of the overdue rates or charges is more than the market value of the land.

9 OPTIONS FOR COUNCIL TO CONSIDER

Consider this report as information and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

That the following rate arrears be written off as irrecoverable and that the four (4) parcels of land as listed below be placed in the hands of a Solicitor to finalise the transaction from the current deceased owners and transfer to the North Burnett Regional Council and shown as non-rateable land. Council's resolution should then include a Schedule detailing the land to be acquired.

Assessment	Property Owner Name	Outstanding Rates & Charges as at 30 Nov 2012	Unimproved Valuation 30 June 12	Property Description	Property Address	Property Area
EIDSVOLD 20615-00000-000	Robert Alexander Dougherty	\$5,754.05	\$4,000.00	Lot 101/R1011 (GLR74604) Par Redbank	Redbank Reserve Road Eidsvold	4.184ha
EIDSVOLD 20618-00000-000	George McCully	\$5,712.84	\$2,000.00	Lot 79/R1011 Par Redbank	Ann Street, Eidsvold	2428m ²
EIDSVOLD 20619-00000-000	John Paige	\$5,712.84	\$4,000.00	Lot 80 & 84 R1011 Par Redbank	Ann Street, Eidsvold	2428m ²

As stated above, pursuant to Section 82 (e) of the *Local Government (Finance, Plans and Reporting) Regulation 2010* either of the following must apply for the land to be acquired:

- (i) the total amount of the overdue rates or charges is more than the value of the land and the land is considered to be –
 - (A) valueless; or
 - (B) of so little value that, if it were sold, the proceeds of the sale would be less than the amount of the overdue rates or charges;
- (ii) the total amount of the overdue rates or charges is more than the market value of the land.

The land described in the Schedule above all have overdue rates and charges that are more than their unimproved value. Council can acquire this land pursuant to section 82(e)(i) if considers the land to be valueless or of so little value that, if it was sold, the proceeds of the sale would be less than the amount of the overdue rates or charges.

However, in relation to the land in the Schedule below, the unimproved valuation of \$16,500 is greater than the outstanding rates and charges of \$5,304.00. It is Council’s legal advice that it cannot acquire this land pursuant to section 82(e)(i) and can only acquire this land pursuant to section 82(e)(ii) if a valuation is obtained that confirms that the overdue rates or charges are more than the market value of the land.

MT PERRY 50184-50000-000	George Robert Fife & Flora Monzel & Charles Brown Fisher	\$5,304.00	\$16,500.00	Lot 308/RP191729 Par Mt Perry	McKay Street, Mt Perry	1012m ²
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RECOMMENDATION

That the acquisition of valueless land report be received and Council:

1. resolves accordance with Chapter 2 Part 12 Subdivision 3 of the Local Government (Finance, Plans and Reporting) Regulation 2010 to acquire land identified in the following Schedule; and
2. resolves to instruct Finemore Walters & Story to attend to all necessary steps on Council's behalf to enable Council to acquire the following; land.

Assessment	Property Owner Name	Outstanding Rates & Charges as at 30 Nov 2012	Unimproved Valuation 30 June 12	Property Description	Property Address	Property Area
EIDSVOLD 20615-00000-000	Robert Alexander Dougherty	\$5,754.05	\$4,000.00	Lot 101/R1011 (GLR74604) Par Redbank	Redbank Reserve Road Eidsvold	4.184ha
EIDSVOLD 20618-00000-000	George McCully	\$5,712.84	\$2,000.00	Lot 79/R1011 Par Redbank	Ann Street, Eidsvold	2428m ²
EIDSVOLD 20619-00000-000	John Paige	\$5,712.84	\$4,000.00	Lot 80 & 84 R1011 Par Redbank	Ann Street, Eidsvold	2428m ²

3. Appoint Access Negotiations Pty Ltd to prepare the market value report on the listed property

MT PERRY 50184-50000-000	George Robert Fife & Flora Monzel & Charles Brown Fisher	\$5,304.00	\$16,500.00	Lot 308/RP191729 Par Mt Perry	McKay Street, Mt Perry	1012m ²
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FINANCIAL REPORT

File: 12 – Financial Management
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Justin Kronk – Manager Financial Services

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with up to date, accurate and relevant financial information

2 INTRODUCTION/BACKGROUND

At Council's Budget Meeting on 7 August 2012, Council adopted the Operational and Capital budget for the financial period 01 July 2012 to 30 June 2013. Council adopted its first operational budget amendment at its September general meeting. This report outlines performance against budget for the year to the end of last month.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisation Ability, Section 3.4 Transparency and Performance.

4 POLICY IMPLICATIONS

Nil

5 STATUTORY REQUIREMENTS

Local Government (Finance, Plans and Reporting) Regulation 2010 requires that Council be given statements made up to as near as practical to the end of the preceding month.

6 FINANCIAL IMPLICATIONS

Nil

7 RISK MANAGEMENT

Nil

8 CONSULTATION

Nil

9 OPTIONS FOR COUNCIL TO CONSIDER

- Report is for information purposes only

10 OFFICER'S COMMENTS/CONCLUSION

These statements form the report which outlines Council's performance for the financial year to month end and the financial position as at that date.

The Income Statement outlines the result of Council's day to day operations. The Balance Sheet outlines the impact of those operations and capital expenditure.

11 ATTACHMENTS

Attachment 1 is the Statement of Comprehensive Income

Attachment 2 is the Balance Sheet

Attachment 3 is the Statement of Cashflows

RECOMMENDATION

That the Financial Report as presented be received.

Attachment 1

NORTH BURNETT REGIONAL COUNCIL Statement of Comprehensive Income

For the year ended 30 November 2012

	<u>Notes</u>	<u>2013 Actual</u>	<u>Amend. 12/13</u>
Income			
Recurrent revenue			
Rates, levies and charges	3	5,649,807	12,218,305
Fees and charges	3	716,219	1,242,000
Rental income	3	188,091	367,529
Interest received	3	206,125	524,950
Sales revenue	3	4,119,015	7,776,078
Other income	3	156,213	281,850
Grants, subsidies, contributions and donations	4	5,350,780	19,155,713
		16,386,251	41,566,425
Recurrent expenses			
Employee benefits	6	(6,527,896)	(14,900,000)
Materials and services	7	(9,023,912)	(24,514,848)
Finance costs	8	(66,306)	(260,905)
Depreciation and amortisation	9	0	(6,907,884)
		(15,618,114)	(46,583,637)
Operating Result before Capital Items		768,137	(5,017,212)
Net Capital Items			
Capital Income			
Reversal of prior revaluation decrement		0	9,082,679
Grants, subsidies, contributions and donations	4	90,323	1,377,160
Gain/(loss) on disposal of assets		0	0
Net Capital Items		90,323	10,459,839
Net result after capital items		858,460	5,442,627
Other comprehensive income			
Increase / (decrease) in asset revaluation surplus	10	0	0
Total other comprehensive income for the year		0	0
Total comprehensive income for the year		858,460	5,442,627

Attachment 2

NORTH BURNETT REGIONAL COUNCIL

Statement of Financial Position

For the year ended 30 November 2012

	<u>Notes</u>	<u>2013 Actual</u>	<u>Amend. 12/13</u>
Current Assets			
Cash and cash equivalents	11	16,545,505	11,340,290
Trade and other receivables	12	2,891,797	3,997,680
Inventories	13	576,433	622,429
		20,013,734	15,960,399
Total current assets	2	20,013,734	15,960,399
Non-current Assets			
Receivables	12	31,839	25,839
Property, plant and equipment	15	881,839,891	889,804,153
	49		
Intangible assets	16	0	194,659
Total non-current assets	2	881,871,730	890,024,651
TOTAL ASSETS		901,885,465	905,985,050
Current Liabilities			
Trade and other payables	17	2,121,837	3,042,271
Borrowings	18	327,794	465,097
Provisions	20	1,352,121	1,353,596
Other	21	327,603	327,604
Total current liabilities		4,129,355	5,188,568
Non-current Liabilities			
Interest bearing liabilities	18	3,096,276	3,534,186
Provisions	20	394,247	281,655
Total non-current liabilities		3,490,523	3,815,841
TOTAL LIABILITIES		7,619,878	9,004,409
NET COMMUNITY ASSETS		894,265,587	896,980,641
Community Equity			
Shire capital		651,135,746	658,079,452
Asset revaluation reserve	22	243,900,586	238,876,020
Retained surplus/(deficiency)		(770,748)	25,169
TOTAL COMMUNITY EQUITY		894,265,585	896,980,641

Attachment 3

NORTH BURNETT REGIONAL COUNCIL

Statement of Cash Flows

For the year ended 30 November 2012

	<u>Notes</u>	<u>2013 Actual</u>	<u>Amend. 12/13</u>
Cash flows from operating activities:			
Receipts from customers		13,870,214	21,729,651
Payments to suppliers and employees		(18,487,375)	(39,909,908)
		(4,617,161)	(18,180,257)
Interest received		206,125	524,950
Rental income		188,091	367,529
Non-capital grants and contributions		5,360,760	19,127,100
Borrowing costs		(53,267)	(225,905)
Net cash inflow (outflow) from operating activities	28	1,084,548	1,613,417
Cash flows from investing activities:			
Payments for property, plant and equipment		(1,182,029)	(9,057,200)
Net movement on loans and advances		3,000	34,540
Proceeds from sale of property, plant and equipment	5	0	219,999
Finance lease receipts		0	0
Grants, subsidies, contributions and donations		90,323	1,377,160
Net cash inflow (outflow) from investing activities		(1,088,706)	(7,425,501)
Cash flows from financing activities			
Proceeds from borrowings		0	960,000
Repayment of borrowings		(105,370)	(462,657)
Net cash inflow (outflow) from financing activities		(105,370)	497,343
Net increase (decrease) in cash and cash equivalents held		(109,528)	(5,314,741)
Cash and cash equivalents at beginning of reporting period		16,655,031	16,655,031
Cash and cash equivalents at end of reporting period	11	16,545,505	11,340,290

REVENUE & EXPENDITURE REPORT

File: 12 – Financial Management
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Justin Kronk – Manager Financial Services

1 PURPOSE OF REPORT

The purpose of this report is to provide council with additional information over that which is required by legislation.

2 INTRODUCTION/BACKGROUND

The preceding statements provide information at the level at which the budget was adopted. These statements provide greater detail.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisation Ability, Section 3.4 Transparency and Performance

4 POLICY IMPLICATIONS**5 STATUTORY REQUIREMENTS****6 FINANCIAL IMPLICATIONS****7 RISK MANAGEMENT****8 CONSULTATION****9 OPTIONS FOR COUNCIL TO CONSIDER**

- Receive this report as information.

10 OFFICER'S COMMENTS/CONCLUSION

The attachment is a revenue and expenditure report for the Council split in line with the operational budget adopted by Council for the period. This report splits the operations of Council by each directorate in line with the budget that was adopted.

The benchmark for the amount of the year completed is 42% being 5 months of 12 completed. Comments on variances are included below.

General Ledger Section	Description	Actual to Budget Variance
Governance		
1070-0003	Human Resources	Trainee costs are above budget, some trainees will complete part way through the year.
Corporate Services		
1550-0003-0000	Finance	Insurance Premiums for the year and part of 13-14 year have been paid.
1900-0003	Council Housing	Revenue journal is dated to 30 Sept. looks to be about \$10k under budget by end of year.
Community Services		
2100-0003	Senior Citizens Units	Rates paid in Sept, major electrical repairs undertaken smoke alarms installed \$3k one off.
2300-0003	Tourist Promotion	Airport strategic directions projects completed, also Bundaberg region member paid for financial year.
2350-0003	RM Williams Centre	Revenue is below budget. Visitor revenue ok. Education income is low.
2500-0003	Cultural – Museums & Galleries	Expense above budget throughout section. Expense needs to be halted or budget looked at further.
2600-0003	Care Facilities	Payment through to end of December have been made.
3300-0003	Community & Memorial Halls	Op expense tracking above budget. However is lower than actuals to same point last year. If trend of last continues this year should end year around budgeted figure.
3500-0003	Other Sports Facilities	Revenue is below, this is mostly capital revenue for projects budgeted for. Revenue will be received in line with grant agreement terms.
Technical Services		
4000-0003	Engineering Office	Revenue is below budget. The majority of revenue is based on completion of work and milestones. Uncertainty with TIDS allocation has slowed work commencement and therefore claims.
4200-0003	Cemeteries	Revenue is low.
4600-0003	Workshops & Depots	Revenue is low, due to fuel tax credit reduction.
5000-0002	Water	Expense is above budget, first half yr of bulk water has been paid excluding this exp above budget by 7%.
Development Services		
7501-0004	NBRC Waste	Income is made un entirely of grant revenue yet to be received.
7700-0003	Exec Serv – Development	Exp just above budget will trend back towards budget when leave periods are taken.
Overall Perspective		Revenue is below YTD budget Recoverable works, capital Rev. Expenses are below budget at end of November.

11 ATTACHMENTS

Revenue and Expenditure report

RECOMMENDATION

That the Revenue and Expenditure Report as presented, be received.

Attachment

General Ledger 2011.6.30.3		Revenue and Expenditure Summary		Page - 1	
(Accounts: 1000-0001-0000 to 8100-7100-0000. All report groups 42% of year elapsed. To Level 3. Excludes committed costs)		Financial Year Ending 2013		Printed(HEIDI): 05-12-2012 3:26:54 PM	
North Burnett Regional Council (Budget for full year)		Budget		Budget	
	30 Nov 2012	30 Nov 2012	Budget	30 Nov 2012	Budget
	REVENUE	EXPENDITURE		SURPLUS/(DEFICIENCY)	
1000-0001 NORTH BURNETT REGIONAL COUNCIL					
1000-0002 GOVERNANCE	0.00	396,175.49	1,065,400	(396,175.49)	37%
1000-0003 GOVERNANCE	0.00	16,947.54	97,428	(16,947.54)	58%
1030-0003 Emergency Services	0.00	1,726.10	17,000	(1,726.10)	0
1055-0003 Fire Brigade	8,554.42	7,986.21	45,000	(7,986.21)	18%
1060-0003 Public Relations	0.00	648,619.76	1,077,000	(648,619.76)	89%
1070-0003 Human Resources	44,318.18				
1000-0002 GOVERNANCE	52,872.60	1,071,455.10	2,301,828	(1,018,582.50)	56%
1100-0002 CORPORATE SERVICES	180,826.65	703,450.46	3,047,301	(522,623.81)	19%
1100-0003 GENERAL ADMINISTRATION	0.00	70,557.36	180,000	(70,557.36)	39%
1300-0003 RECORDS MANAGEMENT	5,704,207.48	1,372,887.05	4,331,320.43	4,331,320.43	23%
1500-0003 FINANCE	0.00	(175,222.59)	16,514	175,222.59	<999%
1600-0003 EMPLOYEE COSTS & RECOVERIES	0.00	7,479.17	(40,000)	(7,479.17)	-19%
1700-0003 STORES/PURCHASING	16,318.79	198,328.02	510,296	(182,009.23)	37%
1800-0003 LIBRARIES	44,465.00	36,212.61	121,170	8,252.39	29%
1900-0003 COUNCIL HOUSING	5,945,817.92	2,121,692.08	(2,595,707)	3,732,125.84	24%
1100-0002 CORPORATE SERVICES	0.00	86,345.08	263,000	(86,345.08)	34%
2000-0002 COMMUNITY SERVICES	0.00	117,215.59	287,200	(117,215.59)	41%
2000-0003 ECONOMIC DEVELOPMENT	47,046.34	34,481.23	114,889	12,565.11	<999%
2050-0003 COMMUNITY & CULTURAL	632.48	150,195.38	322,654	(149,562.90)	47%
2100-0003 SENIOR CITIZENS UNITS	10,669.10	82,149.01	313,781	(71,479.91)	26%
2300-0003 TOURIST PROMOTION	918.26	38,086.45	82,471	(37,168.19)	47%
2350-0003 R.M.Williams Centre	51,681.55	47,091.80	112,380	4,589.75	-17%
2500-0003 CULTURAL-MUSEUMS & GALLERIES	276,091.08	332,438.60	921,079	(56,347.52)	13%
2600-0003 CARE FACILITIES	387,038.81	888,003.14	2,417,454	(500,964.33)	30%
2700-0003 COMMUNITY SUPPORT		727,165			
2000-0002 COMMUNITY SERVICES	5,335.00	2,364.63	8,500	2,970.37	69%
3000-0002 COMMUNITY INFRASTRUCTURE	3,858.87	81,268.67	196,604	(77,405.60)	43%
3000-0003 COMMUNITY HOUSING	0.00	202,679.87	532,679	(202,679.87)	32%
3300-0003 COMMUNITY AND MEMORIAL HALLS	15,793.61	77,018.93	223,315	(61,225.32)	52%
3400-0003 SWIMMING POOLS	228,662.07	162,605.10	267,915	66,056.97	48%
3500-0003 OTHER SPORTS & REC FACILITIES		525,933.20	1,328,848	(272,283.65)	45%
3600-0003 CARAVAN PARKS	233,649.55				
3000-0002 COMMUNITY INFRASTRUCTURE	787,127.37	649,826.16	4,268,294	137,301.21	39%
4000-0002 OPERATIONS					
4000-0003 ENGINEERING OFFICE					

	30 Nov 2012		Budget		30 Nov 2012		Budget		30 Nov 2012		Budget	
	REVENUE	EXPENDITURE	REVENUE	EXPENDITURE	SURPLUS/(DEFICIENCY)	REVENUE	EXPENDITURE	SURPLUS/(DEFICIENCY)	REVENUE	EXPENDITURE	SURPLUS/(DEFICIENCY)	Budget
4100-0003 MAINTENANCE	0.00	0%	0	0	0	5,675,000	27%	(5,675,000)	5,675,000	27%	(5,675,000)	
4200-0003 CEMETERIES	34,226.87	38%	90,000	41%	191,565	191,565	41%	(101,565)	191,565	41%	(101,565)	
4300-0003 SPORT & RECREATION	3,879.18	65%	6,000	36%	1,549,984	1,549,984	36%	(1,543,984)	1,549,984	36%	(1,543,984)	
4400-0003 WASHDOWN BAYS	3,528.22	71%	5,000	31%	12,387.79	40,000	25%	(35,000)	12,387.79	25%	(35,000)	
4500-0003 QUARRIES	0.00	0%	0	0%	4,690.94	0	0%	4,690.94	4,690.94	0%	4,690.94	
4600-0003 WORKSHOP AND DEPOTS	19,707.42	20%	100,000	70%	(1,603,528.52)	1,623,235.94	68%	2,375,078	1,623,235.94	68%	2,375,078	
4700-0003 RECOVERABLE WORKS	6,579,370.44	37%	17,576,078	42%	17,098,380	17,098,380	42%	(280,340)	17,098,380	42%	(280,340)	
4800-0003 AERODROMES	0.00	0%	0	0%	33,526.66	280,340	12%	(280,340)	33,526.66	12%	(280,340)	
4850-0003 LAND PROTECTION	1,604.23	40%	4,000	40%	152,432.56	380,000	40%	(150,828.33)	152,432.56	40%	(150,828.33)	
4000-0002 OPERATIONS	7,429,443.73	33%	22,400,404	31%	8,530,675.39	27,208,485	23%	(4,808,081)	8,530,675.39	23%	(4,808,081)	
5000-0002 WATER SUPPLY												
5000-0003 Water	781,675.66	31%	2,489,079	37%	911,675.56	2,485,336	<999%	3,743	911,675.56	<999%	3,743	
5000-0002 WATER SUPPLY	781,675.66	31%	2,489,079	37%	911,675.56	2,485,336	<999%	3,743	911,675.56	<999%	3,743	
6000-0002 SEWERAGE SERVICES												
6000-0002 SEWERAGE SERVICES	737,706.35	50%	1,479,228	26%	301,533.51	1,175,864	144%	303,364	301,533.51	144%	303,364	
7000-0002 DEVELOPMENT SERVICES												
7000-0003 ENVIRONMENTAL COMPLIANCE	286,852.94	44%	647,312	69%	320,908.08	464,900	-19%	182,412	320,908.08	-19%	182,412	
7200-0003 WASTE MANAGEMENT	48,602.63	63%	76,900	34%	89,032.38	265,050	21%	(188,150)	89,032.38	21%	(188,150)	
7500-0003 PLANNING AND DEVELOPMENT	442,029.43	44%	1,015,326	29%	485,807.02	1,658,950	7%	(643,624)	485,807.02	7%	(643,624)	
7700-0003 EXECUTIVE SERVICES - DEVELOPMENT	161,598.91	72%	225,750	38%	214,651.40	565,750	16%	(340,000)	214,651.40	16%	(340,000)	
7700-0003 EXECUTIVE SERVICES - DEVELOPMENT	0.00	0%	0	45%	103,109.40	230,700	45%	(230,700)	103,109.40	45%	(230,700)	
7000-0002 DEVELOPMENT SERVICES	939,083.91	48%	1,965,288	36%	1,213,508.28	3,185,350	22%	(1,220,062)	1,213,508.28	22%	(1,220,062)	
1000-0001 NORTH BURNETT REGIONAL COUNCIL	16,527,288.53	38%	43,063,585	42%	15,656,476.26	37,507,458	16%	5,556,127	15,656,476.26	16%	5,556,127	
TOTAL REVENUE AND EXPENDITURE	16,527,288.53	38%	43,063,585	42%	15,656,476.26	37,507,458	16%	5,556,127	15,656,476.26	16%	5,556,127	

CURRENT ASSET POSITION REPORT

File: 12 – Financial Management
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Justin Kronk – Manager Financial Services

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with an update on the current asset position of Council.

2 INTRODUCTION/BACKGROUND

Council has requested up to date information regarding its cash position. It is not possible to consider cash in isolation so this report includes other current assets and current liabilities giving insight as to the net asset position.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisation Ability, Section 3.4 Transparency and Performance

4 POLICY IMPLICATIONS

Nil

5 STATUTORY REQUIREMENTS

Nil.

6 FINANCIAL IMPLICATIONS

Nil.

7 RISK MANAGEMENT

Nil.

8 CONSULTATION

Result of discussion with senior staff, consultants and auditors suggest that this format will be of greater assistance to Council's deliberations.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Receive this report as information.

10 OFFICER'S COMMENTS/CONCLUSION

Presented below is a breakdown of the current position of Council:

Current Assets	This Month	Last Month
Cash	16,545,505	17,502,851
Receivables	2,891,797	2,049,553
Inventory	576,433	679,647
Current Liabilities		
Trade Creditors	2,121,837	2,419,394
Employee entitlements	1,352,121	1,351,962
QTC Loans	327,794	327,794
Other	327,603	327,603
Net Assets	15,884,380	15,805,298

11 ATTACHMENTS

Nil.

RECOMMENDATION

That the Current Asset Position Report as presented, be received.

FINAL AUDIT MANAGEMENT LETTER

File: 12 – Financial Management
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Justin Kronk – Manager Financial Services

1 PURPOSE OF REPORT

The purpose of this report is to provide Council with the final management letter received as part of the 30 June 2012 Financial Statement preparation.

2 INTRODUCTION/BACKGROUND

Each year Council is required to have an external audit undertaken of Councils operations. As part of this process the external auditor provides recommendations to Council for improvement of processes and operations in the form of a Management Letter.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 3 – Organisation Ability, Section 3.4 Transparency and Performance

4 POLICY IMPLICATIONS

Nil

5 STATUTORY REQUIREMENTS

Nil

6 FINANCIAL IMPLICATIONS

Nil.

7 RISK MANAGEMENT

Nil.

8 CONSULTATION

Result of discussion with senior staff, audit committee and auditors.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Receive this report as information.

10 OFFICER'S COMMENTS/CONCLUSION

Once again there has been a reduction in the number of issues that have been raised. There is also a decrease in the level of risk of the items raised. Where a recommendation has been received from the auditors steps have been put in place to action a resolution that is most appropriate for Council.

11 ATTACHMENTS

Final Audit Management Letter

RECOMMENDATION

That the Final Audit Management Letter be received as information.

Mr D Waugh
Mayor
North Burnett Regional Council
PO Box 390
GAYNDAH QLD 4625

20 November 2012



Dear Don

MANAGEMENT LETTER - AUDIT OF NORTH BURNETT REGIONAL COUNCIL FOR THE YEAR ENDED 30 JUNE 2012

In completing our final audit visit of North Burnett Regional Council for the year ending 30 June 2012 we noted some items for your attention in improving the systems of the Council.

Appendix 1 sets out details of the weaknesses in accounting systems and internal controls.

Appendix 2 sets out matters raised in previous audits and their current status.

Our communication only includes matters that have come to our attention as a result of the performance of the audit and our audit of the financial report is not designed to identify all matters that may be relevant to the Audit Committee. Accordingly, the audit does not ordinarily identify all such matters. Each of the matters raised in the audit have been assessed against a risk rating categorised as High, Moderate or Low. The details of the final audit findings and the status of findings from previous letters are outlined in Appendices. To assist your understanding of the level of the significant of the matters identified, the table in the executive summary provides a description of the audit matters raised.

Where a matter raised is, in the Auditor General's opinion, a matter of significant and in the Auditor General's view warrants inclusion in a Report to the Legislative Assembly, you will be given the opportunity to comment on the matter and your comments will be reflected in the report.

The responsibility for producing the financial statements and ensuring adequate internal controls and sound business practices is the responsibility of management and is a part of management's overall responsibility for the ongoing activities of the Council. Policies and procedures developed by the Council to safeguard its assets and to provide reasonable assurance that errors and irregularities or illegal acts are promptly identified, must be properly monitored to ensure that all staff are complying with the guidelines provided. Where we determined, from our testing, that there exists a need for improvement in existing systems of internal control or if we detected that the Council's staff are not complying with the critical accounting policies and procedures provided by management, we increased our year-end testing of account balances to ensure that audit risk was kept to an appropriate low level.

In order for the Council to ensure the safeguarding of its assets and the accuracy of its records, we believe our comments and concerns should be taken into consideration by management and those charged with governance. Our comments are not intended to reflect upon the honesty or competence of the Council's employees.

Please pass on our appreciation to Mark Pitt, Justin Kronk, Lisa Benham and staff for their assistance and courtesy during our visit.

If you require any further assistance in regard to these matters, please do not hesitate to contact either Alex Hayes or myself.

Yours faithfully



Craig Jenkins

As Delegate for the Auditor-General of Queensland

CC: Mr Mark Pitt, CEO
Mr Les Hotz, Director Corporate Services
Mr Justin Kronk, Manager, Financial Services

EXECUTIVE SUMMARY

Matters identified during the course of the interim audit, for which a formal response is requested are included in Appendix A. Without anticipating the Auditor General's final decision on what may be referenced in an Auditor General's Report to Parliament, each of the matters included in the Appendix have been assessed and categorised against the following risk categories:

Risk Category	Client Impact
(H) HIGH	<p>Matters which pose a significant business or financial risk to the entity and / or</p> <p>Matters that have resulted or could potentially result in a modified or qualified audit opinion if not addressed as a matter of urgency by the entity.</p>
(M) MODERATE	<p>Matters of a systemic nature that pose a moderate business or financial risk to the entity if not addressed as high priority within the current financial year and / or</p> <p>Matters that may escalate to high risk if not addressed promptly and / or</p> <p>Low risk matters which have been reported to management in the past but have not been satisfactorily resolved or addressed.</p>
(L) LOW	<p>Matters that are isolated, non-systemic or procedural in nature and / or</p> <p>Matters that reflect relatively minor administrative shortcomings and could be addressed in the context of the entity's overall control environment.</p>

A summary of the matters raised and the corresponding risk rating, in order of priority, is included below for your information.

FINAL AUDIT

Item	Risk	Issue	Status *
1.1	High	Rehabilitation Provision	Agreed by management and remedial action is currently in progress.
1.2	Moderate	Formal Budget Comparisons	Agreed by management and remedial action is currently in progress.
1.3	Low	Inventory Confirmation	Agreed by management and remedial action is currently in progress.

Item	Risk	Issue	Status *
1.4	Low	Statutory Policy Review Cycle	Agreed by management and remedial action is currently in progress.
1.5	Low	Lack of Payroll Masterfile Changes Review	Agreed by management and remedial action is currently in progress.

*** Legend**

- Agreed by management and matter is resolved.
- Agreed by management and remedial action is currently in progress.
- Issue is to be further investigated by management.
- Disagreed by management and no further action is being taken by management.
- Awaiting management response/comment.

Appendix 1 - Summary of Findings

1.1 - Restoration Provision	High
Observation	
<p>At present there is no restoration provision recognised for either quarry or refuse sites.</p> <p>This should be considered and it is understood that consultation is currently underway with other local government bodies to ensure that a sufficient provision is taken up in a timely fashion.</p> <p>Management are currently unable to reliably estimate the expected costs to rehabilitate each of the sites and a contingent liability has been disclosed in the current year for this obligation</p>	
Recommendation	
<p>Consideration and estimation of a restoration provision should be taken to account for all sites for which North Burnett Regional Council will have an obligation to restore to its former condition. This is required under the <i>Waste Reduction and Recycling Act 2011</i> and we therefore recommend that Council address this as a matter of urgency in order to comply with the updated legislation for the FY 2013 financial statements.</p>	
Management comments	
<p>Agreed to by Management. Council is currently in the process of a strategic waste management plan. This plan will include the remaining life of all tip facilities. As part of this Council will then be able to reliably measure and therefore provide the relevant provisions for restoration of its refuse tips. It is planned that this review will be completed to allow for a provision to form part of the 2013 financial statements.</p>	
1.2 - Approved Capital Budgets	Moderate
Observation	
<p>To ensure that only budgeted values are capitalised, a formal review should be undertaken to compare the final expense to the budget. This review would ensure that only costs incurred to construct the asset are capitalised and that construction errors are expensed to the Statement of Comprehensive Income.</p>	
Recommendation	
<p>At the end of a project a formal comparison of the budgeted and actual expenses should be undertaken to assess if there were any construction costs that were not of a capital nature. This would ensure that only the actual costs to construct the asset are capitalised in the financials with any over-runs expensed to the Statement of Comprehensive Income.</p>	

Management comments

A review of each Capital project is undertaken as part of the quarterly budget and operational plan review in the quarter that the project is completed. Any necessary adjustment will be made as part of this process. Not all over runs should be expensed as there are instances where projects cost more than the budget allowed for and these costs are legitimate capital expenses.

1.3 - Inventory Stocktakes

Low

Observation

From our testing performed it was highlighted that a formal stock take is only performed for inventory held within the stores. This stocktake did not include the largest component being gravel.

This could lead to Council holding inaccurate inventory listings.

Recommendation

The Council should introduce a formal stocktake for all inventory balances in excess of \$5,000. This will ensure the existence of the inventory balance as at 30 June each financial year and ensure that inventory is being accurately recorded within the stores and quarries.

Management comments

A formal stocktake process is in place and stocktakes are completed six monthly. Gravel stocktakes were not completed to the expected standard due to some specific operational issues at the time of the stocktakes being completed. The importance of this process has now been reinforced.

1.4 - Statutory policies past review date

Low

Observation

In the review of statutory policies, we noted three policies (102, 105, 113) were past the review date. In addition, a number of general and administrative directives were also past their review date. It was observed that in the September general meeting minutes that a review of policy 113 was undertaken; however this was past the review date of 1 June 2011.

Statutory policies are required by law to be maintained and reviewed on a regular basis. General and administrative directives, although not required by law, should be maintained as deemed necessary by the Council.

Recommendation

It is recommended Council implement policies and procedures to ensure that all statutory policies are reviewed regularly and that policy 102 and 103 is updated accordingly.

Management comments

The specific policies noted have now had there review commenced. Procedures for review of policies within the designated timeframe will be review and improved.

1.5 - Payroll Master file Changes

Low

Observation

Payroll master file contains key sources of information for the payroll system, including but not limited to, bank accounts, tax file numbers, pay rates, etc. During our review of payroll we noted that an exception can be used to review changes made to the master files of the system.

Currently there is no exception report generated on a regular basis to review these changes in the payroll master files. There are a significant number of people with access to the payroll master file and this key data is exposed to potential manipulation given there is no ongoing review process of changes to the master file.

Changes to the master files should be monitored to ensure that only accurate and authorised changes are made.

Recommendation

A review of all changes to the payroll master file should occur on a regular basis by an independent officer of payroll processing. This review should be documented and retained.

Management comments

A process as outlined above has now been established and is completed as part of the monthly management accounting checklists that are completed by the finance team. This is separate to payroll as payroll reports through Council's HR function.

Appendix 2 - Concerns Raised In Previous Management Letters

Listed below are matters raised in previous Management Letters which are either yet to be reviewed by audit or yet to be addressed by management. The current status of our recommendations is detailed for your information.

Item	Risk	Issue	Current Status
1	High	<p>Financial Reporting Preparedness</p> <p>The financial statements have not been finalised within the normal reporting timeframe and are outside of ministerial extensions. Consequently the audit reports contained emphasis of matters regarding non-compliance with the reporting timeframes set down in the <i>Local Government Act 1993</i>. The emphasis of matter was consistent to that reported in Perry Shire Council for the year ended 30 June 2007.</p>	<p>Matter Resolved</p> <p>NBRC have implemented a policy for the 2012 Financial year whereby the draft financials have been prepared prior to the year end in accordance with the 2012 Model Tropical Accounts following the external training course attended by the Finance Manager and Finance Accountant. This process resulted in a full set of financials being available on the first day of the audit fieldwork for the year end.</p>
2	High	<p>New Local Government Legislation</p> <p>The State Government has proposed new legislation, but to date this has not received assent. We recommended management seek to understand any changes proposed in the new legislation and ensure an appropriate Council wide plan is established to ensure Council is compliant with those requirements before their effect.</p>	<p>Matter Resolved</p> <p>This was to be addressed as part of the upcoming update of delegations register to meet the requirement of the Local Government Act 2009.</p> <p>All staff has been provided the relevant training and is able to access Legislation to ensure compliance with the Local Government Act 2009.</p>
3	Moderate	<p>WIP Transfers and Reconciliations</p> <p>It was noted that no formal procedures surrounding the transfer of completed projects from WIP to the fixed asset register was in place.</p>	<p>Significant Progress Made, Matter Outstanding</p> <p>NBRC Technical Services team are required to prepare a signed WIP</p>

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Item	Risk	Issue	Current Status
		We recommended that management implement appropriate policies and procedures to ensure WIP are transferred on the completion of a project.	transfer form to the finance team on completion of a project. The process is in place and working efficiently for all plant and equipment transfers but improvements are to be made with the process for all other asset classes.
4	Moderate	Asset Disposal Processes It was noted that a number of the items included on the fixed asset register had either been disposed of or no longer used. We recommended management implement appropriate policies and procedures to ensure assets are disposed of in a timely and complete fashion.	Matter Resolved Management have introduced the formal sign off on all plant and equipment disposals as part of the WIP Transfer form. All reports are prepared and authorised by appropriate personnel.
5	Moderate	Payroll Validation Reports Testing of the payroll validation reports identified three instances where no evidence of the review was performed in 2011. We recommended that a copy of the report to be retained, signed and dated as evidence of the review by the officer in charge.	Matter Resolved. All payroll validation reports are signed and reviewed each payroll period with any variances discussed and resolved prior to payment.
6	Moderate	Vendor Access to PCS and InfoXpert Systems. A number of opportunities were identified and the following recommendations made as follows: <ul style="list-style-type: none"> ensure third parties formally agree to maintaining NBRC's standards of security (via Service Level Agreement or 	Matter Outstanding, Resolution in Progress NBRC are yet to reach an official agreement with the contractors/vendors for access to Council's data, but this remains on the agenda for NBRC. NBRC have a new VPN in place but are yet to monitor

Item	Risk	Issue	Current Status
		<p>similar);</p> <ul style="list-style-type: none"> document and implement a process for third parties to access systems, including formal access request and specification of activity, temporary account activation (remote account activation for the duration of the support), restriction from production environments unless necessary, review of activity by management, deactivating the third party account; and implement a policy of obtaining fixes from the third party's systems rather than opening the network to potential corruption or unauthorised activity. 	<p>the backend. To be implemented as soon as practical.</p> <p>Access to practical from contractors/vendors is deemed necessary to implement complex updates and testing of the system. Any additional access will be part of the new agreement put in place.</p>
7	Moderate	<p>User Access Security</p> <p>There is a need to enhance NBRC's process of providing access to new users as well as amending access as users move throughout the Council or terminate. We recommended enhancements be made to the access provisioning and decommissioning process as communicated to the Finance Manager.</p>	<p>Matter Resolved</p> <p>NBRC regularly review access rights to the Practical system and will enable/disable employees based on their job role.</p>
8	Moderate	<p>Access to Payroll Systems</p> <p>We recommended management consider implementing policies and procedures to regularly review the users given access to the creditors system. This review should incorporate limiting functionality</p>	<p>Matter Resolved</p> <p>NBRC regularly review access rights to the Practical system and will enable/disable employees based on their job role.</p>

Item	Risk	Issue	Current Status
		access where necessary to reflect the manual segregation of duties in place.	
9	Moderate	<p>Access to Creditor Systems</p> <p>We recommended management consider implementing policies and procedures to regularly review the users given access to the creditors system. This review should incorporate limiting functionality access where necessary to reflect the manual segregation of duties in place.</p>	<p>Matter Resolved</p> <p>NBRC regularly review access rights to the Practical system and will enable/disable employees based on their job role.</p>
10	Moderate	<p>Qualitative, non-financial delegations</p> <p>We recommended Council consider whether the level of qualitative non-financial delegations are sufficient and appropriate for its purposes or whether they need to be expanded upon to include those delegations of a similar nature referred to above.</p>	<p>Matter Resolved</p> <p>A new Delegation Register has been adopted by Council at the June 2012 General meeting.</p>
11	Moderate	<p>IT related matters</p> <p>A number of opportunities were identified and the following recommendations made as follows:</p> <p><u>Computer Operations</u></p> <ul style="list-style-type: none"> A formalised disaster recovery and business continuity plan be prepared and tested on a regular periodical basis. Off-site back-up tapes be located in a secure area that is a sufficient distance from Council's offices so that in the event of a disaster, the back-up tapes remain in good order. We also recommend that both the 	<p>Significant Progress Made, Matter Outstanding</p> <ul style="list-style-type: none"> Some manual controls have been implemented to ensure the data integrity of post update of Civica PCS updates. However, a test database is yet to be created to review post updates. Weekly backup tapes are stored at the post office in Gayndah (50m away from office). Future plan is to purchase a new server

Item	Risk	Issue	Current Status
		<p>off-site location and Council's offices ensure a fire proof safe is used to store these tapes;</p> <ul style="list-style-type: none"> Management consider implementing an IT strategic plan and an IT steering committee that is appropriately resourced (where necessary, by qualified consultants). 	<p>and set up a backup site in Monto.</p> <ul style="list-style-type: none"> The implementation of the IT strategic plan remains a work in progress with no set date for a draft version in place.
12	Moderate	<p>Portable & Attractive Items</p> <p>Regarding portable and attractive items, we made a number of recommendations as follows:</p> <ul style="list-style-type: none"> a register for portable and attractive items be established and maintained to allow their identification, monitoring and reporting; a policy regarding the use of and internal controls established over portable and attractive items be created and reviewed periodically; and undertake a regular periodical stocktake of portable and attractive items. 	<p>Matter Outstanding, Resolution in Progress</p> <p>This project is currently behind in progress due to ongoing flooding works and impairment calculations that were required to be performed. This process is in place and all attractive and portable items are being coded with a "Z" in front of the asset code and will form an asset class of their own. The next step will be to identify and record all new portable attractive items and catalogue those that are already held.</p> <p>An asset listing is in place by IT for all computers held by NBRC.</p>
13	Moderate	<p>Formal Sign off of Jobs Orders</p> <p>During our review of policies and procedures regarding revenue and property, plant and equipment, we noted that not all job work order request forms are being formally signed off by the Rates Officer/Head of Finance. We recommended NBRC consider amending the policies and</p>	<p>Matter Resolved</p> <p>All work supervisors are required to authorise all the private works request form, with all invoices raised based on the approved works order form.</p>

Item	Risk	Issue	Current Status
		procedures to ensure that where the Rates Officer/Head of Finance are not available to sign off the job orders, another appropriately qualified officer performs this quality control function.	
14	Moderate	<p>Review of Land Code Usage for Rating Purposes</p> <p>During our review of the policies and procedures for rating, we noted that there was no regular periodical review of the land code usage applied to each property. We recommended management consider implement policies and procedures to undertake a regular periodical review of land code usages allocated to properties.</p>	<p>Disagreed by management with no further action to be undertaken.</p> <p>Council are in continuous communication with DERM regarding Land Code Usage and are of the opinion this is a matter for DERM to address and not one for Council.</p>
15	Moderate	<p>Reconciliation and accounting for property, plant and equipment.</p> <p>We recommend management consider amending their accounting processes to a quarterly basis and that various elements of accounting for property, plant and equipment (ie. revaluations, review of depreciation rates, etc.) be incorporated into this quarterly process in some fashion throughout the year.</p>	<p>Matter Resolved</p> <p>Property, Plant and Equipment is reviewed on a quarterly basis and reconciled to the general ledger. All variances are investigated in a timely manner with a copy of the fixed asset register for May obtained at interim.</p>
16	Moderate	<p>Internal Audit Function</p> <p>In the 2011 financial year, an outsourced provider was engaged to assist with preparing an Internal Audit Plan; however no work was undertaken in that financial year. NBRC are yet to formally appoint an Internal Auditor for the current</p>	<p>Matter Outstanding, Resolution in Progress</p> <p>An Internal Audit Policy was prepared and endorsed by the Audit Committee. However due to complications in appointing an appropriate and qualified internal auditor, the</p>

Item	Risk	Issue	Current Status
		<p>financial year.</p> <p>Furthermore, we recommended that Council consider the following as part of the Internal Audit Function:</p> <ul style="list-style-type: none"> • Update the internal audit plan to incorporate a comprehensive risk assessment of the operational risks surrounding the Council; • The Internal Audit Function to report to the Audit Committee on a regular basis of its findings; and • To establish a register of issues to monitor issues reported by the Internal Auditor (once appointed) as well as the External Auditor. 	<p>function is not yet active.</p> <p>The points recommended are to be considered and discussed with the appointed Internal Auditor.</p>
17	Moderate	<p>Audit Committee</p> <p>Under the <i>Local Government (Finance, Plans and Reporting) Regulation 2010</i>, NBRC is designated as a large local government which therefore requires an Audit Committee. This has been established and satisfies most of the legislative requirements except: Review of the Internal Audit Report (please refer to point 1 above); and Provides a report to Council following the meeting.</p> <p>Functions and activities of the committee were also reviewed and ideal models would suggest the inclusion as follows: Independent chairperson with financial experience (preferably within Local Government) to assist with analysis</p>	<p>Matter Outstanding, Resolution in Progress</p> <p>The Audit Committee is still evolving and these processes and benchmarks are being examined to ensure that best practice is put in place.</p>

Item	Risk	Issue	Current Status
		of risk and internal controls; Calendar of events for the financial year; consideration of risk management as a function of the committee; establishment of performance benchmarks for the Audit Committee to be assessed on by the Council.	
18	Low	<p>Formal Policy - General Journals</p> <p>The completion of the QAO Area of Emphasis Questionnaire relating to the general journals. No formal policy was developed for specific items. These were setting up or drafting of general journals; processing of general journals and approval of general journals.</p>	<p>Matter Outstanding, Resolution in Progress</p> <p>A policy was developed and is due to be tabled at the Management Executive Group meeting over the coming months.</p>
19	Low	<p>Formalised Month End Processes</p> <p>Distinct from the previously raised item in regards to timeliness of reporting asset, a normal month end process should be developed for month end procedures. This might include a checklist or formalised process to ensure that all procedures are completed by appropriate personnel on a timely basis.</p>	<p>Matter Resolved</p> <p>A policy has been developed, with EOM checklists and Quarterly checklists prepared and reviewed in a timely fashion. This was formalised in final quarter of FY 2012.</p>
20	Low	<p>Recognition of Depreciation</p> <p>Depreciation calculated at the interim visit was not consistent with the NBRC policy as a result of a system glitch within the Practical system. This generated a material error in the 2010-2011 and 2011-2012 financial years.</p> <p>A review of the depreciation module within Practical is highly</p>	<p>Matter Outstanding, Resolution in Progress</p> <p>A full revaluation is due in the next financial year and this is expected to resolve the inconsistency identified. In addition, management have re-calculated the depreciation charge for all assets in 2010-2011 and 2011-2012 financial year.</p>

Item	Risk	Issue	Current Status
		recommended post completion of the full revaluation due to be undertaken in 2013.	This has resulted in the appropriate depreciation amounts, as per the Council's accounting policy, being recorded.
21	Low	<p>Formal Policy - Excessive Leave</p> <p>QAO's Area of Emphasis Questionnaire highlighted the absence of a formal leave management policy which would help guide staff and management at NBRC. This policy could then be communicated to all employees to enable transparency and management of excessive leave balances.</p>	<p>Significant Progress Made, Matter Outstanding</p> <p>A policy is currently being developed for consideration by the Management Executive Group. However in the meantime the CEO distributed letters to all employees with leave in excess of 9 weeks in an effort to reduce such balances.</p>
22	Low	<p>Criminal History Checks - New Employees</p> <p>We recommended management implement an additional step in the recruitment process to incorporate a Criminal History Check. This will need to be authorised by the potential employee and is a relatively inexpensive preventive measure when recruiting persons in a position where fraud may be considered a risk.</p>	<p>Matter Resolved</p> <p>New Administrative direction has been in place since March 2012.</p>
23	Low	<p>Director of Corporate Services Credit Card Limit</p> <p>We recommended management consider the need to reduce the credit card limit for the Director of Corporate Services to that set for other directors.</p>	<p>Matter Resolved</p> <p>Purchasing policy amended with credit card limits set in line with the new policy.</p>
24	Low	Nil Written Down Value Assets	Matter Outstanding,

Item	Risk	Issue	Current Status
		<p>On review of the fixed asset register it was found that there are a number of old items on the fixed asset register which are fully depreciated and potentially not in use.</p> <p>We recommend:</p> <ul style="list-style-type: none"> • a full stocktake of fixed assets be performed and those which are no longer on hand written off; and • management to implement policies and procedures to review in detail each year, both the useful lives of all assets and the reasons for assets with nil written down values still existing. 	<p>Resolution in Progress</p> <p>NBRC are in the process of reviewing all assets with NWDV value of \$nil and expect the exercise to be completed in the near as part of the full revaluation due to take balance in FY 2013.</p>
25	Low	<p>Title of Land</p> <p>It was recommended that management undertake a process to ensure that the registered title for all land is correctly recorded as North Burnett Regional Council.</p>	<p>Matter Resolved</p> <p>All land title ownership has been transferred and recorded as North Burnett Regional Council.</p>

**PRIVATE BURIAL SITE - LOT 3 ON RW740, PARISH OF
TREVETHAN - GLENCOE ROAD**

File: 25.06.03 & Assessment 41875/10000
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Les Hotz – Director of Corporate Services

1 PURPOSE OF REPORT

The purpose of this report is to seek Council's direction in relation to a private burial site located on 'Craiglee' property, Glencoe Road, Trevethan.

2 INTRODUCTION/BACKGROUND

Recently I received a request to identify the burial site located adjacent to Craiglee Homestead on Glencoe Road, Trevethan. Council has no record of a private burial site at this location and the only indication that someone is buried is existence of a couple of posts.

The only information provided was a possible surname and an approximate date.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 41 – Community Infrastructure and Disaster Management, Section 1.3 Infrastructure Delivery.

4 POLICY IMPLICATIONS

5 STATUTORY REQUIREMENTS

6 FINANCIAL IMPLICATIONS

Unknown at this point in time, however, costs are not expected to exceed \$2,000.00 to provide and install proposed 2.4m x 1.2m concrete slab, fence and plaque.

7 RISK MANAGEMENT

8 CONSULTATION

Two (2) local property owners have discussed with me the existence of the unknown person buried in this site and have requested Council to seek information in respect to this matter. I have liaised with Births, Deaths and Marriages and have requested a death certificate of the deceased. The deceased was:

Name:	Edmond Patrick Garvey	Age of Deceased:	17 years
Date of Death:	29/12/1919	Occupation:	Miner
Date of Burial:	30/12/1919	Birth Place:	Rockhampton

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

Conditions for interment of human remains on private property outside any cemetery within the North Burnett Regional Council jurisdiction are as follows:

1. The interment of non-cremated human remains must be on freehold land;
2. *Application for Private Property Burial* to be completed and furnished to Council showing details as itemised in Section One – Application for Interment and furnished to Council prior to interment;
3. A location plan of proposed burial site is to accompany the *Application for Private Property Burial* identifying the precise location including lot on plan, parish and county;
4. All bodies for internment must be encased in a coffin with the lid securely sealed.
5. A resting place for the placement of non cremated human remains is not less than 2.4 meters by 1.2 meters in area;
6. The resting place intended to accommodate a container holding non-cremated human remains is constructed such that the resting place is not less than:
 - a. 1.8 meters deep; or
 - b. 2.3 meters deep if the human remains of not more than two (2) persons are to be buried in the resting place; and/or
 - c. 1.5 meters deep if the only human remains to be buried in the resting place is that of a person not more than five (5) years of age.
7. The upper surface of the container holding any non cremated human remains that are placed in a resting place is:
 - a) placed at least 1 meter below the natural soil surface; and
 - b) is covered with at least 300mm of sand or other material that will identify that a container is located beneath the material.
8. Graves are to be closed within one (1) hour of the conclusion of the funeral service or as soon as the attendees have vacated.
9. Gravesites are backfilled regularly with suitable material of a different colour or texture to the material listed in clause 4(b) above, until settlement occurs.
10. Grave site to be permanently fenced
11. Grave to be covered by concrete slab 1.2m x 2.4m (slab to be installed 18 months after burial and not later than two (2) years after burial);
12. An appropriate plaque to be installed on concrete slab to identify gravesite.

I have written to the owner of Lot 3 on RW740, Parish of Trevethan and to the other two (2) enquirers. I have asked the owner of Lot 3 if he would consider providing Council with an estimated cost to install a concrete slab 1.2m x 2.4m and a suitable fence around the burial site and subject to Council's approval, be reimbursed for the installation of same.

I have also suggested that a suitable plaque (estimated cost between \$75.00 and \$100.00) would be placed on the headstone with Council's approval.

11 ATTACHMENTS

RECOMMENDATION

That the report in relation to a private burial site located on Lot 3 on RW740, Parish of Trevethan (Glencoe Road) be received and that Council provide appropriate funding to install a 2.4m x 1.2m concrete slab, fence and plaque over the burial site of the late Edmond Patrick Garvey and that such be registered within Council's burial register.

**VACANT LAND - ELIZABETH STREET, MUNDUBBERA
JACK PARR STREET, MUNDUBBERA**

File: 05.02.04
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Les Hotz – Director of Corporate Services

1 PURPOSE OF REPORT

The purpose of this report is to update Council regarding the proposed sale of vacant land in Elizabeth Street and Jack Parr Street, Mundubbera QLD 4626.

2 INTRODUCTION/BACKGROUND

All parcels of land listed in this report had been offered for sale by public auction and are currently listed with two (2) Real Estate Agents in Mundubbera and two (2) Real Estate Agents in Gayndah. The vacant industrial land is located in Jack Parr Street, Mundubbera and the vacant residential land has been developed by Council for future housing requirements and is located in Elizabeth Street, Mundubbera.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 2 – Economic Development and Tourism, Section 2.2 Business Development

4 POLICY IMPLICATIONS

Nil.

5 STATUTORY REQUIREMENTS

Land has been offered by public tender/auction as per requirement under Section 176 of the Local Government (Finance, Plans and Reporting) Regulation 2011.

6 FINANCIAL IMPLICATIONS

Sale of land will return Council income to offset costs to develop this land, a commission and advertising costs are payable to the Real Estate Agent.

7 RISK MANAGEMENT

Nil.

8 CONSULTATION

Discussions have been held with the two (2) Real Estate Agents in Mundubbera providing them with details of Land for sale along with current rates applicable.

Detail of land for sale is as follows:

Lot 68 on SP199370, Parish of Mundowran (Duplex) Elizabeth Street, Mundubbera. This parcel of land and complex is currently in the hands of the two (2) Real Estate Agents. This complex was offered for sale by public auction on Saturday, 8 September 2012 and no longer is in the hands of the sole agent.

Reserve Price set at \$350,000.00 plus GST

Lot 69 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 70 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 71 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 72 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 73 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 74 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera

Reserve Price set at \$57,000.00 plus GST

Lot 76 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
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Reserve Price set at \$59,000.00 plus GST

Lot 77 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 78 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 79 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 80 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 81 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 82 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 83 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera

Reserve Price set at \$60,000.00 plus GST

Lot 13 on RP883244, Parish of Mundowran	Jack Parr Street, Mundubbera
Lot 14 on RP883244, Parish of Mundowran	Jack Parr Street, Mundubbera

Reserve Price Set at \$50,000.00 plus GST. Both of the above parcels have been withdrawn from real estate agents pending Council's discussions with a proposed purchaser.

Lot 8 on RP224858, Parish of Mundowran	Jack Parr Street, Mundubbera
Lot 9 on RP224858, Parish of Mundowran	Jack Parr Street, Mundubbera
Lot 10 on RP224858, Parish of Mundowran	Jack Parr Street, Mundubbera
Lot 11 on RP224858, Parish of Mundowran	Jack Parr Street, Mundubbera

Reserve Price set at \$50,000.00 plus GST

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

On 22 November 2012, a real estate agent advised that they had received an offer of \$50,000.00 GST inc for Lot 79 on SP199370, Parish of Mundowran (Elizabeth Street, Mundubbera.

I advised the agent that I was not in a position to reduce the sale price for this lot and was prepared to take comments back to Council.

Further comments received from the real estate from the prospective buyer is:

"Suppose we will simply wait until something suitable comes up similar to the council lots or buy a nice lot up the Whitsundays for that kind of money.

I appreciate your help with this one but I now realise why council haven't sold a block for over 12 months, or however long it has been.

I agree with the writer that they are a business entity, however, if they really have the ratepayers interest at heart they would consider obtaining a current valuation report (within the 3 month expiry) on an "as is" basis for the remaining allotments.

I am confident that any reputable valuer would look at historical and current sales contracts and find that their current price point is possibly outside market. If the values we discussed for the other allotments are correct, they are all larger, closer to town, closer to school and some \$20k cheaper than the Elizabeth St lots, it would be hard to envisage values much greater than ~\$40-50k being achieved. I supposed the proof is in their recent sales of lots in Elizabeth Street.

Furthermore, any commercial developer would have had a return on investment hurdle and or loan covenants to meet. Making sales on a regular basis (not one lot every 12 months) should be the goal, surely the council understand opportunity cost? Getting some return for these lots and using that cash for other projects in the community could be beneficial.

If they are serious about selling these allotments I think they may need a little more than a letter from a potential buyer to confirm values.

Their unwillingness to commence any negotiations, inflexibility and the length of time to come back with an unreasonable offer is disappointing for a motivated buyer who wishes to settle in the community".

The real estate agent is suggesting that the reserve prices are exorbitant and makes the task of selling land difficult.

Today, I contacted the local real estate agent in Monto who has several parcels of residential development for sale. The starting price for these lots is \$70,000.00 plus GST up to \$110,000.00 plus GST. When asked why the cost is so expensive, the response was that they had to meet the costs of development and land.

In conclusion, despite all of the reasoning given as to why a parcel of land should be sold for a reserve price (the value that a reputable valuer puts on it, the cost to develop the land, or what the market determines at any given time), I am convinced that we are currently in a depressed real estate market.

To overcome this dilemma, Council could consider one of three suggestions:

1. That the reserve sale price remain at the current price which would reflect Councils development costs and land values. This may lead to no sales for the next five (5) years or until there is no other land to purchase in Mundubbera;
2. That the reserve sale price be reviewed and that Council subsidise development costs and land values and reduce the reserve sale price to 50% of current reserve sale price. This also may lead to absolutely no sales for the next five (5) years in Mundubbera; or
3. That Council create a North Burnett Regional Council Economic Stimulus Building Plan Package that subsidises the reserve sale price whereby Council totally absorbs almost all development costs and land value on the purchasers choice of five (5) parcels of residential land only contained within the Elizabeth Street Subdivision (the five parcels only will test the market for the economic stimulus):and set a reserve price of say \$5,000.00 per lot with the following conditions to apply
 - a) The purchaser must be a first home builder/buyer and be eligible to obtain the Federal Government First Home Buyer Grant;
 - b) Must, within the first six (6) months of purchase of land have submitted building application for the development of a new dwelling; and
 - c) Must, be the occupier of the new dwelling for a period of not let than three (3) years prior to on-selling dwelling and land.

When applying consideration to the above suggestions, we should have also looked at a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis.

STRENGTHS & OPPORTUNITIES

The strengths and opportunities attached to the above suggestions maybe be summarised as:

- People maybe encouraged to buy and utilise land already developed.
- Purchaser will expend funds within the community to build a home which will include carpenters, plumbers, electricians, painters, floor furnishing and general household requirements.
- Council will have a return for their rates and service charges which they do not have at the present time.
- The building of more residential homes may increase population which will provide stabilisation for Hospitals, Schools and businesses. Also, provide workers for established manufacturing and primary industry within the area.
- It will provide young persons who are looking to build a home and who are in a position to do so, with an incentive, in that they do not have to pay for the land.

WEAKNESSES & THREATS

The weaknesses and threats attached to the above suggestions maybe be summarised as:

- Devalues other land holders land who wish to market their land.
- Devalues land that is vacant and currently for sale.
- Devalues perspective land development.
- Council maybe questioned regarding subsidising residential land only
- Council will register a loss in receipts against land for sale

11 ATTACHMENTS

Nil.

RECOMMENDATION

That the report of the Vacant Land in Elizabeth and Jack Parr Streets, Mundubbera and Duplex Unit in Elizabeth Street, Mundubbera registered for sale be received; and Council determine appropriate reserve values excluding GST and that real estate agencies be advised accordingly.

Lot 68 on SP199370, Parish of Mundowran (Duplex) Elizabeth Street, Mundubbera.

Current Reserve Price set at \$350,000.00 plus GST
New Reserve Price set at \$_____ plus GST

Lot 69 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 70 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 71 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 72 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 73 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 74 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera

Current Reserve Price set at \$57,000.00 plus GST
New Reserve Price set at \$_____ plus GST

Lot 76 on SP199370, Parish of Mundowran Elizabeth Street, Mundubbera

Current Reserve Price set at \$59,000.00 plus GST
New Reserve Price set at \$_____ plus GST

Lot 77 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 78 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
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Lot 81 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 82 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera
Lot 83 on SP199370, Parish of Mundowran	Elizabeth Street, Mundubbera

Current Reserve Price set at \$60,000.00 plus GST
New Reserve Price set at \$_____ plus GST

Lot 8 on RP224858, Parish of Mundowran	Jack Parr Street, Mundubbera
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Lot 11 on RP224858, Parish of Mundowran	Jack Parr Street, Mundubbera

Current Reserve Price set at \$50,000.00 plus GST
New Reserve Price set at \$_____ plus GST

Lot 13 on RP883244, Parish of Mundowran	Jack Parr Street, Mundubbera
Lot 14 on RP883244, Parish of Mundowran	Jack Parr Street, Mundubbera

Current Reserve Price set at \$50,000.00 plus GST
New Reserve Price set at \$_____ plus GST

Further, Council adopt the suggested North Burnett Regional Council Economic Development Stimulus Building Plan Package (EDSBP) as outlined below or as amended:

That Council create a North Burnett Regional Council Economic Stimulus Building Plan Package that subsidises the reserve sale price whereby Council totally absorbs almost all development costs and land value on the purchasers choice of five (5) parcels of residential land only contained within the Elizabeth Street Subdivision (the five parcels only will test the market for the economic stimulus):and set a reserve price of say \$5,000.00 per lot with the following conditions to apply

1. The purchaser must be a first home builder/buyer and be eligible to obtain the Federal Government First Home Buyer Grant;
2. Must, within the first six (6) months of purchase of land have submitted building application for the development of a new dwelling; and
3. Must, be the occupier of the new dwelling for a period of not let than three (3) years prior to on-selling dwelling and land.

SOCIAL 01 ARTS & CULTURAL DEVELOPMENT - RADF OUT OF ROUNDS APPLICATION

Responsible Officer: Mr Andrew Jackson – Director Community & Cultural Services
Report prepared by: Prue Leng – Community Development Administration Officer

1 PURPOSE OF REPORT

The purpose of this report is to inform Council on the receipt of an Out-of-Rounds application to the Regional Arts Development Fund Program and seek Council's ratification of the recommendation.

2 INTRODUCTION/BACKGROUND

The North Burnett Regional RADF Committee assessed the following application for approval for 2012/2013 Out-of-Rounds Funding.

2.1 North Burnett Regional Council RADF Program

Amie Gilholme (Music on the Wall) – Crafty Kids workshops – Applying for \$6340.75 to deliver a series of workshops for young people (Grade 2 -10) including 'Face Canvas Painting', 'Make Your Own Cartoon Strip T-Shirt', 'Progressive Painting' and 'Hand Painted Calico Bag' during 11–19 January 2013. The application has been submitted as an Out-of-Rounds due to the applicant needing to deal with suppliers prior to mid December (before Christmas closures) in order to make the workshops possible for January.

Resolved by the North Burnett RADF Committee that the application be approved for recommendation to Council with the following conditions:

1. The applicant is to ensure that all relevant licences, permits and any other regulatory or legislative requirements have been met prior to the commencement of the project.
2. The grant recipient will use the grant solely for the purpose as agreed by the North Burnett Regional Council RADF Committee and as outlined in the application budget.
3. The grant recipient adheres to Schedule One RADF Acknowledgment Guidelines for RADF Grant Recipients.
4. The North Burnett RADF Banner, obtainable from each of the local North Burnett Regional Council's Administration Centres, is to be displayed during each activity and at any promotional activities.

3 CORPORATE/OPERATIONAL PLAN

3.1 RADF Program - Refer to Outcome 7 of Council's Corporate Plan:

7.1 Regional Arts Development: Further develop and support of the RADF to recognise and promote the region News of successful projects continue to filter through the region, encouraging other individuals and groups to apply to the RADF program for support.

4 POLICY IMPLICATIONS

4.1 North Burnett Regional Council Arts & Cultural Strategy

The projects funded under the RADF program fall within the guidelines of Council's Arts & Cultural Policy and the Arts & Cultural Strategy.

5 STATUTORY REQUIREMENTS

Nil

6 RISK MANAGEMENT

A comprehensive reporting workbook is administered by the RADF Liaison Officer, which highlights any outstanding outcome reports or overdue projects.

7 CONSULTATION

The NBRC Regional RADF Committee completed full assessment of the Out-of-Rounds application.

9 OPTIONS FOR COUNCIL TO CONSIDER

Council can either:

- a. Adopt the report as provided and ratify the recommendations made by the Regional RADF Committee; or
- b. Adopt the report and recommend amendments to the funding approval (such as approve in principle with a condition/s)
- c. Not adopt the report as provided.

10 OFFICER'S COMMENTS/CONCLUSION

The applicant has run similar programs previously within the North Burnett, receiving both excellent patronage and feedback.

The Director recommends that the applicant (Amie Gilholme) pays the booking fee for hall hire (\$440) which covers the applicant with public liability insurance cover for any injury resulting from the condition of the hall.

RECOMMENDATION

1. That Council adopts Arts and Cultural Development RADF report as provided, and ratifies the North Burnett Regional RADF Committee's recommendation to approve the application from Amie Gilholme (Music on the Wall).

**MONTO FOCUS GROUP ADVISORY COMMITTEE
MEETING - 24 OCTOBER 2012**

File: 03.03.03
Responsible Officer: Les Hotz – Director of Corporate Services
Report prepared by: Les Hotz – Director of Corporate Services

1 PURPOSE OF REPORT

The purpose of this report is to provide an update of progress of the Monto Focus Group Advisory Committee and allow presentation and discussion by the Chairperson.

2 INTRODUCTION/BACKGROUND

North Burnett Regional Council recognizes the establishment of the Monto Focus Group which was recently established and seeks to build on this relationship to partner with the 'committee' in the improvement of the overall appearance and presentation of townships within the Monto District.

3 CORPORATE/OPERATIONAL PLAN

In accordance with Outcome 4 – Community Cohesion & Identity, Section 4.4 Community Group Networking.

4 POLICY IMPLICATIONS**5 STATUTORY REQUIREMENTS**

This Advisory Committee works under the Terms of Reference, Management Plan and Risk Management Plan previously adopted by Council at the General Meeting held on 21 June 2012.

Terms of Reference DOC ID 221547
Management Plan DOC ID 221548
Risk Management Plan DOC ID 221546

6 FINANCIAL IMPLICATIONS

Council has received funding from the Queensland Gas Company (QGC) and signed a Funding Agreement for \$55,000 (including GST) to undertake a 'Rejuvenation of the Township of Monto' Project.

7 RISK MANAGEMENT

All volunteer participants covered under this Advisory Group are to be inducted with Safety Inductions (Workplace Health & Safety).

8 CONSULTATION

Officers from both Corporate Services and Technical Services attend meetings from time to time.

9 OPTIONS FOR COUNCIL TO CONSIDER

- Consider this report and accept, reject or amend recommendations.

10 OFFICER'S COMMENTS/CONCLUSION

The minutes of the meeting held on 24 October 2012 are presented for Council's information and consideration.

To date, the following activities have commenced/completed:

- a) Tender has been awarded to provide and install slab style fencing along Lister Street, Monto. Timber has been cut for this project and installation commenced on Monday, 3 December 2012. Advanced payment has been made for the purchase of timber.
- b) Pete the painter has been and gone. Has completed the murals on Monto Sewerage Digester Treatment Plant. Pete has been paid for his efforts.
- c) Two (2) garden beds have been established in Eyre Street with plants installed along with water systems. This work was carried out by voluntary and Council labour. Voluntary labour included, Councillor and family members, community members, Landcare and Monto State High School students.
- d) Provision of water to all garden beds in Eyre and Lister Streets has been installed, awaiting the construction of the final two (2) gardens in Lister Street, which will be carried out following the installation of the slab style fence.
- e) Three (3) planter boxes have been installed adjacent to Lions Park and plants planted therein. Plants were planted by volunteer labour.
- f) An order for 24 tonne of siltstone aggregate has been ordered from Eidsvold Siltstone and the promise is that aggregate will be available as of Wednesday, 5 December 2012. This aggregate will be used as a topping to garden beds.
- g) All seating in relation to this project has been purchase and installed by Council workforce.

11 ATTACHMENTS

- Minutes – 24 October 2012

RECOMMENDATION

That the report of the Monto Focus Group Advisory Committee as presented be received.

MINUTES OF THE MONTO FOCUS GROUP MEETING HELD AT THE MONTO COMMUNITY HALL FUNCTION ROOM HELD ON WEDNESDAY, 24 OCTOBER 2012 AT 9.30AM

Opening of Meeting	Agenda Item 1: Opening of Meeting Chairman Cr Paul Lobegeier welcomed attendees to the meeting
Present:	Cr Paul Lobegeier, NBRC Chairman Mr Les Hotz, NBRC Director of Corporate Services Ms Rexanna Williams, NBRC Administration Officer Mr Neville Morris, NBRC Parks and Gardens Coordinator Mrs Karen Pick, Community Member Mr Glenn Baker, Community Member Cr Faye Whelan, NBRC Councillor
Apologies:	Mrs Dieta Salisbury, Community Member Mrs Dolores Fowler, Community Member (Monto Focus Group Secretary) Mrs Bev Marbach, Community Member Mr Ken Palmer, NBRC Director of Technical Services Mrs Judi Baldwin, Community Member Mr Mark Pitt, NBRC Chief Executive Officer Mr Eddie Anderson, Community Member
Matters Arising	Agenda Item 2: Matters Arising from Last Meeting
Fencing Specifications	2.1 Les Hotz raised the issue regarding specifications of fencing. Several contractors have expressed surprise at the use of 300mm round posts stating that most heritage fences utilised split posts. Round posts were a requirement of the committee, however contractors were asked to provide an alternative post.
Current Issues	Agenda Item 3: Current Issues
Specifications	3.1 Confirm Fence Specifications <ul style="list-style-type: none">• Post Size – 30mm X 150mm• Rails – 200mm x 150mm• Centres – 2.4m• Timber Size – Sawn Posts
Fence Contractor	3.2 Decide successful Fence Contractor Moved Glenn Baker, Seconded Karen Pick that Quotation number 7, for the supply, delivery and installation of 300mm x 150mm Sawn Post Heritage Style Fence be the successful tenderer for a cost of \$21,016.00 with work commencing on Monday, 12 November 2012 and completing on Friday, 30 November 2012. CARRIED.
Fence Location	3.3 Confirm location of Fence Discussion was held regarding the location of the fence, it was resolved that the fence be constructed 39 metres south of the pedestrian bridge and continue for 270m adjacent to Lister Street terminating 49m north of the overhead traffic bridge.
Lions Park	3.4 Decide on plants to plant in Lions Park Planter Boxes After much discussion, it was agreed that Neville Morris liaises with Dieta Salisbury and Bev Marbach regarding plants.
Watering System	3.5 Layout of Watering System Nev Morris explained how the watering system was set up at Lister Street and suggested that the same layout be carried out in the four (4) gardens at the overhead bridge.

Working Bee

3.6 Date of working bee to plant gardens

A working bee will be held on Monday, 29 October 2012 to plant the two (2) gardens on the Choice side of the overhead bridge

Garden Beds

3.7 Decide on garden bed fill – Granite or Woodchip

It was resolved to use Siltstone aggregate as the top cover for the garden beds. Nev Morris to get quotes for the cost of the aggregate from Eidsvold Siltstone.

Other Business

Agenda Item 4: Other Business

QLD Rail

4.1 QLD Rail

It was resolved to notify QLD Rail the proposed start date of the removal of existing fence and installation of Heritage Style Fencing.

Next Meeting Date

Agenda Item 5: Next Meeting Date

There being no further business the meeting closed at 10:30am

COUNCILLOR DG WAUGH

NOVEMBER – DECEMBER 2012

Date	Function	Location	Comments / Action
20 th /11	General Meeting Teleconference WBBROC	Mundubbera	Review of grant money distribution
	Began mosquito programme Inspected Glenrae Road with Ken Palmer	Eidsvold Mundubbera	Had assistance from Bundaberg and Qld Health officers Access to emergency service towers
21 st	Airport meeting	Gayndah	Receival of Consultants report.
	Meeting with constituent		
	Meeting with deputation with Cr. Dowling		Concern over town planning issue.
22 nd	Meeting with Ken Palmer, Harold Linsket and Ernie Waugh	Mundubbera	Drainage at Bowls Club.
23 rd .	Went with Cr. Bowen on school bus to Wigton Road	Gayndah	Road being upgraded.
25 th .	Fishing Competition	Mingo Crossing	Excellent occasion. Great promotion of region.
26 th	Met TMR representatives	Eidsvold	Requirement for truck wash down bay
	Met Mark Boon from Evolution Mining with CEO and Cr. Bowen	Mt. Perry	Discussion on co-operation between Mine and Council
	Meeting with DAFF	Biggenden	Discussion with Regional Director about loss of staff in towns.
27 th .	DDMG Meeting Hospital meeting St Joseph's School Award night	Bundaberg Gayndah	Disaster upgrades Met with Regional Chairman and board members Great achievers
28 th .	Meeting on wash down bay	Eidsvold	Council officers
29 th .	LDMA Meeting	Mundubbera	Feed back to groups.
30 th .	Museum and Art Gallery	Bundaberg	Presentation of awards
	Meeting with Minister for Police and Emergency Services		Discussion on loss of staff and close down of SES Cadets.
1 st /12	Council Christmas Party	Eidsvold	Very enjoyable. Maybe more attending next year
3 rd	Committee met on wash down bay Met with QGC representatives	Gayndah	Finalising submission Submitted application
4 th	Wide Bay Burnett Regional Planning Group	Bundaberg	Cut back on red tape and referral to local knowledge

	Meeting with Truck Pull I Committee		
5 th	Standing Committee Meetings Futures Meeting Meeting with resident Meeting with former SES Cadets	Biggenden	Receive reports Progressing the region Access problem Reported on discussion with Minister
6 th	School awards night.	Gayndah	High standard
7 th .	Morning Tea with Epic Christmas function End of year function	Gayndah Mundubbera	Introduction of new programme Met many clients of Suncorp MCDA wind up of years activities
8 th	Councillors Dinner	Mulgildie	Get together of Councillors, staff and wives.
9 th .	Carols in the Park	Gayndah	Well attended
10 th .	PCCC Native title meeting River walk proposal	Bundaberg Gayndah	Seeking agreement on claim Meeting on progress
11 th .	MEG meeting Meeting with executive of Queensland Industrial Minerals	Mundubbera	Agenda Discussion on proposal
12 th	Binjour School Central Burnett Juice Factory School awards night	Binjour Mundubbera Dalarnil	Children good with history and dates Progressing well Great presentation
13 th .	Christmas Party	Gayndah	QCWA ladies always at the fore.

COUNCILLOR FO WHELAN

15.11.12 to 14.12.12

Date	Function	Location	Comments / Action
15.11.12	CBYS Meeting	Gayndah	Discussion on Youth Issues
16.11.12	Workshop	Mundubbera	Presentation by Industry and Rural Fire Service Support Person
17.11.12	Eidsvold Goldfields Day	Eidsvold	Assisted Eidsvold Historical Society raise funds. Good procession and day.
19.11.12	Community Grant Policy Workshop	Gayndah	Much more workable Policy and Procedure for staff to follow. Recommendation to be sent to Council
19.11.12	Meeting with CDO MCDA	Mundubbera	Discussion on flood affected approach to Mundubbera and suggested plan to enhance with support of Environmental Groups and Council. Meeting to be arranged early 2013.
20.11.12	Council Meeting	Mundubbera	
21.11.12	Presentation of Draft Airport Strategy by Consultant	Gayndah	Minor information changes to be made.
22.11.12	Mundubbera Enterprise Meeting	Mundubbera	Discussed Light Up Competition. Progress on northern highway sign - waiting for tradespeople.
22.11.12	Mundubbera Hospital Auxiliary Meeting and Christmas Breakup	<u>Mundubbera</u>	Very good year for the auxiliary having donated important equipment to the hospital and aged care facility Coonambula Lodge.
24.11.12	Mundubbera MPHS	Mundubbera	Fundraiser
26.11.12	Multi Purpose Health Service CAN Meeting	Mundubbera	Wide Bay Health Service Board members in attendance. Good discussion on issues that confront all NB Health Facilities. Board members got an appreciation of the isolation of our communities and travel difficulties we encounter to access health services.
26.11.12	Meeting with Staff regarding Australia Day Awards and Celebration	Mundubbera	
27.11.12	DDMG Meeting	Bundaberg	
27.11.12	LDMSG Meeting	Mundubbera	Sub Group approved draft Disaster Plan for Mundubbera area to be sent to the LDMSG for appraisal
27.11.12	Opening of the Mundubbera SES Helipad	Mundubbera	Bendigo Community Bank funded project and were present with other community group members to witness the official opening of the Helipad. Much thanks expressed to Bendigo Board and Manager for this generous donation to the community.
29.11.12	LDMG Meeting	Mundubbera	BOM Presentation and Meeting
29.11.12	Mundubbera 7-A-Side Meeting	Mundubbera	Planning for Carnival 2013 under way.

30.11.12	Eidsvold Home Units AGM	Eidsvold	Chaired AGM in Councillor Francis' absence
1.12.12	NBRC Staff Christmas Party	Eidsvold	Good time was had by those in attendance. Congratulations to Eidsvold Staff for organisation and Eidsvold Bowls Club.
3.12.12	Meeting with Wide Bay Health Executive Members	Mundubbera	Discussed Health Management issues encountered in North Burnett including lack of permanent doctors and screening procedure for locums and resident doctors. Asked for Specialist services to come to our hospitals on regular visits to save travel. Asked that more Video conferencing of Doctor to patient to occur to save travel. Asked for a new Gayndah Hospital – advised twice a submission has gone to Canberra with no luck. Re-enforced NB's lack of public transport and the issues that brings when residents cannot access health services on the coast on any given day.
3.12.12	Meeting with Tradesman	Mundubbera	Installation of round 2 Pavers in the Centenary Garden. Sooon.
3.12.12	Archer Park Advisory Committee Meeting	Mundubbera	No major issues except the need to have Martin Love Oval aerated and fertilised as a matter of urgency. This ground is constantly pounded by over use by both clubs and general itinerant public.
4.12.12	Wide Bay Planning Meeting	Bundaberg	Observer. Meeting chaired by Deputy Premier. General feeling that a streamlined plan is desired that fits well with individual Local Government Plans. Footprint mapping should sit within Local Government plans. Opportunity to revisit dialogue relating to NB in the plan.
5.12.12	Policy and Planning Meeting/Tech Services Meeting	Biggenden	
6.12.12	Mundubbera State School Carols Night	Mundubbera	Large attendance.
7.12.12	Mundubbera Regional Art Gallery Meeting and Christmas Lunch	Mundubbera	Thank you to all volunteers who kept the Gallery open during 2012.
7.12.12	Mundubbera Kindergarten Fund Raiser	Mundubbera	Raising extra funds for their building project.
8.12.12	Councillor Christmas Dinner	Mulgildie	Very enjoyable and nice overnight stay at a traditional Aussie Pub however a Councillor who shall remain nameless slept in and made me late returning home to my housework. However enjoyed an early morning walk around Mulgildie,
9.12.12	Mundubbera Historical Society Christmas Lunch	Mundubbera	Thank you for all who helped the committee with their many projects throughout the year. Citrus display shed is starting to take shape.
9.12.12	Met with Girl Guides Association	Mundubbera	Discussion on future of Mundubbera Hut/Hub and Contents.
10.12.12	Teleconference RM Williams Bush Learning Centre Board	Mundubbera	Stood in for Mayor Don Waugh.

10.12.12	River walk at Gayndah	Gayndah	Inspected progress on funded project with Council and community members.
11.12.12	Australia Day Award Panel Meeting	Mundubbera	Hard job for the panel and thank you to the community members who took part in the decision process.
13.12.12	QGC Camp & Project Tour	Cracow Road	
14.12.12	Christmas in the Park	Mundubbera	Communities major Christmas celebration together. Big event with funded fireworks.

COUNCILLOR KS WENDT OAM BEM

Period 21 Nov to 18 Dec 12

Date	Function	Location	Comments / Action
21 Nov 12	Airport Strategy Meeting	Gayndah	Looking Good
22 Nov 12	School Musical	Biggenden	Excellent Night
23 24 25	Catch a Cattie Comp	Mingo Crossing	Great Weekend extremely well received by the Public Great Promotion for the NBRC
27 Nov 12	CAN meeting	Biggenden	Gary Kirk presented on what he sees as the way ahead for our medical facilities into the future
29 Nov 12	School Concert	Coalstoun Lakes	Great Night Kids done themselves proud
30 Nov 12	Year 10 Graduation	Biggenden	A happy group of children
30 Nov 12	Meeting with Jack Dempsey	Bundaberg	Looks like we have found a way ahead for our Cadets
1 Dec 12	Staff Break Up	Eidsvold	Good Afternoon has potential
2 Dec 12	Calliope Markets	Calliope	Big Fishing club
4 Dec 12	Presentation of Certificates to Cadets	Biggenden	First Aid Well done to the Cadets
5 Dec 12	P P Meeting	Biggenden	Good Meeting
=====	North Burnett Futures Meeting	=====	Some good outcomes especially the Driver Training
=====	Meeting with Emergency Services and Moira Thompson and a number of the Cadets	Biggenden	Good outcome all gave their full support
6 Dec 12	Meet with Andrew J and Ergon Energy	Paradise Dam	Upgrade of Electricity
6 Dec 12	Judging Australia day Nominations	Biggenden	All Done
8 Dec 12	Councillors Breakup	Mulgildie	Great Night
9 Dec 12	Meeting paradise Stocking Ass	Mingo Crossing	Weekend netted 2,600\$
12 Dec 12	Meeting CMCA rep	Biggenden	Ref rally next Apr
12 Dec 12	School Concert	Dallarnil	TBA
14 Dec 12	BMRG Board Meeting	Bundaberg	Final for 2012 has been a difficult year
15 Dec 12	Rifle Club Meeting	Biggenden	Org farewell for a long serving member
15 Dec 12	Xmas Fair	Biggenden	Hope for good weather
18 Dec 12	General Meeting	Biggenden	

COUNCILLOR PW FRANCIS

Date	Function	Location	Comments / Action
28/11/12	Bundy For Breakfast	Bundaberg	Positive and Informative
30/11/12	Museum & Gallery Services Review	Bundaberg	Great Effort by our Representatives
1/12/12	Council Workforce Break Up	Eidsvold	Good Day
3/12/12	Washdown Bay Meeting	Gayndah	Looks Positive
4/12/12	RPC	<u>Bundaberg</u>	New Approach
5/12/12	Policy & Planning, Tech Services, Futures	Biggenden	
6/12/12	QGC CCC	Thangool	Tour of camp 4 and the Right of Way and Meeting
	Monto Show Society AGM	Monto	
8/12/12	Councillor Xmas Party	Mulgildie	Great Night
10/12/12	Australia Day Selection Panel	Eidsvold	
	RMW Teleconference	Eidsvold	Some decisions to be made concerning the wind up of the company and the name change.
11/12/12	MMTAG AGM and Break Up	Mungungo	
13/12/12	QGC Tour of camp 3	Calrossie Turnoff	
18/12/12	General Meeting	Biggenden	

COUNCILLOR JF DOWLING

NOVEMBER 17 – DECEMBER 13

Date	Function	Location	Comments / Action
17.11.12	Mt Perry Races	Mt Perry	What a massive crowd, an awesome day and an extremely hot, steamy day. Congratulations must go to the organising committee for their promotion and well-run day.
17.11.12	RSL Dinner	Gayndah	A good turnout. We heard some interesting stories during "roll call".
20.11.12	Council General Meeting	Mundubbera	
21.11.12	Airport Strategy Meeting	Gayndah	Worked through the draft plan and requested changes where needed.
26.11.12	CWA Divisional Executive Meeting	Gayndah	Collected a presentation on behalf of North Burnett Regional Council.
27.11.12	Ratepayer	Gayndah	Discussed issues regarding road name.
30.11.12	St Joseph's Fete	Gayndah	A larger than usual crowd. This is always a well supported event. (Didn't win a ham).
01.12.12	Council Christmas Party	Eidsvold	Boy, another sweltering day. Some of us were even silly enough to attempt a game of bowls. Santa was a hit with the kids – he was bearing gifts of ice-cream.
03.12.12	GDA Meeting	Gayndah	Informed the committee that council is replacing the old and damaged picnic table at Jaycees park. GDA member will fill holes worn under the swings.
05.12.12	Policy & Planning the Tech Services Meeting	Biggenden	
06.12.12	Bundaberg Tourism	Bundaberg	A group with great and big ideas for promotions of the area.
07.12.12	Epic Morning Tea	Gayndah	A group working hard to keep our community work skills.
08.12.12	Councillor Christmas Party	Mulgildie	A great opportunity to relax and socialise with our council colleagues and their spouses. Some of the Secret Santa gifts were "interesting".
10.12.12	Riverbank Hosted Walk	Gayndah	The group was joined by Rick Matkowski from Bundaberg Tourism who offered fresh eyes and approach to the project. Some fantastic ideas were discussed and hopefully this is something we can progress into a great area for locals and visitors alike.

COUNCILLOR WJ BOWEN

NOVEMBER – DECEMBER 2012

Date	Function	Location	Comments / Action
19 Nov 12	Meeting	Gayndah	Attended Ag-Force Meeting. It was good to meet Ag-Force members.
20 Nov 12	Meeting	Mundubbera	General Meeting
21 Nov 12	Meeting	Gayndah	Attended Airport meeting
23 Nov 12	Bus Route	Gayndah	Went the Mayor and students on the Wigton Road school bus. Lovely lot of kids
24 Nov 12	Fishing Competition	Mingo Crossing	Helped out at the fishing competition, good 2 days and good to see 40 juniors complete.
26 Nov 12	Meeting	Mt Perry	Met with people from 'Cool to Go' workshop
26 Nov 12	Meeting	Mt Perry	Lunch meeting with Mark Boon from Evolution Mines
28 Nov 12	Visit	Mingo Crossing	Talked with new managers of Mingo Crossing
30 Nov 12	Function	Bundaberg	Attend function at Bundaberg for Museum Gallery
01 Dec 12	Function	Eidsvold	Christmas Break-up function
05 Dec 12	Standing Committees	Biggenden	Standing Committees Meeting
07 Dec 12	Function	Gayndah	Morning Tea with Epic Services
10 Dec 12	Function	Mt Perry	Mt Perry Playgroup Santa visit
11 Dec 12	Function	Mt Perry	End of Year Mt Perry State school
11 Dec 12	Meeting	Mt Perry	Meeting with group about book – Perry past and final chapter
14 Dec 12	Tour	Gayndah	Tour with the Mayor
15 Dec 12	Function	Gooroolba	Function
15 Dec 12	Function	Mt Perry	Attend Christmas function in Mt Perry
18 Dec 12	Meeting	Biggenden	General Meeting

COUNCILLOR PW LOBEGEIER

December 2012

Date	Function	Location	Comments / Action
21-11-12	Airport Study	Gayndah	Ongoing will go out for Pubic comment
21/23-11-12	Community Wellbeing Symposium	Brisbane	I attend 1 day to do with the Art & Culture and I thank council for that experience. I lot was covered and we got a small insight in the direction the new Gov moving. You always get new ideas that you can bring back so we should not ever stop going to these events if we are to be apart of this fast moving world we live in.
26-11-12	Monto Rate Payers	Monto	Home to late to go
27-11-12	Monto Magic	Monto	Watch this space for the Voices of Cania event in 2013. This will be BIG.
28-11-12	NRM BCCA	Monto	Going through the Job Apps There was a big response to this job even from over seas
30-11-12	Museum & Gallery Qld	Bundaberg	The end of year 1 in this program for the towns of Monto, Eidsvold and Mt Perry. It has been steady work and at time questioning but we have moved forward and to receive this gong was great for the work that was achieved and I must thank Connie for her involvement as it would not have happen with out her. I'm proud that the council support me in becoming involved in this program.
1-12-12	Christmas brake up	Eidsvold	Well done Eidsvold Team. Some did not attend their loss
3-12-12	NRM BCCA	Monto	Job Interviews. Very complete. Will be announced soon.
	Age Care Members Meeting	Monto	Ongoing not a big roll up
5-12-12	Committee Meeting	Biggenden	All There
6-12-12	B&NB Tourism	Bundaberg	Will forward paper on for your viewing Stafford Group a must read we can lean from this report that Bundaberg paid for. Rick to visit this week. We need to link events to tourism as the state is
	Monto Show Society	Monto	All position filled and this Group are preforming well for our town.
7-12-12	Historical & Cultural	Monto	This group is starting to pull together. I thank Council for Prue Lang for coming she will be a great asset for our group and a must if Council is to work with our Community.
	Monto Office	Monto	Planning meeting.
10-12-12	Office work Tourism	Home Gayndah	Never ends Rick visit. River Walk
11-12-12	Monto Magic AGM	Mungungo	

12-12-12	NRM BCCA Monto State School	Mundubbera Monto	Graduation and end of year
13-12-12	QGC	Field Trip	
14-12-12	Australia Day Committee	Monto	
15-12-12	Landcare Brake up	Monto	
17-12-12	Age Care BOM	Monto	Applying for age care grant for 4 more beds and new admin section
18-12-12	General Meeting	Biggenden	